

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 23-0568.01 Conrad Imel x2313

**HOUSE BILL 23-1088**

---

**HOUSE SPONSORSHIP**

**Martinez**, Hartsook

**SENATE SPONSORSHIP**

**(None)**,

---

**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

---

**A BILL FOR AN ACT**

101     **CONCERNING A PROGRAM TO PROVIDE MENTAL HEALTH SERVICES FOR**  
102             **VETERANS WHO HAVE EXHAUSTED FEDERAL VETERANS**  
103             **ADMINISTRATION MENTAL HEALTH BENEFITS.**

---

**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 veterans mental health services program (program) in the behavioral health administration to facilitate access to mental health services for veterans who have exhausted their annual number of sessions with a mental health-care provider covered by the veteran's federal veterans administration benefits. The program

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.*

reimburses mental health-care providers for 10 mental health-care sessions per year with an eligible veteran.

---

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 27-50-804 as  
3 follows:

4 **27-50-804. Veterans mental health services program - rules -**  
5 **definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT  
6 OTHERWISE REQUIRES:

7 (a) "ELIGIBLE VETERAN" MEANS A VETERAN, AS DEFINED IN  
8 SECTION 28-5-100.3, WHO HAS EXHAUSTED THE ANNUAL NUMBER OF  
9 SESSIONS WITH A MENTAL HEALTH-CARE PROVIDER COVERED BY THE  
10 VETERAN'S FEDERAL VETERANS ADMINISTRATION BENEFITS.

11 (b) "PROGRAM" MEANS THE VETERANS MENTAL HEALTH SERVICES  
12 PROGRAM ESTABLISHED IN THIS SECTION.

13 (c) "PROVIDER" MEANS A LICENSED PSYCHIATRIST REGULATED  
14 PURSUANT TO ARTICLE 240 OF TITLE 12 OR ANY OF THE FOLLOWING  
15 LICENSEES, CERTIFIED PROFESSIONALS, OR CANDIDATES REGULATED  
16 PURSUANT TO ARTICLE 245 OF TITLE 12:

17 (I) A LICENSED PSYCHOLOGIST OR PSYCHOLOGIST CANDIDATE;

18 (II) A LICENSED SOCIAL WORKER, LICENSED CLINICAL SOCIAL  
19 WORKER, OR CLINICAL SOCIAL WORKER CANDIDATE;

20 (III) A LICENSED MARRIAGE AND FAMILY THERAPIST OR MARRIAGE  
21 AND FAMILY THERAPIST CANDIDATE;

22 (IV) A LICENSED PROFESSIONAL COUNSELOR OR LICENSED  
23 PROFESSIONAL COUNSELOR CANDIDATE; OR

24 (V) A LICENSED ADDICTION COUNSELOR, CERTIFIED ADDICTION  
25 SPECIALIST, OR ADDICTION COUNSELOR CANDIDATE.

1 (d) "TELEHEALTH" HAS THE SAME MEANING AS SET FORTH IN  
2 SECTION 10-16-123.

3 (2) (a) THERE IS ESTABLISHED IN THE BEHAVIORAL HEALTH  
4 ADMINISTRATION A VETERANS MENTAL HEALTH SERVICES PROGRAM TO  
5 PROMOTE ACCESS TO MENTAL HEALTH SERVICES FOR ELIGIBLE VETERANS  
6 BY REIMBURSING PROVIDERS FOR SESSIONS WITH AN ELIGIBLE VETERAN.

7 (b) THE BHA SHALL REIMBURSE PROVIDERS WHO PARTICIPATE IN  
8 THE PROGRAM FOR TEN MENTAL HEALTH-CARE SESSIONS, EITHER IN  
9 PERSON OR BY TELEHEALTH, PER ELIGIBLE VETERAN PER YEAR. TO BE  
10 ELIGIBLE TO PARTICIPATE IN AND RECEIVE REIMBURSEMENT FROM THE  
11 PROGRAM, A PROVIDER MUST BE AVAILABLE TO PROVIDE TEN MENTAL  
12 HEALTH-CARE SESSIONS TO EACH ELIGIBLE VETERAN THE PROVIDER  
13 ACCEPTS AS A CLIENT.

14 (c) AS PART OF THE PROGRAM, THE BHA SHALL DEVELOP AN  
15 ONLINE DIRECTORY THAT ALLOWS ELIGIBLE VETERANS TO IDENTIFY  
16 PROVIDERS WHO PARTICIPATE IN THE PROGRAM.

17 (3) IN ORDER TO PARTICIPATE IN THE PROGRAM, A VETERAN SHALL  
18 SHOW A PROVIDER WHO IS PARTICIPATING IN THE PROGRAM A VALID  
19 MILITARY OR FEDERAL VETERANS ADMINISTRATION IDENTIFICATION CARD  
20 THAT INCLUDES A PHOTO OF THE VETERAN AND ATTEST TO THE PROVIDER  
21 THAT THE VETERAN HAS EXHAUSTED THE ANNUAL NUMBER OF SESSIONS  
22 WITH A MENTAL HEALTH-CARE PROVIDER COVERED BY THE VETERAN'S  
23 FEDERAL VETERANS ADMINISTRATION BENEFITS.

24 (4) THE BHA SHALL:

25 (a) DEVELOP A PROCESS CONSISTENT WITH THE REQUIREMENTS OF  
26 THIS SECTION FOR PROVIDERS TO APPLY FOR AND DEMONSTRATE  
27 ELIGIBILITY TO RECEIVE REIMBURSEMENT FROM THE PROGRAM;

1 (b) UPON REIMBURSING A PROVIDER FOR A MENTAL HEALTH-CARE  
2 SESSION WITH AN ELIGIBLE VETERAN, INFORM THE PROVIDER OF THE  
3 VETERAN'S REMAINING NUMBER OF SESSIONS ELIGIBLE FOR  
4 REIMBURSEMENT THAT YEAR;

5 (c) DETERMINE A REASONABLE RATE OF REIMBURSEMENT FOR  
6 EACH MENTAL HEALTH-CARE SESSION WITH AN ELIGIBLE VETERAN  
7 PURSUANT TO THE PROGRAM, WHICH RATE MUST BE THE SAME  
8 REGARDLESS OF WHETHER THE APPOINTMENT IS FOR A TELEHEALTH OR AN  
9 IN-PERSON APPOINTMENT; AND

10 (d) CONDUCT AN AWARENESS AND OUTREACH CAMPAIGN ABOUT  
11 THE PROGRAM FOCUSED ON DISSEMINATING INFORMATION ABOUT THE  
12 PROGRAM TO VETERANS. THE GENERAL ASSEMBLY ENCOURAGES THE  
13 BHA, IN CONDUCTING THE CAMPAIGN, TO CONTACT FEDERAL, STATE, AND  
14 LOCAL VETERANS ORGANIZATIONS.

15 (5) THE BHA SHALL PROMULGATE RULES NECESSARY FOR THE  
16 ADMINISTRATION OF THIS SECTION.

17 **SECTION 2. Act subject to petition - effective date.** This act  
18 takes effect at 12:01 a.m. on the day following the expiration of the  
19 ninety-day period after final adjournment of the general assembly; except  
20 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
21 of the state constitution against this act or an item, section, or part of this  
22 act within such period, then the act, item, section, or part will not take  
23 effect unless approved by the people at the general election to be held in  
24 November 2024 and, in such case, will take effect on the date of the  
25 official declaration of the vote thereon by the governor.