181.9732 CRITICAL INCIDENT STRESS MANAGEMENT.

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Critical incident" means an event that results in acute or cumulative psychological stress or trauma to an emergency service provider. Critical incident includes but is not limited to any encounter which may result in the death of or serious injury to another person such as fatal motor vehicle accidents, child abuse investigations, death investigations, and large scale man-made or natural disasters.

(c) "Critical incident stress management services" means consultation, risk assessment, education, intervention, and other crisis intervention services provided by a critical incident stress management team or critical incident stress management team member to an emergency service provider affected by a critical incident.

(d) "Critical incident stress management team" means a group organized to provide critical incident stress management to emergency service providers and consists of critical incident stress management team members. A critical incident stress management team may include members from any emergency service discipline, mental health professionals, and designated emergency service chaplains.

(e) "Critical incident stress management team member" means an individual who:

(1) is trained to provide critical incident stress management services in accordance with standards that are both (i) established by a nationally recognized critical incident stress management organization or network, and (ii) recognized by the commissioner of public safety;

(2) was approved to function as a critical incident stress management team member prior to the time critical incident stress management services are provided; and

(3) is approved to function as a critical incident stress management team member at the time the critical incident stress management services are provided.

(f) "Emergency service provider" includes a peace officer, correctional officer, probation officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or emergency medical clinic personnel, a person who provides emergency medical services for a Minnesota licensed ambulance service, forensic science professional, or other person involved with public safety emergency services, either paid or volunteer.

Subd. 2. **Team members; prohibition on being witness or party.** A person who otherwise qualifies as a critical incident stress management team member may not be part of a critical incident stress management team providing services to an emergency service provider if the critical incident stress management team member is a witness to the critical incident for which the person is receiving services.

Subd. 3. **Disclosure prohibited.** (a) Except as provided in subdivision 4, a critical incident stress management team member or any person who receives critical incident stress management services shall not be required to disclose information to a third party that was obtained solely through the provision or receipt of critical incident stress management services.

(b) Government data on individuals receiving critical incident stress management services are classified as private data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as provided in subdivision 4.

Subd. 4. **Exceptions.** The prohibition established under subdivision 3 does not apply if any of the following are true:

(1) the critical incident stress management team member reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of critical incident stress management services or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm;

(2) the person receiving critical incident stress management services discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under chapter 260E and the reporting of maltreatment of vulnerable adults under section 626.557, provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report;

(3) the person who received critical incident stress management services provides written consent authorizing disclosure of the information;

(4) the emergency service provider who received critical incident stress management services is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent authorizing disclosure of the information; or

(5) the emergency service provider who received critical incident stress management services voluntarily testifies, in which case the critical incident stress management team member may be compelled to testify on the same subject.

History: *1Sp2020 c 2 art 8 s 145; 2Sp2020 c 1 s 4*