



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 23-0161
Prime Sponsors:

Date: September 26, 2022
Bill Status: Bill Request
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Bill Topic: **YOUTH IN JUVENILE DETENTION FACILITIES WITH HEPATITIS C**

Summary of Fiscal Impact:

- | | |
|---|--|
| <input type="checkbox"/> State Revenue | <input type="checkbox"/> TABOR Refund |
| <input checked="" type="checkbox"/> State Expenditure | <input type="checkbox"/> Local Government |
| <input type="checkbox"/> State Transfer | <input type="checkbox"/> Statutory Public Entity |

The bill requires the Department of Human Services to treat youth in Division of Youth Services facilities who are diagnosed with hepatitis C. The bill increases state workload in FY 2023-24 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the draft bill requested by the Legislative Oversight Committee Concerning the Treatment of Persons with Behavioral Health Disorders in the Criminal and Juvenile Justice Systems.

Summary of Legislation

By July 1, 2023, the executive director of the Department of Human Services (CDHS) is required to implement a program to identify and immediately treat youth in Division of Youth Services (DYS) facilities who are diagnosed with hepatitis C. Youth must be treated with the appropriate medication without a prior authorization requirement.

Background

Medical services for youth who are detained or committed in DYS facilities are paid from the General Fund, not by Medicaid. Current policy dictates that the CDHS seek consent from a parent or guardian prior to providing medical treatment for youth under 18 years old. In addition, because the medication used to treat hepatitis C is non-formulary, authorization to fill the prescription is received from a CDHS physician prior to administering the medication, which is a practice that does not delay medical treatment.

Assumptions

The fiscal note assumes that the bill refers to both youth who are committed, and those who are detained, in DYS facilities. It also assumes that “prior authorization” means the CDHS practice of obtaining consent from a parent or guardian before providing medical treatment to youth under 18.

State Expenditures

Based on the assumptions above, workload in the CDHS will increase to update internal policies to remove the parent or guardian authorization requirement. The fiscal note assumes this workload is absorbable and that no change in appropriations is required. The bill is not expected to affect medical treatment costs for youth in DYS facilities, as it does not change eligibility for receiving medical services, the types of allowable services, or the funding source for services compared with current law.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Health Care Policy and Financing
Information Technology
Public Health and Environment
Regulatory Agencies

Human Services
Judicial
Public Safety