

116TH CONGRESS  
1ST SESSION

# H. R. 1646

To require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 2019

Mr. BERA introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Helping Emergency  
5 Responders Overcome Act of 2019” or the “HERO Act  
6 of 2019”.

1 **SEC. 2. DATA SYSTEM TO CAPTURE NATIONAL PUBLIC**  
2 **SAFETY OFFICER SUICIDE INCIDENCE.**

3 The Public Health Service Act is amended by insert-  
4 ing after section 317T of such Act (42 U.S.C. 247b–22)  
5 the following:

6 **“SEC. 317U. DATA SYSTEM TO CAPTURE NATIONAL PUBLIC**  
7 **SAFETY OFFICER SUICIDE INCIDENCE.**

8 “(a) IN GENERAL.—The Secretary, acting primarily  
9 through the Director of the Centers for Disease Control  
10 and Prevention and in coordination with other agencies  
11 as the Secretary determines appropriate, shall—

12 “(1) develop and maintain a data system, to be  
13 known as the Public Safety Officer Suicide Report-  
14 ing System, for the purposes of—

15 “(A) collecting data on the suicide inci-  
16 dence among public safety officers; and

17 “(B) facilitating the study of successful  
18 interventions to reduce suicide among public  
19 safety officers; and

20 “(2) integrate such system into the National  
21 Violent Death Reporting System, so long as the Sec-  
22 retary determines such integration to be consistent  
23 with the purposes described in paragraph (1).

24 “(b) DATA COLLECTION.—In collecting data for the  
25 Public Safety Officer Suicide Reporting System, the Sec-

1 retary shall, at a minimum, collect the following informa-  
2 tion:

3 “(1) The total number of suicides in the United  
4 States among all public safety officers in a given cal-  
5 endar year.

6 “(2) Suicide rates for public safety officers in  
7 a given calendar year, disaggregated by—

8 “(A) age and gender of the public safety  
9 officer;

10 “(B) State;

11 “(C) occupation; including both the indi-  
12 vidual’s role in their public safety agency and  
13 their primary occupation in the case of volun-  
14 teer public safety officers;

15 “(D) status of the public safety officer as  
16 volunteer, paid-on-call, or career; and

17 “(E) status of the public safety officer as  
18 active or retired.

19 “(c) CONSULTATION DURING DEVELOPMENT.—In  
20 developing the Public Safety Officer Suicide Reporting  
21 System, the Secretary shall consult with non-Federal ex-  
22 perts to determine the best means to collect data regard-  
23 ing suicide incidence in a safe, sensitive, anonymous, and  
24 effective manner. Such non-Federal experts shall include  
25 the following:

1           “(1) Public health experts with experience in  
2           developing and maintaining suicide registries.

3           “(2) Organizations that track suicide among  
4           public safety officers.

5           “(3) Mental health experts with experience in  
6           studying suicide and other profession-related trau-  
7           matic stress.

8           “(4) Clinicians with experience in diagnosing  
9           and treating mental health issues.

10          “(5) Active and retired volunteer, paid-on-call,  
11          and career public safety officers.

12          “(6) Relevant national police, and fire and  
13          emergency medical services, organizations.

14          “(d) DATA PRIVACY AND SECURITY.—In developing  
15          and maintaining the Public Safety Officer Suicide Report-  
16          ing System, the Secretary shall ensure that all applicable  
17          Federal and State privacy and security protections are fol-  
18          lowed to ensure that—

19                 “(1) the confidentiality and anonymity of sui-  
20                 cide victims and their families are protected, includ-  
21                 ing so as to ensure that data cannot be used to deny  
22                 benefits; and

23                 “(2) data is sufficiently secure to prevent unau-  
24                 thorized access.

25          “(e) REPORTING.—

1           “(1) ANNUAL REPORT.—Not later than one  
2 year after the date of enactment of the Helping  
3 Emergency Responders Overcome Act of 2019, and  
4 annually thereafter, the Secretary shall submit a re-  
5 port to the Congress on the suicide incidence among  
6 public safety officers. Each such report shall—

7           “(A) include such suicide incidence disag-  
8 gregated by age, gender, and State of employ-  
9 ment;

10           “(B) identify risk factors for suicide  
11 among public safety officers;

12           “(C) disaggregate rates of suicide by—

13           “(i) occupation;

14           “(ii) status as volunteer, paid-on-call,  
15 or career; and

16           “(iii) status as active or retired;

17           “(D) include recommendations for further  
18 study regarding the suicide incidence among  
19 public safety officers;

20           “(E) specify in detail, if found, any obsta-  
21 cles in collecting suicide rates for volunteers  
22 and include recommended improvements to  
23 overcome such obstacles;

24           “(F) identify options for interventions to  
25 reduce suicide among public safety officers; and

1           “(G) ensure the confidentiality and ano-  
2           nymity of suicide victims and their families, as  
3           described in subsection (d)(1).

4           “(2) PUBLIC AVAILABILITY.—Upon the submis-  
5           sion of each report to the Congress under paragraph  
6           (1), the Secretary shall make the full report publicly  
7           available on the website of the Centers for Disease  
8           Control and Prevention.

9           “(f) DEFINITION.—In this section, the term ‘public  
10          safety officer’ means—

11           “(1) a public safety officer as defined in section  
12           1204 of the Omnibus Crime Control and Safe  
13           Streets Act of 1968; or

14           “(2) a public safety telecommunicator as de-  
15           scribed in detailed occupation 43–5031 in the Stand-  
16           ard Occupational Classification Manual of the Office  
17           of Management and Budget (2018).

18           “(g) PROHIBITED USE OF INFORMATION.—Notwith-  
19          standing any other provision of law, if an individual is  
20          identified as deceased based on information contained in  
21          the Public Safety Officer Suicide Reporting System, such  
22          information may not be used to deny or rescind life insur-  
23          ance payments or other benefits to a survivor of the de-  
24          ceased individual.”.

1 **SEC. 3. PEER-SUPPORT BEHAVIORAL HEALTH AND**  
2 **WELLNESS PROGRAMS WITHIN FIRE DEPART-**  
3 **MENTS AND EMERGENCY MEDICAL SERVICE**  
4 **AGENCIES.**

5 Part B of title III of the Public Health Service Act  
6 (42 U.S.C. 243 et seq.) is amended by adding at the end  
7 the following:

8 **“SEC. 320B. PEER-SUPPORT BEHAVIORAL HEALTH AND**  
9 **WELLNESS PROGRAMS WITHIN FIRE DEPART-**  
10 **MENTS AND EMERGENCY MEDICAL SERVICE**  
11 **AGENCIES.**

12 “(a) IN GENERAL.—The Secretary shall award  
13 grants to eligible entities for the purpose of establishing  
14 or enhancing peer-support behavioral health and wellness  
15 programs within fire departments and emergency medical  
16 services agencies.

17 “(b) PROGRAM DESCRIPTION.—A peer-support be-  
18 havioral health and wellness program funded under this  
19 section shall—

20 “(1) use career and volunteer members of fire  
21 departments or emergency medical services agencies  
22 to serve as peer counselors;

23 “(2) provide training to members of career, vol-  
24 unteer, and combination fire departments or emer-  
25 gency medical service agencies to serve as such peer  
26 counselors;

1           “(3) purchase materials to be used exclusively  
2           to provide such training; and

3           “(4) disseminate such information and mate-  
4           rials as are necessary to conduct the program.

5           “(c) DEFINITION.—In this section:

6           “(1) The term ‘eligible entity’ means a non-  
7           profit organization with expertise and experience  
8           with respect to the health and life safety of members  
9           of fire and emergency medical services agencies.

10          “(2) The term ‘member’—

11               “(A) with respect to an emergency medical  
12               services agency, means an employee, regardless  
13               of rank or whether they receive compensation  
14               (as defined in section 1204(7) of the Omnibus  
15               Crime Control and Safe Streets Act of 1968  
16               (34 U.S.C. 10284(7)); and

17               “(B) with respect to a fire department,  
18               means a firefighter (as defined in section  
19               1204(4) of the Omnibus Crime Control and  
20               Safe Streets Act of 1968 (34 U.S.C.  
21               10284(4)).”.

1 **SEC. 4. DEVELOPMENT OF RESOURCES FOR EDUCATING**  
2 **MENTAL HEALTH PROFESSIONALS ABOUT**  
3 **TREATING FIRE FIGHTERS AND EMERGENCY**  
4 **MEDICAL SERVICES PERSONNEL.**

5 (a) IN GENERAL.—The Administrator of the United  
6 States Fire Administration, in coordination with the Sec-  
7 retary of Health and Human Services, shall develop and  
8 make publicly available resources that may be used by the  
9 Federal Government and other entities to educate mental  
10 health professionals about—

11 (1) the culture of Federal, State, Tribal, and  
12 local career, volunteer, and combination fire depart-  
13 ments and emergency medical services agencies;

14 (2) the different stressors experienced by fire-  
15 fighters and emergency medical services personnel,  
16 supervisory firefighters and emergency medical serv-  
17 ices personnel, and chief officers of fire departments  
18 and emergency medical services agencies;

19 (3) challenges encountered by retired fire-  
20 fighters and emergency medical services personnel;  
21 and

22 (4) evidence-based therapies for mental health  
23 issues common to firefighters and emergency med-  
24 ical services personnel within such departments and  
25 agencies.

1 (b) CONSULTATION.—In developing resources under  
2 subsection (a), the Administrator of the United States  
3 Fire Administration and the Secretary of Health and  
4 Human Services shall consult with national fire and emer-  
5 gency medical services organizations.

6 (c) DEFINITIONS.—In this section:

7 (1) The term “firefighter” means any employee  
8 of a Federal, State, Tribal, or local fire department  
9 who is responsible for responding to calls for emer-  
10 gency service.

11 (2) The term “emergency medical services per-  
12 sonnel” means any employee, regardless of rank or  
13 whether they receive compensation, as defined in  
14 section 1204(7) of the Omnibus Crime Control and  
15 Safe Streets Act of 1968 (34 U.S.C. 10284(7)).

16 (3) The term “chief officer” means any indi-  
17 vidual who is responsible for the overall operation of  
18 a fire department or an emergency medical services  
19 agency, irrespective of whether such individual also  
20 serves as a firefighter or emergency medical services  
21 personnel.

1 **SEC. 5. BEST PRACTICES AND OTHER RESOURCES FOR AD-**  
2 **DRESSING POSTTRAUMATIC STRESS DIS-**  
3 **ORDER IN PUBLIC SAFETY OFFICERS.**

4 (a) DEVELOPMENT; UPDATES.—The Secretary of  
5 Health and Human Services shall—

6 (1) develop and assemble evidence-based best  
7 practices and other resources to identify, prevent,  
8 and treat posttraumatic stress disorder and co-oc-  
9 ccurring disorders in public safety officers; and

10 (2) reassess and update, as the Secretary deter-  
11 mines necessary, such best practices and resources,  
12 including based upon the options for interventions to  
13 reduce suicide among public safety officers identified  
14 in the annual reports required by section  
15 317U(e)(1)(F) of the Public Health Service Act, as  
16 added by section 2 of this Act.

17 (b) CONSULTATION.—In developing, assembling, and  
18 updating the best practices and resources under sub-  
19 section (a), the Secretary of Health and Human Services  
20 shall consult with, at a minimum, the following:

21 (1) Public health experts.

22 (2) Mental health experts with experience in  
23 studying suicide and other profession-related trau-  
24 matic stress.

25 (3) Clinicians with experience in diagnosing and  
26 treating mental health issues.

1           (4) Relevant national police, fire, and emer-  
2           gency medical services organizations.

3           (c) AVAILABILITY.—The Secretary of Health and  
4 Human Services shall make the best practices and re-  
5 sources under subsection (a) available to Federal, State,  
6 and local fire, law enforcement, and emergency medical  
7 services agencies.

8           (d) FEDERAL TRAINING AND DEVELOPMENT PRO-  
9 GRAMS.—The Secretary of Health and Human Services  
10 shall work with Federal departments and agencies, includ-  
11 ing the United States Fire Administration, to incorporate  
12 education and training on the best practices and resources  
13 under subsection (a) into Federal training and develop-  
14 ment programs for public safety officers.

15           (e) DEFINITION.—In this section, the term “public  
16 safety officer” means—

17           (1) a public safety officer as defined in section  
18 1204 of the Omnibus Crime Control and Safe  
19 Streets Act of 1968; or

20           (2) a public safety telecommunicator as de-  
21 scribed in detailed occupation 43–5031 in the Stand-  
22 ard Occupational Classification Manual of the Office  
23 of Management and Budget (2018).

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