

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 22-1221

BY REPRESENTATIVE(S) Michaelson Jenet, Bacon, Bernett, Boesenecker, Caraveo, Cutter, Esgar, Exum, Gonzales-Gutierrez, Hooton, Jodeh, Lindsay, Lontine, McCluskie, McLachlan, Ricks, Roberts, Sirota, Titone, Valdez A., Woodrow, Young;
also SENATOR(S) Fields.

CONCERNING THE CREATION OF THE COUNTY CORONER AND MORTUARY MENTAL HEALTH AND WELLNESS PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 27-60-205 as follows:

27-60-205. County coroner and mortuary mental health and wellness program - distribution of information - rules - repeal. (1) ON OR BEFORE JANUARY 31, 2023, THE BEHAVIORAL HEALTH ADMINISTRATION SHALL ADMINISTER A COUNTY CORONER AND MORTUARY MENTAL HEALTH AND WELLNESS PROGRAM, REFERRED TO IN THIS SECTION AS THE "PROGRAM". THE PROGRAM MUST PROVIDE MENTAL HEALTH AND WELLNESS SERVICES PRIMARILY FOCUSED ON IN-PERSON, INDIVIDUAL COUNSELING WITH

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

TRAUMA SPECIALISTS WHO HAVE EXPERIENCE WORKING WITH COUNTY CORONERS OR OTHER PROFESSIONALS IN THE MORTUARY INDUSTRY.

(2) THE BHA MAY ENTER INTO A COMPETITIVE SOLICITATION PROCESS PURSUANT TO THE STATE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, TO CONTRACT WITH AN ENTITY OR INDIVIDUAL PROVIDERS TO PROVIDE THE SERVICES DESCRIBED IN SUBSECTION (1) OF THIS SECTION.

(3) (a) THE PROGRAM MUST BE MADE AVAILABLE TO A COUNTY CORONER ELECTED PURSUANT TO SECTION 30-10-601; A COUNTY CORONER'S STAFF MEMBER; A PERSON WORKING FOR A VOLUNTEER GROUP, AS DETERMINED BY THE COUNTY CORONER; A FUNERAL DIRECTOR, AS DEFINED IN SECTION 12-135-103 (15); AND A MORTUARY SCIENCE PRACTITIONER, AS DEFINED IN SECTION 12-135-103 (22).

(b) IF A COUNTY CORONER, A COUNTY CORONER'S STAFF MEMBER, OR A PERSON WORKING FOR A VOLUNTEER GROUP DOES NOT HAVE HEALTH INSURANCE COVERAGE OR HAS HEALTH INSURANCE COVERAGE BUT THE INSURANCE COVERAGE DOES NOT COVER THE COSTS OF SERVICES PROVIDED PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE PROGRAM SHALL PAY FOR THE COST OF THE SERVICES.

(c) IF A FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER REQUESTS TO PARTICIPATE IN THE PROGRAM, THE FUNERAL HOME, AS DEFINED IN SECTION 12-135-103 (16), THAT EMPLOYS THE FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER SHALL PAY THE ACTUAL COST OF PROVIDING THE MENTAL HEALTH AND WELLNESS SERVICES IF THE FUNERAL DIRECTOR'S OR MORTUARY SCIENCE PRACTITIONER'S HEALTH INSURANCE COVERAGE DOES NOT COVER THE COSTS OF THE SERVICES.

(4) ON OR BEFORE APRIL 1, 2023, THE BHA SHALL PROVIDE INFORMATION ABOUT THE PROGRAM TO THE INDIVIDUALS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

(5) THE BHA SHALL NOT DISCLOSE ANY INFORMATION TO AN EMPLOYER ABOUT ANY PERSON RECEIVING SERVICES UNDER THE PROGRAM.

(6) THE BHA SHALL PROMULGATE RULES AS NECESSARY TO IMPLEMENT THIS SECTION.

(7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029. BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 24-34-104.

SECTION 2. In Colorado Revised Statutes, 24-34-104, **add** (30)(a)(VIII) as follows:

24-34-104. General assembly review of regulatory agencies and functions for repeal, continuation, or reestablishment - legislative declaration - repeal. (30) (a) The following agencies, functions, or both, are scheduled for repeal on September 1, 2029:

(VIII) THE COUNTY CORONER AND MORTUARY MENTAL HEALTH AND WELLNESS PROGRAM CREATED IN SECTION 27-60-205.

SECTION 3. Appropriation. For the 2022-23 state fiscal year, \$100,000 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the general fund and is based on an assumption that the administration will require an additional 1.0 FTE. To implement this act, the administration may use this appropriation for the county coroner and mortuary mental health and wellness program.

SECTION 4. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO