

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0825.01 Conrad Imel x2313

SENATE BILL 18-161

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SENATE SPONSORSHIP

Smallwood, Aguilar, Gardner, Kefalas, Neville T., Priola, Tate

HOUSE SPONSORSHIP

Kraft-Tharp and Landgraf,

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Senate Committees

Health & Human Services

House Committees

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A BILL FOR AN ACT

101 CONCERNING REPEAL OF THE BEHAVIORAL HEALTH TRANSFORMATION

102 COUNCIL.

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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 repeals the behavioral health transformation council (council). **Section 1** of the bill repeals the council, and **section 2** repeals the automatic termination date of the council pursuant to the sunset law. **Sections 3 to 6** make conforming amendments.

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.

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

2           **SECTION 1.** In Colorado Revised Statutes, **repeal** article 61 of  
3 title 27.

4           **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **repeal**  
5 (10)(a)(II) as follows:

6           **2-3-1203. Sunset review of advisory committees - legislative**  
7 **declaration - definition - repeal.** (10) (a) The following statutory  
8 authorizations for the designated advisory committees will repeal on July  
9 1, 2020:

10           (II) ~~The behavioral health transformation council created pursuant~~  
11 ~~to section 27-61-102, C.R.S.;~~

12           **SECTION 3.** In Colorado Revised Statutes, 25-1.5-111, **repeal**  
13 (2)(a)(IX) as follows:

14           **25-1.5-111. Suicide prevention commission - created -**  
15 **responsibilities - gifts, grants, donations - repeal.** (2) (a) Within sixty  
16 days after May 29, 2014, the executive director of the department of  
17 public health and environment shall appoint to the committee no more  
18 than twenty-six members, including:

19           (IX) ~~A representative from the behavioral health transformation~~  
20 ~~council;~~

21           **SECTION 4.** In Colorado Revised Statutes, 27-60-103, **amend**  
22 (1)(a) introductory portion and (6)(b) as follows:

23           **27-60-103. Behavioral health crisis response system - services**  
24 **- request for proposals - criteria - reporting - rules.** (1) (a) On or  
25 before September 1, 2013, the state department shall issue a statewide  
26 request for proposals to entities with the capacity to create a coordinated

1 and seamless behavioral health crisis response system to provide crisis  
2 intervention services for communities throughout the state. ~~The state~~  
3 ~~department shall collaborate with the behavioral health transformation~~  
4 ~~council, created in section 27-61-102, to ensure that services resulting~~  
5 ~~from the request for proposals are aligned throughout the system,~~  
6 ~~integrated, and comprehensive.~~ Separate proposals may be solicited and  
7 accepted for each of the five components listed in subsection (1)(b) of  
8 this section. The crisis response system created through this request for  
9 proposals process must be based on the following principles:

10 (6) (b) On or before November 1, 2017, the office of behavioral  
11 health within the state department shall prepare a report and submit such  
12 report to the joint judiciary committee; the joint health and human  
13 services committee; the joint budget committee; the governor; ~~the~~  
14 ~~behavioral health transformation council, established in section~~  
15 ~~27-61-102;~~ and the commission on criminal and juvenile justice,  
16 established in section 16-11.3-102. At a minimum, the report must  
17 include details concerning the current status of funding and the  
18 implementation of the expansion of behavioral health crisis services.

19 **SECTION 5.** In Colorado Revised Statutes, 27-70-101, **amend**  
20 (1)(d) as follows:

21 **27-70-101. Legislative declaration.** (1) The general assembly  
22 finds and declares that:

23 (d) ~~PRIOR TO ITS REPEAL IN 2018,~~ the medication consistency work  
24 group of the behavioral health transformation council identified mental  
25 health medications that are essential and preferred for a basic medication  
26 formulary that could be used across all public systems to increase  
27 medication continuity for individuals with behavioral or mental health

1 disorders in the criminal and juvenile justice systems; and

2           **SECTION 6.** In Colorado Revised Statutes, 27-70-103, **amend**  
3 (2)(e) as follows:

4           **27-70-103. Medication consistency for individuals with**  
5 **behavioral or mental health disorders in the criminal and juvenile**  
6 **justice systems - medication formulary - cooperative purchasing -**  
7 **reporting - rules.** (2) Beginning July 1, 2018, the office shall have the  
8 following duties and responsibilities, subject to available appropriations:

9           (e) The office shall investigate and develop options for  
10 collaboration with local county jails to coordinate medication purchasing.  
11 ~~Based on the information from the office, the behavioral health~~  
12 ~~transformation council, established in section 27-61-102, shall develop a~~  
13 ~~medication purchasing plan on or before September 1, 2018.~~

14           **SECTION 7. Act subject to petition - effective date.** This act  
15 takes effect September 1, 2018; except that, if a referendum petition is  
16 filed pursuant to section 1 (3) of article V of the state constitution against  
17 this act or an item, section, or part of this act within the ninety-day period  
18 after final adjournment of the general assembly, then the act, item,  
19 section, or part will not take effect unless approved by the people at the  
20 general election to be held in November 2018 and, in such case, will take  
21 effect on the date of the official declaration of the vote thereon by the  
22 governor.