



**Legislative Council Staff**

*Nonpartisan Services for Colorado's Legislature*

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**Final Fiscal Note**

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**Drafting Number:** LLS 23-0584 **Date:** May 31, 2023  
**Prime Sponsors:** Sen. Marchman; **Bill Status:** Signed into Law  
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Young

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**Bill Topic:** **EMPLOYMENT OF SCHOOL MENTAL HEALTH PROFESSIONALS**

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**Summary of Fiscal Impact:**  State Revenue  TABOR Refund  
 State Expenditure  Local Government  
 State Transfer  School District

The bill allows school districts to employ licensed mental health professionals who are not licensed by the Department of Education. The bill minimally increases workload for school districts.

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**Appropriation Summary:** No appropriation is required.

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

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**Summary of Legislation**

The bill allows school districts and charter schools to employ licensed school-based therapists who are not licensed by the Department of Education. These therapists may be supervised by either a mentor in the professional field in which they are licensed or by a school district administrator. School districts must conduct a fingerprint-based criminal history background check of these additional employees. Therapists that provide services to students with an Individualized Education Plan must have qualifications consistent with the student’s plan. Therapists should not replace special services providers.

**School District**

The bill allows school districts and charter schools to hire additional licensed school-based therapists, provided they comply with fingerprinting, background check requirements, and Individualized Education Plan requirements. Any additional outreach and intake work for new employees is expected to be minimal.

## **Effective Date**

The bill was signed into law by the Governor and took effect on May 4, 2023.

## **State and Local Government Contacts**

Education  
Regulatory Agencies

Human Services

Information Technology