

**HOUSE BILL NO. 138**

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES MINA, Jimmie, Story, Galvin, Hall, Gray

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.