

116TH CONGRESS
2D SESSION

S. 4989

To facilitate nationwide accessibility and coordination of 211 services for information and referral for mental health emergencies, homelessness needs, other human services needs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2020

Mr. CASEY (for himself, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. MERKLEY, Ms. HIRONO, Mr. BROWN, Mr. BLUMENTHAL, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To facilitate nationwide accessibility and coordination of 211 services for information and referral for mental health emergencies, homelessness needs, other human services needs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Human-Services Emer-
5 gency Logistic Program Act of 2020” or the “HELP Act
6 of 2020”.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are as follows:

3 (1) To strengthen the existing 211 services in
4 States throughout the Nation.

5 (2) To increase the availability, reliability, and
6 responsiveness of 211 information and referral
7 across the country, 24 hours a day, 365 days a year.

8 (3) To reduce the use of 911 services for cir-
9 cumstances not related to law enforcement, fire, or
10 medical emergencies.

11 (4) To more efficiently connect individuals with
12 needed human services.

13 (5) To reduce the arrests, incarcerations, and
14 law enforcement violence that occur from inappro-
15 priate 911 emergency referrals.

16 **SEC. 3. ALLOTMENTS TO STRENGTHEN NATIONWIDE AC-**
17 **CESSIBILITY AND COORDINATION OF 211**
18 **SERVICE FOR INFORMATION AND REFERRAL**
19 **FOR HUMAN SERVICES.**

20 (a) IN GENERAL.—Out of amounts appropriated
21 under section 4(a) that remain after application of section
22 4(b), the Secretary of Health and Human Services (re-
23 ferred to in this Act as the “Secretary”), acting through
24 the 211 National Board, shall make an allotment to each
25 State, in accordance with the formula developed under

1 subsection (b), to carry out a program for the purposes
2 of—

3 (1) ensuring 211 services are accessible to all
4 individuals in each State; and

5 (2) strengthening the reliability, accessibility,
6 and responsiveness of methods of communication
7 through the 211 service, in order to provide informa-
8 tion and referrals with respect to human services, in-
9 cluding mental health emergency resources, home-
10 lessness resources, suicide prevention resources, do-
11 mestic violence resources, resources to identify and
12 address child and elder abuse and exploitation, care-
13 giver and child care resources, and other human
14 service needs.

15 (b) ALLOTMENTS TO STATES.—

16 (1) IN GENERAL.—For purposes of making al-
17 lotments under this section, the Secretary shall de-
18 velop a formula for determining the allotment
19 amounts for each State. Such formula shall be based
20 on population, population density, poverty rate, and
21 other evidence-based predictive data related to the
22 needs of the State for, and access to, human serv-
23 ices. Allotments made under this section, and the
24 services provided through such allotments, shall not
25 supplant funding otherwise made available to the

1 State for such purposes, or services otherwise pro-
2 vided by the State for such purposes.

3 (2) NON-FEDERAL CONTRIBUTIONS.—A State
4 may not be eligible for an allotment under this sec-
5 tion unless the State ensures that at least 25 per-
6 cent of the resources of the program funded by the
7 State allotment will be derived from non-Federal
8 sources, which may include in-kind contributions of
9 goods or services.

10 (3) REQUIREMENT REGARDING STATE ALLOT-
11 MENT AMOUNTS.—Of the amounts allotted to a
12 State under this section, not more than 15 percent
13 shall be allocated for evaluation, training, and tech-
14 nical assistance, and for management and adminis-
15 tration of subgrants awarded under this section.

16 (4) ADMINISTRATIVE COSTS.—From the allot-
17 ment made to a State under this subsection, the
18 State 211 Collaborative may retain the greater of $\frac{1}{2}$
19 of 1 percent of such allotment or \$50,000, for ad-
20 ministrative costs.

21 (c) 211 NATIONAL BOARD.—

22 (1) IN GENERAL.—The Secretary shall establish
23 a 211 National Board for purposes of—

1 (A) managing and allocating funds under
 2 this section, including making allotments to
 3 States;

4 (B) reviewing State plans for implementing
 5 and maintaining 211 systems; and

6 (C) evaluating State 211 systems.

7 (2) MEMBERSHIP.—

8 (A) IN GENERAL.—The 211 National
 9 Board shall be comprised of not fewer than 15
 10 members selected by the Secretary in accord-
 11 ance with subparagraph (B), of which 7 shall
 12 be permanent members, and 8 shall serve 3-
 13 year, rotating terms.

14 (B) MEMBERS.—

15 (i) PERMANENT MEMBERS.—The 7
 16 permanent members shall be comprised of
 17 one representative from each of—

18 (I) the Alliance of Information
 19 and Referral Systems;

20 (II) United Way Worldwide;

21 (III) the National Council on
 22 Independent Living;

23 (IV) the National Association of
 24 Area Agencies on Aging;

1 (V) the Bazelon Center for Men-
2 tal Health Law;

3 (VI) the Leadership Conference
4 on Civil and Human Rights; and

5 (VII) the National Alliance to
6 End Homelessness.

7 (ii) ROTATING MEMBERS.—The 8 ro-
8 tating members shall be selected by the
9 Secretary, with input from stakeholders
10 and advocates, and shall include—

11 (I) 2 representatives of faith-
12 based organizations dedicated to pro-
13 viding human services;

14 (II) 1 representative of an orga-
15 nization dedicated to ensuring racial
16 and ethnic equity;

17 (III) 1 representative of a dis-
18 ability organization operated by a ma-
19 jority of people with disabilities;

20 (IV) 1 representative of an orga-
21 nization representing older adults;

22 (V) 1 representative of an organi-
23 zation representing Tribal and Native
24 peoples;

1 (VI) 1 representative of an orga-
2 nization representing LGBTQ+ popu-
3 lations; and

4 (VII) 1 representative of a sec-
5 ular organization dedicated to pro-
6 viding human services.

7 (iii) ADDITIONAL ROTATING MEM-
8 BERS.—In addition to the members ap-
9 pointed under clauses (i) and (ii), the Sec-
10 retary may appoint to the 211 National
11 Board up to 4 additional rotating members
12 to represent specific populations or issues.
13 Each such member shall serve a 3-year
14 term.

15 (iv) EX OFFICIO MEMBERS.—Ex offi-
16 cio members of the 211 National Board
17 shall include 1 representative from each
18 of—

19 (I) the Department of Health
20 and Human Services;

21 (II) the Department of Edu-
22 cation;

23 (III) the Department of Home-
24 land Security;

1 (IV) the Department of Housing
 2 and Urban Development; and
 3 (V) the Department of Com-
 4 merce.

5 (3) FISCAL AGENT.—The Office of the Sec-
 6 retary of Health and Human Services shall be the
 7 fiscal agent of the 211 National Board.

8 (4) CHAIR AND VICE CHAIR.—

9 (A) CHAIR SELECTION.—The Chair of the
 10 211 National Board shall be selected by the
 11 211 National Board members, from among the
 12 permanent members described in paragraph
 13 (2)(B)(i), and shall serve a 5-year term.

14 (B) VICE CHAIR SELECTION.—The Vice
 15 Chair shall be selected by the 211 National
 16 Board members, from among the rotating mem-
 17 bers described in paragraph (2)(B)(ii), and
 18 shall serve a 3-year term.

19 (d) STATE OVERSIGHT ENTITIES.—

20 (1) 211 COLLABORATIVES.—

21 (A) IN GENERAL.—A State seeking an al-
 22 lotment under this section, not later than 3
 23 months after receiving an allotment, shall ap-
 24 point a lead entity (referred to in this section

as a “211 Collaborative”) for purposes of meeting the requirements of this subsection.

(B) 211 COLLABORATIVE.—A State lead entity shall be treated as the State 211 Collaborative under this subsection if the entity—

(i)(I) exists for such purpose—

(aa) under State law; or

(bb) by order of the State public utility commission; and

(II) collaborates, to the extent practicable, with the entities listed in clause (ii); or

(ii) is a collaborative entity established by the State for such purpose from among representatives of—

(I) an informal, existing 211 statewide collaborative in the State;

(II) State agencies;

(III) community-based organizations, including—

(aa) organizations representing older adults;

(bb) organizations representing people with disabilities;

1 (cc) where appropriate, or-
2 ganizations representing Native
3 peoples and Tribal nations;

4 (dd) organizations rep-
5 resenting people with mental
6 health disabilities; and

7 (ee) organizations led by
8 Black people, indigenous people,
9 or people of color working to end
10 racism;

11 (IV) faith-based organizations
12 dedicated to providing human serv-
13 ices;

14 (V) nonprofit organizations pro-
15 viding human services;

16 (VI) comprehensive and special-
17 ized information and referral pro-
18 viders, including area agencies on
19 aging, aging and disability resource
20 centers, and 211 call centers;

21 (VII) State and regional founda-
22 tions; and

23 (VIII) businesses headquartered
24 in, or with significant presence in, the
25 State.

1 (2) 211 STATE OVERSIGHT COUNCIL.—

2 (A) IN GENERAL.—Each State receiving
3 an allotment under this section shall establish a
4 211 State Oversight Council (referred to in this
5 section as a “Council”) to provide guidance and
6 oversight of the 211 system to the State 211
7 Collaborative.

8 (B) MEMBERS.—

9 (i) IN GENERAL.—Each Council shall
10 be comprised of not more than 25 stake-
11 holders and service providers appointed by
12 the governor of the State for staggered 3-
13 year terms, including—

14 (I) at least 3 representatives of
15 human service providers;

16 (II) at least 2 adults over the age
17 of 60;

18 (III) at least 3 people with dis-
19 abilities;

20 (IV) at least 3 additional people
21 with mental health disabilities;

22 (V) at least 1 individual with a
23 child under 18 years of age;

24 (VI) at least 1 individual caring
25 for an older adult;

1 (VII) at least 1 individual pro-
2 viding support for a relative with a
3 disability;

4 (VIII) at least 3 individuals who
5 are members of a family that receives
6 means tested Federal benefits, such as
7 temporary assistance for needy fami-
8 lies under part A of title IV of the So-
9 cial Security Act (42 U.S.C. 601 et
10 seq.), the supplemental nutrition as-
11 sistance program established under
12 the Food and Nutrition Act of 2008
13 (7 U.S.C. 2011 et seq.), or the supple-
14 mental security income program es-
15 tablished under title XVI of the Social
16 Security Act (42 U.S.C. 1381 et seq.);
17 and

18 (IX) at least 1 business rep-
19 resentative.

20 (ii) CONFLICTS OF INTEREST.—No
21 Council member may be an employee of an
22 entity that receives a subgrant from the
23 State 211 Collaborative.

24 (iii) CHAIR AND VICE CHAIR.—With
25 respect to each Council, the Council shall

1 select from among its members a Chair,
2 who shall be a recipient of human services,
3 and a Vice Chair, who shall be a provider
4 of human services or a business represent-
5 ative.

6 (C) DUTIES.—Each Council shall be re-
7 sponsible for—

8 (i) reviewing the annual State 211 ap-
9 plication to the 211 National Board;

10 (ii) reviewing the annual 211 Collabo-
11 rative budget;

12 (iii) identifying topics for, and ensur-
13 ing an evaluation of, the State 211 service
14 consistent with subsection (h)(2);

15 (iv) monitoring the State 211 service
16 to ensure that such 211 service is racially
17 equitable; and

18 (v) making recommendations to in-
19 crease the awareness and effectiveness of
20 211 services in all parts of the State and
21 all communities.

22 (e) APPLICATION.—The 211 Collaborative of a State,
23 on behalf of each State seeking an allocation under this
24 section, acting under the direction of the State governor,
25 shall submit an annual application to the 211 National

1 Board for such an allocation, at such time, in such man-
2 ner, and containing such information as the Secretary may
3 require, including the following:

4 (1) A description of how the 211 Collaborative
5 will—

6 (A) ensure that every resident of the State
7 with phone or internet service can connect to
8 the 211 service at no charge; and

9 (B) make available, throughout the State,
10 211 service information and referral with re-
11 spect to human services, including information
12 on the manner in which the 211 Collaborative
13 will develop, sustain, and evaluate the 211 serv-
14 ice program.

15 (2) Information on the sources of funding and
16 other resources for the State 211 service for pur-
17 poses of meeting the requirements under subsection
18 (b)(2).

19 (3) Information describing how the 211 Col-
20 laborative will provide to all individuals in the State,
21 to the extent practicable, a statewide database avail-
22 able via the internet, that will allow such individuals
23 to search for programs or services that are available
24 from human services programs in the State.

1 (4) Assurances that all activities and informa-
2 tion provided by the 211 service and all entities re-
3 ceiving subgrants pursuant to this section will be ac-
4 cessible according to the Americans with Disabilities
5 Act of 1990 (42 U.S.C. 12101 et seq.), section 508
6 of the Rehabilitation Act of 1973 (29 U.S.C. 794d),
7 and part 1194 of title 36, Code of Federal Regula-
8 tions (or any successor regulations).

9 (5) Any additional information the Secretary
10 may require.

11 (f) SUBGRANTS.—

12 (1) AUTHORITY.—For purposes of carrying out
13 a program in a State, the State 211 Collaborative
14 may make subgrants to such entities as the Collabo-
15 rative determines appropriate, which may include
16 subgrants to provide funds—

17 (A) for the provision of 211 service;

18 (B) for the operation and maintenance of
19 211 call centers;

20 (C) for the collection and display of infor-
21 mation in the statewide database;

22 (D) for increasing public awareness of 211
23 service in the State;

24 (E) for coordination of the State's 211
25 service, including the collection, accessibility,

1 and display of information through a national
2 data platform;

3 (F) to conduct statewide and regional
4 planning;

5 (G) for start-up costs of extending 211
6 service to unserved areas, including costs of
7 software and hardware upgrades and tele-
8 communications and internet costs;

9 (H) to ensure that 211 service is acces-
10 sible, consistent with the Americans with Dis-
11 abilities Act of 1990 (42 U.S.C. 12101 et seq.),
12 section 508 of the Rehabilitation Act of 1973
13 (29 U.S.C. 794d), and part 1194 of title 36,
14 Code of Federal Regulations (or any successor
15 regulations);

16 (I) for staffing;

17 (J) for training;

18 (K) for activities related to accreditation;

19 (L) for the evaluation of State 211 activi-
20 ties;

21 (M) for internet hosting and site develop-
22 ment and maintenance for a statewide data-
23 base;

24 (N) for cloud-based data and messaging
25 capacity;

1 (O) to integrate or consolidate 211 services
2 within the State;

3 (P) to integrate or share resources and
4 service-level data with national platforms hosted
5 by the 211 National Board;

6 (Q) to prepare and submit State and na-
7 tional reporting requirements and other activi-
8 ties approved by the 211 State Oversight Coun-
9 cil; or

10 (R) to carry out other activities approved
11 by the 211 National Board.

12 (2) CONSIDERATIONS.—In awarding a subgrant
13 under this subsection, a lead entity shall consider—

14 (A) the ability of the entity seeking the
15 subgrant to carry out activities or provide serv-
16 ices consistent with this Act;

17 (B) the extent to which the award of the
18 subgrant will facilitate equitable geographic dis-
19 tribution of subgrants under this section to en-
20 sure that rural communities have access to 211
21 service; and

22 (C) the extent to which the recipient of the
23 subgrant will establish and maintain cooperative
24 relationships with specialized information and
25 referral centers, including Child Care Resource

1 and Referral Agencies, crisis centers, referral
 2 agencies for aging or disability services, 911
 3 call centers, and 311 call centers, if applicable.

4 (g) USE OF STATE ALLOTMENT AND SUBGRANT
 5 AMOUNTS.—

6 (1) IN GENERAL.—Amounts awarded as State
 7 allotments or subgrants under this section shall be
 8 used solely—

9 (A) to make available 211 service to all in-
 10 dividuals in a State via voice, short message
 11 service or other messaging, internet, or other
 12 telecommunication methods; or

13 (B) for community information and refer-
 14 ral with respect to human services, among indi-
 15 viduals, families, and agencies seeking such
 16 services and the providers of such services.

17 (2) REQUIREMENTS.—In making 211 service
 18 available, the recipient of a State allotment or
 19 subgrant shall, to the maximum extent practicable—

20 (A) abide by the Key Standards for 211
 21 Centers as specified in the Standards and Qual-
 22 ity Indicators for Professional Information and
 23 Referral published by the Alliance of Informa-
 24 tion and Referral Systems; and

(B) collaborate with public and private human services organizations and existing national, regional, and local information and referral systems to provide an exhaustive and comprehensive database of services from which to provide information or referrals to individuals using the 211 service.

(3) USE OF SUBGRANT FUNDS.—Amounts awarded through a subgrant under subsection (f) may be used by the subgrant recipient for the purposes described in subsection (f)(1).

(h) REPORTS AND EVALUATIONS.—

(1) ANNUAL REPORTS.—The State 211 collaborative of each State receiving an allotment under this section shall submit to the 211 National Board, not later than 60 days after the end of each fiscal year in which such allotment is made, a report on the program funded by the State allotment. Each report shall—

(A) describe the activities or services funded by the State allotment;

(B) assess the effectiveness of such activities and services in making available, to all residents of the State with service, 211 service for information and referrals with respect to

1 human services in accordance with the provi-
2 sions of this section; and

3 (C) assess the effectiveness of collaboration
4 with human services resource and referral enti-
5 ties and service providers.

6 (2) EVALUATION.—Each State 211 Collabo-
7 rative shall award a contract to an independent enti-
8 ty to conduct an evaluation of the State 211 system
9 biennially. The evaluation shall address—

10 (A) the effectiveness of the State 211 serv-
11 ice at connecting residents to needed human
12 services;

13 (B) the effectiveness of collaborations
14 among 211 partners;

15 (C) the effects of the State 211 service on
16 911 law enforcement, fire, and medical emer-
17 gency services;

18 (D) the comprehensiveness of the informa-
19 tion in the State 211 database;

20 (E) public awareness of the State 211
21 service;

22 (F) user satisfaction with the State 211
23 service; and

24 (G) other topics identified by the 211
25 State Oversight Councils.

1 (i) DEFINITIONS.—In this section:

2 (1) 211 SERVICE.—The term “211 service”
 3 means providing residents with information and re-
 4 ferrals, via voice telephone, text telephone, short
 5 message service, text, internet phone, or other tele-
 6 communication methods, with respect to health and
 7 human services and other provider agencies.

8 (2) HUMAN SERVICES.—The term “human
 9 services” means services that—

10 (A) assist individuals in becoming more
 11 self-sufficient, in preventing dependency, and in
 12 strengthening family relationships;

13 (B) address social determinants of health;

14 (C) support personal and social develop-
 15 ment; or

16 (D) help ensure the health and well-being
 17 of individuals, families, and communities.

18 (3) STATE.—The term “State” means the sev-
 19 eral States, the District of Columbia, the Common-
 20 wealth of Puerto Rico, the United States Virgin Is-
 21 lands, Guam, American Samoa, and the Common-
 22 wealth of the Northern Mariana Islands.

23 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) IN GENERAL.—There are authorized to be appro-
 25 priated to carry out this Act \$350,000,000 for each of

1 fiscal years 2021 and 2022 and \$300,000,000 for each
2 of fiscal years 2023 through 2027.

3 (b) RESERVATION.—Of the amount appropriated
4 under this section for a fiscal year, the 211 National
5 Board may reserve $\frac{1}{2}$ of 1 percent for administrative and
6 national coordinating activities.

7 (c) AVAILABILITY.—Amounts appropriated pursuant
8 to this section shall remain available until expended.

○