

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

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
Appropriations

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, AND, IN CONNECTION**
106 **THEREWITH, MAKING AN APPROPRIATION.**

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

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.

SENATE
Amended 2nd Reading
April 16, 2018

Committee. The bill modifies the Colorado health service corps program 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 AND CREATE AND
16 ADMINISTER STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREAS
17 IN ACCORDANCE WITH STATE BOARD RULES ADOPTED UNDER THIS
18 SUBSECTION (1)(a) ESTABLISHING STATE-SPECIFIC METHODOLOGIES FOR
19 DESIGNATING AREAS EXPERIENCING A SHORTAGE OF HEALTH CARE
20 PROFESSIONALS OR BEHAVIORAL HEALTH CARE PROVIDERS. THE PRIMARY
21 CARE OFFICE SHALL COORDINATE WITH THE DEPARTMENT OF HEALTH CARE
22 POLICY AND FINANCING IN DEVELOPING THE HEALTH PROFESSIONAL
23 SHORTAGE AREA DESIGNATION METHODOLOGIES AND IN DRAFTING RULES
24 UNDER THIS SUBSECTION (1)(a).

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

27 **25-1.5-501. Legislative declaration.** (1) The general assembly

1 hereby finds that there are areas of Colorado that suffer from a lack of
2 health care professionals OR BEHAVIORAL HEALTH CARE PROVIDERS to
3 serve, and a lack of nursing or other health care professional faculty to
4 train health care professionals to meet, the medical AND BEHAVIORAL
5 HEALTH CARE needs of communities. The general assembly further finds
6 that the state needs to implement incentives to encourage health care
7 professionals AND BEHAVIORAL HEALTH CARE PROVIDERS to practice in
8 these underserved areas and to encourage nursing faculty and other health
9 care professional faculty to teach ~~these~~ health care professionals.

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

25 (3) IN ADDITION, FOR PURPOSES OF INCREASING THE AVAILABILITY
26 OF CERTIFIED ADDICTION COUNSELORS, IT IS THE INTENT OF THE GENERAL
27 ASSEMBLY TO CREATE A SCHOLARSHIP PROGRAM TO PROVIDE

1 SCHOLARSHIPS TO ADDICTION COUNSELORS WHO, IN EXCHANGE FOR
2 RECEIVING SCHOLARSHIPS TO ASSIST THEM IN OBTAINING THE REQUIRED
3 EDUCATION AND TRAINING TO BE CERTIFIED AS AN ADDICTION
4 COUNSELOR, COMMIT TO PRACTICE IN A HEALTH PROFESSIONAL SHORTAGE
5 AREA FOR A SPECIFIED PERIOD.

6 **SECTION 5.** In Colorado Revised Statutes, 25-1.5-502, **add**
7 (1.3), (1.5), (1.7), (6.5), (12), (13), and (14) as follows:

8 **25-1.5-502. Definitions.** As used in this part 5, unless the context
9 otherwise requires:

10 (1.3) "BEHAVIORAL HEALTH CARE PROVIDER" MEANS THE
11 FOLLOWING PROVIDERS WHO PROVIDE BEHAVIORAL HEALTH CARE
12 SERVICES WITHIN THEIR SCOPE OF PRACTICE:

- 13 (a) A LICENSED ADDICTION COUNSELOR;
- 14 (b) A CERTIFIED ADDICTION COUNSELOR;
- 15 (c) A LICENSED PROFESSIONAL COUNSELOR;
- 16 (d) A LICENSED CLINICAL SOCIAL WORKER;
- 17 (e) A LICENSED MARRIAGE AND FAMILY THERAPIST;
- 18 (f) A LICENSED PSYCHOLOGIST;
- 19 (g) A LICENSED PHYSICIAN ASSISTANT WITH SPECIFIC TRAINING IN
20 SUBSTANCE USE DISORDERS;

21 (h) AN ADVANCED PRACTICE NURSE WITH SPECIFIC TRAINING IN
22 SUBSTANCE USE DISORDERS, PAIN MANAGEMENT, OR PSYCHIATRIC
23 NURSING; OR

24 (i) A PHYSICIAN WITH SPECIFIC BOARD CERTIFICATION OR
25 TRAINING IN ADDICTION MEDICINE, PAIN MANAGEMENT, OR PSYCHIATRY.

26 (1.5) "BEHAVIORAL HEALTH CARE SERVICES" MEANS SERVICES FOR
27 THE PREVENTION, DIAGNOSIS, AND TREATMENT OF, AND THE RECOVERY

1 FROM, MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

2 (1.7) "CANDIDATE FOR LICENSURE" MEANS A PERSON WHO:

3 (a) IS A CANDIDATE FOR A LICENSE AS A LICENSED PSYCHOLOGIST,
4 CLINICAL SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, LICENSED
5 PROFESSIONAL COUNSELOR, OR ADDICTION COUNSELOR;

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

8 (c) HAS NOT YET COMPLETED THE SUPERVISED EXPERIENCE HOURS
9 REQUIRED FOR LICENSURE PURSUANT TO SECTION 12-43-304 (1)(d),
10 12-43-404 (2)(c), 12-43-504 (1)(d), 12-43-603 (1)(d), OR 12-43-804
11 (1)(g), AS APPLICABLE; AND

12 (d) IS OR WILL BE PROVIDING BEHAVIORAL HEALTH CARE
13 SERVICES.

14 (6.5) "HEALTH PROFESSIONAL SHORTAGE AREA" MEANS A
15 FEDERALLY DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREA OR A
16 STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE AREA.

17 (12) "SCHOLARSHIP PROGRAM" MEANS THE SCHOLARSHIP
18 PROGRAM FOR ADDICTION COUNSELORS CREATED IN SECTION
19 25-1.5-503.5.

20 (13) "STATE-DESIGNATED HEALTH PROFESSIONAL SHORTAGE
21 AREA" MEANS AN AREA OF THE STATE DESIGNATED BY THE PRIMARY CARE
22 OFFICE, IN ACCORDANCE WITH STATE-SPECIFIC METHODOLOGIES
23 ESTABLISHED BY THE STATE BOARD BY RULE PURSUANT TO SECTION
24 25-1.5-404 (1)(a), AS EXPERIENCING A SHORTAGE OF HEALTH CARE
25 PROFESSIONALS OR BEHAVIORAL HEALTH CARE PROVIDERS.

26 (14) "UNDERSERVED POPULATION" MEANS ANY OF THE
27 FOLLOWING:

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

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

6 **SECTION 6.** In Colorado Revised Statutes, 25-1.5-503, **amend**
7 (1), (2), (5), and (6) as follows:

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

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

17 (B) Nursing faculty or health care professional faculty members
18 in qualified faculty positions; AND

19 (C) BEHAVIORAL HEALTH CARE PROVIDERS AND CANDIDATES FOR
20 LICENSURE WHO PROVIDE BEHAVIORAL HEALTH CARE SERVICES.

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

24 (A) Make payments on the education loans of the health care
25 professional, BEHAVIORAL HEALTH CARE PROVIDER, CANDIDATE FOR
26 LICENSURE, nursing faculty member, or health care professional faculty
27 member; or

1 (B) Agree to make an advance payment in a lump sum of all or
2 part of the principal, interest, and related expenses of the education loans
3 of health care professionals, BEHAVIORAL HEALTH CARE PROVIDERS,
4 CANDIDATES FOR LICENSURE, nursing faculty members, or health care
5 professional faculty members, subject to the limitations specified in
6 subsection (2) of this section.

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

11 (B) IN CONSIDERATION FOR RECEIVING REPAYMENT OF ALL OR
12 PART OF HIS OR HER EDUCATION LOAN, THE BEHAVIORAL HEALTH CARE
13 PROVIDER OR CANDIDATE FOR LICENSURE SHALL AGREE TO PROVIDE
14 BEHAVIORAL HEALTH CARE SERVICES IN HEALTH PROFESSIONAL SHORTAGE
15 AREAS IN COLORADO.

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

20 (b) Repayment of loans under the Colorado health service corps
21 may be made using ~~moneys~~ MONEY in the Colorado health service corps
22 fund. The primary care office is authorized to receive and expend gifts,
23 grants, and donations or ~~moneys~~ MONEY appropriated by the general
24 assembly for the purpose of implementing the Colorado health service
25 corps. In administering the Colorado health service corps, the primary
26 care office shall collaborate with appropriate partners as needed to
27 maximize the federal ~~moneys~~ MONEY available to the state for state loan

1 repayment programs through the federal department of health and human
2 services. The selection of health care professionals, BEHAVIORAL HEALTH
3 CARE PROVIDERS, CANDIDATES FOR LICENSURE, nursing faculty members,
4 and health care professional faculty members for participation in the
5 Colorado health service corps is exempt from the competitive bidding
6 requirements of the "Procurement Code", articles 101 to 112 of title 24.
7 ~~C.R.S.~~

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

10 ~~(c)~~ (I) Health care professionals WHO ARE NOT practicing in
11 ~~nonprimary~~ PRIMARY care specialties or providing ~~nonprimary~~ PRIMARY
12 health services; ~~are not eligible for loan repayments through the Colorado~~
13 ~~health service corps~~ AND

14 (II) BEHAVIORAL HEALTH CARE PROVIDERS AND CANDIDATES FOR
15 LICENSURE WHO ARE NOT PROVIDING BEHAVIORAL HEALTH CARE
16 SERVICES.

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

27 (II) As a condition of receiving a loan repayment through the

1 Colorado health service corps, a nursing faculty or health care
2 professional faculty member must enter into a contract pursuant to which
3 he or she agrees to serve at least two consecutive academic years or their
4 equivalent in a qualified faculty position. The nursing faculty or health
5 care professional faculty member, the primary care office, and the
6 educational institution where the qualified faculty position is located must
7 be parties to the contract.

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

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

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

1 (b) FOR A BEHAVIORAL HEALTH CARE PROVIDER OR CANDIDATE
2 FOR LICENSURE APPLYING TO PARTICIPATE IN THE COLORADO HEALTH
3 SERVICE CORPS, THE ADVISORY COUNCIL SHALL PRIORITIZE BEHAVIORAL
4 HEALTH CARE PROVIDERS AND CANDIDATES FOR LICENSURE WHO ARE
5 PRACTICING WITH A NONPROFIT OR PUBLIC EMPLOYER. THE ADVISORY
6 COUNCIL MAY ALSO CONSIDER FOR PARTICIPATION IN THE COLORADO
7 HEALTH SERVICE CORPS BEHAVIORAL HEALTH CARE PROVIDERS AND
8 CANDIDATES FOR LICENSURE WHO ARE PRACTICING WITH A FOR-PROFIT
9 EMPLOYER, SUCH AS A PRIVATE PRACTICE OR OTHER SITE, THAT PROVIDES
10 SERVICES TO AN UNDERSERVED POPULATION.

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

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

25 **25-1.5-503.5. Scholarship program for addiction counselors -**
26 **creation - eligibility - conditions - rules.** (1) BEGINNING IN THE 2018-19
27 STATE FISCAL YEAR, THE PRIMARY CARE OFFICE SHALL MAINTAIN AND

1 ADMINISTER A SCHOLARSHIP PROGRAM TO ASSIST IN INCREASING THE
2 POPULATION OF CERTIFIED ADDICTION COUNSELORS PROVIDING
3 BEHAVIORAL HEALTH CARE SERVICES IN HEALTH PROFESSIONAL SHORTAGE
4 AREAS. SUBJECT TO AVAILABLE APPROPRIATIONS, THE PRIMARY CARE
5 OFFICE SHALL AWARD SCHOLARSHIPS TO HELP DEFRAY THE EDUCATION
6 AND TRAINING COSTS ASSOCIATED WITH OBTAINING CERTIFICATION AS AN
7 ADDICTION COUNSELOR OR WITH PROGRESSING TO A HIGHER LEVEL OF
8 CERTIFICATION FOR APPLICANTS WHO AGREE TO PRACTICE IN A HEALTH
9 PROFESSIONAL SHORTAGE AREA FOR A SPECIFIED PERIOD.

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

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

25 (4) SUBJECT TO AVAILABLE APPROPRIATIONS, THE PRIMARY CARE
26 OFFICE SHALL ANNUALLY SELECT APPLICANTS FROM THE LIST PROVIDED
27 BY THE ADVISORY COUNCIL PURSUANT TO SECTION 25-1.5-504 (5)(b) FOR

1 SCHOLARSHIP AWARDS UNDER THIS SECTION.

2 (5) FOR PURPOSES OF RECOMMENDING SCHOLARSHIP AWARDS, THE
3 ADVISORY COUNCIL SHALL PRIORITIZE ADDICTION COUNSELORS WHO ARE
4 PRACTICING WITH A NONPROFIT OR PUBLIC EMPLOYER. THE ADVISORY
5 COUNCIL MAY ALSO CONSIDER FOR PARTICIPATION IN THE SCHOLARSHIP
6 PROGRAM ADDICTION COUNSELORS WHO ARE PRACTICING WITH A
7 FOR-PROFIT EMPLOYER, SUCH AS A PRIVATE PRACTICE OR OTHER SITE,
8 THAT PROVIDES SERVICES TO AN UNDERSERVED POPULATION.

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

13 **SECTION 8.** In Colorado Revised Statutes, 25-1.5-504, **amend**
14 (1), (2) introductory portion, (2)(l), and (5); and **add** (2)(n) and (2)(o) as
15 follows:

16 **25-1.5-504. Colorado health service corps advisory council -**
17 **creation - membership - duties.** (1) There is hereby created in the
18 primary care office the Colorado health service corps advisory council to
19 review applications for participation in the Colorado health service corps
20 AND FOR SCHOLARSHIPS UNDER SECTION 25-1.5-503.5 and TO make
21 recommendations to the primary care office pursuant to section
22 25-1.5-503 (2) AND 25-1.5-503.5 (4).

23 (2) The advisory council consists of ~~thirteen~~ FIFTEEN members
24 appointed by the governor as provided in this subsection (2). In
25 appointing members of the advisory council, the governor shall ensure
26 that the advisory council includes at least one representative from each of
27 the following organizations:

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

3 (n) A MEMBERSHIP ORGANIZATION REPRESENTING SUBSTANCE USE
4 DISORDER SERVICE PROVIDERS; AND

5 (o) A LICENSED OR CERTIFIED ADDICTION COUNSELOR WHO HAS
6 EXPERIENCE IN RURAL HEALTH, SAFETY NET CLINICS, OR HEALTH EQUITY.

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

18 (b) THE ADVISORY COUNCIL SHALL REVIEW APPLICATIONS
19 RECEIVED FOR PARTICIPATION IN THE SCHOLARSHIP PROGRAM. SUBJECT TO
20 AVAILABLE APPROPRIATIONS, THE ADVISORY COUNCIL SHALL ANNUALLY
21 SELECT ADDICTION COUNSELORS TO PARTICIPATE IN THE SCHOLARSHIP
22 PROGRAM AND SHALL FORWARD ITS LIST OF SELECTED PARTICIPANTS TO
23 THE PRIMARY CARE OFFICE.

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

26 **25-1.5-505. Advisory council - report.** (1) On or before
27 December 1, 2011, and on or before December 1 every two years

1 thereafter, THE PRIMARY CARE OFFICE, WITH ASSISTANCE FROM the
2 advisory council, shall submit to the governor, the health and human
3 services committee of the senate, ~~and~~ the COMMITTEES ON health,
4 INSURANCE, and environment ~~committee~~ AND ON PUBLIC HEALTH CARE
5 AND HUMAN SERVICES of the house of representatives, or any successor
6 committees, a report that includes, at a minimum, the following
7 information:

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

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

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

22 (d) An analysis of the ~~impact~~ EFFECTS of the Colorado health
23 service corps program AND THE SCHOLARSHIP PROGRAM ON ADDRESSING
24 THE HEALTH CARE AND BEHAVIORAL HEALTH CARE NEEDS OF
25 COMMUNITIES IN COLORADO;

26 (e) ~~If applicable, results of any surveys conducted of state health~~
27 ~~professional incentive programs in primary care and any~~

1 ~~recommendations to individually enhance, improve coordination among,~~
2 ~~and potentially consolidate existing or potential programs to better~~
3 ~~address Colorado's primary care workforce issues~~ A SUMMARY OF ANY
4 ASSESSMENT OR EVALUATION OF PROGRAM PERFORMANCE CONDUCTED
5 DURING THE YEAR; and

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

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

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

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

19 **25-1.5-506. Colorado health service corps fund - created -**
20 **acceptance of grants and donations - annual appropriation from**
21 **marijuana tax cash fund.** (1) The Colorado health service corps fund
22 is hereby created in the state treasury, which fund consists of:

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

27 (b) Damages and penalties collected from breach of contract

1 actions for loan repayment contracts; and

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

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

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

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

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

1 (I) PROVIDE LOAN REPAYMENT FOR BEHAVIORAL HEALTH CARE
2 PROVIDERS AND CANDIDATES FOR LICENSURE PARTICIPATING IN THE
3 COLORADO HEALTH SERVICE CORPS; AND

4 (II) AWARD SCHOLARSHIPS TO ADDICTION COUNSELORS
5 PARTICIPATING IN THE SCHOLARSHIP PROGRAM.

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

11 **SECTION 11. Appropriation.** For the 2018-19 state fiscal year,
12 \$2,500,000 is appropriated to the department of public health and
13 environment for use by the prevention services division. This
14 appropriation is from the marijuana tax cash fund created in section
15 39-28.8-501 (1), C.R.S., and is based on an assumption that the division
16 will require an additional 2.0 FTE. To implement this act, the division
17 may use this appropriation for the Colorado health service corps in the
18 primary care office.

19 **SECTION 12. Effective date.** This act takes effect July 1, 2018.

20 **SECTION 13. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.