

Steve Sisolak  
Governor



Richard Whitley, MS  
Director

**DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
*Helping people. It's who we are and what we do.*



Lisa Sherych  
Administrator

Ihsan Azzam,  
Ph.D., M.D.  
Chief Medical Officer

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**988 Public Workshop  
May 20, 2022  
9:00 PM to adjourn**

**MEETING LOCATIONS:**

The workshop will be conducted in-person, video conference, and telephone

Division of Health Care Financing and Policy  
1100 E. William St.  
2nd Floor Conference Room  
Carson City, NV 89701

**Video Conference**

[Click here to join the meeting](#)

**Telephone**

Audio Only: (775) 321-6111  
Conference ID: 341 553 286#

These workshops will be conducted in accordance with NRS 241.020 Nevada's Open Meeting Law.

**Kendall Holcomb called the meeting to order at 9:01 AM.**

**1. SB 390 Overview**

The funding within the NV Department of Health and Human Services is being used to combat the opioid epidemic. 988 is a Crisis Hotline that is set to begin July 16, 2022 and will be a new three-digit dialing code that connects people to the existing National Suicide Prevention Hotline.

**2. NAC 433**

Amended to sufficiently support the uses set forth in SB 390 and produce the revenue projected within that budget for the division approved by the Legislator. A maximum of \$0.35 per month will be charges for each access line of a company that provides commercial mobile services or IP enabled voice services in the state. Companies and providers shall collect the surcharge of no more than \$0.35 per customer per month and transfer that money collected to the crisis response account within the Division of Public and Behavioral Health.

**3. Public Comments**

Veronica Portillo-Bradford read submitted public comments.

**Donald Williams, NAMI** - I am writing in strong support of the State Board of Health adopting the provisions of the 988 Fee Regulation regarding NRS 439.150 and NRS 433 as amended by Section 5 of Senate Bill 390 (2021) to impose a surcharge in the full amount of 35 cents on each access line of each customer of a company that provides commercial mobile communication services or IP-enabled voice services in this State in accordance with 47 U.S.C. § 251a and each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Nevada. The amount of the surcharge must be at least the statutory authorized 35 cents in order to be sufficient enough to support the 988 mental health and suicide crisis lifeline, and for the dedicated line to be connected to accessible community resources when activated.

**Nevada Telecommunications Association**- It is good news that it is not a tax on the communications companies but is another surcharge that the NTA and other telecommunication companies will have to collect and remit to the fund. While we think the legislation is well intentioned, it is still unclear how a state service and hotline will function in the presence of a Federal 988 Hotline. How will this impact small companies? We would like to understand how suicide prevention is related to telecommunication. Another question was raised by our members, and we don't see a provision in the proposed rule, for disconnect-for-non pay. Suppose a company bills a subscriber for 3 months and they fail to pay? The process at that point for most companies is to disconnect the line/account and write it off. However, who then is responsible for the 988 surcharge that never actually got collected? In conclusion, the NTA feels that it is not an ideal situation - the state collecting a tax to fund a state program. It could be ripe for state government misuse, similar to what's happened in some states around E-911 state surcharges where that money is collected but not used for 911 network services and is subsequently transferred to the state's general fund where it's used to pay for unrelated projects

**Karen Jenkins**- I fully support the regulations as proposed.

**Russell and Leah Clark**- 988 would be very beneficial to have. Being able to simply dial three numbers will bring down wait times and get a person in crisis help sooner. Please make it possible for the people in Nevada to have 988 access.

**Jerad Keegan, CTIA**- CTIA is concerned that the proposed regulation would set the initial rate of the 988 fee at the maximum allowed by statute, \$0.35 per line. It would be prudent for Nevada to set an initial fee well below the \$0.35 cap while engaging in efforts to determine if other funds sources are available to meet the initial needs. We respectfully request for the initial fee to be set no higher than \$0.20. The proposed regulation lacks the specificity needed for wireless providers to implement the new fee. Several very important terms are undefined, and the law and regulation fail to incorporate the provisions of the federal Mobile Telecommunications Sourcing Act, which prescribes how taxes and fees may be imposed on commercial mobile radio service ("wireless service"). The goal of these proposed changes is to make the collection of the 988 fee as consistent as possible with the 911 surcharge permitted by NRS244A.7643. This consistency will allow wireless providers to piggyback upon existing collections processes, reducing administrative and compliance costs.

**Sandra Stamates, NAMI**- I support the Proposed Regulation of the State Board of Health to amend Section 1. Chapter 433 of NAC. I urge the Board of Health to levy the full 35 cents per phone line as approved by the 2021 Legislature in Senate Bill 390. Fully trained operators in a crisis call center who can act as air traffic controllers in a fully functioning crisis response system, which includes 24/7 Mobile Outreach Safety Teams, and Crisis Stabilization Centers must be the standard Nevada pursues and implements. A fully functioning crisis response system will save money and save lives. To be implemented, money must be expended, and the 35-cent cap approved by the Legislature must be fully used to ensure the system is viable and sustainable.

**Shelly Caporo, Kaempfer Crowell-** Charter Communications supports the designation of 988 as the three-digit dial for a Suicide Prevention Lifeline. Charter is committed to implementing network changes to ensure Nevadans can dial 988 when in crisis. Charter is in agreement with CTIA's concern that the proposed regulation would set the initial rate of the 988 fee at the maximum allowed by statute – 35 cents per line per month. In addition, we are suggesting the following language be included in Section 2 in regards to trunk lines that are not outbound calling, taxing lines that are unable to be used to dial 988 does not make sense to us. We would like to see more clarity regarding the remittance process and we would prefer that the department create standardized electronic forms for the remittance process: Specifically we would clarification to the following: It would be helpful if the state could provide a sample addenda. Many times the payments are rejected if they do not match the required format exactly. We are requesting the ability to run a penny test before the first payment is due. We do not typically send an email before transmitting our payments, and we would prefer to have this provision removed. We are requesting clarification if there is a requirement related to providing additional information similar to a tax filing separate from the payment. Clarification if there will be a specific form created by the Division or if the layout of the report is determined by each taxpayer. We would prefer the Division to create a form for us to use each month. Is the report paper or electronic?

### **Present Participants**

**Robin Reedy, NAMI-** We don't want to make the mistakes of the past. We have a law and without the money to follow, it does not fix anything. Communication is key during a crisis. We need the full \$0.35 which is well below the current 911 rate.

**Gerry Keegan, CTIA-** We have concerns with the proposed regulations it lacks the specificity needed for wireless providers to implement the new fee. Several important terms are undefined. The goal of the proposed changes that are in our written comments is to make the collection of the 988 fee as consistent as possible as the 911 surcharge.

**Misty Grimmer, COGS-** Fully support CTIA comments and would like guidance when fee will be imposed. It will take our company some time to implement within computer processing systems.

**Dorothy Edwards, Washoe County HAS-** Fully supports the implementation of 988 and the full \$0.35.

**Mike Smith, Member of NV 988 Planning Coalition-** Fully support at maximum amount allowed

**Lea Case, NV Psychiatric Association-** Fully supports the implementation of 988 and the full \$0.35.

**Julia Ratti, Washoe County Health District (WCHD) -** Fully supports the implementation of 988 and the full \$0.35. Ongoing costs must be sustainable and reliable.

**Rochelle Pellissier, Crisis Support Services of NV-** Fully supports the implementation of 988 and the full \$0.35.

**Trinh Dang, NAMI Southern NV-** Fully supports the implementation of 988 and the full \$0.35.

**Helen Foley, T-Mobile-** Fully support CTIA, COGS, and WCHD comments about the consistency with the 911 and 988 tax. It would help streamline the process by having consistency. We also recommend setting a specific date for implementation.

**Leah Walters-** Fully supports the implementation of 988 and the full \$0.35.

**4. General Public Comment**

**Barry Cole, NV Psychiatrist Association-** Inquiry regarding the mechanics of 988 once it goes live

- Follow-up email will be provided

**Kendall Holcomb adjourned meeting at 11:00 AM.**