

**Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0802.01 Conrad Imel x2313

**HOUSE BILL 22-1281**

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**HOUSE SPONSORSHIP**

**Gonzales-Gutierrez and Ricks,** Amabile, Bradfield, Michaelson Jenet, Van Beber

**SENATE SPONSORSHIP**

**Winter and Rankin,**

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**House Committees**

Public & Behavioral Health & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A PROGRAM TO FUND BEHAVIORAL HEALTH-CARE**  
102 **SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **APPROPRIATION.**

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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>.)*

The bill establishes the community behavioral health-care continuum gap grant program (grant program) in the behavioral health administration (BHA). The BHA administers the grant program. As part of the grant program, the BHA may award community investment grants to support services along the continuum of behavioral health care and

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.

children, youth, and family services grants to expand youth-oriented and family-oriented behavioral health-care services. A community-based organization, local government, or nonprofit organization is eligible for a grant award.

The BHA must develop a behavioral health-care services assessment tool that grant applicants can use to identify regional gaps in services on the behavioral health-care service continuum. In awarding grants, the BHA shall give preference to applicants providing a service that addresses a gap in services identified with the assessment tool.

In order to receive a grant, an applicant must submit an application and identify a source of contributing funds or nonfinancial contributing resources, such as in-kind contributions, that directly support the behavioral health-care services provided with the grant award.

Each grant recipient must report to the BHA information about the use of the grant award. The state department of human services must include information about the grant program in its annual "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearing.

The bill appropriates \$90 million from the behavioral and mental health cash fund to the state department for the grant program.

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

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 declares that it intends to further the goals declared by the behavioral  
4 health transformational task force, established by the general assembly in  
5 2021, which includes ensuring that:

6           (a) Those with the highest needs get the care they need when they  
7 need it;

8           (b) People can access a behavioral health-care service when they  
9 need it and as early in the continuum as possible;

10           (c) People with behavioral health-care needs are connected to  
11 services across the behavioral health-care the continuum;

12           (d) Equitable, culturally responsive, inclusive, effective, and  
13 high-quality services are available in all regions across Colorado;

14           (e) The state has a trained, qualified, and diverse workforce that

1 is sufficient to meet the needs of Coloradans; and

2 (f) There is integration and parity between physical and behavioral  
3 health.

4 (2) The general assembly further finds and declares that:

5 (a) The federal government enacted the "American Rescue Plan  
6 Act of 2021" (ARPA), Pub.L. 117-2, pursuant to which Colorado  
7 received \$3,828,761,790 to mitigate the fiscal effects stemming from the  
8 COVID-19 public health emergency;

9 (b) Government recipients of ARPA funds may use the funds to  
10 provide resources for governments to meet the public health and  
11 economic needs of those impacted by the pandemic in their communities.  
12 Pursuant to ARPA and subsequent federal regulations, when providing  
13 behavioral health-care services, government recipients may presume that  
14 the general public was impacted by the pandemic, and they can therefore  
15 use ARPA funds to provide a broad range of behavioral health-care  
16 services to the public.

17 (c) The expenditures for the community behavioral health-care  
18 continuum gap grant program, which provides grants for programs and  
19 services along the behavioral health-care continuum, are considered an  
20 allowable use under ARPA and are necessary to respond to the  
21 COVID-19 public health emergency; and

22 (d) The behavioral health-care services and programs and funding  
23 for behavioral health facilities and equipment described in this act are  
24 important government services.

25 **SECTION 2.** In Colorado Revised Statutes, **add** part 3 to article  
26 60 of title 27 as follows:

27 **PART 3**

1 COMMUNITY BEHAVIORAL HEALTH-CARE CONTINUUM

2 GAP GRANT PROGRAM

3 **27-60-301. Definitions.** AS USED IN THIS PART 3, UNLESS THE  
4 CONTEXT OTHERWISE REQUIRES:

5 (1) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS  
6 THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN SECTION  
7 27-60-203.

8 (2) "BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES REGION"  
9 MEANS A BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES REGION  
10 DESIGNATED BY THE BHA COMMISSIONER AFTER CONSULTATION WITH  
11 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND  
12 CONSIDERATION OF THE REGIONAL STRUCTURE THAT SERVES THE  
13 MEDICAID POPULATION.

14 (3) "BEHAVIORAL HEALTH-CARE SERVICES ASSESSMENT TOOL"  
15 MEANS THE ASSESSMENT TOOL DESCRIBED IN SECTION 27-60-302 (1)(c)  
16 DEVELOPED BY THE BHA TO IDENTIFY REGIONAL GAPS IN BEHAVIORAL  
17 HEALTH-CARE SERVICES.

18 (4) "CARE ACCESS POINT" MEANS A LOCATION AT WHICH A PERSON  
19 SEEKING BEHAVIORAL HEALTH CARE CAN RECEIVE CARE COORDINATION.

20 (5) "COMMUNITY-BASED ORGANIZATION" MEANS A NONPROFIT OR  
21 FOR-PROFIT ORGANIZATION THAT PROVIDES BEHAVIORAL HEALTH-CARE  
22 SERVICES.

23 (6) "GRANT PROGRAM" MEANS THE COMMUNITY BEHAVIORAL  
24 HEALTH-CARE CONTINUUM GAP GRANT PROGRAM ESTABLISHED IN SECTION  
25 27-60-302.

26 (7) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A  
27 CHARTER SCHOOL AUTHORIZED PURSUANT TO PART 1 OF ARTICLE 30.5 OF

1 TITLE 22, AN INSTITUTE CHARTER SCHOOL AUTHORIZED PURSUANT TO  
2 PART 5 OF ARTICLE 30.5 OF TITLE 22, OR A BOARD OF COOPERATIVE  
3 SERVICES AS DEFINED IN SECTION 22-5-103.

4 (8) "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPALITY, CITY  
5 AND COUNTY, OR LOCAL EDUCATION PROVIDER.

6 (9) "MEDICATION-ASSISTED TREATMENT" OR "MAT" HAS THE  
7 SAME MEANING AS SET FORTH IN SECTION 23-21-803.

8 (10) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT  
9 IS EXEMPT FROM TAXATION UNDER SECTION 501 (c)(3) OF THE FEDERAL  
10 "INTERNAL REVENUE CODE OF 1986", AS AMENDED.

11 **27-60-302. Behavioral health-care continuum grant**

12 **program - established - rules.** (1) (a) THERE IS ESTABLISHED IN THE  
13 BEHAVIORAL HEALTH ADMINISTRATION THE BEHAVIORAL HEALTH-CARE  
14 CONTINUUM GAP GRANT PROGRAM TO PROVIDE GRANTS TO LOCAL  
15 GOVERNMENTS, COMMUNITY-BASED ORGANIZATIONS, AND NONPROFIT  
16 ORGANIZATIONS FOR PROGRAMS AND SERVICES ALONG THE BEHAVIORAL  
17 HEALTH-CARE CONTINUUM IN AREAS OF HIGHEST NEED, INCLUDING  
18 CHILDREN-ORIENTED, YOUTH-ORIENTED, AND FAMILY-ORIENTED  
19 BEHAVIORAL HEALTH-CARE SERVICES.

20 (b) (I) THE BEHAVIORAL HEALTH ADMINISTRATION SHALL  
21 ADMINISTER THE GRANT PROGRAM. THE BHA SHALL CREATE A GRANT  
22 APPLICATION PROCESS AND MAKE THE PROCESS PUBLICLY AVAILABLE ON  
23 ITS WEBSITE PRIOR TO ACCEPTING APPLICATIONS. THE BHA SHALL BEGIN  
24 ACCEPTING GRANT APPLICATIONS NO LATER THAN DECEMBER 31, 2022.

25 (II) THE BHA SHALL PROVIDE GRANT APPLICATION SUPPORT TO AN  
26 APPLICANT, UPON REQUEST, FROM A GRANT APPLICATION WRITING  
27 PROFESSIONAL WHO IS INDEPENDENT FROM THE GRANT PROGRAM.

1 (III) IN CONNECTION WITH THE REVIEW OF GRANT APPLICATIONS  
2 AND AWARDS, THE BHA SHALL SOLICIT INPUT FROM A DIVERSE  
3 STAKEHOLDER GROUP THAT REFLECTS THE GEOGRAPHIC AND  
4 DEMOGRAPHIC DIVERSITY OF THE ENTIRE STATE, INCLUDING MEMBERS  
5 FROM RURAL AND URBAN AREAS, AND MEMBERS OF DIVERSE RACIAL,  
6 DISABILITY, AND CULTURAL GROUPS AND OF DIVERSE SEXUAL  
7 ORIENTATIONS AND GENDERS.

8 (c) THE BHA SHALL DEVELOP A BEHAVIORAL HEALTH-CARE  
9 SERVICES ASSESSMENT TOOL TO IDENTIFY REGIONAL GAPS IN SERVICES ON  
10 THE BEHAVIORAL HEALTH-CARE SERVICE CONTINUUM. THE BHA SHALL  
11 MAKE THE ASSESSMENT TOOL PUBLICLY AVAILABLE ON ITS WEBSITE PRIOR  
12 TO ACCEPTING APPLICATIONS FOR A GRANT PURSUANT TO THIS PART 3.

13 (d) IN ADMINISTERING THE GRANT PROGRAM, THE BHA MAY  
14 AWARD THE FOLLOWING TYPES OF GRANTS:

15 (I) COMMUNITY INVESTMENT GRANTS, AS DESCRIBED IN  
16 SUBSECTION (2) OF THIS SECTION, TO ADDRESS IDENTIFIED LOCAL  
17 BEHAVIORAL HEALTH-CARE NEEDS [REDACTED] ALONG THE CONTINUUM OF  
18 BEHAVIORAL HEALTH CARE, INCLUDING SERVICES FOR ADULTS OR  
19 FAMILIES WITH ACUTE, COMPLEX, OR SEVERE CONDITIONS AND NEEDS;  
20 AND

21 (II) CHILDREN, YOUTH, AND FAMILY SERVICES GRANTS, AS  
22 DESCRIBED IN SUBSECTION (3) OF THIS SECTION, TO EXPAND  
23 CHILDREN-ORIENTED, YOUTH-ORIENTED, AND FAMILY-ORIENTED  
24 BEHAVIORAL HEALTH-CARE SERVICES TO ADDRESS IDENTIFIED LOCAL  
25 BEHAVIORAL HEALTH-CARE NEEDS ALONG THE CONTINUUM OF  
26 BEHAVIORAL HEALTH CARE, INCLUDING SERVICES FOR CHILDREN, YOUTH,  
27 AND FAMILIES WITH ACUTE, COMPLEX, OR SEVERE CONDITIONS AND NEEDS.

1           (2) **Community investment grants.** (a) AS PART OF THE GRANT  
2 PROGRAM, THE BHA SHALL AWARD GRANTS TO INVEST IN AND ADDRESS  
3 IDENTIFIED BEHAVIORAL HEALTH-CARE NEEDS IN THE GRANT APPLICANT'S  
4 COMMUNITY.

5           (b) A COMMUNITY-BASED ORGANIZATION, LOCAL GOVERNMENT,  
6 FEDERALLY RECOGNIZED INDIAN TRIBE, OR NONPROFIT ORGANIZATION IS  
7 ELIGIBLE FOR A COMMUNITY INVESTMENT GRANT.

8           (c) (I) A COMMUNITY INVESTMENT GRANT AWARD MAY BE USED  
9 FOR EVIDENCE-BASED OR EVIDENCE-INFORMED SERVICES ALONG THE  
10 BEHAVIORAL HEALTH-CARE CONTINUUM, INCLUDING PREVENTION,  
11 TREATMENT, CRISIS SERVICES, RECOVERY, HARM REDUCTION, CARE  
12 NAVIGATION AND COORDINATION, TRAUMA RECOVERY,  
13 TRAUMA-INFORMED TRAINING, TRAINING ON PROVIDING SERVICES IN A  
14 CULTURALLY RESPONSIVE MANNER, TRANSITIONAL HOUSING, SUPPORTIVE  
15 HOUSING, AND RECOVERY HOMES. A COMMUNITY INVESTMENT GRANT  
16 AWARD MAY ALSO BE USED FOR CAPITAL EXPENDITURES RELATED TO  
17 PROVIDING THESE SERVICES, WHICH MAY INCLUDE THE CREATION OR  
18 REDESIGN OF MENTAL HEALTH INPATIENT BEDS, EMERGENCY ROOM BEDS  
19 FOR MENTAL HEALTH CRISIS PATIENTS, OUTPATIENT MENTAL HEALTH  
20 BEDS, AND STEP-DOWN FACILITIES CONNECTED WITH A HOSPITAL. A  
21 COMMUNITY INVESTMENT GRANT AWARD MAY ALSO BE USED TO EXPAND  
22 CAPACITY FOR EXISTING TREATMENT, PROGRAMS, OR SERVICES WITHIN  
23 THE GRANT RECIPIENT'S JURISDICTION OR SERVICE AREA.

24           (II) A GRANT RECIPIENT THAT IS A PRIMARY CARE PROVIDER,  
25 WITHDRAWAL MANAGEMENT PROVIDER, OUTPATIENT SUBSTANCE USE  
26 TREATMENT PROVIDER, OR HOSPITAL MAY USE A GRANT AWARD TO  
27 CREATE A PROGRAM COMMONLY KNOWN AS "TREATMENT ON DEMAND" TO

1 PREPARE PROVIDERS TO OFFER SAME-DAY ACCESS TO INITIATE  
2 MEDICATION-ASSISTED TREATMENT, SUBSTANCE USE COUNSELING, PEER  
3 SUPPORT, AND NAVIGATION SERVICES. AS PART OF A  
4 TREATMENT-ON-DEMAND PROGRAM, A GRANT AWARD MAY BE USED FOR:

5 (A) TECHNICAL ASSISTANCE TO REDESIGN ACCESS AND IMPROVE  
6 EFFICIENCIES THAT WOULD MAKE TREATMENT ACCESSIBLE ON A  
7 SAME-DAY BASIS, INCLUDING EDUCATION OF PROVIDERS ON  
8 DETERMINATION OF LEVELS OF CARE AS DESCRIBED BY THE AMERICAN  
9 SOCIETY OF ADDICTION MEDICINE;

10 (B) DEVELOPING PROTOCOLS AND CREDENTIALING PROVIDERS TO  
11 INITIATE PSYCHOPHARMACOLOGICAL TREATMENTS; OR

12 (C) RECRUITING AND TRAINING PEER SUPPORT PROFESSIONALS TO  
13 ACT AS NAVIGATORS AND ADVOCATES FOR INDIVIDUALS AND DEVELOPING  
14 PARTNERSHIPS ACROSS LEVELS OF CARE TO FACILITATE TRANSFERS OF  
15 CARE FROM HOSPITAL AND WITHDRAWAL MANAGEMENT PROGRAMS TO  
16 ONGOING TREATMENT.

17 (3) **Children, youth, and family services grants.** (a) AS PART OF  
18 THE GRANT PROGRAM, THE BHA SHALL AWARD CHILDREN, YOUTH, AND  
19 FAMILY SERVICES GRANTS TO EXPAND CHILDREN-ORIENTED,  
20 YOUTH-ORIENTED, AND FAMILY-ORIENTED BEHAVIORAL HEALTH-CARE  
21 SERVICES WITH THE GOAL OF ESTABLISHING A CARE ACCESS POINT IN EACH  
22 BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES REGION.

23 (b) A COMMUNITY-BASED ORGANIZATION; LOCAL GOVERNMENT;  
24 FEDERALLY RECOGNIZED INDIAN TRIBE; LOCAL COLLABORATIVE  
25 MANAGEMENT PROGRAMS, AS DESCRIBED IN SECTION 24-1.9-102; LOCAL  
26 JUVENILE SERVICES PLANNING COMMITTEE CREATED PURSUANT TO  
27 SECTION 19-2.5-302; OR NONPROFIT ORGANIZATION IS ELIGIBLE FOR A



1 CHILDREN, YOUTH, AND FAMILY SERVICES GRANT.

2 (c) A CHILDREN, YOUTH, AND FAMILY SERVICES GRANT AWARD  
3 MAY BE USED FOR:

4 (I) ESTABLISHING AND OPERATING A CHILDREN-ORIENTED,  
5 YOUTH-ORIENTED, AND FAMILY-ORIENTED CARE ACCESS POINT THAT IS  
6 PHYSICALLY CONNECTED TO A FAMILY RESOURCE CENTER, AS DEFINED IN  
7 SECTION 26-18-102, OR A FACILITY THAT PROVIDES BEHAVIORAL  
8 HEALTH-CARE TREATMENT;

9 (II) CHILDREN-ORIENTED, YOUTH-ORIENTED, AND  
10 FAMILY-ORIENTED BEHAVIORAL HEALTH-CARE NAVIGATION AND  
11 COORDINATION SERVICES;

12 (III) EXPANDING EVIDENCE-BASED OR EVIDENCE-INFORMED  
13 BEHAVIORAL HEALTH-CARE TREATMENT, INCLUDING SUBSTANCE USE  
14 DISORDER TREATMENT, FOR CHILDREN, YOUTH, AND FAMILIES;

15 (IV) INTENSIVE OUTPATIENT SERVICES, INCLUDING HIGH-FIDELITY  
16 WRAPAROUND YOUTH MOBILE RESPONSE AND EXPANDED CAREGIVER  
17 INTERVENTIONS; AND

18 (V) CAPITAL EXPENDITURES RELATED TO PROVIDING THE  
19 TREATMENT AND SERVICES DESCRIBED IN THIS SUBSECTION (3)(c).

20 **27-60-303. Grant program application - criteria - matching**  
21 **resources - award - rules.** (1) IN ORDER TO RECEIVE A GRANT, AN  
22 ENTITY MUST USE THE BEHAVIORAL HEALTH-CARE SERVICES ASSESSMENT  
23 TOOL OR A COUNTY, REGIONAL, OR COMMUNITY ASSESSMENT TOOL TO  
24 IDENTIFY GAPS IN BEHAVIORAL HEALTH-CARE SERVICES IN THE  
25 BEHAVIORAL HEALTH ADMINISTRATIVE SERVICES REGION SERVED BY THE  
26 GRANT AWARD AND SUBMIT AN APPLICATION TO THE BHA. AT A  
27 MINIMUM, THE APPLICATION MUST INCLUDE:

1 (a) WHETHER THE GRANT IS A COMMUNITY INVESTMENT GRANT,  
2 AS DESCRIBED IN SECTION 27-60-302 (2), OR A CHILDREN, YOUTH, AND  
3 FAMILY SERVICES GRANT, AS DESCRIBED IN SECTION 27-60-302 (3);

4 (b) THE REQUESTED AMOUNT OF THE GRANT AWARD AND A  
5 DESCRIPTION OF THE SERVICE THAT WILL BE PROVIDED WITH THE GRANT  
6 AWARD;

7 (c) A DEMONSTRATION OF THE NEED FOR THE SERVICE THAT WILL  
8 BE PROVIDED, INCLUDING WHETHER THE SERVICE ADDRESSES A GAP IN  
9 SERVICES IDENTIFIED BY THE APPLICANT;

10 (d) A DEMONSTRATION THAT THE APPLICANT HAS COLLABORATED  
11 OR COMMUNICATED WITH RELEVANT COMMUNITY-BASED ORGANIZATIONS  
12 AND WITH A LOCAL GOVERNMENT IN WHICH SERVICES WILL BE OFFERED;

13 (e) THE SOURCE OF MATCHING RESOURCES, AS DESCRIBED IN  
14 SUBSECTION (3)(a) OF THIS SECTION, OR WHETHER THE APPLICANT IS  
15 REQUESTING A WAIVER FROM THE MATCHING RESOURCES REQUIREMENT;

16 (f) WHETHER THE INTENDED USE OF THE GRANT AWARD ALIGNS  
17 WITH A REGIONAL OPIOID SETTLEMENT PLAN, IF APPLICABLE, OR A LOCAL  
18 PUBLIC HEALTH NEEDS ASSESSMENT FOR THE AREA IN WHICH THE  
19 SERVICES WILL BE PROVIDED;

20 (g) A PLAN TO SUSTAIN THE SERVICES PROVIDED WITH A GRANT  
21 AWARD BEYOND THE DURATION OF THE GRANT, IF APPLICABLE;

22 (h) A DESCRIPTION OF THE APPLICANT'S EXPERIENCE IN PROVIDING  
23 CULTURALLY COMPETENT AND GENDER RESPONSIVE SERVICES, AND  
24 WHETHER THE APPLICANT IS REPRESENTATIVE OF THE INDIVIDUALS THE  
25 APPLICANT SEEKS TO SERVE WITH THE GRANT; AND

26 (i) ANY OTHER INFORMATION REQUIRED BY THE STATE  
27 DEPARTMENT.

1           (2) THE BHA SHALL ACCEPT AND REVIEW GRANT APPLICATIONS  
2 AND AWARD GRANTS. IN AWARDING GRANTS, THE BHA SHALL CONSIDER  
3 THE CRITERIA DESCRIBED IN SUBSECTION (1) OF THIS SECTION AND SHALL  
4 GIVE PREFERENCE TO APPLICANTS PROVIDING A SERVICE THAT ADDRESSES  
5 A GAP IN SERVICES IDENTIFIED BY THE APPLICANT WITH THE BEHAVIORAL  
6 HEALTH-CARE SERVICES ASSESSMENT TOOL.

7           (3) (a) THE BHA SHALL ONLY AWARD GRANTS TO APPLICANTS  
8 THAT OFFER A MONETARY MATCH IN RESOURCES, WHICH MAY INCLUDE  
9 COMMUNITY BENEFIT FUNDS, OR IN-KIND CONTRIBUTIONS , WHICH MAY  
10 INCLUDE LOCAL COLLABORATION, THAT DIRECTLY SUPPORT THE  
11 BEHAVIORAL HEATH-CARE SERVICES PROVIDED WITH A GRANT AWARD.  
12 THE BHA MAY WAIVE THE MATCHING RESOURCES REQUIREMENT FOR AN  
13 APPLICANT THAT IS REQUESTING A GRANT AWARD OF LESS THAN FIFTY  
14 THOUSAND DOLLARS. IN DETERMINING THE AMOUNT OF MATCHING  
15 RESOURCES REQUIRED FOR AN APPLICANT, THE BHA SHALL CONSIDER THE  
16 SIZE OF THE APPLICANT ORGANIZATION, INCLUDING AVAILABLE STAFF AND  
17 ANNUAL OPERATING BUDGET.

18           (b) IN DETERMINING WHETHER AN APPLICANT HAS IDENTIFIED A  
19 GAP IN SERVICES ON THE BEHAVIORAL HEALTH-CARE SERVICE  
20 CONTINUUM, THE BHA SHALL ACCEPT THE RESULTS OF AN ASSESSMENT  
21 CONDUCTED BY THE APPLICANT WITH THE BEHAVIORAL HEALTH-CARE  
22 SERVICES ASSESSMENT TOOL DEVELOPED BY THE BHA OR A COUNTY,  
23 REGIONAL, OR COMMUNITY ASSESSMENT TOOL THAT DEMONSTRATES GAPS  
24 IN SERVICES.

25           (c) A PROGRAM FUNDED BY A GRANT AWARD MUST COMPLY WITH  
26 THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.  
27 SEC.12101 ET SEQ., AS AMENDED, AND SERVE INDIVIDUALS WITH A

1     DISABILITY, AS DEFINED IN THE FEDERAL ACT, REGARDLESS OF PRIMARY  
2     DIAGNOSIS, CO-OCCURRING CONDITIONS, OR IF THE INDIVIDUAL REQUIRES  
3     ASSISTANCE WITH ACTIVITIES OF DAILY LIVING, AS DEFINED IN SECTION  
4     12-270-104.

5             (4) (a) A GRANT RECIPIENT SHALL SPEND OR OBLIGATE ANY GRANT  
6     MONEY BY DECEMBER 31, 2024. ANY MONEY OBLIGATED BY DECEMBER  
7     31, 2024, MUST BE EXPENDED BY DECEMBER 31, 2026.

8             (b) A GRANT RECIPIENT MAY USE NO MORE THAN TEN PERCENT OF  
9     A GRANT AWARD FOR ADMINISTRATIVE COSTS ASSOCIATED WITH RECEIPT  
10    OF THE GRANT AWARD.

11            **27-60-304. Grant program reporting requirements.** (1) EACH  
12    GRANT RECIPIENT SHALL SUBMIT A REPORT TO THE BHA FOLLOWING THE  
13    EXPIRATION OF THE GRANT TERM. THE REPORT MUST INCLUDE:

14            (a) INFORMATION ABOUT THE USE OF THE GRANT AWARD,  
15    INCLUDING THE SERVICES PROVIDED WITH A GRANT AWARD AND WHERE  
16    THOSE SERVICES WERE PROVIDED;

17            (b) THE AMOUNT OF MATCHING RESOURCES THAT SUPPORTED THE  
18    SERVICES;

19            (c) AGGREGATED DEMOGRAPHIC INFORMATION OF THE  
20    INDIVIDUALS WHO RECEIVE SERVICES FUNDED WITH A GRANT AWARD;

21            (d) WHETHER THE RECIPIENT IS CONTINUING TO PROVIDE THE  
22    SERVICES, AND ANY OTHER INFORMATION REQUESTED BY THE STATE  
23    DEPARTMENT.

24            (2) (a) IN ITS ANNUAL REPORT TO THE COMMITTEES OF REFERENCE  
25    PURSUANT TO THE "STATE MEASUREMENT FOR ACCOUNTABLE,  
26    RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT"  
27    REQUIRED BY SECTION 2-7-203, THE STATE DEPARTMENT SHALL PROVIDE

1 INFORMATION ABOUT THE GRANT PROGRAM, INCLUDING INFORMATION ON  
2 THE TYPE OF SERVICES FUNDED WITH A GRANT AWARD AND WHERE THOSE  
3 SERVICES WERE PROVIDED.

4 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
5 REPORTING REQUIREMENT IN THIS SUBSECTION (2) CONTINUES  
6 INDEFINITELY.

7 **27-60-305. Grant program funding - requirements - reports.**

8 (1) THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE STATE  
9 DEPARTMENT NINETY MILLION DOLLARS FROM THE BEHAVIORAL AND  
10 MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO  
11 IMPLEMENT THE GRANT PROGRAM.

12 (2) OF THE MONEY APPROPRIATED TO THE STATE DEPARTMENT,  
13 THE BHA SHALL AWARD GRANTS IN THE FOLLOWING MANNER:

14 (a) FORTY-FIVE MILLION DOLLARS FOR COMMUNITY INVESTMENT  
15 GRANTS, AS DESCRIBED IN SECTION 27-60-302 (2); AND

16 (b) FORTY-FIVE MILLION DOLLARS FOR CHILDREN, YOUTH, AND  
17 FAMILY SERVICES GRANTS, AS DESCRIBED IN SECTION 27-60-302 (3).

18 (3) (a) THE STATE DEPARTMENT, BHA, AND ANY PERSON WHO  
19 RECEIVES MONEY FROM THE BHA, INCLUDING EACH GRANT RECIPIENT,  
20 SHALL COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING,  
21 AND PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE  
22 OF STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN  
23 ACCORDANCE WITH SECTION 24-75-226 (5).

24 (b) TO BE ELIGIBLE TO RECEIVE GRANT MONEY FOR A CAPITAL  
25 EXPENDITURE, THE GRANT APPLICANT MUST SUBMIT TO THE BHA A  
26 WRITTEN JUSTIFICATION AS SET FORTH IN 31 CFR 35.6 (b)(4) FOR THE  
27 CAPITAL EXPENDITURE; EXCEPT THAT THIS REQUIREMENT DOES NOT

1 APPLY IF THE BHA DETERMINES THAT THE WRITTEN JUSTIFICATION IS NOT  
2 REQUIRED BASED ON HOW THE EXPENDITURES AUTHORIZED PURSUANT TO  
3 THIS PART 3 WILL BE REPORTED TO THE UNITED STATES DEPARTMENT OF  
4 THE TREASURY.

5 **27-60-306. Repeal of part.** THIS PART 3 IS REPEALED, EFFECTIVE  
6 JANUARY 31, 2027.

7 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,  
8 \$90,000,000 is appropriated to the department of human services for use  
9 by the behavioral health administration. This appropriation is from the  
10 behavioral and mental health cash fund created in section 24-75-230  
11 (2)(a), C.R.S., and is of money the state received from the federal  
12 coronavirus state fiscal recovery fund. The administration may use this  
13 appropriation for the behavioral health-care continuum gap grant  
14 program. Any money appropriated in this section not expended prior to  
15 July 1, 2023, is further appropriated to the administration from July 1,  
16 2023, through June 30, 2024, for the same purpose. These appropriations  
17 are based on the assumption that the administration will require 5.0 FTE  
18 in the 2022-23 state fiscal year and 4.5 FTE in the 2023-24 state fiscal  
19 year to implement this act.

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