

Senate Health and Human Services Committee

Sophie Walsh 271-3469

SB 255-FN, establishing and developing crisis stabilization services.

Hearing Date: February 6, 2025

Time Opened: 12:50 p.m.

Time Closed: 1:24 p.m.

Members of the Committee Present: Senators Rochefort, Avard, Birdsell, Prentiss and Long

Members of the Committee Absent: None

Bill Analysis: This bill:

I. Creates a trust fund to promote awareness of behavioral health crisis service systems.

II. Creates a commission to oversee the behavioral health crisis service system trust fund.

III. Establishes a crisis services telecommunications surcharge.

IV. Creates a special 988 license plate.

Sponsors:

Sen. Avard

Rep. M. Pearson

Rep. Nagel

Rep. Nelson

Who supports the bill: 295 people signed in support of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Who opposes the bill: 2 people signed in opposition of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Who is neutral on the bill: 3 people signed in neutral on the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (Sophie.Walsh@gc.nh.gov).

Summary of testimony presented:

Senator Kevin Avard, Senate District 12

- Senator Avard stated that this bill creates a trust fund to promote awareness of behavioral health crisis service systems.
- It also creates a commission to oversee the behavioral health crisis service system fund, establishes a crisis service telecommunication surcharge, and creates a 988 license plate.

Emma Sevigny, New Futures

- Ms. Sevigny expressed appreciation for Senator Avard bringing this bill forward.
- New Futures is in strong support of this bill because it establishes a sustainable funding source for critical 988 call centers.
- 988 services reduce reliance on more intensive and expensive treatments.
- In October 2020, the National Suicide Designation Act was signed into law. This also authorized states to be able to enact telecommunication surcharges to pay for this system. In 2022, New Hampshire went live with 988.
- From 2021 to 2023, there was an increase in children and young people reporting that they had received the help they needed for mental health concerns. Ms. Sevigny believes this is likely due to 988's availability.
- Previously, New Hampshire had used a patchwork of funding sources to fund the 988 system, including ARPA funds.
- These are set to expire, and we need to find a new sustainable funding source to ensure that this system remains available.
- Ms. Sevigny stated that a telecommunication surcharge makes sense for New Hampshire. 911 is funded this way with a 75 cent surcharge.
- Mental health emergencies deserve the same level of emergency and infrastructure as a medical emergency.
- Ms. Sevigny explained that 988 and 911 work in tandem to ensure that complex emergencies are handled appropriately.
- This uses New Hampshire funds so that New Hampshire services can be tailored to New Hampshire.
- Senator Prentiss said that she previously went through the process of creating an injury prevention license plate and explained there were concerns about the amount of revenue needed to set the program up. She noted that she did not see the setup of the program accounted for in this fiscal note and asked that they reach out to Director Marasco or members of the Transportation Committee.

Jenny O'Higgins, Department of Health and Human Services

- Ms. O'Higgins thanked the bill's sponsors for seeing value in the 988 suicide and crisis lifeline.
- She explained that the Department's roadmap is a framework to move towards solutions to our most pressing issues. The behavioral health crisis system transformation directly impacts many of the roadmap goals.
- This also addresses goals in various other plans and initiatives created by multi-sector stakeholder groups.
- There are three pivotal pillars in the crisis system: someone to call, someone to respond, and somewhere to go. This bill focuses on the 'someone to call' pillar.

- There are two 24/7 crisis centers in New Hampshire that can receive calls, text, and chat. They respond to calls from both the national 988 crisis line and New Hampshire Rapid Response.
- She noted that these two can be used interchangeably in the ‘someone to call’ pillar and explained that the proposed sustainable funding is for the ‘someone to call’ pillar as a whole.
- In 2024, New Hampshire crisis call centers assisted individuals over 46,000 times. The number of people needing this service in New Hampshire is significant.
- They have also partnered closely with 911 and law enforcement. To date, 911 has been able to transfer over 480 calls to the 988 rapid response system.
- This is meant to peel away some of the volume of 911 calls that would be more appropriate for behavioral health response.
- Ms. O’Higgins explained that the Department would need a full-time finance position, as well as two part-time administrators. The Department assumes that the cost of these positions will be covered by the 988 trust fund revenue and will alleviate part of our general funds that currently fund this system.

Sam Hawkins, NAMI NH

- Mr. Hawkins stated that he is speaking in strong support of this bill.
- He submitted written testimony that includes data on the prevalence of suicide deaths in New Hampshire. He emphasized that the situation is urgent.
- One of the crucial tools in addressing this issue and reducing the burden on law enforcement is 988 in the crisis services system.
- The funding model outlined in this legislation has been increasing in utilization across the country over the past few years.
- There are benefits to this model. As a stand-alone funding stream, it reduces the need to pull from other funding streams. It is also less vulnerable to changes in the economy or state revenue, and reduces our reliance on federal funding.
- Mr. Hawkins explained that if a call to one of the New Hampshire crisis centers is not answered within two minutes, it gets bumped to a backup national center.
- Ensuring that people can get connected with a New Hampshire center will help them get connected to local resources.
- He emphasized that this fee is a small amount and will have a relatively small financial impact on Granite Staters. A 40 cent fee would add up to a year-round cost of approximately 5 dollars.
- Mr. Hawkins noted that this is not a new process for telecommunication providers, as they have been doing this for a long time with 911.

Karen Soucy, CTIA

- Ms. Soucy explained that CTIA is the trade association of the wireless communications industry.
- While CTIA does support the designation of 988, they do have some concerns with the bill.
- She explained that if the legislature chooses to enact this new tax or fee, they would like to propose some guardrails to ensure that any new tax on consumers is limited.

- Similar to 911, the scope of the 988 tax should be limited to funding equipment, communication services, and direct costs for crisis hotline center personnel for call taking and appropriate call routing.
- To ensure transparency for consumers, the tax amount should be determined by the legislature and set in statute.
- Ms. Soucy said language that extends liability protections for telecommunication service providers should be considered, as included in the 911 model.
- She suggested that 988 collection and remittance be managed by the New Hampshire Bureau of Emergency Communications. This would ensure that there is one agency responsible for the collection and remittance of the 911 and 988 fees.
- Ms. Soucy referenced a map submitted to the committee that outlines which states have adopted this tax model in comparison to states that have utilized other means, such as general funds.
- Senator Avard asked if the general fund is funded through taxes, and Ms. Soucy confirmed.
- He noted that Ms. Soucy mentioned using general funds instead of this funding model, and Ms. Soucy explained that it is a policy decision for the legislature to decide how they would like to raise general fund sources.
- Senator Prentiss inquired about the this being considered a tax or fee if implemented or combined with 911.
- Ms. Soucy stated that 911 is the communications services tax.
- Senator Prentiss said she wants to make sure there is no interchangeability with the language, and Ms. Soucy responded that CTIA views this fee as a tax that would be passed onto the consumers.
- Senator Prentiss asked if CTIA has spoken with 911 about them managing this, and Ms. Soucy said they have not. She has spoken with them about the services this tax covers, but not about whether they would want to handle both. She believes that it would be easy to piggyback on a model already in place.
- Senator Avard stated that if this is not funded, it will go away.
- Ms. Soucy agreed and noted that this is a great opportunity for the legislature to find a way to fund this using a variety of sources. She emphasized that the responsibility should not fall on the consumer and said she does not think we have a true estimate of what these costs could be.
- Senator Avard said this bill starts the conversation and Ms. Soucy said they would be happy to work on it.

Erin Downey

- Ms. Downey stated that she is speaking in support of this bill.
- 988 is crucial for those who need in-the-moment support.
- Ms. Downey has called 988 when in crisis and received the support necessary to make her feel safe.
- Kids and teens often do not know who to talk to about feeling suicidal or urges to harm themselves. Some do not feel safe or do not choose to talk to their parents about it.

- People of all ages call or text 988 every day, and without the funding for this resource, many people like her would be left without accessible support.

Kevin Moore

- Mr. Moore explained that he does a lot of activism in the Upper Valley with the homeless shelter in Lebanon.
- He is in support of this bill and asked the committee to consider this because he is not sure how people would survive without mental health services.

Katie Lyon-Pingree

- Ms. Lyon-Pingree urged the committee to support this bill.
- She shared a personal story about her son, Matthew, who struggled with mental health following a concussion.
- Her family had an extremely negative experience with bringing Matthew to the emergency department before he was temporarily moved to a proper facility.
- At that time, they had limited options with no crisis services to call.
- Despite their best efforts, the system continued to work against them over the next few years. What Matthew needed did not yet exist in New Hampshire. They ultimately lost him to his mental illness.
- Ms. Lyon-Pingree said she wonders how her son's journey could have differed if the 988 crisis line had been available.
- Since its inception in 2022, the 988 crisis line has been an entry point into a complex and confusing mental health care system. This is an entry point her family did not have, but others should.

Alison Palmer

- Ms. Palmer stated that she is a women's health and psychiatric nurse practitioner. She treats pregnant and postpartum women with substance abuse and serves in a variety of similar capacities.
- Mental health conditions are the most common complication of pregnancy and childbirth. Suicide and overdose are the leading causes of maternal death in New Hampshire.
- The consequences of untreated perinatal mental health conditions result in financial and productivity costs for families and employers while impacting the health of the parent and baby.
- After a conversation with former Governor Sununu, Ms. Palmer and a colleague were charged with writing a proposal to design a program to address these concerns. The New Hampshire Mom Hub will collaborate with existing family resource centers and other resource providers throughout the state to optimize access and utilization of the many programs that already exist.
- In New Hampshire, the crisis system will provide that first layer as the New Hampshire Rapid Response access point. This bill is the stitching that binds these critical layers together.
- Without sustainable funding, we risk overwhelming emergency rooms, overburdening first responders, and losing lives to preventable tragedies.
- Investing in crisis care is not just a moral obligation, it is also a fiscally responsible solution that reduces unnecessary hospitalizations, lowers

uncompensated care costs, and prevents avoidable dispatches of law enforcement.

Brodie Deshaies, NH Municipal Association

- The New Hampshire Municipal Association is neutral on this bill.
- Mr. Deshaies noted one technical issue that they would like to see addressed on page 2 lines 21-22.
- Municipalities are currently prohibited from taxing the property of telecommunication companies.
- Their concern is that House budget writers may be considering to repeal the communication services tax.
- The term “telecommunication services” in this bill is quite broad and much different than how the prohibition on surcharges that municipalities can raise is currently written in RSA 106-H:9.
- Their concern is that some telecommunication companies would feel as if they are exempt from any property taxation if those lines are utilized for the 988 service. This is an unequal protections issue.
- Mr. Deshaies emphasized that this is contingent on whether the communication services tax is repealed and if the RSA were updated to allow municipalities to tax the telecommunication infrastructure.

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Date Hearing Report completed: February 16, 2025