



Human Services

During the 2017 legislative session, the General Assembly considered measures related to Colorado's behavioral health crisis system and the use and misuse of opioids. Other issues considered include child care regulations, child welfare, and a job program for individuals receiving cash assistance benefits. All bills discussed below became law, unless otherwise noted.

Behavioral Health

Senate Bill 17-019 increases medication consistency for persons with mental health disorders in the criminal and juvenile justice systems by requiring the Office of Behavioral Health (OBH) in the Department of Human Services, with input from the Department of Corrections, to promulgate rules that require providers under each department's authority to use a medication formulary agreed upon by mental health providers and justice system providers. In addition, the bill requires OBH, correctional facilities, and mental health centers to share patient-specific mental health information. The bill also requires OBH:

- to conduct annual and biannual reviews of the formulary to address any urgent concerns related to the formulary, update the formulary, and ensure compliance with the Medicaid formulary; and
- to encourage providers to develop cooperative purchasing for the formulary.

Colorado's Crisis Response System currently consists of a statewide 24-hour crisis help line, walk-in crisis stabilization units, 24-hour mobile crisis units, and crisis respite/residential facilities. Senate Bill 17-207 expands the state's current behavioral health crisis response system to help Colorado end the use of jails and correctional facilities as placement options for individuals placed on emergency mental health holds who are not charged with a crime. The bill requires all current crisis service facilities to expand services in order to adequately care for an individual brought to the facility in need of an emergency 72-hour hold and prohibits detaining individuals who are experiencing a mental health crisis in a jail or other lockup used for detaining individuals charged or convicted of a crime. The bill also enhances the ability of emergency departments to serve individuals who are experiencing a behavioral health crisis. The bill is a result of recommendations made by the Commission on Criminal and Juvenile Justice, the Governor's Mental Health Hold Task Force, and the Mental Illness in the Criminal Justice System Legislative Oversight Committee.

House Bill 17-264 allows the Marijuana Tax Cash Fund to be used to fund jail-based and other behavioral health services for persons diverted from the criminal justice system.

Child Care Regulation

Prior to the enactment of Senate Bill 17-110, a family child care home was exempt from child care licensing requirements if they provide care

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for less than 24 hours for one child or for two or more siblings from the same family. SB 17-110 expands the exemption so that a family child care home is exempt from child care licensing if one of the following conditions are met:

- the children being cared for are related to the caregiver, the children are related to each other from a single family unrelated to the caregiver, or a combination of such children; or
- there are no more than four children being cared for, with no more than two children under two years of age from multiple families, regardless of the children's relationship to the caregiver.

Child Welfare

Under previous law, counties with 50 or more annual referrals of suspected or known child abuse were required to convene a child protection team to review the assessments made by child welfare staff teams and make recommendations about particular cases and the child welfare system generally. Convening child protection teams was optional for counties with fewer than 50 reports annually. Senate Bill 17-016 makes convening a child protection team optional for all counties regardless of the number of referrals.

Senate Bill 17-028 requires county departments of human services to notify military authorities of reported abuse or neglect when the report involves a service member, or a spouse or significant other or a family member who lives in the family home. Previously this information was neither collected nor shared by county departments of human services.

Opioid Use and Misuse

In response to the state's opioid misuse epidemic, the General Assembly considered three bills and created an opioid misuse study committee during the 2017 legislative session.

Senate Bill 17-074 creates a pilot program in the University of Colorado - College of Nursing to issue grants for assisting nurse practitioners and physician assistants practicing in Pueblo and Routt counties to obtain proper training and support to prescribe addiction treatment medication. The goal of the program is to increase access to medication-assisted treatment for residents in areas of the state with high addiction rates and few treatment providers.

Senate Bill 17-193 creates a research center for substance use disorder prevention, treatment, and recovery support strategies at the University of Colorado Health Sciences Center.

House Bill 17-1350, postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee, would have allowed a pharmacist filling a prescription for a schedule II controlled substance, such as an opioid, to dispense the drug in smaller increments when the partial fill was requested by the patient or practitioner who wrote the prescription. The total amount dispensed through incremental fillings could not exceed the total quantity prescribed.

House Bill 17-1351 requires the Department of Health Care Policy and Financing and the Department of Human Services to jointly study the feasibility and cost of providing residential and inpatient substance use disorder treatment as a part of the Medicaid program. The study must examine the differences between providing this treatment as a state-funded benefit or through Medicaid.

The Legislative Council Committee approved the formation of the Opioid and Other Substance Use Disorders Interim Study Committee to meet during the 2017 interim. The committee's charge includes studying the scope of the substance use disorder problem in Colorado and current prevention, intervention, harm reduction, treatment, and recovery resources available. The committee may also study existing gaps in prevention, intervention, harm reduction, treatment, and recovery resources available to Coloradans, and recommend legislative options to address these issues.

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State Assistance Programs

Colorado's Temporary Assistance for Needy Families (TANF) program, Colorado Works, assists families by providing financial assistance, job preparation training, and work opportunities to needy families with children on a temporary basis, with the goal of assisting families to achieve economic stability. Senate Bill 17-292 creates the Employment Opportunity with Wages Program with the purpose of further assisting TANF recipients in attaining a living-wage, permanent job by funding evidence-based employment-related opportunities, including subsidized employment, apprenticeships, on-the-job training, and transitional jobs.

Youth Corrections

The Division of Youth Corrections (DYC) within the Department of Human Services (DHS) detained 188 youth between the ages of 10 and 12 for non-weapons-related misdemeanors or petty offenses over the past three years. House Bill 17-1207 establishes that no child aged 10, 11, or 12 can be detained in DYC unless he or she was arrested for a felony or a weapons charge. In lieu of detention, the youth may remain in the custody of a parent or guardian, be placed in the temporary custody of kin, be placed in a shelter facility, or be referred to a county department of human services for assessment for placement.

House Bill 17-1329 was enacted in an attempt to control the number of critical incidents reported within DYC and provide detained youth with the skills necessary to successfully return to the community. The bill changes the name of DYC to the Division of Youth Services and requires the division to actively implement a pilot program focused on creating a division-wide therapeutic and rehabilitative culture. The bill establishes that the division must contract with independent third parties to provide training to staff in the collection and analysis of data and to conduct a performance assessment that evaluates safety in all facilities operated by the division. The bill creates regional community boards to promote

transparency and community involvement, opportunities for youths to build positive adult relationships, and youth involvement in the community. The bill also requires the division to provide more robust reporting of the use and type of restraints it utilizes as part of its biannual report to the General Assembly and the state auditor to audit the division's recidivism rates and educational outcomes for committed youth on a regular basis.

Other Human Services Programs

Social workers and caseworkers often experience secondary trauma and may eventually develop vicarious trauma as a result of repeated exposure to traumatized individuals. In an effort to reduce secondary trauma, House Bill 17-1283 creates a task force made up of human services professionals and social workers charged with identifying and developing models for programs to promote caseworker resiliency.

House Bill 17-1284 requires certain employers at facilities or programs that serve at-risk adults to request a Colorado adult protective services data system check prior to hiring employees who will provide direct care to at-risk adults.