

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

February 20, 2024  
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB24-1045 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 4, strike lines 10 through 20 and substitute:

2 "SECTION 2. In Colorado Revised Statutes, 10-16-144, **add** (3)  
3 as follows:

4 **10-16-144. Health-care services provided by pharmacists.**  
5 (3) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1) OF THIS  
6 SECTION TO THE CONTRARY, A HEALTH BENEFIT PLAN DESCRIBED IN  
7 SUBSECTION (1) OF THIS SECTION THAT PROVIDES TREATMENT FOR  
8 SUBSTANCE USE DISORDERS SHALL REIMBURSE A LICENSED PHARMACIST  
9 ACTING WITHIN THE LICENSED PHARMACIST'S SCOPE OF PRACTICE, AND IN  
10 ACCORDANCE WITH THE REQUIREMENTS IN PART 6 OF ARTICLE 280 OF  
11 TITLE 12, FOR THE PROVISION OF MEDICATION-ASSISTED TREATMENT  
12 SERVICES IF THE HEALTH BENEFIT PLAN PROVIDES COVERAGE FOR THE  
13 SAME SERVICES PROVIDED BY A LICENSED PHYSICIAN OR AN ADVANCED  
14 PRACTICE REGISTERED NURSE.

15 (b) A HEALTH BENEFIT PLAN REIMBURSING A LICENSED  
16 PHARMACIST PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION SHALL  
17 REIMBURSE A LICENSED PHARMACIST AT THE SAME RATE THAT THE  
18 HEALTH BENEFIT PLAN REIMBURSES A LICENSED PHYSICIAN OR AN  
19 ADVANCED PRACTICE REGISTERED NURSE WITHIN THE HEALTH BENEFIT  
20 PLAN'S NETWORK OF PARTICIPATING PROVIDERS FOR THE SAME SERVICES."

21 Page 5, line 10, strike "AN" and substitute "TO THE EXTENT PRACTICABLE,  
22 AN".

1 Page 5, line 17, strike "SECTION" and substitute "SECTION, INCLUDING ANY  
2 EXTENUATING FACTORS THAT MAY RESULT IN AN INADEQUATE NUMBER OF  
3 BEHAVIORAL HEALTH-CARE PROVIDERS, SUCH AS A WORKFORCE  
4 SHORTAGE,".

5 Page 5, lines 26 and 27, strike "SPECIALIST, DESCRIBED IN PART 8 OF THIS  
6 ARTICLE 245," and substitute "SPECIALIST PURSUANT TO SECTION  
7 12-245-804 (3.5),".

8 Page 6, strike lines 1 through 5 and substitute "SOCIAL WORKER HAS MET  
9 THE EDUCATION REQUIREMENTS FOR A LICENSED ADDICTION COUNSELOR,  
10 OR THE EQUIVALENT, AS SPECIFIED IN RULES PROMULGATED BY THE STATE  
11 BOARD OF HUMAN SERVICES PURSUANT TO SECTION 27-80-108 (1)(e.5) OR  
12 27-50-107 (3)(e)(II), AS APPLICABLE.".

13 Page 6, strike lines 12 through 17 and substitute "TECHNICIAN OR A  
14 CERTIFIED ADDICTION SPECIALIST PURSUANT TO SECTION 12-245-804  
15 (3.5), IF THE LICENSED PROFESSIONAL COUNSELOR HAS MET THE  
16 EDUCATION REQUIREMENTS FOR A LICENSED ADDICTION COUNSELOR, OR  
17 THE EQUIVALENT, AS SPECIFIED IN RULES PROMULGATED BY THE STATE  
18 BOARD OF HUMAN SERVICES PURSUANT TO SECTION 27-80-108 (1)(e.5) OR  
19 27-50-107 (3)(e)(II), AS APPLICABLE.".

20 Page 6, strike lines 21 through 27 and substitute "- **titles - clinical**  
21 **supervision.** (2.5) (c) NOTWITHSTANDING ANY PROVISION OF THIS TITLE  
22 12 TO THE CONTRARY, A LICENSED CLINICAL SOCIAL WORKER, PURSUANT  
23 TO SECTION 12-245-403 (5), AND A LICENSED PROFESSIONAL COUNSELOR,  
24 PURSUANT TO SECTION 12-245-603 (3), WHO POSSESSES A VALID,  
25 UNSUSPENDED, AND UNREVOKED LICENSE MAY PROVIDE CLINICAL  
26 SUPERVISION OF AN INDIVIDUAL WORKING TOWARD CERTIFICATION AS A  
27 CERTIFIED ADDICTION TECHNICIAN OR CERTIFIED ADDICTION SPECIALIST  
28 IF THE LICENSED CLINICAL SOCIAL WORKER OR LICENSED PROFESSIONAL  
29 COUNSELOR HAS MET THE EDUCATION REQUIREMENTS FOR A LICENSED  
30 ADDICTION COUNSELOR, OR THE EQUIVALENT, AS SPECIFIED IN RULES  
31 PROMULGATED BY THE STATE BOARD OF HUMAN SERVICES PURSUANT TO  
32 SECTION 27-80-108 (1)(e.5) OR 27-50-107 (3)(e)(II), AS APPLICABLE.".

33 Page 7, strike lines 1 through 9.

34 Page 8, strike lines 24 and 25 and substitute:

35 "(2) (a) PURSUANT TO SECTION 12-280-603, THE BOARD, IN".

1 Page 9, line 1, after "RULES" insert "NO LATER THAN MAY 1, 2025,".

2 Page 9, line 3, after "ADMINISTER" insert "ONLY FEDERAL DRUG  
3 ENFORCEMENT ADMINISTRATION SCHEDULE III, IV, AND V  
4 FDA-APPROVED PRODUCTS AS".

5 Page 9, strike lines 5 through 10 and substitute:

6 "(b) IN DEVELOPING THE STATEWIDE DRUG THERAPY PROTOCOL,  
7 THE APPLICABLE BOARDS SHALL CONSIDER REQUIREMENTS FOR TRAINING,  
8 INCLUDING A PROGRAM ACCREDITED BY THE ACCREDITATION COUNCIL  
9 FOR PHARMACY EDUCATION, OR ITS SUCCESSOR ENTITY; PATIENT NOTICE  
10 AND CONSENT; PROVIDER REFERRAL CRITERIA; LAB SCREENING AND  
11 TESTING; MONITORING; PATIENT PRIVACY; AND PATIENT FOLLOW-UP CARE  
12 AND COUNSELING. THE RULES DEVELOPED PURSUANT TO SUBSECTION  
13 (2)(a) OF THIS SECTION MUST SPECIFY THAT ANY COLLABORATING  
14 ENTITIES UTILIZING THE PROTOCOL ARE CLEARLY IDENTIFIED.".

15 Page 9, line 13, after "ADMINISTER" insert "ONLY FEDERAL DRUG  
16 ENFORCEMENT ADMINISTRATION SCHEDULE III, IV, AND V  
17 FDA-APPROVED PRODUCTS AS".

18 Page 9, strike lines 17 through 27.

19 Strike pages 10 through 27.

20 Page 28, strike lines 1 through 22.

21 Renumber succeeding sections accordingly.

22 Page 33, after line 25 insert:

23 "SECTION 15. In Colorado Revised Statutes, 25-20.5-1101,  
24 amend (3)(a); and add (4.5) as follows:

25 **25-20.5-1101. Harm reduction grant program - creation -**  
26 **application - permissible uses - department duties - definitions.**

27 (3) On or before November 1, 2019, the department shall develop:

28 (a) Eligibility criteria for the entities described in ~~subsection (2)~~  
29 SUBSECTIONS (2) AND (4.5) of this section;

30 (4.5)(a) A SUBSTANCE USE DISORDER TREATMENT PROGRAM MAY  
31 APPLY FOR A GRANT TO IMPLEMENT A CONTINGENCY MANAGEMENT  
32 PROGRAM FOR INDIVIDUALS WITH A STIMULANT USE DISORDER.  
33 NOTWITHSTANDING SUBSECTION (4) OF THIS SECTION, GRANT MONEY

1 RECEIVED PURSUANT TO THIS SUBSECTION (4.5) MAY BE USED FOR  
2 STAFFING, TRAINING, SUPPLIES, ADMINISTRATIVE COSTS, THE COSTS OF  
3 VOUCHERS AND PRIZES UP TO FIVE HUNDRED NINETY-NINE DOLLARS PER  
4 CLIENT DURING THE TREATMENT PERIOD, AND OTHER RELATED EXPENSES  
5 AS APPROVED BY THE DEPARTMENT.

6 (b) AS USED IN THIS SUBSECTION (4.5), UNLESS THE CONTEXT  
7 OTHERWISE REQUIRES:

8 (I) "CONTINGENCY MANAGEMENT PROGRAM" MEANS AN  
9 EVIDENCE-BASED TREATMENT PROGRAM THAT PROVIDES MOTIVATIONAL  
10 INCENTIVES TO TREAT INDIVIDUALS WITH A STIMULANT USE DISORDER.

11 (II) "STIMULANT USE DISORDER" MEANS A SUBSTANCE USE  
12 DISORDER, AS DEFINED IN SECTION 27-80-203, INVOLVING A CLASS OF  
13 DRUGS THAT INCLUDES COCAINE, METHAMPHETAMINE, OR PRESCRIPTION  
14 STIMULANTS.

15 (III) "SUBSTANCE USE DISORDER TREATMENT PROGRAM" HAS THE  
16 SAME MEANING AS SET FORTH IN SECTION 27-80-203."

17 Renumber succeeding sections accordingly.

18 Page 35, strike lines 5 through 13 and substitute:

19 "(2) (a) NO LATER THAN APRIL 1, 2024, THE STATE DEPARTMENT  
20 SHALL SEEK A FEDERAL AUTHORIZATION TO PROVIDE, THROUGH THE  
21 STATE MEDICAL ASSISTANCE PROGRAM, MEDICATION-ASSISTED  
22 TREATMENT AND CASE MANAGEMENT TO A MEMBER PRIOR TO THE  
23 MEMBER'S RELEASE AND A THIRTY-DAY SUPPLY OF PRESCRIPTION  
24 MEDICATIONS TO A MEMBER UPON THE MEMBER'S RELEASE FROM A  
25 JUVENILE INSTITUTIONAL FACILITY, AS DEFINED IN SECTION 25-1.5-301  
26 (2)(b), OR A DEPARTMENT OF CORRECTIONS FACILITY."

27 Page 35, strike lines 18 through 27 and substitute:

28 "(3) (a) NO LATER THAN APRIL 1, 2025, THE STATE DEPARTMENT  
29 SHALL SEEK A FEDERAL AUTHORIZATION TO PROVIDE, THROUGH THE  
30 STATE MEDICAL ASSISTANCE PROGRAM, MEDICATION-ASSISTED  
31 TREATMENT AND CASE MANAGEMENT TO A MEMBER PRIOR TO THE  
32 MEMBER'S RELEASE FROM JAIL AND A THIRTY-DAY SUPPLY OF  
33 PRESCRIPTION MEDICATIONS TO A MEMBER UPON THE MEMBER'S RELEASE  
34 FROM JAIL."

35 Page 41, line 21, after "**rates.**" insert "(1)".

- 1 Page 41, after line 25 insert:  
2 "(2) BEHAVIORAL HEALTH PROVIDERS ARE AUTHORIZED TO  
3 DISCLOSE THE REIMBURSEMENT RATES PAID BY AN MCE TO THE  
4 BEHAVIORAL HEALTH PROVIDER.  
5 **SECTION 22.** In Colorado Revised Statutes, **amend** 25.5-5-510  
6 as follows:  
7 **25.5-5-510. Pharmacy reimbursement - substance use disorder**  
8 **- injections.** ~~If a pharmacy has entered into a collaborative pharmacy~~  
9 ~~practice agreement with one or more physicians pursuant to section~~  
10 ~~12-280-602 to administer~~ A PHARMACY ADMINISTERING injectable  
11 antagonist medication for medication-assisted treatment for substance use  
12 disorders ~~the pharmacy administering the drug~~ shall receive an enhanced  
13 dispensing fee that aligns with the administration fee paid to a provider  
14 in a clinical setting."
- 15 Page 43, strike lines 3 through 6 and substitute "AND RECOVERY  
16 SERVICES."
- 17 Page 43, strike lines 9 through 27.
- 18 Page 44, strike lines 1 and 2.
- 19 Renumber succeeding sections accordingly.
- 20 Page 45, strike lines 13 through 27.
- 21 Strike pages 46 and 47.
- 22 Page 48, strike lines 1 through 3.
- 23 Renumber succeeding sections accordingly.
- 24 Page 49, after line 15 insert:  
25 "**SECTION 27.** In Colorado Revised Statutes, 27-80-116, **add** (5)  
26 as follows:  
27 **27-80-116. Fetal alcohol spectrum disorders - legislative**  
28 **declaration - health warning signs - federal funding.** (5) THE  
29 BEHAVIORAL HEALTH ADMINISTRATION IS AUTHORIZED TO APPLY FOR  
30 FEDERAL FUNDING FOR FETAL ALCOHOL SPECTRUM DISORDER PROGRAMS  
31 AND TO RECEIVE AND DISBURSE THE FEDERAL FUNDS TO PUBLIC AND  
32 PRIVATE NONPROFIT ORGANIZATIONS.  
33 **SECTION 28. Appropriation.** (1) For the 2024-25 state fiscal  
34 year, \$500,000 is appropriated to the department of human services. This

1 appropriation is from the general fund. To implement this act, the  
2 department may use this appropriation for criminal justice diversion  
3 programs.

4 (2) For the 2024-25 state fiscal year, \$500,000 is appropriated to  
5 the judicial department. This appropriation is from the general fund. To  
6 implement this act, the department may use this appropriation for district  
7 attorney adult pretrial diversion programs."

8 Renumber succeeding section accordingly.

9 Page 49, line 17, strike "section 21" and substitute "section 20".

10 Page 49, strike line 26 and substitute "governor; except that section  
11 27-60-116 (1)(b), as enacted in section 20 of this act, takes effect July 1,  
12 2025."

13 Page 1, line 101, strike "**DISORDERS.**" and substitute "**DISORDERS, AND,**  
14 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

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