

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0313.01 Jane Ritter x4342

SENATE BILL 16-039

SENATE SPONSORSHIP

Newell and Martinez Humenik,

HOUSE SPONSORSHIP

Lee, Singer

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 **CONCERNING INCLUDING A MENTAL HEALTH PROFESSIONAL IN THE**
102 **MEMORANDUM OF UNDERSTANDING RELATING TO A**
103 **LOCAL-LEVEL COLLABORATIVE MANAGEMENT PROCESS FOR**
104 **CHILDREN AND FAMILIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Legislative Oversight Committee Concerning the Treatment of Persons With Mental Illness in the Criminal and Juvenile Justice Systems. The bill adds a mental health professional to the list of persons

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

to be included in any memorandum of understanding entered into between interested county departments of social or human services and other local-level service providers when the memorandum of understanding is established as a means of promoting a collaborative system of local-level interagency oversight and services to children and families.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-1.9-102, **amend**
3 (1) (a) and (1) (c); and **add (1) (f)** as follows:

4 **24-1.9-102. Memorandum of understanding - local-level**
5 **interagency oversight groups - individualized service and support**
6 **teams - coordination of services for children and families -**
7 **requirements - waiver.** (1) (a) INDIVIDUALS, local representatives of
8 each of the agencies specified in this paragraph (a) AND PARAGRAPH (a.5)
9 OF THIS SUBSECTION (1), IF APPLICABLE, and county departments of
10 HUMAN OR social services may enter into memorandums of understanding
11 that are designed to promote a collaborative system of local-level
12 interagency oversight groups and individualized service and support
13 teams to coordinate and manage the provision of services to children and
14 families who would benefit from integrated multi-agency services. The
15 memorandums of understanding entered into pursuant to this subsection
16 (1) shall be between interested county departments of HUMAN OR social
17 services and ~~local representatives of each of the following: agencies or~~
18 ~~entities:~~

19 (I) A REPRESENTATIVE OF the local judicial districts, including
20 probation services;

21 (II) A REPRESENTATIVE OF the health department, whether a
22 county or district public health agency;

1 (III) A REPRESENTATIVE OF the local school district or school
2 districts;

3 ~~(IV) Each community mental health center;~~ A REPRESENTATIVE
4 FROM THE AREA'S LOCAL COMMUNITY MENTAL HEALTH CENTER, IF ONE
5 EXISTS. FOR PURPOSES OF THIS SUBPARAGRAPH (IV), IF THE AREA
6 INVOLVED DOES NOT HAVE A LOCAL COMMUNITY HEALTH CENTER, THE
7 PERSON OR ENTITY THAT CONVENES THE GROUP MAY APPOINT A MENTAL
8 HEALTH PROFESSIONAL. FOR PURPOSES OF THIS SUBPARAGRAPH (IV), IF
9 THE AREA INVOLVED DOES HAVE A COMMUNITY MENTAL HEALTH CENTER,
10 THE REPRESENTATIVE MUST BE FROM THAT COMMUNITY MENTAL HEALTH
11 CENTER.

12 (V) ~~Each~~ A REPRESENTATIVE FROM THE LOCAL behavioral health
13 organization;

14 (VI) A REPRESENTATIVE FROM the division of youth corrections;

15 (VII) A REPRESENTATIVE FROM a designated managed service
16 organization for the provision of treatment services for alcohol and drug
17 abuse pursuant to section 27-80-107, C.R.S.; and

18 (VIII) A REPRESENTATIVE FROM a domestic abuse program as
19 defined in section 26-7.5-102, C.R.S., if representation from such a
20 program is available.

21 (c) Notwithstanding the provisions of paragraph (b) of this
22 subsection (1), the INDIVIDUALS AND agencies specified in paragraphs (a)
23 and (a.5) of this subsection (1) may enter into memorandums of
24 understanding involving only one or more county departments of HUMAN
25 OR social services, not necessarily by region, as may be appropriate to
26 ensure the effectiveness of local-level interagency oversight groups and
27 individualized service and support teams in the county or counties.

1 (f) FOR PURPOSES OF THIS SUBSECTION (1), A "MENTAL HEALTH
2 PROFESSIONAL" MAY INCLUDE ANY PERSON LICENSED BY THE STATE OF
3 COLORADO AS A PSYCHIATRIST, PSYCHOLOGIST, MENTAL HEALTH
4 COUNSELOR, OR LICENSED CLINICAL SOCIAL WORKER.

5 **SECTION 2. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly (August
8 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
9 referendum petition is filed pursuant to section 1 (3) of article V of the
10 state constitution against this act or an item, section, or part of this act
11 within such period, then the act, item, section, or part will not take effect
12 unless approved by the people at the general election to be held in
13 November 2016 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.