

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 20-0295.01 Yelana Love x2295

SENATE BILL 20-028

SENATE SPONSORSHIP

Pettersen and Priola,

HOUSE SPONSORSHIP

Buentello and Herod, Kennedy

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ASSIST AN INDIVIDUAL'S RECOVERY FROM**
102 **A SUBSTANCE USE DISORDER, AND, IN CONNECTION THEREWITH,**
103 **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/>.)

Opioid and Other Substance Use Disorders Study Committee.

The bill:

! Annually appropriates \$250,000 to the department of labor and employment for the purpose of providing peer coaching and peer specialist training for individuals

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.

- recovering from substance use disorders (**section 1** of the bill);
- ! Continues the opioid and other substance use disorders study committee (committee) for an additional 4 years, meeting every other year beginning in 2021 (**sections 2 and 3**);
 - ! Requires the state substance abuse trend and response task force to: Convene stakeholders for the purpose of reviewing progress on bills introduced by the committee and passed by the general assembly and generating policy recommendations related to opioid and other substance use disorders; and submit its annual report to the committee (**section 4**);
 - ! Modifies how the determination of child abuse, neglect, or dependency is determined in situations involving alcohol or substance exposure (**sections 5 to 7**);
 - ! Annually appropriates \$2 million to the office of behavioral health (office) in the department of human services for the purpose of expanding the individual placement and support program (**section 8**);
 - ! Requires the center for research into substance use disorder prevention, treatment, and recovery support strategies (center) to design and conduct a comprehensive review of Colorado's substance use disorder treatment and recovery services to inform a state plan for the delivery of services across the continuum of care for individuals at risk of relapse and appropriates \$500,000 to the center for the completion of the review (**section 9**);
 - ! Requires the center, through the statewide perinatal substance use data linkage project, to conduct ongoing research related to the incidence of perinatal substance exposure or related infant and family health and human service outcomes. The bill also annually appropriates \$75,000 to the center to conduct the research (**section 10**).
 - ! Requires the office to establish a program to assist individuals with substance use disorders by providing the individuals with temporary financial housing assistance and annually appropriates \$4 million to the office for purposes of the program (**section 11**); and
 - ! Creates the recovery support services grant program in the office to provide grants to recovery community organizations, and annually appropriates \$3.5 million to implement the program (**section 12**).

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

2

3 **SECTION 1.** In Colorado Revised Statutes, 18-18.5-103, add
4 (6)(c.5) as follows:

5 **18-18.5-103. State substance abuse trend and response task**
6 **force - creation - membership - duties - report.** (6) In addition, the task
7 force shall:

8 (c.5) CONVENE STAKEHOLDERS FOR THE PURPOSE OF:

9 (I) REVIEWING PROGRESS ON BILLS INTRODUCED BY THE OPIOID
10 AND OTHER SUBSTANCE USE DISORDERS STUDY COMMITTEE CREATED IN
11 SECTION 10-22.3-101 AND ENACTED BY THE GENERAL ASSEMBLY; AND

12 (II) GENERATING POLICY RECOMMENDATIONS RELATED TO OPIOID
13 AND OTHER SUBSTANCE USE DISORDERS, INCLUDING PREVENTION, HARM
14 REDUCTION, TREATMENT, CRIMINAL JUSTICE, AND RECOVERY;

15

16 **SECTION 2.** In Colorado Revised Statutes, 19-1-103, **amend**
17 (1)(a)(VII) as follows:

18 **19-1-103. Definitions.** As used in this title 19 or in the specified
19 portion of this title 19, unless the context otherwise requires:

20 (1) (a) "Abuse" or "child abuse or neglect", as used in part 3 of
21 article 3 of this title 19, means an act or omission in one of the following
22 categories that threatens the health or welfare of a child:

23 (VII) Any case in which a child ~~tests positive at birth for either a~~
24 ~~schedule I controlled substance, as defined in section 18-18-203, C.R.S.,~~
25 ~~or a schedule II controlled substance, as defined in section 18-18-204,~~
26 ~~C.R.S., unless the child tests positive for a schedule II controlled~~
27 ~~substance as a result of the mother's lawful intake of such substance as~~

1 ~~prescribed~~ IS BORN AFFECTED BY ALCOHOL OR SUBSTANCE EXPOSURE,
2 EXCEPT WHEN TAKEN AS PRESCRIBED OR RECOMMENDED AND MONITORED
3 BY A LICENSED HEALTH CARE PROVIDER, AND THE NEWBORN CHILD'S
4 HEALTH OR WELFARE IS THREATENED BY SUBSTANCE USE;

5 **SECTION 3.** In Colorado Revised Statutes, 19-3-102, **amend**
6 (1)(g) as follows:

7 **19-3-102. Neglected or dependent child.** (1) A child is
8 neglected or dependent if:

9 (g) ~~The child tests positive at birth for either a schedule I~~
10 ~~controlled substance, as defined in section 18-18-203, C.R.S., or a~~
11 ~~schedule II controlled substance, as defined in section 18-18-204, C.R.S.,~~
12 ~~unless the child tests positive for a schedule II controlled substance as a~~
13 ~~result of the mother's lawful intake of such substance as prescribed~~ IS
14 BORN AFFECTED BY ALCOHOL OR SUBSTANCE EXPOSURE, EXCEPT WHEN
15 TAKEN AS PRESCRIBED OR RECOMMENDED AND MONITORED BY A LICENSED
16 HEALTH CARE PROVIDER, AND THE NEWBORN CHILD'S HEALTH OR WELFARE
17 IS THREATENED BY SUBSTANCE USE.

18 **SECTION 4.** In Colorado Revised Statutes, **add** 19-3-216 as
19 follows:

20 **19-3-216. Rules.** THE STATE BOARD OF HUMAN SERVICES SHALL
21 PROMULGATE RULES TO DETERMINE WHETHER THERE IS CHILD ABUSE OR
22 NEGLECT AS DEFINED IN SECTION 19-1-103 (1)(a)(VII) OR IF A CHILD IS
23 NEGLECTED OR DEPENDENT AS DESCRIBED IN SECTION 19-3-102 (1)(g).

24 =====
25 **SECTION 5. Appropriation.** (1) For the 2020-21 state fiscal
26 year, \$74,620 is appropriated to the department of human services. This
27 appropriation is from the General Fund. To implement this act, the

1 department may use this appropriation for the purchase of legal services.

2 (2) For the 2020-21 state fiscal year, \$74,620 is appropriated to
3 the department of law. This appropriation is from reappropriated funds
4 received from the department of human services under subsection (1) of
5 this section and is based on an assumption that the department of law will
6 require an additional 0.4 FTE. To implement this act, the department of
7 law may use this appropriation to provide legal services for the
8 department of human services.

9 **SECTION 6. 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, or safety.