

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 23-0878.01 Chelsea Princell x4335

SENATE BILL 23-174

SENATE SPONSORSHIP

Kolker and Gardner, Buckner, Cutter, Exum, Fenberg, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Marchman, Moreno, Mullica, Priola, Roberts, Rodriguez, Sullivan, Winter F., Zenzinger

HOUSE SPONSORSHIP

Lukens and Winter T.,

Senate Committees
Health & Human Services

House Committees
Public & Behavioral Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING ACCESS TO BEHAVIORAL HEALTH SERVICES FOR**
102 **MEDICAID RECIPIENTS UNDER TWENTY-ONE YEARS OF AGE.**

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 requires the department of health care policy and financing (state department) to provide certain behavioral health services for medicaid recipients who are under 21 years of age.

The bill requires the state department to begin to provide the services no later than July 1, 2024.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
May 2, 2023

SENATE
3rd Reading Unamended
March 29, 2023

SENATE
Amended 2nd Reading
March 28, 2023

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-1-133 as
3 follows:

4 **25.5-1-133. Access to behavioral health services for individuals**
5 **under twenty-one years of age - rules - report - repeal.** (1) ON OR
6 BEFORE JULY 1, 2024, THE STATE DEPARTMENT SHALL PROVIDE
7 RECIPIENTS UNDER TWENTY-ONE YEARS OF AGE WITH ACCESS TO LIMITED
8 SERVICES WITHOUT REQUIRING A DIAGNOSIS. THE LIMITED SERVICES MUST
9 BE PROVIDED AS PART OF THE STATEWIDE MANAGED CARE SYSTEM
10 PURSUANT TO PART 4 OF ARTICLE 5 OF THIS TITLE 25.5 AND THE SCHOOL
11 HEALTH SERVICES DETAILED IN SECTION 25.5-5-318.

12 (2) THE LIMITED SERVICES MUST INCLUDE:

13 (a) FAMILY THERAPY;

14 (b) GROUP THERAPY;

15 (c) INDIVIDUAL THERAPY;

16 (d) SERVICES RELATED TO PREVENTION, PROMOTION, EDUCATION,
17 OR OUTREACH;

18 (e) EVALUATION, INTAKE, CASE MANAGEMENT, AND TREATMENT
19 PLANNING; AND

20 (f) ANY OTHER SERVICE DETERMINED NECESSARY BY THE STATE
21 DEPARTMENT BASED ON FEEDBACK RECEIVED FROM STAKEHOLDERS.

22 (3) IN PROVIDING THE LIMITED SERVICES PURSUANT TO THIS
23 SECTION, THE STATE DEPARTMENT MUST NOTIFY PATIENTS, PROVIDERS,
24 HUMAN SERVICES DEPARTMENTS, COUNTIES, LAW ENFORCEMENT
25 AGENCIES, SCHOOLS, AND ANY OTHER ENTITY THAT MAY BE IMPACTED
26 THAT THE LIMITED SERVICES ARE AVAILABLE ON AND AFTER JULY 1, 2024.

27 (4) IN IMPLEMENTING THIS SECTION, THE STATE DEPARTMENT

1 SHALL ENGAGE WITH INTERESTED AND IMPACTED STAKEHOLDERS TO
2 SOLICIT FEEDBACK.

3 (5) (a) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
4 BEFORE NOVEMBER 1, 2025, AND ON OR BEFORE NOVEMBER 1 EACH YEAR
5 THEREAFTER, THE STATE DEPARTMENT SHALL REPORT TO THE HOUSE OF
6 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
7 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
8 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, REGARDING THE
9 UTILIZATION OF THE SERVICES DESCRIBED IN SUBSECTION (2) OF THIS
10 SECTION. THE CONTENTS OF THE REPORT MUST BE DETERMINED THROUGH
11 THE STAKEHOLDER PROCESS DESCRIBED IN SUBSECTION (4) OF THIS
12 SECTION. AT A MINIMUM, THE REPORT MUST INCLUDE DATA ON THE
13 UTILIZATION OF SERVICES, BY CODE, AND ANY DIFFERENCES IN
14 UTILIZATION WITHIN THE SCHOOL HEALTH SERVICES PROGRAM
15 AUTHORIZED BY SECTION 25.5-5-318.

16 (b) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2031.

17 **SECTION 2. Act subject to petition - effective date.** This act
18 takes effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly; except
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V
21 of the state constitution against this act or an item, section, or part of this
22 act within such period, then the act, item, section, or part will not take
23 effect unless approved by the people at the general election to be held in
24 November 2024 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.