

Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

DRAFT  
9.20.19

**BILL 4**

LLS NO. 20-0259.01 Shelby Ross x4510

**INTERIM COMMITTEE BILL**

**The Legislative Oversight Committee Concerning the Treatment of  
Persons with Mental Health Disorders in the Criminal and Juvenile  
Justice Systems**

**BILL TOPIC: "Data Sharing Subcommittee Recommendations"**

**A BILL FOR AN ACT**

101 **CONCERNING THE IMPLEMENTATION OF RECOMMENDATIONS FROM**  
102 **THE DATA SHARING SUBCOMMITTEE OF THE TASK FORCE**  
103 **CONCERNING THE TREATMENT OF PERSONS WITH MENTAL**  
104 **HEALTH DISORDERS IN THE CRIMINAL AND JUVENILE JUSTICE**  
105 **SYSTEMS.**

**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 Legislative Oversight Committee Concerning the  
Treatment of Persons with Mental Health Disorders in the Criminal**

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

**and Juvenile Justice Systems.** The bill amends the definition of "psychologically traumatic event" to include audible exposure for the purposes of worker's compensation.

The bill creates the trusted interoperability platform advisory committee (committee) to develop a strategic plan to implement a trusted interoperability platform that securely exchanges information between criminal and juvenile justice systems and community health agencies.

The bill requires the committee to submit an initial strategic plan to the chief information officer no later than May 1, 2021, and a final strategic plan to specified committees of the general assembly no later than September 1, 2021.

The bill repeals the committee on October 1, 2021.

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

**SECTION 1.** In Colorado Revised Statutes, 8-41-301, **amend** (3)(b)(II)(B) and (3)(b)(II)(C) as follows:

**8-41-301. Conditions of recovery - definitions - repeal.** (3) For the purposes of this section:

(b) (II) "Psychologically traumatic event" also includes an event that is within a worker's usual experience only when the worker is diagnosed with post-traumatic stress disorder by a licensed psychiatrist or psychologist after the worker experienced exposure to one or more of the following events:

(B) The worker ~~visually witnesses~~ IS SUBJECTED TO VISUAL OR AUDIBLE EXPOSURE TO a death, or the immediate aftermath of the death, of one or more people as the result of a violent event; or

(C) The worker repeatedly ~~visually witnesses~~ IS SUBJECTED TO VISUAL OR AUDIBLE EXPOSURE TO the serious bodily injury, or the immediate aftermath of the serious bodily injury, of one or more people as the result of the intentional act of another person or an accident.

**SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-524 as follows:

1           **24-33.5-524. Trusted interoperability platform advisory**  
2 **committee - creation - strategic plan - repeal.** (1) (a) THERE IS  
3 CREATED THE TRUSTED INTEROPERABILITY PLATFORM ADVISORY  
4 COMMITTEE, REFERRED TO IN THIS SECTION AS THE "COMMITTEE". THE  
5 INTENT OF THE COMMITTEE IS TO DEVELOP A STRATEGIC PLAN TO  
6 IMPLEMENT A TRUSTED INTEROPERABILITY PLATFORM THAT SECURELY  
7 EXCHANGES INFORMATION BETWEEN CRIMINAL AND JUVENILE JUSTICE  
8 SYSTEMS AND COMMUNITY HEALTH AGENCIES TO IMPROVE THE HEALTH,  
9 STABILITY, AND PROSOCIAL ADJUSTMENT OF INDIVIDUALS IN THE  
10 CRIMINAL AND JUVENILE JUSTICE SYSTEMS; DECREASE RECIDIVISM; AND  
11 EVALUATE SYSTEM NEEDS AND PROGRAMS.

12           (b) THE COMMITTEE SHALL EXERCISE ITS POWERS AND PERFORM  
13 ITS DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF PUBLIC SAFETY.

14           (c) THE COMMITTEE CONSISTS OF THE FOLLOWING ELEVEN  
15 MEMBERS:

16           (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
17 SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

18           (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
19 CORRECTIONS OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

20           (III) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
21 SERVICES OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

22           (IV) THE CHIEF INFORMATION OFFICER OF THE OFFICE OF  
23 INFORMATION TECHNOLOGY OR THE CHIEF INFORMATION OFFICER'S  
24 DESIGNEE;

25           (V) THE DIRECTOR OF THE DIVISION OF YOUTH SERVICES IN THE  
26 DEPARTMENT OF HUMAN SERVICES OR THE DIRECTOR'S DESIGNEE;

27           (VI) THE STATE COURT ADMINISTRATOR OR THE STATE COURT

1 ADMINISTRATOR'S DESIGNEE; AND

2 (VII) THE FOLLOWING FIVE MEMBERS APPOINTED BY THE  
3 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY:

4 (A) ONE COUNTY SHERIFF REPRESENTING A STATEWIDE  
5 ASSOCIATION OF COUNTY SHERIFFS;

6 (B) ONE MEMBER OF A NONPROFIT ORGANIZATION REPRESENTING  
7 A NETWORK OF COMMUNITY BEHAVIORAL HEALTH PROVIDERS;

8 (C) ONE MEMBER REPRESENTING THE COLORADO INTEGRATED  
9 CRIMINAL JUSTICE INFORMATION SYSTEM, CREATED IN SECTION  
10 16-20.5-103; AND

11 (D) TWO MEMBERS REPRESENTING A HEALTH INFORMATION  
12 EXCHANGE IN COLORADO.

13 (d) THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT  
14 COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

15 (e) THE COMMITTEE SHALL MEET AT LEAST FOUR TIMES PER  
16 CALENDAR YEAR. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
17 PUBLIC SAFETY OR THE EXECUTIVE DIRECTOR'S DESIGNEE SHALL SERVE AS  
18 CHAIR OF THE COMMITTEE AND MAY CALL SUCH ADDITIONAL MEETINGS AS  
19 MAY BE NECESSARY FOR THE COMMITTEE TO COMPLETE ITS DUTIES.

20 (2) NO LATER THAN MAY 1, 2021, THE COMMITTEE SHALL SUBMIT  
21 AN INITIAL STRATEGIC PLAN TO IMPLEMENT A TRUSTED INTEROPERABILITY  
22 PLATFORM TO THE CHIEF INFORMATION OFFICER, APPOINTED PURSUANT TO  
23 SECTION 24-37.5-103. NO LATER THAN SEPTEMBER 1, 2021, THE  
24 COMMITTEE SHALL SUBMIT A FINAL STRATEGIC PLAN TO THE LEGISLATIVE  
25 COUNCIL; THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE  
26 LEGISLATIVE OVERSIGHT COMMITTEE CONCERNING THE TREATMENT OF  
27 PERSONS WITH MENTAL HEALTH DISORDERS IN THE CRIMINAL AND

1 JUVENILE JUSTICE SYSTEMS; AND THE JUDICIARY COMMITTEES OF THE  
2 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR  
3 COMMITTEES. THE STRATEGIC PLAN MUST:

4 (a) ENABLE AGENCIES TO EXCHANGE LEGALLY AUTHORIZED AND  
5 SECURE INFORMATION TO IMPROVE THE MANAGEMENT AND CARE OF  
6 INDIVIDUALS SERVED BY THE AGENCY SYSTEMS;

7 (b) PROVIDE UNIFORM DATA AND COMPLY WITH NATIONAL  
8 CRIMINAL JUSTICE AND HEALTH INFORMATION STANDARDS;

9 (c) COMPLY WITH APPLICABLE FEDERAL AND STATE LAWS AND  
10 REGULATIONS;

11 (d) USE IDENTITY AND ACCESS MANAGEMENT TO ALLOW USERS TO  
12 ACCESS AUTHORIZED INFORMATION BASED ON THE USER'S CREDENTIALS  
13 AND AGENCY ROLE;

14 (e) USE A FEDERATED INFORMATION SYSTEM, CONSISTENT WITH A  
15 STATEWIDE APPROACH, AS AN INTEGRATING LAYER OVER EXISTING  
16 LEGACY APPLICATIONS AND DATABASES;

17 (f) ALLOW EACH AGENCY TO RETAIN ITS OWN INFORMATION  
18 DATABASE;

19 (g) ALLOW CONTINUOUS MONITORING OF THE SYSTEM BY  
20 ESTABLISHING USER ACCESS AND REPORTING REQUIREMENTS;

21 (h) MINIMIZE CURRENT AND FUTURE COSTS BY BUILDING AN AGILE  
22 SYSTEM THAT CONNECTS EXISTING AGENCY SYSTEMS WHEN COST  
23 EFFECTIVE AND CREATES SYSTEM INTERFACES THAT ARE FLEXIBLE  
24 ENOUGH TO ACCOMMODATE FUTURE INFORMATION-SHARING NEEDS IN A  
25 COST-EFFECTIVE MANNER; AND

26 (i) RESULT IN A SYSTEM THAT ACCOMPLISHES THE FOLLOWING  
27 GOALS:

1           (I) FACILITATING UNIFORM AND MAXIMUM INTERFACING AMONG  
2 CRIMINAL AND JUVENILE JUSTICE STATE AGENCIES, COUNTY JAILS,  
3 COMMUNITY BEHAVIORAL HEALTH CENTERS, AND HEALTH INFORMATION  
4 EXCHANGES TO PROVIDE INFORMATION THAT IS RELEVANT TO THE  
5 MANAGEMENT AND CARE OF INDIVIDUALS WHO ARE CURRENTLY UNDER AN  
6 AGENCY'S PURVIEW; AND

7           (II) MAKING DATA AVAILABLE FOR RESEARCH ANALYSIS AND  
8 DE-IDENTIFIED DATA REPORTING TO POLICYMAKERS FOR SYSTEM NEEDS  
9 IDENTIFICATION, POLICY INITIATIVES, AND EVALUATIONS IN ACCORDANCE  
10 WITH APPLICABLE LAWS.

11           (3) THIS SECTION IS REPEALED, EFFECTIVE OCTOBER 1, 2021.

12           **SECTION 3. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2020 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.