

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

**REREVISÉD**

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

LLS NO. 21-0900.01 Conrad Imel x2313

**HOUSE BILL 21-1258**

**HOUSE SPONSORSHIP**

**Michaelson Jenet and Van Winkle**, Amabile, Bacon, Bernett, Bird, Boesenecker, Cutter, Duran, Esgar, Exum, Froelich, Garnett, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jodeh, Kipp, Lontine, McCluskie, McCormick, McLachlan, Mullica, Ortiz, Ricks, Roberts, Sandridge, Sirota, Snyder, Sullivan, Titone, Valdez A., Valdez D., Woodrow, Young

**SENATE SPONSORSHIP**

**Buckner and Woodward**, Bridges, Cooke, Coram, Danielson, Donovan, Fenberg, Fields, Garcia, Gardner, Ginal, Gonzales, Hisey, Holbert, Jaquez Lewis, Kirkmeyer, Kolker, Lee, Liston, Lundeen, Moreno, Pettersen, Rankin, Rodriguez, Scott, Simpson, Smallwood, Sonnenberg, Winter, Zenzinger

---

**House Committees**

Public & Behavioral Health & Human Services  
Appropriations

**Senate Committees**

Health & Human Services  
Appropriations

SENATE  
3rd Reading Unamended  
June 3, 2021

---

**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.**

---

SENATE  
Amended 2nd Reading  
June 2, 2021

**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>.)*

HOUSE  
3rd Reading Unamended  
April 29, 2021

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

HOUSE  
Amended 2nd Reading  
April 28, 2021

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.

---

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 neurodiversity, and geography, the general assembly finds it is essential  
18 for mental health services programs to actively seek out providers who  
19 reflect the diversity of Colorado's youth and for communities to help raise  
20 awareness and disseminate information about mental health services,  
21 especially to 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 - report - definitions - repeal.** (1) AS USED IN THIS  
6 SECTION, 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 REGULATED  
13 PURSUANT TO ARTICLE 240 OF TITLE 12 OR ANY OF THE FOLLOWING  
14 LICENSEES, CERTIFIED PROFESSIONALS, OR CANDIDATES REGULATED  
15 PURSUANT TO ARTICLE 245 OF TITLE 12: A LICENSED PSYCHOLOGIST OR  
16 PSYCHOLOGIST CANDIDATE; LICENSED SOCIAL WORKER, LICENSED  
17 CLINICAL SOCIAL WORKER, OR CLINICAL SOCIAL WORKER CANDIDATE;  
18 LICENSED MARRIAGE AND FAMILY THERAPIST OR MARRIAGE AND FAMILY  
19 THERAPIST CANDIDATE; LICENSED PROFESSIONAL COUNSELOR OR  
20 LICENSED PROFESSIONAL COUNSELOR CANDIDATE; OR LICENSED  
21 ADDICTION COUNSELOR, CERTIFIED ADDICTION SPECIALIST, OR ADDICTION  
22 COUNSELOR CANDIDATE.

23 (d) "TELEHEALTH" HAS THE SAME MEANING SET FORTH IN SECTION  
24 10-16-123.

25 (e) "YOUTH" MEANS:

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

27 (II) A PERSON WHO IS TWENTY-ONE YEARS OF AGE OR YOUNGER

1 BUT OLDER THAN EIGHTEEN YEARS OF AGE WHO IS RECEIVING SPECIAL  
2 EDUCATION SERVICES PURSUANT TO PART 1 OF ARTICLE 20 OF TITLE 22.

3 (2) (a) THERE IS ESTABLISHED IN THE OFFICE THE TEMPORARY  
4 YOUTH MENTAL HEALTH SERVICES PROGRAM TO FACILITATE ACCESS TO  
5 MENTAL HEALTH SERVICES, INCLUDING SUBSTANCE USE DISORDER  
6 SERVICES, FOR YOUTH TO RESPOND TO MENTAL HEALTH NEEDS IDENTIFIED  
7 IN AN INITIAL MENTAL HEALTH SCREENING THROUGH THE PORTAL,  
8 INCLUDING THOSE NEEDS THAT MAY HAVE RESULTED FROM THE  
9 COVID-19 PANDEMIC. THE PROGRAM REIMBURSES PROVIDERS FOR UP TO  
10 THREE MENTAL HEALTH SESSIONS WITH A YOUTH.

11 (b) THE OFFICE SHALL REIMBURSE PROVIDERS WHO PARTICIPATE  
12 IN THE PROGRAM FOR EACH MENTAL HEALTH SESSION WITH A YOUTH,  
13 EITHER IN-PERSON OR BY TELEHEALTH, UP TO A MAXIMUM OF THREE  
14 SESSIONS PER YOUTH CLIENT; EXCEPT THAT SUBJECT TO AVAILABLE  
15 MONEY, THE STATE DEPARTMENT MAY REIMBURSE A PROVIDER FOR  
16 ADDITIONAL SESSIONS. TO BE ELIGIBLE FOR REIMBURSEMENT FROM THE  
17 PROGRAM, A PROVIDER MUST BE AVAILABLE TO PROVIDE THREE MENTAL  
18 HEALTH SESSIONS TO EACH YOUTH THE PROVIDER ACCEPTS AS A CLIENT.

19 (c) A PROVIDER SHALL MAINTAIN CLIENT CONFIDENTIALITY  
20 PURSUANT TO STATE OR FEDERAL LAW WITH REGARD TO A YOUTH CLIENT  
21 WHO PARTICIPATES IN A MENTAL HEALTH SESSION WITH THE PROVIDER  
22 THAT IS REIMBURSED PURSUANT TO THE PROGRAM.

23 (3) (a) THE OFFICE SHALL:

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

27 (II) DETERMINE A REASONABLE RATE OF REIMBURSEMENT FOR

1 EACH MENTAL HEALTH SESSION WITH A YOUTH CLIENT PURSUANT TO THE  
2 PROGRAM, WHICH RATE MUST BE THE SAME REGARDLESS OF WHETHER THE  
3 APPOINTMENT IS A TELEHEALTH OR IN-PERSON APPOINTMENT; AND

4 (III) IMPLEMENT A STATEWIDE PUBLIC AWARENESS AND OUTREACH  
5 CAMPAIGN ABOUT THE PROGRAM. THE GENERAL ASSEMBLY ENCOURAGES  
6 THE OFFICE TO INVOLVE SCHOOLS, NEIGHBORHOOD YOUTH  
7 ORGANIZATIONS, HEALTH-CARE PROVIDERS, FAITH-BASED  
8 ORGANIZATIONS, AND ANY OTHER COMMUNITY-BASED ORGANIZATIONS  
9 THAT INTERACT WITH YOUTH ON THE LOCAL LEVEL IN DISSEMINATING  
10 INFORMATION ABOUT THE PROGRAM.

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

14 (4) (a) AS SOON AS PRACTICABLE, BUT NO LATER THAN AUGUST 1,  
15 2021, THE STATE DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH  
16 A VENDOR TO CREATE, OR USE AN EXISTING, WEBSITE OR WEB-BASED  
17 APPLICATION AS A PORTAL AVAILABLE TO YOUTH AND PROVIDERS TO  
18 FACILITATE THE PROGRAM. THE PORTAL MUST:

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

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

24 (III) WHEN POSSIBLE, CONNECT YOUTH WITH PROVIDERS WHO  
25 ACCEPT THE YOUTH'S INSURANCE OR PAYMENT SOURCE THAT MAY COVER  
26 THE COSTS OF ONGOING MENTAL HEALTH TREATMENT, IF THE YOUTH HAS  
27 INSURANCE OR A PAYMENT SOURCE; AND

1 (IV) ALLOW A YOUTH, REGARDLESS OF WHETHER THE YOUTH HAS  
2 INSURANCE OR ANY OTHER PAYMENT SOURCE, TO SCHEDULE  
3 TELEHEALTH APPOINTMENTS WITH A PROVIDER. AN IN-PERSON  
4 APPOINTMENT MAY BE PROVIDED IF AND WHEN AVAILABLE.

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

8 (5) ON OR BEFORE JANUARY 1, 2022, AND ON OR BEFORE JUNE 30,  
9 2022, THE STATE DEPARTMENT SHALL REPORT TO THE HOUSE OF  
10 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN  
11 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES  
12 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, REGARDING THE NUMBER  
13 OF YOUTH WHO RECEIVED SERVICES UNDER THE PROGRAM, EXCLUDING  
14 ANY PERSONALLY IDENTIFIABLE INFORMATION IN ACCORDANCE WITH  
15 STATE AND FEDERAL LAW; INFORMATION IN AGGREGATE ABOUT THE  
16 SERVICES PROVIDED TO YOUTH UNDER THE PROGRAM; AND OTHER  
17 RELEVANT INFORMATION REGARDING THE PROGRAM.

18 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2022.

19 **SECTION 3. Appropriation.** For the 2020-21 state fiscal year,  
20 \$9,000,000 is appropriated to the department of human services for use  
21 by the office of behavioral health. This appropriation is from the general  
22 fund. To implement this act, the office may use this appropriation for the  
23 temporary youth mental health services program. Any money  
24 appropriated in this section not expended prior to July 1, 2021, is further  
25 appropriated to the office for the 2021-22 state fiscal year for the same  
26 purpose.

27 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.