

MINUTES

Mental Health of First Responders Task Force



Representative Rhonda Milstead, Chair
Representative Ryan Cwach, Vice Chair

First Meeting, 2021 Interim
Tuesday, August 3, 2021

Room 362 – State Capitol
Pierre, South Dakota

Representative Rhonda Milstead called the Mental Health of First Responders Task Force to order at 1:00 PM on August 3, 2021, in Room 362 of the State Capitol. A quorum was determined with the following members answering roll call: Representatives Doug Barthel, Ryan Cwach (Vice Chair), Rhonda Milstead (Chair), Tina Mulally (remote), and Taylor Rehfeldt; Senators V.J. Smith (remote) Larry Zikmund (remote) (non-voting); and public members Roger Belisle (remote), Nick Carlson, Anne Kelly (remote), Maynard Konechne, and Brad Wilson. Excused: Representative Tamara St. John, Senator Troy Heinert, Connie Johnson, and Tom Ward.

Staff members present included Matt Frame, Legislative Attorney; and Cindy Tryon, Administrative Specialist.

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents distributed at the meeting are attached to the original minutes on file in the Legislative Research Council office. This meeting was webcast live. The archived webcast is available at the LRC website at sdlegislature.gov.

Opening Remarks

Representative Milstead talked about current events creating an increased need to take action to support our first responders. Public safety is a critical service, and 8,500 of the first responders in South Dakota are volunteers. This task force did have some accomplishments last year, but it is not enough. The task force will continue to work on finding ways to support first responders.

Overview of Committee Efforts from 2020

Representative Milstead went through the legislation the task force drafted during the 2020 interim for consideration by the 2021 Legislature. The Governor requested the PSYPACT bill not be considered as the Governor's Office had other legislation they thought would accomplish the same thing. Joining the PSYPACT Compact is still an issue the task force may want to reconsider.

Representative Milstead said two other pieces of legislation coming from the work this task force did last interim were HB1063 and HB1064. HB1063 would have established an appropriation for the purpose of contracting for mental health insurance for first responder organizations. The bill was sacrificed at the last minute as the drafters were given an option of HB1063 or HB1064. Representative Milstead said the task force may want to consider proposing legislation similar to HB1063 during the 2022 Legislative Session.

Representative Milstead reported [HB1064](#) was amended and did pass as amended and established the heroes wellness grant to be administered by the Office of the Attorney General.

Heroes Wellness Grant

Mr. Brian Zeeb, Attorney General's Office (AG), said the AG's Office understands the framework intended by the legislature, is working towards implementing HB1064, and is determining the impact of the financial costs and implementation on the office.

Mr. Zeeb talked about some of the issues the AG's Office is considering. A procedure needs to be decided for establishing how per diem and mileage for the trainers and attendees can be reimbursed. The regional training opportunities and best locations for training need to be determined. The AG's Office is drafting administrative rules for administering the grants and must work through the process for promulgating those rules. A type of scoring system needs to be created per statute to evaluate the impact of the grants. An agreement with the South Dakota Community Foundation has been finalized and the AG's Office has received the initial \$50,000.

Representative Milstead suggested shifting the administrative part of reimbursing training expenses to the training host and the AG's Office would then make one payment to the host. Mr. Zeeb agreed this would be better than having individual responders request reimbursement from the AG's Office.

In response to questions about administrative rules for the Heroes Wellness Grant, Mr. Zeeb said the AG's Office wants to make sure the rules line up with the expectations and are structured to ensure quality training and funds are available across the state. The rules should be completed in October or November. The funds will not be available until after the rules are finalized. Representative Cwach pointed out the Interim Rules Review Committee's last meeting and last possible date for administrative rules to be considered for this interim is November 1.

Mr. Carlson said he would like to host a training at the Chiefs Conference and wondered if funds would be available. Mr. Zeeb said training at that time would be workable and asked Mr. Carlson to stay in contact for further planning.

Mental Health Insurance for Volunteer First Responders

Mr. Charlie Kludt, Firefighter-EMT, SD Firefighters Association, Viborg, said the mental health insurance coverage for volunteer first responders will start on October 1, 2021. Provident Insurance currently provides the insurance coverage for the South Dakota Firefighters Association for life and health insurance and will be adding coverage for mental healthcare. The cost to the state for this additional coverage will be around \$50,000 per year and will be covered by the state premium tax. The coverage applies to the volunteer and his or her family members. There is a \$10,000 coverage limit per person.

Mr. Carlson asked if paid firefighters could purchase coverage through this program. Mr. Kludt said he will speak to Provident Insurance regarding the option for career service firefighters to take part in the program.

Recruitment/Retention for First Responders as Impacted by Mental Health

Mr. Jerome Harvey, Pennington County Fire Administrator, Rapid City, said there are 23 fire departments in Pennington County, only two of those departments are career based and the remaining are all volunteer. Regarding recruitment and retention, Mr. Harvey stressed volunteerism is disappearing from today's society. Mr. Harvey said he believes mental health does play a part in retention and recruitment of first responders. In the past, when someone was asked to volunteer, they would say they were too busy with kids, or hunting and fishing, or other such reasons. Now many will say they do not want to be involved in something that will mess with their minds. Other factors are the additional workloads on the first responders partly because the infrastructure does not support the influx of people to the area. The Sturgis Motorcycle Rally increases the population in the area by 50% for a three-week period. The issue of recruitment and retention is going to continue to get worse.

In response to questions from the committee, Mr. Harvey said volunteer firefighters are constantly being recruited. The State Fire Marshal requires a minimum of 15 firefighters on the roster for a department to be recognized by the state. A department falling below the minimum required affects many things. For example, homeowner insurance rates are higher when a house is located in an area where there is no recognized fire department.

Representative Barthel asked Mr. Harvey if the pool of potential candidates would improve if the volunteers were paid. Mr. Harvey said when looking for volunteers they are looking for that person who wants to be a part of the department and wants to serve the community. The heart has to be in it and offering money will not help.

Representative Milstead asked how much training is needed for volunteer firefighters. Mr. Harvey said each agency has its own training requirements. Some agencies have requirements for specialized areas such as driving. The basic training is about 100 hours and then an additional 40-60 hours of training to be a driver.

Mr. Konechne is a volunteer firefighter and EMT in the community of Kimball and said most departments in small communities encourage but do not require firefighters to be state certified. Mr. Konechne said about half of the members in his area are certified. To become certified, the department has to find a training class in the area and the cost is \$700-\$800 dollars to certify one firefighter. The cost of the certification comes out of the local department's funds. Mr. Konechne added that certification for EMTs is even more challenging.

Representative Milstead asked how additional funding could assist with the recruitment and retention of first responders. Mr. Harvey suggested funding could be used for a statewide campaign about the crisis in South Dakota regarding the need for more volunteer first responders to help with recruitment.

Senator Smith said studies have shown how volunteerism has changed over the years and in many cases some type of stipend for volunteer work can be useful as far as recruitment and retention. The state could develop a program to offer some type of incentive to assist the volunteer fire departments.

Mr. Carlson is a Division Chief for the Rapid City Fire Department and said the career service departments also have problems with recruitment and retention. The mentality of people and what it means to have a career in public service needs to change. Mr. Carlson said 25 years ago the department would receive over 400 applications when advertising a position, five years ago the department would receive about 200 applications, and currently they have received about 100 applications for positions open within the department. Just recently the department had three firefighters quit. The department spent thousands of dollars on training and equipping these fire fighters. Mr. Carlson said the department does a lot of mental health training, which includes the spouses. The firefighting profession has a high rate of divorce. Firefighting is a tough job, and it is even worse for those working for the ambulance services. Departments have to spend more money on recruitment which takes away from funds for other needs.

Ms. Maggie Brown, Doty Volunteer Fire Department, Rapid City, said she and her husband are both volunteers with the Doty Volunteer Fire Department. Ms. Brown and her husband recently retired and moved to the Black Hills area. The Browns wanted to give back to their community and volunteered with the fire department with Mr. Brown on the mechanical side of things and Ms. Brown working more with the spiritual side. Ms. Brown said there are 4-6 members of the department who go on every call. No one can say no to a call because the community is depending on them, making it easy to understand the issue with the burnout rate for volunteer first responders. Ms. Brown added that responding to a heart attack, a suicide, or a motorcycle accident all take a toll on the responders and there are times professional help is needed to handle the lasting effects of these events.

Ms. Brown said she is planning to take an Emergency Medical Responder (EMR) class. Fellow volunteers are helping with the training and additional training is available online. Ms. Brown said she is okay being a volunteer and with not getting paid to provide these services.

Ms. Staci Ackerman, Executive Director, SD Sheriff's Association, said Tiffany Wolfgang with the Department of Social Services talked to the Sheriff's Association about the Crisis Now program, which provides a phone number for responders to call when in crisis mode. One of the biggest obstacles for helping sheriffs across the state is the

fact they are so humble and just keep doing their jobs no matter what. It would be beneficial if some of these medical healthcare tools and resources could be taught as first responders start their training.

In response to a question from Representative Cwach, Ms. Ackerman said it would be helpful if funding could be provided to hire civilian staff to assist the sheriffs with the minor requests not needing a law enforcement officer to handle. The sheriffs often take it upon themselves to do the little things in their communities that no else is available to address.

Mr. Carlson said some communities in the country have a community medic program which includes people trained to help with non-critical calls to help ease the EMTs' workloads. This is a nationally recognized program, but South Dakota has not had much involvement thus far. Rapid City has four people providing this service in the area and they are kept very busy. This program helps reduce the drain on EMTs and law enforcement.

Other Resources

Ms. Rhonda Kelly, Executive Director, All Clear Foundation, Denver, CO, talked about the programs and goals of the All Clear Foundation. According to their website, the "All Clear Foundation is a nonpartisan, nonprofit 501(c)(3) focused on aggregating critical resources to improve the life expectancy and wellbeing of First Responders and their families." Ms. Kelly said the foundation offers free training to agencies from across the country. Members can attend the training and then take that back to their agencies. After all these trainings, the foundation heard from several first responders that they wish their spouse or family could have attended, so the foundation now has videos available online to share with family members. More information on the All Clear Foundation can be found on their website at allclearfoundation.org.

Dr. Belisle submitted the following statement regarding the All Clear Foundation, *"The All-Clear Foundation is a well-organized, timely, and free resource for struggling First Responders. It is a nonprofit 501(c)(3) organization that provides a variety of useful and accessible services. Individuals can obtain information for local/regional resources for a variety of wellness issues, regional clinicians, and can connect with other First Responders anywhere in the US 24/7 for support, through text, and may do so anonymously if desired. A person may go online or download a corresponding app. It is easy to use and increases accessibility to other peers struggling in a similar manner. I highly recommend this service for all First Responders in need as one valuable piece of the puzzle, but more action is also needed to provide access across the entire state to vetted, qualified licensed psychological professionals from elsewhere in the US."* --- Dr. Belisle, Ph.D., Licensed Clinical Psychologist

Ms. Beth Dokken, Division Director, Family and Community Health, and Ms. Kiley Hump, Chronic Disease Prevention and Health Promotion, Department of Health (DOH), talked about resiliency training. DOH took the lead in offering self-care and resiliency training for first responders. DOH contracted with a program called First Responders Resiliency, Inc., to offer training. Taking part in the training were 117 participants from 43 different departments including law enforcement, EMTs, nursing, and dispatchers. About 90% were career professionals and 10% were volunteers. The post evaluation showed 92% of the participants believed the training would benefit their agency. 75% of the participants said when starting their careers as first responders they did not receive adequate information on the impact that career would have on their body and mind.

DOH will continue to contract with First Responders Resiliency, Inc. to continue the resiliency training. DOH will determine if there is interest in longer training sessions. Ms. Hump said they will work on finding better opportunities for publicizing these training sessions so more first responders are able to take part.

Mr. Shon Eide, Law Enforcement Training (LET), Attorney General's Office (AG), talked about law enforcement training provided by the AG's Office. Mr. Eide said the last Crisis Intervention Team (CIT) training was held in 2019. The person who directed that training is no longer with the agency. CIT training is just getting started again. The

department is also looking at mental health first aid classes and those are conducted by the Department of Social Services. Rules stipulate that law enforcement officers must have mental health training every two years. There are three training modules available online, with the goal of having 24 training modules available in the future. Each module is about one hour in length.

In response to questions, Mr. Eide said the training is for South Dakota law enforcement. Rapid City and Sioux Falls do have their own programs in place and take care of the training for those law enforcement officers. Mr. Eide said the training for new law enforcement officers does include a 16-hour mental healthcare component.

Public Testimony

Ms. Staci Ackerman, Executive Director, SD Sheriff's Association, said the Department of Health hosted leadership training regarding resiliency in June. Many of the sheriff's offices have only a few people on staff and it is difficult for them to travel for training. A retired sheriff attended the training, and he is willing to go out to interested departments and share what he learned. Some sheriffs provide online CIT leadership training. SD Public Assurance Alliance has also assisted with providing some training online.

Task Force Discussion

Mr. Konechne said he was contacted by a person who said the small communities are very short of EMTs and paramedics. Mr. Konechne said he believes COVID is part of the problem. The small communities do not have the resources to go to educational institutions or pay for recruiting tools. Rapid City pays firefighters and EMTs and they have trouble finding candidates; it is even more difficult for the volunteer departments.

Representative Mulally said she did a ride along with the Rapid City firefighters and EMTs as well as with the Rapid City police department and she learned a lot from both experiences. Representative Mulally suggested other task force members contact their local departments about taking part in this type of activity.

Mr. Carlson said another option is for the task force members to sign up for first responder paging in their areas and get a feel for just how busy first responders are. Mr. Carlson pointed out it always seems to be the same six people who respond, whether it be the same six volunteers or the same six professionals offering to put in overtime.

Representative Barthel said there is an article in the USA Today newspaper saying a third officer from the January 6 Capitol riots has committed suicide. According to Representative Barthel, 87 law enforcement officers in this country have died by suicide so far this year.

Adjourn

Representative Barthel moved, seconded by Maynard Konechne, that the Mental Health of First Responders Task Force be adjourned. Motion prevailed on a voice vote.

The task force meeting adjourned at 3:45 p.m.