Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO  

REVISED  
This Version Includes All Amendments Adopted on Second Reading in the Second House  

LLS NO. 20-0295.01 Yelana Love x2295  

SENATE BILL 20-028  

SENATE SPONSORSHIP  
Pettersen and Priola, Crowder, Danielson, Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Hansen, Lee, Moreno, Story, Tate, Todd, Winter, Zenzinger  

HOUSE SPONSORSHIP  
Buentello and Herod, Kennedy  

Senate Committees  
Health & Human Services  
Appropriations  

House Committees  
Health & Insurance  
Appropriations  

A BILL FOR AN ACT  

101 CONCERNING MEASURES TO ASSIST AN INDIVIDUAL'S RECOVERY FROM  
102 A SUBSTANCE USE DISORDER, AND, IN CONNECTION THEREWITH,  
103 MAKING AND REDUCING AN APPROPRIATION.  

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 Study Committee.  
The bill:  
! Annually appropriates $250,000 to the department of labor and employment for the purpose of providing peer coaching and peer specialist training for individuals

Shading denotes HOUSE amendment.  
Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.
recovering from substance use disorders (section 1 of the bill);

Continues the opioid and other substance use disorders study committee (committee) for an additional 4 years, meeting every other year beginning in 2021 (sections 2 and 3);

Requires the state substance abuse trend and response task force to: Convene stakeholders for the purpose of reviewing progress on bills introduced by the committee and passed by the general assembly and generating policy recommendations related to opioid and other substance use disorders; and submit its annual report to the committee (section 4);

Modifies how the determination of child abuse, neglect, or dependency is determined in situations involving alcohol or substance exposure (sections 5 to 7);

Annually appropriates $2 million to the office of behavioral health (office) in the department of human services for the purpose of expanding the individual placement and support program (section 8);

Requires the center for research into substance use disorder prevention, treatment, and recovery support strategies (center) to design and conduct a comprehensive review of Colorado's substance use disorder treatment and recovery services to inform a state plan for the delivery of services across the continuum of care for individuals at risk of relapse and appropriates $500,000 to the center for the completion of the review (section 9);

Requires the center, through the statewide perinatal substance use data linkage project, to conduct ongoing research related to the incidence of perinatal substance exposure or related infant and family health and human service outcomes. The bill also annually appropriates $75,000 to the center to conduct the research (section 10).

Requires the office to establish a program to assist individuals with substance use disorders by providing the individuals with temporary financial housing assistance and annually appropriates $4 million to the office for purposes of the program (section 11); and

Creates the recovery support services grant program in the office to provide grants to recovery community organizations, and annually appropriates $3.5 million to implement the program (section 12).
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 10-22.3-101, amend (1)(a) introductory portion, (1)(b), (2)(f), and (3); and add (2)(h) and (2)(i) as follows:

10-22.3-101. Opioid and other substance use disorders study committee - creation - members - purposes. (1) (a) Notwithstanding section 2-3-303.3, there is hereby created the opioid and other substance use disorders study committee. The committee consists of ten members of the general assembly, appointed on or before June 1, 2018, as follows:

(b) The speaker of the house of representatives shall appoint the chair of the committee in even-numbered years THE 2023 INTERIM and the vice-chair in odd-numbered years THE 2021 INTERIM, and the president of the senate shall appoint the chair of the committee in odd-numbered years THE 2021 INTERIM and the vice-chair in even-numbered years THE 2023 INTERIM.

(2) The committee shall:

(f) Identify possible legislative options to address gaps and hurdles to accessing prevention, intervention, harm reduction, treatment, and recovery resources; and

(h) DURING THE 2021 INTERIM, STUDY THE RELATIONSHIP BETWEEN MENTAL HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS AND EXAMINE TREATMENT MODALITIES THAT BEST SERVE INDIVIDUALS WITH CO-OCCURRING MENTAL HEALTH CONDITIONS AND SUBSTANCE USE DISORDERS, INCLUDING THE BENEFITS OF INTEGRATED SERVICES; AND

(i) DURING THE 2021 INTERIM, STUDY THE IMPACT OF COVID-19, THE CORONAVIRUS DISEASE CAUSED BY THE SEVERE ACUTE RESPIRATORY SYNDROME CORONAVIRUS 2, ALSO KNOWN AS SARS-CoV-2, ON THE
PROVISION OF PREVENTION, HARM REDUCTION, TREATMENT AND
RECOVERY SUPPORT SERVICES, AND RELATED BEHAVIORAL HEALTH
SERVICES, INCLUDING THE IMPACT RELATED TO THE OPIOID CRISIS AND
DRUG OVERDOSES, AND PREPARE LEGISLATIVE RECOMMENDATIONS FOR
THE GENERAL ASSEMBLY FOR ADDRESSING THE IMPACTS.

(3) (a) The committee may meet IN THE 2021 AND 2023 INTERIMS
up to six times per interim. The committee may recommend up to a total
of five bills during each interim. Legislation recommended by the
committee must be treated as legislation recommended by an interim
committee for purposes of applicable deadlines, bill introduction limits,
and any other requirements imposed by the joint rules of the general
assembly.

(b) No later than BY December 1, 2018 2021, and no later than
each December 1, thereafter 2023, the committee shall make a report AND
A FINAL REPORT, RESPECTIVELY, to the legislative council created in
section 2-3-301 that may include recommendations for legislation.

SECTION 2. In Colorado Revised Statutes, amend 10-22.3-102
as follows:

10-22.3-102. Repeal of article. This article 22.3 is repealed,
effective July 1, 2020 SEPTEMBER 1, 2024.

SECTION 3. In Colorado Revised Statutes, 18-18.5-103, add
(6)(c.5) as follows:

18-18.5-103. State substance abuse trend and response task
force - creation - membership - duties - report. (6) In addition, the task
force shall:

(c.5) CONVENE STAKEHOLDERS FOR THE PURPOSE OF:
(I) Reviewing progress on bills introduced by the Opioid and other substance use disorders study committee created in section 10-22.3-101 and enacted by the general assembly; and

(II) Generating policy recommendations related to opioid and other substance use disorders, including prevention, harm reduction, treatment, criminal justice, and recovery;

SECTION 4. In Colorado Revised Statutes, 19-1-103, amend (1)(a)(VII) as follows:

19-1-103. Definitions. As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of article 3 of this title 19, means an act or omission in one of the following categories that threatens the health or welfare of a child:

(VII) Any case in which a child tests positive at birth for either a schedule I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule II controlled substance as a result of the mother's lawful intake of such substance as prescribed is born affected by alcohol or substance exposure, except when taken as prescribed or recommended and monitored by a licensed health care provider, and the newborn child's health or welfare is threatened by substance use;

SECTION 5. In Colorado Revised Statutes, 19-3-102, amend (1)(g) as follows:

19-3-102. Neglected or dependent child. (1) A child is neglected or dependent if:
(g) The child tests positive at birth for either a schedule I controlled substance, as defined in section 18-18-203, C.R.S., or a schedule II controlled substance, as defined in section 18-18-204, C.R.S., unless the child tests positive for a schedule II controlled substance as a result of the mother's lawful intake of such substance as prescribed.

SECTION 6. In Colorado Revised Statutes, add 19-3-216 as follows:

19-3-216. Rules. The State Board of Human Services shall promulgate rules to determine whether there is child abuse or neglect as defined in section 19-1-103 (1)(a)(VII) or if a child is neglected or dependent as described in section 19-3-102 (1)(g).

SECTION 7. In Colorado Revised Statutes, 27-80-121, add (2.5) as follows:

27-80-121. Perinatal substance use data linkage project - center for research into substance use disorder prevention, treatment, and recovery support strategies - report - appropriation.

(2.5) The statewide perinatal substance use data linkage project may conduct ongoing research related to the incidence of perinatal substance exposure or related infant and family health and human service outcomes based on the standards specified in sections 19-1-103 (1)(a)(VII) and 19-3-102 (1)(g) for determining child abuse or neglect or whether a child is neglected or dependent.
SECTION 8. Appropriation - adjustments to 2020 long bill. To implement this act, the general fund appropriation made in the annual general appropriation act for the 2020-21 state fiscal year to the office of the governor for use by the office of information technology for applications administration is decreased by $74,620.

SECTION 9. Appropriation. (1) For the 2020-21 state fiscal year, $74,620 is appropriated to the department of human services. This appropriation is from the General Fund. To implement this act, the department may use this appropriation for the purchase of legal services. (2) For the 2020-21 state fiscal year, $74,620 is appropriated to the department of law. This appropriation is from reappropriated funds received from the department of human services under subsection (1) of this section and is based on an assumption that the department of law will require an additional 0.4 FTE. To implement this act, the department of law may use this appropriation to provide legal services for the department of human services.

SECTION 10. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.