

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0855.01 Ed DeCecco x4216

HOUSE BILL 18-1172

HOUSE SPONSORSHIP

Young, Hamner, Rankin

SENATE SPONSORSHIP

Lambert, Lundberg, Moreno

House Committees
Appropriations

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MONEY ALLOCATED FROM AN APPROPRIATION FROM THE
102 MARIJUANA TAX CASH FUND TO A DESIGNATED MANAGED
103 SERVICE ORGANIZATION TO IMPLEMENT ITS COMMUNITY
104 ACTION PLAN.

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/>.)

Joint Budget Committee. The bill amends the "Increasing Access to Effective Substance Use Disorder Services Act" to:

! Clarify that a designated managed service organization

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.

(designated MSO) may use money allocated to it from the marijuana tax cash fund for expenditures for substance use disorder services and for any start-up costs or other expenses necessary to increase capacity to provide such services;

- ! Permit a designated MSO to spend an unused allocation in the next state fiscal year after it has been received, but requires any unspent amount after that time to be returned to the department of human services (department);
- ! Allow the appropriation of the money unspent by a designated MSO in the year it is received to roll forward to the next state fiscal year;
- ! Require a designated MSO to submit an annual expenditure report to legislative committees in addition to the department, which is currently the only entity that receives this report;
- ! Eliminate an annual mid-year expenditure report that a designated MSO is required to submit to the department and replaces it with a requirement that the designated MSO provide the department with information about expenditures as required by the department;
- ! Eliminate the requirement that a departmental report about expenditures to legislative committees must continue after the first report is made; and
- ! Require the department to report on outcomes related to the implementation of the act as part of its "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act" hearing.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-80-107.5, **amend**
3 (4)(c), (4)(d)(I), (5)(a), (5)(b), (5)(c) introductory portion, and (5)(c)(II);
4 and **add** (7) as follows:

5 **27-80-107.5. Increasing access to effective substance use**
6 **disorder services act - managed service organizations - substance use**
7 **disorder services - assessment - community action plan - allocations**
8 **- reporting requirements - evaluation.** (4) (c) It is the intent of the
9 general assembly that each designated managed service organization use

1 money allocated to it from the marijuana tax cash fund to cover
2 expenditures for substance use disorder services that are not otherwise
3 covered by public or private insurance. Except as provided in ~~paragraph~~
4 ~~(a) of this subsection (4)~~ SUBSECTION (4)(a) OF THIS SECTION, each
5 managed service organization may use its allocation from the marijuana
6 tax cash fund to implement its community action plan, ~~and increase~~
7 ~~access to substance use disorder services for populations in need of such~~
8 ~~services that are within its geographic region~~ INCLUDING EXPENDITURES
9 FOR SUBSTANCE USE DISORDER SERVICES AND FOR ANY START-UP COSTS
10 OR OTHER EXPENSES NECESSARY TO INCREASE CAPACITY TO PROVIDE
11 SUCH SERVICES. A DESIGNATED MANAGED SERVICE ORGANIZATION MUST
12 SPEND ITS ALLOCATION IN THE STATE FISCAL YEAR IN WHICH IT IS
13 RECEIVED OR IN THE NEXT STATE FISCAL YEAR THEREAFTER. IF THERE IS
14 ANY MONEY FROM THE ALLOCATION REMAINING AFTER THE SECOND STATE
15 FISCAL YEAR, THEN THE DESIGNATED MANAGED SERVICE ORGANIZATION
16 SHALL RETURN THE MONEY TO THE DEPARTMENT.

17 (d) (I) For state fiscal year 2016-17, and each state fiscal year
18 thereafter, the department shall allocate money that is annually
19 appropriated to it from the marijuana tax cash fund to the designated
20 managed service organizations based on the department's allocation of the
21 federal substance abuse prevention and treatment block grant to
22 geographical areas for the same state fiscal year. ANY MONEY FROM THE
23 MARIJUANA TAX CASH FUND THAT IS ALLOCATED IN ACCORDANCE WITH
24 THIS SUBSECTION (4)(d)(I) AND THAT IS NOT EXPENDED BY A MANAGED
25 SERVICE ORGANIZATION IN THE STATE FISCAL YEAR IN WHICH IT IS
26 DISBURSED REMAINS AVAILABLE FOR EXPENDITURE BY THE DEPARTMENT
27 IN THE NEXT STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

1 (5) (a) On or before September 1, 2017, and on or before each
2 September 1 thereafter, each designated managed service organization
3 shall submit an annual report to the department, THE JOINT BUDGET
4 COMMITTEE, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE
5 SENATE, AND THE PUBLIC HEALTH CARE AND HUMAN SERVICES
6 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR
7 COMMITTEES, concerning the amount and purpose of actual expenditures
8 made using money from the marijuana tax cash fund in the previous state
9 fiscal year. The report must contain a description of the impact of the
10 expenditures on addressing the needs that were identified in the initial and
11 any subsequent community assessments and action plans developed
12 pursuant to subsection (3) of this section, as well as any other
13 requirements established for the contents of the report by the department.

14 (b) ~~On or before February 1, 2017, and on or before each February~~
15 ~~1 thereafter, Each A designated managed service organization shall~~
16 ~~submit to~~ PROVIDE the department a mid-year report concerning WITH
17 INFORMATION ABOUT actual expenditures from July 1 through December
18 31 AS REQUIRED BY THE DEPARTMENT.

19 (c) ~~Notwithstanding section 24-1-136 (11)(a)(I),~~ On or before
20 November 1, 2020, ~~and on or before each November 1 thereafter,~~ the
21 department, in collaboration with the designated managed service
22 organizations, shall submit a report to the joint budget committee and the
23 joint health and human services committee, or any successor committees.

24 The report must:

25 (II) Describe the impact the expenditures have had on increasing
26 statewide access to A CONTINUUM OF effective substance use disorder
27 services, INCLUDING THE AVAILABILITY OF PREVENTION, INTERVENTION,

1 TREATMENT, AND RECOVERY SUPPORT SERVICES IN EACH DESIGNATED
2 SERVICE AREA; and

3 (7) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
4 DEPARTMENT SHALL REPORT ON OUTCOMES RELATED TO THE
5 IMPLEMENTATION OF THIS SECTION AS PART OF ITS ANNUAL "STATE
6 MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT
7 (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203,
8 BEGINNING WITH THE HEARING THAT PRECEDES THE 2019 LEGISLATIVE
9 SESSION.

10 **SECTION 2. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety.