

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 559 Session of
2009

INTRODUCED BY BROWNE, STACK, FONTANA, TOMLINSON, MUSTO, O'PAKE,
COSTA, WOZNIAK, WASHINGTON AND RAFFERTY, MARCH 2, 2009

REFERRED TO PUBLIC HEALTH AND WELFARE, MARCH 2, 2009

AN ACT

1 Providing funding for standards and for implementation of a 211
2 abbreviated dialing code for information and human services
3 referral telephone service; establishing the 211 Advisory
4 Board; and making an appropriation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the Pennsylvania
9 211 Telephone Service Implementation Act.

10 Section 2. Legislative findings.

11 The General Assembly finds and declares as follows:

12 (1) The dialing code 211 is the national abbreviated
13 dialing code approved by the Federal Communications
14 Commission for access to health and human services
15 information and referral. The dialing code 211 is a
16 universally recognizable number that makes it easier to
17 connect individuals and families in need with the appropriate
18 professional providers, community-based organizations and
19 government agencies that provide health and human services.

1 (2) The dialing code 211 proved its value in several
2 states during the recent disasters related to terrorist
3 attacks on September 11, 2001. In Atlanta, 211 handled over
4 14,000 calls in the week following the attacks. More than
5 5,000 people offered help and 9,000 people requested
6 assistance.

7 (3) In Connecticut, various state agencies and nonprofit
8 groups used 211 to coordinate services during the attacks.
9 Connecticut calls to 211 involved families looking for
10 victims, frightened children and concerned parents,
11 individuals reliving other disasters, people who escaped the
12 World Trade Center and were experiencing guilt, information
13 on terrorist suspects, mentally ill persons feeling
14 overwhelmed with disaster, location of vigils and requests.

15 (4) Recent hurricanes in Florida showed the strength of
16 211 when there was an increase in calls of over 100% during
17 and immediately after the hurricanes throughout that state.
18 Some 211 systems in affected areas were showing increases of
19 over 500%. The easy-to-remember number helped relieve the 911
20 burden in those areas.

21 (5) The dialing code 211 helps to better address long-
22 term needs of victims and their families of the September 11,
23 2001, attacks and other types of disasters.

24 (6) A study by the National Center on Addiction and
25 Substance Abuse at Columbia University and 13 states,
26 including Pennsylvania, have detected an increased demand for
27 alcohol and drug treatment since September 11, 2001.

28 (7) Research demonstrates that exposure to trauma puts
29 an individual at four-to-five times greater risk of substance
30 abuse, and stress is considered the most common cause of

1 relapse to addiction to or abuse of alcohol, drugs and
2 smoking.

3 (8) Oklahoma experienced a dramatic increase in the need
4 for treatment services in the two years following the
5 domestic terrorist bombing of the Alfred P. Murrah Federal
6 Building on April 19, 1995. One year after the bombing, three
7 times as many residents of Oklahoma City reported increased
8 drinking. Rescue workers in Oklahoma City experienced
9 elevated rates of substance abuse, depression and suicide.

10 (9) The New York State Office of Alcoholism and
11 Substance Abuse Services reports that demand for alcohol and
12 drug treatment in New York City increased after the September
13 11, 2001, attacks.

14 (10) Over 40 states in this nation and Canada have
15 implemented or are working to implement 211 in their
16 respective jurisdictions. While useful during times of
17 crisis, the importance of 211 is greatest for response to
18 everyday inquiries about needs such as unemployment
19 compensation, health care and its coverage, nursing homes,
20 Women's Infants and Children (WIC) program, prenatal care and
21 many beneficial services from government and nongovernmental
22 agencies.

23 (11) Many community groups also are viewing 211 as a
24 powerful neutral connecting point and 211 has provided help
25 to diverse populations, such as runaway children, senior
26 citizens and parents looking for child care.

27 (12) In Pennsylvania, the Health and Human Services Call
28 Center, a smaller scale, centralized pilot of the 211
29 concept, has provided a 45% reduction in costs with a 25%
30 increase in call productivity, serving more needs with one

call. Intangible benefits include those for callers who do not know whom they should call.

Section 3. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"211." An abbreviated dialing code approved by the Federal Communications Commission for access to health and human services information and referral.

"Advisory board" or "board." The 211 Advisory Board established by this act.

"AIRS." The Alliance of Information and Referral Systems.

"Applicant." A vendor experienced in providing information and referral services that assist individuals in need of health and human services to obtain assistance from appropriate providers and organizations.

"Governmental units." The term shall include all cities, regardless of their class, counties, municipalities, townships, boroughs or other political subdivisions.

"Human Service Single Point of Contact." The agency-approved first point at which calls for health and human services assistance from individuals are answered, operated 24 hours a day on every day of the year.

"Public agency." The Commonwealth or a political subdivision, public authority, municipal authority or any organization located in whole or in part within this Commonwealth which provides or has the authority to provide human services.

"Service level agreements." Levels, such as average speed of answer, at which services are provided through contract

1 agreement between the Department of General Services and the
2 vendor.

3 Section 4. Duties of department.

4 The Department of General Services shall approve a single
5 performance-based contract with an applicant that meets the
6 eligibility requirements of this act. The contract shall be used
7 by the Department of Health to implement and administer 211
8 service to the citizens of this Commonwealth.

9 Section 5. Eligibility requirements.

10 An applicant shall do all of the following:

11 (1) Agree to follow any policies, procedures or
12 standards developed by the advisory board.

13 (2) Provide a written plan that details procedures to
14 assure network security, security of archival information,
15 protection of health information and adherence to the Health
16 Insurance Portability and Accountability Act of 1996 (Public
17 Law 104-191, 110 Stat. 1936), appropriate anonymity and
18 confidentiality for 211 callers and data.

19 (3) Agree to establish a comprehensive and Statewide
20 system by the end of the third year of the contract and
21 ensure the provision of 24-hour, year-round telephone
22 information and referral services within one year of the
23 awarding of the contract.

24 (4) Within one year of funding:

25 (i) Demonstrate adherence to the AIRS or National
26 Standards for Information and Referral.

27 (ii) Have software capable of tracking call volume,
28 number of abandoned calls, average speed of answering and
29 average call length.

30 (iii) Demonstrate how the applicant will publicize

211 services and educate the public on an ongoing basis.

(iv) Provide direct access for the deaf to the 211 number and multilingual accessibility either through access to live translation or by using at least 10% information and referral specialists who are fluent in a language other than English, at least half of whom shall be fluent in Spanish.

(v) Have written policies and procedures in place as well as necessary software to manage donations and volunteers or written agreements with another agency that provides these services for them.

(vi) Establish an Internet website that provides accessible information and referral resources in formats that are easily used by persons with disabilities.

Section 6. Subcontractors.

A 211 provider may subcontract for a specific service. It shall be the 211 provider's responsibility to ensure through the contract that the subcontractor follows all applicable standards.

Section 7. Request for proposal.

The department shall issue a request for proposal for issuance of a single contract. The apportionment of funding under subcontracts shall be subject to approval by the Department of General Services.

Section 8. 211 Advisory Board.

(a) Establishment.--The 211 Advisory Board is hereby established.

(b) Membership.--Members of the board shall be appointed by the Secretary of Health. The board shall have at least 16 members and be composed of critical stakeholders, including

1 business, law enforcement, private sector benefactors, State and
2 local government, community and charitable organizations and
3 information and referral experts. A minimum of two members shall
4 be citizen users of the 211 service and a minimum of two members
5 shall be providers who are users of the 211 service.

6 (c) Duties.--The duties of the board are as follows:

7 (1) Develop standards for service level agreements.

8 (2) Develop database standards to include the annual
9 update of each active referral source.

10 (3) Develop follow-up standards for the purpose of
11 evaluating the vendor's performance from the user's
12 perspective.

13 (4) Develop uniform reporting standards.

14 (5) Ensure that the contracting process covers the
15 entire State, so that every citizen can reach 211 through
16 their landline phone within the first year.

17 (6) Work toward cell phone coverage so that every
18 citizen can reach 211 through their cell phone.

19 (7) Require and approve appropriate call routing and
20 prioritization capacity to ensure calls are answered within
21 service level agreements established under the contract.

22 (8) Approve a vendor-developed disaster recovery plan to
23 ensure that a seamless system will be in place to take calls,
24 regardless of the nature of the interruption.

25 (9) Work in collaboration with the Department of
26 Community and Economic Development, the Pennsylvania
27 Emergency Management Agency, the Pennsylvania Public Utility
28 Commission, the Pennsylvania State Police and all State
29 agencies providing health and human services. As necessary,
30 this shall include the funding, through a memorandum of

understanding, of key positions in health and human services agencies, including the Department of Health.

(10) Adopt and oversee a plan to implement the standards in section 5 and develop any standards, policies or procedures necessary to run a Statewide networked 211 system.

(11) Assure that funding is linked to standards through performance-based contracting.

(12) Provide necessary technical assistance.

(13) Assist in the establishment of a long-range plan to assure that every Pennsylvanian has access to 211 within the first year of enactment of this act.

(d) Staffing.--The Department of Health shall provide adequate staff to assist the board with its duties.

Section 9. Appropriation.

The sum of \$10,000,000 is hereby appropriated to the Department of Health for the purpose of administering this act.

Section 10. Public disclosure and confidentiality of information.

(a) Annual report of the board.--The annual report of the board shall be a public document.

(b) Prohibition against release of information.--Neither the public agency, nor any employee, agent or representative of the Human Service Single Point of Contact or public agency shall divulge any information acquired with respect to any 211 service, its customers, revenues or expenses, trade secrets, commercial information and such other proprietary information while acting or claiming to act as such employee, agent or representative, and all such information is hereby required to be kept confidential except that aggregations of information which do not identify or effectively identify numbers of

1 customers, revenues or expenses, trade secrets, commercial
2 information and such other proprietary information attributable
3 to any 211 services provider may be made public.

4 Section 11. Immunity.

5 (a) Generally.--No 211 services provider or its officers,
6 directors, employees, agents or vendors shall be liable to any
7 person for civil damages resulting from or caused by such
8 providers', its officers', directors', employees', agents' or
9 suppliers' participation in or acts, failures or omissions in
10 connection with that participation in the development, design,
11 installation, operation, maintenance, performance or provision
12 211 service, except for willful or wanton misconduct.

13 (b) Release of information.--No 211 provider or its
14 employees or agents shall be liable to any person for releasing
15 customer information to the agency or to any 211 system, public
16 agency or Human Service Single Point of Contact as required by
17 this act.

18 (c) Local governmental immunity.--Any part of the 211 system
19 that is a local agency shall enjoy local governmental immunity
20 as provided under 42 Pa.C.S. Ch. 85 Subch. C (relating to
21 actions against local parties).

22 Section 12. Effective date.

23 This act shall take effect immediately.