

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 18-0255.01 Kristen Forrestal x4217

**HOUSE BILL 18-1003**

**HOUSE SPONSORSHIP**

**Pettersen, Kennedy, Singer**

**SENATE SPONSORSHIP**

**Priola and Jahn, Aguilar, Lambert, Tate**

**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

State, Veterans, & Military Affairs  
Legislative Council

**A BILL FOR AN ACT**

101 **CONCERNING MEASURES TO PREVENT OPIOID MISUSE IN COLORADO,**  
102 **AND, IN CONNECTION 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 Committee. Section 1** of the bill establishes in statute the opioid and other substance use disorders study committee, consisting of 5 senators and 5 representatives from the general assembly, to:

! Study data and statistics on the scope of the substance use disorder problem in Colorado;

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.

HOUSE  
3rd Reading Unamended  
April 20, 2018

HOUSE  
Amended 2nd Reading  
April 19, 2018



1 **committee - creation - members - purposes.** (1)(a) NOTWITHSTANDING  
2 SECTION 2-3-303.3, THERE IS HEREBY CREATED THE OPIOID AND OTHER  
3 SUBSTANCE USE DISORDERS STUDY COMMITTEE. THE COMMITTEE  
4 CONSISTS OF TEN MEMBERS OF THE GENERAL ASSEMBLY APPOINTED ON OR  
5 BEFORE JUNE 1, 2018, AS FOLLOWS:

6 (I) FIVE MEMBERS OF THE SENATE, WITH THREE MEMBERS  
7 APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO MEMBERS  
8 APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND

9 (II) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, WITH  
10 THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF  
11 REPRESENTATIVES AND TWO MEMBERS APPOINTED BY THE MINORITY  
12 LEADER OF THE HOUSE OF REPRESENTATIVES.

13 (b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL  
14 APPOINT THE CHAIR OF THE COMMITTEE IN EVEN-NUMBERED YEARS AND  
15 THE VICE-CHAIR IN ODD-NUMBERED YEARS, AND THE PRESIDENT OF THE  
16 SENATE SHALL APPOINT THE CHAIR OF THE COMMITTEE IN ODD-NUMBERED  
17 YEARS AND THE VICE-CHAIR IN EVEN-NUMBERED YEARS.

18 (2) THE COMMITTEE SHALL:

19 (a) STUDY DATA, DATA ANALYTICS, AND STATISTICS ON THE SCOPE  
20 OF THE SUBSTANCE USE DISORDER PROBLEM IN COLORADO, INCLUDING  
21 TRENDS IN RATES OF SUBSTANCE ABUSE, TREATMENT ADMISSIONS, AND  
22 DEATHS FROM SUBSTANCE USE;

23 (b) STUDY THE CURRENT PREVENTION, INTERVENTION, HARM  
24 REDUCTION, TREATMENT, AND RECOVERY RESOURCES, INCLUDING  
25 SUBSTANCE ABUSE PREVENTION OUTREACH AND EDUCATION, AVAILABLE  
26 TO COLORADANS, AS WELL AS PUBLIC AND PRIVATE INSURANCE COVERAGE  
27 AND OTHER SOURCES OF SUPPORT FOR TREATMENT AND RECOVERY

1 RESOURCES;

2 (c) REVIEW THE AVAILABILITY OF MEDICATION-ASSISTED  
3 TREATMENT AND WHETHER PHARMACISTS CAN PRESCRIBE THOSE  
4 MEDICATIONS THROUGH THE DEVELOPMENT OF COLLABORATIVE  
5 PHARMACY PRACTICE AGREEMENTS WITH PHYSICIANS;

6 (d) EXAMINE THE MEASURES THAT OTHER STATES AND COUNTRIES  
7 USE TO ADDRESS SUBSTANCE USE DISORDERS, INCLUDING  
8 EVIDENCE-BASED BEST PRACTICES AND THE USE OF EVIDENCE IN  
9 DETERMINING STRATEGIES TO TREAT SUBSTANCE USE DISORDERS, AND  
10 BEST PRACTICES ON THE USE OF PRESCRIPTION DRUG MONITORING  
11 PROGRAMS;

12 (e) IDENTIFY THE GAPS IN PREVENTION, INTERVENTION, HARM  
13 REDUCTION, TREATMENT, AND RECOVERY RESOURCES AVAILABLE TO  
14 COLORADANS AND HURDLES TO ACCESSING THOSE RESOURCES; AND

15 (f) IDENTIFY POSSIBLE LEGISLATIVE OPTIONS TO ADDRESS GAPS  
16 AND HURDLES TO ACCESSING PREVENTION, INTERVENTION, HARM  
17 REDUCTION, TREATMENT, AND RECOVERY RESOURCES.

18 (3) (a) THE COMMITTEE MAY MEET UP TO SIX TIMES PER INTERIM.  
19 THE COMMITTEE MAY RECOMMEND UP TO A TOTAL OF FIVE BILLS DURING  
20 EACH INTERIM. LEGISLATION RECOMMENDED BY THE COMMITTEE MUST BE  
21 TREATED AS LEGISLATION RECOMMENDED BY AN INTERIM COMMITTEE FOR  
22 PURPOSES OF APPLICABLE DEADLINES, BILL INTRODUCTION LIMITS, AND  
23 ANY OTHER REQUIREMENTS IMPOSED BY THE JOINT RULES OF THE GENERAL  
24 ASSEMBLY.

25 (b) NO LATER THAN DECEMBER 1, 2018, AND NO LATER THAN  
26 EACH DECEMBER 1 THEREAFTER, THE COMMITTEE SHALL MAKE A REPORT  
27 TO THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 THAT MAY

1 INCLUDE RECOMMENDATIONS FOR LEGISLATION.

2 (4) (a) MEMBERS OF THE COMMITTEE ARE ENTITLED TO RECEIVE  
3 THE USUAL PER DIEM AND NECESSARY TRAVEL AND SUBSISTENCE  
4 EXPENSES AS PROVIDED PURSUANT TO SECTION 2-2-307 FOR MEMBERS OF  
5 THE GENERAL ASSEMBLY WHO ATTEND INTERIM COMMITTEE MEETINGS.

6 (b) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL  
7 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL  
8 PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

9 **10-22.3-102. Repeal of article.** THIS ARTICLE 22.3 IS REPEALED,  
10 EFFECTIVE JULY 1, 2020.

11 **SECTION 2.** In Colorado Revised Statutes, **add 10-16-124.8** as  
12 follows:

13 **10-16-124.8. Colorado consortium for prescription drug abuse**  
14 **prevention - create process for recovery - report.** (1) THE GOVERNOR  
15 SHALL DIRECT THE COLORADO CONSORTIUM FOR PRESCRIPTION DRUG  
16 ABUSE PREVENTION WITHIN THE UNIVERSITY OF COLORADO TO:

17 (a) CREATE A PROCESS WITH THE SUBSTANCE ABUSE RECOVERY  
18 COMMUNITY TO DEVELOP A STRATEGIC PLAN THAT ADDRESSES THE FULL  
19 CONTINUUM OF RECOVERY SERVICES, INCLUDING DETOXIFICATION  
20 SERVICES AND REINTEGRATION INTO THE COMMUNITY WITH PEER SUPPORT,  
21 FOR INDIVIDUALS WHO EXPERIENCE SUBSTANCE USE DISORDER;

22 (b) DEVELOP A DEFINITION FOR RECOVERY RESIDENCES AND ISSUE  
23 RECOMMENDATIONS REGARDING WHETHER RECOVERY RESIDENCES  
24 SHOULD BE LICENSED; AND

25 (c) REPORT THE RECOMMENDATIONS PURSUANT TO THIS SECTION  
26 TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 2020.

27 (2) MONEY IN THE GENERAL FUND MAY NOT BE USED FOR THE

1 IMPLEMENTATION OF THIS SECTION.

2 **SECTION 3.** In Colorado Revised Statutes, 25-20.5-503, **amend**  
3 (2) as follows:

4 **25-20.5-503. School-based health center grant program -**  
5 **creation - funding - grants - repeal.** (2) (a) Operators of school-based  
6 health centers may apply for grants for the benefit of school-based health  
7 centers. The grant program shall provide grants for school-based health  
8 centers selected by the division. The division, in consultation with  
9 school-based health centers, shall develop criteria under which the grants  
10 are distributed and evaluated. In developing the criteria for grants, the  
11 division shall give priority to centers that serve a disproportionate number  
12 of uninsured children or a low-income population or both and may award  
13 grants to establish new school-based health centers; to expand primary  
14 health services, behavioral health services, INCLUDING EDUCATION,  
15 INTERVENTION, AND PREVENTION SERVICES FOR OPIOID, ALCOHOL, AND  
16 MARIJUANA, AND OTHER SUBSTANCE USE DISORDERS, or oral health  
17 services offered by existing school-based health centers; to expand  
18 enrollment in the children's basic health plan; or to provide support for  
19 ongoing operations of school-based health centers. None of the grants  
20 shall be awarded to provide abortion services in violation of section 50  
21 of article V of the state constitution.

22 (b) (I) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY  
23 SHALL APPROPRIATE SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS  
24 TO THE DEPARTMENT FROM THE MARIJUANA TAX CASH FUND CREATED IN  
25 SECTION 39-28.8-501 FOR THE PURPOSES OF EXPANDING BEHAVIORAL  
26 HEALTH THERAPY, INTERVENTION, AND PREVENTION SERVICES FOR OPIOID,  
27 ALCOHOL, AND MARIJUANA, AND OTHER SUBSTANCE USE DISORDERS

1 PURSUANT TO THIS SUBSECTION (2). THE DEPARTMENT SHALL PRIORITIZE  
2 FUNDING TO SCHOOL-BASED HEALTH CENTERS THAT SERVE COMMUNITIES  
3 WITH HIGH RISK FACTORS FOR SUBSTANCE ABUSE COMBINED WITH LIMITED  
4 ACCESS TO TREATMENT SERVICES ACCORDING TO STATE NEEDS  
5 ASSESSMENTS, COLORADO HEALTH INDICATOR DATA, AND NATIONAL BEST  
6 PRACTICE TRENDS.

7 (II) ANY UNENCUMBERED AND UNEXPENDED MONEY FROM AN  
8 APPROPRIATION MADE PURSUANT TO THIS SUBSECTION (2)(b) REMAINS  
9 AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT IN THE NEXT TWO  
10 FISCAL YEARS WITHOUT FURTHER APPROPRIATION.

11 **SECTION 4.** In Colorado Revised Statutes, **amend 25.5-5-208**  
12 as follows:

13 **25.5-5-208. Additional services - training - grants - screening,**  
14 **brief intervention, and referral - repeal.** (1) ~~On or before June 30,~~  
15 ~~2016, the state department shall grant, through a competitive grant~~  
16 ~~program, up to five hundred thousand dollars to one or more~~  
17 ~~organizations to provide evidence-based training and outreach to health~~  
18 ~~professionals statewide related to screening, brief intervention, and~~  
19 ~~referral to treatment for individuals at risk of substance abuse for whom~~  
20 ~~Colorado provides optional services in accordance with section~~  
21 ~~25.5-5-202 (1)(u). For any fiscal year beginning on or after July 1, 2016,~~  
22 ~~the state department shall award additional grants for this training and~~  
23 ~~outreach, subject to available appropriations. Any moneys appropriated~~  
24 ~~for grants pursuant to this section are not subject to federal financial~~  
25 ~~participation.~~

26 (2) (a) ON OR AFTER JULY 1, 2018, THE STATE DEPARTMENT SHALL  
27 GRANT, THROUGH A COMPETITIVE GRANT PROGRAM, ONE MILLION FIVE

1 HUNDRED THOUSAND DOLLARS TO ONE OR MORE ORGANIZATIONS TO  
2 OPERATE A SUBSTANCE ABUSE SCREENING, BRIEF INTERVENTION, AND  
3 REFERRAL TO TREATMENT PRACTICE. THE GRANT PROGRAM MUST  
4 REQUIRE:

5 (I) TRAINING FOR HEALTH CARE PROFESSIONALS STATEWIDE  
6 INCLUDING PROVIDERS WHO SERVE WOMEN OF CHILD-BEARING AGE THAT  
7 IS EVIDENCE-BASED AND THAT MAY BE ATTENDED EITHER IN PERSON OR  
8 ONLINE. THE TRAINING MUST INCLUDE TRAINING FOR REIMBURSEMENT  
9 AND BILLING CODES IN THE "COLORADO MEDICAL ASSISTANCE ACT",  
10 ARTICLES 4 TO 6 OF THIS TITLE 25.5.

11 (II) CONSULTATION AND TECHNICAL ASSISTANCE FOR HEALTH  
12 CARE PROVIDERS, HEALTH CARE ORGANIZATIONS, AND STAKEHOLDERS;

13 (III) OUTREACH, COMMUNICATION, AND EDUCATION TO PROVIDERS  
14 AND PATIENTS;

15 (IV) COORDINATION WITH PRIMARY CARE, MENTAL HEALTH CARE,  
16 INTEGRATED HEALTH CARE, AND SUBSTANCE USE PREVENTION,  
17 TREATMENT, AND RECOVERY EFFORTS; AND

18 (V) CAMPAIGNING TO INCREASE PUBLIC AWARENESS OF THE RISKS  
19 RELATED TO ALCOHOL, MARIJUANA, TOBACCO, AND DRUG USE AND TO  
20 REDUCE ANY STIGMA ASSOCIATED WITH TREATMENT.

21 (b) (I) THE STATE DEPARTMENT CONTRACTOR SHALL DEVELOP A  
22 PATIENT EDUCATION TOOL FOR WOMEN OF CHILDBEARING AGE TO LEARN  
23 ABOUT THE RISKS OF SUBSTANCE-EXPOSED PREGNANCIES, TO BE  
24 DEPLOYED FOR PUBLIC USE IN THE STATE.

25 (II) (A) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY  
26 SHALL APPROPRIATE ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS TO  
27 THE STATE DEPARTMENT FROM THE MARIJUANA TAX CASH FUND CREATED

1     IN SECTION 39-28.8-501 FOR THE PURPOSES OF THIS SUBSECTION (2)(b).

2             (B) THIS SUBSECTION (2)(b)(II) IS REPEALED, EFFECTIVE  
3     SEPTEMBER 1, 2019.

4             =====

5             SECTION 5. In Colorado Revised Statutes, 27-80-118, **add** (4)  
6     as follows:

7             **27-80-118. Center for research into substance use disorder**  
8             **prevention, treatment, and recovery support strategies - legislative**  
9             **declaration - established - repeal.** (4) (a) THE CENTER SHALL DEVELOP  
10     AND IMPLEMENT A SERIES OF CONTINUING EDUCATION ACTIVITIES  
11     DESIGNED TO HELP A PRESCRIBER OF PAIN MEDICATION TO SAFELY AND  
12     EFFECTIVELY MANAGE PATIENTS WITH PAIN AND, WHEN APPROPRIATE,  
13     PRESCRIBE OPIOIDS OR MEDICATION ASSISTED TREATMENT. THE  
14     EDUCATIONAL ACTIVITIES MUST APPLY TO PHYSICIANS, PHYSICIAN  
15     ASSISTANTS, NURSES, AND DENTISTS.

16             (b) THE CENTER SHALL ALSO DEVELOP EDUCATION AND TRAINING  
17     FOR LAW ENFORCEMENT OFFICERS AND FIRST RESPONDERS CONCERNING  
18     THE USE OF OPIOID ANTAGONISTS FOR OPIOID OVERDOSE AND  
19     COMMUNITY-BASED TRAINING FOR PERSONS AT RISK OF OPIOID OVERDOSE.

20             (c) (I) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY  
21     SHALL APPROPRIATE SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO THE  
22     CENTER FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION  
23     39-28.8-501 FOR THE PURPOSES OF THIS SUBSECTION (4).

24             (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE SEPTEMBER  
25     1, 2019.

26             SECTION 6. **Appropriation.** (1) For the 2018-19 state fiscal  
27     year, \$675,000 is appropriated to the department of health care policy and

1 financing. This appropriation is from the marijuana tax cash fund created  
2 in section 39-28.8-501 (1), C.R.S. To implement this act, the department  
3 may use this appropriation for the screening, brief intervention, and  
4 referral to treatment training grant program.

5 (2) For the 2018-19 state fiscal year, \$750,000 is appropriated to  
6 the department of higher education for use by the regents of the university  
7 of Colorado. This appropriation is from the marijuana tax cash fund  
8 created in section 39-28.8-501 (1), C.R.S. To implement this act, the  
9 regents may use this appropriation for the center for research into  
10 substance use disorder prevention, treatment, and recovery support  
11 strategies.

12 (3) For the 2018-19 state fiscal year, \$1,500,000 is appropriated  
13 to the youth opioid and substance use prevention fund created in section  
14 26-6.8-107 (4)(a), C.R.S. This appropriation is from the marijuana tax  
15 cash fund created in section 39-28.8-501 (1), C.R.S. The department of  
16 human services is responsible for the accounting related to this  
17 appropriation.

18 (4) For the 2018-19 state fiscal year, \$500,000 is appropriated to  
19 the department of human services for use by the division of child welfare.  
20 This appropriation is from reappropriated funds in the youth opioid and  
21 substance use prevention fund under subsection (3) of this section. To  
22 implement this act, the division may use the appropriation for the Charlie  
23 Hughes and Nathan Gauna opioid prevention program to improve young  
24 lives in the Tony Grampsas youth services program.

25 (5) For the 2018-19 state fiscal year, \$90,928 is appropriated to  
26 the department of human services for use by the division of child welfare.  
27 This appropriation is from the marijuana tax cash fund created in section

1 39-28.8-501 (1), C.R.S., and is based on the assumption that the division  
2 will require an additional 0.5 FTE. To implement this act, the division  
3 may use this appropriation for administration and evaluation of the  
4 Charlie Hughes and Nathan Gauna opioid prevention program to improve  
5 young lives in the Tony Grampsas youth services program.

6 (6) For the 2018-19 state fiscal year, \$39,249 is appropriated to  
7 the legislative department. This appropriation is from the general fund. To  
8 implement this act, the department may use this appropriation as follows:

9 (a) \$18,414 for use by the legislative council, which amount is  
10 based on an assumption that the council will require an additional 0.3  
11 FTE;

12 (b) \$7,725 for use by the committee on legal services, which  
13 amount is based on an assumption that the committee will require an  
14 additional 0.1 FTE; and

15 (c) \$13,110 for use by the general assembly for member  
16 reimbursement and per diem.

17 (7) For the 2018-19 state fiscal year, \$775,000 is appropriated to  
18 the department of public health and environment for use by the prevention  
19 services division. This appropriation is from the marijuana tax cash fund  
20 created in section 39-28.8-501 (1), C.R.S. To implement this act, the  
21 division may use this appropriation for school-based health centers.

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