

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

DRAFT
10.11.19

BILL 4

LLS NO. 20-0390.01 Jane Ritter x4342

INTERIM COMMITTEE BILL

School Safety Committee

BILL TOPIC: "Need For Juvenile Residential Treatment"

A BILL FOR AN ACT

101 **CONCERNING THE ADEQUACY OF MENTAL HEALTH RESIDENTIAL**
102 **TREATMENT SERVICES FOR JUVENILES IN THE CONTEXT OF**
103 **SCHOOL SAFETY.**

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/>.)

School Safety Committee. The bill instructs the school safety resource center (center) to convene a working group of necessary and interested stakeholders to assess the needs of school districts with respect to the adequacy and availability of residential mental health treatment for children and youth who have been identified by school personnel as

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

having severe behavioral or mental health disorders and potential ways to resolve such needs. The working group is directed to gather information on the availability, need, and cost associated with residential treatment services for children and youth in Colorado. The center shall use the data to prepare a report and make any legislative recommendations to address the mental health needs of children and youth in Colorado.

The center is required to present the report and any legislative recommendations as part of its presentation to its committee of reference at a hearing held pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" in January 2021.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-1803,
3 **amend** (3)(m); and **add** (3)(o) as follows:

4 **24-33.5-1803. School safety resource center - created - duties**
5 **- report.** (3) The center has the following duties:

6 (m) By June 1, 2018, to make available a model program that
7 conforms with section 22-1-128, regarding the risks and consequences of
8 sexting for school districts to use, which curriculum must include
9 information informing students of the provisions of section 18-7-109,
10 including that, if a student receives a sexually explicit image in violation
11 of section 18-7-109, the student can avoid adjudication as a juvenile
12 delinquent by taking reasonable steps to either destroy or delete or report
13 the initial viewing of the image within seventy-two hours after receiving
14 the image; ~~and~~

15 (o) (I) TO CONVENE, ON OR BEFORE AUGUST 1, 2020, A WORKING
16 GROUP OF INTERESTED AND NECESSARY STAKEHOLDERS TO ADDRESS THE
17 NEEDS OF SCHOOL DISTRICTS WITH RESPECT TO THE ADEQUACY AND
18 AVAILABILITY OF RESIDENTIAL MENTAL HEALTH TREATMENT FOR
19 CHILDREN AND YOUTH WHO HAVE BEEN IDENTIFIED BY SCHOOL

1 PERSONNEL AS HAVING SEVERE BEHAVIORAL OR MENTAL HEALTH
2 DISORDERS AND POTENTIAL WAYS TO RESOLVE SUCH NEEDS. THE
3 WORKING GROUP MUST INCLUDE, AT A MINIMUM, REPRESENTATIVES FROM
4 THE DEPARTMENT OF EDUCATION, LOCAL SCHOOL DISTRICTS THROUGHOUT
5 THE STATE, THE DEPARTMENT OF HUMAN SERVICES, COUNTY
6 DEPARTMENTS OF HUMAN OR SOCIAL SERVICES, MEDICAL PROVIDERS, AND
7 RESIDENTIAL TREATMENT PROVIDERS.

8 (II) THE WORKING GROUP SHALL MEET AS MANY TIMES AS
9 NECESSARY TO ADDRESS THE ISSUES AND PREPARE THE REPORT REQUIRED
10 PURSUANT TO SUBSECTION (3)(o)(III) OF THIS SECTION. THE WORKING
11 GROUP SHALL UTILIZE ANY RELEVANT INFORMATION, INCLUDING THE
12 INFORMATION REPORTED TO THE DEPARTMENT OF HUMAN SERVICES
13 PURSUANT TO SECTION 27-67-105. THE ISSUES ADDRESSED BY THE
14 WORKING GROUP MUST INCLUDE, AT A MINIMUM:

15 (A) THE NUMBER OF CHILDREN AND YOUTH FOR WHOM THE STATE
16 PROVIDED RESIDENTIAL TREATMENT SERVICES FROM JULY 1, 2018,
17 THROUGH JUNE 30, 2020;

18 (B) THE NUMBER OF CHILDREN AND YOUTH IN COLORADO WHO
19 WERE IN NEED OF RESIDENTIAL TREATMENT SERVICES BUT FOR WHOM
20 BEDS WERE UNAVAILABLE FROM JULY 1, 2018, THROUGH JUNE 30, 2020;

21 (C) THE COST ASSOCIATED WITH PROVIDING THE ADDITIONAL
22 RESIDENTIAL TREATMENT BEDS TO MEET THE UNMET NEED FROM JULY 1,
23 2018, THROUGH JUNE 30, 2020;

24 (D) OPTIONS AVAILABLE OR POTENTIALLY AVAILABLE TO ASSIST
25 SCHOOLS IN HANDLING CHILDREN AND YOUTH WHO HAVE BEEN IDENTIFIED
26 BY SCHOOL PERSONNEL AS HAVING SEVERE BEHAVIORAL OR MENTAL
27 HEALTH DISORDERS; AND

1 (E) A PLAN FOR IDENTIFYING, SECURING, AND MAKING FULLY
2 OPERATIONAL ADDITIONAL RESIDENTIAL TREATMENT BEDS NO LATER
3 THAN SEPTEMBER 1, 2021.

4 (III) THE CENTER SHALL PRESENT A REPORT ON THE ISSUES
5 DESCRIBED IN SUBSECTION (3)(o)(II) OF THIS SECTION, AS WELL AS ANY
6 RECOMMENDATIONS FOR LEGISLATION CONCERNING MENTAL HEALTH
7 NEEDS FOR CHILDREN AND YOUTH, AS PART OF THE DEPARTMENT'S
8 PRESENTATION TO ITS COMMITTEE OF REFERENCE AT A HEARING HELD
9 PURSUANT TO SECTION 2-7-203 (2)(a) OF THE "STATE MEASUREMENT FOR
10 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
11 GOVERNMENT ACT" IN JANUARY 2021.

12 **SECTION 2. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, or safety.