

**Subject: Traumatic Event Counseling for Peace Officers and Public Safety Employees**

**Date: January 9, 2019**

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**Replaces Policy Date: N/A**

**PURPOSE:** To establish a policy to provide for traumatic event counseling in accordance with A.R.S. § 38-672 and § 38-673 to eligible peace officers and public safety employees.

**POLICY**

**ELIGIBILITY:** Peace Officers and Public safety employees are eligible for up to twelve visits of licensed counseling if they are exposed to a traumatic event while in the course of duty.

- A. For purposes of this policy, “peace officer” is defined as set out in A.R.S. § 1-215.
- B. For purposes of this policy, “public safety employee” is defined as:
  - 1. An individual who is a member of the Public Safety Personnel Retirement System or the Corrections Officer Retirement Plan; or
  - 2. A probation officer, surveillance officer or juvenile detention officer.
- C. For purposes of this policy, a “traumatic event while in the course of duty” is defined as:
  - 1. In the case of a peace officer:
    - a) visually witnessing the death or maiming or visually witnessing the immediate aftermath of such a death or maiming of one or more human beings.
    - b) responding to or being directly involved in a criminal investigation of an offense involving a dangerous crime against children as defined in section 13-705.
    - c) requiring rescue in the line of duty where one's life was endangered.
    - d) the use of deadly force or subjection to deadly force in the line of duty, regardless of whether the officer was physically injured;
    - e) witnessing the death of another peace officer or firefighter while engaged in the line of duty;
    - f) responding to or being directly involved in an investigation regarding the drowning or near drowning of a child.
  - 2. In the case of a public safety employee:
    - a) visually witnessing the death or maiming or visually witnessing the immediate aftermath of such a death or maiming of one or more human beings;
    - b) responding to or being directly involved in a criminal investigation of an offense involving a dangerous crime against a child punishable children under as defined in A.R.S. § 13-705;

- c) requiring rescue in the line of duty where one's life was endangered.
- D. For purposes of this policy, "licensed counseling" is defined as counseling provided by a licensed mental health professional pursuant to A.R.S. Title 32, Chapter 19.1 or Chapter 33 if licenses under Title 32, Chapter 33 have training and expertise in treating trauma. Counseling may be provided via telemedicine.

## **PROCEDURE**

- A. Eligible employees who are exposed to a traumatic event while in the course of duty must notify the Appointing Authority or immediate supervisor.
- B. The Appointing Authority or immediate supervisor who is notified, or otherwise becomes aware of an employee who is exposed to a traumatic event while in the course of duty, will coordinate with the Human Resources office to ensure that the employee's counseling needs are met.
- C. Upon determination of eligibility for this benefit, the County, through contracted and/or arranged providers, will cover the cost of up to twelve confidential sessions with a licensed counselor.
- D. In the case of a Peace Officer:
  - 1. If the licensed mental health professional determines that the officer needs additional visits of licensed counseling beyond the initial 12 visits, and that the additional visits are likely to improve the officer's condition, the County shall pay for up to an additional 24 visits, so long as the visits occur within one year after the first visit.
  - 2. The County may not require the officer who is receiving treatment pursuant to this policy to use accrued Annual Leave, Sick Leave or Comp time if the officer leaves work to attend a treatment visit. However, employees are encouraged to schedule counseling sessions near the start or end of their shift so as to limit impact to critical staffing levels.
  - 3. If the licensed mental health professional determines that the officer is not fit for duty while the officer is receiving treatment pursuant to this policy, the County shall ensure that the officer has no loss of pay and benefits for up to thirty calendar days per incident, if all of the following apply:
    - a) the officer is unable to work light duty or the department does not offer a light duty option;
    - b) the officer has exhausted all accrued leave, to include Annual Leave, Sick Leave, CAT (if applicable), accrued Holiday and Comp time;
    - c) the officer is not eligible to receive short-term disability benefits;
  - 4. The County shall allow the officer to select licensed mental health professional of his or her choosing.
- E. Payment by Pinal County for licensed counseling pursuant to this policy does not create a presumption that a claim is compensable under A.R.S. § 23-1043.01(B).
- F. Nothing in this policy limits Pinal County's ability to conduct a fit for duty examination.