A BILL FOR AN ACT

CONCERNING MEASURES TO PREVENT SUBSTANCE ABUSE, AND, IN
CONNECTION THERewith, REQUIRING CERTAIN PRESCRIBERS TO
COMPLETE SUBSTANCE USE DISORDER TRAINING; PROHIBITING
PHYSICIANS AND PHYSICIAN ASSISTANTS FROM ACCEPTING
BENEFITS FOR PRESCRIBING SPECIFIC MEDICATIONS; REQUIRING
OPIOID PRESCRIPTIONS TO BEAR WARNING LABELS; ALLOWING
MEDICAL EXAMINERS ACCESS TO THE PRESCRIPTION DRUG
MONITORING PROGRAM; PROVIDING FUNDING TO ADDRESS
OPIOID AND SUBSTANCE USE DISORDERS THROUGH PUBLIC
HEALTH INTERVENTIONS IN LOCAL COMMUNITIES; REQUIRING
STATE DEPARTMENTS TO REPORT RECEIPT AND ELIGIBILITY FOR
FEDERAL FUNDS FOR HIV AND HEPATITIS TESTING; REQUIRING
THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT 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.
HUMAN SERVICES TO ADMINISTER GRANT PROGRAMS; REQUIRING THE CENTER FOR RESEARCH INTO SUBSTANCE USE DISORDER PREVENTION, TREATMENT, AND RECOVERY SUPPORT STRATEGIES TO DEVELOP AND IMPLEMENT A PROGRAM TO INCREASE PUBLIC AWARENESS CONCERNING THE SAFE USE, STORAGE, AND DISPOSAL OF ANTAGONIST DRUGS, TO CONDUCT A NEEDS ASSESSMENT AMONG MOTHERS AND PREGNANT WOMEN, AND TO IMPLEMENT A GRANT PROGRAM; REQUIRING THE OFFICE OF BEHAVIORAL HEALTH IN THE DEPARTMENT OF HUMAN SERVICES TO ADMINISTER A CHILD AND MATERNAL HEALTH PILOT PROGRAM; AND 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:

- Requires certain health care providers who have prescriptive authority to complete substance use disorder training as part of continuing education required to renew the provider's license. Specifically, the requirement applies to podiatrists (section 1 of the bill), dentists (section 2), advanced practice nurses (section 3), optometrists (section 4), and veterinarians (section 5).

- Prohibits a physician or physician assistant from accepting any direct or indirect benefits for prescribing a specific medication (section 6);

- Requires a prescription for an opioid for outpatient use to bear a warning label (section 7);

- Allows medical examiners access to the prescription drug monitoring program under specified circumstances (section 8);

- For the 2019-20 fiscal year, appropriates $5 million from the general fund to the department of public health and environment for the purpose of working at state and local levels to address opioid and other substance use disorder priorities (section 9);
Requires specified state departments to report to the health committees of the general assembly by December 31, 2019, the amount of federal funds that each is receiving or is eligible to receive for use in testing for hepatitis and HIV and the number of individuals currently and anticipated to be tested. The departments are also required to share eligibility standards for treatment with primary care providers (section 10).

Creates 2 grant programs in the office of behavioral health in the department of human services to address opioid and other substance use disorder prevention and recovery. The grant programs focus on at-risk youth and their families affected by substance use disorders and who have not been successful in seeking aid through existing resources. The general assembly is required to appropriate $3 million to the youth opioid and substance use prevention fund from the marijuana tax cash fund and $3 million to the local substance use disorder prevention and recovery pilot program fund from the general fund to administer the programs (section 11).

Requires the center for research into substance use disorder prevention, treatment, and recovery support strategies (center) to develop and implement a program to increase public awareness about the safe use, storage, and disposal of opioids, and about the availability of antagonist drugs. The general assembly is required to annually appropriate $750,000 to the center from the marijuana tax cash fund to implement the program (section 12).

Requires the center to hire additional staff to assist local communities in applying for grants, and requires the general assembly to appropriate general funds for the 2019-20 fiscal year to enable the center to hire staff for this purpose (section 12);

Requires the center to conduct a statewide maternal and perinatal population-based needs assessment to gather information regarding substance use disorders among mothers and pregnant women and other mental health issues. For the 2019-20 and 2020-21 fiscal years, the general assembly is directed to appropriate $100,000 per year from the general fund for allocation to the center to conduct the needs assessment (section 14).

Requires the center to establish a pilot program to test the implementation of screening, brief intervention, and referral to treatment (SBIRT) for women's health and prenatal and postpartum care in 5 counties. The general
assembly is directed to appropriate $228,000 from the marijuana tax cash fund to implement SBIRT in the 2019-20 fiscal year (section 14).

Requires the college of nursing to implement and provide a training and technical assistance program for health care and mental health care providers in specified counties regarding SBIRT online training and tools to teach women of the risks of alcohol and substance use during pregnancy. For the 2019-20 and 2020-21 fiscal years, the general assembly is directed to appropriate $172,000 per year from the marijuana tax cash fund to implement the program (section 14).

Requires the office of behavioral health in the department of human services to administer a pilot program to integrate substance use disorder and medication-assisted treatment with obstetric and gynecological health care and requires the general assembly to appropriate money from the general fund in the 2019-20, 2020-21, and 2021-22 fiscal years to fund the pilot program (section 15).

Sections 16 through 23 make conforming amendments to harmonize the bill with the title 12 recodification bill, House Bill 19-1172.

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

SECTION 1. In Colorado Revised Statutes, amend 10-16-143.5 as follows:

10-16-143.5. Pharmacy reimbursement - substance use disorders - injections - patient counseling. (1) If a pharmacy has entered into a collaborative pharmacy practice agreement with one or more physicians pursuant to section 12-42.5-602 to administer injectable antagonist medication for medication-assisted treatment for substance use disorders, the pharmacy administering the drug shall receive an enhanced dispensing fee.

(2) If a pharmacy dispenses an opioid that is a schedule II or schedule III drug pursuant to section 18-18-204 or 18-18-205 to a patient who has not previously received an opioid prescription
AND THE PHARMACY PROVIDES COUNSELING CONCERNING THE RISK OF
OPIOIDS TO THE PATIENT, THE DISPENSING PHARMACY SHALL RECEIVE AN
ENHANCED DISPENSING FEE.

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SECTION 2. In Colorado Revised Statutes, add 12-36-117.8 as follows:

12-36-117.8. Prescription medications - financial benefit for
prescribing prohibited. A PHYSICIAN OR PHYSICIAN ASSISTANT SHALL
NOT ACCEPT ANY DIRECT OR INDIRECT BENEFIT FROM A PHARMACEUTICAL
MANUFACTURER OR PHARMACEUTICAL REPRESENTATIVE FOR PRESCRIBING
A SPECIFIC MEDICATION TO A PATIENT. FOR THE PURPOSES OF THIS
SECTION, A DIRECT OR INDIRECT BENEFIT DOES NOT INCLUDE A BENEFIT
OFFERED TO A PHYSICIAN OR PHYSICIAN ASSISTANT REGARDLESS OF
WHETHER THE SPECIFIC MEDICATION IS BEING PRESCRIBED.

SECTION 3. In Colorado Revised Statutes, 12-42.5-121, add (3)
as follows:

12-42.5-121. Labeling - rules. (3) THE BOARD SHALL
PROMULGATE RULES CONCERNING THE LABELING REQUIREMENTS FOR A
PRESCRIPTION DRUG THAT IS DISPENSED TO A PATIENT FOR OUTPATIENT
USE AND CONTAINS AN OPIOID, EXCEPT FOR AN OPIOID PRESCRIBED FOR
TREATMENT OF A SUBSTANCE USE DISORDER OR THAT IS A PARTIAL OPIOID
ANTAGONIST, WHICH RULES MUST INCLUDE A WARNING TO INDICATE RISKS
SUCH AS OVERDOSE AND ADDICTION.

SECTION 4. In Colorado Revised Statutes, 12-42.5-404, add
(3)(j) as follows:

12-42.5-404. Program operation - access - rules - definitions -
repeal. (3) The program is available for query only to the following
persons or groups of persons:

(j) A MEDICAL EXAMINER WHO IS A PHYSICIAN LICENSED
Pursuant to Article 36 of this Title 12 whose license is in good
standing, and who is located and employed in the State of
Colorado, or a coroner elected pursuant to section 30-10-601,
if:

(I) The information released is specific to an individual
who is the subject of an autopsy conducted by the medical
examiner or coroner;

(II) The medical examiner or the coroner has legitimate
access to the individual's medical record; and

(III) The individual's death or injury occurred under
unusual, suspicious, or unnatural circumstances.

SECTION 5. In Colorado Revised Statutes, 23-18-308, amend
(1)(b) and (1)(c); and add (1)(d) as follows:

23-18-308. Fee-for-service contracts - limited purpose.
(1) Subject to available appropriations, the department shall enter into
fee-for-service contracts for the following purposes:

(b) The inclusive higher education pilot program pursuant to
section 23-75-104; and

(c) Cybersecurity and distributed ledger technologies, such as
blockchains, as set forth in sections 24-33.5-1904 and 24-33.5-1905; and

(d) A program to increase public awareness concerning
opiod use that is developed and implemented by the center for
research into substance use disorder prevention, treatment, and
recovery support strategies pursuant to section 27-80-118.

SECTION 6. In Colorado Revised Statutes, add 25-1-521 as
follows:

25-1-521. State department - local public health agencies - address substance use disorders - appropriation - repeal. (1) For the 2019-20 fiscal year, the General Assembly shall appropriate two million dollars to the State Department to address opioid and substance use disorders through public health interventions and to work with community partners, including county and district public health agencies, to address opioid and other substance use priorities throughout the state. The state department may use the money for data collection, analysis, and dissemination activities related to opioid and other substance use disorders at the state and local levels, including community health assessments and improvement planning. The state department may use up to five hundred thousand dollars of the money for administrative costs and other activities related to the purposes of this section.

(2) This section is repealed, effective July 1, 2020.

SECTION 7. In Colorado Revised Statutes, add 26-1-141 as follows:

26-1-141. Departments - report required - hepatitis and HIV tests - definitions. (1) On or before December 31, 2019, the executive directors of the Department of Human Services, the Department of Health Care Policy and Financing, and the Department of Corrections shall submit a report to the public health care and human services committee and the health and insurance committee of the house of representatives and the health and human services committee of the senate concerning:
(a) The amount of federal funds that each department is eligible to receive or is currently receiving that may be used for testing for hepatitis B, hepatitis C, or HIV;

(b) The number of individuals currently being tested for each disease listed in subsection (1)(a) of this section; and

(c) Whether each department is planning to increase the number of people being tested for each disease listed in subsection (1)(a) of this section.

(2) The departments specified in subsection (1) of this section shall prepare materials describing the eligibility standards currently in use for treatment of hepatitis B, hepatitis C, and HIV and distribute materials to primary care providers in the state. The departments may distribute the materials by providing the materials to the relevant professional association for the providers, at professional association meetings and conferences, or by other appropriate means as determined by each department.

(3) As used in this section:

(a) "Arranging for the provision" means demonstrating established referral relationships with health care providers for any of the comprehensive primary care services not directly provided by an entity.

(b) (I) "Primary care" means the basic entry-level health care provided by physician or nonphysician health care practitioners that is generally provided in an outpatient setting.

(II) "Primary care" includes:
(A) PROVIDING OR ARRANGING FOR THE PROVISION OF PRIMARY HEALTH CARE;

(B) MATERNITY CARE, INCLUDING PRENATAL CARE;

(C) PREVENTIVE, DEVELOPMENTAL, AND DIAGNOSTIC SERVICES FOR INFANTS AND CHILDREN;

(D) ADULT PREVENTIVE SERVICES;

(E) DIAGNOSTIC LABORATORY AND RADIOLOGY SERVICES;

(F) EMERGENCY CARE FOR MINOR TRAUMA;

(G) PHARMACEUTICAL SERVICES; AND

(H) COORDINATION AND FOLLOW-UP FOR HOSPITAL CARE.

(III) "PRIMARY CARE" MAY ALSO INCLUDE OPTIONAL SERVICES BASED ON A PATIENT'S NEEDS.

SECTION 8. In Colorado Revised Statutes, add 27-80-103.5 as follows:

27-80-103.5. Opioid prevention grant program - fund - appropriation - report - repeal. (1) (a) THERE IS CREATED IN THE OFFICE OF BEHAVIORAL HEALTH, REFERRED TO IN THIS SECTION AS THE "OFFICE", THE CHARLIE HUGHES AND NATHAN GAUNA OPIOID PREVENTION GRANT PROGRAM TO IMPROVE YOUNG LIVES, WHICH IS A FIVE-YEAR GRANT PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM", FOR PREVENTING OPIOID USE AMONG THE STATE'S YOUTH POPULATION AND SUPPORTING YOUTH WHOSE FAMILY MEMBERS EXPERIENCE ADDICTION. AN ENTITY THAT RECEIVES A GRANT PURSUANT TO THIS SECTION SHALL APPLY THE GRANT TO ADMINISTER AN EVIDENCE-BASED PROGRAM WITH CLEAR METRICS AND BENCHMARKS TO DEVELOP, IMPLEMENT, AND IDENTIFY PROOF POINTS AND BEST PRACTICES FOR PREVENTING OPIOID USE AMONG THE STATE'S YOUTH POPULATION.
(b) (I) The office shall administer the program, including publishing the requirements to receive a grant, reviewing applicants, and selecting grant recipients.

(II) In choosing the grant recipients, the office shall consider the number of youth to be served by the applicant, the geographic location of the applicant, and the demonstration of need in the geographic area to be served. The office may award a grant to one or more, but not more than five, geographically diverse applicants.

(III) The office shall prioritize funding requested amounts in their entirety or in amounts substantially sufficient to ensure grant recipients can fully or substantially implement programs to fidelity.

(IV) The office shall prioritize awards to entities that serve communities with high risk factors for substance use combined with limited access to treatment services according to state needs assessments, Colorado health indicator data, and national best practice trends.

(2) An applicant for a grant through the program must:

(a) serve youth five years of age and older but younger than nineteen years of age;

(b) be a community-based youth development organization providing direct services to youth;

(c) serve youth living in communities experiencing an opioid crisis;

(d) demonstrate that it will administer an evidence-based substance use prevention program listed as a model or promising
PROGRAM IN THE BLUEPRINTS FOR HEALTHY YOUTH DEVELOPMENT
PROGRAM REGISTRY;

(e) HAVE A HISTORY OF DELIVERING YOUTH PREVENTION
PROGRAMS; AND

(f) AGREE THAT DURING EACH GRANT YEAR, THE APPLICANT WILL:

(I) MEASURE THE YOUTH PARTICIPANTS' ATTITUDES ON OPIOID USE
AND OTHER SUBSTANCE USE; AND

(II) TRACK DEMOGRAPHICS, ATTENDANCE, AND PARTICIPATION IN
THE PROGRAM AND COMPILE AGGREGATED FEEDBACK ON THIS
INFORMATION FOR THE REPORT REQUIRED PURSUANT TO SUBSECTION (5)
OF THIS SECTION.

(3) THE OFFICE SHALL AWARD THE GRANTS TO THE SELECTED
RECIPIENTS ON OR BEFORE OCTOBER 1, 2019, AND CONTRACT WITH THE
GRANT RECIPIENTS NO LATER THAN NOVEMBER 1, 2019.

(4) THERE IS CREATED IN THE STATE TREASURY THE YOUTH OPIOID
AND SUBSTANCE USE PREVENTION FUND, WHICH CONSISTS OF MONEY
APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. FOR THE
2019-20 FISCAL YEAR, AND EACH FISCAL YEAR THEREAFTER THROUGH THE
2023-24 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE A
TOTAL OF TWO MILLION DOLLARS TO THE FUND FROM THE MARIJUANA TAX
CASH FUND CREATED IN SECTION 39-28.8-501 (1). THE MONEY IN THE
FUND IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR USE BY
THE OFFICE FOR THE DIRECT AND INDIRECT COSTS OF THE PROGRAM. THE
OFFICE MAY USE UP TO TWO PERCENT OF THE MONEY IN THE FUND FOR THE
ADMINISTRATION AND EVALUATION OF THE PROGRAM. ANY UNEXPENDED
AND UNENCUMBERED MONEY REMAINING IN THE FUND AT THE END OF
EACH FISCAL YEAR OF THE PROGRAM REMAINS IN THE FUND AND SHALL
NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER FUND. ANY UNEXPENDED AND UNENCUMBERED MONEY REMAINING IN THE FUND ON JULY 1, 2024, REVERTS TO THE MARIJUANA TAX CASH FUND.

(5) THE OFFICE SHALL WORK WITH THE GRANT RECIPIENTS TO OBTAIN THE AGGREGATED FEEDBACK REQUIRED BY SUBSECTION (2)(f)(II) OF THIS SECTION. THE OFFICE SHALL SUBMIT A REPORT TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 1, 2024, REGARDING THE PROGRESS OF EACH GRANT RECIPIENT BASED ON THE DATA OBTAINED PURSUANT TO SUBSECTION (2)(f)(II) OF THIS SECTION AND THE PERFORMANCE METRICS SPECIFIED IN THE RECIPIENT’S GRANT APPLICATION.

(6) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE ITS REPEAL, THE PROGRAM IS SCHEDULED FOR REVIEW PURSUANT TO SECTION 24-34-104.

SECTION 9. In Colorado Revised Statutes, 27-80-118, add (5) and (6) as follows:

27-80-118. Center for research into substance use disorder prevention, treatment, and recovery support strategies - legislative declaration - established - repeal. (5) (a) THE CENTER SHALL DEVELOP AND IMPLEMENT A PROGRAM TO INCREASE PUBLIC AWARENESS CONCERNING THE SAFE USE, STORAGE, AND DISPOSAL OF OPIOIDS AND THE AVAILABILITY OF NALOXONE AND OTHER DRUGS USED TO BLOCK THE EFFECTS OF AN OPIOID OVERDOSE.

(b) (I) FOR THE 2019-20 FISCAL YEAR AND EACH FISCAL YEAR THEREAFTER THROUGH THE 2023-24 FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE SEVEN HUNDRED FIFTY THOUSAND DOLLARS PER YEAR TO THE CENTER FROM THE MARIJUANA TAX CASH FUND.
CREATED IN SECTION 39-28.8-501 (1) FOR THE PURPOSES OF THIS
SUBSECTION (5).

(II) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2024. BEFORE ITS REPEAL, THE PROGRAM CREATED IN THIS SUBSECTION (5) IS SCHEDULED FOR REVIEW PURSUANT TO SECTION 24-34-104.

(6) (a) THE CENTER MAY EMPLOY UP TO FOUR ADDITIONAL EMPLOYEES TO WORK AS GRANT WRITERS IN ORDER TO AID LOCAL COMMUNITIES IN NEED OF ASSISTANCE IN APPLYING FOR GRANTS TO ACCESS STATE AND FEDERAL MONEY TO ADDRESS OPIOID AND OTHER SUBSTANCE USE DISORDERS IN THEIR COMMUNITIES. THE CENTER SHALL DETERMINE THE COMMUNITIES IN WHICH TO PROVIDE THE GRANT WRITING ASSISTANCE.

(b) FOR THE FISCAL YEAR 2019-20, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY FROM THE GENERAL FUND TO THE DEPARTMENT FOR ALLOCATION TO THE CENTER FOR THE PURPOSES OF THIS SUBSECTION (6). THE CENTER MAY USE THE MONEY TO HIRE NEW EMPLOYEES AND FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH THIS SUBSECTION (6).

SECTION 10. In Colorado Revised Statutes, 24-34-104, add (25)(a)(XX) and (25)(a)(XXI) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration. (25) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2024:

(XX) THE CHARLIE HUGHES AND NATHAN GAUNA OPIOID PREVENTION GRANT PROGRAM TO IMPROVE YOUNG LIVES CREATED IN
SECTION 27-80-103.5;

(XXI) The program to increase public awareness concerning the safe use, storage, and disposal of opioids and the availability of naloxone and other drugs used to block the effects of an opioid overdose developed pursuant to Section 27-80-118 (5).

SECTION 11. In Colorado Revised Statutes, add part 2 to article 82 of title 27 as follows:

PART 2

MATERNAL AND CHILD HEALTH PILOT PROGRAM

27-82-201. Legislative declaration. The general assembly finds and declares that facilities that provide treatment to individuals with a substance use disorder, including medication-assisted treatment, and clinics that provide obstetric and gynecological health care services would better serve pregnant and postpartum women if the services could be coordinated and provided to women at the same location. It is the intent of the general assembly to provide general fund money to fund a pilot program to integrate these health care services at specified facilities and clinics and require the office of behavioral health to evaluate the pilot program and report the results of the pilot program to the general assembly.

27-82-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "Clinic" means a site that provides obstetric and
(2) "LICENSED HEALTH CARE PROVIDER" MEANS A PHYSICIAN OR PHYSICIAN ASSISTANT LICENSED PURSUANT TO ARTICLE 36 OF TITLE 12 OR A NURSE LICENSED PURSUANT TO ARTICLE 38 OF TITLE 12.

(3) "PILOT PROGRAM" MEANS THE MATERNAL AND CHILD HEALTH PILOT PROGRAM CREATED IN SECTION 27-82-203.

(4) "TREATMENT FACILITY" MEANS A HEALTH CARE FACILITY THAT PROVIDES SUBSTANCE USE DISORDER OR MEDICATION-ASSISTED TREATMENT AND THAT IS APPROVED BY THE OFFICE OF BEHAVIORAL HEALTH PURSUANT TO SECTION 27-82-103.

27-82-203. Maternal and child health pilot program - created - eligibility of grant recipients - rules - report. (1) THERE IS CREATED IN THE DEPARTMENT THE MATERNAL AND CHILD HEALTH PILOT PROGRAM. THE OFFICE OF BEHAVIORAL HEALTH SHALL ADMINISTER THE PILOT PROGRAM. THE PURPOSE OF THE PILOT PROGRAM IS TO:

(a) PROVIDE GRANTS TO THREE TREATMENT FACILITIES TO FACILITATE THE INTEGRATION OF OBSTETRIC AND GYNECOLOGICAL HEALTH CARE; AND

(b) PROVIDE GRANTS TO SIX CLINICS TO FACILITATE THE INTEGRATION OF BEHAVIORAL HEALTH, INCLUDING SUBSTANCE USE DISORDER TREATMENT OR MEDICATION-ASSISTED TREATMENT, INTO OBSTETRIC AND GYNECOLOGICAL HEALTH CARE AT THE CLINICS.

(2) THE OFFICE OF BEHAVIORAL HEALTH SHALL DETERMINE THE CRITERIA FOR TREATMENT FACILITIES AND CLINICS TO BE ELIGIBLE TO RECEIVE THE GRANTS.

(3) (a) (I) A TREATMENT FACILITY THAT IS AWARDED A GRANT SHALL INTEGRATE PREGNATAL, POSTPARTUM, AND OTHER HEALTH CARE
SERVICES DELIVERED BY LICENSED HEALTH CARE PROVIDERS INTO THE SERVICES CURRENTLY PROVIDED AT THE TREATMENT FACILITY.

(II) A TREATMENT FACILITY THAT IS AWARDED A GRANT MAY USE THE GRANT TO HIRE CLINICAL STAFF AND TO PROVIDE CLINICAL UPDATES, INCLUDING TRAINING STAFF AND UPGRADING AND CHANGING TECHNOLOGY PLATFORMS TO SUPPORT INTEGRATED CARE, IN ORDER TO PERFORM OBSTETRIC AND GYNECOLOGICAL HEALTH CARE WITHIN THE TREATMENT FACILITY. A TREATMENT FACILITY WITH LOW PATIENT VOLUME MAY PARTNER WITH OTHER TREATMENT FACILITIES AND CLINICS TO PROVIDE INTEGRATED CARE.

(b) (I) A CLINIC THAT IS AWARDED A GRANT SHALL INTEGRATE BEHAVIORAL HEALTH CARE SERVICES PROVIDED BY SOCIAL WORKERS AND OTHER BEHAVIORAL HEALTH CARE PROFESSIONALS LICENSED PURSUANT TO ARTICLE 43 OF TITLE 12, INCLUDING MENTAL HEALTH SERVICES, SUBSTANCE USE DISORDER TREATMENT, OR MEDICATION-ASSISTED TREATMENT, INTO THE HEALTH CARE SERVICES CURRENTLY PROVIDED AT THE CLINIC.

(II) A CLINIC MAY USE THE GRANT FOR SERVICES INCLUDING TRAINING CLINICAL STAFF, UPGRADING AND CHANGING TECHNOLOGY PLATFORMS TO SUPPORT INTEGRATED CARE, EMPLOYING BEHAVIORAL HEALTH CARE PROVIDERS, AND COORDINATING AND REFERRING PATIENTS TO BEHAVIORAL HEALTH CARE PROVIDERS OUTSIDE THE CLINIC.

(4) THE STATE BOARD OF HUMAN SERVICES WITHIN THE DEPARTMENT, IN CONSULTATION WITH THE OFFICE OF BEHAVIORAL HEALTH, MAY PROMULGATE RULES TO IMPLEMENT THE PILOT PROGRAM. THE RULES MUST INCLUDE:

(a) THE PROCEDURES AND TIMELINES BY WHICH A TREATMENT
FACILITY OR CLINIC MAY APPLY FOR A GRANT;

(b) GRANT APPLICATION CONTENTS; AND

(c) CRITERIA FOR DETERMINING ELIGIBILITY FOR AND THE AMOUNT
OF EACH GRANT AWARDED TO A TREATMENT FACILITY OR CLINIC.

(5) THE EXECUTIVE DIRECTOR SHALL DETERMINE A PROCESS TO
EVALUATE THE GRANT RECIPIENTS AND THE INTEGRATION OF HEALTH
CARE RESULTING FROM THE PILOT PROGRAM. THE OFFICE OF BEHAVIORAL
HEALTH SHALL REPORT THE RESULTS OF THE PILOT PROGRAM TO THE
HEALTH CARE AND HUMAN SERVICES AND THE HEALTH AND INSURANCE
COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND
HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR
COMMITTEES.

27-82-204. Funding for pilot program. (1) (a) For the 2019-20
THROUGH 2021-22 FISCAL YEARS, THE GENERAL ASSEMBLY SHALL
APPROPRIATE MONEY EACH FISCAL YEAR FROM THE GENERAL FUND TO THE
DEPARTMENT, FOR ALLOCATION TO THE OFFICE OF BEHAVIORAL HEALTH
to implement the pilot program. The Office of Behavioral Health
may use a portion of the money annually appropriated for the
PILOT PROGRAM TO PAY THE DIRECT AND INDIRECT COSTS INCURRED TO
ADMINISTER THE PILOT PROGRAM.

(b) IF ANY UNEXPENDED OR UNCOMMITTED MONEY APPROPRIATED
FOR THE 2019-20 OR 2020-21 FISCAL YEAR REMAINS AT THE END OF
EITHER FISCAL YEAR, THE OFFICE OF BEHAVIORAL HEALTH MAY EXPEND
THE MONEY IN ACCORDANCE WITH THIS SECTION IN THE SUCCEEDING
FISCAL YEAR WITHOUT FURTHER APPROPRIATION. ANY UNEXPENDED OR
UNCOMMITTED MONEY REMAINING AT THE END OF THE 2021-22 FISCAL
YEAR REVERTS TO THE GENERAL FUND.
(2) THE DEPARTMENT MAY SOLICIT, ACCEPT, AND EXPEND ANY GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO IMPLEMENT OR ADMINISTER THE PILOT PROGRAM.

27-82-205. Repeal of part. This part 2 is repealed, effective December 31, 2022.

SECTION 12. In Colorado Revised Statutes, add to article 30 as relocated by House Bill 19-1172 12-30-111 as follows:

12-30-111. Demonstrated competency - opiate prescribers - rules - definition - repeal. (1) (a) THE APPLICABLE LICENSING BOARD FOR EACH LICENSED HEALTH CARE PROVIDER SHALL PROMULGATE RULES THAT REQUIRE EACH LICENSED HEALTH CARE PROVIDER, AS A CONDITION OF RENEWING, REACTIVATING, OR REINSTATING A LICENSE ON OR AFTER OCTOBER 1, 2019, TO COMPLETE UP TO FOUR CREDIT HOURS OF TRAINING PER LICENSING CYCLE IN ORDER TO DEMONSTRATE COMPETENCY REGARDING: BEST PRACTICES FOR OPIOID PRESCRIBING, ACCORDING TO THE MOST RECENT VERSION OF THE DIVISION'S GUIDELINES FOR THE SAFE PRESCRIBING AND DISPENSING OF OPIOIDS; RECOGNITION OF SUBSTANCE USE DISORDERS; REFERRAL OF PATIENTS WITH SUBSTANCE USE DISORDERS FOR TREATMENT; AND THE USE OF THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM CREATED IN PART 4 OF ARTICLE 280 OF THIS TITLE.

(b) THE RULES PROMULGATED BY EACH BOARD SHALL EXEMPT A LICENSED HEALTH CARE PROVIDER WHO:

(i) MAINTAINS A NATIONAL BOARD CERTIFICATION THAT REQUIRES EQUIVALENT SUBSTANCE USE PREVENTION TRAINING; OR
(II) ATTESTS TO THE APPROPRIATE BOARD THAT THE HEALTH CARE PROVIDER DOES NOT PRESCRIBE OPIOIDS.

(2) FOR THE PURPOSES OF THIS SECTION, "LICENSED HEALTH CARE PROVIDER" INCLUDES A PHYSICIAN, PHYSICIAN ASSISTANT, PODIATRIST, DENTIST, ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY, OPTOMETRIST, AND VETERINARIAN LICENSED PURSUANT TO THIS TITLE 12.

SECTION 13. In Colorado Revised Statutes, add to article 240 as relocated by House Bill 19-1172 12-240-145 as follows:

12-240-145. Prescription medications - financial benefit for prescribing prohibited. A PHYSICIAN OR PHYSICIAN ASSISTANT SHALL NOT ACCEPT ANY DIRECT OR INDIRECT BENEFIT FROM A PHARMACEUTICAL MANUFACTURER OR PHARMACEUTICAL REPRESENTATIVE FOR PRESCRIBING A SPECIFIC MEDICATION TO A PATIENT. FOR THE PURPOSES OF THIS SECTION, A DIRECT OR INDIRECT BENEFIT DOES NOT INCLUDE A BENEFIT OFFERED TO A PHYSICIAN OR PHYSICIAN ASSISTANT REGARDLESS OF WHETHER THE SPECIFIC MEDICATION IS BEING PRESCRIBED.

SECTION 14. In Colorado Revised Statutes, 12-280-124, add as relocated by House Bill 19-1172 (3) as follows:

12-280-124. Labeling - rules. (3) THE BOARD SHALL PROMULGATE RULES CONCERNING THE LABELING REQUIREMENTS FOR A PRESCRIPTION DRUG THAT IS DISPENSED TO A PATIENT FOR OUTPATIENT USE AND CONTAINS AN OPIOID, EXCEPT FOR AN OPIOID PRESCRIBED FOR TREATMENT OF A SUBSTANCE USE DISORDER OR THAT IS A PARTIAL OPIOID ANTAGONIST, WHICH RULES MUST INCLUDE A WARNING TO INDICATE RISKS SUCH AS OVERDOSE AND ADDICTION.

SECTION 15. In Colorado Revised Statutes, 12-280-404, add as
relocated by House Bill 19-1172 (3)(l) as follows:

12-280-404. Program operation - access - rules - definitions - repeal. (3) The program is available for query only to the following persons or groups of persons:

(I) A MEDICAL EXAMINER WHO IS A PHYSICIAN LICENSED PURSUANT TO ARTICLE 240 OF THIS TITLE 12, WHOSE LICENSE IS IN GOOD STANDING, AND WHO IS LOCATED AND EMPLOYED IN THE STATE OF COLORADO, OR A CORONER ELECTED PURSUANT TO SECTION 30-10-601, IF:

(I) THE INFORMATION RELEASED IS SPECIFIC TO AN INDIVIDUAL WHO IS THE SUBJECT OF AN AUTOPSY CONDUCTED BY THE MEDICAL EXAMINER OR CORONER;

(II) THE MEDICAL EXAMINER OR THE CORONER HAS LEGITIMATE ACCESS TO THE INDIVIDUAL'S MEDICAL RECORD; AND

(III) THE INDIVIDUAL'S DEATH OR INJURY OCCURRED UNDER UNUSUAL, SUSPICIOUS, OR UNNATURAL CIRCUMSTANCES.

SECTION 16. Appropriation. (1) For the 2019-20 state fiscal year, $157,754 is appropriated to the department of human services for use by the office of behavioral health. This appropriation is from the general fund and is based on an assumption that the office will require an additional 1.5 FTE. To implement this act, the office may use this appropriation for the administration and evaluation expenses related to the Charlie Hughes and Nathan Gauna opioid prevention grant program.

(2) For the 2019-20 state fiscal year, $2,000,000 is appropriated to the youth opioid and substance use prevention fund created in section 27-80-103.5 (4), C.R.S. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S. The department of human
services is responsible for the accounting related to this appropriation.

(3) For the 2019-20 state fiscal year, $997,754 is appropriated to
the department of human services for use by the office of behavioral
health. This appropriation is from the general fund and is based on an
assumption that the office will require an additional 1.5 FTE. To
implement this act, the office may use this appropriation for the maternal
and child health pilot program.

(4) For the 2019-20 state fiscal year, $750,000 is appropriated to
the department of higher education for use by the regents of the university
of Colorado. This appropriation is from the marijuana tax cash fund
created in section 39-28.8-501 (1), C.R.S. To implement this act, the
regents may use this appropriation for allocation to the center for research
into substance use disorder prevention, treatment, and recovery support
strategies and the college of nursing.

(5) For the 2019-20 state fiscal year, $50,000 is appropriated to
the department of higher education. This appropriation is from the general
fund. To implement this act, the department may use this appropriation
for the college opportunity fund program to be used for limited purpose
fee-for-service contracts with state institutions.

(6) For the 2019-20 state fiscal year, $50,000 is appropriated to
the department of higher education. This appropriation is from
reappropriated funds received from the limited purpose fee-for-service
contracts with state institutions under subsection (6) of this section. To
implement this act, the department may use this appropriation for the
regents of the university of Colorado for allocation to the center for
research into substance use disorder prevention, treatment, and recovery
support strategies.
For the 2019-20 state fiscal year, $2,000,000 is appropriated to the department of public health and environment. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) $71,852 for use by the prevention services division for administration, which amount is based on an assumption that the division will require an additional 0.9 FTE;

(b) $1,564,148 for distributions to local public health agencies;

and

(c) $364,000 for personal services related to health statistics and vital records.

SECTION 17. Effective date - applicability. (1) This act takes effect upon passage; except that sections 12 to 14 of this act take effect only if House Bill 19-1172 becomes law, in which case sections 12 to 14 take effect October 1, 2019.

(2) This act applies to conduct occurring on or after the effective date of this act.

SECTION 18. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.