

HOUSE BILL 736

E4, P4

0lr1500
CF SB 565

By: **Delegates Brooks, Bagnall, D. Barnes, Carey, Charkoudian, Corderman, Haynes, Hettleman, C. Jackson, R. Lewis, McComas, Metzgar, Proctor, Qi, Valderrama, ~~and P. Young~~ P. Young, Atterbeary, Bartlett, Cardin, Cox, Grammer, Griffith, J. Lewis, and Williams**

Introduced and read first time: January 30, 2020

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2020

CHAPTER _____

1 AN ACT concerning

2 **Police Officers – Mental Health – Employee Assistance Programs**

3 FOR the purpose of requiring each law enforcement agency to develop and implement a
4 certain program to protect the mental health of police officers; establishing certain
5 requirements for a certain program; requiring each law enforcement agency to
6 develop ~~standards for annual assessments of a certain program for a certain purpose~~
7 a policy to minimize certain costs to police officers; defining certain terms; and
8 generally relating to the mental health of police officers.

9 BY adding to

10 Article – Public Safety

11 Section 3–522

12 Annotated Code of Maryland

13 (2018 Replacement Volume and 2019 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Public Safety**

17 **3–522.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “EMPLOYEE ASSISTANCE PROGRAM” MEANS A WORK-BASED PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO VOLUNTARY AND CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH ISSUES OF A POLICE OFFICER STEMMING FROM PERSONAL AND WORK-RELATED CONCERNS, INCLUDING STRESS, FINANCIAL ISSUES, LEGAL ISSUES, FAMILY PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

~~(2)~~ (3) “LAW ENFORCEMENT AGENCY” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

~~(3)~~ (4) “POLICE OFFICER” HAS THE MEANING STATED IN § 3-201 OF THIS TITLE.

(B) EACH LAW ENFORCEMENT AGENCY SHALL ~~DEVELOP AND IMPLEMENT~~ PROVIDE ACCESS TO AN EMPLOYEE ASSISTANCE PROGRAM OR MENTAL HEALTH PROGRAM FOR ALL POLICE OFFICERS THAT THE LAW ENFORCEMENT AGENCY EMPLOYS.

(C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL ~~LOW OR NO COST~~ MENTAL HEALTH SERVICES, INCLUDING:

- (1) COUNSELING SERVICES;
- (2) CRISIS COUNSELING;
- (3) STRESS MANAGEMENT COUNSELING;
- (4) MENTAL HEALTH EVALUATIONS; AND
- (5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

(D) ~~AS IN ADDITION TO THE REQUIREMENTS OF § 3-516 OF THIS SUBTITLE,~~ AS PART OF THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION, EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE TO ALL POLICE OFFICERS THE AGENCY EMPLOYS A VOLUNTARY MENTAL HEALTH ~~EVALUATION~~ CONSULTATION OR COUNSELING SERVICES BEFORE THE POLICE OFFICER RETURNS TO FULL DUTY FOLLOWING ANY INCIDENT INVOLVING:

- (1) A SERIOUS INJURY TO THE POLICE OFFICER;

1 **(2) AN OFFICER–INVOLVED SHOOTING;**

2 **(3) AN ACCIDENT RESULTING IN A FATALITY; OR**

3 **(4) ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS**
4 **INJURY.**

5 **(E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION**
6 **SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF**
7 **POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.**

8 **(F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP ~~STANDARDS FOR~~**
9 **~~ANNUAL ASSESSMENTS OF THE AGENCY’S EMPLOYEE ASSISTANCE PROGRAM TO~~**
10 **~~IDENTIFY DEFICIENCIES AND AREAS FOR IMPROVEMENT~~ A POLICY TO PROVIDE**
11 **ACCESS TO THE SERVICES REQUIRED BY THIS SECTION AT MINIMAL COST TO A**
12 **POLICE OFFICER.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.