

CHAPTER 328

HUMAN SERVICES - MENTAL HEALTH

HOUSE BILL 04-1123

BY REPRESENTATIVE(S) Coleman, Decker, Carroll, Frangas, Paccione, Ragsdale, Witwer, Young, Borodkin, Boyd, Larson, Madden, Marshall, Romanoff, Spence, Stafford, Tochtrop, Vigil, Weissmann, Williams S., Jahn, Merrifield, and Stengel; also SENATOR(S) Owen, Andrews, Grossman, Hanna, Keller, Sandoval, Teck, and Windels.

AN ACT

CONCERNING THE OPERATION OF THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN.

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

SECTION 1. Part 1 of article 1 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-1-131. Department of human services - review - Colorado mental health institute at Fort Logan - report - repeal. (1) THE STATE DEPARTMENT SHALL CONDUCT A REVIEW OF AN ALTERNATIVE TO THE EXISTING ADMINISTRATION, ORGANIZATION, AND OPERATION OF THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN. THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT SHALL APPOINT A STEERING COMMITTEE TO ASSIST AND PROVIDE INPUT TO THE STATE DEPARTMENT IN CONDUCTING THE REVIEW. THE STEERING COMMITTEE SHALL BE MADE UP OF NO MORE THAN TWELVE MEMBERS, THE MAJORITY OF WHOM HAVE PROFESSIONAL EXPERTISE IN ADMINISTRATION OR THE PROVISION OF SERVICES IN THE MENTAL HEALTH SYSTEM. THE STEERING COMMITTEE SHALL INCLUDE THREE MEMBERS WHO REPRESENT MENTAL HEALTH ADVOCATES, FAMILY MEMBERS OF PERSONS WITH MENTAL ILLNESS, AND MENTAL HEALTH CONSUMERS. THE STATE DEPARTMENT MAY APPOINT ADVISORY MEMBERS WHO ARE REPRESENTATIVES OF POTENTIAL MERGER PARTNERS TO THE STEERING COMMITTEE. MEMBERS OF THE STEERING COMMITTEE AND ITS ADVISORY MEMBERS SHALL SERVE WITHOUT COMPENSATION. THE STATE DEPARTMENT AND THE STEERING COMMITTEE IN THEIR REVIEW SHALL CONSIDER OPPORTUNITIES FOR THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN TO MERGE WITH ANOTHER HOSPITAL IN THE DENVER METROPOLITAN AREA. THE REVIEW OF THESE OPPORTUNITIES SHALL, AT A MINIMUM, ADDRESS:

- (a) THE MAINTENANCE OF A STATEWIDE PUBLIC MENTAL HEALTH SYSTEM;

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) THE POSSIBLE IMPACT ON THE QUALITY OF MENTAL HEALTH CARE IN THE STATE;

(c) HOW TO SUSTAIN AN EFFECTIVE INTERFACE BETWEEN THE PUBLIC MENTAL HEALTH HOSPITAL SYSTEM AND THE COMMUNITY PUBLIC MENTAL HEALTH SYSTEM;

(d) THE IMPACT OF A POSSIBLE MERGER ON CONSUMERS, FAMILY MEMBERS, STATE EMPLOYEES, AND THE PUBLIC MENTAL HEALTH SYSTEM;

(e) THE IMPACT ON ADMISSION AND DISCHARGE PLANNING AND THE MOVEMENT OF PERSONS WITH MENTAL ILLNESSES TO AND FROM INPATIENT CARE; AND

(f) THE FINANCIAL IMPLICATIONS OF SUCH A MERGER TO THE STATE.

(2) NOTHING IN THIS SECTION SHALL NEGATIVELY IMPACT THE ROLE OF THE COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO IN THE STATEWIDE PUBLIC MENTAL HEALTH SYSTEM.

(3) DURING THE REVIEW REQUIRED PURSUANT TO THIS SECTION, THE STATE DEPARTMENT AND THE STEERING COMMITTEE SHALL CONSULT WITH REPRESENTATIVES OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND REPRESENTATIVES OF ANY HOSPITAL IN THE DENVER METROPOLITAN AREA WITH WHICH THE COLORADO MENTAL HEALTH INSTITUTE AT FORT LOGAN COULD EFFECTIVELY AND EFFICIENTLY MERGE. THE STATE DEPARTMENT SHALL ALSO SEEK AND CONSIDER INPUT FROM STATE EMPLOYEES, COUNTIES, MENTAL HEALTH ORGANIZATIONS, INCLUDING SERVICE PROVIDERS, MENTAL HEALTH PROFESSIONALS, AND MENTAL HEALTH CONSUMERS, FAMILY MEMBERS OF SUCH CONSUMERS, AND MENTAL HEALTH ADVOCATES.

(4) THE STATE DEPARTMENT, IN CONSULTATION WITH THE STEERING COMMITTEE APPOINTED PURSUANT TO SUBSECTION (1) OF THIS SECTION, SHALL SUBMIT A REPORT OF THE RESULTS FROM THE REVIEW REQUIRED BY THIS SECTION INCLUDING ANY RECOMMENDATIONS OR PROPOSED LEGISLATION, IF ANY, ON OR BEFORE SIX MONTHS FROM THE EFFECTIVE DATE OF THIS SECTION, TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY AND THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2005.

SECTION 2. Effective date. This act shall take effect only if the Department of Human Services provides written notification to the revisor of statutes that potential partners for a merger with the Colorado mental health institute at Fort Logan have been identified by the contractor hired by the executive branch to identify such partners.

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

Approved: May 28, 2004