



**Legislative  
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**HB 19-1120**

**FINAL  
FISCAL NOTE**

<b>Drafting Number:</b>	LLS 19-0071	<b>Date:</b>	August 5, 2019
<b>Prime Sponsors:</b>	Rep. Michaelson Jenet; Roberts Sen. Fenberg	<b>Bill Status:</b>	Signed into Law Max Nardo   303-866-4776
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**Bill Topic:** YOUTH MENTAL HEALTH EDUCATION AND SUICIDE PREVENTION

<b>Summary of Fiscal Impact:</b>	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires the Department of Education to create a mental health resource bank, and allows children twelve years of age or older to access psychotherapy services without parental consent. It increases state expenditures on an ongoing basis.

**Appropriation Summary:** For FY 2019-20, the bill requires and includes an appropriation of \$116,550 to the Department of Education.

**Fiscal Note Status:** The fiscal note reflects the enacted bill.

**Table 1  
State Fiscal Impacts Under HB 19-1120**

		FY 2019-20	FY 2020-21
<b>Revenue</b>		-	-
<b>Expenditures</b>	General Fund	\$116,550	\$46,708
	Centrally Appropriated	\$13,723	\$8,681
	<b>Total</b>	<b>\$130,273</b>	<b>\$55,389</b>
	<b>Total FTE</b>	<b>0.9 FTE</b>	<b>0.6 FTE</b>
<b>Transfers</b>		-	-
<b>TABOR Refund</b>		-	-

## **Summary of Legislation**

The bill permits mental health professionals to provide psychotherapy services to minors twelve years or older under certain circumstances, and requires the Colorado Department of Education (CDE) to create educational resources for mental health and to provide support for schools in developing mental health curricula.

**Psychotherapy services for minors.** The bill permits a mental health professional, as defined in the bill, to provide psychotherapy services to a minor twelve years of age or older, with or without the consent of the minor's parents or legal guardian, if the mental health professional determines that the minor is knowingly and voluntarily seeking such services and the services are clinically necessary. The mental health professional may notify the minor's parent or legal guardian of the services provided or needed, with the minor's consent, unless such notification would be inappropriate or detrimental to the minor's treatment. However, if the minor is unable to manage their care or treatment in the professional opinion of the mental health professional, the minor's parent or legal guardian may be notified without the minor's consent.

The mental health professional is required to engage the minor in a discussion about the importance of involving their parent or legal guardian. If a minor conveys an intent to commit suicide, the mental health professional is required to notify the minor's parent or legal guardian.

**Mental health resources for schools.** The bill requires the CDE to create and maintain a resource bank of program materials and curricula pertaining to mental health. The Office of Suicide Prevention and the Suicide Prevention Commission in the Colorado Department of Public Health and Environment and the Colorado Youth Advisory Council in the Legislative Department will assist in the creation of the resources. Resources must be available to elementary and secondary schools in the state free of charge, and must be available in both English and Spanish. The resource bank can include internet links to existing resources provided by other entities that the CDE finds reliable. The CDE must solicit input from a variety of sources, including mental health professionals, and youth. The resource bank must be available by July 1, 2020. The CDE may contract for the development of curricula, provision of curricula to schools, training for educators, and the enhancement of the resource bank.

Upon request, the CDE must provide technical assistance to a school district, charter school, institute charter school, or board of cooperative services in designing age-appropriate curricula pertaining to mental health. These entities are encouraged to report to the CDE on the effectiveness of the resource bank and curricula and to recommend improvements.

The Colorado State Board of Education is required to adopt standards that identify the knowledge and skills that an elementary through secondary education student should acquire related to mental health, including suicide prevention.

## **Assumptions**

It is assumed that the comprehensive health education standards adopted by the State Board of Education in 2018 satisfy the bill's requirement that the standards identify knowledge and skills that students should acquire related to mental health and suicide prevention.

**State Expenditures**

The bill will increase state General Fund expenditures by \$130,273 and 0.9 FTE in FY 2019-20 and \$55,389 and 0.6 FTE in FY 2020-21 and future years for the CDE. These costs are shown in Table 2 and described below. It will also increase costs and workload for other agencies.

**Table 2  
Expenditures Under HB 19-1120**

	<b>FY 2019-20</b>	<b>FY 2020-21</b>
<b>Department of Education</b>		
Personal Services	\$76,897	\$46,138
Operating and Capital Costs	\$5,653	\$570
Contractor Costs	\$30,000	-
Stakeholder Meetings	\$4,000	-
Centrally Appropriated Costs*	\$13,723	\$8,681
<b>Total Cost</b>	<b>\$130,273</b>	<b>\$55,389</b>
<b>Total FTE</b>	<b>0.9 FTE</b>	<b>0.6 FTE</b>

\* Centrally appropriated costs are not included in the bill's appropriation.

**Department of Education.** Prior to the resource bank becoming publicly available by July 1, 2020, the CDE will require staff to assemble materials, develop curriculum, conduct a stakeholder process, and to work with contractors toward these ends. Contractors will assist with various aspects of preparing resources and facilitating their use at schools. After the resource bank is initially created and available to schools, there will be a smaller amount of ongoing workload to provide technical assistance, gather and incorporate feedback, update and maintain the resources, and generally administer the program. To accomplish this the department will require 0.9 FTE in FY 2019-20 and 0.6 FTE in FY 2020-21 and beyond. Costs and FTE in FY 2019-20 are prorated to account for the General Fund paydate shift.

**Department of Health Care Policy and Financing.** The state's 59 school-based health centers are commonly used access points for adolescents to receive behavioral health services. Psychotherapy is a covered benefit under Medicaid and Child Health Plan Plus (CHP+). While the bill does not create a new benefit, to the extent that parental consent is a barrier to covered individuals obtaining psychotherapy services, utilization could increase. It is assumed that added costs and workload will be minimal and can be absorbed within existing appropriations.

**Other agencies.** The Office of Suicide Prevention and the Suicide Prevention Commission in the Colorado Department of Public Health and Environment and the Colorado Youth Advisory Council in the Legislative Department will experience a minimal increase in workload to provide assistance to CDE in creating and maintaining the resource bank.

**Centrally appropriated costs.** Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$13,723 in FY 2019-20 and \$8,681 in FY 2020-21.

## Effective Date

The bill was signed into law by the Governor and took effect on May 16, 2019.

## State Appropriations

For FY 2019-20, the bill requires and includes a General Fund appropriation of \$116,550 to the Colorado Department of Education.

## State and Local Government Contacts

Education  
Law  
School Districts

Health Care Policy and Financing  
Public Health and Environment  
LCS

Human Services  
Regulatory Agencies