

CHAPTER 193

HUMAN SERVICES - BEHAVIORAL HEALTH

SENATE BILL 22-196

BY SENATOR(S) Gonzales and Lee, Buckner, Donovan, Kolker, Moreno, Pettersen, Simpson, Story, Winter; also REPRESENTATIVE(S) Bacon and Benavidez, Amabile, Bennett, Boesenecker, Cutter, Esgar, Exum, Froelich, Gonzales-Gutierrez, Hooton, Jodeh, Lindsay, Lontine, McCormick, Michaelson Jenet, Sirota, Titone, Weissman, Woodrow, Herod, Ricks.

AN ACT**CONCERNING SUPPORTING THE HEALTH NEEDS OF PERSONS WHO MAY BE INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

- (a) In Colorado, a person with serious mental illness is more likely to be in jail than in a care facility, resulting in jails and prisons acting as the biggest providers of mental health care in our state;
- (b) People with the most serious mental illnesses often cycle in and out of short-term crisis hospital care and jail, exacerbating their mental health challenges;
- (c) Cycling in and out of short-term care and jail is more expensive than preventive harm reduction and public safety investments that keep people healthy and in their communities; and
- (d) Diversion away from the criminal justice system begins with robust community resources.

(2) The general assembly further finds and declares that:

- (a) The federal government enacted the "American Rescue Plan Act of 2021" (ARPA), Pub.L. 117-2, pursuant to which Colorado received \$3,828,761,790 to mitigate the fiscal effects stemming from the COVID-19 public health emergency;

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) Government recipients of ARPA funds may use the funds to provide resources for governments to meet the public health and economic needs of those impacted by the pandemic in their communities. Pursuant to ARPA and related federal regulations, when providing behavioral health services, government recipients may presume that the general public was impacted by the pandemic, and they can therefore use ARPA funds to provide a broad range of behavioral health services to the public.

(c) The expenditures in this act for behavioral health programs and services, including behavioral health facilities and equipment, is considered an allowable use under ARPA and is necessary to respond to the COVID-19 public health emergency; and

(d) The behavioral health-care services and programs and funding described in this act are important government services.

SECTION 2. In Colorado Revised Statutes, **add** part 4 to article 60 of title 27 as follows:

PART 4
EARLY INTERVENTION, DEFLECTION, AND REDIRECTION
FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM

27-60-401. Definitions. AS USED IN THIS PART 4, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN SECTION 27-60-203.

(2) "COMMUNITY-BASED ORGANIZATION" MEANS A NONPROFIT ORGANIZATION THAT IS REPRESENTATIVE OF THE COMMUNITY SERVED, OR SIGNIFICANT SEGMENTS OF THE COMMUNITY SERVED, AND ENGAGED IN MEETING THAT COMMUNITY'S NEEDS IN THE AREAS OF SOCIAL, HUMAN, OR HEALTH SERVICES.

(3) "ELIGIBLE ENTITY" MEANS:

(a) A COMMUNITY-BASED ORGANIZATION;

(b) A NONPROFIT HOSPITAL THAT PROVIDES BEHAVIORAL HEALTH TREATMENT;

(c) A LOCAL GOVERNMENT;

(d) A FEDERALLY RECOGNIZED INDIAN TRIBE;

(e) AN OFFICE THAT PROVIDES OR COORDINATES COURT-APPOINTED COUNSEL TO REPRESENT INDIGENT CLIENTS CHARGED WITH A CRIMINAL OFFENSE IN MUNICIPAL OR STATE COURT;

(f) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), THAT PARTNERS AND

SUBMITS A JOINT APPLICATION WITH A COMMUNITY-BASED ORGANIZATION, NONPROFIT HOSPITAL THAT PROVIDES BEHAVIORAL HEALTH TREATMENT, LOCAL GOVERNMENT, OR FEDERALLY RECOGNIZED INDIAN TRIBE;

(g) A RURAL HEALTH CLINIC, AS DEFINED IN THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(2), THAT PARTNERS AND SUBMITS A JOINT APPLICATION WITH A COMMUNITY-BASED ORGANIZATION, NONPROFIT HOSPITAL THAT PROVIDES BEHAVIORAL HEALTH TREATMENT, LOCAL GOVERNMENT, OR FEDERALLY RECOGNIZED INDIAN TRIBE; AND

(h) A LOCAL LAW ENFORCEMENT AGENCY, BUT ONLY FOR THE PURPOSE OF DEVELOPING OR EXPANDING A CO-RESPONDER COMMUNITY RESPONSE PROGRAM, AS DEFINED IN SECTION 24-32-3501 (8).

(4) "GRANT PROGRAM" MEANS THE EARLY INTERVENTION, DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM ESTABLISHED IN SECTION 27-60-402.

(5) "LOCAL GOVERNMENT" MEANS A COUNTY, MUNICIPALITY, OR CITY AND COUNTY.

(6) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A COUNTY SHERIFF'S OFFICE OR A MUNICIPAL POLICE DEPARTMENT.

(7) "REVIEW COMMITTEE" MEANS THE EARLY INTERVENTION, DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT REVIEW COMMITTEE CREATED IN SECTION 27-60-403.

27-60-402. Early intervention, deflection, and redirection from the criminal justice system grant program - established - permissible uses. (1) THERE IS ESTABLISHED IN THE BEHAVIORAL HEALTH ADMINISTRATION THE EARLY INTERVENTION, DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM TO PROVIDE GRANTS TO ELIGIBLE ENTITIES TO FUND PROGRAMS AND OTHER STRATEGIES THAT:

(a) PROVIDE BEHAVIORAL HEALTH TREATMENT OR RESOURCES TO PREVENT INDIVIDUALS FROM BECOMING INVOLVED IN THE CRIMINAL JUSTICE SYSTEM OR FURTHER PENETRATING INTO THE SYSTEM;

(b) FACILITATE A DIRECT COMMUNITY RESPONSE TO EFFECTIVELY RESPOND TO A PERSON IN A BEHAVIORAL HEALTH CRISIS WITH THE GOAL OF PREVENTING PEOPLE WITH BEHAVIORAL HEALTH NEEDS FROM BEING ARRESTED; OR

(c) AFTER AN ARREST, REDIRECT INDIVIDUALS WITH BEHAVIORAL HEALTH NEEDS, INCLUDING INDIVIDUALS ENGAGED IN COMPETENCY EVALUATION OR RESTORATION PROVIDED IN A COMMUNITY SETTING AND NOT IN A JAIL-BASED SETTING, FROM THE CRIMINAL JUSTICE SYSTEM TO APPROPRIATE COMMUNITY-BASED TREATMENT AND SUPPORT SERVICES.

(2) AN EARLY INTERVENTION, DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT MAY BE USED FOR ANY OF THE FOLLOWING:

(a) TO SUPPORT, CREATE, OR EXPAND PRE-ARREST EARLY INTERVENTION PROGRAMS, INCLUDING COMMUNITY-BASED ALTERNATIVE RESPONSE PROGRAMS DESCRIBED IN SECTION 24-32-3501 (8);

(b) TO SUPPORT, CREATE, OR EXPAND CO-RESPONDER COMMUNITY RESPONSE, AS DEFINED IN SECTION 24-32-3501 (8);

(c) TO FUND ENHANCED STAFFING, FACILITY IMPROVEMENTS, OR SECURITY MEASURES FOR EXISTING CRISIS WALK-IN CENTERS, CRISIS STABILIZATION UNITS, MOBILE CRISIS SERVICES, OR CRISIS RESPITE SERVICES, AS DESCRIBED IN SECTION 27-60-103 (1)(b), AND WITHDRAWAL MANAGEMENT PROGRAMS AT FACILITIES APPROVED PURSUANT TO ARTICLE 81 OF THIS TITLE 27. A CRISIS WALK-IN CENTER MUST USE A GRANT AWARD TO ENABLE THE CRISIS WALK-IN CENTER TO ACCEPT ALL BEHAVIORAL HEALTH RELATED FIRST RESPONDER DROP-OFFS AND PROVIDE CRISIS RECEIVING AND STABILIZATION SERVICES. GRANTS AWARDED FOR CRISIS STABILIZATION UNITS, MOBILE CRISIS SERVICES, CRISIS RESPITE SERVICES, AND WITHDRAWAL MANAGEMENT PROGRAMS MUST BE USED TO PROVIDE CRISIS RECEIVING AND STABILIZATION SERVICES.

(d) COLLABORATION BETWEEN COMMUNITY-BASED ORGANIZATIONS AND COURT-APPOINTED COUNSEL WHO REPRESENT INDIGENT CLIENTS TO FACILITATE BEHAVIORAL HEALTH SCREENING AND ASSESSMENT AND TO HELP CLIENTS ACCESS BEHAVIORAL HEALTH AND OTHER SUPPORTIVE SERVICES, PARTICULARLY DURING EARLY STAGES IN A CRIMINAL PROCEEDING;

(e) COMPREHENSIVE SERVICE DELIVERY, INCLUDING MODELS WHERE MULTIPLE PARTNERS CO-LOCATE OR CREATE NEW RESOURCE CENTERS, TO ENSURE SWIFT CONNECTION TO AND RECEIPT OF SOCIAL SUPPORT SERVICES INCLUDING, BUT NOT LIMITED TO, COUNSELING, JOB PLACEMENT SERVICES, HOUSING NAVIGATION ASSISTANCE AND SUPPORT, BENEFITS ENROLLMENT, FAMILY COUNSELING, SUBSTANCE USE TREATMENT, CASE MANAGEMENT SERVICES, PEER SUPPORT, AND OTHER SUPPORTIVE SERVICES. TO RECEIVE A GRANT FOR COMPREHENSIVE SERVICE DELIVERY, THE APPLICANT MUST DEMONSTRATE COLLABORATION WITH LOCAL PARTNERS THAT WILL PROVIDE SOCIAL SUPPORT SERVICES AS PART OF THE COMPREHENSIVE SERVICE DELIVERY.

(f) COMPREHENSIVE PRE-RELEASE PLANNING FOR INDIVIDUALS IN A JAIL OR PRISON WITH BEHAVIORAL HEALTH NEEDS, TO PREVENT REINCARCERATION;

(g) TO SUPPORT, CREATE, OR EXPAND PROGRAMS TO HELP PEOPLE WHO HAVE A PENDING MUNICIPAL CRIMINAL CASE ATTEND THEIR COURT DATES AND AVOID JAIL FOR NON-APPEARANCE, SUCH AS THROUGH COURT REMINDERS, RIDE ASSISTANCE, OR OTHER SUPPORTIVE INTERVENTIONS. A PROGRAM THAT OPERATES WITH GRANT MONEY MUST SERVE A SUBSTANTIAL NUMBER OF PEOPLE WITH BEHAVIORAL HEALTH NEEDS.

(h) TO ESTABLISH AND OPERATE, OR FUND AN EXISTING, MOBILE MEDICATION-ASSISTED TREATMENT UNIT;

(i) OTHER INNOVATIONS OR PROGRAMS AIMED AT DEFLECTING, REDIRECTING, OR OTHERWISE PREVENTING PEOPLE WITH BEHAVIORAL HEALTH NEEDS FROM FURTHER

PENETRATING INTO THE CRIMINAL JUSTICE SYSTEM;

(j) TECHNICAL ASSISTANCE AND CAPACITY-BUILDING, AS IDENTIFIED BY THE APPLICANT AS A COMPONENT OF THE PROGRAM, TO SUPPORT DELIVERY OF EVIDENCE-BASED OR EVIDENCE-INFORMED SERVICES ALONG THE BEHAVIORAL HEALTH CONTINUUM OF CARE; AND

(k) CAPITAL EXPENDITURES RELATED TO PROVIDING THE TREATMENT AND SERVICES DESCRIBED IN THIS SUBSECTION (2).

(3) THE BHA SHALL PROVIDE GRANT RECIPIENTS WITH INFORMATION ABOUT THE 988 CRISIS HOTLINE, DEFINED IN SECTION 27-64-102, TO ENSURE THAT THE GRANT RECIPIENTS ARE AWARE OF THE SERVICES AVAILABLE BY USING THE 988 CRISIS HOTLINE.

(4) (a) THE BEHAVIORAL HEALTH ADMINISTRATION SHALL ADMINISTER THE GRANT PROGRAM IN COLLABORATION WITH THE DEPARTMENT OF PUBLIC SAFETY. THE BHA SHALL CREATE A GRANT APPLICATION PROCESS AND SHALL MAKE THE PROCESS PUBLICLY AVAILABLE ON ITS WEBSITE PRIOR TO ACCEPTING APPLICATIONS. THE BHA SHALL BEGIN ACCEPTING GRANT APPLICATIONS NO LATER THAN DECEMBER 31, 2022.

(b) THE BHA AND DEPARTMENT OF PUBLIC SAFETY SHALL ENGAGE IN STATEWIDE COMMUNITY OUTREACH TO MAKE ELIGIBLE ENTITIES AWARE OF THE GRANT PROGRAM, APPLICATION PROCESS, AND DEADLINES.

(c) NO LATER THAN SIXTY DAYS BEFORE THE GRANT APPLICATION DEADLINE, THE BHA AND DEPARTMENT OF PUBLIC SAFETY SHALL JOINTLY HOLD A PUBLIC MEETING TO PRESENT INFORMATION ABOUT THE GRANT PROGRAM AND TO GIVE ELIGIBLE ENTITIES THE OPPORTUNITY TO ASK QUESTIONS REGARDING THE GRANT PROGRAM. THE BHA MAY ALLOW ELECTRONIC ATTENDANCE AND PARTICIPATION AT THE MEETING.

(d) THE BHA SHALL PROVIDE GRANT APPLICATION AND PROGRAM DEVELOPMENT SUPPORT UPON REQUEST TO AN ELIGIBLE ENTITY THAT HAS AN ANNUAL BUDGET OF LESS THAN ONE MILLION DOLLARS. AVAILABLE SUPPORT MAY INCLUDE ASSISTANCE WITH GRANT-WRITING, PROGRAM DESIGN, IDENTIFYING SUSTAINABLE FUNDING OPPORTUNITIES, PROGRAM IMPLEMENTATION, AND DATA-GATHERING AND EVALUATION.

27-60-403. Grant program application - criteria - award - rules. (1) IN ORDER TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST OFFER A MONETARY CONTRIBUTION OR IN-KIND CONTRIBUTIONS, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION, THAT DIRECTLY SUPPORT THE SERVICES PROVIDED WITH A GRANT AWARD AND MUST SUBMIT AN APPLICATION TO THE BHA. TWO OR MORE ELIGIBLE ENTITIES MAY COLLABORATE ON A PROGRAM AND SUBMIT A JOINT APPLICATION. AT A MINIMUM, AN APPLICATION MUST INCLUDE:

(a) THE REQUESTED AMOUNT OF THE GRANT AWARD AND A DESCRIPTION OF THE PROGRAM THAT WILL BE OPERATED WITH THE GRANT AWARD, INCLUDING A DESCRIPTION OF HOW THE PROPOSED PROGRAM MEETS THE PURPOSES OF THE GRANT

PROGRAM DESCRIBED IN SECTION 27-60-402 (1);

(b) THE SOURCE OF THE CONTRIBUTING FUNDS OR IN-KIND CONTRIBUTING RESOURCES PROVIDED BY THE APPLICANT, AS DESCRIBED IN SUBSECTION (4) OF THIS SECTION;

(c) WHETHER THE PROGRAM PLANS TO USE THE 988 CRISIS HOTLINE DEFINED IN SECTION 27-64-102 AS A PART OF THE PROGRAM;

(d) INFORMATION ABOUT THE APPLICANT'S ABILITY AND INTENT TO SUSTAIN THE SERVICES PROVIDED WITH A GRANT AWARD BEYOND THE DURATION OF THE GRANT, IF APPLICABLE;

(e) A DESCRIPTION OF ANY AGREEMENTS OR PARTNERSHIPS NECESSARY TO CARRY OUT THE GRANT ACTIVITIES AND HOW GRANT MONEY WILL BE ALLOCATED AMONG PARTNERS, IF NEEDED TO PERFORM ACTIVITIES IN THE APPLICATION;

(f) DATA DOCUMENTING THE NEED FOR THE PROJECT, INCLUDING THE PROJECTED DEMOGRAPHIC INFORMATION OF CLIENTS TO BE SERVED, INCLUDING AGE, RACE, ETHNICITY, GENDER, AND ANY OTHER RELEVANT DEMOGRAPHIC INFORMATION;

(g) PROJECTED OUTCOMES, SPECIFIC PERFORMANCE MEASURES, AND DATA COLLECTION METHODS NECESSARY FOR THE GRANTEE AND THE BHA TO ASSESS THE IMPACT OF THE PROPOSED PROGRAM;

(h) A DESCRIPTION OF THE APPLICANT'S EXPERIENCE IN PROVIDING CULTURALLY COMPETENT AND GENDER RESPONSIVE SERVICES, AND WHETHER THE APPLICANT IS REPRESENTATIVE OF THE INDIVIDUALS THE APPLICANT SEEKS TO SERVE WITH A GRANT;

(i) A DESCRIPTION OF HOW THE PROGRAM WOULD ADD VALUE TO EXISTING LOCAL EFFORTS IN THE PROGRAM AREA, IF ANY, THAT ALIGN WITH THE PURPOSES OF THIS GRANT PROGRAM DESCRIBED IN SECTION 27-60-402 (1);

(j) A COMMITMENT THAT ALL SERVICES WILL BE PROVIDED ON A VOLUNTARY BASIS AND THAT THE APPLICANT WILL NOT REQUIRE WARRANT CHECKS OR FINGERPRINTING TO RECEIVE SERVICES;

(k) IF THE APPLICANT IS A LOCAL GOVERNMENT OR FEDERALLY RECOGNIZED INDIAN TRIBE APPLYING FOR A GRANT FOR A CAPITAL EXPENDITURE, THE APPLICANT MUST DEMONSTRATE COLLABORATION WITH COMMUNITY-BASED ORGANIZATIONS OR NONPROFIT HOSPITALS THAT ARE PROVIDING TREATMENT AND SERVICES DESCRIBED IN SUBSECTION (3) OF THIS SECTION IN ASSOCIATION WITH THE CAPITAL EXPENDITURE;

(l) IF THE APPLICANT IS A LAW ENFORCEMENT AGENCY, THE APPLICANT MUST DEMONSTRATE COMPLIANCE WITH THE REPORTING REQUIREMENTS DESCRIBED IN SECTION 24-31-903 (2); AND

(m) ANY OTHER INFORMATION REQUIRED BY THE BHA.

(2) (a) THERE IS CREATED IN THE BHA AN EARLY INTERVENTION, DEFLECTION, AND REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT REVIEW COMMITTEE TO REVIEW GRANT APPLICATIONS AND MAKE RECOMMENDATIONS TO THE BHA AND DEPARTMENT OF PUBLIC SAFETY. THE COMMISSIONER OF THE BHA SHALL ENSURE THAT THE COMPOSITION OF THE COMMITTEE IS RACIALLY, ETHNICALLY, AND GEOGRAPHICALLY DIVERSE AND REPRESENTATIVE OF COMMUNITIES MOST IMPACTED BY THE CRIMINAL JUSTICE SYSTEM. THE COMMITTEE CONSISTS OF THE FOLLOWING MEMBERS:

- (I) THE COMMISSIONER OF THE BHA OR THE COMMISSIONER'S DESIGNEE;
- (II) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE OR THE DIRECTOR'S DESIGNEE;
- (III) THE FOLLOWING INDIVIDUALS APPOINTED BY THE COMMISSIONER OF THE BHA, IN CONSULTATION WITH THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY:
 - (A) TWO CLINICIANS WITH EXPERIENCE PROVIDING BEHAVIORAL HEALTH TREATMENT SERVICES TO INDIVIDUALS WHO HAVE BEEN INVOLVED IN THE CRIMINAL JUSTICE SYSTEM, ONE OF WHOM MUST SPECIALIZE IN SUBSTANCE ABUSE DISORDER TREATMENT, WHO ALSO HAVE EXPERIENCE PROVIDING CULTURALLY RESPONSIVE TREATMENT IN COMMUNITIES OF COLOR AND OTHER UNDERSERVED POPULATIONS;
 - (B) TWO REPRESENTATIVES OF ORGANIZATIONS WITH EXPERIENCE AWARDING GRANTS IN BEHAVIORAL HEALTH FIELDS;
 - (C) A RESEARCHER FROM AN INSTITUTION OF HIGHER EDUCATION WITH A BACKGROUND IN EFFECTIVE INTERVENTIONS THAT PREVENT OR REDIRECT PEOPLE WITH A BEHAVIORAL HEALTH DISORDER FROM BEING INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM;
 - (D) A PERSON WHO WAS IMPACTED BY THE CRIMINAL JUSTICE SYSTEM, EITHER PERSONALLY OR THROUGH A FAMILY MEMBER, AND THE PERSON OR THE FAMILY MEMBER HAD BEHAVIORAL HEALTH NEEDS WHILE INVOLVED IN THE CRIMINAL JUSTICE SYSTEM;
 - (E) A VICTIM'S ADVOCATE WITH EXPERIENCE IN PROVIDING CULTURALLY RESPONSIVE SERVICES IN COMMUNITIES OF COLOR, OR A REPRESENTATIVE FROM A COMMUNITY-BASED VICTIM SERVICES ORGANIZATION THAT SPECIALIZES IN SERVING VICTIMS OF COLOR;
 - (F) A REPRESENTATIVE OF A FEDERALLY RECOGNIZED INDIAN TRIBE WITH JURISDICTION IN COLORADO;
 - (G) A MEMBER OF LAW ENFORCEMENT THAT HAS PARTICIPATED IN CO-RESPONDER COMMUNITY RESPONSE, AS DEFINED IN SECTION 24-32-3501 (8);
 - (H) A PUBLIC DEFENDER OR PRIVATE CRIMINAL DEFENSE ATTORNEY WITH EXPERIENCE REPRESENTING PEOPLE WITH A BEHAVIORAL HEALTH DISORDER; AND

(I) A PROSECUTOR WITH EXPERIENCE OPERATING A DIVERSION PROGRAM SPECIFICALLY FOR INDIVIDUALS WITH A BEHAVIORAL HEALTH DISORDER.

(b) MEMBERS OF THE COMMITTEE SERVE WITHOUT COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES. MEMBERS OF THE REVIEW COMMITTEE SHALL DISCLOSE ANY CONFLICTS OF INTEREST, INCLUDING WHETHER THE MEMBER REPRESENTS AN ORGANIZATION THAT MAY SEEK A GRANT FROM THE GRANT PROGRAM.

(c) THE COMMITTEE SHALL REVIEW APPLICATIONS FOR GRANTS SUBMITTED PURSUANT TO THIS SECTION AND MAKE RECOMMENDATIONS TO THE BHA AND DEPARTMENT OF PUBLIC SAFETY ABOUT WHICH APPLICANTS SHOULD RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.

(3) AFTER RECEIVING AND REVIEWING RECOMMENDATIONS FROM THE REVIEW COMMITTEE AND AFTER CONSULTATION WITH DEPARTMENT OF PUBLIC SAFETY, THE BHA SHALL AWARD GRANTS. IN ADDITION TO CONSIDERING THE RECOMMENDATIONS OF THE REVIEW COMMITTEE AND AFTER CONSIDERING THE INFORMATION INCLUDED IN THE GRANT APPLICATION, WHEN AWARDING GRANTS, THE BHA SHALL ENSURE THAT:

(a) THE PROPOSED PROGRAM FILLS AN EXISTING GAP IN BEHAVIORAL HEALTH RESPONSE, AS IDENTIFIED IN THE APPLICATION, IN THE PROGRAM SERVICE AREA AND WOULD MEET THE NEEDS OF THE IDENTIFIED TARGET POPULATION SERVED BY THE PROGRAM; AND

(b) ANY DIRECT SERVICES PROVIDED THROUGH THE PROGRAM WILL USE EVIDENCE-BASED OR EVIDENCE-INFORMED INTERVENTIONS THAT ALIGN WITH TRAUMA-INFORMED AND HARM REDUCTION PRINCIPLES.

(4) THE BHA SHALL ONLY AWARD GRANTS TO APPLICANTS THAT OFFER A MONETARY CONTRIBUTION OR IN-KIND CONTRIBUTIONS THAT DIRECTLY SUPPORT THE SERVICES PROVIDED WITH A GRANT AWARD. IN DETERMINING THE AMOUNT OF CONTRIBUTING RESOURCES REQUIRED FOR AN APPLICANT, THE BHA SHALL CONSIDER THE SIZE OF THE APPLICANT ORGANIZATION, INCLUDING AVAILABLE STAFF AND ANNUAL OPERATING BUDGET. THE BHA MAY WAIVE THE CONTRIBUTING RESOURCES REQUIREMENT FOR AN APPLICANT THAT IS REQUESTING A GRANT AWARD OF LESS THAN FIFTY THOUSAND DOLLARS.

(5) (a) A GRANT RECIPIENT SHALL SPEND OR OBLIGATE ANY GRANT MONEY BY DECEMBER 31, 2024. ANY MONEY OBLIGATED BY DECEMBER 31, 2024, MUST BE EXPENDED BY DECEMBER 31, 2026.

(b) A GRANT RECIPIENT MAY USE NO MORE THAN TEN PERCENT OF A GRANT AWARD FOR ADMINISTRATIVE COSTS ASSOCIATED WITH RECEIPT OF THE GRANT AWARD.

27-60-404. Grant program reporting requirements. (1) EACH GRANT RECIPIENT SHALL SUBMIT A REPORT TO THE BHA FOLLOWING THE EXPIRATION OF THE GRANT TERM. THE REPORT MUST INCLUDE:

(a) INFORMATION ABOUT THE USE OF THE GRANT AWARD, INCLUDING THE PROGRAM OPERATED WITH THE GRANT AWARD AND THE NUMBER OF INDIVIDUALS THE PROGRAM DIVERTED OR REDIRECTED FROM THE CRIMINAL JUSTICE SYSTEM;

(b) THE NUMBER OF INDIVIDUALS SERVED THROUGH THE PROGRAM WHO MAY HAVE COME INTO CONTACT WITH THE CRIMINAL JUSTICE SYSTEM;

(c) THE NUMBER OF INDIVIDUALS REFERRED BY THE PROGRAM TO TREATMENT; AND

(d) WHETHER THE RECIPIENT IS CONTINUING THE PROGRAM AND ANY OTHER INFORMATION REQUESTED BY THE STATE DEPARTMENT.

(2) (a) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE, THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE, THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE, AND THE SENATE JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, SHALL HOLD A JOINT HEARING ON THE GRANT PROGRAM. AT THE HEARING, THE STATE DEPARTMENT SHALL REPORT TO THE COMMITTEES ABOUT THE GRANT PROGRAM, WHICH MUST INCLUDE AN OVERVIEW OF THE GRANT PROGRAM, INFORMATION ON THE TYPE OF SERVICES FUNDED WITH A GRANT AWARD, AND WHERE SERVICES WERE PROVIDED.

(b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORTING REQUIREMENT IN THIS SUBSECTION (2) CONTINUES INDEFINITELY.

27-60-405. Grant program funding - requirements - reports - appropriation.

(1) THE GENERAL ASSEMBLY SHALL APPROPRIATE TO THE STATE DEPARTMENT FIFTY MILLION SEVEN HUNDRED THOUSAND DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO IMPLEMENT THE GRANT PROGRAM.

(2) (a) THE STATE DEPARTMENT, BHA, AND ANY PERSON WHO RECEIVES MONEY FROM THE BHA, INCLUDING EACH GRANT RECIPIENT, SHALL COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE WITH SECTION 24-75-226 (5).

(b) FOR EACH GRANT AWARDED FOR A CAPITAL EXPENDITURE, THE BHA IS RESPONSIBLE FOR PREPARING THE WRITTEN JUSTIFICATION REQUIRED PURSUANT TO 31 CFR 35.6 (b)(4). A GRANT APPLICANT THAT REQUESTS GRANT MONEY FOR A CAPITAL EXPENDITURE MUST SUBMIT TO THE BHA INFORMATION REQUESTED BY THE BHA FOR INCLUSION IN THE WRITTEN JUSTIFICATION; EXCEPT THAT THIS REQUIREMENT DOES NOT APPLY IF THE BHA DETERMINES THAT THE WRITTEN JUSTIFICATION IS NOT REQUIRED BASED ON HOW THE EXPENDITURES AUTHORIZED PURSUANT TO THIS PART 4 WILL BE REPORTED TO THE UNITED STATES DEPARTMENT OF THE TREASURY.

27-60-406. Repeal of part. THIS PART 4 IS REPEALED, EFFECTIVE JANUARY 31, 2027.

SECTION 3. In Colorado Revised Statutes, 17-1-113.8, **add (4)** as follows:

17-1-113.8. Persons with serious behavioral or mental health disorders - long-term isolated confinement - work group - medication-assisted treatment - appropriation - repeal. (4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE DEPARTMENT TO PROVIDE MEDICATION-ASSISTED TREATMENT TO INDIVIDUALS WHO ARE PLACED IN THE CUSTODY OF THE DEPARTMENT. ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (4)(a) REMAINS AVAILABLE FOR EXPENDITURE FOR THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION.

(b) THE DEPARTMENT SHALL USE MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (4) FOR:

(I) HARDWARE, SOFTWARE, AND INFRASTRUCTURE, INCLUDING RENOVATIONS, NECESSARY TO STORE MEDICATIONS AT DEPARTMENT FACILITIES;

(II) PROVIDING CONTINUITY OF CARE FOR INMATES WITH A SUBSTANCE USE DISORDER BETWEEN THE INSTITUTIONAL SETTINGS, INCLUDING PROBATION, AND COMMUNITY-BASED TREATMENT CENTERS IN ORDER TO MITIGATE THE ILLNESS AND SUFFERING SURROUNDING THE ACUTE WITHDRAWAL OF INDIVIDUALS WITH A SUBSTANCE USE DISORDER; AND

(III) FACILITATING THE LONG-TERM TREATMENT AND RECOVERY OF INDIVIDUALS UPON RELEASE.

(c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JUNE 30, 2024.

SECTION 4. In Colorado Revised Statutes, 18-1.3-101, **add (11)** as follows:

18-1.3-101. Pretrial diversion - appropriation - repeal. (11) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE FOUR MILLION DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE JUDICIAL DEPARTMENT FOR PRETRIAL DIVERSION PROGRAMS. ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (11) REMAINS AVAILABLE FOR EXPENDITURE FOR THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER APPROPRIATION. THE JUDICIAL DEPARTMENT MAY USE UP TO FIVE PERCENT OF THE MONEY APPROPRIATED PURSUANT TO THIS SECTION FOR ADMINISTRATIVE EXPENSES. THE JUDICIAL DEPARTMENT SHALL ALLOCATE ONE MILLION EIGHT HUNDRED THOUSAND DOLLARS OF THE MONEY APPROPRIATED PURSUANT TO THIS SUBSECTION (11) TO RECIPIENTS THAT PROVIDE DIVERSION FOR INDIVIDUALS WITH BEHAVIORAL HEALTH DISORDERS.

(b) THIS SUBSECTION (11) IS REPEALED, EFFECTIVE JULY 1, 2024.

SECTION 5. In Colorado Revised Statutes, 13-3-115, **amend (5)(d); and add (5)(f) and (5)(g)** as follows:

13-3-115. Diversion funding committee. (5) A district attorney who receives funding pursuant to this section shall collect data and provide a status report to the judicial department by a date prescribed by the committee that includes but is not limited to:

(d) Participant status, including the number of people that WHO have successfully completed the diversion program, the number of people still under active supervision in the diversion program, the number of people terminated from the diversion program, and the reason for their termination; and

(f) THE NUMBER OF PEOPLE SCREENED FOR BEHAVIORAL HEALTH TREATMENT; AND

(g) THE NUMBER OF PEOPLE REFERRED TO BEHAVIORAL HEALTH TREATMENT.

SECTION 6. In Colorado Revised Statutes, **add 24-33.5-532** as follows:

24-33.5-532. Behavioral health information and data-sharing in the criminal justice system - grants - appropriation - repeal. (1) THERE IS ESTABLISHED IN THE DIVISION THE BEHAVIORAL HEALTH INFORMATION AND DATA-SHARING PROGRAM TO ENABLE JAILS TO EXCHANGE BEHAVIORAL HEALTH, HOUSING, AND DEMOGRAPHIC INFORMATION WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM IN ORDER TO MAINTAIN CONTINUITY OF CARE AS PERSONS DETAINED IN A JAIL TRANSFER BETWEEN CRIMINAL JUSTICE AGENCIES AND THE COMMUNITY.

(2) (a) AS PART OF THE PROGRAM, THE DIVISION SHALL ISSUE ONE-TIME GRANTS TO COUNTIES. EVERY COUNTY IS ELIGIBLE FOR A GRANT. A COUNTY THAT RECEIVES A GRANT SHALL USE THE GRANT MONEY TO:

(I) INTEGRATE THE COUNTY JAIL'S DATA SYSTEMS WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM;

(II) STANDARDIZE CLIENT-SPECIFIC INFORMATION THROUGH COMMON DATA FIELDS RELATING TO THE BEHAVIORAL, MENTAL, AND PHYSICAL HEALTH NEEDS OF PERSONS DETAINED IN THE JAIL; HOUSING NEEDS FOR PERSONS FOLLOWING RELEASE FROM JAIL; AND DEMOGRAPHIC INFORMATION OF PERSONS DETAINED IN THE JAIL; AND

(III) AUTOMATE DATA REPORTING REQUIRED PURSUANT TO STATE AND FEDERAL LAW.

(b) THE DIVISION SHALL DEVELOP POLICIES FOR AWARDING GRANTS; A PROCESS FOR COUNTIES TO APPLY FOR AND RECEIVE A GRANT, INCLUDING GRANT APPLICATION DEADLINES; AND A PROCESS FOR DETERMINING THE AMOUNT OF A GRANT AWARD. THE DIVISION SHALL MAKE THE POLICIES PUBLICLY AVAILABLE ON ITS WEBSITE AND SHALL NOT SET A GRANT APPLICATION DEADLINE EARLIER THAN TWENTY-EIGHT DAYS AFTER THE POLICIES ARE MADE PUBLIC. THE DIVISION SHALL PROVIDE, UPON REQUEST, ASSISTANCE TO COUNTIES WITH APPLYING FOR A GRANT. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL AWARD GRANTS TO COUNTIES THAT APPLY FOR A GRANT AND WHOSE APPLICATION IS APPROVED BY THE

APPLICATION REVIEW COMMITTEE DESCRIBED IN SUBSECTION (2)(c) OF THIS SECTION.

(c) THE DIVISION SHALL CONVENE AN APPLICATION REVIEW COMMITTEE TO REVIEW THE GRANT APPLICATIONS. THE COMMITTEE CONSISTS OF A REPRESENTATIVES FROM THE DIVISION, THE OFFICE OF INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM PROGRAM, AND THE BEHAVIORAL HEALTH ADMINISTRATION. THE REVIEW COMMITTEE SHALL REVIEW EACH GRANT APPLICATION TO ENSURE THAT EACH PROPOSED PROJECT HAS JUSTIFIABLE COSTS AND INCLUDES PLANS TO USE TECHNOLOGY THAT MEETS STATE STANDARDS, AND THAT ALL DATA EXCHANGE REQUIREMENTS WILL BE ADDED TO THE APPLICANT'S JAIL MANAGEMENT SYSTEM, AS DEFINED IN SECTION 17-26-118. THE DIVISION SHALL PROVIDE TECHNICAL ASSISTANCE TO JAILS THAT NEED HELP TO DETERMINE COSTS, TECHNOLOGY, AND DATA REQUIREMENTS.

(3) THE DIVISION SHALL COLLABORATE WITH THE OFFICE OF INFORMATION TECHNOLOGY, CREATED IN SECTION 24-37.5-103, TO OVERSEE THE IMPLEMENTATION OF ANY DATA-SHARING SYSTEMS OR SOFTWARE NECESSARY TO EXCHANGE INFORMATION WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM TO ENSURE CONTINUITY OF CARE FOR PERSONS WHO ARE DETAINED.

(4) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE THREE MILLION FIVE HUNDRED THOUSAND DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE DEPARTMENT FOR THE PURPOSES OF THIS SECTION.

(5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

SECTION 7. In Colorado Revised Statutes, **add 25.5-4-505** as follows:

25.5-4-505. Federal authorization related to persons involved in the criminal justice system - assessment - report - repeal. (1) THE STATE DEPARTMENT SHALL EVALUATE AND DETERMINE WHETHER THE STATE SHOULD SEEK ADDITIONAL FEDERAL AUTHORITY TO PROVIDE SCREENING, BRIEF INTERVENTION, AND CARE COORDINATION SERVICES THROUGH THE MEDICAL ASSISTANCE PROGRAM TO PERSONS IMMEDIATELY PRIOR TO RELEASE FROM JAIL OR A DEPARTMENT OF CORRECTIONS FACILITY AND TO IMPROVE PROCESSES FOR DETERMINING AND REDETERMINING INDIVIDUALS FOR MEDICAL ASSISTANCE ELIGIBILITY IN ORDER TO IMPROVE CONTINUITY AND ACCESS TO HEALTH-CARE SERVICES. IF THE STATE DEPARTMENT DETERMINES THAT SECURING ADDITIONAL FEDERAL AUTHORITY WILL ENSURE IMPROVED ACCESS TO CARE AND CONTINUITY OF CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM, THE STATE DEPARTMENT SHALL, SUBJECT TO AVAILABLE RESOURCES, SEEK APPROVAL FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR ANY ADDITIONAL FEDERAL AUTHORITY. IF THE STATE DEPARTMENT SEEKS APPROVAL, IT SHALL NOTIFY THE MEMBERS OF THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE MEMBERS OF THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY. IF THE STATE DEPARTMENT RECEIVES FEDERAL APPROVAL, THE STATE DEPARTMENT, SUBJECT TO AVAILABLE RESOURCES, SHALL PROVIDE THE BENEFITS DESCRIBED IN THIS SUBSECTION (1).

(2) IF THE STATE DEPARTMENT DETERMINES THAT PURSUING ADDITIONAL FEDERAL AUTHORITY AS DESCRIBED IN SUBSECTION (1) OF THIS SECTION IS INAPPROPRIATE, THE STATE DEPARTMENT SHALL SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY ON OR BEFORE OCTOBER 1, 2023, THAT INCLUDES THE FOLLOWING INFORMATION:

- (a) AN EXPLANATION OF WHY THE STATE DEPARTMENT BELIEVES PURSUING ADDITIONAL FEDERAL AUTHORITY IS NOT AN APPROPRIATE WAY TO IMPROVE CONTINUITY OF CARE FOR JUSTICE-INVOLVED POPULATIONS;
- (b) AN ALTERNATIVE PLAN DEVELOPED BY THE STATE DEPARTMENT TO ENSURE IMPROVED ACCESS TO CARE AND CONTINUITY OF CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM WHO ARE BEING RELEASED FROM INCARCERATION THAT DETAILS HOW THE STATE DEPARTMENT PLANS TO ENSURE CONTINUITY OF CARE FOR INDIVIDUALS BEING RELEASED FROM JAIL OR PRISON;
- (c) A PROPOSED TIMELINE FOR IMPLEMENTATION OF THE ALTERNATIVE PLAN; AND
- (d) ANY NECESSARY FISCAL OR LEGISLATIVE PROPOSALS FOR THE IMPLEMENTATION OF THE STATE DEPARTMENT'S ALTERNATIVE PLAN.

(3) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

SECTION 8. In Colorado Revised Statutes, **add** 25.5-4-215 as follows:

25.5-4-215. Study - benefits for persons on work release - repeal. (1) THE STATE DEPARTMENT SHALL DETERMINE WHETHER FEDERAL AUTHORITY IS NECESSARY TO PROVIDE BENEFIT COVERAGE UNDER THE MEDICAL ASSISTANCE PROGRAM TO PEOPLE WHO ARE ON WORK RELEASE FROM JAIL, AS DESCRIBED IN SECTION 18-1.3-207. ON OR BEFORE OCTOBER 1, 2023, THE STATE DEPARTMENT SHALL REPORT THE RESULTS OF THE ASSESSMENT AND ANALYSIS TO THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.

(2) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2024.

SECTION 9. In Colorado Revised Statutes, 17-26-118, **add** (4)(e) as follows:

17-26-118. Criminal justice data collection - definitions - repeal. (4) (e) IN ADDITION TO THE INFORMATION DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION, THE REPORT MUST INCLUDE INFORMATION FROM THE PRIOR QUARTER REGARDING THE NUMBER OF INMATES IN THE JAIL WHOSE MEDICAID WAS SUSPENDED WHILE INCARCERATED AND THE NUMBER OF INMATES WHO WERE ENROLLED, OR WHOSE MEDICAID WAS REINSTATED, PRIOR TO RELEASE.

SECTION 10. In Colorado Revised Statutes, 17-26-140, **amend** (2) as follows:

17-26-140. Continuity of care for persons released from jail. (2) ~~The~~ A county jail shall provide medicaid ENROLLMENT OR reenrollment paperwork to ~~the person~~ A PERSON WHO IS INCARCERATED IN THE JAIL AND IS ELIGIBLE FOR MEDICAID BENEFITS when the person enters the county jail. The county jail must file the medicaid paperwork with the county department of health and human services upon

releasing the person from the county jail's custody.

SECTION 11. In Colorado Revised Statutes, 17-27-104, **add** (14) as follows:

17-27-104. Community corrections programs operated by units of local government, state agencies, or nongovernmental agencies. (14) THE ADMINISTRATOR OF A COMMUNITY CORRECTIONS PROGRAM ESTABLISHED PURSUANT TO THIS SECTION SHALL PARTNER WITH A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES TO FACILITATE ENROLLING OFFENDERS IN THE PROGRAM INTO MEDICAID, WHICH MUST INCLUDE DETERMINING WHETHER EACH OFFENDER IS ENROLLED IN MEDICAID UPON ENTRY INTO THE COMMUNITY CORRECTIONS PROGRAM AND, IF AN OFFENDER IS NOT ENROLLED, DETERMINING WHETHER THE OFFENDER IS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER MEDICAID AND ENROLLING EACH ELIGIBLE OFFENDER IN MEDICAID.

SECTION 12. Appropriation. (1) For the 2022-23 state fiscal year, \$50,700,000 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is of money that the state received from the federal coronavirus state fiscal recovery fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 30, 2024, for the same purpose. To implement this act, the administration may use this appropriation as follows:

(a) \$951,352 for program costs, which amount is based on an assumption that the administration will require 6.0 FTE in the 2022-23 state fiscal year and 6.0 FTE in the 2023-24 state fiscal year; and

(b) \$49,748,648 for health needs of persons in the criminal justice system.

(2) For the 2022-23 state fiscal year, \$4,000,000 is appropriated to the judicial department. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is of money that the state received from the federal coronavirus state fiscal recovery fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 30, 2024, for the same purpose. To implement this act, the department may use this appropriation for adult district attorney pretrial diversion programs.

(3) For the 2022-23 state fiscal year, \$3,500,000 is appropriated to the department of public safety. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is of money that the state received from the federal coronavirus state fiscal recovery fund. To implement this act, the department may use this appropriation as follows:

(a) \$191,563 for use by the division of criminal justice for DCJ administrative services, which amount is based on an assumption that the division will require an additional 2.5 FTE in the 2022-23 state fiscal year;

(b) \$1,547,728 for use by the division of criminal justice for behavioral health

information grants; and

- (c) \$1,760,709 for the purchase of information technology services.

(4) For the 2022-23 state fiscal year, \$1,760,709 is appropriated to the office of the governor for use by the office of information technology. This appropriation is from reappropriated funds received from the department of public safety under subsection (3)(c) of this section. To implement this act, the office may use this appropriation to provide information technology services for the department of public safety.

(5) For the 2022-23 state fiscal year, \$3,000,000 is appropriated to the department of corrections for use by institutions. This appropriation is from the behavioral and mental health cash fund created in section 24-75-230 (2)(a), C.R.S., and is of money that the state received from the federal coronavirus state fiscal recovery fund. Any money appropriated in this section not expended prior to July 1, 2023, is further appropriated to the department from July 1, 2023, through December 30, 2024, for the same purpose. To implement this act, the department may use this appropriation for operating expenses related to the mental health subprogram.

SECTION 13. Appropriation. (1) For the 2022-23 state fiscal year, \$81,164 is appropriated to the department of health care policy and financing for use by the executive director's office. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

- (a) \$24,524 for personal services, which amount is based on an assumption that the office will require an additional 0.7 FTE;
- (b) \$3,640 for operating expenses; and
- (c) \$53,000 for general professional services and special projects.

(2) For the 2022-23 state fiscal year, the general assembly anticipates that the department of health care policy and financing will receive \$81,164 in federal funds to implement this act, which amount is subject to the "(I)" notation as defined in the annual general appropriation act for the same fiscal year. The appropriation in subsection (1) of this section is based on the assumption that the department will receive this amount of federal funds to be used as follows:

- (a) \$24,524 for personal services;
- (b) \$3,640 for operating expenses; and
- (c) \$53,000 for general professional services and special projects.

SECTION 14. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: May 19, 2022