

Testimony of Lesley Brooks, MD, Chief Medical Officer of SummitStone Health Partners on HB 23-1268, Private Treatment for Out-of-State Defendant – submitted online instead of in-person

- Good afternoon, Mr. Chair and members of the committee. My name is Lesley Brooks. And I serve as the chief medical officer at SummitStone Health Partners, the community mental health center serving Larimer County and other parts of northern Colorado. I am here today representing SummitStone and the Colorado Behavioral Healthcare Council.

- **Here in enthusiastic support of HB 1268**

- The goal of this provision in the Interstate Compact is to identify people convicted of certain crimes and ensure they are registered with law enforcement so that they may be supervised while they are here and in treatment.

- As often happens, the original intent of the law is different than its implementation in practice. As written, this statute misses many people and has huge impacts on access to life saving behavioral health care for many.

- Currently, behavioral health providers are required to administer a questionnaire to all people seeking addiction services asking if they have out of state charges. If the person marks yes, the provider stops all initiation of services. The individual is told they must go to local law enforcement for fingerprints and photographs. Until a letter of approval is received from the state, the provider is unable to help the person access lifesaving substance use care. Importantly, these are people who would have received treatment were it not for the way this statute is written. What happens is that folks are simply turned away the vast majority of whom never return, missing an important opportunity for both treatment and oversight.

- It intimidates treatment providers with the potential penalty of criminal charges, instructs them inappropriately to ask about criminal charges rather than criminal convictions, and stops the delivery of treatment for vulnerable people who asked for our help.

- This bill will clean up a process that allows many to go without needed treatment while also losing track of people who potentially should be supervised. These changes will lead to increased public safety and decreased frustration and risk for behavioral health providers allowing

providers to (1) initiate care immediately and (2) help keep patients engaged and if warranted, supervised by the appropriate entity.

- I would be remiss if I did not highlight the fact that we treat behavioral health differently than physical health in some very important ways that can limit the behavioral health care people need. This provision in the interstate compact is one example. Notably, we only ask these questions of persons seeking substance use care, but not mental health or physical health care.

- In closing, I hope that we have earned your support for HB 1268 so that everyone presenting for substance use treatment has the same access to this life saving care. Thank you so very much for your time today.