

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 21-0900.01 Conrad Imel x2313

**HOUSE BILL 21-1258**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet and Van Winkle,**

**SENATE SPONSORSHIP**

**Buckner,**

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**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING ESTABLISHING A TEMPORARY PROGRAM TO FACILITATE**  
102            **YOUTH MENTAL HEALTH SERVICES IN RESPONSE TO IDENTIFIED**  
103            **NEEDS, AND, IN CONNECTION THEREWITH, MAKING AN**  
104            **APPROPRIATION.**

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**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 a temporary youth mental health services program (program) in the office of behavioral health (office) within the department of human services to facilitate access to mental health

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.*

services for youth to respond to identified mental health needs, including those needs that may have resulted from the COVID-19 pandemic. The program reimburses providers for up to 3 mental health sessions with a youth and may provide additional reimbursement subject to available money.

As soon as practicable, but no later than May 31, 2021, the department of human services is required to enter into an agreement with a vendor to create, or use an existing, website or web-based application as a portal available to youth and providers to facilitate the program.

The program is repealed, effective June 30, 2022.

The bill makes an appropriation.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) The COVID-19 pandemic has put extraordinary stress on all  
5 Coloradans, including young Coloradans who have experienced  
6 enormous disruptions to school, social activities, and support networks,  
7 resulting in increased isolation and, in many cases, new or exacerbated  
8 instability, particularly as a result of a parent's loss of employment or  
9 stable housing. Even before the pandemic, Colorado ranked in the bottom  
10 half of states for prevalence of mental illness and access to care. In 2018,  
11 Colorado had the seventh highest suicide rate in the nation, and suicide  
12 is the leading cause of death among Colorado youth.

13 (b) Since the pandemic began, the Colorado crisis services hotline  
14 has experienced a thirty percent increase in calls and texts, and Children's  
15 Hospital Colorado has seen a ten percent increase in the number of kids  
16 who visit the psychiatric emergency department due to thoughts of  
17 suicide. As experts sound alarms about the state of youth mental health,  
18 both now and looking into the future, the general assembly recognizes  
19 that recovery from the pandemic will depend on youth having access to

1 mental health support, regardless of their ability to pay for it.

2 (c) For years, Colorado schools have been fundamentally  
3 rethinking school safety by centering on the social, emotional, and mental  
4 health needs of young people. In 2020 and 2021, teachers and school  
5 counselors faced unprecedented burdens. As Colorado transitions beyond  
6 the COVID-19 pandemic, the state's youth need the support of their  
7 parents, families, communities, and mental health professionals beyond  
8 school walls to address the pain, trauma, and loneliness they are  
9 experiencing.

10 (d) Colorado's behavioral health blueprint identifies care  
11 coordination as a significant challenge for many Coloradans. Providing  
12 mental health sessions free of charge to youth across the state can help  
13 break down barriers to access and create a sustainable community of care  
14 and long-lasting relationships between youth and mental health  
15 professionals.

16 (e) Recognizing disparities in access to mental health care by race  
17 and geography, the general assembly finds it is essential for mental health  
18 services programs to actively seek out providers who reflect the diversity  
19 of Colorado's youth and for communities to help raise awareness and  
20 disseminate information about mental health services, especially to  
21 marginalized youth.

22 (2) Therefore, the general assembly declares that immediate action  
23 is necessary to support the mental health of all Colorado youth by  
24 facilitating access to a mental health screening and providing mental  
25 health sessions free of charge to youth in order to respond to identified  
26 mental health needs. In doing so, Colorado can build back stronger from  
27 the pandemic and get closer to achieving the state's long-term behavioral

1 health reform goals.

2 **SECTION 2.** In Colorado Revised Statutes, **add** 27-60-108 as  
3 follows:

4 **27-60-108. Temporary youth mental health services program**  
5 **- established - rules - definitions - repeal.** (1) AS USED IN THIS SECTION,  
6 UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "PORTAL" MEANS THE WEBSITE OR WEB-BASED APPLICATION  
8 DESCRIBED IN SUBSECTION (4) OF THIS SECTION THAT FACILITATES THE  
9 PROGRAM.

10 (b) "PROGRAM" MEANS THE TEMPORARY YOUTH MENTAL HEALTH  
11 SERVICES PROGRAM ESTABLISHED IN THIS SECTION.

12 (c) "PROVIDER" MEANS A LICENSED PSYCHIATRIST OR A LICENSED  
13 PSYCHOLOGIST, LICENSED SOCIAL WORKER, LICENSED MARRIAGE AND  
14 FAMILY THERAPIST, LICENSED PROFESSIONAL COUNSELOR, OR LICENSED OR  
15 CERTIFIED ADDICTION COUNSELOR REGULATED UNDER ARTICLE 245 OF  
16 TITLE 12.

17 (d) "TELEHEALTH" HAS THE SAME MEANING SET FORTH IN SECTION  
18 10-16-123.

19 (e) "YOUTH" MEANS:

20 (I) A PERSON EIGHTEEN YEARS OF AGE OR YOUNGER; AND

21 (II) A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR YOUNGER  
22 BUT OLDER THAN EIGHTEEN YEARS OF AGE WHO IS RECEIVING SPECIAL  
23 EDUCATION SERVICES PURSUANT TO PART 1 OF ARTICLE 20 OF TITLE 22.

24 (2) (a) THERE IS ESTABLISHED IN THE OFFICE THE TEMPORARY  
25 YOUTH MENTAL HEALTH SERVICES PROGRAM TO FACILITATE ACCESS TO  
26 MENTAL HEALTH SERVICES FOR YOUTH TO RESPOND TO MENTAL HEALTH  
27 NEEDS IDENTIFIED IN AN INITIAL MENTAL HEALTH SCREENING THROUGH

1 THE PORTAL, INCLUDING THOSE NEEDS THAT MAY HAVE RESULTED FROM  
2 THE COVID-19 PANDEMIC. THE PROGRAM REIMBURSES PROVIDERS FOR  
3 UP TO THREE MENTAL HEALTH SESSIONS WITH A YOUTH.

4 (b) THE OFFICE SHALL REIMBURSE PROVIDERS WHO PARTICIPATE  
5 IN THE PROGRAM FOR THE FULL COST OF EACH MENTAL HEALTH SESSION  
6 WITH A YOUTH, EITHER IN-PERSON OR BY TELEHEALTH, UP TO A MAXIMUM  
7 OF THREE SESSIONS PER YOUTH PATIENT; EXCEPT THAT SUBJECT TO  
8 AVAILABLE MONEY, THE STATE DEPARTMENT MAY REIMBURSE A PROVIDER  
9 FOR ADDITIONAL SESSIONS. TO BE ELIGIBLE FOR REIMBURSEMENT FROM  
10 THE PROGRAM, A PROVIDER MUST BE AVAILABLE TO PROVIDE THREE  
11 MENTAL HEALTH SESSIONS TO EACH YOUTH THE PROVIDER ACCEPTS AS A  
12 PATIENT.

13 (c) A PROVIDER SHALL MAINTAIN PATIENT CONFIDENTIALITY  
14 PURSUANT TO STATE OR FEDERAL LAW WITH REGARD TO A YOUTH PATIENT  
15 WHO PARTICIPATES IN A MENTAL HEALTH SESSION WITH THE PROVIDER  
16 THAT IS REIMBURSED PURSUANT TO THE PROGRAM.

17 (3) (a) THE OFFICE SHALL:

18 (I) DEVELOP A PROCESS CONSISTENT WITH THE REQUIREMENTS OF  
19 THIS SECTION FOR PROVIDERS TO APPLY FOR, AND DEMONSTRATE  
20 ELIGIBILITY TO RECEIVE, REIMBURSEMENT FROM THE PROGRAM;

21 (II) DETERMINE A REASONABLE RATE OF REIMBURSEMENT FOR  
22 EACH MENTAL HEALTH SESSION WITH A YOUTH PATIENT PURSUANT TO THE  
23 PROGRAM; AND

24 (III) IMPLEMENT A STATEWIDE PUBLIC AWARENESS AND OUTREACH  
25 CAMPAIGN ABOUT THE PROGRAM. THE GENERAL ASSEMBLY ENCOURAGES  
26 THE OFFICE TO INVOLVE SCHOOLS, NEIGHBORHOOD YOUTH  
27 ORGANIZATIONS, HEALTH-CARE PROVIDERS, FAITH-BASED

1 ORGANIZATIONS, AND ANY OTHER COMMUNITY-BASED ORGANIZATIONS  
2 THAT INTERACT WITH YOUTH ON THE LOCAL LEVEL IN DISSEMINATING  
3 INFORMATION ABOUT THE PROGRAM.

4 (b) THE STATE DEPARTMENT MAY PROMULGATE RULES NECESSARY  
5 FOR THE ADMINISTRATION OF THIS SECTION, INCLUDING RULES TO PROTECT  
6 THE PRIVACY OF YOUTH WHO RECEIVE SERVICES THROUGH THE PROGRAM.

7 (4) (a) AS SOON AS PRACTICABLE, BUT NO LATER THAN MAY 31,  
8 2021, THE STATE DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH  
9 A VENDOR TO CREATE, OR USE AN EXISTING, WEBSITE OR WEB-BASED  
10 APPLICATION AS A PORTAL AVAILABLE TO YOUTH AND PROVIDERS TO  
11 FACILITATE THE PROGRAM. THE PORTAL MUST:

12 (I) SERVE AS A PLATFORM FOR INITIAL AGE-APPROPRIATE MENTAL  
13 HEALTH SCREENINGS TO DETERMINE IF A YOUTH MAY BENEFIT FROM  
14 MENTAL HEALTH SUPPORT;

15 (II) ALLOW PROVIDERS TO REGISTER AND SHARE IN-PERSON OR  
16 TELEHEALTH APPOINTMENT AVAILABILITY;

17 (III) CONNECT YOUTH WITH PROVIDERS WHO ACCEPT THE YOUTH'S  
18 INSURANCE OR PAYMENT SOURCE THAT MAY COVER THE COSTS OF  
19 ONGOING MENTAL HEALTH TREATMENT, IF THE YOUTH HAS INSURANCE OR  
20 A PAYMENT SOURCE; AND

21 (IV) ALLOW A YOUTH, REGARDLESS OF WHETHER THE YOUTH HAS  
22 INSURANCE OR ANY OTHER PAYMENT SOURCE, TO SCHEDULE IN-PERSON OR  
23 TELEHEALTH APPOINTMENTS WITH A PROVIDER.

24 (b) THE SELECTION OF A VENDOR PURSUANT TO THIS SUBSECTION  
25 (4) IS EXEMPT FROM THE REQUIREMENTS OF THE PROCUREMENT CODE,  
26 ARTICLES 101 TO 112 OF TITLE 24.

27 (5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2022.

1           **SECTION 3. Appropriation.** For the 2020-21 state fiscal year,  
2     \$9,000,000 is appropriated to the department of human services for use  
3     by the office of behavioral health. This appropriation is from the general  
4     fund. To implement this act, the office may use this appropriation for the  
5     temporary youth mental health services program. Any money  
6     appropriated in this section not expended prior to July 1, 2021, is further  
7     appropriated to the office for the 2021-22 state fiscal year for the same  
8     purpose.

9           **SECTION 4. 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.