

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

BILL A

LLS NO. 18-0255.01 Kristen Forrestal x4217

HOUSE BILL

HOUSE SPONSORSHIP

Navarro and Pettersen, Buck, Kennedy, Singer

SENATE SPONSORSHIP

Priola and Jahn, Aguilar, Lambert, Tate

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING MEASURES TO PREVENT OPIOID MISUSE IN COLORADO.

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. Section 1 of the bill establishes in statute the opioid and other substance use disorders study committee, consisting of 5 senators and 5 representatives from the general assembly, to:

- Study data and statistics on the scope of the substance use disorder problem in Colorado;
- Study current prevention, intervention, harm reduction, treatment, and recovery resources available to Coloradans,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

- as well as public and private insurance coverage and other sources of support for treatment and recovery resources;
- Review the availability of medication-assisted treatment and the ability of pharmacists to prescribe those medications;
- Examine measures that other states and countries use to address substance use disorders;
- Identify the gaps in prevention, intervention, harm reduction, treatment, and recovery resources available to Coloradans and hurdles to accessing those resources; and
- Identify possible legislative options to address gaps and hurdles to accessing prevention, intervention, harm reduction, treatment, and recovery resources.

The committee is authorized to meet 6 times in a calendar year and may report up to 6 legislative measures to the legislative council, which bills are exempt from bill limitations and introduction deadlines. The committee is repealed on July 1, 2020.

Section 2 specifies school-based health care centers may apply for grants from the school-based health center grant program to expand behavioral health services to include treatment for opioid and other substance use disorders.

Section 3 directs the department of health care policy and financing, starting July 1, 2018, to award grants to organizations to operate a substance abuse screening, brief intervention, and referral program.

Section 4 directs the center for research into substance use disorder prevention, treatment, and recovery to develop and implement continuing medical education activities to help prescribers of pain medication to safely and effectively manage patients with chronic pain, and when appropriate, prescribe opioids. Sections 2 through 4 also direct the general assembly to appropriate money to implement those sections.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 22.3 to
 3 title 10 as follows:

4 **ARTICLE 22.3**

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

6 **10-22.3-101. Opioid and other substance use disorders study**
 7 **committee - creation - members - purposes.** (1)(a) NOTWITHSTANDING

1 SECTION 2-3-303.3, THERE IS HEREBY CREATED THE OPIOID AND OTHER
2 SUBSTANCE USE DISORDERS STUDY COMMITTEE. THE COMMITTEE
3 CONSISTS OF TEN MEMBERS OF THE GENERAL ASSEMBLY APPOINTED ON OR
4 BEFORE JUNE 1, 2018, AS FOLLOWS:

5 (I) FIVE MEMBERS OF THE SENATE, WITH THREE MEMBERS
6 APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO MEMBERS
7 APPOINTED BY THE MINORITY LEADER OF THE SENATE; AND

8 (II) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES, WITH
9 THREE MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
10 REPRESENTATIVES AND TWO MEMBERS APPOINTED BY THE MINORITY
11 LEADER OF THE HOUSE OF REPRESENTATIVES.

12 (b) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
13 APPOINT THE CHAIR OF THE COMMITTEE IN EVEN-NUMBERED YEARS AND
14 THE VICE-CHAIR IN ODD-NUMBERED YEARS, AND THE PRESIDENT OF THE
15 SENATE SHALL APPOINT THE CHAIR OF THE COMMITTEE IN ODD-NUMBERED
16 YEARS AND THE VICE-CHAIR IN EVEN-NUMBERED YEARS.

17 (2) THE COMMITTEE SHALL:

18 (a) STUDY DATA AND STATISTICS ON THE SCOPE OF THE
19 SUBSTANCE USE DISORDER PROBLEM IN COLORADO, INCLUDING TRENDS IN
20 RATES OF SUBSTANCE ABUSE, TREATMENT ADMISSIONS, AND DEATHS FROM
21 SUBSTANCE USE;

22 (b) STUDY THE CURRENT PREVENTION, INTERVENTION, HARM
23 REDUCTION, TREATMENT, AND RECOVERY RESOURCES, INCLUDING
24 SUBSTANCE ABUSE PREVENTION OUTREACH AND EDUCATION, AVAILABLE
25 TO COLORADANS, AS WELL AS PUBLIC AND PRIVATE INSURANCE COVERAGE
26 AND OTHER SOURCES OF SUPPORT FOR TREATMENT AND RECOVERY
27 RESOURCES;

1 (c) REVIEW THE AVAILABILITY OF MEDICATION-ASSISTED
2 TREATMENT AND WHETHER PHARMACISTS CAN PRESCRIBE THOSE
3 MEDICATIONS THROUGH THE DEVELOPMENT OF COLLABORATIVE
4 PHARMACY PRACTICE AGREEMENTS WITH PHYSICIANS;

5 (d) EXAMINE THE MEASURES THAT OTHER STATES AND COUNTRIES
6 USE TO ADDRESS SUBSTANCE USE DISORDERS, INCLUDING
7 EVIDENCE-BASED BEST PRACTICES AND THE USE OF EVIDENCE IN
8 DETERMINING STRATEGIES TO TREAT SUBSTANCE USE DISORDERS, AND
9 BEST PRACTICES ON THE USE OF PRESCRIPTION DRUG MONITORING
10 PROGRAMS;

11 (e) IDENTIFY THE GAPS IN PREVENTION, INTERVENTION, HARM
12 REDUCTION, TREATMENT, AND RECOVERY RESOURCES AVAILABLE TO
13 COLORADANS AND HURDLES TO ACCESSING THOSE RESOURCES; AND

14 (f) IDENTIFY POSSIBLE LEGISLATIVE OPTIONS TO ADDRESS GAPS
15 AND HURDLES TO ACCESSING PREVENTION, INTERVENTION, HARM
16 REDUCTION, TREATMENT, AND RECOVERY RESOURCES.

17 (3) (a) THE COMMITTEE SHALL MEET AS NECESSARY UP TO SIX
18 TIMES PER CALENDAR YEAR DURING ANY LEGISLATIVE SESSION OR ANY
19 INTERIM BETWEEN LEGISLATIVE SESSIONS. THE COMMITTEE MAY
20 INTRODUCE UP TO A TOTAL OF SIX BILLS IN EACH OF THE 2019 AND 2020
21 LEGISLATIVE SESSIONS. BILLS THAT THE COMMITTEE INTRODUCES ARE
22 EXEMPT FROM THE FIVE-BILL LIMITATION SPECIFIED IN RULE 24 (b)(1)(A)
23 OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.

24 (b) NO LATER THAN NOVEMBER 1, 2018, AND NO LATER THAN
25 EACH NOVEMBER 1 THEREAFTER, THE COMMITTEE SHALL MAKE A REPORT
26 TO THE LEGISLATIVE COUNCIL CREATED IN SECTION 2-3-301 THAT MAY
27 INCLUDE RECOMMENDATIONS FOR LEGISLATION.

1 (4) (a) MEMBERS OF THE COMMITTEE ARE ENTITLED TO RECEIVE
2 THE USUAL PER DIEM AND NECESSARY TRAVEL AND SUBSISTENCE
3 EXPENSES AS PROVIDED PURSUANT TO SECTION 2-2-307 FOR MEMBERS OF
4 THE GENERAL ASSEMBLY WHO ATTEND INTERIM COMMITTEE MEETINGS.

5 (b) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL
6 AND THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL
7 PROVIDE STAFF ASSISTANCE TO THE COMMITTEE.

8 **10-22.3-102. Repeal of article.** THIS ARTICLE 22.3 IS REPEALED,
9 EFFECTIVE JULY 1, 2020.

10 **SECTION 2.** In Colorado Revised Statutes, 25-20.5-503, **amend**
11 (2) as follows:

12 **25-20.5-503. School-based health center grant program -**
13 **creation - funding - grants - repeal.** (2) (a) Operators of school-based
14 health centers may apply for grants for the benefit of school-based health
15 centers. The grant program shall provide grants for school-based health
16 centers selected by the division. The division, in consultation with
17 school-based health centers, shall develop criteria under which the grants
18 are distributed and evaluated. In developing the criteria for grants, the
19 division shall give priority to centers that serve a disproportionate number
20 of uninsured children or a low-income population or both and may award
21 grants to establish new school-based health centers; to expand primary
22 health services, behavioral health services, INCLUDING EDUCATION,
23 INTERVENTION, AND PREVENTION SERVICES FOR OPIOID, ALCOHOL, AND
24 MARIJUANA, AND OTHER SUBSTANCE USE DISORDERS, or oral health
25 services offered by existing school-based health centers; to expand
26 enrollment in the children's basic health plan; or to provide support for
27 ongoing operations of school-based health centers. None of the grants

1 shall be awarded to provide abortion services in violation of section 50
2 of article V of the state constitution.

3 (b) (I) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY
4 SHALL APPROPRIATE SEVEN HUNDRED SEVENTY-FIVE THOUSAND DOLLARS
5 TO THE DEPARTMENT FROM THE MARIJUANA CASH FUND CREATED IN
6 SECTION 12-43.3-501 FOR THE PURPOSES OF EXPANDING BEHAVIORAL
7 HEALTH THERAPY, INTERVENTION, AND PREVENTION SERVICES FOR OPIOID,
8 ALCOHOL, AND MARIJUANA, AND OTHER SUBSTANCE USE DISORDERS
9 PURSUANT TO THIS SUBSECTION (2).

10 (II) THIS SUBSECTION (2)(b) IS REPEALED EFFECTIVE SEPTEMBER
11 1, 2019.

12 **SECTION 3.** In Colorado Revised Statutes, **amend** 25.5-5-208
13 as follows:

14 **25.5-5-208. Additional services - training - grants - screening,**
15 **brief intervention, and referral - repeal.** (1) On or before June 30,
16 2016, the state department shall grant, through a competitive grant
17 program, up to five hundred thousand dollars to one or more
18 organizations to provide evidence-based training and outreach to health
19 professionals statewide related to screening, brief intervention, and
20 referral to treatment for individuals at risk of substance abuse for whom
21 Colorado provides optional services in accordance with section
22 25.5-5-202 (1)(u). For any fiscal year beginning on or after July 1, 2016,
23 UNTIL THE FISCAL YEAR ENDING JUNE 30, 2018, the state department shall
24 award additional grants for this training and outreach, subject to available
25 appropriations. Any moneys appropriated for grants pursuant to this
26 section are not subject to federal financial participation.

27 (2) (a) ON OR AFTER JULY 1, 2018, THE STATE DEPARTMENT SHALL

1 GRANT, THROUGH A COMPETITIVE GRANT PROGRAM, FIVE HUNDRED
2 THOUSAND DOLLARS TO ONE OR MORE ORGANIZATIONS TO OPERATE A
3 SUBSTANCE ABUSE SCREENING, BRIEF INTERVENTION, AND REFERRAL
4 SCREENING PRACTICE. THE GRANT PROGRAM MUST REQUIRE:

5 (I) TRAINING FOR HEALTH CARE PROFESSIONALS STATEWIDE THAT
6 IS EVIDENCE-BASED AND THAT MAY BE ATTENDED EITHER IN PERSON OR
7 ONLINE;

8 (II) CONSULTATION AND TECHNICAL ASSISTANCE FOR HEALTH
9 CARE PROVIDERS, HEALTH CARE ORGANIZATIONS, AND STAKEHOLDERS;

10 (III) OUTREACH, COMMUNICATION, AND EDUCATION TO PROVIDERS
11 AND PATIENTS;

12 (IV) COORDINATION WITH PRIMARY CARE, MENTAL HEALTH CARE,
13 INTEGRATED HEALTH CARE, AND SUBSTANCE USE PREVENTION,
14 TREATMENT, AND RECOVERY EFFORTS; AND

15 (V) CAMPAIGNING TO INCREASE PUBLIC AWARENESS OF THE RISKS
16 RELATED TO ALCOHOL, MARIJUANA, TOBACCO, AND DRUG USE AND TO
17 REDUCE ANY STIGMA ASSOCIATED WITH TREATMENT.

18 (b) (I) ON OR AFTER JULY 1, 2018, THE STATE DEPARTMENT SHALL
19 DESIGN AND DEVELOP AN ONLINE INTERACTIVE PATIENT EDUCATION
20 MODULE FOR WOMEN OF CHILDBEARING AGE TO LEARN ABOUT THE RISKS
21 OF ALCOHOL-EXPOSED PREGNANCIES, TO BE DEPLOYED FOR PUBLIC USE IN
22 THE STATE. THE EDUCATION MODULE MUST INCLUDE TRAINING FOR
23 REIMBURSEMENT AND BILLING CODES IN THE "COLORADO MEDICAL
24 ASSISTANCE ACT", ARTICLES 4 TO 6 OF THIS TITLE 25.5.

25 (II) THE STATE DEPARTMENT SHALL ALSO PROVIDE ONE FULL-TIME
26 EMPLOYEE TO PROVIDE IN-PERSON TRAINING IN CLINICS THAT PROVIDE
27 CARE TO WOMEN OF CHILDBEARING AGE CONCERNING ALCOHOL-EXPOSED

1 PREGNANCIES.

2 (III) (A) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY
3 SHALL APPROPRIATE ONE HUNDRED FIFTY THOUSAND DOLLARS TO THE
4 STATE DEPARTMENT FROM THE MARIJUANA CASH FUND CREATED IN
5 SECTION 12-43.3-501 FOR THE PURPOSES OF THIS SUBSECTION (2)(b).

6 (B) THIS SUBSECTION (2)(b)(III) IS REPEALED, EFFECTIVE
7 SEPTEMBER 1, 2019.

8 **SECTION 4.** In Colorado Revised Statutes, 27-80-118, **add** (4)
9 as follows:

10 **27-80-118. Center for research into substance use disorder**
11 **prevention, treatment, and recovery support strategies - legislative**
12 **declaration - established - repeal.** (4) (a) THE CENTER SHALL DEVELOP
13 AND IMPLEMENT A SERIES OF CONTINUING EDUCATION ACTIVITIES
14 DESIGNED TO HELP A PRESCRIBER OF PAIN MEDICATION TO SAFELY AND
15 EFFECTIVELY MANAGE PATIENTS WITH PAIN AND, WHEN APPROPRIATE,
16 PRESCRIBE OPIOIDS OR MEDICATION ASSISTED TREATMENT. THE
17 EDUCATIONAL ACTIVITIES MUST APPLY TO PHYSICIANS, PHYSICIAN
18 ASSISTANTS, NURSES, AND DENTISTS.

19 (b) THE CENTER SHALL ALSO DEVELOP EDUCATION AND TRAINING
20 FOR LAW ENFORCEMENT OFFICERS AND FIRST RESPONDERS CONCERNING
21 THE USE OF OPIOID ANTAGONISTS FOR OPIOID OVERDOSE AND
22 COMMUNITY-BASED TRAINING FOR PERSONS AT RISK OF OPIOID OVERDOSE.

23 (c) (I) ON OR BEFORE JULY 1, 2018, THE GENERAL ASSEMBLY
24 SHALL APPROPRIATE SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO THE
25 CENTER FROM THE MARIJUANA CASH FUND CREATED IN SECTION
26 12-43.3-501 FOR THE PURPOSES OF THIS SUBSECTION (4).

27 (II) THIS SUBSECTION (4)(c) IS REPEALED, EFFECTIVE SEPTEMBER

1 1, 2019.

2 **SECTION 5. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety.