

HOUSE BILL NO. 138

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MINA, Jimmie, Story, Galvin, Hall

Introduced: 3/17/25

Referred: Health and Social Services, Labor and Commerce, Finance

A BILL

FOR AN ACT ENTITLED

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

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 43.98 is amended by adding a new section to read:

5 **Article 5. Behavioral Health Crisis Services Surcharge.**

6 **Sec. 43.98.080. Behavioral health crisis services surcharge; behavioral**
7 **health crisis services fund.** (a) A behavioral health crisis services surcharge of \$.98 a
8 month is imposed for each wireless telephone number and for each local exchange
9 access line for wireline telephones.

10 (b) A local exchange telephone company that provides service in the state
11 shall bill each month and collect a behavioral health crisis services surcharge from
12 each customer. A wireless telephone company that provides telephone service to a
13 customer with a billing address in the state shall impose a behavioral health crisis
14 services surcharge each month and collect the surcharge from the customer. A local

1 exchange telephone customer may not be subject to more than one behavioral health
2 crisis services surcharge on a local exchange access line for a wireline telephone. A
3 wireless telephone customer may not be subject to more than one behavioral health
4 crisis services surcharge for each wireless telephone number. A customer that has
5 more than 100 local exchange access lines from a local exchange telephone company
6 in the state is liable for the behavioral health crisis services surcharge only on 100
7 local exchange access lines.

8 (c) A local exchange telephone company or wireless telephone company shall
9 include the appropriate behavioral health crisis services surcharge, stated separately
10 and included in the total amount owed, in the bill delivered to a customer. The
11 Regulatory Commission of Alaska may not consider the behavioral health crisis
12 services surcharge as revenue of the telephone company and has no jurisdiction over
13 behavioral health crisis services. A customer is liable for payment of the surcharge in
14 the amount billed by the telephone company until the amount has been paid to the
15 telephone company.

16 (d) A local exchange telephone company or wireless telephone company that
17 has collected the behavioral health crisis services surcharge shall remit the amount
18 collected to the department not later than 60 days after the end of the month in which
19 the amount was collected. From each remittance made in a timely manner under this
20 subsection, the telephone company is entitled to deduct and retain the greater of one
21 percent of the collected amount or \$150 as the cost of administration for collecting the
22 surcharge.

23 (e) A local exchange telephone company or wireless telephone company is not
24 obligated to take legal action to enforce collection of the behavioral health crisis
25 services surcharge. However, if a telephone company attempts to collect an unpaid
26 debt from a customer, the telephone company shall also attempt to collect any unpaid
27 behavioral health crisis services surcharges that the customer owes. If a customer pays
28 a portion of a bill that includes a behavioral health crisis services surcharge, the
29 amount paid is prorated between the telephone company and the surcharge. The
30 telephone company shall annually provide the department with a list of the amounts
31 due for the nonpayment of behavioral health crisis services surcharges, together with

1 the name and address of each customer who carries a balance that can be determined
 2 by the telephone company to be for the nonpayment of the surcharge. The telephone
 3 company is not liable for an uncollected amount.

4 (f) The department may, at its own expense, require an annual audit of a local
 5 exchange telephone company's or wireless telephone company's books and records
 6 concerning the collection and remittance of the behavioral health crisis services
 7 surcharge.

8 (g) The behavioral health crisis services fund is established in the general
 9 fund. The Department of Administration shall separately account for the behavioral
 10 health crisis services surcharge collected under this section and deposit the surcharge
 11 into the behavioral health crisis services fund. The fund consists of the money
 12 deposited by the Department of Administration under this subsection, donations to the
 13 fund, interest earned on the fund, and appropriations made to the fund. The legislature
 14 may appropriate the annual estimated balance in the fund to the Department of Health
 15 for the purposes of

16 (1) establishing, operating, maintaining, and improving the single
 17 three-digit number 988 for reporting a behavioral health issue or crisis, including
 18 personnel costs, technology, and infrastructure enhancements necessary to achieve
 19 operational and clinical standards and evidence-based best practices;

20 (2) providing services to a person experiencing a behavioral health
 21 crisis;

22 (3) recruiting and retaining qualified behavioral health services
 23 personnel;

24 (4) providing specialized training related to providing behavioral
 25 health services to at-risk communities, including providing culturally and
 26 linguistically competent behavioral health services;

27 (5) providing behavioral health education and raising public awareness
 28 of the single three-digit number 988 and other behavioral health crisis services
 29 available in the state;

30 (6) collecting, analyzing, and reporting data, including seeking
 31 feedback from behavioral health services recipients and related quality improvement

1 activities;

2 (7) administration, oversight, and evaluation of the behavioral health
3 crisis services fund.

4 (h) Nothing in this section creates a dedicated fund.

5 (i) In this section,

6 (1) "local exchange access line" has the meaning given in
7 AS 29.35.137;

8 (2) "local exchange telephone company" has the meaning given in
9 AS 29.35.137;

10 (3) "wireless telephone" has the meaning given in AS 29.35.137;

11 (4) "wireless telephone company" has the meaning given in
12 AS 29.35.137;

13 (5) "wireline telephone" has the meaning given in AS 29.35.137.

14 * **Sec. 2.** This Act takes effect July 1, 2025.