

#### 118TH CONGRESS 1ST SESSION

# H. R. 3498

To facilitate nationwide accessibility and coordination of 211 services and 988 services in order to provide information and referral to all residents and visitors in the United States for mental health emergencies, homelessness needs, other social and human services needs, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

May 18, 2023

Mr. Higgins of New York (for himself and Mr. Fitzpatrick) introduced the following bill; which was referred to the Committee on Energy and Commerce

## A BILL

To facilitate nationwide accessibility and coordination of 211 services and 988 services in order to provide information and referral to all residents and visitors in the United States for mental health emergencies, homelessness needs, other social and human services needs, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Human-services Emer-
- 5 gency Logistic Program Act of 2023" or the "HELP Act
- 6 of 2023".

#### 1 SEC. 2. PURPOSES.

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- 2 The purposes of this Act are as follows:
- 3 (1) To strengthen the existing 211 services and 4 to coordinate 211 and 988 services in States 5 throughout the Nation.
- 6 (2) To increase the availability, reliability, and
  7 responsiveness of 211 and 988 services, and improve
  8 information and referral through 211 and 988 serv9 ices, across the country, 24 hours a day, 365 days
  10 a year.
  - (3) To reduce the use of 911 services for circumstances not related to law enforcement, fire, or medical emergencies.
  - (4) To more efficiently connect individuals with mental health services and other needed human services.
- 17 (5) To reduce the arrests, incarcerations, and 18 violent interactions between law enforcement and in-19 dividuals that sometimes occur from inappropriate 20 911 emergency referrals.

1	SEC. 3. ALLOTMENTS TO STRENGTHEN NATIONWIDE AC-
2	CESSIBILITY AND COORDINATION OF 211 AND
3	988 SERVICES FOR INFORMATION AND RE-
4	FERRAL FOR HUMAN SERVICES AND MENTAL
5	HEALTH NEEDS.
6	(a) In General.—Out of amounts appropriated
7	under section 4(a) that remain after application of section
8	4(b), the Secretary of Health and Human Services (re-
9	ferred to in this Act as the "Secretary"), acting through
10	the Human Services National Board, shall make an allot-
11	ment to each State, in accordance with the formula devel-
12	oped under subsection (b), to carry out a program for the
13	purposes of—
14	(1) ensuring 211 and 988 services are directly
15	accessible to all individuals in each State;
16	(2) ensuring capacity within each State for 988
17	services through the operational support of State
18	designated crisis centers within the National Suicide
19	Prevention Lifeline Network;
20	(3) strengthening the reliability, accessibility,
21	and responsiveness of methods of communication
22	through 211 and 988 services, in order to provide
23	information and referrals with respect to human
24	services provided through the respective 211 or 988
25	services, including mental health emergency re-
26	sources and suicide prevention resources provided

- through 988 services, homelessness resources, domestic violence resources, resources to identify and address child, adult, and elder abuse and exploitation, caregiver and child care resources, and other human service needs provided through 211 services; and
  - (4) reducing law enforcement interactions with people with disabilities and individuals experiencing human-services or mental health needs, and increasing the capacity to divert calls from 911 or police departments to mental health and human services responders, as appropriate.

#### (b) Allotments to States.—

(1) In General.—For purposes of making allotments under this section, the Secretary shall develop a formula for determining the allotment amounts for each State. Such formula shall be based on population, population density, poverty rate, and other evidence-based predictive data related to the needs of the State for, and access to, mental health and other human services. Allotments made under this section, and the services provided through such allotments, shall not supplant funding otherwise made available to the State for such purposes, or

- services otherwise provided by the State for such purposes.
  - (2) Non-federal contributions.—A State may not be eligible for an allotment under this section unless the State ensures that at least 25 percent of the resources of the program funded by the State allotment will be derived from non-Federal sources, which may include in-kind contributions of goods or services.
    - (3) Requirement regarding state allotted to a Ment amounts.—Of the amounts allotted to a State under this section, not more than 15 percent shall be allocated for evaluation, training, and technical assistance, and for management and administration of subgrants awarded under this section.
    - (4) ADMINISTRATIVE COSTS.—From the allotment made to a State under this subsection, the State Human Services Collaborative may retain the greater of ½ of 1 percent of such allotment or \$50,000, for administrative costs.
  - (c) Human Services National Board.—
  - (1) IN GENERAL.—The Secretary shall establish a Human Services National Board for purposes of—

1	(A) managing and allocating funds under
2	this section, including making allotments to
3	States;
4	(B) reviewing State plans for implementing
5	and maintaining 211 systems and coordinating
6	the 211 and 988 systems;
7	(C) evaluating State 211 and 988 systems,
8	including with respect to capacity for answering
9	and responding to calls; and
10	(D) evaluating the coordination and col-
11	laboration among 211, 988, and 911 services
12	and other emergency and call center systems.
13	(2) Membership.—
14	(A) In General.—The Human Services
15	National Board shall be comprised of not fewer
16	than 19 members selected by the Secretary in
17	accordance with subparagraph (B), of which 11
18	shall be permanent members, and 8 shall serve
19	3-year, rotating terms.
20	(B) Members.—
21	(i) Permanent members.—The 11
22	permanent members shall be comprised of
23	one representative from each of—
24	(I) the Alliance of Information
25	and Referral Systems;

1	(II) United Way Worldwide;
2	(III) the National Council on
3	Independent Living;
4	(IV) the National Association of
5	Area Agencies on Aging;
6	(V) the Bazelon Center for Men-
7	tal Health Law;
8	(VI) the Leadership Conference
9	on Civil and Human Rights;
10	(VII) the National Alliance to
11	End Homelessness;
12	(VIII) the Fraternal Order of
13	Police;
14	(IX) the National Suicide Pre-
15	vention Lifeline;
16	(X) the National Domestic Vio-
17	lence Hotline; and
18	(XI) the National Emergency
19	Number Association.
20	(ii) ROTATING MEMBERS.—The 8 ro-
21	tating members shall be selected by the
22	Secretary, with input from stakeholders
23	and advocates, and shall include—

1	(I) 1 representative of a faith-
2	based organization dedicated to pro-
3	viding human services;
4	(II) 1 representative of an orga-
5	nization dedicated to ensuring racial
6	and ethnic equity;
7	(III) 1 representative of a dis-
8	ability organization operated by a ma-
9	jority of people with disabilities;
10	(IV) 1 representative of an orga-
11	nization representing older adults;
12	(V) 1 representative of an organi-
13	zation representing Tribal and Native
14	peoples;
15	(VI) 1 representative of an orga-
16	nization representing LGBTQ+ popu-
17	lations;
18	(VII) 1 representative of a sec-
19	ular organization dedicated to pro-
20	viding human services; and
21	(VIII) 1 representative of a law
22	enforcement labor or representative
23	organization.
24	(iii) Additional rotating mem-
25	BERS.—In addition to the members ap-

1	pointed under clauses (i) and (ii), the Sec-
2	retary may appoint to the Human Services
3	National Board up to 4 additional rotating
4	members to represent specific populations
5	or issues. Each such member shall serve a
6	3 year term.
7	(iv) Ex officio members.—Ex offi-
8	cio members of the Human Services Na-
9	tional Board shall include 1 representative
10	from each of—
11	(I) the Department of Health
12	and Human Services;
13	(II) the Department of Edu-
14	cation;
15	(III) the Department of Home-
16	land Security;
17	(IV) the Department of Housing
18	and Urban Development;
19	(V) the Department of Com-
20	merce; and
21	(VI) the Department of Labor.
22	(3) FISCAL AGENT.—The Office of the Sec-
23	retary of Health and Human Services shall be the
24	fiscal agent of the Human Services National Board.
25	(4) Chair and vice chair.—

1	(A) CHAIR SELECTION.—The Chair of the
2	Human Services National Board shall be se-
3	lected by the Human Services National Board
4	members, from among the permanent members
5	described in paragraph (2)(B)(i), and shall
6	serve a 5 year term.
7	(B) VICE CHAIR SELECTION.—The Vice
8	Chair shall be selected by the Human Services
9	National Board members, from among the ro-
10	tating members described in paragraph
11	(2)(B)(ii), and shall serve a 3 year term.
12	(d) STATE OVERSIGHT ENTITIES.—
13	(1) Human services collaboratives.—
14	(A) IN GENERAL.—A State seeking an al-
15	lotment under this section, not later than 3
16	months after receiving an allotment, shall ap-
17	point a lead entity (referred to in this section
18	as a "Human Services Collaborative") for pur-
19	poses of meeting the requirements of this sub-
20	section.
21	(B) Human services collaborative.—
22	A State lead entity shall be treated as the State
23	Human Services Collaborative under this sub-
24	section if the entity—

1	(i)(I) is a State entity or an independ-
2	ently incorporated nonprofit organization
3	serving as the lead implementing agency
4	coordinating and managing State and re-
5	gional projects and operations for 211 in
6	the State—
7	(aa) under State law; or
8	(bb) by order of the State public
9	utility commission;
10	(II) collaborates, to the extent prac-
11	ticable, with the entities listed in clause
12	(ii); and
13	(III) collaborates with the Adminis-
14	trator of the National Suicide Prevention
15	Lifeline to coordinate 988 operations with
16	211 operations in the State; or
17	(ii) is a collaborative entity established
18	by the State for such purpose from among
19	representatives of—
20	(I) an informal, existing 211
21	statewide collaborative in the State;
22	(II) crisis centers within the Na-
23	tional Suicide Prevention Lifeline Net-
24	work operating in the State;
25	(III) State agencies;

1	(IV) community-based organiza-
2	tions, including—
3	(aa) organizations rep-
4	resenting older adults;
5	(bb) organizations rep-
6	resenting people with disabilities;
7	(cc) where appropriate, or-
8	ganizations representing Native
9	peoples and Tribal nations;
10	(dd) organizations rep-
11	resenting people with mental
12	health disabilities; and
13	(ee) organizations led by
14	Black people, indigenous people,
15	or people of color working to end
16	racism;
17	(V) faith-based organizations
18	dedicated to providing human serv-
19	ices;
20	(VI) nonprofit organizations pro-
21	viding human services;
22	(VII) comprehensive and special-
23	ized information and referral pro-
24	viders, including area agencies on

1	aging, aging and disability resource
2	centers, and 211 and 988 call centers;
3	(VIII) State and regional founda-
4	tions;
5	(IX) businesses headquartered in,
6	or with significant presence in, the
7	State; and
8	(X) law enforcement labor or rep-
9	resentative organizations representing
10	rank and file officers.
11	(2) Human services state oversight coun-
12	CIL.—
13	(A) In General.—Each State receiving
14	an allotment under this section shall establish a
15	Human Services State Oversight Council (re-
16	ferred to in this section as a "Council") to pro-
17	vide guidance and oversight of the 211 and 988
18	systems to the State Human Services Collabo-
19	rative.
20	(B) Members.—
21	(i) In General.—Each Council shall
22	be comprised of not more than 25 stake-
23	holders and service providers appointed by
24	the governor of the State for staggered 3-
25	year terms, including—

1	(I) at least 3 representatives of
2	human service providers;
3	(II) at least 2 adults over the age
4	of 60;
5	(III) at least 3 people with dis-
6	abilities;
7	(IV) at least 3 additional people
8	with mental health disabilities;
9	(V) at least 1 individual with a
10	child under 18 years of age;
11	(VI) at least 1 individual caring
12	for an older adult;
13	(VII) at least 1 individual pro-
14	viding support for a relative with a
15	disability;
16	(VIII) at least 3 individuals who
17	are members of a family that receives
18	means tested Federal benefits, such as
19	temporary assistance for needy fami-
20	lies under part A of title IV of the So-
21	cial Security Act (42 U.S.C. 601 et
22	seq.), the supplemental nutrition as-
23	sistance program established under
24	the Food and Nutrition Act of 2008
25	(7 U.S.C. 2011 et seg.), or the supple-

1	mental security income program es-
2	tablished under title XVI of the Social
3	Security Act (42 U.S.C. 1381 et seq.);
4	(IX) at least 1 business rep-
5	resentative; and
6	(X) at least 1 representative of a
7	law enforcement labor or representa-
8	tive organization.
9	(ii) Conflicts of interest.—No
10	Council member may be an employee of an
11	entity that receives a subgrant from the
12	State Human Services Collaborative.
13	(iii) Chair and vice chair.—With
14	respect to each Council, the Council shall
15	select from among its members a Chair,
16	who shall be a recipient of human services,
17	and a Vice Chair, who shall be a provider
18	of human services or a business represent-
19	ative.
20	(C) Duties.—Each Council shall be re-
21	sponsible for—
22	(i) reviewing the annual State applica-
23	tion to the Human Services National
24	Board;

1	(ii) reviewing the annual Human
2	Services Collaborative budget;
3	(iii) identifying topics for, and ensur-
4	ing an evaluation of, the State 211 and
5	988 services, consistent with subsection
6	(h)(2);
7	(iv) monitoring the State 211 and 988
8	services to ensure that such services are
9	racially equitable; and
10	(v) making recommendations to in-
11	crease the awareness and effectiveness of
12	211 and 988 services in all parts and com-
13	munities of the State.
14	(e) Application.—The Human Services Collabo-
15	rative of a State, on behalf of each State seeking an alloca-
16	tion under this section, acting under the direction of the
17	State governor, shall submit an annual application to the
18	Human Services National Board for such an allocation,
19	at such time, in such manner, and containing such infor-
20	mation as the Secretary may require, including the fol-
21	lowing:
22	(1) A description of how the Human Services
23	Collaborative will—

- 1 (A) ensure that every resident of the State 2 with phone or internet service can connect to 3 the 211 and 988 services at no charge; (B) make available, throughout the State, 4 211 and 988 service information and referral 6 with respect to human services, including infor-7 mation about the manner in which the Human 8 Services Collaborative will develop, sustain, and 9 evaluate the State's 211 and 988 services and 10 ensure sufficient State capacity for answering 11 and responding to calls to 988; 12 (C) coordinate with 911 systems and law 13 enforcement agencies to divert calls to mental 14 health and human services responders who can 15 assist individuals and link individuals with vol-16 untary, community-based services, as appro-17 priate; and 18 (D) use annual 211 and 988 operational 19 data to inform the Collaborative's approach to 20 assessing the program and establishing over-21 sight metrics. 22 (2) Information on the sources of funding and
  - other resources for the State 211 and 988 services for purposes of meeting the requirements under subsection (b)(2).

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- 1 (3) Information describing how the Human 2 Services Collaborative will provide to all individuals 3 in the State, to the extent practicable, a statewide 4 database available via the internet, that will allow 5 such individuals to search for programs or services 6 that are available from mental health and human 7 services providers in the State.
  - (4) Assurances that all activities and information provided by the 211 and 988 services and all entities receiving subgrants pursuant to this section will be directly accessible according to the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), and part 1194 of title 36, Code of Federal Regulations (or any successor regulations).
    - (5) Any additional information the Secretary may require.

#### (f) Subgrants.—

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(1) AUTHORITY.—For purposes of carrying out a program in a State, the State Human Services Collaborative may make subgrants to such entities as the Collaborative determines appropriate, which may include subgrants to provide funds—

1	(A) for the provision of 211 and 988 serv-
2	ices;
3	(B) for the operation and maintenance of
4	211 and 988 call centers;
5	(C) for the collection and display of infor-
6	mation in the statewide database;
7	(D) for increasing public awareness of 211
8	and 988 services in the State in collaboration
9	with 911 services and other emergency call cen-
10	ters;
11	(E) for coordination of the State's 211 and
12	988 services, including the collection, accessi-
13	bility, and display of information through a na-
14	tional data platform;
15	(F) to conduct statewide and regional
16	planning for 211 and 988 services;
17	(G) for start-up costs of extending 211 and
18	988 services to unserved areas, including costs
19	of software and hardware upgrades and tele-
20	communications and internet costs;
21	(H) to ensure that 211 and 988 services
22	are directly accessible, consistent with the
23	Americans with Disabilities Act of 1990 (42
24	U.S.C. 12101 et seq.), section 508 of the Reha-
25	bilitation Act of 1973 (29 U.S.C. 794d), and

1	part 1194 of title 36, Code of Federal Regula-
2	tions (or any successor regulations);
3	(I) for staffing;
4	(J) for training;
5	(K) for activities related to accreditation;
6	(L) for the evaluation of State 211 and
7	988 activities and capacity;
8	(M) for internet hosting and site develop-
9	ment and maintenance for a statewide data-
10	base;
11	(N) for cloud-based data and messaging
12	capacity;
13	(O) to encourage coordination and collabo-
14	ration of 211 and 988 services within the State
15	and ensure coordination and collaboration with
16	local 911 Public Safety Answering Points;
17	(P) to integrate or share resources and
18	service-level data with national platforms hosted
19	by the Human Services National Board;
20	(Q) to prepare and submit State and na-
21	tional reporting requirements and other activi-
22	ties approved by the Human Services State
23	Oversight Council;
24	(R) to provide stipends and travel reim-
25	bursement for individuals with disabilities and

1	their family members for costs associated with
2	serving on the Human Services State Oversight
3	Council; or
4	(S) to carry out other activities approved
5	by the Human Services National Board on be-
6	half of the Secretary.
7	(2) Considerations.—In awarding a subgrant
8	under this subsection, a lead entity shall consider—
9	(A) the ability of the entity seeking the
10	subgrant to carry out activities or provide serv-
11	ices consistent with this Act;
12	(B) the extent to which the award of the
13	subgrant will facilitate equitable geographic dis-
14	tribution of subgrants under this section to en-
15	sure that rural communities have access to 211
16	and 988 services; and
17	(C) the extent to which the recipient of the
18	subgrant will establish and maintain cooperative
19	relationships with specialized information and
20	referral centers, including Child Care Resource
21	and Referral Agencies, crisis centers, referral
22	agencies for aging or disability services, 911
23	call centers, 311 call centers, and other call
24	centers, as applicable.

1	(3) Preference.—In awarding a subgran
2	under this subsection, a lead entity shall give pref
3	erence to organizations that work with people with
4	disabilities who are Black, Indigenous, or other peo
5	ple of color.
6	(g) Use of State Allotment and Subgrant
7	Amounts.—
8	(1) In general.—Amounts awarded as State
9	allotments or subgrants under this section shall be
10	used solely for either or both of the following pur
11	poses:
12	(A) To make available 211 and 988 serv
13	ices to all individuals in a State via voice, shor
14	message service or other messaging, internet, or
15	other telecommunication methods.
16	(B) For community information and refer
17	ral with respect to human services, among indi
18	viduals, families, and agencies seeking such
19	services and the providers of such services.
20	(2) Requirements.—In making 211 and 988
21	services available, the recipient of a State allotmen
22	or subgrant shall, to the maximum extent prac
23	ticable—
24	(A) abide by the Key Standards for 211
25	Centers as specified in the Standards and Qual

- ity Indicators for Professional Information and
   Referral published by the Alliance of Informa tion and Referral Systems for 211 services;
  - (B) abide by the clinical standards and guidelines specified by the Administrator of the National Suicide Prevention Lifeline for 988 crisis centers that are part of the National Suicide Prevention Lifeline Network; and
  - (C) collaborate with public and private human services organizations and existing national, regional, and local information and referral systems to provide an exhaustive and comprehensive database of services from which to provide information or referrals to individuals using the 211 and 988 services.
  - (3) USE OF SUBGRANT FUNDS.—Amounts awarded through a subgrant under subsection (f) may be used by the subgrant recipient for the purposes described in subsection (f)(1).

### (h) Reports and Evaluations.—

(1) Annual Reports.—The State Human Services Collaborative of each State receiving an allotment under this section shall submit to the Human Services National Board, not later than 60 days after the end of each fiscal year in which such

1	allotment is made, a report on the program funded
2	by the State allotment. Each report shall—
3	(A) describe the activities or services fund-
4	ed by the State allotment;
5	(B) assess the effectiveness of such activi-
6	ties and services in making available, to all resi-
7	dents of the State, 211 and 988 services for
8	emergency mental health services and informa-
9	tion and referrals with respect to human serv-
10	ices in accordance with the provisions of this
11	section;
12	(C) assess the effectiveness of collaboration
13	with human services resource and referral enti-
14	ties and service providers;
15	(D) include the percentage of calls to 911
16	or to police that were diverted to mental health
17	and other human services responders; and
18	(E) describe the services to which individ-
19	uals were linked through the 211 and 988 serv-
20	ices and any efforts to track outcomes.
21	(2) EVALUATION.—Each State Human Services
22	Collaborative shall award a contract to an inde-
23	pendent entity to conduct an evaluation of the State
24	211 and 988 systems biennially. The evaluation shall
25	address—

1	(A) any barriers to access to the State 211
2	and 988 services for residents and visitors;
3	(B) the effectiveness of the State 211 and
4	988 services at connecting residents to needed
5	human services;
6	(C) the effectiveness of collaborations
7	among 211 and 988 partners;
8	(D) the effects of the State 211 and 988
9	services on 911 law enforcement, fire, and med-
10	ical emergency services;
11	(E) the comprehensiveness of the informa-
12	tion in the State 211 and 988 database;
13	(F) public awareness of the State 211 and
14	988 services;
15	(G) user satisfaction with the State 211
16	and 988 services; and
17	(H) other topics identified by the Human
18	Services State Oversight Councils.
19	(i) Definitions.—In this section:
20	(1) 211 SERVICE.—The term "211 service"
21	means providing residents with information and re-
22	ferrals, via voice telephone, text telephone, short
23	message service, text, internet phone, or other tele-
24	communication methods, with respect to health and
25	human services and other provider agencies.

1	(2) 988 SERVICE.—The term "988 service"
2	means the provision of mental health or suicide cri-
3	sis support and resources through the universal tele-
4	phone number within the United States designated
5	for the purpose of the national suicide prevention
6	and mental health crisis hotline system operating
7	through the National Suicide Prevention Lifeline.
8	(3) Human services.—The term "human
9	services" means services that—
10	(A) assist individuals in becoming more
11	self-sufficient, in preventing dependency, and in
12	strengthening family relationships;
13	(B) address social determinants of health;
14	(C) support personal and social develop-
15	ment; or
16	(D) help ensure the health and well-being
17	of individuals, families, and communities.
18	(4) Indian tribe; tribal organization.—
19	The terms "Indian Tribe" and "tribal organization"
20	have the meanings given such terms in section 4 of
21	the Indian Self-Determination and Education Assist-
22	ance Act (25 U.S.C. 5304).
23	(5) State.—The term "State" means the sev-
24	eral States, the District of Columbia, the Common-

wealth of Puerto Rico, the United States Virgin Is-

- lands, Guam, American Samoa, and the Common-
- wealth of the Northern Mariana Islands, or an In-
- dian Tribe or tribal organization.

#### 4 SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

- 5 (a) In General.—There are authorized to be appro-
- 6 priated to carry out this Act—
- 7 (1) \$550,000,000 for each of fiscal years 2024
- 8 and 2025, of which, each such fiscal year,
- 9 \$350,000,000 shall be allocated for 211 services and
- \$200,000,000 shall be allocated for 988 services;
- 11 and
- 12 (2) \$450,000,000 for each of fiscal years 2026
- through 2030, of which, each such fiscal year,
- \$300,000,000 shall be allocated for 211 services and
- \$150,000,000 shall be allocated for 988 services.
- 16 (b) Reservation.—Of the amount appropriated
- 17 under this section for a fiscal year, the Human Services
- 18 National Board may reserve ½ of 1 percent for adminis-
- 19 trative and national coordinating activities.
- 20 (c) Availability.—Amounts appropriated pursuant
- 21 to this section shall remain available until expended.

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