

Rule 507. First Responder Peer Support.

(a) Definitions.

(a)(1) "Peer Support communication" means information that is communicated in confidence to a peer support team member for the purpose of providing peer support services, including but not limited to oral statements, written statements, notes, records, or reports.

(a)(2) "Peer support team member" means a person who is:

(a)(2)(A) designated as a peer support team member for first responders under UCA §78B-5-901 and

(a)(2)(B) providing peer support services in accordance with written guidelines required by UCA § 78B-5-901.

(a)(3) "Peer support team member" does not mean a person who was a witness or a party to an incident that prompted the delivery of the peer support services.

(b) Statement of the Privilege. A person receiving peer support services from a peer support team member has a privilege during the person's life, to refuse to disclose and to prevent any other person from disclosing peer support communications.

(c) Who May Claim the Privilege. The privilege may be claimed by the person who received the peer support services, or the guardian or conservator of the person who received the peer support services. A person who was a peer support team member at the time of the communication is presumed to have authority during the life of the person who received the peer support services to claim the privilege on behalf of the person who received the peer support services.

(d) Exceptions. No privilege exists under paragraph (b) for:

(d)(1) communication to a peer support team member that is evidence of actual or suspected child neglect or abuse;

(d)(2) communication to a peer support team member that is evidence a person receiving peer support services is a clear and immediate danger to the person's self or others,

(d)(3) communication to a peer support team member that establishes reasonable cause for the peer support team member to believe the person receiving peer support services is mentally or emotionally unfit for duty; or

(d)(4) communication to the peer support team member that is evidence that the person who is receiving the peer support services has committed a crime, plans to commit a crime, or intends to conceal a crime.

Effective May 8, 2018