



Legislative Council Staff

Nonpartisan Services for Colorado's

Memorandum

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TO: Members of the Opioid and Other Substance Use Disorders Interim Study Committee

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SUBJECT: Opioid Interim Committee Bills: Programs, Funding, and Repeal Date Information

Summary

This memorandum provides information on programs or directives created through legislation recommended by the Opioid and Other Substance Use Disorders Interim Study Committee. The committee met and recommended a number of bills during the 2017 and 2018 interims.

Opioid Committee Bills: Appropriation Information and Repeal Dates

Table 1 describes new programs or department directives that were created in the bills recommended by the committee that became law. During the 2017 interim, the committee recommended six bills that were introduced during the 2018 session. Five of the six bills were signed into law, and these bills are discussed in this memo. The committee recommended five bills during the 2018 interim; however, Legislative Council approved only two of the five bills. The two committee bills became law, and the other three bills were introduced later in the 2019 session as individual member bills. All five bills are included in the table. Table 1 includes a description of each program, the amount appropriated in the bill, and any repeal date specified. For appropriations, the table notes when the funding is one-time or required to be appropriated for a certain period of time. For ongoing programs that do not include specific funding requirements in the bill, the amounts appropriated in future years may be adjusted through the annual budget process and differ from the amounts shown.

Two committee bills did not require an appropriation and are not described in the table. They are:

- **House Bill 18-1007, Substance Use Disorder Payment and Coverage.** The bill requires insurance companies to include coverage for opioid dependency treatments and prohibits insurance carriers from taking adverse action against a provider based on patient satisfaction surveys.
- **Senate Bill 18-022, Clinical Practices for Opioid Prescribing.** The bill places limits on opioid prescriptions for certain patients. Most of the provisions of the bill repeal September 1, 2021.

**Table 1
Opioid Committee Bills: Program, Funding, and Repeal Date Information**

House Bill 18-1003: Opioid Misuse Prevention		
Program Name	Description	Appropriation
Opioid and Other Substance Use Disorders Study Committee	The bill created the ten-member Opioid and Other Substance Use Disorders Study Committee to study substance abuse disorder (SUD) prevention, intervention, harm reduction, treatment, and recovery. The committee repeals July 1, 2020.	\$39,249 in FY 2018-19 to the Legislative Department from the General Fund.
Expansion of the School-Based Health Center Grant Program	The bill clarified that school-based health centers that apply for grants from the Department of Public Health and Environment (CDPHE) can use this funding for education, intervention, and prevention for opioid, alcohol, marijuana, and other substance use disorders.	\$775,000 in FY 2018-19 to CDPHE from the Marijuana Tax Cash Fund (MTCF). This appropriation is for one year only.
Screening, Brief Intervention, and Referral to Treatment (SBIRT) Grant Program	The bill required the Department of Health Care Policy and Financing (HCPF) to make grants to organizations to operate screening, brief intervention, and referral to treatment programs.	\$925,000 in FY 2018-19 to HCPF from the MTCF.
Patient Education Tool for Women	The bill required HCPF to develop a statewide patient education tool for women of childbearing age to learn about the risks of substance-exposed pregnancies. This directive repeals September 1, 2019.	\$175,000 in FY 2018-19 to HCPF from the MTCF.
Continuing Education Activities for Prescribers	The bill directed the Center for Research into Substance Use Disorder, Prevention, Treatment, and Recovery Support Strategies (center) to develop and implement continuing education activities designed to help prescribers of pain medication safely and effectively manage patients with pain, and prescribe opioids or medication-assisted treatments. This directive repeals September 1, 2019.	\$750,000 in FY 2018-19 to the Department of Higher Education from the MTCF.
House Bill 18-1136: Substance Use Disorder Treatment		
Program Name	Description	Appropriation
Expansion of Colorado Medicaid Benefits – Inpatient and Residential Substance Use Disorder Treatment and Medical Detoxification Services	The bill added inpatient and residential substance use disorder treatment and medical detoxification services as a benefit under the Colorado Medicaid Program. The benefit is conditional upon HCPF receiving any federal authorization necessary to secure federal financial participation in the program. The General Assembly may enact legislation modifying or repealing the benefit.	No appropriation was made for FY 2018-19 and 2019-20; however, HCPF estimates a \$174 million appropriation request for FY 2020-21, upon federal approval of the program. This amount includes \$128 million from federal funds, \$34 million from the General Fund, and \$12 million from cash funds.
Planning and Seeking Federal Waiver	The bill required HCPF to plan for and seek federal authorization to implement the new benefit under the Colorado Medicaid program. This includes: conducting financial analyses on waiver costs and savings, stakeholder and provider outreach, and managing the waiver process.	\$473,655 in FY 2018-19 to HCPF. This amount included \$236,828 from federal funds, \$155,193 from the General Fund, and \$81,634 from the Healthcare Affordability and Sustainability Fee Cash Fund.

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Senate Bill 18-024: Expand Access Behavioral Health Care Providers		
Program Name	Description	Appropriation
Expansion of the Colorado Health Service Corps Program	This bill added behavioral health care providers and candidates for certain types of professional licensure to the list of health care providers eligible for loan repayment under the program.	\$2.5 million in FY 2018-19, and every year thereafter, to CDPHE from the MTCF. This funding also applies to the scholarship program for addiction counselors.
Scholarship Program for Addiction Counselors	The bill created a scholarship program in the Primary Care Office of CDPHE to pay educational expenses associated with obtaining certification as an addiction counselor.	See above.
House Bill 19-1009: Substance Use Disorder Recovery		
Program Name	Description	Appropriation
Expansion of the Housing Voucher Program	The bill expands the housing voucher program in the Department of Local Affairs to allow two groups to participate in the program: individuals with SUDs who are transitioning from prison, jail, or a mental health facility; and individuals who are homeless and transitioning from residential treatment.	\$1.0 million in FY 2019-20 to the department. This amount includes \$826,500 from the MTCF and \$173,500 from the General Fund.
Recovery Residence Certification Grant Program	The bill creates a grant program in the Office of Behavioral Health (OBH) in the Department of Human Services (DHS) to assist recovery residences in gaining certification as required under state law.	\$50,000 in FY 2019-20 to OBH from the General Fund.
House Bill 19-1287: Treatment for Opioid and Substance Use Disorders*		
Program Name	Description	Appropriation
Behavioral Health Capacity Tracking System	The bill requires DHS to implement a web-based capacity tracking system for facilities that provide treatment to individuals under an emergency commitment, inpatient treatment facilities, residential treatment facilities, and withdrawal management facilities.	\$260,206 in FY 2019-20 to DHS from the MTCF.
Care Navigation Program	The bill requires DHS to implement a care navigation program for individuals that are interested in SUD treatment services. The program must include screening for the treatment needs of the individual and identification of SUD treatment options and availability.	\$160,146 in FY 2019-20 to DHS from the MTCF.
Building SUD Treatment Capacity in Underserved Communities Grant Program	The bill creates a grant program in DHS to increase SUD capacity and services in rural and frontier communities. The program repeals July 1, 2024.	\$5.0 million in FY 2019-20 to DHS from the MTCF.

Table 1
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Senate Bill 19-008: Substance Use Disorder Treatment in Criminal Justice System		
Program Name	Description	Appropriation
Harm Reduction Grant Program	The bill creates a program and associated cash fund to provide grant funding for nonprofits, local public health agencies, or local law enforcement agencies that provide services to individuals who may not be ready to seek addiction treatment services or who are in recovery. The program repeals September 1, 2024, subject to sunset review by the Department of Regulatory Agencies (DORA).	\$1.8 million in FY 2019-20 to the Harm Reduction Grant Program Cash Fund from the MTCF. This amount is reappropriated to the Prevention Services Division in CDPHE to implement the grant program.
Jail-based Behavioral Health and Diversion Programs	The bill increases funding to OBH for jail-based behavioral health, including medication-assisted treatment programs, and for criminal justice diversion programs.	\$1,963,832 in FY 2019-20 to OBH from the General Fund.
Medication-Assisted Treatment in Prison	The bill increases funding to the Department of Corrections for expanded medication-assisted treatment in department facilities.	\$492,750 in FY 2019-20 to the department from the General Fund.
SB 19-227: Harm Reduction Substance Use Disorders*		
Program Name	Description	Appropriation
Opiate Antagonist Bulk Purchase Fund	The bill creates a fund, under the authority of CDPHE, to allow eligible entities to purchase opioid antagonists.	\$621,070 in FY 2019-20 to CDPHE. This amount includes \$396,070 from the General Fund and \$225,000 from the Purchase Fund.
Expansion of the Household Medication Take-Back Program	The bill requires CDPHE to implement a process for the safe collection and disposal of needles, syringes, and other injectable medical devices, beginning in FY 2020-21.	\$38,402 in FY 2019-20 to CDPHE from the General Fund.

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SB 19-228: Substance Use Disorders Prevention Measures*		
Program Name	Description	Appropriation
CDPHE Public Health Intervention Funding	The bill increases resources to CDPHE to collaborate with local public health agencies and other community partners to conduct public health interventions to address opioid and other substance use disorders throughout the state. This directive repeals July 1, 2020.	\$2.0 million in FY 2019-20 to CDPHE from the MTCF.
Opioid Prevention Grant Program	The bill creates an opioid prevention grant program in OBH to prevent opioid use among youth in Colorado. OBH may purchase prevention services from community-based youth development organizations that administer evidence-based SUD prevention programs to youths and families. The program repeals September 1, 2020.	\$500,000 in FY 2019-20 to OBH from the MTCF.
Public Awareness Program	The bill directs the center to develop and implement a program to increase public awareness about the safe use, storage, and disposal of opioids, and about the availability and safe use of antagonist drugs to reverse the effects of an opioid overdose. The program repeals September 1, 2024, subject to a DORA sunset review.	\$750,000 a year in FY 2019-20 through FY 2023-24 to the center from the MTCF.
Grant Writing Services for Local Communities	The bill directs the center to employ up to three grant writers to assist local agencies in applying for grants to access state and federal money for SUD prevention.	\$350,000 in FY 2019-20 to the center from the MTCF.
Maternal and Child Health Pilot Program	The bills creates a pilot program to provide grants to clinics to coordinate and integrate SUD treatment and obstetric health care for pregnant women. The program repeals December 31, 2022.	\$692,367 in FY 2019-20 to OBH from the MTCF.

*These bills were not officially recommended by the committee and were introduced as individual members' bills.

Source: Legislative Council Staff