

# Taking Care of the Caretakers: An Argument for a Cross-Sectoral Approach to Mental Health Resources for Farmers, Ranchers, and Agricultural Workers

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## INTRODUCTION

Much has changed since the romanticized depiction of American farmers in Paul Harvey's 1978 speech entitled 'So God Made a Farmer.'<sup>1</sup> In his address, Harvey dubbed the farmer to be God's "caretaker," and quipped how a farmer has already worked a forty-hour week by Tuesday afternoon.<sup>2</sup> His speech highlighted the grit and dedication required of farmers, which remains true, but today's agricultural worker may not be as optimistic as once depicted.<sup>3</sup> Mental illness, often leading to suicide, plagues farmers, ranchers, and agricultural workers at a staggering rate in America.<sup>4</sup>

Today, the American farming industry is suffering due to trade disputes, low crop prices, and volatile environmental elements.<sup>5</sup> Farming is a stressful occupation, as fixed costs are high and factors contributing to a successful operation are largely out of the farmer's control.<sup>6</sup> As a result, in 2019, the United States Department of Agriculture (USDA) Secretary Sonny

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<sup>1</sup> See Garance Franke-Ruta, *Paul Harvey's 1978 'So God Made a Farmer' Speech*, ATLANTIC (Feb. 3, 2013), <https://www.theatlantic.com/politics/archive/2013/02/paul-harveys-1978-so-god-made-a-farmer-speech/272816/> [https://perma.cc/THY5-WX8Y].

<sup>2</sup> *Id.*

<sup>3</sup> *See id.*

<sup>4</sup> *See* Seeding Rural Resilience Act, S. 2599, 116th Cong. § 3 (2019).

<sup>5</sup> *Morning Edition: Bankruptcy Filings Indicate Times are Tough for Many U.S. Farmers*, NPR (Apr. 3, 2019), <https://www.npr.org/2019/04/03/708664013/bankruptcy-filings-indicate-times-are-tough-for-many-u-s-farmers> [https://perma.cc/4ZKZ-D4HA].

<sup>6</sup> Chuck Jones, *Amid Trump Tariffs, Farm Bankruptcies and Suicides Rise*, FORBES (Aug. 30, 2019) <https://www.forbes.com/sites/chuckjones/2019/08/30/amid-trump-tariffs-farm-bankruptcies-and-suicides-rise/#3864e4b72bc8> [https://perma.cc/EYJ3-HH4A].

Perdue reported how farm debt is increasing rapidly and farmers are demanding loans at “historically high” levels.<sup>7</sup>

Congress attributes the foregoing factors, as well as social isolation and barriers to seeking mental health services, as leading reasons for the increase in farmer suicide rates.<sup>8</sup> In addition to perceived stigma surrounding mental health, access to mental health treatment and resources are a significant barrier for those in rural communities.<sup>9</sup> According to 2018 data from the Department of Health and Human Services, 53.34 percent of rural areas had a shortage of mental health professionals.<sup>10</sup> In 2017, Rural Health Quarterly reported the average number of psychiatrists in rural America is just 3.4 per 100 thousand residents.<sup>11</sup> The cost of treatment is an additional deterrent to seeking medical care for rural Americans.<sup>12</sup> In a 2019 poll, eighty-seven percent of farmers said the cost of treatment would be an obstacle in seeking help for a mental health condition.<sup>13</sup>

According to the Centers for Disease Control and Prevention (“CDC”), the suicide rate is forty-five percent higher in rural America as opposed to urban areas.<sup>14</sup> The CDC also reported fifty-nine and fifty-four suicides annually in 2012 and 2015, respectively, among male farmers, ranchers, and other agricultural managers.<sup>15</sup> Suicide rates among farmers have increased at a faster pace than those of the general population.<sup>16</sup>

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<sup>7</sup> Humeyra Pamuk, *U.S. Farm Debt Soars to Levels Seen During 1980s Farm Crisis: Agriculture Secretary*, REUTERS (Feb. 27, 2019, 10:39 AM), <https://www.reuters.com/article/us-usa-farms-perdue/u-s-farm-debt-soars-to-levels-seen-during-1980s-farm-crisis-agriculture-secretary-idUSKCN1QG24Y> [https://perma.cc/LWE5-GUJJ].

<sup>8</sup> See Seeding Rural Resilience Act, S. 2599, 116th Cong. § 3 (2019).

<sup>9</sup> See Courtney Vinopal, *For Farmers, Talking About Mental Health Used to be Taboo. Now There's #AgTwitter*, PBS (Nov. 4, 2018), <https://www.pbs.org/newshour/nation/for-farmers-talking-about-mental-health-used-to-be-taboo-now-theres-agtwitter> [https://perma.cc/M855-6ATC].

<sup>10</sup> *Id.*

<sup>11</sup> *2017 Rural Health Report Card*, RURAL HEALTH Q., Fall 2017, at 49.

<sup>12</sup> See American Farm Bureau Federation *Rural Stress Polling Presentation*, MORNING CONSULT 23 (Apr. 16, 2019), [https://www.fb.org/files/AFBF\\_Rural\\_Stress\\_Polling\\_Presentation\\_04.16.19.pdf](https://www.fb.org/files/AFBF_Rural_Stress_Polling_Presentation_04.16.19.pdf) [https://perma.cc/6JGU-PAA9].

<sup>13</sup> *Id.*

<sup>14</sup> Seeding Rural Resilience Act, S. 2599, 116th Cong. § 3 (2019).

<sup>15</sup> Cora Peterson et al., *Suicide Rates by Major Occupational Group-17 States 2012 and 2015*, CTR. FOR DISEASE CONTROL & PREVENTION: MORBIDITY & MORTALITY WKLY. REP. (Nov. 16, 2018) <https://www.cdc.gov/mmwr/volumes/67/wr/mm6745a1.htm> [https://perma.cc/WRD7-9V6S].

<sup>16</sup> Press Release, Congressman Roger Marshall, Marshall Expands Resources for Farm Stress and Mental Health Assistance (Dec. 13, 2019),

This problem is not unique to the United States (U.S.). Globally, data demonstrates a link between farm failure and suicide.<sup>17</sup>

Accurate suicide rates are difficult to determine, especially for an industry such as farming where occupational hazards are significant.<sup>18</sup> Farmers experience increased occupational fatality rates compared to other industries.<sup>19</sup> Because of this, it can be hard to determine whether a fatality was the result of suicide or merely accidental.<sup>20</sup> This leads some to believe farmer suicides are underreported.<sup>21</sup> Others are skeptical of this logic and argue the same could be true for every occupation.<sup>22</sup>

In 2018, the CDC issued a retraction notice for statistics overestimating the rate of suicide among those employed in farming, fishing, and forestry.<sup>23</sup> The error was a result of erroneous coding which led to reporting disparities in some groups.<sup>24</sup> The CDC confirmed the retracted statistics were inflated by the addition of farmers and ranchers, both classified as management professions, with agricultural workers, which are categorically different.<sup>25</sup> This resulted in an overestimation of farming, fishing, and forestry employees and an underestimation of suicides among the management professions, namely farmers and ranchers.<sup>26</sup>

The retraction garnered significant attention in the industry, as the previously reported figures had been widely

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<https://marshall.house.gov/media/press-releases/marshall-expands-resources-farm-stress-and-mental-health-assistance> [<https://perma.cc/3CSL-S3WK>].

<sup>17</sup> See Andrew Paul Gutierrez et al., *Deconstructing Indian Cotton: Weather, Yields, and Suicides*, 27 ENVTL. SCI. EUR. 1, 11 (2015), <https://enveurope.springeropen.com/track/pdf/10.1186/s12302-015-0043-8.pdf> [<https://perma.cc/YX4P-MPU8>] (finding economic distress can be a proximal cause of suicide for farmers).

<sup>18</sup> See Logan Raschke, *Farmers' Suicide Rates, Mental Health, Draw Conversations*, DAILY E. NEWS (Oct. 27, 2019), <https://www.dailyeasternnews.com/2019/10/27/farmers-suicide-rates-mental-health-draw-conversations/> [<https://perma.cc/M6LC-6AGP>].

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> Rowan Walrath, *The CDC Just Retracted its Farmer Suicide Data. That Could be Terrible News for Farmers*, MOTHER JONES (July 3, 2018), <https://www.motherjones.com/media/2018/07/the-cdc-just-retracted-its-farmer-suicide-data-that-could-be-terrible-news-for-farmers/> [<https://perma.cc/X9LL-QR7T>].

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

cited.<sup>27</sup> However, this error is not an excuse to dismiss the rate of suicides in the management profession as a non-issue. This would discount the gravity of the mental health struggles facing farm and agricultural workers and result in a serious miscalculation. Increased awareness of the crisis facing farmers has prompted legislators in recent years to provide resources to these traditionally underserved members of society.<sup>28</sup> In 2008, Congress established the Farm and Ranch Assistance Network (FRSAN) to provide funds to extension services and nonprofits offering “stress assistance programs to individuals engaged in farming, ranching, and other agriculture-related occupations.”<sup>29</sup> Programs eligible for funding include efforts such as farm helplines and websites, training programs, and outreach services.<sup>30</sup> The 2018 Farm Bill reauthorized FRSAN, and in the fiscal year 2019, Congress provided \$2 million dollars in the appropriations bill for the FRSAN pilot program.<sup>31</sup> In December 2019, President Donald Trump signed an appropriations bill, which allocated \$10 million dollars annually for FRSAN for fiscal years 2019 through 2023.<sup>32</sup> Other legislation has been introduced in the United States Senate, including Montana Senator Jon Tester’s Seeding Rural Resilience Act.<sup>33</sup> This legislation seeks to support agencies such as the USDA’s Farm Service Agency (FSA), Risk Management Agency, and Natural Resources Conservation Services in efforts to provide stress management services and stress and suicide prevention resources to farmers and ranchers.<sup>34</sup> The FSA

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<sup>27</sup> Irina Ivanova, *CDC Retracts Widely Cited Study on Farmer Suicide Rates*, CBS NEWS (July 2, 2018, 5:54 PM), <https://www.cbsnews.com/news/cdc-retracts-study-that-found-farmers-had-highest-suicide-rates-of-any-occupation/> [https://perma.cc/V53L-Q3KH].

<sup>28</sup> See Press Release, National Farmers Union, *Farm and Rural Groups Urge Congress to Address Farmer Suicides in Farm Bill*, (April 9, 2018), <https://nfu.org/2018/04/09/farm-and-rural-groups-urge-congress-to-address-farmer-suicides-in-farm-bill/> [https://perma.cc/735P-S9NY].

<sup>29</sup> *Id.*

<sup>30</sup> *More Financial Backing of Farm and Ranch Stress Assistance Network Sought*, AGDAILY (Mar. 25, 2019), <https://www.agdaily.com/news/%ef%bb%bfffarm-ranch-stress-assistance-network/> [https://perma.cc/F9QU-4QV8].

<sup>31</sup> *Coalition Letter to Appropriators Seeking \$10 Million for the Farm and Ranch Stress Assistance Network in Fiscal 2020*, NAT’L ASS’N ST. DEPT’S AGRIC. (Mar. 25, 2019), <https://www.nasda.org/letters-comments-testimony/major-ag-industry-groups-are-asking-congress-to-provide-10-million-for-the-farm-and-ranch-stress-assistance-network-in-fiscal-2020> [https://perma.cc/ERK5-MYGQ] [hereinafter *Coalition Letter*].

<sup>32</sup> 7 U.S.C.A. § 5936 Farm and Ranch Stress Assistance Network (West 2018).

<sup>33</sup> Seeding Rural Resilience Act, S. 2599, 116th Cong. (2019).

<sup>34</sup> *Id.* at §224B.

supports nationwide extension offices providing a variety of services to farmers.<sup>35</sup>

Federal funding is also given to nongovernmental organizations through government institutions such as the CDC.<sup>36</sup> The CDC, with the National Institute for Occupational Safety and Health (NIOSH), funds eleven agricultural research, education, and prevention centers (“Ag Centers”).<sup>37</sup> The Ag Centers were established to “conduct research, education, and prevention projects to address the nation’s pressing agricultural and health safety problems.”<sup>38</sup> The centers exist regionally, each intended to address agricultural health and safety issues unique to the region it serves.<sup>39</sup> The Ag Centers conduct research and evaluate health and safety issues facing the agricultural community.<sup>40</sup> Subsequently, they translate these results into engineering control, educational outreach, and policy changes geared toward eliminating or mitigating these issues.<sup>41</sup>

State departments of agriculture have initiated programs geared toward the prevention of farmer suicide and the provision of mental health services.<sup>42</sup> Efforts at the state level include hotlines wherein callers can speak with counselors and financial consultants for business aid.<sup>43</sup> Other private organizations, often funded by donations or operated by volunteers, also provide assistance.<sup>44</sup>

It is evident that farmers, ranchers, and those employed in agriculture are in great need of assistance and resources as they

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<sup>35</sup> See *History and Mission*, U.S. DEP’T AGRIC., <https://www.fsa.usda.gov/about-fsa/history-and-mission/index> [<https://perma.cc/SR8J-7CX3>] (last viewed Oct. 12, 2020).

<sup>36</sup> *NIOSH Ag Safety Centers*, NAT’L AG SAFETY DATABASE, <http://www.nasdonline.org/agcenter.php> [<https://perma.cc/Z8QR-AVPJ>] (last viewed Oct. 12, 2020).

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> SARAH A. FELKNOR ET AL., *NIOSH Extramural Res. and Training Program: Annual Report of Fiscal Year 2017*, DHHS (NIOSH) PUBLICATION NO. 2019-122, 27 (2017), <https://www.cdc.gov/niosh/docs/2019-122/pdfs/2019-122.pdf?id=10.26616/NIOSH PUB2019122> [<https://perma.cc/HC4P-DWUE>].

<sup>41</sup> *Id.*

<sup>42</sup> Allee Mead, *Preventing Farmer Suicides Through Helplines and Farm Visits*, RURAL HEALTH INFO. HUB (May 15, 2019), <https://www.ruralhealthinfo.org/rural-monitor/preventing-farmer-suicides/> [<https://perma.cc/J7QN-Y4EM>].

<sup>43</sup> *Id.*

<sup>44</sup> See generally DEP’T AGRIC., COPING WITH FARM & RURAL STRESS IN MINNESOTA (2020), <https://www.mda.state.mn.us/sites/default/files/docs/2020-08/copefarmstressbrochure8-2020.pdf> [<https://perma.cc/LFA8-NTVH>] (providing free resources from volunteer organizations).

endure increasing financial and mental stress.<sup>45</sup> Unfortunately, this issue has only recently caught the attention of those in control of the purse strings. Congress must continue to commit federal funds for dispersion to state programs. Additionally, state governments and state departments of agriculture, which have the greatest knowledge of the needs of their rural communities and the best infrastructure to assist them, should make concerted efforts to secure funding and develop initiatives to supplement those established by the federal government. In addition to government funding, heightened awareness and acceptance of the issues surrounding farmer mental health could spur the creation of non-profits or volunteer-led organizations already forming in some communities.<sup>46</sup> If these entities work together, they can achieve a great deal of good for struggling farmers.

While there does not appear to be much opposition to funding mental health resources for farmers, there are those who doubt the severity of the economic turmoil facing the agriculture industry.<sup>47</sup> Those opposed to subsidies for farmers acknowledge not everything is rosy, but subsequently assert the “overall financial condition of the U.S. agricultural sector is sound.”<sup>48</sup> These detractors fail to recognize the compounding harm decreased commodity prices and trade disputes will continue to cause to the industry, and their deleterious effects on the mental health of.<sup>49</sup> Some advocates for limiting subsidies have genuine concerns large farms often find legal ‘loopholes’ whereby farmers work to receive far more than their fair share of the payouts.<sup>50</sup> Iowa Senator Chuck Grassley expressed his fears in how these

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<sup>45</sup> *Coalition Letter*, *supra* note 31.

<sup>46</sup> *E.g.*, Mario Parker, *American Farmers Confront a Mental Health Crisis*, BLOOMBERG (Mar. 20, 2019), <https://www.bloomberg.com/news/articles/2019-03-20/america-s-farmers-call-for-help-as-debts-climb-to-1980s-levels> [https://perma.cc/6SFS-QRTP].

<sup>47</sup> Joseph W. Glauber & Vincent H. Smith, Opinion: *There’s No Looming Farm Crisis – So There’s No Reason to Even Consider More Subsidies*, MKT. WATCH, (Feb. 27, 2019, 4:06 PM), <https://www.marketwatch.com/story/theres-no-looming-farm-crisis-so-theres-no-reason-to-even-consider-more-subsidies-2019-02-26> [https://perma.cc/C4LY-XDA3].

<sup>48</sup> *Id.*

<sup>49</sup> *Cf. id.* (while the number of farms has remained stable since 1980, the debt to asset ratio of farms is in a fragile state due to the economic impact of trade disputes with foreign countries, which if upset, will result in detrimental effects on the mental health of those within the industry who will be economically affected).

<sup>50</sup> AP, *Trump Farm Subsidies: Farmers Find Ways to Boost Their Payments*, CBS NEWS (July 3, 2019, 9:01 AM), <https://www.cbsnews.com/news/trump-farm-subsidies-farmers-find-ways-to-boost-their-payments/> [https://perma.cc/AFR7-7UYR].

“underhanded legal tricks” would push young, new farmers out of the profession.<sup>51</sup>

In recent years, however, legislators and industry leaders alike are recognizing how the mental health of American farmers is a pressing issue.<sup>52</sup> But progress is slow, as many of the entities best equipped to address agricultural mental health also have been faced with other concerns such as dealing with trade wars and environmental risks.<sup>53</sup> One potential course of action to expediently and effectively provide needed assistance to American farmers is to create a national, cross-sectoral, mental health specific entity to work with existing Ag Centers. Such an entity could seek funding from the federal government and also work with other government and private partners to fund research, prevention, and outreach efforts. The formation of a public-private partnership (“PPP”) would be beneficial by enabling entities to capitalize on their areas of expertise to confront a common goal.

This Note will explain efforts to promote awareness of the mental health problems farmers are facing, and why they should be prioritized and increased. First, Part I will provide a historical overview of the agriculture industry in the U.S. and the factors causing the current economic turmoil for the industry and its employees. Next, Part II will analyze current assistance programs in federal and state governments as well as those by private entities. Finally, Part III will analyze how a cross-sectoral partnership focusing solely on agricultural workers’ mental health could provide assistance to an industry in dire need.

## I. A HISTORY OF HARDSHIP

Between 1920 and 1973, American farmers struggled financially.<sup>54</sup> During this half century, farmers found prosperity only during the Second World War and the Korean War which

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<sup>51</sup> *Id.*

<sup>52</sup> See U.S.C.A. § 5936 Farm and Ranch Stress Assistance Network (West 2018).

<sup>53</sup> See Debbie Weingarten, *Is help finally at hand for suicide crisis on America's farms?*, THE GUARDIAN (May 23, 2018, 6:00 PM), <https://www.theguardian.com/environment/2018/may/23/is-help-finally-at-hand-for-suicide-crisis-on-americas-farms> [https://perma.cc/CRG8-RX6R] (discussing politically divisive federal legislation that is intended to provide aid to farmers).

<sup>54</sup> Gilbert C. Fite, *The 1980s Farm Crisis*, MONTANA: THE MAG. OF W. HIST. Winter, at 69, 70 (1986).

shortly followed.<sup>55</sup> When the Soviet Union entered the American grain market in 1972, prices of American grain and soybean exports skyrocketed, benefiting American farmers greatly.<sup>56</sup> The high prices in the early 1970s led farmers, optimistic in the endurance of the high prices and increased land values, to expand their acreage and purchase larger and more expensive machinery.<sup>57</sup> In the latter part of the decade, droughts, decreased commodity prices, and increased production costs, brought the period of prosperity to a screeching halt.<sup>58</sup> In the 1980s, farmland values dropped exponentially, and many farms were forced into foreclosure.<sup>59</sup>

Fortunately, some economists have dispelled fear the current economic downturn could be a repeat of the 1980s Farm Crisis.<sup>60</sup> This optimism is a result factors such as lower interest rates today compared to those in the 1980s, improved stability due to increased regulation since the 1980s, and more robust crop insurance participation.<sup>61</sup>

#### *A. Trade Disputes*

In 2019, an interagency agricultural projections committee organized by the USDA, projected an upward trend in overall commodity prices from 2019 to 2028.<sup>62</sup> The USDA analysis factored into their projection the high likelihood the trade disputes with China will continue until at least 2028.<sup>63</sup> The report also suggested a modest increase in net farm income in 2019, with minimal fluctuation for the remainder of the decade.<sup>64</sup> While the USDA made these projections, some agricultural economists have predicted prices of certain commodities impacted

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<sup>55</sup> *Id.*

<sup>56</sup> *Id.* at 70–71.

<sup>57</sup> *Id.* at 71.

<sup>58</sup> *Id.*

<sup>59</sup> *Id.*

<sup>60</sup> *4 Key Differences Between the 1980s Farm Crisis and Now*, FARM J., (July 6, 2017, 3:32 PM) <https://www.agweb.com/article/4-key-differences-between-the-1980s-farm-crisis-and-now-NAA-ben-potter> [<https://perma.cc/U695-JRMY>].

<sup>61</sup> *Id.*

<sup>62</sup> USDA: INTERAGENCY AGRIC. PROJECTIONS COMMITTEE, *USDA Agricultural Projections to 2028*, U.S.D.A., at i (Mar. 2019), <https://www.ers.usda.gov/webdocs/publications/92600/occe-2019-1.pdf?v=3630.9> [<https://perma.cc/BSZ9-68XF>].

<sup>63</sup> *Id.*

<sup>64</sup> *Id.*



by the trade disputes, such as soybeans, will continue to decline.<sup>65</sup> Economists speculate the low prices over the next several years will lead to a period of lower incomes for farms.<sup>66</sup>

In 2019, President Donald Trump's administration announced a \$12 billion aid package for farmers harmed by China's retaliatory tariffs.<sup>67</sup> The subsidies were allocated in greater amounts to producers of commodities suffering more harm from the tariffs.<sup>68</sup> Soybean farmers received \$7 billion, and \$480 million was apportioned to cotton farmers.<sup>69</sup> The USDA predicted farm income would reach \$88 billion in 2019, but explained nearly forty percent of such income is attributable to financial aid.<sup>70</sup> The \$33 billion in trade assistance, disaster assistance, farm bill allocations, and insurance indemnities is dispersed slowly.<sup>71</sup> Nevertheless, non-subsidized hope may be on the horizon, as China purchased fifty million bushels of soybeans from the U.S. in a sign of goodwill in late October 2019.<sup>72</sup>

New opportunities to participate in international trade could mean more jobs for American farmers according to the United States International Trade Commission (USITC).<sup>73</sup> In January 2020, President Trump signed the revised North American Free Trade Agreement.<sup>74</sup> The agreement provided new

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<sup>65</sup> Heidi Bubela & Gary Schnitkey, *Adverse Corn and Soybean Price Scenarios for 2020 and 2021*, FARMDOC DAILY: DEP'T OF AGRIC. AND CONSUMER ECON., U. OF ILL. AT URBANA-CHAMPAIGN 1 (Aug. 13, 2019), <https://farmdocdaily.illinois.edu/wp-content/uploads/2019/08/fdd130819.pdf> [<https://perma.cc/5XWX-725N>].

<sup>66</sup> *Id.*

<sup>67</sup> *Trump Farm Subsidies: Farmers Find Ways to Boost Their Payments*, CBS NEWS (July 3, 2019, 9:01 AM), <https://www.cbsnews.com/news/trump-farm-subsidies-farmers-find-ways-to-boost-their-payments/> [<https://perma.cc/AFR7-7UYR>].

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> John Newton, *Farm Bankruptcies Rise Again*, AM. FARM BUREAU FED'N: MKT. INTEL (Oct. 30, 2019), [https://www.fb.org/market-intel/farm-bankruptcies-rise-again?utm\\_source=Market+Intel+Subscribers&utm\\_campaign=2dd3cbc7cf-EMAIL\\_CAMPAIGN\\_2019\\_10\\_30\\_01\\_26&utm\\_medium=email&utm\\_term=0\\_8791233023-2dd3cbc7cf-260852123](https://www.fb.org/market-intel/farm-bankruptcies-rise-again?utm_source=Market+Intel+Subscribers&utm_campaign=2dd3cbc7cf-EMAIL_CAMPAIGN_2019_10_30_01_26&utm_medium=email&utm_term=0_8791233023-2dd3cbc7cf-260852123) [<https://perma.cc/5RMX-LXRR>].

<sup>71</sup> *Id.*

<sup>72</sup> Mary Papenfuss, *American Farm Bankruptcies Jump 24% Amid Trump Trade War, Weather Challenges*, HUFFPOST (Nov. 5, 2019, 12:46 AM), [https://www.huffpost.com/entry/farm-bankruptcies-up-china-trade-war\\_n\\_5dc0e879e4b0615b8a985a19](https://www.huffpost.com/entry/farm-bankruptcies-up-china-trade-war_n_5dc0e879e4b0615b8a985a19) [<https://perma.cc/56LW-WM2R>].

<sup>73</sup> *U.S.-Mexico-Canada Trade Agreement: Likely Impact on the U.S. Economy and on Specific Industry Sectors*, U.S. INT'L. TRADE COMMISSION 291 (Apr. 2019), <https://www.usitc.gov/publications/332/pub4889.pdf> [<https://perma.cc/4WUR-XZ2H>] [hereinafter *U.S.-Mexico-Canada Trade Agreement*].

<sup>74</sup> Ana Swanson & Jim Tankersley, *Trump Just Signed the U.S.M.C.A. Here's What's in the New NAFTA*, N.Y. TIMES (Jan. 29, 2020),

export opportunities for American dairy farmers.<sup>75</sup> Specifically, the deal gave American farmers additional access to Canadian markets.<sup>76</sup> As a tradeoff, America opened its market for Canadian dairy and sugar.<sup>77</sup> The agreement is projected to result in a \$68.2 billion increase in U.S. gross domestic product and a 176 thousand job increase in U.S. employment.<sup>78</sup> The USITC estimates the economy will not fully feel the impact of the deal until six years after full implementation.<sup>79</sup>

Trade disputes may only be temporary, but scientists anticipate climate change will affect agriculture.<sup>80</sup> The impact of climate change, however, is hard to predict.<sup>81</sup> Decreased crop yields can result from environmental conditions such as high temperatures, and severe droughts, which decrease water supplies and increase risk for wildfires.<sup>82</sup> Scientists expect crop yields for products such as corn and rice will decrease due to increased temperatures.<sup>83</sup>

### *B. Filing Bankruptcy*

At present, farmers are declaring bankruptcy at alarming rates.<sup>84</sup> 580 farms filed Chapter 12 bankruptcy during the twelve-month period ending September 2019.<sup>85</sup> This was a twenty-four percent increase from the numbers for the preceding twelve months.<sup>86</sup> More than forty percent of the 255 bankruptcies in the twelve months preceding September 2019 were in the Midwest

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<https://www.nytimes.com/2020/01/29/business/economy/usmca-deal.html>  
[<https://perma.cc/X7W3-UR54>].

<sup>75</sup> UNITED STATES-MEXICO-CANADA TRADE FACT SHEET, OFF. OF THE U.S. TRADE REPRESENTATIVE, <https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement/fact-sheets/strengthening> [<https://perma.cc/L8EU-3QC4>] (last viewed Sept. 5, 2020).

<sup>76</sup> Swanson & Tankersley, *supra* note 74.

<sup>77</sup> *Id.*

<sup>78</sup> *U.S.-Mexico-Canada Trade Agreement*, *supra* note 73, at 14.

<sup>79</sup> *Id.* at 43.

<sup>80</sup> Emily Morris, *Crop Yields Expected to Fall as Temperatures Rise*, 357 SCI. 1012, 1013 (Sept. 08, 2017), [<https://perma.cc/T8Y3-SV5A>].

<sup>81</sup> *Id.*

<sup>82</sup> Jeffery Martin, *Drought Conditions in Southeastern U.S. Affect Farming, Heighten Wildfire Chance*, NEWSWEEK (Sept. 27, 2019, 6:03 PM) <https://www.newsweek.com/drought-conditions-southeastern-us-affect-farming-heighten-wildfire-chance-1461888> [<https://perma.cc/4RJA-CHYG>].

<sup>83</sup> Morris, *supra* note 80.

<sup>84</sup> See Newton, *supra* note 70.

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

region, while forty-eight of the total filings were from Wisconsin farms.<sup>87</sup> Even if aid is effective in providing relief to some, not every farmer will receive funds.<sup>88</sup> For those receiving aid, it might prevent complete bankruptcy, but it will likely not be enough to undo the financial and mental damage of the prolonged economic downturn.<sup>89</sup>

Bankruptcy afflicts the dairy industry especially hard.<sup>90</sup> In 2019, America's largest dairy producer, Dean Foods, filed bankruptcy.<sup>91</sup> In 2019, President Trump signed the Family Farmer Relief Act into law.<sup>92</sup> This law raised the debt limit for Chapter 12 bankruptcy from \$4.3 million to \$10 million.<sup>93</sup> This change was intended to "provide family farmers with a durable tool to deal with the cyclical economic challenges faced in American agriculture."<sup>94</sup> Legislators cited increasing debt-to-asset ratios and a thirty-year high in debt financing as the impetus for the bill.<sup>95</sup>

### C. Physical Health

A farmer's physical health can also be a source of hardship and stress. Farmers "are exposed to a tremendous variety of environmental hazards" with a potential impact on their physical health, as well as their emotional well-being.<sup>96</sup> Respiratory diseases caused from inhalation of dust, mold, and gases also

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<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

<sup>89</sup> *See id.*

<sup>90</sup> *See* Kate Gibson, *Borden is Latest Big Milk Producer to go Bust*, CBS NEWS (Jan. 6, 2020), <https://www.cbsnews.com/news/borden-dairy-company-joins-dean-foods-as-second-big-milk-producer-to-file-chapter-11-bankruptcy/> [<https://perma.cc/AP3W-7CAU>].

<sup>91</sup> *Id.*

<sup>92</sup> *See* 11 U.S.C.A. § 101 (West 2020).

<sup>93</sup> *President Signs Family Farmer Relief Act into Law*, AM. BANKR. INST. (Aug. 23, 2019), [https://www.abi.org/newsroom/press-releases/president-signs-family-farmer-relief-act-into-law?gclid=EAIaIQobChMirZiet6mv5wIVy56zCh0PjAEmEAAAYASAAEgKfKfD\\_BwE](https://www.abi.org/newsroom/press-releases/president-signs-family-farmer-relief-act-into-law?gclid=EAIaIQobChMirZiet6mv5wIVy56zCh0PjAEmEAAAYASAAEgKfKfD_BwE) [<https://perma.cc/7DY5-FPGB>].

<sup>94</sup> *Id.*

<sup>95</sup> *Senators Introduce Bipartisan Bill to Expand Reorganizations Tools to More Family Farmers*, SEN. CHUCK GRASSLEY (Mar. 27, 2019), <https://www.grassley.senate.gov/news/news-releases/senators-introduce-bipartisan-bill-expand-reorganizations-tools-more-family> [<https://perma.cc/D2VS-3ZCS>] [hereinafter *Senators Introduce*].

<sup>96</sup> Bradley K. Rein, *Health Hazards In Agriculture - An Emerging Issue*, USDA EXTENSION SERV. (June 1992), <http://nasdonline.org/1246/d001050/health-hazards-in-agriculture-an-emerging-issue.html> [<https://perma.cc/5RUF-DRYN>].

plague workers in the agriculture industry.<sup>97</sup> Other ailments include hearing loss, dermatitis, skin cancer, and heat stress.<sup>98</sup> Farmers and their families face health risks such as exposure to commercial chemicals and air and water pollution.<sup>99</sup> These individuals often lack health insurance coverage, so incurring costs associated with sickness, as well as losing working time to recover, can cause additional stress.<sup>100</sup>

A national poll commissioned by the American Farm Bureau Federation (Farm Bureau) found nearly half of rural adults (forty-eight percent) experienced more mental health challenges in 2019 than they did in the previous year.<sup>101</sup> Three in four adults indicated they believe it is important to reduce stigma about mental health in the agriculture industry.<sup>102</sup>

## II. EFFORTS TO IMPROVE FARMER MENTAL HEALTH

In light of the previously discussed economic turmoil facing our nation's agriculture workers, efforts have increased in recent years to provide them not only with the financial assistance they so desperately need, but with mental health resources as well. During the Farm Crisis of the 1980s, community-based efforts organized by rural churches, along with social services, supported and counseled farmers and ranchers through trying times.<sup>103</sup> The availability of community-based support is substantially lower for today's struggling farmers, as fewer people attend church, community organizations see less involvement and host events less frequently, and rural populations have generally decreased.<sup>104</sup> In addition to allocating

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<sup>97</sup> *Id.*

<sup>98</sup> *Id.*

<sup>99</sup> John E. Ikerd, *Environmental Risks Facing Farmers*, Presentation at TRI-STATE CONF. FOR RISK MGMT. EDUC. (Mar. 5-6, 1999) <http://web.missouri.edu/~ikerdj/papers/Pocono-er.htm> [<https://perma.cc/W4MU-4M9N>].

<sup>100</sup> See *Why Farmers Face Unique Threats from Stress*, FARM AID (Mar. 28, 2018), <https://www.farmaid.org/blog/fact-sheet/why-farmers-face-unique-threats-from-stress/> [<https://perma.cc/UT6W-V236>].

<sup>101</sup> *New National Poll Shows Impacts of Rural Economy on Farmer Mental Health*, AM. FARM BUREAU FED'N (May 1, 2019), <https://www.fb.org/newsroom/new-national-poll-shows-impacts-of-rural-economy-on-farmer-mental-health> [<https://perma.cc/7QXL-5AQQ>] [hereinafter *New National Poll*].

<sup>102</sup> *American Farm Bureau Federation Rural Stress Polling Presentation*, *supra* note 12.

<sup>103</sup> *Why Farmers Face Unique Threats from Stress*, *supra* note 100.

<sup>104</sup> *Id.*

more federal funds for dispersion to state-level and community programs, state departments of agriculture and private organizations should make efforts to raise awareness about farmer mental health issues and available resources.

Cross-sectoral organizations are best suited to conduct research, engage in outreach, and provide resources and training to agricultural workers. Through federal funding and cooperation among state government agencies, universities, research institutions, interest groups, and businesses, pressing issues in the agriculture community, such as farmer mental health, can be prioritized and more resources can be made available to those impacted.

#### *A. Federal Efforts*

In December 2019, President Trump signed the 2020 Appropriations bill, which included \$11 million for the National Institute of Food and Agriculture (NIFA), housed within the USDA.<sup>105</sup> NIFA “invest[s] in and support[s] initiatives that ensure the long-term viability of agriculture” through the administration of federal funding.<sup>106</sup> NIFA partners with the Land-Grant University System and the government, and also works with private and non-profit institutions.<sup>107</sup> One of NIFA’s priority areas includes efforts to advance the well-being of the agricultural workforce and their families.<sup>108</sup>

The Food, Conservation, and Energy Act of 2008 authorized NIFA to establish FRSAN.<sup>109</sup> The program will serve as a “conduit to improv[e] behavioral health awareness, literacy, and outcomes for agricultural producers, workers, and their families.”<sup>110</sup> In 2019, the USDA announced nearly \$2 million would be used to aid farmers in distress through support of

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<sup>105</sup> Further Consolidated Appropriations Act, 2020, Pub. L. No. 116-94 §§ 748, 752, 113 Stat. 2534, 2653 (2019).

<sup>106</sup> *About NIFA*, NAT’L INST. OF FOOD AND AGRIC., <https://nifa.usda.gov/about-nifa> [<https://perma.cc/PZM6-BMWX>].

<sup>107</sup> *Id.*

<sup>108</sup> *Factsheet*, NAT’L INST. OF FOOD AND AGRIC. (Sept. 2019), <https://nifa.usda.gov/sites/default/files/resource/NIFA-Fact-Sheet-2019.pdf> [<https://perma.cc/B7E7-LYND>].

<sup>109</sup> *Farm and Ranch Stress Assistance Network*, NAT’L INST. OF FOOD AND AGRIC., <https://nifa.usda.gov/program/farm-and-ranch-stress-assistance-network-frsan> [<https://perma.cc/J8S8-GA72>].

<sup>110</sup> *Id.*

FRSAN, one of many funding opportunities within NIFA.<sup>111</sup> FRSAN funding is available to create or supplement existing programs providing “professional agricultural behavioral health counseling and referral for other forms of assistance.”<sup>112</sup> The programs are authorized to use the funds for helplines, websites, training, workshops, support groups, and outreach services, among other things.<sup>113</sup>

There are currently only four funded FRSAN projects, in the South, West, North Central, and Northeast regions.<sup>114</sup> Each project has been awarded \$480 thousand.<sup>115</sup> The Northeast project will “gather resources, provide feedback on regional needs, [and] develop an online clearinghouse to share available resources and referrals with farmers and service providers.”<sup>116</sup> Additionally, the project will train network providers and provide them with access to resources and best practices for working with distressed farmers.<sup>117</sup>

In November 2019, U.S. Senator Charles Schumer called for federal prioritization of the issue of suicide among farmers and argued “we need better mental health care for farmers, better information on how they can access that care, and better data on the nature and extent of the problem.”<sup>118</sup> Senator Schumer announced a two-pronged plan to address the issue of farmer suicides.<sup>119</sup> First, Schumer called on the CDC to conduct a “comprehensive and much-needed” study on suicides among

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<sup>111</sup> *\$2 Million Available to Ramp Up Farm Stress Response*, NAT'L SUSTAINABLE AGRIC COALITION: NSAC'S BLOG (July 11, 2019), <https://sustainableagriculture.net/blog/2-million-available-to-ramp-up-farm-stress-response/> [<https://perma.cc/D9M3-XTWR>].

<sup>112</sup> 7 U.S.C.A. § 5936 (West 2020).

<sup>113</sup> *Id.*

<sup>114</sup> *Farm and Ranch Stress Assistance Network*, *supra* note 109.

<sup>115</sup> *Id.*

<sup>116</sup> *USDA Launches Farm and Ranch Stress Assistance Network*, AGDAILY (Oct. 24, 2019), <https://www.agdaily.com/lifestyle/usda-farm-ranch-stress-assistance/> [<https://perma.cc/T2RS-SQ83>].

<sup>117</sup> *Id.*

<sup>118</sup> *Schumer Stands with Local Farmers to Launch 2-Pronged Plan to Combat Devastating Trend Within Farming Industry*, SEN. CHARLES E. SCHUMER (Nov. 27, 2019), <https://www.schumer.senate.gov/newsroom/press-releases/with-wyoming-county-having-the-highest-suicide-rate-in-finger-lakes-and-wny-regions-schumer-stands-with-local-farmers-to-launch-2-pronged-plan-to-combat-devastating-trend-within-farming-industry-with-intensifying-pressure-on-farmers-feds-must-do-far-more-to-reach-upstate-ny-farmers-in-pain-save-lives-in-wny> [<https://perma.cc/EMZ5-UVRG>] [hereinafter *Schumer Stands*].

<sup>119</sup> *Id.*

farmers.<sup>120</sup> Second, he called on Congress to expediently pass the Seeding Rural Resilience Act.<sup>121</sup>

The Seeding Rural Resilience Act was introduced by two farmers, Senators Jon Tester (Montana) and Chuck Grassley (Iowa) in 2019.<sup>122</sup> The bill has drawn support from state and national farming and mental health organizations, including the American Farm Bureau, American Psychological Association, National Association of State Departments of Agriculture, National Alliance on Mental Illness, and Farm Aid, among others.<sup>123</sup> This legislation seeks to curb increasing suicide rates among rural Americans by creating a stress management training program for employees of FSA and various other federal agencies; providing \$3 million to the Department of Health and Human Services and the USDA to raise awareness through a public service campaign; and directing the Secretary of Agriculture to work with private stakeholders, as well as those in state and local governments, to establish best practices for responding to mental health issues facing agriculture workers.<sup>124</sup> Rural Health Information Hub, supported by the Health Resources and Services Administration, provides an online resource for building an effective rural community health program.<sup>125</sup> The online guide provides a toolkit for addressing rural suicide prevention, and suggests program models and evaluation strategies.<sup>126</sup> The toolkit recognizes the potential limitations resulting from insufficient funding and provides an overview of other viable resources such as volunteers, community partners, and government grants.<sup>127</sup>

Although these federal efforts are positive steps in bringing attention to the problems facing the agriculture industry, the federal government is simply not equipped to reach

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<sup>120</sup> *Id.*

<sup>121</sup> *Id.*

<sup>122</sup> *Grassley Joins Tester Bill to Address Farmer Suicides as Farm and Mental Health Groups Praise Efforts*, SEN. JON TESTER (Oct. 15, 2019), [https://www.testersenate.gov/?p=press\\_release&id=7036](https://www.testersenate.gov/?p=press_release&id=7036) [<https://perma.cc/7B8R-L25A>].

<sup>123</sup> *Id.*

<sup>124</sup> *Id.*

<sup>125</sup> *Rural Suicide Prevention Toolkit*, RURAL HEALTH INFO. HUB, <https://www.ruralhealthinfo.org/toolkits/suicide> [<https://perma.cc/32NV-PRFN>] (last viewed Oct. 12, 2020).

<sup>126</sup> *Id.*

<sup>127</sup> *Resource Considerations for Implementing Suicide Prevention Programs*, RURAL HEALTH INFO. HUB, <https://www.ruralhealthinfo.org/toolkits/suicide/4/resource-considerations> [<https://perma.cc/7VGJ-3KFS>] (last viewed Oct. 12, 2020).

all of the struggling farmers and ranchers across the nation. A 2010 Pew Research Center survey indicated fifty-four percent of the American public held negative views of federal agencies and departments.<sup>128</sup> Because of this, farmers might be less receptive to federal assistance. USDA Secretary Perdue called upon leaders to take a holistic approach, emphasizing the need for resources at the state and local levels.<sup>129</sup> While the federal government can be useful for obtaining funding and conducting research, it lacks the infrastructure and rapport to effectively reach out to rural communities, especially regarding deeply personal matters.<sup>130</sup>

### *B. State Efforts*

Farmer-specific crisis hotlines have been developed by states such as Colorado, Minnesota, Wisconsin, New York, and others.<sup>131</sup> Other state initiatives include websites with links to local and national mental health resources.<sup>132</sup> A 2019 Washington Post story profiled an all-too-familiar South Dakota family who lost their husband and father, farmer Chris Dykshorn, to suicide.<sup>133</sup> Chris struggled with substantial farm debt, flooded fields, and surplus crops.<sup>134</sup> The last Google search on Chris's phone was "farmer crisis hotline."<sup>135</sup>

The Minnesota Department of Agriculture emphasizes that callers need not be in "crisis" to utilize the helpline but can

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<sup>128</sup> *In Depth: Americans' Distrust of Government*, NPR (Apr. 18, 2010, 8:01 PM), <https://www.npr.org/templates/story/story.php?storyId=126002349> [<https://perma.cc/64E4-WQRL>].

<sup>129</sup> Weingarten, *supra* note 53.

<sup>130</sup> *See id.*

<sup>131</sup> Mead, *supra* note 42; Erin Douglas, *Colorado Divide: As Pressures Mount for Colorado Farmers, State Pushes Crisis Hotline Into Remote, Sometimes Reluctant Communities*, THE DENVER POST (Sept. 8, 2017, 10:00 AM), <https://www.denverpost.com/2017/09/08/mental-health-crisis-hotline-rural-colorado-farmers/> [<https://perma.cc/SZS5-U739>]; *see also* Briana Reilly, *Wisconsin Crisis Hotline Has Yet to Receive Suicide Prevention Funding Included in Budget*, THE CAP TIMES (Oct. 30, 2019), [https://madison.com/ct/news/local/govt-and-politics/wisconsin-crisis-hotline-has-yet-to-receive-suicide-prevention-funding/article\\_a92abf1c-c4fe-5ffd-8b71-64ab1489a912.html](https://madison.com/ct/news/local/govt-and-politics/wisconsin-crisis-hotline-has-yet-to-receive-suicide-prevention-funding/article_a92abf1c-c4fe-5ffd-8b71-64ab1489a912.html) [<https://perma.cc/Y5V5-VMKP>]; *see also* Mead, *supra* note 42.

<sup>132</sup> Lisa Gutierrez, *Kansas Farmers Die by Suicide at an 'Alarming' Rate. State Steps in to Help Them Cope*, THE KANSAS CITY STAR (Dec. 28, 2019, 5:00 AM), <https://www.kansascity.com/news/business/health-care/article238474058.html>.

<sup>133</sup> Annie Gowen, *I'm Gonna Lose Everything*, THE WASH. POST (Nov. 9, 2019), <https://www.washingtonpost.com/nation/2019/11/09/im-gonna-lose-everything/?arc404=true> [<https://perma.cc/96PV-BVD9>].

<sup>134</sup> *Id.*

<sup>135</sup> *Id.*



call with any type of question.<sup>136</sup> Minnesota callers can receive counseling, financial and business assistance, or help with daily living through referral to a local United Way.<sup>137</sup> A Vermont employee assistance program, created specifically for farmers, provides free and confidential help for financial issues, mental health, substance abuse, personnel issues, and family matters.<sup>138</sup> Vermont's program, Farm First, underscores the importance of resources for farmers, as "there is no boundary between work and home for a farmer."<sup>139</sup>

In addition to operating a helpline, New York FarmNet provides free on-the-farm consultations.<sup>140</sup> These visits, conducted by financial and personal consultants, provide families with stress management and communication assistance, as well as a financial consultation and help in planning for the future.<sup>141</sup> While these efforts are undoubtedly beneficial, they likely lack adequate funding for outreach. The reach of these programs is further hindered by limited access to internet in rural areas.<sup>142</sup> State efforts, overwhelmingly focused on hotlines and resource referrals, inadequately address prevention. Many states have invested into their own hotlines or resources for their citizens, which is needlessly duplicative. Although state agencies, such as departments of agriculture, are well-positioned to interact with farmers in rural areas, they appear to lack resources to implement meaningful programs to address mental health among farmers.

### *C. Non-Governmental and Quasi-Governmental Efforts*

Private entities such as health care providers, interest groups, non-profits, businesses, and community organizations can be exceptional catalysts for change, especially when they work together. The involvement of private entities illustrates the widespread recognition of the mental health issues facing the

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<sup>136</sup> Mead, *supra* note 42.

<sup>137</sup> *Id.*

<sup>138</sup> *What is Farm First*, FARM FIRST, <https://www.farmfirst.org/what-is-farm-first> [<https://perma.cc/QZ54-QHQ3>].

<sup>139</sup> *Id.*

<sup>140</sup> Mead, *supra* note 42.

<sup>141</sup> *Id.*

<sup>142</sup> See *Rural Broadband: Ask Congress to Support Rural Communities with Improved Broadband Coverage*, AM. FARM BUREAU, <https://www.fb.org/advocacy/action-alerts/rural-broadband/> [<https://perma.cc/HQA8-TC5V>] [hereinafter *Rural Broadband*].

farming industry. Community-based support can also be beneficial as families with greater community involvement and deeper social networks tend to be more resilient in the face of hardship.<sup>143</sup>

In 1944, President Franklin D. Roosevelt signed the first National Farm Safety and Health Week proclamation at the encouragement of the National Safety Council, a nonprofit and nongovernmental public service organization.<sup>144</sup> The purpose of the week, still recognized annually during the third week of September, is to “emphasize the importance of the health and well-being of the people working in agriculture.”<sup>145</sup> Mental health is increasingly an important feature, with a whole day of the week dedicated to farmer health and opioid and suicide prevention.<sup>146</sup>

Farm Aid was originally a concert organized by Willie Nelson, Neil Young, and John Mellencamp in 1985 to raise awareness about the loss of family farms.<sup>147</sup> Today, Farm Aid has expanded to champion causes such as fair farm policies, operating a farm crisis hotline, and supporting family farmers, in addition continuing to host their annual festival.<sup>148</sup>

In South Dakota, a regional healthcare system created a hotline for farmers and ranchers to rely upon twenty-four/seven.<sup>149</sup> The hotline allows farmers to confidentially connect with counselors to seek support for stress, depression, and crisis.<sup>150</sup> In Nebraska, another rural assistance hotline is operated by the Farm Crisis Response Council of Interchurch

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<sup>143</sup> Rebekka M. Dudensing et al., *Preventing Farm-related Stress, Depression, Substance Abuse, and Suicide*, in SURVIVING THE FARM ECONOMY DOWNTURN 87 (2018), <https://afpc.tamu.edu/extension/resources/downturn-book/chapters/20-Preventing-Farm-related-Stress-Depression-Substance-Abuse-and-Suicide.pdf> [<https://perma.cc/TP3D-2MB3>].

<sup>144</sup> *National Farm Safety and Health Week*, UPPER MIDWEST AGRIC. SAFETY AND HEALTH CTR., <http://umash.umn.edu/national-farm-safety-and-health-week/> [<https://perma.cc/ZE7A-EB55>] (last viewed Sept. 4, 2020).

<sup>145</sup> *Id.*

<sup>146</sup> *Id.*

<sup>147</sup> *About Us*, FARM AID <https://www.farmaid.org/about-us/> (last viewed Sept 4, 2020) [<https://perma.cc/5WZY-8MCW>].

<sup>148</sup> *Our Work*, FARM AID <https://www.farmaid.org/our-work/> (last viewed Sept 4, 2020) [<https://perma.cc/6PKV-TV7D>].

<sup>149</sup> Amanda Radke, *Avera Announces Hotline for Farmers in Crisis*, AGWEEK (Jan. 27, 2019, 7:30 AM), <https://www.agweek.com/business/agriculture/4561186-avera-announces-hotline-farmers-crisis> [<https://perma.cc/UR7X-EEUF>].

<sup>150</sup> *Id.*

Ministries of Nebraska.<sup>151</sup> The Nebraska hotline offers assistance from volunteer attorneys, financial advisors, professional counselors, and clergy for the farmers' benefit and well-being.<sup>152</sup> Furthermore, the Nebraska government contributes partial funding to a program providing hotline callers with vouchers for no-cost confidential mental health services.<sup>153</sup>

Farm Bureau, a non-governmental and volunteer-based organization, partners with farming organizations and the Michigan State University Extension to facilitate mental health and stress training for farmers.<sup>154</sup> In April 2019, Farm Bureau commissioned a national research poll conducted by Morning Consult.<sup>155</sup> The poll results demonstrated the pervasive social stigma surrounding mental health problems in rural America.<sup>156</sup> To combat these issues, Farm Bureau also advocates for federal funding for mental health resources.<sup>157</sup>

Acceleron, a pharmaceutical company, has a resource library dedicated to farmers' mental health.<sup>158</sup> The page includes videos and podcasts, tips for coping with anxiety, depression, and stress, and links to other resources such as text lines and helplines.<sup>159</sup>

The growing number of private organizations confronting farmer mental health underscores the importance of this issue to the agricultural community.<sup>160</sup> These organizations should be encouraged to increase their efforts to assist agriculture workers and to advocate for awareness of mental health issues among this population. Promoting collaboration between these organizations

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<sup>151</sup> *Rural Response Hotline Helpful Resource for 25 Years*, NEB. FARMER (May 8, 2009), <https://www.farmprogress.com/story-rural-response-hotline-helpful-resource-for-25-years-9-23410> [<https://perma.cc/9RL8-WWX4>].

<sup>152</sup> *Id.*

<sup>153</sup> *Id.*

<sup>154</sup> *About*, AM. FARM BUREAU FED'N, <https://www.fb.org/about/overview> [<https://perma.cc/2YGF-2Y72>] (last viewed Sept. 4, 2020); *Farm Groups Partner to Help Farmers Manage Stress*, AM. FARM BUREAU FED'N (Dec. 11, 2019), <https://www.fb.org/newsroom/farm-groups-partner-to-help-farmers-manage-stress> [<https://perma.cc/39YN-GJZE>].

<sup>155</sup> *New National Poll*, *supra* note 101.

<sup>156</sup> *See id.*

<sup>157</sup> *See id.*

<sup>158</sup> *See Tips & Resources for Taking Care of Your Mental Health*, ACCELERON, <http://www.acceleronsas.com/ResourceLibrary/Pages/Farm-State-of-Mind.aspx> [<https://perma.cc/QSL9-4D6W>] (last viewed Sept. 5, 2020).

<sup>159</sup> *Id.*

<sup>160</sup> *See, e.g., Farm Groups Partner to Help Farmers Manage Stress*, *supra* note 154.

could also be beneficial to expand the amount of resources available and the impact these efforts can have across the country.<sup>161</sup>

### III. PROPOSAL FOR A COLLABORATIVE APPROACH TO ADDRESSING FARMER MENTAL HEALTH

Funding should support collaborative research, prevention, and outreach organizations such as NIOSH to ensure all stakeholders are involved in addressing farmer mental health issues. Helplines and online resources have limited utility, as they can only be used by those who know about them or take initiative to seek them out. Invigorating outreach efforts will maximize the money invested into additional prevention and treatment resources.

#### *A. Public-Private Partnerships*

PPPs can maximize government funding, cut costs, capitalize on the strengths of various entities, and improve performance.<sup>162</sup> A PPP can form as a coalition of government agencies, for-profit businesses, professional organizations, philanthropic groups, and other private entities or individuals.<sup>163</sup> PPPs in the U.S. often support infrastructure such as government buildings, schools, and waste and water projects.<sup>164</sup> These arrangements are favorable to the government, and to taxpayers, as they can reduce costs and increase the speed of project completion.<sup>165</sup> This approach has also become increasingly common in addressing national health issues.<sup>166</sup> Proponents of these partnerships recognize the benefits of cross-sectoral

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<sup>161</sup> *Id.*

<sup>162</sup> CDC's *Guiding Principles for Public-Private Partnerships: A Tool to Support Engagement to Achieve Public Health Goals*, CENTERS FOR DISEASE CONTROL AND PREVENTION 2 (Apr. 2018), <https://www.cdc.gov/partners/pdf/partnershipguidance-4-16-14.pdf> [<https://perma.cc/42WY-VHY4>].

<sup>163</sup> *Id.*

<sup>164</sup> Daryl Walcroft & Darin Siders, *Public-Private Partnerships in the U.S.: The State of the Market and the Road Ahead*, PRICEWATERHOUSECOOPERS (Feb. 1, 2017, 4:02 PM), <https://www.pwc.com/us/en/industries/capital-projects-infrastructure/library/public-private-partnerships.html> [<https://perma.cc/P96G-BMMC>].

<sup>165</sup> *Id.*

<sup>166</sup> HERNANDEZ-AGUADO I & ZARAGOZA GA, *Support of Public-Private Partnerships in Health Promotion and Conflicts of Interest*, BMJ OPEN 1 (2016) [<https://perma.cc/HG8X-48VN>].

coordination to “leverage extensive resources and diverse expertise,” reduce duplication, and expand the scope of outreach to include larger populations.<sup>167</sup>

According to the World Health Organization, partnerships between public and private entities have the capacity to advance public health messages.<sup>168</sup> The CDC recognizes the value of these partnerships, especially to speed up response, expand public reach, enhance credibility, utilize new technology to solve problems, foster innovation and creativity, and raise awareness for the CDC’s initiatives.<sup>169</sup> Partnering can also impact industry by “address[ing] the needs of at-risk worker populations.”<sup>170</sup> Such an initiative can also be beneficial for the private entities, as it can enhance reputation and goodwill, increase outcomes, and improve efficiencies.<sup>171</sup>

There are, however, some who do not see the value in PPPs.<sup>172</sup> Critics are skeptical of the involvement of corporations, intended to maximize profits in the public health sector.<sup>173</sup> Critics note how conflicts of interest are inevitable.<sup>174</sup> While this may be a legitimate concern in certain industries, it seems unlikely with respect to a partnership involving farmer mental health. Other than promoting general mental health services, the efforts of a partnership in this context would be unlikely to involve the sale of products or services for the benefit of a business.<sup>175</sup> Corporate involvement could increase brand loyalty or public goodwill, but should not outweigh the positives of a partnership potentially providing substantial additional resources.<sup>176</sup> This is especially true in light of the many private organizations who have already

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<sup>167</sup> *Id.* at 5.

<sup>168</sup> Kent Buse & Amalia Waxman, *Public-Private Health Partnerships: A Strategy for WHO*, 79 BULL. OF THE WORLD HEALTH ORG., 748 (2001), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2566497/pdf/11545332.pdf> [<https://perma.cc/66FH-KXQA>].

<sup>169</sup> CENTERS FOR DISEASE CONTROL AND PREVENTION, *supra* note 162, at 2–3.

<sup>170</sup> *Id.* at 3.

<sup>171</sup> *Id.* at 6.

<sup>172</sup> HERNANDEZ-AGUADO I & ZARAGOZA GA, *supra* note 166, at 7.

<sup>173</sup> *Id.*

<sup>174</sup> *Id.*

<sup>175</sup> *Mission: Mental Health*, EAST METRO MENTAL HEALTH ROUNDTABLE 2-3 (2018), [https://www.healthpartners.com/ucm/groups/public/@hp/@public/documents/documents/entry\\_202255.pdf](https://www.healthpartners.com/ucm/groups/public/@hp/@public/documents/documents/entry_202255.pdf) [<https://perma.cc/JUK3-C799>].

<sup>176</sup> HERNANDEZ-AGUADO I & ZARAGOZA GA, *supra* note 166, at 7.

made efforts to address farmer mental health in their individual capacities.<sup>177</sup>

### *B. NIOSH Ag Center*

The NIOSH Ag Center model is well-suited for addressing farmer mental health issues because it brings together a multitude of interested parties from various disciplines.<sup>178</sup> NIOSH Ag Centers address occupational safety and health concerns relating to the agriculture industry across the United States.<sup>179</sup> The eleven Ag Centers are regionally distributed to respond to regional agriculture issues.<sup>180</sup> In FY 2014, the ten existing Ag Centers were allocated \$15.8 million from NIOSH.<sup>181</sup> In FY 2017, the eleven Ag Centers received \$18.3 million.<sup>182</sup>

### *C. Upper Midwest Agricultural Safety and Health Center*

One center, the Upper Midwest Agricultural Safety and Health Center (UMASH), appears to be especially successful, and should be examined for the purpose of understanding how the Ag Centers work. UMASH is an interdisciplinary collaboration of five research and health care institutions, including the University of Minnesota's School of Public Health and College of Veterinary Medicine, Minnesota Department of Health, National Farm Medicine Center, and Migrant Clinicians Network.<sup>183</sup> The center, established in 2011,<sup>184</sup> serves five states in the Midwest

<sup>177</sup> See, e.g., *About*, *supra* note 154; *Farm Groups Partner to Help Farmers Manage Stress*, *supra* note 154.

<sup>178</sup> *Pacific Northwest Agricultural Safety and Health (PNASH) Center*, NASD, <https://nasdonline.org/6861/o000128/pacific-northwest-agricultural-safety-and-health-pnash-center.html> [<https://perma.cc/C9NV-GE5G?type=image>].

<sup>179</sup> *NIOSH Ag Safety and Health Centers*, UNIV. OF KY. COLL. OF PUB. HEALTH, <https://www.uky.edu/scship/what-we-do/niosh-ag-safety-and-health-centers> [<https://perma.cc/2DTT-AVAE>] (last viewed Oct. 12, 2020).

<sup>180</sup> *Id.*

<sup>181</sup> SARAH A. FELKNOR ET AL., *Annual Report of Fiscal Year 2014*, NIOSH EXTRAMURAL RESEARCH AND TRAINING PROGRAM iv (Aug. 2016), <https://www.cdc.gov/niosh/oep/annualreports/2014.html> [<https://perma.cc/SYM2-5LNQ>].

<sup>182</sup> FELKNOR ET AL., *supra* note 40, at 6.

<sup>183</sup> *About the Center*, UPPER MIDWEST AGRIC. SAFETY AND HEALTH CTR., <http://umash.umn.edu/about-the-center/> [<https://perma.cc/8T6C-4626>].

<sup>184</sup> *About*, TELLING THE STORY PROJECT, <https://tellingthestoryproject.org/about/> [<https://perma.cc/M8KA-6NNK>] (last viewed Oct. 12, 2020). (M/J: Do we include "About" if it is just the "About" section on a website?)

and is one of eleven agricultural research, education, and disease prevention centers.<sup>185</sup>

UMASH is funded by NIOSH and other outside sources.<sup>186</sup> The center's components include stakeholder outreach, an emerging issues program, and an evaluation program to monitor and assess the efficacy and performance of the center.<sup>187</sup> Under the center's emerging issues program, farmer stress and mental health have been designated as priorities.<sup>188</sup>

UMASH provides online resources related to farmer mental health such as, an online webinar geared toward women, and videos and surveys focused on educating college-aged students about the signs and symptoms of stress and mental health issues.<sup>189</sup> UMASH made it a priority for 2020 to support mental health assessments and resources and to secure additional funds for these efforts.<sup>190</sup>

UMASH also formed partnerships with the National Alliance on Mental Illness (NAMI) of Minnesota, Land O'Lakes, and Telling the Story Project.<sup>191</sup> The center's project with NAMI designated four trained individuals with agricultural backgrounds as "rural suicide prevention trainers."<sup>192</sup> Land O'Lakes hosts suicide prevention training sessions, which as of October 2019, have amassed over 200 participants.<sup>193</sup> UMASH also works with multiple Ag Centers to collect stories of farmers and their families who have struggled with mental illness or been impacted by suicide in an effort to reduce the negative stigma surrounding these issues.<sup>194</sup>

UMASH frequently engages with the community through outreach programs.<sup>195</sup> In 2019, UMASH became involved in an annual farm show previously focusing little on health and

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<sup>185</sup> *NIOSH Ag Safety and Health Centers*, *supra* note 179.

<sup>186</sup> JEFFREY B. BENDER, *Summary Annual Report 2018-2019*, UPPER MIDWEST AGRIC. SAFETY AND HEALTH CTR. 3 (Oct. 31, 2019), <http://umash.umn.edu/wp-content/uploads/2019/12/UMASH-Annual-Report-2019-October.pdf> [<https://perma.cc/M734-RH9C>].

<sup>187</sup> *Id.* at 4.

<sup>188</sup> *Id.* at 15.

<sup>189</sup> *Id.* at 16.

<sup>190</sup> *Id.* at 13.

<sup>191</sup> *Id.* at 17.

<sup>192</sup> BENDER, *supra* note 186, at 17.

<sup>193</sup> *Id.*

<sup>194</sup> TELLING THE STORY PROJECT, *supra* note 184.

<sup>195</sup> *See* BENDER, *supra* note 186, at 18.

safety.<sup>196</sup> UMASH coordinated over twenty-five organizations to participate as exhibitors for the show, which generally garners more than thirty thousand attendees over three days.<sup>197</sup> The outreach activities included free health screenings, safety demonstrations, and a tent providing information and resources regarding wellness topics such as mental health, resiliency, and opioid use.<sup>198</sup> The center also partnered with another organization to host a symposium regarding occupational hazards and mental health problems arising from work.<sup>199</sup>

In addition to UMASH, several of the Ag Centers have designated farmer mental health as an “emerging issue” warranting additional attention in the future.<sup>200</sup> It is evident from the examination of UMASH centers are well positioned to provide the agricultural community with information, training, and resources with the potential to make a significant positive impact in the mental health of those in the American agriculture industry. It is imperative federal funds are allocated to NIOSH to bolster the efforts of the Ag Centers. Although the Ag Centers have begun to recognize how farmer mental health is an issue in need of attention, the centers serve large regions and work on an array of other matters.<sup>201</sup> Because of the Ag Centers’ expansive involvement in other matters, the concerns for farmers’ mental health will not be addressed as expediently as necessary.

#### *D. Solutions*

To promote farmer’s mental health, NIOSH could allocate funding for a national mental health-specific center, similar to the National Children’s Center for Rural and Agricultural Safety and Health (Child Ag Center). The Child Ag Center “strives to enhance the safety of all children exposed to hazards associated with agricultural work.”<sup>202</sup> The Child Ag Center is one of the eleven centers, but is nationally focused to build partnerships

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<sup>196</sup> *Id.*

<sup>197</sup> *Id.*

<sup>198</sup> *Id.* at 18–19.

<sup>199</sup> *Id.* at 19.

<sup>200</sup> See *Annual Report 2019*, HIGH PLAINS INTERMOUNTAIN CTR. FOR AGRIC. HEALTH AND SAFETY 10 (Sept. 2018–2019), [http://csucvmb.colostate.edu/Documents/2019%20Annual%20Lay%20Report\\_HICAHS\\_5%20U54%20OH008085-15.pdf](http://csucvmb.colostate.edu/Documents/2019%20Annual%20Lay%20Report_HICAHS_5%20U54%20OH008085-15.pdf) [https://perma.cc/TB5X-PPTL].

<sup>201</sup> *Id.*

<sup>202</sup> FELKNOR ET. AL., *supra* note 4040, at 27.



with stakeholders, conduct research, generate consensus on complex issues, and produce resources useful to an array of audiences.<sup>203</sup>

A nationally focused mental health Ag Center could provide the regional Ag Centers with research and evaluations, as well as resources and prevention tools to aid their existing outreach efforts on the matter. Such a center could augment the efforts of the existing Ag Centers to address farmer mental health and ensure it is addressed exigently. Farmer suicide is a national issue plaguing agricultural workers indiscriminately in each region.<sup>204</sup> As such, a national center similar to the Child Ag Center would be judicious to lead the various regional Ag Centers in addressing the matter.

Entities not yet extensively involved in addressing farmer mental health concerns may create meaningful developments for farmer safety. Many private organizations, such as national food manufacturers or healthcare companies have a pecuniary interest in the wellbeing of farmers through the production, sale, or use of their own products. By addressing farmer's mental health, these groups can benefit from enhanced reputation and public goodwill associated with becoming involved in social issues.<sup>205</sup>

Industry leaders in agriculture, government, research, mental health, and advocacy can harness their strengths and become effective outlets for farmers' mental health. Increased awareness of farmers' mental illness geared toward medical research institutions and groups could encourage medical professionals to provide enhanced health treatment in underserved, rural areas. Finally, farm and agriculture interest group involvement may additionally provide effective channels for vast outreach to agriculture workers, especially interest groups geared toward young farmers to prevent the development of mental illness.

To ameliorate farmer mental health, resources and financial support must be maximized and allocated appropriately to effectively reach all those affected. Farmers can be a challenging demographic to connect with, especially because an

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<sup>203</sup> *Id.* at 30.

<sup>204</sup> See Peterson, et al., *supra* note 15.

<sup>205</sup> See *CDC's Guiding Principles for Public-Private Partnerships*, *supra* note 162, at 6.

estimated 29 percent of farms lack internet access.<sup>206</sup> While internet resources can be less expensive and have the potential to reach more people for less, exclusively internet-based resources effectively leave this disconnected population out. Lack of internet access underscores the need for a cross-sectoral, interdisciplinary approach to addressing farmer mental health, as many resources are currently available exclusively on the internet. Advocacy for increased rural internet access could make existing mental health resources more widely available to farmers.

### CONCLUSION

Government efforts to stabilize the agriculture industry can only do so much for the struggling farmers. Agriculture workers are sure to continue to face economic turmoil because of trade disputes, low commodity prices, and unpredictable weather.<sup>207</sup> It is imperative federal and state government agencies work together with private organizations to address the mental health problems plaguing America's farmers.

Until this point, efforts to address farmer mental health have largely been piecemeal, siloed, and inadequate. Although the creation of state helplines and online resources were well-intentioned, these platforms lack the necessary mental health information or outreach tools needed to help these programs realize their full potential. The effort expended into the creation of state-funded helplines are also needlessly duplicative. We must proactively address the shortage of health care providers in rural areas, poor internet access, and financial difficulties faced by the agriculture industry.

Recent federal and state government recognition of the issue represents progress. But without additional funding and expertise from the private sector, the impact will be minimal. Corporate opportunism should not deter collaboration because many businesses and private organizations have already made efforts to address farmer mental health independently.<sup>208</sup>

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<sup>206</sup> *Rural Broadband*, *supra* note 142.

<sup>207</sup> *See Senators Introduce*, *supra* note 95.

<sup>208</sup> *See, e.g., Tips & Resources for Taking Care of Your Mental Health*, *supra* note 158.

To address the mental health issues facing rural agricultural workers, it will take government funding and research, as well as collaboration with mental health professionals, agriculture experts, philanthropic groups, and a host of other organizations. Moreover, organizations interested in addressing farmer mental health should pool their resources and prioritize research.<sup>209</sup> Comprehensive research could provide us with an understanding of the root of the problems facing farmers and suggest the most efficacious way to address the issue on a national scale.

If mental health remains untreated, rampant issues will continue to lead to farmer suicides, opioid abuse, and numerous other problems.<sup>210</sup> It is clear there is no dearth of entities willing to devote their resources to addressing farmer mental health. A cross-sector coalition of these organizations is best positioned to affect meaningful change. Paul Harvey aptly described farmers as people who do what it takes to get the job done without cutting corners.<sup>211</sup> They work hard to provide food for our families, often to their own emotional detriment. Farmers deserve effort of the same caliber from us in helping them address their mental health.

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<sup>209</sup> See *Schumer Stands*, *supra* note 118 (calling for a comprehensive study on farmer mental health).

<sup>210</sup> See *American Farm Bureau Federation Rural Stress Polling Presentation*, *supra* note 12 (indicating that 42% of farmers polled knew someone who has self-medicated as a result of stress).

<sup>211</sup> Garance, *supra* note 1.