

**ASSEMBLY, No. 2036**

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**STATE OF NEW JERSEY**

**220th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblyman ANTHONY S. VERRELLI**

**District 15 (Hunterdon and Mercer)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblymen Mukherji, Calabrese, Greenwald, Assemblywomen Haider,**

**Reynolds-Jackson and Assemblyman Danielsen**

**SYNOPSIS**

Establishes Core Behavioral Health Crisis Services System.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/28/2022)**

1   **AN ACT** preventing suicidality and addressing mental health and  
2       substance use disorder crises and supplementing Title 26 of the  
3       Revised Statutes.

4  
5       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6       *of New Jersey:*

7  
8       1. The Legislature finds and declares that the purpose of this act  
9       shall be to:

10      a. improve the quality of and access to behavioral health crisis  
11      services;

12      b. reduce the stigma surrounding suicide and mental health and  
13      substance use conditions;

14      c. further equity in addressing mental health and substance use  
15      conditions;

16      d. ensure a culturally and linguistically competent response to  
17      behavioral health crises;

18      e. save lives;

19      f. build a new system of equitable behavioral crisis services;

20      g. recognize that historically, crisis response placed  
21      marginalized communities, including those experiencing mental  
22      health crises, at disproportionate risk of poor outcomes; and

23      h. comply with the National Suicide Hotline Designation Act of  
24      2020 and the Federal Communication Commission's rules adopted  
25      on July 16, 2020 to assure that all citizens and visitors of the State  
26      of New Jersey receive a consistent level of 9-8-8 and crisis  
27      behavioral health services regardless of where such person live,  
28      work, or travel in the State.

29

30      2. As used in this act:

31        "9-8-8 Crisis Hotline Center" or "hotline center" means a State-  
32       identified and funded center participating in the National Suicide  
33       Prevention Lifeline Network to respond to Statewide or regional 9-  
34       8-8 calls.

35        "9-8-8 Suicide Prevention and Mental Health Crisis Hotline"  
36       means the National Suicide Prevention Lifeline (NSPL) or its  
37       successor maintained by the Assistant Secretary for Mental Health  
38       and Substance Use under section 520E-3 of the federal Public  
39       Health Service Act.

40        "Crisis receiving and stabilization services" means facilities  
41       providing short-term observation and crisis stabilization services to  
42       all referrals in a home-like environment for no longer than 24 hours.

43        "Mobile crisis teams" means a team providing professional  
44       onsite community-based intervention for individuals who are  
45       experiencing a behavioral health crisis.

46        "National Suicide Prevention Lifeline" or "NSPL" means a  
47       national network of local crisis centers that provide free and

1 confidential emotional support to people in suicidal crisis or  
2 emotional distress 24 hours a day, 7 days a week.

3 “Peers” means individuals employed on the basis of their  
4 personal experience of mental illness, addiction, or both, and  
5 recovery therefrom, and who meet the State’s peer certification  
6 requirements. “Veterans Crisis Line” or “VCL” means the Veterans  
7 Crisis Line maintained by the Secretary of Veterans Affairs  
8 pursuant to section 1720F(h) of Title 38 of the United States Code.

9  
10 3. The Commissioner of Human Services shall, on or before July  
11 16, 2022, designate a crisis hotline center or centers to provide  
12 crisis intervention services and crisis care coordination to  
13 individuals accessing the 9-8-8 suicide prevention and behavioral  
14 health crisis hotline from anywhere within the State 24 hours a day,  
15 seven days a week.

16 a. A designated hotline center shall have an active agreement  
17 with the administrator of the National Suicide Prevention Lifeline  
18 for participation within the network.

19 b. A designated hotline center shall meet NSPL requirements  
20 and best practices guidelines for operational and clinical standards.

21 c. To ensure cohesive and coordinated crisis care, a designated  
22 hotline center shall utilize technology that is interoperable between  
23 and across crisis and emergency response systems used throughout  
24 the State and with the Administrator of the National Suicide  
25 Prevention Lifeline.

26 (1) Departments within the executive branch shall promulgate  
27 rules and regulations in accordance with the “Administrative  
28 Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), as are  
29 necessary to allow appropriate information sharing and  
30 communication between and across crisis and emergency response  
31 systems for the purpose of real-time crisis care coordination  
32 including, but not limited to, deployment of crisis and outgoing  
33 services and linked, flexible services specific to crisis response.

34 d. A designated hotline center shall have the authority to deploy  
35 crisis and outgoing services, including mobile crisis teams, and  
36 coordinate access to crisis receiving and stabilization services as  
37 appropriate and according to guidelines and best practices  
38 established by the NSPL.

39 e. A designated hotline center shall coordinate access to crisis  
40 receiving and stabilization services for individuals accessing the 9-  
41 8-8 suicide prevention and behavioral health crisis hotline through  
42 appropriate information sharing regarding availability of services.

43 f. The Commissioner of Human Services shall have primary  
44 oversight of suicide prevention and crisis service activities and  
45 essential coordination with a designated 9-8-8 hotline center, and  
46 shall work in concert with NSPL and VCL networks for the  
47 purposes of ensuring consistency of public messaging about 9-8-8  
48 services.

1 g. A designated hotline center shall meet the requirements set  
2 forth by NSPL for serving high risk and specialized populations as  
3 identified by the Substance Abuse and Mental Health Services  
4 Administration, including training requirements and policies for  
5 transferring such callers to an appropriate specialized center or  
6 subnetworks within or outside the NSPL network and for providing  
7 linguistically and culturally competent care.

8 h. A designated hotline center shall provide follow-up services  
9 to individuals accessing the 9-8-8 suicide prevention and behavioral  
10 health crisis hotline consistent with guidance and policies  
11 established by the NSPL.

12 i. An annual report of the 9-8-8 suicide prevention and  
13 behavioral health crisis hotline's usage and services provided shall  
14 be transmitted to the Legislature and the Substance Abuse and  
15 Mental Health Services Administration.

16  
17 4. The Commissioner of Human Services shall provide onsite  
18 response services for crisis calls utilizing State or local mobile  
19 crisis teams.

20 a. A mobile crisis team shall include a behavioral health team,  
21 licensed behavioral health professionals, and peers, or a behavioral  
22 health team and peers embedded within an emergency medical  
23 services entity.

24 b. A mobile crisis team shall collaborate on data and crisis  
25 response protocols with local law enforcement agencies and include  
26 police as co-responders in behavioral health teams, and licensed  
27 behavioral health professionals and peers, only as needed to  
28 respond to high-risk situations that are unmanageable without law  
29 enforcement.

30 c. A mobile crisis team shall be designed in partnership with  
31 community members, including people with experience utilizing  
32 crisis services.

33  
34 5. Crisis receiving and stabilization services as related to crisis  
35 calls shall be funded by the Commissioner of Human Services with  
36 available funds if the individual that is the subject of the crisis call  
37 lacks health insurance or if the crisis stabilization service is not a  
38 covered service under the individual's health coverage, as  
39 determined by the commissioner.

40  
41 6. The Commissioner of Human Services shall establish and  
42 maintain a 9-8-8 trust fund for the purposes of creating and  
43 maintaining a Statewide 9-8-8 suicide prevention and mental health  
44 crisis system pursuant to the National Suicide Hotline Designation  
45 Act of 2020 and the Federal Communication Commission's rules  
46 adopted July 16, 2020, and national guidelines for crisis care.

47 a. The fund shall consist of:

- 1 (1) monies from a Statewide 9-8-8 fee assessed on users
- 2 pursuant to section 8 of this act;
- 3 (2) appropriations, if any;
- 4 (3) grants and gifts intended for deposit in the fund;
- 5 (4) interest, premiums, gains, or other earnings on the fund; and
- 6 (5) any other monies that are deposited in or transferred to the
- 7 fund.
- 8 b. Monies in the fund:
- 9 (1) do not revert at the end of any fiscal year and remain
- 10 available for the purposes of the fund in subsequent fiscal years;
- 11 (2) are not subject to transfer to any other fund or to transfer,
- 12 assignment, or reassignment for any other use or purpose outside of
- 13 those specified in section 7 of this act; and
- 14 (3) are continuously dedicated for the purposes of the fund.
- 15 c. An annual report of fund deposits and expenditures shall be
- 16 to the transmitted to the Legislature and the Federal
- 17 Communications Commission.
- 18
- 19 7. The Commissioner of Human Services, consistent with the
- 20 National Suicide Hotline Designation Act of 2020, shall establish a
- 21 monthly Statewide 9-8-8 fee on each resident that is a subscriber of
- 22 commercial mobile services or IP-enabled voice services at a fixed
- 23 rate that provides for the creation, operation, and maintenance of a
- 24 Statewide 9-8-8 suicide prevention and behavioral health crisis
- 25 system and the continuum of services provided pursuant to federal
- 26 guidelines for crisis services. The 9-8-8 fee shall not be applied to
- 27 mobile service users who receive benefits under the federal Lifeline
- 28 program as defined in 47 CFR 54.401.
- 29 a. Revenue generated by the 9-8-8 fee shall be expended only in
- 30 support of 9-8-8 services or enhancements of such services.
- 31 b. The revenue generated by a 9-8-8 fee shall only be used to
- 32 offset costs that are reasonably attributed to:
- 33 (1) ensuring efficient and effective routing of calls made to the
- 34 9-8-8 suicide prevention and behavioral health crisis hotline to a
- 35 designated hotline center, including staffing and technological
- 36 infrastructure enhancements necessary to achieve operational and
- 37 clinical standards and best practices set forth by NSPL;
- 38 (2) personnel; specialized training of staff to serve at-risk
- 39 communities, including culturally and linguistically competent
- 40 services for LGBTQ+, racially, ethnically, and linguistically diverse
- 41 communities; and the provision of acute behavioral health, crisis
- 42 outreach and stabilization services by directly responding to the 9-
- 43 8-8 national suicide prevention and behavioral health crisis hotline;
- 44 and
- 45 (3) administration, oversight, and evaluation of the fund.
- 46
- 47 8. The Commissioner of Human Services shall implement the
- 48 provisions of this act in a manner that is consistent with timeframes

1 required by the National Suicide Hotline Designation Act of 2020  
2 and the Federal Communication Commission's rules adopted on  
3 July 16, 2020.

4  
5 9. This act shall take effect immediately.  
6  
7

8 STATEMENT  
9

10 This bill establishes a Core Behavioral Health Crisis Services  
11 System.

12 Under the bill, the Commissioner of Human Services  
13 (commissioner) is to, on or before July 16, 2022, designate a crisis  
14 hotline center or centers to provide crisis intervention services and  
15 crisis care coordination to individuals accessing the 9-8-8 suicide  
16 prevention and behavioral health crisis hotline from anywhere  
17 within the State 24 hours a day, seven days a week. A designated  
18 hotline center is to have an active agreement with the administrator  
19 of the National Suicide Prevention Lifeline (NSPL) for participation  
20 within the network. To ensure cohesive and coordinated crisis care,  
21 a designated hotline center is to utilize technology that is  
22 interoperable between and across crisis and emergency response  
23 systems used throughout the State and with the Administrator of the  
24 National Suicide Prevention Lifeline.

25 The bill provides that a designated hotline center is to have the  
26 authority to deploy crisis and outgoing services, including mobile  
27 crisis teams, and coordinate access to crisis receiving and  
28 stabilization services as appropriate and according to guidelines and  
29 best practices established by the NSPL. A designated hotline center  
30 is to coordinate access to crisis receiving and stabilization services  
31 for individuals accessing the 9-8-8 suicide prevention and  
32 behavioral health crisis hotline through appropriate information  
33 sharing regarding availability of services. The commissioner is to  
34 have primary oversight of suicide prevention and crisis service  
35 activities and essential coordination with a designated 9-8-8 hotline  
36 center. A designated hotline center is to meet the requirements set  
37 forth by NSPL for serving high risk and specialized populations as  
38 identified by the Substance Abuse and Mental Health Services  
39 Administration, including training requirements and policies for  
40 transferring such callers to an appropriate specialized center or  
41 subnetworks within or outside the NSPL network and for providing  
42 linguistically and culturally competent care. A designated hotline  
43 center is to provide follow-up services to individuals accessing the  
44 9-8-8 suicide prevention and behavioral health crisis hotline  
45 consistent with guidance and policies established by the NSPL.

46 Under the bill, the commissioner is to provide onsite response  
47 services for crisis calls utilizing State or local mobile crisis teams.  
48 A mobile crisis team is to include a behavioral health team, licensed

1 behavioral health professionals, and peers, or a behavioral health  
2 team and peers embedded within an emergency medical services  
3 entity. A mobile crisis team is to collaborate on data and crisis  
4 response protocols with local law enforcement agencies and include  
5 police as co-responders in behavioral health teams, and licensed  
6 behavioral health professionals and peers, only as needed to  
7 respond to high-risk situations that are unmanageable without law  
8 enforcement. A mobile crisis team is to be designed in partnership  
9 with community members, including people with experience  
10 utilizing crisis services.

11 The commissioner is to establish and maintain a 9-8-8 trust fund  
12 for the purposes of creating and maintaining a Statewide 9-8-8  
13 suicide prevention and mental health crisis system pursuant to the  
14 National Suicide Hotline Designation Act of 2020 and the Federal  
15 Communication Commission's rules adopted July 16, 2020, and  
16 national guidelines for crisis care. The fund is to consist of:

- 17 (1) monies from a Statewide 9-8-8 fee assessed on users  
18 pursuant to the bills provisions;  
19 (2) appropriations, if any;  
20 (3) grants and gifts intended for deposit in the fund;  
21 (4) interest, premiums, gains, or other earnings on the fund; and  
22 (5) any other monies that are deposited in or transferred to the  
23 fund.

24 Under the bill, monies in the fund:

- 25 (1) do not revert at the end of any fiscal year and remain  
26 available for the purposes of the fund in subsequent fiscal years;  
27 (2) are not subject to transfer to any other fund or to transfer,  
28 assignment, or reassignment for any other use or purpose outside of  
29 those specified in the bill; and  
30 (3) are continuously dedicated for the purposes of the fund.

31 The bill provides that the commissioner, consistent with the  
32 National Suicide Hotline Designation Act of 2020, shall establish a  
33 monthly Statewide 9-8-8 fee on each resident that is a subscriber of  
34 commercial mobile services or IP-enabled voice services at a fixed  
35 rate that provides for the creation, operation, and maintenance of a  
36 Statewide 9-8-8 suicide prevention and behavioral health crisis  
37 system and the continuum of services provided pursuant to federal  
38 guidelines for crisis services.

39 Under the bill, the 9-8-8 fee is not to be applied to mobile service  
40 users who receive benefits under the federal Lifeline program as  
41 defined in 47 CFR 54.401.