

SENATE BILL NO. 760

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

3387S.01H

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 590.192, RSMo, and to enact in lieu thereof one new section relating to the critical incident stress management program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 590.192, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 590.192,
3 to read as follows:

590.192. 1. There is hereby established the "Critical
2 Incident Stress Management Program" within the department of
3 public safety. The program shall provide services for peace
4 officers **and firefighters** to assist in coping with stress
5 and potential psychological trauma resulting from a response
6 to a critical incident or emotionally difficult event. Such
7 services may include consultation, risk assessment,
8 education, intervention, and other crisis intervention
9 services provided by the department to peace officers **and**
10 **firefighters** affected by a critical incident. For purposes
11 of this section, a "critical incident" shall mean any event
12 outside the usual realm of human experience that is markedly
13 distressing or evokes reactions of intense fear,
14 helplessness, or horror and involves the perceived threat to
15 a person's physical integrity or the physical integrity of
16 someone else.

2. All peace officers **and firefighters** shall be
18 required to meet with a program service provider once every

19 three to five years for a mental health check-in. The
20 program service provider shall send a notification to the
21 peace officer's commanding officer **or firefighter's fire**
22 **protection district director** that he or she completed such
23 check-in.

24 3. Any information disclosed by a peace officer **or**
25 **firefighter** shall be privileged and shall not be used as
26 evidence in criminal, administrative, or civil proceedings
27 against the peace officer **or firefighter** unless:

28 (1) A program representative reasonably believes the
29 disclosure is necessary to prevent harm to a person who
30 received services or to prevent harm to another person;

31 (2) The person who received the services provides
32 written consent to the disclosure; or

33 (3) The person receiving services discloses
34 information that is required to be reported under mandatory
35 reporting laws.

36 4. (1) There is hereby created in the state treasury
37 the "988 Public Safety Fund", which shall consist of moneys
38 appropriated by the general assembly. The state treasurer
39 shall be custodian of the fund. In accordance with sections
40 30.170 and 30.180, the state treasurer may approve
41 disbursements. The fund shall be a dedicated fund and
42 moneys in the fund shall be used solely by the department of
43 public safety for the purposes of providing services for
44 peace officers **and firefighters** to assist in coping with
45 stress and potential psychological trauma resulting from a
46 response to a critical incident or emotionally difficult
47 event pursuant to subsection 1 of this section. Such
48 services may include consultation, risk assessment,
49 education, intervention, and other crisis intervention
50 services provided by the department to peace officers **or**

51 **firefighters** affected by a critical incident. The director
52 of public safety may prescribe rules and regulations
53 necessary to carry out the provisions of this section. Any
54 rule or portion of a rule, as that term is defined in
55 section 536.010, that is created under the authority
56 delegated in this section shall become effective only if it
57 complies with and is subject to all of the provisions of
58 chapter 536 and, if applicable, section 536.028. This
59 section and chapter 536 are nonseverable and if any of the
60 powers vested with the general assembly pursuant to chapter
61 536 to review, to delay the effective date, or to disapprove
62 and annul a rule are subsequently held unconstitutional,
63 then the grant of rulemaking authority and any rule proposed
64 or adopted after August 28, 2021, shall be invalid and void.

65 (2) Notwithstanding the provisions of section 33.080
66 to the contrary, any moneys remaining in the fund at the end
67 of the biennium shall not revert to the credit of the
68 general revenue fund.

69 (3) The state treasurer shall invest moneys in the
70 fund in the same manner as other funds are invested. Any
71 interest and moneys earned on such investments shall be
72 credited to the fund.

✓