

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

PREAMENDED

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

LLS NO. 24-1103.01 Shelby Ross x4510

HOUSE BILL 24-1384

HOUSE SPONSORSHIP

Bird and Sirota, Taggart

SENATE SPONSORSHIP

Zenzinger and Kirkmeyer, Bridges

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING APPLYING FOR FEDERAL GRANTS RELATED TO CERTIFIED**
102 **COMMUNITY BEHAVIORAL HEALTH CLINICS.**

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/>.)

Joint Budget Committee. No later than February 1, 2025, the bill requires the department of health care policy and financing (HCPF), in collaboration with the behavioral health administration in the department of human services (BHA), to:

- Submit an application to the federal substance abuse and mental health services administration (SAMHSA) for a

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.

- certified community behavioral health clinic planning, development, and implementation grant (grant); and
- Submit a report to the joint budget committee on the status of the grant application.

The bill requires HCPF and the BHA to work with the joint budget committee to determine how to proceed with the grant if, during the grant application process, there are substantial changes to federal funding that would negatively affect the state of Colorado.

If HCPF is awarded the grant, the bill requires the BHA to promulgate rules necessary to certify community behavioral health clinics in accordance with the guidelines established by SAMHSA.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-4-403.2 as
3 follows:

4 **25.5-4-403.2. Certified community behavioral health clinic -**
5 **application.** (1) (a) NO LATER THAN FEBRUARY 1, 2025, THE STATE
6 DEPARTMENT, IN COLLABORATION WITH THE BEHAVIORAL HEALTH
7 ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES, SHALL:

8 (I) SUBMIT AN APPLICATION TO THE FEDERAL SUBSTANCE ABUSE
9 AND MENTAL HEALTH SERVICES ADMINISTRATION FOR A CERTIFIED
10 COMMUNITY BEHAVIORAL HEALTH CLINIC **DEMONSTRATION PLANNING**
11 **GRANT.** THE GRANT APPLICATION MUST:

12 (A) ADDRESS THE FEEDBACK THE STATE DEPARTMENT RECEIVED
13 FROM THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES
14 ADMINISTRATION AFTER THE STATE DEPARTMENT'S PREVIOUS GRANT
15 APPLICATION, INCLUDING HOW THE STATE WILL ESTABLISH A PROSPECTIVE
16 PAYMENT SYSTEM RATE FOR BEHAVIORAL HEALTH SERVICES PROVIDED BY
17 CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS IN ACCORDANCE
18 WITH THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID GUIDANCE;

19 ■

1 (B) BE STRUCTURED IN ACCORDANCE WITH THE DEMONSTRATION
2 PROGRAM ESTABLISHED BY SECTION 223 OF THE FEDERAL "PROTECTING
3 ACCESS TO MEDICAID ACT OF 2014", 42 U.S.C. SEC. 1396a; AND

4 (C) BE DEVELOPED IN COLLABORATION WITH STAKEHOLDERS
5 INCLUDING PROVIDERS, CONSUMER ADVOCATES, STATE AGENCIES, AND
6 OTHER INTERESTED PARTIED IDENTIFIED BY THE STATE DEPARTMENT; AND

7 (II) SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE ON THE
8 STATUS OF THE GRANT APPLICATION DESCRIBED IN SUBSECTION (1)(a)(I)
9 OF THIS SECTION.

10 (b) IN DEVELOPING THE GRANT APPLICATION, THE STATE
11 DEPARTMENT AND THE BEHAVIORAL HEALTH ADMINISTRATION SHALL
12 DEMONSTRATE THAT THE DEMONSTRATION PLANNING GRANT IS IN THE
13 BEST INTEREST OF THE STATE AS ILLUSTRATED BY:

14 (I) THE REQUIREMENT TO SERVE PRIORITY POPULATIONS, AS
15 DEFINED IN SECTION 27-50-101;

16 (II) THE PROVISION OF BEHAVIORAL HEALTH SERVICES, AS DEFINED
17 IN SECTION 27-50-101;

18 (III) THE REQUIREMENT FOR A BEHAVIORAL HEALTH SAFETY NET
19 PROVIDER TO SERVE ALL POPULATIONS REGARDLESS OF AN INDIVIDUAL'S
20 CONDITION OR ABILITY TO PAY FOR SERVICES, AS DESCRIBED IN SECTION
21 27-50-301;

22 (IV) PEER SUPPORTS AND PEER COUNSELING;

23 (V) THE REQUIREMENT FOR INCORPORATING MEANINGFUL
24 PARTICIPATION FROM INDIVIDUALS WITH LIVED EXPERIENCE OF A MENTAL
25 HEALTH DISORDER OR SUBSTANCE USE DISORDER AND THE INDIVIDUAL'S
26 FAMILY MEMBERS, INCLUDING YOUTH, IN ALL ASPECTS OF THE
27 DECISION-MAKING PROCESS;

1 (VI) QUALITY AND REPORTING REQUIREMENTS;

2 (VII) THE AVAILABILITY OF CERTIFIED COMMUNITY BEHAVIORAL
3 HEALTH CLINIC CERTIFICATION FOR ANY BEHAVIORAL HEALTH ENTITY
4 THAT IS DESIGNATED BY THE BEHAVIORAL HEALTH ADMINISTRATION AS A
5 COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH PROVIDER OR
6 ESSENTIAL COMMUNITY BEHAVIORAL HEALTH PROVIDER AND WHICH
7 MEETS THE FEDERAL REQUIREMENTS;

8 (VIII) A LACK OF GEOGRAPHIC LIMITATION ON THE NUMBER OF
9 CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS IN A REGION;

10 (IX) ASSURANCE THAT CERTIFIED COMMUNITY BEHAVIORAL
11 HEALTH CLINIC CRISIS SERVICES ARE DELIVERED WITHIN THE PARAMETER
12 OF COLORADO'S STATEWIDE CRISIS RESPONSE SYSTEM AND THAT ANY
13 CRISIS SERVICES DELIVERED BY THE CERTIFIED COMMUNITY BEHAVIORAL
14 HEALTH CLINIC ARE ALIGNED WITH THE SERVICES PROVIDED THROUGH THE
15 STATEWIDE CRISIS RESPONSE SYSTEM; AND

16 (X) NO NEGATIVE IMPACT ON RURAL ACCESS, AS WELL AS
17 ENSURING CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS WILL NOT
18 SIGNIFICANTLY REDUCE THE NUMBER OF AGENCIES PROVIDING
19 COMPREHENSIVE SAFETY NET SERVICE.

20 (c) THE STATE DEPARTMENT AND BEHAVIORAL HEALTH
21 ADMINISTRATION SHALL WORK WITH THE JOINT BUDGET COMMITTEE TO
22 DETERMINE HOW TO PROCEED WITH THE GRANT IF, DURING THE GRANT
23 APPLICATION PROCESS, THERE ARE SUBSTANTIAL CHANGES TO FEDERAL
24 FUNDING THAT WOULD NEGATIVELY AFFECT THE STATE OF COLORADO.

25 (2) IF THE STATE DEPARTMENT IS AWARDED THE CERTIFIED
26 COMMUNITY BEHAVIORAL HEALTH CLINIC DEMONSTRATION PLANNING
27 GRANT AFTER APPLYING PURSUANT TO SECTION 25.5-4-403.2, THE STATE

1 DEPARTMENT SHALL COMPLY WITH ALL NECESSARY GUIDELINES
2 ESTABLISHED BY THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH
3 SERVICES ADMINISTRATION FOR A CERTIFIED COMMUNITY BEHAVIORAL
4 HEALTH CLINIC GRANT AWARDEE.

5 (3) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2026.

6

7 **SECTION 2. Safety clause.** The general assembly finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, or safety or for appropriations for
10 the support and maintenance of the departments of the state and state
11 institutions.