

## CHAPTER 155

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**EDUCATION - PUBLIC SCHOOLS**


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**SENATE BILL 19-010**

BY SENATOR(S) Fields, Bridges, Court, Fenberg, Ginal, Gonzales, Lee, Moreno, Pettersen, Story, Todd, Winter, Zenzinger, Garcia;  
 also REPRESENTATIVE(S) McLachlan and Valdez D., Arndt, Bird, Buckner, Buentello, Caraveo, Cutter, Duran, Esgar, Exum, Froelich, Galindo, Gonzales-Gutierrez, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Lontine, McCluskie, Melton, Michaelson Jenet, Roberts, Sirota, Snyder, Titone, Valdez A., Wilson, Becker.

**AN ACT**

**CONCERNING PROFESSIONAL BEHAVIORAL HEALTH SERVICES FOR SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 22-96-102, **amend** (1) and (3); and **add** (1.5) as follows:

**22-96-102. Definitions.** As used in this article 96, unless the context otherwise requires:

(1) ~~"Department" means the department of education created and existing pursuant to section 24-1-115, C.R.S.~~ "BEHAVIORAL HEALTH CARE" MEANS SERVICES TO PREVENT, IDENTIFY, AND TREAT SUBSTANCE USE DISORDERS, SUBSTANCE MISUSE, AND MENTAL HEALTH DISORDERS, INCLUDING SERVICES TO SUPPORT SOCIAL-EMOTIONAL HEALTH.

(1.5) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

(3) "School health professional" means a state-licensed or state-certified school nurse, SCHOOL psychologist, SCHOOL social worker, SCHOOL counselor, or other state-licensed or state-certified professional qualified under state law to provide support services to children and adolescents, INCLUDING MENTAL HEALTH PROFESSIONALS LICENSED PURSUANT TO ARTICLE 43 OF TITLE 12.

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

**SECTION 2.** In Colorado Revised Statutes, 22-96-103, **amend** (1) as follows:

**22-96-103. Behavioral health care professional matching grant program - created - rules.** (1) (a) There is created in the department the behavioral health care professional matching grant program, referred to in this article 96 as the "program", to provide funding to education providers for the following purposes:

(I) To increase the presence of school health professionals in schools to provide ~~substance abuse and~~ behavioral health care to students who have MENTAL HEALTH, substance abuse USE OR MISUSE, or other behavioral health needs;

(II) To provide training and resources for school staff on the implementation of evidence-based programming on ~~substance abuse prevention~~ BEHAVIORAL HEALTH education for all students; ~~and~~

(III) To allow school health professionals to connect students with services that are provided by community-based organizations for treatment and counseling for students who ~~are at risk for substance abuse~~ NEED BEHAVIORAL HEALTH CARE; AND

(IV) TO PROVIDE BEHAVIORAL HEALTH CARE SERVICES AT RECIPIENT SCHOOLS, INCLUDING BUT NOT LIMITED TO SCREENINGS, COUNSELING, THERAPY, REFERRALS TO COMMUNITY ORGANIZATIONS, AND TRAINING FOR STUDENTS AND STAFF ON BEHAVIORAL HEALTH ISSUES.

(b) An education provider that receives a grant under the program shall use the money to increase the level of funding the education provider allocates to school health professionals to provide ~~substance abuse and~~ behavioral health care to students prior to receiving the grant and not to replace other funding sources allocated to provide school health professionals for students. THE EDUCATION PROVIDER MAY USE THE MONEY TO CONTRACT WITH A COMMUNITY PARTNER FOR BEHAVIORAL HEALTH CARE SERVICES, INCLUDING HIRING PRIVATE HEALTH CARE PROFESSIONALS, TRAINING, SCREENING, AND PREVENTIVE SUPPORTS. ADDITIONALLY, THE EDUCATION PROVIDER MAY USE THE MONEY TO PROVIDE DIRECT SERVICES OR CONSULTATION BY A SCHOOL HEALTH PROFESSIONAL THROUGH TELEHEALTH TECHNOLOGY. The department shall administer the program as provided in this article 96 and pursuant to rules adopted by the state board.

**SECTION 3.** In Colorado Revised Statutes, 22-96-104, **amend** (2)(b), (2)(c), (2)(d), (2)(e), (3)(a), (3)(c), (3)(d), and (3)(e); and **add** (3)(f) and (7) as follows:

**22-96-104. Behavioral health care professional matching grant program - application - criteria - grant awards.** (2) At a minimum, each grant application must specify:

(b) The education provider's plan for use of the grant money, including the extent to which the grant money will be used to increase the number of school health professionals at recipient schools and to provide ~~substance abuse and~~ behavioral health care services at recipient schools, including screenings, counseling, THERAPY, referrals to community organizations, and training for students and staff on ~~substance abuse~~ BEHAVIORAL HEALTH issues;

(c) The education provider's plan for involving leaders at the recipient schools and in the surrounding community and the faculty at recipient schools in increasing the capacity and effectiveness of the ~~substance abuse and~~ behavioral health care services provided to students enrolled in or receiving educational services from the education provider;

(d) The extent to which the education provider has developed or plans to develop community partnerships to serve ~~substance abuse and~~ THE behavioral health care needs of all of the students enrolled in or receiving educational services from the education provider;

(e) The extent to which the education provider has seen increased incidence of disciplinary actions for drug use or selling drugs, SUICIDE ATTEMPTS, DEATHS BY SUICIDE, BULLYING, ADVERSE CHILDHOOD EXPERIENCES, OR OTHER FACTORS THAT AFFECT STUDENTS' MENTAL WELL-BEING;

(3) In reviewing applications and making recommendations, the department shall prioritize applications based on the following criteria and any other criteria adopted by rule of the state board:

(a) The education provider's need for additional school health professionals in schools, demonstrated by the local school and community data regarding ~~marijuana and the number of marijuana establishments located within the boundaries of a school district~~ STUDENT ALCOHOL OR DRUG USE, ACCESS TO A BEHAVIORAL HEALTH CARE PROVIDER, OR OTHER DATA SHOWING THE NEED FOR A SCHOOL HEALTH PROFESSIONAL;

(c) The amount of the matching ~~funds~~ MONEY that the education provider OR A COMMUNITY PARTNER is able to commit;

(d) The education provider's emphasis and commitment to implement evidence-based and research-based programs and strategies; ~~and~~

(e) The likelihood that the education provider OR COMMUNITY PARTNER will continue to fund the increases in the level of school health professional services following expiration of the grant; AND

(f) THE EXTENT TO WHICH AN EDUCATION PROVIDER PRIORITIZES USE OF GRANT MONEY FOR STAFF TRAINING RELATED TO BEHAVIORAL HEALTH SUPPORTS.

(7) GRANT APPLICATIONS AND REPORTING WILL BE DESIGNED TO LIMIT ADMINISTRATIVE BURDEN ON APPLICANTS AND RECIPIENTS.

**SECTION 4. Appropriation.** For the 2019-20 state fiscal year, \$3,000,000 is appropriated to the department of education. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., and is based on an assumption that the department will require an additional 1.0 FTE. To implement this act, the department may use this appropriation for the behavioral health care professional matching grant program.

**SECTION 5. 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.

Approved: May 10, 2019