



132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 882

H.P. 568

House of Representatives, March 4, 2025

An Act to Protect Communication with Providers of Critical Incident Stress Management Peer Support

Reference to the Committee on Judiciary suggested and ordered printed.

Robert B. Hunt
ROBERT B. HUNT
Clerk

Presented by Representative SALISBURY of Westbrook.
Cosponsored by Representatives: CLOUTIER of Lewiston, GRAMLICH of Old Orchard
Beach, MATHIESON of Kittery, STOVER of Boothbay, TERRY of Gorham.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1711-C, sub-§1, ¶C**, as amended by PL 1999, c. 512, Pt. A,
3 §5 and affected by §7 and c. 790, Pt. A, §§58 and 60, is further amended to read:

4 C. "Health care" means preventative, diagnostic, therapeutic, rehabilitative,
5 maintenance or palliative care, services, treatment, procedures or counseling, including
6 appropriate assistance with disease or symptom management and maintenance, that
7 affects an individual's physical, mental or behavioral condition, including individual
8 cells or their components or genetic information, or the structure or function of the
9 human body or any part of the human body. Health care includes prescribing,
10 dispensing or furnishing to an individual drugs, biologicals, medical devices or health
11 care equipment and supplies; providing hospice services to an individual; ~~and~~ the
12 banking of blood, sperm, organs or any other tissue; and critical incident stress
13 management peer support as defined in Title 25, section 4201, subsection 1-A.

14 **Sec. 2. 22 MRSA §4011-A, sub-§1, ¶A**, as amended by PL 2009, c. 211, Pt. B,
15 §18 and PL 2011, c. 657, Pt. W, §5, is further amended by amending subparagraph (31) to
16 read:

17 (31) A family or domestic violence victim advocate; ~~and~~

18 **Sec. 3. 22 MRSA §4011-A, sub-§1, ¶A**, as amended by PL 2009, c. 211, Pt. B,
19 §18 and PL 2011, c. 657, Pt. W, §5, is further amended by amending subparagraph (32) to
20 read:

21 (32) A school bus driver or school bus attendant; and

22 **Sec. 4. 22 MRSA §4011-A, sub-§1, ¶A**, as amended by PL 2009, c. 211, Pt. B,
23 §18 and PL 2011, c. 657, Pt. W, §5, is further amended by enacting a new subparagraph
24 (33) to read:

25 (33) A provider of critical incident stress management peer support as defined in
26 Title 25, section 4201, subsection 1-A;

27 **Sec. 5. 25 MRSA §4203** is enacted to read:

28 **§4203. Communication with providers of critical incident stress management peer**
29 **support**

30 Except at the request of, or with the consent of, the person served, a provider of critical
31 incident stress management peer support may not be required to testify in any civil or
32 criminal action, suit or proceeding at law or in equity respecting any information that the
33 provider may have acquired in providing critical incident stress management peer support
34 to the person served if that information was necessary to enable the provider to furnish
35 critical incident stress management peer support to the person served, except that, if the
36 physical or mental condition of the person served is an issue in that action, suit or
37 proceeding or if a court in the exercise of sound discretion determines the disclosure
38 necessary to the proper administration of justice, information communicated to, or
39 otherwise learned by, the provider in connection with the provision of critical incident
40 stress management peer support may not be privileged and disclosure may be required.

41 This section does not prohibit disclosure by a provider of critical incident stress
42 management peer support of information concerning a person served when that disclosure

1 is required by law, and this section does not modify or affect the provisions of Title 22,
2 sections 4011-A to 4015.

3

SUMMARY

4

This bill:

5

1. Includes critical incident stress management peer support in the definition of "health
6 care" in the laws governing the confidentiality of health care information;

7

2. Provides that providers of critical incident stress management peer support are
8 mandatory reporters of suspected child abuse or neglect or suspicious child deaths; and

9

3. Designates communications of providers of critical incident stress management peer
10 support as privileged communications.