

Date of Hearing: March 23, 2022

ASSEMBLY COMMITTEE ON COMMUNICATIONS AND CONVEYANCE

Sharon Quirk-Silva, Chair

AB 1988 (Bauer-Kahan) – As Amended March 17, 2022

SUBJECT: 9-8-8 mental health crisis hotline system

SUMMARY: This bill establishes a 9-8-8 mental health crisis hotline system in state government. Specifically, **this bill:**

- 1) Provides that the hotline may be referred to as the Miles Hall Mental Health and Suicide Prevention Lifeline.
- 2) Provides that the Office of Emergency Services (CalOES) shall administer the system components of the 9-8-8 system.

EXISTING LAW:

- 1) Establishes the Warren-911-Emergency Assistance Act, which requires every public agency to have in operation a telephone service which automatically connects a person dialing the digits “911” to an established public safety answering point (PSAP) from any communications device; requires every “911” system to include police, firefighting, emergency medical, and ambulance services. (Government Code § 53100 et seq.)
- 2) Sets a fee on each telephone access line, not to exceed \$0.80 per access line per month, to fund the “911” emergency system overseen by the OES. (Revenue & Taxation Code § 41030)
- 3) Directs the CPUC to fund six public purpose programs through the assessment of surcharges on telecommunications customers which are collectively 7.749 percent of a customer’s provider charges as of December 2020. (Public Utilities Code § 280 et seq. and § 873)
- 4) Designates “988” as the 3-digit dialing code for the National Suicide Prevention Lifeline (NSPL) and requires that service providers transmit all calls initiated by an end user dialing “988” to the current toll free access number for the NSPL no later than July 16, 2022, and pay for the costs of doing so. (FCC 20-100)
- 5) Establishes the federal National Suicide Hotline Designation (NSHD) Act, designating the three-digit telephone number “988” as the universal number within the United States for the purpose of the national suicide prevention and mental health crisis hotline system operating through the NSPL maintained by the Assistant Secretary of the Department of Health and Human Services’ Substance Abuse and Mental Health Services Administration (SAMHSA) and the Veterans Crisis line maintained by the Secretary of Veterans Affairs. (Public Law No: 116-172, 10/17/2020)

FISCAL EFFECT: Unknown.

BACKGROUND:

- 1) *National Suicide Prevention Lifeline, 1-800-273-TALK* –The SAMHSA administers and funds the National Suicide Prevention Lifeline, in partnership with the Department of Veterans Affairs, which manages the Veterans Crisis Line. A national network of local crisis hotline centers are in place with over 180 centers nationally (13 in California¹) which connect persons in each state to local crisis centers 24/7 through this toll-free number. California had the highest rate of calls initiated from the state (the most in the country; twice that of New York and a third more than Texas) from October to December 2020 with approximately 60,000 calls initiated and 50,000 calls answered for an in-state answered rate of 85%.
- 2) *Federal Government Implements “988”* – In July of 2020, the FCC adopted rules designating a new phone number for Americans in crisis to connect with suicide prevention and mental health crisis counselors. The transition, which is currently underway, will result in phone service providers directing all “988” calls to the existing NSPL by July 16, 2022. The transition time gives phone companies time to make necessary network changes (the costs of which they are required absorb) and is intended to additionally provide time for the NSPL to prepare for a likely increase in the volume of calls following the switch. Under the new rules, calls to “988” will be directed to 1-800-273-TALK, which will remain operational during and after the “988” transition.
- 3) *“911” & Mental Health Crises* – Several jurisdictions in the United States are considering, piloting, or implementing changes to “911” response systems to remove law enforcement and instead dispatch mental health crisis teams. It has been reported that the new approach addresses:

“...both the lack of community-focused mental health resources and the dangers inherent in police encounters by creating specialized Crisis Intervention Teams (CIT) or similar approaches for dealing with people experiencing mental health or substance abuse crises. These teams are comprised of specially trained police officers and mental health professionals. They collaborate to address and de-escalate high-stress mental health situations, while having the range of skills required to handle possibly dangerous developments. The teams can also help individuals obtain longer-term care.”²

COMMENTS:

- 1) *Author’s Statement:* Miles Hall was a young Black man, beloved by his family and engaged in his community, who struggled throughout his life with serious mental health challenges. His parents were proactive in supporting their Miles, using whatever resources they could find. On a sunny June day in 2019, while working with his grandmother in the family garden,

¹ Suicide Prevention of Yolo County; WellSpace Health, Sacramento; Buckelew Suicide Prevention Program, Novato; Contra Costa Crisis Center; Crisis Support Services of Alameda County; Star Vista, San Carlos; Felton Institute, San Francisco; Santa Clara County Suicide and Crisis Services; Suicide Prevention Service of the Central Coast; Central Valley Suicide Prevention Hotline, Kings View; Kern Behavioral Health & Recovery Service Hotline; Suicide Prevention Center, Didi Hirsch Mental Health Services; and Optum, San Diego.

² *Innovative Solutions to Address the Mental Health Crisis: Shifting Away from Police as First Responders*, Brookings Institution, November 23, 2020, available [here](#).

Miles had a schizophrenic episode. His mother was home and called the mental health police officer with the department to respond. Before the mental health officer arrived, police officers made it to the scene. They had no training to care for Miles, and only saw him as a threat. Within minutes of their arrival, they shot and killed Miles. Miles died because we failed to provide alternatives to police. A mental health crisis is not a crime, and no one deserves to trade their life for aid. AB 1988 honors all of those who have lost their lives in their time of most need by naming the 9-8-8 phone line the Miles Hall Mental Health and Suicide Prevention Lifeline.

- 2) *Legislative Intent.* As currently drafted, this bill would establish a new program as a component of the existing 9-1-1- system and under the administration of CalOES. However, the author has represented to committee staff that the intention of this bill is not to create a new program. Rather, the intent of this bill is simply to memorialize the 9-8-8 hotline in the name of Miles Hall. To create a new program, the author has other pending legislation in the Senate (AB 988) that would formally establish a state 9-8-8 hotline in state government and fund the program via surcharge on telephone bills. In order to align this bill with the author's stated intent, the author may wish to amend their bill to strike the current language and replace it with:

- a) The following language: *Section 53100 of the Government Code is amended to read: This article shall be known and may be cited as the Warren-911-Emergency Assistance Act & Miles Hall -988 -Mental Health and Suicide Prevention Lifeline.*

REGISTERED SUPPORT / OPPOSITION:

Support

CTIA

Opposition

None on file

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