

JAN 19 2022

A BILL FOR AN ACT

RELATING TO BEHAVIORAL HEALTH SERVICES.

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

1 SECTION 1. The purpose of this Act is to:

2 (1) Require the department of health to establish 9-8-8
3 call centers that meet certain minimum requirements
4 and to adopt administrative rules;

5 (2) Require the department of health to establish crisis
6 response teams that meet certain requirements;

7 (3) Create funding mechanisms for crisis and intervention
8 services;

9 (4) Establish a 9-8-8 fee to fund the services created by
10 this Act;

11 (5) Establish a board to oversee and implement the
12 services created by this Act;

13 (6) Require the department of health to set a timeline to
14 accomplish the services created by this Act; and

15 (7) Establish the 9-8-8 special fund.

16 SECTION 2. As used in this Act, unless the context
17 requires otherwise:



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1 "9-8-8 administrator" means the administrator of the 9-8-8
2 suicide prevention and mental health crisis hotline.

3 "9-8-8 crisis hotline center" means a state-identified
4 center participating in the National Suicide Prevention Lifeline
5 network to respond to statewide or regional 9-8-8 contacts.

6 "9-8-8 suicide prevention and mental health crisis hotline"
7 means the National Suicide Prevention Lifeline or its successor
8 maintained by the Assistant Secretary for Mental Health and
9 Substance Use pursuant to section 520E-3 of the Public Health
10 Service Act, P.L. 78-410.

11 "Community mental health centers" or "certified community
12 behavioral health centers" means facilities as defined under
13 section 1913(c) of the Public Health Services Act, P.L. 78-410
14 or section 223(d) of the Protecting Access to Medicare Act of
15 2014, P.L. 113-93.

16 "Crisis receiving and stabilization services" means
17 facilities providing less than twenty-four hours of service with
18 capacity for diagnosis, initial management, observation, crisis
19 stabilization, and follow up referral services to all persons in
20 a home-like environment.



1 "Mobile crisis teams" means behavioral health professionals
2 and peers that provide professional onsite community-based
3 intervention such as de-escalation, and stabilization for
4 individuals who are experiencing a behavioral health crisis.

5 "Peer" means an individual employed on the basis of the
6 individual's personal lived experience of mental illness or
7 addiction and recovery who meet the State's peer certification
8 requirements, where applicable.

9 SECTION 3. (a) Before July 1, 2023, the department of
10 health shall designate at least one 9-8-8 crisis hotline center
11 located in the State to provide crisis intervention services and
12 crisis care coordination to individuals accessing the 9-8-8
13 suicide prevention and behavioral health crisis hotline, twenty-
14 four hours a day, seven days a week.

15 (b) Any designated 9-8-8 crisis hotline center shall:

- 16 (1) Have an active agreement with the 9-8-8 administrator
17 for participation within the network;
- 18 (2) Meet National Suicide Prevention Lifeline requirements
19 and best practices guidelines for operational and
20 clinical standards;



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- 1 (3) Participate in evaluations and related quality
2 improvement activities, and report and provide data as
3 required by the 9-8-8 administrator;
- 4 (4) Utilize technology, including chat and text, that is
5 interoperable between and across crisis and emergency
6 response systems used throughout the State and with
7 the 9-8-8 administrator;
- 8 (5) Have the authority to deploy crisis and outgoing
9 services, including mobile crisis teams, and
10 coordinate access to crisis receiving and
11 stabilization services or other local resources as
12 appropriate and according to guidelines and best
13 practices established by the National Suicide
14 Prevention Lifeline;
- 15 (6) Collaborate with mental health and substance use
16 disorder treatment providers, including hospital
17 emergency departments and inpatient psychiatric
18 settings; local community mental health centers,
19 including certified community behavioral health
20 clinics and community behavioral health centers;
21 crisis receiving and stabilization centers; and mobile



- 1 crisis teams throughout the State to coordinate
2 linkages for persons contacting 9-8-8 with ongoing
3 care needs, and establishing formal agreements where
4 appropriate;
- 5 (7) Coordinate access to crisis receiving and
6 stabilization services for individuals accessing the
7 9-8-8 suicide prevention and behavioral health crisis
8 hotline through appropriate information sharing
9 regarding availability of services;
- 10 (8) Meet the requirements set forth by National Suicide
11 Prevention Lifeline for serving high risk and
12 specialized populations as identified by the federal
13 Substance Abuse and Mental Health Services
14 Administration, including training requirements and
15 policies for transferring callers to an appropriate
16 specialized center or subnetworks within or external
17 to the National Suicide Prevention Lifeline network,
18 including LGBTQ youth, minorities, rural individuals,
19 and other high-risk populations well as those with
20 co-occurring substance use, and for providing
21 linguistically and culturally competent care; and



1 (9) Provide follow-up services to individuals accessing
2 the 9-8-8 suicide prevention and behavioral health
3 crisis hotline consistent with guidance and policies
4 established by the National Suicide Prevention
5 Lifeline.

6 (c) The department of health shall adopt rules, pursuant
7 to chapter 91, Hawaii Revised Statutes, to allow appropriate
8 information sharing and communication between and across crisis
9 and emergency response systems for the purpose of real-time
10 crisis care coordination, including deployment of crisis and
11 outgoing services and linked, flexible services specific to
12 crisis response.

13 (d) The department of health shall work in concert with
14 the National Suicide Prevention Lifeline and the Veterans Crisis
15 Line to ensure consistent public messaging about 9-8-8 services.

16 (e) The department of health shall submit an annual report
17 to the legislature and the federal Substance Abuse and Mental
18 Health Services Administration no later than twenty days prior
19 to the convening of each regular session regarding the 9-8-8
20 suicide prevention and behavioral health crisis hotline's usage
21 and services provided.



1 SECTION 4. The department of health shall provide onsite
2 response services to crisis calls utilizing state or locally
3 funded mobile crisis teams. The mobile crisis teams shall:

- 4 (1) Include at least one peer and either a licensed
5 behavioral health professional or a behavioral health
6 team embedded in emergency medical services;
- 7 (2) Collaborate with local law enforcement agencies and
8 include police as co-responders in behavioral health
9 teams only as needed to respond in high-risk
10 situations that cannot be managed without law
11 enforcement;
- 12 (3) Be designed in partnership with community members,
13 including people with lived experience utilizing
14 crisis services;
- 15 (4) Be staffed by personnel that reflect the demographics
16 of the community served; and
- 17 (5) Collect customer service data from individuals served
18 by demographic requirements, including race and
19 ethnicity, as set forth by the federal Substance Abuse
20 and Mental Health Services Administration and



1 consistent with the state block grant requirements for
2 continuous evaluation and quality improvement.

3 SECTION 5. The department of health shall fund treatment
4 for crisis receiving and stabilization services as follows:

5 (1) Crisis receiving and stabilization services as related
6 to the call shall be funded by the State if the
7 individual meets the State's definition of uninsured
8 or if the crisis stabilization service is not a
9 covered service by the individual's health coverage;

10 (2) For Medicaid recipients, the state Medicaid office
11 shall work with the entity responsible for the
12 development of crisis receiving and stabilization
13 services to explore options for appropriate coding of
14 and payment for crisis management services; and

15 (3) The State shall determine how payment will be made to
16 the provider of service.

17 SECTION 6. The department of health, in compliance with
18 the National Suicide Hotline Designation Act of 2020, P.L. 116-
19 172, shall establish a monthly statewide 9-8-8 fee on each
20 resident that is a subscriber of commercial landline telephone,
21 mobile telephone, or internet protocol-enabled voice services at



1 a rate that provides for the creation, operation, and
2 maintenance of a statewide 9-8-8 suicide prevention and
3 behavioral health crisis system and the continuum of services
4 provided pursuant to national guidelines for crisis services.
5 The fee may be adjusted as needed to provide for continuous
6 operation, volume increases and maintenance. The revenue
7 generated by a 9-8-8 fee shall be deposited into the 9-8-8
8 special fund established pursuant to section 334- , Hawaii
9 Revised Statutes, to be obligated or expended only in support of
10 9-8-8 services, or enhancements of such services.

11 SECTION 7. The department of health shall create boards or
12 committees or assign tasks to existing agencies, boards, or
13 committees to accomplish the planning required for the
14 implementation or ongoing oversight of this Act in coordination
15 with any designated 9-8-8 crisis hotline center, 9-1-1 center,
16 law enforcement, hospital emergency departments, the National
17 Suicide Prevention Lifeline, and the department's alcohol and
18 drug abuse and adult mental health divisions.

19 SECTION 8. The department of health shall establish
20 timeframes to accomplish the provisions of this Act that are
21 consistent with the timeframes required by the National Suicide



1 Hotline Designation Act of 2020 and the Federal Communication
2 Commission's rules adopted on July 16, 2020.

3 SECTION 9. Chapter 334, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§334- 9-8-8 special fund. (a) There is established
7 the 9-8-8 special fund into which shall be deposited:

8 (1) Fees derived from the statewide 9-8-8 assessment on
9 subscribers of commercial landline telephone, mobile
10 telephone, or internet protocol-enabled voice
11 services;

12 (2) Appropriations made by the legislature;

13 (3) Grants and gifts intended for deposit in the fund;

14 (4) Interest, premiums, gains, or other earnings on the
15 fund; and

16 (5) Moneys from any other source that is deposited in or
17 transferred to the fund.

18 (b) All moneys deposited into the special fund shall be
19 expended by the department of health to be used exclusively to
20 offset costs that are reasonably attributed to:



- 1 (1) Ensuring the efficient and effective routing of calls
2 made to the 9-8-8 suicide prevention and behavioral
3 health crisis hotline to any designated 9-8-8 crisis
4 hotline center, including staffing and technological
5 infrastructure enhancements necessary to achieve
6 operational and clinical standards and best practices
7 set forth by the National Suicide Prevention Lifeline;
8 (2) Personnel, including recruitment of personnel that
9 reflect the demographics of the community served;
10 specialized training of staff to serve at-risk
11 communities, including culturally and linguistically
12 competent services for LGBTQ+, racially, ethnically,
13 and linguistically diverse communities; and the
14 provision of acute behavioral health and crisis
15 outreach and stabilization services by directly
16 responding to the 9-8-8 suicide prevention and mental
17 health crisis hotline;
18 (3) Provision of data, reporting, participation in
19 evaluations, and related quality improvement
20 activities as required by the 9-8-8 administrator; and
21 (4) Administration, oversight and evaluation of the fund."



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1 SECTION 10. New statutory material is underscored.

2 SECTION 11. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Behavioral Health; Crisis Services; Mental Health; 9-8-8 Hotline

Description:

Requires the Department of Health to establish 9-8-8 call centers that meet certain minimum requirements and to adopt administrative rules. Requires the Department of Health to establish crisis response teams that meet certain requirements. Creates funding mechanisms for crisis and intervention services. Establishes a 9-8-8 fee to fund the services created by this Act. Establishes a board to oversee and implement the services created by this Act. Requires the Department of Health to set a timeline to accomplish the services created by this Act. Establishes the 9-8-8 special fund.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

