JOINT BUDGET COMMITTEE

STAFF FIGURE SETTING
FY 2021-22

DEPARTMENT OF HUMAN SERVICES

(Office of Operations and Office of Behavioral Health)

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each subdivision, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the subdivision summary tables.

All decision items and staff-initiated items are discussed at the beginning of the document, and are listed in the requested priority order.

DEPARTMENT OVERVIEW

The Department of Human Services is responsible for the administration and supervision of most non-medical public assistance and welfare activities of the State, including financial and nutritional assistance programs, child protection services, behavioral health services, and programs for older Coloradans. The Department is also responsible for inspecting and licensing childcare facilities, and for the care and treatment of individuals with mental health disorders, individuals with intellectual or developmental disabilities, and youth and young adults who are involved in the juvenile justice system. These services are provided in collaboration with county governments, not-for-profit community-based providers, and other agencies. The Department provides direct services through the operation of mental health institutes, regional centers for persons with intellectual and developmental disabilities, and institutions for juvenile and young adult offenders. This staff figure setting document concerns the Department's Office of Behavioral Health, as well as the Office of Operations.

OFFICE OF OPERATIONS

The Office of Operations provides Department-wide facility maintenance and management, accounting, payroll, contracting, purchasing, and field audits. The office is organized into the following units:

- The *Division of Accounting* includes approximately 25 percent of the staff in the Office of Operations. The Division manages all departmental financial operations and resources, including payments to counties and service providers throughout the state for human services programs, Medicaid, Medicare and private party billing for the Department's various community and institutional programs, and overall accounts and controls over expenditures and revenues from multiple state and federal sources.
- The *Division of Facilities Management* accounts for nearly 70 percent of the staff in the Office of Operations. The Division is responsible for operating, cleaning, and maintaining all Department office buildings and facilities, including youth correctional facilities, the campuses of the two state mental health institutes, and three regional centers for the developmentally disabledIt is also responsible for acquisition, operation and management of utility services, planning, design and construction of capital construction and controlled maintenance projects, and the Department's commercial and vehicle leases.
- The *Procurement Division* includes approximately five percent of the Office of Operations appropriated staff. The Purchasing Unit is responsible for purchasing goods and services for departmental programs in excess of $35.0 million per year. The Materials Management Unit is responsible for warehousing and distribution of all goods associated with Department programs delivered to direct care clients. This includes ordering and inventory control of food and non-food items through three primary warehouse and office facilities throughout the state.
- The *Contract Management Unit* consists of less than one percent of Office of Operations staff. It is responsible for managing the contracting process in the Department including development, approval, and oversight of performance of all Department contracts.

OFFICE OF BEHAVIORAL HEALTH

The Office of Behavioral Health is responsible for policy development, service provision and coordination, program monitoring and evaluation, and administrative oversight of the state's public behavioral health system. Funding in this section supports community-based prevention, treatment, and recovery support services for people with mental health and substance use disorders. This includes

services for people with low incomes who are not eligible for Medicaid, as well as services for Medicaid-eligible clients that are not covered by the Medicaid program[1].

The Office contracts with 17 community mental health centers (Centers) across the state to provide mental health services that are not otherwise available. Each Center is responsible for providing a set of core services, ranging from public education to inpatient services. The Office also contracts with four managed service organizations (MSOs) for the provision of substance use disorder treatment services that are not otherwise available. MSOs subcontract with local treatment providers across the state to deliver these services. In addition, the Department administers funding for programs that integrate mental health and substance use-related services. While the majority of community-based behavioral health funding is allocated to Centers and MSOs, the Department also contracts with other organizations to provide specific types of services or services targeting specific populations.

The Office also administers and operates two Mental Health Institutes that provide inpatient hospitalization for individuals with serious mental health disorders. One Institute is located in Pueblo and the other is located on the Fort Logan campus in southwest Denver. The Institutes serve three populations:

- individuals with pending criminal charges who require evaluations of competency to stand trial and services to restore competency;
- individuals who have been found not guilty by reason of insanity; and
- adults and adolescents who are referred for admission by Centers, the Department's Division of Youth Services, and other health providers.

Please note that some behavioral health functions and programs administered by the Department receive funding through the Medicaid program, including:

- Community behavioral health administration;
- Behavioral health services for youth and pregnant women; and
- The Mental Health Institutes.

The federal Medicaid funds that support these programs and any state matching funds are first appropriated to the Department of Health Care Policy and Financing (HCPF), then appropriated a second time to the Department of Human Services for each relevant program (reflected as reappropriated funds). Within the HCPF budget, these funds are reflected in the last section, which is titled: "Department of Human Services Medicaid-Funded Programs". The staff recommendations for Medicaid funding that supports behavioral health programs is included in the document titled, "FY 2020-21 Staff Figure Setting: Department of Health Care Policy and Financing, Medicaid Behavioral Health Community Programs", and dated March 3, 2020.

[1] Most mental health disorder and substance use disorder services for Medicaid-eligible clients are funded through the Department of Health Care Policy and Financing.

SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF HUMAN SERVICES	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$413,019,540	$274,192,165	$50,273,323	$46,192,934	$42,361,118	1,900.7
Other legislation	(4,102,178)	(3,298,776)	(503,402)	(300,000)	0	(5.0)
SB 21-044 (Supplemental bill)	5,698,725	5,698,725	0	0	0	0.0
TOTAL	**$414,616,087**	**$276,592,114**	**$49,769,921**	**$45,892,934**	**$42,361,118**	**1,895.7**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$414,616,087	$276,592,114	$49,769,921	$45,892,934	$42,361,118	1,895.7
Annualize prior year balancing action	38,710,114	29,374,099	8,699,015	637,000	0	0.5
Common policy provider rate adjustment	4,849,684	3,519,105	1,107,445	223,134	0	0.0
R1 Behavioral health services for children in crisis	910,000	910,000	0	0	0	0.0
R2 Family First Prevention Services Act	735,117	735,117	0	0	0	0.9
Indirect cost assessment	401,820	0	188,049	136,822	76,949	0.0
Centrally appropriated line items	147,843	53,371	0	94,472	0	0.0
R26 Meal interagency agreement true-up	147,615	0	0	147,615	0	0.0
Nonprioritized budget requests	128,825	65,027	64	63,728	6	0.0
Annualize prior year budget actions	77,235	954,530	100,000	(977,295)	0	20.5
R7 Substance use treatment	0	0	0	0	0	0.0
Annualize prior year legislation	(3,633,356)	(4,136,758)	503,402	0	0	3.0
R15 Community behavioral health services	(1,500,000)	(1,500,000)	0	0	0	0.0
BA1 MHI Pueblo restructure	(1,230,990)	(1,230,990)	0	0	0	(14.0)
R30 Reduction of central administrative staff	(538,149)	(339,032)	0	(199,117)	0	(7.0)
Technical correction	(21,000)	0	0	0	(21,000)	0.0
TOTAL	**$453,800,845**	**$304,996,583**	**$60,367,896**	**$46,019,293**	**$42,417,073**	**1,899.6**
INCREASE/(DECREASE)	**$39,184,758**	**$28,404,469**	**$10,597,975**	**$126,359**	**$55,955**	**3.9**
Percentage Change	9.5%	10.3%	21.3%	0.3%	0.1%	0.2%
FY 2021-22 EXECUTIVE REQUEST	**$433,357,247**	**$284,869,360**	**$60,785,385**	**$45,262,409**	**$42,440,093**	**1,899.6**
Request Above/(Below) Recommendation	($20,443,598)	($20,127,223)	$417,489	($756,884)	$23,020	0.0

DESCRIPTION OF INCREMENTAL CHANGES

ANNUALIZE PRIOR YEAR BALANCING ACTIONS: The recommendation includes an increase of $38.7 million total funds for prior year balancing actions, summarized in the following table.

ANNUALIZE PRIOR YEAR BALANCING ACTION	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 20-21 Budget balancing adjustments as a result of COVID expenditures	$20,329,299	$20,329,299	$0	$0	$0	0.0
FY 20-21 Delay HB 19-1287	5,000,000	0	5,000,000	0	0	0.0
FY 20-21 R25 Substance use treatment	2,800,000	1,300,000	1,500,000	0	0	0.0
FY 20-21 Delay SB 19-008	1,146,861	1,146,861	0	0	0	0.5
Prior year R12 Contract physician salary adjustment	1,127,667	1,127,667	0	0	0	0.0
FY 20-21 Jail-based behavioral health reduction	1,100,000	1,100,000	0	0	0	0.0
FY 20-21 Services for Juvenile and Adult Offenders reduction	1,000,000	0	1,000,000	0	0	0.0

ANNUALIZE PRIOR YEAR BALANCING ACTION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 20-21 Assertive Community Treatment reduction	1,000,000	1,000,000	0	0	0	0.0
FY 20-21 Contract Medical Services reduction	750,000	750,000	0	0	0	0.0
FY 20-21 STIRRT program reduction	750,000	750,000	0	0	0	0.0
FY 20-21 Delay SB 19-228	652,376	0	652,376	0	0	0.0
FY 20-21 High Risk Pregnant Women Program program reduction	637,000	0	0	637,000	0	0.0
FY 20-21 Community Transition Services reduction	600,000	600,000	0	0	0	0.0
FY 20-21 Crisis system public information campaign	600,000	600,000	0	0	0	0.0
FY 20-21 Circle program treatment reduction	581,081	581,081	0	0	0	0.0
FY 20-21 Secure transportation pilot program	546,639	0	546,639	0	0	0.0
FY 20-21 Forensic community -based services reduction	89,191	89,191	0	0	0	0.0
TOTAL	**$38,710,114**	**$29,374,099**	**$8,699,015**	**$637,000**	**$0**	**0.5**

COMMON POLICY PROVIDER RATE ADJUSTMENT: The recommendation includes $4.8 million total funds for an increase to the community provider rate.

R1 BEHAVIORAL HEALTH SERVICES FOR CHILDREN IN CRISIS: The recommendation includes an increase of $910,000 General Fund in FY 2021-22 for improved hotline, walk-in, and mobile crisis services for children and youth. The request includes three components.

- $250,000 for the development and first-year implementation of child, youth, and family-specific training for crisis system staff.
- $200,000 for the development and first-year implementation of training in specific interventions for children and youth with disabilities.
- $160,000 for hotline staff and clinical providers to attend the trainings. This would be administered via regional payments to the seven regional Administrative Services Organizations (ASOs) and reimbursements to hotline staff.
- $300,000 for 3.0 FTE for the hotline vendor for additional follow-up services.

The recommendation would annualize to $530,000 General Fund in FY 2022-23.

R2 FAMILY FIRST PREVENTION SERVICES ACT: The recommendation includes an increase of $735,117 General Fund and 0.9 FTE for the implementation of the federal Family First Prevention Services Act of 2018. This request was discussed by Ms. Robin Smart on February 22, 2021 during the briefing for the Division of Child Welfare. The recommendation includes the creation of a new line item in the OBH Community-based Mental Health Services subdivision.

INDIRECT COST ASSESSMENT: The recommendation includes net adjustments to indirect costs across these Divisions.

CENTRALLY APPROPRIATED LINE ITEMS: The recommendation includes an adjustment of $147,843 total funds, including $53,371 General Fund, for Capitol Complex Leased Space.

R26 MEAL INTERAGENCY AGREEMENT TRUE-UP: The recommendation includes an increase of $147,615 reappropriated funds to address rising costs of staffing, food, and operations related to the Departments interagency agreement with the Colorado Department of Corrections to provide meals for offenders at San Carolos Correctional Facility, La Vista Correctional Facility, and the Youth Offender System.

NON-PRIORITIZED BUDGET REQUESTS: The recommendation includes $128,825 total funds for prioritized requests in other departments.

NONPRIORITIZED BUDGET REQUESTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
NP2 Annual fleet vehicle request	$128,767	$65,027	$0	$63,740	$0	0.0
BANP Salary survey adjustment	58	0	64	(12)	6	0.0
NP3 Extend pause annual depreciation lease payment	0	0	0	0	0	0.0
TOTAL	**$128,825**	**$65,027**	**$64**	**$63,728**	**$6**	**0.0**

ANNUALIZE PRIOR YEAR BUDGET ACTIONS: The recommendation includes a net increase of $77,235 total funds for prior year budget actions, summarized in the following table.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 20-21 R4 L2 Operating and staffing	$976,683	$976,683	$0	$0	$0	20.5
FY 20-21 R1 CMHIP reduction	113,639	113,639	0	0	0	0.0
FY 20-21 Plan Successful Gambling Addiction Program	50,000	0	50,000	0	0	0.0
FY 20-21 R30 Revert evaluation funding	50,000	0	50,000	0	0	0.0
FY 20-21 Statewide indirect cost recoveries	(977,295)	0	0	(977,295)	0	0.0
FY 20-21 R19 Replace phone systems	(105,792)	(105,792)	0	0	0	0.0
FY 20-21 R34 MH technical correction	(30,000)	(30,000)	0	0	0	0.0
TOTAL	**$77,235**	**$954,530**	**$100,000**	**($977,295)**	**$0**	**20.5**

R7 SUBSTANCE USE TREATMENT: The request includes a one-time decrease of $11.4 million General Fund and a reallocation of $5.4 million of cash funds from the Marijuana Tax Cash Fund for substance use disorder (SUD) treatment services. The request is based on expected impacts of the residential SUD benefit that will be included as a Medicaid benefit beginning in January 2021. The recommendation is to deny the request.

ANNUALIZE PRIOR YEAR LEGISLATION: The recommendation includes a decrease of $3.6 million total funds, including $4.1 million General Fund, for the out-year impact of prior year legislation.

ANNUALIZE PRIOR YEAR LEGISLATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
HB 20-1398 Funding Capital Construction	$1,561,967	$1,561,967	$0	$0	$0	0.0
HB 20-1391 Behavioral Health programs	503,402	0	503,402	0	0	3.0
SB 21-044 Supplemental bill	(5,698,725)	(5,698,725)	0	0	0	0.0
TOTAL	**($3,633,356)**	**($4,136,758)**	**$503,402**	**$0**	**$0**	**3.0**

R15 COMMUNITY BEHAVIORAL HEALTH SERVICES: The request includes a decrease of $2.8 million total funds for a one-time balancing request that impacts two line items.

- Mental Health Services for Juvenile and Adult Offenders (a decrease of $1.3 million cash funds from the Marijuana Tax Cash Fund): this line item funds community based behavioral health services for justice-involved individuals, which can sometimes overlap with services paid by parole and/or probation. Base funding for this line item is $5.7 million cash funds.

- Jail-Based Behavioral Health (a decrease of $1.5 million General Fund): this line item provides funding to county sheriffs for screening, assessment, and treatment for substance use disorders and co-occurring substance use and mental health disorders to people who need such services while they are in jails. This line item has experienced reversions in prior years. Base funding for this line item is $14.5 million total funds, including $7.3 million General Fund.

The recommendation is to approve the request related to Jail-Based Behavioral Health and deny the request related to Mental Health Services for Juvenile and Adult Offenders.

BA1 MHI PUEBLO RESTRUCTURE: The recommendation includes a reduction of $1,230,990 General Fund and 14.0 FTE for FY 2021-22 and beyond for the Department of Public Safety within the Colorado Mental Health Institute at Pueblo (CMHIP) to reflect a shift in providing care in a more clinical setting than a correctional setting.

R30 REDUCTION OF CENTRAL ADMINISTRATIVE STAFF: The recommendation includes a decrease of $538,149 total funds, including a decrease of $339,032 General Fund and $199,117 reappropriated funds, as the result of personal services cost savings strategies implemented in FY 2020-21. This request eliminates 7.0 vacant positions in the Financial Services and Administrative Solutions offices.

TECHNICAL CORRECTION: The recommendation includes a decrease of $21,000 federal funds that are no longer received.

MAJOR DIFFERENCES FROM THE REQUEST

The staff recommendation is $20.4 million higher than the Department's request. The most significant differences between the recommendation and the request are described below.

- A decrease of $2.7 million General Fund in FY 2020-21 related to fines and fees for the Consent Decree.
- Reflection of the Committee's action to increase the community provider rate.
- Recommended denial of R7 request and part of the R15 request.
- Restoration of reductions for the High Risk Pregnant Women Program, which was unintentionally omitted from the request.
- Adjustments to the annualization for the Circle Program. The recommendation returns funding to approximately the FY 2019-20 appropriation, in line with other annualizations for FY 2020-21 balancing actions.

Additional differences are included in the decision item write-ups, as well as the line item detail.

(1) EXECUTIVE DIRECTOR'S OFFICE

The Executive Director's Office is the central administrative office responsible for general department policy, budgeting, public information, human resources, internal audits, and outreach to county departments of human services. This office also includes appropriations for various boards and commissions and for entities that provide separate quality assurance, oversight, or policy direction for human services programs. This document includes a recommendation for one such line item that relates to behavioral health services. Most of the remaining line item appropriations for this office are covered in the figure setting document prepared by Tom Dermody on March 5, 2021.

(B) SPECIAL PURPOSE

OFFICE OF THE OMBUDSMAN FOR BEHAVIORAL HEALTH ACCESS TO CARE

House Bill 18-1357 created the Office of the Ombudsman for Behavioral Health Access to Care, and requires the Commissioner of Insurance to report annually on insurance carrier compliance with mental health parity requirements[2]. The Office operates pursuant to a memorandum of understanding with the Department of Human Services (DHS). The DHS Executive Director and the Commissioner of Insurance are required to appoint liaisons to the Ombudsman to receive reports of concerns, complaints, and potential violations. The duties of the Ombudsman include:

- resolving access and coverage issues;
- monitoring concerns, complaints, and potential violations of state or federal law;
- receiving and reporting concerns and complaints relating to inappropriate care;
- providing information to help consumers obtain behavioral health care;
- developing appropriate points of contact for referrals;
- assisting in filing appeals or complaints; and
- reporting every September 1 to the Governor, the DHS Executive Director, the Commissioner of Insurance, and the House and Senate Health committees.

STATUTORY AUTHORITY: Section 27-80-301, et seq., C.R.S. [Behavioral Health Access to Care Ombudsman Act]; Section 24-1-120 (12), C.R.S. [Creation within the Department of Human Services]

REQUEST: The Department requests $131,287 General Fund and 1.5 FTE.

RECOMMENDATION: Staff recommends approving the request. Please note that this amount does not appear in the Summary of Staff Recommendations table, nor does it appear in Appendix A – Number Pages.

[2] The federal Mental Health Parity and Addiction Equity Act of 2008 requires that certain health insurers provide mental health or substance use disorder benefits comparable to medical and surgical benefits. These provisions are also included in Colorado law [Section 10-16-104 (5.5), C.R.S.].

(3) OFFICE OF OPERATIONS

The Office of Operations provides management and support functions for the Department. Administrative Solutions provides a variety of centralized services across the department. The Financial Services unit is responsible for managing CDHS' $2.2 billion budget.

- The Division of Accounting includes approximately 25 percent of the staff in the Office of Operations. The Division manages all departmental financial operations and resources, including payments to counties and service providers throughout the state for human services programs, Medicaid, Medicare and private party billing for the Department's various community and institutional programs, and overall accounts and controls over expenditures and revenues from multiple state and federal sources.
- The Division of Facilities Management accounts for nearly 70 percent of the staff in the Office of Operations. The Division is responsible for operating, cleaning, and maintaining all Department office buildings and facilities, including youth correctional facilities, the campuses of the two state mental health institutes, and three regional centers for the developmentally disabled. Overall, the Division operates 334 buildings and over 3.9 million gross square feet of space. It is also responsible for acquisition, operation and management of utility services, planning, design and construction of capital construction and controlled maintenance projects, and the Department's commercial and vehicle leases.
- The Procurement Division includes approximately five percent of the Office of Operations appropriated staff. The Purchasing Unit has been delegated autonomous authority by the Department of Personnel and is responsible for purchasing goods and services for departmental programs in excess of $35.0 million per year. The Materials Management Unit is responsible for warehousing and distribution of all goods associated with Department programs delivered to direct care clients. This includes ordering and inventory control of food and non-food items through three primary warehouse and office facilities throughout the state.
- The Contract Management Unit consists of less than one percent of Office of Operations staff. It is responsible for managing the contracting process in the Department including development, approval, and oversight of performance of all Department contracts.

OFFICE OF OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 Appropriation						
HB 20-1360 (Long Bill)	$51,092,506	$29,493,303	$1,428,371	$20,170,832	$0	424.9
Other legislation	(3,103,396)	(3,103,396)	0	0	0	0.0
SB 21-044 (Supplemental bill)	1,160,925	1,160,925	0	0	0	0.0
TOTAL	**$49,150,035**	**$27,550,832**	**$1,428,371**	**$20,170,832**	**$0**	**424.9**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$49,150,035	$27,550,832	$1,428,371	$20,170,832	$0	424.9
R30 Reduction of central administrative staff	(538,149)	(339,032)	0	(199,117)	0	(7.0)
Annualize prior year balancing action	4,912,414	4,912,414	0	0	0	0.0
Centrally appropriated line items	147,843	53,371	0	94,472	0	0.0
Annualize prior year legislation	401,042	401,042	0	0	0	0.0
Indirect cost assessment	52,678	0	11,835	40,843	0	0.0
Nonprioritized budget requests	128,767	65,027	4	63,736	0	0.0
Annualize prior year budget actions	(945,041)	32,254	0	(977,295)	0	0.5

OFFICE OF OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	**$53,309,589**	**$32,675,908**	**$1,440,210**	**$19,193,471**	**$0**	**418.4**
INCREASE/(DECREASE)	**$4,159,554**	**$5,125,076**	**$11,839**	**($977,361)**	**$0**	**(6.5)**
Percentage Change	8.5%	18.6%	0.8%	(4.8%)	0.0%	(1.5%)
FY 2021-22 EXECUTIVE REQUEST	**$46,835,552**	**$26,201,527**	**$1,440,488**	**$19,193,537**	**$0**	**418.4**
Request Above/(Below) Recommendation	($6,474,037)	($6,474,381)	$278	$66	$0	0.0

DECISION ITEMS – OFFICE OF OPERATIONS

➔ R30 REDUCTION OF CENTRAL ADMINISTRATIVE STAFF

REQUEST: The request includes a decrease of $538,149 total funds, including a decrease of $339,032 General Fund and $199,117 reappropriated funds, as the result of personal services cost savings strategies implemented in FY 2020-21. This request eliminates 7.0 vacant positions in the Financial Services and Administrative Solutions offices.

RECOMMENDATION: Staff recommends approving the Department request.

ANALYSIS:
Accounting, contracts, procurement, human resources, and project management are centralized services within the Department, which provides flexibility to realign workloads based on funding available to support personal services costs. In order to address budget restrictions in FY 2020-21, the Department identified a savings from the elimination of 7.0 vacant FTE, as shown in the table below. The listed salaries are the average for the position classification and region.

VACANCY SAVINGS BY POSITION AND FUND SOURCE					
OFFICE	POSITION	TOTAL FUNDS	GENERAL FUND	REAPPROPRIATED FUNDS	FTE
Financial Services	Program Accountant II	($152,484)	($96,064)	($56,420)	(2.0)
Financial Services	Program Assistant II	(76,542)	($ 48,221)	($ 28,321)	(1.0)
Financial Services	Accounting Technician II	(67,624)	($ 42,603)	($ 25,021)	(1.0)
Financial Services	Settlement Accountant II	(38,121)	($ 24,016)	($ 14,105)	(0.5)
Financial Services	Compliance Accountant II	(38,121)	($ 24,016)	($ 14,105)	(0.5)
Administrative Solutions	Program Management III	(70,763)	($ 44,581)	($ 26,182)	(1.0)
Administrative Solutions	Project Manager II	(94,494)	($ 59,531)	($ 34,963)	(1.0)
	Total	(538,149)	($ 339,032)	($ 199,117)	(7.0)

The workload has been reassigned and the Department does not anticipate a negative impact resulting from this reduction.

➔ NP2 ANNUAL FLEET VEHICLE REQUEST

REQUEST: The Department requests an increase of $128,767 total funds, including $65,027 General Fund, for adjustments associated with the Department's portion of fleet vehicle costs.

RECOMMENDATION: The staff recommendation is pending Committee action. Staff requests permission to reflect Committee action in the Department's section of the Long Bill.

LINE ITEM DETAIL – OFFICE OF OPERATIONS

(A) ADMINISTRATION

PERSONAL SERVICES

This line item funds the personal services for the staff in the Office of Operations.

STATUTORY AUTHORITY: Section 24-1-120, C.R.S.

REQUEST: The Department requests an appropriation of $25,503,091 total funds, including $15,879,226 General Fund, and 409.3 FTE.

RECOMMENDATION: Staff recommends an appropriation of $30,415,505 total funds, including $19,630,715 General Fund and 409.3 FTE. The difference between the request and recommendation is due to supplemental adjustments related to COVID-19 expenditures.

OFFICE OF OPERATIONS, ADMINISTRATION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$26,014,326	$15,030,419	$3,291	$10,980,616	$0	415.8
SB 21-044 (Supplemental bill)	$1,160,925	$1,160,925	$0	$0	$0	0.0
TOTAL	**$27,175,251**	**$16,191,344**	**$3,291**	**$10,980,616**	**$0**	**415.8**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$27,175,251	$16,191,344	$3,291	$10,980,616	$0	415.8
Annualize prior year balancing action	4,912,414	4,912,414	0	0	0	0.0
Annualize prior year budget actions	26,914	26,914	0	0	0	0.5
Annualize prior year legislation	(1,160,925)	(1,160,925)	0	0	0	0.0
R30 Reduction of central administrative staff	(538,149)	(339,032)	0	(199,117)	0	(7.0)
TOTAL	**$30,415,505**	**$19,630,715**	**$3,291**	**$10,781,499**	**$0**	**409.3**
INCREASE/(DECREASE)	**$3,240,254**	**$3,439,371**	**$0**	**($199,117)**	**$0**	**(6.5)**
Percentage Change	11.9%	21.2%	0.0%	(1.8%)	0.0%	(1.6%)
FY 2021-22 EXECUTIVE REQUEST	**$25,503,091**	**$14,718,301**	**$3,291**	**$10,781,499**	**$0**	**409.3**
Request Above/(Below) Recommendation	($4,912,414)	($4,912,414)	$0	$0	$0	0.0

OPERATING EXPENSES

This line item funds the operating expense of the Office of Operations.

STATUTORY AUTHORITY: Section 24-102-302, C.R.S.

REQUEST: The Department requests an appropriation of $4,417,294 total funds, including $3,012,867 General Fund.

RECOMMENDATION: Staff recommends approval of the Department request.

OFFICE OF OPERATIONS, ADMINISTRATION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$5,397,183	$3,015,461	$0	$2,381,722	$0	0.0
TOTAL	**$5,397,183**	**$3,015,461**	**$0**	**$2,381,722**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$5,397,183	$3,015,461	$0	$2,381,722	$0	0.0
Annualize prior year budget actions	(979,889)	(2,594)	0	(977,295)	0	0.0
TOTAL	**$4,417,294**	**$3,012,867**	**$0**	**$1,404,427**	**$0**	**0.0**
INCREASE/(DECREASE)	**($979,889)**	**($2,594)**	**$0**	**($977,295)**	**$0**	**0.0**
Percentage Change	(18.2%)	(0.1%)	0.0%	(41.0%)	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,417,294**	**$3,012,867**	**$0**	**$1,404,427**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

VEHICLE LEASE PAYMENTS

This line item provides funding for annual payments to the Department of Personnel for the cost of administration, loan repayment, and lease-purchase payments for new and replacement motor vehicles. The vehicle lease payment line item provides for the fixed portion of the vehicle leases from fleet management. The Department currently has approximately 442 vehicles.

STATUTORY AUTHORITY: Sections 24-30-1104 (2) and 24-30-1117, C.R.S.

REQUEST: The Department requests an appropriation of $1,173,983 total funds, including $592,826 General Fund. This includes an increase of $128,767 total funds, including a decrease of $65,027 General Fund, for centrally appropriated line item adjustments.

RECOMMENDATION: Staff recommendation is **pending** Committee action on operating common policies. Staff requests permission to reflect the Committee's action in this line item in the Long Bill.

LEASED SPACE

The appropriation for this line item provides funding for leased space throughout the state associated with nine major program areas, including Alcohol and Drug Abuse Services, Child Care, and Disability Determination Services. The Department currently leases approximately 90,000 square feet of space in 11 locations.

STATUTORY AUTHORITY: Section 24-102-302, C.R.S.

REQUEST: The Department requests an appropriation of $1,688,328 total funds, including $445,093 General Fund and $1,243,235 reappropriated funds. This request includes no changes from the FY 2020-21 appropriation.

RECOMMENDATION: Staff recommends approval of the Department's request.

CAPITOL COMPLEX LEASED SPACE

This appropriation covers CDHS usage of State owned property at the Human Services Building, 1575 Sherman Street.

STATUTORY AUTHORITY: Section 24-82-101 (2), C.R.S.

REQUEST: The Department requests an appropriation of $1,736,411 total funds, including $627,275 General Fund. The request includes an increase of $147,843 total funds, including $53,371 General Fund, related to the increase cost of centrally appropriated Capitol Complex lease payments.

RECOMMENDATION: Staff recommendation is **pending** Committee action on operating common policies. Staff requests permission to reflect the Committee's action in this line item in the Long Bill.

ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENTS

This line item includes appropriations deposited to the Capital Construction Fund and the Controlled Maintenance Trust Fund to support the future replacement of capital assets funded for this department during or after FY 2015-16. Appropriations are based on the depreciation schedule for each new asset.

STATUTORY AUTHORITY: Section 24-30-1310, C.R.S.

REQUEST: The Department requests no appropriation for FY 2021-22. The request includes a non-prioritized budget request to extend the pause on the annual depreciation-lease equivalent payments, resulting in a net zero request.

RECOMMENDATION: Staff recommends an appropriation of $1,561,967 General Fund. JBC staff has determined that a separate bill is required in order to extend the pause on these payments, and is therefore recommending, pursuant to current law, that the appropriation be included in the Long Bill. A recommendation related to annual depreciation-lease equivalent payments will be included in the Capital Construction figure setting presented by Mr. Alfredo Kemm on March 12, 2021.

OFFICE OF OPERATIONS, ADMINISTRATION, ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,103,396	$3,103,396	$0	$0	$0	0.0
Other legislation	(3,103,396)	(3,103,396)	0	0	0	0.0
TOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$0	$0	$0	$0	$0	0.0
Annualize prior year legislation	1,561,967	1,561,967	0	0	0	0.0
Nonprioritized budget requests	0	0	0	0	0	0.0
TOTAL	**$1,561,967**	**$1,561,967**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,561,967**	**$1,561,967**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

OFFICE OF OPERATIONS, ADMINISTRATION, ANNUAL DEPRECIATION-LEASE EQUIVALENT PAYMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 EXECUTIVE REQUEST	**$0**	**$0**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($1,561,967)	($1,561,967)	$0	$0	$0	0.0

UTILITIES

This line item funds utilities expenditures including natural gas, electricity, water and waste water expenses for the Department's residential facilities (Division of Youth Services, Mental Health Institutes, and Regional Centers for Persons with Developmental Disabilities) and other facilities supported by the Office of Operations on the Fort Logan and Pueblo campuses. Utility costs for Department office space, excluding the space on the two Department campuses or within residential facilities, is incorporated into Capitol Complex and leased space rates.

STATUTORY AUTHORITY: Sections 24-82-602 and 24-30-2002, C.R.S.

REQUEST: The Department requests an appropriation of $10,047,146 total funds, including $6,805,165 General Fund and $3,241,981 reappropriated funds. This request includes an increase of $7,934 General Fund for the annualization of the FY 2020-21 R4 request for operating costs for the new L2 unit at CMHIP.

RECOMMENDATION: Staff recommends approval of the Department's request.

OFFICE OF OPERATIONS, ADMINISTRATION, UTILITIES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$10,039,212	$6,797,231	$0	$3,241,981	$0	0.0
TOTAL	**$10,039,212**	**$6,797,231**	**$0**	**$3,241,981**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$10,039,212	$6,797,231	$0	$3,241,981	$0	0.0
Annualize prior year budget actions	7,934	7,934	0	0	0	0.0
TOTAL	**$10,047,146**	**$6,805,165**	**$0**	**$3,241,981**	**$0**	**0.0**
INCREASE/(DECREASE)	**$7,934**	**$7,934**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.1%	0.1%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$10,047,146**	**$6,805,165**	**$0**	**$3,241,981**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

(B) SPECIAL PURPOSE

BUILDINGS AND GROUNDS RENTAL

The appropriation for this line item provides cash fund spending authority for FTE and operating expenses associated with the maintenance, repair, and upkeep of the Departments' facilities and grounds that are leased to public and private agencies pursuant to Section 26-1-133.5, C.R.S. The Department leases space to other state agencies or non-profit organizations for offices or for the direct provision of services.

Most of these rentals are at the Colorado Mental Health Institute at Fort Logan with agencies having missions compatible with the Department. Rents collected are deposited into the Buildings and Grounds Cash Fund to be used for operating, maintaining, remodeling or demolishing of rental properties. The rates paid by agencies are based on the Department's calculated costs for maintenance, repair, and upkeep of the rented spaces. Spending authority for this line item is based on anticipated revenue from the leasing agencies.

STATUTORY AUTHORITY: Section 26-1-133.5 (2), C.R.S.

REQUEST: The Department requests an appropriation of $1,193,530 cash funds and 6.5 FTE. The request includes no changes from the FY 2020-21 appropriation.

RECOMMENDATION: Staff recommends approval of the Department's request.

STATE GARAGE FUND

The Department has an agreement with the Department of Personnel to operate vehicle maintenance and fueling stations at three state facilities, including the Mental Health Institutes at Fort Logan and Pueblo, and the Grand Junction Regional Center. It is reimbursed by divisions within the Department and by other state agencies (Department of Transportation and the Colorado State Patrol) for maintenance, repair, storage and fueling of state-owned passenger motor vehicles. Revenues are deposited into the State Garage Fund. This line item provides the spending authority for the Department to receive and spend such reimbursement.

STATUTORY AUTHORITY: Section 24-30-1104 (2) (b), C.R.S.

REQUEST: The Department requests an appropriation of $763,233 reappropriated funds from the State Garage Fund and 2.6 FTE. The request includes no changes from the FY 2020-21 appropriation.

RECOMMENDATION: Staff recommends approval of the Department's request.

(C) INDIRECT COST ASSESSMENT

INDIRECT COST ASSESSMENT

This line item reflects the indirect cost assessments paid by the two line items in the Special Purpose subdivision.

REQUEST: The Department requests an appropriation of $312,192 total funds, including $243,389 cash funds and $68,803 reappropriated funds. This includes a net increase of $52,678 total funds.

RECOMMENDATION: Staff recommendation is pending Committee action on prioritized decision items. Staff requests permission to reflect the Committee's actions in this line item in the Long Bill.

The difference between the request and recommendation below is related to adjustments made to the annualization for S.B. 18-200 (PERA), per the Committee's decisions on compensation common policies.

OFFICE OF OPERATIONS, INDIRECT COST ASSESSMENT, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$259,514	$0	$231,550	$27,964	$0	0.0
SB 21-044 (Supplemental bill)	$0	$0	$0	$0	$0	0.0
TOTAL	**$259,514**	**$0**	**$231,550**	**$27,964**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$259,514	$0	$231,550	$27,964	$0	0.0
Indirect cost assessment	52,678	0	11,835	40,843	0	0.0
Nonprioritized budget requests	0	0	4	(4)	0	0.0
TOTAL	**$312,192**	**$0**	**$243,389**	**$68,803**	**$0**	**0.0**
INCREASE/(DECREASE)	**$52,678**	**$0**	**$11,839**	**$40,839**	**$0**	**0.0**
Percentage Change	20.3%	0.0%	5.1%	146.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$312,536**	**$0**	**$243,667**	**$68,869**	**$0**	**0.0**
Request Above/(Below) Recommendation	$344	$0	$278	$66	$0	0.0

(8) OFFICE OF BEHAVIORAL HEALTH

The Office of Behavioral Health is responsible for policy development, service provision and coordination, program monitoring and evaluation, and administrative oversight of the state's public behavioral health system. The Office administers funding for community-based prevention, treatment, and recovery support services for mental health and substance use disorders (referred to as "behavioral health" services[3]). This includes services for people with low incomes who are not eligible for Medicaid, as well as services for Medicaid-eligible clients, if such services are not covered by the Medicaid program.

The Office contracts with 17 community mental health centers (Centers) across the state to provide mental health services that are not otherwise available. Each Center is responsible for providing a set of core services, ranging from public education to inpatient services. The Office also contracts with four managed service organizations (MSOs) for the provision of substance use disorder treatment services that are not otherwise available. MSOs subcontract with local treatment providers across the state to deliver these services. In addition, the Department administers funding for programs that integrate mental health and substance use-related services. While the majority of community-based behavioral health funding is allocated to Centers and MSOs, the Department also contracts with other organizations to provide specific types of services or services targeting specific populations.

The Office also administers and operates two Mental Health Institutes that provide inpatient hospitalization for individuals with serious mental health disorders. One Institute is located in Pueblo and the other is located on the Fort Logan campus in southwest Denver. The Institutes serve three populations:

(1) individuals with pending criminal charges who require evaluations of competency to stand trial and services to restore competency;
(2) individuals who have been found not guilty by reason of insanity; and
(3) adults and adolescents who are referred for admission by Centers, the Department's Division of Youth Services, and other health providers.

In addition to General Fund, this Office is primarily supported by the following fund sources:

- the federal Substance Abuse Prevention and Treatment, and Community Mental Health Services block grants;
- transfers from the Department of Health Care Policy and Financing, which originate as General Fund and federal Medicaid funds;
- patient revenues earned by the Mental Health Institutes (including private insurance payments, as well as Medicaid and Medicare funds);
- transfers from the Judicial Department, which originate as General Fund, drug offender surcharge revenues, and the Marijuana Tax Cash Fund; and
- marijuana tax revenues.

[3] Senate Bill 17-242 modernized statutory terminology related to behavioral health. For more information, see the description of this bill in Appendix B.

OFFICE OF BEHAVIORAL HEALTH						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 Appropriation						
HB 20-1360 (Long Bill)	$361,927,034	$244,698,862	$48,844,952	$26,022,102	$42,361,118	1,475.8
Other legislation	(998,782)	(195,380)	(503,402)	(300,000)	0	(5.0)
SB 21-044 (Supplemental bill)	4,537,800	4,537,800	0	0	0	0.0
TOTAL	**$365,466,052**	**$249,041,282**	**$48,341,550**	**$25,722,102**	**$42,361,118**	**1,470.8**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$365,466,052	$249,041,282	$48,341,550	$25,722,102	$42,361,118	1,470.8
Annualize prior year balancing action	33,797,700	24,461,685	8,699,015	637,000	0	0.5
Common policy provider rate adjustment	4,849,684	3,519,105	1,107,445	223,134	0	0.0
Annualize prior year budget actions	1,022,276	922,276	100,000	0	0	20.0
R1 Behavioral health services for children in crisis	910,000	910,000	0	0	0	0.0
R2 Family First Prevention Services Act	735,117	735,117	0	0	0	0.9
Indirect cost assessment	349,142	0	176,214	95,979	76,949	0.0
R26 Meal interagency agreement true-up	147,615	0	0	147,615	0	0.0
Nonprioritized budget requests	58	0	60	(8)	6	0.0
R7 Substance use treatment	0	0	0	0	0	0.0
Annualize prior year legislation	(4,034,398)	(4,537,800)	503,402	0	0	3.0
R15 Community behavioral health services	(1,500,000)	(1,500,000)	0	0	0	0.0
BA1 MHI Pueblo restructure	(1,230,990)	(1,230,990)	0	0	0	(14.0)
Technical correction	(21,000)	0	0	0	(21,000)	0.0
TOTAL	**$400,491,256**	**$272,320,675**	**$58,927,686**	**$26,825,822**	**$42,417,073**	**1,481.2**
INCREASE/(DECREASE)	**$35,025,204**	**$23,279,393**	**$10,586,136**	**$1,103,720**	**$55,955**	**10.4**
Percentage Change	9.6%	9.3%	21.9%	4.3%	0.1%	0.7%
FY 2021-22 EXECUTIVE REQUEST	**$386,521,695**	**$258,667,833**	**$59,344,897**	**$26,068,872**	**$42,440,093**	**1,481.2**
Request Above/(Below) Recommendation	($13,969,561)	($13,652,842)	$417,211	($756,950)	$23,020	(0.0)

DECISION ITEMS – OFFICE OF BEHAVIORAL HEALTH

➔ R1 BEHAVIORAL HEALTH SERVICES FOR CHILDREN IN CRISIS

REQUEST: The Department requests an increase of $910,000 General Fund in FY 2021-22 for improved hotline, walk-in, and mobile crisis services for children and youth. The request includes three components.

- $250,000 for the development and first-year implementation of child, youth, and family-specific training for crisis system staff.
- $200,000 for the development and first-year implementation of training in specific interventions for children and youth with disabilities.
- $160,000 for hotline staff and clinical providers to attend the trainings. This would be administered via regional payments to the seven regional Administrative Services Organizations (ASOs) and reimbursements to hotline staff.
- $300,000 for 3.0 FTE for the hotline vendor for additional follow-up services.

The request annualizes to $530,000 General Fund in FY 2022-23.

STAFF RECOMMENDATION: Staff recommends approval of the Department request. However, should balancing actions need to be made, staff recommends revisiting this recommendation.

ANALYSIS

Colorado Crisis Services is the statewide behavioral health crisis response system offering residents mental health, substance use or emotional crisis help, information, and referrals. Its mission is to strengthen Colorado's mental health system by providing Coloradans with greater access to crisis services regardless of ability to pay. The system consists of five components: the statewide hotline, mobile services, walk-in centers, crisis stabilization, and respite.

Hotline: The Crisis Line provides access to behavioral health services via phone and text from trained counselors or peer specialists. Emergency counseling is provided, as well as referral to other crisis or ancillary services.

Mobile Crisis Services: Mobile services are dispatched to the location of the individual experiencing a behavioral health crisis. This may be based on a call from an individual, or from others, including family, law enforcement, or other first responders.

Walk-in: Nine walk-in centers across the state provide in-person support in an outpatient setting. This service is short-term and seeks to connect individuals to longer term care and support.

Crisis Stabilization Units: These units, available across the state, provide onsite, more intensive services for one to five days for both voluntary and involuntary admissions.

Respite: Respite services are provided throughout the state on a limited basis, and may include a home-based setting.

Hotline services are provided from a single vendor: Rocky Mountain Crisis Partners. The remaining components are managed through contracts with Administrative Service Organizations (ASO).

These services are primarily focused on and designed around adults, with limited child and family-specific support and interventions. Responding to children and families requires different responses and interventions, and includes unique needs that may not need to be addressed when supporting adults, such as:

- Integration of the larger family system and family dynamics into the crisis response, including parent supports
- Responding in different locations, such as education settings
- Complex consent to treatment concerns
- Greater frequency of multi-system involvement including child welfare, juvenile justice, education systems, and multiple behavioral health providers
- Unique interventions based on the age of the child

Clinical staff responding to emergencies frequently do not have developmentally responsive teams to support children, youth, and their caregivers in managing a behavioral health crisis. Children and youth

understand and interpret interventions differently depending on their developmental stage – the immediate response for a 10 year old might be different than that of an adolescent.

Additionally, the behavioral health system is particularly complex and fragmented for children. There are multiple state programs, such as the Child and Youth Mental Health Treatment Act or Systems of Care for children involved in Child Welfare and Youth Services, that are difficult for families to navigate. Additionally, children frequently interact with other systems and payers, such as school districts and county child welfare, increasing the level of complexity.

BEHAVIORAL HEALTH NEEDS ASSESSMENT/CURRENT UTILIZATION

The Office of Behavioral Health completed a Needs Assessment in 2020, which indicates that 22.6 percent of Colorado children between the ages of 3 and 17 have mental, emotional, development, or behavioral problems. This number increases to 35-38 percent among multiracial, Hispanic, and American Indian/Alaskan Native youth. Factoring in population data from the State Demographer's Office, OBH determined that approximately 253,000 youth have a behavioral health treatment need. Assuming that 5.0 percent of these youth could experience an escalation to a crisis, the Department estimates 12,670 youth could require crisis services in one year.

REQUEST

The Department believes providing training to increase workforce competency around appropriately addressing the needs of children and youth is a first step in the need for ongoing systemic improvements in the crisis system. They request envisions the following:

- Mobile and walk-in crisis response teams will be trained to provide developmentally appropriate interventions and standardized assessments for children, youth, and families.
- Mobile response teams will receive competency training for responding to children and youth with disabilities.
- Enhanced hotline services and follow up with families who encounter the crisis system.
- Treatment plans will match the family's needs and coordinate with the various state programs.
- Repeated acute mental health crises will be reduced by ensuring appropriate follow up and coordination for the youth and family.
- Early intervention for families will reduce the need for higher-cost interventions by leveraging the standardized assessment tool and connecting families to appropriate resources.

The Department requests an increase of $910,000 General Fund in FY 2021-22 for improved hotline, walk-in, and mobile crisis services for children and youth. The request includes three components.

- $250,000 for the development and first-year implementation of child, youth, and family-specific training for crisis system staff.
- $200,000 for the development and first-year implementation of training in specific interventions for children and youth with disabilities.
- $160,000 for hotline staff and clinical providers to attend the trainings. This would be administered via regional payments to the seven regional Administrative Services Organizations (ASOs) and reimbursements to hotline staff.
- $300,000 for 3.0 FTE for the hotline vendor for additional follow-up services.

The request annualizes to $530,000 General Fund in FY 2022-23.

R1 COST BREAKOUT		
	FY 2021-22	FY 2022-23
Child, Youth, and Family Specific Training of Crisis Staff		
Development of web-based curriculum (2 modules)	$100,000	$0
Training development and implementation for live training seminars (800 hours at $125/hour)	100,000	50,000
Comprehensive Assessment Training module development (400 house at $125/hour)	50,000	0
Subtotal	**$250,000**	**$50,000**
Interventions for Children and Youth with Disabilities		
Development of web-based curriculum for disability competency	$100,000	$0
Training development and implementation for live training seminars (800 hours at $125/hour)	100,000	50,000
Subtotal	**$200,000**	**$50,000**
Costs of Attendance for Hotline Staff and Clinical Providers		
Regional payments to ASOs for attendance ($20,000 per ASO for 7 regions)	$140,000	$140,000
Reimbursement to hotline staff for training costs	20,000	20,000
Subtotal	**$160,000**	**$160,000**
Increase Hotline Follow-up Capacity		
3.0 FTE for hotline vendor (including salary and benefits)	$300,000	$300,000
Subtotal	**$300,000**	**$300,000**
TOTAL	**$910,000**	**$560,000**

Staff is inclined to approve the Department request for two reasons.

1. The request targets behavioral health service gaps for a vulnerable population.
2. This is the highest prioritized request for the full department (not just OBH).

Staff is inclined to reject the Department's request for two reasons.

1. Staff recommendations for other items in the request is based on prioritizing funding for existing programs.
2. While a portion of the funding in this request is one-time, the request includes ongoing funding of $530,000 General Fund. While the FY 2021-22 revenue picture seems to be improving, FY 2022-23 is more uncertain. Approving significant new funding could contribute to a challenging budget picture in the out-year.

Ultimately, staff is recommending approval of the Department request. However, given the concerns around increasing appropriations for new, ongoing programs, the Committee could consider approving the request in part. If the Committee wishes to do this, staff would recommend approval of the training components related to the request (the first three items in the table on the previous page). The "Increase Hotline Follow-up Capacity" FTE request the highest ongoing cost. The Committee could delay this until a future year. That would reduce the FY 2021-22 appropriation to $610,000 General Fund, annualizing to $260,000 General Fund in FY 2022-23.

➔ STAFF INITIATED: COMPETENCY FINES AND FEES

DEPARTMENT REQUEST: The Department requested continuation funding of $2,947,000 for FY 2021-22.

STAFF RECOMMENDATION: Staff recommends an appropriation of $2,947,000 General Fund in FY 2021-22. **For FY 2020-21, staff recommends reducing the appropriation to $200,000 General Fund.**

STAFF ANALYSIS:
The Department of Human Services is currently paying fines required by the legal agreement, or Consent Decree, related to individuals waiting for competency restoration or evaluation. Fines accrue monthly, and max out at $10.0 million per year (with adjustments for inflation after the first year). Additionally, the Consent Decree requires the Department to pay fees for the court-appointed Special Master (the expert appointed to provide technical support and professional opinions to both the Department and the court).

COVID-19 Impact
COVID-19 has caused significant delays with admissions to the Colorado Mental Health Institute at Pueblo (CMHIP) and the jail based restoration programs. In order to limit the introduction of the virus, admissions are happening by cohort. This allows for a 14-day monitoring period before individuals are admitted to the program units within the hospital or at the two jail-based restoration programs. Additionally, the Department introduced new processes for video-based competency evaluations in all settings. This was established to comply with court orders, as well as the Governor's stay at home and travel restriction orders.

There have been no updates to the Consent Decree or related legal action as a result of COVID-19. The parties are using the existing language in the Consent Decree to place individuals on *Individual Special Circumstances* (ISC), which stops fine payments for certain individuals. Individuals can be placed on an ISC when there is a circumstance beyond the Department's control, where the Department would otherwise be able to comply, that delays the *offer of admission* to a pretrial detainee. The ISC is being utilized to address a number of admissions or evaluation delays related to COVID-19. So far in FY 2020-21, fines have been significantly lower than expected, primarily related to the ISCs. In July and August, the Department incurred $86,000 and $19,000 in fines, for an FY 2020-21 total of $105,000.

RECOMMENDATION
Staff recommends reducing the FY 2020-21 appropriation to $200,000 General Fund, for a total reduction of $2,747,000 General Fund. The Department expects fines could be incurred during the remainder of the year, but would not expect them to exceed this level. Staff believes this provides enough of a cushion to absorb any fines while making available General Fund in the current fiscal year.

Staff recommends a FY 2020-21 appropriation of $2,947,000 General Fund to reflect expected fines and fees for FY 2020-21. Please note: the Department is reassessing projections for FY 2021-22. Staff may prepare a comeback for the Committee to modify the FY 2021-22 appropriation based on those projections.

➔ R7 SUBSTANCE USE TREATMENT

REQUEST: The request includes a one-time decrease of $11.4 million General Fund and a reallocation of $5.4 million of cash funds from the Marijuana Tax Cash Fund for substance use disorder (SUD) treatment services. The request is based on expected impacts of the residential SUD benefit that was added as a Medicaid benefit beginning in January 2021.

STAFF RECOMMENDATION: Staff recommends denial of the Department request.

ANALYSIS

House Bill 18-1136, which was recommended by the Opioid and Other Substance Use Disorders Interim Study Committee, adds residential and inpatient substance use disorder (SUD) treatment and medical detoxification services as a benefit under the Colorado Medicaid Program. The act limits these new services to persons who meet nationally recognized, evidence-based, level of care criteria for residential and inpatient SUD treatment and medical detoxification services.

In order to receive a federal Medicaid match for the expanded benefit, the state was required to submit an application for a waiver (called a Section 1115 waiver) which allows the State to administer an experimental, pilot, or demonstration project that is likely to assist in promoting the objectives of Medicaid. This application was submitted in October 2019 and was approved by the Centers for Medicare and Medicaid (CMS) on November 13, 2020. The Department of Health Care Policy and Financing (HCPF) expects to begin offering the benefit on January 1, 2021. No later than January 15, 2022, HCPF is required to prepare and submit a performance review report to the Joint Budget Committee and the relevant committees of reference concerning the expanded SUD benefits.

The Medicaid benefit covers treatment at a residential facility, but does not cover associated room and board costs. These costs are expected to be covered with existing funds in the Office of Behavioral Health (OBH). Effective January 1, 2020, the contracted rate for room and board is $100 per day.

Treatment providers must be licensed by the Office of Behavioral Health. Additionally, in order to bill for services, providers must to be enrolled and/or contracted with HCPF, Regional Accountable Entities (RAEs), and Managed Service Organizations (MSOs). In many cases, providers may be contracting with multiple RAEs. Patients may access services at any geographic location. However, the payer is determined based on the patient's home location. Therefore, a patient that lives in Region 1 may receive treatment in an area covered by Region 2. That provider would need to be contracted with the RAE in Region 1 in order to receive payment. In anticipation of the expanded SUD benefit, MSOs have shifted to a payment structure so that the MSO region where the facility/provider is located will responsible for covering services.

HCPF FUNDING

The table below shows the funding changes for HCPF associated with the new Medicaid residential and inpatient substance use disorder treatment benefit. The final fiscal note for HB 18-1136 identified a cost of $174.2 million total funds, including $34.2 million General Fund, for FY 2020-21, the first expected full year of the SUD benefit. For the FY 2020-21 budget, the appropriation was ultimately reduced to $44.7 million total funds, including $8.9 million General Fund, to reflect a delay of the benefit to January 1, 2021, as well as anticipated capacity constraints.

The November 2, 2020 budget request includes a slight adjustment to the FY 2020-21 appropriation, largely related to changes in fund type based on the updated forecast. The request includes a reduction for FY 2021-22, the first full year of the benefit. This is primarily attributable to two factors: continued capacity limitations and updated actuarial analysis. The Department's actuarial models have evolved to account for capacity (beds available), treatment levels, and the percentage of beds expected to be utilized by Medicaid clients, rather than the number of enrollees with a SUD diagnosis. Based on these models, the Department has estimated the reduction to the benefit as 50.0 percent of the originally projected costs for July – December 2021 and 63.0 percent for January – June 2022.

EXPECTED HPCF COSTS FOR RESIDENTIAL SUD BENEFIT*				
	FY 2020-21 FISCAL NOTE	FY 2020-21 APPROPRIATION	FY 2020-21 REQUEST	FY 2021-22 REQUEST
General Fund	$34,243,205	$8,944,319	$6,887,964	$16,636,692
Cash Funds	11,554,286	3,085,403	3,526,014	7,684,988
Federal Funds	128,359,478	32,670,220	34,739,939	78,579,999
Total	**$174,156,969**	**$44,699,942**	**$45,153,917**	**$102,901,679**

*Includes administrative costs.

For FY 2022-23, the Department is currently projecting a reduction to the benefit to 80.0 percent of originally projected costs. However, staff would expect this number to change over the course of the next year as actual utilization and capacity expansion is factored into the forecast.

CURRENT OBH FUNDING AND SERVICES

The Office of Behavioral Health (OBH) funds statewide residential substance use treatment services for uninsured and underinsured Coloradans with incomes under 300 percent of the Federal Poverty Level (FPL). Unlike Medicaid, service capacity is based on available appropriations (rather than entitlement). This funding is provided through three line items in the Division's budget: Treatment and Detoxification Programs, Increasing Access to Effective Substance Use Disorders Services (SB 16-202), and Circle Program and Other Rural Treatment Programs for People with Co-occuring Disorders.

Treatment and Detoxification Programs

Through the Treatment and Detoxification Programs line item, the Office of Behavioral Health contracts with four managed service organizations (MSOs) for the provision of substance use disorder treatment and detoxification services in seven catchment areas. The MSOs subcontract with local treatment providers with locations around the state to deliver these services. The Department arranges for detoxification and treatment services with one contract for each catchment area. However, treatment and detoxification are two different levels of care that have separate and distinct contract admissions requirements.

- *Non-hospital detoxification services.* Individuals who are intoxicated by alcohol or drugs are evaluated and provided services necessary to protect client and public health and safety until the blood level of the intoxicating substance(s) is zero. Detoxification and shelter services serve a dual purpose by protecting individual and public health and safety, and serving as an entry point for treatment. Detoxification services are critical for law enforcement and community protection, but do not constitute treatment for substance abuse.
- *Treatment.* Basic treatment services include: outpatient opioid replacement treatment; individual, group, and family outpatient therapy; intensive outpatient therapy; transitional residential treatment; therapeutic community, and intensive residential treatment.

For FY 2019-20, this line item's appropriation was $32.3 million total funds. Of this amount, the Department allocated $30.6 million for to MSO contracts for residential treatment and withdrawal management.

Increasing Access to Effective Substance Disorder Services (SB 16-202)
Senate Bill 16-202 requires each of the State's designated regional managed service organizations (MSOs) to assess the sufficiency of substance use disorder services in its geographic region, and prepare a community action plan to address the most critical service gaps. Each MSO is authorized to use its annual allocation over a two-year period to implement its community action plan and increase access to substance use disorder services for populations in need of such services within its region (including start-up costs and other expenses necessary to expand capacity). These funds are highly flexible.

For FY 2019-20, this line item's appropriation was $15.6 million. Of this amount, the Department identified 30 percent, or $4.7 million, was used by MSOs for residential treatment and withdrawal management.

COVID IMPACTS ON CAPACITY
Social distancing requirements have further strained existing capacity in some locations across the state. According to the Department, based on reporting from facilities receiving funds from Treatment and Detoxification funds, current capacity is reduced by around 25 percent across the majority of facilities. For some smaller facilities, such as the men's Circle program in Pueblo, the normally 16-bed program is operating with 10 beds, or a 38 percent capacity reduction. For facilities with single occupancy or adequate space, no capacity reductions have been implemented.

REQUEST
The Department requests a one-time reduction of $11.4 million General Fund in FY 2021-22 for the administration of substance use disorder treatment services in the Office of Behavioral Health. This request is based on the expectation that current clients receiving services will be eligible for the new Medicaid benefit. The request includes a net neutral reallocation of cash funds from the Marijuana Tax Cash Fund. As shown in the table below, the total reduction impacts two line items.

R7 SUBSTANCE USE TREATMENT			
	GENERAL FUND	MTCF	TOTAL
Treatment and Detoxification Programs	($11,419,598)	$5,419,598	($6,000,000)
Increasing Access to Effective Substance Use Disorders Services (SB 16-202)	0	(5,419,598)	(5,419,598)
Total	**($11,419,598)**	**$0**	

Based on FY 2019-20, the Department has identified a total cost of $38.3 million total funds as a base amount for SUD treatment services. Of that amount, it estimates approximately 75 percent of costs ($28.7 million) were allocated for treatment only, and 25 percent for room and board. The Department assumes that 75.0 percent of clients currently receiving services will be eligible for the Medicaid benefit. For these clients, treatment services will be covered by Medicaid, while room and board will continue to be covered with existing OBH funds, as Medicaid covers treatment only. The remaining 25 percent of existing clients (those that aren't eligible for Medicaid but are below 300% FPL) will continue to be covered by OBH for treatment services, room and board.

Based on those assumptions, the Department could expect to see a savings of $21.5 million in treatment costs shifting to Medicaid. This number is somewhat complicated by withdrawal services, for which the Department expects to see less impact from the expanded benefit. The Department has identified a reduction of $11.4 million General Fund, which represents about 53 percent of that estimated savings. Staff was unable to pinpoint an exact calculation to arrive at the $11.4 million reduction. This amount was likely arrived at based on reduction requirements and trying to identify a reasonable reduction based on expected Medicaid impacts.

In order to ensure adequate funding for room and board, to maintain services for non-Medicaid eligible clients, and reduce total General Fund appropriations, the Department proposes to split that total reduction between two line items providing SUD treatments services. This includes a reallocations of $5.4 million cash funds from the Marijuana Tax Cash Fund, reducing the appropriation to the Increasing Access to Effective Substance Use Disorders Services (SB 16-202) line item and shifting that amount to the Treatment and Detoxification Programs line item. The Department believes that there will not be a decrease to treatment services provided based on this reduction.

As previously noted, funding for the Increasing Access to Effective Substance Use Disorders Services (SB 16-202) line item is highly flexible and intended to address capacity issues across the state. While the Department estimates that approximately 30 percent of those funds are used to provide treatment services, a reduction to this line item would limit capacity building for a system that already lacks capacity to meet estimated need. The Department agrees that this request could hinder capacity expansion. However, in developing the budget request, the Department prioritized preserving existing services over expanding capacity.

The tables below show the reduction in comparison to prior year appropriations. Additionally, the tables factor in the restoration of FY 2020-21 balancing actions to show the total impact of the reductions.

TREATMENT AND DETOXIFICATION PROGRAMS				
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS
FY 2019-20 Appropriation	$39,325,163	$13,633,079	$6,498,617	$19,193,467
FY 2020-21 Appropriation	$32,243,507	$12,204,598	$845,442	$19,193,467
Restoration of Balancing Reductions	7,815,857	2,163,481	5,652,376	0
R7 Substance use treatment	(6,000,000)	(11,419,598)	5,419,598	0
Total FY 2021-22 Request	**$34,059,364**	**$2,948,481**	**$11,917,416**	**$19,193,467**

INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDERS SERVICES (SB 16-202)	
	MTCF
FY 2019-20 Appropriation	$15,576,864
FY 2020-21 Appropriation	$13,921,095
Restoration of Balancing Reductions	1,655,769
R7 Substance use treatment	(5,419,598)
Total FY 2021-22 Request	**$10,157,266**

ANALYSIS

Staff is inclined to approve the Department request for several reasons.

1. The total request (and recommendation) for OBH restores reductions made during FY 2020-21, preserving existing behavioral health services for vulnerable populations that may be experiencing the impacts of the pandemic more acutely. While staff is concerned about substance use treatment capacity, particularly in the face of an expanded Medicaid benefit, the proposed reduction targets the expansion of services in place of reducing existing services (or continuing the prior year reductions).
2. While it is difficult to predict the exact savings, it seems reasonable to assume that OBH will see some reduction in treatment cost as clients shift to Medicaid.
3. While the current budget situation seems to be improving, reductions may be required of all Departments and programs. If these cuts are required, staff would prefer to begin with the Department's assessment of their program priorities.

Staff is inclined to reject the Department's request for several reasons.

1. New programs frequently have rocky rollouts and there are numerous challenges in introducing a new benefit that will have to be worked through: contracting, licensing, eligibility determinations, billing, etc. Staff has heard that there have been challenges around denial of services and/or approval for inadequate lengths of stay. HCPF attributes some of this to providers being inexperienced with billing Medicaid (and other insurers) and is working to provide technical support and training. HCPF expects denials to decrease over time and notes that denials not mean providers won't be paid once updated information is submitted. Staff is hesitant to recommend reducing funding until these issues are identified and resolved.
2. OBH funding overlaps with Medicaid eligibility and can provide "back-up" funding to ensure a smooth rollout of the benefit. Given the challenges identified in point #1 above, it seems reasonable to provide an avenue for access to SUD services while technical issues associated with the Medicaid benefit are resolved.
3. The request is based on balancing targets the Department was directed to meet. The $11.4 million reduction amount seems like a somewhat arbitrary and flexible reduction.
4. Determining the "right" amount for a reduction is based on a number of unknowns, including a lack of utilization data since the benefit was introduced less than two months ago.
5. The General Assembly has expressed a commitment to expanding this benefit via legislation and maintaining funding during significant budget reductions. Capacity issues continue to be a concern for the expansion of the Medicaid benefit and the request is likely to further constrain capacity building.

FINAL POINTS TO CONSIDER

- As noted above, the "Increasing Access to Effective Substance Use Disorder Services" (or S.B. 16-202) funding provides a great deal of flexibility to providers for use the funds. While

maintaining the funding for this line item makes funding available for capacity building, it does not guarantee that the funding will be used for that purpose.
- This is a one-time request and the appropriation can be modified in the next budget cycle.

RECOMMENDATION
Based on the above analysis, staff recommends denying the Department request. Maintaining the funding at the existing level will help to ensure a smooth rollout of the Medicaid benefit and provide a continued investment in building treatment capacity.

However, if budget reductions are required, staff recommends revisiting this recommendation. In addition to approval of the Department request, options could include:

1. Refinancing a portion of the General Fund with cash funds from the Marijuana Tax Cash Fund (MTCF). The appropriation is already supported by MTCF and these services are an eligible use of the funds. The Department request already includes a refinance, so the Committee could consider increasing the amount of MTCF while moving forward with some General Fund reduction.
2. Approving the Department request at some level. If the Committee wishes to proceed with some level of reduction, staff would work with the Departments of Human Services and Health Care Policy and Financing to identify an appropriate, lower reduction amount.

➔ R15 COMMUNITY BEHAVIORAL HEALTH SERVICES

REQUEST: The request includes a decrease of $2.8 million total funds for a one-time balancing request that impacts two line items.

- Mental Health Services for Juvenile and Adult Offenders (a decrease of $1.3 million cash funds from the Marijuana Tax Cash Fund): this line item funds community based behavioral health services for justice-involved individuals. Base funding for this line item is $5.7 million cash funds.
- Jail-Based Behavioral Health (a decrease of $1.5 million General Fund): this line item provides funding to county sheriffs for screening, assessment, and treatment for substance use disorders and co-occurring substance use and mental health disorders to people who need such services while they are in jails. This line item has experienced reversions in prior years. Base funding for this line item is $14.5 million total funds, including $7.3 million General Fund.

STAFF RECOMMENDATION: Staff recommends approval of a portion of the Department request. Staff recommends approving the request related to Jail Based Behavioral Health and denying the request related to Mental Health Services for Juvenile and Adult Offenders.

ANALYSIS

Mental Health Services for Juvenile and Adult Offenders
The Mental Health Services for Juvenile and Adult Offenders line item (or the Offender Behavioral Health Services program) provides community-based mental health services for individuals with mental illness involved in local and state criminal justice systems. The program is focused on reducing

recidivism and decreasing an individuals' penetration in the system. Services may include treatment, case management, residential treatment, jail transitions, and co-responder programs, based upon local community needs. Some of these services, such as co-responder programs (which accounted for half of FY 2019-20 funding), are funded by other line items within OBH. Additionally, the Department notes that these services can overlap with services provided by parole and probation and, therefore, reductions in this area could result in shifting of cost to judicial districts and community corrections.

The Department cites reversions as a reason for requesting this reduction, and notes that Community Mental Health Centers, which are the contracted providers, did not fully spend their contracts because of staff vacancies. However, the reversions for this program are significantly less than the requested reduction. For FY 2018-19, this line item reverted $44,136 and for FY 2019-20, the line item reverted $106,057.

The request is for a total reduction of $1,333,344 cash funds from the Marijuana Tax Cash Fund. This is somewhat offset by the restoration of the FY 2020-21 reductions. To better visualize the compounding impacts, the tables below show the total appropriation for the line item both with and without the proposed reduction.

TOTAL WITH ANNUALIZATION OF PRIOR YEAR REDUCTION AND APPROVAL OF DEPARTMENT REQUEST						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$4,653,735	$0	$4,653,735	$0	$0	0.0
TOTAL	**$4,653,735**	**$0**	**$4,653,735**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$4,653,735	$0	$4,653,735	$0	$0	0.0
Annualize prior year balancing action	1,000,000	0	1,000,000	0	0	0.0
Common policy provider rate adjustment	108,010	0	108,010	0	0	0.0
R15 Community behavioral health services	(1,333,334)	0	(1,333,334)	0	0	0.0
TOTAL	**$4,428,411**	**$0**	**$4,428,411**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**($225,324)**	**$0**	**($225,324)**	**$0**	**$0**	**0.0**
Percentage Change	(4.8%)	0.0%	(4.8%)	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,377,509**	**$0**	**$4,377,509**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($50,902)	$0	($50,902)	$0	$0	0.0

TOTAL WITH ANNUALIZATION OF PRIOR YEAR REDUCTION AND DENIAL OF DEPARTMENT REQUEST						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$4,653,735	$0	$4,653,735	$0	$0	0.0
TOTAL	**$4,653,735**	**$0**	**$4,653,735**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$4,653,735	$0	$4,653,735	$0	$0	0.0
Annualize prior year balancing action	1,000,000	0	1,000,000	0	0	0.0
Common policy provider rate adjustment	141,343	0	141,343	0	0	0.0
R15 Community behavioral health services	0	0	0	0	0	0.0
TOTAL	**$5,795,078**	**$0**	**$5,795,078**	**$0**	**$0**	**0.0**

TOTAL WITH ANNUALIZATION OF PRIOR YEAR REDUCTION AND DENIAL OF DEPARTMENT REQUEST						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
INCREASE/(DECREASE)	**$1,141,343**	**$0**	**$1,141,343**	**$0**	**$0**	**0.0**
Percentage Change	24.5%	0.0%	24.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,377,509**	**$0**	**$4,377,509**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($1,417,569)	$0	($1,417,569)	$0	$0	0.0

Staff is inclined to approve the Department request for several reasons.

1. Services supported by this line item are supported by other line items, which would reduce the impact of the reduction.
2. While the current budget situation seems to be improving, reductions may be required of all Departments and programs. If these cuts are required, staff would prefer to begin with the Department's assessment of their program priorities.

Staff is inclined to reject the Department's request for several reasons.

1. The prior year reversions for this program are significantly less than the requested reduction.
2. Staff is hesitant to recommend a reduction that would negatively impact the judicial branch, given the significant impact the pandemic has had on the court system.
3. The request is based on balancing targets the Department was directed to meet.
4. This line item is funded with cash funds from the Marijuana Tax Cash Fund (MTCF). While reducing MTCF makes those funds available for other purposes, including a potential transfer to the General Fund, staff believes General Fund appropriations are of greater concern than MTCF.

Staff recommends denial of the Department request for the reasons listed above. However, if budget reductions are required, staff recommends revisiting this recommendation (for the reasons listed above).

Jail Based Behavioral Health Services

The Jail Based Behavioral Health Services (JBBS) line item supports county sheriffs in providing screening, assessment, and treatment for substance use disorders and co-occurring substance use and mental health disorders to people who need such services while they are in jails. The funding also supports the transition back into the community through connection to services. These services aim to reduce jail sentences and decrease recidivism through better identification and treatment of behavioral health needs.

Recent legislation has significantly increased funding to the program. In their hearing responses[4], the Department noted multiple bills adding appropriations to this program in the past several years: S.B. 17-019, S.B. 18-250, S.B. 19-008, and S.B. 19-223. The Department cites reversions related to program start up as a reason for requesting this reduction. Jails have not had the time to fully develop behavioral health programming and have not yet become fully staffed. For FY 2018-19, this line item reverted

[4] PDF page 157: http://leg.colorado.gov/sites/default/files/fy2021-22_humhrg2and3_0.pdf

$1,038,191 and for FY 2019-20, the line item reverted $3,341,983. While the reversion was higher for FY 2019-20, so was the appropriation.

JBBS Appropriation and Reversion		
	FY 2018-19	FY 2019-20
Appropriation	$6,724,277	$12,454,233
Expenditure	5,686,086	9,112,250
Reversion	1,038,191	3,341,983
Reversion as a percent of appropriation	15.4%	26.8%

For FY 2020-21, these funds have been fully obligated funds for jails, including contracts with new, rural jails. Reductions to this area could result in the need for counties to offset the reduction in order to ensure services for clients booked into jails or to prioritize those with the highest treatment needs.

The request is for a total reduction of $1,500,000 General Fund. This is somewhat offset by the restoration of the FY 2020-21 reductions. To better visualize the compounding impacts, the tables below show the total appropriation for the line item both with and without the proposed reduction.

Total with Annualization of Prior Year Reduction and Approval of Department Request						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2020-21 Appropriation						
HB 20-1360 (Long Bill)	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
TOTAL	**$13,232,195**	**$6,127,117**	**$0**	**$7,105,078**	**$0**	**0.0**
FY 2021-22 Recommended Appropriation						
FY 2020-21 Appropriation	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
Annualize prior year balancing action	1,100,000	1,100,000	0	0	0	0.0
Common policy provider rate adjustment	320,805	143,178	0	177,627	0	0.0
R15 Community behavioral health services	(1,500,000)	(1,500,000)	0	0	0	0.0
TOTAL	**$13,153,000**	**$5,870,295**	**$0**	**$7,282,705**	**$0**	**0.0**
INCREASE/(DECREASE)	**($79,195)**	**($256,822)**	**$0**	**$177,627**	**$0**	**0.0**
Percentage Change	(0.6%)	(4.2%)	0.0%	2.5%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$13,585,542**	**$6,408,696**	**$0**	**$7,176,846**	**$0**	**0.0**
Request Above/(Below) Recommendation	$432,542	$538,401	$0	($105,859)	$0	0.0

Total with Annualization of Prior Year Reduction and Denial of Department Request						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2020-21 Appropriation						
HB 20-1360 (Long Bill)	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
TOTAL	**$13,232,195**	**$6,127,117**	**$0**	**$7,105,078**	**$0**	**0.0**
FY 2021-22 Recommended Appropriation						
FY 2020-21 Appropriation	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
Annualize prior year balancing action	1,100,000	1,100,000	0	0	0	0.0
Common policy provider rate adjustment	358,305	180,678	0	177,627	0	0.0
R15 Community behavioral health services	0	0	0	0	0	0.0
TOTAL	**$14,690,500**	**$7,407,795**	**$0**	**$7,282,705**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,458,305**	**$1,280,678**	**$0**	**$177,627**	**$0**	**0.0**

TOTAL WITH ANNUALIZATION OF PRIOR YEAR REDUCTION AND DENIAL OF DEPARTMENT REQUEST						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Percentage Change	11.0%	20.9%	0.0%	2.5%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$13,585,542**	**$6,408,696**	**$0**	**$7,176,846**	**$0**	**0.0**
Request Above/(Below) Recommendation	($1,104,958)	($999,099)	$0	($105,859)	$0	0.0

Staff is inclined to approve the Department request for several reasons.

1 Significant prior year reversions.
2 The requested reduction is less than 50 percent of the prior year reversions.
3 While the current budget situation seems to be improving, reductions may be required of all Departments and programs. If these cuts are required, staff would prefer to begin with the Department's assessment of their program priorities.
4 The request is one-time.

Staff is inclined to reject the Department's request for several reasons.

1 Significant funding has been added in recent years. Expenditures have increased, but programs have not had much time to fully get off the ground.
2 A reduction that could negatively impact the county jails.
3 The request is based on balancing targets the Department was directed to meet.

Staff recommends approval of the Department request for the reasons listed above.

➔ R26 MEAL INTERAGENCY AGREEMENT TRUE-UP

REQUEST: The request includes an increase of $140,827 reappropriated funds to address rising costs of staffing, food, and operations related to the Departments interagency agreement with the Colorado Department of Corrections to provide meals for offenders at San Carolos Correctional Facility, La Vista Correctional Facility, and the Youth Offender System.

There is an associated non-prioritized request in the Department of Corrections.

RECOMMENDATION: Staff recommends an appropriation of $147,615 reappropriated funds.

ANALYSIS:
The Colorado Mental Health Institute at Pueblo (CMHIP) has a longstanding interagency agreement with the Colorado Department of Corrections (DOC) to provide meals to offenders located at the San Carlos Correctional Facility (SCCF), La Vista Correctional Facility (LVCF), and Youth Offender System (YOS). The Nutrition Department at CMHIP prepares meals that meet the adequate nutrition requirements of clients based on the medical, spiritual, ethnic, cultural, mental health, and caloric needs of clients at both CMHIP and DOC. The CMHIP kitchen serves over 5,000 meals a day (1.8 million annually) to CMHIP and DOC clients. For FY 2020-21, the DOC contract/appropriation totaled $2,562,090.

The Department request is based on a three year historical average increase in food, staffing, and operational costs of 4.4 percent. For the FY 2021-22 November 1 request, the Department projected a deficit of $140,827.

Staffing costs account for about 64 percent of the increase in costs, which is impacted by salary survey decisions. Prison census also impacts costs. The Departments expects a drop in the census at the La Vista Correctional Facility for FY 2021-22, from an estimated 560 offenders to 480 offenders. However, this decrease is offset by increased related to salary survey. Following the Committee's action on compensation common policies, the Department recalculated their request to reflect the most recent census data and salary survey adjustments. The updated deficit is predicted to be $147,615, as shown in the table below, provided by the Department.

	FY 2020-21	**FY2021-22**	
Contract Service Values by Category	**Contract Totals**	**Actual Costs**	**Difference**
*Medical Services	**$90,000.00**	$90,000.00	$0.00
YOS Food Service	**$463,901.00**	$567,894.00	($103,993.00)
YOS Staffing	**$101,771.00**	$126,035.64	($24,264.64)
SCCF Food Service	**$348,381.00**	$431,964.00	($83,583.00)
SCCF Staffing	**$60,835.00**	$71,117.37	($10,282.37)
LVCF Food Service	**$1,312,694.00**	$1,177,544.00	$135,150.00
LVCF Staffing	**$261,908.00**	$322,550.28	($60,642.28)
LVCF Vehicle costs	**$12,600.00**	$12,600.00	$0.00
Total Contract Service Values By Category	**$2,652,090.00**	$2,799,705.29	($147,615.29)
***Medical Services paid to CDHS by DOC third party vendor**	**-$90,000.00**	($90,000.00)	$0.00
Total Contract Encumbrance:	**$2,562,090.00**	$2,709,705.29	($147,615.29)
COST Per calorie	**$0.00200150**	$0.00240700	

The request also includes an adjustment to the letternote attached to the Long Bill appropriation to indicate that the amount transferred from DOC is estimated. This provides flexibility to reconcile actual costs with invoiced expenses.

> Of this amount, $8,147,002 shall be from patient revenues, ***an estimated*** $2,702,917 shall be transferred from the Department of Corrections, and $148,700 shall be transferred from the Department of Education. For informational purposes only, patient revenues are estimated to include $8,184,362 Medicaid funds transferred from the Department of Health Care Policy and Financing from the Mental Health Institutes line item appropriation.

➔ BA1 MHI PUEBLO RESTRUCTURE

REQUEST: The Department requests a reduction of $1,230,990 General Fund and 14.0 FTE for FY 2021-22 and beyond for the Department of Public Safety within the Colorado Mental Health Institute at Pueblo (CMHIP) to reflect a shift in providing care in a more clinical setting than a correctional setting. Additionally, the Department requests that the Committee consider sponsor accompanying legislation.

STAFF RECOMMENDATION: Staff recommends approval of the request. The staff recommendation does not include sponsoring legislation.

ANALYSIS

The Colorado Mental Health Institute at Pueblo (CMHIP) is a forensic hospital that serves individuals with pending criminal charges who require evaluations of competency, individuals who have been found by a court to be incompetent to proceed (restoration treatment), and individuals found to be not guilty by reason of insanity. CMHIP operates 494 inpatient psychiatric beds and employs over 130 sworn and civilian staff in the campus' Department of Public Safety.

There are three types of staff within CMHIP's Department of Public Safety: civilians, correctional officers, and Peace Officer Standards and Training (POST) certified police officers. Civilians in the unit typically provide dispatch and switchboard services. Correctional officers are responsible for campus security, while police officers provide law enforcement services on the CMHIP grounds.

The Department conducted a review of the appropriate role of law enforcement in a clinical setting, as well as guidance from the Joint Commission (a healthcare accreditation organization) and the Centers for Medicare and Medicaid Services (CMS), and determined that steps should be taken to reduce the role of law enforcement in clinical activities, while still maintaining appropriate security. The Department is implementing the following steps to achieve that goal:

- Limiting the scope of POST certified police officers to focus on investigation of criminal behavior within the facility and secure transportation of individuals to and from the campus.
- Retaining a team of correctional officer to provide security at entry points and along the perimeter, as well as escorting patients within the campus.
- Creating a new, non-uniformed "Clinical Safety Specialist" role to promote and ensure safety within the clinical setting. The Department plans to reassign and re-train correctional officers into this role. These positions would report to clinical leadership rather than the Department of Public Safety.

The Department proposes eliminating 14.0 FTE from the CMHIP Department of Public Safety, in line with limiting the role of POST certified officers within the clinical setting. The Department has begun this process and hopes to achieve the reductions through reassignments and attrition, but notes that layoffs may be necessary.

The Correctional Officers who will be transitioning to the CSS role (about half) have been notified, their position titles and descriptions have been changed, and their additional training has begun. Clinical Safety Specialists were previously assigned to work in direct contact with patients and will receive the same pay, as their classification, tenure, and status will remain the same.

PROPOSED LEGISLATION
The Department request includes a request that the JBC sponsor legislation to modify Section 16-2.5-140, C.R.S., which designates a correctional security officer employed at CMHIP as a peace officer. The designation of peace officer confers the authority to make arrests and carry weapons while enforcing the laws of the state. The proposed change would specify that only correctional officers who are providing secure transportation of patients or security would be designated as a peace officer. The request indicates that this would result in a better relationship between security personnel and patients, and continue to shift the focus from correctional management to clinical treatment in a therapeutic environment, which would result in better outcomes for patients.

After discussion with the Department, JBC Staff and the Department agree that legislation is **not** needed.

ⓘ PROVIDER RATES

REQUEST: The request includes a restoration of the FY 2020-21 1.0 percent provider rate reduction.

COMMITTEE ACTION: The Committee approved an FY 2021-22 provider rate increase of 2.5 percent, which is intended to restore the prior year reduction (1.0 percent) and provide an increase (1.5 percent).

ANALYSIS
To reconcile the Department request and the Committee action, staff has zeroed out the requested annualization and, in most cases, applied the 2.5 percent increase. The provider rate is applied to the base, annualizations, and recommended decision items. For each line item eligible for the provider rate adjustment, staff has identified the base upon which the rate is applied and has included information in the line item description to describe the assumptions used in determining what funding is eligible for the provider rate and which providers receive the funding. Should the Committee make changes to the approved provider rate, staff will apply the new rate to the based identified in the line item detail and approved by the Committee. If the Committee takes an action other than the staff recommendation, staff will adjust the provider rate base amount to reflect the Committee's action.

DIFFERENCES FROM THE 2.5 PERCENT RATE
The Office of Behavioral Health has many line items that are impacted by the provider rate, and for many line items, only a portion of the total appropriation is eligible for the adjustment. JBC staff worked with OBH staff to evaluate which appropriations are eligible for the provider rate adjustment and the assumptions used to make that determination. In a few instances in the Mental Health Institutes (MHIs), we identified errors in the prior year application of the rate. In those instances, JBC staff has modified the provider rate to reflect the Committee's intent to restore the prior year reduction and to provide an increase for FY 2021-22.

The most significant change to the provider rate impact was in the Personal Services and Contract Medical Expenses line items at the MHIs. For FY 2020-21, the provider rate reduction was applied to the Contract Medical Expenses line item and *not* the Personal Services line item. Upon review, staff determined it should be the reverse. Therefore, staff has applied a 1.0 percent provider rate adjustment to the Contract Medical Expenses line items for both MHIs to restore the reduction made in FY 2020-

21, and has applied a 1.5 percent provider rate adjustment to the Personal Services line for both MHIs to provide the increase for FY 2021-22.

In addition, staff determined that the provider rate should be applied to two line items in Forensic Services: Court Services and Jail-based Competency Restoration Services. For these line items, the provider rate will be applied for contracted vendors including: evaluators and physicians from the University of Colorado, Board of Medical Consultants, the Colorado Seminary, Rocky Mountain Human Services, and SBH Colorado. For these line items, staff has applied a 1.5 percent increase, since a restoration of the prior year reduction is not necessary.

LINE ITEM DETAIL — OFFICE OF BEHAVIORAL HEALTH

(A) COMMUNITY BEHAVIORAL HEALTH ADMINISTRATION

Funding in this section supports the administration of community-based mental health and substance use disorder programs and services. This section is primarily supported by General Fund, the federal Substance Abuse Prevention and Treatment Block Grant, the federal Community Mental Health Services Block Grant, a transfer from the Judicial Department for the Alcohol and Drug Driving Safety Program, transfers from HCPF (originating as General Fund and federal Medicaid funds), and the Marijuana Tax Cash Fund.

PERSONAL SERVICES

This line item provides funding for the personnel and professional services required to administer community-based mental health and substance use disorder programs and services.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-60-101 through 104, C.R.S. [Behavioral health crisis response system]; Section 27-60-105, C.R.S.; Section 27-66-101, et seq., C.R.S. [Community mental health services]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-80-201, et seq., C.R.S. [Colorado Licensing of Controlled Substances Act]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]; Section 39-28.8-501 (2)(b)(IV)(C) and (D), C.R.S. [Authorization for use of Marijuana Tax Cash Fund for substance-use related services and for behavioral health services for persons involved in the criminal justice system]

REQUEST: The Department requests $8,170,714 total funds (including $2,501,941 General Fund) and 84.0 FTE.

RECOMMENDATION: Staff recommends approval of the Department request, including annualizations for FY 2020-21 delays to S.B. 19-008 and H.B. 19-1287.

The recommendation for R2 Family First Prevention Services Act will be included in the Child Welfare figure setting presented by Robin Smart on February 22, 2021. Staff will reflect the Committee's decision in the Long Bill.

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY BEHAVIORAL HEALTH ADMINISTRATION, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$8,391,901	$2,423,128	$882,571	$1,587,268	$3,498,934	84.8
Other legislation	(627,556)	(175,238)	(152,318)	(300,000)	0	(5.0)
TOTAL	**$7,764,345**	**$2,247,890**	**$730,253**	**$1,287,268**	**$3,498,934**	**79.8**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$7,764,345	$2,247,890	$730,253	$1,287,268	$3,498,934	79.8
Annualize prior year balancing action	155,896	155,896	0	0	0	0.3
Annualize prior year legislation	152,318	0	152,318	0	0	3.0
R2 Family First Prevention Services Act	98,155	98,155	0	0	0	0.9
TOTAL	**$8,170,714**	**$2,501,941**	**$882,571**	**$1,287,268**	**$3,498,934**	**84.0**
INCREASE/(DECREASE)	**$406,369**	**$254,051**	**$152,318**	**$0**	**$0**	**4.2**
Percentage Change	5.2%	11.3%	20.9%	0.0%	0.0%	5.3%
FY 2021-22 EXECUTIVE REQUEST	**$8,170,714**	**$2,501,941**	**$882,571**	**$1,287,268**	**$3,498,934**	**84.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

OPERATING EXPENSES

This appropriation supports operating expenditures for the administration of community-based mental health and substance use disorder programs and services.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-60-101 through 104, C.R.S. [Behavioral health crisis response system]; Section 27-60-105, C.R.S.; Section 27-66-101, et seq., C.R.S. [Community mental health services]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-80-201, et seq., C.R.S. [Colorado Licensing of Controlled Substances Act]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]; Section 39-28.8-501 (2)(b)(IV)(C) and (D), C.R.S. [Authorization for use of Marijuana Tax Cash Fund for substance-use related services and for behavioral health services for persons involved in the criminal justice system]

REQUEST: The Department requests $343,434 total funds, including $32,939 General Fund.

RECOMMENDATION: Staff recommends approval of the Department request, including annualizations for FY 2020-21 delays to S.B. 19-008 (Substance Use Disorder Treatment In Criminal Justice System) and H.B. 19-1287 (Treatment For Opioids And Substance Use Disorders).

The recommendation for R2 Family First Prevention Services Act will be included in the Child Welfare figure setting presented by Robin Smart on February 22, 2021. Staff will reflect the Committee's decision in the Long Bill.

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY BEHAVIORAL HEALTH ADMINISTRATION, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$362,341	$51,846	$75,568	$16,266	$218,661	0.0
Other legislation	(36,816)	(20,142)	(16,674)	0	0	0.0
TOTAL	**$325,525**	**$31,704**	**$58,894**	**$16,266**	**$218,661**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$325,525	$31,704	$58,894	$16,266	$218,661	0.0
Annualize prior year legislation	16,674	0	16,674	0	0	0.0
R2 Family First Prevention Services Act	5,653	5,653	0	0	0	0.0
Annualize prior year balancing action	(4,418)	(4,418)	0	0	0	0.0
TOTAL	**$343,434**	**$32,939**	**$75,568**	**$16,266**	**$218,661**	**0.0**
INCREASE/(DECREASE)	**$17,909**	**$1,235**	**$16,674**	**$0**	**$0**	**0.0**
Percentage Change	5.5%	3.9%	28.3%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$343,434**	**$32,939**	**$75,568**	**$16,266**	**$218,661**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

FEDERAL PROGRAMS AND GRANTS

This line item reflects a variety of federal discretionary mental health and substance use prevention and treatment grants the Office administers.

STATUTORY AUTHORITY: Section 27-66-106 [Community mental health services – federal grants-in-aid]; Section 27-80-109, C.R.S. [Alcohol and substance use – coordination of state and federal funds and programs]; Section 27-90-109, C.R.S. [DHS institutions – gifts and grants]

REQUEST: The Department requests a continuation level of $21,000.

RECOMMENDATION: **Staff recommends denying the request and eliminating this line item.** The funding in this line item was based on a federal grant the Department previously received that has since been eliminated by the Substance Abuse and Mental Health Services Administration (SAMHSA).

(B) COMMUNITY-BASED MENTAL HEALTH SERVICES

This section provides funding to support mental health services that are delivered through community mental health centers and other local mental health providers. This section is primarily supported by General Fund, the federal Community Mental Health Services Block Grant, and the Marijuana Tax Cash Fund.

MENTAL HEALTH COMMUNITY PROGRAMS

This line item was first included in the FY 2017-18 Long Bill as part of a restructuring for this division.

This line item includes funding from four prior line item appropriations:

- A portion of the Services for Indigent Mentally Ill Clients line item, excluding four amounts that were designated for individual community mental health center capacity expansions that are described in the next line item;

- Medications for Indigent Mentally Ill Clients;
- School-based Mental Health Services; and
- that portion of the Alternatives to Inpatient Hospitalization at a Mental Health Institute line item that was used for medications.

This new line item supports contracts for the provision of mental health services for low-income individuals. The Office of Behavioral Health contracts with 17 community mental health centers (Centers) across the state to provide mental health services that are not otherwise available. Each Center is responsible for providing a set of core services including:

- assessment;
- rehabilitation;
- emergency services;
- clinical treatment services;
- residential services;
- inpatient services;
- vocational services;
- psychiatric/medication management;
- interagency consultation;
- public education;
- consumer advocacy and family support;
- case management; and
- day treatment, home-based family support, and/or residential support services.

Historically, each Center had access to a certain number of inpatient beds at one of the Mental Health Institutes, and was responsible for managing admissions to the allotted beds for adults within their service area. These allotted inpatient beds are funded through the Mental Health Institutes subsection. However, the number of beds available for these civil patients has been negatively impacted by the increasing number of court orders for inpatient competency evaluations and restorations. If a Center requires additional inpatient beds for adults within their service area, it must purchase the services directly from other public or private hospitals.

Unlike the Medicaid program, mental health services provided through the Center contracts are not an entitlement. Thus, the number of individuals receiving services and the level of services provided is directly affected by the level of available funding. This line item is primarily supported by General Fund and the federal Community Mental Health Services Block Grant block grant. Federal funds are allocated to each Center for the provision of mental health services to indigent mentally ill clients and for other specified services and/or targeted populations.

The community provider rate is applied to the full General Fund portion of this appropriation, for direct client services provided by Community Mental Health Centers.

STATUTORY AUTHORITY: Section 27-65-101, et seq., C.R.S. [Care and treatment of persons with mental illness]; Section 27-66-101, et seq., C.R.S. [Community mental health services]

REQUEST: The Department requests $35,866,706 (including $27,647,129 General Fund).

RECOMMENDATION: Staff recommends appropriating $36,294,501 (including $28,054,924 General Fund). The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $27,370,658 General Fund.

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY-BASED MENTAL HEALTH SERVICES, MENTAL HEALTH COMMUNITY PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$35,610,235	$27,370,658	$0	$0	$8,239,577	0.0
TOTAL	**$35,610,235**	**$27,370,658**	**$0**	**$0**	**$8,239,577**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$35,610,235	$27,370,658	$0	$0	$8,239,577	0.0
Common policy provider rate adjustment	684,266	684,266	0	0	0	0.0
TOTAL	**$36,294,501**	**$28,054,924**	**$0**	**$0**	**$8,239,577**	**0.0**
INCREASE/(DECREASE)	**$684,266**	**$684,266**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	1.9%	2.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$35,886,706**	**$27,647,129**	**$0**	**$0**	**$8,239,577**	**0.0**
Request Above/(Below) Recommendation	($407,795)	($407,795)	$0	$0	$0	0.0

ASSERTIVE COMMUNITY TREATMENT PROGRAMS AND OTHER ALTERNATIVES TO THE MENTAL HEALTH INSTITUTES

This line item was first included in the FY 2017-18 Long Bill as part of a restructuring for this division.

This line item includes funding from three prior line item appropriations:

- A portion of the Services for Indigent Mentally Ill Clients line item that was designated for individual community mental health center capacity expansions, including:
    - Funding allocated to the Mental Health Center of Denver for the "AIM" program, which provides assertive community treatment and intensive case management services for 766 individuals. This appropriation originated from the *Ruth Goebel* lawsuit that was settled by the State in FY 2006-07;
    - Funding that supports the operations of two licensed inpatient facilities: (1) a 32 bed licensed psychiatric hospital in Grand Junction that is operated by the local community mental health center (Mind Springs Health); and (2) a 16 bed Acute Treatment Unit in Durango that is operated by the local community mental health center (Axis Health Systems);
    - Funding for a community mental health center in western Colorado to provide behavioral health services for individuals who seek care from the emergency department of a regional medical center and who are diagnosed with physical health conditions that may be exacerbated by co-occurring mental health conditions;
- Assertive Community Treatment Programs; and
- Alternatives to Inpatient Hospitalization at a Mental Health Institute, excluding that portion that was used for medications.

This new line item supports "Assertive Community Treatment" (ACT), an evidence-based service delivery model for providing comprehensive community-based treatment to adults with serious and persistent mental illness. The ACT model includes a mobile mental health team with members that function interchangeably to provide the treatment, rehabilitation, and support services that adults with serious mental illnesses need to live successfully in the community.

This line item also supports alternative placements for individuals who would otherwise require hospitalization at one of the mental health institutes. Funding is allocated among Centers to provide the following types of services:

- Acute treatment unit and residential treatment capacity;
- intensive therapy and case management;
- mentoring services; and
- other services to improve the patient's level of functioning to enhance his or her success in the community.

Funding covers services for clients who are not eligible for Medicaid and services that are not covered by Medicaid for Medicaid-eligible clients (e.g., residential room and board expenses).

The community provider rate is applied to the total appropriation for direct client services provided by Community Mental Health Centers.

STATUTORY AUTHORITY: Section 27-66-101, et seq., C.R.S. [Community mental health services]

REQUEST: The Department requests $16,889,906 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $17,139,032 General Fund. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $16,721,007. The base includes the annualization/restoration of the FY 2020-21 budget balancing reduction of $1,000,000 General Fund.

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY-BASED MENTAL HEALTH SERVICES, ACT PROGRAMS AND OTHER ALTERNATIVES TO THE MHIS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$15,721,007	$15,721,007	$0	$0	$0	0.0
TOTAL	**$15,721,007**	**$15,721,007**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$15,721,007	$15,721,007	$0	$0	$0	0.0
Annualize prior year balancing action	1,000,000	1,000,000	0	0	0	0.0
Common policy provider rate adjustment	418,025	418,025	0	0	0	0.0
TOTAL	**$17,139,032**	**$17,139,032**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,418,025**	**$1,418,025**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	9.0%	9.0%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$16,889,906**	**$16,889,906**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($249,126)	($249,126)	$0	$0	$0	0.0

MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS

The line item provides funding for Community Mental Health Centers to provide case management services, wrap-around services, medications, and treatment services for juvenile and adult offenders who have mental health problems and are involved in the criminal justice system. Each Center is allowed to determine how they wanted to use these funds. Many Centers have chosen to use this allocation to support a co-responder model (similar to programs authorized by S.B. 17-207 and funded through the Criminal Justice Diversion Programs line item) or to support problem-solving courts that focus on individuals with mental health disorders. Prior to FY 2016-17, this line item was supported by Tobacco Master Settlement Agreement revenues that were annually transferred to the Offender Mental Health Services Fund based on a statutory formula. House Bill 16-1408 eliminated this transfer, and this line item is now supported by the Marijuana Tax Cash Fund.

Prior to FY 2017-18, this line item provided funding for 11 of the 17 Centers. In FY 2017-18, the appropriation was increased to:

- restore to FY 2009-10 levels the amounts allocated to the 11 Centers;
- allocate funding to the six Centers (all rural) that had not received any funding for this purpose[5]; and
- restore a $10,000 budget to make annual training available for Centers.

This line item also became subject to annual community provider rate increases in FY 2017-18. The community provider rate is applied to the total base appropriation for direct client services provided by Community Mental Health Centers.

STATUTORY AUTHORITY: Section 27-66-104 (4), C.R.S. [Offender mental health services fund]; H.B. 16-1408 authorized the use of Marijuana Tax Cash Fund for this program but did not include conforming amendments to Section 39-28.8-501 (2)(b)(IV)(C), C.R.S [Authorization for use of Marijuana Tax Cash Fund]

REQUEST: The Department requests $4,377,509 cash funds from the Marijuana Tax Cash Fund. The request is impacted by R15 (Community Behavioral Health Services).

RECOMMENDATION: Staff recommends appropriating $5,795,078 cash funds. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $5,653,735.

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY-BASED MENTAL HEALTH SERVICES, MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$4,653,735	$0	$4,653,735	$0	$0	0.0

[5] These six Centers include: Centennial (10 counties in northeast region); Center for Mental Health (Delta, Gunnison, Hinsdale, Montrose, Ouray, and San Miguel counties); San Luis Valley Behavioral Health Group (Alamosa, Conejos, Costilla, Mineral, Rio Grande, and Saguache counties); Southeast Health Group (Baca, Bent, Crowley, Kiowa, Otero, and Prowers counties); Axis Health Systems (Archuleta, Dolores, La Plata, Montezuma, and San Juan counties); and Solvista Health (Chaffee, Custer, Fremont, and Lake counties).

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY-BASED MENTAL HEALTH SERVICES, MENTAL HEALTH SERVICES FOR JUVENILE AND ADULT OFFENDERS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
TOTAL	**$4,653,735**	**$0**	**$4,653,735**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$4,653,735	$0	$4,653,735	$0	$0	0.0
Annualize prior year balancing action	1,000,000	0	1,000,000	0	0	0.0
Common policy provider rate adjustment	141,343	0	141,343	0	0	0.0
R15 Community behavioral health services	0	0	0	0	0	0.0
TOTAL	**$5,795,078**	**$0**	**$5,795,078**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,141,343**	**$0**	**$1,141,343**	**$0**	**$0**	**0.0**
Percentage Change	24.5%	0.0%	24.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,377,509**	**$0**	**$4,377,509**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($1,417,569)	$0	($1,417,569)	$0	$0	0.0

CHILDREN AND YOUTH MENTAL HEALTH TREATMENT ACT

The Children and Youth Mental Health Treatment Act (CYMHTA), as amended by H.B. 18-1094, provides funding for mental health treatment services for children and youth under age 21[6]. The program is designed to make services available for children and youth who are at risk of out-of-home placement, but a dependency and neglect action is neither appropriate nor warranted. Services may include mental health treatment services and care management, including any residential treatment, community-based care, or any post-residential follow-up services that may be appropriate. Local and state-level appeal processes are available if services are denied, and for local interagency disputes.

The CYMHTA applies to two groups of children, with different application and payment processes for each group.

- *Children who are categorically Medicaid-eligible and have a covered mental health diagnosis.* A parent or guardian of a Medicaid-eligible child may apply for residential treatment through the local regional accountable entity (RAE). If the child is determined to require a residential level of care, the RAE is responsible for covering the residential treatment costs.

- *Children Who Are NOT Categorically Eligible for Medicaid.* If a child is at risk of being placed out of the home because they have a mental illness and they require a residential treatment level of care or equivalent community-based services, the parent or guardian may apply for such services through the local community mental health center (Center) or another mental health agency. The Center or mental health agency is required to evaluate the child or youth and clinically assess their need for mental health services.

  When a child or youth is approved for funding through this program and the child or youth requires residential treatment, the child or youth may become eligible for Medicaid funding through the federal supplemental security income (SSI) eligibility process. If a child has been in residential services for more than 30 days, or is expected to remain in residential services for more than 30 days, the child can qualify for SSI due to being considered a "household of one" per the

[6] An individual must be under the age of 18 to become eligible for services through this program. However, once an individual becomes eligible, he or she may remain eligible until his or her 21st birthday.

federal Social Security Administration. Once a child obtains SSI, the child automatically acquires fee-for-service Medicaid. Medicaid funding pays for the treatment costs of residential services, but does not fund room and board costs.

Due to federal regulations, the SSI benefit is paid directly to the child or payee (typically the parent) to fund a portion of the residential room and board rate. The parent will then give all but $30 of the SSI award to the residential provider. SSI awards vary based on the child's treatment location and family income, ranging from $30 to $700 per month.

Private insurance benefits must be exhausted prior to accessing any public benefits. In addition, the parents are responsible for paying a portion of the cost of services that is not covered by private insurance or by Medicaid funding; the parent share is based on a sliding fee scale that is based on child support guidelines.

When and if the child is in residential care and funded by the CYMHTA, expenses are covered by parental fees, SSI benefits (if benefits are approved), and CYMHTA funds. If the child or youth is placed in a psychiatric residential treatment facility, treatment expenses are covered by a Medicaid per diem rate and "room and board" expenses are covered by parental fees and CYMHTA funds. If the child is in non-residential care, expenses are covered by SSI benefits, parental fees, and CYMHTA funds.

Expenditures for services covered by this line item are subject to available appropriations. Please note, however, that House Bill 18-1094 struck existing statutory language stating that, "It is the intent of the General Assembly that the portion of such expenses paid from general fund moneys shall not exceed the general fund appropriations made for such purpose in any given fiscal year". However, it appears that expenditures for services covered by this line item are still subject to available appropriations because the Department does not have statutory authority to incur expenditures that exceed the appropriations from the General Fund or the Marijuana Tax Cash Fund. The appropriation from Medicaid funds, however, may be over expended pursuant to Section 24-75-109 (1)(a), C.R.S. In addition, the two departments have the authority to transfer General Fund appropriations between the two agencies when required by changes in the amount of federal Medicaid funds earned based on the services provided through this program [see Section 24-75-106 (1), C.R.S.].

Finally, current law provides guidance for the Department in prioritizing which children and youth should receive services through the program based on available funding:

> "It is the intent of the general assembly that subsidies provided by the state through general fund money must be used to assist the lowest income families to ensure the maximum use of appropriate least restrictive treatment services and to provide access to the greatest number of children and youth."

This line item is currently supported by three fund sources:

- General Fund;
- Marijuana Tax Cash Fund; and
- Transfers from HCPF, which originate as General Fund and federal Medicaid funds.

The community provider rate is applied to the General Fund and cash fund appropriations for direct client services provided by:

- Residential mental health treatment providers,
- Administrative Service Organizations (for care coordination), and
- Private and nonprofit community-based outpatient providers (including some Community Mental Health Centers).

STATUTORY AUTHORITY: Section 25.5-5-307, C.R.S. [Child mental health treatment and family support program]; Section 27-67-101 et seq., C.R.S. [Children and Youth Mental Health Treatment Act]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]

REQUEST: The Department requests $3,085,317 total funds (including $2,541,499 General Fund).

RECOMMENDATION: Staff recommends appropriating $3,127,654 total funds (including $2,578,953 General Fund, $423,357 cash funds from the MTCF, and $125,344 reappropriated funds transferred from HCPF).

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $2,929,083 total funds (including $2,516,052 General Fund and $413,031 cash funds).

OFFICE OF BEHAVIORAL HEALTH, COMMUNITY-BASED MENTAL HEALTH SERVICES, CHILDREN AND YOUTH MENTAL HEALTH TREATMENT ACT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,054,427	$2,516,052	$413,031	$125,344	$0	0.0
TOTAL	**$3,054,427**	**$2,516,052**	**$413,031**	**$125,344**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,054,427	$2,516,052	$413,031	$125,344	$0	0.0
Common policy provider rate adjustment	73,227	62,901	10,326	0	0	0.0
TOTAL	**$3,127,654**	**$2,578,953**	**$423,357**	**$125,344**	**$0**	**0.0**
INCREASE/(DECREASE)	**$73,227**	**$62,901**	**$10,326**	**$0**	**$0**	**0.0**
Percentage Change	2.4%	2.5%	2.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,085,317**	**$2,541,499**	**$417,208**	**$126,610**	**$0**	**0.0**
Request Above/(Below) Recommendation	($42,337)	($37,454)	($6,149)	$1,266	$0	0.0

(C) Substance Use Treatment and Prevention Services

This section provides funding to support substance use disorder services that are delivered through local community providers, as well as gambling addiction services. This section is primarily supported by the federal Substance Abuse Prevention and Treatment Block Grant, General Fund, the Marijuana Tax Cash Fund, transfers from HCPF (which originate as General Fund and federal Medicaid funds), and transfers from the Judicial Department (which originate as General Fund and drug offender surcharge revenues), and court fines and fees.

Treatment and Detoxification Programs

This line item was first included in the FY 2017-18 Long Bill as part of a restructuring for this division. This line item includes funding from two prior line item appropriations:

- The Treatment and Detoxification Contracts line item, excluding funding that was transferred from the Judicial Department through the Correctional Treatment Cash Fund; and
- Case Management for Chronic Detoxification Contracts.

This new line item supports contracts for the provision of treatment and detoxification services that are not otherwise available. The Office of Behavioral Health currently contracts with four managed service organizations (MSOs) for the provision of substance use disorder treatment and detoxification services in seven catchment areas. The MSOs subcontract with local treatment providers with locations around the state to deliver these services. The contracts the Office enters into with MSOs require an emphasis on providing services to: persons involuntarily committed by the courts; pregnant women and women with dependent children; adult and adolescent intravenous drug users; drug-dependent adults and adolescents with human immunodeficiency virus (HIV) or tuberculosis; and uninsured individuals.

The Department arranges for detoxification and treatment services with one contract for each catchment area. However, treatment and detoxification are two different levels of care that have separate and distinct contract admissions requirements.

- *Non-hospital detoxification services.* Individuals who are intoxicated by alcohol or drugs are evaluated and provided services necessary to protect client and public health and safety until the blood level of the intoxicating substance(s) is zero. Detoxification and shelter services serve a dual purpose by protecting individual and public health and safety, and serving as an entry point for treatment. Detoxification services are critical for law enforcement and community protection, but do not constitute treatment for substance abuse.
- *Treatment.* Basic treatment services include: outpatient opioid replacement treatment; individual, group, and family outpatient therapy; intensive outpatient therapy; transitional residential treatment; therapeutic community, and intensive residential treatment.

Unlike the Medicaid program, substance use disorder services provided through the MSO contracts are not an entitlement. Thus, the number of individuals receiving services is directly affected by the level of available funding.

The community provider rate is applied to the General Fund and Marijuana Tax Cash Fund portions of the appropriation for direct client services provided by Managed Service Organizations and their

contracted providers (including licensed residential treatment providers, community mental health centers, and outpatient substance use treatment facilities).

STATUTORY AUTHORITY: Section 16-11.5-102, C.R.S. [Substance use in the criminal justice system - programs for education and treatment for offenders]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]; Section 18-19-103 (5)(c) and (d), C.R.S. [Use of Correctional Treatment Cash Fund for offenders]

REQUEST: The Department requests $34,060,172 total funds (including $2,948,481 General Fund).

RECOMMENDATION: As detailed in the following table, staff recommends appropriating $40,441,682 total funds (including $14,595,588 General Fund).

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $20,431,974 total funds.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, TREATMENT AND DETOXIFICATION PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$32,243,507	$12,204,598	$845,442	$0	$19,193,467	2.1
TOTAL	**$32,243,507**	**$12,204,598**	**$845,442**	**$0**	**$19,193,467**	**2.1**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$32,243,507	$12,204,598	$845,442	$0	$19,193,467	2.1
Annualize prior year balancing action	7,687,376	2,035,000	5,652,376	0	0	0.0
Common policy provider rate adjustment	510,799	355,990	154,809	0	0	0.0
R7 Substance use treatment	0	0	0	0	0	0.0
TOTAL	**$40,441,682**	**$14,595,588**	**$6,652,627**	**$0**	**$19,193,467**	**2.1**
INCREASE/(DECREASE)	**$8,198,175**	**$2,390,990**	**$5,807,185**	**$0**	**$0**	**0.0**
Percentage Change	25.4%	19.6%	686.9%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$34,060,172**	**$2,948,481**	**$11,918,224**	**$0**	**$19,193,467**	**2.1**
Request Above/(Below) Recommendation	($6,381,510)	($11,647,107)	$5,265,597	$0	$0	0.0

INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDER SERVICES (S.B. 16-202)

Senate Bill 16-202 requires each of the State's designated regional managed service organizations (MSOs) to assess the sufficiency of substance use disorder services in its geographic region, and prepare a community action plan to address the most critical service gaps. The assessment was to consider the service needs for different populations, and to assess the continuum of substance use disorder services, including prevention, early intervention, treatment, and recovery support services. A single, consolidated Community Assessment Report was prepared by Keystone Policy Center. This consolidated report, and the MSO community action plans for each region are available on the

Colorado Behavioral Healthcare Council (CBHC) website[7].

The act requires the Department of Human Services (DHS) to allocate money that is annually appropriated to it from the Marijuana Tax Cash Fund to the MSOs based on the Department's allocation of the federal Substance Abuse Prevention and Treatment Block Grant. The act allows MSOs, by consensus, to recommend changes to the allocation methodology. Each MSO is authorized to use its annual allocation over a two-year period to implement its community action plan and increase access to substance use disorder services for populations in need of such services within its region (including start-up costs and other expenses necessary to expand capacity).

The General Assembly made $6.0 million available for this purpose in FY 2016-17, $12.0 million in FY 2017-18, and $15.2 million for FY 2018-19. In response to a staff request, CBHC provided summaries of MSO expenditures for FY 2016-17 and FY 2017-18. MSOs reported expenditures totaling $5,152,124 in FY 2016-17 and $9,364,854 in FY 2017-18. As in FY 2016-17, expenditures for services spanned the continuum, including prevention, treatment, and recovery services. Significant investments were again made to expand access to withdrawal management, residential treatment, and medication assisted treatment. MSOs also invested significant amounts in a variety of prevention and recovery programs. Other expenditures were made to expand outreach, care coordination, and client transportation, as well as to support workforce training and development.

The community provider rate is applied to the total appropriation for direct client services provided by Managed Service Organizations and their contracted providers (including licensed residential treatment providers, community mental health centers, and outpatient substance use treatment facilities).

STATUTORY AUTHORITY: Section 27-80-107.5, C.R.S. [Increasing access to effective substance use disorder services]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]

REQUEST: The Department requests $10,157,266 cash funds from the Marijuana Tax Cash Fund (MTCF).

RECOMMENDATION: Staff recommends appropriating $15,806,622 cash funds. This includes adjustments for the staff recommendation for the R7 decision item.

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $15,421,095.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDER SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$13,921,095	$0	$13,921,095	$0	$0	0.0
TOTAL	**$13,921,095**	**$0**	**$13,921,095**	**$0**	**$0**	**0.0**

[7] See: http://www.cbhc.org/substance-use-disorder-community-assessment-sb-16-202-report/.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, INCREASING ACCESS TO EFFECTIVE SUBSTANCE USE DISORDER SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$13,921,095	$0	$13,921,095	$0	$0	0.0
Annualize prior year balancing action	1,500,000	0	1,500,000	0	0	0.0
Common policy provider rate adjustment	385,527	0	385,527	0	0	0.0
R7 Substance use treatment	0	0	0	0	0	0.0
TOTAL	**$15,806,622**	**$0**	**$15,806,622**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,885,527**	**$0**	**$1,885,527**	**$0**	**$0**	**0.0**
Percentage Change	13.5%	0.0%	13.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$10,157,266**	**$0**	**$10,157,266**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($5,649,356)	$0	($5,649,356)	$0	$0	0.0

PREVENTION PROGRAMS

This line item funds prevention programs to provide youth, families and communities with the resources and skills to increase protective factors and decrease risk factors linked to substance abuse. The Office of Behavioral Health contracts with statewide and local prevention programs by providing partial funding for services designed to prevent the illegal and inappropriate use of alcohol, tobacco, and other drugs. Services include: mentoring, tutoring, life skills training, parenting training, creative arts, education/resource centers, DUI prevention programs, and employee assistance programs. Prevention strategies used by the Department, and its contractors include:

- Information distribution regarding the nature and extent of use, abuse and its effects on individuals, families, and communities;
- Substance-free activity development for community events;
- Community development, which helps groups, neighborhoods or communities plan and implement a range of prevention services;
- Prevention education, which involves a structured, formal research-based curriculum and problem identification and assessment, which determines whether substance abusing and behavior can be reversed through education; and
- Community-based efforts to establish or change written and unwritten community standards and attitudes influencing the incidence and prevalence of the abuse of alcohol, tobacco and other drugs.

The community provider rate is applied to the General Fund appropriation for direct client services provided by substances use prevention providers, including school districts.

STATUTORY AUTHORITY: Section 18-13-122 (18), C.R.S. [Adolescent Substance Abuse Prevention and Treatment Fund]; Section 44-7-107, C.R.S. [Cigarette, Tobacco Product, and Nicotine Product Use by Minors Prevention Fund; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]

REQUEST: The Department requests $6,418,559 total funds (including $36,293 General Fund).

RECOMMENDATION: Staff recommends appropriating $6,418,993 (including: $36,828 General Fund).

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $35,930.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, PREVENTION CONTRACTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$6,418,095	$35,930	$51,149	$0	$6,331,016	0.0
TOTAL	**$6,418,095**	**$35,930**	**$51,149**	**$0**	**$6,331,016**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$6,418,095	$35,930	$51,149	$0	$6,331,016	0.0
Common policy provider rate adjustment	898	898	0	0	0	0.0
TOTAL	**$6,418,993**	**$36,828**	**$51,149**	**$0**	**$6,331,016**	**0.0**
INCREASE/(DECREASE)	**$898**	**$898**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	2.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$6,418,559**	**$36,293**	**$51,250**	**$0**	**$6,331,016**	**0.0**
Request Above/(Below) Recommendation	($434)	($535)	$101	$0	$0	0.0

COMMUNITY PREVENTION AND TREATMENT PROGRAMS

This line item was first included in the FY 2017-18 Long Bill as part of a restructuring for this division. This line item consolidates funding for six prior line items, described below.

The *Federal Grants* line item reflected a variety of federal alcohol and substance use discretionary grants. The portion of federal grants anticipated to be used for administrative activities is shown in the Community Behavioral Health Administration subsection.

The *Persistent Drunk Driver Programs* line item, which is supported by surcharges of $100 to $500 for persons convicted of DUI, DUI per se, or DWAI that are credited to the Persistent Drunk Driver Cash Fund. Persistent drunk driver programs are designed to deter persistent drunk driving, and to educate the public, with an emphasis on young drivers. Money in the Persistent Drunk Driver Cash Fund is subject to annual appropriation to pay for the following:

- to support programs that are intended to deter persistent drunk driving or intended to educate the public (with particular emphasis on the education of young drivers) regarding the dangers of persistent drunk driving;
- to pay a portion of the costs for intervention or treatment services statutorily required for a persistent drunk driver who is unable to pay for the required intervention or treatment services;
- to assist in providing court-ordered alcohol treatment programs for indigent and incarcerated offenders;
- to assist in providing approved ignition interlock devices for indigent offenders;
- to assist in providing continuous monitoring technology or devices for indigent offenders; and
- costs incurred by the Department of Revenue concerning persistent drunk drivers, including costs associated with the revocation of a driver's license and computer programming changes.

Money is directly appropriated to the Department of Revenue and to the Department of Human Services (DHS); a portion of the money appropriated to DHS is transferred to the Judicial Department's Probation unit.

The *Community Prevention and Treatment* line item provides funding for the purchase of community services for the prevention and treatment of alcohol and drug abuse. This line item was previously supported by Tobacco Master Settlement Agreement revenues that were annually transferred to the Alcohol and Drug Abuse Community Prevention and Treatment Fund. House Bill 16-1408 repealed this fund, eliminated the FY 2016-17 appropriation from this fund for this line item and substituted a direct appropriation from the Marijuana Tax Cash Fund.

The *Law Enforcement Assistance Fund Contracts* line item is supported by revenue from a $75 surcharge on drunk and drugged driving convictions that is credited to the Law Enforcement Assistance Fund. Money in this fund supports enforcement, laboratory charges, and prevention programs. The Office of Behavioral Health annually receives 20 percent of LEAF revenues that are available after appropriations are made to the Department of Public Health and Environment (for evidential breath alcohol testing and implied consent specialists) and to the Department of Public Safety's Colorado Bureau of Investigation (for toxicology laboratory services). These funds are to be used to establish a statewide program for the prevention of driving after drinking, which includes:

- educating the public in the problems of driving after drinking;
- training of teachers, health professionals, and law enforcement in the dangers of driving after drinking;
- preparing and disseminating educational materials dealing with the effects of alcohol and other drugs on driving behavior; and
- preparing and disseminating education curriculum materials thereon for use at all levels of school specifically to establish impaired driving prevention programs.

The Office allocates available funds through five separate contracts targeted as the following audiences:

- General population as a whole;
- Teachers of young people and young adults;
- Health professionals;
- Local law enforcement; and
- Providers and advocacy organizations.

Funding supports local efforts to prevent persons from driving when using alcohol or other drugs. Services provided include: mentoring; tutoring; life skills training; harm reduction education; community coalition building; social norms marketing; and education and information dissemination.

The *Rural Substance Abuse Prevention and Treatment* line item ($151,200 cash funds from the Rural Alcohol and Substance Abuse Cash Fund). House Bill 09-1119 defines a "rural area" as a county with a population of less than 30,000. The program consists of two components:

- Half of the available funds support the Rural Youth Alcohol and Substance Abuse Prevention and Treatment Project, which provides prevention and treatment services to children ages eight to 17 in rural areas.

- The remaining half of the funds support treatment services for persons addicted to alcohol or drugs. These funds are allocated to MSOs in six of the seven MSO regions (all except Boulder) to support detoxification facilities in rural counties.

The Program is supported by penalty surcharges on convictions of driving under the influence (DUI), driving while ability impaired (DWAI), habitual user of controlled substances, and underage drinking and driving. Penalty surcharges are also established for other alcohol or drug-related offenses upon conviction or a deferred sentence. The minimum penalty surcharge is $1 and the maximum is $10. Surcharge revenue is credited to the Rural Alcohol and Substance Abuse Cash Fund.

The *Balance of Substance Abuse Block Grant Programs* line item included federal Substance Abuse Prevention and Treatment Block Grant allocations. The Office of Behavioral Health has the flexibility to allocate funds in this line item to the Treatment and Detoxification Contracts and Prevention Contracts line items. The Department is required to use 35 percent of block grant funds for alcohol abuse programs, 35 percent for drug abuse programs, and 20 percent for prevention; the remaining 10 percent may be used for any of these three areas. The Department combines appropriations to meet the needs of specific populations. This flexibility is essential for the Department to meet the five earmarked requirements of each block grant award (administration, drug/alcohol treatment, prevention, women's services, and HIV early intervention).

The community provider rate is applied to the General Fund and Marijuana Tax Cash Fund portions of the appropriation for direct client services provided by Managed Service Organizations and their contracted providers (including licensed residential treatment providers, community mental health centers, and outpatient substance use treatment facilities).

STATUTORY AUTHORITY: Section 27-80-106, C.R.S. [Alcohol and substance use – purchase of prevention and treatment services]; Section 27-80-109, C.R.S. [Alcohol and substance use – coordination of state and federal funds and programs]; Section 27-80-117, C.R.S. [Rural Substance Abuse Prevention and Treatment]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]; Section 42-3-303, C.R.S. [Persistent Drunk Driver Programs]; Sections 43-4-402 (2)(a) and 43-4-404 (3), C.R.S. [Law Enforcement Assistance Fund]

REQUEST: The Department requests $5,856,752 total funds (including $10,189 General Fund).

RECOMMENDATION: Staff recommends appropriating $5,868,558 total funds, including $10,339 General Fund**.** The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $784,917 total funds.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, COMMUNITY PREVENTION AND TREATMENT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$5,848,935	$10,087	$2,451,030	$0	$3,387,818	0.0
TOTAL	**$5,848,935**	**$10,087**	**$2,451,030**	**$0**	**$3,387,818**	**0.0**

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, COMMUNITY PREVENTION AND TREATMENT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$5,848,935	$10,087	$2,451,030	$0	$3,387,818	0.0
Common policy provider rate adjustment	19,623	252	19,371	0	0	0.0
TOTAL	**$5,868,558**	**$10,339**	**$2,470,401**	**$0**	**$3,387,818**	**0.0**
INCREASE/(DECREASE)	**$19,623**	**$252**	**$19,371**	**$0**	**$0**	**0.0**
Percentage Change	0.3%	2.5%	0.8%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$5,856,752**	**$10,189**	**$2,458,745**	**$0**	**$3,387,818**	**0.0**
Request Above/(Below) Recommendation	($11,806)	($150)	($11,656)	$0	$0	0.0

OFFENDER SERVICES

This line item was first included in the FY 2017-18 Long Bill as part of a restructuring for this division. The Department uses this funding to contract with local treatment providers who offer two types of treatment programs, described below.

- The *Short-term Intensive Residential Remediation Treatment (STIRRT)* program is intended to reduce recidivism among male and female offenders who are at high risk of incarceration (either in county jail or in the Department of Corrections) due to continued substance abuse. The program serves adults who:
  - have severe substance abuse or co-occurring mental health disorder;
  - have one or more misdemeanor or felony convictions;
  - are assessed as needing intensive levels of treatment; and
  - are at risk of having probation or parole revoked and of being incarcerated.

  STIRRT includes two weeks of intensive residential treatment, followed by continuing care in an outpatient setting for eight months (or longer based on individual needs). Clients are primarily referred from probation or drug courts, the Department of Corrections/parole, and community corrections.

- The *Strategies for Self-improvement and Change* program is a cognitive behavioral treatment model for the substance abusing adult offenders.

The community provider rate is applied to the full General Fund portion of this appropriation, for direct client services provided by Community Mental Health Centers.

STATUTORY AUTHORITY: Section 16-11.5-102, C.R.S. [Substance use in the criminal justice system - programs for education and treatment for offenders]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Drug use prevention, education, and treatment]; Section 18-19-103 (5)(c) and (d), C.R.S. [Use of Correctional Treatment Cash Fund for offenders]

REQUEST: The Department requests $4,574,702 total funds (including $3,054,325 General Fund).

RECOMMENDATION: Staff recommends appropriating $3,096,8458 General Fund, and **the recommendation for the appropriation of funds transferred from the Judicial Department are pending the Committee's decision for all appropriations from the Correctional Treatment Cash Fund.** [Recommendations concerning the Correctional Treatment Cash Fund are scheduled for March 8.]

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $3,021,312.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, OFFENDER SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,776,485	$2,271,312	$0	$1,505,173	$0	0.0
TOTAL	**$3,776,485**	**$2,271,312**	**$0**	**$1,505,173**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,776,485	$2,271,312	$0	$1,505,173	$0	0.0
Annualize prior year balancing action	750,000	750,000	0	0	0	0.0
Common policy provider rate adjustment	75,533	75,533	0	0	0	0.0
TOTAL	**$4,602,018**	**$3,096,845**	**$0**	**$1,505,173**	**$0**	**0.0**
INCREASE/(DECREASE)	**$825,533**	**$825,533**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	21.9%	36.3%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,574,702**	**$3,054,325**	**$0**	**$1,520,377**	**$0**	**0.0**
Request Above/(Below) Recommendation	($27,316)	($42,520)	$0	$15,204	$0	0.0

HIGH RISK PREGNANT WOMEN PROGRAM

The High Risk Pregnant Women Program (known as "Special Connections") is a program for pregnant women who are eligible for Medicaid and who have alcohol and/or drug abuse problems. The program helps women have healthier pregnancies and healthier babies by providing case management, individual and group counseling, health education, and residential treatment during pregnancy and up to one year after delivery. The Department contracts with several providers to operate Special Connections Programs. This program was developed to: deliver a healthy baby; reduce or stop the substance using behavior of the pregnant woman during and after the pregnancy; promote and assure a safe child-rearing environment for the newborn and other children; and maintain the family unit. This line item is supported by reappropriated funds transferred from HCPF (which originate as General Fund and federal Medicaid funds).

The community provider rate is applied to the total appropriation for direct client services provided by community residential treatment providers including: ARTS Mothers Haven (Denver); Aspen Miracles Center (Adams); New Directions (Arapahoe); Women's Recovery Center (Mesa); WINGS (Weld); Crossroads Turning Point (Pueblo).

STATUTORY AUTHORITY: Section 27-80-103, and 27-80-112 through 116, C.R.S.

REQUEST: The Department requests $1,201,654 reappropriated funds.

RECOMMENDATION: Staff recommends an appropriation of $1,865,775 reappropriated funds. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $1,820,268.

OFFICE OF BEHAVIORAL HEALTH, SUBSTANCE USE TREATMENT AND PREVENTION SERVICES, HIGH RISK PREGNANT WOMEN PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$1,183,268	$0	$0	$1,183,268	$0	0.0
TOTAL	**$1,183,268**	**$0**	**$0**	**$1,183,268**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$1,183,268	$0	$0	$1,183,268	$0	0.0
Annualize prior year balancing action	637,000	0	0	637,000	0	0.0
Common policy provider rate adjustment	45,507	0	0	45,507	0	0.0
TOTAL	**$1,865,775**	**$0**	**$0**	**$1,865,775**	**$0**	**0.0**
INCREASE/(DECREASE)	**$682,507**	**$0**	**$0**	**$682,507**	**$0**	**0.0**
Percentage Change	57.7%	0.0%	0.0%	57.7%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$1,201,654**	**$0**	**$0**	**$1,201,654**	**$0**	**0.0**
Request Above/(Below) Recommendation	($664,121)	$0	$0	($664,121)	$0	0.0

(D) INTEGRATED BEHAVIORAL HEALTH SERVICES

This section provides funding for programs that integrate mental health and substance use disorder services, including:

- a behavioral health crisis response system;
- community-based mental health and substance use disorder services for individuals involved in or at risk of involvement in the criminal or juvenile justice systems;
- behavioral health services and supports for individuals transitioning from the mental health institutes to the community; and
- behavioral health services for adolescents and adults with co-occurring mental health and substance use disorders.

This section is supported by General Fund, the Marijuana Tax Cash Fund, and transfers from the Judicial Department (originating as General Fund, drug offender surcharge revenues, and cash funds from the Marijuana Tax Cash Fund).

BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SERVICES

This is the first of three line items that support the behavioral health crisis response system that was authorized through S.B. 13-266. The act defines "crisis intervention services" to mean an array of integrated services that are available twenty-four hours a day, seven days a week, to respond to and assist individuals who are in a behavioral health emergency. The components of the system are required to reflect a continuum of care from crisis response through stabilization and safe return to the community, with adequate support for transitions to each stage. This line item provides funding for a collection of integrated services to respond to and assist individuals experiencing a behavioral health emergency, including the following:

- Walk-in crisis services and crisis stabilization units with the capacity for immediate clinical intervention, triage, and stabilization. The walk-in crisis services and crisis stabilization units must employ an integrated health model based on evidence-based practices that consider an individual's physical and emotional health, are a part of a continuum of care, and are linked to mobile crisis services and crisis respite services.
- Mobile crisis services and units that are linked to the walk-in crisis services and crisis respite services and that have the ability to initiate a response in a timely fashion to a behavioral health crisis.
- Residential and respite crisis services that are linked to the walk-in crisis services and crisis respite services and that include a range of short-term crisis residential services, including but not limited to community living arrangements.

For FY 2018-19, $23,506,902 General Fund is appropriated for the above services.

Senate Bill 17-207 eliminated, effective May 1, 2018, the use of the criminal justice system to hold individuals who are experiencing a mental health crisis, and allows a person experiencing a mental health crisis to be taken to an emergency medical services facility if a facility that has been approved by the Department of Human Services (DHS) is not available. This act made a number of changes regarding the State's coordinated behavioral health crisis response system (crisis system) including the following:

- requiring that on or before January 1, 2018, all crisis system walk-in centers, acute treatment units, and crisis stabilization units be able to adequately care for individuals brought to the facility through the emergency mental health hold procedure or a voluntary application for mental health services as authorized by the act;
- requiring DHS, on or before January 1, 2018, to ensure that crisis system mobile response units are available to respond to a behavioral health crisis anywhere in the state within two hours;
- requiring DHS to ensure that crisis system contractors are responsible for community engagement, coordination, and system navigation for key partners including criminal justice agencies, emergency departments, hospitals, primary care facilities, and walk-in centers;
- requiring DHS to ensure consistent training for professionals who have regular contact with individuals experiencing a behavioral health crisis, and to explore solutions for addressing secure transportation of individuals placed on a 72-hour treatment and evaluation hold;
- allowing certain licensed advanced practice nurses to determine that a person in custody as a result of an emergency mental health hold can be discharged or referred for further care and treatment in another setting;
- modifying reporting requirements related to behavioral health crisis services; and
- requiring that on or before July 1, 2019, and each July 1 thereafter, each emergency medical services facility that has treated a person taken into emergency custody for a mental health hold provide an annual report to DHS including specified and confidential aggregated service information.

The community provider rate is applied to the full appropriation for direct client services provided by Administrative Service Organizations (ASO).

STATUTORY AUTHORITY: Section 27-60-101 through 104, C.R.S. [Behavioral health crisis response system]; Section 27-60-103 (1)(b)(II), (III) and (IV), C.R.S. [Crisis system service components]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and

provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]

REQUEST: The Department requests $28,989,269 total funds (including $24,991,881 General Fund and $3,997,388 from the Marijuana Tax Cash Fund).

RECOMMENDATION: Staff recommends appropriating $29,426,188 total funds (including $25,369,839 General Fund and $4,056,349 from cash funds). The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $28,708,476 total funds.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CRISIS RESPONSE SYSTEM - WALK-IN, STABILIZATION, MOBILE, RESIDENTIAL, AND RESPITE SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$27,798,476	$23,841,062	$3,957,414	$0	$0	0.0
TOTAL	**$27,798,476**	**$23,841,062**	**$3,957,414**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$27,798,476	$23,841,062	$3,957,414	$0	$0	0.0
R1 Behavioral health services for children in crisis	910,000	910,000	0	0	0	0.0
Common policy provider rate adjustment	717,712	618,777	98,935	0	0	0.0
TOTAL	**$29,426,188**	**$25,369,839**	**$4,056,349**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$1,627,712**	**$1,528,777**	**$98,935**	**$0**	**$0**	**0.0**
Percentage Change	5.9%	6.4%	2.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$28,989,269**	**$24,991,881**	**$3,997,388**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($436,919)	($377,958)	($58,961)	$0	$0	0.0

BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SECURE TRANSPORTATION PILOT PROGRAM

Senate Bill 17-207 eliminated, effective May 1, 2018, the use of the criminal justice system to hold individuals who are experiencing a mental health crisis, and allows a person experiencing a mental health crisis to be taken to an emergency medical services facility if a facility that has been approved by the Department of Human Services (DHS) is not available. This act made a number of changes regarding the State's coordinated Behavioral Health Crisis Response System including the following requirements:

- all crisis system walk-in centers, acute treatment units, and crisis stabilization units must be able to adequately care for individuals brought to the facility through the emergency mental health hold procedure or a voluntary application for mental health services as authorized by the act;
- Crisis System mobile response units must be available to respond to a behavioral health crisis anywhere in the state within two hours; and
- Crisis System contractors are responsible for community engagement, coordination, and system navigation for key partners including criminal justice agencies, emergency departments, hospitals, primary care facilities, and walk-in centers.

The act also requires the Department to "explore solutions for addressing secure transportation of individuals placed on a seventy-two-hour treatment and evaluation hold pursuant to article 65 of this title 27" [Section 27-60-104 (7), C.R.S.]. There is no statutory specificity about the number of pilots, or how long the pilots should continue.

This line item was added in the FY 2019-20 Long Bill to provide sufficient funding to allow for a meaningful evaluation of the pilot program.

STATUTORY AUTHORITY: Section 27-60-104 (7), C.R.S.

REQUEST: The Department requests $546,639 cash funds from the Marijuana Tax Cash Fund

RECOMMENDATION: Staff recommends appropriating $554,839 cash funds. The recommendation is consistent with the Committee's common policy provider rate adjustment (1.5 percent), which has been applied to a base of $546,639. All funding for this program was removed in FY 2020-21, so a restoration of the 1.0 percent provider rate is not necessary.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM SECURE TRANSPORTATION PILOT PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$0	$0	$0	$0	$0	0.0
TOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$0	$0	$0	$0	$0	0.0
Annualize prior year balancing action	546,639	0	546,639	0	0	0.0
Common policy provider rate adjustment	8,200	0	8,200	0	0	0.0
TOTAL	**$554,839**	**$0**	**$554,839**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$554,839**	**$0**	**$554,839**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$546,639**	**$0**	**$546,639**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($8,200)	$0	($8,200)	$0	$0	0.0

BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM TELEPHONE HOTLINE

This is the third of four line items that provide funding for the behavioral health crisis response system authorized through S.B. 13-266. This line item supports a twenty-four-hour telephone crisis service that is staffed by skilled peer and clinical professionals who are capable of assessing child, adolescent, and adult crisis situations and making the appropriate referrals. The hotline vendor responds to phone calls, texts, and instant messages (chats).

The community provider rate is applied to the full appropriation for direct client services provided by Rocky Mountain Crisis Partners.

STATUTORY AUTHORITY: Section 27-60-103 (1)(b)(I), C.R.S.

REQUEST: The Department requests $3,872,820 total funds.

RECOMMENDATION: Staff recommends appropriating $3,933,577 total funds, including $590,807 General Fund. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $3,837,636.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CRISIS RESPONSE SYSTEM - TELEPHONE HOTLINE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,837,636	$3,503,226	$334,410	$0	$0	0.0
Other legislation	(334,410)	0	(334,410)	0	0	0.0
TOTAL	**$3,503,226**	**$3,503,226**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,503,226	$3,503,226	$0	$0	$0	0.0
Annualize prior year legislation	334,410	0	334,410	0	0	0.0
Common policy provider rate adjustment	95,941	87,581	8,360	0	0	0.0
TOTAL	**$3,933,577**	**$3,590,807**	**$342,770**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$430,351**	**$87,581**	**$342,770**	**$0**	**$0**	**0.0**
Percentage Change	12.3%	2.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,872,820**	**$3,538,410**	**$334,410**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($60,757)	($52,397)	($8,360)	$0	$0	0.0

BEHAVIORAL HEALTH CRISIS RESPONSE SYSTEM PUBLIC INFORMATION CAMPAIGN

This is the final line item that provides funding for the behavioral health crisis response system. This line item supports a contract with Cactus Marketing Communications Inc., for a public information campaign.

STATUTORY AUTHORITY: Section 27-60-103 (1)(b)(V), C.R.S.

REQUEST: The Department requests $600,000 General Fund.

RECOMMENDATION: Staff recommends approving the request.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CRISIS RESPONSE SYSTEM - MARKETING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$0	$0	$0	$0	$0	0.0
TOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$0	$0	$0	$0	$0	0.0

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CRISIS RESPONSE SYSTEM - MARKETING						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize prior year balancing action	600,000	600,000	0	0	0	0.0
TOTAL	**$600,000**	**$600,000**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$600,000**	**$600,000**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$600,000**	**$600,000**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

COMMUNITY TRANSITION SERVICES

This line item has historically provided funding for the provision of intensive behavioral health services and supports for individuals with serious mental illness who transition from a Mental Health Institute back to the community, or who require more intensive services in the community to help avoid institutional placement. Prior to FY 2015-16, this line item included funding for Assertive Community Treatment (ACT) programs. In FY 2015-16, this funding ($4,117,539 General Fund) was transferred to the Assertive Community Treatment Programs line item, to consolidate funding for ACT programs.

This line item currently supports the "Money Follows the Individual" program. The Department initially contracted with Behavioral Healthcare Inc. (BHI, the behavioral health organization for Adams, Arapahoe, and Douglas counties) for the provision of intensive case management services to assist Institute patients with their transition to the community, as well as individuals with serious mental illness who require more intensive services within the community to avoid an institutional placement. This work required BHI staff to work with the Institutes and community organizations and agencies[8] to provide a client-centered continuum of services for clients who are difficult to discharge from the institutes and clients that have a history of behavioral health-related hospitalizations. BHI staff worked with transitioning individuals 30 days prior to discharge from the institutes and up to 60 days after the return to their communities. Funding was also provided for residential and wrap-around services that are not covered by Medicaid or other payer sources such as: sex offender risk assessments; care manager (such as additional staffing at a nursing home); guardianship services; payeeship services to assist a client with financial management; individualized peer mentoring; home modifications; temporary rental assistance; and other individualized supportive services to assist the client in transitioning to the community.
The Department recently rebid this contract and awarded funding to Rocky Mountain Human Services. The Department indicates that the individuals served to date often face barriers to obtaining housing, lack of skills for independent living, and have been a behavioral disturbance in their community. This program has generally focused on serving adults with diagnoses such as bipolar, schizoaffective disorder, and schizophrenia. The Department recently renamed this the "Momentum Program", and expanded it to serve other populations requiring intensive and innovative case management services (including children and youth). The Department indicates that this program

[8] These local organizations and agencies may include: community mental health centers; behavioral health organizations; regional care collaborative organizations; nursing homes; residential facilities; and housing agencies.

helps to reduce the criminalization of individuals with a behavioral health disorder. Please note that eligible clients include defendants who are deemed incompetent to proceed to trial.

Senate Bill 18-270 establishes the statewide Community Transition Specialist Program to coordinate referrals of high-risk individuals from hospitals and withdrawal management facilities to appropriate transition specialists. The act requires the Office of Behavioral Health to collect information concerning current practices, criteria, procedures, and system capacity for providing follow-up care for high-risk individuals after release or discharge. The act appropriated $1,588,250 General Fund to Office for FY 2018-19, based on the assumption that services would begin January 1, 2019. The Legislative Council staff fiscal note anticipated funding to increase by another $1,588,250 for FY 2019-20 to provide a full 12 months of services. Given that the act essentially expanded the services that have been historically funded by this line item, the new funds were appropriated to this same line item.

The community provider rate is applied to the full appropriation for direct client services provided by Rocky Mountain Human Services.

STATUTORY AUTHORITY: Section 27-66-101, et seq., C.R.S. [Community mental health services]; Community Transition Specialist Program [Section 27-66.5-101, et seq., C.R.S.]

REQUEST: The Department requests $7,311,134 General Fund.

RECOMMENDATION: Staff recommends appropriating $7,414,874 General Fund. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $7,234,023.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, COMMUNITY TRANSITION SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$6,634,023	$6,634,023	$0	$0	$0	0.0
TOTAL	**$6,634,023**	**$6,634,023**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$6,634,023	$6,634,023	$0	$0	$0	0.0
Annualize prior year balancing action	600,000	600,000	0	0	0	0.0
Common policy provider rate adjustment	180,851	180,851	0	0	0	0.0
TOTAL	**$7,414,874**	**$7,414,874**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$780,851**	**$780,851**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	11.8%	11.8%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$7,311,134**	**$7,311,134**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($103,740)	($103,740)	$0	$0	$0	0.0

CRIMINAL JUSTICE DIVERSION PROGRAMS

This line item was first included in the FY 2017-18 Long Bill to support community-based initiatives to divert individuals with behavioral health problems from the criminal justice system, along with related Office administrative costs. For FY 2018-19, a total of $5,561,828 cash funds from the

Marijuana Tax Cash Fund is appropriated for the implementation for this line item, including the following:

- *Law Enforcement Assisted Diversion (LEAD) pilot programs* in four communities (Alamosa, Denver, Longmont, and Pueblo), involving collaborative partnerships between law enforcement, district attorneys' offices, sheriffs, treatment providers, and other community stakeholders to divert individuals with substance use disorders ($2,300,000);
- An evaluation of the LEAD pilot programs ($220,000 – second year of a three-year contract anticipated to require a total of $610,000);
- Local partnerships between law enforcement and behavioral health agencies, often called "co-responder" programs ($2,900,000) and associated technical assistance ($60,000)[9]; and
- Office staff (1.3 FTE) to oversee the LEAD pilot programs and associated evaluation ($81,828).

The community provider rate is applied to the full appropriation for direct client services.

STATUTORY AUTHORITY: Section 27-66-101, et seq., C.R.S. [Community mental health services]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-81-101, et seq., C.R.S. [Alcohol use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]

REQUEST: The Department requests $7,241,144 total funds, including $1,552,124 General Fund and $5,689,020 cash funds from the Marijuana Tax Cash Fund and 2.3 FTE.

RECOMMENDATION: Staff recommends appropriating $7,363,860 total funds. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $7,184,254.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CRIMINAL JUSTICE DIVERSION PROGRAMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$6,797,182	$1,165,052	$5,632,130	$0	$0	2.1
TOTAL	**$6,797,182**	**$1,165,052**	**$5,632,130**	**$0**	**$0**	**2.1**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$6,797,182	$1,165,052	$5,632,130	$0	$0	2.1
Annualize prior year balancing action	387,072	387,072	0	0	0	0.2
Common policy provider rate adjustment	179,606	38,803	140,803	0	0	0.0
TOTAL	**$7,363,860**	**$1,590,927**	**$5,772,933**	**$0**	**$0**	**2.3**
INCREASE/(DECREASE)	**$566,678**	**$425,875**	**$140,803**	**$0**	**$0**	**0.2**
Percentage Change	8.3%	36.6%	2.5%	0.0%	0.0%	9.5%
FY 2021-22 EXECUTIVE REQUEST	**$7,241,144**	**$1,552,124**	**$5,689,020**	**$0**	**$0**	**2.3**
Request Above/(Below) Recommendation	($122,716)	($38,803)	($83,913)	$0	$0	(0.0)

[9] This line item supports co-responder programs in the cities of Broomfield, Denver, Greeley/Evans, Grand Junction, and Longmont; and the counties of El Paso, Larimer, and Pitkin.

JAIL-BASED BEHAVIORAL HEALTH SERVICES

This line item supports the provision of jail-based behavioral health services (JBBS) to offenders. The programs supported by this line item screen for and provide care for adult jail inmates with a substance use disorder, including individuals who have a co-occurring mental health disorder. In addition, programs provide continuity of care within the community after the inmate's release from jail. These substance use disorder services are supported by reappropriated funds transferred from the Judicial Department from moneys available in the Correctional Treatment Cash Fund (CTCF).

Senate Bill 18-250 formally established this program in statute, expanded the program to include mental health services, and provides additional funding for these services and for state and local program administration.

The Department contracts with county sheriffs' departments to administer these funds; some counties collaborate with neighboring county sheriff departments. Sheriff departments work with local community providers who are licensed by the Department of Human Services' Office of Behavioral Health to provide services within the jail, and have the capacity to provide free or low cost services in the community to inmates upon release. Most programs have at least a clinician position to offer screenings, assessment, and treatment in the jail, as well as a case manager position dedicated to transitional care and a seamless re-entry in treatment services in the community. Treatment providers screen all inmates for presence of substance use disorders, mental health disorders, trauma, and traumatic brain injury, and identify inmates with active duty or veteran military status. The staff work with inmates prior to release to develop a plan to meet their basic needs (e.g., housing, food, medication, transportation, employment) and maintain sobriety. The staff continue to work with inmates following their release to ensure successful re-entry and transition to community recovery resources. The overall goal is to target resources to meet offender's needs, engage them in the community, and prevent their return to jail.

The community provider rate is applied to the full appropriation for direct client services provided by county jails

STATUTORY AUTHORITY: Section 27-60-106, C.R.S. [Jail-based behavioral health services program]; Section 18-19-103 (5)(c) and (d)(V), C.R.S. [Use of Correctional Treatment Cash Fund for offenders in a county jail]

REQUEST: The Department requests $13,585,542 total funds (including $6,408,696 General Fund and $7,176,846 reappropriated funds from the CTCF).

RECOMMENDATION: Staff recommends appropriating $5,870,295 General Fund. Staff's recommended increase related to R35 is consistent with the Committee's common policy provider rate adjustment (1.9 percent). **The recommendation for the appropriation of funds transferred from the Judicial Department is <u>pending</u> the Committee's decision for all appropriations from the Correctional Treatment Cash Fund.** [Recommendations concerning the Correctional Treatment Cash Fund are scheduled for March 8.]

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $12,832,195.

The Department request originally included funding for R2 Family First. However, the staff recommendation is to move this funding to a new line item.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, JAIL-BASED BEHAVIORAL HEALTH SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
TOTAL	**$13,232,195**	**$6,127,117**	**$0**	**$7,105,078**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$13,232,195	$6,127,117	$0	$7,105,078	$0	0.0
Annualize prior year balancing action	1,100,000	1,100,000	0	0	0	0.0
Common policy provider rate adjustment	320,805	143,178	0	177,627	0	0.0
R15 Community behavioral health services	(1,500,000)	(1,500,000)	0	0	0	0.0
TOTAL	**$13,153,000**	**$5,870,295**	**$0**	**$7,282,705**	**$0**	**0.0**
INCREASE/(DECREASE)	**($79,195)**	**($256,822)**	**$0**	**$177,627**	**$0**	**0.0**
Percentage Change	(0.6%)	(4.2%)	0.0%	2.5%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$13,585,542**	**$6,408,696**	**$0**	**$7,176,846**	**$0**	**0.0**
Request Above/(Below) Recommendation	$432,542	$538,401	$0	($105,859)	$0	0.0

CIRCLE PROGRAM AND OTHER RURAL TREATMENT PROGRAMS FOR PEOPLE WITH CO-OCCURING DISORDERS

This line item was first included in the FY 2019-20 Long Bill and consolidates funding for two prior line items, described below.

Community Based Circle Program
This program supports intensive treatment programs for individuals with co-occurring mental health and substance use disorders. This program was previously operated on the campus of the Colorado Mental Health Institute at Pueblo (CMHIP). The Program offered a 90-day inpatient (but unlocked) therapeutic community setting that addressed mental illness, chemical dependence, personality disorders, and criminal behavior. The program admitted adults who had been unsuccessful in other inpatient or intensive outpatient substance abuse programs; many received treatment through Circle as a condition of probation. The Program had four focus components:

- Abstinence from addictive medications[10]
- Behavior change and development of coping strategies
- Tobacco cessation
- Psychiatric treatment

In June 2017, due to significant staffing shortages at CMHIP, the Department temporarily closed the Circle Program to reassign direct care staff to other CMHIP units. The Department worked with managed service organizations (MSOs) to find other treatment options for existing patients at that

[10] A patient on methadone or buprenorphine maintenance prior to admission may continue this form of treatment if approved by the Medical Director.

time and to identify alternative treatment programs for individuals waiting to be admitted to the Circle Program. In FY 2017-18, the General Assembly approved a Department proposal to convert this to a community-based program. The Department contracted with the MSO for the southeast region, Signal Behavioral Health Network, to establish a community-based Circle Program in Pueblo. Signal subcontracted with Crossroads' Turning Point Inc., to establish and operate a 16-bed program that focuses on serving those who are "justice-involved". The new community-based program was licensed in December 2018, and began serving clients the first full week of January 2019.

Rural Co-occuring Disorder Services
Since FY 2013-14, this line item has supported a full continuum of co-occurring behavioral health services for adolescents and adults in southern Colorado and the Arkansas Valley. It is staff's understanding that this appropriation was initially added based on data that demonstrated a gap in the service delivery system for southern Colorado related to the co-occurring, dually diagnosed population -- primary substance use and secondary mental health (Axis I) anxiety and depression.

Starting in FY 2018-19, the Department is contracting with two MSOs to ensure coverage in southern Colorado and the Arkansas Valley:

- Signal Behavioral Health Network administers $737,000 of the appropriation for the southeast region, which includes: Alamosa, Baca, Bent, Conejos, Costilla, Crowley, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, Rio Grande, and Saguache Counties. Signal subcontracts with Crossroads' Turning Points and San Luis Valley Behavioral Health Group (a community mental health center) to provide services in this region.
- West Slope Casa, LLC, administers the remaining $308,884 of the appropriation for the southwest region, which includes: Archuleta, Delta, Dolores, Gunnison, Hinsdale, La Plata, Montezuma, Montrose, Ouray, San Juan, and San Miguel Counties. West Slope Casa subcontracts with Axis Health Systems, Inc. (a community mental health center) to provide services in this region.

These programs serve both civil clients and those who are involved in the criminal justice system. The services provided in both regions include residential and outpatient based services with a combination of individual and group mental health therapies, individual and group substance use treatment, case management, medication assisted therapy (MAT), substance use testing, and other similar services. Staff understands that Medicaid currently only covers the cost of outpatient treatment, so this line item covers the additional costs of room and board, treatment costs that are not covered by Medicaid, and wraparound services that ensure a client's successful transition to outpatient treatment.

STATUTORY AUTHORITY: Section 27-66-101, et seq., C.R.S. [Community mental health services]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]; Section 27-66-101, et seq., C.R.S. [Community mental health services]; Section 27-80-101, et seq., C.R.S. [Alcohol and substance use – programs and services]; Section 27-81-101, et seq., C.R.S. [Alcohol and substance use, education, prevention, and treatment]; Section 27-82-101, et seq., C.R.S. [Substance use prevention, education, and treatment]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to

people with any type of substance use or mental health disorder, including those with co-occurring disorders]

The provider rate is applied to the General Fund and MTCF appropriation for services provided by Managed Service Organizations.

REQUEST: The Department requests $10,703,229 total funds, including $581,081 General Fund.

RECOMMENDATION: Staff recommends appropriating $8,326,221 total funds. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $8,171,923.

The request included an annualization to increase the MTCF related to balancing adjustments. The final appropriation for the Circle Program included an increase of MTCF to replace General Fund that was eliminated in balancing. The staff recommendation restores funding to approximately the same total funding as FY 2019-20.

OFFICE OF BEHAVIORAL HEALTH, INTEGRATED BEHAVIORAL HEALTH SERVICES, CIRCLE PROGRAM AND OTHER RURAL TREATMENT PROGRAMS FOR PEOPLE WITH CO-OCCURRING DISORDERS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$7,590,842	$0	$5,590,842	$2,000,000	$0	0.0
TOTAL	**$7,590,842**	**$0**	**$5,590,842**	**$2,000,000**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$7,590,842	$0	$5,590,842	$2,000,000	$0	0.0
Annualize prior year balancing action	581,081	581,081	0	0	0	0.0
Common policy provider rate adjustment	154,298	14,527	139,771	0	0	0.0
TOTAL	**$8,326,221**	**$595,608**	**$5,730,613**	**$2,000,000**	**$0**	**0.0**
INCREASE/(DECREASE)	**$735,379**	**$595,608**	**$139,771**	**$0**	**$0**	**0.0**
Percentage Change	9.7%	0.0%	2.5%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$10,703,229**	**$581,081**	**$8,122,148**	**$2,000,000**	**$0**	**0.0**
Request Above/(Below) Recommendation	$2,377,008	($14,527)	$2,391,535	$0	$0	0.0

MEDICATION CONSISTENCY AND HEALTH INFORMATION EXCHANGE

Senate Bill 17-019 requires the Department of Human Services (DHS), in consultation with the Department of Corrections (DOC), to promulgate rules that require providers under each department's authority and allow public hospitals and licensed private hospitals to use an agreed upon medication formulary. The formulary is intended to promote continuity of care across criminal justice agencies and health care providers. To ensure medication consistency for persons with mental health disorders in the criminal and juvenile justice systems, the act requires DHS' Division of Youth Services, DOC, counties, community mental health centers, and other providers to share patient-specific mental health care and treatment information. The act included an appropriation of $26,000 General Fund to DHS for FY 2017-18 for development of a medication formulary.

The Department initially consulted with the E-Health Commission, the Colorado Regional Health Information Organization (COHRIO), the Quality Health Network (QHN), and the Governor's Office of Information Technology. Based on these discussions, the Department determined that more planning should occur in order to address the varying needs of the 57 county jails, 17 community mental health centers, four state agencies, and other criminal justice and behavioral health systems. Due to the various types of systems and technological capacity that current exists, the Department proposed a phased pilot program that involves jails with different existing technology and capacity.

Funding provided in FY 2018-19 to implement S.B. 17-019 is anticipated to allow the Department to assess existing health information technology within jails, and to implement up to eight pilot project sites to identify cost effective solutions for data sharing. The Department plans to incorporate a process evaluation to document program implementation and measure preliminary outcomes. This evaluation will work to build the program's research base, ensure solutions can be replicated, and help to document short-term and long-term outcomes. The Department indicates that preliminary outcomes may include:

- emergency room utilization;
- psychiatric and physical inpatient admissions;
- criminal recidivism;
- improved treatment outcomes; and
- cost reductions (e.g., psychotropic medication utilization, recidivism, etc.).

STATUTORY AUTHORITY: Section 27-70-101, et seq., C.R.S. [Medication consistency for individuals with behavioral or mental health disorders in the criminal and juvenile justice systems]; Section 39-28.8-501 (2)(b)(IV)(C) and (D), C.R.S. [Authorization for use of Marijuana Tax Cash Fund]

REQUEST: The Department requests $380,700 cash funds from the Marijuana Tax Cash Fund, which is the same as the FY 2020-21 appropriation.

RECOMMENDATION: Staff recommends approving the request.

(E) MENTAL HEALTH INSTITUTES

The Department administers and operates two mental health institutes that provide inpatient hospitalization for individuals with serious mental health disorders. One institute is located in Pueblo and the other is located on the Fort Logan campus in southwest Denver. The institutes serve three populations:

- Individuals with pending criminal charges who require evaluations of competency to stand trial and services to restore competency;
- Individuals who have been found not guilty by reason of insanity; and
- Adults and adolescents who are referred for admission by community mental health centers, local hospitals, or the Department's Division of Youth Services.

The resources for the first two populations are referred to as "forensic" beds, and the resources for the third population are referred to as "civil" beds.

The institutes are: licensed by the Department of Public Health and Environment; certified by the federal Center for Medicare and Medicaid Services to participate in those federal two programs; and accredited by the Joint Commission, an independent, not-for-profit organization that accredits and certifies more than 20,500 health care organizations and programs in the United States.

The Department also contracts with a vendor to operate a *jail-based* program for individuals requiring competency evaluations or restoration services. This program is called the Restoring Individuals Safely and Effectively (RISE) Program, and is currently operated by Correct Care, LLC, within the Arapahoe County Detention Facility in Centennial. The RISE Program was originally funded in FY 2013-14 for 22 beds and has been regularly expanded; the FY 2018-19 appropriation supports 114 beds.

In addition, the General Assembly approved funding in March 2018 to allow the Office to expand inpatient psychiatric bed capacity by 10 beds starting in FY 2018-19 by contracting with one or more private hospitals.

The chart on the next page depicts recent changes in the institutes' funding and bed capacity. Capacity figures reflect both civil and forensic beds, including the RISE Program and the recently funded private psychiatric beds. The chart illustrates that the total capacity of the institutes declined during each of the last two economic downturns. During the most recent downturn, the Pueblo medical/surgical unit and the Fort Logan children's, adolescent, and geriatric treatment divisions were closed in FY 2009-10 and the Fort Logan therapeutic residential childcare facility treatment division was closed in FY 2011-12. In addition, in late FY 2014-15, the Department modified an existing unit at Pueblo to treat patients who had previously been transferred to the Department of Corrections (DOC), resulting in a reduction of two forensic beds.

In addition to funding the RISE Program and private psychiatric beds, the General Assembly has reversed this decline in capacity by providing funding for FY 2017-18 for the Department to relocate some existing programs at Pueblo to address safety risks in the 20-bed adolescent program, and to expand by 20 the number of beds within the existing facility to serve long-term patients who are preparing to re-enter the community. These new beds freed up 20 existing adult beds in various units.

The General Assembly also provided $5.4 million in capital construction funding in FY 2017-18 for the construction of a new 24-bed high security forensic unit that is anticipated to be operational by July 1, 2020 [this funding is excluded from the funding depicted in above chart].

The institutes are primarily supported by General Fund appropriations. Other sources of revenue include: patient revenues (including federal Medicaid funds transferred from the Department of Health Care Policy and Financing and federal Medicare funds), funds transferred from DOC for food services provided to DOC facilities on the Pueblo campus, and marijuana tax revenues that support certified addiction counselors at both institutes. Funding for the institutes is affected by capacity, personnel costs, and operational costs (including medication expenses and the cost of purchasing medical services from local hospitals and medical providers).

(1) MENTAL HEALTH INSTITUTE AT FT. LOGAN

PERSONAL SERVICES

This line item provides funding for Mental Health Institute at Ft. Logan (CMHIFL) employees' salaries and wages, as well as the associated State contribution to the Public Employees Retirement Association (PERA) and the State share of federal Medicare taxes. This line item also includes funding for contract medical services and the medical staff (employed through an interagency agreement with the University of Colorado at Denver) and contract trauma-informed care peer support specialists

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-94-102 and 103, C.R.S. [CMHIFL]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]

The community provider rate is applied to contracted vendors such as interpreters and contract nursing staff. For FY 2021-22, this includes:

- $3,967,773 for contracted medical staff (University of Colorado),
- $193,542 for peer recovery services (Behavioral Healthcare Inc.),
- $105,078 for psychology interns (Colorado Seminary), and
- $550,000 for medical consultants (Board of Medical Consultants).

REQUEST: The Department requests $23,457,570 total funds (including $21,721,342 General Fund) and 216.2 FTE.

RECOMMENDATION: Staff recommends appropriating $23,487,985 total funds (including $21,751,757 General Fund) and 216.2 FTE.

The recommendation is consistent with the Committee's common policy provider rate adjustment (1.5 percent), which has been applied to a base of $4,816,393. As discussed in a previous section, the provider rate was not applied to this line item in FY 2020-21; so a 1.0 percent restoration is not needed.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$21,624,773	$19,888,545	$1,642,140	$94,088	$0	216.2
SB 21-044 (Supplemental bill)	$840,675	$840,675	$0	$0	$0	0.0
TOTAL	**$22,465,448**	**$20,729,220**	**$1,642,140**	**$94,088**	**$0**	**216.2**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$22,465,448	$20,729,220	$1,642,140	$94,088	$0	216.2
Annualize prior year balancing action	1,790,966	1,790,966	0	0	0	0.0
Common policy provider rate adjustment	72,246	72,246	0	0	0	0.0
Annualize prior year legislation	(840,675)	(840,675)	0	0	0	0.0
TOTAL	**$23,487,985**	**$21,751,757**	**$1,642,140**	**$94,088**	**$0**	**216.2**
INCREASE/(DECREASE)	**$1,022,537**	**$1,022,537**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	4.6%	4.9%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$23,457,570**	**$21,721,342**	**$1,642,140**	**$94,088**	**$0**	**216.2**
Request Above/(Below) Recommendation	($30,415)	($30,415)	$0	$0	$0	0.0

CONTRACT MEDICAL SERVICES

This line item covers the costs of outside medical expenses for CMHIFL patients.

The provider rate is not applied to this line item because contract medical services are based on bids and negotiated via a competitive solicitation for a five year term. Prices are associated with Medicare pricing are typically fixed.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-94-102, C.R.S. [CMHIFL]

REQUEST: The Department requests $773,466 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $815,297 General Fund. This includes a restoration of the 1.0 percent provider rate reduction. As discussed in a previous section, the provider rate was mistakenly applied to this line item in FY 2020-21; this restores that funding.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, CONTRACT MEDICAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$773,466	$773,466	$0	$0	$0	0.0
TOTAL	**$773,466**	**$773,466**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$773,466	$773,466	$0	$0	$0	0.0
Common policy provider rate adjustment	41,831	41,831	0	0	0	0.0
TOTAL	**$815,297**	**$815,297**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$41,831**	**$41,831**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	5.4%	5.4%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$773,466**	**$773,466**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($41,831)	($41,831)	$0	$0	$0	0.0

OPERATING EXPENSES

This line item covers the general operating expenses of the CMHIFL, including: food; medical/laboratory supplies; custodial and laundry supplies; telephone and IT expenses; office equipment; and maintenance.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-94-102, C.R.S. [CMHIFL]

REQUEST: The Department requests $1,066,793 total funds (including $925,278 General Fund), which is the same amount appropriated for FY 2020-21.

RECOMMENDATION: Staff recommends approval of the request.

CAPITAL OUTLAY

This line item provides funding for the replacement of equipment and furnishings and minor facility renovations.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-94-102, C.R.S. [CMHIFL]

REQUEST: The Department requests $112,916 General Fund, which is the same amount appropriated in FY 2020-21.

RECOMMENDATION: Staff recommends approving the request.

PHARMACEUTICALS

This line item covers the cost of purchasing medication for CMHIFL patients. The CMHIFL pharmacy is responsible for dispensing general over-the-counter medications, general health-related medications for the treatment of conditions such as diabetes and hypertension, and psychiatric medications such as mood stabilizers, anti-depressants, and anti-psychotics.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-94-102, C.R.S. [CMHIFL]

REQUEST: The Department requests $1,328,473 total funds (including $1,211,865 General Fund), which is the same amount appropriated in FY 2020-21.

RECOMMENDATION: Staff recommends approval of the request.

(2) MENTAL HEALTH INSTITUTE AT PUEBLO

PERSONAL SERVICES

This line item provides funding for Mental Health Institute at Pueblo (CMHIP) employees' salaries and wages, as well as the associated State contribution to the Public Employees Retirement Association (PERA) and the State share of federal Medicare taxes. This line item also includes funding for contract medical services and the medical staff (employed through an interagency agreement with the University of Colorado at Denver) and contract trauma-informed care peer support specialists.

The community provider rate is applied to contracted vendors such as interpreters and contract nursing staff. For FY 2021-22, this includes:

- $11,553,870 for contracted medical staff (University of Colorado),
- $201,442 for peer recovery services (Behavioral Healthcare Inc.),
- $215,000 for medical consultants (Board of Medical Consultants).

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101 and 103, C.R.S. [CMHIP]

REQUEST: The Department requests $97,945,282 total funds (including $86,535,928 General Fund) and 1,067.2 FTE.

RECOMMENDATION: Staff recommends appropriating $98,083,006 total funds (including $86,673,652 General Fund) and 1,067.2 FTE.

The recommendation is consistent with the Committee's common policy provider rate adjustment (1.5 percent), which has been applied to a base of $11,970,312. As discussed in a previous section, the provider rate was not applied to this line item in FY 2020-21; so a 1.0 percent restoration is not needed.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, PERSONAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$82,982,780	$71,573,426	$3,755,180	$7,654,174	$0	1,050.2
SB 21-044 (Supplemental bill)	$3,697,125	$3,697,125	$0	$0	$0	0.0
TOTAL	**$86,679,905**	**$75,270,551**	**$3,755,180**	**$7,654,174**	**$0**	**1,050.2**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$86,679,905	$75,270,551	$3,755,180	$7,654,174	$0	1,050.2
Annualize prior year balancing action	13,819,418	13,819,418	0	0	0	0.0
Annualize prior year budget actions	2,332,243	2,332,243	0	0	0	31.0
Common policy provider rate adjustment	179,555	179,555	0	0	0	0.0
Annualize prior year legislation	(3,697,125)	(3,697,125)	0	0	0	0.0
BA1 MHI Pueblo restructure	(1,230,990)	(1,230,990)	0	0	0	(14.0)
TOTAL	**$98,083,006**	**$86,673,652**	**$3,755,180**	**$7,654,174**	**$0**	**1,067.2**
INCREASE/(DECREASE)	**$11,403,101**	**$11,403,101**	**$0**	**$0**	**$0**	**17.0**
Percentage Change	13.2%	15.1%	0.0%	0.0%	0.0%	1.6%
FY 2021-22 EXECUTIVE REQUEST	**$97,945,282**	**$86,535,928**	**$3,755,180**	**$7,654,174**	**$0**	**1,067.2**
Request Above/(Below) Recommendation	($137,724)	($137,724)	$0	$0	$0	0.0

CONTRACT MEDICAL SERVICES

This line item covers the costs of outside medical expenses for CMHIP patients.

The provider rate is not applied to this line item because contract medical services are based on bids and negotiated via a competitive solicitation for a five year term. Prices are associated with Medicare pricing are typically fixed.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]; Section 39-28.8-501 (2)(b)(IV)(C), C.R.S. [Authorization for use of Marijuana Tax Cash Fund to treat and provide related services to people with any type of substance use or mental health disorder, including those with co-occurring disorders]

REQUEST: The Department requests $3,342,833 General Fund.

RECOMMENDATION: Staff recommends an appropriation of $3,384,664 General Fund. This includes a restoration of prior year balancing reductions, including a 1.0 percent adjust for provider rates. As

discussed in a previous section, the provider rate was mistakenly applied to this line item in FY 2020-21; this restores that funding.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, CONTRACT MEDICAL SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$2,592,833	$2,592,833	$0	$0	$0	0.0
TOTAL	**$2,592,833**	**$2,592,833**	**$0**	**$0**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$2,592,833	$2,592,833	$0	$0	$0	0.0
Annualize prior year balancing action	750,000	750,000	0	0	0	0.0
Common policy provider rate adjustment	41,831	41,831	0	0	0	0.0
TOTAL	**$3,384,664**	**$3,384,664**	**$0**	**$0**	**$0**	**0.0**
INCREASE/(DECREASE)	**$791,831**	**$791,831**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	30.5%	30.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,342,833**	**$3,342,833**	**$0**	**$0**	**$0**	**0.0**
Request Above/(Below) Recommendation	($41,831)	($41,831)	$0	$0	$0	0.0

OPERATING EXPENSES

This line item covers the general operating expenses of the CMHIP, including: food; medical/laboratory supplies; custodial and laundry supplies; telephone and IT expenses; office equipment; and maintenance.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]

REQUEST: The Department requests $8,083,725 total funds (including $4,509,640 General Fund).

RECOMMENDATION: Staff recommends an appropriation of $8,090,513 total funds. The difference between the request and recommendation is due to a slight adjustment to the R26 request.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$8,501,837	$5,068,579	$399,905	$3,033,353	$0	0.0
TOTAL	**$8,501,837**	**$5,068,579**	**$399,905**	**$3,033,353**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$8,501,837	$5,068,579	$399,905	$3,033,353	$0	0.0
R26 Meal interagency agreement true-up	147,615	0	0	147,615	0	0.0
Annualize prior year budget actions	(558,939)	(558,939)	0	0	0	0.0
TOTAL	**$8,090,513**	**$4,509,640**	**$399,905**	**$3,180,968**	**$0**	**0.0**
INCREASE/(DECREASE)	**($411,324)**	**($558,939)**	**$0**	**$147,615**	**$0**	**0.0**
Percentage Change	(4.8%)	(11.0%)	0.0%	4.9%	0.0%	0.0%

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, OPERATING EXPENSES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 EXECUTIVE REQUEST	**$8,083,725**	**$4,509,640**	**$399,905**	**$3,174,180**	**$0**	**0.0**
Request Above/(Below) Recommendation	($6,788)	$0	$0	($6,788)	$0	0.0

CAPITAL OUTLAY

This line item provides funding for the replacement of equipment and furnishings and minor facility renovations.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]

REQUEST: The Department requests $324,068 General Fund, which is the same amount that was appropriated for FY 2020-21.

RECOMMENDATION: Staff recommends approving the request.

PHARMACEUTICALS

This line item covers the cost of purchasing medication for CMHIP patients. The CMHIP pharmacy is responsible for dispensing general over-the-counter medications, general health-related medications for the treatment of conditions such as diabetes and hypertension, and psychiatric medications such as mood stabilizers, anti-depressants, and anti-psychotics.

STATUTORY AUTHORITY: Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]

REQUEST: The Department requests $4,114,182 total funds (including $3,880,700 General Fund).

RECOMMENDATION: Staff recommends approval of the Department request.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, PHARMACEUTICALS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$4,019,355	$3,785,873	$195,861	$37,621	$0	0.0
TOTAL	**$4,019,355**	**$3,785,873**	**$195,861**	**$37,621**	**$0**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$4,019,355	$3,785,873	$195,861	$37,621	$0	0.0
Annualize prior year budget actions	94,827	94,827	0	0	0	0.0
TOTAL	**$4,114,182**	**$3,880,700**	**$195,861**	**$37,621**	**$0**	**0.0**
INCREASE/(DECREASE)	**$94,827**	**$94,827**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	2.4%	2.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$4,114,182**	**$3,880,700**	**$195,861**	**$37,621**	**$0**	**0.0**
Request Above/(Below) Recommendation	$0	$0	$0	$0	$0	0.0

EDUCATIONAL PROGRAMS

This line item supports CMHIP staff and operating expenses associated with educational programs. Patients at CMHIP who are under age 21 receive educational services. These services include educational testing and assessment, treatment planning, special education, GED training and testing, and career education. This line item is supported by reappropriated funds transferred from the Department of Education (from the Facility Schools Funding line item) and General Fund.

STATUTORY AUTHORITY: Section 22-54-129, C.R.S. [Facility school funding]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]

REQUEST: The Department requests $236,402 total funds (including $31,094 General Fund) and 2.7 FTE, which is the same amount that was appropriated for FY 2020-21.

RECOMMENDATION: Staff recommends approving the requested amount.

(3) FORENSIC SERVICES

This is a new subsection that was proposed by the Department and first included in the FY 2018-19 Long Bill. Funding was transferred to this new subsection from various line item appropriations in the existing Mental Health Institute subsection and from some administrative line items in the Community Behavioral Health Administration subsection. This section includes operational and programmatic funding related to court-ordered services for forensic clients. Forensic clients are individuals who are diagnosed with mental health disorders, involved with the criminal justice system, and either currently incarcerated or living in the community.

FORENSIC SERVICES ADMINISTRATION

This line item supports management and support staff. Some of these positions are specific to forensic services, and others are staff who support all Institute functions and are thus allocated across all three subsections.

STATUTORY AUTHORITY: Section 16-8-101, et seq., C.R.S. [Criminal proceedings – insanity]; Section 16-8.5-101, et seq., C.R.S. [Criminal proceedings – competency to proceed]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101 and 103, C.R.S. [CMHIP]

REQUEST: The Department requests $1,194,072 General Fund and 13.9 FTE.

RECOMMENDATION: Staff recommends an appropriation of $1,060,688. The recommendation reflects adjustments made during supplementals related to COVID expenditures.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, FORENSIC SERVICES ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$253,209	$253,209	$0	$0	$0	13.9
TOTAL	**$253,209**	**$253,209**	**$0**	**$0**	**$0**	**13.9**

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, FORENSIC SERVICES ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$253,209	$253,209	$0	$0	$0	13.9
Annualize prior year balancing action	807,479	807,479	0	0	0	0.0
TOTAL	**$1,060,688**	**$1,060,688**	**$0**	**$0**	**$0**	**13.9**
INCREASE/(DECREASE)	**$807,479**	**$807,479**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	318.9%	318.9%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$1,194,072**	**$1,194,072**	**$0**	**$0**	**$0**	**13.9**
Request Above/(Below) Recommendation	$133,384	$133,384	$0	$0	$0	0.0

COURT SERVICES

This line item supports staff who administer and deliver services related to court-ordered exams and evaluations of competency, sanity, and other mental conditions.

The community provider rate is applied to contracted vendors. For FY 2021-22, these include evaluators from the University of Colorado, Board of Medical Consultants, and the Colorado Seminary.

STATUTORY AUTHORITY: Section 16-8-101, et seq., C.R.S. [Criminal proceedings – insanity]; Section 16-8.5-101, et seq., C.R.S. [Criminal proceedings – competency to proceed]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101 and 103, C.R.S. [CMHIP]

REQUEST: The Department requests $6,717,385 General Fund and 66.1 FTE.

RECOMMENDATION: Staff recommends an appropriation of $6,723,670 General Fund and 66.1 FTE.

The recommendation is consistent with the Committee's common policy provider rate adjustment (1.5 percent), which has been applied to a base of $419,000. Staff is applying a rate of 1.5 percent because this line item did not have a provider rate reduction in FY 2020-21.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, COURT SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$7,663,240	$7,663,240	$0	$0	$0	77.1
TOTAL	**$7,663,240**	**$7,663,240**	**$0**	**$0**	**$0**	**77.1**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$7,663,240	$7,663,240	$0	$0	$0	77.1
Common policy provider rate adjustment	6,285	6,285	0	0	0	0.0
Annualize prior year budget actions	(945,855)	(945,855)	0	0	0	(11.0)
TOTAL	**$6,723,670**	**$6,723,670**	**$0**	**$0**	**$0**	**66.1**
INCREASE/(DECREASE)	**($939,570)**	**($939,570)**	**$0**	**$0**	**$0**	**(11.0)**
Percentage Change	(12.3%)	(12.3%)	0.0%	0.0%	0.0%	(14.3%)
FY 2021-22 EXECUTIVE REQUEST	**$6,717,385**	**$6,717,385**	**$0**	**$0**	**$0**	**66.1**
Request Above/(Below) Recommendation	($6,285)	($6,285)	$0	$0	$0	(0.0)

FORENSIC COMMUNITY-BASED SERVICES

This line item supports staff who provide case management and support for individuals found not guilty by reason of insanity (NGRI) who are transitioning from the mental health institutes to a community-based outpatient setting.

The community provider rate is applied to the value of vendor contracts. For FY 2021-22, these vendors include Rocky Mountain Human Services, SBH Colorado, Board of Medical Consultants, and University of Colorado physicians.

STATUTORY AUTHORITY: Section 16-8-101, et seq., C.R.S. [Criminal proceedings – insanity]; Section 16-8.5-101, et seq., C.R.S. [Criminal proceedings – competency to proceed]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101 and 103, C.R.S. [CMHIP]

REQUEST: The Department requests $3,447,632 General Fund and 20.4 FTE.

RECOMMENDATION: Staff recommends an appropriation of $3,466,819 General Fund and 20.4 FTE. The recommendation is consistent with the Committee's common policy provider rate adjustment (1.5 percent), which has been applied to a base of $1,279,140. Staff is applying a rate of 1.5 percent because this line item did not have a provider rate reduction in FY 2020-21.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, FORENSIC COMMUNITY-BASED SERVICES						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,358,441	$3,358,441	$0	$0	$0	20.4
TOTAL	**$3,358,441**	**$3,358,441**	**$0**	**$0**	**$0**	**20.4**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,358,441	$3,358,441	$0	$0	$0	20.4
Annualize prior year balancing action	89,191	89,191	0	0	0	0.0
Common policy provider rate adjustment	19,187	19,187	0	0	0	0.0
TOTAL	**$3,466,819**	**$3,466,819**	**$0**	**$0**	**$0**	**20.4**
INCREASE/(DECREASE)	**$108,378**	**$108,378**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	3.2%	3.2%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,447,632**	**$3,447,632**	**$0**	**$0**	**$0**	**20.4**
Request Above/(Below) Recommendation	($19,187)	($19,187)	$0	$0	$0	0.0

JAIL-BASED COMPETENCY RESTORATION PROGRAM

Since FY 2013-14, this line item has provided funding for a jail-based competency restoration program for defendants who have been determined by the court to be incompetent to proceed in their criminal cases. The Department has contracted with Wellpath (formerly known as Correct Care, LLC., and GEO Care), to provide these services at the Arapahoe County Detention Facility in Centennial. This program is called the Restoring Individuals Safely and Effectively or "RISE" Program. The RISE Program generally serves individuals who: do not have significant medical needs identified; do not have significant medication compliance issues; and are likely to be restored in a relatively short period of time.

The community provider rate is applied to the value of vendor contracts. For FY 2021-22, this includes $12,938,392 for Wellpath Recovery Solutions.

STATUTORY AUTHORITY: Section 16-8.5-101, et seq., C.R.S. [Criminal proceedings – competency to proceed]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101, C.R.S. [CMHIP]

REQUEST: The Department requests $13,429,826 General Fund and 4.3 FTE.

RECOMMENDATION: Staff recommends appropriating $13,753,286 General Fund and 4.3 FTE. The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $12,938,292 General Fund.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, JAIL-BASED COMPETENCY RESTORATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$13,429,826	$13,429,826	$0	$0	$0	4.3
TOTAL	**$13,429,826**	**$13,429,826**	**$0**	**$0**	**$0**	**4.3**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$13,429,826	$13,429,826	$0	$0	$0	4.3
Common policy provider rate adjustment	323,460	323,460	0	0	0	0.0
TOTAL	**$13,753,286**	**$13,753,286**	**$0**	**$0**	**$0**	**4.3**
INCREASE/(DECREASE)	**$323,460**	**$323,460**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	2.4%	2.4%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$13,429,826**	**$13,429,826**	**$0**	**$0**	**$0**	**4.3**
Request Above/(Below) Recommendation	($323,460)	($323,460)	$0	$0	$0	0.0

PURCHASED PSYCHIATRIC BED CAPACITY

This line item provides funding to allow the Office to expand inpatient psychiatric bed capacity by 10 beds by contracting with private for-profit or not-for-profit hospitals in the Denver metropolitan area. The community provider rate is applied to the value of vendor contracts. For FY 2021-22, this includes $3,200,700 for SBH Colorado and Denver Health.

STATUTORY AUTHORITY: Section 16-8.5-101, et seq., C.R.S. [Criminal proceedings – competency to proceed]; Section 26-1-201, C.R.S. [Programs administered and services provided by DHS]; Section 27-93-101 and 103, C.R.S. [CMHIP]

REQUEST: The Department requests $3,278,988 General Fund and 1.0 FTE.

RECOMMENDATION: Staff recommends an appropriation of $3,335,351 General Fund and 1.0 FTE.

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $3,200,700 General Fund.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, PURCHASED PSYCHIATRIC BED CAPACITY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,255,333	$3,255,333	$0	$0	$0	1.0
TOTAL	**$3,255,333**	**$3,255,333**	**$0**	**$0**	**$0**	**1.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,255,333	$3,255,333	$0	$0	$0	1.0
Common policy provider rate adjustment	80,018	80,018	0	0	0	0.0
TOTAL	**$3,335,351**	**$3,335,351**	**$0**	**$0**	**$0**	**1.0**
INCREASE/(DECREASE)	**$80,018**	**$80,018**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	2.5%	2.5%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,278,988**	**$3,278,988**	**$0**	**$0**	**$0**	**1.0**
Request Above/(Below) Recommendation	($56,363)	($56,363)	$0	$0	$0	0.0

OUTPATIENT COMPETENCY RESTORATION PROGRAM

This line item supports contracts for community-based competency restoration education services, related case management services, and associated administrative and training expenses. Senate Bill 17-012 required the Office of Behavioral Health to develop standardized juvenile and adult curricula for the educational component of competency restoration services by December 1, 2017, and the act included funding for this purpose.

The community provider rate is applied to the value of vendor contracts. For FY 2021-22, this includes $2,924,386 for the City & County of Denver, Rocky Mountain Human Services, several Community Mental Health Centers, and outpatient restoration private providers.

STATUTORY AUTHORITY: Section 27-60-105, et seq., C.R.S. [Outpatient restoration to competency services]

REQUEST: The Department requests $3,637,772 General Fund and 1.0 FTE.

RECOMMENDATION: Staff recommends an appropriation of $3,701,882 General Fund and 1.0 FTE.

The recommendation is consistent with the Committee's common policy provider rate adjustment (2.5 percent), which has been applied to a base of $2,924,386 General Fund.

OFFICE OF BEHAVIORAL HEALTH, MENTAL HEALTH INSTITUTES, OUTPATIENT COMPETENCY RESTORATION PROGRAM						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$3,628,772	$3,628,772	$0	$0	$0	1.0
TOTAL	**$3,628,772**	**$3,628,772**	**$0**	**$0**	**$0**	**1.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$3,628,772	$3,628,772	$0	$0	$0	1.0
Common policy provider rate adjustment	73,110	73,110	0	0	0	0.0
TOTAL	**$3,701,882**	**$3,701,882**	**$0**	**$0**	**$0**	**1.0**
INCREASE/(DECREASE)	**$73,110**	**$73,110**	**$0**	**$0**	**$0**	**0.0**
Percentage Change	2.0%	2.0%	0.0%	0.0%	0.0%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$3,637,772**	**$3,637,772**	**$0**	**$0**	**$0**	**1.0**
Request Above/(Below) Recommendation	($64,110)	($64,110)	$0	$0	$0	0.0

(4) CONSENT DECREE FINES AND FEES

CONSENT DECREE FINES AND FEES

Added for FY 2020-21, this line item provides funding for expected fines and fees accrued as part of the Consent Decree resulting from the *Center for Legal Advocacy (d/b/a Disability Law Colorado) v. Barnes and Marshall (Colorado Department of Human Services)* lawsuit.

In March 2019, DHS reached an agreement with the plaintiffs in a federal lawsuit concerning the length of time that pre-trial detainees wait for court-ordered competency services. The parties filed the agreement in federal court in the form of a consent decree. The consent decree resolves the lawsuit and replaces the existing Settlement Agreement. The consent decree will be legally binding and judicially enforceable through December 1, 2025 (unless the Department sustains a two-year period of compliance, in which case the Consent Decree is terminated). Until the consent decree is terminated, DHS' compliance will be overseen by the Court and a Special Master (Groundswell Services, Inc., and its team of forensic mental health experts).

Among other provisions, the consent decree also establishes a new set of timeframes for competency evaluation and restoration services, and it establishes fines for each day a pretrial detainee waits more than the prescribed timeframes. The fines range from $100 to $500 per detainee per day, and the consent decree caps the total amount at $10.0 million for the period June 1, 2019, to May 31, 2020. This $10.0 million limit increases for each subsequent 12-month period based on the CPI-U. Any fines will be submitted to the Special Master and deposited into a trust account for the purpose of funding "non-Department mental health services". A court-appointed administrator will manage the account, and a committee consisting of representatives from DLC, DHS, and the Special Master, will make decisions concerning payments from the account.

The Department will paid the maximum of $10.0 million in fines in FY 2019-20. Fines paid by the Department are deposited in a trust account created for the purpose of funding non-Department mental health services. Funding decisions are made by a committee consisting of a representative from the Plaintiff, a representative from the Department, and the Special Master. To date, $3.4 million has

been allocated to Colorado Coalition for the Homeless. The funds will be used to purchase 24 beds and associated services for supportive housing for individuals receiving outpatient competency restoration services at the newly refurbished studio apartments in East Denver.

DEPARTMENT REQUEST: The Department requests continuation funding of $2,947,000 General Fund.

STAFF RECOMMENDATION: Staff recommends approval of the Department request.

(F) INDIRECT COST ASSESSMENT

INDIRECT COST ASSESSMENT

This line item reflects the money anticipated to be recovered from cash and federal fund sources that allow for statewide and departmental indirect administrative costs. Prior to FY 2017-18, this line item was included in subsection (A).

STATUTORY AUTHORITY: Colorado Fiscal Rules #8-3; Section 24-75-1401, C.R.S. [Indirect Costs Excess Recovery Fund]

REQUEST: The Department requests $6,669,632 total funds.

RECOMMENDATION: This item is pending Committee action on prioritized decision items for the Department of Human Services.

OFFICE OF BEHAVIORAL HEALTH, INDIRECT COST ASSESSMENT, INDIRECT COST ASSESSMENT						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2020-21 APPROPRIATION						
HB 20-1360 (Long Bill)	$6,350,432	$0	$3,451,101	$1,428,686	$1,470,645	0.0
SB 21-044 (Supplemental bill)	$0	$0	$0	$0	$0	0.0
TOTAL	**$6,350,432**	**$0**	**$3,451,101**	**$1,428,686**	**$1,470,645**	**0.0**
FY 2021-22 RECOMMENDED APPROPRIATION						
FY 2020-21 Appropriation	$6,350,432	$0	$3,451,101	$1,428,686	$1,470,645	0.0
Indirect cost assessment	349,142	0	176,214	95,979	76,949	0.0
Nonprioritized budget requests	58	0	60	(8)	6	0.0
TOTAL	**$6,699,632**	**$0**	**$3,627,375**	**$1,524,657**	**$1,547,600**	**0.0**
INCREASE/(DECREASE)	**$349,200**	**$0**	**$176,274**	**$95,971**	**$76,955**	**0.0**
Percentage Change	5.5%	0.0%	5.1%	6.7%	5.2%	0.0%
FY 2021-22 EXECUTIVE REQUEST	**$6,709,142**	**$0**	**$3,631,517**	**$1,528,005**	**$1,549,620**	**0.0**
Request Above/(Below) Recommendation	$9,510	$0	$4,142	$3,348	$2,020	0.0

LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

LONG BILL FOOTNOTES

Staff recommends **CONTINUING** the following footnotes as amended:

52 Department of Human Services, Office of Behavioral Health, Community-based Mental Health Services, Assertive Community Treatment Programs and Other Alternatives to the Mental Health Institutes -- It is the General Assembly's intent that ***$534,932*** of this General Fund appropriation be allocated to a community mental health center in western Colorado for the purpose of providing behavioral health services for individuals who seek care from the emergency department of a regional medical center and who are diagnosed with physical health conditions that may be exacerbated by co-occurring mental health conditions.

COMMENT: This footnote was first included in the FY 2016-17 Long Bill in connection with a $500,000 General Fund increase in the appropriation for "Services for Indigent Mentally Ill Clients" to expand access to inpatient psychiatric care for individuals who are diagnosed with physical health conditions that are exacerbated by co-occurring mental health problems. This footnote was included to specify the General Assembly's intent in making the appropriation. The Department used a request for proposal process and awarded the funds to Mind Springs Health. The General Assembly amended the footnote mid-year (through S.B. 17-163) after staff became aware that the funding was unlikely to be spent based on procurement-related delays and footnote language that did not reflect the manner in which the services are being provided. The appropriation has been increased and modified as follows:

- *FY 2017-18:* The General Assembly increased this appropriation by $7,009 General Fund consistent with the statewide policy concerning community provider rates.
- *FY 2018-19:* The General Assembly increased this appropriation by $5,070 General Fund consistent with the statewide policy concerning community provider rates.
- *FY 2019-20:* The recommended amount above includes an increase of $5,121 General Fund consistent with the statewide policy concerning community provider rates.
- *FY 2020-21:* The recommended amount above includes an increase of $9,827 General Fund consistent with the statewide policy concerning community provider rates.
- *FY 2021-22:* The recommended amount above includes an increase of $7,905 General Fund consistent with the statewide policy concerning community provider rates (1.5 percent).

53 Department of Human Services, Office of Behavioral Health, Integrated Behavioral Health Services, Circle Program and Other Rural Treatment Programs for People with Co-occurring Disorders -- It is the General Assembly's intent that this appropriation be used to: support the community-based Circle Program; support the provision of a full continuum of co-occurring behavioral health treatment services in southern Colorado and the Arkansas Valley; and expand access to residential treatment services in one or more rural areas of Colorado for individuals with co-occurring mental health and substance use disorders. It is also the General Assembly's intent that the appropriation may be used to provide services and to cover initial

expenses necessary to establish, license, and begin operating one or more programs that provide these services, such as building renovations, furnishing, and equipment.

54 Department of Human Services, Office of Behavioral Health, Mental Health Institutes -- In addition to the transfer authority provided in Section 24-75-108, C.R.S., the Department is authorized to transfer up to 5.0 percent of the total appropriations in this subsection among line items in this subsection.

COMMENT: This footnote provides the Department with the authority to transfer up to 5.0 percent of total appropriations in the Mental Health Institutes subsection of the Long Bill among line items in that subsection. This footnote was first included in the FY 2014-15 Long Bill. The FY 2014-15 Long Bill included two format changes to maintain a transparent delineation of expenditures at the mental health institutes while allowing the Department more flexibility to manage these appropriations and minimize the number mid-year appropriation adjustments.

- First, funding for outside medical expenses was removed from the Personal Services line items for each Institute and placed in a two new line item appropriations for "Contract Medical Services" – one for each Institute.
- Second, the above footnote was added to allow the Department to transfer up to 10 percent of the total appropriations in the Mental Health Institutes subsection of the Long Bill, starting in FY 2014-15.

In FY 2018-19, the Long Bill format was modified further to include appropriations related to forensic services in a separate subsection.

In FY 2019-20, this footnote was modified to reduce the transfer authority from 10.0 percent to 5.0 percent to reflect historic transfers ranging from 1.6 percent ($12.3 million in FY 2017-18) to 3.7 percent ($11.3 million in FY 2015-16).

55 Department of Human Services, Office of Behavioral Health, Mental Health Institutes, Mental Health Institute at Ft. Logan, Personal Services; and Mental Health Institute at Pueblo, Personal Services -- It is the General Assembly's intent that $1,148,010 of these appropriations be used to increase salaries for contract medical personnel in a manner that appropriately considers relevant factors such as certifications and experience.

COMMENT: This footnote was added to the FY 2019-20 Long Bill as part of the recommendation for R12 (Contract Medical staff salary adjustments to encourage the Department to continue the practice of establishing individual salaries based on certification and experience. The funding was approved for two years, but was not included in the FY 2020-21 Long Bill. The FY 2021-22 request includes the second year of funding from the original request.

This footnote was included in the FY 2020-21 Long Bill in error, as the associated funding was not included. However, if the Committee approves the Department request for the second year of funding, staff recommends including the footnote in the FY 2021-21 Long Bill.

REQUESTS FOR INFORMATION

4 Department of Corrections; Department of Human Services; Judicial Department; Department of Public Safety; and Department of Transportation -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This applies to requests for appropriation from: the Alcohol and Drug Driving Safety Program Fund, the Law Enforcement Assistance Fund, the Offender Identification Fund, the Persistent Drunk Driver Cash Fund, and the Sex Offender Surcharge Fund, among other programs.

COMMENT: Staff recommends continuing this request.

5 Department of Corrections, Management; and Institutions; Department of Higher Education, Governing Boards, Regents of the University of Colorado; and Department of Human Services, Office of Behavioral Health, Mental Health Institutes -- The Departments are requested to work together to explore strategies to increase the ability of the Department of Human Services and the Department of Corrections to recruit and retain the most competent and desirable candidates to provide psychiatric care at the Mental Health Institutes and state prison facilities. These strategies may include, but not be limited to:

- Expanding the academic affiliation with the University of Colorado School of Medicine to include an option for academic promotion, teaching, and research opportunities for psychiatrists recruited to the Mental Health Institutes and the Department of Corrections in an effort to benefit all, and to evaluate additional opportunities for medical student and resident clinical experiences in state psychiatric and correctional facilities;
- Increasing the utilization of tele psychiatry; and
- Improving collaboration between the University of Colorado School of Medicine Department of Psychiatry, the Mental Health Institutes, and the Department of Corrections in recruiting, hiring, and retaining qualified psychiatrists with forensic and correctional expertise.

The Department of Human Services is requested to submit a report by October 1, 2020, describing the status of these discussions, any plans to implement new recruitment and retention strategies, the estimated fiscal impact of implementing such strategies, and any potential actions the General Assembly should consider taking to support successful implementation of such strategies.

COMMENT: While staff found the report to be interesting and helpful context for the Department's recruitment strategies, staff did not use this information to form figure setting

recommendations. Therefore, **staff recommends discontinuing this request for the Department of Human Services.**

Appendix A: Numbers Pages

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation	
DEPARTMENT OF HUMAN SERVICES **Michelle Barnes, Executive Director**						
(3) OFFICE OF OPERATIONS						
(A) Administration						
Personal Services	31,411,732	27,133,686	27,175,251	25,503,091	30,415,505	*
FTE	411.9	414.7	415.8	409.3	409.3	
General Fund	17,828,957	16,780,394	16,191,344	14,718,301	19,630,715	
Cash Funds	0	0	3,291	3,291	3,291	
Reappropriated Funds	13,582,775	10,353,292	10,980,616	10,781,499	10,781,499	
Federal Funds	0	0	0	0	0	
Operating Expenses	4,332,212	4,399,659	5,397,183	4,417,294	4,417,294	
General Fund	2,935,423	2,996,686	3,015,461	3,012,867	3,012,867	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	1,396,789	1,402,973	2,381,722	1,404,427	1,404,427	
Federal Funds	0	0	0	0	0	
Vehicle Lease Payments	986,224	1,023,324	1,045,216	1,173,983	1,173,983	*
General Fund	448,646	654,613	527,799	592,826	592,826	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	537,578	368,711	517,417	581,157	581,157	
Federal Funds	0	0	0	0	0	

* Line item contains a decision item.

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Leased Space	1,658,087	1,310,404	1,688,328	1,688,328	1,688,328
General Fund	381,500	445,093	445,093	445,093	445,093
Cash Funds	0	0	0	0	0
Reappropriated Funds	1,276,587	865,311	1,243,235	1,243,235	1,243,235
Federal Funds	0	0	0	0	0
Capitol Complex Leased Space	1,645,455	1,474,684	1,588,568	1,736,411	1,736,411
General Fund	602,704	544,673	573,904	627,275	627,275
Cash Funds	0	0	0	0	0
Reappropriated Funds	1,042,751	930,011	1,014,664	1,109,136	1,109,136
Federal Funds	0	0	0	0	0
Annual Depreciation-Lease Equivalent Payments	0	0	0	0	1,561,967 *
General Fund	0	0	0	0	1,561,967
Utilities	9,633,094	9,264,354	10,039,212	10,047,146	10,047,146
General Fund	6,737,829	6,772,748	6,797,231	6,805,165	6,805,165
Cash Funds	0	0	0	0	0
Reappropriated Funds	2,895,265	2,491,606	3,241,981	3,241,981	3,241,981
Federal Funds	0	0	0	0	0
SUBTOTAL - (A) Administration	49,666,804	44,606,111	46,933,758	44,566,253	51,040,634
FTE	411.9	414.7	415.8	409.3	409.3
General Fund	28,935,059	28,194,207	27,550,832	26,201,527	32,675,908
Cash Funds	0	0	3,291	3,291	3,291
Reappropriated Funds	20,731,745	16,411,904	19,379,635	18,361,435	18,361,435
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(B) Special Purpose					
Buildings and Grounds Rental	616,336	738,440	1,193,530	1,193,530	1,193,530
FTE	6.5	6.5	6.5	6.5	6.5
General Fund	0	0	0	0	0
Cash Funds	616,336	738,440	1,193,530	1,193,530	1,193,530
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
State Garage Fund	0	345,108	763,233	763,233	763,233
FTE	2.6	2.6	2.6	2.6	2.6
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	345,108	763,233	763,233	763,233
Federal Funds	0	0	0	0	0
SUBTOTAL - (B) Special Purpose	616,336	1,083,548	1,956,763	1,956,763	1,956,763
FTE	9.1	9.1	9.1	9.1	9.1
General Fund	0	0	0	0	0
Cash Funds	616,336	738,440	1,193,530	1,193,530	1,193,530
Reappropriated Funds	0	345,108	763,233	763,233	763,233
Federal Funds	0	0	0	0	0
(C) Indirect Cost Assessment					
Indirect Cost Assessment	350,725	350,073	259,514	312,536	312,192 *
General Fund	0	0	0	0	0
Cash Funds	339,186	334,347	231,550	243,667	243,389
Reappropriated Funds	11,539	15,726	27,964	68,869	68,803
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
SUBTOTAL - (C) Indirect Cost Assessment	350,725	350,073	259,514	312,536	312,192
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	339,186	334,347	231,550	243,667	243,389
Reappropriated Funds	11,539	15,726	27,964	68,869	68,803
Federal Funds	0	0	0	0	0
TOTAL - (3) Office of Operations	50,633,865	46,039,732	49,150,035	46,835,552	53,309,589
FTE	421.0	423.8	424.9	418.4	418.4
General Fund	28,935,059	28,194,207	27,550,832	26,201,527	32,675,908
Cash Funds	955,522	1,072,787	1,428,371	1,440,488	1,440,210
Reappropriated Funds	20,743,284	16,772,738	20,170,832	19,193,537	19,193,471
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation	
(8) OFFICE OF BEHAVIORAL HEALTH						
(A) Community Behavioral Health Administration						
Personal Services	6,886,543	9,393,587	7,764,345	8,170,714	8,170,714	*
FTE	76.6	85.9	79.8	84.0	84.0	
General Fund	2,403,476	2,307,978	2,247,890	2,501,941	2,501,941	
Cash Funds	349,880	455,824	730,253	882,571	882,571	
Reappropriated Funds	813,310	783,378	1,287,268	1,287,268	1,287,268	
Federal Funds	3,319,877	5,846,407	3,498,934	3,498,934	3,498,934	
Operating Expenses	333,537	408,113	325,525	343,434	343,434	*
General Fund	37,562	47,143	31,704	32,939	32,939	
Cash Funds	61,998	66,453	58,894	75,568	75,568	
Reappropriated Funds	16,266	11,418	16,266	16,266	16,266	
Federal Funds	217,711	283,099	218,661	218,661	218,661	
Federal Programs and Grants	0	0	21,000	21,000	0	
FTE	0.0	0.0	0.0	0.0	0.0	
General Fund	0	0	0	0	0	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	21,000	21,000	0	

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
SUBTOTAL - (A) Community Behavioral Health Administration	7,220,080	9,801,700	8,110,870	8,535,148	8,514,148
FTE	76.6	85.9	79.8	84.0	84.0
General Fund	2,441,038	2,355,121	2,279,594	2,534,880	2,534,880
Cash Funds	411,878	522,277	789,147	958,139	958,139
Reappropriated Funds	829,576	794,796	1,303,534	1,303,534	1,303,534
Federal Funds	3,537,588	6,129,506	3,738,595	3,738,595	3,717,595

(B) Community-based Mental Health Services

General Fund, the federal Mental Health Services Block Grant, and the Marijuana Tax Cash Fund.

Mental Health Community Programs	34,661,641	42,917,418	35,610,235	35,886,706	36,294,501	*
General Fund	26,987,027	27,584,997	27,370,658	27,647,129	28,054,924	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	7,674,614	15,332,421	8,239,577	8,239,577	8,239,577	
ACT Programs and Other Alternatives to the MHIs	0	16,889,426	15,721,007	16,889,906	17,139,032	
General Fund	0	16,889,426	15,721,007	16,889,906	17,139,032	
Cash Funds	0	0	0	0	0	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Mental Health Services for Juvenile and Adult Offenders	5,530,355	5,604,786	4,653,735	4,377,509	5,795,078 *
General Fund	0	0	0	0	0
Cash Funds	5,530,355	5,604,786	4,653,735	4,377,509	5,795,078
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Children and Youth Mental Health Treatment Act	2,878,307	2,962,390	3,054,427	3,085,317	3,127,654
General Fund	2,471,060	2,544,663	2,516,052	2,541,499	2,578,953
Cash Funds	407,247	417,727	413,031	417,208	423,357
Reappropriated Funds	0	0	125,344	126,610	125,344
Federal Funds	0	0	0	0	0
Family First Prevention Services Act	0	0	0	0	631,309 *
General Fund	0	0	0	0	631,309
Assertive Community Treatment Programs	16,486,643	0	0	0	0
General Fund	16,486,643	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
SUBTOTAL - (B) Community-based Mental Health Services	59,556,946	68,374,020	59,039,404	60,239,438	62,987,574
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	45,944,730	47,019,086	45,607,717	47,078,534	48,404,218
Cash Funds	5,937,602	6,022,513	5,066,766	4,794,717	6,218,435
Reappropriated Funds	0	0	125,344	126,610	125,344
Federal Funds	7,674,614	15,332,421	8,239,577	8,239,577	8,239,577

(C) Substance Use Treatment and Prevention Services

FY 2017-18 Long Bill Structure						
Treatment and Detoxification Programs	31,657,871	59,878,485	32,243,507	34,060,172	40,441,682	*
FTE	0.0	0.0	2.1	2.1	2.1	
General Fund	12,541,319	12,928,000	12,204,598	2,948,481	14,595,588	
Cash Funds	277,860	2,089,448	845,442	11,918,224	6,652,627	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	18,838,692	44,861,037	19,193,467	19,193,467	19,193,467	
Increasing Access to Effective Substance Use Disorder Services	14,874,201	16,175,557	13,921,095	10,157,266	15,806,622	*
General Fund	0	0	0	0	0	
Cash Funds	14,874,201	16,175,557	13,921,095	10,157,266	15,806,622	
Reappropriated Funds	0	0	0	0	0	
Federal Funds	0	0	0	0	0	

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Prevention Contracts	5,545,439	6,259,140	6,418,095	6,418,559	6,418,993
General Fund	35,427	27,695	35,930	36,293	36,828
Cash Funds	39,057	484,234	51,149	51,250	51,149
Reappropriated Funds	0	0	0	0	0
Federal Funds	5,470,955	5,747,211	6,331,016	6,331,016	6,331,016
Community Prevention and Treatment Programs	2,626,310	2,379,633	5,848,935	5,856,752	5,868,558
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	9,946	9,800	10,087	10,189	10,339
Cash Funds	2,616,364	2,369,833	2,451,030	2,458,745	2,470,401
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	3,387,818	3,387,818	3,387,818
Offender Services	3,932,583	4,514,851	3,776,485	4,574,702	4,602,018
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	2,952,828	3,061,082	2,271,312	3,054,325	3,096,845
Cash Funds	0	0	0	0	0
Reappropriated Funds	979,755	1,453,769	1,505,173	1,520,377	1,505,173
Federal Funds	0	0	0	0	0
High Risk Pregnant Women Program	138,241	0	1,183,268	1,201,654	1,865,775
General Fund	0	0	0	0	0
Cash Funds	0	0	0	0	0
Reappropriated Funds	138,241	0	1,183,268	1,201,654	1,865,775
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Gambling Addiction Counseling Services	32,604	49,997	0	100,000	100,000
General Fund	0	0	0	0	0
Cash Funds	32,604	49,997	0	100,000	100,000
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - FY 2017-18 Long Bill Structure	58,807,249	89,257,663	63,391,385	62,369,105	75,103,648
FTE	0.0	0.0	2.1	2.1	2.1
General Fund	15,539,520	16,026,577	14,521,927	6,049,288	17,739,600
Cash Funds	17,840,086	21,169,069	17,268,716	24,685,485	25,080,799
Reappropriated Funds	1,117,996	1,453,769	2,688,441	2,722,031	3,370,948
Federal Funds	24,309,647	50,608,248	28,912,301	28,912,301	28,912,301
SUBTOTAL - (C) Substance Use Treatment and Prevention Services	58,807,249	89,257,663	63,391,385	62,369,105	75,103,648
FTE	0.0	0.0	2.1	2.1	2.1
General Fund	15,539,520	16,026,577	14,521,927	6,049,288	17,739,600
Cash Funds	17,840,086	21,169,069	17,268,716	24,685,485	25,080,799
Reappropriated Funds	1,117,996	1,453,769	2,688,441	2,722,031	3,370,948
Federal Funds	24,309,647	50,608,248	28,912,301	28,912,301	28,912,301

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(D) Integrated Behavioral Health Services					
Crisis Response System - Walk-in, Stabilization, Mobile, Residential, and Respite Services	28,071,729	28,079,269	27,798,476	28,989,269	29,426,188 *
General Fund	23,506,902	24,081,881	23,841,062	24,991,881	25,369,839
Cash Funds	4,564,827	3,997,388	3,957,414	3,997,388	4,056,349
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Behavioral Health Crisis Response System Secure Transportation Pilot Programs	0	546,639	0	546,639	554,839
General Fund	0	0	0	0	0
Cash Funds	0	546,639	0	546,639	554,839
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Crisis Response System - Telephone Hotline	3,068,291	3,698,556	3,503,226	3,872,820	3,933,577
General Fund	3,068,291	3,538,410	3,503,226	3,538,410	3,590,807
Cash Funds	0	160,146	0	334,410	342,770
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Crisis Response System - Marketing	600,000	588,377	0	600,000	600,000
General Fund	600,000	588,377	0	600,000	600,000
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Community Transition Services	2,128,738	6,211,134	6,634,023	7,311,134	7,414,874
General Fund	2,128,738	6,211,134	6,634,023	7,311,134	7,414,874
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Criminal Justice Diversion Programs	3,924,204	5,253,026	6,797,182	7,241,144	7,363,860
FTE	1.3	2.1	2.1	2.3	2.3
General Fund	0	659,074	1,165,052	1,552,124	1,590,927
Cash Funds	3,924,204	4,593,952	5,632,130	5,689,020	5,772,933
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Jail-based Behavioral Health Services	5,686,085	9,112,250	13,232,195	13,585,542	13,153,000 *
General Fund	506,705	3,491,651	6,127,117	6,408,696	5,870,295
Cash Funds	0	0	0	0	0
Reappropriated Funds	5,179,380	5,620,599	7,105,078	7,176,846	7,282,705
Federal Funds	0	0	0	0	0
Circle Program and Other Rural Treatment Programs for People with Co-occurring Disorders	0	8,220,050	7,590,842	10,703,229	8,326,221
General Fund	0	3,090,019	0	581,081	595,608
Cash Funds	0	3,130,031	5,590,842	8,122,148	5,730,613
Reappropriated Funds	0	2,000,000	2,000,000	2,000,000	2,000,000
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Medication Consistency and Health Information Exchange	220,247	480,700	380,700	380,700	380,700
General Fund	0	0	0	0	0
Cash Funds	220,247	480,700	380,700	380,700	380,700
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (D) Integrated Behavioral Health Services	48,334,670	62,190,001	65,936,644	73,230,477	71,153,259
FTE	1.3	2.1	2.1	2.3	2.3
General Fund	31,435,636	41,660,546	41,270,480	44,983,326	45,032,350
Cash Funds	11,719,654	12,908,856	15,561,086	19,070,305	16,838,204
Reappropriated Funds	5,179,380	7,620,599	9,105,078	9,176,846	9,282,705
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(E) Mental Health Institutes					
(1) Mental Health Institute - Ft. Logan					
Personal Services	27,362,083	16,099,022	22,465,448	23,457,570	23,487,985
FTE	216.2	216.2	216.2	216.2	216.2
General Fund	25,169,507	14,372,363	20,729,220	21,721,342	21,751,757
Cash Funds	1,700,536	1,699,980	1,642,140	1,642,140	1,642,140
Reappropriated Funds	492,040	26,679	94,088	94,088	94,088
Federal Funds	0	0	0	0	0
Contract Medical Services	650,895	815,297	773,466	773,466	815,297
General Fund	650,895	815,297	773,466	773,466	815,297
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Operating Expenses	1,026,704	1,327,663	1,066,793	1,066,793	1,066,793
General Fund	1,002,801	1,190,278	925,278	925,278	925,278
Cash Funds	0	114,762	117,612	117,612	117,612
Reappropriated Funds	23,903	22,623	23,903	23,903	23,903
Federal Funds	0	0	0	0	0
Capital Outlay	116,771	112,916	112,916	112,916	112,916
General Fund	116,771	112,916	112,916	112,916	112,916
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Pharmaceuticals	1,478,487	1,368,888	1,328,473	1,328,473	1,328,473
General Fund	1,364,090	1,274,852	1,211,865	1,211,865	1,211,865
Cash Funds	91,825	94,036	94,036	94,036	94,036
Reappropriated Funds	22,572	0	22,572	22,572	22,572
Federal Funds	0	0	0	0	0
SUBTOTAL - (1) Mental Health Institute - Ft. Logan	30,634,940	19,723,786	25,747,096	26,739,218	26,811,464
FTE	216.2	216.2	216.2	216.2	216.2
General Fund	28,304,064	17,765,706	23,752,745	24,744,867	24,817,113
Cash Funds	1,792,361	1,908,778	1,853,788	1,853,788	1,853,788
Reappropriated Funds	538,515	49,302	140,563	140,563	140,563
Federal Funds	0	0	0	0	0
(2) Mental Health Institute - Pueblo					
Personal Services	101,888,458	195,036,712	86,679,905	97,945,282	98,083,006 *
FTE	981.8	1,026.3	1,050.2	1,067.2	1,067.2
General Fund	91,889,199	88,436,626	75,270,551	86,535,928	86,673,652
Cash Funds	1,344,898	95,569,159	3,755,180	3,755,180	3,755,180
Reappropriated Funds	8,654,361	3,376,753	7,654,174	7,654,174	7,654,174
Federal Funds	0	7,654,174	0	0	0
Contract Medical Services	2,368,871	2,684,664	2,592,833	3,342,833	3,384,664
General Fund	2,368,871	2,684,664	2,592,833	3,342,833	3,384,664
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Operating Expenses	6,258,168	7,137,397	8,501,837	8,083,725	8,090,513 *
General Fund	3,079,750	3,708,889	5,068,579	4,509,640	4,509,640
Cash Funds	182,207	395,155	399,905	399,905	399,905
Reappropriated Funds	2,996,211	3,033,353	3,033,353	3,174,180	3,180,968
Federal Funds	0	0	0	0	0
Capital Outlay	307,721	324,068	324,068	324,068	324,068
General Fund	307,721	324,068	324,068	324,068	324,068
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Pharmaceuticals	4,123,848	4,336,782	4,019,355	4,114,182	4,114,182
General Fund	3,915,680	4,103,660	3,785,873	3,880,700	3,880,700
Cash Funds	170,547	195,861	195,861	195,861	195,861
Reappropriated Funds	37,621	37,261	37,621	37,621	37,621
Federal Funds	0	0	0	0	0
Educational Programs	214,674	216,554	236,402	236,402	236,402
FTE	2.7	2.7	2.7	2.7	2.7
General Fund	28,602	31,094	31,094	31,094	31,094
Cash Funds	0	0	0	0	0
Reappropriated Funds	145,803	136,190	205,308	205,308	205,308
Federal Funds	40,269	49,270	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
SUBTOTAL - (2) Mental Health Institute - Pueblo	115,161,740	209,736,177	102,354,400	114,046,492	114,232,835
FTE	984.5	1029.0	1052.9	1069.9	1069.9
General Fund	101,589,823	99,289,001	87,072,998	98,624,263	98,803,818
Cash Funds	1,697,652	96,160,175	4,350,946	4,350,946	4,350,946
Reappropriated Funds	11,833,996	6,583,557	10,930,456	11,071,283	11,078,071
Federal Funds	40,269	7,703,444	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(3) Forensic Services					
Forensic Services Administration	623,049	233,099	253,209	1,194,072	1,060,688
FTE	13.9	13.9	13.9	13.9	13.9
General Fund	623,049	233,099	253,209	1,194,072	1,060,688
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Court Services	4,644,477	5,507,420	7,663,240	6,717,385	6,723,670
FTE	34.6	52.6	77.1	66.1	66.1
General Fund	4,644,477	5,507,420	7,663,240	6,717,385	6,723,670
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Forensic Community-based Services	2,391,484	2,169,557	3,358,441	3,447,632	3,466,819
FTE	19.4	20.4	20.4	20.4	20.4
General Fund	2,391,484	2,169,557	3,358,441	3,447,632	3,466,819
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Jail-based Competency Restoration Program	10,951,126	13,537,982	13,429,826	13,429,826	13,753,286
FTE	4.3	4.3	4.3	4.3	4.3
General Fund	10,951,126	13,537,982	13,429,826	13,429,826	13,753,286
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
Purchased Psychiatric Bed Capacity	24,359	2,368,304	3,255,333	3,278,988	3,335,351
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	24,359	2,368,304	3,255,333	3,278,988	3,335,351
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
Outpatient Competency Restoration Program	424,017	1,322,304	3,628,772	3,637,772	3,701,882
FTE	1.0	1.0	1.0	1.0	1.0
General Fund	424,017	1,322,304	3,628,772	3,637,772	3,701,882
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (3) Forensic Services	19,058,512	25,138,666	31,588,821	31,705,675	32,041,696
FTE	74.2	93.2	117.7	106.7	106.7
General Fund	19,058,512	25,138,666	31,588,821	31,705,675	32,041,696
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(4) Consent Decree Fines and Costs					
Consent Decree Fines and Costs	0	9,534,841	2,947,000	2,947,000	2,947,000
General Fund	0	9,534,841	2,947,000	2,947,000	2,947,000
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (4) Consent Decree Fines and Costs	0	9,534,841	2,947,000	2,947,000	2,947,000
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	9,534,841	2,947,000	2,947,000	2,947,000
Cash Funds	0	0	0	0	0
Reappropriated Funds	0	0	0	0	0
Federal Funds	0	0	0	0	0
SUBTOTAL - (E) Mental Health Institutes	164,855,192	264,133,470	162,637,317	175,438,385	176,032,995
FTE	1,274.9	1,338.4	1,386.8	1,392.8	1,392.8
General Fund	148,952,399	151,728,214	145,361,564	158,021,805	158,609,627
Cash Funds	3,490,013	98,068,953	6,204,734	6,204,734	6,204,734
Reappropriated Funds	12,372,511	6,632,859	11,071,019	11,211,846	11,218,634
Federal Funds	40,269	7,703,444	0	0	0

	FY 2018-19 Actual	FY 2019-20 Actual	FY 2020-21 Appropriation	FY 2021-22 Request	FY 2021-22 Recommendation
(F) Indirect Cost Assessment					
Indirect Cost Assessment	8,534,194	8,179,526	6,350,432	6,709,142	6,699,632 *
General Fund	0	0	0	0	0
Cash Funds	7,417,673	5,822,972	3,451,101	3,631,517	3,627,375
Reappropriated Funds	215,546	1,370,519	1,428,686	1,528,005	1,524,657
Federal Funds	900,975	986,035	1,470,645	1,549,620	1,547,600
SUBTOTAL - (F) Indirect Cost Assessment	8,534,194	8,179,526	6,350,432	6,709,142	6,699,632
FTE	0.0	0.0	0.0	0.0	0.0
General Fund	0	0	0	0	0
Cash Funds	7,417,673	5,822,972	3,451,101	3,631,517	3,627,375
Reappropriated Funds	215,546	1,370,519	1,428,686	1,528,005	1,524,657
Federal Funds	900,975	986,035	1,470,645	1,549,620	1,547,600
TOTAL - (8) Office of Behavioral Health	347,308,331	501,936,380	365,466,052	386,521,695	400,491,256
FTE	1,352.8	1,426.4	1,470.8	1,481.2	1,481.2
General Fund	244,313,323	258,789,544	249,041,282	258,667,833	272,320,675
Cash Funds	46,816,906	144,514,640	48,341,550	59,344,897	58,927,686
Reappropriated Funds	19,715,009	17,872,542	25,722,102	26,068,872	26,825,822
Federal Funds	36,463,093	80,759,654	42,361,118	42,440,093	42,417,073
TOTAL - Department of Human Services	397,942,196	547,976,112	414,616,087	433,357,247	453,800,845
FTE	1,773.8	1,850.2	1,895.7	1,899.6	1,899.6
General Fund	273,248,382	286,983,751	276,592,114	284,869,360	304,996,583
Cash Funds	47,772,428	145,587,427	49,769,921	60,785,385	60,367,896
Reappropriated Funds	40,458,293	34,645,280	45,892,934	45,262,409	46,019,293
Federal Funds	36,463,093	80,759,654	42,361,118	42,440,093	42,417,073

APPENDIX B: 2020 SESSION BUDGET BALANCING ACTIONS

The following issue was presented in the JBC Staff briefing on November 20, 2020.

INFORMATIONAL ISSUE: 2020 SESSION BUDGET BALANCING ACTIONS

In response to the budget challenges in the 2020 Session, the Joint Budget Committee and the General Assembly took actions that reduced the FY 2019-20 General Fund appropriations to the Department of Human Services by $27.1 million. Fiscal year 2020-21 appropriations to the Department were further reduced by $88.5 million. The General Assembly's actions made an additional $17.2 million available for balancing purposes by refinancing General Fund appropriations with cash funds and federal funds. These adjustments contributed to the net decrease in the Department's General Fund and total funds budget for FY 2020-21.

SUMMARY

FY 2019-20 Budget

- During the 2020 Session, the General Assembly reduced FY 2019-20 General Fund appropriations to the Department of Human Services by $27.1 million through a combination of programmatic reductions and refinancing with other fund sources.

- The FY 2019-20 balancing actions also included $9.8 million in cash fund balance transfers to the General Fund to make those revenues available for budget balancing purposes.

FY 2020-21 Budget

- For FY 2020-21, the General Assembly's actions included $95.8 million in General Fund reductions in the Department of Human Services, through a combination of programmatic reductions and refinancing with other fund sources. In total, $18.2 million of the General Fund reduction was a result of cash fund and federal fund refinancing.

- The FY 2020-21 balancing actions also included $19.2 million in cash fund balance transfers to the General Fund to make those revenues available for budget balancing purposes.

DISCUSSION

Confronting the budget challenges of the 2020 legislative session, the Committee and the General Assembly took a variety of budget balancing actions in the Department of Human Services for both FY 2019-20 and FY 2020-21.

FY 2018-19 to FY 2019-20: Appropriations to the Department increased by $164.2 million total funds from FY 2018-19 to FY 2019-20, including an increase of $50.2 million General Fund.

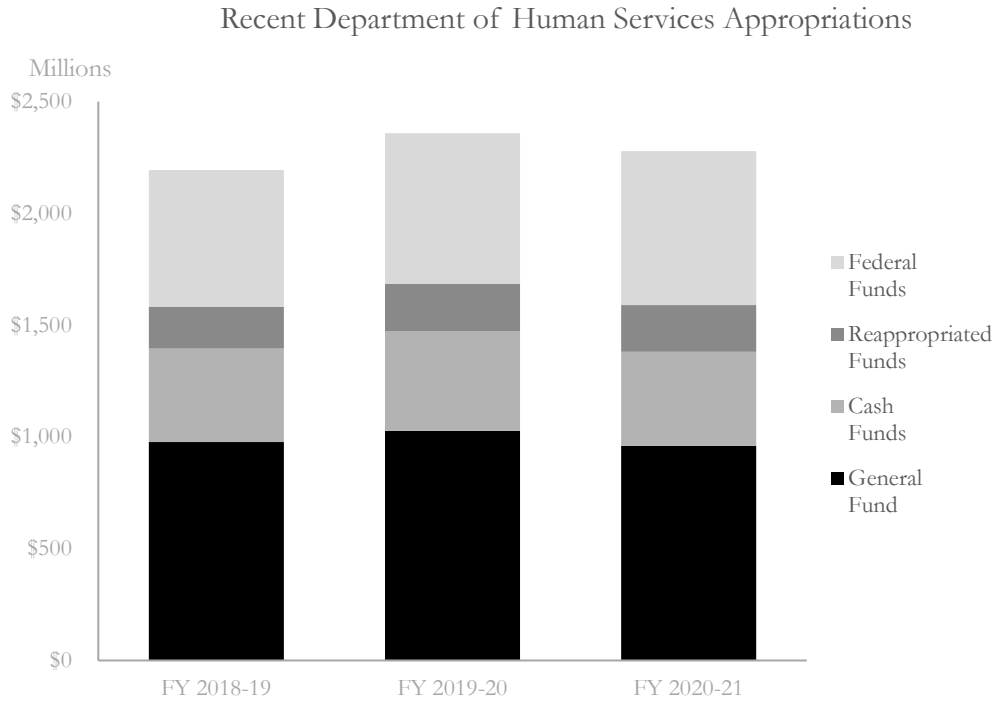
House Bill 20-1197 modifies FY 2019-20 appropriations to provide an increase of $500,000 from the CARE subfund in the General Fund for a grant to the Colorado 2-1-1 Collaborative to provide human services referral services related to the COVID-19 public health emergency.

House Bill 20-1248 modifies FY 2019-20 appropriations to provide a net increase of $4,762,115 total funds, including a reduction of $2,259,880 General Fund, and an increase of 11.8 FTE.

House Bill 20-1360 modifies FY 2019-20 appropriations to provide a net reduction of $4,662,948 total funds, including a reduction of $27,069,899 General Fund, and a decrease of 8.5 FTE.

FY 2019-20 to FY 2020-21: Facing revenue challenges for FY 2020-21, the General Assembly took a variety of actions to both reduce the Department's General Fund appropriations and to make other revenues available for balancing purposes. While the Department's *total* budget decreased by $80.1 million from FY 2019-20 to FY 2020-21, the General Fund appropriation was decreased by $67.6 million (representing a decrease of $17.4 million below FY 2018-19 levels).

The following graph shows the Department's annual appropriations for FY 2018-19 through FY 2020-21. A table with appropriations detail by major fund source follows the graph. Please note that the FY 2019-20 appropriations include the adjustments and reductions made during the 2020 Session.



Department of Human Services Appropriations FY 2019-20 through FY 2020-21						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2018-19 Final	$2,194,566,053	$977,848,825	$416,811,839	$188,322,020	$611,583,369	5,053.8
FY 2019-20 Adjusted	2,358,741,148	1,028,050,155	445,987,547	211,209,030	673,494,416	5,134.2
FY 2020-21	2,278,676,218	960,429,029	420,236,935	208,978,816	689,031,438	5,178.6

Department of Human Services Appropriations FY 2019-20 through FY 2020-21						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
Change from FY 2019-20 to FY 2020-21	($80,064,930)	($67,621,126)	($25,750,612)	($2,230,214)	$15,537,022	6.5
Percent change FY 2019-20 to FY 2020-21	*(3.4%)*	*(6.6%)*	*-5.8%*	*(1.1%)*	*2.3%*	*0.1%*

Summary of 2020 Session Budget Balancing Appropriation Changes

The following table summarizes the budget balancing actions that impacted appropriations to the Department of Human Services for both FY 2019-20 and FY 2020-21, including actions taken through the Long Bill and other legislation. Please note:

- Unless otherwise indicated, the Department's budget request proposes to restore the funding.
  - Two programs are not fully restored: the High Risk Pregnant Women Program and the General Fund reductions for the Circle Program. Staff believes this was an oversight, rather than an intentional omission.
  - Two decision items propose reductions after the restoration of funding: R7 Substance use treatment and R15 Community behavioral health services.
- The table only reflects balancing actions that specifically changed appropriations. The cash fund and reappropriated funds reductions in the table below that do not have an associated GF reduction were part of actions to make additional resources available for budget balancing purposes outside of the Department of Human Services.
- Actions to increase available revenues (such as transfers from cash funds to the General Fund) are not included in this table and are discussed in a separate section.
- Items in bold indicate those actions that impact the Office of Behavioral Health or the Office of Operations.

2020 Session Budget Balancing Appropriation Changes - Department of Human Services[1]						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2019-20 APPROPRIATION BALANCING ITEMS:						
Appropriation Reductions						
Budget balancing reductions	**($19,974,194)**	**($19,974,194)**	**$0**	**$0**	**$0**	**0.0**
DYS contract placement	(1,800,000)	(1,800,000)	0	0	0	0.0
Community Transition Services	**(1,500,000)**	**(1,500,000)**	**0**	**0**	**0**	**0.0**
DYS medical services	(887,911)	(887,911)	0	0	0	0.0
Family First Act implementation delay	(689,161)	(633,510)	0	0	(55,651)	(5.6)
Regional Center Electronic Health Record	(650,000)	0	0	(650,000)	0	0.0
DYS drug detection devices	(337,346)	(337,346)	0	0	0	(1.7)
DYS Lookout Mountain Youth Services Center	(180,410)	(180,410)	0	0	0	(1.2)
Child support pass-through	(118,120)	(118,120)	0	0	0	0.0
Subtotal - Appropriation Reductions	**($26,137,142)**	**($25,431,491)**	**$0**	**($650,000)**	**($55,651)**	**(8.5)**
Fund Source Adjustments						
Child Welfare Services refinance	0	(1,638,408)	0	0	1,638,408	0.0
Subtotal - Fund Source Adjustments	**$0**	**($1,638,408)**	**$0**	**$0**	**$1,638,408**	**0.0**
TOTAL	**($26,137,142)**	**($27,069,899)**	**$0**	**($650,000)**	**$1,582,757**	**(8.5)**

2020 Session Budget Balancing Appropriation Changes - Department of Human Services[1]						
	Total Funds	General Fund	Cash Funds	Reappropriated Funds	Federal Funds	FTE
FY 2020-21 APPROPRIATION BALANCING ITEMS:						
Appropriation Reductions						
Budget balancing adjustments	**($26,252,834)**	**($26,252,834)**	**$0**	**$0**	**$0**	**(1.0)**
HLD decrease/personal services base reduction	**(10,956,710)**	**(10,956,710)**	**0**	**0**	**0**	**0.0**
Provider rates reduction	**(8,701,887)**	**(5,353,890)**	**(1,322,998)**	**(113,596)**	**(1,911,403)**	**0.0**
Substance use programs	**(7,482,960)**	**(4,982,960)**	**(2,500,000)**	**0**	**0**	**0.0**
Annualize prior year budget actions	(6,273,826)	(6,273,826)	0	0	0	0.0
Other behavioral health programs	**(2,846,639)**	**(2,300,000)**	**(546,639)**	**0**	**0**	**0.0**
Aid to the Needy Disabled reduction	(2,700,000)	(2,700,000)	0	0	0	0.0
Community mental health programs	**(2,000,000)**	**(1,000,000)**	**(1,000,000)**	**0**	**0**	**0.0**
Early childhood intervention and prevention services	(1,379,082)	(1,379,082)	0	0	0	0.0
Division of Youth Services reductions	(1,252,137)	(2,200,000)	1,000,000	(52,137)	0	0.0
Mental health institutes reductions	**(750,000)**	**(750,000)**	**0**	**0**	**0**	**0.0**
Tony Grampsas Youth Services Program	(750,000)	0	(250,000)	(500,000)	0	0.0
Leased space reduction	**(250,000)**	**(250,000)**	**0**	**0**	**0**	**0.0**
Child welfare programs	(105,115)	(71,375)	0	0	(33,740)	(1.0)
Child care and early development	(100,000)	(100,000)	0	0	0	0.0
Subtotal - Appropriation Reductions	**($71,801,190)**	**($64,570,677)**	**($4,619,637)**	**($665,733)**	**($1,945,143)**	**(2.0)**
Fund Source Adjustments						
Child welfare programs	$0	($11,338,408)	$0	$0	$11,338,408	0.0
Child care and early development	0	(3,045,323)	0	0	3,045,323	0.0
Veterans Community Living Centers	0	(2,669,922)	2,669,922	0	0	0.0
Early childhood intervention and prevention services	0	(171,937)	171,937	0	0	0.0
Subtotal - Fund Source Adjustments	**$0**	**($17,225,590)**	**$2,841,859**	**$0**	**$14,383,731**	**0.0**
Other Legislation						
HB 20-1379 Suspend PERA direct distribution[2]	($7,450,138)	($5,576,328)	($74,354)	($1,799,456)	$0	0.0
HB 20-1384 Wraparound services for eligible at-risk children	**(495,380)**	**(195,380)**	**0**	**(300,000)**	**0**	**(2.5)**
HB 20-1388 Statutory provisions divert General Fund reversions	(4,254,999)	(4,254,999)	0	0	0	(0.7)
HB 20-1390 Discontinue DYS Trauma Pilot Program	(610,854)	(610,854)	0	0	0	(4.0)
HB 20-1391 Behavioral health programs	**(546,013)**	**0**	**(546,013)**	**0**	**0**	**(2.5)**
HB 20-1392 Council and Disabled Parking Education Program	(238,497)	(238,497)	0	0	0	(1.0)
HB 20-1398 Annual depreciation-lease equivalent payments	(3,103,396)	(3,103,396)	0	0	0	0.0
Subtotal - Other Legislation	**($16,699,277)**	**($13,979,454)**	**($620,367)**	**($2,099,456)**	**$0**	**(10.7)**
TOTAL	**($88,500,467)**	**($95,775,721)**	**($2,398,145)**	**($2,765,189)**	**$12,438,588**	**(12.7)**
BALANCING ITEMS AS PERCENTAGE OF TOTAL APPROPRIATION:						
FY 2019-20 Appropriation	$2,358,741,148	$1,028,050,155	$445,987,547	$211,209,030	$673,494,416	5,134.2
FY 2020-21 Appropriation	$2,278,676,218	$960,429,029	$420,236,935	$208,978,816	$689,031,438	5,178.6
FY 2020-21 Actions as Percentage of FY 2019-20 Appropriation	*(3.8%)*	*(9.3%)*	*(0.5%)*	*(1.3%)*	*1.8%*	*(0.2%)*

[1] Unless otherwise indicated, actions were reflected in the Long Bill (H.B. 20-1360)

[2] House Bill 20-1379 eliminated PERA Direct Distribution appropriations for all departments.

FY 2019-20 Appropriation – Mid-year Adjustments – Appropriations Reductions

Budget balancing reductions: Reduced appropriations by $19,974,194 General Fund in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund.

DYS contract placement: Reduced appropriations by $1.8 million General Fund for contract placements in the Division of Youth Services (DYS).

Community Transition Services: Reduced appropriations by $1.5 million General Fund for Community Transition Services.

DYS medical services: Reduced appropriations by $887,911 General Fund for medical services in the Division of Youth Services.

Family First Act implementation delay: Reduced appropriations by $689,161 total funds, including $633,510 General Fund, and 5.6 FTE associated with the Department's decision to delay implementation of the federal Family First Prevention Services Act of 2018.

Regional Center Electronic Health Record: Reduced appropriations by $650,000 Medicaid reappropriated funds transferred from the Department of Health Care Policy and Financing for the implementation of regional center electronic health records

DYS drug detection devices: Reduced appropriations by $337,346 General Fund and 1.7 FTE for drug detection devices in the Division of Youth Services.

DYS Lookout Mountain Youth Services Center: Reduced appropriations by $180,410 General Fund and 1.2 FTE at the Division of Youth Services' Lookout Mountain Youth Services Center.

Child support pass-through: Reduced appropriations by $118,120 General Fund for child support pass-through.

FY 2019-20 Appropriation – Mid-year Adjustments – Fund Source Adjustments

Child Welfare Services refinance: Refinanced $1,638,408 General Fund with a corresponding increase in federal TANF block grant funds for Child Welfare Services.

FY 2020-21 Appropriation – Appropriation Reductions

Budget balancing adjustments: Reduced appropriations by $26,252,834 General Fund and 1.0 FTE in various Department line items in which it was determined that costs associated with the COVID-19 disaster emergency should be covered by Coronavirus Relief Funds as opposed to General Fund.

HLD DECREASE/PERSONAL SERVICES BASE REDUCTION: Reduced appropriations for health, life, and dental insurance by $714,506 General Fund in lieu of a 5.0 percent personal services base reduction. The Department's FY 2021-22 request proposes to restore this funding and requests an additional $1.7 million General Fund.

PROVIDER RATE REDUCTION: Reduced appropriations in several line items by $8,701,887 total funds, including $5,353,890 General Fund, for a 1.0 percent across-the-board reduction for community providers. This reduction was accompanied by an increase of $1,896,341 Medicaid reappropriated funds for a targeted rate increase for providers serving dually-diagnosed children with intellectual and developmental disabilities and severe behavioral health needs.

SUBSTANCE USE PROGRAMS: Reduced appropriations by $7,482,960 total funds, including $4,982,960 General Fund, for substance use programs in Office of Behavioral Health, including the following reductions:

- $5.0 million cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program;
- $1.2 million General Fund to eliminate the FY 2020-21 increase related to S.B 19-008 (Substance Use Disorder Treatment in the Criminal Justice System);
- $750,000 General Fund for the Short-Term Intensive Residential Remediation and Treatment Program;
- $637,000 reappropriated funds for the High Risk Pregnant Women program; and
- $600,000 total funds for the Circle Program, including a decrease of $3.1 million General Fund and an increase of $2.5 million cash funds from the Marijuana Tax Cash Fund.

COMPENSATION FOR DYS DIRECT CARE EMPLOYEES REDUCTION: Reduced appropriations by $6,273,826 General Fund to control the second-year costs related to the FY 2019-20 Compensation for Division of Youth Services direct care employees (R2) budget action.

OTHER BEHAVIOR HEALTH PROGRAMS: Reduced appropriations by $2,846,639 total funds, including $2.3 million General Fund, for behavioral health programs, including the following reductions:

- $1.1 million General Fund for jail-based behavioral health programs;
- $600,000 General Fund for the Community Transition Services program;
- $600,000 General Fund to eliminate funding for the Crisis Services public information campaign; and
- $546,639 cash funds from the Marijuana Tax Cash Fund to eliminate funding for the Crisis Services secure transportation pilot program.

AID TO THE NEEDY DISABLED REDUCTION: Reduced appropriations by $2.7 million General Fund from the Aid to the Needy Disabled program. This program has reverted on average $2.7 million in cash funds in the last two fiscal years, allowing the program to absorb this reduction while maintaining services within existing resources.

COMMUNITY MENTAL HEALTH PROGRAMS: Reduced appropriations by $2,000,000 total funds, including $1.0 million General Fund, for contracts with community mental health centers for the following programs:

- $1.0 million General Fund for Assertive Community Treatment programs; and
- $1.0 million cash funds from the Marijuana Tax Cash Fund for services for juvenile and adult offenders.

EARLY CHILDHOOD INTERVENTION AND PREVENTION SERVICES: Reduced appropriations by $1,379,082 General Fund for early childhood intervention and prevention service, including the following reductions:

- **$527,951 FOR FAMILY SUPPORT SERVICES;**
- **$350,000 FOR THE SAFECARE PROGRAM;**
- **$253,425 FOR THE COLORADO CHILDREN'S TRUST FUND; AND**
- **$247,706 FOR EARLY INTERVENTION EVALUATIONS.**

DIVISION OF YOUTH SERVICES REDUCTIONS: Reduced appropriations by $1,252,137 total funds, including $1.2 million General Fund, for Division of Youth Services contracted services.

MENTAL HEALTH INSTITUTES REDUCTIONS: Reduced appropriations by $750,000 General Fund for contract medical expenses at the Colorado Mental Health Institute at Pueblo.

TONY GRAMPSAS YOUTH SERVICES PROGRAM: Reduced appropriations by $750,000 total funds, including $250,000 cash funds from the Marijuana Tax Cash Fund and $500,000 reappropriated funds, for the Tony Grampsas Youth Services Program.

LEASED SPACE REDUCTION: Reduced appropriations by $250,000 General Fund for leased space payments.

CHILD WELFARE PROGRAMS: Reduced appropriations by $105,115 total funds, including $71,375 General Fund, and 1.0 FTE for Division of Child Welfare foster and adoptive parent training and recruitment.

CHILD CARE AND EARLY DEVELOPMENT: Reduced appropriations by $100,000 General Fund for the Early Literacy Book Distribution program.

FY 2020-21 APPROPRIATION – FUND SOURCE ADJUSTMENTS

CHILD WELFARE PROGRAMS: Refinanced $11,338,408 General Fund with a corresponding increase in federal TANF block grant funds for Child Welfare Services.

CHILD CARE AND EARLY DEVELOPMENT: Refinanced $3,045,323 General Fund with a corresponding increase in federal Child Care Development Fund block grant funds for child care and early development services.

VETERANS COMMUNITY LIVING CENTERS: Refinanced $2,669,922 General Fund with a corresponding increase in cash funds from the Central Fund for Veterans Community Living Centers.

FY 2020-21 APPROPRIATION – OTHER LEGISLATION

H.B. 20-1379 SUSPEND PERA DIRECT DISTRIBUTION: Suspends the direct distribution payment from the State Treasurer to PERA, pursuant to Section 24-51-414, C.R.S., for FY 2020-21, eliminating the payment, specified as General Fund or other funds.

H.B. 20-1384 WRAPAROUND SERVICES FOR ELIGIBLE AT-RISK CHILDREN: Makes implementation of programs providing wraparound services for children and youth in or at risk of out-of-home placement created in S.B. 19-195 (Child and Youth Behavioral Health System Enhancements) subject to available appropriations. Beginning in FY 2020-21, reduces state expenditures for the Department of Health Care Policy and Financing by $1.5 million total funds, including $677,492 General Fund, and 3.9 FTE; the Department of Human Services by $495,380 total funds, including $195,380 General Fund and 2.5 FTE; and the Department of Public Health and Environment by $108,640 General Fund and 0.2 FTE.

H.B. 20-1388 STATUTORY PROVISIONS DIVERT GENERAL FUND REVERSIONS: Requires that unexpended money for certain programs in the Department of Human Services revert to the General Fund, and repeals requirements that the General Assembly appropriate money to certain programs. Eliminates the Child Support Collection Fund and increases potential reversions to the General Fund on an ongoing basis. Reduces FY 2020-21 appropriations to the Department of Human Services by $4,254,999 General Fund and 0.7 FTE.

H.B. 20-1390 DISCONTINUE DIVISION OF YOUTH SERVICES TRAUMA PILOT PROGRAM: Discontinues two therapeutic and rehabilitative culture pilot programs within the Division of Youth Services in the Department of Human Services and repeals the Youth Services Pilot Program Cash Fund. Reduces FY 2020-21 appropriations to the Department of Human Services by $610,854 General Fund and reduces the corresponding FTE by 4.0 FTE.

H.B. 20-1391 BEHAVIORAL HEALTH PROGRAMS APPROPRIATIONS: Makes implementation of certain behavioral health programs created in H.B. 19-1287 (Treatment for Substance Use Disorders) subject to available appropriations and removes the FY 2020-21 appropriation for those programs. Specifically, the bill:

- Removes the date by which the Department of Human Services must implement and make publicly available a centralized, web-based behavioral health tracking system and a care navigation program;
- Specifies that implementation of the programs is subject to available appropriations;
- Eliminates the September 2020 care navigation program reporting requirement and instead specifies that the reporting must occur during the first year in which the program is implemented; and
- Reduces appropriations to the Department of Human Services by $546,013 cash funds from the Marijuana Tax Cash Fund and 2.5 FTE.

H.B. 20-1392 COUNCIL AND PARKING EDUCATION PROGRAM FOR PERSONS WITH DISABILITY: Repeals the Colorado Advisory Council for Persons with Disabilities and the Disabled Parking Education Program. Reduces FY 2020-21 appropriations to the Department of Human Services by $238,497 General Fund and reduces the corresponding FTE by 1.0 FTE.

H.B. 20-1398 MODIFY AUTOMATIC FUNDING MECHANISM FOR CAPITAL CONSTRUCTION: Suspends the annual depreciation-lease equivalent payment mechanism, defined in Section 24-30-1310 (1)(a), C.R.S., for FY 2020-21.

ACTIONS TO INCREASE AVAILABLE REVENUES

The General Assembly made a number of transfers (totaling $29.0 million) from Department of Human Services' cash funds to the General Fund to increase available General Fund. All of these items are assumed to be one-time (unless indicated otherwise).

STATUTORY TRANSFERS TO THE GENERAL FUND			
SOURCE FUND	NET GF REVENUE IMPACT	OTHER FUNDS REVENUE IMPACT	TOTAL FUNDS
FY 2019-20 Revenue Impact			
Fort Logan Land Sale Account (H.B. 20-1381)	**$7,900,000**	**($7,900,000)**	**$0**
State Supplemental Security Income Stabilization Fund (H.B. 20-1381)	1,887,116	(1,887,116)	0
Subtotal - FY 2019-20 Revenue Impact	$9,787,116	($9,787,116)	$0
FY 2020-21 Revenue Impact			
Older Coloradans Cash Fund (H.B. 20-1387)	$13,000,000	($13,000,000)	$0
Older Coloradans Cash Fund (H.B. 20-1367)	2,000,000	(2,000,000)	0
Nurse Home Visitor Program Fund (H.B. 20-1380)	4,237,375	(4,237,375)	0
Subtotal - FY 2020-21 Revenue Impact	$19,237,375	($19,237,375)	$0
TOTAL	**$29,024,491**	**($29,024,491)**	**$0**

POINTS TO CONSIDER

Looking toward the FY 2021-22 budget, staff offers the following points to consider regarding the Department of Human Services.

- The Office of Behavioral Health submitted a budget request that restores nearly all prior year reductions, including the 1.0 percent provider rate reduction. The Committee may wish to consider a statewide, consistent approach to this issue.
- Reductions implemented via legislation (H.B. 20-1384 and H.B. 20-139) made implementation of programs subject to available appropriations. If the Committee chooses to continue these reductions, no additional legislation is needed.