

**Second 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. 24-1103.01 Shelby Ross x4510

HOUSE BILL 24-1384

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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.

SENATE
2nd Reading Unamended
May 4, 2024

HOUSE
3rd Reading Unamended
April 24, 2024

HOUSE
Amended 2nd Reading
April 23, 2024

- 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, COUNTY
6 REPRESENTATIVES, STATE AGENCIES, AND OTHER INTERESTED PARTIES
7 IDENTIFIED BY THE STATE DEPARTMENT; AND

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

11 (b) IN DEVELOPING THE GRANT APPLICATION, THE STATE
12 DEPARTMENT AND THE BEHAVIORAL HEALTH ADMINISTRATION SHALL
13 CONDUCT A ROBUST STAKEHOLDER ENGAGEMENT PROCESS WITH
14 COMMUNITY PARTNERS AND DEMONSTRATE THAT THE DEMONSTRATION
15 PLANNING GRANT IS IN THE BEST INTEREST OF THE STATE BY ENSURING
16 THE FOLLOWING ITEMS ARE ADDRESSED IN THE DEMONSTRATION
17 PLANNING GRANT:

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

20 (II) THE PROVISION OF BEHAVIORAL HEALTH SAFETY NET
21 SERVICES, AS DEFINED IN SECTION 27-50-101;

22 (III) THE REQUIREMENT FOR A CERTIFIED COMMUNITY
23 BEHAVIORAL HEALTH CLINIC TO SERVE ALL POPULATIONS REGARDLESS OF
24 AN INDIVIDUAL'S CONDITION OR ABILITY TO PAY FOR SERVICES, AS
25 DESCRIBED IN SECTION 27-50-301;

26 (IV) PEER SUPPORTS AND PEER COUNSELING;

27 (V) THE REQUIREMENT FOR INCORPORATING MEANINGFUL

1 PARTICIPATION FROM INDIVIDUALS WITH LIVED EXPERIENCE OF A MENTAL
2 HEALTH DISORDER OR SUBSTANCE USE DISORDER AND THE INDIVIDUAL'S
3 FAMILY MEMBERS, INCLUDING YOUTH, IN ALL ASPECTS OF THE
4 DECISION-MAKING PROCESS;

5 (VI) QUALITY AND REPORTING REQUIREMENTS, INCLUDING
6 ENSURING THE STATE IS NOT LIMITED TO CERTIFIED COMMUNITY
7 BEHAVIORAL HEALTH CLINIC OUTCOME OR REPORTING REQUIREMENTS
8 ALONE;

9 (VII) THE AVAILABILITY OF CERTIFIED COMMUNITY BEHAVIORAL
10 HEALTH CLINIC CERTIFICATION FOR ANY BEHAVIORAL HEALTH ENTITY
11 THAT IS DESIGNATED BY THE BEHAVIORAL HEALTH ADMINISTRATION AS A
12 COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH PROVIDER OR
13 ESSENTIAL COMMUNITY BEHAVIORAL HEALTH PROVIDER AND WHICH
14 MEETS THE FEDERAL REQUIREMENTS;

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

17 (IX) ASSURANCE THAT CERTIFIED COMMUNITY BEHAVIORAL
18 HEALTH CLINIC CRISIS SERVICES ARE DELIVERED WITHIN THE PARAMETER
19 OF COLORADO'S STATEWIDE CRISIS RESPONSE SYSTEM, THAT ANY CRISIS
20 SERVICES DELIVERED BY THE CERTIFIED COMMUNITY BEHAVIORAL HEALTH
21 CLINIC ARE ALIGNED WITH THE SERVICES PROVIDED THROUGH THE
22 STATEWIDE CRISIS RESPONSE SYSTEM, AND THAT SERVICES DO NOT
23 DUPLICATE OR IMPEDE SERVICES PROVIDED THROUGH THE STATEWIDE
24 CRISIS RESPONSE SYSTEM;

25 (X) NO NEGATIVE IMPACT ON RURAL ACCESS, AS WELL AS
26 ENSURING CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS WILL NOT
27 REDUCE OTHER AGENCIES' ABILITY TO PROVIDE BEHAVIORAL HEALTH

1 SAFETY NET SERVICES IN THE STATE; AND

2 (XI) THAT THE STATE DEPARTMENT HAS THE ABILITY TO
3 IMPLEMENT FINANCIAL ACCOUNTABILITY STANDARDS FOR PROVIDERS.

4 (c) THE STATE DEPARTMENT AND BEHAVIORAL HEALTH
5 ADMINISTRATION SHALL WORK WITH THE JOINT BUDGET COMMITTEE TO
6 DETERMINE HOW TO PROCEED WITH THE GRANT IF, DURING THE GRANT
7 APPLICATION PROCESS, THERE ARE SUBSTANTIAL CHANGES TO FEDERAL
8 FUNDING THAT WOULD NEGATIVELY AFFECT THE STATE OF COLORADO.

9 (2) IF THE STATE DEPARTMENT IS AWARDED THE CERTIFIED
10 COMMUNITY BEHAVIORAL HEALTH CLINIC DEMONSTRATION PLANNING
11 GRANT AFTER APPLYING PURSUANT TO SECTION 25.5-4-403.2, THE STATE
12 DEPARTMENT SHALL COMPLY WITH ALL NECESSARY GUIDELINES
13 ESTABLISHED BY THE FEDERAL SUBSTANCE ABUSE AND MENTAL HEALTH
14 SERVICES ADMINISTRATION FOR A CERTIFIED COMMUNITY BEHAVIORAL
15 HEALTH CLINIC GRANT AWARDEE.

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

17

18 **SECTION 2. Safety clause.** The general assembly finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety or for appropriations for
21 the support and maintenance of the departments of the state and state
22 institutions.