

## HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Bacon

1 Amend printed bill, page 42, before line 14 insert:

2 "SECTION 31. In Colorado Revised Statutes, 27-60-106.5,  
3 **amend** (1)(a); and **add** (4) as follows:

4 **27-60-106.5. Criminal justice diversion programs - rules -**  
5 **report - appropriation - repeal.** (1) (a) ~~The~~ SUBJECT TO AVAILABLE  
6 APPROPRIATIONS, THE office of behavioral health in the state department  
7 ~~may~~ SHALL contract with cities and counties, OR CITY AND COUNTY  
8 PARTNERSHIPS, for the creation, maintenance, or expansion of criminal  
9 justice diversion programs. The goal of each program created pursuant to  
10 this section should be to connect ~~law enforcement officers~~ FIRST  
11 RESPONDERS with behavioral health providers to assist individuals in need  
12 of behavioral health intervention ~~or~~ to divert individuals from the criminal  
13 justice system, INCLUDING ARREST AND INCARCERATION. THE CONTRACT  
14 MUST REQUIRE THAT CITIES AND COUNTIES, OR CITY AND COUNTY  
15 PARTNERSHIPS, PROVIDE, AT A MINIMUM, CASE MANAGEMENT SERVICES  
16 AND REFERRALS FOR APPROPRIATE BEHAVIORAL HEALTH SERVICES,  
17 INCLUDING OUTPATIENT TREATMENT, SHORT-TERM RESIDENTIAL  
18 PLACEMENT FOR WITHDRAWAL MANAGEMENT OR CRISIS STABILIZATION,  
19 RESIDENTIAL TREATMENT SERVICES, AND MEDICATION-ASSISTED  
20 TREATMENT.

21 (4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
22 ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS TO THE OFFICE OF  
23 BEHAVIORAL HEALTH FOR THE PURPOSE OF IMPLEMENTING THE PROGRAMS  
24 CREATED BY SUBSECTION (1)(a) OF THIS SECTION.

25 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2024.

26 **SECTION 32.** In Colorado Revised Statutes, 27-60-106.5,  
27 **amend** (1)(a); and **add** (4) as follows:

28 **27-60-106.5. Criminal justice diversion programs - rules -**  
29 **report - appropriation - repeal.** (1) (a) ~~The~~ SUBJECT TO AVAILABLE  
30 APPROPRIATIONS, THE ~~office of behavioral health in the state department~~  
31 ~~may~~ BHA SHALL contract with cities and counties, OR CITY AND COUNTY  
32 PARTNERSHIPS, for the creation, maintenance, or expansion of criminal  
33 justice diversion programs. The goal of each program created pursuant to  
34 this section should be to connect ~~law enforcement officers~~ FIRST  
35 RESPONDERS with behavioral health providers to assist individuals in need  
36 of behavioral health intervention ~~or~~ to divert individuals from the criminal  
37 justice system, INCLUDING ARREST AND INCARCERATION. THE CONTRACT  
38 MUST REQUIRE THAT CITIES AND COUNTIES, OR CITY AND COUNTY  
39 PARTNERSHIPS, PROVIDE, AT A MINIMUM, CASE MANAGEMENT SERVICES  
40 AND REFERRALS FOR APPROPRIATE BEHAVIORAL HEALTH SERVICES,

1 INCLUDING OUTPATIENT TREATMENT, SHORT-TERM RESIDENTIAL  
2 PLACEMENT FOR WITHDRAWAL MANAGEMENT OR CRISIS STABILIZATION,  
3 RESIDENTIAL TREATMENT SERVICES, AND MEDICATION-ASSISTED  
4 TREATMENT.

5 (4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
6 ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS TO THE BHA FOR  
7 THE PURPOSE OF IMPLEMENTING THE PROGRAMS CREATED BY SUBSECTION  
8 (1)(a) OF THIS SECTION.

9 (b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2024.

10 **SECTION 33.** In Colorado Revised Statutes, **add** 27-80-107.8 as  
11 follows:

12 **27-80-107.8. Withdrawal management and crisis service**  
13 **expansion - appropriation.** (1) ON OR BEFORE JANUARY 1, 2023, EACH  
14 MANAGED SERVICE ORGANIZATION SHALL:

15 (a) CONTRACT TO PROVIDE SHORT-TERM RESIDENTIAL PLACEMENT  
16 FOR WITHDRAWAL MANAGEMENT, CRISIS STABILIZATION, OR  
17 MEDICATION-ASSISTED TREATMENT FOR PERSONS IN IMMEDIATE NEED OF  
18 DETOXIFICATION AND STABILIZATION SERVICES, WITH A PROVIDER WHO IS  
19 LICENSED BY THE STATE OF COLORADO TO PROVIDE THOSE SERVICES.

20 (b) DEVELOP A PAYMENT SCHEDULE THAT INCLUDES ADMISSION  
21 AND SERVICE RATES FROM THE MANAGED SERVICE ORGANIZATION TO THE  
22 PROVIDER, AND ORGANIZATIONAL FUNDING FOR TRAINING AND  
23 COORDINATION WITH FIRST RESPONDERS OR REFERRING ENTITIES; AND

24 (c) PROVIDE TRAINING TO, AND ONGOING COORDINATION WITH,  
25 FIRST RESPONDERS OR REFERRING ENTITIES CONCERNING THE AVAILABLE  
26 SERVICES TO BE UTILIZED IN LIEU OF ARREST AND TRANSPORT TO JAIL, TO  
27 THE GREATEST EXTENT POSSIBLE.

28 (2) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
29 ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS TO THE OFFICE OF  
30 BEHAVIORAL HEALTH TO BE DISTRIBUTED TO MANAGED SERVICE  
31 ORGANIZATIONS FOR THE PURPOSE OF IMPLEMENTING THIS SECTION. ANY  
32 UNEXPENDED MONEY REMAINING AT THE END OF THE 2022-23 STATE  
33 FISCAL YEAR FROM THIS APPROPRIATION:

34 (a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER  
35 FUND;

36 (b) MAY BE USED BY THE OFFICE OF BEHAVIORAL HEALTH IN THE  
37 2023-24 OR 2024-25 STATE FISCAL YEARS WITHOUT FURTHER  
38 APPROPRIATION; AND

39 (c) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE  
40 PURPOSES SET FORTH IN THIS SECTION.

41 **SECTION 34.** In Colorado Revised Statutes, **add** 27-80-107.8 as  
42 follows:

43 **27-80-107.8. Withdrawal management and crisis service**

1 **expansion - appropriation.** (1) ON OR BEFORE JANUARY 1, 2023, EACH  
2 MANAGED SERVICE ORGANIZATION SHALL:  
3 (a) CONTRACT TO PROVIDE SHORT-TERM RESIDENTIAL PLACEMENT  
4 FOR WITHDRAWAL MANAGEMENT, CRISIS STABILIZATION, OR  
5 MEDICATION-ASSISTED TREATMENT FOR PERSONS IN IMMEDIATE NEED OF  
6 DETOXIFICATION AND STABILIZATION SERVICES, WITH A PROVIDER WHO IS  
7 LICENSED BY THE STATE OF COLORADO TO PROVIDE THOSE SERVICES.  
8 (b) DEVELOP A PAYMENT SCHEDULE THAT INCLUDES ADMISSION  
9 AND SERVICE RATES FROM THE MANAGED SERVICE ORGANIZATION TO THE  
10 PROVIDER, AND ORGANIZATIONAL FUNDING FOR TRAINING AND  
11 COORDINATION WITH FIRST RESPONDERS OR REFERRING ENTITIES; AND  
12 (c) PROVIDE TRAINING TO, AND ONGOING COORDINATION WITH,  
13 FIRST RESPONDERS OR REFERRING ENTITIES CONCERNING THE AVAILABLE  
14 SERVICES TO BE UTILIZED IN LIEU OF ARREST AND TRANSPORT TO JAIL, TO  
15 THE GREATEST EXTENT POSSIBLE.  
16 (2) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL  
17 ASSEMBLY SHALL APPROPRIATE TEN MILLION DOLLARS TO THE  
18 BEHAVIORAL HEALTH ADMINISTRATION TO BE DISTRIBUTED TO MANAGED  
19 SERVICE ORGANIZATIONS FOR THE PURPOSE OF IMPLEMENTING THIS  
20 SECTION. ANY UNEXPENDED MONEY REMAINING AT THE END OF THE  
21 2022-23 STATE FISCAL YEAR FROM THIS APPROPRIATION:  
22 (a) DOES NOT REVERT TO THE GENERAL FUND OR ANY OTHER  
23 FUND;  
24 (b) MAY BE USED BY THE BEHAVIORAL HEALTH ADMINISTRATION  
25 IN THE 2023-24 OR 2024-25 STATE FISCAL YEARS WITHOUT FURTHER  
26 APPROPRIATION; AND  
27 (c) MUST NOT BE USED FOR ANY OTHER PURPOSE OTHER THAN THE  
28 PURPOSES SET FORTH IN THIS SECTION."

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