

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 22-0366.01 Shelby Ross x4510

HOUSE BILL 22-1221

HOUSE SPONSORSHIP

Michaelson Jenet,

SENATE SPONSORSHIP

Fields,

House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COUNTY CORONER AND**
102 **MORTUARY MENTAL HEALTH AND WELLNESS PROGRAM, AND, IN**
103 **CONNECTION 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>.)

On or before January 31, 2023, the bill requires the behavioral health administration (BHA) to administer the county coroner and mortuary mental health and wellness program (program). The program provides mental health and wellness services to county coroners, county coroner's staff, persons working for volunteer groups, funeral directors,

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.*

and mortuary science practitioners.

The bill requires each funeral home that employs a funeral director or mortuary science practitioner to pay for the actual costs of providing the mental health and wellness services if a funeral director or mortuary science practitioner requests to participate in the program and the funeral director's or mortuary science practitioner's health insurance coverage does not cover the costs of providing such services.

On or before April 1, 2023, the bill requires the BHA to provide information about the program to those eligible for the program.

The program repeals on September 1, 2029.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 27-60-205 as
3 follows:

4 **27-60-205. County coroner and mortuary mental health and**
5 **wellness program - distribution of information - rules - repeal.**

6 (1) ON OR BEFORE JANUARY 31, 2023, THE BEHAVIORAL HEALTH
7 ADMINISTRATION SHALL ADMINISTER A COUNTY CORONER AND MORTUARY
8 MENTAL HEALTH AND WELLNESS PROGRAM, REFERRED TO IN THIS SECTION
9 AS THE "PROGRAM". THE PROGRAM MUST PROVIDE MENTAL HEALTH AND
10 WELLNESS SERVICES PRIMARILY FOCUSED ON IN-PERSON, INDIVIDUAL
11 COUNSELING WITH TRAUMA SPECIALISTS WHO HAVE EXPERIENCE WORKING
12 WITH COUNTY CORONERS OR OTHER PROFESSIONALS IN THE MORTUARY
13 INDUSTRY.

14 (2) THE BHA MAY ENTER INTO A COMPETITIVE SOLICITATION
15 PROCESS PURSUANT TO THE STATE "PROCUREMENT CODE", ARTICLES 101
16 TO 112 OF TITLE 24, TO CONTRACT WITH AN ENTITY OR INDIVIDUAL
17 PROVIDERS TO PROVIDE THE SERVICES DESCRIBED IN SUBSECTION (1) OF
18 THIS SECTION.

19 (3) (a) THE PROGRAM MUST BE MADE AVAILABLE TO A COUNTY
20 CORONER ELECTED PURSUANT TO SECTION 30-10-601; A COUNTY

1 CORONER'S STAFF MEMBER; A PERSON WORKING FOR A VOLUNTEER GROUP,
2 AS DETERMINED BY THE COUNTY CORONER; A FUNERAL DIRECTOR, AS
3 DEFINED IN SECTION 12-135-103 (15); AND A MORTUARY SCIENCE
4 PRACTITIONER, AS DEFINED IN SECTION 12-135-103 (22).

5 (b) IF A COUNTY CORONER, A COUNTY CORONER'S STAFF MEMBER,
6 OR A PERSON WORKING FOR A VOLUNTEER GROUP DOES NOT HAVE HEALTH
7 INSURANCE COVERAGE OR HAS HEALTH INSURANCE COVERAGE BUT THE
8 INSURANCE COVERAGE DOES NOT COVER THE COSTS OF SERVICES
9 PROVIDED PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE PROGRAM
10 SHALL PAY FOR THE COST OF THE SERVICES.

11 (c) IF A FUNERAL DIRECTOR OR MORTUARY SCIENCE PRACTITIONER
12 REQUESTS TO PARTICIPATE IN THE PROGRAM, THE FUNERAL HOME, AS
13 DEFINED IN SECTION 12-135-103 (16), THAT EMPLOYS THE FUNERAL
14 DIRECTOR OR MORTUARY SCIENCE PRACTITIONER SHALL PAY THE ACTUAL
15 COST OF PROVIDING THE MENTAL HEALTH AND WELLNESS SERVICES IF THE
16 FUNERAL DIRECTOR'S OR MORTUARY SCIENCE PRACTITIONER'S HEALTH
17 INSURANCE COVERAGE DOES NOT COVER THE COSTS OF THE SERVICES.

18 (4) ON OR BEFORE APRIL 1, 2023, THE BHA SHALL PROVIDE
19 INFORMATION ABOUT THE PROGRAM TO THE INDIVIDUALS DESCRIBED IN
20 SUBSECTION (3)(a) OF THIS SECTION.

21 (5) THE BHA SHALL NOT DISCLOSE ANY INFORMATION TO AN
22 EMPLOYER ABOUT ANY PERSON RECEIVING SERVICES UNDER THE
23 PROGRAM.

24 (6) THE BHA SHALL PROMULGATE RULES AS NECESSARY TO
25 IMPLEMENT THIS SECTION.

26 (7) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029.
27 BEFORE THE REPEAL, THIS SECTION IS SCHEDULED FOR REVIEW IN

1 ACCORDANCE WITH SECTION 24-34-104.

2 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add**
3 (30)(a)(VII) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (30) (a) The following agencies, functions, or both,
7 are scheduled for repeal on September 1, 2029:

8 (VII) THE COUNTY CORONER AND MORTUARY MENTAL HEALTH
9 AND WELLNESS PROGRAM CREATED IN SECTION 27-60-205.

10 **SECTION 3. Appropriation.** For the 2022-23 state fiscal year,
11 \$100,000 is appropriated to the department of human services for use by
12 the behavioral health administration. This appropriation is from the
13 general fund and is based on an assumption that the administration will
14 require an additional 1.0 FTE. To implement this act, the administration
15 may use this appropriation for the county coroner and mortuary mental
16 health and wellness program.

17 **SECTION 4. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.