

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0804.01 Alana Rosen x2606

SENATE BILL 22-147

SENATE SPONSORSHIP

Kolker and Sonnenberg,

HOUSE SPONSORSHIP

Young and Pelton, Amabile, Bradfield, Gonzales-Gutierrez, Michaelson Jenet, Van Beber

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING BEHAVIORAL HEALTH-CARE INTEGRATION SERVICES FOR**
102 **CHILDREN, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **APPROPRIATION.**

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>.)

The bill creates in the university of Colorado the Colorado pediatric psychiatry consultation and access program (CoPPCAP). The purpose of CoPPCAP is to support primary care providers in identifying and treating mild to moderate behavioral health conditions in children in primary care practices or school-based health centers.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

The bill requires the general assembly to appropriate from the behavioral and mental health cash fund:

- \$4.6 million to CoPPCAP;
- \$5 million to the behavioral health care professional matching grant program to expand access to behavioral health-care services for children and families; and
- \$1.5 million to the school-based health center grant program.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) During the COVID-19 pandemic, children have been faced
5 with unprecedented challenges, including how they attend school, interact
6 with friends, and receive health care;

7 (b) During this unprecedented time, children and their families
8 may have lost access to behavioral and mental health care, social services,
9 income, food, or housing;

10 (c) Since the COVID-19 pandemic began, rates of psychological
11 distress among young people have increased, including symptoms of
12 anxiety, depression, and other behavioral and mental health disorders;

13 (d) The Colorado pediatric psychiatry consultation and access
14 program (CoPPCAP) will provide peer-to-peer consultations, education,
15 and support to pediatric primary care providers in order to identify and
16 treat mild to moderate behavioral health concerns presenting in primary
17 care;

18 (e) The behavioral health care professional matching grant
19 program provides funding to education providers to increase the presence
20 of school health professionals to provide behavioral health care to
21 students who have mental health, substance use or misuse, or other

1 behavioral health needs;

2 (f) The school-based health center grant program provides access
3 to school-based primary health care for children and adolescents, serving
4 primarily low-income schools. The majority of students who attend
5 schools with on-site health centers are from low-income families, are
6 medically uninsured or underinsured, and qualify for free or reduced-cost
7 school lunch pursuant to the federal "Richard B. Russell National School
8 Lunch Act", 42 U.S.C. sec. 1751 et seq.

9 (g) The federal government enacted the "American Rescue Plan
10 Act of 2021", Pub.L. 117-2, to provide support to state, local, and tribal
11 governments in responding to the impacts of the COVID-19 pandemic;
12 and

13 (h) Regulations construing the federal act promulgated by the
14 United States treasury identify a nonexclusive list of uses for the
15 COVID-19 pandemic and its negative public health impacts.

16 (2)(a) Therefore, the general assembly declares that children have
17 been disproportionately impacted by the COVID-19 pandemic and its
18 negative public health impacts during this public health emergency. The
19 programs and services described in this legislative declaration are
20 appropriate uses of the money transferred to Colorado under the federal
21 act. This money will expand access to evidence-based treatment for
22 behavioral health services that CoPPCAP, the school-based health center
23 grant program, and the behavioral health care professional matching grant
24 program provide to children and families.

25 (b) The general assembly further declares that CoPPCAP, the
26 behavioral health care professional matching grant program, and the
27 school-based health center grant program are important government

1 services.

2 **SECTION 2.** In Colorado Revised Statutes, **add 23-20-144 as**
3 **follows:**

4 **23-20-144. Colorado pediatric psychiatry consultation and**
5 **access program (CoPPCAP) - created.** (1) THERE IS CREATED IN THE
6 UNIVERSITY OF COLORADO THE COLORADO PEDIATRIC PSYCHIATRY
7 CONSULTATION AND ACCESS PROGRAM, REFERRED TO IN THIS SECTION AS
8 "CoPPCAP". CoPPCAP SHALL:

9 (a) SUPPORT PRIMARY CARE PROVIDERS TO IDENTIFY AND TREAT
10 MILD TO MODERATE PEDIATRIC BEHAVIORAL HEALTH CONDITIONS IN
11 PRIMARY CARE PRACTICES OR SCHOOL-BASED HEALTH CENTERS;

12 (b) PROVIDE SUPPORT AND ASSISTANCE TO PRIMARY CARE
13 PROVIDERS WITH THE INTEGRATION OF PEDIATRIC BEHAVIORAL HEALTH
14 SCREENING AND TREATMENT INTO PRIMARY CARE PRACTICES;

15 (c) PROVIDE PEER-TO-PEER CONSULTATIONS WITH PRIMARY CARE
16 PROVIDERS AND INTEGRATED BEHAVIORAL HEALTH CLINICIANS;

17 (d) IDENTIFY EVIDENCE-BASED RESOURCES AND CARE
18 COORDINATION TO SUPPORT DIAGNOSIS, TREATMENT, AND REFERRALS FOR
19 CHILDREN WITH BEHAVIORAL HEALTH AND SUBSTANCE USE NEEDS;

20 (e) SUPPORT ALL PATIENTS SEEN IN COLORADO PRIMARY CARE
21 PRACTICES REGARDLESS OF PAYER OR ABILITY TO PAY;

22 (f) CREATE ONGOING EDUCATIONAL OPPORTUNITIES FOCUSED ON
23 PEDIATRIC BEHAVIORAL HEALTH CONDITIONS; AND

24 (g) CREATE DIGITAL RESOURCES FOCUSED ON PEDIATRIC
25 BEHAVIORAL HEALTH CONDITIONS.

26 (2) (a) CoPPCAP MAY ENTER INTO AGREEMENTS WITH THE
27 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT REGARDING THE

1 PROVISION OF FEDERAL HEALTH RESOURCES AND SERVICES
2 ADMINISTRATION PROGRAMS.

3 (b) CoPPCAP MAY COLLABORATE WITH STATE AGENCIES,
4 SCHOOL-BASED HEALTH CENTERS, PRIMARY CARE PROVIDERS,
5 INTEGRATED BEHAVIORAL HEALTH CLINICS, AND COMMUNITY-BASED
6 SOCIAL SERVICE OR BEHAVIORAL HEALTH PROVIDERS TO PROVIDE
7 BEHAVIORAL HEALTH ASSESSMENT AND TREATMENT TO CHILDREN AND
8 FAMILIES.

9 (3) CoPPCAP IS AUTHORIZED TO SEEK, ACCEPT, AND EXPEND
10 GIFTS, GRANTS, AND DONATIONS FROM PRIVATE OR PUBLIC SOURCES TO
11 IMPLEMENT CoPPCAP.

12 (4) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
13 ASSEMBLY SHALL APPROPRIATE FOUR MILLION SIX HUNDRED THOUSAND
14 DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH FUND
15 CREATED PURSUANT TO SECTION 24-75-230 TO THE BOARD OF REGENTS OF
16 THE UNIVERSITY OF COLORADO TO FUND CoPPCAP TO RESPOND TO THE
17 COVID-19 PANDEMIC AND ITS NEGATIVE PUBLIC HEALTH IMPACTS.
18 CoPPCAP SHALL SPEND OR OBLIGATE ANY MONEY BY DECEMBER 31,
19 2024. ANY MONEY OBLIGATED BY DECEMBER 31, 2024, MUST BE
20 EXPENDED BY DECEMBER 31, 2026.

21 (5) THE BOARD OF REGENTS OF THE UNIVERSITY OF COLORADO
22 AND CoPPCAP SHALL COMPLY WITH THE COMPLIANCE, REPORTING,
23 RECORD-KEEPING, AND PROGRAM EVALUATION REQUIREMENTS
24 ESTABLISHED BY THE OFFICE OF STATE PLANNING AND BUDGETING AND
25 THE STATE CONTROLLER IN ACCORDANCE WITH SECTION 24-75-226 (5).

26 **SECTION 3.** In Colorado Revised Statutes, 22-96-104, **add** (5.3)
27 as follows:

1 **22-96-104. Behavioral health care professional matching grant**
2 **program - application - criteria - grant awards.** (5.3) (a) FOR THE
3 2022-23 BUDGET YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE
4 FIVE MILLION DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH
5 CASH FUND CREATED PURSUANT TO SECTION 24-75-230 TO THE
6 DEPARTMENT TO FUND THE PROGRAM FOR THE BENEFIT OF INCREASING
7 THE PRESENCE OF SCHOOL HEALTH PROFESSIONALS IN SCHOOLS TO
8 RESPOND TO THE COVID-19 PANDEMIC AND ITS NEGATIVE PUBLIC HEALTH
9 IMPACTS. THE DEPARTMENT OR THE GRANTEES AWARDED MONEY SHALL
10 SPEND OR OBLIGATE ANY MONEY BY DECEMBER 31, 2024. ANY MONEY
11 OBLIGATED BY DECEMBER 31, 2024, MUST BE EXPENDED BY DECEMBER
12 31, 2026.

13 (b) THE DEPARTMENT AND THE GRANTEES SHALL COMPLY WITH
14 THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM
15 EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE
16 PLANNING AND BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE
17 WITH SECTION 24-75-226 (5).

18 **SECTION 4.** In Colorado Revised Statutes, 25-20.5-503, **add**
19 (2)(c) as follows:

20 **25-20.5-503. School-based health center grant program -**
21 **creation - funding - grants.** (2) (c) (I) FOR THE 2022-23 BUDGET YEAR,
22 THE GENERAL ASSEMBLY SHALL APPROPRIATE ONE MILLION FIVE HUNDRED
23 THOUSAND DOLLARS FROM THE BEHAVIORAL AND MENTAL HEALTH CASH
24 FUND CREATED PURSUANT TO SECTION 24-75-230 TO THE DEPARTMENT TO
25 FUND THE GRANT PROGRAM FOR THE BENEFIT OF SCHOOL-BASED HEALTH
26 CENTERS TO RESPOND TO THE COVID-19 PANDEMIC AND ITS NEGATIVE
27 PUBLIC HEALTH IMPACTS. THE DEPARTMENT OR THE GRANTEES AWARDED

1 MONEY SHALL SPEND OR OBLIGATE ANY MONEY PRIOR TO DECEMBER 31,
2 2024. ANY MONEY OBLIGATED BY DECEMBER 31, 2024, MUST BE
3 EXPENDED BY DECEMBER 31, 2026.

4 (II) THE DEPARTMENT AND THE GRANTEES SHALL COMPLY WITH
5 THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND PROGRAM
6 EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF STATE
7 PLANNING AND BUDGETING AND THE STATE CONTROLLER IN ACCORDANCE
8 WITH SECTION 24-75-226 (5).

9 **SECTION 5. Appropriation.** For the 2022-23 state fiscal year,
10 \$4,600,000 is appropriated to the department of higher education for use
11 by the regents of the university of Colorado. This appropriation is from
12 the behavioral and mental health cash fund created in section 24-75-230
13 (2)(a), C.R.S., and is of money the state received from the federal
14 coronavirus state fiscal recovery fund. To implement this act, the regents
15 may use this appropriation for the Colorado pediatric psychiatry
16 consultation and access program. Any money appropriated in this section
17 not expended prior to July 1, 2023, is further appropriated to the regents
18 from July 1, 2023, through December 30, 2024, for the same purpose.

19 (2) For the 2022-23 state fiscal year, \$5,000,000 is appropriated
20 to the department of education. This appropriation is from the behavioral
21 and mental health cash fund created in section 24-75-230 (2)(a), C.R.S.,
22 is of money the state received from the federal coronavirus state fiscal
23 recovery fund, and is based on an assumption that the department will
24 require an additional 0.4 FTE. To implement this act, the department may
25 use this appropriation for the behavioral health care professionals
26 matching grant program. Any money appropriated in this section not
27 expended prior to July 1, 2023, is further appropriated to the department

1 from July 1, 2023, through December 30, 2024, for the same purpose.

2 (3) For the 2022-23 state fiscal year, \$1,500,000 is appropriated
3 to the department of public health and environment for use by the
4 prevention services division. This appropriation is from the behavioral
5 and mental health cash fund created in section 24-75-230 (2)(a), C.R.S.,
6 is of money the state received from the federal coronavirus state fiscal
7 recovery fund, and is based on an assumption that the division will
8 require an additional 0.4 FTE. To implement this act, the division may
9 use this appropriation for school-based health centers. Any money
10 appropriated in this section not expended prior to July 1, 2023, is further
11 appropriated to the division from July 1, 2023, through December 30,
12 2024, for the same purpose.

13 **SECTION 6. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, or safety.