



ALABAMA 911 BOARD

**What's in the Logbook: Federal Initiatives Impacting
9-1-1**

**AL NENA Gulf Coast Conference
Orange Beach, AL**

Introduction & Contact Information

Adam Brown

Deputy Director for the Alabama 9-1-1 Board

Email: adam@al911board.com

Phone: 334-440-7911

Leah Missildine

Executive Director for the Alabama 9-1-1 Board

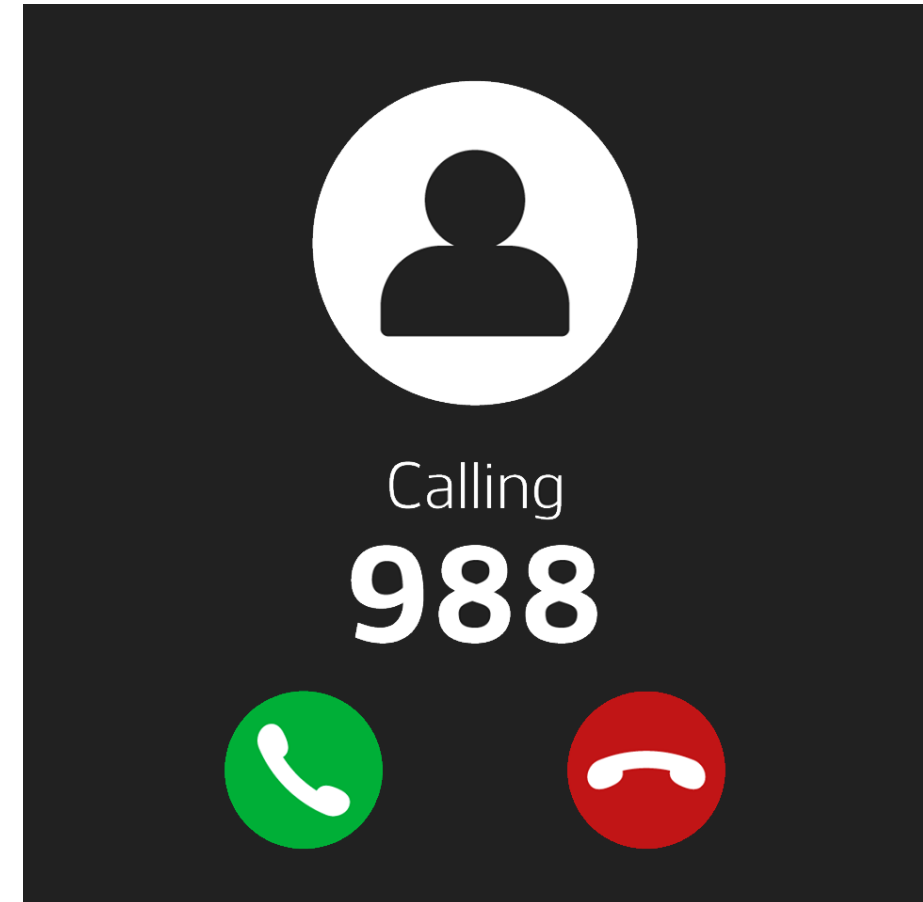
Email: leah@al911board.com

Phone: 334-440-7911



9-8-8 | National Suicide Prevention Hotline

- 9-8-8 was officially designated by Federal law in October 2020 as the single number to dial for mental health crisis and suicide prevention
 - Allows states to establish a subscriber fee designated for 9-8-8
 - Enables funding of other mental health services such as mobile crisis teams
- Grant for initial implementation costs offered by a division of HHS
- Deadline for transition to 9-8-8 is July 2022



9-8-8 in Alabama

- Alabama Department of Mental Health awarded grant funding for 9-8-8 implementation and long-range planning in March 2021
- State Legislature established the 9-8-8 Study Commission in April 2021 to consider eight main criteria outlined in the grant request for application
 - 9-8-8 Coalition assembled to supply report to the Study Commission by August 2021
 - Stakeholders include those from mental health, crisis centers, academia, and 9-1-1
- 9-8-8 Coalition Workgroups
 - Promotion, Awareness, and Accessibility
 - Marketing
 - Funding and Sustainability
 - Financial Stability
 - Follow-up Services
 - Call Center, System Capacity, and Integration
 - Statewide Coverage
 - Capacity Building
 - Local Resources and Referral Listings
- 9-8-8 Study Commission Subcommittees
 - Crisis Services
 - Certification and Standards
 - Financing
 - Legislative



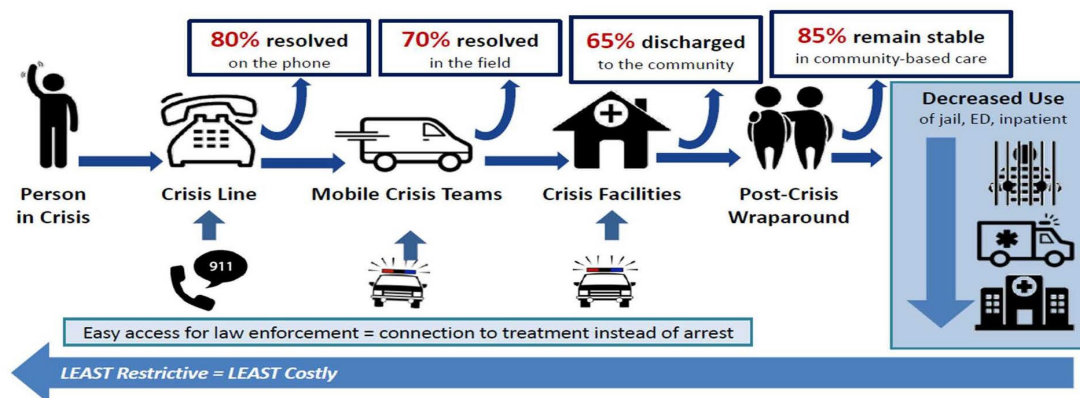
9-8-8 in Alabama | Design of our Crisis Care System

“Someone to talk to, Someone to respond, and Somewhere to go”

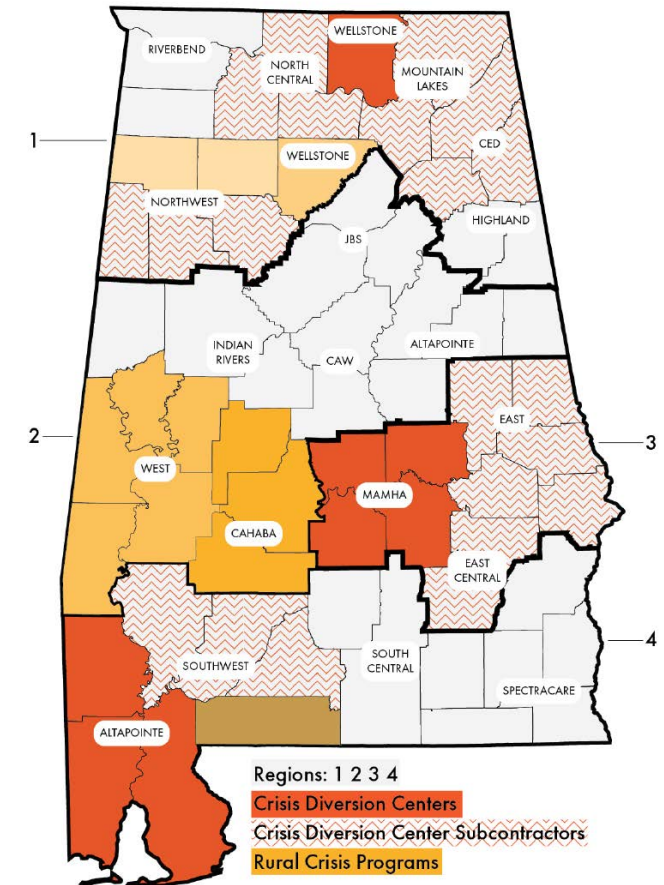
9-8-8 Coalition work so far...

- Evaluation of current call volume, staffing, and funding of Alabama’s 3 crisis call centers
 - Includes the study of crisis diversion resources currently available in each region of the state
- Capacity expansion needs for 24/7 availability to receive voice calls and text to 9-8-8
- Study of draft 9-8-8 bills in other states to prepare Mental Health for legislative action
- Outline of the 9-1-1 system and operation in Alabama
- Framework for a public awareness campaigns for 9-8-8
- Draft implementation plan submitted to Vibrant on September 30 for review

Crisis System: Alignment of services toward a common goal



Balfour ME, Hahn Stephenson A, Winsky J, & Goldman ML (2020). *Cops, Clinicians, or Both? Collaborative Approaches to Responding to Behavioral Health Emergencies*. Alexandria, VA: National Association of State Mental Health Program Directors. <https://www.nasmhpd.org/sites/default/files/2020paper11.pdf>



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How will this affect you?



- Mandatory 10-digit dialing for the 251 area code in Alabama, effective October 24, 2021
 - Make sure to audit the phone numbers stored in your call-handling equipment's directory
- Additional training could be necessary for mental health call handling and triage
- Call-taking protocols for altered mental status could be expanded or additional protocols added for mental health crisis calls
- Mobile crisis teams could be established as an additionally available response resource



9-1-1 Saves Act

- Under the U.S. Bureau of Labor Statistics' Standard Occupation Classification System (SOCS), public safety telecommunicators are classified as "**Office and Administrative Support Occupations**" – a term which utterly fails to recognize their key role in public safety, the specialized training and skills required, and the uniquely stressful work environments in which they serve to protect us all.
- Rep. Norma Torres (D-CA), herself a former 9-1-1 dispatcher, has introduced the Supporting Accurate Views of Emergency Services Act (9-1-1 SAVES), which would require that public safety telecommunicators be classified as a "**Protective Service Occupation**," alongside others in the public safety family.
- The 9-1-1 SAVES Act was initially introduced in 2019 and has been re-introduced every year since. As of September 24, 2021, the Act has been passed in the House of Representatives as part of the Fiscal Year 2022 National Defense Authorization Act (NDAA).



9-1-1 Strike Force

<https://www.fcc.gov/911strikeforce>

Background. At the end of 2020, Congress enacted the Don't Break Up the T-Band Act of 2020, which is Section 902 of the Consolidated Appropriations Act of 2021.

- Section 902 includes new congressional mandates related to preventing 911 fee diversion.
- Section 902 directs the Commission to issue final rules within 180 days (or by June 25, 2021) defining what uses of 911 fees by states and taxing jurisdictions constitute 911 fee diversion for purposes of the new legislation.
- In addition, a second major mandate for the FCC from the new legislation is that Section 902(d) requires the FCC to establish the “Ending 9-1-1 Fee Diversion Now Strike Force.”



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9-1-1 Strike Force

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Purpose. The purpose of the 911 Strike Force is “to study how the federal government can most expeditiously end diversion by a State or taxing jurisdiction of 911 fees or charges.”

In carrying out this study, the 911 Strike Force shall:

- (i) determine the effectiveness of any federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints regarding how the Federal Government can most expeditiously end 911 fee diversion;
- (ii) consider whether criminal penalties would further prevent 911 fee diversion; and
- (iii) determine the impacts of 911 fee diversion.



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Report. As required by Section 902, it is anticipated that not later than September 23, 2021 (270 days after Section 902 was signed into law), the 911 Strike Force shall publish on the website of the Commission and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of the study mandated by Section 902, including:

- (i) any recommendations regarding how to most expeditiously end 911 fee diversion, including actions that can be taken by federal departments and agencies and appropriate changes to law or regulations; and
- (ii) a description of what progress, if any, relevant federal departments and agencies have made in implementing the recommendations under clause (i).



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9-1-1 Strike Force

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Membership Categories. Section 902 states that the 911 Strike Force shall be composed of representatives from eight membership categories.

The 911 Strike Force shall be composed of such representatives of federal departments and agencies as the Commission considers appropriate, in addition to:

- (i) state attorneys general;
- (ii) states or taxing jurisdictions found not to be engaging in diversion of 911 fees or charges;
- (iii) states or taxing jurisdictions trying to stop the diversion of 911 fees or charges;
- (iv) state 911 administrators;
- (v) public safety organizations;
- (vi) groups representing the public and consumers; and
- (vii) groups representing public safety answering point professionals.



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9-1-1 Strike Force Working Group Tasks

<https://www.fcc.gov/911strikeforce>

WG1

Determine the effectiveness of any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints regarding how the Federal Government can most expeditiously end diversion by a State or taxing jurisdiction of 911 fees or charges.

WG2

Consider whether criminal penalties would further prevent diversion by a State or taxing jurisdiction of 911 fees or charges.

WG3

Determine the impacts of diversion by a State or taxing jurisdiction of 911 fees or charges.



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What is Fee Diversion?

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NPRM – Definition of Diversion. The obligation or expenditure of a 911 fee or charge for a purpose or function other than the purposes and functions designated by the Commission as acceptable pursuant to § 9.23. Diversion also includes distribution of 911 fees to a political subdivision that obligates or expends such fees for a purpose or function other than those designated as acceptable by the Commission pursuant to § 9.23. *(February 17, 2021)*

Final Rules – Definition of Diversion. The obligation or expenditure of a 911 fee or charge for a purpose or function other than the purposes and functions designated by the Commission as acceptable pursuant to § 9.23. Diversion also includes distribution of 911 fees to a political subdivision that obligates or expends such fees for a purpose or function other than those designated as acceptable by the Commission pursuant to § 9.23. *(June 25, 2021)*



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§ 9.23 Designation of acceptable obligations or expenditures

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(a) Acceptable purposes and functions for the obligation or expenditure of 911 fees or charges for purposes of section 902 are limited to:

- (1) Support and implementation of 911 services provided by or in the State or taxing jurisdiction imposing the fee or charge; and
- (2) Operational expenses of public safety answering points within such State or taxing jurisdiction.



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§ 9.23 Designation of acceptable obligations or expenditures

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(b) Examples of acceptable purposes and functions include, but are not limited to, the following, provided that the State or taxing jurisdiction can adequately document that it has obligated or spent the fees or charges in question for these purposes and functions:

- (1) PSAP operating costs, including lease, purchase, maintenance, replacement, and upgrade of customer premises equipment (CPE) (hardware and software), computer aided dispatch (CAD) equipment (hardware and software), and the PSAP building/facility and including NG911, cybersecurity, pre-arrival instructions, and emergency notification systems (ENS). PSAP operating costs include technological innovation that supports 911;
- (2) PSAP personnel costs, including telecommunicators' salaries and training;
- (3) PSAP administration, including costs for administration of 911 services and travel expenses associated with the provision of 911 services;
- (4) Integrating public safety/first responder dispatch and 911 systems, including lease, purchase, maintenance, and upgrade of CAD hardware and software to support integrated 911 and public safety dispatch operations; and
- (5) Providing for the interoperability of 911 systems with one another and with public safety/first responder radio systems.



§ 9.23 Designation of acceptable obligations or expenditures

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(c) Examples of purposes and functions that are not acceptable for the obligation or expenditure of 911 fees or charges for purposes of section 902 include, but are not limited to, the following:

- (1) Transfer of 911 fees into a State or other jurisdiction's general fund or other fund for non-911 purposes;
- (2) Equipment or infrastructure for constructing or expanding non-public safety communications networks (e.g., commercial cellular networks); and
- (3) Equipment or infrastructure for law enforcement, firefighters, and other public safety/first responder entities that does not directly support providing 911 services.



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§ 9.23 Designation of acceptable obligations or expenditures

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(d) If a State or taxing jurisdiction collects fees or charges designated for “public safety,” “emergency services,” or similar purposes that include the support or implementation of 911 services, the obligation or expenditure of such fees or charges shall not constitute diversion provided that the State or taxing jurisdiction:

- (1) Specifies the amount or percentage of such fees or charges that is dedicated to 911 services;
- (2) Ensures that the 911 portion of such fees or charges is segregated and not commingled with any other funds; and
- (3) Obligates or expends the 911 portion of such fees or charges for acceptable purposes and functions as defined under this section.



911 Strike Force

Executive Summary

1. 911 fee diversion negatively impacts public safety, 911 operations, first responders, and the fiscal sustainability of 911 service in the United States of America.
2. 911 fee receipts and expenditures should be distinguishable and auditable to ensure 911 fees are used for eligible activities directly related to the provision of 911 services.
3. 911 systems require significant capital and recurring operational investments to accomplish the mission. Greater access to funding (grants, appropriations, etc.) with prohibitions against 911 fee diversion is necessary to financially disincentivize diverters.

911 Strike Force

Executive Summary – Cont'd

4. 911 fee diversion requires direct enforcement action by the FCC. A majority of 911 Strike Force members agree enforcement actions should follow an escalation path focused on resolving fee diversion. 911 Strike Force working groups presented recommendations including, but not limited to: fines, FCC licensing enforcement actions, and criminal referrals. While common ground currently exists, further study is recommended.
5. State and local 911 authorities or agencies should be held accountable as individual actors. States should not be punished for the activities of local governments nor local governments punished for the behavior of states.



911 Strike Force Executive Summary – Cont'd

6. The FCC requires additional authority to ensure local agencies are providing information to states for the compilation of their annual report to Congress. The FCC collection methodology may require adjustment to assist in this effort.
7. The FCC definition of fee diversion requires refinement to ensure that 911 fees directly support the entire 911 communications ecosystem between the 911 “entry point” and first responders.

How will this affect Alabama?

Keep in mind:

- Alabama has never been considered a fee diverter, but it could be depending on the Commission's final report to Congress.
- Alabama has no allowable versus unallowable expenditure list for 9-1-1 fees, but may need to....eventually.
- Fee diversion could cost Alabama future grant dollars.
- Fee diversion may impact other public safety entity's ability to operate as they do today depending on any restrictions the FCC or Congress may put in place.



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Other Federal Initiatives Impacting 9-1-1

- Blocking Autodialer Calls to PSAPs
- 13-158 Filing: 911 Reliability Certification



Questions

Leah Missildine

Executive Director for the
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leah@al911board.com

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