
A BILL FOR AN ACT

RELATING TO STRESS MANAGEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that it is not uncommon
2 for police officers to experience a critical incident at one
3 point in their careers. Yet, each person handles the stress from
4 these situations differently. For some officers, the traumatic
5 incident causes minimal disruption in their daily routine and is
6 an unfortunate situation. For other officers however, the
7 trauma of investigating heinous crimes, such as child
8 pornography and the endless hours of compiling evidence, has a
9 more long-term psychological effect, the stress of which becomes
10 debilitating and makes intervention necessary.

11 The legislature further finds that the toll on the physical
12 and emotional health of officers experiencing stress and stress
13 related illnesses such as post-traumatic stress disorder (PTSD)
14 is substantial and could be mitigated if proper pre-incident and
15 post-incident counseling services are available.

16 The purpose of this Act is to provide officers with
17 critical incident stress counseling by a professional



1 psychologist or psychiatrist or both, because the response of
2 law enforcement agencies to critical incidents can prevent or
3 lessen significant stress reactions in its personnel.

4 SECTION 2. Section 396-6, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§396-6 Employer responsibility: safe place of employment;**
7 **safety devices and safeguards.** (a) Every employer shall
8 furnish to each of the employer's employees employment and a
9 place of employment which are safe as well as free from
10 recognized hazards. No employer shall require or direct or
11 permit or suffer any employee to go or be in any employment or
12 place of employment which is not free from recognized hazards
13 that are causing or likely to cause death or serious physical
14 harm to employees or which does not comply with occupational
15 safety and health standards, rules, regulations, citations, or
16 orders made pursuant to this chapter except for the specific
17 purpose of abating said hazard.

18 (b) Every employer shall furnish and use safety devices
19 and safeguards, and shall adopt and use practices, means,
20 methods, operations, and processes which are reasonably adequate
21 to render such employment and place of employment safe. Law



1 enforcement officers, emergency personnel, and other employees
2 who have been involved in emotionally traumatic incidents by
3 reason of their employment shall have access to confidential
4 professional psychological counseling and be protected from loss
5 of employment due to emotionally traumatic incidents by reason
6 of their employment.

7 (c) No employer shall construct or cause to be constructed
8 any place of employment that is not safe, and no employer shall
9 occupy or maintain any unsafe place of employment.

10 (d) Every employer shall make such reports as the
11 Secretary of Labor may require pursuant to Public Law 91596
12 section 8(c).

13 (e) Each employer shall make, keep and preserve and make
14 available to the department such records regarding the
15 employer's activities relating to this chapter as the department
16 may prescribe by regulation as necessary or appropriate for the
17 enforcement of this chapter or for developing information
18 regarding the causes and prevention of occupational accidents
19 and illnesses.

20 The department shall prescribe regulations requiring
21 employers to maintain accurate records of, and to make periodic



1 reports on work related deaths, injuries and illnesses other
2 than minor injuries requiring only first aid treatment and which
3 do not involve medical treatment, loss of consciousness,
4 restriction of work or motion, or transfer to another job.

5 (f) All employers shall be required to post prominently in
6 the working place all posters and information provided by the
7 department for posting as well as notices informing employees of
8 their rights and obligations under this chapter."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2016.

11

INTRODUCED BY:



JAN 27 2016



H.B. NO. 2643

Report Title:

Incident Stress Management; Psychological Counseling.

Description:

Requires that law enforcement personnel and other employees involved in emotionally traumatic incidents be given access to critical incident stress management counseling.

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