

CHAPTER 367

HUMAN SERVICES - BEHAVIORAL HEALTH

SENATE BILL 24-001

BY SENATOR(S) Michaelson Jenet and Cutter, Bridges, Exum, Gardner, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Marchman, Mullica, Priola, Roberts, Rodriguez, Sullivan, Winter F., Zenzinger, Fenberg;
also REPRESENTATIVE(S) Brown and Rutinel, Amabile, Bacon, Bird, Boesenecker, Daugherty, Duran, English, Epps, Froelich, Garcia, Hamrick, Hernandez, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Martinez, Marvin, McCormick, McLachlan, Ortiz, Parenti, Ricks, Sirota, Story, Titone, Valdez, Velasco, Vigil, Weissman, Willford, Woodrow, Young, McCluskie.

AN ACT

CONCERNING CONTINUATION OF THE YOUTH MENTAL HEALTH SERVICES PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 27-60-109, **amend** (1)(b), (2)(a), (5), and (6); **repeal** (4)(b); and **add** (1)(f) and (4.5) as follows:

27-60-109. Youth mental health services program - established - report - rules - definitions - repeal. (1) As used in this section, unless the context otherwise requires:

(b) "Program" means the ~~temporary~~ youth mental health services program established in this section.

(f) "YOUTH PARTICIPANT" MEANS A YOUTH WHO PARTICIPATES IN A MENTAL HEALTH SESSION THAT IS REIMBURSED PURSUANT TO THE PROGRAM.

(2)(a) There is established in the behavioral health administration the ~~temporary~~ youth mental health services program to facilitate access to mental health services, including substance use disorder services, for youth to respond to mental health needs identified in an initial mental health screening through the portal. ~~including those needs that may have resulted from the COVID-19 pandemic.~~ The program reimburses providers for up to three mental health sessions with a youth.

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.

~~(4) (b) The selection of a vendor pursuant to this subsection (4) is exempt from the requirements of the procurement code, articles 101 to 112 of title 24.~~

(4.5) (a) ON OR BEFORE JUNE 1 OF EACH YEAR, THE VENDOR DESCRIBED IN SUBSECTION (4) OF THIS SECTION SHALL DELIVER TO THE BHA ANY OF THE FOLLOWING, COLLECTED DURING THE PRIOR YEAR:

(I) INFORMATION ABOUT THE PROGRAM COLLECTED FROM SURVEYS OF YOUTH PARTICIPANTS, PARENTS, AND PROVIDERS; AND

(II) DATA FROM EVALUATIONS CONDUCTED BY THE VENDOR ABOUT THE EFFICACY OF THE PROGRAM, INCLUDING WHETHER THE PROGRAM IS SERVING THE MENTAL HEALTH NEEDS OF YOUTH PARTICIPANTS.

(b) THE BHA SHALL CONDUCT A SURVEY OF EACH PROVIDER WHO PARTICIPATES IN THE PROGRAM THAT SOLICITS FEEDBACK ABOUT THE FOLLOWING:

(I) THE MET AND UNMET MENTAL HEALTH NEEDS OF THE YOUTH PARTICIPANTS WHO ENGAGED IN TREATMENT WITH THE PROVIDER;

(II) WHETHER THE PROVIDER MADE REFERRALS FOR YOUTH PARTICIPANTS FOR ADDITIONAL SERVICES BEYOND WHAT IS PROVIDED PURSUANT TO THE PROGRAM; AND

(III) ANY OTHER ELEMENTS OF THE PROGRAM.

(c) THIS SUBSECTION (4.5) DOES NOT AUTHORIZE THE BHA, A PROVIDER, A VENDOR, OR ANY OTHER PERSON TO VIOLATE APPLICABLE FEDERAL OR STATE PATIENT PRIVACY LAWS.

~~(5) On or before January 1 of each year, and on or before June 30 of each year, the state department shall report to the house of representatives public and behavioral health and human services committee and the senate health and human services committee, or their successor committees, regarding the number of youth who received services under the program, excluding any personally identifiable information in accordance with state and federal law; information in aggregate about the services provided to youth under the program; and other relevant information regarding the program; AND THE INFORMATION REPORTED TO THE BHA BY THE VENDOR PURSUANT TO SUBSECTION (4.5) OF THIS SECTION.~~

(6) This section is repealed, effective ~~June 30, 2024~~ JUNE 30, 2034.

SECTION 2. In Colorado Revised Statutes, 27-50-105, **amend** (1)(g) as follows:

27-50-105. Administration of behavioral health programs - state plan - sole mental health authority - gifts, grants, or donations. (1) The BHA shall administer and provide the following behavioral health programs and services:

(g) The ~~temporary~~ youth mental health services program created pursuant to section 27-60-109;

SECTION 3. Appropriation. For the 2024-25 state fiscal year, \$5,000,000 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the general fund and is based on an assumption that the administration will require an additional 1.0 FTE. To implement this act, the administration may use this appropriation for the youth mental health services program.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: June 4, 2024