



Legislative Council Staff

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Fiscal Note

Drafting Number:	LLS 23-0551	Date:	March 2, 2023
Prime Sponsors:	Rep. Lindstedt Sen. Priola	Bill Status:	House Public & Behavioral Health
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Bill Topic: RECOVERY RESIDENCE DISCHARGE POLICY

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill requires a certifying body, approved by the Behavioral Health Administration, to approve recovery residencies' client discharge and transfer policies and to establish a grievance and appeals process. The bill minimally impacts state workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill requires a certifying body, approved by the Behavioral Health Administration (BHA), to approve recovery residencies' client discharge and transfer policies. Policies are required to include documentation, referral, and follow-up. The bill also requires the certifying body to establish a fair and accessible grievance and appeals process for clients to appeal a discharge or transfer decision made by recovery residences. Residences and clients may file an appeal of any decision made by the certifying body with the Department of Personnel and Administration (DPA) and seek judicial review.

State Expenditures

Starting in FY 2023-24, the bill may increase state expenditures in the BHA, the DPA, and the Judicial Department as described below.

Behavioral Health Administration. The BHA currently has an approved entity that certifies recovery residences. It is assumed that this entity can review discharge and transfer policies within the scope of the current contract. The fiscal note further assumes that grievance process currently in use by the

credentialing agency meets the requirements of the bill. If significantly more grievances and appeals are filed, this will be addressed through the annual budget process.

Appeals costs. The bill may minimally impact workload in the Department of Personnel and Administration (DPA) and in the trial courts in the Judicial Department to handle any appeals. The fiscal note assumes that any appeals to the DPA or the Judicial Department will be minimal and no change in appropriations is required.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Behavioral Health Administration
Public Health and Environment

Human Services

Personnel