

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.20982.added THIS ADDED SECTION IS EFFECTIVE JUNE 13, 2016 *****

333.20982.added Confidentiality of communication or record; exceptions.

Sec. 20982. (1) Except as otherwise provided in this section, a communication made by an emergency service provider to a CISM team member while the emergency service provider receives CISM services is confidential and shall not be disclosed in a civil, criminal, or administrative proceeding. A record kept by a CISM team member relating to the provision of CISM services to an emergency service provider by the CISM team or a CISM team member is confidential and is not subject to subpoena, discovery, or introduction into evidence in a civil, criminal, or administrative proceeding.

(2) A communication or record described in subsection (1) is not confidential if any of the following circumstances exist:

(a) The CISM team member reasonably needs to make an appropriate referral of the emergency service provider to or consult about the emergency service provider with another member of the CISM team or an appropriate professional associated with the CISM team.

(b) The communication conveys information that the emergency service provider is or appears to be an imminent threat to himself or herself, a CISM team member, or any other individual.

(c) The communication conveys information relating to child or elder abuse.

(d) The emergency service provider or the legal representative of the emergency service provider expressly agrees that the emergency service provider's communication is not confidential.

History: Add. 2016, Act 40, Eff. June 13, 2016.

Compiler's note: Enacting section 1 of Act 40 of 2016 provides:

"Enacting section 1. This amendatory act applies only to critical incident stress management services provided in relation to a critical incident that occurs on or after 90 days after the date this amendatory act is enacted into law."

Popular name: Act 368