

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.

be. "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.