

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 16 of Title 19.2 a section*
3 *numbered 19.2-271.4, relating to critical incident stress management teams; privileged*
4 *communications by certain emergency medical services and public safety personnel.*

5 [S 362]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 16 of Title 19.2 a**
9 **section numbered 19.2-271.4 as follows:**

10 *§ 19.2-271.4. Privileged communications by certain public safety personnel.*

11 *A. A person who is a member of a critical incident stress management team, established pursuant to*
12 *subdivision A 13 of § 32.1-111.3, shall not disclose nor be compelled to testify regarding any*
13 *information communicated to him by emergency medical services or public safety personnel who are the*
14 *subjects of peer support services regarding a critical incident. Such information shall also be exempt*
15 *from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).*

16 *B. A person whose communications are privileged under subsection A may waive the privilege.*

17 *C. The provisions of this section shall not apply when:*

18 *1. Criminal activity is revealed;*

19 *2. A member of a critical incident stress management team is a witness or a party to a critical*
20 *incident that prompted the peer support services;*

21 *3. A member of a critical incident stress management team reveals the content of privileged*
22 *information to prevent a crime against any other person or a threat to public safety;*

23 *4. The privileged information reveals intent to defraud or deceive the investigation into the critical*
24 *incident; or*

25 *5. A member of a critical incident stress management team reveals the content of privileged*
26 *information to the employer of the emergency medical services or public safety personnel regarding*
27 *criminal acts committed or information that would indicate that the emergency medical services or*
28 *public safety personnel pose a threat to themselves or others.*

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