

CHAPTER 404

HEALTH AND ENVIRONMENT

SENATE BILL 24-034

BY SENATOR(S) Marchman and Kolker, Bridges, Buckner, Coleman, Cutter, Exum, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Michaelson Jenet, Mullica, Priola, Roberts, Rodriguez, Sullivan, Winter F., Zenzinger, Fenberg;
also REPRESENTATIVE(S) Garcia and Lindsay, Amabile, Bird, Boesenecker, Brown, Clifford, Duran, English, Epps, Froelich, Hamrick, Hernandez, Herod, Jodeh, Kipp, Lieder, Lindstedt, Lukens, Martinez, Marvin, McLachlan, Ricks, Rutinel, Sirota, Snyder, Story, Titone, Valdez, Willford, Woodrow, Young, McCluskie.

AN ACT

CONCERNING INCREASING ACCESS TO SCHOOL-BASED HEALTH CARE.

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

SECTION 1. In Colorado Revised Statutes, 25-20.5-501, **amend** (1) introductory portion; and **add** (1)(e) and (1)(f) as follows:

25-20.5-501. Legislative declaration. (1) The general assembly ~~hereby~~ finds that:

(e) FOR STUDENTS FROM POPULATIONS PRIMARILY SERVED THROUGH SCHOOL-BASED HEALTH CENTERS WHO DO NOT HAVE ACCESS TO SCHOOL-BASED HEALTH CARE, INCREASING ACCESS TO SCHOOL-LINKED HEALTH-CARE SERVICES WILL HELP IMPROVE HEALTH OUTCOMES FOR THESE MEDICALLY UNDERSERVED STUDENTS AND THEIR FAMILIES; AND

(f) SCHOOL-BASED HEALTH CENTERS AND SCHOOL-LINKED HEALTH-CARE SERVICES COMPLEMENT EXISTING SCHOOL HEALTH SERVICES AND SCHOOL NURSING PROGRAMS.

SECTION 2. In Colorado Revised Statutes, **amend** 25-20.5-502 as follows:

25-20.5-502. Definitions. As used in this part 5, unless the context otherwise requires:

(1) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A CHARTER

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, OR A BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF TITLE 22.

(~~†~~) (2) "School-based health center" means a clinic established ~~and operated~~ within a public school building, ~~including charter schools and~~ THROUGH state-sanctioned high school equivalency examination programs associated with a ~~school district, or~~ LOCAL EDUCATION PROVIDER, on public school property by the ~~school district~~ LOCAL EDUCATION PROVIDER, OR THROUGH SCHOOL-LINKED HEALTH-CARE SERVICES. School-based health centers are operated, ~~by school districts in cooperation with~~ IN PARTNERSHIP WITH LOCAL EDUCATION PROVIDERS, BY MEDICAL ENTITIES, INCLUDING hospitals, public or private health-care organizations, licensed medical providers, public health nurses, community health centers, and community mental health centers, TO PROVIDE PRIMARY HEALTH-CARE SERVICES, BEHAVIORAL HEALTH-CARE SERVICES, ORAL HEALTH-CARE SERVICES, OR PREVENTIVE HEALTH-CARE SERVICES TO STUDENTS AND YOUTH WITHIN A SCHOOL OR SCHOOLS OF A LOCAL EDUCATION PROVIDER REGARDLESS OF ABILITY TO PAY, INSURANCE COVERAGE, OR IMMIGRATION STATUS. The term "school-based health center" includes clinics or facilities authorized to provide clinic services pursuant to section 25.5-5-301 ~~C.R.S.~~, or authorized to apply for and receive medical assistance payments under a contract entered into pursuant to section 25.5-5-318 ~~C.R.S.~~ AND SCHOOL-LINKED HEALTH-CARE SERVICES.

(3) "SCHOOL-LINKED HEALTH-CARE SERVICES" MEANS PRIMARY HEALTH-CARE SERVICES, BEHAVIORAL HEALTH-CARE SERVICES, ORAL HEALTH-CARE SERVICES, OR PREVENTIVE HEALTH-CARE SERVICES. SCHOOL-LINKED HEALTH-CARE SERVICES MAY BE DELIVERED THROUGH TELEHEALTH, MOBILE SERVICES, OR REFERRALS FOR HEALTH-CARE SERVICES AT A CLINIC LOCATED NEAR SCHOOL GROUNDS.

SECTION 3. In Colorado Revised Statutes, 25-20.5-503, **amend** (2)(a) and (3) introductory portion as follows:

25-20.5-503. School-based health center grant program - creation - funding - grants. (2) (a) (I) Operators of school-based health centers may apply for grants for the benefit of school-based health centers. The grant program shall provide grants for school-based health centers selected by the division. The division, in consultation with school-based health centers, shall develop criteria under which the grants are distributed and evaluated. In developing the criteria for grants, the division shall give priority to centers that serve a disproportionate number of uninsured children, ~~or~~ a low-income population, or both. ~~and~~ THE DIVISION may award grants to: Establish new school-based health centers; ~~to~~ expand primary health services, behavioral health services, including education, intervention, and prevention services for opioid, alcohol, and marijuana, and other substance use disorders, or oral ~~health~~ HEALTH-CARE services offered by existing school-based health centers; ~~to~~ expand enrollment in the children's basic health plan; ~~or to~~ provide support for ongoing operations of school-based health centers; OR PROVIDE SUPPORT FOR INNOVATIONS IN SCHOOL-BASED HEALTH CARE, INCLUDING SCHOOL-LINKED HEALTH-CARE SERVICES.

(II) SUBJECT TO AVAILABLE APPROPRIATIONS, MONEY AWARDED THROUGH THE GRANT PROGRAM MAY ALSO BE DIRECTED TO EVIDENCE-INFORMED SCHOOL-LINKED HEALTH-CARE SERVICES MODELS, INCLUDING TELEHEALTH SERVICES BY A PROVIDER LOCATED IN THIS STATE AND MOBILE HEALTH UNITS, TO EXPAND ACCESS TO PRIMARY HEALTH-CARE SERVICES, BEHAVIORAL HEALTH-CARE SERVICES, ORAL HEALTH-CARE SERVICES, AND PREVENTIVE HEALTH-CARE SERVICES, UNLESS THE DIVISION DETERMINES THAT ADEQUATE SCHOOL-LINKED HEALTH-CARE SERVICES PROPOSALS HAVE NOT BEEN SUBMITTED FOR THE GRANT CYCLE.

(III) ~~None of the grants shall be awarded~~ THE DIVISION SHALL NOT AWARD GRANTS to provide abortion services in violation of section 50 of article V of the state constitution.

(3) The division shall ENGAGE WITH AND ASSIST COMMUNITIES INTERESTED IN BECOMING GRANTEEES AND SHALL CONSIDER HOW TO SUPPORT IMPROVING ACCESS TO SCHOOL-BASED HEALTH CARE. THE DIVISION SHALL specify and provide to potential grant recipients the following information:

SECTION 4. In Colorado Revised Statutes, 25.5-1-128, add (1.5) as follows:

25.5-1-128. Provider payments - compliance with state fiscal requirements - definitions - rules. (1.5) THE STATE DEPARTMENT SHALL MAINTAIN A LIST OF ENROLLED SCHOOL-BASED HEALTH CENTERS AND SCHOOL-LINKED HEALTH-CARE SERVICES PROVIDERS. THE STATE DEPARTMENT SHALL DEVELOP THE LIST BASED ON GRANT ENROLLMENT DATA PURSUANT TO SECTION 25-20.5-503 THAT IS PROVIDED TO THE STATE DEPARTMENT BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT. THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS FOR IDENTIFYING CLAIMS FOR SERVICES PROVIDED IN THESE SETTINGS.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 5, 2024