

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

REREVISED

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

LLS NO. 22-0974.02 Jane Ritter x4342

HOUSE BILL 22-1369

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House Committees

Public & Behavioral Health & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING SUPPORT FOR CHILDREN'S MENTAL HEALTH PROGRAMS,**
102 **AND, IN 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>.)

The bill directs the department of early childhood to contract with a Colorado-based nonprofit entity to provide children's mental health programs.

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

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.

SENATE
3rd Reading Unamended
May 5, 2022

SENATE
2nd Reading Unamended
May 4, 2022

HOUSE
3rd Reading Unamended
April 28, 2022

HOUSE
Amended 2nd Reading
April 27, 2022

1 **SECTION 1.** In Colorado Revised Statutes, **add** 26.5-1-105 as
2 follows:

3 **26.5-1-105. Children's mental health program - appropriation**
4 **- legislative declaration - definitions - repeal.** (1) (a) THE GENERAL
5 ASSEMBLY FINDS AND DECLARES THAT:

6 (I) NEUROBIOLOGICAL RESEARCH CONFIRMS THAT STRESSFUL
7 EXPERIENCES EARLY IN LIFE CAN HAVE PROFOUND AND DESTRUCTIVE
8 IMPACTS ON THE ARCHITECTURE OF THE BRAIN;

9 (II) ADDITIONAL SCIENTIFIC RESEARCH HAS SHOWN, HOWEVER,
10 THAT RESPONSIVE, NURTURING RELATIONSHIPS BETWEEN YOUNG
11 CHILDREN AND THEIR CAREGIVERS THAT LEAD TO SECURE ATTACHMENT
12 SERVE AS POWERFUL, PROTECTIVE BUFFERS TO STRESSFUL EXPERIENCES
13 EARLY IN LIFE;

14 (III) PROVIDING AN EVIDENCE-BASED, TWO-GENERATION, AND
15 HOME-BASED PREVENTION AND EARLY INTERVENTION MENTAL HEALTH
16 PROGRAM CAN PREVENT OR AMELIORATE THE DAMAGE CAUSED BY
17 STRESSFUL EXPERIENCES; AND

18 (IV) IT IS POSSIBLE TO DECREASE THE STRESS EXPERIENCED BY
19 FAMILIES BY CONNECTING FAMILY MEMBERS TO NEEDED SERVICES
20 THROUGH INTENSIVE CARE COORDINATION. BY PROVIDING
21 PSYCHOTHERAPY TO A CAREGIVER AND CHILD TOGETHER, IT IS POSSIBLE
22 TO REPAIR THE IMPACT OF STRESS ON THE CHILD AND STRENGTHEN THE
23 CAREGIVING RELATIONSHIP.

24 (b) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT:

25 (I) GIVEN THE HARMFUL CONSEQUENCES OF THE ECONOMIC
26 DISRUPTIONS RESULTING FROM AND EXACERBATED BY THE COVID-19
27 PUBLIC HEALTH EMERGENCY, IT IS IN THE BEST INTEREST OF THE STATE TO

1 AUTHORIZE THE DEPARTMENT OF EARLY CHILDHOOD TO CONTRACT WITH
2 A NONPROFIT ENTITY TO PROVIDE EVIDENCE-BASED, TWO-GENERATION,
3 AND HOME-BASED PREVENTION AND EARLY INTERVENTION CHILDREN'S
4 MENTAL HEALTH PROGRAMS; AND

5 (II) THE PURPOSE OF CHILDREN'S MENTAL HEALTH PROGRAMS IS TO
6 ENHANCE THE MENTAL HEALTH AND DEVELOPMENT OF CAREGIVERS AND
7 YOUNG CHILDREN. CHILDREN'S MENTAL HEALTH PROGRAMS MUST
8 COMBINE COMPREHENSIVE, COORDINATED SERVICES AND
9 PSYCHOTHERAPEUTIC INTERVENTION FOR CAREGIVERS AND CHILDREN,
10 INCREASE ADULT SELF-REGULATION AND EXECUTIVE FUNCTIONING, AND
11 RESULT IN LONG-TERM POSITIVE OUTCOMES FOR CHILDREN AND FAMILIES.

12 (c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
13 DEPARTMENT AND A NONPROFIT ENTITY WORK COLLABORATIVELY TO
14 SHARE INFORMATION AS NECESSARY TO PROMOTE EFFICIENT AND
15 EFFECTIVE IMPLEMENTATION OF THE CHILDREN'S MENTAL HEALTH
16 PROGRAMS IN COLORADO.

17 (d) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
18 CONTRACTING WITH A NONPROFIT ENTITY TO PROVIDE CHILDREN'S
19 MENTAL HEALTH PROGRAMS CONSTITUTES CRITICAL GOVERNMENT
20 SERVICES.

21 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

23 (a) "CHILDREN'S MENTAL HEALTH PROGRAM" MEANS AN
24 EVIDENCE-BASED, TWO-GENERATION, AND HOME-BASED PREVENTION AND
25 EARLY INTERVENTION PROGRAM FOR FAMILIES WITH CHILDREN FROM
26 PRENATAL TO SIX YEARS OF AGE WHO ARE EXPERIENCING CHRONIC STRESS
27 AND TRAUMA. A CHILDREN'S MENTAL HEALTH PROGRAM MUST BE PROVEN

1 TO SIGNIFICANTLY IMPROVE CHILD EMOTIONAL AND BEHAVIORAL HEALTH,
2 CHILD LANGUAGE DEVELOPMENT, AND CAREGIVER MENTAL HEALTH, AS
3 WELL AS DECREASE CHILD ABUSE AND NEGLECT, RESULTING IN
4 LONG-TERM POSITIVE OUTCOMES FOR CHILDREN AND FAMILIES.

5 (b) "ENTITY" MEANS A COLORADO-BASED NONPROFIT
6 ORGANIZATION.

7 (3) (a) ON OR BEFORE NOVEMBER 1, 2022, THE DEPARTMENT
8 SHALL CONTRACT WITH A COLORADO-BASED NONPROFIT ENTITY TO
9 PROVIDE CHILDREN'S MENTAL HEALTH PROGRAMS. THE ENTITY MUST
10 HAVE PREVIOUS AND CURRENT EXPERIENCE SERVING THE TARGET
11 DEMOGRAPHIC USING A CURRICULUM THAT:

12 (I) INCLUDES COMPONENTS THAT PROVIDE FOR INTERVENING WITH
13 FAMILIES WITH YOUNG CHILDREN WHO ARE EXPERIENCING CHRONIC
14 STRESS AND TRAUMA. THE CURRICULUM MUST CONNECT THE FAMILIES TO
15 NEEDED SERVICES THROUGH INTENSIVE CARE COORDINATION WHILE ALSO
16 PROVIDING PSYCHOTHERAPY FOR THE CHILD AND PARENT OR GUARDIAN.

17 (II) HAS BEEN PREVIOUSLY IMPLEMENTED WITH SUCCESS BY
18 PROVIDERS IN COLORADO.

19 (b) THE ENTITY WITH WHICH THE DEPARTMENT CONTRACTS SHALL:

20 (I) PERFORM COMMUNITY IMPLEMENTATION READINESS
21 ASSESSMENTS AND PROVIDE TRAINING, COACHING, AND MONITORING FOR
22 THE IMPLEMENTATION OF CHILDREN'S MENTAL HEALTH PROGRAMS;

23 (II) PROVIDE ONGOING QUALITY ASSESSMENTS AND IMPROVEMENT
24 RECOMMENDATIONS TO ENSURE HIGH-QUALITY IMPLEMENTATION AND
25 SUSTAINABILITY OF CHILDREN'S MENTAL HEALTH PROGRAMS;

26 (III) PROVIDE THE DEPARTMENT WITH SITE-SPECIFIC AND
27 STATEWIDE PROCESS AND OUTCOME EVALUATIONS OF CHILDREN'S MENTAL

1 HEALTH PROGRAMS; AND

2 (IV) ANNUALLY PREPARE AND SUBMIT TO THE DEPARTMENT AND
3 THE BEHAVIORAL HEALTH ADMINISTRATION AN EVALUATION OF THE
4 OUTCOMES OF ALL OF THE CHILDREN'S MENTAL HEALTH PROGRAMS
5 IMPLEMENTED.

6 (4) (a) FOR THE 2022-23 STATE FISCAL YEAR, THE GENERAL
7 ASSEMBLY SHALL APPROPRIATE TWO MILLION DOLLARS TO THE
8 DEPARTMENT FOR THE PURPOSES OF IMPLEMENTING THIS SECTION FROM
9 THE ECONOMIC RECOVERY AND RELIEF CASH FUND CREATED IN SECTION
10 24-75-228. THE DEPARTMENT IS AUTHORIZED TO EXPEND UP TO FIVE
11 PERCENT TO PAY THE COSTS INCURRED IN IMPLEMENTING THIS SECTION,
12 INCLUDING THE COSTS INCURRED IN CONTRACTING WITH A NONPROFIT
13 ENTITY.

14 (b) MONEY SPENT PURSUANT TO THIS SUBSECTION (4) MUST
15 CONFORM WITH THE ALLOWABLE PURPOSES SET FORTH IN THE FEDERAL
16 "AMERICAN RESCUE PLAN ACT OF 2021", PUB.L. 117-2, AS AMENDED.
17 THE DEPARTMENT SHALL EITHER SPEND OR OBLIGATE SUCH
18 APPROPRIATION PRIOR TO DECEMBER 30, 2024, AND EXPEND THE
19 APPROPRIATION ON OR BEFORE DECEMBER 31, 2026.

20 (c) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE SEPTEMBER 1,
21 2027.

22 (5) THE DEPARTMENT AND THE CONTRACTED ENTITY SHALL
23 COMPLY WITH THE COMPLIANCE, REPORTING, RECORD-KEEPING, AND
24 PROGRAM EVALUATION REQUIREMENTS ESTABLISHED BY THE OFFICE OF
25 STATE PLANNING AND BUDGETING AND THE STATE CONTROLLER IN
26 ACCORDANCE WITH SECTION 24-75-226 (5).

27 **SECTION 2. Appropriation.** For the 2022-23 state fiscal year,

1 \$2,000,000 is appropriated to the department of early childhood for use
2 by the community and family support division. This appropriation is from
3 the economic recovery and relief cash fund created in section 24-75-228,
4 C.R.S., is of money the state received from the federal coronavirus state
5 fiscal recovery fund, and is based on an assumption that the department
6 will require an additional 0.3 FTE. To implement this act, the division
7 may use this appropriation for the children's mental health program
8 authorized in section 26.5-1-105, C.R.S. Any money appropriated in this
9 section not expended prior to July 1, 2023, is further appropriated to the
10 division from July 1, 2023, through December 30, 2024, for the same
11 purpose.

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