

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0816.02 Conrad Imel x2313

SENATE BILL 22-196

SENATE SPONSORSHIP

Gonzales and Lee,

HOUSE SPONSORSHIP

Bacon and Benavidez,

Senate Committees

Judiciary
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING SUPPORTING THE HEALTH NEEDS OF PERSONS WHO MAY**
102 **BE INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM.**

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 establishes the early intervention, deflection, and redirection from the criminal justice system grant program (grant program) in the behavioral health administration (BHA) to provide grants to local governments, federally recognized Indian tribes, health-care providers, community-based organizations, and nonprofit organizations

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.

to fund programs and strategies that prevent people with behavioral health needs from becoming involved with the criminal justice system or that redirect individuals in the criminal justice system with behavioral health needs from the system to appropriate services. Local law enforcement agencies are eligible for a grant only for the purpose of developing or expanding a co-responder community response program.

The BHA administers the grant program in consultation with the department of public safety. Each grant recipient must report to the BHA information about the use of the grant. The bill requires the general assembly to appropriate \$51.5 million from the behavioral and mental health cash fund to the department of human services for the grant program.

The bill requires the general assembly to appropriate \$3 million from the behavioral and mental health cash fund to the department of corrections (department) to provide medication-assisted treatment to individuals who are placed in the custody of the department. The department shall use the money for upgrades necessary to store medications at department facilities, for providing continuity of care for inmates with opioid use disorder between institutional settings and community-based treatment, and for facilitating long-term treatment and recovery of individuals upon release.

The bill requires the general assembly to appropriate \$4 million from the behavioral and mental health cash fund to the judicial department for allocation to district attorneys for pretrial diversion programs.

The bill creates the behavioral health information and data sharing program to award grants to counties to integrate the county jails' data systems with the Colorado integrated criminal justice information system. The division of criminal justice (division) within the department of public safety administers the program. The division is required to enter into an agreement with a third-party vendor to oversee the implementation of any data-sharing systems or software necessary for the program. The bill requires the general assembly to appropriate \$3.5 million from the behavioral and mental health cash fund for the program.

The bill requires the state department of health care policy and financing (HCPF) to evaluate and determine whether the state should seek additional federal authority to provide screening, brief intervention, and care coordination services through the medical assistance program to persons immediately prior to release from jail or a department of corrections facility and to improve processes for determining and redetermining individuals for medical assistance eligibility. If HCPF determines that the state should request federal authority, HCPF must make the request. If HCPF determines that the state should not request federal authority, HCPF must submit a report to the joint budget

committee of the general assembly that includes an alternate plan to ensure continuity of care for individuals being released from jail or prison.

The bill requires HCPF to determine whether federal authority is necessary to provide benefit coverage under the medical assistance program to people who are on work release from jail.

The bill requires each county jail to report quarterly about the number of inmates whose medicaid is suspended while incarcerated and the number of incarcerated inmates who are enrolled in, or whose medicaid is reinstated, prior to release. The bill requires a county jail to provide medicaid enrollment or re-enrollment paperwork to a person who is incarcerated in the jail and is eligible for medicaid benefits when the person enters the county jail.

The bill requires an administrator of a community corrections program to partner with a county department of human or social services to facilitate enrolling each offender participating in the program into medicaid.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) In Colorado, a person with serious mental illness is more likely
5 to be in jail than in a care facility, resulting in jails and prisons acting as
6 the biggest providers of mental health care in our state;

7 (b) People with the most serious mental illnesses often cycle in
8 and out of short-term crisis hospital care and jail, exacerbating their
9 mental health challenges;

10 (c) Cycling in and out of short-term care and jail is more
11 expensive than preventive harm reduction and public safety investments
12 that keep people healthy and in their communities; and

13 (d) Diversion away from the criminal justice system begins with
14 robust community resources.

15 (2) The general assembly further finds and declares that:

1 (a) The federal government enacted the "American Rescue Plan
2 Act of 2021" (ARPA), Pub.L. 117-2, pursuant to which Colorado
3 received \$3,828,761,790 to mitigate the fiscal effects stemming from the
4 COVID-19 public health emergency;

5 (b) Government recipients of ARPA funds may use the funds to
6 provide resources for governments to meet the public health and
7 economic needs of those impacted by the pandemic in their communities.
8 Pursuant to ARPA and related federal regulations, when providing
9 behavioral health services, government recipients may presume that the
10 general public was impacted by the pandemic, and they can therefore use
11 ARPA funds to provide a broad range of behavioral health services to the
12 public.

13 (c) The expenditures in this act for behavioral health programs
14 and services, including behavioral health facilities and equipment, is
15 considered an allowable use under ARPA and is necessary to respond to
16 the COVID-19 public health emergency; and

17 (d) The behavioral health-care services and programs and funding
18 described in this act are important government services.

19 **SECTION 2.** In Colorado Revised Statutes, **add** part 4 to article
20 60 of title 27 as follows:

21 **PART 4**

22 **EARLY INTERVENTION, DEFLECTION, AND REDIRECTION**
23 **FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM**

24 **27-60-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE
25 CONTEXT OTHERWISE REQUIRES:

26 (1) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS
27 THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN SECTION

1 27-60-203.

2 (2) "COMMUNITY-BASED ORGANIZATION" MEANS A NONPROFIT
3 ORGANIZATION THAT IS REPRESENTATIVE OF THE COMMUNITY SERVED, OR
4 SIGNIFICANT SEGMENTS OF THE COMMUNITY SERVED, AND ENGAGED IN
5 MEETING THAT COMMUNITY'S NEEDS IN THE AREAS OF SOCIAL, HUMAN, OR
6 HEALTH SERVICES.

7 (3) "ELIGIBLE ENTITY" MEANS:

8 (a) A COMMUNITY-BASED ORGANIZATION;

9 (b) A NONPROFIT ORGANIZATION;

10 (c) A LOCAL GOVERNMENT;

11 (d) A FEDERALLY RECOGNIZED INDIAN TRIBE;

12 (e) AN OFFICE THAT PROVIDES OR COORDINATES
13 COURT-APPOINTED COUNSEL TO REPRESENT INDIGENT CLIENTS CHARGED
14 WITH A CRIMINAL OFFENSE IN MUNICIPAL OR STATE COURT;

15 (f) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE
16 FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), THAT
17 PARTNERS AND SUBMITS A JOINT APPLICATION WITH A COMMUNITY-BASED
18 ORGANIZATION, NONPROFIT ORGANIZATION, LOCAL GOVERNMENT, OR
19 FEDERALLY RECOGNIZED INDIAN TRIBE;

20 (g) A RURAL HEALTH CLINIC, AS DEFINED IN THE FEDERAL "SOCIAL
21 SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(2), THAT PARTNERS AND
22 SUBMITS A JOINT APPLICATION WITH A COMMUNITY-BASED ORGANIZATION,
23 NONPROFIT ORGANIZATION, LOCAL GOVERNMENT, OR FEDERALLY
24 RECOGNIZED INDIAN TRIBE; AND

25 (h) A LOCAL LAW ENFORCEMENT AGENCY, BUT ONLY FOR THE
26 PURPOSE OF DEVELOPING OR EXPANDING A CO-RESPONDER COMMUNITY
27 RESPONSE PROGRAM, AS DEFINED IN SECTION 24-32-3501 (8).

1 (4) "GRANT PROGRAM" MEANS THE EARLY INTERVENTION,
2 DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM
3 GRANT PROGRAM ESTABLISHED IN SECTION 27-60-402.

4 (5) "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPALITY, OR
5 CITY AND COUNTY.

6 (6) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A COUNTY
7 SHERIFF'S OFFICE OR A MUNICIPAL POLICE DEPARTMENT.

8 (7) "REVIEW COMMITTEE" MEANS THE EARLY INTERVENTION,
9 DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM
10 GRANT REVIEW COMMITTEE CREATED IN SECTION 27-60-403.

11 **27-60-402. Early intervention, deflection, and redirection**
12 **from the criminal justice system grant program - established -**
13 **permissible uses.** (1) THERE IS ESTABLISHED IN THE BEHAVIORAL
14 HEALTH ADMINISTRATION THE EARLY INTERVENTION, DEFLECTION, AND
15 REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM TO
16 PROVIDE GRANTS TO ELIGIBLE ENTITIES TO FUND PROGRAMS AND OTHER
17 STRATEGIES THAT:

18 (a) PROVIDE BEHAVIORAL HEALTH TREATMENT OR RESOURCES TO
19 PREVENT INDIVIDUALS FROM BECOMING INVOLVED IN THE CRIMINAL
20 JUSTICE SYSTEM OR FURTHER PENETRATING INTO THE SYSTEM;

21 (b) FACILITATE A DIRECT COMMUNITY RESPONSE TO EFFECTIVELY
22 RESPOND TO A PERSON IN A BEHAVIORAL HEALTH CRISIS WITH THE GOAL
23 OF PREVENTING PEOPLE WITH BEHAVIORAL HEALTH NEEDS FROM BEING
24 ARRESTED; OR

25 (c) AFTER AN ARREST, REDIRECT INDIVIDUALS WITH BEHAVIORAL
26 HEALTH NEEDS, INCLUDING INDIVIDUALS ENGAGED IN COMPETENCY
27 EVALUATION OR RESTORATION IN ANY SETTING, FROM THE CRIMINAL

1 JUSTICE SYSTEM TO APPROPRIATE COMMUNITY-BASED TREATMENT AND
2 SUPPORT SERVICES.

3 (2) AN EARLY INTERVENTION, DEFLECTION, AND REDIRECTION
4 FROM THE CRIMINAL JUSTICE SYSTEM GRANT MAY BE USED FOR ANY OF
5 THE FOLLOWING:

6 (a) TO SUPPORT, CREATE, OR EXPAND PRE-ARREST EARLY
7 INTERVENTION PROGRAMS, INCLUDING COMMUNITY-BASED ALTERNATIVE
8 RESPONSE PROGRAMS DESCRIBED IN SECTION 24-32-3501 (8);

9 (b) TO SUPPORT, CREATE, OR EXPAND CO-RESPONDER COMMUNITY
10 RESPONSE, AS DEFINED IN SECTION 24-32-3501 (8);

11 (c) TO FUND ENHANCED STAFFING, FACILITY IMPROVEMENTS, OR
12 SECURITY MEASURES FOR EXISTING CRISIS WALK-IN CENTERS, CRISIS
13 STABILIZATION UNITS, MOBILE CRISIS SERVICES, OR CRISIS RESPITE
14 SERVICES, AS DESCRIBED IN SECTION 27-60-103 (1)(b), AND WITHDRAWAL
15 MANAGEMENT PROGRAMS AT FACILITIES APPROVED PURSUANT TO ARTICLE
16 81 OF THIS TITLE 27. A CRISIS WALK-IN CENTER MUST USE A GRANT AWARD
17 TO ENABLE THE CRISIS WALK-IN CENTER TO ACCEPT ALL BEHAVIORAL
18 HEALTH RELATED FIRST RESPONDER DROP-OFFS AND PROVIDE CRISIS
19 RECEIVING AND STABILIZATION SERVICES. GRANTS AWARDED FOR CRISIS
20 STABILIZATION UNITS, MOBILE CRISIS SERVICES, CRISIS RESPITE SERVICES,
21 AND WITHDRAWAL MANAGEMENT PROGRAMS MUST BE USED TO PROVIDE
22 CRISIS RECEIVING AND STABILIZATION SERVICES.

23 (d) COLLABORATION BETWEEN COMMUNITY-BASED
24 ORGANIZATIONS AND COURT-APPOINTED COUNSEL WHO REPRESENT
25 INDIGENT CLIENTS TO FACILITATE BEHAVIORAL HEALTH SCREENING AND
26 ASSESSMENT AND TO HELP CLIENTS ACCESS BEHAVIORAL HEALTH AND
27 OTHER SUPPORTIVE SERVICES, PARTICULARLY DURING EARLY STAGES IN

1 A CRIMINAL PROCEEDING;

2 (e) COMPREHENSIVE SERVICE DELIVERY, INCLUDING MODELS
3 WHERE MULTIPLE PARTNERS CO-LOCATE OR CREATE NEW RESOURCE
4 CENTERS, TO ENSURE SWIFT CONNECTION TO AND RECEIPT OF SOCIAL
5 SUPPORT SERVICES INCLUDING, BUT NOT LIMITED TO, COUNSELING, JOB
6 PLACEMENT SERVICES, HOUSING NAVIGATION ASSISTANCE AND SUPPORT,
7 BENEFITS ENROLLMENT, FAMILY COUNSELING, SUBSTANCE USE
8 TREATMENT, CASE MANAGEMENT SERVICES, PEER SUPPORT, AND OTHER
9 SUPPORTIVE SERVICES. TO RECEIVE A GRANT FOR COMPREHENSIVE
10 SERVICE DELIVERY, THE APPLICANT MUST DEMONSTRATE COLLABORATION
11 WITH LOCAL PARTNERS THAT WILL PROVIDE SOCIAL SUPPORT SERVICES AS
12 PART OF THE COMPREHENSIVE SERVICE DELIVERY.

13 (f) COMPREHENSIVE PRE-RELEASE PLANNING FOR INDIVIDUALS IN
14 A JAIL OR PRISON WITH BEHAVIORAL HEALTH NEEDS, TO PREVENT
15 REINCARCERATION;

16 (g) TO SUPPORT, CREATE, OR EXPAND PROGRAMS TO HELP PEOPLE
17 WHO HAVE A PENDING MUNICIPAL CRIMINAL CASE ATTEND THEIR COURT
18 DATES AND AVOID JAIL FOR NON-APPEARANCE, SUCH AS THROUGH COURT
19 REMINDERS, RIDE ASSISTANCE, OR OTHER SUPPORTIVE INTERVENTIONS. A
20 PROGRAM THAT OPERATES WITH GRANT MONEY MUST SERVE A
21 SUBSTANTIAL NUMBER OF PEOPLE WITH BEHAVIORAL HEALTH NEEDS.

22 (h) OTHER INNOVATIONS OR PROGRAMS AIMED AT DEFLECTING,
23 REDIRECTING, OR OTHERWISE PREVENTING PEOPLE WITH BEHAVIORAL
24 HEALTH NEEDS FROM FURTHER PENETRATING INTO THE CRIMINAL JUSTICE
25 SYSTEM;

26 (i) TECHNICAL ASSISTANCE AND CAPACITY-BUILDING, AS
27 IDENTIFIED BY THE APPLICANT AS A COMPONENT OF THE PROGRAM, TO

1 SUPPORT DELIVERY OF EVIDENCE-BASED OR EVIDENCE-INFORMED
2 SERVICES ALONG THE BEHAVIORAL HEALTH CONTINUUM OF CARE; AND

3 (i) CAPITAL EXPENDITURES RELATED TO PROVIDING THE
4 TREATMENT AND SERVICES DESCRIBED IN THIS SUBSECTION (2).

5 (3) THE BHA SHALL PROVIDE GRANT RECIPIENTS WITH
6 INFORMATION ABOUT THE 988 CRISIS HOTLINE, DEFINED IN SECTION
7 27-64-102, TO ENSURE THAT THE GRANT RECIPIENTS ARE AWARE OF THE
8 SERVICES AVAILABLE BY USING THE 988 CRISIS HOTLINE.

9 (4) (a) THE BEHAVIORAL HEALTH ADMINISTRATION SHALL
10 ADMINISTER THE GRANT PROGRAM IN COLLABORATION WITH THE
11 DEPARTMENT OF PUBLIC SAFETY. THE BHA SHALL CREATE A GRANT
12 APPLICATION PROCESS AND SHALL MAKE THE PROCESS PUBLICLY
13 AVAILABLE ON ITS WEBSITE PRIOR TO ACCEPTING APPLICATIONS. THE BHA
14 SHALL BEGIN ACCEPTING GRANT APPLICATIONS NO LATER THAN
15 DECEMBER 31, 2022.

16 (b) THE BHA AND DEPARTMENT OF PUBLIC SAFETY SHALL ENGAGE
17 IN STATEWIDE COMMUNITY OUTREACH TO MAKE ELIGIBLE ENTITIES AWARE
18 OF THE GRANT PROGRAM, APPLICATION PROCESS, AND DEADLINES.

19 (c) NO LATER THAN SIXTY DAYS BEFORE THE GRANT APPLICATION
20 DEADLINE, THE BHA AND DEPARTMENT OF PUBLIC SAFETY SHALL JOINTLY
21 HOLD A PUBLIC MEETING TO PRESENT INFORMATION ABOUT THE GRANT
22 PROGRAM AND TO GIVE ELIGIBLE ENTITIES THE OPPORTUNITY TO ASK
23 QUESTIONS REGARDING THE GRANT PROGRAM. THE BHA MAY ALLOW
24 ELECTRONIC ATTENDANCE AND PARTICIPATION AT THE MEETING.

25 (d) THE BHA SHALL PROVIDE GRANT APPLICATION AND PROGRAM
26 DEVELOPMENT SUPPORT UPON REQUEST TO AN ELIGIBLE ENTITY THAT HAS
27 AN ANNUAL BUDGET OF LESS THAN ONE MILLION DOLLARS. AVAILABLE

1 SUPPORT MAY INCLUDE ASSISTANCE WITH GRANT-WRITING, PROGRAM
2 DESIGN, IDENTIFYING SUSTAINABLE FUNDING OPPORTUNITIES, PROGRAM
3 IMPLEMENTATION, AND DATA-GATHERING AND EVALUATION.

4 **27-60-403. Grant program application - criteria - award -**
5 **rules.** (1) IN ORDER TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST
6 SUBMIT AN APPLICATION TO THE BHA. TWO OR MORE ELIGIBLE ENTITIES
7 MAY COLLABORATE ON A PROGRAM AND SUBMIT A JOINT APPLICATION. AT
8 A MINIMUM, AN APPLICATION MUST INCLUDE:

9 (a) THE REQUESTED AMOUNT OF THE GRANT AWARD AND A
10 DESCRIPTION OF THE PROGRAM THAT WILL BE OPERATED WITH THE GRANT
11 AWARD, INCLUDING A DESCRIPTION OF HOW THE PROPOSED PROGRAM
12 MEETS THE PURPOSES OF THE GRANT PROGRAM DESCRIBED IN SECTION
13 27-60-402 (1);

14 (b) THE SOURCE OF THE CONTRIBUTING FUNDS OR IN-KIND
15 CONTRIBUTING RESOURCES PROVIDED BY THE APPLICANT, AS DESCRIBED
16 IN SUBSECTION (4) OF THIS SECTION;

17 (c) WHETHER THE PROGRAM PLANS TO USE THE 988 CRISIS
18 HOTLINE DEFINED IN SECTION 27-64-102 AS A PART OF THE PROGRAM;

19 (d) INFORMATION ABOUT THE APPLICANT'S ABILITY AND INTENT TO
20 SUSTAIN THE SERVICES PROVIDED WITH A GRANT AWARD BEYOND THE
21 DURATION OF THE GRANT, IF APPLICABLE;

22 (e) A DESCRIPTION OF ANY AGREEMENTS OR PARTNERSHIPS
23 NECESSARY TO CARRY OUT THE GRANT ACTIVITIES AND HOW GRANT
24 MONEY WILL BE ALLOCATED AMONG PARTNERS, IF NEEDED TO PERFORM
25 ACTIVITIES IN THE APPLICATION;

26 (f) DATA DOCUMENTING THE NEED FOR THE PROJECT, INCLUDING
27 THE PROJECTED DEMOGRAPHIC INFORMATION OF CLIENTS TO BE SERVED,

1 INCLUDING AGE, RACE, ETHNICITY, GENDER, AND ANY OTHER RELEVANT
2 DEMOGRAPHIC INFORMATION;

3 (g) PROJECTED OUTCOMES, SPECIFIC PERFORMANCE MEASURES,
4 AND DATA COLLECTION METHODS NECESSARY FOR THE GRANTEE AND THE
5 BHA TO ASSESS THE IMPACT OF THE PROPOSED PROGRAM;

6 (h) A DESCRIPTION OF THE APPLICANT'S EXPERIENCE IN PROVIDING
7 CULTURALLY COMPETENT AND GENDER RESPONSIVE SERVICES, AND
8 WHETHER THE APPLICANT IS REPRESENTATIVE OF THE INDIVIDUALS THE
9 APPLICANT SEEKS TO SERVE WITH A GRANT;

10 (i) A DESCRIPTION OF HOW THE PROGRAM WOULD ADD VALUE TO
11 EXISTING LOCAL EFFORTS IN THE PROGRAM AREA, IF ANY, THAT ALIGN
12 WITH THE PURPOSES OF THIS GRANT PROGRAM DESCRIBED IN SECTION
13 27-60-402 (1);

14 (j) A COMMITMENT THAT ALL SERVICES WILL BE PROVIDED ON A
15 VOLUNTARY BASIS AND THAT THE APPLICANT WILL NOT REQUIRE
16 WARRANT CHECKS OR FINGERPRINTING TO RECEIVE SERVICES;

17 (k) IF THE APPLICANT IS A LOCAL GOVERNMENT OR FEDERALLY
18 RECOGNIZED INDIAN TRIBE APPLYING FOR A GRANT FOR A CAPITAL
19 EXPENDITURE, THE APPLICANT MUST DEMONSTRATE COLLABORATION
20 WITH COMMUNITY-BASED ORGANIZATIONS OR NONPROFIT ORGANIZATIONS
21 THAT ARE PROVIDING TREATMENT AND SERVICES DESCRIBED IN
22 SUBSECTION (3) OF THIS SECTION IN ASSOCIATION WITH THE CAPITAL
23 EXPENDITURE; AND

24 (l) ANY OTHER INFORMATION REQUIRED BY THE BHA.

25 (2) (a) THERE IS CREATED IN THE BHA AN EARLY INTERVENTION,
26 DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM
27 GRANT REVIEW COMMITTEE TO REVIEW GRANT APPLICATIONS AND MAKE

1 RECOMMENDATIONS TO THE BHA AND DEPARTMENT OF PUBLIC SAFETY.
2 THE COMMISSIONER OF THE BHA SHALL ENSURE THAT THE COMPOSITION
3 OF THE COMMITTEE IS RACIALLY, ETHNICALLY, AND GEOGRAPHICALLY
4 DIVERSE AND REPRESENTATIVE OF COMMUNITIES MOST IMPACTED BY THE
5 CRIMINAL JUSTICE SYSTEM. THE COMMITTEE CONSISTS OF THE FOLLOWING
6 MEMBERS:

7 (I) THE COMMISSIONER OF THE BHA OR THE COMMISSIONER'S
8 DESIGNEE;

9 (II) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE OR THE
10 DIRECTOR'S DESIGNEE;

11 (III) THE FOLLOWING INDIVIDUALS APPOINTED BY THE
12 COMMISSIONER OF THE BHA, IN CONSULTATION WITH THE DIRECTOR OF
13 THE DIVISION OF CRIMINAL JUSTICE WITHIN THE DEPARTMENT OF PUBLIC
14 SAFETY:

15 (A) TWO CLINICIANS WITH EXPERIENCE PROVIDING BEHAVIORAL
16 HEALTH TREATMENT SERVICES TO INDIVIDUALS WHO HAVE BEEN
17 INVOLVED IN THE CRIMINAL JUSTICE SYSTEM, ONE OF WHOM MUST
18 SPECIALIZE IN SUBSTANCE ABUSE DISORDER TREATMENT, WHO ALSO HAVE
19 EXPERIENCE PROVIDING CULTURALLY RESPONSIVE TREATMENT IN
20 COMMUNITIES OF COLOR AND OTHER UNDERSERVED POPULATIONS;

21 (B) A RESEARCHER FROM AN INSTITUTION OF HIGHER EDUCATION
22 WITH A BACKGROUND IN EFFECTIVE INTERVENTIONS THAT PREVENT OR
23 REDIRECT PEOPLE WITH A BEHAVIORAL HEALTH DISORDER FROM BEING
24 INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM;

25 (C) A PERSON WHO WAS IMPACTED BY THE CRIMINAL JUSTICE
26 SYSTEM, EITHER PERSONALLY OR THROUGH A FAMILY MEMBER, AND THE
27 PERSON OR THE FAMILY MEMBER HAD BEHAVIORAL HEALTH NEEDS WHILE

1 INVOLVED IN THE CRIMINAL JUSTICE SYSTEM;

2 (D) A VICTIM'S ADVOCATE WITH EXPERIENCE IN PROVIDING
3 CULTURALLY RESPONSIVE SERVICES IN COMMUNITIES OF COLOR, OR A
4 REPRESENTATIVE FROM A COMMUNITY-BASED VICTIM SERVICES
5 ORGANIZATION THAT SPECIALIZES IN SERVING VICTIMS OF COLOR;

6 (E) A REPRESENTATIVE OF A FEDERALLY RECOGNIZED INDIAN
7 TRIBE WITH JURISDICTION IN COLORADO;

8 (F) A MEMBER OF LAW ENFORCEMENT THAT HAS PARTICIPATED IN
9 CO-RESPONDER COMMUNITY RESPONSE, AS DEFINED IN SECTION
10 24-32-3501 (8);

11 (G) A PUBLIC DEFENDER OR PRIVATE CRIMINAL DEFENSE
12 ATTORNEY WITH EXPERIENCE REPRESENTING PEOPLE WITH A BEHAVIORAL
13 HEALTH DISORDER; AND

14 (H) A PROSECUTOR WITH EXPERIENCE OPERATING A DIVERSION
15 PROGRAM SPECIFICALLY FOR INDIVIDUALS WITH A BEHAVIORAL HEALTH
16 DISORDER.

17 (b) MEMBERS OF THE COMMITTEE SERVE WITHOUT COMPENSATION
18 AND WITHOUT REIMBURSEMENT FOR EXPENSES.

19 (c) THE COMMITTEE SHALL REVIEW APPLICATIONS FOR GRANTS
20 SUBMITTED PURSUANT TO THIS SECTION AND MAKE RECOMMENDATIONS
21 TO THE BHA AND DEPARTMENT OF PUBLIC SAFETY ABOUT WHICH
22 APPLICANTS SHOULD RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.

23 (3) AFTER RECEIVING AND REVIEWING RECOMMENDATIONS FROM
24 THE REVIEW COMMITTEE AND AFTER CONSULTATION WITH DEPARTMENT
25 OF PUBLIC SAFETY, THE BHA SHALL AWARD GRANTS. IN ADDITION TO
26 CONSIDERING THE RECOMMENDATIONS OF THE REVIEW COMMITTEE AND
27 AFTER CONSIDERING THE INFORMATION INCLUDED IN THE GRANT

1 APPLICATION, WHEN AWARDING GRANTS, THE BHA SHALL ENSURE THAT:

2 (a) THE PROPOSED PROGRAM FILLS AN EXISTING GAP IN
3 BEHAVIORAL HEALTH RESPONSE, AS IDENTIFIED IN THE APPLICATION, IN
4 THE PROGRAM SERVICE AREA AND WOULD MEET THE NEEDS OF THE
5 IDENTIFIED TARGET POPULATION SERVED BY THE PROGRAM; AND

6 (b) ANY DIRECT SERVICES PROVIDED THROUGH THE PROGRAM WILL
7 USE EVIDENCE-BASED OR EVIDENCE-INFORMED INTERVENTIONS THAT
8 ALIGN WITH TRAUMA-INFORMED AND HARM REDUCTION PRINCIPLES.

9 (4) THE BHA SHALL ONLY AWARD GRANTS TO APPLICANTS THAT
10 OFFER A MONETARY CONTRIBUTION OR IN-KIND CONTRIBUTIONS THAT
11 DIRECTLY SUPPORT THE SERVICES PROVIDED WITH A GRANT AWARD. IN
12 DETERMINING THE AMOUNT OF CONTRIBUTING RESOURCES REQUIRED FOR
13 AN APPLICANT, THE BHA SHALL CONSIDER THE SIZE OF THE APPLICANT
14 ORGANIZATION, INCLUDING AVAILABLE STAFF AND ANNUAL OPERATING
15 BUDGET. THE BHA MAY WAIVE THE CONTRIBUTING RESOURCES
16 REQUIREMENT FOR AN APPLICANT THAT IS REQUESTING A GRANT AWARD
17 OF LESS THAN FIFTY THOUSAND DOLLARS.

18 (5) (a) A GRANT RECIPIENT SHALL SPEND OR OBLIGATE ANY GRANT
19 MONEY BY DECEMBER 31, 2024. ANY MONEY OBLIGATED BY DECEMBER
20 31, 2024, MUST BE EXPENDED BY DECEMBER 31, 2026.

21 (b) A GRANT RECIPIENT MAY USE NO MORE THAN TEN PERCENT OF
22 A GRANT AWARD FOR ADMINISTRATIVE COSTS ASSOCIATED WITH RECEIPT
23 OF THE GRANT AWARD.

24 **27-60-404. Grant program reporting requirements.** (1) EACH
25 GRANT RECIPIENT SHALL SUBMIT A REPORT TO THE BHA FOLLOWING THE
26 EXPIRATION OF THE GRANT TERM. THE REPORT MUST INCLUDE:

27 (a) INFORMATION ABOUT THE USE OF THE GRANT AWARD,

1 INCLUDING THE PROGRAM OPERATED WITH THE GRANT AWARD AND THE
2 NUMBER OF INDIVIDUALS THE PROGRAM DIVERTED OR REDIRECTED FROM
3 THE CRIMINAL JUSTICE SYSTEM;

4 (b) THE NUMBER OF INDIVIDUALS SERVED THROUGH THE PROGRAM
5 WHO MAY HAVE COME INTO CONTACT WITH THE CRIMINAL JUSTICE
6 SYSTEM;

7 (c) THE NUMBER OF INDIVIDUALS REFERRED BY THE PROGRAM TO
8 TREATMENT; AND

9 (d) WHETHER THE RECIPIENT IS CONTINUING THE PROGRAM AND
10 ANY OTHER INFORMATION REQUESTED BY THE STATE DEPARTMENT.

11 (2) (a) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE HOUSE OF
12 REPRESENTATIVES JUDICIARY COMMITTEE, THE HOUSE OF
13 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
14 SERVICES COMMITTEE, THE SENATE HEALTH AND HUMAN SERVICES
15 COMMITTEE, AND THE SENATE JUDICIARY COMMITTEE, OR THEIR
16 SUCCESSOR COMMITTEES, SHALL HOLD A JOINT HEARING ON THE GRANT
17 PROGRAM. AT THE HEARING, THE STATE DEPARTMENT SHALL REPORT TO
18 THE COMMITTEES ABOUT THE GRANT PROGRAM, WHICH MUST INCLUDE AN
19 OVERVIEW OF THE GRANT PROGRAM, INFORMATION ON THE TYPE OF
20 SERVICES FUNDED WITH A GRANT AWARD, AND WHERE SERVICES WERE
21 PROVIDED.

22 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE
23 REPORTING REQUIREMENT IN THIS SUBSECTION (2) CONTINUES
24 INDEFINITELY.

25 **27-60-405. Grant program funding - requirements - reports**
26 **- appropriation.** (1) THE GENERAL ASSEMBLY SHALL APPROPRIATE TO
27 THE STATE DEPARTMENT FIFTY-ONE MILLION FIVE HUNDRED THOUSAND

1 DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND
2 CREATED IN SECTION 24-75-230 TO IMPLEMENT THE GRANT PROGRAM.

3 (2) (a) THE STATE DEPARTMENT, BHA, AND ANY PERSON WHO
4 RECEIVES MONEY FROM THE BHA, INCLUDING EACH GRANT RECIPIENT,
5 SHALL COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING,
6 AND PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE
7 OF STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN
8 ACCORDANCE WITH SECTION 24-75-226 (5).

9 (b) FOR EACH GRANT AWARDED FOR A CAPITAL EXPENDITURE, THE
10 BHA IS RESPONSIBLE FOR PREPARING THE WRITTEN JUSTIFICATION
11 REQUIRED PURSUANT TO 31 CFR 35.6 (b)(4). A GRANT APPLICANT THAT
12 REQUESTS GRANT MONEY FOR A CAPITAL EXPENDITURE MUST SUBMIT TO
13 THE BHA INFORMATION REQUESTED BY THE BHA FOR INCLUSION IN THE
14 WRITTEN JUSTIFICATION; EXCEPT THAT THIS REQUIREMENT DOES NOT
15 APPLY IF THE BHA DETERMINES THAT THE WRITTEN JUSTIFICATION IS NOT
16 REQUIRED BASED ON HOW THE EXPENDITURES AUTHORIZED PURSUANT TO
17 THIS PART 4 WILL BE REPORTED TO THE UNITED STATES DEPARTMENT OF
18 THE TREASURY.

19 **27-60-406. Repeal of part.** THIS PART 4 IS REPEALED, EFFECTIVE
20 JANUARY 31, 2027.

21 **SECTION 3.** In Colorado Revised Statutes, 17-1-113.8, **add** (4)
22 as follows:

23 **17-1-113.8. Persons with serious behavioral or mental health**
24 **disorders - long-term isolated confinement - work group -**
25 **medication-assisted treatment - appropriation - repeal.** (4) (a) FOR
26 THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL
27 APPROPRIATE THREE MILLION DOLLARS FROM THE BEHAVIORAL AND

1 MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE
2 DEPARTMENT TO PROVIDE MEDICATION-ASSISTED TREATMENT TO
3 INDIVIDUALS WHO ARE PLACED IN THE CUSTODY OF THE DEPARTMENT.
4 ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT
5 TO THIS SUBSECTION (4)(a) REMAINS AVAILABLE FOR EXPENDITURE FOR
6 THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER
7 APPROPRIATION.

8 (b) THE DEPARTMENT SHALL USE MONEY APPROPRIATED
9 PURSUANT TO THIS SUBSECTION (4) FOR:

10 (I) HARDWARE, SOFTWARE, AND INFRASTRUCTURE, INCLUDING
11 RENOVATIONS, NECESSARY TO STORE MEDICATIONS AT DEPARTMENT
12 FACILITIES;

13 (II) PROVIDING CONTINUITY OF CARE FOR INMATES WITH AN OPIOID
14 USE DISORDER BETWEEN THE INSTITUTIONAL SETTINGS AND
15 COMMUNITY-BASED TREATMENT CENTERS IN ORDER TO MITIGATE THE
16 ILLNESS AND SUFFERING SURROUNDING THE ACUTE WITHDRAWAL OF
17 INDIVIDUALS WITH OPIOID USE DISORDER; AND

18 (III) FACILITATING THE LONG-TERM TREATMENT AND RECOVERY
19 OF INDIVIDUALS UPON RELEASE.

20 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JUNE 30, 2024.

21 **SECTION 4.** In Colorado Revised Statutes, 18-1.3-101, **add** (11)
22 as follows:

23 **18-1.3-101. Pretrial diversion - appropriation - repeal.**

24 (11) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY
25 SHALL APPROPRIATE FOUR MILLION DOLLARS FROM THE BEHAVIORAL AND
26 MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE
27 JUDICIAL DEPARTMENT _____ FOR PRETRIAL DIVERSION PROGRAMS. ANY

1 UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT TO
2 THIS SUBSECTION (11) REMAINS AVAILABLE FOR EXPENDITURE FOR THE
3 SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER
4 APPROPRIATION. THE JUDICIAL DEPARTMENT MAY USE UP TO FIVE PERCENT
5 OF THE MONEY APPROPRIATED PURSUANT TO THIS SECTION FOR
6 ADMINISTRATIVE EXPENSES. THE GENERAL ASSEMBLY INTENDS THAT A
7 PROGRAM THAT RECEIVES MONEY APPROPRIATED PURSUANT TO THIS
8 SUBSECTION (11) CONSIDERS DIVERSION FOR INDIVIDUALS WITH
9 BEHAVIORAL HEALTH DISORDERS. ___

10 (b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2024.

11 **SECTION 5.** In Colorado Revised Statutes, 13-3-115, **amend**
12 **(5)(d); and add (5)(f) and (5)(g) as follows:**

13 **13-3-115. Diversion funding committee.** (5) A district attorney
14 who receives funding pursuant to this section shall collect data and
15 provide a status report to the judicial department by a date prescribed by
16 the committee that includes but is not limited to:

17 (d) Participant status, including the number of people that WHO
18 have successfully completed the diversion program, the number of people
19 still under active supervision in the diversion program, the number of
20 people terminated from the diversion program, and the reason for their
21 termination; and

22 (f) THE NUMBER OF PEOPLE SCREENED FOR BEHAVIORAL HEALTH
23 TREATMENT; AND

24 (g) THE NUMBER OF PEOPLE REFERRED TO BEHAVIORAL HEALTH
25 TREATMENT.

26 **SECTION 6.** In Colorado Revised Statutes, **add** 24-33.5-525 as
27 follows:

1 **24-33.5-525. Behavioral health information and data-sharing**
2 **in the criminal justice system - grants - appropriation - repeal.**

3 (1) THERE IS ESTABLISHED IN THE DIVISION THE BEHAVIORAL HEALTH
4 INFORMATION AND DATA-SHARING PROGRAM TO ENABLE JAILS TO
5 EXCHANGE BEHAVIORAL HEALTH INFORMATION WITH THE COLORADO
6 INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM IN ORDER TO
7 MAINTAIN CONTINUITY OF CARE AS PERSONS DETAINED IN A JAIL TRANSFER
8 BETWEEN CRIMINAL JUSTICE AGENCIES AND THE COMMUNITY.

9 (2) (a) AS PART OF THE PROGRAM, THE DIVISION SHALL ISSUE
10 ONE-TIME GRANTS TO COUNTIES. A COUNTY THAT RECEIVES A GRANT
11 SHALL USE THE GRANT MONEY TO INTEGRATE THE COUNTY JAIL'S DATA
12 SYSTEMS WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE
13 INFORMATION SYSTEM, STANDARDIZE CLIENT-SPECIFIC INFORMATION ON
14 BEHAVIORAL, MENTAL, AND PHYSICAL HEALTH NEEDS THROUGH COMMON
15 DATA FIELDS, AND AUTOMATE DATA REPORTING REQUIRED PURSUANT TO
16 STATE LAW. EVERY COUNTY IS ELIGIBLE FOR A GRANT.

17 (b) THE DIVISION SHALL DEVELOP POLICIES FOR AWARDING
18 GRANTS, WHICH MUST INCLUDE ELIGIBILITY CRITERIA; A PROCESS FOR
19 COUNTIES TO APPLY FOR AND RECEIVE A GRANT, INCLUDING GRANT
20 APPLICATION DEADLINES; AND A PROCESS FOR DETERMINING THE AMOUNT
21 OF A GRANT AWARD. THE DIVISION SHALL MAKE THE POLICIES PUBLICLY
22 AVAILABLE ON ITS WEBSITE AND SHALL NOT SET A GRANT APPLICATION
23 DEADLINE EARLIER THAN TWENTY-EIGHT DAYS AFTER THE POLICIES ARE
24 MADE PUBLIC. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION
25 SHALL AWARD GRANTS TO COUNTIES THAT APPLY FOR A GRANT AND
26 WHOSE APPLICATION IS APPROVED BY THE APPLICATION REVIEW
27 COMMITTEE DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION.

1 (c) THE DIVISION SHALL CONVENE AN APPLICATION REVIEW
2 COMMITTEE TO REVIEW THE GRANT APPLICATIONS. THE COMMITTEE
3 CONSISTS OF A REPRESENTATIVES FROM THE DIVISION, THE OFFICE OF
4 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, THE
5 COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM
6 PROGRAM, AND THE BEHAVIORAL HEALTH ADMINISTRATION. THE REVIEW
7 COMMITTEE SHALL REVIEW EACH GRANT APPLICATION TO ENSURE THAT
8 EACH PROPOSED PROJECT HAS JUSTIFIABLE COSTS AND INCLUDES PLANS TO
9 USE TECHNOLOGY THAT MEETS STATE STANDARDS, AND THAT ALL DATA
10 EXCHANGE REQUIREMENTS WILL BE ADDED TO THE APPLICANT'S JAIL
11 MANAGEMENT SYSTEM, AS DEFINED IN SECTION 17-26-118. THE DIVISION
12 SHALL PROVIDE TECHNICAL ASSISTANCE TO JAILS THAT NEED HELP TO
13 DETERMINE COSTS, TECHNOLOGY, AND DATA REQUIREMENTS.

14 (3) THE DIVISION SHALL ENTER INTO AN AGREEMENT WITH A
15 THIRD-PARTY VENDOR TO OVERSEE THE IMPLEMENTATION OF ANY
16 DATA-SHARING SYSTEMS OR SOFTWARE NECESSARY TO EXCHANGE
17 INFORMATION WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE
18 INFORMATION SYSTEM TO ENSURE CONTINUITY OF CARE FOR PERSONS WHO
19 ARE DETAINED.

20 (4) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
21 ASSEMBLY SHALL APPROPRIATE THREE MILLION FIVE HUNDRED THOUSAND
22 DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND
23 CREATED IN SECTION 24-75-230 TO THE DEPARTMENT FOR THE PURPOSES
24 OF THIS SECTION.

25 (5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

26 **SECTION 7.** In Colorado Revised Statutes, **add** 25.5-4-505 as
27 follows:

1 **25.5-4-505. Federal authorization related to persons involved**
2 **in the criminal justice system - assessment - report - repeal.** (1) THE

3 STATE DEPARTMENT SHALL EVALUATE AND DETERMINE WHETHER THE
4 STATE SHOULD SEEK ADDITIONAL FEDERAL AUTHORITY TO PROVIDE
5 SCREENING, BRIEF INTERVENTION, AND CARE COORDINATION SERVICES
6 THROUGH THE MEDICAL ASSISTANCE PROGRAM TO PERSONS IMMEDIATELY
7 PRIOR TO RELEASE FROM JAIL OR A DEPARTMENT OF CORRECTIONS
8 FACILITY AND TO IMPROVE PROCESSES FOR DETERMINING AND
9 REDETERMINING INDIVIDUALS FOR MEDICAL ASSISTANCE ELIGIBILITY IN
10 ORDER TO IMPROVE CONTINUITY AND ACCESS TO HEALTH-CARE SERVICES.

11 IF THE STATE DEPARTMENT DETERMINES THAT SECURING ADDITIONAL
12 FEDERAL AUTHORITY WILL ENSURE IMPROVED ACCESS TO CARE AND
13 CONTINUITY OF CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL
14 JUSTICE SYSTEM, THE STATE DEPARTMENT SHALL, SUBJECT TO AVAILABLE
15 RESOURCES, SEEK APPROVAL FROM THE CENTERS FOR MEDICARE AND
16 MEDICAID SERVICES FOR ANY ADDITIONAL FEDERAL AUTHORITY. IF THE
17 STATE DEPARTMENT SEEKS APPROVAL, IT SHALL NOTIFY THE MEMBERS OF
18 THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND
19 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
20 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE
21 MEMBERS OF THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.

22 IF THE STATE DEPARTMENT RECEIVES FEDERAL APPROVAL, THE STATE
23 DEPARTMENT, SUBJECT TO AVAILABLE RESOURCES, SHALL PROVIDE THE
24 BENEFITS DESCRIBED IN THIS SUBSECTION (1).

25 (2) IF THE STATE DEPARTMENT DETERMINES THAT PURSUING
26 ADDITIONAL FEDERAL AUTHORITY AS DESCRIBED IN SUBSECTION (1) OF
27 THIS SECTION IS INAPPROPRIATE, THE STATE DEPARTMENT SHALL SUBMIT

1 A REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY
2 ON OR BEFORE OCTOBER 1, 2023, THAT INCLUDES THE FOLLOWING
3 INFORMATION:

4 (a) AN EXPLANATION OF WHY THE STATE DEPARTMENT BELIEVES
5 PURSUING ADDITIONAL FEDERAL AUTHORITY IS NOT AN APPROPRIATE WAY
6 TO IMPROVE CONTINUITY OF CARE FOR JUSTICE-INVOLVED POPULATIONS;

7 (b) AN ALTERNATIVE PLAN DEVELOPED BY THE STATE
8 DEPARTMENT TO ENSURE IMPROVED ACCESS TO CARE AND CONTINUITY OF
9 CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM WHO
10 ARE BEING RELEASED FROM INCARCERATION THAT DETAILS HOW THE
11 STATE DEPARTMENT PLANS TO ENSURE CONTINUITY OF CARE FOR
12 INDIVIDUALS BEING RELEASED FROM JAIL OR PRISON;

13 (c) A PROPOSED TIMELINE FOR IMPLEMENTATION OF THE
14 ALTERNATIVE PLAN; AND

15 (d) ANY NECESSARY FISCAL OR LEGISLATIVE PROPOSALS FOR THE
16 IMPLEMENTATION OF THE STATE DEPARTMENT'S ALTERNATIVE PLAN.

17 (3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

18 **SECTION 8.** In Colorado Revised Statutes, **add** 25.5-4-215 as
19 follows:

20 **25.5-4-215. Study - benefits for persons on work release -**
21 **repeal.** (1) THE STATE DEPARTMENT SHALL DETERMINE WHETHER
22 FEDERAL AUTHORITY IS NECESSARY TO PROVIDE BENEFIT COVERAGE
23 UNDER THE MEDICAL ASSISTANCE PROGRAM TO PEOPLE WHO ARE ON WORK
24 RELEASE FROM JAIL, AS DESCRIBED IN SECTION 18-1.3-207. ON OR BEFORE
25 OCTOBER 1, 2023, THE STATE DEPARTMENT SHALL REPORT THE RESULTS
26 OF THE ASSESSMENT AND ANALYSIS TO THE JOINT BUDGET COMMITTEE OF
27 THE GENERAL ASSEMBLY.

1 (2) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

2 **SECTION 9.** In Colorado Revised Statutes, 17-26-118, **add**
3 (4)(e) as follows:

4 **17-26-118. Criminal justice data collection - definitions -**
5 **repeal.** (4) (e) IN ADDITION TO THE INFORMATION DESCRIBED IN
6 SUBSECTION (4)(a) OF THIS SECTION, THE REPORT MUST INCLUDE
7 INFORMATION FROM THE PRIOR QUARTER REGARDING THE NUMBER OF
8 INMATES IN THE JAIL WHOSE MEDICAID WAS SUSPENDED WHILE
9 INCARCERATED AND THE NUMBER OF INMATES WHO WERE ENROLLED, OR
10 WHOSE MEDICAID WAS REINSTATED, PRIOR TO RELEASE.

11 **SECTION 10.** In Colorado Revised Statutes, 17-26-140, **amend**
12 (2) as follows:

13 **17-26-140. Continuity of care for persons released from jail.**
14 (2) ~~The~~ A county jail shall provide medicaid ENROLLMENT OR
15 reenrollment paperwork to ~~the person~~ A PERSON WHO IS INCARCERATED
16 IN THE JAIL AND IS ELIGIBLE FOR MEDICAID BENEFITS when the person
17 enters the county jail. The county jail must file the medicaid paperwork
18 with the county department of health and human services upon releasing
19 the person from the county jail's custody.

20 **SECTION 11.** In Colorado Revised Statutes, 17-27-104, **add** (14)
21 as follows:

22 **17-27-104. Community corrections programs operated by**
23 **units of local government, state agencies, or nongovernmental**
24 **agencies.** (14) THE ADMINISTRATOR OF A COMMUNITY CORRECTIONS
25 PROGRAM ESTABLISHED PURSUANT TO THIS SECTION SHALL PARTNER WITH
26 A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES TO FACILITATE
27 ENROLLING OFFENDERS IN THE PROGRAM INTO MEDICAID, WHICH MUST

1 INCLUDE DETERMINING WHETHER EACH OFFENDER IS ENROLLED IN
2 MEDICAID UPON ENTRY INTO THE COMMUNITY CORRECTIONS PROGRAM
3 AND, IF AN OFFENDER IS NOT ENROLLED, DETERMINING WHETHER THE
4 OFFENDER IS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER MEDICAID AND
5 ENROLLING EACH ELIGIBLE OFFENDER IN MEDICAID.

6 **SECTION 12. Safety clause.** The general assembly hereby finds,
7 determines, and declares that this act is necessary for the immediate
8 preservation of the public peace, health, or safety.