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FISCAL NOTE

Drafting Number: LLS 20-0161 **Date:** January 29, 2020
Prime Sponsors: Rep. Titone; Landgraf **Bill Status:** House Public Health
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Bill Topic: **MENTAL HEALTH EDUCATIONAL RESOURCES**

- Summary of Fiscal Impact:**
- State Revenue
 - State Expenditure
 - State Transfer
 - TABOR Refund
 - Local Government
 - Statutory Public Entity

This bill requires the Office of Behavioral Health in the Department of Human Services to develop a website of behavioral health professionals and to issue a request for proposal to advertise the website. In addition, the bill updates continuing education requirements. The bill increases state revenue and expenditures on an ongoing basis beginning in the current fiscal year.

Appropriation Summary: This bill requires an appropriation of \$108,653 in the current FY 2019-20 and an appropriation of \$1.3 million in FY 2020-21 to the Department of Human Services.

Fiscal Note Status: This fiscal note reflects the introduced bill.

**Table 1
State Fiscal Impacts Under HB 20-1113**

		FY 2019-20 <i>(current year)</i>	FY 2020-21	FY 2021-22
Revenue		-	-	-
Expenditures	General Fund	\$108,653	\$1,306,530	\$118,660
	Centrally Appropriated	\$4,464	\$24,188	\$22,418
	Total	\$113,117	\$1,330,718	\$141,078
	Total FTE	0.3 FTE	1.6 FTE	1.5 FTE
Transfers		-	-	-
TABOR Refund		-	-	-

Summary of Legislation

This bill requires the Office of Behavioral Health (OBH) in the Department of Human Services (DHS) to develop a website of behavioral health professionals and to issue a request for proposal to advertise the website. In addition, the bill updates continuing education requirements for mental health professionals.

Website. This bill requires the OBH, with assistance from the Colorado Department of Public Health and Environment (CDPHE), the Suicide Prevention Commission, and a statewide organization representing a network of community behavioral health providers, to develop a website that provides information and resources for individuals seeking behavioral health care services. Any organization or individual may request to be added to the website. The bill also allows the OBH to accept any gifts, grants, or donations to develop this website. The website must be up by July 1, 2020, and include:

- information about the Colorado See ME campaign;
- information about the National Suicide Prevention Lifeline; and
- demographic-specific information about behavioral health care providers available in each geographic region.

Request for proposal. This bill requires the OBH to issue a request for proposal to contract with an organization to develop and distribute community and demographic specific targeted messaging related to the website. The RFP must be issued by April 1, 2021.

Continuing competency requirements. The bill allows a health care professional to take a course in mental health education to satisfy continuing competency or continuing education requirements.

Background

Currently, the OBH has an online substance use disorder facility and provider licensing and mental health designation application system called LADDERS that allows providers to upload applications. LADDERS also has a public facing service directory of all licensed or designated providers. Individual providers licensed by the Department of Regulatory Agencies (DORA) or institutions that are licensed by the CDPHE are not included in the website. In addition, LADDERS will soon cease to exist as behavioral health licensing is transferring to CDPHE as required under HB 19-1237.

State Revenue

Starting in the current FY 2019-20, revenue to the OBH may increase to the extent it receives gifts, grants, or donations. At the time of this writing, the fiscal note has not identified any sources of funding. Revenue from gifts, grants, and donations are not subject to TABOR.

State Expenditures

State expenditures in the OBH will increase by \$113,117 and 0.3 FTE in the current FY 2019-20, \$1.3 million and 1.6 FTE in FY 2020-21, and \$141,078 and 1.5 FTE in FY 2021-22, as shown in Table 2 and discussed below. In addition, this workload to the CDPHE and DORA will increase starting in the current FY 2019-20.

Table 2
Expenditures Under HB 20-1113

	FY 2019-20 <i>(current year)</i>	FY 2020-21	FY 2021-22
Department of Human Services			
Personal Services	\$17,108	\$95,450	\$86,635
Operating Expenses	\$2,025	\$2,160	\$2,025
Capital Outlay Costs	\$9,300	\$6,200	-
Request for Proposal	-	\$1,100,000	-
Website Build	\$80,220	\$80,220	-
Website Maintenance	-	\$22,500	\$30,000
Centrally Appropriated Costs*	\$4,464	\$24,188	\$22,418
Total Cost	\$113,117	\$1,330,718	\$141,078
Total FTE	0.3 FTE	1.6 FTE	1.5 FTE

* Centrally appropriated costs are not included in the bill's appropriation.

Department of Human Services- Staffing costs. Starting in the current FY 2019-20, staff related cost in the OBH will increase by \$28,433 in the current FY 2019-20, by \$103,811 in FY 2020-21, and by \$88,660 in FY 2021-22. These costs include personal services, operating expenses, and capital outlay costs as shown in Table 2. Staff costs in the current FY 2019-20 are prorated for an April 1 start date and the General Fund paydate shift. FTE positions are discussed further below.

- *Data managers.* Starting in the current FY 2019-20, the OBH requires 1.0 FTE data manager for the current FY 2019-20 through FY 2021-22, and decreasing to 0.5 FTE in future years, to collect the necessary information for the website as described by the bill. The data manager will verify and update any provider information on a regular basis and work with organizations or individuals who wish to be added to the website. In addition, the OBH requires 0.1 FTE data manager in the current FY 2019-20 and FY 2020-21, to coordinate with the Office of Information Technology (OIT) on the website build. Costs for this FTE will no longer be incurred after the website is completed in 2020.
- *Marketing and communication specialist.* Starting in FY 2020-21, the OBH will require 0.5 FTE marketing and communication specialist to develop and oversee the RFP contract and to coordinate messaging with internal and external experts.

Request for proposal. In FY 2020-21 only, expenditures in the OBH will increase by an estimated \$1.1 million to contract with an outside organization to develop and distribute community and demographic specific targeted messaging. This estimate is based on the costs of other public awareness campaigns conducted by state agencies and the requirements of the bill. Actual cost will be determined through the RFP process

Website costs. As shown in Table 2, state expenditures will increase in the OBH on an ongoing basis to build the website and for ongoing maintenance costs. The fiscal note assumes that the website will require 1,341 hours of work at an average contract rate of about \$120 per hour. The fiscal note assumes that work will begin on April 1, 2020, and finish in October 2021; see Technical Note. The fiscal note also assumes 216 hours of maintenance costs per year will be necessary at a cost of about \$139 per hour. Maintenance costs are prorated for FY 2020-21 to occur after the website is completed. Funding for the website is reappropriated to the OIT.

Department of Regulatory Agencies. In the current FY 2019-20 only, costs in DORA will increase to conduct emergency rulemaking to incorporate the continuing education requirements. The fiscal note assumes this can be accomplished within existing appropriations.

Department of Public Health and Environment. Starting in the current FY 2019-20, workload in the CDPHE will increase on an ongoing basis to work with the OBH to develop the website. The fiscal note assumes that this workload can be accomplished within existing appropriations.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$4,464 in the current FY 2019-20, \$24,188 in FY 2020-21 and \$22,418 in FY 2021-22.

Technical Note

According to the bill, the OBH must develop a website by July 1, 2020. Assuming the Governor signs the bill by April 1, this will leave three months to complete the website. Based on estimates provided by OIT, it will take about six months to develop the website, meaning the OBH will not meet the required deadline.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

Departmental Difference

For FY 2020-21, the DHS estimates that it will have costs of \$2.4 million in FY 2020-21, including \$2.2 million to contract with a vendor to develop and distribute community and demographic specific targeted messaging. The DHS estimate is based on the average of the costs to run the Colorado Quitline Campaign, the Marijuana Education Campaign, the Healthy Youth Campaign, and the Behavioral Health Crisis Response System Public Information Campaign. The fiscal note assumes that the bill does not require the same level of resources as the campaigns listed above and has prorated this cost to align with other campaigns with more limited scope.

State Appropriations

- For the current FY 2019-20, this bill requires a General Fund appropriation of \$108,653 and 0.3 FTE to the Department of Human Services, of which \$80,220 is reappropriated to the Office of Information Technology;
- For FY 2020-21, this bill requires a General Fund appropriation of \$1,306,530 and 1.6 FTE to the Department of Human Services, of which \$102,720 is reappropriated to the Office of Information Technology.

State and Local Government Contacts

Health Care Policy and Financing
Information Technology
Regulatory Agencies

Human Services
Public Health and Environment