A BILL FOR AN ACT

CONCERNING TREATMENT FOR INDIVIDUALS WITH SUBSTANCE USE
DISORDERS, AND, IN CONNECTION THEREWITH, ADDING
RESIDENTIAL AND INPATIENT TREATMENT TO THE COLORADO
MEDICAL ASSISTANCE PROGRAM.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov/.)

Opioid and Other Substance Use Disorders Interim Study Committee. The bill adds residential and inpatient substance use disorder services to the Colorado medical assistance program. The benefit is
limited to persons who meet nationally recognized, evidence-based level of care criteria for residential and inpatient substance use disorder treatment. The benefit will not be effective until the department of health care policy and financing seeks and receives any federal authorization necessary to secure federal financial participation in the program.

If an enhanced residential and inpatient substance use disorder treatment benefit becomes available, managed care organizations shall reprioritize the use of money allocated from the marijuana tax cash fund to assist in providing treatment, including residential treatment, to persons who are not otherwise covered by public or private insurance.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 25.5-5-202, add (1)(x) as follows:

25.5-5-202. Basic services for the categorically needy - optional services - repeal. (1) Subject to the provisions of subsection (2) of this section, the following are services for which federal financial participation is available and that Colorado has selected to provide as optional services under the medical assistance program:

(x) (I) RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT AND MEDICAL DETOXIFICATION SERVICES PURSUANT TO SECTION 25.5-5-324.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(x)(I) OF THIS SECTION, RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT SHALL NOT TAKE EFFECT UNLESS ALL NECESSARY APPROVALS UNDER FEDERAL LAW AND REGULATION HAVE BEEN OBTAINED TO RECEIVE FEDERAL FINANCIAL PARTICIPATION FOR THE COSTS OF SUCH SERVICES.

(III) THIS SUBSECTION (1)(x) IS REPEALED, EFFECTIVE JULY 1, 2022.

SECTION 2. In Colorado Revised Statutes, add 25.5-5-324 as follows:
25.5-5-324. Residential and inpatient substance use disorder
treatment - medical detoxification services - federal approval - repeal.

(1) Subject to available appropriations and to the extent
permitted under federal law, the medical assistance program
pursuant to this Article 5 and Articles 4 and 6 of this Title 25.5
includes residential and inpatient substance use disorder
treatment and medical detoxification services. Participation in
the residential and inpatient substance use disorder treatment
and medical detoxification services benefit is limited to persons
who meet nationally recognized, evidence-based, level of care
criteria for residential and inpatient substance use disorder
treatment and medical detoxification services. The benefit
shall serve persons with substance use disorders, including
those with co-occurring mental health disorders.

(2) (a) No later than October 1, 2018, the state
department shall seek federal authorization to provide
residential and inpatient substance use disorder treatment and
medical detoxification services with full federal financial
participation. Residential and inpatient substance use disorder
treatment and medical detoxification services shall not take
effect until federal approval has been obtained.

(b) Prior to seeking federal approval pursuant to
subsection (2)(a) of this section, the state department shall seek
input from relevant stakeholders, including existing providers
of substance use disorder treatment and medical detoxification
services and managed service organizations. The state
department shall seek input and involve stakeholders in
DECISIONS REGARDING:

(I) The coordination of benefits with managed service organizations and the Office of Behavioral Health in the Department of Human Services;

(II) The most appropriate entity for administration of the benefit;

(III) The provision of wraparound services needed during treatment and the provision of required services following treatment that may not be covered through the Medical Assistance Program;

(IV) The authorization process for approval of services; and

(V) The development of a reimbursement rate methodology to ensure sustainability that considers a provider’s cost of providing care including lower-volume providers in rural areas.

(3) (a) No later than January 15, 2022, the State Department shall prepare and submit a report to the Joint Budget Committee and to the Joint Health and Human Services Committee, or any successor committees, concerning the residential and inpatient substance use disorder treatment pursuant to this section, including, at a minimum:

(I) The number of persons who received services pursuant to this section and the service provided;

(II) The length of time that services were provided;

(III) The location where services were provided;

(IV) The effectiveness of the services provided, including
THE RATE OF RELAPSE TO SUBSTANCE USE DISORDER FOLLOWING TREATMENT; AND

(V) ANY OTHER INFORMATION AS DETERMINED BY THE STATE DEPARTMENT THAT IS RELEVANT TO THE BENEFIT.

(b) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2022.

SECTION 3. In Colorado Revised Statutes, 27-80-107.5, amend (4)(c) as follows:

27-80-107.5. Increasing access to effective substance use disorder services act - managed service organizations - substance use disorder services - assessment - community action plan - allocations - reporting requirements - evaluation. (4) (c) It is the intent of the general assembly that each designated managed service organization use money allocated to it from the marijuana tax cash fund to cover expenditures for substance use disorder services that are not otherwise covered by public or private insurance. Except as provided in paragraph (a) of this subsection (4) SUBSECTION (4)(a) OF THIS SECTION, each managed service organization may use its allocation from the marijuana tax cash fund to implement its community action plan and increase access to substance use disorder services for populations in need of such services that are within its geographic region. IF AN ENHANCED RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT AND MEDICAL DETOXIFICATION SERVICES BENEFIT BECOMES AVAILABLE UNDER THE COLORADO MEDICAL ASSISTANCE PROGRAM, MANAGED SERVICE ORGANIZATIONS SHALL DETERMINE TO WHAT EXTENT MONEY ALLOCATED FROM THE MARIJUANA TAX CASH FUND MAY BE USED TO ASSIST IN PROVIDING SUBSTANCE USE DISORDER TREATMENT, INCLUDING RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT AND
MEDICAL DETOXIFICATION SERVICES, IF THOSE SERVICES ARE NOT OTHERWISE COVERED BY PUBLIC OR PRIVATE INSURANCE.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.