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CSHB 138 Sectional Analysis Version G (CSHB138 34-LS0471\G)

"An Act establishing a behavioral health crisis services surcharge; establishing the behavioral health crisis services fund; and providing for an effective date."

Section 1. Establishes Article 5 under Title 43 - Revenue and Taxation, Chapter 98 - Miscellaneous Provisions, to establish the Behavioral Health Crisis Services Surcharge in AS 43.98.080

Subsection (a) establishes a telecom fee of \$.98 per month for each wireless telephone number and wireline telephone.

Subsection (b) provides that the telephone company shall impose the surcharge to each customer with a billing address in the state and collect the surcharge from the customer. Customers may not be subject to more than one surcharge per line. A customer with more than 100 lines are subject to the surcharge on no more than 100 lines.

Subsection (c) specifies that the telephone company shall clearly state the surcharge on the monthly telephone bill. The Regulatory Commission of Alaska may not consider this surcharge as revenue of the telephone company and has no jurisdiction over behavioral health crisis services.

Subsection (d) specifies that the telephone company shall remit the amount collected to the Department no later than 60 days after the end of the month in which the surcharge was collected. The telephone company may deduct and retain the greater of 1% of the amount collected or \$150 to support the administration of surcharge collection.

Subsection (e) states that the telephone company is not obligated to take legal action to enforce collection of the surcharge. However, if the telephone company attempts to collect an unpaid debt from customer, the company shall also collect the unpaid surcharge. If a customer pays only a portion of their bill, the surcharge amount shall be prorated accordingly. The telephone company shall also provide an annual report to the

Department with detailed information on customer non-payment amounts. The telephone company is not liable for uncollected surcharges.

Subsection (f) the Department may require an annual audit of the telephone company's records concerning the collection and remittance of the surcharge.

Subsection (g) establishes the Behavioral Health Crisis Services Fund in the general fund. The Department of Administration shall account for this fund separately. The Legislature may appropriate the annual estimated balance of the fund to the Department of Health for the specific behavioral health crisis response purposes outlined in subsections (1)-(7) including support for the crisis call center, mobile crisis teams, crisis stabilization centers, workforce development, training, education, and other services.

Subsection (h) states that nothing in this section creates a dedicated fund.

Subsection (i) includes the definitions for "local exchange access line," "local exchange telephone company," "wireless telephone," "wireless telephone company," and "wireline telephone."

Section 2. Provides for an effective date of July 1, 2026