

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0337.01 Conrad Imel x2313

SENATE BILL 24-001

SENATE SPONSORSHIP

Michaelson Jenet,

HOUSE SPONSORSHIP

Brown,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING CONTINUATION OF THE YOUTH MENTAL HEALTH
102 SERVICES PROGRAM, AND, IN CONNECTION THEREWITH,
103 REQUIRING AN ANNUAL EVALUATION OF THE PROGRAM.

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 temporary youth mental health services program (program), commonly known as "I Matter", is scheduled to repeal on June 30, 2024. The bill continues the program indefinitely.

Under existing law, the selection of a vendor to create or use an existing online portal to facilitate the program (program vendor) is

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.

exempt from the requirements of the state's procurement code. The bill repeals the exemption.

Existing law requires the state department of human services to report to the general assembly about the program twice each year. The bill requires one annual report, due June 30 of each year.

The bill requires the behavioral health administration (BHA) to annually evaluate the efficacy of the program. The bill requires the BHA to conduct surveys of youth and providers who participate in the program and collect data from providers and the program vendor for the annual evaluation.

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

2 **SECTION 1.** In Colorado Revised Statutes, 27-60-109, **amend**
3 (1)(b), (2)(a), and (5); **repeal** (4)(b) and (6); and **add** (1)(f) and (4.5) as
4 follows:

5 **27-60-109. Youth mental health services program - established**
6 **- report - rules - definitions.** (1) As used in this section, unless the
7 context otherwise requires:

8 (b) "Program" means the ~~temporary~~ youth mental health services
9 program established in this section.

10 (f) "YOUTH PARTICIPANT" MEANS A YOUTH WHO PARTICIPATES IN
11 A MENTAL HEALTH SESSION THAT IS REIMBURSED PURSUANT TO THE
12 PROGRAM.

13 (2) (a) There is established in the behavioral health administration
14 the ~~temporary~~ youth mental health services program to facilitate access
15 to mental health services, including substance use disorder services, for
16 youth to respond to mental health needs identified in an initial mental
17 health screening through the portal. ~~including those needs that may have~~
18 ~~resulted from the COVID-19 pandemic.~~ The program reimburses
19 providers for up to three mental health sessions with a youth.

20 (4) (b) ~~The selection of a vendor pursuant to this subsection (4) is~~

1 ~~exempt from the requirements of the procurement code, articles 101 to~~
2 ~~112 of title 24.~~

3 (4.5) (a) THE BHA SHALL COLLECT DATA FROM PROVIDERS AND
4 THE VENDOR DESCRIBED IN SUBSECTION (4) OF THIS SECTION AS
5 NECESSARY TO DETERMINE THE FOLLOWING FOR EACH YEAR:

6 (I) THE AVERAGE NUMBER OF SESSIONS REQUIRED FOR A YOUTH
7 PARTICIPANT TO COMPLETE AN EPISODE OF TREATMENT IN THE PROGRAM;

8 (II) THE NUMBER OF YOUTH PARTICIPANTS WHOSE TREATMENT
9 NEEDS WERE MET WITH THE ALLOWABLE NUMBER OF SESSIONS
10 REIMBURSED BY THE PROGRAM;

11 (III) THE NUMBER OF YOUTH PARTICIPANTS WHO ARE IN NEED OF
12 SERVICES BEYOND WHAT IS PROVIDED PURSUANT TO THE PROGRAM AND
13 THE TYPE OF ADDITIONAL SERVICES REQUIRED, INCLUDING ADDITIONAL
14 SESSIONS OR MORE INTENSIVE TREATMENT OR SERVICES; AND

15 (IV) THE NUMBER OF REFERRALS MADE BY A PROVIDER FOR A
16 YOUTH PARTICIPANT FOR ADDITIONAL SERVICES BEYOND WHAT IS
17 PROVIDED PURSUANT TO THE PROGRAM.

18 (b) THE BHA SHALL DEVELOP A SURVEY FOR YOUTH
19 PARTICIPANTS, OR, IF APPLICABLE, THE PERSON WHO CONSENTED TO THE
20 YOUTH'S PARTICIPATION IN THE PROGRAM, ABOUT THE EASE OF
21 PARTICIPATING IN THE PROGRAM, THE QUALITY OF THE PROVIDER WITH
22 WHOM THE YOUTH PARTICIPATED IN A MENTAL HEALTH SESSION, AND ANY
23 OTHER AREAS OF THE PROGRAM THE BHA CHOOSES TO INCLUDE IN THE
24 SURVEY. AFTER A YOUTH PARTICIPANT HAS EXHAUSTED THE NUMBER OF
25 SESSIONS AVAILABLE TO THE YOUTH PURSUANT TO THE PROGRAM, THE
26 BHA SHALL REQUEST THAT THE YOUTH PARTICIPANT, OR PERSON WHO
27 CONSENTED TO THE YOUTH'S PARTICIPATION IN THE PROGRAM, COMPLETE

1 THE SURVEY.

2 (c) THE BHA SHALL CONDUCT A SURVEY OF EACH PROVIDER WHO
3 PARTICIPATES IN THE PROGRAM THAT SOLICITS FEEDBACK ABOUT THE
4 FOLLOWING:

5 (I) THE MET AND UNMET MENTAL HEALTH NEEDS OF THE YOUTH
6 PARTICIPANTS WHO ENGAGED IN TREATMENT WITH THE PROVIDER;

7 (II) WHETHER THE PROVIDER MADE REFERRALS FOR YOUTH
8 PARTICIPANTS FOR ADDITIONAL SERVICES BEYOND WHAT IS PROVIDED
9 PURSUANT TO THE PROGRAM; AND

10 (III) ANY OTHER ELEMENTS OF THE PROGRAM.

11 (d) THIS SUBSECTION (4.5) DOES NOT AUTHORIZE THE BHA, A
12 PROVIDER, A VENDOR, OR ANY OTHER PERSON TO VIOLATE APPLICABLE
13 FEDERAL OR STATE PATIENT PRIVACY LAWS.

14 (5) (a) On or before ~~January 1 of each year, and on or before~~ June
15 30 of each year, the state department shall report to the house of
16 representatives public and behavioral health and human services
17 committee and the senate health and human services committee, or their
18 successor committees, regarding the number of youth who received
19 services under the program, excluding any personally identifiable
20 information in accordance with state and federal law; information in
21 aggregate about the services provided to youth under the program; ~~and~~
22 other relevant information regarding the program; AND THE INFORMATION
23 REQUIRED PURSUANT TO SUBSECTION (5)(b) OF THIS SECTION.

24 (b) AS PART OF THE ANNUAL REPORT DESCRIBED IN SUBSECTION
25 (5)(a) OF THIS SECTION, THE BHA SHALL INCLUDE AN EVALUATION OF THE
26 EFFICACY OF THE PROGRAM BASED ON THE DATA COLLECTED, INCLUDING
27 SURVEY RESPONSES, PURSUANT TO SUBSECTION (4.5) OF THIS SECTION.

1 THE EVALUATION MUST INCLUDE INFORMATION ABOUT THE PERCEIVED
2 NEEDS OF YOUTH PARTICIPANTS AND GAPS IN SERVICES PROVIDED
3 PURSUANT TO THE PROGRAM. THE BHA SHALL NOT INCLUDE ANY
4 PERSONALLY IDENTIFIABLE INFORMATION ABOUT A PATIENT OR PROVIDER
5 IN THE EVALUATION.

6 (6) ~~This section is repealed, effective June 30, 2024.~~

7 **SECTION 2.** In Colorado Revised Statutes, 27-50-105, **amend**
8 (1)(g) as follows:

9 **27-50-105. Administration of behavioral health programs -**
10 **state plan - sole mental health authority - gifts, grants, or donations.**

11 (1) The BHA shall administer and provide the following behavioral
12 health programs and services:

13 (g) The ~~temporary~~ youth mental health services program created
14 pursuant to section 27-60-109;

15 **SECTION 3. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.