

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REENGROSSED

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

LLS NO. 18-1245.01 Kip Kolkmeier x4510

SENATE BILL 18-270

SENATE SPONSORSHIP

Jahn and Neville T.,

HOUSE SPONSORSHIP

Pettersen and Wist,

Senate Committees

State, Veterans, & Military Affairs
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING ESTABLISHING A STATEWIDE PROGRAM TO COORDINATE**
102 **REFERRALS OF HIGH-RISK INDIVIDUALS IN NEED OF BEHAVIORAL**
103 **HEALTH TRANSITION SERVICES, AND, IN CONNECTION**
104 **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>.)

The bill establishes the community transition specialist program (program) in the office of behavioral health (office) in the department of human services (department). The program coordinates referrals of

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
3rd Reading Unamended
May 4, 2018

SENATE
Amended 2nd Reading
May 3, 2018

1 SHORT-TERM TREATMENT PURSUANT TO SECTION 27-65-107 OR
2 27-65-108;

3 (III) LONG-TERM CARE AND TREATMENT PURSUANT TO SECTION
4 27-65-109;

5 (IV) AN EMERGENCY COMMITMENT PURSUANT TO SECTION
6 27-81-111 OR 27-82-107; OR

7 (V) AN INVOLUNTARY COMMITMENT PURSUANT TO SECTION
8 27-81-112 OR 27-82-108;

9 (b) HAS A SIGNIFICANT MENTAL HEALTH OR SUBSTANCE USE
10 DISORDER; AND

11 (c) IS NOT CURRENTLY ENGAGED IN CONSISTENT BEHAVIORAL
12 HEALTH TREATMENT.

13 (4) "OFFICE" MEANS THE OFFICE OF BEHAVIORAL HEALTH IN THE
14 DEPARTMENT OF HUMAN SERVICES.

15 (5) "TRANSITION SPECIALIST" MEANS A PERSON WHO ASSISTS
16 HIGH-RISK INDIVIDUALS WITH ONE OR MORE OF THE FOLLOWING SERVICES:

17 (a) ACCESS TO HOUSING OR RESIDENTIAL PROGRAM PLACEMENT;

18 (b) ACCESS TO BEHAVIORAL HEALTH TREATMENT OR BENEFITS;

19 (c) ADVOCACY TO INSURANCE COMPANIES AND PROVIDERS FOR
20 THE APPROPRIATE TYPE AND INTENSITY OF MENTAL HEALTH OR
21 SUBSTANCE USE DISORDER SERVICES;

22 (d) PLANNING FOR FOLLOW-UP SERVICES AND COORDINATION
23 WITHIN THE BEHAVIORAL HEALTH SYSTEM AFTER HOSPITALIZATION OR
24 DISCHARGE FROM A WITHDRAWAL MANAGEMENT FACILITY OR AN
25 EMERGENCY ROOM FOLLOWING A VISIT FOR BEHAVIORAL HEALTH
26 REASONS;

27 (e) ASSISTANCE WITH PREPARING ADVANCE DIRECTIVES;

- 1 (f) OBTAINING A REPRESENTATIVE PAYEE OR GUARDIAN;
- 2 (g) FAMILY SUPPORTIVE SERVICES; OR
- 3 (h) COMPLIANCE WITH COURT APPEARANCES OR PROBATION.

4 (6) "WITHDRAWAL MANAGEMENT FACILITY" MEANS A FACILITY
5 THAT PROVIDES TWENTY-FOUR-HOUR SUPERVISED WITHDRAWAL FROM
6 ALCOHOL OR DRUGS IN A RESIDENTIAL SETTING.

7 **27-66.5-103. Community transition specialist program -**
8 **program requirements - acceptance of referrals - contract for**
9 **services - rules.** (1) THE COMMUNITY TRANSITION SPECIALIST PROGRAM
10 IS ESTABLISHED IN THE OFFICE OF BEHAVIORAL HEALTH. THE PROGRAM
11 MUST COORDINATE REFERRALS OF HIGH-RISK INDIVIDUALS FROM
12 WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO APPROPRIATE
13 TRANSITION SPECIALISTS.

14 (2) ON OR BEFORE JANUARY 1, 2019, THE PROGRAM MUST BE
15 AVAILABLE STATEWIDE. THE PROGRAM MUST HAVE A PROCESS TO ACCEPT
16 REFERRALS FOR HIGH-RISK INDIVIDUALS AND COORDINATE CONTACT
17 BETWEEN REFERRED HIGH-RISK INDIVIDUALS AND APPROPRIATE
18 TRANSITION SPECIALISTS. TO THE EXTENT POSSIBLE, THE COORDINATED
19 CONTACT MUST TAKE PLACE PRIOR TO THE RELEASE OR DISCHARGE OF THE
20 HIGH-RISK INDIVIDUAL FROM A FACILITY.

21 (3) THE PROGRAM MUST ENCOURAGE, BUT CANNOT REQUIRE,
22 WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO CONTACT THE
23 PROGRAM BEFORE RELEASING OR DISCHARGING A HIGH-RISK INDIVIDUAL.

24 (4) THE PROGRAM MAY ENCOURAGE, BUT CANNOT REQUIRE, A
25 HIGH-RISK INDIVIDUAL TO ACCEPT SERVICES FROM A TRANSITION
26 SPECIALIST. PARTICIPATION BY A HIGH-RISK INDIVIDUAL IS VOLUNTARY
27 AND THE INDIVIDUAL HAS THE RIGHT TO DECLINE COMMUNITY TRANSITION

1 SPECIALIST SERVICES.

2 (5) THE OFFICE MAY CONTRACT WITH A VENDOR TO PROVIDE THE
3 REFERRAL AND COORDINATION SERVICES REQUIRED BY THIS ARTICLE 66.5.

4 (6) ON OR BEFORE OCTOBER 1, 2018, THE DEPARTMENT SHALL
5 PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THIS
6 ARTICLE 66.5.

7 **27-66.5-104. Data collection and recommendations.** (1) THE
8 OFFICE SHALL COLLECT INFORMATION ON THE FOLLOWING:

9 (a) CURRENT PRACTICES, CRITERIA, AND PROCEDURES REGARDING
10 FOLLOW-UP CARE FOR HIGH-RISK INDIVIDUALS RELEASED OR DISCHARGED
11 FROM EMERGENCY OR INVOLUNTARY HOLDS, CERTIFICATIONS, OR
12 COMMITMENTS; AND

13 (b) EXISTING CAPACITY TO SERVE HIGH-RISK INDIVIDUALS AFTER
14 RELEASE OR DISCHARGE.

15 (2) ON OR BEFORE JANUARY 1, 2020, AND ON OR BEFORE JANUARY
16 1 EACH YEAR THEREAFTER, THE OFFICE SHALL ANALYZE THE DATA
17 COLLECTED IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION AND
18 PREPARE RECOMMENDATIONS TO INCREASE ACCESS TO, AND
19 COORDINATION OF, TRANSITION SPECIALIST SERVICES FOR HIGH-RISK
20 INDIVIDUALS. THE RECOMMENDATIONS SHALL BE REPORTED TO THE
21 EXECUTIVE DIRECTOR OF THE DEPARTMENT AND SHALL BE INCLUDED IN
22 THE REPORTING REQUIREMENTS IN SECTION 27-66.5-105.

23 **27-66.5-105. Reporting requirements - "State Measurement**
24 **for Accountable, Responsive, and Transparent (SMART)**
25 **Government Act" report.** THE OFFICE SHALL REPORT INFORMATION ON
26 THE COMMUNITY TRANSITION SPECIALIST PROGRAM IN THE DEPARTMENT'S
27 ANNUAL PRESENTATION TO THE GENERAL ASSEMBLY REQUIRED UNDER

1 THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND
2 TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF
3 TITLE 2.

4 **SECTION 2. Appropriation.** For the 2018-19 state fiscal year,
5 \$1,588,250 is appropriated to the department of human services for use
6 by the office of behavioral health. This appropriation is from the general
7 fund. To implement this act, the office may use this appropriation for
8 community transition services.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety.