

## **BILL ANALYSIS**

Senate Research Center

H.B. 657  
By: Craddick (Bivins)  
Jurisprudence  
5-6-97  
Engrossed

### **DIGEST**

Currently, emergency stress management volunteers may be subpoenaed into a court of law and be asked to repeat and testify as to information that the person whom they treated may have revealed to them during a period of great distress. This bill will provide a privilege against disclosure of certain communications by emergency stress management volunteers.

### **PURPOSE**

As proposed, H.B. 657 provides a privilege against disclosure of certain communications by emergency stress management volunteers.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 22B, Civil Practice and Remedies Code, by adding Section 22.012, as follows:

Sec. 22.012. EMERGENCY STRESS MANAGEMENT VOLUNTEERS. Provides that a confidential communication between an individual and a person treated by the individual is privileged and may not be disclosed in the same manner as a confidential communication between a physician and a patient may not be disclosed if certain conditions are met. Prohibits the supreme court, notwithstanding Section 22.004, Government Code, from amending or adopting rules in conflict with this section.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.  
Effective date: upon passage.