

Second Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 22-0816.02 Conrad Imel x2313

SENATE BILL 22-196

SENATE SPONSORSHIP

Gonzales and Lee, Buckner, Donovan, Kolker, Moreno, Pettersen, Simpson, Story, Winter

HOUSE SPONSORSHIP

Bacon and Benavidez,

Senate Committees

Judiciary  
Appropriations

House Committees

Judiciary  
Appropriations

A BILL FOR AN ACT

101 CONCERNING SUPPORTING THE HEALTH NEEDS OF PERSONS WHO MAY  
102 BE INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM, AND, IN  
103 CONNECTION THEREWITH, MAKING AN 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 establishes the early intervention, deflection, and redirection from the criminal justice system grant program (grant program) in the behavioral health administration (BHA) to provide grants to local governments, federally recognized Indian tribes, health-care

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.

HOUSE  
Amended 2nd Reading  
May 4, 2022

SENATE  
3rd Reading Unamended  
May 2, 2022

SENATE  
Amended 2nd Reading  
April 29, 2022

providers, community-based organizations, and nonprofit organizations to fund programs and strategies that prevent people with behavioral health needs from becoming involved with the criminal justice system or that redirect individuals in the criminal justice system with behavioral health needs from the system to appropriate services. Local law enforcement agencies are eligible for a grant only for the purpose of developing or expanding a co-responder community response program.

The BHA administers the grant program in consultation with the department of public safety. Each grant recipient must report to the BHA information about the use of the grant. The bill requires the general assembly to appropriate \$51.5 million from the behavioral and mental health cash fund to the department of human services for the grant program.

The bill requires the general assembly to appropriate \$3 million from the behavioral and mental health cash fund to the department of corrections (department) to provide medication-assisted treatment to individuals who are placed in the custody of the department. The department shall use the money for upgrades necessary to store medications at department facilities, for providing continuity of care for inmates with opioid use disorder between institutional settings and community-based treatment, and for facilitating long-term treatment and recovery of individuals upon release.

The bill requires the general assembly to appropriate \$4 million from the behavioral and mental health cash fund to the judicial department for allocation to district attorneys for pretrial diversion programs.

The bill creates the behavioral health information and data sharing program to award grants to counties to integrate the county jails' data systems with the Colorado integrated criminal justice information system. The division of criminal justice (division) within the department of public safety administers the program. The division is required to enter into an agreement with a third-party vendor to oversee the implementation of any data-sharing systems or software necessary for the program. The bill requires the general assembly to appropriate \$3.5 million from the behavioral and mental health cash fund for the program.

The bill requires the state department of health care policy and financing (HCPF) to 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. If HCPF determines that the state should request federal authority, HCPF must make the request. If HCPF determines that the state should not request

federal authority, HCPF must submit a report to the joint budget committee of the general assembly that includes an alternate plan to ensure continuity of care for individuals being released from jail or prison.

The bill requires HCPF to determine whether federal authority is necessary to provide benefit coverage under the medical assistance program to people who are on work release from jail.

The bill requires each county jail to report quarterly about the number of inmates whose medicaid is suspended while incarcerated and the number of incarcerated inmates who are enrolled in, or whose medicaid is reinstated, prior to release. The bill requires a county jail to provide medicaid enrollment or re-enrollment paperwork to a person who is incarcerated in the jail and is eligible for medicaid benefits when the person enters the county jail.

The bill requires an administrator of a community corrections program to partner with a county department of human or social services to facilitate enrolling each offender participating in the program into medicaid.

---

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

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

4           (a) In Colorado, a person with serious mental illness is more likely  
5 to be in jail than in a care facility, resulting in jails and prisons acting as  
6 the biggest providers of mental health care in our state;

7           (b) People with the most serious mental illnesses often cycle in  
8 and out of short-term crisis hospital care and jail, exacerbating their  
9 mental health challenges;

10           (c) Cycling in and out of short-term care and jail is more  
11 expensive than preventive harm reduction and public safety investments  
12 that keep people healthy and in their communities; and

13           (d) Diversion away from the criminal justice system begins with  
14 robust community resources.

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

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

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

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

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

20 **SECTION 2.** In Colorado Revised Statutes, **add** part 4 to article  
21 60 of title 27 as follows:

22 PART 4

23 EARLY INTERVENTION, DEFLECTION, AND REDIRECTION  
24 FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM

25 **27-60-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE  
26 CONTEXT OTHERWISE REQUIRES:

27 (1) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS

1 THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN SECTION  
2 27-60-203.

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

8 (3) "ELIGIBLE ENTITY" MEANS:

9 (a) A COMMUNITY-BASED ORGANIZATION;

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

11 (c) A LOCAL GOVERNMENT;

12 (d) A FEDERALLY RECOGNIZED INDIAN TRIBE;

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

16 (f) A FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN THE  
17 FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)(4), THAT  
18 PARTNERS AND SUBMITS A JOINT APPLICATION WITH A COMMUNITY-BASED  
19 ORGANIZATION, HOSPITAL THAT PROVIDES BEHAVIORAL HEALTH  
20 TREATMENT, LOCAL GOVERNMENT, OR FEDERALLY RECOGNIZED INDIAN  
21 TRIBE;

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

27 (h) A LOCAL LAW ENFORCEMENT AGENCY, BUT ONLY FOR THE

1 PURPOSE OF DEVELOPING OR EXPANDING A CO-RESPONDER COMMUNITY  
2 RESPONSE PROGRAM, AS DEFINED IN SECTION 24-32-3501 (8).

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

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

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

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

13 **27-60-402. Early intervention, deflection, and redirection**  
14 **from the criminal justice system grant program - established -**  
15 **permissible uses.** (1) THERE IS ESTABLISHED IN THE BEHAVIORAL  
16 HEALTH ADMINISTRATION THE EARLY INTERVENTION, DEFLECTION, AND  
17 REDIRECTION FROM THE CRIMINAL JUSTICE SYSTEM GRANT PROGRAM TO  
18 PROVIDE GRANTS TO ELIGIBLE ENTITIES TO FUND PROGRAMS AND OTHER  
19 STRATEGIES THAT:

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

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

27 (c) AFTER AN ARREST, REDIRECT INDIVIDUALS WITH BEHAVIORAL

1 HEALTH NEEDS, INCLUDING INDIVIDUALS ENGAGED IN COMPETENCY  
2 EVALUATION OR RESTORATION PROVIDED IN A COMMUNITY SETTING AND  
3 NOT IN A JAIL-BASED SETTING, FROM THE CRIMINAL JUSTICE SYSTEM TO  
4 APPROPRIATE COMMUNITY-BASED TREATMENT AND SUPPORT SERVICES.

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

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

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

13 (c) TO FUND ENHANCED STAFFING, FACILITY IMPROVEMENTS, OR  
14 SECURITY MEASURES FOR EXISTING CRISIS WALK-IN CENTERS, CRISIS  
15 STABILIZATION UNITS, MOBILE CRISIS SERVICES, OR CRISIS RESPITE  
16 SERVICES, AS DESCRIBED IN SECTION 27-60-103 (1)(b). A CRISIS WALK-IN  
17 CENTER MUST USE A GRANT AWARD TO ENABLE THE CRISIS WALK-IN  
18 CENTER TO ACCEPT ALL BEHAVIORAL HEALTH RELATED FIRST RESPONDER  
19 DROP-OFFS AND PROVIDE CRISIS RECEIVING AND STABILIZATION SERVICES.  
20 GRANTS AWARDED FOR CRISIS STABILIZATION UNITS, MOBILE CRISIS  
21 SERVICES, AND CRISIS RESPITE SERVICES MUST BE USED TO PROVIDE CRISIS  
22 RECEIVING AND STABILIZATION SERVICES.

23 (d) COLLABORATION BETWEEN COMMUNITY-BASED  
24 ORGANIZATIONS AND COURT-APPOINTED COUNSEL WHO REPRESENT  
25 INDIGENT CLIENTS TO FACILITATE BEHAVIORAL HEALTH SCREENING AND  
26 ASSESSMENT AND TO HELP CLIENTS ACCESS BEHAVIORAL HEALTH AND  
27 OTHER SUPPORTIVE SERVICES, PARTICULARLY DURING EARLY STAGES IN

1 A CRIMINAL PROCEEDING;

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

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

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

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

24 (i) OTHER INNOVATIONS OR PROGRAMS AIMED AT DEFLECTING,  
25 REDIRECTING, OR OTHERWISE PREVENTING PEOPLE WITH BEHAVIORAL  
26 HEALTH NEEDS FROM FURTHER PENETRATING INTO THE CRIMINAL JUSTICE  
27 SYSTEM;



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

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

7           (3) THE BHA SHALL PROVIDE GRANT RECIPIENTS WITH  
8 INFORMATION ABOUT THE 988 CRISIS HOTLINE, DEFINED IN SECTION  
9 27-64-102, TO ENSURE THAT THE GRANT RECIPIENTS ARE AWARE OF THE  
10 SERVICES AVAILABLE BY USING THE 988 CRISIS HOTLINE.

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

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

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

27           (d) THE BHA SHALL PROVIDE GRANT APPLICATION AND PROGRAM

1 DEVELOPMENT SUPPORT UPON REQUEST TO AN ELIGIBLE ENTITY THAT HAS  
2 AN ANNUAL BUDGET OF LESS THAN ONE MILLION DOLLARS. AVAILABLE  
3 SUPPORT MAY INCLUDE ASSISTANCE WITH GRANT-WRITING, PROGRAM  
4 DESIGN, IDENTIFYING SUSTAINABLE FUNDING OPPORTUNITIES, PROGRAM  
5 IMPLEMENTATION, AND DATA-GATHERING AND EVALUATION.

6 **27-60-403. Grant program application - criteria - award -**  
7 **rules.** (1) IN ORDER TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST  
8 OFFER A MONETARY CONTRIBUTION OR IN-KIND CONTRIBUTIONS, AS  
9 DESCRIBED IN SUBSECTION (4) OF THIS SECTION, THAT DIRECTLY SUPPORT  
10 THE SERVICES PROVIDED WITH A GRANT AWARD AND MUST SUBMIT AN  
11 APPLICATION TO THE BHA. TWO OR MORE ELIGIBLE ENTITIES MAY  
12 COLLABORATE ON A PROGRAM AND SUBMIT A JOINT APPLICATION. AT A  
13 MINIMUM, AN APPLICATION MUST INCLUDE:

14 (a) THE REQUESTED AMOUNT OF THE GRANT AWARD AND A  
15 DESCRIPTION OF THE PROGRAM THAT WILL BE OPERATED WITH THE GRANT  
16 AWARD, INCLUDING A DESCRIPTION OF HOW THE PROPOSED PROGRAM  
17 MEETS THE PURPOSES OF THE GRANT PROGRAM DESCRIBED IN SECTION  
18 27-60-402 (1);

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

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

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

27 (e) A DESCRIPTION OF ANY AGREEMENTS OR PARTNERSHIPS

1 NECESSARY TO CARRY OUT THE GRANT ACTIVITIES AND HOW GRANT  
2 MONEY WILL BE ALLOCATED AMONG PARTNERS, IF NEEDED TO PERFORM  
3 ACTIVITIES IN THE APPLICATION;

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

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

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

15 (i) A DESCRIPTION OF HOW THE PROGRAM WOULD ADD VALUE TO  
16 EXISTING LOCAL EFFORTS IN THE PROGRAM AREA, IF ANY, THAT ALIGN  
17 WITH THE PURPOSES OF THIS GRANT PROGRAM DESCRIBED IN SECTION  
18 27-60-402 (1);

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

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

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

4 (m) ANY OTHER INFORMATION REQUIRED BY THE BHA.

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

14 (I) THE COMMISSIONER OF THE BHA OR THE COMMISSIONER'S  
15 DESIGNEE;

16 (II) THE DIRECTOR OF THE DIVISION OF CRIMINAL JUSTICE OR THE  
17 DIRECTOR'S DESIGNEE;

18 (III) THE FOLLOWING INDIVIDUALS APPOINTED BY THE  
19 COMMISSIONER OF THE BHA, IN CONSULTATION WITH THE DIRECTOR OF  
20 THE DIVISION OF CRIMINAL JUSTICE WITHIN THE DEPARTMENT OF PUBLIC  
21 SAFETY:

22 (A) TWO CLINICIANS WITH EXPERIENCE PROVIDING BEHAVIORAL  
23 HEALTH TREATMENT SERVICES TO INDIVIDUALS WHO HAVE BEEN  
24 INVOLVED IN THE CRIMINAL JUSTICE SYSTEM, ONE OF WHOM MUST  
25 SPECIALIZE IN SUBSTANCE ABUSE DISORDER TREATMENT, WHO ALSO HAVE  
26 EXPERIENCE PROVIDING CULTURALLY RESPONSIVE TREATMENT IN  
27 COMMUNITIES OF COLOR AND OTHER UNDERSERVED POPULATIONS;

1 (B) TWO REPRESENTATIVES OF ORGANIZATIONS WITH EXPERIENCE  
2 AWARDING GRANTS IN BEHAVIORAL HEALTH FIELDS;

3 (C) A RESEARCHER FROM AN INSTITUTION OF HIGHER EDUCATION  
4 WITH A BACKGROUND IN EFFECTIVE INTERVENTIONS THAT PREVENT OR  
5 REDIRECT PEOPLE WITH A BEHAVIORAL HEALTH DISORDER FROM BEING  
6 INVOLVED WITH THE CRIMINAL JUSTICE SYSTEM;

7 (D) A PERSON WHO WAS IMPACTED BY THE CRIMINAL JUSTICE  
8 SYSTEM, EITHER PERSONALLY OR THROUGH A FAMILY MEMBER, AND THE  
9 PERSON OR THE FAMILY MEMBER HAD BEHAVIORAL HEALTH NEEDS WHILE  
10 INVOLVED IN THE CRIMINAL JUSTICE SYSTEM;

11 (E) A VICTIM'S ADVOCATE WITH EXPERIENCE IN PROVIDING  
12 CULTURALLY RESPONSIVE SERVICES IN COMMUNITIES OF COLOR, OR A  
13 REPRESENTATIVE FROM A COMMUNITY-BASED VICTIM SERVICES  
14 ORGANIZATION THAT SPECIALIZES IN SERVING VICTIMS OF COLOR;

15 (F) A REPRESENTATIVE OF A FEDERALLY RECOGNIZED INDIAN  
16 TRIBE WITH JURISDICTION IN COLORADO;

17 (G) A MEMBER OF LAW ENFORCEMENT THAT HAS PARTICIPATED IN  
18 CO-RESPONDER COMMUNITY RESPONSE, AS DEFINED IN SECTION  
19 24-32-3501 (8);

20 (H) A PUBLIC DEFENDER OR PRIVATE CRIMINAL DEFENSE  
21 ATTORNEY WITH EXPERIENCE REPRESENTING PEOPLE WITH A BEHAVIORAL  
22 HEALTH DISORDER; AND

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

26 (b) MEMBERS OF THE COMMITTEE SERVE WITHOUT COMPENSATION  
27 AND WITHOUT REIMBURSEMENT FOR EXPENSES. MEMBERS OF THE REVIEW

1 COMMITTEE SHALL DISCLOSE ANY CONFLICTS OF INTEREST, INCLUDING  
2 WHETHER THE MEMBER REPRESENTS AN ORGANIZATION THAT MAY SEEK  
3 A GRANT FROM THE GRANT PROGRAM.

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

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

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

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

21 (4) THE BHA SHALL ONLY AWARD GRANTS TO APPLICANTS THAT  
22 OFFER A MONETARY CONTRIBUTION OR IN-KIND CONTRIBUTIONS THAT  
23 DIRECTLY SUPPORT THE SERVICES PROVIDED WITH A GRANT AWARD. IN  
24 DETERMINING THE AMOUNT OF CONTRIBUTING RESOURCES REQUIRED FOR  
25 AN APPLICANT, THE BHA SHALL CONSIDER THE SIZE OF THE APPLICANT  
26 ORGANIZATION, INCLUDING AVAILABLE STAFF AND ANNUAL OPERATING  
27 BUDGET. THE BHA MAY WAIVE THE CONTRIBUTING RESOURCES

1 REQUIREMENT FOR AN APPLICANT THAT IS REQUESTING A GRANT AWARD  
2 OF LESS THAN FIFTY THOUSAND DOLLARS.

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

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

9 **27-60-404. Grant program reporting requirements.** (1) EACH  
10 GRANT RECIPIENT SHALL SUBMIT A REPORT TO THE BHA FOLLOWING THE  
11 EXPIRATION OF THE GRANT TERM. THE REPORT MUST INCLUDE:

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

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

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

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

23 (2) (a) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE HOUSE OF  
24 REPRESENTATIVES JUDICIARY COMMITTEE, THE HOUSE OF  
25 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN  
26 SERVICES COMMITTEE, THE SENATE HEALTH AND HUMAN SERVICES  
27 COMMITTEE, AND THE SENATE JUDICIARY COMMITTEE, OR THEIR

1 SUCCESSOR COMMITTEES, SHALL HOLD A JOINT HEARING ON THE GRANT  
2 PROGRAM. AT THE HEARING, THE STATE DEPARTMENT SHALL REPORT TO  
3 THE COMMITTEES ABOUT THE GRANT PROGRAM, WHICH MUST INCLUDE AN  
4 OVERVIEW OF THE GRANT PROGRAM, INFORMATION ON THE TYPE OF  
5 SERVICES FUNDED WITH A GRANT AWARD, AND WHERE SERVICES WERE  
6 PROVIDED.

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

10 **27-60-405. Grant program funding - requirements - reports**

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

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

21 (b) FOR EACH GRANT AWARDED FOR A CAPITAL EXPENDITURE, THE  
22 BHA IS RESPONSIBLE FOR PREPARING THE WRITTEN JUSTIFICATION  
23 REQUIRED PURSUANT TO 31 CFR 35.6 (b)(4). A GRANT APPLICANT THAT  
24 REQUESTS GRANT MONEY FOR A CAPITAL EXPENDITURE MUST SUBMIT TO  
25 THE BHA INFORMATION REQUESTED BY THE BHA FOR INCLUSION IN THE  
26 WRITTEN JUSTIFICATION; EXCEPT THAT THIS REQUIREMENT DOES NOT  
27 APPLY IF THE BHA DETERMINES THAT THE WRITTEN JUSTIFICATION IS NOT



1 REQUIRED BASED ON HOW THE EXPENDITURES AUTHORIZED PURSUANT TO  
2 THIS PART 4 WILL BE REPORTED TO THE UNITED STATES DEPARTMENT OF  
3 THE TREASURY.

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

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

8 **17-1-113.8. Persons with serious behavioral or mental health**  
9 **disorders - long-term isolated confinement - work group -**  
10 **medication-assisted treatment - appropriation - repeal.** (4) (a) FOR  
11 THE 2022-23 STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL  
12 APPROPRIATE THREE MILLION DOLLARS FROM THE BEHAVIORAL AND  
13 MENTAL HEALTH CASH FUND CREATED IN SECTION 24-75-230 TO THE  
14 DEPARTMENT TO PROVIDE MEDICATION-ASSISTED TREATMENT TO  
15 INDIVIDUALS WHO ARE PLACED IN THE CUSTODY OF THE DEPARTMENT.  
16 ANY UNEXPENDED OR UNENCUMBERED MONEY APPROPRIATED PURSUANT  
17 TO THIS SUBSECTION (4)(a) REMAINS AVAILABLE FOR EXPENDITURE FOR  
18 THE SAME PURPOSE IN THE 2023-24 STATE FISCAL YEAR WITHOUT FURTHER  
19 APPROPRIATION.

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

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

25 (II) PROVIDING CONTINUITY OF CARE FOR INMATES WITH A  
26 SUBSTANCE USE DISORDER BETWEEN THE INSTITUTIONAL SETTINGS,  
27 INCLUDING PROBATION, AND COMMUNITY-BASED TREATMENT CENTERS IN

1 ORDER TO MITIGATE THE ILLNESS AND SUFFERING SURROUNDING THE  
2 ACUTE WITHDRAWAL OF INDIVIDUALS WITH A SUBSTANCE USE DISORDER;  
3 AND

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

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

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

9 **18-1.3-101. Pretrial diversion - appropriation - repeal.**

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

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

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

27 **13-3-115. Diversion funding committee. (5) A district attorney**

1 who receives funding pursuant to this section shall collect data and  
2 provide a status report to the judicial department by a date prescribed by  
3 the committee that includes but is not limited to:

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

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

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

13 **SECTION 6.** In Colorado Revised Statutes, **add** 24-33.5-525 as  
14 follows:

15 **24-33.5-525. Behavioral health information and data-sharing**  
16 **in the criminal justice system - grants - appropriation - repeal.**

17 (1) THERE IS ESTABLISHED IN THE DIVISION THE BEHAVIORAL HEALTH  
18 INFORMATION AND DATA-SHARING PROGRAM TO ENABLE JAILS TO  
19 EXCHANGE BEHAVIORAL HEALTH, HOUSING, AND DEMOGRAPHIC  
20 INFORMATION WITH THE COLORADO INTEGRATED CRIMINAL JUSTICE  
21 INFORMATION SYSTEM IN ORDER TO MAINTAIN CONTINUITY OF CARE AS  
22 PERSONS DETAINED IN A JAIL TRANSFER BETWEEN CRIMINAL JUSTICE  
23 AGENCIES AND THE COMMUNITY.

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

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

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

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

10 (b) THE DIVISION SHALL DEVELOP POLICIES FOR AWARDING  
11 GRANTS; A PROCESS FOR COUNTIES TO APPLY FOR AND RECEIVE A GRANT,  
12 INCLUDING GRANT APPLICATION DEADLINES; AND A PROCESS FOR  
13 DETERMINING THE AMOUNT OF A GRANT AWARD. THE DIVISION SHALL  
14 MAKE THE POLICIES PUBLICLY AVAILABLE ON ITS WEBSITE AND SHALL NOT  
15 SET A GRANT APPLICATION DEADLINE EARLIER THAN TWENTY-EIGHT DAYS  
16 AFTER THE POLICIES ARE MADE PUBLIC. THE DIVISION SHALL PROVIDE,  
17 UPON REQUEST, ASSISTANCE TO COUNTIES WITH APPLYING FOR A GRANT.  
18 SUBJECT TO AVAILABLE APPROPRIATIONS, THE DIVISION SHALL AWARD  
19 GRANTS TO COUNTIES THAT APPLY FOR A GRANT AND WHOSE APPLICATION  
20 IS APPROVED BY THE APPLICATION REVIEW COMMITTEE DESCRIBED IN  
21 SUBSECTION (2)(c) OF THIS SECTION.

22 (c) THE DIVISION SHALL CONVENE AN APPLICATION REVIEW  
23 COMMITTEE TO REVIEW THE GRANT APPLICATIONS. THE COMMITTEE  
24 CONSISTS OF A REPRESENTATIVES FROM THE DIVISION, THE OFFICE OF  
25 INFORMATION TECHNOLOGY CREATED IN SECTION 24-37.5-103, THE  
26 COLORADO INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM  
27 PROGRAM, AND THE BEHAVIORAL HEALTH ADMINISTRATION. THE REVIEW

1 COMMITTEE SHALL REVIEW EACH GRANT APPLICATION TO ENSURE THAT  
2 EACH PROPOSED PROJECT HAS JUSTIFIABLE COSTS AND INCLUDES PLANS TO  
3 USE TECHNOLOGY THAT MEETS STATE STANDARDS, AND THAT ALL DATA  
4 EXCHANGE REQUIREMENTS WILL BE ADDED TO THE APPLICANT'S JAIL  
5 MANAGEMENT SYSTEM, AS DEFINED IN SECTION 17-26-118. THE DIVISION  
6 SHALL PROVIDE TECHNICAL ASSISTANCE TO JAILS THAT NEED HELP TO  
7 DETERMINE COSTS, TECHNOLOGY, AND DATA REQUIREMENTS.

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

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

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

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

22 **25.5-4-505. Federal authorization related to persons involved**  
23 **in the criminal justice system - assessment - report - repeal.** (1) THE  
24 STATE DEPARTMENT SHALL EVALUATE AND DETERMINE WHETHER THE  
25 STATE SHOULD SEEK ADDITIONAL FEDERAL AUTHORITY TO PROVIDE  
26 SCREENING, BRIEF INTERVENTION, AND CARE COORDINATION SERVICES  
27 THROUGH THE MEDICAL ASSISTANCE PROGRAM TO PERSONS IMMEDIATELY

1 PRIOR TO RELEASE FROM JAIL OR A DEPARTMENT OF CORRECTIONS  
2 FACILITY AND TO IMPROVE PROCESSES FOR DETERMINING AND  
3 REDETERMINING INDIVIDUALS FOR MEDICAL ASSISTANCE ELIGIBILITY IN  
4 ORDER TO IMPROVE CONTINUITY AND ACCESS TO HEALTH-CARE SERVICES.  
5 IF THE STATE DEPARTMENT DETERMINES THAT SECURING ADDITIONAL  
6 FEDERAL AUTHORITY WILL ENSURE IMPROVED ACCESS TO CARE AND  
7 CONTINUITY OF CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL  
8 JUSTICE SYSTEM, THE STATE DEPARTMENT SHALL, SUBJECT TO AVAILABLE  
9 RESOURCES, SEEK APPROVAL FROM THE CENTERS FOR MEDICARE AND  
10 MEDICAID SERVICES FOR ANY ADDITIONAL FEDERAL AUTHORITY. IF THE  
11 STATE DEPARTMENT SEEKS APPROVAL, IT SHALL NOTIFY THE MEMBERS OF  
12 THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND  
13 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN  
14 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, AND THE  
15 MEMBERS OF THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY.  
16 IF THE STATE DEPARTMENT RECEIVES FEDERAL APPROVAL, THE STATE  
17 DEPARTMENT, SUBJECT TO AVAILABLE RESOURCES, SHALL PROVIDE THE  
18 BENEFITS DESCRIBED IN THIS SUBSECTION (1).

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

25 (a) AN EXPLANATION OF WHY THE STATE DEPARTMENT BELIEVES  
26 PURSUING ADDITIONAL FEDERAL AUTHORITY IS NOT AN APPROPRIATE WAY  
27 TO IMPROVE CONTINUITY OF CARE FOR JUSTICE-INVOLVED POPULATIONS;

1 (b) AN ALTERNATIVE PLAN DEVELOPED BY THE STATE  
2 DEPARTMENT TO ENSURE IMPROVED ACCESS TO CARE AND CONTINUITY OF  
3 CARE FOR INDIVIDUALS INVOLVED IN THE CRIMINAL JUSTICE SYSTEM WHO  
4 ARE BEING RELEASED FROM INCARCERATION THAT DETAILS HOW THE  
5 STATE DEPARTMENT PLANS TO ENSURE CONTINUITY OF CARE FOR  
6 INDIVIDUALS BEING RELEASED FROM JAIL OR PRISON;

7 (c) A PROPOSED TIMELINE FOR IMPLEMENTATION OF THE  
8 ALTERNATIVE PLAN; AND

9 (d) ANY NECESSARY FISCAL OR LEGISLATIVE PROPOSALS FOR THE  
10 IMPLEMENTATION OF THE STATE DEPARTMENT'S ALTERNATIVE PLAN.

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

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

14 **25.5-4-215. Study - benefits for persons on work release -**  
15 **repeal.** (1) THE STATE DEPARTMENT SHALL DETERMINE WHETHER  
16 FEDERAL AUTHORITY IS NECESSARY TO PROVIDE BENEFIT COVERAGE  
17 UNDER THE MEDICAL ASSISTANCE PROGRAM TO PEOPLE WHO ARE ON WORK  
18 RELEASE FROM JAIL, AS DESCRIBED IN SECTION 18-1.3-207. ON OR BEFORE  
19 OCTOBER 1, 2023, THE STATE DEPARTMENT SHALL REPORT THE RESULTS  
20 OF THE ASSESSMENT AND ANALYSIS TO THE JOINT BUDGET COMMITTEE OF  
21 THE GENERAL ASSEMBLY.

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

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

25 **17-26-118. Criminal justice data collection - definitions -**  
26 **repeal.** (4) (e) IN ADDITION TO THE INFORMATION DESCRIBED IN  
27 SUBSECTION (4)(a) OF THIS SECTION, THE REPORT MUST INCLUDE

1 INFORMATION FROM THE PRIOR QUARTER REGARDING THE NUMBER OF  
2 INMATES IN THE JAIL WHOSE MEDICAID WAS SUSPENDED WHILE  
3 INCARCERATED AND THE NUMBER OF INMATES WHO WERE ENROLLED, OR  
4 WHOSE MEDICAID WAS REINSTATED, PRIOR TO RELEASE.

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

7 **17-26-140. Continuity of care for persons released from jail.**

8 (2) ~~The~~ A county jail shall provide medicaid ENROLLMENT OR  
9 reenrollment paperwork to ~~the person~~ A PERSON WHO IS INCARCERATED  
10 IN THE JAIL AND IS ELIGIBLE FOR MEDICAID BENEFITS when the person  
11 enters the county jail. The county jail must file the medicaid paperwork  
12 with the county department of health and human services upon releasing  
13 the person from the county jail's custody.

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

16 **17-27-104. Community corrections programs operated by**  
17 **units of local government, state agencies, or nongovernmental**

18 **agencies.** (14) THE ADMINISTRATOR OF A COMMUNITY CORRECTIONS  
19 PROGRAM ESTABLISHED PURSUANT TO THIS SECTION SHALL PARTNER WITH  
20 A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES TO FACILITATE  
21 ENROLLING OFFENDERS IN THE PROGRAM INTO MEDICAID, WHICH MUST  
22 INCLUDE DETERMINING WHETHER EACH OFFENDER IS ENROLLED IN  
23 MEDICAID UPON ENTRY INTO THE COMMUNITY CORRECTIONS PROGRAM  
24 AND, IF AN OFFENDER IS NOT ENROLLED, DETERMINING WHETHER THE  
25 OFFENDER IS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER MEDICAID AND  
26 ENROLLING EACH ELIGIBLE OFFENDER IN MEDICAID.

27 **SECTION 12. Appropriation.** (1) For the 2022-23 state fiscal



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

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

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

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

24 (3) For the 2022-23 state fiscal year, \$3,500,000 is appropriated  
25 to the department of public safety. This appropriation is from the  
26 behavioral and mental health cash fund created in section 24-75-230  
27 (2)(a), C.R.S., and is of money that the state received from the federal

1 coronavirus state fiscal recovery fund. To implement this act, the  
2 department may use this appropriation as follows:

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

7 (b) \$1,547,728 for use by the division of criminal justice for  
8 behavioral health information grants; and

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

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

18 (5) For the 2022-23 state fiscal year, \$3,000,000 is appropriated  
19 to the department of corrections for use by institutions. This appropriation  
20 is from the behavioral and mental health cash fund created in section  
21 24-75-230 (2)(a), C.R.S., and is of money that the state received from the  
22 federal coronavirus state fiscal recovery fund. Any money appropriated  
23 in this section not expended prior to July 1, 2023, is further appropriated  
24 to the department from July 1, 2023, through December 30, 2024, for the  
25 same purpose. To implement this act, the department may use this  
26 appropriation for operating expenses related to the mental health  
27 subprogram.

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

6            (a) \$24,524 for personal services, which amount is based on an  
7 assumption that the office will require an additional 0.7 FTE;

8            (b) \$3,640 for operating expenses; and

9            (c) \$53,000 for general professional services and special projects.

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

17           (a) \$24,524 for personal services;

18           (b) \$3,640 for operating expenses; and

19           (c) \$53,000 for general professional services and special projects.

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