

Fiscal Estimate Narratives

DHS 11/8/2023

LRB Number	23-3939/1	Introduction Number	AB-0573	Estimate Type	Original
Description a law enforcement officer virtual behavioral health crisis care pilot program					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, counties are responsible for providing emergency mental health services to persons in the county in need of those services. Current law also states county health departments are responsible for completing a crisis assessment and medical clearance prior to an individual being transported to a medical hospital for an emergency detention. This bill would maintain these provisions in current law, and also require DHS to contract with a service provider to provide virtual behavioral health crisis care services to eligible counties and municipalities.

This bill requires the Department of Health Services (DHS) to establish a pilot program to provide virtual behavioral health care crisis services for use by county or municipal law enforcement agency officers in the field. The program would connect law enforcement officers to behavioral health crisis care services when officers encounter persons in crisis. Under the bill, DHS would enter a contract with a provider of virtual behavioral health services.

The bill requires DHS to obtain and review proposals by one or more entities to provide virtual behavioral health crisis care services, and the related equipment and training, through its request-for-proposals (RFP) process within 90 days of enactment of the bill. The crisis care services must be able to provide officers with remote, two-way, audio/visual communication access to behavioral health expertise and decision-making support. Under this bill, as soon as practicable after all proposals have been received, DHS must enter into a contract with a vendor.

Upon entering into a contract with a vendor, the Department must identify counties and municipalities to participate in the pilot program. Participating municipalities and counties must pay 30 percent of the cost of the contracted services for their municipality or county. The bill limits the funding of the bill in two ways. Per the bill, only 50 percent of the eligible funding would be available to counties or municipalities with populations more than 50,000 individuals. The bill also places a maximum award of no more than 10 percent of the program resources to a single county or municipality.

The bill requires DHS to collect data and provide report on the pilot program to the joint committee on finance by May 1, 2025. The Department's report must include which counties and municipalities participated in the program, how much money was received by the county or municipality, how much money participants contributed to the program, the number of law enforcement officers were equipped with the provided services, the number of incidents in which the services were used, the number of predicted, avoided involuntary commitments, the number of incidents where the individual remained in place and did not require additional transportation, and an estimate of the number of working hours that were saved by the program.

The bill does not provide any funding to support the provisions of the bill. 2023 Act 19, the 2023-2025 biennial budget, places \$2 million GPR in the Joint Committee on Finance supplemental appropriation to support a telemedicine crisis response pilot program. However, the Department lacks an appropriation specifically designated for a telemedicine crisis response program into which the funds could be transferred.

The bill requires the Department to issue an RFP, issue and monitor contracts with counties, municipalities, and service providers, collect data, and develop a report on the pilot. To ensure the Department is able to meet these provisions, it would require 1.0 FTE Human Services Program Coordinator – Senior and \$46,700 GPR in FY 24 and \$90,800 GPR in FY 25 to implement the program. It is unclear at this time how much it will cost to provide these services to qualifying counties or municipalities. Counties and cities that choose to participate in the pilot program would likely see their behavioral health crisis services costs increase to support this new service.

Long-Range Fiscal Implications