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Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

**BILL 5**

LLS NO. 18-0258.02 Brita Darling x2241

**INTERIM COMMITTEE BILL**

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**Opioid and Other Substance Use  
Disorders Interim Study Committee**

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**BILL TOPIC: "Substance Use Disorder Treatment"**

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**A BILL FOR AN ACT**

101 **CONCERNING TREATMENT FOR INDIVIDUALS WITH SUBSTANCE USE**  
102 **DISORDERS, AND, IN CONNECTION THEREWITH, ADDING**  
103 **RESIDENTIAL AND INPATIENT TREATMENT TO THE COLORADO**  
104 **MEDICAL ASSISTANCE PROGRAM.**

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**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/>.)*

**Opioid and Other Substance Use Disorders Interim Study Committee.** The bill adds residential and inpatient substance use disorder services to the Colorado medical assistance program. The benefit will not

*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

be effective until the department of health care policy and financing seeks and receives any federal authorization necessary to secure federal financial participation in the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, 25.5-5-202, **add**  
3 (1)(x) as follows:

4 **25.5-5-202. Basic services for the categorically needy - optional**  
5 **services.** (1) Subject to the provisions of subsection (2) of this section,  
6 the following are services for which federal financial participation is  
7 available and that Colorado has selected to provide as optional services  
8 under the medical assistance program:

9 (x) (I) RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER  
10 TREATMENT PURSUANT TO SECTION 25.5-5-324.

11 (II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(x)(I)  
12 OF THIS SECTION, RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER  
13 TREATMENT SHALL NOT TAKE EFFECT UNLESS ALL NECESSARY APPROVALS  
14 UNDER FEDERAL LAW AND REGULATION HAVE BEEN OBTAINED TO RECEIVE  
15 FEDERAL FINANCIAL PARTICIPATION FOR THE COSTS OF SUCH SERVICES.

16 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-5-324 as  
17 follows:

18 **25.5-5-324. Residential and inpatient substance use disorder**  
19 **treatment - federal approval.** (1) SUBJECT TO AVAILABLE  
20 APPROPRIATIONS AND TO THE EXTENT PERMITTED UNDER FEDERAL LAW,  
21 THE MEDICAL ASSISTANCE PROGRAM PURSUANT TO THIS ARTICLE 5 AND  
22 ARTICLES 4 AND 6 OF THIS TITLE 25.5 INCLUDES RESIDENTIAL AND  
23 INPATIENT SUBSTANCE USE DISORDER TREATMENT.

24 (2) NO LATER THAN OCTOBER 1, 2018, THE STATE DEPARTMENT

1 SHALL SEEK FEDERAL AUTHORIZATION TO PROVIDE RESIDENTIAL AND  
2 INPATIENT SUBSTANCE USE DISORDER TREATMENT WITH FULL FEDERAL  
3 FINANCIAL PARTICIPATION. RESIDENTIAL AND INPATIENT SUBSTANCE USE  
4 DISORDER TREATMENT SHALL NOT TAKE EFFECT UNTIL FEDERAL  
5 APPROVAL HAS BEEN OBTAINED.

6 **SECTION 3. Act subject to petition - effective date.** This act  
7 takes effect at 12:01 a.m. on the day following the expiration of the  
8 ninety-day period after final adjournment of the general assembly (August  
9 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
10 referendum petition is filed pursuant to section 1 (3) of article V of the  
11 state constitution against this act or an item, section, or part of this act  
12 within such period, then the act, item, section, or part will not take effect  
13 unless approved by the people at the general election to be held in  
14 November 2018 and, in such case, will take effect on the date of the  
15 official declaration of the vote thereon by the governor.