



SUMMARY REPORT

of Interim Committee Activities

November 2023

Opioid and *Other* Substance Use Disorders Study Committee

Committee Members: Representative Chris deGruy Kennedy, Chair, Senator Kevin Priola, Vice Chair
Senators Sonya Jaquez Lewis, Kyle Mullica, Rod Pelton
Representatives Ryan Armagost, Elisabeth Epps, Mike Lynch, Perry Will, Mary Young

Committee Charge

In 2017, the Opioid and Other Substance Use Disorders Interim Study Committee was created pursuant to Interim Committee Request Letter 2017-02. The committee was continued in legislation several times, and House Bill 22-1278 allows the committee to meet up to six times during the 2023 and 2025 interims.

The committee is charged with the following:

- reviewing data, data analytics, and statistics on the scope of the substance use disorder problem in Colorado, including trends in rates of substance abuse, treatment admissions, and deaths from substance use;
- studying the current prevention, intervention, harm reduction, treatment, and recovery resources, including substance abuse prevention outreach and education, available to Coloradans, as well as public and private insurance coverage and other sources of support for treatment and recovery resources;
- reviewing the availability of medication-assisted treatment and whether pharmacists can prescribe those medications through the development of collaborative pharmacy practice agreements with physicians;
- examining what other states, the federal government, and other countries are doing to address substance use disorders, including evidence-based best practices and the use of evidence in determining strategies to treat substance use disorders, and best practices on the use of prescription drug monitoring programs;
- identifying the gaps in prevention, intervention, harm reduction, treatment, and recovery resources available to Coloradans and hurdles to accessing those resources;
- identifying possible legislative options to address gaps and hurdles to accessing prevention, intervention, harm reduction, treatment, and recovery resources; and
- examining law enforcement and criminal justice measures, including the prohibition of illegal drugs, penalties for trafficking illegal drugs, diversion, jail-based and prison-based treatment and reduction programs, and technologies and other requirements useful in enforcing laws removing opioid and other illegal substances.



Calendar of Events

June 29, 2023

- Overview of Colorado's addiction crisis response
- Overview of the role of state departments
- Deep dive into the Behavioral Health Administration's role
- Financial landscape
- Public testimony

July 19, 2023

- Access to treatment for underserved populations
- Treatment coverage gaps
- Workforce challenges
- Peer supports, recovery housing, and recovery-friendly workplaces
- Public testimony

August 7, 2023

- Discussion of requirements pertaining to the health impacts of House Bill 22-1326
- Black market enforcement
- Treatment for incarcerated populations
- Alternatives to incarceration
- Workforce issues in prevention
- Youth prevention and early intervention
- Naloxone in schools
- Paraphernalia, drug testing, and overdose prevention centers
- Perspective from law enforcement on overdose prevention centers
- Rhode Island model for overdose prevention centers
- Public testimony

August 30, 2023

- Remarks from Congresswoman Brittany Pettersen
- Workforce initiatives
- Workforce development
- Caring for patients with substance use disorders in acute care hospitals
- Prescription Drug Monitoring Program
- Discussion of committee and interested persons survey results
- Committee bill draft requests

September 27, 2023

- Overview of Colorado Department of Public Health & Environment programs
- Report on social media, fentanyl, and illegal drug sales
- Public comment on committee bill drafts

October 30, 2023

- Colorado probation and substance use disorders
- Impact of opioids and other substance use disorders on the community corrections system
- Department of Corrections and the adult parole SUD and MAT programs
- Presentation from 5280 High School and Generation Schools Network
- Public comment and vote on committee bills



Recommended Legislation

As a result of committee discussion and deliberation, the committee recommends the following bills for consideration in the 2024 legislative session.

Bill A – Prevention of Substance Use Disorders

This bill creates several measures regarding prevention of substance use disorders, including:

- creating the Substance Use Disorder Prevention Gap Grant Program in the Colorado Department of Public Health and Environment to provide two-year grants to community based organizations to fill gaps in funding;
- modifying the Prescription Drug Monitoring Program (PDMP) to exempt veterinarians from certain aspects of the program, include reporting of psychotropic prescription drugs dispensed to PDMP, allowing the medical director of a practice or hospital to appoint designees to access a program, and allowing the Department of Health Care Policy and Financing (HCPF) to access program data for review and analysis;
- creating a data linkage project for the University of Colorado’s School of Medicine to estimate the scope of opioid misuse and disorders in Colorado;
- establishing a process for drug overdose fatality review teams created for a county, city, group of cities and counties, or tribe to obtain information to identify system gaps in overdose prevention; and
- making modifications to existing measures including expanding the Substance Use Screening, Brief Intervention, and Referral to Treatment grant programs.

Bill B – Treatment for Substance Use Disorders

The bill creates and expands programs and services for substance use disorder (SUD) treatments including:

- creating a pilot criminal justice diversion program;
- requiring HCPF to provide select reentry services and partial SUD hospitalization services;
- requiring the Behavioral Health administration (BHA) to provide technical support to providers;
- developing a protocol for pharmacists to prescribe, dispense, and administer Medication Assisted Treatment (MAT) drugs;
- placing select requirements on state-regulated insurance plans;
- creating a tax credit for SUD providers; and
- expanding funding for various programs.



Bill C – Substance Use Disorders Harm Reduction

The bill clarifies that harm reduction centers may provide drug testing services and use specific grant money on equipment. The bill modifies language concerning drug possession to exclude select actors and actions from penalties.

Bill D – Recovery from Substance Use Disorders

This bill establishes a voluntary program within the Colorado Department of Labor and Employment (CDLE) for employers to become recovery-ready workplaces. The bill creates a state income tax credit for employers that participate in the program or are certified recovery-ready workplaces with the credit being equal to the costs the employer incurred in becoming a certified recovery-ready workplace or participant. The bill also clarifies that grant money received through the Recovery Support Services Grant Program must be used as specified by the program, declares recovery residences, sober living facilities, and sober homes as residential uses of property for zoning purposes, and places restrictions on where alcohol beverages may be displayed within liquor-licensed drugstores and malt beverage and wine retailers.