

Chapter 146

(Senate Bill 241)

AN ACT concerning

Behavioral Health Crisis Response Services – 9–8–8 Trust Fund

FOR the purpose of establishing the 9–8–8 Trust Fund as a special, nonlapsing fund; requiring interest earnings of the Fund to be credited to the Fund; requiring the Maryland Department of Health to designate 9–8–8 as the primary phone number for the State’s behavioral health crisis hotline; requiring the Department to work to promote public messaging relating to 9–8–8 services in a certain manner; and generally relating to behavioral health crisis response services and the 9–8–8 hotline.

BY adding to

Article – Health – General

Section 7.5–5A–01 through 7.5–5A–04 to be under the new subtitle “Subtitle 5A. 9–8–8 Trust Fund”

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)144. and 145.

Annotated Code of Maryland

(2021 Replacement Volume)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)146.

Annotated Code of Maryland

(2021 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health – General

SUBTITLE 5A. 9–8–8 TRUST FUND.

7.5-5A-01.

IN THIS SUBTITLE, “FUND” MEANS THE 9-8-8 TRUST FUND.

7.5-5A-02.

(A) THERE IS A 9-8-8 TRUST FUND.

(B) THE PURPOSE OF THE FUND IS TO PROVIDE REIMBURSEMENT FOR COSTS ASSOCIATED WITH:

(1) DESIGNATING AND MAINTAINING 9-8-8 AS THE UNIVERSAL TELEPHONE NUMBER FOR A NATIONAL SUICIDE PREVENTION AND MENTAL HEALTH CRISIS HOTLINE IN ACCORDANCE WITH THE FEDERAL NATIONAL SUICIDE HOTLINE DESIGNATION ACT OF 2020; AND

(2) DEVELOPING AND IMPLEMENTING A STATEWIDE INITIATIVE FOR THE COORDINATION AND DELIVERY OF THE CONTINUUM OF BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES IN THE STATE, INCLUDING:

(I) CRISIS CALL CENTERS;

(II) MOBILE CRISIS TEAM SERVICES;

(III) CRISIS STABILIZATION CENTERS; AND

(IV) OTHER ACUTE BEHAVIORAL HEALTH CARE SERVICES.

(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) INTEREST EARNINGS OF THE FUND; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(F) THE FUND MAY BE USED ONLY FOR CARRYING OUT THE PURPOSE OF THE FUND.

(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(I) MONEY EXPENDED FROM THE FUND FOR CARRYING OUT THE PURPOSE OF THE FUND IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED FOR CARRYING OUT THE PURPOSE OF THE FUND.

(J) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

(1) THE GENERAL FUND OF THE STATE; OR

(2) ANY OTHER SPECIAL FUND OF THE STATE.

(K) THE FUND IS SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT ARTICLE.

7.5-5A-03.

THE DEPARTMENT, IN COLLABORATION WITH THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, THE NATIONAL SUICIDE PREVENTION LIFELINE, THE NATIONAL VETERANS CRISIS LINE, AND OTHER APPROPRIATE ENTITIES, SHALL WORK TO PROMOTE THE PUBLIC MESSAGING OF 9-8-8 SERVICES IN A CONSISTENT MANNER.

7.5-5A-04.

ON OR BEFORE DECEMBER 1 EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE LEGISLATIVE POLICY COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT

INCLUDES FOR THE IMMEDIATELY PRECEDING FISCAL YEAR A DETAILED DESCRIPTION OF:

(1) THE AMOUNT OF FUNDS TRANSFERRED AND DISTRIBUTED FROM THE FUND IN ACCORDANCE WITH § 7.5-5A-02(B) OF THIS SUBTITLE;

(2) THE ADDITIONAL SERVICES PROVIDED BY THE FUNDING IN EACH LOCAL JURISDICTION;

(3) THE AMOUNT OF ANY UNSPENT FUNDS IN THE FUND; AND

(4) THE REASONS FUNDS IDENTIFIED UNDER ITEM (3) OF THIS SECTION WERE NOT SPENT.

Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

144. the Health Equity Resource Community Reserve Fund;

[and]

145. the Access to Counsel in Evictions Special Fund; **AND**

146. THE 9-8-8 TRUST FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That before July 16, 2022, the Maryland Department of Health shall designate 9-8-8 as the primary phone number for the State's behavioral health crisis hotline to provide crisis intervention services and crisis care coordination to individuals accessing suicide prevention and behavioral health services from any jurisdiction within the State 24 hours a day, 7 days a week under the federal National Suicide Hotline Designation Act of 2020.

SECTION 3. AND BE IT FURTHER ENACTED, That, for fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of ~~\$10,000,000~~

\$5,500,000 to the 9–8–8 Trust Fund established under § 7.5–5A–02 of the Health – General Article, as enacted by Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.

Approved by the Governor, April 21, 2022.