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FISCAL IMPACT REPORT

SPONSOR <u>Thomson/Cates/Ferrary/Stefanics</u>	LAST UPDATED <u>3/1/2023</u>
SHORT TITLE <u>Firefighter & Emergency Provider Peer Support</u>	ORIGINAL DATE <u>2/15/2023</u>
	BILL NUMBER <u>House Bill 257/aHLVMC/aHAFC</u>
	ANALYST <u>Hanika-Ortiz</u>

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT* (dollars in thousands)

	FY23	FY24	FY25	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
DPS	No fiscal impact	\$250.0	\$100.0	\$350.0	Recurring	

Parentheses () indicate expenditure decreases.
*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files

Responses Received From

Department of Homeland Security & Emergency Management (DHSEM)

SUMMARY

Synopsis of HAFC Amendment to House Bill 257

The House Appropriations and Finance Committee Substitute for HB257 strikes the appropriation.

The State Fire Marshal’s Office will be required to implement the training course and fire agencies that choose to create peer support programs will do so, within existing resources.

For FY24, the House Appropriations and Finance Committee Substitute for House Bills 2 & 3 currently includes an appropriation to the State Fire Marshal’s Office of \$6.3 million from the fire protection fund, which was a substantial increase from FY23. Any unexpended balances from the fire protection fund for the Office reverts to the fire protection fund. Therefore, this bill has the potential to reduce those reversions, depending upon the Office’s final appropriation. The operating budget impact table above assumes one additional FTE to implement the program.

Synopsis of HLMVC Amendment to House Bill 257

The House Labor, Veterans and Military Affairs Committee amendment includes “volunteers” in the definition the committee proposes for “emergency service provider” in the new act.

Synopsis of Original House Bill 257

House Bill 257 (HB257) appropriates \$250 thousand from the general fund to the State Fire Marshal's Office to enact the "firefighter and emergency service provider peer support act" and implement a training course for providers who work for fire agencies and provide peer support.

More specifically,

Section 1 and 2 site the act and define terms, including for "critical incident stress" which includes the acute or cumulative psychological stress or trauma that emergency services providers may experience...; "peer support program" to mean a program administered by a public fire agency that delivers peer support services...; "peer support services" to include services that help emergency service providers struggling with behavioral health issues; and "peer support team member" to include providers who work for a fire agency and provide peer support services.

Section 3 says a public fire agency may establish a peer support program for emergency service providers. The bill requires peer support team members to complete a training course approved by the State Fire Marshal's Office. The course will focus on substance misuse, critical incident stress, grief support, line of duty deaths, serious injury or illness, suicidal thoughts and workplace issues.

Section 4 includes confidentiality provisions for all communications and gives emergency service providers receiving services the right to refuse to disclose such in civil, administrative, or arbitration proceedings, whether or not a party to the litigations. The bill exempts from the confidentiality provisions; 1) consultations between providers, 2) disclosure when necessary to prevent death, bodily harm, or a crime, 3) disclosure pursuant to a court order in a civil proceeding, or 4) the provider agrees in writing that the confidential communication may be disclosed.

Section 5 releases from liability a team member who provides peer support services, and their fire agency employer, except for medical malpractice, gross negligence, or intentional misconduct.

This bill does not contain an effective date and, as a result, would go into effect June 16, 2023, (90 days after the Legislature adjourns) if signed into law.

FISCAL IMPLICATIONS

The appropriation of \$250 thousand contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY24 shall not revert to the general fund. Although this bill does not specify future appropriations, there is an expectation that the training course and peer support program/s being created by this bill will continue in future fiscal years; therefore, these cost will likely become recurring after the implementation period.

SIGNIFICANT ISSUES

HB257 proposes the "Firefighter and Emergency Service Provider Peer Support Act," which allows fire agencies to establish programs wherein emergency workers are trained and organized

to offer confidential support services to peers that are experiencing behavioral health challenges. The bill defines "emergency service provider" as an employee at a state, local, or regional public fire agency who provides emergency response services, including firefighters, paramedics, and dispatchers. Although as originally written, HB257 did not include volunteer firefighters, who also experience posttraumatic stress because they not "employees" of state, local, or regional public fire agencies, the amendment adds "volunteers," making the training available to volunteers in their networks.

PERFORMANCE IMPLICATIONS

Pursuant to Laws 2020, Chapter 9, the State Fire Marshal's Office moved from the Public Regulation Commission to DHSEM effective July 1, 2021. The program is composed of an administrative section and four bureaus, including the State Firefighters Training Academy.

ADMINISTRATIVE IMPLICATIONS

Under HB257, aspiring peer support service providers will be trained in a course that has been approved by the State Fire Marshal's Office, and communications with peer support team members will be confidential outside of certain enumerated exceptions as provided for in the bill.

AHO/al/ne/rl/hg/al/ne