

House File 2751

H-8276

1 Amend House File 2751 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 80F.1, Code 2026, is amended by adding
4 the following new subsection:

5 NEW SUBSECTION. 2A. This section shall not be construed to
6 require the disclosure, use, or consideration of a confidential
7 communication protected under chapter 622C in any informal
8 inquiry, formal administrative investigation, disciplinary
9 proceeding, or Brady-Giglio determination.

10 Sec. _____. Section 622.10, subsection 9, paragraph a, Code
11 2026, is amended to read as follows:

12 a. A peer support ~~group~~ counselor or individual present
13 for a individual or group crisis intervention who obtains
14 information from an officer or a civilian employee of a law
15 enforcement agency, emergency management agency, emergency
16 medical services agency, or fire department by reason of the
17 counselor's capacity as a peer support ~~group~~ counselor or
18 an individual's presence for a individual or group crisis
19 intervention shall not be allowed, ~~in giving testimony,~~ to
20 disclose any confidential communication properly entrusted
21 to the counselor or individual present for a group crisis
22 intervention by the officer or civilian employee while
23 receiving counseling or group crisis intervention pursuant to
24 chapter 622C except as provided pursuant to section 622C.2,
25 subsection 3.

26 Sec. _____. NEW SECTION. 622C.1 Definitions.

27 As used in this chapter, unless the context otherwise
28 requires:

29 1. "Civilian employee" means an employee of a law
30 enforcement agency, emergency management agency, emergency
31 medical services agency, or fire department who is not an
32 officer.

33 2. "Confidential communication" means any oral, written, or
34 recorded communication made by an officer or civilian employee
35 to a peer support counselor while receiving peer support

1 services or crisis intervention, whether the communication is
2 made individually or in a group setting.

3 3. "*Officer*" means a certified law enforcement officer,
4 fire fighter, fire marshal, emergency medical technician,
5 paramedic, medical provider, corrections officer, detention
6 officer, jailer, probation or parole officer, public safety
7 telecommunicator, dispatcher, emergency management coordinator
8 under chapter 29C, or any other public safety employee
9 certified by the Iowa law enforcement academy or state fire
10 marshal and employed by a city, county, or state agency.

11 4. "*Peer support counselor*" means a law enforcement officer,
12 fire fighter, emergency medical services provider, public
13 safety telecommunicator, dispatcher, civilian employee of a law
14 enforcement or fire department, or a nonemployee counselor who
15 has been designated as a peer support counselor by a sheriff,
16 police chief, fire chief, emergency medical services director,
17 or department head of a public safety agency, and who has
18 received training to provide emotional and moral support,
19 counseling, or crisis intervention to officers and civilian
20 employees affected by stress or trauma arising from official
21 duties.

22 Sec. ____ . NEW SECTION. 622C.2 Confidential peer support
23 communications — exceptions.

24 1. Except as provided in subsection 3, a peer support
25 counselor or individual who is present for a confidential
26 communication from an officer or civilian employee during
27 a peer support or crisis intervention session shall not be
28 permitted to testify or otherwise disclose any confidential
29 communication properly entrusted to the peer support counselor
30 or individual, or made in the peer support counselor's or
31 individual's presence by an officer or civilian employee
32 receiving peer support services.

33 2. Except as provided in subsection 3, a confidential
34 communication obtained by a peer support counselor during
35 the provision of peer support services or by an individual

1 present for a confidential communication shall not be used
2 or introduced in any formal administrative investigation,
3 disciplinary proceeding, or Brady-Giglio disclosure or
4 proceeding.

5 3. A peer support counselor or an individual present for a
6 confidential communication may testify or otherwise disclose a
7 confidential communication if the confidential communication
8 includes any of the following:

9 a. A plan for the commission of a crime or information
10 related to the commission of a crime by the officer or civilian
11 employee.

12 b. An explicit threat of harm to the officer, civilian
13 employee, or to another person.

14 c. Information for which disclosure is otherwise required by
15 law, including but not limited to mandatory reporting of child
16 abuse or dependent adult abuse.

17 Sec. ____ . NEW SECTION. 622C.3 Construction.

18 1. This chapter shall not be construed to limit an
19 employer's authority to direct an employee to an employee
20 assistance program or to require a fitness-for-duty evaluation.

21 2. This chapter shall be construed liberally to promote
22 candid and confidential communications during peer support
23 services for public safety professionals.>

24 2. Title page, line 1, after <to> by inserting <certain
25 public safety personnel, including confidentiality of peer
26 support communications for public safety officers and civilian
27 employees, and>

28 3. By renumbering as necessary.

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