

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0260.01 Christy Chase x2008

SENATE BILL 18-024

SENATE SPONSORSHIP

Jahn and Tate, Aguilar, Lambert, Priola

HOUSE SPONSORSHIP

Singer, Buck, Kennedy, Pettersen

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING MODIFICATIONS TO THE COLORADO HEALTH SERVICE
102 CORPS PROGRAM ADMINISTERED BY THE DEPARTMENT OF
103 PUBLIC HEALTH AND ENVIRONMENT TO EXPAND THE
104 AVAILABILITY OF BEHAVIORAL HEALTH CARE PROVIDERS IN
105 SHORTAGE AREAS IN THE STATE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Opioid and Other Substance Use Disorders Interim Study Committee. The bill modifies the Colorado health service corps program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

administered by the primary care office in the department of public health and environment as follows:

- ! For purposes of determining areas in the state in which there is a shortage of health care professionals and behavioral health care providers to meet the needs of the community, allows the primary care office, under guidance adopted by the state board of health, to develop and administer state health professional shortage areas using state-specific methodologies;
- ! Allows behavioral health care providers, which include licensed and certified addiction counselors, licensed professional counselors, licensed clinical social workers, licensed marriage and family therapists, clinical psychologists, advanced practice nurses, and physicians certified or trained in addiction medicine, pain management, or psychiatry, and candidates for licensure as an addiction counselor, professional counselor, clinical social worker, marriage and family therapist, or psychologist, to participate in the loan repayment program on the condition of committing to provide behavioral health care services in health professional shortage areas for a specified period;
- ! Directs the advisory council to prioritize loan repayment and scholarships for those behavioral health care providers, candidates for licensure, or addiction counselors who provide behavioral health care services in nonprofit or public employer settings but permits consideration of applicants practicing in a private setting that serves underserved populations;
- ! Establishes a scholarship program to help defray the education and training costs associated with obtaining certification as an addiction counselor or with progressing to a higher level of certification;
- ! Adds 2 members to the advisory council that reviews program applications, which members include a representative of an organization representing substance use disorder treatment providers and a licensed or certified addiction counselor who has experience in rural health, safety net clinics, or health equity;
- ! Modifies program reporting requirements and requires annual reporting that coincides with required SMART Act reporting by the department; and
- ! Requires the general assembly to annually appropriate \$2.5 million from the marijuana tax cash fund to the primary care office to provide loan repayment for behavioral health

care providers and candidates for licensure participating in the Colorado health service corps and to award scholarships to addiction counselors participating in the scholarship program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and determines that:

4 (a) Colorado faces a health care workforce shortage in many
5 health care areas, including a shortage in behavioral health care providers
6 who work with patients with mental health and substance use disorders;

7 (b) With an opioid epidemic and increasing overdose rates
8 affecting all corners of the state, the need for health professionals who
9 can treat patients with substance use disorders is particularly acute;

10 (c) Additionally, providers who seek to hire mental health and
11 substance use disorder professionals report difficulty in filling positions,
12 leading to reduced services despite having the physical space for beds or
13 outpatient treatment rooms;

14 (d) The state currently operates a loan repayment program, known
15 as the Colorado health service corps, that targets the need for primary care
16 services in health professional shortage areas throughout the state by
17 providing loan repayment to a health care professional who commits to
18 practicing and providing primary care in a shortage area for a minimum
19 period;

20 (e) The Colorado health service corps program, in its current
21 form, is limited to specific providers providing primary or psychiatric
22 care in areas of the state designated as health professional shortage areas
23 under federal guidelines;

1 (f) Further, the existing loan repayment program is available only
2 to providers who have already obtained a license, which can require at
3 least one to two years of supervised practice, depending on the license
4 type, after completion of a master's or doctorate degree, yet the need for
5 assistance with repaying student loans is often greatest during this
6 supervised practice period since salary earnings are lower;

7 (g) While the current program requirements are well suited for
8 providing greater access to primary and psychiatric care, they do not
9 address the increasing demand for behavioral health care services to treat
10 other mental health or substance use disorders and the financial burdens
11 faced by candidates for licensure who are progressing to licensure but are
12 not eligible for loan repayment and are often working at an entry-level
13 salary;

14 (h) Moreover, the federal guidelines for determining a health
15 professional shortage area do not adequately measure the shortage of
16 other mental health or substance use disorder professionals in areas of the
17 state experiencing an increased need for behavioral health care services;

18 (i) In order to expand access to behavioral health care providers
19 and behavioral health care services in areas of the state where the need for
20 behavioral health care is great and the access to care is limited, it is
21 important to:

22 (I) Allow behavioral health care providers and candidates for
23 licensure as a behavioral health care provider to participate in the loan
24 repayment program through the Colorado health service corps to provide
25 incentives to those providers and candidates to deliver behavioral health
26 care services in health professional shortage areas in the state and to ease
27 the financial burdens they face when practicing in health professional

1 shortage areas;

2 (II) Establish a scholarship program to provide financial
3 assistance to addiction counselors seeking initial or a higher level of
4 certification to defray education and training costs in exchange for a
5 commitment to provide behavioral health care services in health
6 professional shortage areas;

7 (III) Allow the primary care office, under guidelines adopted by
8 the state board of health, to designate health professional shortage areas
9 in the state using state-specific guidelines rather than federal guidelines;

10 (IV) Add representatives of substance use disorder service
11 providers to the advisory council that reviews and makes
12 recommendations on loan repayment applications; and

13 (V) Dedicate an amount of money from the marijuana tax cash
14 fund to provide loan repayment to behavioral health care providers and
15 candidates for licensure and scholarships to addiction counselors in order
16 to expand access to behavioral health care services to individuals
17 suffering from a mental health or substance use disorder.

18 (2) The general assembly further finds that expanding access to
19 the health care professional loan repayment program to behavioral health
20 care providers will expand access to behavioral health care services and
21 treatment for people with mental health or substance use disorders, and
22 therefore, the use of retail marijuana tax revenues to fund loan
23 repayments for behavioral health care providers under the Colorado
24 health service corps program is authorized under section 39-28.8-501
25 (2)(b)(IV)(C).

26 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-402, **add** (11)
27 as follows:

1 **25-1.5-402. Definitions.** As used in this part 4, unless the context
2 otherwise requires:

3 (11) "STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE
4 AREA" MEANS AN AREA OF THE STATE DESIGNATED BY THE PRIMARY CARE
5 OFFICE, IN ACCORDANCE WITH STATE-SPECIFIC METHODOLOGIES
6 ESTABLISHED BY THE STATE BOARD BY RULE PURSUANT TO SECTION
7 25-1.5-404 (1)(a), AS EXPERIENCING A SHORTAGE OF HEALTH CARE
8 PROFESSIONALS OR BEHAVIORAL HEALTH CARE PROVIDERS.

9 **SECTION 3.** In Colorado Revised Statutes, 25-1.5-404, **amend**
10 (1)(a) as follows:

11 **25-1.5-404. Primary care office - powers and duties - rules.**

12 (1) The primary care office has, at a minimum, the following powers and
13 duties:

14 (a) To assess the health care AND BEHAVIORAL HEALTH CARE
15 professional needs of areas throughout the state IN COORDINATION WITH
16 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND CREATE
17 AND ADMINISTER STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE
18 AREAS IN ACCORDANCE WITH STATE BOARD RULES ADOPTED UNDER THIS
19 SUBSECTION (1)(a) ESTABLISHING STATE-SPECIFIC METHODOLOGIES FOR
20 DESIGNATING AREAS EXPERIENCING A SHORTAGE OF HEALTH CARE
21 PROFESSIONALS OR BEHAVIORAL HEALTH CARE PROVIDERS;

22 **SECTION 4.** In Colorado Revised Statutes, **amend** 25-1.5-501
23 as follows:

24 **25-1.5-501. Legislative declaration.** (1) The general assembly
25 hereby finds that there are areas of Colorado that suffer from a lack of
26 health care professionals OR BEHAVIORAL HEALTH CARE PROVIDERS to
27 serve, and a lack of nursing or other health care professional faculty to

1 train health care professionals to meet, the medical AND BEHAVIORAL
2 HEALTH CARE needs of communities. The general assembly further finds
3 that the state needs to implement incentives to encourage health care
4 professionals AND BEHAVIORAL HEALTH CARE PROVIDERS to practice in
5 these underserved areas and to encourage nursing faculty and other health
6 care professional faculty to teach ~~these~~ health care professionals.

7 (2) It is therefore the intent of the general assembly in enacting
8 this part 5 to create a state health service corps program that uses state
9 ~~moneys~~ MONEY, federal ~~moneys~~ MONEY, when permissible, and
10 contributions from communities and private sources to help repay the
11 outstanding education loans that many health care professionals,
12 BEHAVIORAL HEALTH CARE PROVIDERS, CANDIDATES FOR LICENSURE,
13 nursing faculty, and health care professional faculty hold. In exchange for
14 repayment of loans incurred for the purpose of obtaining education in
15 their chosen health care AND BEHAVIORAL HEALTH CARE professions, the
16 health care professionals, BEHAVIORAL HEALTH CARE PROVIDERS, AND
17 CANDIDATES FOR LICENSURE will commit to provide health care OR
18 BEHAVIORAL HEALTH CARE services, AS APPLICABLE, in communities with
19 underserved health care OR BEHAVIORAL HEALTH CARE needs throughout
20 the state, and the nursing and health care professional faculty will commit
21 to providing a specified period of service in a qualified faculty position.

22 (3) IN ADDITION, FOR PURPOSES OF INCREASING THE AVAILABILITY
23 OF CERTIFIED ADDICTION COUNSELORS, IT IS THE INTENT OF THE GENERAL
24 ASSEMBLY TO CREATE A SCHOLARSHIP PROGRAM TO PROVIDE
25 SCHOLARSHIPS TO ADDICTION COUNSELORS WHO, IN EXCHANGE FOR
26 RECEIVING SCHOLARSHIPS TO ASSIST THEM IN OBTAINING THE REQUIRED
27 EDUCATION AND TRAINING TO BE CERTIFIED AS AN ADDICTION

1 COUNSELOR, COMMIT TO PRACTICE IN A HEALTH PROFESSIONAL SHORTAGE
2 AREA FOR A SPECIFIED PERIOD.

3 **SECTION 5.** In Colorado Revised Statutes, 25-1.5-502, **add**
4 (1.3), (1.5), (1.7), (6.5), (12), (13), and (14) as follows:

5 **25-1.5-502. Definitions.** As used in this part 5, unless the context
6 otherwise requires:

7 (1.3) "BEHAVIORAL HEALTH CARE PROVIDER" MEANS THE
8 FOLLOWING PROVIDERS WHO PROVIDE BEHAVIORAL HEALTH CARE
9 SERVICES WITHIN THEIR SCOPE OF PRACTICE:

- 10 (a) A LICENSED ADDICTION COUNSELOR;
- 11 (b) A CERTIFIED ADDICTION COUNSELOR;
- 12 (c) A LICENSED PROFESSIONAL COUNSELOR;
- 13 (d) A LICENSED CLINICAL SOCIAL WORKER;
- 14 (e) A LICENSED MARRIAGE AND FAMILY THERAPIST;
- 15 (f) A CLINICAL PSYCHOLOGIST;
- 16 (g) AN ADVANCED PRACTICE NURSE WITH SPECIFIC TRAINING IN
17 SUBSTANCE USE DISORDERS, PAIN MANAGEMENT, OR PSYCHIATRIC
18 NURSING; OR

19 (h) A PHYSICIAN WITH SPECIFIC BOARD CERTIFICATION OR
20 TRAINING IN ADDICTION MEDICINE, PAIN MANAGEMENT, OR PSYCHIATRY.

21 (1.5) "BEHAVIORAL HEALTH CARE SERVICES" MEANS SERVICES FOR
22 THE PREVENTION, DIAGNOSIS, AND TREATMENT OF, AND THE RECOVERY
23 FROM, MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

24 (1.7) "CANDIDATE FOR LICENSURE" MEANS A PERSON WHO:

- 25 (a) IS A CANDIDATE FOR A LICENSE AS A PSYCHOLOGIST, CLINICAL
26 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, LICENSED
27 PROFESSIONAL COUNSELOR, OR ADDICTION COUNSELOR;

1 (b) HAS COMPLETED A MASTER'S DEGREE OR, FOR A PSYCHOLOGIST
2 LICENSURE CANDIDATE, HAS COMPLETED A DOCTORAL DEGREE;

3 (c) HAS NOT YET COMPLETED THE SUPERVISED EXPERIENCE HOURS
4 REQUIRED FOR LICENSURE PURSUANT TO SECTION 12-43-304 (1)(d),
5 12-43-404 (2)(c), 12-43-504 (1)(d), 12-43-603 (1)(d), OR 12-43-804
6 (1)(g), AS APPLICABLE; AND

7 (d) IS OR WILL BE PROVIDING BEHAVIORAL HEALTH CARE
8 SERVICES.

9 (6.5) "HEALTH PROFESSIONAL SHORTAGE AREA" MEANS A
10 FEDERALLY DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREA OR A
11 STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREA.

12 (12) "SCHOLARSHIP PROGRAM" MEANS THE SCHOLARSHIP
13 PROGRAM FOR ADDICTION COUNSELORS CREATED IN SECTION
14 25-1.5-503.5.

15 (13) "STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE
16 AREA" MEANS AN AREA OF THE STATE DESIGNATED BY THE PRIMARY CARE
17 OFFICE, IN ACCORDANCE WITH STATE-SPECIFIC METHODOLOGIES
18 ESTABLISHED BY THE STATE BOARD BY RULE PURSUANT TO SECTION
19 25-1.5-404 (1)(a), AS EXPERIENCING A SHORTAGE OF HEALTH CARE
20 PROFESSIONALS OR BEHAVIORAL HEALTH CARE PROVIDERS.

21 (14) "UNDERSERVED POPULATION" MEANS ANY OF THE
22 FOLLOWING:

23 (a) INDIVIDUALS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER
24 ARTICLES 4 TO 6 OF TITLE 25.5;

25 (b) INDIVIDUALS WHO ARE PROVIDED SERVICES BY A BEHAVIORAL
26 HEALTH CARE PROVIDER AND ARE EITHER CHARGED FEES ON A SLIDING
27 SCALE BASED UPON INCOME OR ARE SERVED WITHOUT CHARGE.

1 **SECTION 6.** In Colorado Revised Statutes, 25-1.5-503, **amend**
2 (1), (2), (5), and (6) as follows:

3 **25-1.5-503. Colorado health service corps - program - creation**
4 **- conditions - rules.** (1) (a) (I) ~~Beginning July 1, 2009,~~ The primary care
5 office shall maintain and administer, subject to available appropriations,
6 the Colorado health service corps. Subject to available appropriations, the
7 Colorado health service corps shall provide loan repayment for certain
8 eligible:

9 (A) Health care professionals who provide primary health
10 services; ~~Beginning July 1, 2011, the Colorado health service corps shall~~
11 ~~also provide loan repayment for certain eligible~~

12 (B) Nursing faculty or health care professional faculty members
13 in qualified faculty positions; AND

14 (C) BEHAVIORAL HEALTH CARE PROVIDERS AND CANDIDATES FOR
15 LICENSURE WHO PROVIDE BEHAVIORAL HEALTH CARE SERVICES.

16 (II) Under the Colorado health service corps, subject to the
17 limitations specified in subsection (2) of this section, upon entering into
18 a loan contract the state may either:

19 (A) Make payments on the education loans of the health care
20 professional, BEHAVIORAL HEALTH CARE PROVIDER, CANDIDATE FOR
21 LICENSURE, nursing faculty member, or health care professional faculty
22 member; or

23 (B) Agree to make an advance payment in a lump sum of all or
24 part of the principal, interest, and related expenses of the education loans
25 of health care professionals, BEHAVIORAL HEALTH CARE PROVIDERS,
26 CANDIDATES FOR LICENSURE, nursing faculty members, or health care
27 professional faculty members, subject to the limitations specified in

1 subsection (2) of this section.

2 (III) (A) In consideration for receiving repayment of all or part of
3 his or her education loan, the health care professional shall agree to
4 provide primary health services in ~~federally designated~~ health
5 professional shortage areas in Colorado.

6 (B) IN CONSIDERATION FOR RECEIVING REPAYMENT OF ALL OR
7 PART OF HIS OR HER EDUCATION LOAN, THE BEHAVIORAL HEALTH CARE
8 PROVIDER OR CANDIDATE FOR LICENSURE SHALL AGREE TO PROVIDE
9 BEHAVIORAL HEALTH CARE SERVICES IN HEALTH PROFESSIONAL SHORTAGE
10 AREAS IN COLORADO.

11 (IV) In consideration for receiving repayment of all or part of his
12 or her education loan, the nursing or other health care professional faculty
13 member must agree to serve two or more consecutive academic years in
14 a qualified faculty position.

15 (b) Repayment of loans under the Colorado health service corps
16 may be made using ~~moneys~~ MONEY in the Colorado health service corps
17 fund. The primary care office is authorized to receive and expend gifts,
18 grants, and donations or ~~moneys~~ MONEY appropriated by the general
19 assembly for the purpose of implementing the Colorado health service
20 corps. In administering the Colorado health service corps, the primary
21 care office shall collaborate with appropriate partners as needed to
22 maximize the federal ~~moneys~~ MONEY available to the state for state loan
23 repayment programs through the federal department of health and human
24 services. The selection of health care professionals, BEHAVIORAL HEALTH
25 CARE PROVIDERS, CANDIDATES FOR LICENSURE, nursing faculty members,
26 and health care professional faculty members for participation in the
27 Colorado health service corps is exempt from the competitive bidding

1 requirements of the "Procurement Code", articles 101 to 112 of title 24.

2 ~~C.R.S.~~

3 (c) THE FOLLOWING PROVIDERS ARE NOT ELIGIBLE FOR LOAN
4 REPAYMENT THROUGH THE COLORADO HEALTH SERVICE CORPS:

5 ~~(e)~~ (I) Health care professionals WHO ARE NOT practicing in
6 ~~nonprimary~~ PRIMARY care specialties or providing ~~nonprimary~~ PRIMARY
7 health services; ~~are not eligible for loan repayments through the Colorado~~
8 ~~health service corps~~ AND

9 (II) BEHAVIORAL HEALTH CARE PROVIDERS AND CANDIDATES FOR
10 LICENSURE WHO ARE NOT PROVIDING BEHAVIORAL HEALTH CARE
11 SERVICES.

12 (d) (I) As a condition of receiving a loan repayment through the
13 Colorado health service corps, a health care professional OR BEHAVIORAL
14 HEALTH CARE PROVIDER must enter into a contract pursuant to which the
15 health care professional OR BEHAVIORAL HEALTH CARE PROVIDER agrees
16 to practice for at least two years in a community that is located in a
17 ~~federally designated~~ health professional shortage area. The health care
18 professional OR BEHAVIORAL HEALTH CARE PROVIDER, AS APPLICABLE, the
19 primary care office, and the community employer with which the health
20 care professional OR BEHAVIORAL HEALTH CARE PROVIDER is practicing
21 must be parties to the contract.

22 (II) As a condition of receiving a loan repayment through the
23 Colorado health service corps, a nursing faculty or health care
24 professional faculty member must enter into a contract pursuant to which
25 he or she agrees to serve at least two consecutive academic years or their
26 equivalent in a qualified faculty position. The nursing faculty or health
27 care professional faculty member, the primary care office, and the

1 educational institution where the qualified faculty position is located must
2 be parties to the contract.

3 (III) AS A CONDITION OF RECEIVING A LOAN REPAYMENT THROUGH
4 THE COLORADO HEALTH SERVICE CORPS, A CANDIDATE FOR LICENSURE
5 MUST ENTER INTO A CONTRACT PURSUANT TO WHICH THE CANDIDATE FOR
6 LICENSURE AGREES TO PRACTICE FOR AT LEAST TWO YEARS AFTER
7 OBTAINING THE LICENSE, PLUS AN ADDITIONAL AMOUNT OF TIME
8 EQUIVALENT TO THE TIME SPENT OBTAINING THE SUPERVISED EXPERIENCE
9 HOURS REQUIRED FOR LICENSURE WHILE PARTICIPATING IN THE PROGRAM,
10 IN A COMMUNITY THAT IS LOCATED IN A HEALTH PROFESSIONAL SHORTAGE
11 AREA. THE CANDIDATE FOR LICENSURE, THE PRIMARY CARE OFFICE, AND
12 THE COMMUNITY EMPLOYER WITH WHICH THE CANDIDATE FOR LICENSURE
13 IS PRACTICING MUST BE PARTIES TO THE CONTRACT.

14 (2) Subject to available appropriations, the primary care office
15 shall annually select health care professionals, BEHAVIORAL HEALTH CARE
16 PROVIDERS, CANDIDATES FOR LICENSURE, nursing faculty members, and
17 health care professional members from the list provided by the advisory
18 council pursuant to ~~section 25-1.5-504 (6)~~ SECTION 25-1.5-504 (5)(a) to
19 participate in the Colorado health service corps.

20 (5) (a) A health care professional participating in the Colorado
21 health service corps shall not practice with a for-profit private group or
22 solo practice or at a proprietary hospital or clinic.

23 (b) FOR A BEHAVIORAL HEALTH CARE PROVIDER OR CANDIDATE
24 FOR LICENSURE APPLYING TO PARTICIPATE IN THE COLORADO HEALTH
25 SERVICE CORPS, THE ADVISORY COUNCIL SHALL PRIORITIZE BEHAVIORAL
26 HEALTH CARE PROVIDERS AND CANDIDATES FOR LICENSURE WHO ARE
27 PRACTICING WITH A NONPROFIT OR PUBLIC EMPLOYER. THE ADVISORY

1 COUNCIL MAY ALSO CONSIDER FOR PARTICIPATION IN THE COLORADO
2 HEALTH SERVICE CORPS BEHAVIORAL HEALTH CARE PROVIDERS AND
3 CANDIDATES FOR LICENSURE WHO ARE PRACTICING WITH A FOR-PROFIT
4 EMPLOYER, SUCH AS A PRIVATE PRACTICE OR OTHER SITE, THAT PROVIDES
5 SERVICES TO AN UNDERSERVED POPULATION.

6 (6) A contract for loan repayment entered into pursuant to this part
7 5 must not include terms that are more favorable to health care
8 professionals, BEHAVIORAL HEALTH CARE PROVIDERS, OR CANDIDATES
9 FOR LICENSURE than the most favorable terms that the secretary of the
10 federal department of health and human services is authorized to grant
11 under the national health services corps program. In addition, each
12 contract must include penalties for breach of contract that are at least as
13 stringent as those available to the secretary of the federal department of
14 health and human services. In the event of a breach of contract for a loan
15 repayment entered into pursuant to this part 5, the primary care office
16 shall enforce the contract and collect any damages or other penalties
17 owed.

18 **SECTION 7.** In Colorado Revised Statutes, **add** 25-1.5-503.5 as
19 follows:

20 **25-1.5-503.5. Scholarship program for addiction counselors -**
21 **creation - eligibility - conditions - rules.** (1) BEGINNING IN THE 2018-19
22 STATE FISCAL YEAR, THE PRIMARY CARE OFFICE SHALL MAINTAIN AND
23 ADMINISTER A SCHOLARSHIP PROGRAM TO ASSIST IN INCREASING THE
24 POPULATION OF CERTIFIED ADDICTION COUNSELORS PROVIDING
25 BEHAVIORAL HEALTH CARE SERVICES IN HEALTH PROFESSIONAL SHORTAGE
26 AREAS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE PRIMARY CARE
27 OFFICE SHALL AWARD SCHOLARSHIPS TO HELP DEFRAID THE EDUCATION

1 AND TRAINING COSTS ASSOCIATED WITH OBTAINING CERTIFICATION AS AN
2 ADDICTION COUNSELOR OR WITH PROGRESSING TO A HIGHER LEVEL OF
3 CERTIFICATION FOR APPLICANTS WHO AGREE TO PRACTICE IN A HEALTH
4 PROFESSIONAL SHORTAGE AREA FOR A SPECIFIED PERIOD.

5 (2) UNDER THE SCHOLARSHIP PROGRAM, SUBJECT TO THE
6 LIMITATIONS SPECIFIED IN THIS SECTION, UPON ENTERING INTO A
7 SCHOLARSHIP CONTRACT, THE STATE MAY PAY UP TO THE FULL COST OF
8 EDUCATIONAL MATERIALS AND DIRECT EXPENSES ASSOCIATED WITH
9 EDUCATION AND TRAINING REQUIRED FOR CERTIFICATION AS AN
10 ADDICTION COUNSELOR OR FOR PROGRESSING TO A HIGHER LEVEL OF
11 ADDICTION COUNSELOR CERTIFICATION, WHICH AMOUNT SHALL BE PAID TO
12 THE ACADEMIC INSTITUTION OR STATE-APPROVED TRAINER WHERE THE
13 ADDICTION COUNSELOR STUDENT IS ENROLLED OR PARTICIPATING.

14 (3) AS A CONDITION OF RECEIVING A SCHOLARSHIP AWARD TO
15 ASSIST WITH OBTAINING CERTIFICATION OR A HIGHER LEVEL OF
16 CERTIFICATION, AN APPLICANT MUST ENTER INTO A CONTRACT WITH THE
17 PRIMARY CARE OFFICE PURSUANT TO WHICH HE OR SHE AGREES TO SERVE
18 AT LEAST SIX CONSECUTIVE MONTHS IN A COMMUNITY THAT IS LOCATED
19 IN A HEALTH PROFESSIONAL SHORTAGE AREA.

20 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE PRIMARY CARE
21 OFFICE SHALL ANNUALLY SELECT APPLICANTS FROM THE LIST PROVIDED
22 BY THE ADVISORY COUNCIL PURSUANT TO SECTION 25-1.5-504 (5)(b) FOR
23 SCHOLARSHIP AWARDS UNDER THIS SECTION.

24 (5) FOR PURPOSES OF RECOMMENDING SCHOLARSHIP AWARDS, THE
25 ADVISORY COUNCIL SHALL PRIORITIZE ADDICTION COUNSELORS WHO ARE
26 PRACTICING WITH A NONPROFIT OR PUBLIC EMPLOYER. THE ADVISORY
27 COUNCIL MAY ALSO CONSIDER FOR PARTICIPATION IN THE SCHOLARSHIP

1 PROGRAM ADDICTION COUNSELORS WHO ARE PRACTICING WITH A
2 FOR-PROFIT EMPLOYER, SUCH AS A PRIVATE PRACTICE OR OTHER SITE,
3 THAT PROVIDES SERVICES TO AN UNDERSERVED POPULATION.

4 (6) IN THE EVENT OF A BREACH OF CONTRACT FOR A SCHOLARSHIP
5 ENTERED INTO UNDER THIS SECTION, THE PRIMARY CARE OFFICE SHALL
6 ENFORCE THE CONTRACT AND COLLECT ANY DAMAGES OR OTHER
7 PENALTIES OWED.

8 **SECTION 8.** In Colorado Revised Statutes, 25-1.5-504, **amend**
9 (1), (2) introductory portion, (2)(l), and (5); and **add** (2)(n) and (2)(o) as
10 follows:

11 **25-1.5-504. Colorado health service corps advisory council -**
12 **creation - membership - duties.** (1) There is hereby created in the
13 primary care office the Colorado health service corps advisory council to
14 review applications for participation in the Colorado health service corps
15 AND FOR SCHOLARSHIPS UNDER SECTION 25-1.5-503.5 and TO make
16 recommendations to the primary care office pursuant to section
17 25-1.5-503 (2) AND 25-1.5-503.5 (4).

18 (2) The advisory council consists of ~~thirteen~~ FIFTEEN members
19 appointed by the governor as provided in this subsection (2). In
20 appointing members of the advisory council, the governor shall ensure
21 that the advisory council includes at least one representative from each of
22 the following organizations:

23 (l) A physician who is a faculty member of a medical school in
24 Colorado; ~~and~~

25 (n) A MEMBERSHIP ORGANIZATION REPRESENTING SUBSTANCE USE
26 DISORDER SERVICE PROVIDERS; AND

27 (o) A LICENSED OR CERTIFIED ADDICTION COUNSELOR WHO HAS

1 EXPERIENCE IN RURAL HEALTH, SAFETY NET CLINICS, OR HEALTH EQUITY.

2 (5) (a) The advisory council shall review applications received
3 from health care professionals, BEHAVIORAL HEALTH CARE PROVIDERS,
4 CANDIDATES FOR LICENSURE, nursing faculty members, and health care
5 professional faculty members to participate in the Colorado health service
6 corps. Subject to available appropriations and federal requirements
7 concerning eligibility for federal loan repayment matching funds, the
8 advisory council shall annually select health care professionals,
9 BEHAVIORAL HEALTH CARE PROVIDERS, CANDIDATES FOR LICENSURE,
10 nursing faculty members, and health care professional faculty members
11 to participate in the Colorado health service corps and shall forward its
12 list of selected participants to the primary care office.

13 (b) THE ADVISORY COUNCIL SHALL REVIEW APPLICATIONS
14 RECEIVED FOR PARTICIPATION IN THE SCHOLARSHIP PROGRAM. SUBJECT TO
15 AVAILABLE APPROPRIATIONS, THE ADVISORY COUNCIL SHALL ANNUALLY
16 SELECT ADDICTION COUNSELORS TO PARTICIPATE IN THE SCHOLARSHIP
17 PROGRAM AND SHALL FORWARD ITS LIST OF SELECTED PARTICIPANTS TO
18 THE PRIMARY CARE OFFICE.

19 **SECTION 9.** In Colorado Revised Statutes, **amend 25-1.5-505**
20 as follows:

21 **25-1.5-505. Advisory council - report.** (1) On or before
22 December 1, 2011, and on or before December 1 every two years
23 thereafter, THE PRIMARY CARE OFFICE, WITH ASSISTANCE FROM the
24 advisory council, shall submit to the governor, the health and human
25 services committee of the senate, ~~and~~ the COMMITTEES ON health,
26 INSURANCE, and environment ~~committee~~ AND ON PUBLIC HEALTH CARE
27 AND HUMAN SERVICES of the house of representatives, or any successor

1 committees, a report that includes, at a minimum, the following
2 information:

3 ~~(a) Identification and a summary of successful loan forgiveness~~
4 ~~programs for health care professionals and best practices in health care~~
5 ~~professional loan forgiveness programs across the country~~ A DESCRIPTION
6 OF THE HEALTH CARE PROFESSIONALS, BEHAVIORAL HEALTH CARE
7 PROVIDERS, CANDIDATES FOR LICENSURE, NURSING FACULTY MEMBERS,
8 AND HEALTH CARE PROFESSIONAL FACULTY MEMBERS PARTICIPATING IN
9 THE COLORADO HEALTH SERVICE CORPS PROGRAM AND THE SCHOLARSHIP
10 PROGRAM;

11 (b) A description of the programmatic goals of the Colorado
12 health service corps AND THE SCHOLARSHIP PROGRAM, including the
13 present status of and any barriers to meeting those goals;

14 (c) Existing efforts and potential future projects to overcome any
15 barriers to meeting the programmatic goals of the Colorado health service
16 corps AND THE SCHOLARSHIP PROGRAM;

17 (d) An analysis of the ~~impact~~ EFFECTS of the Colorado health
18 service corps program AND THE SCHOLARSHIP PROGRAM ON ADDRESSING
19 THE HEALTH CARE AND BEHAVIORAL HEALTH CARE NEEDS OF
20 COMMUNITIES IN COLORADO;

21 ~~(e) If applicable, results of any surveys conducted of state health~~
22 ~~professional incentive programs in primary care and any~~
23 ~~recommendations to individually enhance, improve coordination among,~~
24 ~~and potentially consolidate existing or potential programs to better~~
25 ~~address Colorado's primary care workforce issues~~ A SUMMARY OF ANY
26 ASSESSMENT OR EVALUATION OF PROGRAM PERFORMANCE CONDUCTED
27 DURING THE YEAR; and

1 (f) ~~The number of~~ A DESCRIPTION OF THE nursing faculty or other
2 health care professional faculty members ~~who receive moneys from~~
3 PARTICIPATING IN the Colorado health service corps and the ~~number of~~
4 educational institutions where the ~~recipients~~ PARTICIPANTS teach.

5 (2) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
6 SHALL INCLUDE THE REPORT REQUIRED BY THIS SECTION AS PART OF ITS
7 "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
8 TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY
9 SECTION 2-7-203.

10 (3) THE REPORTING REQUIREMENT IN THIS SECTION IS NOT SUBJECT
11 TO SECTION 24-1-136 (11)(a)(I).

12 **SECTION 10.** In Colorado Revised Statutes, **amend 25-1.5-506**
13 as follows:

14 **25-1.5-506. Colorado health service corps fund - created -**
15 **acceptance of grants and donations - annual appropriation from**
16 **marijuana tax cash fund.** (1) The Colorado health service corps fund
17 is hereby created in the state treasury, which fund consists of:

18 (a) All general fund ~~moneys~~ MONEY appropriated by the general
19 assembly for the Colorado health service corps, the first five hundred
20 thousand dollars of which shall be used solely for loan repayments for
21 nursing faculty;

22 (b) Damages and penalties collected from breach of contract
23 actions for loan repayment contracts; and

24 (c) For the 2016-17 fiscal year and each fiscal year thereafter,
25 tobacco litigation settlement ~~moneys~~ MONEY transferred to the fund by the
26 state treasurer pursuant to section 24-75-1104.5 (1.7)(n). ~~C.R.S.~~

27 (2) (a) The ~~moneys~~ MONEY in the fund, other than the ~~moneys~~

1 MONEY described in ~~paragraph (c) of subsection (1)~~ SUBSECTION (1)(c) of
2 this section, ~~are~~ IS hereby continuously appropriated to the primary care
3 office for the Colorado health service corps. Any ~~moneys~~ MONEY in the
4 fund not expended for the purpose of this part 5 may be invested by the
5 state treasurer as provided by law. All interest and income derived from
6 the investment and deposit of ~~moneys~~ MONEY in the fund shall be credited
7 to the fund. Any unexpended and unencumbered ~~moneys~~ MONEY
8 remaining in the fund at the end of a fiscal year ~~remain~~ REMAINS in the
9 fund and shall not be credited or transferred to the general fund or another
10 fund.

11 (b) The ~~moneys~~ MONEY described in ~~paragraph (c) of subsection~~
12 ~~(1)~~ SUBSECTION (1)(c) of this section ~~are~~ IS subject to annual
13 appropriation by the general assembly to the primary care office for the
14 Colorado health service corps.

15 (3) The primary care office is authorized to receive contributions,
16 grants, and services from public and private sources, AND TO EXPEND
17 PUBLIC OR PRIVATE CONTRIBUTIONS AND GRANTS, to carry out the
18 purposes of this part 5.

19 (4) (a) FOR THE 2018-19 FISCAL YEAR AND EACH FISCAL YEAR
20 THEREAFTER, THE GENERAL ASSEMBLY SHALL APPROPRIATE TWO MILLION
21 FIVE HUNDRED THOUSAND DOLLARS FROM THE MARIJUANA TAX CASH
22 FUND CREATED IN SECTION 39-28.8-501 TO THE PRIMARY CARE OFFICE TO:

23 (I) PROVIDE LOAN REPAYMENT FOR BEHAVIORAL HEALTH CARE
24 PROVIDERS AND CANDIDATES FOR LICENSURE PARTICIPATING IN THE
25 COLORADO HEALTH SERVICE CORPS; AND

26 (II) AWARD SCHOLARSHIPS TO ADDICTION COUNSELORS
27 PARTICIPATING IN THE SCHOLARSHIP PROGRAM.

1 (b) SINCE BEHAVIORAL HEALTH CARE PROVIDERS, CANDIDATES
2 FOR LICENSURE, AND ADDICTION COUNSELORS PROVIDE BEHAVIORAL
3 HEALTH CARE SERVICES AND TREATMENT TO PEOPLE WITH SUBSTANCE USE
4 OR MENTAL HEALTH DISORDERS, USE OF MONEY IN THE MARIJUANA TAX
5 CASH FUND IS PERMITTED UNDER SECTION 39-28.8-501 (2)(b)(IV)(C).

6 **SECTION 11. Effective date.** This act takes effect July 1, 2018.

7 **SECTION 12. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.