

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 13, 2023
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB23-1003 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 2, line 2, strike "part 20" and substitute
2 "part 9".
- 3 Page 2, line 3, strike "20.5 of title 25" and substitute "50 of title 27".
- 4 Page 2, line 4, strike "PART 20" and substitute "PART 9".
- 5 Page 2, line 7, strike "**25-20.5-2001.**" and substitute "**27-50-901.**".
- 6 Page 2, line 10, strike "**25-20.5-2002.**" and substitute "**27-50-902.**".
- 7 Page 2, strike lines 12 through 14.
- 8 Renumber succeeding subsections accordingly.
- 9 Page 3, line 6, strike "OR LEGAL GUARDIAN." and substitute "LEGAL
10 GUARDIAN, OR CUSTODIAN."
- 11 Page 3, line 8, strike "25-20.5-2003 (2)" and substitute "27-50-903 (2)".
- 12 Page 3, line 18, strike "**25-20.5-2003.**" and substitute "**27-50-903.**".
- 13 Page 4, line 27, strike "NOTIFICATION." and substitute "NOTIFICATION, OR
14 THE SCREENER BELIEVES A STUDENT IS AT RISK OF ATTEMPTING SUICIDE,
15 PHYSICAL SELF-HARM, HARMING OTHERS, OR IS IN NEED OF IMMEDIATE
16 ATTENTION FROM A MENTAL HEALTH PROFESSIONAL."
- 17 Page 3, strike lines 26 and 27.

1 Page 4, strike lines 1 through 8, and substitute:

2 "(2) THE BHA SHALL CONSULT WITH THE COLORADO
3 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, THE COLORADO
4 DEPARTMENT OF HUMAN SERVICES, AND THE COLORADO DEPARTMENT OF
5 EDUCATION TO MAKE RECOMMENDATIONS FOR THE PURPOSES OF
6 IDENTIFYING PRIORITY COUNTIES AND DISTRICTS FOR THE
7 IMPLEMENTATION OF THE PROGRAM. A PUBLIC SCHOOL RECOMMENDED
8 FOR THE PROGRAM MUST BE PUBLIC SCHOOL THAT SERVES ANY OF GRADES
9 SIX THROUGH TWELVE."

10 Page 5, after line 15 insert:

11 "(a) BE CONDUCTED IN COMPLIANCE WITH THE REQUIREMENTS OF
12 SECTION 12-43-202.5, AS IT EXISTED FROM MAY 16, 2019, TO OCTOBER 1,
13 2019, AS ENACTED BY HOUSE BILL 19-1120, ENACTED IN 2019;"

14 Reletter succeeding paragraphs accordingly.

15 Page 6, line 5, strike "SCREENING ASSESSMENTS." and substitute
16 "SCREENINGS."

17 Page 7, line 13, strike "AMENDED, SUCH" and substitute "AMENDED."

18 Page 7, strike lines 14 and 15.

19 Page 7, line 23, after "ON" insert "BEHAVIORAL HEALTH".

20 Page 7, line 23, strike "PROVIDED THROUGH".

21 Page 7, strike line 24.

22 Page 8, line 5, strike "NOTIFICATION." and substitute "NOTIFICATION AND
23 SUBSECTION (10)(a) OF THIS SECTION DOES NOT APPLY."

24 Page 8, line 10, strike "IMATTER FOR".

25 Page 8, line 19, strike "TO THE STUDENT'S".

26 Page 8, strike line 20, and substitute: "TO THE COUNTY DEPARTMENT OF
27 HUMAN OR SOCIAL SERVICES, A LOCAL LAW ENFORCEMENT AGENCY, OR
28 THROUGH THE CHILD ABUSE REPORTING HOTLINE SYSTEM PURSUANT TO
29 SECTION 26-5-111.

- 1 Page 9, line 14, strike "DEPARTMENT" and substitute "COMMISSIONER".
- 2 Page 9, line 18, strike "DISAGGREGATED" and substitute "DE-IDENTIFIED".
- 3 Page 9, line 20, strike "SCHOOL." and substitute "SCHOOL IN ACCORDANCE
4 WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND
5 ACCOUNTABILITY ACT OF 1996", PUB.L. 104-191, AS AMENDED."
- 6 Page 9, line 24, strike "ASSESSMENT" and substitute "SCREENING".
- 7 Page 9, line 27, insert:
- 8 "(16) THE BHA SHALL WORK WITH THE DEPARTMENT OF HEALTH
9 CARE POLICY AND FINANCING TO IDENTIFY A PROCESS FOR
10 REIMBURSEMENT FOR SCREENINGS OR RELATED SERVICES PROVIDED TO
11 ANY STUDENT COVERED BY THE STATE MEDICAL ASSISTANCE PROGRAM,
12 TO THE GREATEST EXTENT ALLOWABLE PURSUANT TO STATE AND FEDERAL
13 REQUIREMENTS."
- 14 Page 10, before line 1 insert:
- 15 "SECTION 2 In Colorado Revised Statutes, 12-245-217, **amend**
16 (2)(g) and (2)(h); and **add** (2)(i) as follows:
- 17 **12-245-217. Scope of article - exemptions.** (2) This article 245
18 does not apply to:
- 19 (g) Students who are enrolled in a school program and are
20 practicing as part of a school practicum or clinical program; or
- 21 (h) A professional practicing auricular acudetox in accordance
22 with section 12-245-233; OR
- 23 (i) SCREENERS CONDUCTING SCREENINGS PURSUANT TO THE SIXTH
24 THROUGH TWELFTH GRADE MENTAL HEALTH SCREENING PROGRAM
25 CREATED IN SECTION 27-50-903."
- 26 Renumber succeeding sections accordingly.
- 27 Page 10, lines 2 and 3, strike "department of public health and
28 environment" and substitute "behavioral health administration".
- 29 Page 10, line 3, strike "prevention services division." and substitute
30 "behavioral health administration."
- 31 Page 10, line 5, strike "department" and substitute "behavioral health
32 administration".

- 1 Page 10, line 6, strike "division" and substitute "behavioral health
- 2 administration".

- 3 Page 10, line 7, strike "assessment" and substitute "screening".

- 4 Strike "PART 20" and substitute "PART 9" on: **Page 2**, lines 7 and 10; and
- 5 **Page 3**, lines 10, 16, and 27; **Page 6**, line 3; and **Page 9**, line 24.

- 6 Strike "DEPARTMENT" and substitute "BHA" on: **Page 3**, lines 16 and 20;
- 7 **Page 4**, lines 10 and 11; **Page 5**, lines 9 and 17; and **Page 6**, lines 9, 11,
- 8 and 22.

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