

# Multiple Agency Fiscal Note Summary

|                                  |  |
|----------------------------------|--|
| <b>Bill Number:</b> 2311 E 2S HB | <b>Title:</b> First responder wellness |
|----------------------------------|--|

## Estimated Cash Receipts

NONE

| Agency Name         | 2023-25  |       | 2025-27   |       | 2027-29   |       |
|---------------------|--|-------|-----------|-------|-----------|-------|
|                     | GF- State  | Total | GF- State | Total | GF- State | Total |
| Local Gov. Courts   |  |       |           |       |           |       |
| Loc School dist-SPI |  |       |           |       |           |       |
| Local Gov. Other    | Non-zero but indeterminate cost and/or savings. Please see discussion. |       |           |       |           |       |
| Local Gov. Total    |  |       |           |       |           |       |

## Estimated Operating Expenditures

| Agency Name   | 2023-25  |                  |                  |                  | 2025-27    |                  |                  |                  | 2027-29    |                  |                  |                  |
|---|--|------------------|------------------|------------------|------------|------------------|------------------|------------------|------------|------------------|------------------|------------------|
|   | FTEs   | GF-State         | NGF-Outlook      | Total            | FTEs       | GF-State         | NGF-Outlook      | Total            | FTEs       | GF-State         | NGF-Outlook      | Total            |
| Board for Volunteer Firefighters and Reserve Officers | Fiscal note not available  |                  |                  |                  |            |                  |                  |                  |            |                  |                  |                  |
| Washington State Patrol                               | Non-zero but indeterminate cost and/or savings. Please see discussion.   |                  |                  |                  |            |                  |                  |                  |            |                  |                  |                  |
| Criminal Justice Training Commission                  | 1.5  | 1,384,000        | 1,384,000        | 1,384,000        | 3.0        | 1,858,000        | 1,858,000        | 1,858,000        | 3.0        | 1,858,000        | 1,858,000        | 1,858,000        |
| Criminal Justice Training Commission                  | In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note. |                  |                  |                  |            |                  |                  |                  |            |                  |                  |                  |
| Department of Labor and Industries                    | .0   | 0                | 0                | 0                | .0         | 0                | 0                | 0                | .0         | 0                | 0                | 0                |
| Department of Corrections                             | Non-zero but indeterminate cost and/or savings. Please see discussion.   |                  |                  |                  |            |                  |                  |                  |            |                  |                  |                  |
| University of Washington                              | Fiscal note not available  |                  |                  |                  |            |                  |                  |                  |            |                  |                  |                  |
| <b>Total \$</b>                                       | <b>1.5</b>   | <b>1,384,000</b> | <b>1,384,000</b> | <b>1,384,000</b> | <b>3.0</b> | <b>1,858,000</b> | <b>1,858,000</b> | <b>1,858,000</b> | <b>3.0</b> | <b>1,858,000</b> | <b>1,858,000</b> | <b>1,858,000</b> |

| Agency Name         | 2023-25  |          |       | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
|                     | FTEs   | GF-State | Total | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   |  |          |       |         |          |       |         |          |       |
| Loc School dist-SPI |  |          |       |         |          |       |         |          |       |
| Local Gov. Other    | Non-zero but indeterminate cost and/or savings. Please see discussion. |          |       |         |          |       |         |          |       |
| Local Gov. Total    |  |          |       |         |          |       |         |          |       |

## Estimated Capital Budget Expenditures

| Agency Name   | 2023-25                   |          |          | 2025-27    |          |          | 2027-29    |          |          |
|---|---------------------------|----------|----------|------------|----------|----------|------------|----------|----------|
|   | FTEs                      | Bonds    | Total    | FTEs       | Bonds    | Total    | FTEs       | Bonds    | Total    |
| Board for Volunteer Firefighters and Reserve Officers | Fiscal note not available |          |          |            |          |          |            |          |          |
| Washington State Patrol                               | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Criminal Justice Training Commission                  | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Labor and Industries                    | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Department of Corrections                             | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| University of Washington                              | Fiscal note not available |          |          |            |          |          |            |          |          |
| <b>Total \$</b>                                       | <b>0.0</b>                | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> |

| Agency Name         | 2023-25  |          |       | 2025-27 |          |       | 2027-29 |          |       |
|---------------------|--|----------|-------|---------|----------|-------|---------|----------|-------|
|                     | FTEs   | GF-State | Total | FTEs    | GF-State | Total | FTEs    | GF-State | Total |
| Local Gov. Courts   |  |          |       |         |          |       |         |          |       |
| Loc School dist-SPI |  |          |       |         |          |       |         |          |       |
| Local Gov. Other    | Non-zero but indeterminate cost and/or savings. Please see discussion. |          |       |         |          |       |         |          |       |
| Local Gov. Total    |  |          |       |         |          |       |         |          |       |

## Estimated Capital Budget Breakout

|  |                                 |   |
|--|---------------------------------|---|
| <b>Prepared by:</b> Danya Clevenger, OFM | <b>Phone:</b><br>(360) 688-6413 | <b>Date Published:</b><br>Preliminary 2/26/2024 |
|--|---------------------------------|---|

# Individual State Agency Fiscal Note

|                                  |  |  |
|----------------------------------|--|--|
| <b>Bill Number:</b> 2311 E 2S HB | <b>Title:</b> First responder wellness | <b>Agency:</b> 225-Washington State Patrol |
|----------------------------------|--|--|

## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Sarian Scott | Phone: 360-786-7729   | Date: 02/21/2024 |
| Agency Preparation: Megan Given   | Phone: 360-596-4049   | Date: 02/23/2024 |
| Agency Approval: Mario Buono      | Phone: (360) 596-4046 | Date: 02/23/2024 |
| OFM Review: Tiffany West          | Phone: (360) 890-2653 | Date: 02/26/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The changes in the engrossed second substitute version of the proposed legislation do no change our fiscal impact.

There is an indeterminate impact to Washington State Patrol (WSP).

Section 1 mandates, subject to funding, the Criminal Justice Training Commission (CJTC) to create a statewide task force to address first responder wellness including peer support services. We are a required member of this task force, starting no later than December 1, 2024, and ending on December 31, 2028.

Section 5 states that, subject to funding, the CJTC is to establish and administer a grant program to provide funding to first responders for the implementation or expansion of peer support service programs.

In RCW 5.60.060, a peer supporter shall not be compelled to testify about any communication made to the supporter during services. This privilege is extended in section 6(6)(a) to apply regardless of whether the supporter and the recipient of support services are employed by the same employer or not. Furthermore, in section 6(6)(b)(v), the definition of a peer supporter under RCW 5.60.060 is extended to include a retired first responder, and authorized to provide support services not only in response to issues involved while acting in his or her official capacity, but also to deal with other stress that is impacting the peer support service recipient's performance of official duties.

A new section 7 is added to the engrossed second substitute version of this bill that makes the act effective immediately upon becoming law.

A new section 8 is added to the engrossed second substitute version of this bill that makes the act null and void if not funded in the omnibus appropriations act by June 30, 2024.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

NONE

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

We assume there will be small fiscal impact related to our required participation on the first responder wellness task force. Until the time commitment of the task force meetings is made clear, we are unable to provide a complete estimate of costs.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

### III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                  |  |   |
|----------------------------------|--|---|
| <b>Bill Number:</b> 2311 E 2S HB | <b>Title:</b> First responder wellness | <b>Agency:</b> 227-Criminal Justice Training Commission |
|----------------------------------|--|---|

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years          | 0.0     | 3.0       | 1.5       | 3.0       | 3.0       |
| <b>Account</b>           |         |           |           |           |           |
| General Fund-State 001-1 | 0       | 1,384,000 | 1,384,000 | 1,858,000 | 1,858,000 |
| <b>Total \$</b>          | 0       | 1,384,000 | 1,384,000 | 1,858,000 | 1,858,000 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Sarian Scott | Phone: 360-786-7729   | Date: 02/21/2024 |
| Agency Preparation: Brian Elliott | Phone: 206-835-7337   | Date: 02/21/2024 |
| Agency Approval: Brian Elliott    | Phone: 206-835-7337   | Date: 02/21/2024 |
| OFM Review: Danya Clevenger       | Phone: (360) 688-6413 | Date: 02/23/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 1(1) states subject to the availability of amounts appropriated for this specific purpose, the commission shall convene a task force on first responder wellness in Washington state.

Section 1(6)(a) states the task force shall develop and publish model policies for first responder peer support services.

Section 2(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supports. The contracting organization must have prior experience developing peer support training for first responders in the state.

Section 2(4) states the contracting organization must complete development of the training program and begin administering it by August 1, 2025.

Section 3(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization with expertise in mental health and substance use disorder counseling and treatment of first responders to develop and administer training for mental health and substance use disorder professionals to engender familiarity and cultural competency in the treatment of first responder clients.

Section 4(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall contract with an organization that provides free and confidential crisis response and referral services for Washington state active and retired first responders and their families, to develop and maintain:

(a) A first responder peer support network, which may include individual and group support options to help first responder peer support counselors address the vicarious trauma and secondary traumatic stress incurred by performing their peer support duties;

and

(b) A directory of licensed mental health and substance use disorder professionals who have cultural competency, experience, and training with treating first responders, which must indicate whether such professionals have completed the training established under section 3 of this act.

Section 5(1) Subject to the availability of amounts appropriated for this specific purpose, the commission shall establish and administer a grant program to provide funding to first responder entities and agencies for the implementation or expansion of peer support services programs.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

This bill has no cash receipt impact.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The expenditure impact is indeterminate as the amount to be made available for the grant program is not identified to

provide funding to first responder entities and agencies for the implementation or expansion of peer support service programs as described in section 5.

Estimated expenses to convene a task force on first responder wellness, contract with organizations to meet requirements of sections 2 through 4, and to administer a grant program as described in section 5 are as follows:

Staff to manage and administer task force and programs, program support, and fiscal support for increased workload:

Program Manager:

Salary = 129,000

Benefits = \$38,000

Administrative Assistant 3:

Salary = \$55,000

Benefits = \$25,000

Fiscal Analyst 2:

Salary = \$61,000

Benefits = 26,000

Total annual salary and benefits = \$334,000.

Office expenses = \$10,000 annually.

Office equipment/furniture = \$15,000 in fiscal year 2025 only.

Section 1 - Task Force:

Contract cost to develop required model policies = \$40,000 in fiscal year 2025.

Section 2 - Assumed 15 40-hour training program for first responder peer supporters for law enforcement, firefighter, EMS, corrections, and dispatchers annually:

Course development = \$300,000 in fiscal year 2025.

Contract instructor cost per class = \$9,000.

15 classes will be held annually = \$135,000 annually.

Section 3 - Substance use disorder training:

Course development = \$100,000 in fiscal year 2025.

Contract instructor cost per class = \$9,000.

8 classes will be held annually = \$72,000 annually.

Section 4 - Contract with an organization that provides free and confidential crisis response and referral services for Washington state active and retired first responders and their families.

Contract and travel expense = \$378,000 annually.

Known expenses by fiscal year:

Fiscal Year 2025 = \$1,384,000

Fiscal Year 2026 and each year after = \$929,000

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

| Account         | Account Title | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|-----------------|---------------|-------|---------|-----------|-----------|-----------|-----------|
| 001-1           | General Fund  | State | 0       | 1,384,000 | 1,384,000 | 1,858,000 | 1,858,000 |
| <b>Total \$</b> |               |       | 0       | 1,384,000 | 1,384,000 | 1,858,000 | 1,858,000 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025   | 2023-25   | 2025-27   | 2027-29   |
|--------------------------------------|---------|-----------|-----------|-----------|-----------|
| FTE Staff Years                      |         | 3.0       | 1.5       | 3.0       | 3.0       |
| A-Salaries and Wages                 |         | 245,000   | 245,000   | 490,000   | 490,000   |
| B-Employee Benefits                  |         | 89,000    | 89,000    | 178,000   | 178,000   |
| C-Professional Service Contracts     |         |           |           |           |           |
| E-Goods and Other Services           |         | 1,050,000 | 1,050,000 | 1,190,000 | 1,190,000 |
| G-Travel                             |         |           |           |           |           |
| J-Capital Outlays                    |         |           |           |           |           |
| M-Inter Agency/Fund Transfers        |         |           |           |           |           |
| N-Grants, Benefits & Client Services |         |           |           |           |           |
| P-Debt Service                       |         |           |           |           |           |
| S-Interagency Reimbursements         |         |           |           |           |           |
| T-Intra-Agency Reimbursements        |         |           |           |           |           |
| 9-                                   |         |           |           |           |           |
| <b>Total \$</b>                      | 0       | 1,384,000 | 1,384,000 | 1,858,000 | 1,858,000 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification         | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|----------------------------|---------|---------|---------|---------|---------|---------|
| Administrative Assistant 3 | 55,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Fiscal Analyst 2           | 61,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Program Manager - WMS 2    | 129,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| <b>Total FTEs</b>          |         |         | 3.0     | 1.5     | 3.0     | 3.0     |

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                  |  |   |
|----------------------------------|--|---|
| <b>Bill Number:</b> 2311 E 2S HB | <b>Title:</b> First responder wellness | <b>Agency:</b> 235-Department of Labor and Industries |
|----------------------------------|--|---|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

|                                   |                       |                  |
|-----------------------------------|-----------------------|------------------|
| Legislative Contact: Sarian Scott | Phone: 360-786-7729   | Date: 02/21/2024 |
| Agency Preparation: Allison Kaech | Phone: 360-902-4530   | Date: 02/26/2024 |
| Agency Approval: Trent Howard     | Phone: 360-902-6698   | Date: 02/26/2024 |
| OFM Review: Anna Minor            | Phone: (360) 790-2951 | Date: 02/26/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill relates to supporting first responder wellness and peer support.

E2SHB 2311 is different from SHB 2311 in that:

- (1) Expands the definition of "first responder" to include coroners and medical examiners and their agents and employees for the purposes of certain provisions related to first responder peer support trainings, resources, grants, and testimonial privileges.
- (2) Expands the membership of the task force on first responder wellness to include two members, rather than one, representing the interests of tribal law enforcement officers and agencies; two members representing the interests of tribal first responders; and two members from the Washington Association of Coroners and Medical Examiners.
- (3) Requires the task force on first responder wellness to develop and publish model policies for peer support services tailored to coroners and medical examiners in addition to model policies for other first responder professions.
- (4) Requires a peer supporter to be designated as such by the person's employing agency prior to providing peer support services, rather than prior to the incident that results in services.
- (5) Provides that peer support services may be coordinated or designated among agencies pursuant to the Washington Mutual Aid Peace Officers Powers Act, an inter-local agreement, or other similar provisions, provided however that a written agreement is not required for the related testimonial privileges to apply.
- (6) Expands the definition of "peer supporter" to include a nonemployee, rather than a nonemployee counselor, designated by a qualifying entity to provide emotional and moral support and services to a peer support services recipient.
- (7) Adds an emergency clause and immediate effective date for the amendatory provisions of the bill related to the testimonial privileges for certain peer support communications.

This bill convenes a taskforce on first responder wellness within the Criminal Justice Training Commission (CJTC), which is to meet quarterly.

The taskforce shall evaluate and expand upon the findings presented in the DOH's Report to the Legislature 'Washington LEO Mental Health & Wellness Task Force Report, December 2021 (SSB 6570; 2020)' and make recommendations to improve first responder wellness across the first responder professions (LEO, FF, EMS, Dispatchers, Corrections) in the state.

With assistance from an organization with technical expertise in peer emotional support, the taskforce is to develop model policies to support efforts to establish and expand peer support service opportunities for first responders. Annual reports are due to the legislature beginning December 31, 2025.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

L&I representation on the task force can be accomplished within existing resources.

## **Part III: Expenditure Detail**

### **III. A - Operating Budget Expenditures**

NONE

### **III. B - Expenditures by Object Or Purpose**

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### **III. D - Expenditures By Program (optional)**

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                                  |  |  |
|----------------------------------|--|--|
| <b>Bill Number:</b> 2311 E 2S HB | <b>Title:</b> First responder wellness | <b>Agency:</b> 310-Department of Corrections |
|----------------------------------|--|--|

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

|                                    |                       |                  |
|------------------------------------|-----------------------|------------------|
| Legislative Contact: Sarian Scott  | Phone: 360-786-7729   | Date: 02/21/2024 |
| Agency Preparation: DeAnn Peterson | Phone: (360) 725-8428 | Date: 02/22/2024 |
| Agency Approval: Michael Steenhout | Phone: (360) 789-0480 | Date: 02/22/2024 |
| OFM Review: Danya Clevenger        | Phone: (360) 688-6413 | Date: 02/23/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

House Bill 2311 relates to supporting first responder wellness and peer support by amending RCW 5.60.060, adding new sections to chapter 43.101 RCW, creating a new section, providing an expiration date, and declaring an emergency.

2311 E2S HB contains no new language that has impact.

Previous bill language that has impact:

Section 1(2)(g) adds one member from the Washington Federation of State Employees, representing the interests of the Department of Corrections (DOC) community corrections officers, to the task force.

Section 1(6)(a) states that the task force shall also develop and publish model policies for first responder peer support services tailored to the several types of first responder professions, including corrections officers.

Section 1(6)(b) adds the task force must design the model policies to support efforts to establish and expand peer support services opportunities and networks for the professions specified under Section 1(6)(a) of this subsection, and to develop best practices and resources for peer support services from those professions.

Section 2(1) states that subject to the availability of amounts appropriated, the Washington State Criminal Justice Training Commission shall contract with an organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supporters. The contracting organization must have prior experience developing peer support training for first responders in the state.

Original bill language that has impact:

Section 1(1) states that subject to the availability of amounts appropriated, the Washington State Criminal Justice Training Commission shall convene a task force on first responder wellness in Washington state. To the extent possible, the membership of the task force should include representatives that reflect the diversity of the first responder professions, including diversity in geography, gender, sexuality, and race.

Section 1(2)(i) adds the secretary of the DOC, or the secretary's designee, to the task force.

Section 1(3) states that the initial meeting of the task force shall convene no later than December 1, 2024, and Section 1(4) adds, at a minimum, the task force shall meet quarterly.

Section 1(7) states that beginning December 1, 2025, the task force shall submit an annual report to the legislature on the status of its work.

Section 1(8) states that Section 1 expires December 31, 2028.

Section 2(2) states that the contracting organization must engage in in-depth consultation with corrections officers when developing the training program and compensate the first responders for their consultation.

Section 3(1) states that subject to the availability of amounts appropriated, the Washington State Criminal Justice Training Commission shall contract with an organization with expertise in mental health and substance use disorder counseling and treatment of first responders to develop and administer training for mental health and substance use disorder professionals to engender familiarity and cultural competency in the treatment of first responder clients.

Section 3(2) adds the contracting organization must consult with corrections officers when developing the training.

The effective date is assumed to be 90 days after the adjournment of the session in which this bill is passed.

**II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

**II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The fiscal impact of this bill to the Department of Corrections (DOC) is indeterminate, assumed to be under \$50,000 per Fiscal Year (FY).

We assume financial impacts will result from the involvement on the task force by the secretary, or the secretary's designee, along with a representative from the Washington Federation of State Employees, representing the interests of DOC's community corrections officers. Additional financial impacts are anticipated due to the time corrections officers will spend engaging in consulting work with the contracting organization during the training development process.

The DOC cannot reasonably estimate the time and costs associated with these efforts. Therefore, DOC will "true up" our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. B - Expenditures by Object Or Purpose**

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

**Bill Number:** 2311 E 2S HB

**Title:** First responder wellness

## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- Cities:** Cost to first responder agencies to cover costs of 40-hour peer supporter training; Cost for first responder agencies to compensation trained peer supporters for services provided; Revenue increase from the first responder peer supporter grant
- Counties:** Cost to first responder agencies to cover costs of 40-hour peer supporter training; Cost for first responder agencies to compensation trained peer supporters for services provided; Revenue increase from the first responder peer supporter grant
- Special Districts:** Cost to first responder agencies to cover costs of 40-hour peer supporter training; Cost for first responder agencies to compensation trained peer supporters for services provided; Revenue increase from the first responder peer supporter grant
- Specific jurisdictions only:**
- Variance occurs due to:**

## Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:** Cost to first responder agencies to cover costs of 40-hour peer supporter training
- Legislation provides local option:** Local option to apply for the first responder peer support supporter grant
- Key variables cannot be estimated with certainty at this time:** Cost to first responder agencies to cover costs of 40-hour peer supporter training; Cost for first responder agencies to compensation trained peer supporter for services provided; Revenue increase from the first responder peer support supporter grant

### Estimated revenue impacts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated expenditure impacts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

## Part III: Preparation and Approval

|                                       |                       |                  |
|---------------------------------------|-----------------------|------------------|
| Fiscal Note Analyst: Brandon Rountree | Phone: (360) 999-7103 | Date: 02/21/2024 |
| Leg. Committee Contact: Sarian Scott  | Phone: 360-786-7729   | Date: 02/21/2024 |
| Agency Approval: Allan Johnson        | Phone: 360-725-5033   | Date: 02/21/2024 |
| OFM Review: Danya Clevenger           | Phone: (360) 688-6413 | Date: 02/23/2024 |

## Part IV: Analysis

### A. SUMMARY OF BILL

*Description of the bill with an emphasis on how it impacts local government.*

#### CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

Added language to Sec. 1 (2) (c-e) which added six new required representatives to the first responder wellness task force:

- Two members representing the interests of tribal law enforcement officers and agencies;
- Two members representing the interests of tribal first responders; and
- Two members from the Washington association of coroners and medical examiners.

Added new subsection to Sec. 1 (2) (a) which adds “coroners and medical examiners” to the list first responder professions that the task force must develop and publish model policies for first responder peer support services.

Adds language to Sec. 6 (6) (a) that allows peer support services to be coordinated or designated among first responder agencies, provided that a written agreement is not required for the privilege to apply.

Added “coroner or medical examiner, or a coroner’s or medical examiner’s agent or employee” to the list in Sec. 6 (6) (b).

Removed and replaced Sec. 7 with a new section that states the necessity of Sec. 6.

Added Sec. 8 which declares that this act is null and void if specific funding for this bill is not provided by June 30, 2024.

#### SUMMARY OF CURRENT BILL:

Sec. 1 (Adds new section to RCW 43.101):

(2) (a) Requires the first responder wellness task force to consist of two members of :

- (i) Law enforcement officers;
- (ii) Firefighters;
- (iii) Emergency medical services frontline providers;
- (iv) Emergency dispatcher;
- (v) Corrections officers; and
- (vi) Coroners and medical examiners.

(6) (a) Requires the task force to develop and public model policies for first responder peer support services for the following first responder professions:

- (i) Law enforcement officers;
- (ii) Firefighters;
- (iii) Emergency medical services frontline providers;
- (iv) Emergency dispatcher;
- (v) Corrections officers.

(6) (d) The task force must publish the model policies by December 31, 2025.

Sec. 2 (Adds new section to RCW 43.101):

(1) Requires the commission to contract with an organization with expertise in peer emotional support and peer workforce development to develop and administer a 40-hour training program for first responder peer supporters.

(2) The contracting organization must consultation with law enforcement officers, corrections officers, firefighters, emergency services dispatchers or record-keepers, and emergency medical personnel when developing the training program. They must also compensate first responders for their consultation.

(3) A portion of the training program's curriculum must be relevant to all first responder professions and specifically

curated to address the unique needs of each first responder profession.

(4) The contracting organization must complete development of the training program and begin administering it by August 1, 2025.

(5) The contracting organization must utilize current or retired first responders as co-trainers to deliver the training program.

Sec. 5 (Adds new section to RCW 43.101):

(1) Requires the commission to establish and administer a grant program to provide funding to first responder entities and agencies for the implementation or expansion of peer support services programs.

(2) Outlines requirements for first responder entity or agency that receives funding through the grant program:

(a) Must ensure every peer supporter designated by the entity or agency enrolls in and completes the 40-hour training program;

(b) Must compensate every peer supporter or designated by the entity or agency for their services in that role;

(c) Must provide information to every peer supporter designated by the entity or agency about the first responder peer support network.

Sec. 6 (Amends RCW 5.60.060):

(6) (a) Adds language which requires peer supporters not to be compelled to testify about any communication made to the supporter by the peer support client without the consent of the client. This privilege applies whether the peer support client is an employee of the same agency as the peer supporter. Allows peer support services to be coordinated or designated among first responder agencies, provided that a written agreement is not required for the privilege to apply.

Sec. 7 (New Section):

Declares that Sec. 6 is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

Sec. 8 (New Section):

Declares that this act is null and void if specific funding for this bill is not provided by June 30, 2024.

## **B. SUMMARY OF EXPENDITURE IMPACTS**

*Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.*

### **CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

The addition of coroners and medical examiners could indeterminately increase local government expenditures. The bill is still a local option and the compensation for trained peer supporters is still unknown. These impacts assume funding will be provided in accordance with the terms of this legislation and could cover some costs with funds awarded to first responder agencies through the first responder peer support supporter grant.

### **EXPENDITURE IMPACTS OF CURRENT BILL:**

This legislation would have an indeterminate expenditure impact on local governments.

There is not enough available data to estimate the cost for first responder agencies to cover the optional 40-hour peer supporter training. The cost of the 40-hour peer supporter training and peer supporter compensation is unknown for all qualified first responders. However, the Local Government Fiscal Note Program Unit Cost model estimates that a 40-hour training, without travel or lodging expenses, would cost first responder agencies at the city level roughly \$2,477 per firefighter and \$2,511 per police officer. Travel and lodging costs were not included because it's unknown if the peer supporter training will require travel. The cost for agencies to cover peer supporter training for emergency medical services frontline providers, emergency dispatchers, and corrections officers is indeterminate because they are not included in the Local Government Fiscal Note Program Unit Cost model.

Additionally, the cost for first responder agencies to compensation their trained peer supporters is unknown and could be covered by funds awarded to the agency through the first responder peer support supporter grant.

### **C. SUMMARY OF REVENUE IMPACTS**

*Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.*

#### **CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:**

There were not changes between versions that would change the revenue impact of the bill.

#### **REVENUE IMPACTS OF CURRENT BILL:**

This legislation would have an indeterminate revenue impact on local governments.

The bill would have an indeterminate impact on local government revenue because the amount that would be awarded to local government by the first responder peer support supporter grant is unknown. Local governments also have the option to apply for the first responder peer supporter grant.

#### **SOURCES:**

Washington State Association of Sheriffs and Police Chiefs

House Bill Report, HB 2311, Community Safety, Justice, & Reentry Committee

Local Government Fiscal Note Program, Unit Cost Data (2024)