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Introduced by

Referred to Committee on

Date:

Subject: Health; mental health; emergency service providers; peer support services; confidentiality

Statement of purpose of bill as introduced: This bill proposes to require that communications made during the course of emergency service provider peer support sessions remain confidential.

An act relating to confidentiality for peer support services among emergency service providers

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 7257c is added to read:

§ 7257c. CONFIDENTIALITY; PEER SUPPORT SERVICES FOR EMERGENCY SERVICE PROVIDERS

(a) As used in this section:

(1) “Peer support program” means a program established or accessed by the employer of emergency service providers to provide support services to emergency service providers working in a paid or volunteer capacity.

(2) “Peer support communication” means

(A) an oral or written communication made in the course of a peer support session;

(B) a note or report arising out of a peer support session; or

(C) record of a peer support session

40
41 (3) “Peer support specialist” means

42
43 (A) a member of an organized and recognized Vermont peer support
44 program and

45 (B) is an emergency service provider who has received training in
46 providing peer support services from a recognized training resource; or

47 (C) is a member of an employer-based peer support program

48
49 (4) “Emergency service provider” means an individual:

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51 (A) currently recognized by a Vermont fire department as a
52 firefighter;

53 (B) currently licensed by the Department of Health as an emergency
54 medical technician, an emergency medical responder, an advanced
55 emergency medical technician, or a paramedic;

56 (C) currently certified as a law enforcement officer by the Vermont
57 Criminal Justice Council, including constables and sheriffs;

58 (D) currently employed by the Department of Corrections as a
59 probation, parole, or correctional facility officer;

60 (E) currently certified by the Vermont Enhanced 911 Board as a
61 911 call taker or employed as an emergency communications dispatcher
62 providing service for an emergency service provider organization; or

63 (F) currently registered as a ski patroller at a Vermont ski resort with
64 the National Ski Patrol or Professional Ski Patrol Association.

65 (G) Medical examiners and assistant medical examiners as appointed
66 by the Chief Medical Examiner (18 V.S.A. § 508)

67 (H) all other first responders as defined by the Emergency Service
68 Provider Wellness Commission Act (18 V.S.A. § 7257b)

69
70 (5) “Employer” means an entity that employs or oversees emergency
71 service providers working in a paid or volunteer capacity.

72 (6) “Peer support session” means an individual or group peer support
73 session provided by a peer support specialist for emergency service providers who
74 have been involved in a potentially traumatizing event or are suffering from
75 cumulative or chronic emotional stress by reason of their employment or volunteer
76 service or related to other personal matters.

77
78 (b)(1) Except as provided in subsection (d) of this section, any communication

79 made by a participant in a peer support session of a peer support program
80 established or accessed by an employer of emergency service providers, including
81 any oral or written information conveyed during a peer support session, shall not
82 be disclosed by any individual participating in the peer support session.

83

84 (2) Except as provided by subsection (d) of this section, any communication
85 relating to a peer support session between peer support specialist and other staff
86 members of a peer support program or between staff members of a peer support
87 program, including any oral or written information, shall not be disclosed by any
88 individual participating in the communication.

89

90 (3) Written communications described in this subsection, such as notes,
91 records, and reports related to a peer support session, are exempt from public
92 inspection and copying under the Public Records Act and shall be kept
93 confidential. The Public Records Act exemptions created in this section shall
94 not be subject to the provisions of 1 V.S.A. § 317(e) (repeal of Public Records
95 Act exemptions).

96

97 (c) Except as provided by subsection (d) of this section, any communication made
98 by a participant or peer support specialist in a peer support session, including any
99 oral or written communication, such as notes, records, and reports related to the
100 peer support, shall not be admissible in a judicial, administrative, or arbitration
101 proceeding. Limitations on disclosure imposed by this subsection include
102 disclosure during any discovery conducted as part of an adjudicatory proceeding.
103 Limitations on disclosure imposed by this subsection shall not include knowledge
104 acquired by an emergency service provider from observations made during the
105 course of employment or volunteer service or information acquired by the
106 emergency service provider during the course of employment or volunteer service
107 that is otherwise subject to discovery or introduction into evidence.

108

109 (d)(1) Confidentiality protections described in subsections (b) and (c) of
110 this section shall only apply to a peer support session conducted by an individual
111 who has:

112

113 (A) been designated by an employer or a peer support program
114 to act as a peer support resource; and

115 (B) received training in providing peer support to emergency service
116 providers who have been involved in potentially traumatizing events by
117 reason of their employment or volunteer service.

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(2) Confidentiality protections described in subsections (b) and (c) of this section shall not apply to the following information as it pertains to an individual designated to receive such information in the normal course the individual's professional responsibilities:

(A) any threat of suicide or homicide made by a participant of a peer support session or any information conveyed in a peer support session relating to a threat of suicide or homicide;

(B) any information relating to the abuse of a child or vulnerable adult, or other information that is required to be reported by law;

(C) any admission of criminal conduct; or

(D) any admission of a plan to commit a crime.

(e) Nothing in this section shall prohibit any communications between peer support specialists regarding a peer support session or between peer support specialists and other staff members of a peer support program regarding a peer support session.

(f) An employer shall not be liable for any disclosure made in violation of this section by an emergency service provider who participates in a peer support session.

(g) A peer support specialist or program providing peer support is not liable for damages, including personal injury, wrongful death, property damage, or other loss related to the specialist's or program's act, error, or omission in the performance of the services, unless the act, error, or omission constitutes wanton, willful, or intentional misconduct.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2026.