

# TOWNSEND

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## MEMO

**To:** City of Cupertino  
Legislative Review Committee

**From:** Townsend Public Affairs, Inc.

**Date:** May 14, 2021

**Subject:** Consider adopting a position on Assembly Bill 988 (Bauer-Kahan) Mental health: mobile crisis support teams: 988 crisis hotline

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### Bill Information

The official text of AB 988 can be found [here](#)<sup>1</sup>.

### Summary

AB 988 would establish the 988 Crisis Hotline Center, using the digits “988” in compliance with existing federal law and standards governing the National Suicide Prevention Lifeline. The bill would require the Office of Emergency Services (CalOES) to implement the hotline system, including hiring a director and designating a 988 crisis hotline center, or centers, to provide crisis intervention services and crisis care coordination to individuals accessing the 988.

This bill would require CalOES to adopt emergency regulations and designate at least one center prior to July 16, 2022. Beginning January 1, 2023, and not later than January 1, 2024, the bill would require crisis hotline centers, counties, and other relevant entities to become fully compliant with the regulations.

This bill would require that all elements of the 988 system be designed to meet the unique needs of California’s diverse communities. The bill would require counties to provide and make crisis services, including mobile crisis teams and crisis receiving and stabilization services, available to 988 callers and would require counties to coordinate with 988 crisis hotline centers on the deployment of, and access to, these services.

This bill would establish a monthly surcharge, beginning January 1, 2022, on land lines and mobile phones based on CalOES’ estimate of 988 costs. These costs would be calculated in the same fashion as the office’s estimate of 911 charges. AB 988 would require these funds to be held in a special account and would continuously appropriate funding for the purpose of carrying out the provisions of this bill.

### Status

AB 988 was approved by the Assembly Health Committee (11-2) and the Assembly Communications and Conveyance Committee (10-0). The bill is currently in the Assembly Appropriations Committee awaiting a hearing.

<sup>1</sup> [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB988](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB988)

## Support

According to the author, “For decades, California has failed to provide necessary mental health crisis services amidst this growing mental health crisis. As a result, the police and the criminal justice system as a whole often serve the state’s default mental health provider. Currently, 10% of law enforcement agencies’ budgets – and 20% of staff time – are spend responding to individuals with mental illness.”

The author further states, “In October of 2020, the federal government passed, and the President signed new legislation, the National Suicide Hotline Designation Act, establishing a new phone line (9-8-8) for suicide prevention and immediate mental health crisis response nationwide. Before July 2022, when 988 goes live, states must create a framework to receive and respond to calls.”

Supporters of AB 988 include: County of Contra Costa; Kennedy Forum; Miles Hall Foundation; NAMI Contra Costa; Steinberg Institute; California Psychological Assn; California State Assn of Psychiatrists; the cities of Concord, Davis, Dublin, Lafayette, Livermore, Oakley, Pleasanton, San Diego, and San Ramon; Los Angeles County Board of Supervisors; Disability Rights California; National Alliance on Mental Health; and Planned Parenthood Affiliates of California.

## Opposition

The California Tax Payers Association (CalTax) states that a phone surcharge should be narrowly focused to funding the cost of connecting calls to a crisis hotline, rather than funding a broad healthcare program that requires ongoing funding for this critical service. CalTax states, the nexus between phone service and connecting a call makes sense, but using the phone bill as a funding source for a healthcare program goes beyond the scope of what is appropriate.

The California Cable and Telecommunications Association (CCTA), in an oppose unless amended position, states that while this bill provides that OES and counties should “seek” to secure federal and private funding to provide these crisis services, the new 988 fee imposed on communications customers would be the backstop to fund all of these costs. CCTA is opposed to requiring communications customers to fund the full implementation of the 988 program.

Opponents of AB 988 include: CalTax; California Cable and Telecommunications Assn (unless amended); and SEIU California (unless amended)

## Recommended Action

Adopt a support position on AB 988 and authorize the Mayor to send letters to the state legislature