

**Enrolled**  
**Senate Bill 212**

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CHAPTER .....

AN ACT

Relating to peer support confidentiality.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1. (1) For the purposes of this section:**

**(a) "Participant" means an employee of the Oregon Youth Authority or a county juvenile department who engages in a peer support check-in session or who communicates with a peer support team member about engaging in a peer support check-in session.**

**(b) "Peer support check-in session" means a meeting between a participant and a peer support team member to provide emotional and moral support for the participant.**

**(c) "Peer support communication" means a communication made by a participant or peer support team member during a peer support check-in session and any communication made by a peer support team member or participant to facilitate or to follow up on a peer support check-in session.**

**(d) "Peer support team member" means a person described in subsection (3) of this section.**

**(2) Peer support communications are confidential and may not be disclosed by the peer support team member.**

**(3) The provisions of this section apply only to peer support check-in sessions conducted by a person who:**

**(a) Has been designated to act as a peer support team member:**

**(A) By the youth authority, if the person will engage in peer support check-in sessions with a participant who is an employee of the youth authority; or**

**(B) By a county juvenile department, if the person will engage in peer support check-in sessions with a participant who is an employee of the county juvenile department;**

**(b) Has received training in providing emotional and moral support, intervening and mentoring through crises and assessing and referring to services for juvenile corrections personnel who have been involved in emotionally traumatic incidents; and**

**(c) Receives annual continuing education.**

**(4) Peer support communications are not public records for the purpose of ORS 192.311 to 192.478.**

**(5)(a) Peer support communications are not admissible in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding. Communications and information made confidential under this section may not be disclosed by the**

participant or peer support team member in any judicial proceeding, administrative proceeding, arbitration proceeding or other adjudicatory proceeding.

(b) The limitations on disclosure imposed by paragraph (a) of this subsection:

(A) Include disclosure during any discovery conducted as part of an adjudicatory proceeding.

(B) Do not apply if the participant has expressly consented to the disclosure.

(6) Nothing in this section limits the discovery or introduction in evidence of knowledge acquired by youth authority or county juvenile department personnel from observation made during the course of employment, or material or information acquired during the course of employment, that is otherwise subject to discovery or introduction in evidence.

(7) This section does not apply to:

(a) Any threat of suicide or homicide made by a participant in a peer support check-in session, or any information conveyed in a peer support check-in session relating to a threat of suicide or homicide;

(b) Any information relating to abuse of children or of the elderly, or other information that is required to be reported by law; or

(c) Any admission of criminal conduct.

(8) Notwithstanding subsection (2) of this section, nothing in this section prohibits any communications between peer support team members who conduct peer support check-in sessions.

Passed by Senate March 27, 2023

Received by Governor:

Repassed by Senate June 15, 2023

.....M.,....., 2023

Approved:

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Lori L. Brocker, Secretary of Senate

.....M.,....., 2023

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 25, 2023

Filed in Office of Secretary of State:

.....M.,....., 2023

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Dan Rayfield, Speaker of House

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Secretary of State