

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 19-0690.01 Christy Chase x2008

SENATE BILL 19-001

SENATE SPONSORSHIP

Garcia, Bridges, Court, Crowder, Danielson, Donovan, Fenberg, Foote, Ginal, Gonzales, Hisey, Pettersen, Priola, Rodriguez, Story, Tate, Todd, Williams A., Winter, Zenzinger

HOUSE SPONSORSHIP

Buentello,

Senate Committees

Health & Human Services
Appropriations

House Committees

Public Health Care & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE EXPANSION OF THE MEDICATION-ASSISTED**
102 **TREATMENT EXPANSION PILOT PROGRAM, AND, IN CONNECTION**
103 **THEREWITH, SHIFTING ADMINISTRATION OF THE PROGRAM**
104 **FROM THE COLLEGE OF NURSING TO THE CENTER FOR**
105 **RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION,**
106 **TREATMENT, AND RECOVERY SUPPORT STRATEGIES; EXPANDING**
107 **THE COUNTIES THAT MAY PARTICIPATE IN THE PROGRAM;**
108 **EXTENDING THE DURATION OF THE PROGRAM; INCREASING**
109 **THE FUNDING FOR THE PROGRAM; AND MAKING AN**
110 **APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does

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
2nd Reading Unamended
April 26, 2019

SENATE
3rd Reading Unamended
March 14, 2019

SENATE
Amended 2nd Reading
March 13, 2019

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>.)

In 2017, the general assembly enacted Senate Bill 17-074, which created a 2-year medication-assisted treatment (MAT) expansion pilot program, administered by the university of Colorado college of nursing, to expand access to medication-assisted treatment to opioid-dependent patients in Pueblo and Routt counties. The 2017 act directs the general assembly to appropriate \$500,000 per year for the 2017-18 and 2018-19 fiscal years from the marijuana tax cash fund to the university of Colorado board of regents, for allocation to the college of nursing to implement the pilot program. The pilot program repeals on June 30, 2020.

The bill:

- ! Expands the pilot program to the counties in the San Luis valley and 2 additional counties in which a need is demonstrated;
- ! Shifts responsibility to administer the pilot program from the college of nursing to the center for research into substance use disorder prevention, treatment, and recovery support strategies;
- ! Adds representatives from the San Luis valley and any other counties selected to participate in the pilot program to the advisory board that assists in administering the program;
- ! Increases the annual appropriation for the pilot program to \$5 million for the 2019-20 and 2020-21 fiscal years; and
- ! Extends the program an additional 2 years.

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

2 **SECTION 1.** In Colorado Revised Statutes, 23-21-802, **add** (2)

3 as follows:

4 **23-21-802. Legislative declaration.** (2) THE GENERAL ASSEMBLY

5 FURTHER FINDS THAT:

6 (a) SINCE ITS CREATION, THE PILOT PROGRAM HAS ACHIEVED
7 NUMEROUS SUCCESSES TOWARD PROGRAM GOALS AS FOLLOWS:

8 (I) WITH REGARD TO THE PROGRAM GOAL OF INCREASING THE

1 NUMBER OF ADVANCED PRACTICE PROVIDERS ABLE TO PRESCRIBE
2 MEDICATIONS TO TREAT INDIVIDUALS WITH OPIOID USE DISORDERS IN
3 PUEBLO AND ROUTT COUNTIES:

4 (A) TWO MEDICATION-ASSISTED TREATMENT (MAT) PROGRAMS
5 IN PUEBLO COUNTY WERE SELECTED TO RECEIVE FUNDING AND ONE MAT
6 PROGRAM WAS STARTED IN ROUTT COUNTY;

7 (B) AS OF AUGUST 2018, FOUR PROVIDERS CERTIFIED TO
8 PRESCRIBE MAT MEDICATIONS WERE ADDED TO THE TWO MAT
9 PROGRAMS IN PUEBLO COUNTY AND SIX MAT MEDICATION-CERTIFIED
10 PRESCRIBERS ARE AVAILABLE IN THE ROUTT COUNTY PROGRAM; AND

11 (C) THROUGH JULY 1, 2018, FIFTY PROVIDERS RECEIVED
12 EDUCATION ON OPIOID USE DISORDERS AND RELATED ISSUES IN
13 ASSESSMENT AND TREATMENT; AND

14 (II) WITH REGARD TO THE PROGRAM GOAL OF INCREASING ACCESS
15 TO MAT SERVICES IN PUEBLO AND ROUTT COUNTIES:

16 (A) PUEBLO COUNTY INCREASED MAT SERVICES FROM A TOTAL
17 OF NINETY-NINE CLIENTS TREATED THROUGH ITS TWO MAT PROGRAMS IN
18 2017 TO FIVE HUNDRED SEVENTY-SIX CLIENTS TREATED THROUGH THE
19 TWO PROGRAMS THROUGH OCTOBER 2018; AND

20 (B) ROUTT COUNTY HAD VERY LIMITED MAT SERVICES
21 AVAILABLE IN 2017 AND, THROUGH OCTOBER OF 2018, PROVIDED MAT
22 SERVICES THROUGH ITS NEW MAT PROGRAM TO FIFTY CLIENTS;

23 (b) GIVEN THE SUCCESSES OF THE PROGRAM IN EXPANDING ACCESS
24 TO MAT SERVICES IN PUEBLO AND ROUTT COUNTIES, THE PILOT PROGRAM
25 SHOULD BE EXTENDED AND MADE AVAILABLE TO ADDITIONAL AREAS OF
26 THE STATE THAT ARE EXPERIENCING SIGNIFICANT PUBLIC HEALTH
27 CONCERNS DUE TO THE PREVALENCE OF OPIOID ADDICTION AND OVERDOSE

1 INCIDENCES AND INADEQUATE NUMBERS OF PROVIDERS;

2 (c) IN THE SAN LUIS VALLEY, WHICH HAS APPROXIMATELY FIFTY
3 THOUSAND RESIDENTS AND CONSISTS OF THE COUNTIES OF ALAMOSA,
4 CONEJOS, COSTILLA, CUSTER, HUERFANO, MINERAL, RIO GRANDE, AND
5 SAGUACHE, OPIOID OVERDOSES HAVE BEEN INCREASING SINCE 2010, WITH
6 RECENT REPORTS OF MORE THAN TEN OVERDOSES PER ONE HUNDRED
7 THOUSAND IN POPULATION YEARLY IN EACH OF THE COUNTIES IN THE
8 VALLEY;

9 (d) HUERFANO COUNTY, WHICH HAS ABOUT SIX THOUSAND SIX
10 HUNDRED RESIDENTS, HAD SIX OVERDOSE DEATHS IN 2016, A RATE OF
11 152.6 PER ONE HUNDRED THOUSAND IN POPULATION, WHICH WAS THE
12 HIGHEST OVERDOSE RATE FOR ANY COUNTY IN THE STATE;

13 (e) MANY OTHER COUNTIES IN THE STATE ARE ALSO EXPERIENCING
14 HIGH INCIDENCES OF OVERDOSE AND LACK AVAILABLE, QUALIFIED
15 PROVIDERS TO MEET THE ADDICTION TREATMENT NEEDS IN THE COUNTY;

16 (f) GIVEN THE PREVALENCE OF OPIOID OVERDOSES IN THE SAN
17 LUIS VALLEY AND OTHER AREAS OF THE STATE, IT IS NECESSARY TO
18 EXTEND THE PILOT PROGRAM ESTABLISHED PURSUANT TO THIS PART 8 FOR
19 AN ADDITIONAL TWO YEARS, EXPAND ITS AVAILABILITY TO CRITICAL-NEED
20 AREAS OF THE STATE, AND INCREASE ITS FUNDING IN ORDER TO INCREASE
21 ACCESS TO ADDICTION TREATMENT IN THESE AREAS WHERE OPIOID
22 ADDICTION AND OVERDOSE INCIDENCES ARE AT SIGNIFICANT LEVELS.

23 **SECTION 2.** In Colorado Revised Statutes, 23-21-803, **add** (1.5)
24 and (10) as follows:

25 **23-21-803. Definitions.** As used in this part 8, unless the context
26 otherwise requires:

27 (1.5) "CENTER" MEANS THE CENTER FOR RESEARCH INTO

1 SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY
2 SUPPORT STRATEGIES ESTABLISHED PURSUANT TO SECTION 27-80-118.

3 (10) "SAN LUIS VALLEY" MEANS THE COUNTIES OF ALAMOSA,
4 CONEJOS, COSTILLA, CUSTER, HUERFANO, MINERAL, RIO GRANDE, AND
5 SAGUACHE.

6 **SECTION 3.** In Colorado Revised Statutes, 23-21-804, **amend**
7 (1)(b), (3), and (4) as follows:

8 **23-21-804. Medication-assisted treatment expansion pilot**
9 **program - created - pilot program location - eligible grant recipients**
10 **- rules.** (1) (b) The MAT expansion pilot program is available to provide
11 grants to community agencies, office-based practices, behavioral health
12 organizations, and substance abuse treatment organizations practicing or
13 providing treatment in Pueblo county or Routt county, AND, STARTING IN
14 THE 2019-20 FISCAL YEAR, THE SAN LUIS VALLEY AND UP TO TWO
15 ADDITIONAL COUNTIES SELECTED BY THE CENTER FOR PARTICIPATION
16 BASED ON DEMONSTRATED NEED.

17 (3) The ~~college of nursing~~ CENTER shall administer the MAT
18 expansion pilot program and, subject to available appropriations, shall
19 award grants as provided in this part 8. ~~starting as soon as practicable in~~
20 ~~the 2017-18 fiscal year, but no later than January 2018.~~ Subject to
21 available appropriations, grants shall be paid out of money annually
22 appropriated for the pilot program as provided in section 23-21-808.

23 (4) The ~~college of nursing~~ CENTER shall implement the MAT
24 expansion pilot program in accordance with this part 8 and shall develop,
25 with assistance from and in coordination with the advisory board, pilot
26 program guidelines and procedures as necessary to implement the pilot
27 program, including guidelines and procedures specifying the time frames

1 for applying for grants; the form of the pilot program grant application;
2 the time frames for distributing grant money, technical assistance, and
3 consultation to grant recipients; and evaluation of the pilot program.

4 **SECTION 4.** In Colorado Revised Statutes, 23-21-805, **amend**
5 (1), (2)(a)(III), and (2)(b) as follows:

6 **23-21-805. MAT expansion advisory board - created - duties.**

7 (1) There is hereby created in the ~~college of nursing~~ CENTER the MAT
8 expansion advisory board, which shall:

9 (a) Review and approve pilot program guidelines and procedures;

10 (b) Advise and provide assistance to the ~~college of nursing~~
11 CENTER on the implementation of the pilot program;

12 (c) Review and make recommendations to the ~~college of nursing~~
13 CENTER on grant applications, including recommendations for grant
14 award amounts;

15 (d) Assist the ~~college of nursing~~ CENTER in evaluating the pilot
16 program; and

17 (e) Perform other tasks, as requested by the ~~college of nursing~~
18 CENTER, related to the implementation and administration of the pilot
19 program.

20 (2) (a) The advisory board consists of representatives of the
21 following entities or organizations who are designated by the entity or
22 organization:

23 (III) The Colorado consortium for prescription drug abuse
24 prevention, administered under the ~~school of pharmacy and~~
25 ~~pharmaceutical sciences~~ CENTER at the university of Colorado Anschutz
26 medical campus;

27 (b) In addition to the members specified in subsection (2)(a) of

1 this section, ~~at least one medical or public health professional from each~~
2 ~~county~~ REPRESENTATIVES FROM COUNTIES PARTICIPATING in the pilot
3 program area, appointed as follows, shall serve on the advisory board:

4 (I) The Northwest Colorado Community Health Partnership in
5 Routt county shall appoint a medical or public health professional from
6 Routt county; ~~and~~

7 (II) The Pueblo county heroin task force shall appoint a medical
8 or public health professional from Pueblo county;

9 (III) VALLEY-WIDE HEALTH SYSTEMS, INC., SHALL APPOINT A
10 MEDICAL PROFESSIONAL FROM THE SAN LUIS VALLEY;

11 (IV) THE SAN LUIS VALLEY AREA HEALTH EDUCATION CENTER
12 SHALL APPOINT A MEDICAL OR PUBLIC HEALTH PROFESSIONAL FROM THE
13 SAN LUIS VALLEY;

14 (V) THE COLORADO ASSOCIATION OF LOCAL PUBLIC HEALTH
15 OFFICIALS SHALL APPOINT A PUBLIC HEALTH PROFESSIONAL FROM THE
16 SAN LUIS VALLEY; ==

17 (VI) IF ADDITIONAL COUNTIES ARE SELECTED TO PARTICIPATE IN
18 THE PILOT PROGRAM, THE CENTER SHALL DETERMINE THE APPOINTING
19 AUTHORITY FOR AND TYPE OF PROFESSIONAL FROM EACH PARTICIPATING
20 COUNTY;

21 (VII) THE BOARD OF COUNTY COMMISSIONERS FOR EACH COUNTY
22 PARTICIPATING IN THE PILOT PROGRAM, INCLUDING ADDITIONAL COUNTIES
23 THAT MAY BE SELECTED TO PARTICIPATE PURSUANT TO SECTION
24 23-21-804 (1)(b), SHALL APPOINT A MEMBER OF ITS BOARD; EXCEPT THAT
25 FOR THE SAN LUIS VALLEY, THE BOARDS OF COUNTY COMMISSIONERS OF
26 THE COUNTIES IN THE SAN LUIS VALLEY SHALL JOINTLY APPOINT ONE
27 MEMBER FROM ONE OF THE BOARDS OF COUNTY COMMISSIONERS IN THE

1 SAN LUIS VALLEY TO SERVE ON THE ADVISORY BOARD; AND
2 (VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
3 CARE POLICY AND FINANCING SHALL APPOINT A REPRESENTATIVE FROM
4 THE DEPARTMENT.

5 **SECTION 5.** In Colorado Revised Statutes, 23-21-806, **amend**
6 (1) introductory portion, (1)(a), (1)(f), (2) introductory portion, (2)(d), and
7 (3); and **add** (1)(a.5) and (2)(a.5) as follows:

8 **23-21-806. Grant application - criteria - awards.** (1) To receive
9 a grant, an eligible organization or practice must submit an application to
10 the ~~college of nursing~~ CENTER in accordance with pilot program
11 guidelines and procedures established by the ~~college of nursing~~ CENTER.
12 At a minimum, the application must include the following information:

13 (a) ~~The purpose for which the applicant will use the grant~~ A
14 SPECIFIC DESCRIPTION OF THE NEED IN THE COUNTY SERVED BY THE
15 APPLICANT, INCLUDING DATA ON THE PREVALENCE OF OPIOID ADDICTION,
16 THE OVERDOSE RATE, AND THE PROVIDER CAPACITY IN THE COUNTY;

17 (a.5) THE PURPOSE FOR WHICH THE APPLICANT WILL USE THE
18 GRANT;

19 (f) A description of how the applicant will achieve improved
20 access to medication-assisted treatment in the pilot program area THE
21 APPLICANT SERVES;

22 (2) The advisory board shall review the applications received
23 pursuant to this section and make recommendations to the ~~college of~~
24 ~~nursing~~ CENTER regarding grant recipients and awards. In recommending
25 grant awards and in awarding grants, the advisory board and the ~~college~~
26 ~~of nursing~~ CENTER shall consider the following criteria:

27 (a.5) THE DEMONSTRATED NEED IN THE AREA SERVED BY THE

1 APPLICANT;

2 (d) The written commitment of the applicant to have nurse
3 practitioners or physician assistants participate in periodic consultations
4 with ~~college of nursing~~ CENTER staff; and

5 (3) Subject to available appropriations, in the ~~2017-18 and~~
6 ~~2018-19~~ 2019-20 AND 2020-21 fiscal years, the ~~college of nursing~~ CENTER
7 shall award grants to applicants approved in accordance with this section
8 and shall distribute the grant money to grant recipients within ninety days
9 after issuing the grant awards.

10 **SECTION 6.** In Colorado Revised Statutes, 23-21-807, **amend**
11 (1) introductory portion, (2) introductory portion, (2)(a), and (2)(b) as
12 follows:

13 **23-21-807. Reporting requirements.** (1) Each organization or
14 practice that receives a grant through the pilot program shall submit an
15 annual report to the ~~college of nursing~~ CENTER by a date set by the ~~college~~
16 ~~of nursing~~ CENTER. At a minimum, the report must include the following
17 information:

18 (2) On or before June 30, 2018, and on or before EACH June 30
19 ~~2019~~ THROUGH JUNE 30, 2021, the ~~college of nursing~~ CENTER shall submit
20 a summarized report on the pilot program to the health and human
21 services committee of the senate and the health AND insurance ~~and~~
22 ~~environment~~ and THE public health care and human services committees
23 of the house of representatives, or any successor committees, and to the
24 governor. At a minimum, the report must include:

25 (a) A description of the pilot program, INCLUDING A LIST OF
26 COUNTIES PARTICIPATING IN THE PILOT PROGRAM;

27 (b) A list identifying the grant recipients, including the amount

1 awarded to each grant recipient, THE COUNTY IN WHICH THE GRANT
2 RECIPIENT IS PROVIDING SERVICES, and a detailed description of how each
3 grant recipient used the grant award;

4 **SECTION 7.** In Colorado Revised Statutes, **amend** 23-21-808 as
5 follows:

6 **23-21-808. Funding for pilot program.** (1) (a) For the ~~2017-18~~
7 ~~and 2018-19~~ 2019-20 AND 2020-21 state fiscal years, the general
8 assembly shall annually appropriate TWO MILLION five hundred thousand
9 dollars per fiscal year from the marijuana tax cash fund created in section
10 39-28.8-501 to the board of regents of the university of Colorado, for
11 allocation to the ~~college of nursing~~ CENTER to implement AND
12 ADMINISTER the MAT expansion pilot program. The ~~college of nursing~~
13 CENTER may use a portion of the money annually appropriated for the
14 pilot program to pay the direct and indirect costs that the ~~college of~~
15 ~~nursing~~ CENTER incurs to administer the pilot program, as well as to
16 provide consulting services to and oversight of grant recipients, for data
17 collection and analysis, evaluation of the pilot program, and program
18 reporting.

19 (b) If any unexpended or uncommitted money appropriated for ~~the~~
20 ~~2017-18~~ A fiscal year remains at the end of that fiscal year, the ~~school of~~
21 ~~nursing~~ CENTER may expend the money in accordance with this section
22 in the ~~2018-19~~ SUCCEEDING fiscal year. Any unexpended or uncommitted
23 money remaining at the end of the ~~2018-19~~ 2020-21 fiscal year reverts to
24 the marijuana tax cash fund.

25 (2) The ~~college of nursing~~ CENTER may accept and expend any
26 gifts, grants, or donations it receives to implement or administer the pilot
27 program.

1 **SECTION 8.** In Colorado Revised Statutes, **amend** 23-21-809 as
2 follows:

3 **23-21-809. Repeal of part.** This part 8 is repealed, effective June
4 30, ~~2020~~ 2022.

5 **SECTION 9. Appropriation.** For the 2019-20 state fiscal year,
6 \$2,500,000 is appropriated to the department of higher education for use
7 by the regents of the university of Colorado. This appropriation is from
8 the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. To
9 implement this act, the regents may use this appropriation for allocation
10 to the center for research into substance use disorder prevention,
11 treatment, and recovery support strategies for the medication assisted
12 treatment expansion pilot program.

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