



# 130th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2021

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Legislative Document

No. 1504

H.P. 1114

House of Representatives, April 15, 2021

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### **An Act To Enhance Use of Critical Incident Stress Management Teams for Firefighters**

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Received by the Clerk of the House on April 13, 2021. Referred to the Committee on Criminal Justice and Public Safety pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in black ink that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.  
Cosponsored by Representatives: GROHOSKI of Ellsworth, O'CONNELL of Brewer, SACHS of Freeport, SHEEHAN of Biddeford, Senator: STEWART of Aroostook.

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

2 **Sec. 1. 25 MRSA §4201, sub-§1**, as amended by PL 2019, c. 89, §1, is further  
3 amended to read:

4 **1. Critical incident.** "Critical incident" means a work-related incident that causes or  
5 has the potential to cause an employee or member of a public safety agency, a fire  
6 department or an organization involved in emergency care or response, a corrections officer  
7 as defined in section 2801-A, subsection 2, a firefighter or an employee of a county jail or  
8 a detention or correctional facility operated by the Department of Corrections to experience  
9 emotional or physical stress. "Critical incident" includes, but is not limited to, use-of-force  
10 encounters that may result in the death of or serious injury to another person or an officer,  
11 member or employee, fires or other public safety emergencies, fatal motor vehicle  
12 accidents, child abuse investigations, emergency care or response operations and death  
13 investigations.

14 **Sec. 2. 25 MRSA §4201, sub-§2-A** is enacted to read:

15 **2-A. Commissioner.** "Commissioner" means the Commissioner of Public Safety.

16 **Sec. 3. 25 MRSA §4201, sub-§3-A** is enacted to read:

17 **3-A. Fire department.** "Fire department" means the State Fire Marshal, a municipal  
18 fire department under Title 30-A, section 3151, subsection 1, a volunteer fire association  
19 under Title 30-A, section 3151, subsection 3 or a fire district under Title 30-A, chapter 164.

20 **Sec. 4. 25 MRSA §4201, sub-§3-B** is enacted to read:

21 **3-B. Firefighter.** "Firefighter" has the same meaning as in Title 39-A, section 328-B,  
22 subsection 1, paragraph C.

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

24 **§4203. Firefighters**

25 **1. Critical incident stress management team services.** The commissioner shall  
26 ensure that critical incident stress management team services are available to every  
27 firefighter in the State, including by:

28 A. Supporting the establishment of a critical incident stress management team for a  
29 fire department or through a collaboration of more than one fire department;

30 B. Providing critical incident stress management team services for a fire department  
31 that does not have a critical incident stress management team;

32 C. Establishing a program for critical incident stress management training for at least  
33 one firefighter in every fire department; and

34 D. Providing educational, training and promotional programs and materials to fire  
35 departments to increase awareness of or provide support for critical incident stress  
36 management team services.

37 **2. Fire departments.** A fire department shall employ or have as an active member at  
38 least one firefighter who has received critical incident stress management training and  
39 provide education and access to ongoing behavioral health care related to any post-  
40 traumatic stress resulting from a critical incident experienced by a firefighter of the fire

1 department. A fire department shall within department resources maintain a critical  
2 incident stress management team, which may include collaboration with another fire  
3 department.

4 **3. Collaboration.** The commissioner shall collaborate with the Department of  
5 Defense, Veterans and Emergency Management, Maine Emergency Management Agency,  
6 a nonprofit organization representing professional firefighters in the State and other  
7 governmental and nonprofit organizations that have an interest in firefighting or emergency  
8 or stress management in carrying out the purposes of this section.

9 **4. Rules.** The commissioner may adopt rules to carry out the purposes of this section.  
10 Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5,  
11 chapter 375, subchapter 2-A.

## 12 SUMMARY

13 This bill directs the Commissioner of Public Safety to provide critical incident stress  
14 management team services to all firefighters in the State by assisting fire departments in  
15 establishing critical incident stress management teams individually or in groups, providing  
16 critical incident stress management team services to a fire department that does not have a  
17 team, providing critical incident stress management training for at least one firefighter in  
18 every fire department and providing education, training and promotional programs and  
19 materials regarding critical incident stress management teams and services to fire  
20 departments. This bill also requires fire departments to have at least one employee or  
21 firefighter who has received critical incident stress management training and provide  
22 education and access to ongoing behavioral health care related to post-traumatic stress  
23 experienced by a firefighter. A fire department is also required, within department  
24 resources, to maintain a critical incident stress management team, which may include  
25 collaboration with another fire department.