

E2SHB 1477 - CONF REPT
By Conference Committee

1 Strike everything after the enacting clause and insert the
2 following:

3 "PART I

4 **CRISIS CALL CENTER HUBS AND CRISIS SERVICES**

5 NEW SECTION. **Sec. 101.** (1) The legislature finds that:

6 (a) Nearly 6,000 Washington adults and children died by suicide
7 in the last five years, according to the federal centers for disease
8 control and prevention, tragically reflecting a state increase of 36
9 percent in the last 10 years.

10 (b) Suicide is now the single leading cause of death for
11 Washington young people ages 10 through 24, with total deaths 22
12 percent higher than for vehicle crashes.

13 (c) Groups with suicide rates higher than the general population
14 include veterans, American Indians/Alaska Natives, LGBTQ youth, and
15 people living in rural counties across the state.

16 (d) More than one in five Washington residents are currently
17 living with a behavioral health disorder.

18 (e) The COVID-19 pandemic has increased stressors and substance
19 use among Washington residents.

20 (f) An improved crisis response system will reduce reliance on
21 emergency room services and the use of law enforcement response to
22 behavioral health crises and will stabilize individuals in the
23 community whenever possible.

24 (g) To accomplish effective crisis response and suicide
25 prevention, Washington state must continue its integrated approach to
26 address mental health and substance use disorder in tandem under the
27 umbrella of behavioral health disorders, consistently with chapter
28 71.24 RCW and the state's approach to integrated health care. This is
29 particularly true in the domain of suicide prevention, because of the
30 prevalence of substance use as both a risk factor and means for
31 suicide.

1 (2) The legislature intends to:

2 (a) Establish crisis call center hubs and expand the crisis
3 response system in a deliberate, phased approach that includes the
4 involvement of partners from a range of perspectives to:

5 (i) Save lives by improving the quality of and access to
6 behavioral health crisis services;

7 (ii) Further equity in addressing mental health and substance use
8 treatment and assure a culturally and linguistically competent
9 response to behavioral health crises;

10 (iii) Recognize that, historically, crisis response placed
11 marginalized communities, including those experiencing behavioral
12 health crises, at disproportionate risk of poor outcomes and criminal
13 justice involvement;

14 (iv) Comply with the national suicide hotline designation act of
15 2020 and the federal communications commission's rules adopted July
16 16, 2020, to assure that all Washington residents receive a
17 consistent and effective level of 988 suicide prevention and other
18 behavioral health crisis response and suicide prevention services no
19 matter where they live, work, or travel in the state; and

20 (v) Provide higher quality support for people experiencing
21 behavioral health crises through investment in new technology to
22 create a crisis call center hub system to triage calls and link
23 individuals to follow-up care.

24 (b) Make additional investments to enhance the crisis response
25 system, including the expansion of crisis teams, to be known as
26 mobile rapid response crisis teams, and deployment of a wide array of
27 crisis stabilization services, such as 23-hour crisis stabilization
28 units based on the living room model, crisis stabilization centers,
29 short-term respite facilities, peer-run respite centers, and same-day
30 walk-in behavioral health services. The overall crisis system shall
31 contain components that operate like hospital emergency departments
32 that accept all walk-ins and ambulance, fire, and police drop-offs.
33 Certified peer counselors as well as peers in other roles providing
34 support must be incorporated within the crisis system and along the
35 continuum of crisis care.

36 NEW SECTION. **Sec. 102.** A new section is added to chapter 71.24
37 RCW to read as follows:

38 (1) Establishing the state crisis call center hubs and enhancing
39 the crisis response system will require collaborative work between

1 the department and the authority within their respective roles. The
2 department shall have primary responsibility for establishing and
3 designating the crisis call center hubs. The authority shall have
4 primary responsibility for developing and implementing the crisis
5 response system and services to support the work of the crisis call
6 center hubs. In any instance in which one agency is identified as the
7 lead, the expectation is that agency will be communicating and
8 collaborating with the other to ensure seamless, continuous, and
9 effective service delivery within the statewide crisis response
10 system.

11 (2) The department shall provide adequate funding for the state's
12 crisis call centers to meet an expected increase in the use of the
13 call centers based on the implementation of the 988 crisis hotline.
14 The funding level shall be established at a level anticipated to
15 achieve an in-state call response rate of at least 90 percent by July
16 22, 2022. The funding level shall be determined by considering
17 standards and cost per call predictions provided by the administrator
18 of the national suicide prevention lifeline, call volume predictions,
19 guidance on crisis call center performance metrics, and necessary
20 technology upgrades.

21 (3) The department shall adopt rules by July 1, 2023, to
22 establish standards for designation of crisis call centers as crisis
23 call center hubs. The department shall collaborate with the authority
24 and other agencies to assure coordination and availability of
25 services, and shall consider national guidelines for behavioral
26 health crisis care as determined by the federal substance abuse and
27 mental health services administration, national behavioral health
28 accrediting bodies, and national behavioral health provider
29 associations to the extent they are appropriate, and recommendations
30 from the crisis response improvement strategy committee created in
31 section 103 of this act.

32 (4) The department shall designate crisis call center hubs by
33 July 1, 2024. The crisis call center hubs shall provide crisis
34 intervention services, triage, care coordination, referrals, and
35 connections to individuals contacting the 988 crisis hotline from any
36 jurisdiction within Washington 24 hours a day, seven days a week,
37 using the system platform developed under subsection (5) of this
38 section.

39 (a) To be designated as a crisis call center hub, the applicant
40 must demonstrate to the department the ability to comply with the

1 requirements of this section and to contract to provide crisis call
2 center hub services. The department may revoke the designation of any
3 crisis call center hub that fails to substantially comply with the
4 contract.

5 (b) The contracts entered shall require designated crisis call
6 center hubs to:

7 (i) Have an active agreement with the administrator of the
8 national suicide prevention lifeline for participation within its
9 network;

10 (ii) Meet the requirements for operational and clinical standards
11 established by the department and based upon the national suicide
12 prevention lifeline best practices guidelines and other recognized
13 best practices;

14 (iii) Employ highly qualified, skilled, and trained clinical
15 staff who have sufficient training and resources to provide empathy
16 to callers in acute distress, de-escalate crises, assess behavioral
17 health disorders and suicide risk, triage to system partners, and
18 provide case management and documentation. Call center staff shall be
19 trained to make every effort to resolve cases in the least
20 restrictive environment and without law enforcement involvement
21 whenever possible. Call center staff shall coordinate with certified
22 peer counselors to provide follow-up and outreach to callers in
23 distress as available. It is intended for transition planning to
24 include a pathway for continued employment and skill advancement as
25 needed for experienced crisis call center employees;

26 (iv) Collaborate with the authority, the national suicide
27 prevention lifeline, and veterans crisis line networks to assure
28 consistency of public messaging about the 988 crisis hotline; and

29 (v) Provide data and reports and participate in evaluations and
30 related quality improvement activities, according to standards
31 established by the department in collaboration with the authority.

32 (c) The department and the authority shall incorporate
33 recommendations from the crisis response improvement strategy
34 committee created under section 103 of this act in its agreements
35 with crisis call center hubs, as appropriate.

36 (5) The department and authority must coordinate to develop the
37 technology and platforms necessary to manage and operate the
38 behavioral health crisis response and suicide prevention system. The
39 technologies developed must include:

1 (a) A new technologically advanced behavioral health and suicide
2 prevention crisis call center system platform using technology
3 demonstrated to be interoperable across crisis and emergency response
4 systems used throughout the state, such as 911 systems, emergency
5 medical services systems, and other nonbehavioral health crisis
6 services, for use in crisis call center hubs designated by the
7 department under subsection (4) of this section. This platform, which
8 shall be fully funded by July 1, 2023, shall be developed by the
9 department and must include the capacity to receive crisis assistance
10 requests through phone calls, texts, chats, and other similar methods
11 of communication that may be developed in the future that promote
12 access to the behavioral health crisis system; and

13 (b) A behavioral health integrated client referral system capable
14 of providing system coordination information to crisis call center
15 hubs and the other entities involved in behavioral health care. This
16 system shall be developed by the authority.

17 (6) In developing the new technologies under subsection (5) of
18 this section, the department and the authority must coordinate to
19 designate a primary technology system to provide each of the
20 following:

21 (a) Access to real-time information relevant to the coordination
22 of behavioral health crisis response and suicide prevention services,
23 including:

24 (i) Real-time bed availability for all behavioral health bed
25 types, including but not limited to crisis stabilization services,
26 triage facilities, psychiatric inpatient, substance use disorder
27 inpatient, withdrawal management, peer-run respite centers, and
28 crisis respite services, inclusive of both voluntary and involuntary
29 beds, for use by crisis response workers, first responders, health
30 care providers, emergency departments, and individuals in crisis; and

31 (ii) Real-time information relevant to the coordination of
32 behavioral health crisis response and suicide prevention services for
33 a person, including the means to access:

34 (A) Information about any less restrictive alternative treatment
35 orders or mental health advance directives related to the person; and

36 (B) Information necessary to enable the crisis call center hub to
37 actively collaborate with emergency departments, primary care
38 providers and behavioral health providers within managed care
39 organizations, behavioral health administrative services
40 organizations, and other health care payers to establish a safety

1 plan for the person in accordance with best practices and provide the
2 next steps for the person's transition to follow-up noncrisis care.
3 To establish information-sharing guidelines that fulfill the intent
4 of this section the authority shall consider input from the
5 confidential information compliance and coordination subcommittee
6 established under section 103 of this act;

7 (b) The means to request deployment of appropriate crisis
8 response services, which may include mobile rapid response crisis
9 teams, co-responder teams, designated crisis responders, fire
10 department mobile integrated health teams, or community assistance
11 referral and educational services programs under RCW 35.21.930,
12 according to best practice guidelines established by the authority,
13 and track local response through global positioning technology; and

14 (c) The means to track the outcome of the 988 call to enable
15 appropriate follow up, cross-system coordination, and accountability,
16 including as appropriate: (i) Any immediate services dispatched and
17 reports generated from the encounter; (ii) the validation of a safety
18 plan established for the caller in accordance with best practices;
19 (iii) the next steps for the caller to follow in transition to
20 noncrisis follow-up care, including a next-day appointment for
21 callers experiencing urgent, symptomatic behavioral health care
22 needs; and (iv) the means to verify and document whether the caller
23 was successful in making the transition to appropriate noncrisis
24 follow-up care indicated in the safety plan for the person, to be
25 completed either by the care coordinator provided through the
26 person's managed care organization, health plan, or behavioral health
27 administrative services organization, or if such a care coordinator
28 is not available or does not follow through, by the staff of the
29 crisis call center hub;

30 (d) A means to facilitate actions to verify and document whether
31 the person's transition to follow up noncrisis care was completed and
32 services offered, to be performed by a care coordinator provided
33 through the person's managed care organization, health plan, or
34 behavioral health administrative services organization, or if such a
35 care coordinator is not available or does not follow through, by the
36 staff of the crisis call center hub;

37 (e) The means to provide geographically, culturally, and
38 linguistically appropriate services to persons who are part of high-
39 risk populations or otherwise have need of specialized services or
40 accommodations, and to document these services or accommodations; and

1 (f) When appropriate, consultation with tribal governments to
2 ensure coordinated care in government-to-government relationships,
3 and access to dedicated services to tribal members.

4 (7) To implement this section the department and the authority
5 shall collaborate with the state enhanced 911 coordination office,
6 emergency management division, and military department to develop
7 technology that is demonstrated to be interoperable between the 988
8 crisis hotline system and crisis and emergency response systems used
9 throughout the state, such as 911 systems, emergency medical services
10 systems, and other nonbehavioral health crisis services, as well as
11 the national suicide prevention lifeline, to assure cohesive
12 interoperability, develop training programs and operations for both
13 911 public safety telecommunicators and crisis line workers, develop
14 suicide and other behavioral health crisis assessments and
15 intervention strategies, and establish efficient and equitable access
16 to resources via crisis hotlines.

17 (8) The authority shall:

18 (a) Collaborate with county authorities and behavioral health
19 administrative services organizations to develop procedures to
20 dispatch behavioral health crisis services in coordination with
21 crisis call center hubs to effectuate the intent of this section;

22 (b) Establish formal agreements with managed care organizations
23 and behavioral health administrative services organizations by
24 January 1, 2023, to provide for the services, capacities, and
25 coordination necessary to effectuate the intent of this section,
26 which shall include a requirement to arrange next-day appointments
27 for persons contacting the 988 crisis hotline experiencing urgent,
28 symptomatic behavioral health care needs with geographically,
29 culturally, and linguistically appropriate primary care or behavioral
30 health providers within the person's provider network, or, if
31 uninsured, through the person's behavioral health administrative
32 services organization;

33 (c) Create best practices guidelines by July 1, 2023, for
34 deployment of appropriate and available crisis response services by
35 crisis call center hubs to assist 988 hotline callers to minimize
36 nonessential reliance on emergency room services and the use of law
37 enforcement, considering input from relevant stakeholders and
38 recommendations made by the crisis response improvement strategy
39 committee created under section 103 of this act;

1 (d) Develop procedures to allow appropriate information sharing
2 and communication between and across crisis and emergency response
3 systems for the purpose of real-time crisis care coordination
4 including, but not limited to, deployment of crisis and outgoing
5 services, follow-up care, and linked, flexible services specific to
6 crisis response; and

7 (e) Establish guidelines to appropriately serve high-risk
8 populations who request crisis services. The authority shall design
9 these guidelines to promote behavioral health equity for all
10 populations with attention to circumstances of race, ethnicity,
11 gender, socioeconomic status, sexual orientation, and geographic
12 location, and include components such as training requirements for
13 call response workers, policies for transferring such callers to an
14 appropriate specialized center or subnetwork within or external to
15 the national suicide prevention lifeline network, and procedures for
16 referring persons who access the 988 crisis hotline to linguistically
17 and culturally competent care.

18 NEW SECTION. **Sec. 103.** A new section is added to chapter 71.24
19 RCW to read as follows:

20 (1) The crisis response improvement strategy committee is
21 established for the purpose of providing advice in developing an
22 integrated behavioral health crisis response and suicide prevention
23 system containing the elements described in this section. The work of
24 the committee shall be received and reviewed by a steering committee,
25 which shall in turn form subcommittees to provide the technical
26 analysis and input needed to formulate system change recommendations.

27 (2) The office of financial management shall contract with the
28 behavioral health institute at Harborview medical center to
29 facilitate and provide staff support to the steering committee and to
30 the crisis response improvement strategy committee.

31 (3) The steering committee shall select three cochairs from among
32 its members to lead the crisis response improvement strategy
33 committee. The crisis response improvement strategy committee shall
34 consist of the following members, who shall be appointed or requested
35 by the authority, unless otherwise noted:

36 (a) The director of the authority, or his or her designee, who
37 shall also serve on the steering committee;

38 (b) The secretary of the department, or his or her designee, who
39 shall also serve on the steering committee;

- 1 (c) A member representing the office of the governor, who shall
2 also serve on the steering committee;
- 3 (d) The Washington state insurance commissioner, or his or her
4 designee;
- 5 (e) Up to two members representing federally recognized tribes,
6 one from eastern Washington and one from western Washington, who have
7 expertise in behavioral health needs of their communities;
- 8 (f) One member from each of the two largest caucuses of the
9 senate, one of whom shall also be designated to participate on the
10 steering committee, to be appointed by the president of the senate;
- 11 (g) One member from each of the two largest caucuses of the house
12 of representatives, one of whom shall also be designated to
13 participate on the steering committee, to be appointed by the speaker
14 of the house of representatives;
- 15 (h) The director of the Washington state department of veterans
16 affairs, or his or her designee;
- 17 (i) The state enhanced 911 coordinator, or his or her designee;
- 18 (j) A member with lived experience of a suicide attempt;
- 19 (k) A member with lived experience of a suicide loss;
- 20 (l) A member with experience of participation in the crisis
21 system related to lived experience of a mental health disorder;
- 22 (m) A member with experience of participation in the crisis
23 system related to lived experience with a substance use disorder;
- 24 (n) A member representing each crisis call center in Washington
25 that is contracted with the national suicide prevention lifeline;
- 26 (o) Up to two members representing behavioral health
27 administrative services organizations, one from an urban region and
28 one from a rural region;
- 29 (p) A member representing the Washington council for behavioral
30 health;
- 31 (q) A member representing the association of alcoholism and
32 addiction programs of Washington state;
- 33 (r) A member representing the Washington state hospital
34 association;
- 35 (s) A member representing the national alliance on mental illness
36 Washington;
- 37 (t) A member representing the behavioral health interests of
38 persons of color recommended by Sea Mar community health centers;

1 (u) A member representing the behavioral health interests of
2 persons of color recommended by Asian counseling and referral
3 service;

4 (v) A member representing law enforcement;

5 (w) A member representing a university-based suicide prevention
6 center of excellence;

7 (x) A member representing an emergency medical services
8 department with a CARES program;

9 (y) A member representing medicaid managed care organizations, as
10 recommended by the association of Washington healthcare plans;

11 (z) A member representing commercial health insurance, as
12 recommended by the association of Washington healthcare plans;

13 (aa) A member representing the Washington association of
14 designated crisis responders;

15 (bb) A member representing the children and youth behavioral
16 health work group;

17 (cc) A member representing a social justice organization
18 addressing police accountability and the use of deadly force; and

19 (dd) A member representing an organization specializing in
20 facilitating behavioral health services for LGBTQ populations.

21 (4) The crisis response improvement strategy committee shall
22 assist the steering committee to identify potential barriers and make
23 recommendations necessary to implement and effectively monitor the
24 progress of the 988 crisis hotline in Washington and make
25 recommendations for the statewide improvement of behavioral health
26 crisis response and suicide prevention services.

27 (5) The steering committee must develop a comprehensive
28 assessment of the behavioral health crisis response and suicide
29 prevention services system by January 1, 2022, including an inventory
30 of existing statewide and regional behavioral health crisis response,
31 suicide prevention, and crisis stabilization services and resources,
32 and taking into account capital projects which are planned and
33 funded. The comprehensive assessment shall identify:

34 (a) Statewide and regional insufficiencies and gaps in behavioral
35 health crisis response and suicide prevention services and resources
36 needed to meet population needs;

37 (b) Quantifiable goals for the provision of statewide and
38 regional behavioral health crisis services and targeted deployment of
39 resources, which consider factors such as reported rates of
40 involuntary commitment detentions, single-bed certifications, suicide

1 attempts and deaths, substance use disorder-related overdoses,
2 overdose or withdrawal-related deaths, and incarcerations due to a
3 behavioral health incident;

4 (c) A process for establishing outcome measures, benchmarks, and
5 improvement targets, for the crisis response system; and

6 (d) Potential funding sources to provide statewide and regional
7 behavioral health crisis services and resources.

8 (6) The steering committee, taking into account the comprehensive
9 assessment work under subsection (5) of this section as it becomes
10 available, after discussion with the crisis response improvement
11 strategy committee and hearing reports from the subcommittees, shall
12 report on the following:

13 (a) A recommended vision for an integrated crisis network in
14 Washington that includes, but is not limited to: An integrated 988
15 crisis hotline and crisis call center hubs; mobile rapid response
16 crisis teams; mobile crisis response units for youth, adult, and
17 geriatric population; a range of crisis stabilization services; an
18 integrated involuntary treatment system; access to peer-run services,
19 including peer-run respite centers; adequate crisis respite services;
20 and data resources;

21 (b) Recommendations to promote equity in services for individuals
22 of diverse circumstances of culture, race, ethnicity, gender,
23 socioeconomic status, sexual orientation, and for individuals in
24 tribal, urban, and rural communities;

25 (c) Recommendations for a work plan with timelines to implement
26 appropriate local responses to calls to the 988 crisis hotline within
27 Washington in accordance with the time frames required by the
28 national suicide hotline designation act of 2020;

29 (d) The necessary components of each of the new technologically
30 advanced behavioral health crisis call center system platform and the
31 new behavioral health integrated client referral system, as provided
32 under section 102 of this act, for assigning and tracking response to
33 behavioral health crisis calls and providing real-time bed and
34 outpatient appointment availability to 988 operators, emergency
35 departments, designated crisis responders, and other behavioral
36 health crisis responders, which shall include but not be limited to:

37 (i) Identification of the components crisis call center hub staff
38 need to effectively coordinate crisis response services and find
39 available beds and available primary care and behavioral health
40 outpatient appointments;

1 (ii) Evaluation of existing bed tracking models currently
2 utilized by other states and identifying the model most suitable to
3 Washington's crisis behavioral health system;

4 (iii) Evaluation of whether bed tracking will improve access to
5 all behavioral health bed types and other impacts and benefits; and

6 (iv) Exploration of how the bed tracking and outpatient
7 appointment availability platform can facilitate more timely access
8 to care and other impacts and benefits;

9 (e) The necessary systems and capabilities that licensed or
10 certified behavioral health agencies, behavioral health providers,
11 and any other relevant parties will require to report, maintain, and
12 update inpatient and residential bed and outpatient service
13 availability in real time to correspond with the crisis call center
14 system platform or behavioral health integrated client referral
15 system identified in section 102 of this act, as appropriate;

16 (f) A work plan to establish the capacity for the crisis call
17 center hubs to integrate Spanish language interpreters and Spanish-
18 speaking call center staff into their operations, and to ensure the
19 availability of resources to meet the unique needs of persons in the
20 agricultural community who are experiencing mental health stresses,
21 which explicitly addresses concerns regarding confidentiality;

22 (g) A work plan with timelines to enhance and expand the
23 availability of community-based mobile rapid response crisis teams
24 based in each region, including specialized teams as appropriate to
25 respond to the unique needs of youth, including American Indian and
26 Alaska Native youth and LGBTQ youth, and geriatric populations,
27 including older adults of color and older adults with comorbid
28 dementia;

29 (h) The identification of other personal and systemic behavioral
30 health challenges which implementation of the 988 crisis hotline has
31 the potential to address in addition to suicide response and
32 behavioral health crises;

33 (i) The development of a plan for the statewide equitable
34 distribution of crisis stabilization services, behavioral health
35 beds, and peer-run respite services;

36 (j) Recommendations concerning how health plans, managed care
37 organizations, and behavioral health administrative services
38 organizations shall fulfill requirements to provide assignment of a
39 care coordinator and to provide next-day appointments for enrollees
40 who contact the behavioral health crisis system;

1 (k) Appropriate allocation of crisis system funding
2 responsibilities among medicaid managed care organizations,
3 commercial insurers, and behavioral health administrative services
4 organizations;

5 (l) Recommendations for constituting a statewide behavioral
6 health crisis response and suicide prevention oversight board or
7 similar structure for ongoing monitoring of the behavioral health
8 crisis system and where this should be established; and

9 (m) Cost estimates for each of the components of the integrated
10 behavioral health crisis response and suicide prevention system.

11 (7) The steering committee shall consist only of members
12 appointed to the steering committee under this section. The steering
13 committee shall convene the committee, form subcommittees, assign
14 tasks to the subcommittees, and establish a schedule of meetings and
15 their agendas.

16 (8) The subcommittees of the crisis response improvement strategy
17 committee shall focus on discrete topics. The subcommittees may
18 include participants who are not members of the crisis response
19 improvement strategy committee, as needed to provide professional
20 expertise and community perspectives. Each subcommittee shall have at
21 least one member representing the interests of stakeholders in a
22 rural community, at least one member representing the interests of
23 stakeholders in an urban community, and at least one member
24 representing the interests of youth stakeholders. The steering
25 committee shall form the following subcommittees:

26 (a) A Washington tribal 988 subcommittee, which shall examine and
27 make recommendations with respect to the needs of tribes related to
28 the 988 system, and which shall include representation from the
29 American Indian health commission;

30 (b) A credentialing and training subcommittee, to recommend
31 workforce needs and requirements necessary to implement this act,
32 including minimum education requirements such as whether it would be
33 appropriate to allow crisis call center hubs to employ clinical staff
34 without a bachelor's degree or master's degree based on the person's
35 skills and life or work experience;

36 (c) A technology subcommittee, to examine issues and requirements
37 related to the technology needed to implement this act;

38 (d) A cross-system crisis response collaboration subcommittee, to
39 examine and define the complementary roles and interactions between
40 mobile rapid response crisis teams, designated crisis responders, law

1 enforcement, emergency medical services teams, 911 and 988 operators,
2 public and private health plans, behavioral health crisis response
3 agencies, nonbehavioral health crisis response agencies, and others
4 needed to implement this act;

5 (e) A confidential information compliance and coordination
6 subcommittee, to examine issues relating to sharing and protection of
7 health information needed to implement this act; and

8 (f) Any other subcommittee needed to facilitate the work of the
9 committee, at the discretion of the steering committee.

10 (9) The proceedings of the crisis response improvement strategy
11 committee must be open to the public and invite testimony from a
12 broad range of perspectives. The committee shall seek input from
13 tribes, veterans, the LGBTQ community, and communities of color to
14 help discern how well the crisis response system is currently working
15 and recommend ways to improve the crisis response system.

16 (10) Legislative members of the crisis response improvement
17 strategy committee shall be reimbursed for travel expenses in
18 accordance with RCW 44.04.120. Nonlegislative members are not
19 entitled to be reimbursed for travel expenses if they are elected
20 officials or are participating on behalf of an employer, governmental
21 entity, or other organization. Any reimbursement for other
22 nonlegislative members is subject to chapter 43.03 RCW.

23 (11) The steering committee, with the advice of the crisis
24 response improvement strategy committee, shall provide a progress
25 report and the result of its comprehensive assessment under
26 subsection (5) of this section to the governor and appropriate policy
27 and fiscal committee of the legislature by January 1, 2022. The
28 steering committee shall report the crisis response improvement
29 strategy committee's further progress and the steering committee's
30 recommendations related to crisis call center hubs to the governor
31 and appropriate policy and fiscal committees of the legislature by
32 January 1, 2023. The steering committee shall provide its final
33 report to the governor and the appropriate policy and fiscal
34 committees of the legislature by January 1, 2024.

35 (12) This section expires June 30, 2024.

36 NEW SECTION. **Sec. 104.** A new section is added to chapter 71.24
37 RCW to read as follows:

38 (1) The steering committee of the crisis response improvement
39 strategy committee established under section 103 of this act must

1 monitor and make recommendations related to the funding of crisis
2 response services out of the account created in section 205 of this
3 act. The crisis response improvement strategy steering committee must
4 analyze:

5 (a) The projected expenditures from the account created under
6 section 205 of this act, taking into account call volume, utilization
7 projections, and other operational impacts;

8 (b) The costs of providing statewide coverage of mobile rapid
9 response crisis teams or other behavioral health first responder
10 services recommended by the crisis response improvement strategy
11 committee, based on 988 crisis hotline utilization and taking into
12 account existing state and local funding;

13 (c) Potential options to reduce the tax imposed in section 202 of
14 this act, given the expected level of costs related to infrastructure
15 development and operational support of the 988 crisis hotline and
16 crisis call center hubs; and

17 (d) The viability of providing funding for in-person mobile rapid
18 response crisis services or other behavioral health first responder
19 services recommended by the crisis response improvement strategy
20 committee funded from the account created in section 205 of this act,
21 given the expected revenues to the account and the level of
22 expenditures required under (a) of this subsection.

23 (2) If the steering committee finds that funding in-person mobile
24 rapid response crisis services or other behavioral health first
25 responder services recommended by the crisis response improvement
26 strategy committee is viable from the account given the level of
27 expenditures necessary to support the infrastructure development and
28 operational support of the 988 crisis hotline and crisis call center
29 hubs, the steering committee must analyze options for the location
30 and composition of such services given need and available resources
31 with the requirement that funds from the account supplement, not
32 supplant, existing behavioral health crisis funding.

33 (3) The work of the steering committee under this section must be
34 facilitated by the behavioral health institute at Harborview medical
35 center through its contract with the office of financial management
36 under section 103 of this act with assistance provided by staff from
37 senate committee services, the office of program research, and the
38 office of financial management.

39 (4) The steering committee shall submit preliminary
40 recommendations to the governor and the appropriate policy and fiscal

1 committees of the legislature by January 1, 2022, and final
2 recommendations to the governor and the appropriate policy and fiscal
3 committees of the legislature by January 1, 2023.

4 (5) This section expires on July 1, 2023.

5 NEW SECTION. **Sec. 105.** A new section is added to chapter 71.24
6 RCW to read as follows:

7 (1) The department and authority shall provide an annual report
8 regarding the usage of the 988 crisis hotline, call outcomes, and the
9 provision of crisis services inclusive of mobile rapid response
10 crisis teams and crisis stabilization services. The report shall be
11 submitted to the governor and the appropriate committees of the
12 legislature each November beginning in 2023. The report shall include
13 information on the fund deposits and expenditures of the account
14 created in section 205 of this act.

15 (2) The department and authority shall coordinate with the
16 department of revenue, and any other agency that is appropriated
17 funding under the account created in section 205 of this act, to
18 develop and submit information to the federal communications
19 commission required for the completion of fee accountability reports
20 pursuant to the national suicide hotline designation act of 2020.

21 (3) The joint legislative audit and review committee shall
22 schedule an audit to begin after the full implementation of this act,
23 to provide transparency as to how funds from the statewide 988
24 behavioral health crisis response and suicide prevention line account
25 have been expended, and to determine whether funds used to provide
26 acute behavioral health, crisis outreach, and stabilization services
27 are being used to supplement services identified as baseline services
28 in the comprehensive analysis provided under section 103 of this act,
29 or to supplant baseline services. The committee shall provide a
30 report by November 1, 2027, which includes recommendations as to the
31 adequacy of the funding provided to accomplish the intent of the act
32 and any other recommendations for alteration or improvement.

33 NEW SECTION. **Sec. 106.** A new section is added to chapter 48.43
34 RCW to read as follows:

35 Health plans issued or renewed on or after January 1, 2023, must
36 make next-day appointments available to enrollees experiencing
37 urgent, symptomatic behavioral health conditions to receive covered
38 behavioral health services. The appointment may be with a licensed

1 provider other than a licensed behavioral health professional, as
2 long as that provider is acting within their scope of practice, and
3 may be provided through telemedicine consistent with RCW 48.43.735.
4 Need for urgent symptomatic care is associated with the presentation
5 of behavioral health signs or symptoms that require immediate
6 attention, but are not emergent.

7 NEW SECTION. **Sec. 107.** A new section is added to chapter 43.06
8 RCW to read as follows:

9 (1) The governor shall appoint a 988 hotline and behavioral
10 health crisis system coordinator to provide project coordination and
11 oversight for the implementation and administration of the 988 crisis
12 hotline, other requirements of this act, and other projects
13 supporting the behavioral health crisis system. The coordinator
14 shall:

15 (a) Oversee the collaboration between the department of health
16 and the health care authority in their respective roles in supporting
17 the crisis call center hubs, providing the necessary support services
18 for 988 callers, and establishing adequate requirements and guidance
19 for their contractors to fulfill the requirements of this act;

20 (b) Ensure coordination and facilitate communication between
21 stakeholders such as crisis call center hub contractors, behavioral
22 health administrative service organizations, county authorities,
23 other crisis hotline centers, managed care organizations, and, in
24 collaboration with the state enhanced 911 coordination office, with
25 911 emergency communications systems;

26 (c) Review the development of adequate and consistent training
27 for crisis call center personnel and, in coordination with the state
28 enhanced 911 coordination office, for 911 operators with respect to
29 their interactions with the crisis hotline center; and

30 (d) Coordinate implementation of other behavioral health
31 initiatives among state agencies and educational institutions, as
32 appropriate, including coordination of data between agencies.

33 (2) This section expires June 30, 2024.

34 NEW SECTION. **Sec. 108.** A new section is added to chapter 71.24
35 RCW to read as follows:

36 (1) When acting in their statutory capacities pursuant to this
37 act, the state, department, authority, state enhanced 911
38 coordination office, emergency management division, military

1 department, any other state agency, and their officers, employees,
2 and agents are deemed to be carrying out duties owed to the public in
3 general and not to any individual person or class of persons separate
4 and apart from the public. Nothing contained in this act may be
5 construed to evidence a legislative intent that the duties to be
6 performed by the state, department, authority, state enhanced 911
7 coordination office, emergency management division, military
8 department, any other state agency, and their officers, employees,
9 and agents, as required by this act, are owed to any individual
10 person or class of persons separate and apart from the public in
11 general.

12 (2) Each crisis call center hub designated by the department
13 under any contract or agreement pursuant to this act shall be deemed
14 to be an independent contractor, separate and apart from the
15 department and the state.

16 NEW SECTION. **Sec. 109.** A new section is added to chapter 71.24
17 RCW to read as follows:

18 For the purpose of development and implementation of technology
19 and platforms by the department and the authority under section 102
20 of this act, the department and the authority shall create a
21 sophisticated technical and operational plan. The plan shall not
22 conflict with, nor delay, the department meeting and satisfying
23 existing 988 federal requirements that are already underway and must
24 be met by July 16, 2022, nor is it intended to delay the initial
25 planning phase of the project, or the planning and deliverables tied
26 to any grant award received and allotted by the department or the
27 authority prior to April 1, 2021. To the extent that funds are
28 appropriated for this specific purpose, the department and the
29 authority must contract for a consultant to critically analyze the
30 development and implementation technology and platforms and
31 operational challenges to best position the solutions for success.
32 Prior to initiation of a new information technology development,
33 which does not include the initial planning phase of this project or
34 any contracting needed to complete the initial planning phase, the
35 department and authority shall submit the technical and operational
36 plan to the governor, office of financial management, steering
37 committee of the crisis response improvement strategy committee
38 created under section 103 of this act, and appropriate policy and
39 fiscal committees of the legislature, which shall include the

1 committees referenced in this section. The plan must be approved by
2 the office of the chief information officer, the director of the
3 office of financial management, and the steering committee of the
4 crisis response improvement strategy committee, which shall consider
5 any feedback received from the senate ways and means committee chair,
6 the house of representatives appropriations committee chair, the
7 senate environment, energy and technology committee chair, the senate
8 behavioral health subcommittee chair, and the house of
9 representatives health care and wellness committee chair, before any
10 funds are expended for the solutions, other than those funds needed
11 to complete the initial planning phase. A draft technical and
12 operational plan must be submitted no later than January 1, 2022, and
13 a final plan by August 31, 2022.

14 The plan submitted must include, but not be limited to:

- 15 (1) Data management;
- 16 (2) Data security;
- 17 (3) Data flow;
- 18 (4) Data access and permissions;
- 19 (5) Protocols to ensure staff are following proper health
20 information privacy procedures;
- 21 (6) Cybersecurity requirements and how to meet these;
- 22 (7) Service level agreements by vendor;
- 23 (8) Maintenance and operations costs;
- 24 (9) Identification of what existing software as a service
25 products might be applicable, to include the:
 - 26 (a) Vendor name;
 - 27 (b) Vendor offerings to include product module and functionality
28 detail and whether each represent add-ons that must be paid
29 separately;
 - 30 (c) Vendor pricing structure by year through implementation; and
 - 31 (d) Vendor pricing structure by year post implementation;
- 32 (10) Integration limitations by system;
- 33 (11) Data analytic and performance metrics to be required by
34 system;
- 35 (12) Liability;
- 36 (13) Which agency will host the electronic health record software
37 as a service;
- 38 (14) Regulatory agency;
- 39 (15) The timeline by fiscal year from initiation to
40 implementation for each solution in this act;

- 1 (16) How to plan in a manner that ensures efficient use of state
2 resources and maximizes federal financial participation; and
3 (17) A complete comprehensive business plan analysis.

4 **PART II**

5 **TAX**

6 NEW SECTION. **Sec. 201.** DEFINITIONS. (1) The definitions in this
7 section apply throughout this chapter unless the context clearly
8 requires otherwise.

9 (a) "988 crisis hotline" has the same meaning as in RCW
10 71.24.025.

11 (b) "Crisis call center hub" has the same meaning as in RCW
12 71.24.025.

13 (2) The definitions in RCW 82.14B.020 apply to this chapter.

14 NEW SECTION. **Sec. 202.** TAX IMPOSED. (1)(a) A statewide 988
15 behavioral health crisis response and suicide prevention line tax is
16 imposed on the use of all radio access lines:

17 (i) By subscribers whose place of primary use is located within
18 the state in the amount set forth in (a)(ii) of this subsection (1)
19 per month for each radio access line. The tax must be uniform for
20 each radio access line under this subsection (1); and

21 (ii) By consumers whose retail transaction occurs within the
22 state in the amount set forth in this subsection (1)(a)(ii) per
23 retail transaction. The amount of tax must be uniform for each retail
24 transaction under this subsection (1) and is as follows:

25 (A) Beginning October 1, 2021, through December 31, 2022, the tax
26 rate is 24 cents for each radio access line; and

27 (B) Beginning January 1, 2023, the tax rate is 40 cents for each
28 radio access line.

29 (b) The tax imposed under this subsection (1) must be remitted to
30 the department by radio communications service companies, including
31 those companies that resell radio access lines, and sellers of
32 prepaid wireless telecommunications service, on a tax return provided
33 by the department. Tax proceeds must be deposited by the treasurer
34 into the statewide 988 behavioral health crisis response and suicide
35 prevention line account created in section 205 of this act.

1 (c) For the purposes of this subsection (1), the retail
2 transaction is deemed to occur at the location where the transaction
3 is sourced under RCW 82.32.520(3)(c).

4 (2) A statewide 988 behavioral health crisis response and suicide
5 prevention line tax is imposed on all interconnected voice over
6 internet protocol service lines in the state. The amount of tax must
7 be uniform for each line and must be levied on no more than the
8 number of voice over internet protocol service lines on an account
9 that is capable of simultaneous unrestricted outward calling to the
10 public switched telephone network. The tax imposed under this
11 subsection (2) must be remitted to the department by interconnected
12 voice over internet protocol service companies on a tax return
13 provided by the department. The amount of tax for each interconnected
14 voice over internet protocol service line whose place of primary use
15 is located in the state is as follows:

16 (a) Beginning October 1, 2021, through December 31, 2022, the tax
17 rate is 24 cents for an interconnected voice over internet protocol
18 service line; and

19 (b) Beginning January 1, 2023, the tax rate is 40 cents for an
20 interconnected voice over internet protocol service line.

21 (3) A statewide 988 behavioral health crisis response and suicide
22 prevention line tax is imposed on all switched access lines in the
23 state. The amount of tax must be uniform for each line and must be
24 levied on no more than the number of switched access lines on an
25 account that is capable of simultaneous unrestricted outward calling
26 to the public switched telephone network. The tax imposed under this
27 subsection (3) must be remitted to the department by local exchange
28 companies on a tax return provided by the department. The amount of
29 tax for each switched access line whose place of primary use is
30 located in the state is as follows:

31 (a) Beginning October 1, 2021, through December 31, 2022, the tax
32 rate is 24 cents for each switched access line; and

33 (b) Beginning January 1, 2023, the tax rate is 40 cents for each
34 switched access line.

35 (4) Tax proceeds collected pursuant to this section must be
36 deposited by the treasurer into the statewide 988 behavioral health
37 crisis response and suicide prevention line account created in
38 section 205 of this act.

1 NEW SECTION. **Sec. 203.** COLLECTION OF TAX. (1) Except as
2 provided otherwise in subsection (2) of this section:

3 (a) The statewide 988 behavioral health crisis response and
4 suicide prevention line tax on radio access lines must be collected
5 from the subscriber by the radio communications service company,
6 including those companies that resell radio access lines, providing
7 the radio access line to the subscriber, and the seller of prepaid
8 wireless telecommunications services.

9 (b) The statewide 988 behavioral health crisis response and
10 suicide prevention line tax on interconnected voice over internet
11 protocol service lines must be collected from the subscriber by the
12 interconnected voice over internet protocol service company providing
13 the interconnected voice over internet protocol service line to the
14 subscriber.

15 (c) The statewide 988 behavioral health crisis response and
16 suicide prevention line tax on switched access lines must be
17 collected from the subscriber by the local exchange company.

18 (d) The amount of the tax must be stated separately on the
19 billing statement which is sent to the subscriber.

20 (2)(a) The statewide 988 behavioral health crisis response and
21 suicide prevention line tax imposed by this chapter must be collected
22 from the consumer by the seller of a prepaid wireless
23 telecommunications service for each retail transaction occurring in
24 this state.

25 (b) The department must transfer all tax proceeds remitted by a
26 seller under this subsection (2) to the statewide 988 behavioral
27 health crisis response and suicide prevention line account created in
28 section 205 of this act.

29 (c) The taxes required by this subsection to be collected by the
30 seller must be separately stated in any sales invoice or instrument
31 of sale provided to the consumer.

32 NEW SECTION. **Sec. 204.** PAYMENT AND COLLECTION. (1)(a) The
33 statewide 988 behavioral health crisis response and suicide
34 prevention line tax imposed by this chapter must be paid by the
35 subscriber to the radio communications service company providing the
36 radio access line, the local exchange company, or the interconnected
37 voice over internet protocol service company providing the
38 interconnected voice over internet protocol service line.

1 (b) Each radio communications service company, each local
2 exchange company, and each interconnected voice over internet
3 protocol service company, must collect from the subscriber the full
4 amount of the taxes payable. The statewide 988 behavioral health
5 crisis response and suicide prevention line tax required by this
6 chapter to be collected by a company or seller, are deemed to be held
7 in trust by the company or seller until paid to the department. Any
8 radio communications service company, local exchange company, or
9 interconnected voice over internet protocol service company that
10 appropriates or converts the tax collected to its own use or to any
11 use other than the payment of the tax to the extent that the money
12 collected is not available for payment on the due date as prescribed
13 in this chapter is guilty of a gross misdemeanor.

14 (2) If any radio communications service company, local exchange
15 company, or interconnected voice over internet protocol service
16 company fails to collect the statewide 988 behavioral health crisis
17 response and suicide prevention line tax or, after collecting the
18 tax, fails to pay it to the department in the manner prescribed by
19 this chapter, whether such failure is the result of its own act or
20 the result of acts or conditions beyond its control, the company or
21 seller is personally liable to the state for the amount of the tax,
22 unless the company or seller has taken from the buyer in good faith
23 documentation, in a form and manner prescribed by the department,
24 stating that the buyer is not a subscriber or consumer or is
25 otherwise not liable for the statewide 988 behavioral health crisis
26 response and suicide prevention line tax.

27 (3) The amount of tax, until paid by the subscriber to the radio
28 communications service company, local exchange company, the
29 interconnected voice over internet protocol service company, or to
30 the department, constitutes a debt from the subscriber to the
31 company, or from the consumer to the seller. Any company or seller
32 that fails or refuses to collect the tax as required with intent to
33 violate the provisions of this chapter or to gain some advantage or
34 benefit, either direct or indirect, and any subscriber or consumer
35 who refuses to pay any tax due under this chapter is guilty of a
36 misdemeanor. The statewide 988 behavioral health crisis response and
37 suicide prevention line tax required by this chapter to be collected
38 by the radio communications service company, local exchange company,
39 or interconnected voice over internet protocol service company must

1 be stated separately on the billing statement that is sent to the
2 subscriber.

3 (4) If a subscriber has failed to pay to the radio communications
4 service company, local exchange company, or interconnected voice over
5 internet protocol service company, the statewide 988 behavioral
6 health crisis response and suicide prevention line tax imposed by
7 this chapter and the company or seller has not paid the amount of the
8 tax to the department, the department may, in its discretion, proceed
9 directly against the subscriber or consumer for collection of the
10 tax, in which case a penalty of 10 percent may be added to the amount
11 of the tax for failure of the subscriber or consumer to pay the tax
12 to the company or seller, regardless of when the tax is collected by
13 the department.

14 NEW SECTION. **Sec. 205.** ACCOUNT CREATION. (1) The statewide 988
15 behavioral health crisis response and suicide prevention line account
16 is created in the state treasury. All receipts from the statewide 988
17 behavioral health crisis response and suicide prevention line tax
18 imposed pursuant to this chapter must be deposited into the account.
19 Moneys may only be spent after appropriation.

20 (2) Expenditures from the account may only be used for (a)
21 ensuring the efficient and effective routing of calls made to the 988
22 crisis hotline to an appropriate crisis hotline center or crisis call
23 center hub; and (b) personnel and the provision of acute behavioral
24 health, crisis outreach, and crisis stabilization services, as
25 defined in RCW 71.24.025, by directly responding to the 988 crisis
26 hotline.

27 (3) Moneys in the account may not be used to supplant general
28 fund appropriations for behavioral health services or for medicaid
29 covered services to individuals enrolled in the medicaid program.

30 NEW SECTION. **Sec. 206.** PREEMPTION. A city or county may not
31 impose a tax, measured on a per line basis, on radio access lines,
32 interconnected voice over internet protocol service lines, or
33 switched access lines, for the purpose of ensuring the efficient and
34 effective routing of calls made to the 988 crisis hotline to an
35 appropriate crisis hotline center or crisis call center hub; or
36 providing personnel or acute behavioral health, crisis outreach, or
37 crisis stabilization services, as defined in RCW 71.24.025,
38 associated with directly responding to the 988 crisis hotline.

PART III
APPROPRIATIONS

1
2
3 NEW SECTION. **Sec. 301.** The appropriations in this section are
4 provided to the department of health and are subject to the following
5 conditions and limitations:

6 (1) The sum of \$23,016,000, or as much thereof as may be
7 necessary, is appropriated for the fiscal biennium ending June 30,
8 2023, from the statewide 988 behavioral health crisis response and
9 suicide prevention line account. The amount in this subsection is
10 provided solely for the department to route calls to and contract for
11 the operations of call centers and call center hubs. This includes
12 funding for operations, training, and call center information
13 technology and program staff.

14 (2) The sum of \$1,000,000, or as much thereof as may be
15 necessary, is appropriated for the fiscal biennium ending June 30,
16 2023, from the statewide 988 behavioral health crisis response and
17 suicide prevention line account. The amount in this subsection is
18 provided solely for the department to contract for the development
19 and operations of a tribal crisis line.

20 (3) The following sums, or so much thereof as may be necessary,
21 are each appropriated: \$189,000 from the statewide 988 behavioral
22 health crisis response and suicide prevention line account for the
23 fiscal biennium ending June 30, 2023; and \$80,000 from the state
24 general fund—federal account for the fiscal biennium ending June 30,
25 2023. The amounts in this subsection are provided solely for the
26 department to provide staff support necessary to critically analyze
27 the planning, development, and implementation of technology solutions
28 to create the technical and operational plan pursuant to section 109
29 of this act.

30 (4) The sum of \$420,000, or as much thereof as may be necessary,
31 is appropriated for the fiscal biennium ending June 30, 2023, from
32 the statewide 988 behavioral health crisis response and suicide
33 prevention line account. The amount in this subsection is provided
34 solely for the department to participate in and provide support to
35 the committee created in section 103 of this act.

36 NEW SECTION. **Sec. 302.** The appropriations in this section are
37 provided to the state health care authority and are subject to the
38 following conditions and limitations:

1 (1) The following sums, or as much thereof as may be necessary,
2 are each appropriated: \$770,000 from the statewide 988 behavioral
3 health crisis response and suicide prevention line account for the
4 fiscal biennium ending June 30, 2023; and \$326,000 from the state
5 general fund—federal account for the fiscal biennium ending June 30,
6 2023. The amounts in this subsection are provided solely for the
7 authority to provide staff and contracted support necessary to
8 critically analyze the planning, development, and implementation of
9 technology solutions to create the technical and operational plan
10 pursuant to section 109 of this act.

11 (2) The following sums, or so much thereof as may be necessary,
12 are each appropriated: \$644,000 from the statewide 988 behavioral
13 health crisis response and suicide prevention line account for the
14 fiscal biennium ending June 30, 2023; and \$127,000 from the state
15 general fund—federal account for the fiscal biennium ending June 30,
16 2023. The amounts in this subsection are provided solely for the
17 authority to participate in and provide support to the committee
18 created in section 103 of this act.

19 (3) The following sums, or as much thereof as may be necessary,
20 are each appropriated: \$381,000 from the statewide 988 behavioral
21 health crisis response and suicide prevention line account for the
22 fiscal biennium ending June 30, 2023; and \$381,000 from the state
23 general fund—federal account for the fiscal biennium ending June 30,
24 2023. The amounts in this subsection are provided solely for the
25 authority to fulfill its duties as described in section 102(8) of
26 this act. This includes funding for collaboration with managed care
27 organizations, county authorities, and behavioral health
28 administrative services organizations related to crisis services, and
29 the development of processes and best practices for crisis services.

30 NEW SECTION. **Sec. 303.** The sum of \$200,000, or as much thereof
31 as may be necessary, is appropriated for the fiscal biennium ending
32 June 30, 2023, from the statewide 988 behavioral health crisis
33 response and suicide prevention line account to the office of
34 financial management and provided solely to provide staff and
35 contracted services support to the committee created in section 103
36 of this act.

1 **PART IV**

2 **DEFINITIONS AND MISCELLANEOUS**

3 **Sec. 401.** RCW 71.24.025 and 2020 c 256 s 201 are each reenacted
4 and amended to read as follows:

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout this chapter.

7 (1) "Acutely mentally ill" means a condition which is limited to
8 a short-term severe crisis episode of:

9 (a) A mental disorder as defined in RCW 71.05.020 or, in the case
10 of a child, as defined in RCW 71.34.020;

11 (b) Being gravely disabled as defined in RCW 71.05.020 or, in the
12 case of a child, a gravely disabled minor as defined in RCW
13 71.34.020; or

14 (c) Presenting a likelihood of serious harm as defined in RCW
15 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

16 (2) "Alcoholism" means a disease, characterized by a dependency
17 on alcoholic beverages, loss of control over the amount and
18 circumstances of use, symptoms of tolerance, physiological or
19 psychological withdrawal, or both, if use is reduced or discontinued,
20 and impairment of health or disruption of social or economic
21 functioning.

22 (3) "Approved substance use disorder treatment program" means a
23 program for persons with a substance use disorder provided by a
24 treatment program licensed or certified by the department as meeting
25 standards adopted under this chapter.

26 (4) "Authority" means the Washington state health care authority.

27 (5) "Available resources" means funds appropriated for the
28 purpose of providing community behavioral health programs, federal
29 funds, except those provided according to Title XIX of the Social
30 Security Act, and state funds appropriated under this chapter or
31 chapter 71.05 RCW by the legislature during any biennium for the
32 purpose of providing residential services, resource management
33 services, community support services, and other behavioral health
34 services. This does not include funds appropriated for the purpose of
35 operating and administering the state psychiatric hospitals.

36 (6) "Behavioral health administrative services organization"
37 means an entity contracted with the authority to administer
38 behavioral health services and programs under RCW 71.24.381,
39 including crisis services and administration of chapter 71.05 RCW,

1 the involuntary treatment act, for all individuals in a defined
2 regional service area.

3 (7) "Behavioral health aide" means a counselor, health educator,
4 and advocate who helps address individual and community-based
5 behavioral health needs, including those related to alcohol, drug,
6 and tobacco abuse as well as mental health problems such as grief,
7 depression, suicide, and related issues and is certified by a
8 community health aide program of the Indian health service or one or
9 more tribes or tribal organizations consistent with the provisions of
10 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

11 (8) "Behavioral health provider" means a person licensed under
12 chapter 18.57, 18.57A, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79
13 RCW, as it applies to registered nurses and advanced registered nurse
14 practitioners.

15 (9) "Behavioral health services" means mental health services as
16 described in this chapter and chapter 71.36 RCW and substance use
17 disorder treatment services as described in this chapter that,
18 depending on the type of service, are provided by licensed or
19 certified behavioral health agencies, behavioral health providers, or
20 integrated into other health care providers.

21 (10) "Child" means a person under the age of eighteen years.

22 (11) "Chronically mentally ill adult" or "adult who is
23 chronically mentally ill" means an adult who has a mental disorder
24 and meets at least one of the following criteria:

25 (a) Has undergone two or more episodes of hospital care for a
26 mental disorder within the preceding two years; or

27 (b) Has experienced a continuous psychiatric hospitalization or
28 residential treatment exceeding six months' duration within the
29 preceding year; or

30 (c) Has been unable to engage in any substantial gainful activity
31 by reason of any mental disorder which has lasted for a continuous
32 period of not less than twelve months. "Substantial gainful activity"
33 shall be defined by the authority by rule consistent with Public Law
34 92-603, as amended.

35 (12) "Clubhouse" means a community-based program that provides
36 rehabilitation services and is licensed or certified by the
37 department.

38 (13) "Community behavioral health program" means all
39 expenditures, services, activities, or programs, including reasonable
40 administration and overhead, designed and conducted to prevent or

1 treat substance use disorder, mental illness, or both in the
2 community behavioral health system.

3 (14) "Community behavioral health service delivery system" means
4 public, private, or tribal agencies that provide services
5 specifically to persons with mental disorders, substance use
6 disorders, or both, as defined under RCW 71.05.020 and receive
7 funding from public sources.

8 (15) "Community support services" means services authorized,
9 planned, and coordinated through resource management services
10 including, at a minimum, assessment, diagnosis, emergency crisis
11 intervention available twenty-four hours, seven days a week,
12 prescreening determinations for persons who are mentally ill being
13 considered for placement in nursing homes as required by federal law,
14 screening for patients being considered for admission to residential
15 services, diagnosis and treatment for children who are acutely
16 mentally ill or severely emotionally or behaviorally disturbed
17 discovered under screening through the federal Title XIX early and
18 periodic screening, diagnosis, and treatment program, investigation,
19 legal, and other nonresidential services under chapter 71.05 RCW,
20 case management services, psychiatric treatment including medication
21 supervision, counseling, psychotherapy, assuring transfer of relevant
22 patient information between service providers, recovery services, and
23 other services determined by behavioral health administrative
24 services organizations.

25 (16) "Consensus-based" means a program or practice that has
26 general support among treatment providers and experts, based on
27 experience or professional literature, and may have anecdotal or case
28 study support, or that is agreed but not possible to perform studies
29 with random assignment and controlled groups.

30 (17) "County authority" means the board of county commissioners,
31 county council, or county executive having authority to establish a
32 behavioral health administrative services organization, or two or
33 more of the county authorities specified in this subsection which
34 have entered into an agreement to establish a behavioral health
35 administrative services organization.

36 (18) "Department" means the department of health.

37 (19) "Designated crisis responder" has the same meaning as in RCW
38 71.05.020.

39 (20) "Director" means the director of the authority.

1 (21) "Drug addiction" means a disease characterized by a
2 dependency on psychoactive chemicals, loss of control over the amount
3 and circumstances of use, symptoms of tolerance, physiological or
4 psychological withdrawal, or both, if use is reduced or discontinued,
5 and impairment of health or disruption of social or economic
6 functioning.

7 (22) "Early adopter" means a regional service area for which all
8 of the county authorities have requested that the authority purchase
9 medical and behavioral health services through a managed care health
10 system as defined under RCW 71.24.380(6).

11 (23) "Emerging best practice" or "promising practice" means a
12 program or practice that, based on statistical analyses or a well
13 established theory of change, shows potential for meeting the
14 evidence-based or research-based criteria, which may include the use
15 of a program that is evidence-based for outcomes other than those
16 listed in subsection (24) of this section.

17 (24) "Evidence-based" means a program or practice that has been
18 tested in heterogeneous or intended populations with multiple
19 randomized, or statistically controlled evaluations, or both; or one
20 large multiple site randomized, or statistically controlled
21 evaluation, or both, where the weight of the evidence from a systemic
22 review demonstrates sustained improvements in at least one outcome.
23 "Evidence-based" also means a program or practice that can be
24 implemented with a set of procedures to allow successful replication
25 in Washington and, when possible, is determined to be cost-
26 beneficial.

27 (25) "Indian health care provider" means a health care program
28 operated by the Indian health service or by a tribe, tribal
29 organization, or urban Indian organization as those terms are defined
30 in the Indian health care improvement act (25 U.S.C. Sec. 1603).

31 (26) "Intensive behavioral health treatment facility" means a
32 community-based specialized residential treatment facility for
33 individuals with behavioral health conditions, including individuals
34 discharging from or being diverted from state and local hospitals,
35 whose impairment or behaviors do not meet, or no longer meet,
36 criteria for involuntary inpatient commitment under chapter 71.05
37 RCW, but whose care needs cannot be met in other community-based
38 placement settings.

39 (27) "Licensed or certified behavioral health agency" means:

1 (a) An entity licensed or certified according to this chapter or
2 chapter 71.05 RCW;

3 (b) An entity deemed to meet state minimum standards as a result
4 of accreditation by a recognized behavioral health accrediting body
5 recognized and having a current agreement with the department; or

6 (c) An entity with a tribal attestation that it meets state
7 minimum standards for a licensed or certified behavioral health
8 agency.

9 (28) "Licensed physician" means a person licensed to practice
10 medicine or osteopathic medicine and surgery in the state of
11 Washington.

12 (29) "Long-term inpatient care" means inpatient services for
13 persons committed for, or voluntarily receiving intensive treatment
14 for, periods of ninety days or greater under chapter 71.05 RCW.

15 "Long-term inpatient care" as used in this chapter does not include:

16 (a) Services for individuals committed under chapter 71.05 RCW who
17 are receiving services pursuant to a conditional release or a court-
18 ordered less restrictive alternative to detention; or (b) services
19 for individuals voluntarily receiving less restrictive alternative
20 treatment on the grounds of the state hospital.

21 (30) "Managed care organization" means an organization, having a
22 certificate of authority or certificate of registration from the
23 office of the insurance commissioner, that contracts with the
24 authority under a comprehensive risk contract to provide prepaid
25 health care services to enrollees under the authority's managed care
26 programs under chapter 74.09 RCW.

27 (31) "Mental health peer-run respite center" means a peer-run
28 program to serve individuals in need of voluntary, short-term,
29 noncrisis services that focus on recovery and wellness.

30 (32) Mental health "treatment records" include registration and
31 all other records concerning persons who are receiving or who at any
32 time have received services for mental illness, which are maintained
33 by the department of social and health services or the authority, by
34 behavioral health administrative services organizations and their
35 staffs, by managed care organizations and their staffs, or by
36 treatment facilities. "Treatment records" do not include notes or
37 records maintained for personal use by a person providing treatment
38 services for the entities listed in this subsection, or a treatment
39 facility if the notes or records are not available to others.

1 (33) "Mentally ill persons," "persons who are mentally ill," and
2 "the mentally ill" mean persons and conditions defined in subsections
3 (1), (11), (40), and (41) of this section.

4 (34) "Recovery" means a process of change through which
5 individuals improve their health and wellness, live a self-directed
6 life, and strive to reach their full potential.

7 (35) "Research-based" means a program or practice that has been
8 tested with a single randomized, or statistically controlled
9 evaluation, or both, demonstrating sustained desirable outcomes; or
10 where the weight of the evidence from a systemic review supports
11 sustained outcomes as described in subsection (24) of this section
12 but does not meet the full criteria for evidence-based.

13 (36) "Residential services" means a complete range of residences
14 and supports authorized by resource management services and which may
15 involve a facility, a distinct part thereof, or services which
16 support community living, for persons who are acutely mentally ill,
17 adults who are chronically mentally ill, children who are severely
18 emotionally disturbed, or adults who are seriously disturbed and
19 determined by the behavioral health administrative services
20 organization or managed care organization to be at risk of becoming
21 acutely or chronically mentally ill. The services shall include at
22 least evaluation and treatment services as defined in chapter 71.05
23 RCW, acute crisis respite care, long-term adaptive and rehabilitative
24 care, and supervised and supported living services, and shall also
25 include any residential services developed to service persons who are
26 mentally ill in nursing homes, residential treatment facilities,
27 assisted living facilities, and adult family homes, and may include
28 outpatient services provided as an element in a package of services
29 in a supported housing model. Residential services for children in
30 out-of-home placements related to their mental disorder shall not
31 include the costs of food and shelter, except for children's long-
32 term residential facilities existing prior to January 1, 1991.

33 (37) "Resilience" means the personal and community qualities that
34 enable individuals to rebound from adversity, trauma, tragedy,
35 threats, or other stresses, and to live productive lives.

36 (38) "Resource management services" mean the planning,
37 coordination, and authorization of residential services and community
38 support services administered pursuant to an individual service plan
39 for: (a) Adults and children who are acutely mentally ill; (b) adults
40 who are chronically mentally ill; (c) children who are severely

1 emotionally disturbed; or (d) adults who are seriously disturbed and
2 determined by a behavioral health administrative services
3 organization or managed care organization to be at risk of becoming
4 acutely or chronically mentally ill. Such planning, coordination, and
5 authorization shall include mental health screening for children
6 eligible under the federal Title XIX early and periodic screening,
7 diagnosis, and treatment program. Resource management services
8 include seven day a week, twenty-four hour a day availability of
9 information regarding enrollment of adults and children who are
10 mentally ill in services and their individual service plan to
11 designated crisis responders, evaluation and treatment facilities,
12 and others as determined by the behavioral health administrative
13 services organization or managed care organization, as applicable.

14 (39) "Secretary" means the secretary of the department of health.

15 (40) "Seriously disturbed person" means a person who:

16 (a) Is gravely disabled or presents a likelihood of serious harm
17 to himself or herself or others, or to the property of others, as a
18 result of a mental disorder as defined in chapter 71.05 RCW;

19 (b) Has been on conditional release status, or under a less
20 restrictive alternative order, at some time during the preceding two
21 years from an evaluation and treatment facility or a state mental
22 health hospital;

23 (c) Has a mental disorder which causes major impairment in
24 several areas of daily living;

25 (d) Exhibits suicidal preoccupation or attempts; or

26 (e) Is a child diagnosed by a mental health professional, as
27 defined in chapter 71.34 RCW, as experiencing a mental disorder which
28 is clearly interfering with the child's functioning in family or
29 school or with peers or is clearly interfering with the child's
30 personality development and learning.

31 (41) "Severely emotionally disturbed child" or "child who is
32 severely emotionally disturbed" means a child who has been determined
33 by the behavioral health administrative services organization or
34 managed care organization, if applicable, to be experiencing a mental
35 disorder as defined in chapter 71.34 RCW, including those mental
36 disorders that result in a behavioral or conduct disorder, that is
37 clearly interfering with the child's functioning in family or school
38 or with peers and who meets at least one of the following criteria:

39 (a) Has undergone inpatient treatment or placement outside of the
40 home related to a mental disorder within the last two years;

1 (b) Has undergone involuntary treatment under chapter 71.34 RCW
2 within the last two years;

3 (c) Is currently served by at least one of the following child-
4 serving systems: Juvenile justice, child-protection/welfare, special
5 education, or developmental disabilities;

6 (d) Is at risk of escalating maladjustment due to:

7 (i) Chronic family dysfunction involving a caretaker who is
8 mentally ill or inadequate;

9 (ii) Changes in custodial adult;

10 (iii) Going to, residing in, or returning from any placement
11 outside of the home, for example, psychiatric hospital, short-term
12 inpatient, residential treatment, group or foster home, or a
13 correctional facility;

14 (iv) Subject to repeated physical abuse or neglect;

15 (v) Drug or alcohol abuse; or

16 (vi) Homelessness.

17 (42) "State minimum standards" means minimum requirements
18 established by rules adopted and necessary to implement this chapter
19 by:

20 (a) The authority for:

21 (i) Delivery of mental health and substance use disorder
22 services; and

23 (ii) Community support services and resource management services;

24 (b) The department of health for:

25 (i) Licensed or certified behavioral health agencies for the
26 purpose of providing mental health or substance use disorder programs
27 and services, or both;

28 (ii) Licensed behavioral health providers for the provision of
29 mental health or substance use disorder services, or both; and

30 (iii) Residential services.

31 (43) "Substance use disorder" means a cluster of cognitive,
32 behavioral, and physiological symptoms indicating that an individual
33 continues using the substance despite significant substance-related
34 problems. The diagnosis of a substance use disorder is based on a
35 pathological pattern of behaviors related to the use of the
36 substances.

37 (44) "Tribe," for the purposes of this section, means a federally
38 recognized Indian tribe.

39 (45) "Crisis call center hub" means a state-designated center
40 participating in the national suicide prevention lifeline network to

1 respond to statewide or regional 988 calls that meets the
2 requirements of section 102 of this act.

3 (46) "Crisis stabilization services" means services such as 23-
4 hour crisis stabilization units based on the living room model,
5 crisis stabilization units as provided in RCW 71.05.020, triage
6 facilities as provided in RCW 71.05.020, short-term respite
7 facilities, peer-run respite services, and same-day walk-in
8 behavioral health services, including within the overall crisis
9 system components that operate like hospital emergency departments
10 that accept all walk-ins, and ambulance, fire, and police drop-offs.

11 (47) "Mobile rapid response crisis team" means a team that
12 provides professional on-site community-based intervention such as
13 outreach, de-escalation, stabilization, resource connection, and
14 follow-up support for individuals who are experiencing a behavioral
15 health crisis, that shall include certified peer counselors as a best
16 practice to the extent practicable based on workforce availability,
17 and that meets standards for response times established by the
18 authority.

19 (48) "988 crisis hotline" means the universal telephone number
20 within the United States designated for the purpose of the national
21 suicide prevention and mental health crisis hotline system operating
22 through the national suicide prevention lifeline.

23 **Sec. 402.** RCW 71.24.025 and 2020 c 256 s 201 and 2020 c 80 s 52
24 are each reenacted and amended to read as follows:

25 Unless the context clearly requires otherwise, the definitions in
26 this section apply throughout this chapter.

27 (1) "Acutely mentally ill" means a condition which is limited to
28 a short-term severe crisis episode of:

29 (a) A mental disorder as defined in RCW 71.05.020 or, in the case
30 of a child, as defined in RCW 71.34.020;

31 (b) Being gravely disabled as defined in RCW 71.05.020 or, in the
32 case of a child, a gravely disabled minor as defined in RCW
33 71.34.020; or

34 (c) Presenting a likelihood of serious harm as defined in RCW
35 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

36 (2) "Alcoholism" means a disease, characterized by a dependency
37 on alcoholic beverages, loss of control over the amount and
38 circumstances of use, symptoms of tolerance, physiological or
39 psychological withdrawal, or both, if use is reduced or discontinued,

1 and impairment of health or disruption of social or economic
2 functioning.

3 (3) "Approved substance use disorder treatment program" means a
4 program for persons with a substance use disorder provided by a
5 treatment program licensed or certified by the department as meeting
6 standards adopted under this chapter.

7 (4) "Authority" means the Washington state health care authority.

8 (5) "Available resources" means funds appropriated for the
9 purpose of providing community behavioral health programs, federal
10 funds, except those provided according to Title XIX of the Social
11 Security Act, and state funds appropriated under this chapter or
12 chapter 71.05 RCW by the legislature during any biennium for the
13 purpose of providing residential services, resource management
14 services, community support services, and other behavioral health
15 services. This does not include funds appropriated for the purpose of
16 operating and administering the state psychiatric hospitals.

17 (6) "Behavioral health administrative services organization"
18 means an entity contracted with the authority to administer
19 behavioral health services and programs under RCW 71.24.381,
20 including crisis services and administration of chapter 71.05 RCW,
21 the involuntary treatment act, for all individuals in a defined
22 regional service area.

23 (7) "Behavioral health aide" means a counselor, health educator,
24 and advocate who helps address individual and community-based
25 behavioral health needs, including those related to alcohol, drug,
26 and tobacco abuse as well as mental health problems such as grief,
27 depression, suicide, and related issues and is certified by a
28 community health aide program of the Indian health service or one or
29 more tribes or tribal organizations consistent with the provisions of
30 25 U.S.C. Sec. 16161 and RCW 43.71B.010 (7) and (8).

31 (8) "Behavioral health provider" means a person licensed under
32 chapter 18.57, 18.71, 18.71A, 18.83, 18.205, 18.225, or 18.79 RCW, as
33 it applies to registered nurses and advanced registered nurse
34 practitioners.

35 (9) "Behavioral health services" means mental health services as
36 described in this chapter and chapter 71.36 RCW and substance use
37 disorder treatment services as described in this chapter that,
38 depending on the type of service, are provided by licensed or
39 certified behavioral health agencies, behavioral health providers, or
40 integrated into other health care providers.

1 (10) "Child" means a person under the age of eighteen years.

2 (11) "Chronically mentally ill adult" or "adult who is
3 chronically mentally ill" means an adult who has a mental disorder
4 and meets at least one of the following criteria:

5 (a) Has undergone two or more episodes of hospital care for a
6 mental disorder within the preceding two years; or

7 (b) Has experienced a continuous psychiatric hospitalization or
8 residential treatment exceeding six months' duration within the
9 preceding year; or

10 (c) Has been unable to engage in any substantial gainful activity
11 by reason of any mental disorder which has lasted for a continuous
12 period of not less than twelve months. "Substantial gainful activity"
13 shall be defined by the authority by rule consistent with Public Law
14 92-603, as amended.

15 (12) "Clubhouse" means a community-based program that provides
16 rehabilitation services and is licensed or certified by the
17 department.

18 (13) "Community behavioral health program" means all
19 expenditures, services, activities, or programs, including reasonable
20 administration and overhead, designed and conducted to prevent or
21 treat substance use disorder, mental illness, or both in the
22 community behavioral health system.

23 (14) "Community behavioral health service delivery system" means
24 public, private, or tribal agencies that provide services
25 specifically to persons with mental disorders, substance use
26 disorders, or both, as defined under RCW 71.05.020 and receive
27 funding from public sources.

28 (15) "Community support services" means services authorized,
29 planned, and coordinated through resource management services
30 including, at a minimum, assessment, diagnosis, emergency crisis
31 intervention available twenty-four hours, seven days a week,
32 prescreening determinations for persons who are mentally ill being
33 considered for placement in nursing homes as required by federal law,
34 screening for patients being considered for admission to residential
35 services, diagnosis and treatment for children who are acutely
36 mentally ill or severely emotionally or behaviorally disturbed
37 discovered under screening through the federal Title XIX early and
38 periodic screening, diagnosis, and treatment program, investigation,
39 legal, and other nonresidential services under chapter 71.05 RCW,
40 case management services, psychiatric treatment including medication

1 supervision, counseling, psychotherapy, assuring transfer of relevant
2 patient information between service providers, recovery services, and
3 other services determined by behavioral health administrative
4 services organizations.

5 (16) "Consensus-based" means a program or practice that has
6 general support among treatment providers and experts, based on
7 experience or professional literature, and may have anecdotal or case
8 study support, or that is agreed but not possible to perform studies
9 with random assignment and controlled groups.

10 (17) "County authority" means the board of county commissioners,
11 county council, or county executive having authority to establish a
12 behavioral health administrative services organization, or two or
13 more of the county authorities specified in this subsection which
14 have entered into an agreement to establish a behavioral health
15 administrative services organization.

16 (18) "Department" means the department of health.

17 (19) "Designated crisis responder" has the same meaning as in RCW
18 71.05.020.

19 (20) "Director" means the director of the authority.

20 (21) "Drug addiction" means a disease characterized by a
21 dependency on psychoactive chemicals, loss of control over the amount
22 and circumstances of use, symptoms of tolerance, physiological or
23 psychological withdrawal, or both, if use is reduced or discontinued,
24 and impairment of health or disruption of social or economic
25 functioning.

26 (22) "Early adopter" means a regional service area for which all
27 of the county authorities have requested that the authority purchase
28 medical and behavioral health services through a managed care health
29 system as defined under RCW 71.24.380(6).

30 (23) "Emerging best practice" or "promising practice" means a
31 program or practice that, based on statistical analyses or a well
32 established theory of change, shows potential for meeting the
33 evidence-based or research-based criteria, which may include the use
34 of a program that is evidence-based for outcomes other than those
35 listed in subsection (24) of this section.

36 (24) "Evidence-based" means a program or practice that has been
37 tested in heterogeneous or intended populations with multiple
38 randomized, or statistically controlled evaluations, or both; or one
39 large multiple site randomized, or statistically controlled
40 evaluation, or both, where the weight of the evidence from a systemic

1 review demonstrates sustained improvements in at least one outcome.
2 "Evidence-based" also means a program or practice that can be
3 implemented with a set of procedures to allow successful replication
4 in Washington and, when possible, is determined to be cost-
5 beneficial.

6 (25) "Indian health care provider" means a health care program
7 operated by the Indian health service or by a tribe, tribal
8 organization, or urban Indian organization as those terms are defined
9 in the Indian health care improvement act (25 U.S.C. Sec. 1603).

10 (26) "Intensive behavioral health treatment facility" means a
11 community-based specialized residential treatment facility for
12 individuals with behavioral health conditions, including individuals
13 discharging from or being diverted from state and local hospitals,
14 whose impairment or behaviors do not meet, or no longer meet,
15 criteria for involuntary inpatient commitment under chapter 71.05
16 RCW, but whose care needs cannot be met in other community-based
17 placement settings.

18 (27) "Licensed or certified behavioral health agency" means:

19 (a) An entity licensed or certified according to this chapter or
20 chapter 71.05 RCW;

21 (b) An entity deemed to meet state minimum standards as a result
22 of accreditation by a recognized behavioral health accrediting body
23 recognized and having a current agreement with the department; or

24 (c) An entity with a tribal attestation that it meets state
25 minimum standards for a licensed or certified behavioral health
26 agency.

27 (28) "Licensed physician" means a person licensed to practice
28 medicine or osteopathic medicine and surgery in the state of
29 Washington.

30 (29) "Long-term inpatient care" means inpatient services for
31 persons committed for, or voluntarily receiving intensive treatment
32 for, periods of ninety days or greater under chapter 71.05 RCW.

33 "Long-term inpatient care" as used in this chapter does not include:

34 (a) Services for individuals committed under chapter 71.05 RCW who
35 are receiving services pursuant to a conditional release or a court-
36 ordered less restrictive alternative to detention; or (b) services
37 for individuals voluntarily receiving less restrictive alternative
38 treatment on the grounds of the state hospital.

39 (30) "Managed care organization" means an organization, having a
40 certificate of authority or certificate of registration from the

1 office of the insurance commissioner, that contracts with the
2 authority under a comprehensive risk contract to provide prepaid
3 health care services to enrollees under the authority's managed care
4 programs under chapter 74.09 RCW.

5 (31) "Mental health peer-run respite center" means a peer-run
6 program to serve individuals in need of voluntary, short-term,
7 noncrisis services that focus on recovery and wellness.

8 (32) Mental health "treatment records" include registration and
9 all other records concerning persons who are receiving or who at any
10 time have received services for mental illness, which are maintained
11 by the department of social and health services or the authority, by
12 behavioral health administrative services organizations and their
13 staffs, by managed care organizations and their staffs, or by
14 treatment facilities. "Treatment records" do not include notes or
15 records maintained for personal use by a person providing treatment
16 services for the entities listed in this subsection, or a treatment
17 facility if the notes or records are not available to others.

18 (33) "Mentally ill persons," "persons who are mentally ill," and
19 "the mentally ill" mean persons and conditions defined in subsections
20 (1), (11), (40), and (41) of this section.

21 (34) "Recovery" means a process of change through which
22 individuals improve their health and wellness, live a self-directed
23 life, and strive to reach their full potential.

24 (35) "Research-based" means a program or practice that has been
25 tested with a single randomized, or statistically controlled
26 evaluation, or both, demonstrating sustained desirable outcomes; or
27 where the weight of the evidence from a systemic review supports
28 sustained outcomes as described in subsection (24) of this section
29 but does not meet the full criteria for evidence-based.

30 (36) "Residential services" means a complete range of residences
31 and supports authorized by resource management services and which may
32 involve a facility, a distinct part thereof, or services which
33 support community living, for persons who are acutely mentally ill,
34 adults who are chronically mentally ill, children who are severely
35 emotionally disturbed, or adults who are seriously disturbed and
36 determined by the behavioral health administrative services
37 organization or managed care organization to be at risk of becoming
38 acutely or chronically mentally ill. The services shall include at
39 least evaluation and treatment services as defined in chapter 71.05
40 RCW, acute crisis respite care, long-term adaptive and rehabilitative

1 care, and supervised and supported living services, and shall also
2 include any residential services developed to service persons who are
3 mentally ill in nursing homes, residential treatment facilities,
4 assisted living facilities, and adult family homes, and may include
5 outpatient services provided as an element in a package of services
6 in a supported housing model. Residential services for children in
7 out-of-home placements related to their mental disorder shall not
8 include the costs of food and shelter, except for children's long-
9 term residential facilities existing prior to January 1, 1991.

10 (37) "Resilience" means the personal and community qualities that
11 enable individuals to rebound from adversity, trauma, tragedy,
12 threats, or other stresses, and to live productive lives.

13 (38) "Resource management services" mean the planning,
14 coordination, and authorization of residential services and community
15 support services administered pursuant to an individual service plan
16 for: (a) Adults and children who are acutely mentally ill; (b) adults
17 who are chronically mentally ill; (c) children who are severely
18 emotionally disturbed; or (d) adults who are seriously disturbed and
19 determined by a behavioral health administrative services
20 organization or managed care organization to be at risk of becoming
21 acutely or chronically mentally ill. Such planning, coordination, and
22 authorization shall include mental health screening for children
23 eligible under the federal Title XIX early and periodic screening,
24 diagnosis, and treatment program. Resource management services
25 include seven day a week, twenty-four hour a day availability of
26 information regarding enrollment of adults and children who are
27 mentally ill in services and their individual service plan to
28 designated crisis responders, evaluation and treatment facilities,
29 and others as determined by the behavioral health administrative
30 services organization or managed care organization, as applicable.

31 (39) "Secretary" means the secretary of the department of health.

32 (40) "Seriously disturbed person" means a person who:

33 (a) Is gravely disabled or presents a likelihood of serious harm
34 to himself or herself or others, or to the property of others, as a
35 result of a mental disorder as defined in chapter 71.05 RCW;

36 (b) Has been on conditional release status, or under a less
37 restrictive alternative order, at some time during the preceding two
38 years from an evaluation and treatment facility or a state mental
39 health hospital;

1 (c) Has a mental disorder which causes major impairment in
2 several areas of daily living;

3 (d) Exhibits suicidal preoccupation or attempts; or

4 (e) Is a child diagnosed by a mental health professional, as
5 defined in chapter 71.34 RCW, as experiencing a mental disorder which
6 is clearly interfering with the child's functioning in family or
7 school or with peers or is clearly interfering with the child's
8 personality development and learning.

9 (41) "Severely emotionally disturbed child" or "child who is
10 severely emotionally disturbed" means a child who has been determined
11 by the behavioral health administrative services organization or
12 managed care organization, if applicable, to be experiencing a mental
13 disorder as defined in chapter 71.34 RCW, including those mental
14 disorders that result in a behavioral or conduct disorder, that is
15 clearly interfering with the child's functioning in family or school
16 or with peers and who meets at least one of the following criteria:

17 (a) Has undergone inpatient treatment or placement outside of the
18 home related to a mental disorder within the last two years;

19 (b) Has undergone involuntary treatment under chapter 71.34 RCW
20 within the last two years;

21 (c) Is currently served by at least one of the following child-
22 serving systems: Juvenile justice, child-protection/welfare, special
23 education, or developmental disabilities;

24 (d) Is at risk of escalating maladjustment due to:

25 (i) Chronic family dysfunction involving a caretaker who is
26 mentally ill or inadequate;

27 (ii) Changes in custodial adult;

28 (iii) Going to, residing in, or returning from any placement
29 outside of the home, for example, psychiatric hospital, short-term
30 inpatient, residential treatment, group or foster home, or a
31 correctional facility;

32 (iv) Subject to repeated physical abuse or neglect;

33 (v) Drug or alcohol abuse; or

34 (vi) Homelessness.

35 (42) "State minimum standards" means minimum requirements
36 established by rules adopted and necessary to implement this chapter
37 by:

38 (a) The authority for:

39 (i) Delivery of mental health and substance use disorder
40 services; and

1 (ii) Community support services and resource management services;

2 (b) The department of health for:

3 (i) Licensed or certified behavioral health agencies for the
4 purpose of providing mental health or substance use disorder programs
5 and services, or both;

6 (ii) Licensed behavioral health providers for the provision of
7 mental health or substance use disorder services, or both; and

8 (iii) Residential services.

9 (43) "Substance use disorder" means a cluster of cognitive,
10 behavioral, and physiological symptoms indicating that an individual
11 continues using the substance despite significant substance-related
12 problems. The diagnosis of a substance use disorder is based on a
13 pathological pattern of behaviors related to the use of the
14 substances.

15 (44) "Tribe," for the purposes of this section, means a federally
16 recognized Indian tribe.

17 (45) "Crisis call center hub" means a state-designated center
18 participating in the national suicide prevention lifeline network to
19 respond to statewide or regional 988 calls that meets the
20 requirements of section 102 of this act.

21 (46) "Crisis stabilization services" means services such as 23-
22 hour crisis stabilization units based on the living room model,
23 crisis stabilization units as provided in RCW 71.05.020, triage
24 facilities as provided in RCW 71.05.020, short-term respite
25 facilities, peer-run respite services, and same-day walk-in
26 behavioral health services, including within the overall crisis
27 system components that operate like hospital emergency departments
28 that accept all walk-ins, and ambulance, fire, and police drop-offs.

29 (47) "Mobile rapid response crisis team" means a team that
30 provides professional on-site community-based intervention such as
31 outreach, de-escalation, stabilization, resource connection, and
32 follow-up support for individuals who are experiencing a behavioral
33 health crisis, that shall include certified peer counselors as a best
34 practice to the extent practicable based on workforce availability,
35 and that meets standards for response times established by the
36 authority.

37 (48) "988 crisis hotline" means the universal telephone number
38 within the United States designated for the purpose of the national
39 suicide prevention and mental health crisis hotline system operating
40 through the national suicide prevention lifeline.

1 **Sec. 403.** RCW 71.24.649 and 2019 c 324 s 5 are each amended to
2 read as follows:

3 The secretary shall license or certify mental health peer-run
4 respite centers that meet state minimum standards. In consultation
5 with the authority and the department of social and health services,
6 the secretary must:

7 (1) Establish requirements for licensed and certified community
8 behavioral health agencies to provide mental health peer-run respite
9 center services and establish physical plant and service requirements
10 to provide voluntary, short-term, noncrisis services that focus on
11 recovery and wellness;

12 (2) Require licensed and certified agencies to partner with the
13 local crisis system including, but not limited to, evaluation and
14 treatment facilities and designated crisis responders;

15 (3) Establish staffing requirements, including rules to ensure
16 that facilities are peer-run;

17 (4) Limit services to a maximum of seven days in a month;

18 (5) Limit services to individuals who are experiencing
19 psychiatric distress, but do not meet legal criteria for involuntary
20 hospitalization under chapter 71.05 RCW; and

21 (6) Limit services to persons at least eighteen years of age.

22 NEW SECTION. **Sec. 404.** Sections 201 through 206 of this act
23 constitute a new chapter in Title 82 RCW.

24 NEW SECTION. **Sec. 405.** Sections 201 through 205 of this act
25 take effect October 1, 2021.

26 NEW SECTION. **Sec. 406.** Section 401 of this act expires July 1,
27 2022.

28 NEW SECTION. **Sec. 407.** Section 402 of this act takes effect
29 July 1, 2022.

30 NEW SECTION. **Sec. 408.** Section 103 of this act is necessary for
31 the immediate preservation of the public peace, health, or safety, or
32 support of the state government and its existing public institutions,
33 and takes effect immediately."

E2SHB 1477 - CONF REPT
By Conference Committee

1 On page 1, line 4 of the title, after "services;" strike the
2 remainder of the title and insert "amending RCW 71.24.649; reenacting
3 and amending RCW 71.24.025 and 71.24.025; adding new sections to
4 chapter 71.24 RCW; adding a new section to chapter 48.43 RCW; adding
5 a new section to chapter 43.06 RCW; adding a new chapter to Title 82
6 RCW; creating a new section; prescribing penalties; making
7 appropriations; providing effective dates; providing expiration
8 dates; and declaring an emergency."

--- END ---