**5327-S2 AMH DENT H1518.1 - NOT FOR FLOOR USE**

**2SSB 5327** - H AMD TO CYF COMM AMD (H-1337.1/21) **681**

By Representative Dent

Beginning on page 1, after line 2, strike all material through "2023." on page 3, line 16 and insert the following:

"NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of health.

(2)(a) "Service provider" means a person or entity participating in the YES tip line pilot program and YES tip line established in section 2 of this act by:

(i) Providing direct assistance to persons referred through the YES tip line's operations; and

(ii) Implementing a coordinated response to the YES tip line referral according to the protocols and procedures of the YES tip line pilot program.

(b) Service providers include, but are not limited to, behavioral health providers, community mental health entities, schools, and postsecondary institutions.

(3) "Vendor" means the entity contracted to operate the YES tip line under section 3 of this act.

(4) "Warm transfer" means the timely referral by the YES tip line staff to the service provider in response to a tip. A warm transfer includes, but is not limited to, a direct and successful connection between the person supplying the tip and the service provider, and, when appropriate, an alert to emergency services or other responding entities as required by the YES tip line response procedures.

(5) "YES tip line" means the "youth empowered to speak-up" resource designed to accept information concerning prevention of youth suicide as part of the YES tip line pilot program established in section 2 of this act and operated by the YES tip line vendor.

(6) "Youth" means any person or persons less than 20 years old.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the department shall establish a pilot program for receiving and responding to tips from the public regarding youth suicide prevention, called the YES tip line pilot program. The focus of the YES tip line pilot program is to create an easy, youth-centered way to access crisis services. The department shall establish the pilot program within the guidelines of this chapter.

(2)(a) The YES tip line pilot program must include a YES tip line for receiving reports and information related to youth suicide, and work to prevent such suicide. Any person contacting the YES tip line, whether for themselves or for another person, must receive timely assistance and not be turned away.

(b) The YES tip line shall be operated by a vendor selected by the department through the contracting process described in section 3 of this act.

(3)(a) During the development and implementation of the YES tip line pilot program the department shall convene an advisory committee consisting of representatives from the department, the Washington state patrol, the statewide organization representing school principals, the health care authority, the office of the superintendent of public instruction, the Washington student achievement council, the Washington association of educational service districts, and other participants the department appoints.

(b) Youth perspectives must be included and consulted in creating marketing campaigns and materials required for the YES tip line pilot program. The insights of youth representing marginalized and minority communities must be prioritized for their invaluable insight.

(c) The advisory committee established under this subsection shall review the same elements related to statewide implementation of a YES tip line program as the youth suicide prevention reporting tool advisory group is required to review under section 6 of this act and submit a preliminary report by September 1, 2022, and a final report by June 30, 2023, to the youth suicide prevention reporting tool advisory group of the children and youth behavioral health work group that details this review and includes recommendations regarding statewide implementation of a youth suicide prevention reporting tool based on that review.

(4) The department shall oversee and administer the YES tip line pilot program's operations.

(5) The department is authorized to apply for, receive, and administer grants, gifts, and donations from public and private entities for the purpose and intent of this chapter. If a gift or donation is received in the form of property, the department may liquidate and convert the property into money. Pursuant to RCW 43.88.195, the department may deposit such moneys in a local account if such an account will facilitate the efficiency of the pilot program.

(6) The department shall develop and implement processes for:

(a) Assessing tips based on the level of severity, urgency, and assistance needed using best triage practices including the YES tip line:

(i) Risk assessment for referral of persons contacting the YES tip line to service providers;

(ii) Threat assessment that identifies circumstances requiring the YES tip line to alert law enforcement, mental health services, or other first responders immediately when immediate emergency response to a tip is warranted; and

(iii) Referral and follow-up on tips to schools or postsecondary institution teams, local crisis services, law enforcement, and other entities;

(b) YES tip line information data retention and reporting requirements; and

(c) Systematic review, analysis, and reporting by the YES tip line pilot program of YES tip line data including, but not limited to, reporting pilot program utilization and evaluating whether the YES tip line is being implemented equitably.

(7) The department shall ensure that YES tip line pilot program personnel are trained in the following areas:

(a) Crisis management, including recognizing mental illness and emotional disturbance;

(b) The resources that are available in the community for providing mental health treatment and other human services; and

(c) Other matters determined by the department to be relevant to the administration and operation of the pilot program.

(8) The YES tip line pilot program must develop and maintain a reference and best practices tool kit for law enforcement and mental health officials that:

(a) Identifies community mental health resources, services, and contacts; and

(b) Provides the department's best practice recommendations for case investigations involving prevention of youth suicide to:

(i) Assist in identifying whether mental illness or emotional disturbance may be involved; and

(ii) Provide strategies for investigators to use in aiding subjects and their parents or guardians.

(9) The YES tip line pilot program must promote and market the pilot program and YES tip line to youth, families, community members, schools, and others within the pilot program service area to build awareness of the pilot program's resources and the YES tip line. The department may promote the YES tip line pilot program and YES tip line and provide promotional materials and information on the department's website.

(10) The department shall select up to 20 school districts that volunteer to participate in an area east of the crest of the Cascade mountain range that will be part of the YES tip line pilot program service area. The YES tip line pilot program shall begin by January 3, 2022, and operate until the expiration of this section.

(11) Except as provided in subsection (9) of this section, marketing materials must not refer to or use the image or voice of an elected official, appointed state employee, state employee governed by a senior executive service limited term employment agreement, or candidate for elective office.

NEW SECTION. **Sec.**  (1)(a) The department shall develop and issue a request for proposals to identify and select a qualified vendor to operate the YES tip line. The department has sole authority over the contracting process and the contract award decision. The department may collaborate with another state that has implemented a similar youth tip line. This subsection does not prohibit the Washington state patrol or other state or local jurisdiction from submitting a proposal to operate the YES tip line.

(b) Any vendor contracting to perform work necessary to implement or sustain the YES tip line pilot program must comply with RCW 41.06.142.

(2)(a) The YES tip line contract must require the vendor to be bound by the requirements of this chapter, including the confidentiality provisions in section 4 of this act.

(b) The state of Washington owns the data and information produced from the YES tip line. The vendor must comply with the state's data retention, use, and security requirements throughout the contract and for such additional postcontracting use as directed by the state.

(c)(i) The YES tip line must directly integrate service providers into its operations so that YES tip line staff may provide a warm transfer of a caller to a service provider to assist them.

(ii) The YES tip line operator must collaborate with school districts and postsecondary education sectors to determine how to implement the YES tip line and how schools and institutions will respond when tips are referred. Teams at each school and postsecondary institutions must be identified and trained by the YES tip line vendor to respond when they receive a YES tip line referral.

(d) The YES tip line must use as many methods of communication and information formats as possible including, but not limited to, toll-free telephone or other voice calling, electronic mail, mobile applications, text messaging, postal mail, photo and video imaging, and information forwarded through a website as determined by the department.

(e) The YES tip line must be staffed with sufficient personnel and technical capacity to meet the needs for timely assistance to persons who contact the YES tip line for assistance 24 hours a day, 365 days a year.

NEW SECTION. **Sec.**  (1) The identity of the person submitting a tip is confidential subject to the exceptions provided in this chapter. Anonymous tips will be accepted if the person submitting the tip refuses to identify themselves. The YES tip line pilot program must establish procedures authorizing a breach of confidentiality to trace the tip so that first responders have necessary information when there is a specific emergency threat to life.

(2) Any report or information submitted to the YES tip line is confidential, and must not be released except as otherwise provided in this chapter.

(3) The personally identifying information of any person submitting a tip and the individual or individuals who are the subject of a tip are not subject to disclosure under the public records act, chapter 42.56 RCW.

(4) Any information submitted to the YES tip line and forwarded by the vendor to a law enforcement official or to a mental health official is confidential, and must not be released except as otherwise provided in this chapter. The information is not subject to disclosure under the public records act, chapter 42.56 RCW.

(5) A person who intentionally discloses information to another person in violation of this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500, or both.

(6) If a risk assessment of a tip to the YES tip line does not result in a referral to a service provider, or if a law enforcement investigation concludes that no action is warranted to respond to the tip, the name of the tip's subject must be expunged from the records of the entities involved in the YES tip line contact, except as otherwise provided by law.

NEW SECTION. **Sec.**  Information regarding a YES tip line contact, including any personally identifying information, may be disclosed as follows:

(1) By either of the following as necessary for purposes of this chapter and as necessary to address reports and information received under this chapter:

(a) The vendor and its employees performing their duties according to the procedures developed by the YES tip line pilot program; or

(b) The department, law enforcement agencies, the health care authority, and community mental health service programs, and their employees' performing their authorized duties. However, this subsection (1)(b) does not allow the disclosure of information that would identify the person who submitted the report or information to the YES tip line; or

(2) With the permission of the subject of the information or, if the subject is a minor, with the permission of the minor and their parent or guardian.

NEW SECTION. **Sec.**  A new section is added to chapter 74.09 RCW to read as follows:

(1)(a) The children and youth behavioral health work group established under RCW 74.09.4951 shall convene a youth suicide prevention reporting tool advisory group to review the youth safety and well-being statewide reporting tool work group report completed by the attorney general in 2020.

(b) The youth suicide prevention reporting tool advisory group shall first determine how a statewide youth suicide prevention reporting tool would increase youth access to services. If the youth suicide prevention reporting tool advisory group finds that creation of a new youth suicide prevention reporting tool is needed to increase youth access to services, the advisory group shall consider the following elements related to implementing the reporting tool:

(i) To what extent the youth suicide prevention reporting tool would provide added support or duplicative efforts alongside other reporting mechanisms, such as the:

(A) Universal telephone number within the United States designated for the purpose of the national suicide prevention and mental health crisis hotline system operating through the national suicide prevention lifeline, also known as the 988 crisis hotline;

(B) National youth safety related hotlines;

(C) State child abuse reporting hotlines; and

(D) Other national, state, or local youth suicide prevention related hotlines;

(ii) If this youth suicide prevention reporting tool is implemented, which state agency should be responsible for implementation and whether that agency should allow for a private contractor to manage the reporting tool;

(iii) How this reporting tool will be integrated with existing services to prevent youth suicide;

(iv) What resources are needed to implement the reporting tool and the cost-benefit of spending resources on a reporting tool or expanding the services available to prevent youth suicide;

(v) How the reporting tool could focus on preventing youth suicide and limit a criminal justice response for the youth who are subjects of the reporting tool;

(vi) The appropriate criteria used by the reporting tool to determine referral of persons to service providers;

(vii) The threat assessment criteria used by the reporting tool to determine immediate referral to law enforcement, child protective services, behavioral health professionals, or other first responders;

(viii) The appropriate communication with education institutions, local crisis services, law enforcement, and other entities;

(ix) Expected services needed, existing capacity, and who would provide and pay for these services;

(x) The appropriate warm transfer protocols between the reporting tool and service providers;

(xi) Appropriate confidentiality protections for the person making the report and the subject of the report, including protections related to the public records act, data retention schedules, and data management;

(xii) State liability concerns related to creation and operation of a reporting tool and the response or lack of a response provided by the reporting tool;

(xiii) Integration with K-12 and higher education institutions;

(xiv) Evaluation mechanisms to review appropriateness of law enforcement responses, behavioral health services, education responses, and other responses;

(xv) The training needed for individuals operating the reporting tool and the service providers and first responders contacted by the reporting tool;

(xvi) Marketing and outreach needed to inform the public about the reporting tool; and

(xvii) Input provided by the YES tip line pilot program advisory committee required under section 2 of this act.

(c) Staff support for the youth suicide prevention reporting tool advisory group, including administration of work group meetings and preparation of full work group recommendations and reports required under this section, must be provided by the authority.

(d) The youth suicide prevention reporting tool advisory group shall choose a chair who is a member of the legislature or from among the members of the children and youth behavioral health work group established under RCW 74.09.4951.

(2) By November 1, 2023, and in compliance with RCW 43.01.036, the youth suicide prevention reporting tool advisory group to the children and youth behavioral health work group established under RCW 74.09.4951 shall submit a report to the governor and the appropriate committees of the legislature that details the review required under subsection (1) of this section and includes recommendations regarding a youth suicide prevention reporting tool based on that review.

(3) This section expires July 1, 2024.

NEW SECTION. **Sec.**  This chapter expires July 1, 2024.

NEW SECTION. **Sec.**  Sections 1 through 5 and 7 of this act constitute a new chapter in Title 43 RCW."

Correct the title.

EFFECT: The amendment makes the following changes to the underlying striking amendment:

(1) Restores creation of a youth reporting tool but makes this a one-and-a-half-year pilot program in as many as 20 school districts that volunteer to participate in an area in Eastern Washington and limits this tool to the prevention of youth suicide for individuals under 20 years of age.

(2) Requires the YES tip line pilot program to begin by January 3, 2022, and operate until July 1, 2024.

(3) Requires the Department of Health (instead of the Attorney General's Office) to establish the YES tip line pilot program and select a vendor to operate the tip line.

(4) Requires the YES tip line advisory committee to review the same elements that the Children and Youth Behavioral Health Work Group (CYBHWG) advisory group will review related to statewide implementation of a youth safety and well-being reporting tool and requires that advisory committee to provide a report to the CYBHWG advisory group by June 30, 2023, and the CYBHWG advisory group must review this input before providing it's report to the Governor and Legislature on November 1, 2023.