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H.969

Senators Balint, Lyons and Ingram move that the Senate propose to the House that the bill be amended by striking out Sec. E.314.2 in its entirety and that a new Sec. E.314.2 be inserted in lieu thereof to read as follows:

Sec. E.314.2 MENTAL HEALTH CRISIS SERVICES; DATA
COLLECTION

(a) The Director of Racial Equity, in collaboration with the Mental Health Crisis Response Commission and the Departments of Mental Health and of Public Safety, shall explore strategies for collecting data related to persons accessing emergency services related to a mental health crisis. The Director shall solicit recommendations from persons with lived experience of a mental health condition or psychiatric disability and members of other impacted communities, including those communities experiencing inequities or marginalization, such as racial discrimination, that expose them to additional risks from unnecessary law enforcement or mental health system interventions.

(b)(1) The Director, in collaboration with the Mental Health Crisis Response Commission and the Departments of Mental Health and of Public Safety and in consultation with persons with lived experience and members of other impacted communities, shall examine how to collect the following types of data in a manner that comports with the Health Insurance Portability and

1 Accountability Act of 1996, 42 U.S.C. §§ 1320d-5 and 1320d-6, and ensures
2 best clinical practice:

3 (A) the number of 911 calls received by category that are related to
4 an individual’s medical condition, mental or emotional condition,
5 developmental or intellectual disability, or substance use, or any combination
6 thereof;

7 (B) the race of the individuals that are the subject of a 911 call;

8 (C) the number and race of individuals referred to the Department of
9 Mental Health or arrested for a misdemeanor or felony, or both, or where no
10 subsequent action was taken;

11 (D) the number of referrals received by the Department of Mental
12 Health from State law enforcement agencies;

13 (E) the race of individuals referred to the Department of Mental
14 Health by State law enforcement agencies;

15 (F) the number of individuals referred to the Department of Mental
16 Health by State law enforcement agencies who are already a client of a
17 designated or specialized service agency; and

18 (G) the disposition of a referral to the Department of Mental Health,
19 by race, including whether the individual was referred for mental health or
20 substance misuse services, regardless of whether action was taken by the
21 Department or the individual was referred to another State agency.

1 (2) The Director shall also examine and make recommendations
2 regarding how to store data securely and make aggregated data available to the
3 public.

4 (c) On or before September 1, 2021, the Director shall report the
5 recommendations developed pursuant to this section to the House Committee
6 on Health Care and to the Senate Committee on Health and Welfare, including
7 the extent to which the information collected may inform the data available
8 through the dashboard established pursuant to Sec. B.1121(d)(4)(A) of this act.