



Final Report to the General Assembly

Hugh McKean Colorado Youth Advisory Council Review Committee

December 2023 | Research Publication 806



Hugh McKean Colorado Youth Advisory Council Review Committee

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December | 2023



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December 2023

To Members of the Seventy-fourth General Assembly:

Submitted herewith is the final report of the Hugh McKean Colorado Youth Advisory Council Review Committee. This committee was created pursuant to Section 2-2-1305.5, Colorado Revised Statutes. The purpose of this committee is to review the work of the Colorado Youth Advisory Council (COYAC) and to recommend legislation regarding issues affecting Colorado youth.

At its meeting on November 15, 2023 the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2024 session was approved.

Sincerely,

/s/ Senator Stephen Fenberg
Chair

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The texts of the approved bills are included as Attachments A through C after the list of meetings and topics discussed.

This report is also available online at:

<https://leg.colorado.gov/committees/colorado-youth-advisory-council-committee/2023-regular-session>

Committee Charge

The Representative Hugh McKean Colorado Youth Advisory Council Review Committee (review committee) was created in House Bill 19-1024 to review the work of the Colorado Youth Advisory Council (COYAC) and to recommend legislation regarding issues affecting Colorado youth.

Pursuant to Section 2-2-1302, C.R.S., COYAC is charged with examining, evaluation, and discussing the issues, interests, and needs affecting Colorado youth. The issues may include, but need not be limited to:

- education and skill development;
- employment and economic opportunities and educational opportunities, including increased accessibility to opportunities for youth in rural communities;
- access to state and local government services;
- the environment;
- behavioral and physical health, including suicide prevention;
- safe environments for youth, including preventing bullying;
- substance abuse;
- poverty; and
- increased youth participation in state and local government.

COYAC consists of 35 members representing each state senate district, one member representing the Southern Ute Indian Tribe, one member representing the Ute Mountain Ute Tribe, and three nonvoting at-large members. The three at-large members must be selected to help ensure diversity on the council, with an express concern for adequate rural representation. Members must be between 14 and 19 years old and be enrolled in and attending school in Colorado. They serve two-year terms. COYAC meets three to four times per year and received organizational support from a vendor, Bighorn Leadership Program, under contract with the General Assembly. Four legislative members of COYAC are appointed by House and Senate leadership to two-year terms.

Each school year, COYAC makes policy recommendations to the General Assembly through the review committee, which can approve up to three interim committee bills.

Committee Activities

The committee held three meetings during the 2023 interim. The student members of the committee presented the COYAC proposals for legislation to address a wide range of subjects, including:

- Youth Mental Health
- Violence Against Youth
- Asian-American History
- Resource Assistance in Public Schools
- Non-Legal Name Changes
- Youth Gender Affirming Care

The following sections discuss the committee's activities during the 2023 interim.

Youth Mental Health

The committee heard presentations from the COYAC student representatives about the challenges youth face with mental health and the shortage of licensed psychologists in schools. The students discussed how statistically, youth mental health has been on the decline over the past five years. They also went over how many teens have expressed symptoms of depression, and how the pandemic has worsened youth mental health. The students discussed the current shortage of licensed psychologists in Colorado schools. They state that it is difficult to become a psychologist as it requires several years of training and is very expensive. In addition, many psychologists that study in the state leave upon graduation. The students recommended providing financial relief for individuals practicing as a school psychologist, and they recommended providing loan repayment for graduates that remain in-state for a set number of years following graduation.

Committee recommendations. As a result of its discussions, the committee recommended Bill B to create the Licensed School Mental Health Professional Loan Repayment Program in the Department of Higher Education.

Violence Against Youth

The committee heard presentations from the COYAC student representatives about the challenges youth face with violence in schools. The students discussed the high rate of school shootings in Colorado. They noted that the frequency of gun violence has led to a feeling of helplessness among youth and that the overall reason for the heightened violence is not well studied and thus not well understood. The students noted that many schools have limited resources to address school violence. School Resource Officers may be present, but their effectiveness is ambiguous. In addition, the current threat reporting source, Safe2Tell, would benefit from additional resources. Finally, school threat assessment in the state is inconsistent in identifying and stopping violence. The students recommended creating a task force for gun violence prevention and requiring school districts to inform parents of requirements for safe storage for firearms.

Committee recommendations. As a result of its discussions, the committee drafted but did not recommend to Legislative Council Bill 4 to create the Gun Violence Prevention in Schools Task Force within the Department of Public Health and Environment. The bill would have further required notices to parents or guardians about firearm safe storage requirements.

Asian-American History

The committee heard presentations from the COYAC student representatives about the challenges in teaching Asian-American and Pacific Islander (AAPI) history. The students discussed how current educational standards are lacking for AAPI history. Current policies do not specify how AAPI history should exist in a curriculum, and schools tend to adopt a Eurocentric view when specifying AAPI contributions. There are also not standards in place to effectively teach historical events such as the Amache Internment Camp in Granada, Colorado.

The students discussed how the current curriculum does not address racism directed toward AAPI citizens. Hate crimes against AAPI students has increased over the last few years, and teaching about historic prejudice and racism is one way to reduce prejudice towards AAPI communities. The students recommended creating an ethnic studies commission to expand on the previous legislation, and to require school districts to release an annual diversity, equity, and inclusion report.

Committee recommendations. As a result of its discussions, the committee drafted but did not recommend to Legislative Council Bill 3 to create the Ethnic Studies Commission. Among other things, the commission would help to develop a resource bank with teaching materials related to historical events concerning Asian American and Pacific Islander communities.

Resource Assistance in Public Schools

The committee heard presentations from the COYAC student representatives about the lack of hygiene product resources in school. The students discussed how hygiene products are less accessible for low-income families and how that lack of accessibility negatively impacts health, education, and well being. Availability of menstrual products is far lower for students below the poverty line, and the inability to access these products has increased over the last few years. The students recommended creating a state grant program for resource pantries at schools for low income students.

Committee recommendations. As a result of its discussions, the committee drafted but did not recommend to Legislative Council Bill 2 to expand the allowable uses of grant funding from the Menstrual Hygiene Products Accessibility Grant Program to include any personal hygiene product.

Non-Legal Name Changes

The committee heard presentations from the COYAC student representatives about the challenges in addressing non-legal name changes. The students discussed how Colorado currently lacks systems to institute non-legal name changes in public schools. There is no legal enforcement or consensus on how schools handle a student's name change, which can cause confusion for the students and faculty in a school.

The students recommended that Colorado develop a consensus of procedures for non-legal name changes in public school for youth ages 12-17, and that the Colorado Department of Education convene an advisory committee to recommend and examine policies in schools for non-legal name changes.

Committee recommendations. As a result of its discussions, the committee recommended Bill A, which deems a school's refusal to use a student's preferred name as a form of discrimination and establishes a task force in the Colorado Department of Education to provide guidance for school districts.

Youth Gender Affirming Care

The committee heard presentations from the COYAC student representatives about the challenges in addressing gender affirming care. The students discussed how suicide is the leading cause of death for Colorado youth, and how thoughts of suicide are high among transgender youth. Studies have shown a connection between increased access to gender affirming care and lower depression and suicide rates. The students discussed how gender affirming care is supportive healthcare covering medical, psychological, and surgical services. This care is provided to transgender and gender-nonconforming people. Services for youth from puberty to age 18 are generally limited to hormonal, psychological, and non-medical services.

The students discussed how gender affirming care for youth is inaccessible due to increased demand and a lack of widespread provider training. This leads many people to resort to non-prescribed hormone therapy, which can be harmful and lead to overdoses and illnesses. There are also regional inequities in Colorado with availability of gender affirming care. Rural residents in particular frequently need to travel long distances to receive care.

The students recommended that Colorado create a grant program to provide widespread gender affirming care training to clinics across the state, and that the state convene a task force to examine the status of gender affirming care available to youth.

Committee recommendations. As a result of its discussions, the committee recommended Bill C, which creates a grant program and task force within the Department of Public Health and Environment to increase access to gender affirming care for youth.

Summary of Recommendations

As a result of the committee's activities, the committee recommended three bills to the Legislative Council for consideration in the 2024 session. At its meeting on November 15, 2023 the Legislative Council approved all the recommended bills for introduction. The approved bills are described below.

Bill A — Non-Legal Name Changes

Bill A requires public schools to address a student by their preferred name in school and in school-related publication, without requiring that the student obtain a court-ordered name or gender change. Failure to address a student by their preferred name is discriminatory. The bill also establishes the nine-member Non-Legal Name Changes in Schools Task Force in the Colorado Department of Education (CDE). The task force is charged with examining existing school policies regarding non-legal name changes and providing policy implementation recommendations to school districts. The task force must submit a report to CDE that details recommended guidelines by January 1, 2025 and schools must implement the report's policy recommendations by July 1, 2025.

Bill B — School Mental Health Professional Loan Repayment Program

Bill B creates the Licensed School Mental Health Professional Loan Repayment Program in the Department of Higher Education. The Colorado Commission on Higher Education (CCHE) must adopt program policies, review applications for loan repayment, and report annually on the program. If there are more applicants than available funding, CCHE must prioritize applicants in schools or districts with few mental health professionals. Applicants must be licensed and have a masters or doctoral degree in a program qualifying the applicant to be a mental health professional. Recipients are eligible for up to \$10,000 in loan repayment over three years.

Bill C — Availability Youth Gender-affirming Care Training

Bill C requires the Colorado Department of Public Health and Environment, or a third party contractor, to conduct a study on the status of gender-affirming health care providers in Colorado, especially those in rural areas. The study must determine, at minimum, the number of gender-affirming health care providers and facilities in each region, the resources available to them, the number of patients seeking gender-affirming health care services and the types of services sought, the prevalence of non-prescribed treatments, and the availability of insurance coverage for treatments. The study must also engage and seek input from providers with experience providing gender-affirming care and mental health care; members of the lesbian, gay, bisexual, transgender, or non-binary community; and various state agencies and programs. The department must report study findings by December 31, 2026.

Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/committees/colorado-youth-advisory-council-committee/2023-regular-session>

Meetings and Topics Discussed

August 9, 2023

- Youth Mental Health
- Violence Against Youth
- Asian-American History
- Resource Assistance in Public Schools
- Non-legal Name Changes in School
- Youth Gender-affirming Care

August 17, 2023

- Discussion of all COYAC student recommendations
- Discussion and voting on bill drafts

October 25, 2023

- Presentation and voting on committee legislation

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment A

BILL A

LLS NO. 24-0228.01 Chelsea Princell x4335

HOUSE BILL

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Winter F. and Marchman,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING NON-LEGAL NAME CHANGES FOR STUDENTS IN SCHOOLS.**

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/>.)

Colorado Youth Advisory Council Review Committee. Section 1 of the bill:

- Requires public schools and institute charter schools (school) to use a student's preferred name, if a preferred name is requested by the student; and
- Deems a school's refusal to use a student's preferred name a form of discrimination.

Section 2 of the bill:

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.

- Creates the non-legal name changes in schools task force (task force) in the department of education (department) consisting of 9 members appointed by the department to examine existing school policies and provide recommendations to schools on how to best implement student non-legal name change policies;
- Requires the department to appoint members to the task force by June 30, 2024;
- Requires the task force to submit a report to the department detailing the recommended policy guidelines by January 1, 2025;
- Requires the department to publish the report on its website and submit the report to the superintendent of each school district and chief administrator of each institute charter school by February 1, 2025;
- Requires a school to implement the task force's policy recommendations by July 1, 2025; and
- Repeals the task force, effective July 1, 2026.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 39 to title
3 22 as follows:

4 **ARTICLE 39**

5 **Use of a Preferred Name for a Student**

6 **22-39-101. Use of a preferred name for a student - definition.**

7 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES, "PREFERRED NAME" MEANS ANY NAME THAT A STUDENT
9 REQUESTS TO BE KNOWN AS THAT IS DIFFERENT FROM THE STUDENT'S
10 LEGAL NAME.

11 (2) A PUBLIC SCHOOL OR INSTITUTE CHARTER SCHOOL SHALL
12 ADDRESS A STUDENT BY THE STUDENT'S PREFERRED NAME AND USE THE
13 STUDENT'S PREFERRED NAME IN SCHOOL; DURING EXTRACURRICULAR
14 ACTIVITIES; AND ON ROSTERS, ATTENDANCE LISTS, YEARBOOKS, STUDENT
15 IDENTIFICATION CARDS, AND ANY OTHER UNOFFICIAL SCHOOL RECORDING

1 REQUESTED BY THE STUDENT WITHOUT REQUIRING THE STUDENT TO
2 OBTAIN A COURT-ORDERED NAME OR GENDER CHANGE OR TO CHANGE THE
3 STUDENT'S OFFICIAL RECORDS. A SCHOOL'S REFUSAL TO RESPECT A
4 STUDENT'S REQUEST TO USE A PREFERRED NAME IS DISCRIMINATORY.
5 SUCH A REFUSAL INCLUDES THE REFUSAL TO USE A STUDENT'S PREFERRED
6 NAME IN SCHOOL; DURING EXTRACURRICULAR ACTIVITIES; AND ON
7 ROSTERS, ATTENDANCE LISTS, YEARBOOKS, STUDENT IDENTIFICATION
8 CARDS, AND ANY OTHER UNOFFICIAL SCHOOL RECORDING THE STUDENT
9 REQUESTS A PREFERRED NAME TO BE USED FOR WITHOUT REQUIRING THE
10 STUDENT TO OBTAIN A COURT-ORDERED NAME OR GENDER CHANGE OR TO
11 CHANGE THE STUDENT'S OFFICIAL RECORDS.

12 **SECTION 2.** In Colorado Revised Statutes, **add** article 108 to
13 title 22 as follows:

14 **ARTICLE 108**

15 **Non-legal Name Changes in Schools Task Force**

16 **22-108-101. Non-legal name changes in schools task force -**
17 **created - appointments - report - definitions - repeal.** (1) AS USED IN
18 THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

19 (a) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
20 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115.

21 (b) "RURAL SCHOOL DISTRICT" MEANS A SCHOOL DISTRICT IN
22 COLORADO THAT THE DEPARTMENT DETERMINES IS RURAL BASED ON THE
23 GEOGRAPHIC SIZE OF THE SCHOOL DISTRICT AND THE DISTANCE OF THE
24 SCHOOL DISTRICT FROM THE NEAREST LARGE, URBANIZED AREA.

25 (c) "TASK FORCE" MEANS THE NON-LEGAL NAME CHANGES IN
26 SCHOOLS TASK FORCE CREATED IN SUBSECTION (2) OF THIS SECTION.

27 (2) THE NON-LEGAL NAME CHANGES IN SCHOOLS TASK FORCE IS

1 CREATED IN THE DEPARTMENT TO EXAMINE EXISTING SCHOOL POLICIES
2 REGARDING STUDENT NON-LEGAL NAME CHANGES AND PROVIDE POLICY
3 IMPLEMENTATION RECOMMENDATIONS FOR SCHOOL DISTRICTS AND
4 INSTITUTE CHARTER SCHOOLS TO IMPLEMENT STUDENT NON-LEGAL NAME
5 CHANGE POLICIES.

6 (3) THE TASK FORCE CONSISTS OF THE FOLLOWING:

7 (a) TWO MEMBERS WHO ARE SUPERINTENDENTS. AT A MINIMUM,
8 ONE SUPERINTENDENT MUST BE FROM A RURAL SCHOOL DISTRICT.

9 (b) TWO MEMBERS WHO ARE CHIEF ADMINISTRATORS OF AN
10 INSTITUTE CHARTER SCHOOL. AT A MINIMUM, ONE CHIEF ADMINISTRATOR
11 MUST BE FROM AN INSTITUTE CHARTER SCHOOL LOCATED IN A RURAL
12 AREA.

13 (c) ONE MEMBER WHO IS A REPRESENTATIVE OF THE DEPARTMENT;

14 (d) TWO MEMBERS WHO ARE SCHOOL COUNSELORS. AT A
15 MINIMUM, ONE SCHOOL COUNSELOR MUST BE FROM A RURAL SCHOOL
16 DISTRICT.

17 (e) ONE MEMBER WHO IS A PRIMARY SCHOOL TEACHER; AND

18 (f) ONE MEMBER WHO IS A SECONDARY SCHOOL TEACHER.

19 (4) NO LATER THAN JUNE 30, 2024, THE DEPARTMENT SHALL MAKE
20 ALL APPOINTMENTS TO THE TASK FORCE AND SCHEDULE THE FIRST
21 MEETING FOR THE TASK FORCE. THE TASK FORCE SHALL APPOINT A CHAIR
22 OF THE TASK FORCE AT ITS FIRST MEETING.

23 (5) THE MEMBERS OF THE TASK FORCE SERVE WITHOUT
24 COMPENSATION BUT MAY BE REIMBURSED FOR ANY REASONABLE
25 EXPENSES THEY INCUR IN THE PERFORMANCE OF THEIR DUTIES PURSUANT
26 TO THIS SECTION.

27 (6) THE TASK FORCE SHALL MEET AT THE CALL OF THE CHAIR AT

1 LEAST THREE TIMES FROM JULY 2024 THROUGH DECEMBER 2024.

2 (7) THE TASK FORCE SHALL, AT A MINIMUM, ANALYZE AND
3 DETERMINE THE FOLLOWING:

4 (a) GUIDELINES FOR COMMUNICATION PLANS FOR A STUDENT WHO
5 DOES NOT GO BY THE STUDENT'S PREFERRED NAME IN THE STUDENT'S
6 HOME;

7 (b) PROCEDURES RELATED TO PARENTAL NOTIFICATION;

8 (c) A PROCESS FOR UPDATING UNOFFICIAL SCHOOL RECORDS WITH
9 A STUDENT'S PREFERRED NAME; AND

10 (d) ANY OTHER TOPIC THAT THE TASK FORCE BELIEVES IS
11 NECESSARY TO ADEQUATELY PROVIDE GUIDANCE AND RECOMMENDATIONS
12 TO SCHOOL DISTRICTS AND INSTITUTE CHARTER SCHOOLS IN
13 IMPLEMENTING NON-LEGAL NAME CHANGE POLICIES.

14 (8) ON OR BEFORE JANUARY 1, 2025, THE TASK FORCE SHALL
15 SUBMIT A REPORT TO THE DEPARTMENT THAT DETAILS THE RECOMMENDED
16 GUIDELINES PURSUANT TO SUBSECTION (2) OF THIS SECTION.

17 (9) ON OR BEFORE FEBRUARY 1, 2025, THE DEPARTMENT SHALL
18 PUBLISH THE REPORT RECEIVED PURSUANT TO SUBSECTION (8) OF THIS
19 SECTION ON ITS WEBSITE AND SUBMIT THE REPORT TO THE
20 SUPERINTENDENT OF EACH SCHOOL DISTRICT AND THE CHIEF
21 ADMINISTRATOR OF EACH INSTITUTE CHARTER SCHOOL.

22 (10) NO LATER THAN JULY 1, 2025, A PUBLIC SCHOOL OR
23 INSTITUTE CHARTER SCHOOL SHALL IMPLEMENT THE POLICY
24 RECOMMENDATIONS RECEIVED PURSUANT TO SUBSECTION (9) OF THIS
25 SECTION.

26 (11) THIS ARTICLE 108 IS REPEALED, EFFECTIVE JULY 1, 2026.

27 **SECTION 3. Safety clause.** The general assembly finds,

1 determines, and declares that this act is necessary for the immediate
2 preservation of the public peace, health, or safety or for appropriations for
3 the support and maintenance of the departments of the state and state
4 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment B

BILL B

LLS NO. 24-0232.01 Jacob Baus x2173

HOUSE BILL

HOUSE SPONSORSHIP

Weinberg and Vigil,

SENATE SPONSORSHIP

Marchman and Winter F.,

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A LOAN REPAYMENT PROGRAM FOR**
102 **LICENSED SCHOOL MENTAL HEALTH PROFESSIONALS**
103 **PRACTICING IN COLORADO SCHOOLS.**

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/>.)

Colorado Youth Advisory Council Review Committee. The bill creates the licensed school mental health professional loan repayment program (program) in the department of higher education. The purpose of the program is to provide loan repayment of up to \$10,000 to eligible school counselors, school psychologists, and school social workers who

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.

provide mental health services to students who have limited access to mental health services. The commission on higher education (commission) administers the program.

The bill creates in the state treasury the licensed school mental health professional loan repayment program fund.

The bill requires that the commission submit an annual report to the education committees of the house of representatives and the senate on or before October 31 of each year the program is operational.

The program repeals on July 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 3 to article
3 3.6 of title 23 as follows:

4 **PART 3**

5 **LICENSED SCHOOL MENTAL HEALTH PROFESSIONAL**

6 **LOAN REPAYMENT PROGRAM**

7 **23-3.6-301. Definitions.** AS USED IN THIS PART 3, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "COMMISSION" MEANS THE COLORADO COMMISSION ON
10 HIGHER EDUCATION.

11 (2) "FUND" MEANS THE LICENSED SCHOOL MENTAL HEALTH
12 PROFESSIONAL LOAN REPAYMENT PROGRAM FUND, CREATED PURSUANT TO
13 SECTION 23-3.6-302 (2).

14 (3) "PROGRAM" MEANS THE LICENSED SCHOOL MENTAL HEALTH
15 PROFESSIONAL LOAN REPAYMENT PROGRAM, CREATED PURSUANT TO
16 SECTION 23-3.6-302 (1).

17 (4) "QUALIFIED LOAN" MEANS AN EDUCATION LOAN INCURRED
18 WHILE EARNING A MASTER'S DEGREE OR DOCTORATE IN A PROGRAM THAT
19 QUALIFIES A PERSON TO BE A SCHOOL MENTAL HEALTH PROFESSIONAL.

20 (5) "SCHOOL COUNSELOR" MEANS A PERSON WHO HAS A SPECIAL

1 SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5 OF TITLE
2 22 WITH A SCHOOL COUNSELOR ENDORSEMENT, INCLUDING THE
3 COMPLETION OF COURSE WORK IN THE AREAS OF ACADEMIC AND
4 SOCIAL-EMOTIONAL DEVELOPMENT; ASSESSMENT FOR SOCIAL AND
5 EMOTIONAL CONCERNS, INCLUDING SUICIDE PREVENTION AND
6 INTERVENTION; CRISIS INTERVENTION; SOCIAL-EMOTIONAL DEVELOPMENT
7 PROGRAMS, INCLUDING CHARACTER EDUCATION AND VIOLENCE
8 PREVENTION; MENTAL HEALTH; PROTECTIVE FACTORS FOR AT-RISK
9 STUDENTS; AND CAREER AWARENESS, EXPLORATION, AND PLANNING.

10 (6) "SCHOOL MENTAL HEALTH PROFESSIONAL" MEANS A SCHOOL
11 COUNSELOR, SCHOOL PSYCHOLOGIST, OR SCHOOL SOCIAL WORKER.

12 (7) "SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY
13 ENTITY" MEANS A COLORADO SCHOOL DISTRICT, BOARD OF COOPERATIVE
14 SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE CHARTER SCHOOL
15 THAT EMPLOYS OR CONTRACTS WITH NOT MORE THAN ONE SCHOOL
16 MENTAL HEALTH PROFESSIONAL, OR EMPLOYS OR CONTRACTS WITH FEWER
17 THAN ONE SCHOOL MENTAL HEALTH PROFESSIONAL PER FIVE HUNDRED
18 STUDENTS.

19 (8) "SCHOOL PSYCHOLOGIST" MEANS A PERSON WHO HAS A
20 SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5
21 OF TITLE 22 WITH A SCHOOL PSYCHOLOGIST ENDORSEMENT.

22 (9) "SCHOOL SOCIAL WORKER" MEANS A PERSON WHO HAS A
23 SPECIAL SERVICES PROVIDER LICENSE ISSUED PURSUANT TO ARTICLE 60.5
24 OF TITLE 22 WITH AN ENDORSEMENT IN SCHOOL SOCIAL WORK, INCLUDING
25 THE COMPLETION OF COURSE WORK IN THE AREAS OF SCHOOL AND SPECIAL
26 EDUCATION LAW, FUNCTIONAL BEHAVIOR ASSESSMENT, AND THE
27 DEVELOPMENT OF BEHAVIOR INTERVENTION PLANS.

1 FOR AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL.

2 (3) (a) SUBJECT TO AVAILABLE APPROPRIATIONS AND MONEY
3 AVAILABLE IN THE FUND, THE COMMISSION SHALL ANNUALLY REVIEW
4 APPLICATIONS AND GRANT LOAN REPAYMENT FOR ELIGIBLE SCHOOL
5 MENTAL HEALTH PROFESSIONALS.

6 (b) IF MORE ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONALS
7 APPLY FOR LOAN REPAYMENT THAN MAY BE GRANTED BECAUSE OF THE
8 MONEY AVAILABLE IN THE FUND, THE COMMISSION SHALL:

9 (I) FIRST, GRANT LOAN REPAYMENT TO ELIGIBLE SCHOOL MENTAL
10 HEALTH PROFESSIONALS WHO ARE THE ONLY SCHOOL MENTAL HEALTH
11 PROFESSIONALS EMPLOYED BY OR UNDER CONTRACT WITH A SCHOOL
12 MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY IN PROPORTION TO
13 THE AMOUNT AVAILABLE FOR LOAN REPAYMENT; AND

14 (II) SECOND, GRANT LOAN REPAYMENT FOR ELIGIBLE SCHOOL
15 MENTAL HEALTH PROFESSIONALS WHO ARE EMPLOYED BY OR CONTRACT
16 WITH A SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY
17 THAT EMPLOYS OR CONTRACTS WITH MORE THAN ONE SCHOOL MENTAL
18 HEALTH PROFESSIONAL BUT EMPLOYS OR CONTRACTS WITH FEWER THAN
19 ONE SCHOOL MENTAL HEALTH PROFESSIONAL PER FIVE HUNDRED
20 STUDENTS IN PROPORTION TO THE AMOUNT AVAILABLE FOR LOAN
21 REPAYMENT.

22 (c) IN GRANTING LOAN REPAYMENT FOR EACH GROUP DESCRIBED
23 IN SUBSECTIONS (3)(b)(I) AND (3)(b)(II) OF THIS SECTION, THE
24 COMMISSION SHALL PRIORITIZE GRANTING LOAN REPAYMENT TO AN
25 ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL WHO HAS BEEN
26 EMPLOYED BY A SCHOOL MENTAL HEALTH PROFESSIONAL OPPORTUNITY
27 ENTITY FOR THE LONGEST AMOUNT OF TIME.

1 (4) TO BE AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL
2 WHO QUALIFIES FOR LOAN REPAYMENT PURSUANT TO THE PROGRAM, A
3 PERSON MUST:

4 (a) BE A SCHOOL MENTAL HEALTH PROFESSIONAL;

5 (b) HAVE A MASTER'S DEGREE OR DOCTORATE IN A PROGRAM THAT
6 QUALIFIES A PERSON TO BE A SCHOOL MENTAL HEALTH PROFESSIONAL;

7 (c) BE A FULL-TIME EMPLOYEE OF, OR UNDER CONTRACT TO
8 PROVIDE FULL-TIME SERVICES FOR, A SCHOOL MENTAL HEALTH
9 PROFESSIONAL OPPORTUNITY ENTITY. THE APPLICANT MUST PROVIDE
10 SCHOOL MENTAL HEALTH PROFESSIONAL SERVICES FULL-TIME OR MAY
11 PROVIDE SCHOOL MENTAL HEALTH PROFESSIONAL SERVICES AS A
12 PART-TIME DUTY IN ADDITION TO OTHER DUTIES THAT CONSTITUTE
13 FULL-TIME EMPLOYMENT OR CONTRACTOR STATUS WITH THE SCHOOL
14 MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY.

15 (d) BE LIABLE FOR AN OUTSTANDING BALANCE ON A QUALIFIED
16 LOAN;

17 (e) AGREE TO PRACTICE IN AN ELIGIBLE SCHOOL MENTAL HEALTH
18 PROFESSIONAL POSITION IN A SCHOOL MENTAL HEALTH PROFESSIONAL
19 OPPORTUNITY ENTITY FOR A PERIOD OF NOT LESS THAN THREE
20 CONSECUTIVE ACADEMIC YEARS FOLLOWING THE RECEIPT OF ANY LOAN
21 REPAYMENT PURSUANT TO THE PROGRAM;

22 (f) AGREE THAT IF THE SCHOOL MENTAL HEALTH PROFESSIONAL
23 LEAVES THE POSITION PRIOR TO SATISFYING THE REQUIREMENT PURSUANT
24 TO SUBSECTION (4)(e) OF THIS SECTION, THE SCHOOL MENTAL HEALTH
25 PROFESSIONAL WILL BE LIABLE FOR THE AMOUNT OF THE QUALIFIED LOAN
26 FORGIVEN THROUGH THE PROGRAM; AND

27 (g) SATISFY ANY APPLICATION, VERIFICATION, OR PROCEDURAL

1 REQUIREMENTS ADOPTED BY COMMISSION POLICY.

2 (5) AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL MAY BE
3 GRANTED AN ANNUAL AMOUNT DETERMINED BY COMMISSION POLICY,
4 SUBJECT TO AVAILABLE APPROPRIATIONS AND MONEY IN THE FUND, IN
5 LOAN REPAYMENT FOR EACH ACADEMIC YEAR THAT THE SCHOOL MENTAL
6 HEALTH PROFESSIONAL IS ELIGIBLE PURSUANT TO THIS PART 3, FOR NO
7 MORE THAN THREE YEARS; EXCEPT THAT AN ELIGIBLE SCHOOL MENTAL
8 HEALTH PROFESSIONAL MUST NOT RECEIVE MONEY IN EXCESS OF THE
9 OUTSTANDING BALANCE ON A QUALIFIED LOAN AND NOT TO EXCEED TEN
10 THOUSAND DOLLARS.

11 (6) NOTWITHSTANDING ELIGIBILITY REQUIREMENTS TO THE
12 CONTRARY, IF A PERSON IS AN ELIGIBLE SCHOOL MENTAL HEALTH
13 PROFESSIONAL AT THE TIME OF THE INITIAL AWARD AND IN A SUBSEQUENT
14 ACADEMIC YEAR THE COLORADO SCHOOL DISTRICT, BOARD OF
15 COOPERATIVE SERVICES, DISTRICT CHARTER SCHOOL, OR INSTITUTE
16 CHARTER SCHOOL NO LONGER SATISFIES THE DEFINITION OF A SCHOOL
17 MENTAL HEALTH PROFESSIONAL OPPORTUNITY ENTITY AS DEFINED
18 PURSUANT TO SECTION 23-3.6-301, THE SCHOOL MENTAL HEALTH
19 PROFESSIONAL MAINTAINS ELIGIBILITY FOR LOAN REPAYMENT IF ALL
20 OTHER ELIGIBILITY REQUIREMENTS ARE SATISFIED.

21 (7) IN ADDITION TO THE POLICIES REQUIRED TO BE ADOPTED
22 PURSUANT TO THIS PART 3, THE COMMISSION MAY ADOPT POLICIES
23 NECESSARY FOR THE ADMINISTRATION OF THE PROGRAM, INCLUDING
24 PROCEDURES TO RECLAIM AN AMOUNT OF A QUALIFIED LOAN FORGIVEN
25 THROUGH THE PROGRAM FROM A SCHOOL MENTAL HEALTH PROFESSIONAL
26 WHO LEFT A POSITION PRIOR TO SATISFYING THE REQUIREMENT PURSUANT
27 TO SUBSECTION (4)(e) OF THIS SECTION.

1 **23-3.6-303. Report.** (1) ON OR BEFORE OCTOBER 31, 2025, AND
2 ON OR BEFORE EACH OCTOBER 31 THEREAFTER, THE COMMISSION SHALL
3 SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE SENATE AND
4 THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,
5 CONCERNING THE PROGRAM DURING THE PRECEDING ACADEMIC YEAR.

6 THE REPORT MUST INCLUDE:

- 7 (a) THE NUMBER OF PROGRAM PARTICIPANTS;
- 8 (b) THE AMOUNT OF FUNDS APPLIED TOWARD LOAN REPAYMENT
9 AND THE SOURCES OF THOSE FUNDS; AND
- 10 (c) THE RATIO OF SCHOOL MENTAL HEALTH PROFESSIONALS PER
11 TOTAL NUMBER OF STUDENTS IN THE SCHOOL MENTAL HEALTH
12 PROFESSIONAL OPPORTUNITY ENTITY THAT EMPLOYS OR CONTRACTS WITH
13 AN ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL WHO RECEIVES AN
14 AWARD. THE REPORT MUST ALSO INCLUDE THE RATIO FOR THE SCHOOL
15 YEAR PRIOR TO THE ELIGIBLE SCHOOL MENTAL HEALTH PROFESSIONAL'S
16 AWARD.

17 (2) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136
18 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN
19 SUBSECTION (1) OF THIS SECTION CONTINUES INDEFINITELY.

20 **23-3.6-304. Repeal.** THIS PART 3 IS REPEALED, EFFECTIVE JULY 1,
21 2029.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2024 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment C

Bill C

LLS NO. 24-0233.01 Josh Schultz x5486

HOUSE BILL

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Marchman and Winter F.,

House Committees

Senate Committees

A BILL FOR AN ACT

101 CONCERNING A STUDY OF THE STATUS OF GENDER-AFFIRMING
102 HEALTH-CARE PROVIDERS.

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/>.)

Colorado Youth Advisory Council Review Committee. The bill requires the department of public health and environment (department) to conduct or cause to be conducted a gender-affirming health-care provider study (study). The study must determine:

- The number of gender-affirming health-care providers and facilities in each region, without disclosing identities of

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.

1 DIAGNOSTIC, PREVENTIVE, REHABILITATIVE, OR SUPPORTIVE NATURE
2 RELATING TO THE TREATMENT OF GENDER DYSPHORIA.

3 (4) "HEALTH-CARE FACILITY" MEANS A FACILITY LICENSED OR
4 CERTIFIED BY THE DEPARTMENT PURSUANT TO SECTION 25-1.5-103.

5 (5) "PROVIDER" MEANS A PHYSICIAN OR ADVANCED PRACTICE
6 PROVIDER, AS DEFINED IN SECTION 25-1.5-502.

7 (6) "STUDY" MEANS THE GENDER-AFFIRMING HEALTH-CARE
8 PROVIDER STUDY CREATED IN SECTION 25-59-102.

9 **25-59-102. Gender-affirming health-care provider study -**
10 **report.** (1) THE DEPARTMENT SHALL CONDUCT OR CAUSE TO BE
11 CONDUCTED A COMPREHENSIVE STUDY OF THE STATUS OF
12 GENDER-AFFIRMING HEALTH-CARE PROVIDERS IN COLORADO, ESPECIALLY
13 THOSE IN RURAL AREAS.

14 (2) THE STUDY MUST, AT A MINIMUM, DETERMINE:

15 (a) THE NUMBER OF GENDER-AFFIRMING HEALTH-CARE PROVIDERS
16 AND FACILITIES IN EACH REGION, WITHOUT DISCLOSING IDENTITIES OF
17 PROVIDERS;

18 (b) THE RESOURCES AVAILABLE TO GENDER-AFFIRMING
19 HEALTH-CARE PROVIDERS AND FACILITIES IN THE STATE;

20 (c) THREATS TO GENDER-AFFIRMING HEALTH-CARE PROVIDERS;

21 (d) THE NUMBER OF PATIENTS SEEKING GENDER-AFFIRMING
22 HEALTH-CARE SERVICES IN EACH REGION, INCLUDING THE RATIO OF
23 PATIENTS TO PROVIDERS IN EACH REGION, WITHOUT DISCLOSING
24 IDENTITIES OF PATIENTS OR PROVIDERS;

25 (e) THE TYPES OF GENDER-AFFIRMING HEALTH-CARE SERVICES
26 THAT PATIENTS SEEK;

27 (f) THE PREVALENCE AND IMPACT OF NONPRESCRIBED

1 TREATMENTS; AND

2 (g) THE AVAILABILITY OF INSURANCE COVERAGE FOR DIFFERENT
3 TYPES OF TREATMENT.

4 (3) THE DEPARTMENT AND ANY THIRD PARTY THAT THE
5 DEPARTMENT CONTRACTS WITH PURSUANT TO SUBSECTION (5) OF THIS
6 SECTION SHALL ENGAGE WITH AND SEEK INPUT FROM, AT A MINIMUM, THE
7 FOLLOWING:

8 (a) PROVIDERS WITH EXPERIENCE PROVIDING GENDER-AFFIRMING
9 HEALTH CARE, ESPECIALLY THOSE WHO PROVIDE GENDER-AFFIRMING
10 HEALTH CARE TO YOUTH;

11 (b) MENTAL HEALTH PROVIDERS, ESPECIALLY THOSE WHO PROVIDE
12 MENTAL HEALTH CARE TO YOUTH;

13 (c) MEMBERS OF THE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR
14 NONBINARY COMMUNITY, ESPECIALLY YOUTH; AND

15 (d) REPRESENTATIVES OF THE FOLLOWING STATE ENTITIES OR
16 PROGRAMS:

17 (I) THE HEALTH EQUITY COMMISSION, CREATED IN SECTION
18 25-4-2206;

19 (II) THE FAMILY PLANNING PILOT PROGRAM, ESTABLISHED IN
20 SECTION 25.5-5-319;

21 (III) THE BEHAVIORAL HEALTH ADMINISTRATION IN THE
22 DEPARTMENT OF HUMAN SERVICES, ESTABLISHED IN SECTION 27-50-102;

23 (IV) THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING,
24 ESTABLISHED IN SECTION 24-1-119.5;

25 (V) THE DIVISION OF INSURANCE IN THE DEPARTMENT OF
26 REGULATORY AGENCIES, ESTABLISHED IN SECTION 10-1-103; AND

27 (VI) THE OFFICE OF SUICIDE PREVENTION CREATED IN THE

1 DIVISION OF PREVENTION SERVICES IN THE DEPARTMENT PURSUANT TO
2 SECTION 25-1.5-101 (1)(w)(I).

3 (4) THE DEPARTMENT SHALL:

4 (a) ON OR BEFORE DECEMBER 31, 2026, SUBMIT A REPORT,
5 INCLUDING ITS FINDINGS AND RECOMMENDATIONS ON THE ISSUES
6 IDENTIFIED IN SUBSECTION (2) OF THIS SECTION AND OTHER INFORMATION
7 THAT THE DEPARTMENT DEEMS APPROPRIATE, TO THE HOUSE OF
8 REPRESENTATIVES HEALTH AND INSURANCE COMMITTEE, THE HOUSE OF
9 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
10 SERVICES COMMITTEE, AND THE SENATE HEALTH AND HUMAN SERVICES
11 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES;

12 (b) POST THE FINAL REPORT, WHICH MUST BE MADE AVAILABLE AS
13 A PUBLIC RECORD ON A PUBLIC-FACING PORTION OF THE DEPARTMENT'S
14 WEBSITE; AND

15 (c) ENSURE THAT THE REPORT DOES NOT DISCLOSE THE IDENTITIES
16 OF GENDER-AFFIRMING HEALTH-CARE PATIENTS OR PROVIDERS.

17 (5) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO
18 CONDUCT PART OR ALL OF THE STUDY.

19 **25-59-103. Repeal of article.** THIS ARTICLE 59 IS REPEALED,
20 EFFECTIVE SEPTEMBER 1, 2027.

21 **SECTION 2. Safety clause.** The general assembly finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety or for appropriations for
24 the support and maintenance of the departments of the state and state
25 institutions.