

HOUSE BILL NO. HB0065

988 suicide prevention.

Sponsored by: Joint Revenue Interim Committee

A BILL

for

1 AN ACT relating to suicide prevention; establishing the 988
2 system for suicide prevention and mental health crises;
3 providing requirements for the 988 system; establishing
4 duties of the department of health; providing rulemaking
5 authority; providing for an advisory board; establishing
6 the 988 trust fund and a related reserve account; providing
7 for allocation of funds within and between the accounts;
8 specifying immunity for telecommunications providers;
9 specifying confidentiality of information; providing for
10 implementation of the act; providing appropriations; and
11 providing for an effective date.

12

13 *Be It Enacted by the Legislature of the State of Wyoming:*

14

15 **Section 1.** W.S. 35-25-501 through 35-25-508 are
16 created to read:

1

2

ARTICLE 5

3

988 SUICIDE AND CRISIS LIFELINE

4

5

35-25-501. Definitions.

6

7

(a) As used in this article:

8

9

(i) "988" or "988 system" means the universal telephone number for the national suicide prevention and mental health crisis hotline system within the United States, operating through the national suicide prevention lifeline or its successor, maintained by the assistant secretary for mental health and substance abuse under 42 U.S.C. § 290bb-36c;

16

17

(ii) "Administrator" means the administrator of the 988 system;

19

20

(iii) "Contact" means a communication with the 988 system including a call, text or chat;

22

1 (iv) "Crisis center" or "crisis hotline center"
2 means a center designated by the state to respond to
3 statewide or regional 988 contacts;

4

5 (v) "Crisis facility" means a behavioral health
6 center as defined by W.S. 35-1-613(a)(xvi), other provider
7 under W.S. 35-1-611 through 35-1-627 or an equivalently
8 staffed and equipped student health service;

9

10 (vi) "Department" means the department of
11 health;

12

13 (vii) "Mobile crisis team" means a team
14 providing services outside of a hospital or facility
15 setting;

16

17 (A) That includes not less than one (1)
18 behavioral health care professional who is capable of
19 conducting an assessment of a person having a behavioral
20 health crisis, in accordance with the professional's
21 permitted scope of practice under state law, and other
22 professionals or paraprofessionals with appropriate
23 expertise in behavioral health or mental health crisis

1 response, including nurses, social workers, peer support
2 specialists and others;

3

4 (B) Whose members are trained in
5 trauma-informed care, de-escalation strategies and harm
6 reduction;

7

8 (C) That is able to respond in a timely
9 manner and, where appropriate, provide screening,
10 assessment, health services, stabilization, de-escalation
11 and referrals to health, social and other services and
12 supports as needed;

13

14 (D) That maintains relationships with
15 relevant community partners, including medical and
16 behavioral health providers, primary care providers,
17 community health centers and crisis centers; and

18

19 (E) That maintains the privacy and
20 confidentiality of patient information consistent with
21 federal and state requirements.

22

1 **35-25-502. Crisis center designation; powers and**
2 **duties of the department; rulemaking; report.**

3

4 (a) Not later than July 1, 2023, the department shall
5 designate one (1) or more crisis centers to provide crisis
6 intervention services and crisis care coordination to
7 persons accessing the 988 system from anywhere in Wyoming,
8 twenty-four (24) hours per day and seven (7) days per week.

9

10 (b) A crisis center designated under this section
11 shall:

12

13 (i) Have an agreement with the national suicide
14 prevention lifeline or its successor for participation
15 within the 988 system;

16

17 (ii) Meet all requirements and best practices
18 guidelines of the national suicide prevention lifeline;

19

20 (iii) Provide data and reports and participate
21 in evaluations and quality improvement activities as
22 required by the administrator;

23

1 (iv) Have authority to deploy crisis services,
2 including mobile crisis teams and coordinate access to
3 crisis services or other local resources as appropriate,
4 consistent with guidelines or best practices established by
5 the national suicide prevention lifeline;

6

7 (v) Meet requirements established by the
8 national suicide prevention lifeline for serving at-risk
9 and specialized populations identified by the substance
10 abuse and mental health services including those with
11 co-occurring substance use by providing linguistically and
12 culturally competent care including training and policies
13 for transferring a 988 contact to an appropriate
14 specialized center or subnetwork within the national
15 suicide prevention lifeline network;

16

17 (vi) Provide follow-up services to persons
18 accessing the 988 system consistent with policies and
19 guidelines of the national suicide prevention lifeline.

20

21 (c) The department shall:

22

1 (i) Implement and provide oversight of the 988
2 system as provided in this article;

3
4 (ii) Promulgate rules to allow appropriate
5 information sharing between and across crisis and emergency
6 response systems for the purpose of real-time crisis care
7 coordination including deployment of linked crisis services
8 specific to the crisis response;

9
10 (iii) Coordinate active collaborations,
11 including facilitating formal agreements and establishing
12 appropriate information sharing procedures, between any
13 crisis center designated under this section and appropriate
14 community partners including mental health and substance
15 abuse disorder treatment providers, primary care providers,
16 community mental health centers, community behavioral
17 health centers, mobile crisis teams, hospitals, inpatient
18 psychiatric facilities and crisis facilities;

19
20 (iv) In consultation with the national suicide
21 prevention lifeline, veteran's crisis line and other
22 networks approved by the substance abuse and mental health

1 services administration, ensure consistent public messaging
2 about the 988 system;

3

4 (v) Provide an annual report on the usage of and
5 services provided by the 988 system to the joint labor,
6 health and social services interim committee and the
7 substance abuse and mental health services administration.

8

9 **35-25-503. Mobile crisis teams.**

10

11 (a) The department may provide onsite response
12 services to address 988 system contact through state or
13 locally funded mobile crisis teams. A mobile crisis team
14 under this section shall:

15

16 (i) Be designed in partnership with community
17 members;

18

19 (ii) To the extent practical, be staffed by
20 personnel that reflect the demographics of the community to
21 be served;

22

1 (iii) Collect any data required by the substance
2 abuse and mental health services administration and
3 consistent with any requirements of the department.

4

5 **35-25-504. Payment for crisis services.**

6

7 (a) The department may provide payment for the
8 provision of crisis services of a contact to the 988 system
9 if:

10

11 (i) The person is not insured or the service is
12 not covered by the person's health coverage; and

13

14 (ii) The service is not covered by another
15 entity including municipal or county programs or funding.

16

17 (b) The department may explore options for
18 appropriate coding of and payment for crisis services
19 through the Medicaid program.

20

21 **35-25-505. Advisory body.**

22

1 The governor shall create an advisory body or designate an
2 existing advisory body to provide guidance to the
3 department, gather feedback and make recommendations
4 regarding the planning and implementation of the 988 system
5 under this article. The advisory body may include
6 representatives of a designated crisis center, 911 call
7 center, law enforcement, hospital emergency department,
8 individuals or family members of individuals with lived
9 experience with suicide prevention or behavioral health
10 crisis service usage and behavioral health crisis service
11 providers and may include members of the judicial branch
12 appointed by the chief justice of the supreme court.

13

14 **35-25-506. 988 system trust fund; reserve account**
15 **spending policy.**

16

17 (a) The 988 system trust fund account is created. The
18 trust account shall consist of those funds designated to
19 the account by law and all monies collected from federal
20 grants and other appropriations, contributions, grants,
21 gifts, bequests and donations to the trust fund account.
22 The trust fund account is specifically empowered to accept
23 grants, gifts, transfers, bequests and donations. Funds

1 deposited within the trust fund account are intended to be
2 inviolate and constitute a permanent and perpetual trust
3 fund which shall be invested by the state treasurer as
4 authorized by law and in a manner to obtain the highest
5 return possible consistent with preservation of the trust
6 account corpus.

7

8 (b) During each fiscal year beginning July 1, 2024,
9 the earnings from the 988 system trust fund account are
10 appropriated to the department for expenditure as provided
11 in subsection (d) of this section in an amount equal to
12 five percent (5%) of the previous five (5) year average
13 market value of the 988 system trust fund account,
14 calculated from the first day of the fiscal year. For
15 purposes of making the calculation under this subsection,
16 until the 988 system trust fund account has existed for
17 five (5) years, the average market value of the trust fund
18 shall be the average market value during the years that the
19 trust fund has existed. The calculation required by this
20 subsection shall constitute the spending policy for the 988
21 system trust fund account.

22

1 (c) Earnings from the 988 system trust fund account
2 in excess of the spending policy amount established by
3 subsection (b) of this section in any fiscal year shall be
4 deposited by the state treasurer to the 988 system trust
5 fund reserve account, which is hereby created. Except for
6 monies appropriated to the department and monies deposited
7 back to the 988 system trust fund pursuant to this
8 subsection, funds deposited in the reserve account are
9 intended to be inviolate and constitute a permanent and
10 perpetual trust fund which shall be invested by the state
11 treasurer as authorized by law. Interest and other earnings
12 on funds within the reserve account shall be credited to
13 the reserve account. Beginning July 1, 2024 for fiscal year
14 2023 and each fiscal year thereafter, the state treasurer
15 shall transfer unobligated funds from the reserve account
16 to the 988 system trust fund account as necessary to ensure
17 that an amount equal to the spending policy amount
18 established in subsection (b) of this section is available
19 to the department, pursuant to subsection (b) of this
20 section, for expenditure during the fiscal year. As soon as
21 possible after the end of each fiscal year, revenues in
22 this account in excess of four hundred twenty percent
23 (420%) of the spending policy amount in subsection (b) of

1 this section shall be credited to the 988 system trust fund
2 account.

3

4 (d) Funds available to the department pursuant to
5 subsection (b) of this section shall be used by the
6 department to:

7

8 (i) Create and maintain a statewide 988 system
9 pursuant to this article and in accordance with the
10 National Suicide Hotline Designation Act of 2020 and the
11 federal communication commission's rules adopted July 16,
12 2020 and in accordance with national guidelines for crisis
13 care;

14

15 (ii) Support or enhance the 988 system including
16 providing for state designated crisis centers as provided
17 in W.S. 35-25-502, providing for mobile crisis teams as
18 provided in W.S. 35-25-503 and providing payment for crisis
19 services as provided in W.S. 35-25-504;

20

21 (iii) Take other actions necessary related to
22 the administration of the 988 system as provided by this
23 article.

1

2 **35-25-507. Immunity for telecommunications providers.**

3

4 (a) A telecommunications provider shall not be liable
5 to any person for any damages caused by any act or omission
6 relating to the origination, transmission or termination of
7 a contact with the 988 system unless the act or omission
8 constitutes willful or wanton misconduct or gross
9 negligence.

10

11 (b) As used in this section, "telecommunications
12 provider" means any person that provides commercial
13 landline telephone service, mobile telephone service or
14 internet protocol enabled voice service and includes any
15 agent or employee of the service provider.

16

17 **35-25-508. Confidentiality of information.**

18

19 The information obtained through the 988 system shall be
20 considered a public record under W.S. 16-4-201(a)(v) and
21 access to the information may be denied according to law.

22

1 **Section 2.** The department of health shall establish
2 timeframes to accomplish the provisions of this act that
3 are consistent with the timeframes required by the National
4 Suicide Hotline Designation Act of 2022 and the federal
5 communication commission's rules adopted on July 16, 2020.

6

7 **Section 3.**

8

9 (a) There is appropriated:

10

11 (i) Forty million dollars (\$40,000,000.00) from
12 the legislative stabilization reserve account to the 988
13 system trust fund account created by W.S. 35-25-506(a); and

14

15 (ii) Six million dollars (\$6,000,000.00) from
16 the legislative stabilization reserve account to the 988
17 system trust fund reserve account created by W.S.
18 35-25-506(c).

19

1 **Section 4.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the
4 Wyoming Constitution.

5

6

(END)