

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0390.01 Jane Ritter x4342

HOUSE BILL 20-1028

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HOUSE SPONSORSHIP

Beckman and Michaelson Jenet,

SENATE SPONSORSHIP

Gonzales,

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House Committees

Public Health Care & Human Services

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING THE NEED FOR SERVICES FOR JUVENILES WITH SEVERE  
102 BEHAVIORAL HEALTH CONDITIONS IN THE CONTEXT OF SCHOOL  
103 SAFETY, INCLUDING RESIDENTIAL TREATMENT.

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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/>.)*

**School Safety Committee.** The bill instructs the school safety resource center (center) to convene a working group of necessary and interested stakeholders to assess the needs of school districts with respect to the adequacy and availability of residential mental health treatment for children and youth who have been identified by school personnel as

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.

having severe behavioral or mental health disorders and potential ways to resolve such needs. The working group is directed to gather information on the availability, need, and cost associated with residential treatment services for children and youth in Colorado. The center shall use the data to prepare a report and make any legislative recommendations to address the mental health needs of children and youth in Colorado.

The center is required to present the report and any legislative recommendations as part of its presentation to its committee of reference at a hearing held pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" in January 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1803,  
3 **amend (3)(m); and add (3)(o) as follows:**

4 **24-33.5-1803. School safety resource center - created - duties**  
5 **- report.** (3) The center has the following duties:

6 (m) By June 1, 2018, to make available a model program that  
7 conforms with section 22-1-128, regarding the risks and consequences of  
8 sexting for school districts to use, which curriculum must include  
9 information informing students of the provisions of section 18-7-109,  
10 including that, if a student receives a sexually explicit image in violation  
11 of section 18-7-109, the student can avoid adjudication as a juvenile  
12 delinquent by taking reasonable steps to either destroy or delete or report  
13 the initial viewing of the image within seventy-two hours after receiving  
14 the image; ~~and~~

15 (o) (I) TO CONVENE, ON OR BEFORE AUGUST 1, 2020, A WORKING  
16 GROUP OF INTERESTED AND NECESSARY STAKEHOLDERS TO ADDRESS THE  
17 NEEDS OF SCHOOL DISTRICTS WITH RESPECT TO THE ADEQUACY AND  
18 AVAILABILITY OF RESIDENTIAL MENTAL HEALTH TREATMENT FOR  
19 CHILDREN AND YOUTH WHO HAVE BEEN IDENTIFIED BY SCHOOL

1 PERSONNEL AS HAVING SEVERE BEHAVIORAL OR MENTAL HEALTH  
2 DISORDERS AND POTENTIAL WAYS TO RESOLVE SUCH NEEDS. THE  
3 WORKING GROUP MUST INCLUDE, AT A MINIMUM, REPRESENTATIVES OR  
4 DESIGNEES FROM THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF  
5 PUBLIC HEALTH AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE  
6 POLICY AND FINANCING, LOCAL SCHOOL DISTRICTS THROUGHOUT THE  
7 STATE, THE DEPARTMENT OF HUMAN SERVICES, COUNTY DEPARTMENTS OF  
8 HUMAN OR SOCIAL SERVICES, MEDICAL PROVIDERS, AND RESIDENTIAL  
9 TREATMENT PROVIDERS.

10 (II) THE WORKING GROUP SHALL MEET AS MANY TIMES AS  
11 NECESSARY TO ADDRESS THE ISSUES AND PREPARE THE REPORT REQUIRED  
12 PURSUANT TO SUBSECTION (3)(o)(III) OF THIS SECTION. THE WORKING  
13 GROUP SHALL UTILIZE ANY RELEVANT INFORMATION, INCLUDING THE  
14 INFORMATION REPORTED TO THE DEPARTMENT OF HUMAN SERVICES  
15 PURSUANT TO SECTION 27-67-105. THE ISSUES ADDRESSED BY THE  
16 WORKING GROUP MUST INCLUDE, AT A MINIMUM:

17 (A) THE NUMBER OF CHILDREN AND YOUTH FOR WHOM THE STATE  
18 PROVIDED RESIDENTIAL TREATMENT SERVICES FROM JULY 1, 2018,  
19 THROUGH JUNE 30, 2020;

20 (B) THE NUMBER OF CHILDREN AND YOUTH IN COLORADO WHO  
21 WERE IN NEED OF RESIDENTIAL TREATMENT SERVICES BUT FOR WHOM  
22 BEDS WERE UNAVAILABLE FROM JULY 1, 2018, THROUGH JUNE 30, 2020;

23 (C) THE COST ASSOCIATED WITH PROVIDING THE ADDITIONAL  
24 RESIDENTIAL TREATMENT BEDS TO MEET THE UNMET NEED FROM JULY 1,  
25 2018, THROUGH JUNE 30, 2020;

26 (D) OPTIONS AVAILABLE OR POTENTIALLY AVAILABLE TO ASSIST  
27 SCHOOLS IN HANDLING CHILDREN AND YOUTH WHO HAVE BEEN IDENTIFIED

1 BY SCHOOL PERSONNEL AS HAVING SEVERE BEHAVIORAL OR MENTAL  
2 HEALTH DISORDERS;

3 (E) IDENTIFYING BARRIERS FACED BY CHILDREN AND YOUTH WHO  
4 HAVE MENTAL HEALTH, SUBSTANCE USE, OR DEVELOPMENTAL ISSUES  
5 WHEN TRYING TO ACCESS APPROPRIATE CARE; AND

6 (F) A PLAN FOR IDENTIFYING, SECURING, AND MAKING FULLY  
7 OPERATIONAL ADDITIONAL RESIDENTIAL TREATMENT BEDS NO LATER  
8 THAN SEPTEMBER 1, 2021.

9 (III) THE CENTER SHALL PRESENT A REPORT ON THE ISSUES  
10 DESCRIBED IN SUBSECTION (3)(o)(II) OF THIS SECTION, AS WELL AS ANY  
11 RECOMMENDATIONS FOR LEGISLATION CONCERNING MENTAL HEALTH  
12 NEEDS FOR CHILDREN AND YOUTH, AS PART OF THE DEPARTMENT'S  
13 PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD  
14 PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR  
15 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)  
16 GOVERNMENT ACT" IN JANUARY 2021.

17 (IV) THE CENTER SHALL IMPLEMENT THE PROVISIONS OF THIS  
18 SUBSECTION (3)(o) USING EXISTING RESOURCES.

19 **SECTION 2. Safety clause.** The general assembly hereby finds,  
20 determines, and declares that this act is necessary for the immediate  
21 preservation of the public peace, health, or safety.