

SUBJECT: Allowing certain agencies to establish peace officer wellness programs

COMMITTEE: Homeland Security & Public Safety — committee substitute recommended

VOTE: 7 ayes — Guillen, Jarvis Johnson, Bowers, Dorazio, Harless, Holland, Troxclair

0 nays

2 absent — Canales, Goodwin

WITNESSES: For — Reuben Ramirez, Dallas Police Department (*Registered, but did not testify*); Chris Jones, Combined Law Enforcement Associations of Texas; James Parnell, Dallas Police Association; Joshua Normand, Harris County Deputies' Organization; Faternal Order of Police Lodge #39; Jessica Anderson, Houston Police Department; Ray Hunt, Houston Police Officers' Union; Greg Hansch, National Alliance on Mental Illness TX; Brian Hawthorne, Sheriffs Association of Texas; Buddy Mills, Sheriffs Association of Texas; Mitch Landry, Texas Municipal Police Association; Steven Price, The VOICES of Our Veterans; CJ Grisham)

Against — None

On — (*Registered, but did not testify*): Reilly Webb, Health & Human Services Commission)

BACKGROUND: Some have suggested that allowing law enforcement agencies to establish and maintain wellness programs for peace officers would help to ensure that the mental health needs of officers facing high stress and traumatic situations are being met.

DIGEST: CSHB 3858 would allow a law enforcement agency to establish and maintain a wellness program for the agency's peace officers.

Wellness program. A law enforcement agency that established a wellness

program would be required to ensure the program complied with any requirements established by the Health and Human Services Commission (HHSC) and was available to each peace officer who had routinely responded to and could have been affected by a violent incident. The bill would define "violent incident" as an incident involving a peace officer that occurred while the officer was performing official duties and that posed a substantial risk of serious harm to the officer's mental health or well-being, including responding to a homicide, suicide, or fatal motor vehicle accident. At a minimum, the program would have to provide:

- an initial phone call or other form of contact from an agency representative to monitor the mental and physical well-being of a peace officer who may have been affected by a violent incident; and
- information regarding mental health resources, including counseling and therapy services, to a peace officer who was struggling to cope with the effect of responding to a violent incident.

The HHSC commissioner would be required to prescribe any necessary requirements for peace officer wellness programs by January 1, 2024.

Grant program. HHSC would be required to establish and administer a grant program to assist law enforcement agencies in establishing and maintaining peace officer wellness programs. HHSC would be required to establish:

- eligibility criteria for grant applicants;
- grant application procedures;
- guidelines relating to grant amounts;
- procedures for evaluating applications;
- guidelines relating to the use of a grant awarded under the program, including the reimbursement of costs associated with the provision of counseling and therapy services to peace officers participating in a wellness program; and
- procedures for monitoring the use of a grant awarded under the

program and ensuring compliance with any condition of a grant.

Fund. The bill would establish the peace officer wellness fund as an account in the general revenue fund composed of money appropriated to the fund by the Legislature, gifts and grants contributed to the fund, and the earnings of the fund. The bill would restrict the appropriation of money in the fund to HHSC for use in making grants under the peace officer wellness grant program.

The bill would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, CSHB 3858 would have a negative impact on general revenue related funds of \$1,339,740 through fiscal 2024-25.