

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

PREAMENDED

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

LLS NO. 24-0004.01 Alana Rosen x2606

SENATE BILL 24-015

SENATE SPONSORSHIP

Kolker,

HOUSE SPONSORSHIP

Young,

Senate Committees

Health & Human Services
Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASING THE NUMBER OF LICENSED PROFESSIONAL**
102 **COUNSELORS IN COMMUNITIES.**

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 creates the dual licensure stipend program (stipend program) in the division of professions and occupations (division). The purpose of the stipend program is to increase the number of licensed professional counselors in communities by:

- Reimbursing licensed professional counselor supervisors (supervisors) who provide clinical supervision to school

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

- counselors who are seeking licensure as licensed professional counselors (dual licensure candidate); and
- Reimbursing dual licensure candidates for the cost of examination fees and application fees.

A dual licensure candidate is eligible for the stipend program if the dual licensure candidate is a licensed special services provider and has completed a master's or doctoral degree in professional counseling from an accredited school or college or an equivalent program.

The bill requires the division to contract with a Colorado nonprofit organization or membership organization (Colorado organization) to manage and administer the stipend program. The Colorado organization must have experience administrating grant programs and working with school counselors or mental health professionals.

The bill requires the division to provide the Colorado organization publicly available information on supervisors who can provide clinical supervision to dual licensure candidates. The Colorado organization shall maintain the list of supervisors by confirming whether a supervisor opts in to the stipend program and provides clinical supervision to dual licensure candidates. The Colorado organization shall determine a set rate for supervisors who provide clinical supervision to dual licensure candidates.

The bill requires the Colorado organization to annually collect data on:

- The number of dual licensure candidates participating in the stipend program;
- The number of supervisors participating in the stipend program; and
- The geographic locations of the dual licensure candidates and supervisors participating in the stipend program.

The Colorado organization shall draft a report summarizing the data collected. The bill requires the division to submit the report to the education committee and the public and behavioral health and human services committee of the house of representatives, the education committee and the health and human services committee of the senate, or their successor committees.

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) Suicide is a leading cause of death among Colorado youth;
- 5 (b) Schools play an increasingly critical role in supporting

1 students and their mental health;

2 (c) School counselors receive extensive mental health training and
3 hold a master's degree in school counseling;

4 (d) School counselors typically refer students to licensed
5 professional counselors, but it can often take weeks or months before
6 students meet with the licensed professional counselors;

7 (e) There is limited access to licensed professional counselors
8 across the state, specifically in rural areas; and

9 (f) School counselors have the ability to seek dual licensure as a
10 school counselor and a licensed professional counselor, but the pathway
11 to dual licensure can be costly.

12 (2) The general assembly, therefore, finds that barriers must be
13 reduced for school counselors who are seeking dual licensure as licensed
14 professional counselors. Providing financial assistance to support school
15 counselors who seek dual licensure as licensed professional counselors
16 will help alleviate the mental and behavioral health workforce shortage
17 and provide mental and behavioral health supports for students.

18

19 **SECTION 2. In Colorado Revised Statutes, 25-1.5-404, add**
20 **(1)(d.5) as follows:**

21 **25-1.5-404. Primary care office - powers and duties - rules.**

22 **(1) The primary care office has, at a minimum, the following powers and**
23 **duties:**

24 **(d.5) TO ADMINISTER THE DUAL LICENSURE STIPEND PROGRAM**
25 **PURSUANT TO SECTION 25-1.5-503.3;**

26 **SECTION 3. In Colorado Revised Statutes, 25-1.5-501, amend**
27 **(1) and (2); and add (4) as follows:**

1 25-1.5-501. Legislative declaration. (1) The general assembly
2 hereby finds that there are areas of Colorado that suffer from a lack of
3 health-care professionals, geriatric advanced practice providers, or AND
4 behavioral health-care providers to serve and a lack of nursing or other
5 health-care professional faculty to train health-care professionals to meet
6 ANDSERVE the medical and behavioral health-care needs of communities.
7 The general assembly further finds that the state needs to implement
8 incentives to encourage health-care professionals, geriatric advanced
9 practice providers, and behavioral health-care providers to practice in
10 these underserved areas and to encourage nursing faculty and other
11 health-care professional faculty to teach health-care professionals.

12 (2) It is therefore the intent of the general assembly in enacting
13 this part 5 to create a state health service corps program that uses state
14 money; federal money, when permissible; and contributions from
15 communities and private sources to help repay the outstanding education
16 loans that many health-care professionals, geriatric advanced practice
17 providers, behavioral health-care providers, candidates for licensure,
18 nursing faculty, and health-care professional faculty hold. In exchange for
19 repayment of loans incurred for the purpose of obtaining education in
20 their chosen health-care, geriatric care, and OR behavioral health-care
21 professions, the health care professionals; geriatric advanced practice
22 providers, behavioral health-care providers, and candidates for licensure
23 will commit to provide health care; geriatric care; or behavioral
24 health-care services, as applicable; in communities with underserved
25 health-care, geriatric care, or behavioral health-care needs throughout the
26 state, and the nursing and health-care professional faculty will commit to
27 provide a specified period of service in a qualified faculty position, AND

1 DUAL LICENSURE CANDIDATES PURSUING A DUAL LICENSE AS A LICENSED
2 PROFESSIONAL COUNSELOR WILL AGREE TO SERVE A SPECIFIC NUMBER OF
3 ACADEMIC YEARS IN A PUBLIC SCHOOL IN A BEHAVIORAL HEALTH
4 POSITION.

5 (4) IN ADDITION, FOR THE PURPOSES OF INCREASING THE
6 AVAILABILITY OF LICENSED PROFESSIONAL COUNSELORS WHO HOLD A
7 SPECIAL SERVICE PROVIDER LICENSE WITH THE APPROPRIATE
8 ENDORSEMENT, THE GENERAL ASSEMBLY SHALL CREATE A STIPEND
9 PROGRAM TO REDUCE THE BARRIERS FOR SCHOOL COUNSELORS WHO ARE
10 SEEKING DUAL LICENSURE AS LICENSED PROFESSIONAL COUNSELORS.
11 PROVIDING FINANCIAL ASSISTANCE TO SUPPORT SCHOOL COUNSELORS
12 WHO SEEK DUAL LICENSURE AS LICENSED PROFESSIONAL COUNSELORS
13 WILL HELP ALLEVIATE THE MENTAL AND BEHAVIORAL HEALTH-CARE
14 WORKFORCE SHORTAGE AND WILL PROVIDE MENTAL AND BEHAVIORAL
15 HEALTH-CARE SUPPORTS TO STUDENTS.

16 **SECTION 4. In Colorado Revised Statutes, 25-1.5-502, add**
17 **(1.8), (3.5), (3.6), (6.6), (6.7), and (10.5) as follows:**

18 **25-1.5-502. Definitions. As used in this part 5, unless the context**
19 **otherwise requires:**

20 (1.8) "CLINICAL SUPERVISION" HAS THE SAME MEANING SET FORTH
21 IN SECTION 12-245-601.

22 (3.5) "DUAL LICENSURE CANDIDATE" MEANS A COLORADO SCHOOL
23 COUNSELOR WHO HOLDS A SPECIAL SERVICES PROVIDER LICENSE WITH THE
24 APPROPRIATE ENDORSEMENT ISSUED PURSUANT TO ARTICLE 60.5 OF TITLE
25 22 AND WHO IS SEEKING DUAL LICENSURE AS A LICENSED PROFESSIONAL
26 COUNSELOR.

27 (3.6) "DUAL LICENSURE STIPEND PROGRAM" OR "STIPEND

1 PROGRAM" MEANS THE DUAL LICENSURE STIPEND PROGRAM CREATED IN
2 SECTION 25-1.5-503.3.

3 (6.6) "LICENSED PROFESSIONAL COUNSELOR" HAS THE SAME
4 MEANING SET FORTH IN SECTION 12-245-601.

5 (6.7) "LICENSED PROFESSIONAL COUNSELOR SUPERVISOR" HAS THE
6 SAME MEANING SET FORTH IN SECTION 12-245-601.

7 (10.5) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT,
8 A DISTRICT CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT
9 PURSUANT TO PART 1 OF ARTICLE 30.5 OF TITLE 22, AN INSTITUTE
10 CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL
11 INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF TITLE 22, AN
12 APPROVED FACILITY SCHOOL, OR THE COLORADO SCHOOL FOR THE DEAF
13 AND THE BLIND.

14 **SECTION 5.** In Colorado Revised Statutes, **add 25-1.5-503.3** as
15 follows:

16 **25-1.5-503.3. Dual licensure stipend program - creation -**
17 **rules.** (1) THE DUAL LICENSURE STIPEND PROGRAM IS CREATED IN THE
18 PRIMARY CARE OFFICE TO INCREASE THE NUMBER OF LICENSED
19 PROFESSIONAL COUNSELORS WHO WORK IN COMMUNITIES BY:

20 (a) REIMBURSING LICENSED PROFESSIONAL COUNSELOR
21 SUPERVISORS WHO PROVIDE CLINICAL SUPERVISION TO DUAL LICENSURE
22 CANDIDATES; AND

23 (b) REIMBURSING DUAL LICENSURE CANDIDATES FOR THE COSTS
24 OF EXAMINATION FEES AND APPLICATION FEES DESCRIBED IN SECTION
25 12-245-205 ONCE DUAL LICENSURE CANDIDATES DEMONSTRATE
26 PROFESSIONAL COMPETENCIES BY PASSING THE EXAMINATION DESCRIBED
27 IN SECTION 12-245-604 (1)(e) AND PROVIDING THE PRIMARY CARE OFFICE

1 WITH PROOF OF PAYMENT FOR THE EXAMINATION FEES AND THE
2 APPLICATION FEES.

3 (2) (a) A DUAL LICENSURE CANDIDATE IS ELIGIBLE FOR THE
4 STIPEND PROGRAM IF THE DUAL LICENSURE CANDIDATE IS A LICENSED
5 SPECIAL SERVICES PROVIDER, AS DEFINED IN SECTION 22-60.5-102, AND
6 HAS COMPLETED A MASTER'S OR DOCTORAL DEGREE IN PROFESSIONAL
7 COUNSELING FROM AN ACCREDITED SCHOOL OR COLLEGE OR AN
8 EQUIVALENT PROGRAM AS DETERMINED BY THE STATE BOARD OF
9 LICENSED PROFESSIONAL COUNSELOR EXAMINERS, CREATED IN SECTION
10 12-245-602. THE DEGREE OR PROGRAM MUST INCLUDE A PRACTICUM OR
11 INTERNSHIP IN THE PRINCIPLES AND PRACTICE OF PROFESSIONAL
12 COUNSELING. THE PRIMARY CARE OFFICE SHALL SELECT DUAL LICENSURE
13 CANDIDATES FOR THE STIPEND PROGRAM ON FIRST COME, FIRST SERVED
14 BASIS.

15 (b) A DUAL LICENSURE CANDIDATE MUST SELECT A LICENSED
16 PROFESSIONAL COUNSELOR SUPERVISOR WHO HAS OPTED IN TO
17 PARTICIPATE IN THE STIPEND PROGRAM TO FULFILL THE DUAL LICENSURE
18 CANDIDATE'S CLINICAL SUPERVISION HOURS.

19 (c) A DUAL LICENSURE CANDIDATE SHALL ENTER INTO A
20 CONTRACT WITH THE DEPARTMENT THAT REQUIRES THE DUAL LICENSURE
21 CANDIDATE TO REMAIN EMPLOYED BY A PUBLIC SCHOOL AS A SCHOOL
22 COUNSELOR OR SCHOOL-BASED THERAPIST FOR AT LEAST THREE YEARS
23 AFTER THE DATE THE DUAL LICENSURE CANDIDATE BECOMES A LICENSED
24 PROFESSIONAL COUNSELOR.

25 (d) A LICENSED PROFESSIONAL COUNSELOR SUPERVISOR SHALL
26 ENTER INTO A CONTRACT WITH THE DEPARTMENT THAT REQUIRES
27 SUPERVISION OF A DUAL LICENSURE CANDIDATE. THE CONTRACT MUST SET

1 STANDARDS FOR THE TERMS OF SUPERVISION, MONTHLY HOURS OF
2 SUPERVISION, INVOICING PROCEDURES, AND REPORTING REQUIREMENTS.
3 LICENSED PROFESSIONAL COUNSELOR SUPERVISORS SHALL NOT CHARGE
4 DUAL LICENSURE CANDIDATES ADDITIONAL FEES IN THE CONTEXT OF THE
5 CLINICAL SUPERVISION RELATIONSHIP.

6 (3)(a) If a dual licensure candidate fails to complete dual
7 licensure in a timely manner or fails to complete the terms of
8 service pursuant to subsection (2)(c) of this section, the dual
9 licensure candidate shall repay the department for the total
10 direct costs incurred by the department, including the dual
11 licensure candidate's clinical supervision hours, examination
12 fees, and application fees paid to or on behalf of the dual
13 licensure candidate. If the department has to file a civil action
14 for repayment pursuant to this subsection (3)(a), the department
15 is entitled to the cost of collections and reasonable attorney
16 fees. The department shall collect the total direct costs or
17 costs of collections and reasonable attorney fees and return
18 the money to the Colorado Health Services Corps Fund, which is
19 continuously appropriated for the purpose of the fund.

20 (b) The department may elect to waive all or a portion of
21 damages for breach of contract pursuant to subsection (3)(a) of
22 this section if enforcement is impossible or would involve an
23 extreme hardship to the dual licensure candidate and the
24 enforcement of the contractual commitment is unconscionable.

25 (4) The primary care office shall maintain a list of
26 licensed professional counselor supervisors who opt in to
27 participate in the stipend program and provide clinical

1 SUPERVISION TO DUAL LICENSURE CANDIDATES SEEKING DUAL LICENSURE.

2 (5) THE PRIMARY CARE OFFICE SHALL CREATE AN APPLICATION
3 AND SELECTION PROCESS FOR DUAL LICENSURE CANDIDATES TO APPLY TO
4 THE STIPEND PROGRAM.

5 (6) THE STATE BOARD OF HEALTH MAY PROMULGATE RULES TO
6 ESTABLISH:

7 (a) THE MAXIMUM REIMBURSEMENT RATE FOR LICENSED
8 PROFESSIONAL COUNSELOR SUPERVISORS WHO PROVIDE CLINICAL
9 SUPERVISION TO DUAL LICENSURE CANDIDATES;

10 (b) PROCEDURES FOR A DUAL LICENSURE CANDIDATE WHO LOSES
11 A LICENSED PROFESSIONAL COUNSELOR SUPERVISOR BEFORE THE
12 COMPLETION OF THE DUAL LICENSURE CANDIDATE'S SUPERVISION HOURS;

13 (c) A DEFINITION OF "TIMELY MANNER" FOR PURPOSES OF
14 SUBSECTION (3)(a) OF THIS SECTION; AND

15 (d) ANY OTHER CRITERIA NECESSARY FOR THE ADMINISTRATION
16 OF THE STIPEND PROGRAM.

17 **SECTION 6. In Colorado Revised Statutes, 25-1.5-505, amend**
18 **(1) introductory portion, (1)(e), and (1)(f); and add (1)(g) as follows:**

19 **25-1.5-505. Advisory council - report. (1) On or before**
20 **December 1, 2011, and on or before December 1 every two years**
21 **thereafter, the primary care office, with assistance from the advisory**
22 **council, shall submit to the governor, the health and human services**
23 **committee of the senate and the ~~health and insurance and public and~~**
24 **~~behavioral~~ health and human services ~~committees~~ COMMITTEE of the**
25 **house of representatives, or ~~any~~ THEIR successor committees, a report that**
26 **includes, at a minimum, the following information:**

27 (e) A summary of any assessment or evaluation of program

1 performance conducted during the year; and
2 (f) A description of the nursing faculty or other health-care
3 professional faculty members participating in the Colorado health service
4 corps and the educational institutions where the participants teach; AND
5 (g) A DESCRIPTION OF THE DUAL LICENSURE CANDIDATE
6 PARTICIPANTS IN THE STIPEND PROGRAM, INCLUDING:
7 (I) THE NUMBER OF DUAL LICENSURE CANDIDATES PARTICIPATING
8 IN THE STIPEND PROGRAM;
9 (II) THE NUMBER OF LICENSED PROFESSIONAL COUNSELOR
10 SUPERVISORS PARTICIPATING IN THE STIPEND PROGRAM;
11 (III) THE GEOGRAPHIC LOCATIONS OF DUAL LICENSURE
12 CANDIDATES AND LICENSED PROFESSIONAL COUNSELOR SUPERVISORS;
13 AND
14 (IV) THE AVERAGE LENGTH OF TIME IT TAKES A DUAL LICENSURE
15 CANDIDATE TO COMPLETE THE REQUIRED HOURS NECESSARY TO ATTAIN
16 LICENSURE.

17 **SECTION 7. In Colorado Revised Statutes, 25-1.5-506, add**
18 **(4)(e) as follows:**

19 **25-1.5-506. Colorado health service corps fund - created -**
20 **acceptance of grants and donations - annual appropriation from**
21 **marijuana tax cash fund - repeal. (4) (e) FOR THE 2024-25 STATE**
22 **FISCAL YEAR, AND EACH STATE FISCAL YEAR THEREAFTER, THE GENERAL**
23 **ASSEMBLY SHALL APPROPRIATE FOUR MILLION DOLLARS FROM THE**
24 **GENERAL FUND FOR THE DUAL LICENSURE STIPEND PROGRAM FOR DUAL**
25 **LICENSURE CANDIDATES. FUNDS ARE CONTINUOUSLY APPROPRIATED FOR**
26 **THE PURPOSE OF THE FUND. ALL INTEREST ACCRUED BY THE FUND MUST**
27 **REMAIN IN THE FUND FOR THE PURPOSES OF THE DUAL LICENSURE STIPEND**

1 PROGRAM.

2 **SECTION 8. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.