

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

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 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.

Prime Sponsors: Sens. Winter and Moreno  
Reps. Buentello and Singer

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Date Prepared: April 30, 2019

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 04/22/19.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
<b>XXX</b>	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The bill includes amendments adopted on second and third reading in the Senate (4/24/19 and 4/25/19). Legislative Council Staff and JBC Staff agree that the Senate floor amendments do not change the fiscal impact of the bill. However, Legislative Council Staff and JBC Staff also agree that the fiscal impact of the bill for FY 2019-20 is \$35,506 General Fund less than the amount included in the Legislative Council Staff Revised Fiscal Note dated April 22, 2019, due to a technical difference in the administrative cost calculation for the Department of Human Services. The appropriation clause included in the reengrossed bill is consistent with the bill's fiscal impact as it passed out of the Senate.

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
L.038/J.003	Bill Sponsor amendment - changes fiscal impact <i>and</i> appropriation

**Current Appropriations Clause in Bill**

The bill includes an appropriation clause that appropriates a total of \$5,955,508 for FY 2019-20 to the Departments of Higher Education, Human Services, and Public Health and Environment, including \$3,205,508 General Fund and \$2,750,000 cash funds from the Marijuana Tax Cash Fund (MTCF). Of the General Fund amount, \$50,000 is reappropriated within the Department of Higher Education. This provision also states that the appropriation is based on the assumption that the Departments will require an additional 3.9 FTE to implement the act.

**Description of Amendments in This Packet**

**L.038 and J.003**

Bill Sponsor amendment **L.038** (attached):

- Modifies provisions that create the Charlie Hughes and Nathan Guana Opioid Prevention Grant Program to Improve Young Lives in the Department of Human Services, Office of Behavioral Health. Specifies that funding will be to purchase prevention services from one or more community-based youth development organizations that administer evidence-based substance use prevention programs to youth and families. This change is assessed as reducing the program's associated costs for FY 2019-20 and subsequent years from \$2,000,000 from the MTCF and \$157,754 from the General Fund to \$500,000 from the MTCF. Specifies that the Department may use up to ten percent of the appropriation (\$50,000, supporting 0.5 FTE) for administration and evaluation.
- Modifies provisions creating the Maternal and Child Health Pilot Program in the Department of Human Services' Office of Behavioral Health so that the program provides grants to two treatment facilities (instead of three) and four clinics (instead of six) and uses funding from the MTCF, instead of the General Fund. Based on these changes, the program is assessed as requiring an appropriation of \$692,367 from the MTCF, instead of \$997,754 from the General Fund, for FY 2019-20.
- Modifies provisions that authorize the Center for Research into Substance Use Disorder, Prevention, Treatment, and Recovery Support Strategies at the University of Colorado (Center) to aid local communities in applying for grants to address substance use disorders. Based on these changes and additional information provided by the Center, this program is assessed as requiring one-time funding of \$250,000 from the MTCF, instead of \$50,000 from the General Fund, for FY 2019-20.
- Restores a provision included in the introduced bill but eliminated in the Senate that authorized the Center, in collaboration with other entities, to conduct a statewide perinatal substance use data linkage project. This program is assessed as requiring \$100,000 from the MTCF in FY 2019-20 and \$50,000 in FY 2020-21.

If amendment L.038 is adopted, all funding required for the bill is from the MTCF. The total fiscal impact of the bill with the amendment is reflected below.

<b>Fiscal Impact of S.B. 19-228 if Amendment L.038 is Adopted</b>					
	<b>Fund source</b>	<b>FY 2019-20</b>	<b>FTE</b>	<b>FY 2020-21</b>	<b>FTE</b>
Human Services (Maternal and Child Health Pilot Program - \$692,367 in FY 20; Youth Opioid Prevention Grant Program \$500,000 each year)	MTCF*	\$1,192,367	2.1	\$1,162,961	2.1
Higher Education (public awareness campaign on safe storage, use disposal of antagonist drugs - \$750,000; local community grant application assistance - \$250,000 in FY 20; perinatal substance use data linkage project - \$100,000 in FY 20 )	MTCF	1,100,000	0.0	800,000	0.0
Public Health and Environment (public health interventions to address opioid and substance use disorder)	MTCF	2,000,000	0.9	0	0.0
<b>Total**</b>	MTCF	<b>\$4,292,367</b>	<b>3.0</b>	<b>\$ 1,962,961</b>	<b>2.1</b>
*Marijuana Tax Cash Fund					
**Excludes centrally-appropriated funds					

Staff has prepared amendment **J.003** (attached) to replace the appropriation clause in the reengrossed bill with an appropriation clause consistent with the fiscal impact, shown in the table above, if amendment L.038 is adopted. This appropriation clause provides appropriations to the Departments of Public Health and Environment, Human Services, and Higher Education totaling \$4,292,367 from the MTCF for FY 2019-20. This provision also states that the appropriation is based on the assumption that the Departments will require an additional 3.0 FTE to implement the act.

**If amendment L.038 is adopted, amendment J.003 should also be adopted.**

**Points to Consider**

*Revenue Source/ Related Budget Information*

A total of \$158.9 million is projected to be available in the MTCF for appropriation in FY 2019-20, based on the March 2019 Legislative Council Staff revenue forecast. As detailed below, the FY 2019-20 budget package introduced by the Joint Budget Committee, as amended by General Assembly action on the Long Bill, leaves \$28.1 million available.

Total funds projected to be available for FY 2019-20 \$ 158,948,672

**SB19-228**

Less: Long Bill (S.B. 19-207) appropriations  
Less: Transfers in/(out) under current law and S.B. 19-213  
Funds remaining available

**JBC Staff Analysis**

(130,043,950)  
(803,348)  
\$ 28,101,374