

CHAPTER 469

AGRICULTURE

SENATE BILL 24-055

BY SENATOR(S) Marchman and Will, Bridges, Cutter, Exum, Ginal, Hinrichsen, Jaquez Lewis, Kirkmeyer, Michaelson Jenet, Pelton B., Pelton R., Rich, Roberts, Simpson, Winter F.;
also REPRESENTATIVE(S) Lukens and Hartsook, Amabile, Armagost, Bird, Brown, Clifford, Daugherty, Duran, English, Froelich, Hamrick, Hernandez, Herod, Jodeh, Joseph, Lieder, Lindsay, Marshall, McLachlan, Ortiz, Rutinel, Snyder, Soper, Story, Titone, Valdez, Velasco, Weissman, Winter T., Young, McCluskie.

AN ACT

CONCERNING SUPPORTING THE BEHAVIORAL HEALTH CARE OF INDIVIDUALS INVOLVED IN AGRICULTURE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, 27-60-303, **add** (1.5) as follows:

27-60-303. Behavioral health administration - additional duties - collaboration with other agencies. (1.5) (a) THE BHA SHALL CREATE THE AGRICULTURAL AND RURAL COMMUNITY BEHAVIORAL HEALTH PROGRAM AND IDENTIFY A SPECIFIC BHA STAFF PERSON TO SERVE AS A LIAISON BETWEEN THE BHA, DEPARTMENT OF AGRICULTURE, BEHAVIORAL HEALTH-CARE PROVIDERS, RURAL COMMUNITY LEADERS, AGRICULTURAL COMMUNITIES, AND NONPROFIT ORGANIZATIONS THAT SERVE AGRICULTURAL COMMUNITIES. THE AGRICULTURAL AND RURAL COMMUNITY BEHAVIORAL HEALTH PROGRAM SHALL:

(I) ENGAGE IN STATEWIDE COMMUNITY OUTREACH TO EDUCATE COMMUNITIES ON THE BEHAVIORAL HEALTH ISSUES FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, THEIR FAMILIES, AND RURAL COMMUNITIES EXPERIENCE;

(II) ESTABLISH INTERDEPARTMENTAL RELATIONSHIPS; AND

(III) DEVELOP AN UNDERSTANDING OF AND ADDRESS THE ROOT CAUSES OF BEHAVIORAL HEALTH ISSUES IN THE AGRICULTURAL INDUSTRY AND IN RURAL COMMUNITIES.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(b) THE AGRICULTURAL AND RURAL COMMUNITY BEHAVIORAL HEALTH PROGRAM SHALL COORDINATE TRAINING FOR BEHAVIORAL HEALTH PROVIDERS TO SERVE FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES EXPERIENCING BEHAVIORAL HEALTH ISSUES.

(c) THE AGRICULTURAL AND RURAL COMMUNITY BEHAVIORAL HEALTH PROGRAM STAFF LIAISON SHALL SERVE ON THE AGRICULTURAL BEHAVIORAL HEALTH COMMUNITY OF PRACTICE WORK GROUP, CREATED IN SECTION 35-1-121, AND PROVIDE SUPPORT TO THE WORK GROUP AS NEEDED.

(d) THE BHA AND THE DEPARTMENT OF AGRICULTURE SHALL ENTER INTO AN INTERAGENCY AGREEMENT TO SHARE DATA COLLECTED IN THE COURSE OF UNDERSTANDING AND ADDRESSING THE BEHAVIORAL HEALTH-CARE ISSUES IN THE AGRICULTURAL INDUSTRY AND IN RURAL COMMUNITIES. THE INTERAGENCY AGREEMENT MUST STATE THAT THE DATA SHARED WILL BE AGGREGATED AND ANONYMIZED, AND DATA SHARING MUST BE IN COMPLIANCE WITH STATE AND FEDERAL DATA PRIVACY LAWS.

SECTION 2. In Colorado Revised Statutes, add 35-1-121 as follows:

35-1-121. Agricultural behavioral health community of practice work group - creation - grant program - reporting - rules - definitions - repeal. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AGRICULTURAL BEHAVIORAL HEALTH COMMUNITY OF PRACTICE WORK GROUP" OR "WORK GROUP" MEANS THE AGRICULTURAL BEHAVIORAL HEALTH COMMUNITY OF PRACTICE WORK GROUP CREATED IN SUBSECTION (2) OF THIS SECTION.

(b) "AGRICULTURAL BEHAVIORAL HEALTH GRANT PROGRAM" OR "GRANT PROGRAM" MEANS THE AGRICULTURAL BEHAVIORAL HEALTH GRANT PROGRAM CREATED IN SUBSECTION (3) OF THIS SECTION.

(c) "BEHAVIORAL HEALTH ADMINISTRATION" MEANS THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN SECTION 27-50-102.

(2)(a) THE AGRICULTURAL BEHAVIORAL HEALTH COMMUNITY OF PRACTICE WORK GROUP IS CREATED IN THE DEPARTMENT. THE PURPOSE OF THE WORK GROUP IS TO CONVENE A GROUP OF LEADERS AND EXPERTS IN AGRICULTURE AND BEHAVIORAL HEALTH CARE TO IMPROVE ACCESS TO BEHAVIORAL HEALTH CARE FOR FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES.

(b) (I) NO LATER THAN SEPTEMBER 1, 2024, THE COMMISSIONER, OR THE COMMISSIONER'S DESIGNEE, SHALL APPOINT AT LEAST SEVEN MEMBERS TO SERVE ON THE WORK GROUP, WHICH MUST INCLUDE THE AGRICULTURAL AND RURAL COMMUNITY BEHAVIORAL HEALTH PROGRAM STAFF LIAISON DESCRIBED IN SECTION 27-60-303 (1.5) AND A DESIGNEE FROM THE OFFICE OF SUICIDE PREVENTION CREATED IN SECTION 25-1.5-101 (1)(w)(I). THE COMMISSIONER, OR THE COMMISSIONER'S DESIGNEE, MAY ADD ADDITIONAL MEMBERS, IF NECESSARY, TO REPRESENT THE DIVERSITY OF THE AGRICULTURAL COMMUNITY. THE

COMMISSIONER, OR THE COMMISSIONER'S DESIGNEE, SHALL APPOINT MEMBERS WHO REPRESENT:

(A) STATEWIDE ORGANIZATIONS OR INDIAN TRIBES OR TRIBAL ORGANIZATIONS WITH EXPERIENCE PROVIDING ACCESS, SERVICES, AND RESOURCES FOR THE BEHAVIORAL HEALTH NEEDS OF THOSE INVOLVED IN AGRICULTURE;

(B) STATEWIDE AGRICULTURAL ORGANIZATIONS THAT HAVE PROGRAMS FOCUSED ON BEHAVIORAL HEALTH ISSUES;

(C) STATEWIDE ORGANIZATIONS THAT ADDRESS MENTAL OR BEHAVIORAL HEALTH ISSUES;

(D) VETERANS SERVICE ORGANIZATIONS;

(E) RURAL BEHAVIORAL HEALTH PROVIDERS; AND

(F) INDIVIDUALS WHO HAVE LIVED EXPERIENCE WITH MENTAL HEALTH ISSUES, BEHAVIORAL HEALTH ISSUES, OR SUBSTANCE USE DISORDERS AND RECOVERY.

(II) THE COMMISSIONER, OR THE COMMISSIONER'S DESIGNEE, SHALL SELECT A MEMBER OF A STATEWIDE AGRICULTURAL ORGANIZATION TO CHAIR, FACILITATE, AND LEAD THE WORK GROUP MEETINGS.

(c) NO LATER THAN JANUARY 1, 2025, THE WORK GROUP SHALL CONVENE THE FIRST MEETING AND ESTABLISH PROCEDURES FOR MEETINGS, INCLUDING PROCEDURES TO ALLOW MEMBERS OF THE WORK GROUP TO PARTICIPATE IN THE MEETINGS REMOTELY. THE WORK GROUP SHALL MEET AT LEAST ONCE A MONTH.

(d) THE CHAIR, OR THE CHAIR'S DESIGNEE, SHALL OPEN THE MEETINGS TO THE PUBLIC, PROVIDE ADVANCE PUBLIC NOTICE OF THE MEETINGS, AND ALLOW PUBLIC COMMENTS AT THE MEETINGS. THE CHAIR, OR THE CHAIR'S DESIGNEE, SHALL CONDUCT OUTREACH AND ENCOURAGE COMMUNITY PARTICIPATION IN THE PUBLIC MEETINGS.

(e) THE DEPARTMENT SHALL ORGANIZE TRANSLATION SERVICES, UPON ADVANCED NOTICE AND REQUEST, FOR MEETINGS HELD PURSUANT TO SUBSECTIONS (2)(c) AND (2)(d) OF THIS SECTION FOR MEMBERS OF THE WORK GROUP AND MEMBERS OF THE PUBLIC WHO ATTEND THE MEETINGS. THE WORK GROUP SHALL CREATE A PROCESS FOR A MEMBER OF THE WORK GROUP OR A MEMBER OF THE PUBLIC TO REQUEST TRANSLATION SERVICES IN ADVANCE OF A MEETING.

(f) MEMBERS OF THE WORK GROUP WHO ARE COMPENSATED BY AN ORGANIZATION TO SERVE ON THE WORK GROUP SERVE WITHOUT COMPENSATION. MEMBERS OF THE WORK GROUP WHO ARE NOT COMPENSATED BY AN ORGANIZATION TO SERVE ON THE WORK GROUP MUST RECEIVE COMPENSATION.

(g) THE WORK GROUP SHALL:

(I) COMPILE BEST PRACTICES TO PROVIDE BEHAVIORAL HEALTH CARE TO

FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES;

(II) IDENTIFY GAPS IN THE PROVISION OF BEHAVIORAL HEALTH CARE TO FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES;

(III) ENGAGE WITH OTHER STAKEHOLDERS INVOLVED IN AGRICULTURAL BEHAVIORAL HEALTH CARE;

(IV) COLLECT DATA, AS PERMITTED BY STATE AND FEDERAL DATA PRIVACY LAWS, ON BEHAVIORAL HEALTH-CARE OUTCOMES IN AGRICULTURAL COMMUNITIES AND STEPS TAKEN TO SUPPORT FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES THROUGH BEHAVIORAL HEALTH INITIATIVES AND PROGRAMS; AND

(V) REPORT TO THE DEPARTMENT AND THE BEHAVIORAL HEALTH ADMINISTRATION ON THE DATA COLLECTED PURSUANT TO SUBSECTION (2)(g)(IV) OF THIS SECTION AND RECOMMEND LEGISLATIVE OR POLICY CHANGES TO FURTHER IMPROVE AGRICULTURAL BEHAVIORAL HEALTH CARE.

(h) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE SEPTEMBER 1, 2029. BEFORE THE REPEAL, THE WORK GROUP IS SCHEDULED FOR REVIEW IN ACCORDANCE WITH SECTION 2-3-1203.

(3) (a) THE AGRICULTURAL BEHAVIORAL HEALTH GRANT PROGRAM IS CREATED IN THE DEPARTMENT. SUBJECT TO AVAILABLE APPROPRIATIONS, THE DEPARTMENT MAY ADMINISTER THE GRANT PROGRAM. THE PURPOSE OF THE GRANT PROGRAM IS TO AWARD GRANT MONEY TO:

(I) CONTINUE EXISTING PROGRAMS OR CREATE NEW PROGRAMS THAT ADDRESS THE ROOT CAUSES OF BEHAVIORAL HEALTH ISSUES IN THE AGRICULTURAL INDUSTRY OR IN RURAL COMMUNITIES;

(II) STRENGTHEN COLLABORATIVE EFFORTS BETWEEN ORGANIZATIONS AND COMMUNITIES IN ADDRESSING THE ROOT CAUSES OF BEHAVIORAL HEALTH ISSUES IN THE AGRICULTURAL INDUSTRY OR IN RURAL COMMUNITIES; AND

(III) IMPROVE ACCESS TO HEALTH, WELLNESS, AND BEHAVIORAL HEALTH CARE FOR FARMERS, RANCHERS, OTHER AGRICULTURAL INDUSTRY WORKERS, AND THEIR FAMILIES.

(b) IN ADMINISTERING THE GRANT PROGRAM PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION, THE DEPARTMENT SHALL:

(I) DEVELOP THE GRANT APPLICATION;

(II) ESTABLISH A DISBURSEMENT TIMELINE FOR THE GRANTS;

(III) CREATE A RUBRIC TO EVALUATE GRANT APPLICATIONS;

(IV) AWARD GRANT MONEY TO ELIGIBLE RECIPIENTS;

(V) REQUIRE GRANT RECIPIENTS TO REPORT TO THE DEPARTMENT ON THE PROGRESS OF GRANT-FUNDED PROJECTS, FINDINGS, AND LEGISLATIVE RECOMMENDATIONS AND ESTABLISH A DEADLINE FOR THE SUBMITTAL OF THE REPORT TO THE DEPARTMENT; AND

(VI) COLLECT THE REPORTS DESCRIBED IN SUBSECTION (3)(b)(V) FROM GRANT RECIPIENTS ON THE USE OF GRANT FUNDS.

(c) IN AWARDING GRANT MONEY PURSUANT TO SUBSECTION (3)(b)(IV) OF THIS SECTION, THE DEPARTMENT SHALL PRIORITIZE APPLICANTS THAT PRIMARILY SERVE INDIVIDUALS ENGAGED IN AGRICULTURE. THE MAXIMUM AMOUNT OF MONEY A GRANT RECIPIENT MAY RECEIVE ANNUALLY IS FIFTY THOUSAND DOLLARS.

(4) (a) THE DEPARTMENT SHALL CONTRACT WITH A STATEWIDE AGRICULTURAL ORGANIZATION THAT HAS ESTABLISHED PROGRAMS ADDRESSING BEHAVIORAL HEALTH ISSUES TO ORGANIZE, MANAGE, AND CONVENE AN IN-PERSON ANNUAL SUMMIT FOR ORGANIZATIONS WITH AN INTEREST IN PROMOTING AND PROVIDING BEHAVIORAL HEALTH CARE TO AGRICULTURAL COMMUNITIES. THE STATEWIDE ORGANIZATION SHALL CONVENE THE FIRST IN-PERSON ANNUAL SUMMIT NO LATER THAN DECEMBER 2025. THE DEPARTMENT SHALL CONTRACT WITH THE STATEWIDE AGRICULTURAL ORGANIZATION IN ACCORDANCE WITH THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24.

(b) THE STATEWIDE AGRICULTURAL ORGANIZATION SHALL CONDUCT POST-EVENT SURVEYS OF THE INDIVIDUALS WHO ATTEND THE IN-PERSON ANNUAL SUMMIT.

(c) THE STATEWIDE AGRICULTURAL ORGANIZATION SHALL ANNUALLY PROVIDE THE DEPARTMENT:

(I) RECEIPTS DOCUMENTING FUNDS SPENT ON THE IN-PERSON ANNUAL SUMMIT; AND

(II) A REPORT DESCRIBING THE IN-PERSON ANNUAL SUMMIT, INCLUDING:

(A) THE NUMBER OF ATTENDEES;

(B) THE NAMES OF THE ORGANIZATIONS THAT ATTENDED;

(C) THE RESULTS OF THE POST-EVENT SURVEYS DESCRIBED IN SUBSECTION (4)(b) OF THIS SECTION; AND

(D) ANY FINDINGS OR RECOMMENDATIONS ON CHANGES FOR FUTURE IN-PERSON ANNUAL SUMMITS.

(d) THE STATEWIDE AGRICULTURAL ORGANIZATION THAT CONTRACTS WITH THE DEPARTMENT IS NOT BARRED FROM APPLYING TO THE GRANT PROGRAM.

(5) THE DEPARTMENT AND THE BEHAVIORAL HEALTH ADMINISTRATION SHALL ENTER INTO AN INTERAGENCY AGREEMENT TO SHARE DATA COLLECTED IN THE COURSE OF UNDERSTANDING AND ADDRESSING THE BEHAVIORAL HEALTH-CARE ISSUES IN THE AGRICULTURAL INDUSTRY AND IN RURAL COMMUNITIES. THE

INTERAGENCY AGREEMENT MUST STATE THAT THE DATA SHARED WILL BE AGGREGATED AND ANONYMIZED, AND DATA SHARING MUST BE IN COMPLIANCE WITH STATE AND FEDERAL DATA PRIVACY LAWS.

(6) THE DEPARTMENT MAY PROMULGATE RULES AS NECESSARY FOR THE IMPLEMENTATION OF THIS SECTION.

(7)(a) ON OR BEFORE JANUARY 1, 2026, AND EACH JANUARY 1 THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT SUMMARIZING THE WORK GROUP REPORT DESCRIBED IN SUBSECTION (2)(g)(V) OF THIS SECTION AND THE GRANT RECIPIENT REPORTS COLLECTED PURSUANT TO SUBSECTION (3)(b)(VI) OF THIS SECTION TO THE AGRICULTURE, WATER, AND NATURAL RESOURCES COMMITTEE AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE AND NATURAL RESOURCES COMMITTEE AND THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR THEIR SUCCESSOR COMMITTEES, AND THE BEHAVIORAL HEALTH ADMINISTRATION.

(b) AS PART OF THE JANUARY 1, 2027, REPORT DESCRIBED IN SUBSECTION (7)(a) OF THIS SECTION, AND IN EACH JANUARY 1 REPORT THEREAFTER, THE DEPARTMENT SHALL SUBMIT A REPORT SUMMARIZING THE STATEWIDE AGRICULTURAL ORGANIZATION REPORT COLLECTED PURSUANT TO SUBSECTION (4)(c)(II) OF THIS SECTION.

(c) NOTWITHSTANDING THE REQUIREMENT IN SECTION 24-1-136 (11)(a)(I), THE REQUIREMENT TO SUBMIT THE REPORT REQUIRED IN THIS SUBSECTION (7) CONTINUES INDEFINITELY.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, **add** (20)(a)(IX) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (20) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2029:

(IX) THE AGRICULTURAL BEHAVIORAL HEALTH COMMUNITY OF PRACTICE WORK GROUP CREATED IN SECTION 35-1-121 (2).

SECTION 4. Appropriation. (1) For the 2024-25 state fiscal year, \$61,989 is appropriated to the department of agriculture for use by the commissioner's office and administrative services. This appropriation is from the general fund. To implement this act, the office may use this appropriation as follows:

(a) \$38,497 for personal services, which amount is based on an assumption that the office will require an additional 0.5 FTE; and

(b) \$23,492 for operating expenses.

(2) For the 2024-25 state fiscal year, \$145,116 is appropriated to the department of human services for use by the behavioral health administration. This appropriation is from the general fund. To implement this act, the administration may use this appropriation as follows:

(a) \$77,116 for program administration related to the community behavioral health administration, which amount is based on an assumption that the administration will require an additional 0.9 FTE; and

(b) \$68,000 for the behavioral health workforce learning management system related to the community behavioral health administration.

SECTION 5. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 6, 2024