

HOUSE BILL 88

E4, P4

(PRE-FILED)

1lr1002
CF SB 74

By: **Delegates Brooks, Bagnall, Cox, C. Jackson, and R. Lewis**

Requested: October 16, 2020

Introduced and read first time: January 13, 2021

Assigned to: Judiciary

A BILL ENTITLED

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 a policy to minimize certain costs to police officers; defining certain terms;
7 and generally relating to the mental health of police officers.

8 BY adding to

9 Article – Public Safety

10 Section 3–523

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2020 Supplement)

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

14 That the Laws of Maryland read as follows:

15 **Article – Public Safety**

16 **3–523.**

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

19 (2) “EMPLOYEE ASSISTANCE PROGRAM” MEANS A WORK-BASED
20 PROGRAM OFFERED TO ALL POLICE OFFICERS THAT PROVIDES ACCESS TO
21 VOLUNTARY AND CONFIDENTIAL SERVICES TO ADDRESS THE MENTAL HEALTH
22 ISSUES OF A POLICE OFFICER STEMMING FROM PERSONAL AND WORK-RELATED
23 CONCERNS, INCLUDING STRESS, FINANCIAL ISSUES, LEGAL ISSUES, FAMILY

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 PROBLEMS, OFFICE CONFLICTS, AND ALCOHOL AND SUBSTANCE ABUSE DISORDERS.

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

4 (4) "POLICE OFFICER" HAS THE MEANING STATED IN § 3-201 OF THIS
5 TITLE.

6 (B) EACH LAW ENFORCEMENT AGENCY SHALL PROVIDE ACCESS TO AN
7 EMPLOYEE ASSISTANCE PROGRAM OR A MENTAL HEALTH PROGRAM FOR ALL
8 POLICE OFFICERS THAT THE LAW ENFORCEMENT AGENCY EMPLOYS.

9 (C) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION
10 SHALL PROVIDE POLICE OFFICERS ACCESS TO CONFIDENTIAL MENTAL HEALTH
11 SERVICES, INCLUDING:

12 (1) COUNSELING SERVICES;

13 (2) CRISIS COUNSELING;

14 (3) STRESS MANAGEMENT COUNSELING;

15 (4) MENTAL HEALTH EVALUATIONS; AND

16 (5) PEER SUPPORT SERVICES FOR POLICE OFFICERS.

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

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

24 (2) AN OFFICER-INVOLVED SHOOTING;

25 (3) AN ACCIDENT RESULTING IN A FATALITY; OR

26 (4) ANY USE OF FORCE RESULTING IN A FATALITY OR SERIOUS
27 INJURY.

28 (E) THE EMPLOYEE ASSISTANCE PROGRAM REQUIRED BY THIS SECTION
29 SHALL INCLUDE A COMPONENT DESIGNED TO PROTECT THE MENTAL HEALTH OF

1 POLICE OFFICERS DURING PERIODS OF PUBLIC DEMONSTRATIONS AND UNREST.

2 (F) EACH LAW ENFORCEMENT AGENCY SHALL DEVELOP A POLICY TO
3 PROVIDE ACCESS TO THE SERVICES REQUIRED BY THIS SECTION AT MINIMAL COST
4 TO A POLICE OFFICER.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2021.