

**CHAPTER 128****( HB 79 )**

AN ACT relating to mental health.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 15.518 is amended to read as follows:

- (1) As used in this section, unless the context requires otherwise:
  - (a) "Commissioner" means the commissioner of the department;
  - (b) "Department" means the Department of Criminal Justice Training of the Justice and Public Safety Cabinet;
  - (c) "Fund" means the Law Enforcement Professional Development and Wellness Program fund established in subsection (8) of this section; and
  - (d) "Program" means the Law Enforcement Professional Development and Wellness Program established in this section.
- (2) The department shall develop a Law Enforcement Professional Development and Wellness Program.
- (3) The program shall use seminar-based peer support and counseling services designed to reduce negative mental and behavioral health outcomes.
- (4) The program shall be offered to Kentucky law enforcement officers *and telecommunicators* at least two (2) times each calendar year.
- (5) On a limited basis, the program may be offered to law enforcement officers from states other than Kentucky upon application to and approval by the commissioner. However, no Kentucky law enforcement *officer or telecommunicator* ~~officers~~ may be denied admission to the program if law enforcement officers from another state are admitted to the program.
- (6) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section. The administrative regulations shall address, at a minimum:
  - (a) The required qualifications and duties of any person used by the department to implement or administer the program;
  - (b) The curriculum, programming, seminar type, and treatment modalities used in the program;
  - (c) The extent to which a *participant's* ~~participating officer's~~ relatives or friends may participate in seminars;
  - (d) The standards by which law enforcement officers from other states may be accepted into the program by the commissioner; and
  - (e) A protocol for establishing reciprocity for interagency assistance with other state, federal, and tribal law enforcement agencies and officers in administering the program.
- (7)
  - (a) Except as provided in paragraphs (b) and (c) of this subsection, communications, identifying data, and any reports made in the application for or in the course of an officer's *or telecommunicator's* participation in the program shall be confidential and privileged from disclosure in any civil or criminal proceeding and shall not be subject to discovery, disclosure, or production upon the order or subpoena of a court or other agency with subpoena power, regardless of who possesses them. The participating officer *or telecommunicator* is the holder of the privilege.
  - (b) The department may use anonymous data for research, statistical analysis, and educational purposes.
  - (c) Any communication making an actual threat of physical violence against a clearly identified or reasonably identifiable victim or an actual threat of some specific violent act may be revealed by the program in order to prevent the commission of any physical violence or violent act using the protocol established in KRS 202A.400.

- (8) (a) There is hereby established in the State Treasury a restricted fund to be known as the Law Enforcement Professional Development and Wellness Program fund.
- (b) The fund shall consist of moneys received from the Kentucky Law Enforcement Foundation Program fund established in KRS 15.430, grants, gifts, state appropriations, and federal funds.
- (c) The fund shall be administered by the department.
- (d) Amounts deposited in the fund shall be used only for administration of the program.
- (e) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward to the next fiscal year.
- (f) Any interest earnings of the fund shall become a part of the fund and shall not lapse.
- (g) Moneys deposited in the fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.

➔Section 2. KRS 15.550 is amended to read as follows:

- (1) The basic course offered by the training program shall consist of *no less than* forty (40) hours of instruction or training and shall consist of subjects appropriate for the basic training of law enforcement telecommunicators in the technique of emergency services communications. The Kentucky Law Enforcement Council shall approve all training curriculum and instructions.
- (2) As a portion of the basic course offered, all telecommunicators who receive or dispatch emergency medical service calls shall be trained in:
- (a) Telephone cardiopulmonary resuscitation (T-CPR) utilizing nationally recognized emergency cardiovascular care guidelines. At a minimum this training shall incorporate recognition protocols for out-of-hospital cardiac arrest, compression-only CPR instructions for callers, and continuing education as appropriate; *and*
- (b) *Recognizing the symptoms of post-traumatic stress disorder (PTSD). At a minimum, this training shall include guidelines for identifying the symptoms of PTSD and provide a resource guide of available services for treatment.*
- (3) Online training modules based on nationally recognized guidelines that at a minimum incorporate recognition protocols for out of hospital cardiac arrest and compression-only CPR shall be acceptable for telecommunicators who have not been through the training academies or who are not otherwise certified in these protocols.
- (4) *The Kentucky Law Enforcement Council shall incorporate mental health training, with a primary focus on PTSD, into the telecommunicators training program and maintain a current resource list for all telecommunicators and their supervisors about the management and treatment of PTSD and work-induced stress.*

➔Section 3. KRS 15.560 is amended to read as follows:

- (1) No person shall receive an official appointment on a permanent basis as a law enforcement telecommunicator unless the person has previously been awarded a certificate by the Kentucky Law Enforcement Council attesting to such person's satisfactory completion of a non-CJIS telecommunications academy. Every person who is employed after June 24, 2003, as a law enforcement telecommunicator by any law enforcement agency in this state, regardless of prior experience as a non-CJIS telecommunicator, shall forfeit his or her position as such unless, within twelve (12) months from the date of his or her employment, he or she satisfactorily completes the non-CJIS telecommunications academy and is awarded a certificate attesting thereto. The council shall waive the training requirements listed in this section for all law enforcement telecommunicators who are serving on July 15, 2006, and possess a certificate of completion of an approved law enforcement telecommunicator basic training program.
- (2) All non-CJIS telecommunicators, whether originally employed before or after July 15, 2006, shall successfully complete each calendar year an in-service training course, appropriate to their job assignment and responsibility, of eight (8) hours' duration at a school certified or recognized by the Kentucky Law Enforcement Council. *Each in-service training course shall include a mental health component which highlights post-traumatic stress disorder and work-induced stress, including symptom recognition, treatment, and available resources.*

- (3) In the event of extenuating circumstances beyond the control of a non-CJIS telecommunicator that prevent completion of training within the time specified, the commissioner or the commissioner's designee may grant the non-CJIS telecommunicator an extension of time, not to exceed one hundred eighty (180) days, in which to complete the training.
- (4) A non-CJIS telecommunicator who fails to complete the training within a period of twelve (12) months and any extension of time granted under this section shall be terminated by the employing agency and shall not be permitted to serve as a telecommunicator with any governmental agency in the Commonwealth for a period of one (1) year.

➔Section 4. KRS 15.565 is amended to read as follows:

- (1) No person shall receive an official appointment on a permanent basis as a CJIS telecommunicator unless that person has previously been awarded a certificate by the Kentucky Law Enforcement Council attesting to that person's satisfactory completion of the CJIS telecommunications academy. Every person who is employed after July 15, 2006, as a CJIS telecommunicator shall forfeit his or her position as such unless, within six (6) months from the date of employment, that person satisfactorily completes the CJIS telecommunications academy and is awarded a certificate attesting thereto. The council shall waive the training requirements listed in this section and award a CJIS telecommunicator certificate for all CJIS telecommunicators who are serving on July 15, 2006, and have successfully completed the CJIS-full access course.
- (2) A non-CJIS telecommunicator who gains employment as a CJIS telecommunicator shall successfully complete the CJIS-full access course within six (6) months from the date of his or her employment. A non-CJIS telecommunicator whose employing agency initiates the use of CJIS shall successfully complete the CJIS-full access course within six (6) months from the date that the agency initiates the use of CJIS.
- (3) All CJIS telecommunicators, whether originally employed before or after July 15, 2006, shall successfully complete each calendar year an in-service training course, appropriate to their job assignment and responsibility, of eight (8) hours' duration, of which the number of hours shall not be changed by the Kentucky Law Enforcement Council, at a school certified or recognized by the council. ***Each in-service training course shall include a mental health component which highlights post-traumatic stress disorder and work-induced stress, including symptom recognition, treatment, and available resources.***
- (4) All CJIS telecommunicators, whether originally employed before or after July 15, 2006, shall successfully complete eight (8) hours of CJIS in-service training every two (2) years at a school certified or recognized by the Kentucky Law Enforcement Council.
- (5) Extensions of time in which to complete the training specified in this section may be granted by the commissioner of the Department of Kentucky State Police or the commissioner's designee.
- (6) A CJIS telecommunicator who fails to complete the training within a period of six (6) months and any extension of time granted under this section shall be terminated by the employing agency and shall not be permitted to serve as a telecommunicator with any governmental agency in the Commonwealth for a period of one (1) year.

➔Section 5. KRS 15.590 is amended to read as follows:

- (1) KRS 15.530 to 15.590 shall be administered by the Kentucky Law Enforcement Council, which shall promulgate administrative regulations as necessary regarding training, in-service training, and telecommunications practices.
- (2) The Kentucky Law Enforcement Council may, by administrative regulations promulgated in accordance with KRS Chapter 13A, explicitly set the exact number at a different number of hours from that established in KRS 15.530 required for completion of the:
  - (a) Non-CJIS telecommunicators academy; and
  - (b) Telecommunications academy.

If the council sets an exact number of hours at a different number from that established in KRS 15.530 in an administrative regulation as set out in this subsection, it shall not further change the number of hours without promulgating administrative regulations in accordance with the provisions of KRS Chapter 13A to set the exact number of hours required for each of the academies.

- (3) Nothing in KRS 15.530 to 15.590 shall be interpreted to permit the Kentucky Law Enforcement Council to increase or decrease the eight (8) hours required to be completed by telecommunicators for in-service training as established in KRS 15.560(2) and 15.565(3) and (4).
- (4) *The Kentucky Law Enforcement Council shall include mental health training and resources for post-traumatic stress disorder (PTSD) and work-induced stress during each in-service training for all telecommunicators.*
- (5) *At the conclusion of each in-service training, a guideline for recognizing the symptoms of and available treatment resources for PTSD or work-induced stress shall be provided to all supervisors of telecommunicators.*
- (6) *All telecommunicators shall have access to the Law Enforcement Professional Development and Wellness Program established in Section 1 of this Act.*

➔Section 6. This Act may be cited as the Lifeline's Act.

**Signed by Governor April 8, 2022.**