

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 18-1245.01 Kip Kolkmeier x4510

SENATE BILL 18-270

SENATE SPONSORSHIP

Jahn and Neville T.,

HOUSE SPONSORSHIP

Pettersen and Wist,

Senate Committees

State, Veterans, & Military Affairs  
Appropriations

House Committees

Public Health Care & Human Services  
Appropriations

A BILL FOR AN ACT

101 CONCERNING ESTABLISHING A STATEWIDE PROGRAM TO COORDINATE  
102 REFERRALS OF HIGH-RISK INDIVIDUALS IN NEED OF BEHAVIORAL  
103 HEALTH TRANSITION SERVICES, AND, IN CONNECTION  
104 THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

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

The bill establishes the community transition specialist program (program) in the office of behavioral health (office) in the department of human services (department). The program coordinates referrals of

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

HOUSE  
2nd Reading Unamended  
May 8, 2018

SENATE  
3rd Reading Unamended  
May 4, 2018

SENATE  
Amended 2nd Reading  
May 3, 2018

high-risk individuals to transition specialists by certain behavioral health facilities and programs. High-risk individuals are under an emergency or involuntary hold, have a significant mental health or substance use disorder, and are not in consistent behavioral health treatment. Transition specialists provide services related to housing, program placement, access to behavioral health treatment or benefits, advocacy, and other supportive services. The department is required to adopt rules to implement the program. The bill requires the office to collect data and make recommendations to the department, and the department is required to include program information in the department's annual SMART act report.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** article 66.5 to  
3 title 27 as follows:

4   **ARTICLE 66.5**

5   **Community Transition Specialist Program**

6           **27-66.5-101. Short title.** THE SHORT TITLE OF THIS ARTICLE 66.5  
7 IS THE "COMMUNITY TRANSITION SPECIALIST PROGRAM ACT".

8           **27-66.5-102. Definitions.** AS USED IN THIS ARTICLE 66.5, UNLESS  
9 THE CONTEXT OTHERWISE REQUIRES:

10   **==**

11           (1) "DEPARTMENT" MEANS THE COLORADO DEPARTMENT OF  
12 HUMAN SERVICES CREATED IN SECTION 26-1-105.

13           (2) "DIRECTOR" MEANS THE DIRECTOR OF THE OFFICE OF  
14 BEHAVIORAL HEALTH.

15           (3) "HIGH-RISK INDIVIDUAL" MEANS A PERSON WHO:

16           (a) IS UNDER:

17           (I) AN EMERGENCY PROCEDURE FOR A SEVENTY-TWO-HOUR HOLD  
18 PURSUANT TO SECTION 27-65-105;

19           (II) A CERTIFICATION FOR SHORT-TERM TREATMENT OR EXTENDED

1 SHORT-TERM TREATMENT PURSUANT TO SECTION 27-65-107 OR  
2 27-65-108;

3 (III) LONG-TERM CARE AND TREATMENT PURSUANT TO SECTION  
4 27-65-109;

5 (IV) AN EMERGENCY COMMITMENT PURSUANT TO SECTION  
6 27-81-111 OR 27-82-107; OR

7 (V) AN INVOLUNTARY COMMITMENT PURSUANT TO SECTION  
8 27-81-112 OR 27-82-108;

9 (b) HAS A SIGNIFICANT MENTAL HEALTH OR SUBSTANCE USE  
10 DISORDER; AND

11 (c) IS NOT CURRENTLY ENGAGED IN CONSISTENT BEHAVIORAL  
12 HEALTH TREATMENT.

13 (4) "OFFICE" MEANS THE OFFICE OF BEHAVIORAL HEALTH IN THE  
14 DEPARTMENT OF HUMAN SERVICES.

15 (5) "TRANSITION SPECIALIST" MEANS A PERSON WHO ASSISTS  
16 HIGH-RISK INDIVIDUALS WITH ONE OR MORE OF THE FOLLOWING SERVICES:

17 (a) ACCESS TO HOUSING OR RESIDENTIAL PROGRAM PLACEMENT;

18 (b) ACCESS TO BEHAVIORAL HEALTH TREATMENT OR BENEFITS;

19 (c) ADVOCACY TO INSURANCE COMPANIES AND PROVIDERS FOR  
20 THE APPROPRIATE TYPE AND INTENSITY OF MENTAL HEALTH OR  
21 SUBSTANCE USE DISORDER SERVICES;

22 (d) PLANNING FOR FOLLOW-UP SERVICES AND COORDINATION  
23 WITHIN THE BEHAVIORAL HEALTH SYSTEM AFTER HOSPITALIZATION OR  
24 DISCHARGE FROM A WITHDRAWAL MANAGEMENT FACILITY OR AN  
25 EMERGENCY ROOM FOLLOWING A VISIT FOR BEHAVIORAL HEALTH  
26 REASONS;

27 (e) ASSISTANCE WITH PREPARING ADVANCE DIRECTIVES;

- 1 (f) OBTAINING A REPRESENTATIVE PAYEE OR GUARDIAN;
- 2 (g) FAMILY SUPPORTIVE SERVICES; OR
- 3 (h) COMPLIANCE WITH COURT APPEARANCES OR PROBATION.

4 (6) "WITHDRAWAL MANAGEMENT FACILITY" MEANS A FACILITY  
5 THAT PROVIDES TWENTY-FOUR-HOUR SUPERVISED WITHDRAWAL FROM  
6 ALCOHOL OR DRUGS IN A RESIDENTIAL SETTING.

7 **27-66.5-103. Community transition specialist program -**  
8 **program requirements - acceptance of referrals - contract for**  
9 **services - rules.** (1) THE COMMUNITY TRANSITION SPECIALIST PROGRAM  
10 IS ESTABLISHED IN THE OFFICE OF BEHAVIORAL HEALTH. THE PROGRAM  
11 MUST COORDINATE REFERRALS OF HIGH-RISK INDIVIDUALS FROM         
12 WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO APPROPRIATE  
13 TRANSITION SPECIALISTS.

14 (2) ON OR BEFORE JANUARY 1, 2019, THE PROGRAM MUST BE  
15 AVAILABLE STATEWIDE. THE PROGRAM MUST HAVE A PROCESS TO ACCEPT  
16 REFERRALS FOR HIGH-RISK INDIVIDUALS AND COORDINATE CONTACT  
17 BETWEEN REFERRED HIGH-RISK INDIVIDUALS AND APPROPRIATE  
18 TRANSITION SPECIALISTS. TO THE EXTENT POSSIBLE, THE COORDINATED  
19 CONTACT MUST TAKE PLACE PRIOR TO THE RELEASE OR DISCHARGE OF THE  
20 HIGH-RISK INDIVIDUAL FROM A FACILITY.

21 (3) THE PROGRAM MUST ENCOURAGE, BUT CANNOT REQUIRE,  
22 WITHDRAWAL MANAGEMENT FACILITIES AND HOSPITALS TO CONTACT THE  
23 PROGRAM BEFORE RELEASING OR DISCHARGING A HIGH-RISK INDIVIDUAL.

24 (4) THE PROGRAM MAY ENCOURAGE, BUT CANNOT REQUIRE, A  
25 HIGH-RISK INDIVIDUAL TO ACCEPT SERVICES FROM A TRANSITION  
26 SPECIALIST. PARTICIPATION BY A HIGH-RISK INDIVIDUAL IS VOLUNTARY  
27 AND THE INDIVIDUAL HAS THE RIGHT TO DECLINE COMMUNITY TRANSITION

1     SPECIALIST SERVICES.

2             (5) THE OFFICE MAY CONTRACT WITH A VENDOR TO PROVIDE THE  
3 REFERRAL AND COORDINATION SERVICES REQUIRED BY THIS ARTICLE 66.5.

4             (6) ON OR BEFORE OCTOBER 1, 2018, THE DEPARTMENT SHALL  
5 PROMULGATE RULES NECESSARY FOR THE IMPLEMENTATION OF THIS  
6 ARTICLE 66.5.

7             **27-66.5-104. Data collection and recommendations.** (1) THE  
8 OFFICE SHALL COLLECT INFORMATION ON THE FOLLOWING:

9             (a) CURRENT PRACTICES, CRITERIA, AND PROCEDURES REGARDING  
10 FOLLOW-UP CARE FOR HIGH-RISK INDIVIDUALS RELEASED OR DISCHARGED  
11 FROM EMERGENCY OR INVOLUNTARY HOLDS, CERTIFICATIONS, OR  
12 COMMITMENTS; AND

13            (b) EXISTING CAPACITY TO SERVE HIGH-RISK INDIVIDUALS AFTER  
14 RELEASE OR DISCHARGE.

15            (2) ON OR BEFORE JANUARY 1, 2020, AND ON OR BEFORE JANUARY  
16 1 EACH YEAR THEREAFTER, THE OFFICE SHALL ANALYZE THE DATA  
17 COLLECTED IN ACCORDANCE WITH SUBSECTION (1) OF THIS SECTION AND  
18 PREPARE RECOMMENDATIONS TO INCREASE ACCESS TO, AND  
19 COORDINATION OF, TRANSITION SPECIALIST SERVICES FOR HIGH-RISK  
20 INDIVIDUALS. THE RECOMMENDATIONS SHALL BE REPORTED TO THE  
21 EXECUTIVE DIRECTOR OF THE DEPARTMENT AND SHALL BE INCLUDED IN  
22 THE REPORTING REQUIREMENTS IN SECTION 27-66.5-105.

23            **27-66.5-105. Reporting requirements - "State Measurement**  
24 **for Accountable, Responsive, and Transparent (SMART)**  
25 **Government Act" report.** THE OFFICE SHALL REPORT INFORMATION ON  
26 THE COMMUNITY TRANSITION SPECIALIST PROGRAM IN THE DEPARTMENT'S  
27 ANNUAL PRESENTATION TO THE GENERAL ASSEMBLY REQUIRED UNDER

1 THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND  
2 TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF  
3 TITLE 2.

4 **SECTION 2. Appropriation.** For the 2018-19 state fiscal year,  
5 \$1,588,250 is appropriated to the department of human services for use  
6 by the office of behavioral health. This appropriation is from the general  
7 fund. To implement this act, the office may use this appropriation for  
8 community transition services.

9 **SECTION 3. Safety clause.** The general assembly hereby finds,  
10 determines, and declares that this act is necessary for the immediate  
11 preservation of the public peace, health, and safety.