

Testimony in Support of House Bill 2557 House Committee on Judiciary

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The Kansas Highway Patrol (KHP) appreciates the opportunity to provide written testimony in support of House Bill 2557, and we respectfully request the Committee consider our agency's concurrence. Current law (K.S.A. 60-473) defines a "peer support counseling session" as any session conducted by a peer support specialist that is called or requested in response to a critical incident or traumatic event involving personnel of a law enforcement agency, emergency services provider, or the Kansas National Guard. House Bill 2557 would expand the definition of peer support counseling session to include the topics of professional, personal, or social problems or difficult life events rather than only critical incidents or traumatic events. The bill would also expand the same definition to clarify that regardless of how the peer support specialist is contacted, whether the session is conducted in a group or private setting, where the session is requested or conducted or whether the session was conducted using electronic communications, the session would fall under the definition of a peer support counseling session.

The expansion of this definition is important to the KHP for several reasons. First, any communication made by a member of our agency during a peer support counseling session is legally confidential and may not be disclosed by any participant in the session. The expansion of the peer support counseling session definition ensures that conversations regarding professional, personal, or social problems or difficult life events that take place during a session remain confidential. Oftentimes, a traumatic event or critical incident for which the current session confidentiality law applies can lead to conversations regarding other issues being endured by the employee outside the scope of employment. While our employees strive to dutifully maintain a professional presence and polished decorum, they remain human beings with personal lives and, on occasion, personal problems. Matters at home can ultimately affect an employee's ability to perform on the job. It is imperative that our employees understand they are legally protected in these circumstances so that they remain open to contacting our peer support team members when their wellbeing calls for it.

To clarify, confidentiality requirements for peer support counseling sessions currently have exceptions, and these same exceptions would apply with the passage of House Bill 2557. They include threats of suicide, admission of criminal conduct, and communication between peer support specialists and the staff of an employee assistance program. These exceptions ensure illegal misconduct or serious mental health emergencies are still reportable and that those employees are attended to with appropriate measures.

First responders and members of the National Guard experience traumatic events on a regular basis. Peer support teams provide these public servants a way to speak with their colleagues and confide in them during times of crisis. The KHP wholeheartedly supports the expansion of peer support counseling sessions found in House Bill 2557. We sincerely thank the members of this Committee for their consideration of our testimony, and we urge your support of this bill.

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