

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.