

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

May 4, 2024

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB24-1038 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend reengrossed bill, page 3, line 7, after "**authorization -**" insert  
2 "**leadership and implementation team - report -**".

3 Page 4, line 4, strike "(2)" and substitute "(4)".

4 Page 4, line 6, strike "(3)" and substitute "(5)".

5 Page 4, after line 6 insert:

6           "(2) (a) NO LATER THAN NOVEMBER 1, 2024, THE STATE  
7 DEPARTMENT SHALL CONVENE A LEADERSHIP TEAM THAT IS RESPONSIBLE  
8 FOR THE DECISION-MAKING AND OVERSIGHT OF THE SYSTEM OF CARE FOR  
9 CHILDREN AND YOUTH WHO HAVE COMPLEX BEHAVIORAL HEALTH NEEDS.

10           (b) THE LEADERSHIP TEAM CONSISTS OF THE FOLLOWING  
11 MEMBERS:

12           (I) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, OR THE  
13 EXECUTIVE DIRECTOR'S DESIGNEE;

14           (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
15 SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

16           (III) THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
17 ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES, OR THE  
18 COMMISSIONER'S DESIGNEE;

19           (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
20 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

21           (V) THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION, OR  
22 THE COMMISSIONER'S DESIGNEE;

23           (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY

1 CHILDHOOD, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;  
2 (VII) THE COMMISSIONER OF THE DIVISION OF INSURANCE IN THE  
3 DEPARTMENT OF REGULATORY AGENCIES, OR THE COMMISSIONER'S  
4 DESIGNEE;  
5 (VIII) ONE COUNTY COMMISSIONER, OR THE COUNTY  
6 COMMISSIONER'S DESIGNEE, FROM THE EASTERN REGION, THE FRONT  
7 RANGE REGION, THE MOUNTAIN REGION, THE SOUTHERN REGION, AND THE  
8 WESTERN REGION, AS DESIGNATED BY THE STATEWIDE ORGANIZATION  
9 THAT REPRESENTS COUNTY COMMISSIONERS;  
10 (IX) ONE COUNTY COMMISSIONER AT LARGE, OR A COUNTY  
11 COMMISSIONER'S DESIGNEE;  
12 (X) ONE DIRECTOR OF A COUNTY DEPARTMENT OF HUMAN OR  
13 SOCIAL SERVICES AT LARGE, OR THE DIRECTOR'S DESIGNEE, AS  
14 DESIGNATED BY THE STATEWIDE ORGANIZATION THAT REPRESENTS  
15 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES DIRECTORS;  
16 (XI) ONE OR MORE FAMILIES OR INDIVIDUALS WITH LIVED  
17 EXPERIENCE USING CHILDREN'S OR YOUTH'S BEHAVIORAL HEALTH  
18 SERVICES, APPOINTED BY THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
19 ADMINISTRATION; AND  
20 (XII) ONE OR MORE REPRESENTATIVES FROM A CONSUMER  
21 ADVOCACY ORGANIZATION, APPOINTED BY THE COMMISSIONER OF THE  
22 BEHAVIORAL HEALTH ADMINISTRATION.  
23 (c) THE LEADERSHIP TEAM HAS THE FOLLOWING DUTIES AND  
24 RESPONSIBILITIES:  
25 (I) TO EVALUATE THE PERFORMANCE AND EFFECTIVENESS OF THE  
26 STATE DEPARTMENT IN THE DEVELOPMENT OF THE SYSTEM OF CARE FOR  
27 CHILDREN AND YOUTH WITH COMPLEX BEHAVIORAL HEALTH NEEDS;  
28 (II) TO OVERSEE AND ADVISE THE STRATEGIC DIRECTION OF THE  
29 DEVELOPMENT OF THE SYSTEM OF CARE; AND  
30 (III) TO PROVIDE FISCAL OVERSIGHT OF THE STATE DEPARTMENT'S  
31 DEVELOPMENT AND OVERSIGHT OF THE SYSTEM OF CARE.  
32 (3) (a) NO LATER THAN OCTOBER 1, 2024, THE STATE  
33 DEPARTMENT SHALL CONVENE AN IMPLEMENTATION TEAM THAT SHALL  
34 CREATE A PLAN TO IMPLEMENT THE SYSTEM OF CARE FOR CHILDREN AND  
35 YOUTH WHO HAVE COMPLEX BEHAVIORAL HEALTH NEEDS.  
36 (b) THE IMPLEMENTATION TEAM CONSISTS OF THE FOLLOWING  
37 MEMBERS:  
38 (I) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, OR THE  
39 EXECUTIVE DIRECTOR'S DESIGNEE;  
40 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN  
41 SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;  
42 (III) THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
43 ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES, OR THE

- 1 COMMISSIONER'S DESIGNEE;
- 2 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
3 HEALTH AND ENVIRONMENT, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
- 4 (V) THE COMMISSIONER OF THE DEPARTMENT OF EDUCATION, OR  
5 THE COMMISSIONER'S DESIGNEE;
- 6 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY  
7 CHILDHOOD, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;
- 8 (VII) THE COMMISSIONER OF THE DIVISION OF INSURANCE IN THE  
9 DEPARTMENT OF REGULATORY AGENCIES, OR THE COMMISSIONER'S  
10 DESIGNEE;
- 11 (VIII) ONE OR MORE COUNTY COMMISSIONERS, AS DESIGNATED BY  
12 THE STATEWIDE ORGANIZATION THAT REPRESENTS COUNTY  
13 COMMISSIONERS;
- 14 (IX) ONE OR MORE DIRECTORS OF A COUNTY DEPARTMENT OF  
15 HUMAN OR SOCIAL SERVICES, OR THE DIRECTOR'S DESIGNEE, AS  
16 DESIGNATED BY THE STATEWIDE ORGANIZATION THAT REPRESENTS  
17 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES DIRECTORS;
- 18 (X) ONE OR MORE FAMILIES OR INDIVIDUALS WITH LIVED  
19 EXPERIENCE USING CHILDREN'S OR YOUTH'S BEHAVIORAL HEALTH  
20 SERVICES, APPOINTED BY THE COMMISSIONER OF THE BEHAVIORAL HEALTH  
21 ADMINISTRATION;
- 22 (XI) ONE OR MORE REPRESENTATIVES FROM A CONSUMER  
23 ADVOCACY ORGANIZATION, APPOINTED BY THE COMMISSIONER OF THE  
24 BEHAVIORAL HEALTH ADMINISTRATION;
- 25 (XII) A REPRESENTATIVE OF THE STATEWIDE ASSOCIATION THAT  
26 REPRESENTS CHILD WELFARE AGENCIES, APPOINTED BY THE DIRECTOR OF  
27 THE ASSOCIATION;
- 28 (XIII) A REPRESENTATIVE OF THE STATEWIDE ASSOCIATION THAT  
29 REPRESENTS HOSPITALS, APPOINTED BY THE DIRECTOR OF THE  
30 ASSOCIATION; AND
- 31 (XIV) A REPRESENTATIVE OF THE STATEWIDE ASSOCIATION THAT  
32 REPRESENTS COMPREHENSIVE BEHAVIORAL HEALTH PROVIDERS,  
33 APPOINTED BY THE DIRECTOR OF THE ASSOCIATION."

34 Renumber succeeding sections accordingly.

35 Page 4, line 21, strike "(5)" and substitute "(7) (a)".

36 Page 4, after line 26 insert:

37 "(b) BEGINNING JANUARY 2025, AND EACH QUARTER THEREAFTER,  
38 THE STATE DEPARTMENT SHALL REPORT PROGRESS ON THE DEVELOPMENT  
39 AND IMPLEMENTATION OF THE SYSTEM OF CARE DEVELOPED PURSUANT TO

1 THIS SECTION TO THE JOINT BUDGET COMMITTEE."

2 Page 13, strike lines 7 through 27 and substitute:

3 "(4) For the 2024-25 state fiscal year, \$156,336 is appropriated to  
4 the department of health care policy and financing for use by the  
5 executive director's office. This appropriation is from the general fund.  
6 To implement this act, the office may use this appropriation as follows:

7 (a) \$51,175 for use by the general administration division for  
8 personal services, which amount is based on an assumption that the office  
9 will require an additional 0.9 FTE;

10 (b) \$3,911 for use by the general administration division for  
11 operating expenses; and

12 (c) \$101,250 for general professional services and special  
13 projects.

14 (5) For the 2024-25 state fiscal year, the general assembly  
15 anticipates that the department of health care policy and financing will  
16 receive \$156,336 in federal funds to implement this act, which amount is  
17 subject to the "(I)" notation as defined in the annual general appropriation  
18 act for the same fiscal year. The appropriation in subsection (4) of this  
19 section is based on the assumption that the department will receive this  
20 amount of federal funds to be used as follows:

21 (a) \$51,175 for use by the general administration division for  
22 personal services;

23 (b) \$3,911 for use by the general administration division for  
24 operating expenses; and

25 (c) \$101,250 for general professional services and special  
26 projects.

27 (6) For the 2024-25 state fiscal year, \$2,480,052 is appropriated  
28 to the department of health care policy and financing. This appropriation  
29 is from the general fund, and is subject to the "(M)" notation as defined  
30 in the annual general appropriation act for the same fiscal year. To  
31 implement this act, the office may use this appropriation as follows:

32 (a) \$675,000 for medical and long-term care services for medicaid  
33 eligible individuals;

34 (b) \$1,250,000 for behavioral health capitation payments; and

35 (c) \$555,052 for children's habilitation residential program.

36 (7) For the 2024-25 state fiscal year, the general assembly  
37 anticipates that the department of health care policy and financing will  
38 receive \$2,480,052 in federal funds to implement this act. The  
39 appropriation in subsection (6) of this section is based on the assumption  
40 that the department will receive this amount of federal funds to be used  
41 as follows:

- 1 (a) \$675,000 for medical and long-term care services for medicaid
- 2 eligible individuals;
- 3 (b) \$1,250,000 for behavioral health capitation payments; and
- 4 (c) \$555,052 for children's habilitation residential program."

5 Page 14, strike lines 1 through 13.

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