

2023 SENATE HUMAN SERVICES

SB 2149

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2149
1/17/2023

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to provide a continuing appropriation; and to provide an effective date.

9:28 AM **Madam Chair Lee** called the hearing to order.
Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan are present.

Discussion Topics:

- Phone fees
- Effective dates
- 988 hotline, Suicide and Crisis Lifeline, 24/7
- FirstLink

9:29 AM **Senator Hogan District 21** introduced SB 2149 in favor. #13596, 13597

9:34 AM **James Knopick, Manager of Addiction and Prevention Program of the Behavioral Health Division North Dakota Department of Health and Human Services,** with proposed amendment testified in favor. #13730, #13731

9:41 AM **Jennifer Illich, Executive Director of First Link,** testified in favor. #13623

9:54 AM **Katie Fitzsimmons - Director of Student Affairs, North Dakota University System** testified in favor. #13600

9:56 AM **Theresa Deckert** representing advocacy as an individual with grief survivors, verbally testified in favor.

10:01 AM **Rachel Sinness, Legal Director and Attorney, North Dakota Protection and Advocacy Project** testified in favor. #13696

10:02 AM **Jake Lestock - Director of State Legislative Affairs, Cellular Telecommunications & Internet Association** online testimony neutral #13320

Additional written testimony:

Ashley Lembke, Helpline Director, FirstLink, in favor. #13233

Christopher J. Deery, VSO, Cass County, in favor. #13238

Jillian Gould, Behavioral Health Coordinator, Family Healthcare, in favor. #13239

Thomas Tweten, Board Member, FirstLink, in favor. #13263

Karen Nitzkowski, in favor. #13281

Lorin Dombecki, in favor. #13304

Ashley Lasbury Hrichena, Operations Director, FirstLink, in favor. #13525

Jeremy Brown, Outreach Director, FirstLink, in favor. #13554

Josh Saylor, Director of Business Development, Prairie St. Johns, in favor. #13586

Senate Human Services Committee

SB 2149

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Monte Rodacker, in favor. #13640

Samantha Cox, Midnight Riders, in favor. #13698

Faye Seidler, Suicide Prevention Advocate, in favor. #13700

Traci Bakken, Fundraising Coordinator, Lignite Area Riders for Suicide Prevention and Awareness, in favor. #13718

Matthew Mullins, in favor. #13741

Christine Club, Board Member, FirstLink, in favor. #13794

10:07 AM **Madam Chair Lee** closed the hearing.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2149
1/18/2023

Relating to the creation of the 988-crisis hotline program and the 988-crisis stabilization fund and the imposition of a 988-access fee; to provide a continuing appropriation; and to provide an effective date.

3:01 PM **Madam Chair Lee** called the meeting to order.
Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan are present.

Committee Discussion Topics:

- 988 federal funding
- 988 state surcharges

3:03 PM **Jake Lestock, Director, State Legislative Affairs, CTIA** provided information and proposed amendment handed out by Senator K. Roers #14373

3:06 PM **Madam Chair Lee** closed the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2149
1/24/2023

Relating to the creation of the 988-crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to provide a continuing appropriation; and to provide an effective date.

2:55 PM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

Discussion Topics:

- Detailed language
- Phone expense
- Committee discussion

Senator Lee calls for additional committee discussion.

Additional Testimony:

Jake Lestock, Director, State Legislative Affairs, CTIA additional information and amendments #16469, 16470

Jennifer Illich, Executive Director, FirstLink in favor #16474.

2:59 PM **Madam Chair Lee** closed the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee Fort Lincoln Room, State Capitol

SB 2149
1/31/2023

Relating to the creation of the 988-crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to provide a continuing appropriation; and to provide an effective date.

9:40 AM **Madam Chair Lee** called the meeting to order. **Senators Lee, Cleary, Clemens, K. Roers, Weston, Hogan** are present.

Discussion Topics:

- Collection process
- Fund management
- Annual reporting

Senator Hogan provided amendment. #18130.

Senator Hogan provided additional information. #18126.

Senator Hogan moved to adopt amendment. LC23.0394.01001

Senator K. Roers seconded the motion.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	Y

The motion passed 6-0-0.

Senator K. Roers moved **DO PASS** as **AMENDED** and **REREFER** to **APPROPRIATIONS**.

Senator Cleary seconded the motion.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	N
Senator Kathy Hogan	Y
Senator Kristin Roers	Y
Senator Kent Weston	N

The motion passed 4-2-0.

Senator Cleary will carry SB 2149.

10:00: AM **Madam Chair Lee** closed the meeting.

Patricia Lahr, Committee Clerk

January 31, 2023

DR
192
1-31-23

PROPOSED AMENDMENTS TO SENATE BILL NO. 2149

Page 1, line 4, after the semicolon insert "to provide for a legislative management report; to provide an appropriation;"

Page 1, line 14, after the underscored period insert "The first fifty thousand dollars deposited into the 988 crisis stabilization fund must be used to reimburse the funds appropriated from the general fund for the establishment and implementation of the 988 crisis hotline."

Page 2, line 8, after "provide" insert "or administer"

Page 3, after line 9, insert:

"5. Except for action or inaction that constitutes gross negligence or willful and wanton misconduct, each provider of a communications service and their employees, agents, suppliers, and subcontractors are not liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining, or providing 988 service."

Page 3, line 20, after "2." insert "Assessed communications service provider" means any person that provides telecommunications services pursuant to a license issued by the federal communications commission.

3."

Page 3, line 21, replace "3." with "4."

Page 3, line 25, replace "4." with "5."

Page 3, line 27, replace "5." with "6."

Page 4, line 1, replace "6." with "7."

Page 4, line 3, after "resellers" insert ", billed in the state"

Page 4, line 4, replace "7." with "8."

Page 4, line 18, remove "The assessed communications service provider shall collect the fee from the"

Page 4, line 19, replace "subscriber or customer of the service" with "The commissioner shall provide notice of the 988 surcharge fee for the calendar year, as determined under section 1 of this Act, to assessed communication service providers on or before November first by posting the notice on the commissioner's website.

3. If the amount of the prepaid wireless emergency 988 fee imposed by this section is separately stated on an invoice, receipt, or other similar document provided to the consumer, the 988 fee may not be included in the base for measuring any other tax, fee, surcharge, or other charge that

is imposed by this state, any political subdivision of the state, or any intergovernmental agency.

4. Prepaid wireless services are not subject to the fee imposed by this section.
5. The assessed communications service provider shall collect the fee from the subscriber or customer of the service"

BR
292
1-31-23

Page 4, line 20, replace "3." with "6."

Page 4, line 23, replace "4." with "7."

Page 4, line 23, after "provider" insert "is"

Page 4, line 24, replace "may retain one percent of the fee" with ". An assessed communication service provider must complete a monthly 988 surcharge fee return reporting the amount of the 988 fee for the period covered by the return, and any other information the commissioner may require. Under this chapter:

- a. The fee levied is due and payable on or before the last day of the month succeeding each monthly period; and
 - b. An assessed communication service provider shall file the return by electronic data interchange or other electronic media as determined by the commissioner.
8. An assessed communication service provider may deduct and retain one percent of the fee"

Page 4, replace lines 25 through 30 with:

- "9. Chapter 57-39.2, pertaining to the administration of sales tax, not inconsistent with the provisions of this chapter, govern the administration of the 988 surcharge fee imposed in this chapter."

Page 5, after line 3, insert:

"SECTION 3. LEGISLATIVE MANAGEMENT REPORT - CRISIS STABILIZATION FUND. During the 2023-24 interim, the tax department shall provide an annual report to the legislative management on the balance of the 988 crisis stabilization fund. The report must include information regarding the growth and balance of the fund; recommendations, if any, for adjusting the fee rate; and any other findings, recommendations, or conclusions the tax department deems necessary.

SECTION 4. APPROPRIATION. DEPARTMENT OF HEALTH AND HUMAN SERVICES - 988 ESTABLISHMENT COSTS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of fifty thousand dollars, or so much of the sum as may be necessary, to the department of health and human services for the purpose of establishing and implementing a 988 crisis hotline program, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2149: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (4 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2149 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 4, after the semicolon insert "to provide for a legislative management report; to provide an appropriation;"

Page 1, line 14, after the underscored period insert "The first fifty thousand dollars deposited into the 988 crisis stabilization fund must be used to reimburse the funds appropriated from the general fund for the establishment and implementation of the 988 crisis hotline."

Page 2, line 8, after "provide" insert "or administer"

Page 3, after line 9, insert:

"5. Except for action or inaction that constitutes gross negligence or willful and wanton misconduct, each provider of a communications service and their employees, agents, suppliers, and subcontractors are not liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining, or providing 988 service."

Page 3, line 20, after "2." insert "Assessed communications service provider" means any person that provides telecommunications services pursuant to a license issued by the federal communications commission.

3."

Page 3, line 21, replace "3." with "4."

Page 3, line 25, replace "4." with "5."

Page 3, line 27, replace "5." with "6."

Page 4, line 1, replace "6." with "7."

Page 4, line 3, after "resellers" insert ", billed in the state"

Page 4, line 4, replace "7." with "8."

Page 4, line 18, remove "The assessed communications service provider shall collect the fee from the"

Page 4, line 19, replace "subscriber or customer of the service" with "The commissioner shall provide notice of the 988 surcharge fee for the calendar year, as determined under section 1 of this Act, to assessed communication service providers on or before November first by posting the notice on the commissioner's website.

3. If the amount of the prepaid wireless emergency 988 fee imposed by this section is separately stated on an invoice, receipt, or other similar document provided to the consumer, the 988 fee may not be included in the base for measuring any other tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of the state, or any intergovernmental agency.

4. Prepaid wireless services are not subject to the fee imposed by this section.
5. The assessed communications service provider shall collect the fee from the subscriber or customer of the service"

Page 4, line 20, replace "3." with "6."

Page 4, line 23, replace "4." with "7."

Page 4, line 23, after "provider" insert "is"

Page 4, line 24, replace "may retain one percent of the fee" with ". An assessed communication service provider must complete a monthly 988 surcharge fee return reporting the amount of the 988 fee for the period covered by the return, and any other information the commissioner may require.
Under this chapter:

- a. The fee levied is due and payable on or before the last day of the month succeeding each monthly period; and
 - b. An assessed communication service provider shall file the return by electronic data interchange or other electronic media as determined by the commissioner.
8. An assessed communication service provider may deduct and retain one percent of the fee"

Page 4, replace lines 25 through 30 with:

- "9. Chapter 57-39.2, pertaining to the administration of sales tax, not inconsistent with the provisions of this chapter, govern the administration of the 988 surcharge fee imposed in this chapter."

Page 5, after line 3, insert:

"SECTION 3. LEGISLATIVE MANAGEMENT REPORT - CRISIS STABILIZATION FUND. During the 2023-24 interim, the tax department shall provide an annual report to the legislative management on the balance of the 988 crisis stabilization fund. The report must include information regarding the growth and balance of the fund; recommendations, if any, for adjusting the fee rate; and any other findings, recommendations, or conclusions the tax department deems necessary.

SECTION 4. APPROPRIATION. DEPARTMENT OF HEALTH AND HUMAN SERVICES - 988 ESTABLISHMENT COSTS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of fifty thousand dollars, or so much of the sum as may be necessary, to the department of health and human services for the purpose of establishing and implementing a 988 crisis hotline program, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

2023 SENATE APPROPRIATIONS

SB 2149

2023 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee Roughrider Room, State Capitol

SB 2149
2/15/2023

A BILL for an Act relating to the creation of the 988-crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to provide a continuing appropriation; to provide for a legislative management report; to provide an appropriation; and to provide an effective date.

3:30 PM Chairman Bekkedahl opened the meeting. **Senators Bekkedahl, Krebsbach, Burckhard, Davison, Dever, Dwyer, Erbele, Kreun, Meyer, Roers, Schaible, Sorvaag, Vedaa, Wanzek, Rust, Mathern** are present.

Discussion Topics:

- 988 crisis hotline
- State Tax Commissioner
- Collection of fees
- Statewide coverage

3:32 PM Senator Davison moved a DO PASS on SB 2149.
Senator Mathern seconded the motion.

2:33 PM Senator Davison withdrew his motion and Senator Mathern withdrew his second.

3:34 PM Senator Kathy Hogan introduced the bill and testified #20923.

3:56 PM Randy Christmann, Public Service Commissioner, testified #20922

4:07 PM Brian Kroshus, Office of the Tax Commissioner, verbally testified.

4:09 PM Dee Wald, Office of the Tax Commissioner, verbally testified.

4:12 PM Senator Davison moved DO NOT PASS.

4:12 PM Senator Burkhard seconded.

Roll call vote.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Karen K. Krebsbach	N
Senator Randy A. Burckhard	Y
Senator Kyle Davison	Y
Senator Dick Dever	Y
Senator Michael Dwyer	N
Senator Robert Erbele	Y
Senator Curt Kreun	Y
Senator Tim Mathern	N
Senator Scott Meyer	Y
Senator Jim P. Roers	Y
Senator David S. Rust	y
Senator Donald Schaible	Y
Senator Ronald Sorvaag	N
Senator Shawn Vedaa	Y
Senator Terry M. Wanzek	N

Motion passed 11-5-0

Senator Vedaa will carry.

4:14 PM **Chairman Bekkedahl** closed the meeting.

Additional Written Testimony: # 20667, Jennifer Illich

Nathan Liesen on behalf of Kathleen Hall, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2149, as engrossed: Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO NOT PASS** (11 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2149 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE FINANCE AND TAXATION

SB 2149

2023 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee Room JW327E, State Capitol

SB 2149
3/13/2023

A bill relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Vice Chairman Hagert opened the hearing at 9:30AM.

Members present: Chairman Headland, Vice Chairman Hagert, Representative Anderson, Representative Bosch, Representative Dockter, Representative Fisher, Representative Grueneich, Representative Hatlestad, Representative Motschenbacher, Representative Olson, Representative Steiner, Representative Toman, Representative Finley-DeVille, and Representative Ista. Members absent: none.

Discussion Topics:

- Behavioral health crisis
- Response systems
- Crisis hotline surcharges
- FirstLink connection
- Suicide prevention

Senator Hogan introduced the bill in support (#23710, 23709).

James Knopik, Manager of Addiction and Prevention Program and Policy with the Department of Health and Human Services Department, Behavioral Health Division, testified in support (#24161).

Jennifer Illich, Executive Director with FirstLink, testified in support (#23911).

Carlotta McCleary, Executive Director of the North Dakota Federation of Families for Children's Mental Health, Executive Director for Mental Health America of North Dakota, and Chairperson of the Behavioral Health Planning Council, testified in support (#24377).

Rachel Sinness, Legal Director with North Dakota Protection and Advocacy, verbally testified in support.

Carissa Swenson, Executive Director with Broadband Association of North Dakota, testified in opposition (#24366).

Randy Christmann, Chairman of the Public Service Commission, testified in opposition (#24130, 24268).

Jake Lestock, Director of State Legislative Affairs with CTIA, testified in a neutral capacity (#24034, 24033).

Additional written testimony:

Barbara Hanson, Board Chair for the American Foundation for Suicide Prevention North Dakota Chapter, testimony in support #24169.

Caitlin Davidson, State Policy Manager with Vibrant Emotional Health, testimony in support #24164.

Jeremy Brown, Outreach Director with FirstLink, testimony in support #24152.

Rick Lemke, Fargo, testimony in support #24113.

Faye Seidler, Suicide Prevention Advocate, testimony in support #24104.

Scott Christopher, President of the North Dakota Student Association, testimony in support #24095.

Cheryl Biller, Fargo, testimony in support #24061.

Mark Nawrot, Fargo, testimony in support #24036.

Joshua Sayler, Business Development with Prairie St. John's, testimony in support #24005.

Karen Ladbury, Valley City, testimony in support #23889.

Daniel Lade, Retired Farmer, testimony in support #23888.

Emily Carpenter, Fargo, testimony in support #23884.

Kora Dockter, Executive Director with North Dakota Suicide Prevention Coalition, testimony in support #23871.

Edith Lade, Retired Business Owner, testimony in support #23840.

Theresa Deckert, Lake Region Survivors of Suicide, testimony in support #23839.

Gina Sandgren, Fargo, testimony in support #23827.

Mary Bell, Rugby, testimony in support #23825.

Ashley Lemke, Helpline Director with FirstLink, testimony in support #23775.

Mary Weiler, Fargo, testimony in support #23774.

Derek Harnish, Fargo, testimony in support #23773.

Brenda Weiler, Fargo, testimony in support #23770.

Corina Bell, Fargo, testimony in support #23696.

Kianna Gould, Training Specialist with FirstLink, testimony in support #23640.

Dave Lund, Fargo, testimony in support #23639.

Karen Nitzkorski, Harwood, testimony in support #23593.

Vice Chairman Hagert closed the hearing at 10:39AM.

Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee
Room JW327E, State Capitol

SB 2149
3/13/2023

A bill relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Chairman Headland opened the meeting at 2:46PM.

Members present: Chairman Headland, Vice Chairman Hagert, Representative Anderson, Representative Bosch, Representative Dockter, Representative Grueneich, Representative Hatlestad, Representative Motschenbacher, Representative Olson, Representative Steiner, Representative Toman, Representative Finley-DeVille, and Representative Ista. Members absent: Representative Fisher.

Discussion Topics:

- Proposed amendment 23.0394.03000

Charles Dendy, Attorney for the Office of the State Tax Commissioner, distributed proposed amendment 23.0394.03000 (#24422).

Chairman Headland adjourned at 2:54PM.

Mary Brucker, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Finance and Taxation Committee
Room JW327E, State Capitol

SB 2149
3/15/2023

A bill relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Chairman Headland opened the meeting at 9:41AM.

Members present: Chairman Headland, Vice Chairman Hagert, Representative Anderson, Representative Bosch, Representative Dockter, Representative Fisher, Representative Grueneich, Representative Hatlestad, Representative Motschenbacher, Representative Olson, Representative Steiner, Representative Toman, Representative Finley-DeVilleville, and Representative Ista. No members absent.

Discussion Topics:

- Proposed amendment 23.0394.03001
- Committee vote

Representative Olson distributed a proposed amendment 23.0394.03001 (#25223) and moved the amendment.

Representative Dockter seconded the motion.

Roll call vote:

Representatives	Vote
Representative Craig Headland	Y
Representative Jared Hagert	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	Y
Representative Lisa Finley-DeVilleville	Y
Representative Jay Fisher	Y
Representative Jim Grueneich	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Mike Motschenbacher	Y
Representative Jeremy Olson	Y
Representative Vicky Steiner	Y
Representative Nathan Toman	Y

Motion carried 14-0-0

Representative Olson moved a Do Pass as Amended and Rerefer to Appropriations.

Representative Dockter seconded the motion.

Roll call vote:

Representatives	Vote
Representative Craig Headland	Y
Representative Jared Hagert	Y
Representative Dick Anderson	Y
Representative Glenn Bosch	Y
Representative Jason Dockter	Y
Representative Lisa Finley-DeVille	Y
Representative Jay Fisher	Y
Representative Jim Grueneich	Y
Representative Patrick Hatlestad	Y
Representative Zachary Ista	Y
Representative Mike Motschenbacher	Y
Representative Jeremy Olson	Y
Representative Vicky Steiner	Y
Representative Nathan Toman	Y

Motion carried 14-0-0

Representative Olson is the bill carrier.

Chairman Headland adjourned at 9:46AM.

Mary Brucker, Committee Clerk

AG
3-15-23
(1-d)

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2149

Page 1, line 1, remove "and chapter 57-40.7"

Page 1, line 2, remove "and the"

Page 1, remove line 3

Page 1, line 4, remove "appropriation; to provide for a legislative management report"

Page 1, line 4, after the second semicolon insert "and"

Page 1, line 4, remove "; and"

Page 1, line 5, remove "to provide an effective date"

Page 1, line 9, remove "**988 crisis stabilization fund** -"

Page 1, line 9, remove "- **Continuing**"

Page 1, line 10, remove "**appropriation**"

Page 1, line 11, remove "There is created in the state treasury a special fund known as the 988 crisis"

Page 1, remove lines 12 through 17

Page 1, line 18, remove "2."

Page 1, line 22, replace "3." with "2."

Page 1, line 23, remove "Determine the rate of a 988 surcharge to be collected by providers of assessed"

Page 1, remove line 24

Page 2, remove lines 1 through 8

Page 2, line 9, remove "b."

Page 2, line 11, replace "c." with "b."

Page 2, line 13, replace "d." with "c."

Page 2, line 22, replace "e." with "d."

Page 2, line 25, replace "4." with "3."

Page 2, line 29, remove "Communication connection" means a telephone access line, wireless access"

Page 2, remove lines 30 and 31

Page 3, remove lines 1 and 2

Page 3, line 3, remove "c."

Page 3, remove lines 8 and 9

Page 3, line 10, replace "e." with "c."

Page 3, line 12, replace "5." with "4."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 6

Page 6, line 7, replace the second boldfaced period with a boldfaced hyphen

Page 6, line 9, replace "fifty thousand" with "\$2,000,000"

Page 6, remove lines 13 and 14

Renumber accordingly

AG
3-15-03
(2-2)

REPORT OF STANDING COMMITTEE

SB 2149, as engrossed: Finance and Taxation Committee (Rep. Headland, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2149 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "and chapter 57-40.7"

Page 1, line 2, remove "and the"

Page 1, remove line 3

Page 1, line 4, remove "appropriation; to provide for a legislative management report"

Page 1, line 4, after the second semicolon insert "and"

Page 1, line 4, remove "; and"

Page 1, line 5, remove "to provide an effective date"

Page 1, line 9, remove "**988 crisis stabilization fund** -"

Page 1, line 9, remove "**- Continuing**"

Page 1, line 10, remove "**appropriation**"

Page 1, line 11, remove "There is created in the state treasury a special fund known as the 988 crisis"

Page 1, remove lines 12 through 17

Page 1, line 18, remove "2."

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Page 2, remove lines 30 and 31

Page 3, remove lines 1 and 2

Page 3, line 3, remove "c."

Page 3, remove lines 8 and 9

Page 3, line 10, replace "e." with "c."

Page 3, line 12, replace "5." with "4."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 6

Page 6, line 7, replace the second boldfaced period with a boldfaced hyphen

Page 6, line 9, replace "fifty thousand" with "\$2,000,000"

Page 6, remove lines 13 and 14

Renumber accordingly

2023 HOUSE APPROPRIATIONS

SB 2149

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

SB 2149
3/23/2023

Relating to the creation of the 988-crisis hotline program; and to provide an appropriation.

9:37 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

All Members Present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- Funding Needed
- Mental Health Hotline
- Federally Mandated Program

Representative Headland- Introduces the bill and its purpose.

9:51 AM Chairman Vigesaa Closed the meeting for SB 2149

Risa Berube, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2149
4/6/2023

Relating to the creation of the 988-crisis hotline program; and to provide an appropriation.

10:28 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

Members Present; Chairman Vigesaa, Representative B. Anderson, Representative Bellew, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Members not present- Representative Kempenich and Representative Brandenburg

Discussion Topics:

- Amendment
- Committee Action

Representative J. Nelson- Explains verbal amendment and moves to adopt the amendment by removing the direct appropriation (section 2)

Representative O'Brien – Seconds the motion.

Committee Discussion- Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	A
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y

Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 21-0-2

Representative J. Nelson- Move for a Do Pass as Amended

Representative G. Stemen Seconds the motion.

Roll call vote

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	A
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	A
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 21-0-2 Representative G. Stemen will carry the bill.

10:35 AM Chairman Vigesaa Closed the meeting for SB 2149

Risa Berube, Committee Clerk

DR
1FD
4-7-23

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2149

In lieu of the amendments adopted by the House as printed on pages 1228 and 1229 of the House Journal, Engrossed Senate Bill No. 2149 is amended as follows:

Page 1, line 1, remove "and chapter 57-40.7"

Page 1, line 2, remove "and the"

Page 1, remove lines 3 through 4 .

Page 1, line 5, remove "to provide an effective date"

Page 1, line 9, remove "**988 crisis stabilization fund -**"

Page 1, line 9, remove "**- Continuing**"

Page 1, line 10, remove "**appropriation**"

Page 1, line 11, remove "There is created in the state treasury a special fund known as the 988 crisis"

Page 1, remove lines 12 through 17

Page 1, line 18, remove "2."

Page 1, line 22, replace "3." with "2."

Page 1, line 23, remove "Determine the rate of a 988 surcharge to be collected by providers of assessed"

Page 1, remove line 24

Page 2, remove lines 1 through 8

Page 2, line 9, remove "b."

Page 2, line 11, replace "c." with "b."

Page 2, line 13, replace "d." with "c."

Page 2, line 22, replace "e." with "d."

Page 2, line 25, replace "4." with "3."

Page 2, line 29, remove "Communication connection means a telephone access line, wireless access"

Page 2, remove lines 30 and 31

Page 3, remove lines 1 and 2

Page 3, line 3, remove "c."

Page 3, remove lines 8 and 9

Page 3, line 10, replace "e." with "c."

Page 3, line 12, replace "5." with "4."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 14

Renumber accordingly

DR
242
4-7-23

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2149 - DHHS - Other - House Action

	Base Budget	Senate Version	House Changes	House Version
Crisis hotline		\$50,000	(\$50,000)	
Total all funds	\$0	\$50,000	(\$50,000)	\$0
Less estimated income	0	0	0	0
General fund	\$0	\$50,000	(\$50,000)	\$0
FTE	0.00	0.00	0.00	0.00

Department 325 - DHHS - Other - Detail of House Changes

	Removes Funding for Crisis Hotline ¹	Total House Changes
Crisis hotline	(\$50,000)	(\$50,000)
Total all funds	(\$50,000)	(\$50,000)
Less estimated income	0	0
General fund	(\$50,000)	(\$50,000)
FTE	0.00	0.00

¹ Funding of \$50,000 from the general fund, included by the Senate, for a 988 crisis hotline is removed.

REPORT OF STANDING COMMITTEE

SB 2149, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2149, as amended, was placed on the Sixth order on the calendar.

In lieu of the amendments adopted by the House as printed on pages 1228 and 1229 of the House Journal, Engrossed Senate Bill No. 2149 is amended as follows:

Page 1, line 1, remove "and chapter 57-40.7"

Page 1, line 2, remove "and the"

Page 1, remove lines 3 through 4

Page 1, line 5, remove "to provide an effective date"

Page 1, line 9, remove "**988 crisis stabilization fund** -"

Page 1, line 9, remove "**- Continuing**"

Page 1, line 10, remove "**appropriation**"

Page 1, line 11, remove "There is created in the state treasury a special fund known as the 988 crisis"

Page 1, remove lines 12 through 17

Page 1, line 18, remove "2."

Page 1, line 22, replace "3." with "2."

Page 1, line 23, remove "Determine the rate of a 988 surcharge to be collected by providers of assessed"

Page 1, remove line 24

Page 2, remove lines 1 through 8

Page 2, line 9, remove "b."

Page 2, line 11, replace "c." with "b."

Page 2, line 13, replace "d." with "c."

Page 2, line 22, replace "e." with "d."

Page 2, line 25, replace "4." with "3."

Page 2, line 29, remove "Communication connection means a telephone access line, wireless access"

Page 2, remove lines 30 and 31

Page 3, remove lines 1 and 2

Page 3, line 3, remove "c."

Page 3, remove lines 8 and 9

Page 3, line 10, replace "e." with "c."

Page 3, line 12, replace "5." with "4."
 Page 3, remove lines 18 through 31
 Page 4, remove lines 1 through 30
 Page 5, remove lines 1 through 30
 Page 6, remove lines 1 through 14
 Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2149 - DHHS - Other - House Action

	Base Budget	Senate Version	House Changes	House Version
Crisis hotline		\$50,000	(\$50,000)	
Total all funds	\$0	\$50,000	(\$50,000)	\$0
Less estimated income	0	0	0	0
General fund	\$0	\$50,000	(\$50,000)	\$0
FTE	0.00	0.00	0.00	0.00

Department 325 - DHHS - Other - Detail of House Changes

	Removes Funding for Crisis Hotline ¹	Total House Changes
Crisis hotline	(\$50,000)	(\$50,000)
Total all funds	(\$50,000)	(\$50,000)
Less estimated income	0	0
General fund	(\$50,000)	(\$50,000)
FTE	0.00	0.00

¹ Funding of \$50,000 from the general fund, included by the Senate, for a 988 crisis hotline is removed.

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations - Human Resources Division Harvest Room, State Capitol

SB 2149
4/10/2023

Relating to the creation of the 988 crisis hotline program.

10:09 AM Chairman J Nelson opened the meeting.

Roll call taken.

Chairman J. Nelson, Vice Chairman Stemen, Representatives B. Anderson, Kreidt, Mitskog, O'Brien, Schobinger, Strinden were present.

Discussion Topics:

- Crisis response
- Incorporating funding into SB 2012

Representative Robin Weisz, District 14, spoke about incorporating the cost of the crisis funding from SB 2149 into SB 2012.

Pam Sagness, Executive Director, Behavioral Health, Department of Health and Human Services spoke in favor of 2149.

Vice Chairman Stemen moved a do not pass on SB 2149, seconded by **Representative Strinden**.

Roll Call vote taken:

Representatives	Vote
Representative Jon O. Nelson	Y
Representative Greg Stemen	Y
Representative Bert Anderson	Y
Representative Gary Kreidt	Y
Representative Alisa Mitskog	Y
Representative Emily O'Brien	Y
Representative Randy A. Schobinger	Y
Representative Michelle Strinden	Y

Motion carried, 8-0-0.

Representative Stemen to carry.

10:23 AM Chairman J. Nelson closed the meeting.

Jan Kamphuis, Committee Clerk

2023 CONFERENCE COMMITTEE

SB 2149

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

SB 2149
4/20/2023
Conference Committee

Relating to the creation of the 988 crisis hotline program.

4:30 PM **Chair Lee** opened the conference committee meeting. **Senators Lee, Cleary, Hogan and Representatives Olson, Weisz** were present. **Representative Mitskog** was present.

Discussion Topics:

- Amendment
- Conference committee decision

Senator Lee calls for discussion.

Committee discussion SB 2149.

Senator Hogan provided information from Legislative Counsel. #27760

4:33 PM **Pam Sagness, Executive Director of Behavioral Health Division, ND Department Human and Health Services**, provided information verbally.

Representative Weisz moved Senate accede to House amendments.

Representative J. Olson seconded the motion.

Roll call vote – motion passed 5-0-1.

Representative Olson is the House bill carrier.

Senator Hogan is the Senate bill carrier.

4:44 PM **Chair Lee** closed the conference committee meeting.

Patricia Lahr, Committee Clerk

Date April 20, 2023

Roll Call Vote #: 1

**2023 SENATE CONFERENCE COMMITTEE
ROLL CALL VOTES**

BILL/RESOLUTION NO. SB 2149 as engrossed

Senate Human Services Committee

- Action Taken** **SENATE accede to House Amendments**
 SENATE accede to House Amendments and further amend
 HOUSE recede from House amendments
 HOUSE recede from House amendments and amend as follows
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Representative Weisz Seconded by: Representative Olson

Senators					Representatives				
	4/20		Yes	No		4/20		Yes	No
Lee, Chair	X		Y		J. Olson, Chair	X		Y	
Cleary	X		Y		Weisz	X		Y	
Hogan	X		Y		Mitskog	AB		AB	
Total Senate Vote			3		Total Rep. Vote			2	

Vote Count Yes: 5 No: 0 Absent: 1

Senate Carrier Hogan House Carrier Olson

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

SB 2149, as engrossed: Your conference committee (Sens. Lee, Cleary, Hogan and Reps. J. Olson, Weisz, Mitskog) recommends that the **SENATE ACCEDE** to the House amendments as printed on SJ pages 1579-1580 and place SB 2149 on the Seventh order.

Engrossed SB 2149 was placed on the Seventh order of business on the calendar.

TESTIMONY

SB 2149

1/13/2022

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Ashley Lemke and I am the Helpline Director here at FirstLink. I am asking for your support of SB 2149.

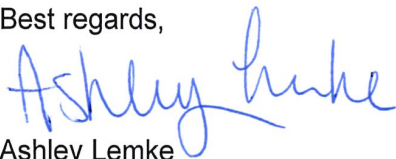
It is important to me that this be created as suicide prevention is something that hits home for me. Having family members who have attempted suicide, I am grateful that FirstLink is there to support those who are in such a devastating state. This fund would do so much for our callers and our state as a whole. Local crisis centers are a vital component of the crisis care continuum that offers life-saving interventions and referrals to local resources to help individuals thrive in the community and FirstLink is the only designated center to answer the 988 and 211 phone lines in North Dakota.

Not only is this fund important to me because I've been affected by suicide in my personal life, but working at FirstLink, I also see the value in my professional life. The complexity and volume of the calls we take have greatly increased. We need to have a diverse and culturally competent workforce and to be able to pay our staff professional wages to provide quality service to those reaching out for help. We need updated technology and equipment to make sure that we are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. This bill would make this all possible.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at the email address or phone number below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,



Ashley Lemke
Helpline Director
FirstLink
701-293-6462 ext. 106
ashley@myfirstlink.org

1/13/2022

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline such as our veterans (988 Lifeline). My name is Christopher J Deery, I humbly ask for your support of SB 2149.

This bill is important for our servicemembers as 22 veterans a day are lost to suicide. As the Veteran Service Officer, we have lost many close to us and having another outlet like 988 would assist those in need. We need to continue to help our veterans as they have supported us in times of great need.

Thank you again for your commitment to serving individuals experiencing a mental health emergency.

Thank you for your time and consideration.

Best regards,

Christopher J Deery

VSO

Cass County

deeryc@casscountynd.gov

1/13/2022

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Jillian Gould. I humbly ask for your support of SB 2149.

I work as the Behavioral Health Coordinator at Family Healthcare in Fargo and work with those in mental health crisis daily. Unfortunately, access to appropriate behavioral health services can be very limited throughout our state. Having access to a 24/7 988 suicide and crisis phone number is extremely important as it can serve as a very important link to behavioral health services. In the last week alone, I have referred 6 of our behavioral health patients to 988 and feel that the need to refer additional patients will simply grow given the current situations our patients are facing.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at the email address below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,

Jillian Gould
Behavioral Health Coordinator
Family Healthcare
jgould@famhealthcare.org

Submitted by Thomas M. Tweten on 1/13/2022

Re: 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). I have served on the FirstLink board of directors since 2017. I humbly ask for your support of SB 2149.

As one of the over 200+ crisis centers in the 988 Lifeline network, FirstLink provides free and confidential support available 24/7/365, connecting those experiencing mental health, substance use, or suicidal crises with trained crisis counselors. Local crisis centers are a vital component of the crisis care continuum that offers life-saving interventions and referrals to local resources to help individuals thrive in the community. 988 is a main entry point for callers in emotional distress to access services, as it represents the first point of contact individuals will have within the crisis continuum. Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2022 they took 15,465 calls related to suicide. The complexity and volume of calls have greatly increased. FirstLink needs a diverse and culturally competent workforce and pay our staff professional wages to provide quality service to those reaching out for help. We need updated technology and equipment to make sure that we are ready and able to answer the 988 and 211 phone lines 24/7/365. This bill would make this all possible.

Outside of my roll on the board at FirstLink, it is easy to see the need for mental health services in our state has continued to increase. I frequently see and hear about people who are struggling and suicide is taking a heavy toll on our communities. I believe the members of the committee are seeing the same and are in a position to take action. Although crisis centers are not the only piece of the puzzle surrounding mental health and suicide, I believe they are a vital component.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me if you have questions or to discuss ensuring individuals in North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.



Thomas M. Tweten
thomastweten@hotmail.com
ttweten@bell.insurance
701-361-6610

January 14, 2023

Re: 988 crisis hotline program, 988 crisis stabilization fund, and the imposition of a 988-access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

I would like to thank you for your continued support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). I ask for your support of SB 2149.

I work with public health and in that role have too many opportunities to direct people to 988. I'm thankful daily for this essential resource. Let's make it as strong as possible to serve all North Dakotans. We either all struggle or know someone who struggles with mental illness.

Thank you again for your commitment to serving individuals experiencing a mental health emergency and ensuring individuals in North Dakota have access to comprehensive and well-resourced crisis intervention services.

Best regards,

Karen Nitzkowski
4711 105th St N
Harwood, ND 58042
Cell: 701-371-9644
Email: knitzkowski@gmail.com

FirstLink not only answers the 988 and 211 lines, but is also the after hours answering and screening service for multiple other agencies that greatly benefit from the skills and training the FirstLink team has.

FirstLink needs to respond quickly to those who call in crisis on any of the lines. Maintaining a high level of staff is crucial to ensuring their needs are met in a timely manner.



**Testimony of
JAKE LESTOCK
CTIA**

North Dakota Senate Bill 2149

**Before the
North Dakota Senate Human Services Committee**

January 17, 2023

Chair, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony to address concerns with North Dakota Senate Bill 2149. CTIA and its member companies support the designation of 988 as the three-digit dial for the National Suicide Prevention Lifeline. CTIA member companies have implemented network changes to ensure Americans can dial 988 when in crisis.

CTIA and its members also understand the importance of a workable state 988 funding framework. From the outset, it is important to note that most states implementing 988 are seeking general fund appropriations to fund it as opposed to enacting a new tax on their residents. Last year, over 25 states looked at the issue and every state, except California, chose to either appropriate state 988 funds using state or federal funding or study the issue.. It is also important to note that in the December 2022 Executive Revenue Forecast, North



Dakota recorded a budget surplus of over \$650 million.¹ A new tax on North Dakotans is puzzling considering this recent windfall of state funds especially considering that North Dakota has the 11th highest state and local tax and fee burden in the country.² Wireless consumers in your state already pay over 15 percent of their cell phone bills in state and local taxes and fees, and these types of fees are highly regressive. For these reasons, we would encourage the state to look at state appropriations and federal funds – as opposed to a new tax on telecommunications consumers as this bill contemplates - to support 988.

If the state cannot find the funds to support 988 through general revenue and federal funding, SB 2149 needs amendments to ensure that any new tax on telecommunications consumers is limited. For example, the 988 fee should be limited to funding equipment, communications services, and direct costs for crisis hotline center personnel for 988 call taking and appropriate call routing.

The 988 effort has been analogized to 911. 911 fees fund government-operated Public Safety Answering Points for call taking and routing; 911 fees do not fund police, fire, or EMS. Funding for the response (police, fire, and EMS) comes from general revenue. Likewise, if the state cannot find general fund revenue and/or use federal funds to support 988, the 988 fee

¹ Joe Morrisette, Office of Management and Budget. “Status of the General Fund and Executive Revenue Forecast.” Dec. 07, 2022. <https://www.omb.nd.gov/sites/www/files/documents/news/budget-section-presentation-12-7-2022.pdf>.

² Hoffer, Adam, and Scott Mackey. Tax Foundation, 2022, Excise Taxes and Fees on Wireless Services Increase Again in 2022, <https://taxfoundation.org/wireless-taxes-cell-phone-tax-rates-by-state-2022/>. Accessed 13 Jan. 2023.



should fund the crisis centers for call taking and routing. The 988 fee should not fund the response (mobile crisis support teams, stabilization services, outreach teams, follow-up services, etc.). Funding for the response (mobile crisis, stabilization, outreach, etc.) should come from general revenue.

In addition, the 988 fee should be kept as low as possible and justified by data showing exactly what the fee will fund. These types of fees are highly regressive. When cell phones are the gateway to the internet for many North Dakota residents, overburdening consumers with more taxes and fees may detrimentally affect their continued connectivity. Limiting the scope of the 988 fee's funding and keeping the fee as low as possible justified by spending data will ensure North Dakota wireless consumer taxes and fees are kept within reason.

Further, we need to ensure the effective collection and administration of the state 988 fee. For example, language should be added extending liability protections for telecommunications service providers similar to language in the state 911 statute. There is also currently no collection or remittance process in the bill for telecommunications providers. These issues must be addressed in the legislation to ensure an effective collection and administration framework for the state 988 fee.

Moreover, if a fee is contemplated, there should be a single statewide fee, and local governments should be explicitly preempted in state law from imposing local 988 fees. This will ensure there is effective and statewide 988 coordination and prevent localities from



shifting programs currently funded from general revenues to new fees on wireless consumers. A single statewide fee will also help ensure that North Dakota wireless consumer taxes and fees are kept within reason. Further, the remittance language in the bill needs to be amended to ensure that providers have time to actually remit the fees that are collected.

We would encourage North Dakota to find general fund revenue and use federal funds to support 988 before enacting a new tax on telecommunications consumers. We welcome the opportunity to work with the sponsor on this issue. The wireless industry looks forward to the successful implementation of 988 to help our fellow Americans in crisis. Thank you for your consideration.

Chairman Lee, and members of the Human Services Committee, my name is Ashley Ladbury Hrichena, and I am submitting testimony in support of Senate Bill 2149. I currently work as the Operations Director at FirstLink. I have worked at FirstLink for more than 15 years. During this time, I have seen FirstLink's service positively impact the lives of thousands of people.

FirstLink is the only designated center in North Dakota that answers 988 Suicide and Crisis Lifeline Calls, and the 211 Helpline. In July of 2022, the 988 Suicide and Crisis Lifeline was launched and built upon the existing National Suicide Prevention Lifeline number. The launch of this new, easy-to-remember number was just the beginning of the transformation that is planned for the mental health system.

Nationally, 988 is working to create a 24/7 response system for all those in mental health crises with callers being connected to local people that can help connect them to resources and support. FirstLink's Call Specialists can de-escalate and resolve most crisis calls over the phone. This option helps reduce the burden on health care and emergency services related to mental health response. For those that need a higher level of care, we can screen and connect the caller to additional in-person resources such as mobile crisis outreach, crisis stabilization, psychiatric hospitalization, or detox. Especially in rural areas like North Dakota, having an easily accessible number is imperative for people to get help before their mental health crisis becomes life-threatening.

Since 2019, FirstLink has seen a substantial increase in calls. As the 988 Lifeline becomes more well-known it is expected call volume will continue to increase. In addition to the number of calls increasing, the complexity of callers' needs has also increased. This has brought with it an increased need for staff training and support. 988 needs a sustainable base funding source that is protected from budget cuts at a funding rate that can support the life-saving services provided and the staff that provides that service. I urge you to support this bill so FirstLink can be there to support the mental health of all North Dakotans.

Thank you for your time and attention to this important bill.

Ashley Ladbury Hrichena

Dear Chairman Lee, and members of the Human Services Committee,

My name is Jeremy Brown and I am asking for your support of Senate Bill 2149. I currently work as the Outreach Director at FirstLink.

The work FirstLink does, and supporting this bill, are very important to me because of my personal experience with suicide. In 2014, I lost a sister to suicide. At that time, my family recognized that my sister was struggling and needed support, however we did not know where to find that support. We lived in rural North Dakota and struggled to access mental health services. We had no idea a phone number existed offering support to those struggling with their mental health or suicide.

FirstLink is the only designated center in North Dakota that answers the 988 Suicide & Crisis Lifeline and 211 Helpline. Anyone in our state can dial 988 and reach a local, caring FirstLink Call Specialist. During these calls, FirstLink's Call Specialists will offer support and de-escalate most crises without further intervention, preventing additional burden to fire, police, and EMS services. Call Specialists work collaboratively with the individual in need to identify a safety plan and supportive resources. Looking back, these services are exactly what my family was looking for when my sister was struggling.

Supporting this bill will provide FirstLink with stable funding to continue to provide such a vital service, available to all North Dakotans. Funding would support a wage for FirstLink staff commensurate to the service they provide. This funding would also support expanding the training and support available to Call Specialists, increasing their capacity to provide such life-saving services to those who dial 988.

Thank you for your time and attention to this important bill.

Jeremy Brown



1/16/2022

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of Prairie St. John's, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Josh Sayler and I have been working in behavioral health for over 16 years, the last 5 ½ years with Prairie St. John's, a crisis behavioral health hospital. I humbly ask for your support of SB 2149. As one of the over 200+ crisis centers in the 988 Lifeline network, FirstLink provides free and confidential support available 24/7/365, connecting those experiencing mental health, substance use, or suicidal crises with trained crisis counselors. Local crisis centers are a vital component of the crisis care continuum that offers life-saving interventions and referrals to local resources to help individuals thrive in the community. 9-8-8 is a main entry point for callers in emotional distress to access services, as it represents the first point of contact individuals will have within the crisis continuum.

At Prairie St. John's we have seen the need for behavioral health services continue to trend up at an alarming rate over the last several years, and our partnership with FirstLink has been integral in providing the assistance required for those in crisis. In 2018 Prairie St. John's took 3,725 calls prompted by an individual with suicidal ideation or had attempted suicide. This number stayed consistent until 2021, when it increased 42% to 5,318. We had 5,286 of these call in 2022. FirstLink has seen an increase of 930% for calls relating to suicidal ideation over the past decade.

FirstLink requires updated technology and equipment to meet increased demand and this bill would make that possible.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at my information below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,

Josh Sayler
Director of Business Development
Prairie St. John's
701-478-7501
josh.sayler@uhsinc.com



“988” is the three-digit, nationwide phone number to connect directly to the 988 Suicide and Crisis Lifeline.

Too many people experience suicidal crisis or mental health-related distress without the support and care they need. There are urgent mental health realities driving the need for crisis service transformation across our country. In 2020 alone, the U.S. had one death by suicide about every 11 minutes—and for people aged 10-34 years, suicide is a leading cause of death.

There is hope. The 988 Suicide and Crisis Lifeline – previously known as the National Suicide Prevention Lifeline – is a **national network of more than 200 crisis centers** that helps thousands of people overcome crisis situations every day. These centers are supported by local and state sources as well as the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration (SAMHSA). As of July 16, 2022, all calls and text messages to “988” route to a 988 Suicide and Crisis Lifeline call center.

The 988 Suicide and Crisis Lifeline provides 24/7, confidential support to people in suicidal crisis or mental health-related distress.

- **New Nationwide Number:** 988 is more than just an easy-to-remember number — it’s a direct connection to compassionate, accessible care and support for anyone experiencing mental health-related distress – whether thoughts of suicide, mental health, substance use crisis, or any other kind of emotional distress.
- **Provides Support:** People can also dial 988 if they are worried about a loved one who may need crisis support.
- **FCC Rules:** Under FCC rules, calls and texts to 988 will be directed to the Lifeline. Calls and texts to 1-800-273-8255 (TALK) will also continue to reach the 988 Lifeline even after the nationwide implementation of 988.
- **Saving Lives:** The FCC actions reflect its commitment to saving lives and connecting individuals to necessary intervention services. Switching to the easy-to-remember 988 makes it easier for individuals in crisis to access the help they need and decrease the stigma surrounding suicide and mental health issues.
- **Important Step:** The 988 Suicide and Crisis Lifeline is an important step toward strengthening and transforming crisis care in this country. It serves as a universal entry point so that no matter where you live, you can reach a trained crisis counselor who can help.
- **Help for Veterans:** For calls, pressing “1” after dialing 988 will connect you directly to the Veterans Crisis Lifeline which serves our nation’s Veterans, service members, National Guard and Reserve members, and those who support them. For texts, continue to text the Veterans Crisis Lifeline short code: 838255.

History

2005: The National Suicide Prevention Lifeline launches with the number 1-800-273-8255 and received 46K calls in the first year.





August 2019: FCC staff—in consultation with SAMHSA, the Department of Veterans Affairs, and the North American Numbering Council—released a report recommending the use of 988 as the 3-digit code for the National Suicide Prevention Lifeline.

July 2020: The FCC designated this new phone number for individuals in crisis to connect with suicide prevention and mental health crisis support.

October 2020: The National Suicide Hotline Designation Act of 2020 was signed into law, incorporating 988 into statute as the new Lifeline and Veterans Crisis Line phone number.

November 2021: The FCC adopted rules to expand access to text 988 to directly reach the Lifeline to better support at-risk communities in crisis, including youth and individuals with disabilities.

July 16, 2022: All phone companies and text messaging providers are required to route all calls and text messages to “988” to the 988 Suicide and Crisis Lifeline.

To learn more, visit <https://www.fcc.gov/988Lifeline>.



TESTIMONY
Senate Human Services Committee
SB 2149
January 17, 2023
Senator Kathy Hogan

Chairman Lee and members of the Senate Human Service Committee, my name is Kathy Hogan, and I represent District 21 central Fargo and a corner of West Fargo.

In 2020, Congress designated the new 988 dialing code to be operated through the existing National Suicide Prevention Lifeline. 988 is seen as a first step towards a transformed crisis care system in America. With this new federal designation and standards, came many new requirements and regrettably no funding. Throughout the nation many states are now considering implementation of phone fees to fund this program like the funding of 911 systems.

This bill was modeled after the Colorado legislation. Section 1 describes the purpose and basic structure of the system including establishment of a crisis stabilization fund and implementation of the response structure primarily assigned to the ND Department of Health and Human Services. Section 2 includes necessary definitions and outlines the basic structure of collection of fees. Section 3 defines the effective date to be December 31, 2023. This is necessary to assure that the infrastructure is in place.

Every community, urban and rural and almost every structure of our society is feeling the behavioral health crisis. Schools, businesses, health care, churches and law enforcement are all begging for help. Over the last 7 years we have added significant resources with substance use vouchers, the new mental health provider registry that was just rolled out in the last six months and expansion of crisis response teams in some parts of the state, but the response system is not able to keep up with demand. People with serious needs are still waiting 6 to 9 months for an appointment. Our jails are filled with individuals with diagnosed behavioral health problems.

This vision is to start at the very beginning. If a person needs help, who should they call. 988 is a good beginning but it needs to be strengthened both internally with more qualified staff that can be retained, and externally how do they manage handoff of a caller to a system that can respond. to all communities throughout ND. How do we get a person in need to the right person at the right time with the appropriate service?

Attached is a brief history of the development of 988 federal structure for your information.

Thank you for your consideration of this essential piece of legislation. I would be more than willing to answer any questions.



SB 2149

Senate Human Services

January 17, 2023

Katie Fitzsimmons, Director of Student Affairs, NDUS

701.328.4109 | katie.fitzsimmons@ndus.edu

Chair Lee and members of the Senate Human Services Committee, my name is Katie Fitzsimmons and I serve as the Director of Student Affairs for the North Dakota University System. Within that role, I assist the campuses with mental health initiatives, suicide prevention programs, substance misuse prevention, and the spectrum of sexual assault, harassment, and discrimination services. I am here today on behalf of the North Dakota University System and its eleven institutions to provide testimony in support of SB 2149.

SB 2149 provides stabilization for the 988 crisis hotline serviced by FirstLink in Fargo, North Dakota. The North Dakota University System and FirstLink have maintained a partnership to support the mental health of students for at least fifteen years. The partnership we have looks like this: our campus counseling centers forward after-hours calls to FirstLink. If the student is in crisis and needs immediate intervention, FirstLink contacts that campus’s on-call staff as well as any other necessary resources in that moment.

Here are our documented after-hours call statistics from the last six years (January 1, 2017-December 31, 2022):

Total calls	Monthly average # of calls	On-call staff notified
5786	80	59

At one point, the System Office considered suspending this service as only 1% of all fielded calls resulted in the on-call staff being contacted. That was quickly squashed when the immense gratitude and relief of those 59 individuals’ loved ones were considered. The campuses advertise the 988 hotline, FirstLink’s services and trainings, and provide support to reduce the stigma of getting help for mental and behavioral health concerns through many programs. These efforts and connections have saved lives and will continue to do so.

In short, FirstLink offers a service upon which the University System heavily relies. Any support FirstLink receives will continue to benefit our students, faculty, and staff, as well as all North Dakotans.

This concludes my testimony related to SB 2149. I respectfully request the committee carefully consider the far-reaching impact of this bill and move a Do Pass recommendation. I thank you for your time and stand for questions from Committee members.

TESTIMONY
Senate Human Services Committee,
SB 2149
January 17, 2023
Jennifer Illich

Chairman Lee, and members of the Senate Human Services Committee, thank you for the opportunity to provide testimony today about life saving work of FirstLink. My name is Jennifer Illich, and I am the executive director of FirstLink. I am here to express support for SB 2149. FirstLink is the only designated center in North Dakota to answer the 988 Suicide and Crisis Lifeline, and 211 information and referral phone lines. FirstLink services are imperative to build a strong mental health system that provides the care, support, and services needed to help people build better lives throughout North Dakota.

On October 16, 2020, President Trump signed the National Suicide Hotline Designation Act into law, officially designating 988 as the new, easy-to-remember number for anyone experiencing suicidal ideation, a mental health crisis, or any other kind of emotional distress. As you may know, the transition from 1-800-273-8255 to 988 as the nation's suicide hotline officially happened on Saturday, July 16, 2022. This transition represents a historic moment for North Dakotans in crisis, giving them a number to call 24/7. With this new federal designation came many new requirements but unfortunately, no consistent federal funding to implement the new required suicide safety standards.

FirstLink 988 handles a variety of phone calls/text/and chats. These phone interactions can range from looking for a food pantry, diapers, counseling center, needing listening and support, all the way to thoughts or actions taken directly related to suicide. If I pull out only the calls related to suicide, from 2020 to 2021, our call volume related to suicide increased by 19.74%. We talked to 12,915 people in North Dakota in 2020 and to 15,465 people in 2021 about their thoughts or actions related to suicide. The complexity and volume of our calls have greatly increased.

FirstLink, answering the 988 suicide and crisis phone line is part of a long-term effort to build a complete mental health and suicide prevention crisis response system in North Dakota. The overwhelming majority of callers can be stabilized over the phone. Those who need more support are connected to appropriate mental health services. FirstLink serves as a hub of information and a connector to other non-profit and behavioral health centers. We screen and triage for open access, subacute stabilization centers and deploy mobile crisis units for the Human Service Centers throughout North Dakota.

FirstLink needs increased support to continue operating 24/7 and meet all of the new requirements of the 988 phone line. With the new federal mandates for the 988 suicide and crisis

phone line came a federal funding one-time planning funding source. But we need a long term funding solution.

As a non-profit our current funding sources are diverse. Our funding comes from current contracts from state and other agencies that pay us a fee to answer their phone lines, United Way of Cass and Clay County, and fundraising events. Unlike other non-profits, we can not charge a fee to the consumers that are dialing 988 for support. Our services are free and offered 24/7/365. Most of our funding sources are not consistent or reliable and make it very difficult to make a long term budget, provide an increase in staff wages, and purchase ongoing upgrades in IT services.

We must add FTE to our team to keep up with the increases in call volume and to meet all of the new requirements that are federally mandated.

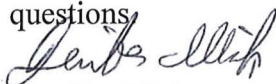
We need to have a diverse and culturally competent workforce and pay our staff professional wages to provide quality service to those reaching out for help, and to help with staff retention. Our current budget allows us to pay our staff a starting wage of only \$15.00-\$16.00 per hour. We just interviewed a very qualified potential staff working towards her masters in therapy, and she had to pass our employment offer and continue working at McDonald's because she could not afford to take the pay cut. I have many stories of staff leaving or not accepting employment at FirstLink because our wages of our staff that are answering the suicide phone line are lower than working in the food or retail industry.

We need to update our technology services because every second counts when talking to someone that has taken suicide action against their life or is in a behavioral health crisis. We need to add redundancy in our technology and service providers to ensure that our phone lines never go down.

Emergency services like FirstLink 988 need a base funding source that is sustainable and protected from budget cuts at a funding rate that can support the agency.

I hope you will consider supporting SB 2149, so we can support our most vulnerable neighbors in a moment of crisis.

I sincerely thank you for listening and for your ongoing support, and I look forward to your questions



Jennifer Illich

Executive Director

FirstLink 701-293-6462 jenniferi@myfirstlink.org

Annual Budget Needs	
Payroll expenses	\$ 1,622,984.00
Education and outreach	\$ 93,480.00
Operating expense	\$ 202,902.00
Professional fees	\$ 123,966.00
Total	\$ 2,043,332.00



2022 Statistical Report
ALL CONTACTS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals	%
TOTAL # OF CONTACTS	6,949	6,650	6,929	7,434	7,958	7,243	7,207	7,616	6,943	6,747	6,872	7,133	85,681	100%
<u>CONTACT TYPE</u>														
Information	2,550	2,728	2,800	3,175	3,560	3,026	2,757	3,110	2,752	2,463	2,593	2,854	34,368	40%
Referral	1,268	1,066	1,107	1,213	1,357	1,405	1,564	1,719	1,675	1,691	1,728	1,664	17,457	20%
Listening & Support	1,948	1,826	1,967	1,913	1,870	1,755	1,810	1,696	1,470	1,555	1,572	1,525	20,907	24%
Crisis Intervention	1,183	1,030	1,055	1,133	1,171	1,057	1,076	1,078	1,046	1,038	979	1,090	12,936	15%
TOTAL	6,949	6,650	6,929	7,434	7,958	7,243	7,207	7,603	6,943	6,747	6,872	7,133	85,668	100%
<u>DAY OF THE WEEK</u>														
Sunday	686	602	642	658	829	604	709	504	579	704	533	494	7,544	9%
Monday	1,384	1,064	976	1,154	1,521	1,167	1,043	1,526	1,035	1,347	1,188	1,091	14,496	17%
Tuesday	1,105	1,175	1,288	1,086	1,509	1,102	1,240	1,444	1,163	1,069	1,240	1,098	14,519	17%
Wednesday	1,068	1,105	1,255	1,158	1,163	1,282	1,090	1,393	1,075	983	1,295	1,097	13,964	16%
Thursday	933	960	1,216	1,123	1,164	1,385	1,051	1,084	1,323	1,019	1,038	1,390	13,686	16%
Friday	933	1,069	886	1,371	1,038	1,031	1,287	1,064	1,215	893	953	1,205	12,945	15%
Saturday	840	675	666	884	734	672	787	601	553	732	625	758	8,527	10%
TOTAL	6,949	6,650	6,929	7,434	7,958	7,243	7,207	7,616	6,943	6,747	6,872	7,133	85,681	100%
<u>CONTACT LOCATION</u>														
North Dakota	4,917	4,851	5,039	5,732	5,790	5,280	5,205	5,341	4,662	4,525	4,715	4,918	60,975	71%
Minnesota	1,197	992	1,094	1,046	996	920	1,186	1,255	1,219	1,220	1,144	1,177	13,446	16%
Locations outside ND + MN/Unspecified	835	807	796	656	1,172	1,043	816	1,020	1,062	1,002	1,013	1,038	11,260	13%
TOTAL	6,949	6,650	6,929	7,434	7,958	7,243	7,207	7,616	6,943	6,747	6,872	7,133	85,681	100%
<u>GENDER</u>														
Female	3,890	3,673	3,745	3,930	3,936	3,489	3,693	3,961	3,566	3,564	3,627	3,806	44,880	52%
Male	2,463	2,358	2,501	2,556	2,909	2,879	2,776	2,774	2,520	2,328	2,397	2,382	30,843	36%
Non-Binary	84	76	91	73	85	102	85	112	78	48	41	40	915	1%
Other	-	-	-	-	-	-	-	-	-	18	2	26	46	0%
TOTAL	6,437	6,107	6,337	6,559	6,930	6,470	6,554	6,847	6,164	5,940	6,067	6,254	76,666	89%
<u>AGE RANGE</u>														
0-5	1	0	1	0	0	0	0	0	1	1	0	0	4	0%
6-17	398	330	323	231	227	212	166	107	134	170	239	234	2,771	3%
18-35	2,190	2,079	2,150	2,113	2,259	1,985	1,819	2,180	1,963	1,827	2,006	2,014	24,585	29%
36-65	3,459	3,313	3,384	3,871	4,093	3,574	3,897	4,019	3,576	3,561	3,504	3,664	43,915	51%



**2022 Statistical Report
ALL CONTACTS**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals	%
<i>NDUS - Mayville State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Minot State</i>	1	0	0	0	0	0	0	0	0	0	0	0	1	0%
<i>NDUS - NDSCS</i>	0	1	0	0	0	0	1	0	0	0	0	0	2	0%
<i>NDUS - NDSU</i>	0	0	1	1	1	0	0	1	0	2	0	0	6	0%
<i>NDUS - UND</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Valley City State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Williston State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
TOTAL	788	686	674	787	771	661	412	719	691	720	687	749	8,345	10%

CONTACT METHOD

<i>2-1-1 Helpline</i>	3,911	3,472	3,743	4,066	4,338	4,045	4,229	4,479	4,126	4,169	4,137	4,105	48,820	57%
<i>2-1-1 Texting</i>	47	40	49	54	60	54	62	72	75	66	75	96	750	1%
<i>BCBS Medicaid Expansion</i>	47	42	29	18	24	26	19	17	22	13	15	16	288	0%
<i>988 Crisis Support Line</i>	467	522	461	437	502	434	509	477	501	514	494	506	5,824	7%
<i>Standing Rock Suicide Lifeline</i>	7	3	3	2	10	2	3	6	3	1	0	2	42	0%
<i>Military Service Center</i>	4	7	13	20	15	22	25	26	5	11	19	7	174	0%
<i>HSC - Southeast</i>	311	369	488	564	570	462	367	323	243	221	241	395	4,554	5%
<i>HSC - Badlands</i>	3	0	0	2	3	10	5	14	8	12	12	7	76	0%
<i>HSC - North Central</i>	48	70	33	42	44	24	18	38	29	38	27	57	468	1%
<i>HSC - Northeast</i>	63	52	32	51	51	48	18	28	33	30	97	132	635	1%
<i>HSC - Northwest</i>	67	34	24	36	20	27	37	29	34	46	52	48	454	1%
<i>HSC - South Central</i>	62	54	49	62	87	77	54	45	49	41	56	83	719	1%
<i>HSC - West Central</i>	118	152	96	195	104	124	111	127	108	87	142	126	1,490	2%
<i>HSC - Lake Region</i>	3	0	3	0	4	9	33	37	38	22	53	48	250	0%
<i>RACC</i>	277	275	182	154	207	164	180	235	234	201	208	317	2,634	3%
<i>Region IV South</i>	79	90	123	89	102	72	88	70	95	110	78	89	1,085	1%
<i>NDUS - Bismarck State</i>	19	8	8	12	25	9	11	21	14	11	4	10	152	0%
<i>NDUS - Dakota College</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Dickinson State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Lake Region State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>NDUS - Mayville State</i>	0	0	0	0	0	6	0	1	0	0	4	0	11	0%
<i>NDUS - Minot State</i>	19	7	8	7	6	6	7	8	8	8	5	3	92	0%
<i>NDUS - NDSCS</i>	5	17	1	7	4	5	3	5	9	6	1	9	72	0%
<i>NDUS - NDSU</i>	67	54	47	38	36	37	26	48	53	38	45	31	520	1%
<i>NDUS - UND</i>	1	1	7	3	1	4	2	1	2	1	1	0	24	0%
<i>NDUS - Valley City State</i>	0	1	0	0	0	0	0	0	0	0	0	0	1	0%
<i>NDUS - Williston State</i>	0	0	0	0	0	0	0	0	0	0	0	0	0	0%
<i>Care & Support Program</i>	1,271	1,304	1,465	1,503	1,678	1,531	1,331	1,480	1,202	947	969	943	15,624	18%



2022 Statistical Report
ALL CONTACTS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals	%
<i>Unknown/24-hour Administrative</i>	53	76	65	72	67	45	69	29	52	154	134	98	914	1%
TOTAL	6,949	6,650	6,929	7,434	7,958	7,243	7,207	7,616	6,943	6,747	6,869	7,128	85,673	100%

Dear Chairman Sen. Lee

I wish to express my support of SB 2149.
The 988 suicide hotline has proven to be vital
in providing an avenue for suicidal people to access
help.

Please support this bill

Sincerely

Monte Rodacker

Monte Rodacker

703 2nd St NE

Damascus, NJ 08841

monterodack@gmail.com

Dear Senate

My name is Robert Cox
Suicide has impacted my family very close.
I have had a brother and many cousins and
friends commit suicide, please consider continuing
to support 988 crisis line we sincerely need all
the help we can receive

thankyou
midnight Rider
Robert Cox

I am writing this on behalf of the midnight Riders
club. We as a club do a motorcycle run just for
the prevention of suicide, many ~~pepe~~ people come from
far distance to attend our run to support suicide
I have listened to people story and they all say the something
we need more money to find way to help others considering
suicide.

Thankyou

My name is Keith Trautman

The reason I think suicide is very important problem is because I Farm and Ride motorcycle and have ~~some~~ Friends in farming and riding that have decided suicide was the Best Way and didn't look for Help. Providing funding for any and all services should be automatic. Mental Health is as important as physical Health.!!!

Best Regards
Keith Trautman

My name is Cindy Godacker
and I lost my ~~son~~ son
Aug 4 1998 by suicide. He
was only 19 years old. If it
wasnt for ~~the~~ first link
being there for me I dont
know if I would be here today
I miss my son every day + I
dont want anybody to go through
what I had to endure. Will
suicide continue? yes. But if we
can save 1 @ life isnt it worth it!
I am suicidal myself + Im not
saying that so this hopefully
passed. Im glad first link was
there for me @ the time +
Im glad ~~to~~ theyre there incase
I need someone to talk to.

Dear Chairman Senator,

In regards of Suicide prevention -

I feel that this is a very important issue that needs continued support from everyone.

to think that someone feels that is their only option is heartbreaking. I have seen how it affects friends, its something no one should have to go thru. Any program to help people needs to be continued - because how do you put a price on a life - Everyone needs & deserves to have someone to reach out to.

I hope that you find it in your hearts to continue to support such a worth while Cause.

Sincerely
Julie Trautman

Senate Human Services Committee

Judy Lee, Chair

Sixty-eighth Legislative Assembly of North Dakota

Senate Bill No. 2149 – 988 Crisis Hotline

January 17, 2023

Good morning, Chairwoman Lee and Members of the Senate Human Services Committee. I am Rachel Sinness, Legal Director and attorney for the North Dakota Protection & Advocacy Project (P&A).

P&A is an independent state agency. Its mission is to advocate for the human, civil, and legal rights of people with disabilities. P&A strives to ensure that every individual with a disability is provided the same benefits of the programs and services as all other North Dakota citizens.

P&A is here to offer testimony in favor of Bill 2149. Our advocates and attorneys assist not only individuals with developmental and intellectual disabilities, but those with mental health disabilities. Bill 2149 undeniably provides much needed supports to our clients who are undergoing suicidal, mental health, and substance use crises. We support any ongoing efforts and funding to a service that is so necessary to those in North Dakota who most need it.

Thank you, and I am happy to stand for any questions.

1/16/23

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Humas Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Samantha Cox. I humbly ask for your support of SB 2149.

Suicide prevention is very close to my heart because since I was 14 (I am 20 now) I have had at least 6 people commit suicide in my life. Being 14 years old and having someone very dear to your heart commit suicide impacts your world greatly, but continuing to have it happen over and over again really affects a persons life. That being said having the 24/7 988 suicide and crisis phone number available to call is very important to me. Having that number allows those having thoughts to have an opportunity to try to talk to someone. Without it there, many will wonder who they should call. Overall, suicide has touched my life greatly and having the 24/7 988 suicide and crisis number is extremely important to me.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at samcox2002@gmail.com if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-sourced crisis intervention services.

Thank you for your consideration.

Best regards,

Samantha Cox

Midnight Riders

Samcox2002@gmail.com

1/13/2022

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Faye Seidler. I humbly ask for your support of SB 2149.

I'm a suicide prevention advocate who works with organizations across North Dakota in the sectors of healthcare, social work, and education. When we consider SB 2149, I'd like us to think about the data we have on suicide coming from the Youth Risk Behavior Survey:

- 1 in 5 high school youth have seriously considering suicide during the last year.
- 1 in 4 middle school youth had at some point in their life seriously thought about suicide.

Suicide is the second leading cause of death for individuals under the age of forty in North Dakota. This is why having a 24/7 988 suicide and crisis phone number to call is important to me. These kids and young adults need a place they can turn to, they need hope, and a reliable service to get help. Suicide impacts entire communities and any time we can prevent even one, we save so many people from grief and despair.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at the email below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,

Faye Seidler

Email: Fayeseidler@gmail.com

Phone: 701-732-0228

1/16/2023

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Traci Bakken and I humbly ask for your support of SB 2149.

Suicide prevention is close to my family as we lost my brother-in-law to suicide 10 years ago. My husband, Grady began a single motorcycle remembrance ride 4 years ago and it has turned into so much more! We have created a fundraising event that is the highlight of our small town community every July. Through this event we are able to support First Link and the American Foundation for Suicide Prevention, but we could also use your help! Recent data is showing that the new 988 number is reaching more people and they are getting support faster. Even more help would be provided to this 24/7 988 suicide and crisis phone number by securing additional funding from the State of North Dakota!

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at the number and/or email below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,

Traci Bakken
Fundraiser Coordinator
Lignite Area Riders for Suicide Prevention and Awareness
701-215-2659

#youmatter;

PROPOSED AMENDMENT TO SENATE BILL NO. 2149

Page 2, line 8, after "provide" insert "or administer"

Renumber accordingly

Testimony
Senate Bill No.2149
Senate Human Services Committee
Senator Lee, Chairman
January 17, 2023

Chairman Lee, and members of the Senate Human Services Committee, I am James Knopik, Manager of Addiction and Prevention Program and Policy with the Department of Health and Human Services' (Department), Behavioral Health Division. I appear before you in support of Senate Bill No. 2149.

The 988 Suicide and Crisis Lifeline is a three-digit emergency number for behavioral health crisis. This number allows individuals experiencing a behavioral health crisis to call or text the simple number 9-8-8 or chat online at 988lifeline.org 24/7 365 days a year. On June 16, 2022 the 988 number rolled out nationwide.

Previously, the National Suicide Prevention Lifeline was accessible by calling 1-800-273-8255. The 988 Suicide and Crisis Lifeline simplifies the number to a three-digit number and broadens the intent of calling the lifeline to include any behavioral health crisis, not exclusively suicide related issues. Additionally, the vision of 988 is to have behavioral health crisis services available in communities across the nation, similar to 911 for medical emergencies.

The Substance Abuse and Mental Health Services Administration (SAMHSA) has identified a three phased rollout of 988 crisis services. The first phase has a goal of 90 percent of all 988 calls being answered in-state by 2023. The second phase has a goal of 80 percent of individuals

having access to mobile behavioral health crisis services by 2025. The third and final phase of 988 is to have 80 percent of individuals have access to behavioral health crisis stabilization services (a place to go) by 2027.

Currently, in North Dakota the 988 Suicide and Crisis Lifeline is answered in-state by FirstLink who then provides suicide risk assessment, de-escalation, or support to those in need. If needed, FirstLink connects to a local Human Service Center crisis team for additional supportive services as available by the region.

When the vision of 988 is fully operationalized individuals with a behavioral health crisis will receive support from behavioral health professionals resulting in better care, and our current first responders who are operationalized by calling 911 will experience a reduction in calls they are currently dispatched for.

Behavioral health crisis services are a necessary public service similar to how 911 is a necessary service for medical emergencies. The Department supports this Bill that intends to treat crisis behavioral healthcare on a similar footing to existing physical health crisis responses and lays the foundation to develop an infrastructure to grow these services to the needed level to support our citizens.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.

I, Matthew Mullins, as a North Dakota resident hereby state my support towards Senate Bill 2149 (SB 2149). My reasoning is as follows:

It is a necessity now more than ever that the mental health of the population be considered most carefully.

The number of stressors faced by anyone with even a rudimentary connection to current events is higher in recent years than any time before thanks to continued improvements in the dissemination of important information via advancing technology.

As these factors which can and do contribute to rising suicide rates increase it is important to ensure that the state provides the support its people need to feel secure in a time when very few can claim to possess such an attribute in their own lives. That not only are there people available to help them directly, but that those in power are willing to make decisions to help with stability, both in the world at large and in the minds of the people that populate it.

1/16/2023

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Senator Lee and Members of the Human Services Committee.

On behalf of FirstLink, I would like to thank you for your continued unwavering support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). My name is Christine Club and I humbly ask for your support of SB 2149.

I work in public accounting but have been serving on the board of director for FirstLink for 7 years. I have had a front row seat to the help and hope that FirstLink has provided for those reaching out in a moment of crisis and utilizing the 988 Lifeline. It has been eye opening and overwhelming to see the call volumes that are answered by this wonderfully compassionate group of individuals. And those numbers continue to increase every day as those with mental health crisis continue to reach out for help.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at the email address below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best Regards,

A handwritten signature in black ink that reads "Christine Club". The signature is written in a cursive, flowing style.

Christine Club

Wolf, Sheldon

From: Roers, Kristin
Sent: Wednesday, January 18, 2023 2:38 PM
To: Wolf, Sheldon
Subject: Fwd: ND SB 2149
Attachments: ND SB 2149 Bill markup.pdf

Senator Kristin Roers
 District 27 - North Dakota
 kroers@ndlegis.gov
 701-566-0340

From: Jake Lestock <JLestock@ctia.org>
Sent: Wednesday, January 18, 2023 11:04:09 AM
To: Roers, Kristin <kroers@ndlegis.gov>
Subject: RE: ND SB 2149

Good morning Senator Roers,

I just wanted to follow up regarding SB 2149 and North Dakota's 988 program. I've attached our proposed amendments that looks to remove the 988 surcharge and includes an immunity provision similar to 911 statute. As we stated in our testimony, CTIA would encourage North Dakota to find general fund revenue and use federal funds to support 988 before enacting a new tax on telecommunications consumers. Below is some more information on the federal funds that have been designated for state 988 programs.

Federal Funding

In Dec. 2021, the federal government allocated \$282 million in dedicated 988 funding, including \$177 million to strengthen and expand the existing Lifeline network operations and telephone infrastructure, including centralized chat/text response, backup center capacity, and special services (e.g., a sub-network for Spanish language-speakers) and \$105 million to build up staffing across states' local crisis call centers.

In 2022, The Bipartisan Safer Communities Act was also enacted and appropriated \$150 million for 988 Lifeline, including \$35 million to better link 988 Lifeline services to Tribal communities. An additional appropriation of nearly \$30 million was made in the FY23 omnibus bill for the Substance Abuse and Mental Health Services Administration (SAMHSA) to enhance training and provide access to specialized services through the 988 Suicide & Crisis Lifeline for marginalized youth.

Additionally, the American Rescue Plan Act (ARPA), enacted on March 11, 2021, establishes a new option for states to cover mobile response team services (MRTs) through their Medicaid programs for a five-year period beginning April 2022. It also provides an enhanced federal match, which covers 85% of the cost of these services for the first three years.

There are also several existing federal resources that can be leveraged to support 988 implementation. Examples from SAMHSA include the crisis set-aside through the [Mental Health Block Grant](#) as well as funding

through the Certified Community Behavioral Health Clinic (CCBHC) program. States are also able to leverage Medicaid dollars and [State Opioid Response grants](#).

If you have any further questions, please let us know. Thank you for your consideration!

Regards,
Jake



Jake Lestock

Director, State Legislative Affairs

1400 16th Street, NW

Washington, DC 20036

202-736-3679 (office)

202-412-3556 (mobile)

It is CTIA's policy to comply fully with antitrust laws. To ensure compliance, CTIA's employees and the representatives of CTIA member companies should follow the [Antitrust Checklist for CTIA Meetings](#) when participating in CTIA-sponsored activities.

From: Roers, Kristin <kroers@ndlegis.gov>

Sent: Tuesday, January 17, 2023 11:08 AM

To: Jake Lestock <JLestock@ctia.org>

Subject: ND SB 2149

**** External Sender ****

Feel free to work through me to find the appropriate language for amendments and suggestions for alternate funding sources

Senator Kristin Roers
District 27 - North Dakota

kroers@ndlegis.gov

701-566-0340

23.0394.01000

Sixty-eighth
Legislative Assembly
of North Dakota

Introduced by

Senators Hogan, Cleary, Dever, Lee
Representatives O'Brien, Swiontek

A BILL for an Act to create and enact a new section to chapter 50-06 and ~~chapter 57-40.7~~ of the North Dakota Century Code, relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund ~~and the imposition of a 988 access fee; and to provide a continuing appropriation; and to provide an effective date.~~

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

988 crisis stabilization fund - 988 crisis hotline program - Establishment – Continuing appropriation.

1. There is created in the state treasury a special fund known as the 988 crisis stabilization fund. The fund consists of all moneys deposited in the fund pursuant to chapter 57-40.7, from federal grants and through legislative appropriation. All moneys deposited in the fund is appropriated as a continuing appropriation to the department for the purposes under this section.

2. The department shall establish and implement a 988 crisis hotline program to provide crisis outreach, stabilization, and acute care to individuals calling the 988 crisis hotline. The department may adopt rules in accordance with chapter 28-32 for the purpose of implementing this section.

3. In developing the program, the department shall:
a. Determine the rate of a 988 surcharge to be collected by providers of assessed communications services in an amount to be established annually by the department, but not to exceed thirty cents per month per

communication connection. On or before October 1, 2023, and on or before October first of each year thereafter, the department shall notify the tax commissioner of the amount of the surcharge for the next calendar year. The amount of the surcharge must be calculated reasonably based on the cost of the services received by a service user. The amount of the surcharge imposed per 988 communication connection must be uniform, regardless of the technology used to provide the 988 communication connection.

ab. Fund the 988 crisis hotline to provide intervention services and crisis care coordination to individuals calling the 988 crisis hotline.

be. Contract with crisis vendors to provide crisis outreach, stabilization, acute care, and marketing for the 988 crisis hotline.

cd. Contract with a nonprofit organization to operate the 988 crisis hotline and provide intervention services and crisis care coordination to individuals calling the 988 crisis hotline from any jurisdiction within the state, twenty-four hours a day, seven days a week. The nonprofit organization must:

(1) Have an active agreement with the administrator of the national suicide prevention lifeline for participation within the network;

(2) Meet the national suicide prevention lifeline requirements for serving high-risk and specialized populations; and

(3) Provide followup services to individuals accessing the 988 crisis hotline.

de. Collaborate with the national suicide prevention lifeline and the veterans crisis line for purposes of ensuring consistent public messaging about the 988 crisis hotline and available services.

4. For purposes of this section:

a. "988 crisis hotline" means a state-identified hotline participating in the national suicide prevention lifeline network to respond to statewide or regional behavior health crisis calls.

b. "Communication connection" means a telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation in which connections are enabled, configured, or capable of making 988 calls.

bc. "National suicide prevention lifeline" means a national network of local crisis centers maintained by the federal substance abuse and mental health services administration which provides free and confidential emotional support to people in suicidal crisis or emotional distress, twenty-four hours a day,

seven days a week.

~~d. "Service user" means a person that is provided a 988 communication connection in the state.~~

ce. "Veterans crisis line" means the veterans crisis line maintained by the United States department of veterans affairs.

5. Except for action or inaction that constitutes gross negligence or willful and wanton misconduct, each provider of a communications service and their employees, agents, suppliers and subcontractors shall not be liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining or providing 988 service.

23.0394.01000

Sixty-eighth
Legislative Assembly
of North Dakota

Introduced by

Senators Hogan, Cleary, Dever, Lee
Representatives O'Brien, Swiontek

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From: [Lee, Judy E.](#)
To: [Lahr, Pat](#); [Wolf, Sheldon](#)
Subject: FW: ND SB 2149
Date: Wednesday, January 18, 2023 9:18:24 PM
Attachments: [image001.png](#)
[ND SB 2149 Bill markup.pdf](#)

Sheldon –

Please load this in 2149 testimony. It is the bill with the amendments which would ban a cell phone fee.

Senator Judy Lee
1822 Brentwood Court
West Fargo, ND 58078
Home phone: 701-282-6512
Email: jlee@ndlegis.gov

From: Roers, Kristin <kroers@ndlegis.gov>
Sent: Wednesday, January 18, 2023 2:38 PM
To: -Grp-NDLA Senate Human Services <ndlashumserv@ndlegis.gov>
Subject: Fwd: ND SB 2149

Senator Kristin Roers
District 27 - North Dakota
kroers@ndlegis.gov
701-566-0340

From: Jake Lestock <JLestock@ctia.org>
Sent: Wednesday, January 18, 2023 11:04:09 AM
To: Roers, Kristin <kroers@ndlegis.gov>
Subject: RE: ND SB 2149

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including \$177 million to strengthen and expand the existing Lifeline network operations and telephone infrastructure, including centralized chat/text response, backup center capacity, and special services (e.g., a sub-network for Spanish language-speakers) and \$105 million to build up staffing across states' local crisis call centers.

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If you have any further questions, please let us know. Thank you for your consideration!

Regards,
Jake

The logo for CTIA (Community Telecommunications Industry Association) features the lowercase letters "ctia" in a bold, sans-serif font. Below the letters are five small, colored dots in a horizontal row, each a different color (blue, green, yellow, orange, red).

Jake Lestock

Director, State Legislative Affairs

1400 16th Street, NW
Washington, DC 20036
202-736-3679 (office)
202-412-3556 (mobile)

It is CTIA's policy to comply fully with antitrust laws. To ensure compliance, CTIA's employees and the representatives of CTIA member companies should follow the [Antitrust Checklist for CTIA Meetings when participating in CTIA-sponsored activities](#).

From: Roers, Kristin <kroers@ndlegis.gov>

Sent: Tuesday, January 17, 2023 11:08 AM

To: Jake Lestock <JLestock@ctia.org>

Subject: ND SB 2149

**** External Sender ****

Feel free to work through me to find the appropriate language for amendments and suggestions for alternate funding sources

Senator Kristin Roers
District 27 - North Dakota
kroers@ndlegis.gov
701-566-0340

From: [Lee, Judy E.](#)
To: [Lahr, Pat](#); [Wolf, Sheldon](#); [Wolf, Sheldon](#)
Subject: FW: FirstLink SB 2149
Date: Thursday, January 19, 2023 7:36:37 AM

Sheldon – Please load this into the testimony for 2149.

Senator Judy Lee
1822 Brentwood Court
West Fargo, ND 58078
Home phone: 701-282-6512
Email: jlee@ndlegis.gov

From: Jennifer Illich <jenniferi@myfirstlink.org>
Sent: Wednesday, January 18, 2023 9:17 PM
To: Lee, Judy E. <jlee@ndlegis.gov>; Cleary, Sean <scleary@ndlegis.gov>; Clemens, David <dclemens@ndlegis.gov>; Hogan, Kathy L. <khogan@ndlegis.gov>; Roers, Kristin <kroers@ndlegis.gov>; Weston, Kent <kweston@ndlegis.gov>
Subject: FirstLink SB 2149

Good morning Chairman Lee, and members of the Senate Human Services Committee, I wanted to thank you for your time listening to SB 2149 testimony. I wanted to again let you know how important this bill is for the entire state of North Dakota.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 we took 15,465 calls related to suicide. The complexity and volume of our calls have greatly increased. Ten years ago having two-year contracts for grants through the state and the federal government worked for our business model. Now, having our major funding source that is not guaranteed longer than two years is very difficult. It is difficult to increase our staff FTE with a two-year contract for funding. Our 24/7 service providers for our phones, internet, and IT require three-year contracts, and when we only have stable funding for two years at a time the contracts are a risk to sign.

We did receive a one-time grant from the state from federal funds for a planning grant for 988. We just received notice of another one-time grant from the state with federal funds in the amount of \$458,000 to strengthen 988 collaborations and infrastructure. The funding for this one-time grant will end on 4/29/2024. This funding was given out by SAMHSA with messaging that it will help 988 centers financially with the hope that they will find consistent state funding when this grant period is over. We constantly watch and apply for federal grants, but they are competitive to write and are usually for short-term funding to add a particular program, not to pay day-to-day operating costs.

The states of Washington, Virginia, Colorado, Nevada, and California all have implemented and passed a 988 user fee bill and have been having great results.

Let me know what questions you have as you decide on amendments.

Yours truly,

Jennifer Illich
Executive Director
FirstLink
701-293-6462

Page 1, line 4, strike "and"

Page 1, line 4, after "date" insert "; and to provide an appropriation"

Page 1, line 14, after "section." insert "The first \$50,000 deposited into the 988 crisis stabilization fund shall be used to reimburse the funds appropriated from the general fund for the establishment and implementation of the 988 crisis hotline."

Page 2, line 8, after "provide" insert "or administer"

Page 3, line 10, insert "5. Except for action or inaction that constitutes gross negligence or willful and wanton misconduct, each provider of a communications service and their employees, agents, suppliers, and subcontractors shall not be liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining, or providing 988 service."

Page 3, line 20, after "2." insert " "Assessed communications service provider" means any person that provides telecommunications services pursuant to a license issued by the federal communications commission."

(renumber definitions section)

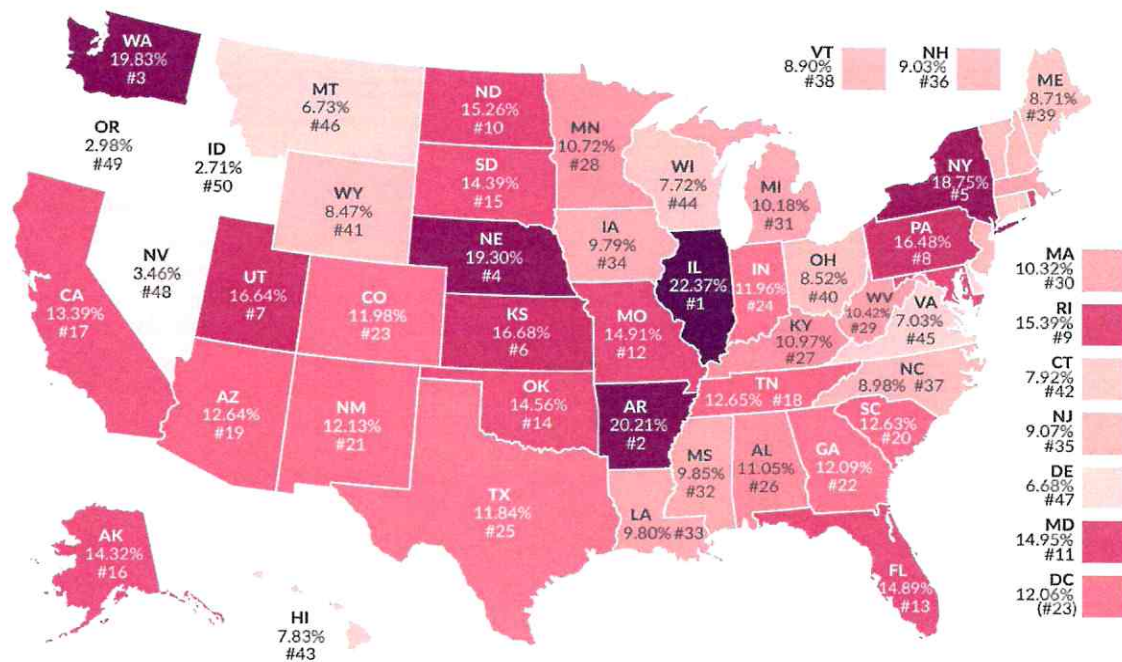
Page 4, line 3, after "resellers" insert ", billed in the state"

Page 4, line 18, after "2." insert "The commissioner shall provide notice of the 988 surcharge fee for the calendar year, as determined under section 1 of this Act, to assessed communication service providers on or before November first by posting the notice on the commissioner's website.

3. If the amount of the prepaid wireless emergency 911 fee imposed by this section is separately stated on an invoice, receipt, or other similar document provided to the consumer, the 988 fee may no be included in the base for measuring any other tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of the state, or any intergovernmental agency."

How High Are Cell Phone Taxes in Your State?

Taxes, Fees, and Government Charges on Wireless Service, July 2020



Note: The local tax rate is calculated as the average of the tax in the largest city and the capital city. DC's rank does not affect other states' rankings, but the figure in parentheses indicates where it would rank if included.

Source: Methodology from COST, "50-State Study and Report on Telecommunications Taxation," May 2005. Updated July 2019 using state statutes, FCC data, and local ordinances.

Combined State & Local Wireless Tax Rate



SB 2149 in favor

Dear Chairman Bekkedahl, Vice Chairman Krebsbach, and members of the appropriations committee. I am writing in favor of SB 2149.

On October 16, 2020, President Trump signed the National Suicide Hotline Designation Act into law, officially designating 988 as the new, easy-to-remember number for anyone experiencing suicidal ideation, a mental health crisis, or any other kind of emotional distress. As you may know, the transition from 1-800-273-8255 to 988 as the nation's suicide hotline officially happened on Saturday, July 16, 2022. This transition represents a historic moment for North Dakotans in crisis, giving them a number to call 24/7, seven days a week. With the increased national and local attention to 988, comes a strong likelihood that 988 call volume in North Dakota will significantly increase. The National Suicide Hotline Designation Act of 2020 allows states and expects states to enact new telecommunication fees to help support 988 operations.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 we took 15,465 calls related to suicide. These calls are only those directly related to suicide, each year FirstLink handles over 85,000 contacts (calls, text, chats), these are people reaching out for prevention, intervention, and for support on their journey to recovery. The complexity and volume of our calls have greatly increased. We need to have a diverse and culturally competent workforce and pay our staff professional wages to provide quality service to those reaching out for help. We need updated technology and equipment to make sure that we are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

FirstLink has several new federal mandates that we must follow to ensure we are keeping North Dakotans safe from suicide. These federal mandates came with a one-time federal funding source with expectations to secure consistent and reliable state funding.

Please see attachments from Vibrant (oversees 988 suicide and crisis lifeline at the national level), SAMHSA, and NAMI. All three of these national agencies affirm that financial state support for 988 suicide and crisis lifeline is imperative.

Yours truly,



Jennifer Illich
Executive Director
FirstLink
701-293-6462

Vibrant

Frequently Asked Questions: 988 & Crisis Response Services

This FAQ is designed to help answer common questions received from legislators and other decision-makers when advocating for adoption of 988 legislation, and in particular when advocating for fee legislation or state budget funding for the 988-crisis response system.

For general information on the Lifeline's future transition to 988, please consult the following webpages:

- [AFSP: Funding for 988 and Crisis Response](#)
- [Vibrant and 988](#)

1. Is federal funding provided, and if so, why is state funding necessary?

While the Lifeline is a national program, federal funding goes toward managing call routing, best practice standards, public messaging, capacity-building opportunities, and technical assistance for the nationwide network. Local crisis centers answering the calls are reliant on funding from state and local contributors to operate. Currently, the only regular federal funding that goes to local Lifeline centers is a small annual baseline stipend of \$1,500 to \$2,500.

In 2020, the Lifeline received over 3.6 million calls, chats, and texts. Full implementation of 988 will result in even higher call volumes, requiring more trained personnel to answer the phones, mental health professionals to do the training and supervise shifts, and advanced infrastructure upgrades. Increased, reliable, and sustainable state and local investment is needed now more than ever to ensure capacity to respond to a steadily increasing call volume and as state residents continue to face stressors during the COVID-19 pandemic.

The National Suicide Hotline Designation Act of 2020 included language allowing each state to pass their own legislation funding 988 and their local in-state crisis call centers the same way as 911, through monthly telecom customer service fees. It is critical that appropriate funding for the Lifeline network, individual crisis centers, and the crisis continuum be allocated to serve more people in crisis. In 2018, fees for 911 generated \$2.6 billion to support that service; similar investment must be made for mental health and suicidal crises.

2. What will happen if legislation is not passed before 988 goes into effect in July 2022?

The 988 dialing code will become nationally available in July 2022. State planning efforts should be well underway by now, including plans to address funding for the 988-crisis response system, as the transition has already begun with several wireless service providers currently connecting customers to the Lifeline through 988. The work that we do now to support the implementation of 988, fortify the Lifeline's network of local crisis call centers, and strengthen state crisis service capacity will set this new system up for success.

Passage of state 988 legislation will effectively establish the 988-crisis response system for individuals experiencing suicidal distress or a mental health crisis by supporting the crisis call centers in our state and mobile crisis outreach to directly respond to individuals in need.

Continued >

3. Is the National Suicide Prevention Lifeline effective?

Since launching in 2005, the Lifeline's call volume has increased 14% annually. Call centers in the Lifeline network divert hundreds of thousands of calls from 911 every year and resolve 98% of calls without requiring emergency services. Evaluations and caller feedback show that Lifeline counselors are effective in reducing caller distress and suicidality and help tens of thousands of people get through crises daily.

Callers experiencing a suicide or mental health crisis will soon be able to call 988, instead of 911, to receive appropriate care and avoid unnecessary law enforcement involvement. Valuable law enforcement time and resources could then be spent responding to crimes and other emergencies rather than people in mental or emotional distress.

4. What happens if local call centers are unable to answer a call from in-state? Why is it so important that 988 calls are answered in-state?

When in-state call centers are unable to answer calls to the Lifeline, callers get re-routed to other centers out-of-state and into the Lifeline's national backup network. Low in-state answer rates put a strain on the backup network. When a caller is routed to the backup network, callers in crisis wait longer to be connected to a counselor and receive fewer linkages to effective local care, making the use of in-state crisis centers as opposed to a centralized national help center crucial.

In-state crisis centers connect callers to local counselors who are familiar with the community and better equipped to provide culturally competent support and referrals to local community resources and other lifesaving follow-up care. 988 is not only about answering calls – it's also about providing emotional support to people in crisis during the moments they most need it, which can include making appropriate and accessible referrals, or linking to mobile crisis teams and crisis stabilization programs that connect people to a continuum of care.

5. What are the main 988 components funded and supported by the legislation? What does an ideal state-wide crisis services system look like?

To more effectively build on the promise of 988, state lawmakers must take steps now to develop and fund an effective crisis response infrastructure that includes three key components: (1) Someone to answer the call: this requires funding for 24/7 call centers adequately staffed by specially trained individuals to respond to a range of mental health and suicide crises; (2) Someone to come help: this requires funding mobile crisis teams that can be dispatched to the scene and are equipped to effectively assist people in crisis; (3) Somewhere to go for care: this requires funding for crisis stabilization services to provide short-term observation as well as connection to follow-up care.

An ideal system should also include public education and awareness campaigns that promote the new 988 number and the availability of crisis services and that encourage and normalize seeking help for suicide and mental health crises. Robust administration and oversight are also needed, as well as regular reporting of 988 services provided and populations served. This will facilitate greater understanding of the 988 crisis care continuum and support a quality, standardized service for callers in need.

Mobile crisis response is crucial for the implementation of 988 on the state level. States need the capacity to provide mental health crisis response when individuals calling 988 need in-person interventions. This responsibility currently falls upon emergency responders, most commonly law enforcement officers who are often not trained in managing a mental health crisis.

6. Why is the 988 vision an improvement over the current status quo?

According to a 2019 report by the Treatment Advocacy Center, in 2017 an average of 10% of law enforcement agencies' total budgets and 20% of total law enforcement staff time was spent responding to and transporting persons with mental illness. Fully implemented, 988 will reduce avoidable emergency department or hospital admissions for people in crisis and avoid traumatic engagements with the criminal justice system.



Frequently Asked Questions

What is the Lifeline and will 988 replace it?

The Lifeline is a national network of over 200 local, independent, and state-funded crisis centers equipped to help people in emotional distress or experiencing a suicidal crisis. **Moving to 988 will not replace the Lifeline**, rather it will be an easier way to access a strengthened and expanded network of crisis call centers. Beginning July 16, 2022, people can access the Lifeline via 988 or by the 10-digit number (which will not go away).

When will 988 go live nationally?

The 988 dialing code will be available nationwide for call (multiple languages), text or chat (English only) on July 16, 2022. Until then, those experiencing a mental health or suicide-related crisis, or those helping a loved one through crisis, should continue to reach the Lifeline at its current number, **1-800-273-8255**.

How is 988 different from 911?

988 was established to improve access to crisis services in a way that meets our country's growing suicide and mental health related crisis care needs. 988 will provide easier access to the Lifeline network and related crisis resources, which are distinct from 911 (where the focus is on dispatching Emergency Medical Services, fire and police as needed).

How is 988 being funded?

Congress has provided the Department of Health and Human Services workforce funding through the American Rescue Plan, some of which will support the 988 workforce. At the state level, in addition to existing public/private sector funding streams, the National Suicide Hotline Designation Act of 2020 allows states to enact new state telecommunication fees to help support 988 operations.

Is 988 available for substance use crisis?

The Lifeline accepts calls from anyone who needs support for a suicidal, mental health and/or substance use crisis.

Urgent realities.



Too many Americans are experiencing suicide and mental health crises without the support and care they need. In 2020 alone, the US had one death by suicide about every 11 minutes — and for people aged 10-34 years, suicide is a leading cause of death.

Easier access.



Moving to an easy-to-remember, 3-digit dialing code will provide greater access to life-saving services.

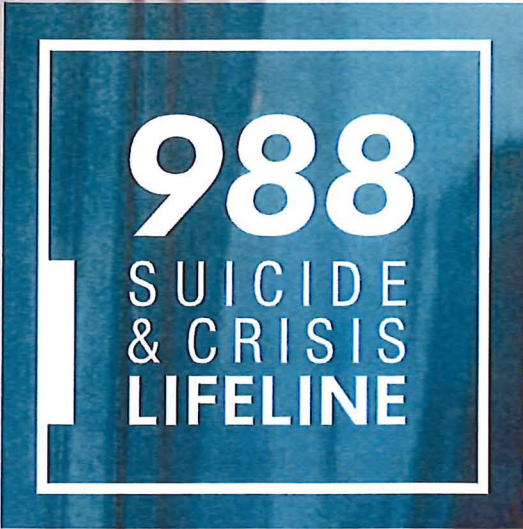

There is hope.



Providing 24/7, free and confidential support to people in suicidal crisis or emotional distress works! The Lifeline helps thousands of people overcome crisis situations every day.

Email 988 questions to:

**988Team@
samhsa.hhs.gov**



988
SUICIDE
& CRISIS
LIFELINE

In 2020, Congress designated the new 988 dialing code to operate through the existing National Suicide Prevention Lifeline.

The Substance Abuse and Mental Health Services Administration (SAMHSA) is the lead federal agency, in partnership with the Federal Communications Commission and the Department of Veterans Affairs, working to make the promise of 988 a reality for America. Moving to a 3-digit dialing code is a **once-in-a-lifetime opportunity** to strengthen and expand the existing National Suicide Prevention Lifeline (the Lifeline).

Of course, 988 is more than just an easy-to-remember number—it is a direct connection to compassionate, accessible care and support for anyone experiencing mental health related distress – whether that is thoughts of suicide, mental health or substance use crisis, or any other kind of emotional distress. Preparing for full 988 implementation requires a bold vision for **a crisis care system that provides direct, life-saving services to all in need.**

SAMHSA sees 988 as a first step towards a transformed crisis care system in much the same way as emergency medical services have expanded in the US.



In pursuit of this bold yet achievable vision, SAMHSA is first focused on strengthening and expanding the existing Lifeline network, providing life-saving service to all who call, text or chat via 988. Longer term, SAMHSA recognizes that linking those in crisis to community-based providers—who can deliver a full range of crisis care services—is **essential to meeting crisis needs across the nation.**



NAMI

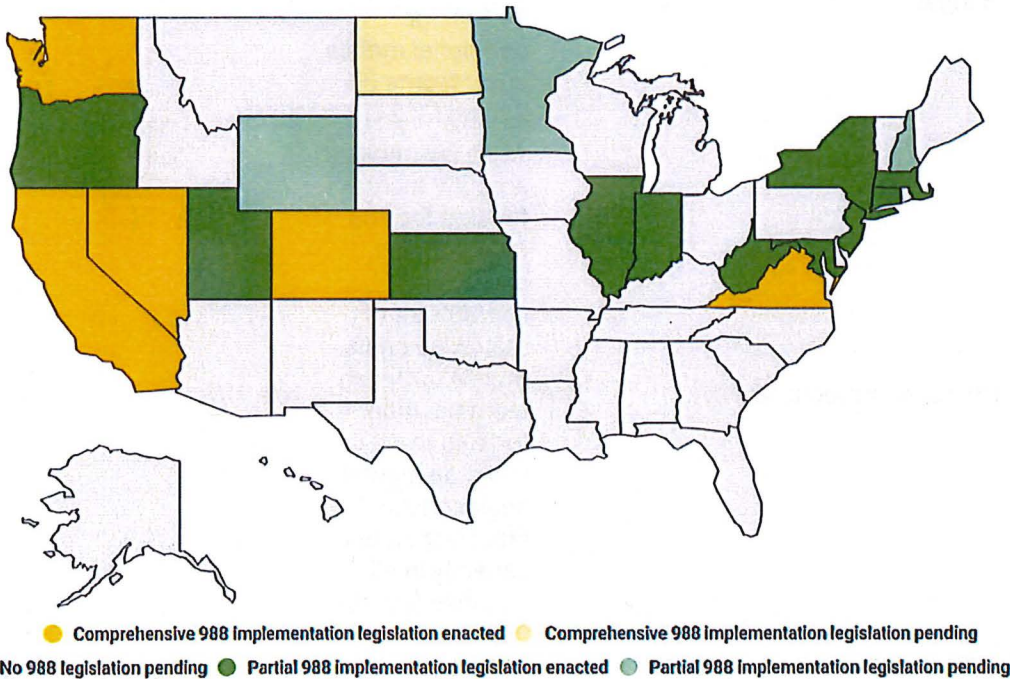
<https://reimaginecrisis.org/map/>

NAMI National Alliance on Mental Health

With 988 available nationwide, it is up to states to ensure there are crisis services—24/7 local crisis call centers, mobile crisis teams, and crisis stabilization options—so 988 callers receive the help they need.

Model state legislation is available for policymakers and advocates to change the way their community responds to people in a mental health crisis. The model legislation also includes a new funding mechanism for states to create a monthly fee on all phone lines—similar to how communities fund 911—to ensure that 988 funding is sustainable and that these emergency services will not experience any funding gaps. To protect against fee diversion, the model bill requires 988 fees to be deposited in a trust fund that can only be used in support of the 988 crisis response system.

Learn about what 988 implementation legislation is moving in statehouses across the country. The legislation is divided across three tabs: pending, passed and inactive legislation



PENDING LEGISLATION
PASSED LEGISLATION
INACTIVE LEGISLATION

State Name

Bill Number/Proposal

Status

988 Fee/911 Fee

988 Trust Fund

Appropriations (Other than fee)

988 Advisory Body Created

Addresses Insurance Coverage

**Additional
Notes**

Georgia	Executive Budget	Proposed	N/A						\$13.1M- for three additional behavioral health crisis centers (FY 23 and FY 24); and \$6.3M- for additional mobile crisis teams (FY 23 and FY 24)			
Hawaii	HB 1334	Introduced	N/A						At an unspecified amount- increases funding for 988 Hawaii Cares, creates a coordinator of statewide crisis mobile outreach team position, funding to increase mental health crisis stabilization bed capacity in all counties (FY 23-24)			
Hawaii	HB 948	Introduced	N/A						\$1.7M (FY 23 and FY 24)			Establishes a pilot two year child adolescent crisis mobile outreach team program in Oahu.
Illinois	SB 4212	Introduced	N/A						\$5M-to the Statewide 988 Trust Fund			Repeals previous provision of transferring \$5M from the Statewide 911 fund to the Statewide 988 Trust fund.This allows

Additional Notes

								for the money to be transferred from the General Revenue Fund instead.
Illinois	HB 5866	Introduced	N/A	N/A	N/A	Yes	N/A	Creates the 988 Suicide and Crisis Lifeline Taskforce and sets up requirements among other provisions. The taskforce requires one or more individual or family with lived experience.
Illinois	SB 4256	Introduced	N/A	N/A	N/A	Yes	N/A	Creates the 988 Suicide and Crisis Lifeline Taskforce and sets up requirements among other provisions. The taskforce requires one or more individual or family with lived experience.
Indiana	SB 1	In Committee	N/A	N/A	N/A	N/A	Yes	Amends the state Medicaid plan to require reimbursement for eligible CCBHC services provided by a behavioral health professional. Establishes the Indiana behavioral health system in Indiana and sets up reporting requirements.
Maryland	HB 271	Introduced	N/A	N/A	\$12M- to 988 Trust Fund	N/A	N/A	Companion bill for SB 3.
Maryland	SB 3	In Committee	N/A	N/A	\$12M- 988 Trust Fund	N/A	N/A	Companion bill for HB 271.
Minnesota	Executive Budget	Proposed	\$0.12/\$0.95	N/A	\$2.8M- to the Mobile Response and Stabilization Services model for youth experiences a behavioral health crisis; \$12M and then \$16M- to expand temporary funding for mobile crisis	N/A	N/A	

Additional Notes

Missouri	Executive Budget	Proposed	N/A	teams to triage 988 call and funding for tribally based mobile crisis response teams in Minnesota \$28.5M for 988 and mobile crisis (FY 23)	N/A	N/A	
New Hampshire	SB 85	In Committee	N/A	No	N/A	No	Yes Creates a commission to study behavioral health crisis programs and report on findings and recommendations. Additionally this bill limits prior-authorization requirements for emergency behavioral health services.
New Jersey	A 3076	In Committee	Fee level not specified/ \$0.90	Yes	N/A	N/A	N/A
New Jersey	A 4879	In Committee	N/A	N/A	N/A	N/A	N/A Companion bill for S 3391- Adds postpartum depression services to the state's behavioral health crisis services system.
New Jersey	S 3391	In Committee	N/A	N/A	N/A	N/A	N/A Companion bill for A 4879- Adds postpartum depression services to the state's behavioral health crisis services system.
New York	A 1997	Introduced	N/A	N/A	N/A	N/A	N/A Establishes a council on mental health emergency and crisis response.
North Dakota	SB 2149	In Committee	\$0.00-0.30/\$1.50-2.00	Yes	N/A	No	N/A Addresses 988 service definitions and requirements; 988 fee that doesn't exceed 30 cents; and establishes the 988 Crisis Stabilization Fund.
Oregon	HB 2757	Introduced	\$0.50/\$1.25	Yes	N/A	Yes	N/A Addresses 988 service definitions and service

Additional Notes

									requirements; 988 fee at \$0.50; 988 Trust Fund; and 988 oversight. The advisory body includes members with lived experience.
Puerto Rico	PC 1550	Introduced	N/A	No	N/A	No	N/A		Addresses 988 service definitions and service requirements and 988 oversight.
Rhode Island	HB 5200	Introduced	N/A	N/A	\$1.6M- to the 988 Hotline	No	N/A		
Virginia	HB 2216	Introduced	N/A	N/A	N/A	No	Yes		Companion bill for SB 1347 that strengthens crisis care insurance coverage. To include coverage of mobile crisis response services, support and stabilization services provided in a residential crisis stabilization unit.
Virginia	SB 1347	Introduced	N/A	N/A	N/A	No	Yes		Companion bill for HB 2216 that strengthens crisis care insurance coverage. To include coverage of mobile crisis response services, support and stabilization services provided in a residential crisis stabilization unit.
Washington	HB 1134	Introduced	N/A	N/A	N/A	No	N/A		Adds on to previous legislation to update crisis center requirements, response times, sets up a 988 geolocation subcommittee to examine privacy issues among other provisions.
Wyoming	HB 0065	In Committee	N/A	Yes	\$46M- to the Trust Fund	Yes	Yes		Addresses 988 service definitions and service requirements; and 988 trust fund. This bill also

**Additional
Notes**

addresses insurance coverage provisions if an individual is not insured or if their health insurance does not cover the services provided, among other provisions.

Senate Bill 2149

Presented by: Randy Christmann, Chairman
Public Service Commission

Before: Senate Appropriations Committee
The Honorable Brad Bekkedahl, Chair

Date: February 15, 2023

TESTIMONY

Mister Chairman and committee members, I am Randy Christmann, Chair of the Public Service Commission, and I'm here to share concerns the PSC has with the current proposal to add a new tax on telecommunications services. First, let me be clear that we are not opposed to this bill and are not weighing in on whether or not money should be appropriated for this purpose. That is completely out of the Commission's area of expertise. The PSC's objection is to raising this money for Human Services through a tax on utilities.

Over the decades, in almost every Legislative Session, our income and sales tax systems are tweaked to make those larger revenue raising taxes as fair as possible for the people of North Dakota. We believe those are the types of revenue sources that are most appropriate for raising dollars deemed necessary for human services. But the current version of HB 2149 proposes to raise the money with an additional tax on telecommunications services. This would be a very regressive, and in our opinion, a very unfair revenue source.

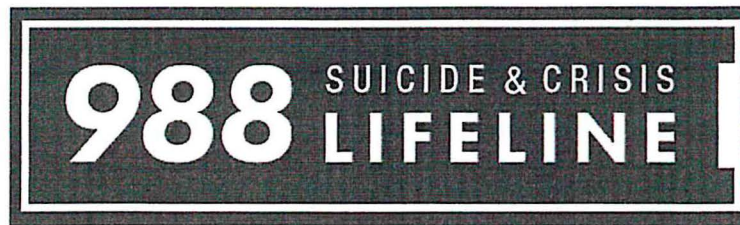
There are currently programs in operation to significantly lower the costs for those who struggle to pay for telecommunications services, and many of our citizens are using

these programs. They encourage people to maintain or add to their service, which is important because these are proven, important life safety tools. The Commission works closely with providers to make sure these programs are working correctly. But taxing telecommunications devices moves exactly the opposite direction. I can only imagine the frustration that would be felt by young families, often among the least able to pay more, when they have to pay this new tax on multiple devices in order to maintain broadband access at home and to also assure that all members of their family can have coverage when away from home.

On line 18 of SB 2149 it says, "The department shall establish ... a 988 crisis hotline program ..." But it is important to note that the suicide and crisis lifeline is not exactly a new concept. This has been in existence since 2005. There are more than 200 crisis centers in this national network. The original number was 1-800-273-8255 (TALK). What is new though is the switch to a three-digit option of just dialing "988", making it easier to remember and call. Either number currently works. I have attached a document that provides information about the program and outlines its history for you to review.

The PSC asks that if the Appropriations Committee decides this is a good investment for North Dakota, please pay for it from the fairest of revenue sources and not with this extraordinarily regressive new utility tax.

Mister Chairman, this concludes our testimony. I will be happy to answer any questions.



“988” is the three-digit, nationwide phone number to connect directly to the 988 Suicide and Crisis Lifeline.

Too many people experience suicidal crisis or mental health-related distress without the support and care they need. There are urgent mental health realities driving the need for crisis service transformation across our country. In 2020 alone, the U.S. had one death by suicide about every 11 minutes—and for people aged 10-34 years, suicide is a leading cause of death.

There is hope. The 988 Suicide and Crisis Lifeline – previously known as the National Suicide Prevention Lifeline – is a **national network of more than 200 crisis centers** that helps thousands of people overcome crisis situations every day. These centers are supported by local and state sources as well as the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration (SAMHSA). As of July 16, 2022, all calls and text messages to “988” route to a 988 Suicide and Crisis Lifeline call center.

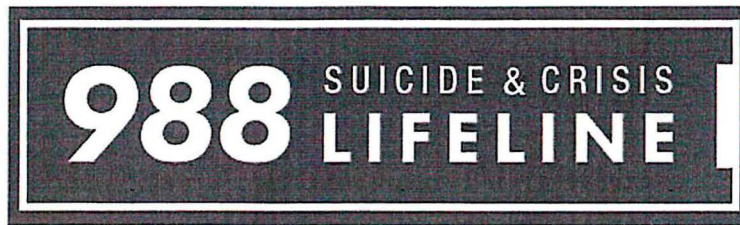
The 988 Suicide and Crisis Lifeline provides 24/7, confidential support to people in suicidal crisis or mental health-related distress.

- **New Nationwide Number:** 988 is more than just an easy-to-remember number — it’s a direct connection to compassionate, accessible care and support for anyone experiencing mental health-related distress – whether thoughts of suicide, mental health, substance use crisis, or any other kind of emotional distress.
- **Provides Support:** People can also dial 988 if they are worried about a loved one who may need crisis support.
- **FCC Rules:** Under FCC rules, calls and texts to 988 will be directed to the Lifeline. Calls and texts to 1-800-273-8255 (TALK) will also continue to reach the 988 Lifeline even after the nationwide implementation of 988.
- **Saving Lives:** The FCC actions reflect its commitment to saving lives and connecting individuals to necessary intervention services. Switching to the easy-to-remember 988 makes it easier for individuals in crisis to access the help they need and decrease the stigma surrounding suicide and mental health issues.
- **Important Step:** The 988 Suicide and Crisis Lifeline is an important step toward strengthening and transforming crisis care in this country. It serves as a universal entry point so that no matter where you live, you can reach a trained crisis counselor who can help.
- **Help for Veterans:** For calls, pressing “1” after dialing 988 will connect you directly to the Veterans Crisis Lifeline which serves our nation’s Veterans, service members, National Guard and Reserve members, and those who support them. For texts, continue to text the Veterans Crisis Lifeline short code: 838255.

History

2005: The National Suicide Prevention Lifeline launches with the number 1-800-273-8255 and received 46K calls in the first year.





August 2019: FCC staff—in consultation with SAMHSA, the Department of Veterans Affairs, and the North American Numbering Council—released a report recommending the use of 988 as the 3-digit code for the National Suicide Prevention Lifeline.

July 2020: The FCC designated this new phone number for individuals in crisis to connect with suicide prevention and mental health crisis support.

October 2020: The National Suicide Hotline Designation Act of 2020 was signed into law, incorporating 988 into statute as the new Lifeline and Veterans Crisis Line phone number.

November 2021: The FCC adopted rules to expand access to text 988 to directly reach the Lifeline to better support at-risk communities in crisis, including youth and individuals with disabilities.

July 16, 2022: All phone companies and text messaging providers are required to route all calls and text messages to “988” to the 988 Suicide and Crisis Lifeline.

To learn more, visit <https://www.fcc.gov/988Lifeline>.



SB 2149 TESTIMONY
Senate Appropriation Committee
Senator Kathy Hogan
February 15, 2023

Chairman Bekkedahl and members of the Appropriations Committee. My name is Kathy Hogan, and I represent District 21.

In 2020, Congress designated the new 988 dialing code to be operated through the existing National Suicide Prevention Lifeline. 988 is seen as a first step towards a transformed crisis care system in America. With this new federal designation and standards, came many new requirements and regrettably no funding. Throughout the nation many states are now considering implementation of phone fees to fund this program like the funding of 911 systems. This bill was modeled after the Colorado legislation.

Every community, urban and rural and almost every structure of our society is feeling the behavioral health crisis. Schools, businesses, health care, churches and law enforcement are all begging for help. Over the last 7 years we have added significant resources with substance use vouchers, the new mental health provider registry that was just rolled out in the last six months and expansion of

crisis response teams in some parts of the state. But, the response system is not able to keep up with demand. People with serious needs are still waiting 6 to 9 months for an appointment. Our jails are filled with individuals with diagnosed behavioral health problems.

During the policy process, we worked closely with the Tax Department regarding the language and collection process for phone fees. They requested a \$50,000 funding to set up the collection process and feel that they are able to handle this collection process without additional funding.

We also met with the ND Department of Human Services regarding the list of available federal funding options listed in the letter from the wireless telecommunication representative and learned that all those resources are currently designated. We did include the amendment recommended liability language they requested.

Philosophically I oppose fees, but I recognize that without a funding source this essential infrastructure would probably not be considered for general fund dollars.

First Link is the private agency currently providing the 988 services. They did receive a start grant of about \$450,000 to purchase some needed additional services but the core funding to answer the calls, maintain all of the local resources to respond and to pay a living wage is not there. This bill will strengthen a critical piece of crisis response network.

March 10, 2023

Re: 988 crisis hotline program, 988 crisis stabilization fund, and the imposition of a 988-access fee.

I would like to thank you for your continued support and commitment to serving people in crisis, including individuals in our state who will contact the 988 Suicide and Crisis Lifeline (988 Lifeline). I ask for your support of SB 2149.

You already know that we are a State in a behavioral health crisis, especially our youth. 988 provides a safe place for those in crisis to get help.

988 funding is essential for our State. Because so much emphasis has been placed on mental health needs in this session, I find it unconscionable that this bill is in jeopardy.

Best regards,

Karen Nitzkowski
4711 105th St N
Harwood, ND 58042
Cell: 701-371-9644
Email: knitzkowski@gmail.com

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

I have seen the need for a 24/7/365 988 suicide and crisis phone line many times with the people in our community.

Everyone knows to dial 911 for a medical emergency, it is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, this should be no different for 988.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 they took 15,465 calls related to suicide, this number went up to 19,000 in 2022. The complexity and volume of their calls have greatly increased. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Thank you

Dave Lund

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

Working at FirstLink I have seen the need for a 24/7/365 988 suicide and crisis phone line many times. There are so many people out there that need mental health support and should be able to have access to it at any time they need. People know to call 911 for a medical emergency, but who do they call for a behavioral health emergency? We are here providing desperately needed resources to people in a mental health crisis. I would like to believe everyone cares about mental health and suicide risks, so please prove to be part of that group and support SB 2149.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 they took 15,465 calls related to suicide, this number went up to 19,000 in 2022. The complexity and volume of their calls have greatly increased. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Again, I want to thank you for your support. Let me know what questions you have about our service or needs.

Thank you,
Kianna Gould
FirstLink

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

Working at the FM Coalition to End Homelessness, I have seen the need for a 24/7/365 988 suicide and crisis phone line many times. The homeless services area in Fargo-Moorhead utilizes Firstlink for our housing screenings in order to streamline and centralize the process of finding housing for those in crisis. Because of Firstlink, direct service providers can spend their time focused on helping those experiencing homelessness, instead of using it to refer individuals to other services. Our providers in the FM area are overworked, underfunded, and understaffed. Passing this bill would help to strengthen the entry point for those we are serving and our system overall.

Everyone knows to dial 911 for a medical emergency, it is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, this should be no different for 988.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 they took 15,465 calls related to suicide, this number went up to 19,000 in 2022. The complexity and volume of their calls have greatly increased. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Again, I want to thank you for your support. Let me know what questions you have about our service or needs.

Frequently Asked Questions: 988 & Crisis Response Services

This FAQ is designed to help answer common questions received from legislators and other decision-makers when advocating for adoption of 988 legislation, and in particular when advocating for fee legislation or state budget funding for the 988-crisis response system.

For general information on the Lifeline's future transition to 988, please consult the following webpages:

- [AFSP: Funding for 988 and Crisis Response](#)
- [Vibrant and 988](#)

1. Is federal funding provided, and if so, why is state funding necessary?

While the Lifeline is a national program, federal funding goes toward managing call routing, best practice standards, public messaging, capacity-building opportunities, and technical assistance for the nationwide network. Local crisis centers answering the calls are reliant on funding from state and local contributors to operate. Currently, the only regular federal funding that goes to local Lifeline centers is a small annual baseline stipend of \$1,500 to \$2,500. In 2020, the Lifeline received over 3.6 million calls, chats, and texts. Full implementation of 988 will result in even higher call volumes, requiring more trained personnel to answer the phones, mental health professionals to do the training and supervise shifts, and advanced infrastructure upgrades. Increased, reliable, and sustainable state and local investment is needed now more than ever to ensure capacity to respond to a steadily increasing call volume and as state residents continue to face stressors during the COVID-19 pandemic.

The National Suicide Hotline Designation Act of 2020 included language allowing each state to pass their own legislation funding 988 and their local in-state crisis call centers the same way as 911, through monthly telecom customer service fees. It is critical that appropriate funding for the Lifeline network, individual crisis centers, and the crisis continuum be allocated to serve more people in crisis. In 2018, fees for 911 generated \$2.6 billion to support that service; similar investment must be made for mental health and suicidal crises.

2. What will happen if legislation is not passed before 988 goes into effect in July 2022?

The 988 dialing code will become nationally available in July 2022. State planning efforts should be well underway by now, including plans to address funding for the 988-crisis response system, as the transition has already begun with several wireless service providers currently connecting customers to the Lifeline through 988. The work that we do now to support the implementation of 988, fortify the Lifeline's network of local crisis call centers, and strengthen state crisis service capacity will set this new system up for success.

Passage of state 988 legislation will effectively establish the 988-crisis response system for individuals experiencing suicidal distress or a mental health crisis by supporting the crisis call centers in our state and mobile crisis outreach to directly respond to individuals in need.

Continued >

3. Is the National Suicide Prevention Lifeline effective?

Since launching in 2005, the Lifeline's call volume has increased 14% annually. Call centers in the Lifeline network divert hundreds of thousands of calls from 911 every year and resolve 98% of calls without requiring emergency services. Evaluations and caller feedback show that Lifeline counselors are effective in reducing caller distress and suicidality and help tens of thousands of people get through crises daily.

Callers experiencing a suicide or mental health crisis will soon be able to call 988, instead of 911, to receive appropriate care and avoid unnecessary law enforcement involvement. Valuable law enforcement time and resources could then be spent responding to crimes and other emergencies rather than people in mental or emotional distress.

4. What happens if local call centers are unable to answer a call from in-state? Why is it so important that 988 calls are answered in-state?

When in-state call centers are unable to answer calls to the Lifeline, callers get re-routed to other centers out-of-state and into the Lifeline's national backup network. Low in-state answer rates put a strain on the backup network. When a caller is routed to the backup network, callers in crisis wait longer to be connected to a counselor and receive fewer linkages to effective local care, making the use of in-state crisis centers as opposed to a centralized national help center crucial.

In-state crisis centers connect callers to local counselors who are familiar with the community and better equipped to provide culturally competent support and referrals to local community resources and other lifesaving follow-up care. 988 is not only about answering calls – it's also about providing emotional support to people in crisis during the moments they most need it, which can include making appropriate and accessible referrals, or linking to mobile crisis teams and crisis stabilization programs that connect people to a continuum of care.

5. What are the main 988 components funded and supported by the legislation? What does an ideal state-wide crisis services system look like?

To more effectively build on the promise of 988, state lawmakers must take steps now to develop and fund an effective crisis response infrastructure that includes three key components: (1) Someone to answer the call: this requires funding for 24/7 call centers adequately staffed by specially trained individuals to respond to a range of mental health and suicide crises; (2) Someone to come help: this requires funding mobile crisis teams that can be dispatched to the scene and are equipped to effectively assist people in crisis; (3) Somewhere to go for care: this requires funding for crisis stabilization services to provide short-term observation as well as connection to follow-up care.

An ideal system should also include public education and awareness campaigns that promote the new 988 number and the availability of crisis services and that encourage and normalize seeking help for suicide and mental health crises. Robust administration and oversight are also needed, as well as regular reporting of 988 services provided and populations served. This will facilitate greater understanding of the 988 crisis care continuum and support a quality, standardized service for callers in need.

Mobile crisis response is crucial for the implementation of 988 on the state level. States need the capacity to provide mental health crisis response when individuals calling 988 need in-person interventions. This responsibility currently falls upon emergency responders, most commonly law enforcement officers who are often not trained in managing a mental health crisis.

6. Why is the 988 vision an improvement over the current status quo?

According to a 2019 report by the Treatment Advocacy Center, in 2017 an average of 10% of law enforcement agencies' total budgets and 20% of total law enforcement staff time was spent responding to and transporting persons with mental illness. Fully implemented, 988 will reduce avoidable emergency department or hospital admissions for people in crisis and avoid traumatic engagements with the criminal justice system.

SB 2149 -- TESTIMONY
House Finance and Tax Committee
Senator Kathy Hogan
March 13, 2023

Chairman Headland and members of the Finance and Tax Committee, my name is Kathy Hogan, and I represent District 21.

In 2020, Congress designated the new 988 dialing code to be operated through the existing National Suicide Prevention Lifeline. 988 is seen as a first step towards a transformed crisis care system in America. With this new federal designation and standards, came many new requirements and regrettably no funding. Throughout the nation, many states are now considering implementation of phone fees to fund this program like the funding of 911 systems. This bill was modeled after the Colorado legislation.

Every community, urban and rural and almost every structure of our society is feeling the behavioral health crisis. Schools, businesses, health care, churches and law enforcement are all begging for help. Over the last 7 years we have added significant resources with substance use vouchers, the new mental health provider registry that was just rolled out in the last six months and expansion of crisis response teams in some parts of the state. But the response system is not able to keep up with demand. People with serious needs are still waiting 6 to 9 months for

an appointment. Our jails are filled with individuals with diagnosed behavioral health problems.

During the policy process, we worked closely with the Tax Department regarding the language and collection process for phone fees. They requested \$50,000 funding to set up the collection process and feel they are able to handle this collection process without additional funding.

We also met with the ND Department of Human Services regarding the list of available federal funding options listed in the letter from the wireless telecommunication representative and learned that all those resources are currently designated. We did include the amendment recommended liability language they requested.

Philosophically I oppose fees, but I recognize that without a funding source this essential infrastructure would probably not be considered for general fund dollars. When 911 was first established, many opposed the fee on phones but because of the direct relationship between the fee and the service provided, those concerns have dwindled. We need a parallel system for mental health crisis.

First Link is the private agency currently providing 988 services. They did receive a startup grant of about \$450,000 to purchase some needed additional equipment, but the core funding to answer the calls, maintain all the local resources to respond and to pay a living wage is not there. This bill will strengthen a critical piece of crisis response network.

Currently, almost half of the states are considering bills to fund this service and the primary mechanism is a phone monthly fee. <https://reimaginecrisis.org/map/>

Currently, five states have passed a 988-user fee:

- Washington .40 cents on January 1, 2023.
- Virginia .08 cents for prepaid wireless, and .12 monthly for wireless phone plans.
- Colorado .18 cents per month on wireless and prepaid wireless, cannot go higher than .30 cents per month.
- Nevada up to .35 cents per month on commercial mobile phones, or VOIP.
- California .08 cents per access line per month with increases in continuing years

Eleven states have Partial 988 implementation legislation enacted:

- Wyoming
- Utah
- Kansas
- Illinois
- Indiana
- New York
- Massachusetts
- Connecticut
- Maryland
- New Jersey
- West Virginia

Four states have 988 implementation legislation pending:

- North Dakota
- Minnesota
- Oregon
- Vermont

Thank you for your interest in this critical service and I am more than willing to answer any questions.

Dear Financial and Taxation Committee,

I am reaching out to **encourage support for SB 2149.**

Volunteering and being active in the work of the American Foundation for Suicide Prevention (and forming the ND Chapter in 2007) for over 15 years in North Dakota I have seen the need for a 24/7/365 988 suicide and crisis phone line many times, including with many close friends and family members who have struggled with depression and suicidal ideation.

Everyone knows to dial 911 for a medical emergency. It is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, it should be no different for 988.

Please help fund and support FirstLink and our 988 lifeline. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Thank you for your time,

Mary Weiler
Fargo, ND

Dear Financial and Taxation Committee,

I am reaching out to **encourage support for SB 2149.**

Volunteering for the American Foundation for Suicide Prevention for over a decade in North Dakota I have seen the need for a 24/7/365 988 suicide and crisis phone line many times, including with many close friends and family members who have struggled with depression and suicidal ideation.

Everyone knows to dial 911 for a medical emergency. It is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, it should be no different for 988.

Please help fund and support FirstLink and our 988 lifeline. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Thank you for your time,

Derek Harnish
Fargo, ND

Dear Financial and Taxation Committee,

I am reaching out to **encourage support for SB 2149.**

Volunteering and being active in the work of the American Foundation for Suicide Prevention (and forming the ND Chapter in 2007) for over 15 years in North Dakota I have seen the need for a 24/7/365 988 suicide and crisis phone line many times, including with many close friends and family members who have struggled with depression and suicidal ideation.

Everyone knows to dial 911 for a medical emergency. It is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, it should be no different for 988.

Please help fund and support FirstLink and our 988 lifeline. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Thank you for your time,

Mary Weiler
Fargo, ND

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

Working at FirstLink, I have seen the importance of a 24/7/365 suicide and crisis phone line on a daily basis. We provide much needed listening and support for individuals who are experiencing mental and behavioral health crises, including but not limited to those struggling with suicidal thoughts or behaviors.

Everyone knows to dial 911 for a medical emergency. It is slowly becoming known in North Dakota and throughout the nation that you can dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee. We pay fees to ensure that 911 services are available to us in the event we need them, whether we use them or not. This should be no different for 988. I would hope this is a service I will never have to use, but also, I would be happy to pay a small fee to ensure it's available if there comes a day when I would need it – much like 911.

Ten years ago, FirstLink took just over 1,500 calls directly related to suicide. In 2021, we took over 15,000 calls related to suicide, and this jumped to over 19,000 in 2022. The complexity and volume of calls we receive have greatly increased. It is anticipated this will only continue to grow as 988 is more widely advertised. We need to have a diverse and culturally competent workforce. In order to do that, we must be able to pay our staff professional wages to provide quality service to those reaching out for help. We also need updated technology and equipment to make sure that we are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Again, I want to thank you for your support. I hope that everyone is able to see the importance of this bill and why it is a necessity to all those in North Dakota.

Thank you,

Ashley Lemke
FirstLink Helpline Director

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

Working as a nurse I have seen the need for a 24/7/365 988 suicide and crisis phone line many times, including.....

Right here in North Dakota and Minnesota. We have lost many dear friends and family to suicide and feel there are many others at risk who need services and that it would make us feel so much better to know there's a lot of services and awareness available studies are showing that our area of the country is having quite its fair share of dealing with this problem and when you start putting faces to it, it is so so sad and unnecessary and this legislation partnered with the additional awareness to for chemical dependency in our state through would really be a nice one two punch and then trying to avoid suicide. And it would make a nice visibility also when partnered with a communication service. It is not just chemical dependency and mental health that make a person suicidal. They are also financial problems etc. which appear to continue to be concerns on the horizon for everyone. I represent to you on behalf of people I know who committed suicide, Tim Gould, or Tom Birkeland, Timmy wick, my uncle Loren Williams.

Everyone knows to dial [911](#) for a medical emergency, it is slowly becoming known throughout North Dakota to dial [988](#) for behavioral health emergencies. 911 is funded with a telecommunications user fee, this should be no different for 988.

Ten years ago, FirstLink took 1,501 calls directly related to suicide, in 2021 they took 15,465 calls related to suicide, this number went up to 19,000 in 2022. The complexity and volume of their calls have greatly increased. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are ready, willing, and able to answer the 988 and 211 phone lines [24/7/365](#). SB 2149 would make this all possible.

Again, I want to thank you for your support. Let me know what questions you have about our service or needs.



With our current suicide rates ND, the suicide and crisis line is more vital than ever. This lifeline prevents suicides and needs to be fortified for ongoing/sustainable support to ND residents in distress and for prevention. Thank you. Gina Sandgren, Fargo resident.

SB 2149 - Yes

Chair Headland and Committee Members,

My name is Theresa Deckert and I am from Devils Lake. I serve on the board of our county's Suicide Prevention Coalition, lead a Suicide Loss support group and co-chair the Lake Region Out of the Darkness Walk. Our small community of Devils Lake and surrounding areas has raised over \$70,000 for suicide prevention and awareness in the last 5 years that we have been a walk site. Our community has been greatly impacted by suicide. The funds raised show this is an area that our community cares about.

I got involved with suicide prevention after losing my younger brother to suicide in 2014. My life was changed at that instant. It is urgent that we provide ways for people who are having suicidal ideations or a mental health crisis to be able to get the help they need!

Before the implementation of the 988 number, people had to remember to call 1-800-273-TALK. You might remember the TALK part and the 800, but what about the 273. Having a 3 digit crisis number will be revolutionary in preventing suicide. If there had been a 3 digit number when my brother was in crisis, he might still be here.

This program was implemented by the federal government after years of effort from a number of organizations. To maintain the manning of this phone line with individuals trained in suicide prevention and crisis evaluation, it needs the necessary funding. I believe adding this 30 cent a month fee to a phone bill is the logical way to fund this needed service. It is the same way that 911 is funded and I don't think anyone who has ever had to call that number is upset they had to pay a fee on their phone bill to fund it.

Please help save lives by voting for a "do pass" on SB 2149

Theresa Deckert
Devils Lake, ND
District 15
701-662-4790

Dear Chairman Headland, Vice Chair Hagert, and the Finance and Taxation Committee,

I am writing to encourage you to support SB 2149. I believe that it is imperative for our youth, seniors, and most vulnerable neighbors have a 24/7/365 phone line to call, text, or chat. The 988 suicide and crisis lifeline provides listening and support, links people to resources, and crisis intervention. FirstLink works with other agencies such as human service centers and can triage, screen, and deploy mobile crisis if in-person support is needed.

People call 911 for medical emergencies, which is funded by telephone user fees. People call 988 for behavioral health support, which should be funded by telephone user fees.

Thank you for your time,

Sincerely,

Edith Lade

Edith Lade

Dear Chairman Headland, Vice Chair Hagert, and the Finance and Taxation Committee,

I am writing to encourage you to support SB 2149, the implementation of a 988-user fee. I am writing as the Executive Director of the ND Suicide Prevention Coalition in support of SB2149. We lost our son in 2014 to suicide and I will tell you honestly I did not know where to turn. It truly takes a village to save a child but we need to identify and assist the village.

FirstLink has been a place for consistent messaging for Suicide Prevention in our state for many years, doing what they can given their great budget constraints. I have personally referred not just those people in crisis but also their family members who do not know how to help. I have also had the opportunity to refer physicians who have attended talks and told me they do not know what to do. They get referred to 988 as well. We think our primary care and first responders know what to do but while we had a 43% increase in suicides in the first quarter of 2022 over 2019 and 2020, we have providers that often don't realize the person in the chair is suicidal. Calling FirstLink can give them the tools they need to save lives.

Please help us support all those who reach out for help.

Thank you for your support!

Kora Dockter

Dear Chairman Headland, Vice Chair Hagert, and the Finance and Taxation Committee,

I am writing to encourage you to support SB 2149, the implementation of a 988 user fee. Working at FirstLink for 4.5 years, I heard daily the struggles of my fellow North Dakotans. I saw the need for a 24/7/365 suicide and crisis phone line many times. I took thousands of calls in my time there and the majority of callers were in some sort of crisis and many felt hopeless with nowhere else to turn for help.

The Covid pandemic has taken a toll on all of our health both physically and mentally. FirstLink and the National Suicide Prevention Lifeline have been there 24/7/365 to provide support and they do it incredibly well. I feel lucky to live in a state that has such a dedicated agency doing this amazing work. As someone that has struggled with mental health issues and thoughts of suicide myself, it is so important for there to be the 988 crisis line. I have been the one to send first responders for a welfare check and I have heard firsthand how these calls affect them. 988 allows people in crisis to get the support they need at any time of day and it can and has reduced the number of calls to first responders.

Talking works and just like we know that we can always dial 911 in an emergency, we also need to know that 988 is there for behavioral health emergencies. This number is slowly becoming known throughout North Dakota as the number to call for behavior health emergencies, but it needs funding to make it known to all. 911 is funded with a telecommunications user fee and 988 should be funded the same way.

As a lifelong North Dakotan, I would gladly accept the fees that go along with passing this bill. The importance of this bill highly outweighs the cost! I highly encourage you to make the decision that will help our state and our rural residents get the support they need anytime, anywhere!

Thank you so much!

Emily Carpenter

Dear Chairman Headland, Vice Chair Hagert, and the Finance and Taxation Committee,

I am writing to encourage you to support SB 2149, the implementation of a 988-user fee.

I served in the Vietnam War and have seen first hand the emotional trials that Veterans face. I spent my life as a farmer and have witnessed isolation, depression, and suicide. It is imperative that we maintain the 988 suicide and crisis phone line and fund them to the needed capacity.

People call 911 for medical emergencies, they dial 988 for behavioral health emergencies. Both services are 24/7/365. Both services can screen, triage, and deploy extra in-person support. Both services should be funded the same, telephone user fee.

Yours truly,

Daniel Lade

Daniel Lade

I am reaching out to encourage support for SB 2149

North Dakota needs a 24/7 Suicide and Crisis phone line. Seeing the numbers of suicide going up in North Dakota we need funding to make sure there is help available when it is needed. If First Link is willing to do this they should have the funding they need to carry this out.

Everyone knows to dial 911 for a medical emergency, it is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, this should be no different for 988.

It is important for FirstLink to have a stable source of funding so they can be available 24 hours a day as 988 continues to be advertised and promoted and the call volume increases. SB 2149 would make this all possible.

TESTIMONY
Finance and Taxation Committee,
SB 2149
March 13, 2023
Jennifer Illich

Chairman Headland, Vice Chair Hagert, and the Finance and Taxation Committee,

My name is Jennifer Illich, I am the Executive Director of FirstLink, thank you for the opportunity to provide testimony today about the life saving work of FirstLink 988.

I am here to express support for SB 2149. FirstLink is the only designated center in North Dakota to answer the 988 Suicide and Crisis Lifeline for all of North Dakota. We are a non-profit that has been providing phone support for 52 years in our state.

On October 16, 2020, President Trump signed the National Suicide Hotline Designation Act into law, officially designating 988 as the new, easy-to-remember number for anyone experiencing suicidal ideation, a mental health crisis, or any other kind of emotional distress. As you may know, the transition from 1-800-273-8255 to 988 as the nation's suicide hotline officially happened on Saturday, July, 16, 2022. This transition represents a historic moment for North Dakotans in crisis, giving them a short number to dial 24/7, seven days a week. With this designation act came the ability for state's to charge a 988 user fee to support this 24/7/365 service. Since then, just like 911, 5 states have put this user fee funding into effect, (Washington, Virginia, Colorado, Nevada, and California).

FirstLink answering the 988 suicide and crisis phone line is part of a long-term effort to build complete mental health and suicide prevention crisis response system in North Dakota. The overwhelming majority of callers can be stabilized over the phone. Those who need more support are connected to appropriate mental health services. FirstLink serves as a hub of information and a connector to other non-profit and behavioral health centers. We screen and triage for open access, subacute stabilization centers and deploy mobile crisis units for the Human Service Centers throughout North Dakota.

FirstLink needs increased support to continue operating 24/7 and meet all of the new national requirements of the 988 suicide and crisis phone line. We must add FTE to our team to keep up with the increases in call volume. We need to update our technology services because every second counts when talking to someone that is suicidal or in a behavioral health crisis. We need to add redundancy to ensure that our phone lines never go down. We need to have a diverse and culturally competent workforce and pay our staff professional wages to provide quality service to those reaching out for help and to help with staff retention. All these things bring up the need for secure and stable funding, which this bill will provide.

With this new phone number came many new national recommendations for FirstLink to follow when answering the 988 phone line, but unfortunately, it came with only a one-time funding grant that ends in April of 2024. Everyone knows to dial 911 for medical emergencies. Everyone is now dialing 988 for behavioral health support. We handle a lot of different calls, this phone line is set up to handle all crisis, and we are glad when people call before thoughts of suicide enter their minds. But if I pull out just the calls related to suicide from 2020 to 2021, our call volume related to suicide increased by 19.74%. We talked to 12,915 people in North Dakota in 2020 and to 15,465 people in 2021 about their thoughts or actions related to suicide. In 2022, this number increased again to talking to over 19,000 people directly about suicide.

The complexity and volume of our calls have greatly increased. We need to have a diverse and culturally competent workforce and pay our staff professional wages to provide quality service to those reaching out for help. We need updated technology and equipment to make sure that we are ready, willing, and able to answer the 988 phone lines 24/7/365.

North Dakotans dial 911 for medical emergencies, this program is funded with a telephone user fee, it makes sense and it works. North Dakotans dial 988 for behavioral health support. This program should be funded with a telephone user fee, it makes sense and it will work.

I hope you will consider supporting SB 2149, so we can support our most vulnerable neighbors in a moment of crisis.

I sincerely thank you for listening and for your ongoing support, and I look forward to your questions.

Jennifer Illich
Executive Director
FirstLink
701-293-6462

Annual Budget Needs	
Payroll expenses	\$ 1,622,984.00
Education and outreach	\$ 93,480.00
Operating expense	\$ 202,902.00
Professional fees	\$ 123,966.00
Total	\$ 2,043,332.00



3/12/2023

Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee.

Dear Chairman Representative Headland and Members of the Finance and Taxation Committee:

My name is Josh Sayler and I have been working in behavioral health for over 16 years, the last 5 ½ years with Prairie St. John's, a crisis behavioral health hospital. I humbly ask for your support of SB 2149. As one of the over 200+ crisis centers in the 988 Lifeline network, FirstLink provides free and confidential support available 24/7/365, connecting those experiencing mental health, substance use, or suicidal crises with trained crisis counselors. Local crisis centers are a vital component of the crisis care continuum that offers life-saving interventions and referrals to local resources to help individuals thrive in the community. 988 is a main entry point for callers in emotional distress to access services, as it represents the first point of contact individuals will have within the crisis continuum.

At Prairie St. John's we have seen the need for behavioral health services continue to trend up at an alarming rate over the last several years, and our partnership with FirstLink has been integral in providing the assistance required for those in crisis. In 2018 Prairie St. John's took 3,725 calls prompted by an individual with suicidal ideation or had attempted suicide. This number stayed consistent until 2021, when it increased 42% to 5,318. We had 5,286 of these call in 2022. FirstLink has seen an increase of 930% for calls relating to suicidal ideation over the past decade.

Everyone knows to dial 911 for a medical emergency. 911 is funded with a telecommunications user fee, this should be no different for 988.

FirstLink requires updated technology and equipment to meet increased demand and this bill would make that possible.

Thank you again for your commitment to serving individuals experiencing a mental health emergency. Please feel free to contact me at my information below if you have any questions or to discuss ensuring individuals in our great state of North Dakota have access to robust and well-resourced crisis intervention services.

Thank you for your time and consideration.

Best regards,

Josh Sayler
Director of Business Development
Prairie St. John's
701-478-7501
josh.sayler@uhsinc.com

23.0394.03000

Sixty-eighth
Legislative Assembly
of North Dakota

Introduced by

Senators Hogan, Cleary, Dever, Lee
Representatives O'Brien, Swiontek

A BILL for an Act to create and enact a new section to chapter 50-06 ~~and chapter 57-40.7~~ of the North Dakota Century Code, relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund ~~and the imposition of a 988 access fee~~; and to provide a continuing appropriation; to provide for a legislative management report; to provide an appropriation; ~~and to provide an effective date.~~

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 50-06 of the North Dakota Century Code is created and enacted as follows:

988 crisis stabilization fund - 988 crisis hotline program - Establishment – Continuing appropriation.

1. There is created in the state treasury a special fund known as the 988 crisis stabilization fund. The fund consists of all moneys deposited in the fund pursuant to chapter 57 – 40.7 and through legislative appropriation. All moneys deposited in the fund is appropriated as a continuing appropriation to the department for the purposes under this section. The first fifty thousand dollars deposited into the 988 crisis stabilization fund must be used to reimburse the funds appropriated from the general fund for the establishment and implementation of the 988 crisis hotline.
2. The department shall establish and implement a 988 crisis hotline program to provide crisis outreach, stabilization, and acute care to individuals calling the 988 crisis hotline. The department may adopt rules in accordance with chapter 28 - 32 for the purpose of implementing this section.

3. In developing the program, the department shall:

~~a. Determine the rate of a 988 surcharge to be collected by providers of assessed communications services in an amount to be established annually by the department, but not to exceed thirty cents per month per communication connection. On or before October 1, 2023, and on or before October first of each year thereafter, the department shall notify the tax commissioner of the amount of the surcharge for the next calendar year. The amount of the surcharge must be calculated reasonably based on the cost of the services received by a service user. The amount of the surcharge imposed per 988 communication connection must be uniform, regardless of the technology used to provide the 988 communication connection.~~

b.a. Fund the 988 crisis hotline to provide intervention services and crisis care coordination to individuals calling the 988 crisis hotline.

e.b. Contract with crisis vendors to provide or administer crisis outreach, stabilization, acute care, and marketing for the 988 crisis hotline.

e.c. Contract with a nonprofit organization to operate the 988 crisis hotline and provide intervention services and crisis care coordination to individuals calling the 988 crisis hotline from any jurisdiction within the state, twenty-four hours a day, seven days a week. The nonprofit organization must:

1. Have an active agreement with the administrator of the national suicide prevention lifeline for participation within the network;
2. Meet the national suicide prevention lifeline requirements for serving high - risk and specialized populations; and
3. Provide followup services to individuals accessing the 988 crisis hotline.

e.d. Collaborate with the national suicide prevention lifeline and the veterans crisis line for purposes of ensuring consistent public messaging about the 988 crisis hotline and available services.

f.e. Provide a report to the House and Senate Human Services Committees in the 2025 session outlining the steps taken to secure federal funding and the amount of funding secured through federal grants and donations, existing information about the 988 call-center operations and results and a report on the financial needs of the 988 crisis hotline, and recommendations to further fund and strengthen the statewide 988 crisis stabilization fund that may include the establishment of user fees.

4. For purposes of this section:

a. "988 crisis hotline" means a state-identified hotline participating in the national suicide prevention lifeline network to respond to statewide or regional behavior health crisis calls.

~~b. "Communication connection" means a telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation in which connections are enabled, configured, or capable of making 988 calls.~~

~~e.b. "National suicide prevention lifeline" means a national network of local crisis centers maintained by the federal substance abuse and mental health services administration which provides free and confidential emotional support to people in suicidal crisis or emotional distress, twenty - four hours a day, seven days a week.~~

~~d. "Service user" means a person that is provided a 988 communication connection in the state.~~

~~e.c. "Veterans crisis line" means the veterans crisis line maintained by the United States department of veterans affairs.~~

5. Except for action or inaction that constitutes gross negligence or willful and wanton misconduct, each provider of a communications service and their employees, agents, suppliers, and subcontractors are not liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining, or providing 988 service.

~~**SECTION 2.** Chapter 57-40.7 of the North Dakota Century Code is created and enacted as follows:~~

57 - 40.7 - 01. Definitions:

In this chapter, unless the context otherwise requires:

1. "Assessed communications service" means a software service, communication connection, cable or broadband transport facilities, or a combination of these facilities, between a billed retail end user and a service provider's network that provides the end user, upon contacting 988, access to the dedicated 988 network. The term includes telephone exchange access service, wireless service, and voice over internet protocol service.
2. "Assessed communications service provider" means any person that provides telecommunications services pursuant to a license issued by the federal communications commission.
3. "Commissioner" means the state tax commissioner.
4. "Communication connection" means a telephone access line, wireless access line, unique voice over internet protocol service connection, or functional equivalent uniquely identifiable by a number, internet address, or other designation in which connections are enabled, configured, or capable of making 988 calls.
5. "Telephone access line" means the principal access to the telephone company's switched network, including an outward dialed trunk or access register.
6. "Voice over internet protocol service" means a service that enables real-time two-way voice communications, requires a broadband connection from the user's location, requires internet protocol-compatible customer premises equipment, and permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.
7. "Wireless access line" means each active wireless and prepaid wireless telephone number assigned to a commercial mobile radio service subscriber, including end users of resellers, billed in the state.
8. "Wireless service" means commercial mobile radio service as defined in 47 U.S.C. 332(d)(1) and includes:
 - a. Services commonly referred to as wireless; and
 - b. Services provided by any wireless real-time two-way voice communication device, including radio-telephone communications used in:
 - i. Cellular telephone service;
 - ii. Personal communications service; or
 - iii. The functional or competitive equivalent of a radio-telephone communications line used in cellular telephone

service, personal communications service, or a network radio access line.

57 - 40.7 - 02. 988 fee imposed - Assessed communications services.

1. There is imposed a fee in the amount determined annually under section 1 of this Act per month per communication connection which must be applied equally upon all assessed communications services.
2. The commissioner shall provide notice of the 988 surcharge fee for the calendar year, as determined under section 1 of this Act, to assessed communication service providers on or before November first by posting the notice on the commissioner's website.
3. If the amount of the prepaid wireless emergency 988 fee imposed by this section is separately stated on an invoice, receipt, or other similar document provided to the consumer, the 988 fee may not be included in the base for measuring any other tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of the state, or any intergovernmental agency.
4. Prepaid wireless services are not subject to the fee imposed by this section.
5. The assessed communications service provider shall collect the fee from the subscriber or customer of the service.
6. For assessed communications service that involves a monthly billing, in the billing statement or invoice to the subscriber, the provider shall state the amount of the fee separately.
7. An assessed communications service provider is required to collect, report, and remit the 988 fee imposed under this section. An assessed communication service provider must complete a monthly 988 surcharge fee return reporting the amount of the 988 fee for the period covered by the return, and any other information the commissioner may require. Under this chapter:
 - a. The fee levied is due and payable on or before the last day of the month succeeding each monthly period; and
 - b. An assessed communication service provider shall file the return by electronic data interchange or other electronic media as determined by the commissioner.
8. An assessed communication service provider may deduct and retain one percent of the fee.
9. Chapter 57 - 39.2, pertaining to the administration of sales tax, not inconsistent with the provisions of this chapter, govern the administration of the 988 surcharge fee imposed in this chapter.

~~57 - 40.7 - 03. 988 fee fund collections - Deposit.~~

~~The commissioner shall remit quarterly the 988 fees collected under this chapter to the state treasurer for deposit in the 988 crisis stabilization fund.~~

~~**SECTION 3. LEGISLATIVE MANAGEMENT REPORT - CRISIS STABILIZATION FUND.**~~

~~During the 2023-24 interim, the tax department shall provide an annual report to the legislative management on the balance of the 988 crisis stabilization fund. The report must include information regarding the growth and balance of the fund; recommendations, if any, for adjusting the fee rate; and any other findings, recommendations, or conclusions the tax department deems necessary.~~

SECTION 42. APPROPRIATION. DEPARTMENT OF HEALTH AND HUMAN SERVICES -

988 ESTABLISHMENT COSTS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum ~~of~~ of four million, two hundred and fifty-eight thousand dollars ~~fifty thousand dollars~~, or so much of the sum as may be necessary, to the department of health and human services for the purpose of establishing and implementing a 988 crisis hotline program, for the biennium beginning July 1, 2023, and ending June 30, 2025.

~~**SECTION 5. EFFECTIVE DATE.** Section 2 of this Act is effective for taxable periods beginning after December 31, 2023.~~



**Testimony of
JAKE LESTOCK
CTIA**

North Dakota Senate Bill 2149

**Before the
North Dakota House Finance Committee**

March 13, 2023

Chairman Headland, Vice Chairman Hagert, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony to address concerns with North Dakota Senate Bill 2149. CTIA and its member companies support the designation of 988 as the three-digit dial for the National Suicide Prevention Lifeline. CTIA member companies have implemented network changes to ensure Americans can dial 988 when in crisis right now.

CTIA and its members also understand the importance of a workable state 988 funding framework. From the outset, it is important to note that most states implementing 988 are utilizing general fund appropriations and federal contributions for funding as opposed to enacting a new tax on their residents. Last year, over 25 states chose to either appropriate general fund revenue and utilize federal funds or study the issue further. California was the only state to impose a new tax of 8 cents along with state appropriations.

It is also important to note that in the December 2022 Executive Revenue



Forecast North Dakota recorded a budget surplus of over \$650 million.¹ A new tax on North Dakotans is puzzling considering this recent windfall of state funds. This is especially concerning in light of how comparatively high the state's wireless taxes currently stand. North Dakota has the 11th highest state and local tax and fee burden in the country.² Wireless consumers in your state already pay nearly 15.5 percent of their cell phone bills in state and local taxes and fees and nearly 28% in federal and state taxes, and these types of fees are highly regressive.

Additionally, any 988 tax should be kept as low as possible and justified by data showing exactly what the tax will fund. These types of taxes are highly regressive.

Wireless phones are the gateway to the internet for many North Dakotans, so overburdening these consumers with more taxes and fees may detrimentally affect their continued connectivity. Limiting the scope of the 988 tax and keeping it as low as possible will help the bottom line for so many consumers. Together with North Dakota's current wireless tax burden, the adoption of a new 988 tax could have a real impact on telecommunications consumers. For these reasons, we have included

¹ Joe Morrisette, Office of Management and Budget. "Status of the General Fund and Executive Revenue Forecast." Dec. 07, 2022. <https://www.omb.nd.gov/sites/www/files/documents/news/budget-section-presentation-12-7-2022.pdf>.

² Hoffer, Adam, and Scott Mackey. Tax Foundation, 2022, Excise Taxes and Fees on Wireless Services Increase Again in 2022, <https://taxfoundation.org/wireless-taxes-cell-phone-tax-rates-by-state-2022/>. Accessed 13 Jan. 2023.



suggested amendments that look to provide General Fund appropriations for this biennium in the amount estimated in the fiscal note for the 988 Fund – 4.258 million. It also directs the Department of Health and Human Services to report to the Legislature with further detailed information regarding the 988-hotline services, estimates justified by data on the funding needs and recommendations for further funding, including the establishment of a fee.

If instead you choose to enact a new tax, CTIA would propose amendments to ensure that any new tax on telecommunications consumers is limited. The scope of the 988 tax should be limited to funding equipment, communications services, and direct costs for crisis hotline center personnel for 988 call-taking and appropriate call routing. The 988 system often has been compared to 911 taxes that fund only government-operated Public Safety Answering Points for call taking and routing. The 911 tax does not fund police, fire, or EMS services and relies instead on the state's general fund revenues. CTIA would ask that 988 funding be approached in the same manner. Any 988 tax should fund only the crisis centers for call taking and routing. CTIA supports providing appropriate response to people experiencing a mental health crisis, but we do not believe the cost for those services should be borne solely by the state's telecommunications consumers.

Moreover, if a fee is contemplated, there should be a single statewide fee, and



local governments should be explicitly preempted in state law from imposing local 988 fees. This will ensure there is effective and statewide 988 coordination and prevent localities from shifting programs currently funded from general revenues to new fees on wireless consumers. A single statewide fee will also help ensure that North Dakota wireless consumer taxes and fees are kept within reason.

In closing, the wireless industry looks forward to continuing to work with federal and state entities to ensure successful implementation of 988 to help our fellow Americans experiencing a mental health crisis. We would encourage North Dakota to choose general and federal funding to support 988 and provide detailed estimates on 988 crisis hotline funding needs, before turning to telecommunications consumers to bear that cost. We welcome the opportunity to work with the sponsor on this issue.

Thank you for your consideration.

March 12, 2023

Dear Financial and Taxation Committee,

I am reaching out to encourage support for SB 2149.

Working as chair of the Department of Psychology at NDSU I understand the need for a 24/7/365 988 suicide and crisis phone line. Behavioral health issues can arise at any time, and it is important to have a well-established, well-staffed, and well-maintained system for vulnerable people to reach out for assistance.

Everyone knows to dial 911 for a medical emergency, it is slowly becoming known throughout North Dakota to dial 988 for behavioral health emergencies. 911 is funded with a telecommunications user fee, I believe this should be no different for 988.

In previous testimony, FirstLink outlined that ten years ago they took 1,501 calls directly related to suicide, in 2021 they took 15,465 calls related to suicide, this number went up to 19,000 in 2022. The complexity and volume of their calls have greatly increased. They need to have a diverse and culturally competent workforce and pay their staff professional wages to provide quality service to those reaching out for help. They need updated technology and equipment to make sure that they are ready, willing, and able to answer the 988 and 211 phone lines 24/7/365. SB 2149 would make this all possible.

Again, I want to thank you for your support for this bill, and for your support for the people of our community.

Sincerely,
Mark Nawrot, PhD
Fargo, ND
mark.nawrot@pm.me
701.261.1465

SB 2149**In support**

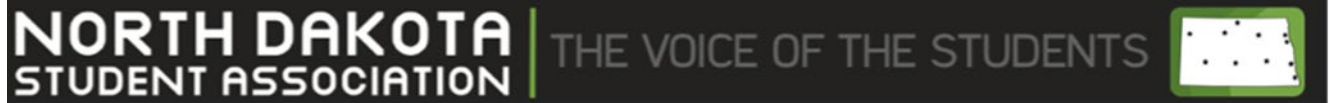
From: Cheryl Biller, volunteer Moms Demand Action ND

Fargo, ND

I write in support of this bill. Suicide in ND, and in particular gun suicide, occurs at a rate significantly higher than many other states. We need to ensure that when someone reaches out for help, it is immediately available and accessible. You've seen the numbers - a 10 fold increase in the number of calls related to suicide at First Link's hotline in the 10 year period between 2011 and 2021, and another nearly 50% increase in the next single year. It is staggering and we cannot turn away.

ND has one of the highest rates of gun suicide in the country. It is so very important that we provide the kind of informed and capable staff answering these phone calls. It is as important that the technology that supports these calls and staff is up to date. For a tiny amount of money collected from all of us who use our phones, we can ensure that this incredibly important resource is available.

I urge a **DO PASS** recommendation on this bill.



SB 2149

March 13th, 2023

Christopher Scott, North Dakota Student Association

701-340-3380 | Christopher.m.scott@ndus.edu

Chair Headland and Members of the Committee: My name is Christopher Scott, I am current President of the North Dakota Student Association, and I am testifying in support of SB 2149, which would allocate funds and establish a 988-suicide hotline in North Dakota.

The North Dakota Student Association is a student organization established in 1969 dedicated to ensuring that students have a voice at the table in policy that affects Higher Education. We consist of delegates from each of the 11 public institutions meeting monthly to engage students in ND Higher Education policy. Our mission is to empower students, create collaboration between the student bodies of the North Dakota public universities, and to give a student perspective on higher education policy.

One of the biggest challenges students face today is mental health. These stem from coming into a college environment where they may feel overwhelmed by work, and classes, particularly during the first semester of college. Some college students may not be able to cope well in this environment, may develop symptoms of depression. Some students may feel too overwhelmed and begin having suicidal ideations on top of the depression. According to a study conducted by the Healthy Minds Network in 2021, 13 percent of college students have had suicidal ideation, 5 percent have made a suicide plan, and 1 percent have attempted suicide.

In the last few years, the NDSA has recognized the issue of mental health and how it affects students attending NDUS colleges. During the 2020-2021 academic year, the NDSA passed [NDSA-14-2021](#), which was a resolution in support of creating a mental health care provider registry, which was SB 2161 during North Dakota's 67th Legislative Session. Last year, the

NDSA passed [NDSA-12-2122](#), a resolution supporting the prioritization of mental health programs and funding for the North Dakota University System.

Going into the legislative session, one of the NDSA's legislative priorities is increasing access to student mental health resources. The NDSA this year, has passed [NDSA-13-2223](#), which a resolution that supports this specific bill. This bill directly addresses mental health issues not only that college students face, but the community as a whole. And so, the NDSA supports SB 2149 and would ask for a DO PASS recommendation on this bill.

Dear Chairman Headland and the House Finance and Taxation Committee,

I understand that increasing tax on a service is not something we do without careful consideration. I know that each of you serving on the Finance and Taxation Committee avidly supports suicide prevention and that your considerations today will be made by weighing the cost burden we put on our constituents next to the benefit it may have.

So, what is the benefit we get and is it worth it?

I'm writing to you as a survivor of suicide. I could speak to you about my professional background within healthcare, suicide prevention advocacy or data outcomes, but I'd rather share a story with you about what suicide can mean, especially if you don't have a personal connection to it.

When I grew up, I felt like I was a burden to the people in my life. I felt like the world would be better off without me. I don't have memories of my younger years that weren't clouded in this depression and despair. I took each day by itself, never thinking I had a future. I knew college wasn't an option for me. I knew a home or a family was never on the table. I knew that I wasn't going to be here long, so I didn't try very hard to connect with people. And when I was younger I thought with certainty I would never live to my twenties.

Never once growing up did I hear about services to help me. I never heard about the suicide prevention hotlines. I didn't even really connect with the word suicide. The feelings of despair I had and how I wanted to act on them weren't things I could even put into words. They weren't things I ever talked to other people about. I already felt like a burden, so I didn't want to burden people with my suffering too.

I was lucky to survive my first attempt and it was only after that, that I started to actually get help. What motivates my work today as a suicide prevention advocate is a desire that no kid ever go through what I did. That they never feel so isolated, alone, and hopeless that they try to take their own life. Unfortunately, the data suggests quite a few kids are experiencing the exact same things I did growing up.

I've put in about four hundred hours of work this legislative session working on bills that can impact suicidality. I'm here right now, at the end of a sixteen hour day, trying to do everything I can for all the bills we are hearing this week. And this bill, right here, is the bill that gives me the most hope.

Suicide is incredibly complex and so are the systems to address and prevent it, but nothing more directly impacts suicidality for a cheaper cost than our hotlines that exist to catch people in a crisis. I ask you to take this under consideration when reviewing SB 2149. I ask if it is at all possible to put every effort into making the intentions of this bill a reality for our state. Our kids need it.

Thank you,
Faye Seidler

Dear Financial and Taxation Committee,

My name is Rick Lemke of Fargo, ND and I am reaching out to encourage support for SB 2149.

I want every last person in North Dakota to live a long and healthy life. I know there will be times that some of our residents will go through tough times and they will make the decision to call 988 to seek help in their hour of need. I want that call to be answered. I want my fellow North Dakotan to get the assistance they need.

Adding a surcharge to my cellphone bill to ensure that a life is saved is easy to support. This is an issue that transcends beliefs and political affiliation. This is literally life and death on some calls and EVERYBODY should support SB 2149 when it will cost mere pennies to make a difference.

I ask that your committee do the right thing here. I ask you to compare this important bill to others that you've supported. I bet few others have had such implications as this one that will fund agencies who can be there to change a mind and save a life.

Respectfully,

Rick Lemke – Fargo, ND

Senate Bill 2149

Presented by: Randy Christmann, Chair
Public Service Commission

Before: House Finance and Taxation Committee
The Honorable Craig Headland, Chair

Date: March 13, 2023

TESTIMONY

Mr. Chair and committee members, I am Randy Christmann, Chair of the Public Service Commission, and I'm here to share concerns the PSC has with the current proposal to add a new tax on telecommunications services. First, let me be clear that we are not opposed to this bill and are not weighing in on whether or not money should be appropriated for this purpose. That is completely out of the Commission's area of expertise. The PSC's objection is to raising this money for Human Services through a tax on utilities.

Over the decades, in almost every Legislative Session, our income and sales tax systems are tweaked to make those larger revenue raising taxes as fair as possible for the people of North Dakota. We believe those are the types of revenue sources that are most appropriate for raising dollars deemed necessary for human services. But the current version of HB 2149 proposes to raise the money with an additional tax on telecommunications services. This would be a very regressive, and in our opinion, a very unfair revenue source.

There are currently programs in operation to significantly lower the costs for those who struggle to pay for telecommunications services, and many of our citizens are using

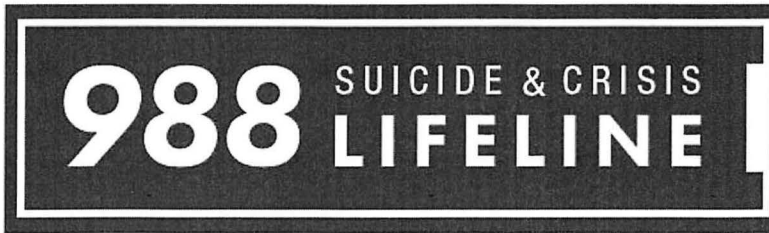
these programs. They encourage people to maintain or add to their service, which is important because these are proven, important life safety tools. For many, they are also essential for educational and employment opportunities. The Commission works closely with providers to make sure these programs are working correctly.

Taxing telecommunications services moves exactly the opposite direction and actually negates some of our efforts to make these services less costly. I can only imagine the frustration that would be felt by young families, often among the least able to pay more, when they have to pay this new tax on multiple devices in order to maintain broadband access at home and to also assure that all members of their family can have coverage when away from home.

On line 18 of SB 2149 it says, "The department shall establish ... a 988 crisis hotline program ..." But it is important to note that the suicide and crisis lifeline is not exactly a new concept. This has been in existence since 2005. There are more than 200 crisis centers in this national network. The original number was 1-800-273-8255 (TALK). What is new though is the switch to a three-digit option of just dialing "988", making it easier to remember and call. I have attached a document that provides information about the program and outlines its history for you to review.

The PSC asks that if the Finance & Taxation Committee decides this is a good investment for North Dakota, please pay for it from the fairest of revenue sources and not with this extraordinarily regressive and investment stifling new utility tax.

Mr. Chair, this concludes our testimony. I will be happy to answer any questions.



“988” is the three-digit, nationwide phone number to connect directly to the 988 Suicide and Crisis Lifeline.

Too many people experience suicidal crisis or mental health-related distress without the support and care they need. There are urgent mental health realities driving the need for crisis service transformation across our country. In 2020 alone, the U.S. had one death by suicide about every 11 minutes—and for people aged 10-34 years, suicide is a leading cause of death.

There is hope. The 988 Suicide and Crisis Lifeline – previously known as the National Suicide Prevention Lifeline – is a **national network of more than 200 crisis centers** that helps thousands of people overcome crisis situations every day. These centers are supported by local and state sources as well as the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration (SAMHSA). As of July 16, 2022, all calls and text messages to “988” route to a 988 Suicide and Crisis Lifeline call center.

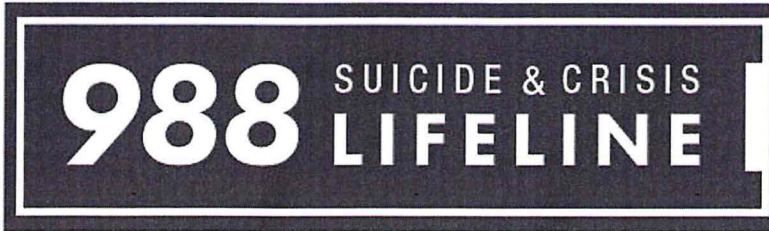
The 988 Suicide and Crisis Lifeline provides 24/7, confidential support to people in suicidal crisis or mental health-related distress.

- **New Nationwide Number:** 988 is more than just an easy-to-remember number — it’s a direct connection to compassionate, accessible care and support for anyone experiencing mental health-related distress – whether thoughts of suicide, mental health, substance use crisis, or any other kind of emotional distress.
- **Provides Support:** People can also dial 988 if they are worried about a loved one who may need crisis support.
- **FCC Rules:** Under FCC rules, calls and texts to 988 will be directed to the Lifeline. Calls and texts to 1-800-273-8255 (TALK) will also continue to reach the 988 Lifeline even after the nationwide implementation of 988.
- **Saving Lives:** The FCC actions reflect its commitment to saving lives and connecting individuals to necessary intervention services. Switching to the easy-to-remember 988 makes it easier for individuals in crisis to access the help they need and decrease the stigma surrounding suicide and mental health issues.
- **Important Step:** The 988 Suicide and Crisis Lifeline is an important step toward strengthening and transforming crisis care in this country. It serves as a universal entry point so that no matter where you live, you can reach a trained crisis counselor who can help.
- **Help for Veterans:** For calls, pressing “1” after dialing 988 will connect you directly to the Veterans Crisis Lifeline which serves our nation’s Veterans, service members, National Guard and Reserve members, and those who support them. For texts, continue to text the Veterans Crisis Lifeline short code: 838255.

History

2005: The National Suicide Prevention Lifeline launches with the number 1-800-273-8255 and received 46K calls in the first year.





August 2019: FCC staff—in consultation with SAMHSA, the Department of Veterans Affairs, and the North American Numbering Council—released a report recommending the use of 988 as the 3-digit code for the National Suicide Prevention Lifeline.

July 2020: The FCC designated this new phone number for individuals in crisis to connect with suicide prevention and mental health crisis support.

October 2020: The National Suicide Hotline Designation Act of 2020 was signed into law, incorporating 988 into statute as the new Lifeline and Veterans Crisis Line phone number.

November 2021: The FCC adopted rules to expand access to text 988 to directly reach the Lifeline to better support at-risk communities in crisis, including youth and individuals with disabilities.

July 16, 2022: All phone companies and text messaging providers are required to route all calls and text messages to “988” to the 988 Suicide and Crisis Lifeline.

To learn more, visit <https://www.fcc.gov/988Lifeline>.



March 13, 2023

Dear Financial and Taxation Committee,

My name is Jeremy Brown and I am reaching out to encourage support for Senate Bill 2149. I currently work as the Outreach Director at FirstLink.

The work FirstLink does, and supporting this bill, are very important to me because of my personal experience with suicide. In 2011, I lost a sister to suicide. At that time, my family recognized that my sister was struggling and needed support, however we did not know where to find that support. We lived in rural North Dakota and struggled to access mental health services. We had no idea a phone number existed offering support to those struggling with their mental health or suicide.

Everyone in our state knows to dial 9-1-1 for medical emergencies or fire. 9-1-1 is funded with a telecommunications user fee. Working at FirstLink, I've seen firsthand just how many calls come through 9-8-8, North Dakotans are now starting to recognize 9-8-8 as the number to dial during behavioral health emergencies. 9-8-8 should have a telecommunications fee to establish similar stable funding.

FirstLink is the only designated center in North Dakota that answers the 988 Suicide & Crisis Lifeline. Anyone in our state can dial 988 and reach a caring, local FirstLink Call Specialist. During these calls, FirstLink's Call Specialists will offer support and de-escalate most crises without further intervention, preventing additional burden to fire, police, and EMS services. Ten years ago, FirstLink took 1,501 calls directly related to suicide. In 2022, that number went up to 19,000. The complexity and volume of these calls have greatly increased.

Supporting this bill will provide FirstLink with stable funding to continue to provide such a vital service, available to all North Dakotans. Funding would support a wage for FirstLink staff commensurate to the service they provide. This funding would also support needed updates to technology and equipment to ensure FirstLink staff are ready, willing, and able to answer 9-8-8 24 hours a day, 365 days a year.

Thank you for your time and attention to this important bill.

Jeremy Brown
Outreach Director, FirstLink

Testimony
Engrossed Senate Bill No.2149
House Finance and Taxation Committee
Representative Headland, Chairman
March 13, 2023

Chairman Headland, and members of the House Finance and Taxation Committee, I am James Knopik, Manager of Addiction and Prevention Program and Policy with the Department of Health and Human Services' (Department), Behavioral Health Division. I appear before you in support of Engrossed Senate Bill No. 2149.

The 988 Suicide and Crisis Lifeline is a three-digit emergency number for behavioral health crisis. This number allows individuals experiencing a behavioral health crisis to call or text the simple number 9-8-8 or chat online at 988lifeline.org 24/7 365 days a year. On June 16, 2022 the 988 number rolled out nationwide.

The National Suicide Prevention Lifeline was previously accessible by calling 1-800-273-8255. The 988 Suicide and Crisis Lifeline creates very distinct changes that did not exist with the National Suicide Prevention Lifeline. 988 simplifies the number to a three-digit number and broadens the intent of calling the lifeline to include any behavioral health crisis, not exclusively suicide related issues. Additionally, the vision of 988 is to have behavioral health crisis services available in communities across the nation, similar to 911 for medical emergencies.

The Substance Abuse and Mental Health Services Administration (SAMHSA) has identified a three phased rollout of 988 crisis services. The first phase has a goal of 90 percent of all 988 calls being answered in-

state by 2023. The second phase has a goal of 80 percent of individuals having access to mobile behavioral health crisis services by 2025. The third and final phase of 988 is to have 80 percent of individuals have access to behavioral health crisis stabilization services (a place to go) by 2027.

Currently, in North Dakota the 988 Suicide and Crisis Lifeline is answered in-state by FirstLink who then provides suicide risk assessment, de-escalation, or support to those in need. As needed, FirstLink connects to one of the eight local Human Service Center crisis teams for additional supportive services as available by the region. Behavioral health mobile crisis services are only available within 45 miles of the eight major cities in the state. Currently, the Department's budget does not have funds to expand outside of 45 miles of these major cities. Funding through this bill would assist with meeting the needs of those in rural and underserved areas of the state.

Funds in the Department's budget do not cover new costs needed to sustain the 988 line which includes; increased call capacity due to the ease of a three digit number, new call types for broader behavioral health crises not exclusively suicide prevention calls, call center technology capabilities to dispatch mobile crisis teams, integration with local Public Safety Answering Points (PSAPs) for 911, ability to respond to behavioral health crises texts and chats, implement real-time Global Positioning System (GPS) technology in partnership with the region's crisis call center hub and increase the expansion of mobile crisis (outside of the current 45 mile radius of the 8 major cities). The state does not have other funds to draw upon for these needs, and without additional funding our state will not be able to meet the additional needs.

When the vision of 988 is fully operationalized individuals with a behavioral health crisis will receive support from behavioral health professionals resulting in better care. Our behavioral health crisis system will reduce the utilization of our 911 call centers, our first responders who are dispatched such as law enforcement, and our emergency departments.

When President Trump signed The National Suicide Hotline Designation Act of 2020 into law creating the 988 Suicide and Crisis Lifeline it enabled states to pass legislation assessing monthly fees on telecommunication devices to support 988 and integrated crisis care services. This is similar to what is done to support 911 services.

Behavioral health crisis services are a necessary public service similar to how 911 is a necessary service for medical emergencies. The Department supports this bill that will treat crisis behavioral healthcare on an equal footing to existing physical health crisis responses and lays the foundation to develop an infrastructure to grow these services to the needed level to support our citizens.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.



March 13, 2023

The Honorable Craig Headland
Chairman
Committee on Finance and Taxation
North Dakota House
Committee Room JW327E
State Capitol
Bismarck, ND 58505

The Honorable Jared Hagert
Vice Chairman
Committee on Finance and Taxation
North Dakota House
Committee Room JW327E
State Capitol
Bismarck, ND 58505

RE: North Dakota SB 2149; Relating to the creation of the 988 crisis hotline program and the 988 crisis stabilization fund and the imposition of a 988 access fee

Dear Chair Headland, Vice Chair Hagert, and Members of the House Committee on Finance and Taxation:

Vibrant Emotional Health ("Vibrant"), administrator of the 988 Suicide & Crisis Lifeline ("988 Lifeline"), as well as Mental Health America and the American Foundation for Suicide Prevention appreciates the opportunity to offer our support for SB 2149, which would establish the 988 crisis hotline program and the 988 crisis stabilization fund, with the inclusion of a 988 surcharge to be collected by providers of assessed communications services, of up to thirty cents per month. The 988 surcharge and creation of the fund will provide a critical and sustainable funding stream as North Dakota continues to develop the infrastructure needed to respond to individuals and families who seek help through the 988 Lifeline.

Collectively, our organizations provide a continuum of crisis care to every American needing mental health care services and have worked to develop, implement, and promote the nationwide transition to the 988 Lifeline, codified through the National Suicide Hotline Designation Act. The 988 Lifeline is a life-saving resource for millions of Americans experiencing emotional distress or suicidal crisis, connecting those individuals and their loved ones with trained crisis counselors at local crisis contact centers and other community

resources as needed. In North Dakota, FirstLink is currently the statewide 988 network crisis contact center and provides critical services for those experiencing suicidal ideation or emotional distress, including responses to calls, chats, and texts and linkages to mobile crisis teams. Services are free and available 24 hours a day, seven, 7 days a week, 365 days a year.

Local crisis contact centers, like FirstLink, need sustainable funding and more resources in order to build capacity to meet the increased volume of individuals seeking emotional support and crisis intervention services through 988 Lifeline. Supporting centers allows them to continue providing these critical, life-saving services to those in need every day. North Dakota has an opportunity through this legislation to invest in reliable and sustainable funding that will allow local crisis contact centers to effectively serve individuals and their loved ones.

Surcharges, allowed for under the Designation Act and like the one proposed in SB 2149, are structured similarly to 911 fees in many states and are critical to ensure local contact centers' ability to respond effectively to those in need. Currently, 911 fees range from \$1.50-\$2.00 per month in North Dakota, varying by locality. Parity between 911 and 988 fees is important as we collectively work to create a culture where mental and physical health are regarded as equally important components of overall health. Public services, like fire services and 988 crisis services, are a shared social responsibility and according to a [recent survey](#) from the National Association on Mental Illness, three-quarters of adults would be willing to pay a monthly fee to support 988.

As the nation's mental health crisis grows, the need for sustainable resources has never been higher. Suicide is the 10th leading cause of death in the United States¹; the suicide death rate for North Dakota was 18.2 per 100,000 individuals in 2020, which is higher than the national suicide rate and places North Dakota among the states in the top third of suicide rates nationally². SB 2149, if enacted, would align North Dakota with the 25 other states that have enacted 988 legislation, including five states that successfully implemented 988 surcharges. Supporting individuals in crisis through a 988 surcharge can result in overall public savings by reducing costly ambulance rides, emergency room visits, and inappropriate deployment of law enforcement. Allowing individuals to receive crisis interventions in the community through the 988 Lifeline can also positively impact productivity and overall wellness.

This legislation highlights the importance of the 988 Lifeline and the services provided through FirstLink. Our organizations applaud the legislature for considering this important issue. 988 is a turning point in the history of crisis and behavioral health care in the United States, and states are recognizing the important opportunity to invest in this critical infrastructure. We urge you to support SB 2149 and are happy to answer any questions regarding the need for sustainable

¹ Center for Disease Control and Prevention (CDC), National Center for Injury Prevention and Control, "Preventing Suicide" Fact Sheet, at 1 (2020), https://www.cdc.gov/violenceprevention/pdf/Suicide-Factsheet_508.pdf.

² CDC, National Center for Injury Prevention and Control, "Suicide Rates by State" (2020), <https://www.cdc.gov/suicide/suicide-rates-by-state.html>.

funding and transforming the crisis continuum to support those in need. Please contact Caitlin Davidson at cdavidson@vibrant.org with any questions.

Sincerely,

Vibrant Emotional Health
Mental Health America
American Foundation for Suicide Prevention



Written Testimony in Support of SB 2149
House Finance and Taxation Committee
March 11th, 2023

The **American Foundation for Suicide Prevention (AFSP) North Dakota Chapter** writes in support of Senate Bill 2149, which would provide imposition and continued appropriation of a 988 access fee. AFSP is the leading national not-for-profit organization exclusively dedicated to saving lives and bringing hope to those affected by suicide; our local North Dakota Chapter carries out this mission across the state through research, education, advocacy, and support.

In the most recent information provided by the Centers for Disease Control and Prevention:

- North Dakota lost 135 residents to suicide.
- Suicide is the **2nd leading cause of death** for three major age groups: youth ages 10-24, young adults 25-34, and adults 35-44.
- Over 3 times as many people died by suicide than in alcohol related accidents.

On October 17, 2020, President Trump signed the National Suicide Hotline Designation Act (S.2661) into law, designating "988" as "the universal telephone number for reaching a national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline." The **Designation Act** included language allowing each state to pass their own legislation funding 988 and local in-state crisis call centers the same way as 911, through state-managed monthly customer service fees.

State support for and investment in call centers within the Lifeline network is critical. While Lifeline is a national program, federal funding is minimal for each center and largely goes toward managing call routing, best practice standards, public messaging, and technical assistance. Local crisis centers like North Dakota's FirstLink rely on funding from state and local contributors to operate and grow.

The transition to 988 was anticipated to see a significant increase in crisis center call, chat, and text volume. FirstLink has already reported growth in the number of calls and texts received since implementation of the hotline in July 2022. Reliable, sustainable funding will be needed from multiple sources, including state and local contributors, for North Dakota's crisis service systems to continue meeting community crisis needs.

Members of the Committee, with your support, passage of this legislation will affirm the state's commitment to improving the lives of North Dakota residents and their loved ones and to preventing the tragic loss of life to suicide in the future. Thank you for the opportunity to submit testimony in support of SB 2149. The AFSP North Dakota Chapter is grateful for your consideration of this critical bill and strongly urges your support.

With hope and gratitude,

Barb Hanson BSN RN

Faith Community Nurse

American Foundation for Suicide Prevention, North Dakota Chapter Board Chair, Project 2025 Champion

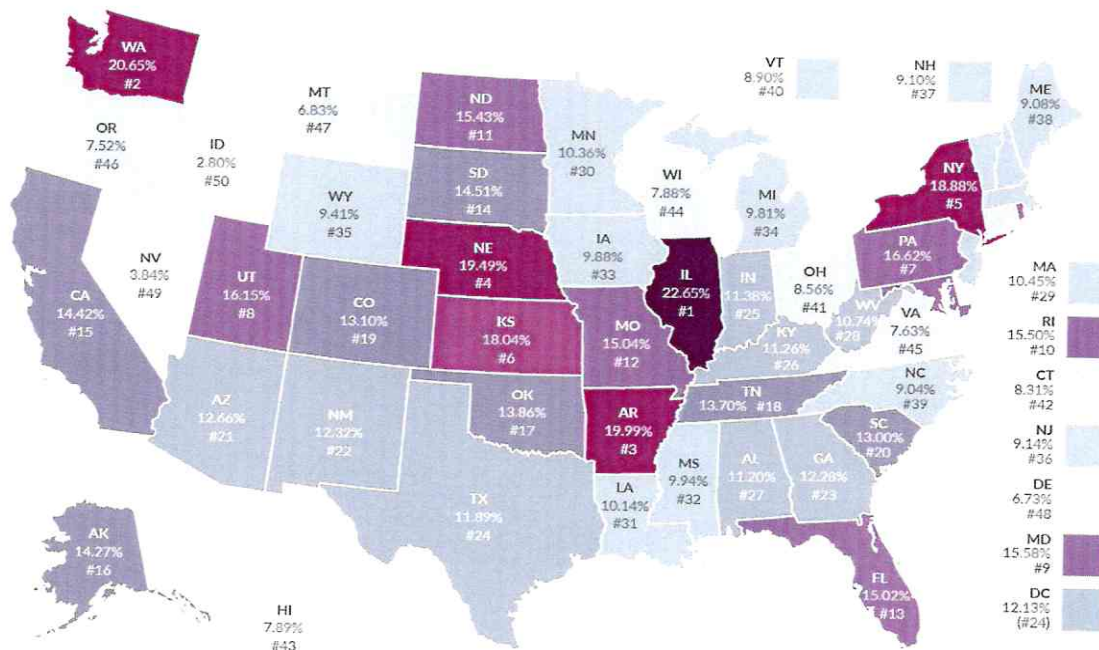
701-238-7739

barbarahanson2309@gmail.com

Source: <https://taxfoundation.org/wireless-taxes-cell-phone-tax-rates-by-state-2022/>

How High Are Cell Phone Taxes in Your State?

Taxes, Fees, and Government Charges on Wireless Service, July 2022



Note: The local tax rate is calculated as the average of the tax in the largest city and the capital city. DC's rank does not affect other states' rankings, but the figure in parentheses indicates where it would rank if included.

Source: Methodology derived from Council on State Taxation, "50-State Study and Report on Telecommunications Taxation," May 2005; updated July 2022 from state statutes, FCC data, and local ordinances by Scott Mackey, Leonine Public Affairs LLP, Montpelier, VT.

Combined State & Local Wireless Tax Rate



Table 2. Taxes, Fees, and Government Charges on Wireless Service, July 2022, State Rankings

	Wireless State- Local Rate	Federal USF Rate	Combined Federal/State/Local Rate
1 Illinois	22.65%	12.24%	34.89%
2 Washington	20.65%	12.24%	32.90%
3 Arkansas	19.99%	12.24%	32.23%
4 Nebraska	19.49%	12.24%	31.73%
5 New York	18.88%	12.24%	31.12%
6 Kansas	18.04%	12.24%	30.28%
7 Pennsylvania	16.62%	12.24%	28.86%
8 Utah	16.15%	12.24%	28.39%
9 Maryland	15.58%	12.24%	27.83%
10 Rhode Island	15.50%	12.24%	27.74%
11 North Dakota	15.43%	12.24%	27.67%
12 Missouri	15.04%	12.24%	27.28%
13 Florida	15.02%	12.24%	27.26%
14 South Dakota	14.51%	12.24%	26.75%
15 California	14.42%	12.24%	26.67%
16 Alaska	14.27%	12.24%	26.52%
17 Oklahoma	13.86%	12.24%	26.10%
18 Puerto Rico	13.77%	12.24%	26.02%
19 Tennessee	13.70%	12.24%	25.94%
20 Colorado	13.10%	12.24%	25.34%
21 South Carolina	13.00%	12.24%	25.24%
22 Arizona	12.66%	12.24%	24.90%
23 New Mexico	12.32%	12.24%	24.57%
24 Georgia	12.28%	12.24%	24.52%
25 District of Columbia	12.13%	12.24%	24.37%
26 Texas	11.89%	12.24%	24.14%
27 Indiana	11.38%	12.24%	23.62%
28 Kentucky	11.26%	12.24%	23.51%
29 Alabama	11.20%	12.24%	23.45%
30 West Virginia	10.74%	12.24%	22.99%
31 Massachusetts	10.45%	12.24%	22.69%
32 Minnesota	10.36%	12.24%	22.60%
33 Louisiana	10.14%	12.24%	22.38%
34 Mississippi	9.94%	12.24%	22.18%
35 Iowa	9.88%	12.24%	22.12%

Table 2. Taxes, Fees, and Government Charges on Wireless Service, July 2022, State Rankings

	Wireless State- Local Rate	Federal USF Rate	Combined Federal/State/Local Rate
36 Michigan	9.81%	12.24%	22.05%
37 Wyoming	9.41%	12.24%	21.65%
38 New Jersey	9.14%	12.24%	21.39%
39 New Hampshire	9.10%	12.24%	21.34%
40 Maine	9.08%	12.24%	21.32%
41 North Carolina	9.04%	12.24%	21.29%
42 Vermont	8.90%	12.24%	21.14%
43 Ohio	8.56%	12.24%	20.80%
44 Connecticut	8.31%	12.24%	20.55%
45 Hawaii	7.89%	12.24%	20.13%
46 Wisconsin	7.88%	12.24%	20.12%
47 Virginia	7.63%	12.24%	19.87%
48 Oregon	7.52%	12.24%	19.77%
49 Montana	6.83%	12.24%	19.07%
50 Delaware	6.73%	12.24%	18.98%
51 Nevada	3.84%	12.24%	16.09%
52 Idaho	2.80%	12.24%	15.04%
Weighted Avg.	13.15%	12.24%	25.39%
Simple Avg.	12.09%	12.24%	

Source: Methodology from COST, “50-State Study and Report on Telecommunications Taxation,” May 2005. Updated July 2022 using state statutes, FCC data, and local ordinances.

State Trends in Wireless Taxes 911 and 988 Fees

Most states impose per-line fees on telecommunications customers to fund capital and operating expenses for state and local emergency (911) systems. These fees vary significantly, from zero in Missouri to a high of \$5.00 per line in Chicago.^[5] In 2022, Connecticut was the only state to increase its 911 fee, from 68 cents per month to 70 cents per month per line. Colorado lowered its state 911 fee from 10 cents to 9 cents per month and Minnesota lowered its 911 fee from 95 cents to 80 cents per month.

In 2021 and 2022, a new fee began appearing on customer bills in three states. The FCC mandated that a new three-digit number (988) will be designated nationally to contact suicide prevention hotlines operated in the states. A law passed by Congress authorized states to impose “988 fees” to pay for some of the creation and operation of 988 crisis hotline centers. In 2021, Virginia was the first state to impose a new 988 fee, which is 12 cents per line per month. Colorado (18 cents per month) and Washington (24 cents per month) added new 988 fees in 2022.

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	Wireless State- Local Rate	Federal USF Rate	Combined Federal/State/Local Rate
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39 New Hampshire	9.10%	12.24%	21.34%
40 Maine	9.08%	12.24%	21.32%
41 North Carolina	9.04%	12.24%	21.29%
42 Vermont	8.90%	12.24%	21.14%
43 Ohio	8.56%	12.24%	20.80%
44 Connecticut	8.31%	12.24%	20.55%
45 Hawaii	7.89%	12.24%	20.13%
46 Wisconsin	7.88%	12.24%	20.12%
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broadband association of north dakota

P.O. Box 1144 · Mandan, ND 58554

Phone 701-663-1099

www.broadbandnd.com

March 13, 2023

RE: SB 2149

Dear House Finance & Taxation Committee:

The members of the Broadband Association of North Dakota are opposed to the funding source for SB 2149. We do not believe this service should be paid for through a tax on telephone lines.

1. There is no historical cost information for this program to support or justify the \$.30 fee.
2. Voice services customers already pay numerous other fees and taxes. This is not comparable to 911 services that have the additional burden of having to have a system to track caller location and provide it to emergency service providers. The 988 system does not utilize geolocation.
3. This program should have to submit an annual operating budget to Health and Human Services to be approved and then funded through normal appropriations. Without a budget and knowing the operating costs the collection of this fee will just give them money to spend without appropriate checks and balances to make sure it is being used wisely and not just spent each year to justify collecting more.
4. The prepaid wireless exemption could present problems. All voice services are technically prepaid. When you get a bill for phone services you are paying in advance for the service period.
5. Those in need of 988 services can also reach experts online through chat or mobile messenger. This service is not exclusive to a phone call.

We are supportive of the service that the 988 Suicide Prevention Hotline can provide those in need but believe it should be funded through an appropriation of general funds and not a special tax targeted exclusively at those with phone plans.

Thank you for your time and I'm happy to answer any questions.

Sincerely,

A handwritten signature in cursive script that reads "Carissa M. Swenson".

Carissa Swenson
Executive Director
BAND

SB 2149 Testimony
House Finance and Taxation Committee
Representative Headland, Chairman
March 13, 2023

Chairman Headland and Members of the Committee, I am Carlotta McCleary, the Executive Director of the ND Federation of Families for Children's Mental Health (NDFFCMH), which is a parent run organization that focuses on the needs of children and youth with emotional, behavioral, or mental health needs and their families. I am also the Executive Director for Mental Health America of ND (MHAND) which is a consumer-run organization whose mission is to promote mental health through education, advocacy, understanding, and access to quality care for all individuals. Today I am testifying as the Chairman of the Behavioral Health Planning Council (BHPC). Members of the BHPC are appointed by the Governor. BHPC's objective is to monitor, review, and evaluate the allocation and adequacy of mental health and substance abuse services in North Dakota. The BHPC has a focus and vision on wellness and recovery that is consumer and family driven. Part of the BHPC's work has been to oversee the implementation of the Human Services Research Institute's (HSRI) report Implementation Plan. We work with HSRI and the North Dakota Department of Health and Human Services to provide advice on the implementation process.

Today the BHPC is here to testify in support of SB 2149, the creation and funding of the 988 crisis hotline program. The best practice model for a behavioral health crisis response system is to: have someone to call (988), someone to respond (mobile crisis teams), and a place to go (crisis stabilization units for adults, mental health crisis beds for children).

You must have all three legs of this stool for the system to work. Today we are specifically talking about someone to call.

In 2018, the Centers for Disease Control and Prevention released a report that found that from 1999 to 2016, North Dakota had the highest growth in suicide rates in the country (at 57.6%). Since the Global War on Terrorism began, more North Dakota National Guard Members died by suicide than by combat. North Dakota suicide rates remain among the highest in the nation, with us having lost 153 people in 2021—10% of whom were in the armed forces. In North Dakota suicide is the second leading cause of death in ages 10 to 24. Over 36% of North Dakota high school students report that they are living with someone who was depressed, mentally ill, or suicidal at some point in their life. Through the North Dakota Youth Risk Behavior Survey, North Dakota has continued to see a rise in children and youth seriously considering attempting suicide (18.6%) and making a plan to attempt suicide (14.8%). FirstLink has also provided data regarding their call logs. At around 2013, FirstLink reported that it received 1,501 calls directly related to suicide. In 2021 they received 15,465 calls related to suicide. More people are becoming aware of hotlines to seek help, but more people are also finding themselves in crisis.

988 was officially designated as the new behavioral health crisis hotline with the National Suicide Hotline Designation Act. 988 is an easy-to-remember number that is operational 24/7 for anyone experiencing suicidal ideation, a mental health crisis, or any other kind of emotional distress. In 2021, North Dakota Department of Human Services received planning grant funding from the federal Substance Abuse and Mental Health Services Administration (SAMHSA). FirstLink was also recently notified that there will be a one-

time grant that would be completed in 2024 that can help enhance 988 infrastructure. SAMHSA explicitly states that it has created these grants on the basis that state governments would consistently fund these efforts in the future. Without securing adequate additional state funding, North Dakota could experience a significant downside in its ability to adequately respond to behavioral health crises, including suicide. 988 is a critical component to North Dakota's crisis response system. SB 2149 will have great results in providing consistent funding for North Dakota's 988 system.

Thank you for your time and I would be happy to respond to any questions you may have.

Carlotta McCleary
Chairperson
North Dakota Behavioral Health Planning Council
E-mail: cmccleary@ndffcmh.com

23.0394.03000

Sixty-eighth
Legislative Assembly
of North Dakota

FIRST ENGROSSMENT

ENGROSSED SENATE BILL NO. 2149

Introduced by

Senators Hogan, Cleary, Dever, Lee

Representatives O'Brien, Swiontek

1 A BILL for an Act to create and enact a new section to chapter 50-06 and chapter 57-
2 40.7 of the North Dakota Century Code, relating to the creation of the 988 crisis hotline
3 program and the 988 crisis stabilization fund and the imposition of a 988 access fee; to
4 provide a continuing appropriation; to provide for a legislative management report; to
5 provide an appropriation; and to provide an effective date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1.** A new section to chapter 50-06 of the North Dakota Century Code
8 is created and enacted as follows:

9 **988 crisis stabilization fund - 988 crisis hotline program - Establishment –**
10 **Continuing appropriation.**

11 1. There is created in the state treasury a special fund known as the 988
12 crisis stabilization fund. The fund consists of all moneys deposited in the
13 fund pursuant to chapter 57-40.7 and through legislative appropriation. All
14 moneys deposited in the fund is appropriated as a continuing
15 appropriation to the department for the purposes under this section. The
16 first fifty thousand dollars deposited into the 988 crisis stabilization fund
17 must be used to reimburse the funds appropriated from the general fund
18 for the establishment and implementation of the 988 crisis hotline fee.

19 2. The department shall establish and implement a 988 crisis hotline
20 program to provide crisis outreach, stabilization, and acute care to
21 individuals calling the 988 crisis hotline. The department may adopt rules

1 in accordance with chapter 28 - 32 for the purpose of implementing this
2 section.

3 3. In developing the program, the department shall:

4 a. Determine the rate of a 988 surcharge to be collected by providers
5 of assessed communications services in an amount to be
6 established annually by the department, but not to exceed thirty
7 cents per month per communication connection. On or before
8 October 1, 2023, and on or before October first of each year
9 thereafter, the department shall notify the tax commissioner of the
10 amount of the surcharge for the next calendar year. The amount of
11 the surcharge must be calculated reasonably based on the cost of
12 the services received by a service user. The amount of the
13 surcharge imposed per 988 communication connection must be
14 uniform, regardless of the technology used to provide the 988
15 communication connection.

16 b. Fund the 988 crisis hotline to provide intervention services and
17 crisis care coordination to individuals calling the 988 crisis hotline.

18 c. Contract with crisis vendors to provide or administer crisis outreach,
19 stabilization, acute care, and marketing for the 988 crisis hotline.

20 d. Contract with a nonprofit organization to operate the 988 crisis
21 hotline and provide intervention services and crisis care
22 coordination to individuals calling the 988 crisis hotline from any
23 jurisdiction within the state, twenty-four hours a day, seven days a
24 week. The nonprofit organization must:

25 (1) Have an active agreement with the administrator of the
26 national suicide prevention lifeline for participation within the
27 network;

28 (2) Meet the national suicide prevention lifeline requirements for
29 serving high - risk and specialized populations; and

30 (3) Provide followup services to individuals accessing the 988
31 crisis hotline.

1 e. Collaborate with the national suicide prevention lifeline and the
2 veterans crisis line for purposes of ensuring consistent public
3 messaging about the 988 crisis hotline and available services.

4 4. For purposes of this section:

5 a. "988 crisis hotline" means a state-identified hotline participating in
6 the national suicide prevention lifeline network to respond to
7 statewide or regional behavior health crisis calls.

8 b. "Communication connection" means a telephone access line,
9 wireless access line, unique voice over internet protocol service
10 connection, or functional equivalent uniquely identifiable by a
11 number, internet address, or other designation in which
12 connections are enabled, configured, or capable of making 988
13 calls.

14 c. "National suicide prevention lifeline" means a national network of
15 local crisis centers maintained by the federal substance abuse and
16 mental health services administration which provides free and
17 confidential emotional support to people in suicidal crisis or
18 emotional distress, twenty - four hours a day, seven days a week.

19 d. "Service user" means a person that is provided a 988
20 communication connection in the state.

21 e. "Veterans crisis line" means the veterans crisis line maintained by
22 the United States department of veterans affairs.

23 5. Except for action or inaction that constitutes gross negligence or willful
24 and wanton misconduct, each provider of a communications service and
25 their employees, agents, suppliers, and subcontractors are not liable for
26 the payment of damages resulting directly or indirectly from the total or
27 partial failure of any transmission to an emergency communication service
28 or for damages resulting from the performance of installing, maintaining,
29 or providing 988 service.

30 **SECTION 2.** Chapter 57-40.7 of the North Dakota Century Code is created and
1 enacted as follows:

1 **57-40.7-01. Definitions.**

2 In this chapter, unless the context otherwise requires:

- 3 1. "Assessed communications service" means a software service,
4 communication connection, cable or broadband transport facilities, or a
5 combination of these facilities, between a billed retail end user and a
6 service provider's network that provides the end user, upon contacting
7 988, access to the dedicated 988 network. The term includes telephone
8 exchange access service, wireless service, and voice over internet
9 protocol service.
- 10 2. "Assessed communications service provider" means any person that
11 provides telecommunications services pursuant to a license issued by the
12 federal communications commission.
- 13 3. "Commissioner" means the state tax commissioner.
- 14 4. "Communication connection" means a telephone access line, wireless
15 access line, unique voice over internet protocol service connection, or
16 functional equivalent uniquely identifiable by a number, internet address,
17 or other designation in which connections are enabled, configured, or
18 capable of making 988 calls.
- 19 5. "Telephone access line" means the principal access to the telephone
20 company's switched network, including an outward dialed trunk or access
21 register.
- 22 6. "Voice over internet protocol service" means a service that enables real-
23 time two-way voice communications, requires a broadband connection
24 from the user's location, requires internet protocol-compatible customer
25 premises equipment, and permits users generally to receive calls that
26 originate on the public switched telephone network and to terminate calls
27 to the public switched telephone network.
- 28 7. "Wireless access line" means each active wireless and prepaid wireless
29 telephone number assigned to a commercial mobile radio service
30 subscriber, including end users of resellers, billed in the state.

- 1 8. "Wireless service" means commercial mobile radio service as defined in
2 47 U.S.C. 332(d)(1) and includes:
3 a. Services commonly referred to as wireless; and
4 b. Services provided by any wireless real-time two-way voice
5 communication device, including radio-telephone communications
6 used in:
7 (1) Cellular telephone service;
8 (2) Personal communications service; or
9 (3) The functional or competitive equivalent of a radio-telephone
10 communications line used in cellular telephone service,
11 personal communications service, or a network radio access
12 line.

13 **57-40.7-02. 988 fee imposed - Assessed communications services.**

- 14 1. There is imposed a fee in the amount determined annually under section 1
15 of this Act per month per communication connection which must be
16 applied equally upon all assessed communications services.
17 2. The commissioner shall provide notice of the 988 surcharge fee for the
18 calendar year, as determined under section 1 of this Act, to assessed
19 communication service providers on or before November first by posting
20 the notice on the commissioner's website.
21 3. If the amount of the prepaid wireless emergency 988 fee imposed by this
22 section is separately stated on an invoice, receipt, or other similar
23 document provided to the consumer, the 988 fee may not be included in
24 the base for measuring any other tax, fee, surcharge, or other charge that
25 is imposed by this state, any political subdivision of the state, or any
26 intergovernmental agency.
27 4. Prepaid wireless services are not subject to the fee imposed by this
28 section.
29 5. The assessed communications service provider shall collect the fee from
30 the subscriber or customer of the service.

1 6. For assessed communications service that involves a monthly billing, in
2 the billing statement or invoice to the subscriber, the provider shall state
3 the amount of the fee separately.

4 7. An assessed communications service provider is required to collect,
5 report, and remit the 988 fee imposed under this section . An assessed
6 communication service provider must complete a monthly 988 surcharge
7 fee return reporting the amount of the 988 fee for the period covered by
8 the return, and any other information the commissioner may require.

9 Under this chapter:

10 a. The fee levied is due and payable on or before the last day of the
11 month succeeding each monthly period; and

12 b. An assessed communication service provider shall file the return by
13 electronic data interchange or other electronic media as determined
14 by the commissioner.

15 8. An assessed communication service provider may deduct and retain one
16 percent of the fee.

17 9. Chapter 57-39.2, pertaining to the administration of sales tax, not
18 inconsistent with the provisions of this chapter, govern the administration
19 of the 988 surcharge fee imposed in this chapter.

20 **57-40.7-03. 988 fee fund collections - Deposit.**

21 The commissioner shall remit quarterly the 988 fees collected under this chapter
22 to the state treasurer for deposit in the 988 crisis stabilization fund.

23 **SECTION 3. LEGISLATIVE MANAGEMENT REPORT - CRISIS**
24 **STABILIZATION FUND.**

25 During the 2023-24 interim, the ~~tax~~ department shall provide an annual report to the
26 legislative management on the balance of the 988 crisis stabilization fund. The report
27 must include information regarding the growth and balance of the fund;
28 recommendations, if any, for adjusting the fee rate; and any other findings,
29 recommendations, or conclusions the ~~tax~~ department deems necessary.

30 **SECTION 4. APPROPRIATION. ~~DEPARTMENT OF HEALTH AND HUMAN~~**
31 **~~SERVICES~~TAX COMMISSIONER - 988 ESTABLISHMENT COSTS.** There is

1 appropriated out of any moneys in the general fund in the state treasury, not otherwise
2 appropriated, the sum of fifty thousand dollars, or so much of the sum as may be
3 necessary, to the ~~department of health and human services~~tax commissioner for the
4 purpose of establishing and implementing ~~the 988 crisis hotline program~~fee, for the
5 biennium beginning July 1, 2023, and ending June 30, 2025.

6 **SECTION 5. EFFECTIVE DATE.** Section 2 of this Act is effective for taxable
7 periods beginning after December 31, 2023.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2149

Page 1, line 17, replace "crisis hotline" with "fee"

Page 6, line 2, remove "tax"

Page 6, line 5, remove "tax"

Page 6, line 7, replace "DEPARTMENT OF HEALTH AND HUMAN SERVICES" with
"TAX COMMISSIONER"

Page 6, line 10, replace "department of health and human services" with "tax
commissioner"

Page 6, line 11, replace "a" with "the"

Page 6, line 11, replace "crisis hotline program" with "fee"

Renumber accordingly

23.0394.03001
Title.

Prepared by the Legislative Council staff for
Representative J. Olson
March 14, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2149

- Page 1, line 1, remove "and chapter 57-40.7"
- Page 1, line 2, remove "and the"
- Page 1, remove line 3
- Page 1, line 4, remove "appropriation; to provide for a legislative management report"
- Page 1, line 4, after the second semicolon insert "and"
- Page 1, line 4, remove "; and"
- Page 1, line 5, remove "to provide an effective date"
- Page 1, line 9, remove "**988 crisis stabilization fund** -"
- Page 1, line 9, remove "**- Continuing**"
- Page 1, line 10, remove "**appropriation**"
- Page 1, line 11, remove "There is created in the state treasury a special fund known as the 988 crisis"
- Page 1, remove lines 12 through 17
- Page 1, line 18, remove "2."
- Page 1, line 22, replace "3." with "2."
- Page 1, line 23, remove "Determine the rate of a 988 surcharge to be collected by providers of assessed"
- Page 1, remove line 24
- Page 2, remove lines 1 through 8
- Page 2, line 9, remove "b."
- Page 2, line 11, replace "c." with "b."
- Page 2, line 13, replace "d." with "c."
- Page 2, line 22, replace "e." with "d."
- Page 2, line 25, replace "4." with "3."
- Page 2, line 29, remove "Communication connection" means a telephone access line, wireless access"
- Page 2, remove lines 30 and 31
- Page 3, remove lines 1 and 2
- Page 3, line 3, remove "c."
- Page 3, remove lines 8 and 9

Page 3, line 10, replace "e." with "c."

Page 3, line 12, replace "5." with "4."

Page 3, remove lines 18 through 31

Page 4, remove lines 1 through 30

Page 5, remove lines 1 through 30

Page 6, remove lines 1 through 6

Page 6, line 7, replace the second boldfaced period with a boldfaced hyphen

Page 6, line 9, replace "fifty thousand" with "\$2,000,000"

Page 6, remove lines 13 and 14

Renumber accordingly

Hogan, Kathy L.

From: Gunderson, Austin
Sent: Thursday, April 20, 2023 4:13 PM
To: Hogan, Kathy L.
Subject: 988

Good afternoon Senator Hogan-

An amendment to allow local authority to impose a fee would be a large amendment that would take some consideration. I don't think it can be done in a short section. It could be completed but would take the office a couple of days to complete. We would mirror chapter 57-40.6 to provide an authority and procedure section which could allow a county or city to pass a resolution and file a petition with the surcharge amounts during the general/primary election. The amendment would likely require a few additional sections relating to collection, restrictions on funds, system, and any standard and guidelines you deem necessary. The governing body who adopts a 911 fee is required to deposit the fee into the statewide interoperable radio network fund and report the income and status of their system to the emergency services communications coordination committee. The fund could possibly be amended and used for 988 but I would need to make additional inquiries. After talking with fiscal a fiscal note would likely be attached. I have copied a link to the 911 chapter [here](#).

Best,
Austin Gunderson
Counsel
North Dakota Legislative Council
600 East Boulevard Ave
Bismarck, ND 58505
agunderson@ndlegis.gov
701.328.2916