



Human Services

The General Assembly considered several measures during the 2021 legislative session related to human services, including behavioral health and long-term care.

Behavioral Health

The legislature enacted several bills related to behavioral health, including bills to temporary fund screening and treatment for youth; establish a state behavioral health administration; implement a three-digit phone number to access crisis services; and adopt an omnibus “Behavioral Health Recovery Act.”

House Bill 21-1258 establishes a temporary youth mental health services program (program) in the Office of Behavioral Health (OBH) within the Department of Human Services (DHS). OBH will contract with providers to provide mental health and substance use disorder services to youth who are screened and determined to need services, including those needs that may have resulted from the COVID-19 pandemic. OBH will reimburse providers for up to three mental health sessions with a youth and may provide additional reimbursement subject to available funding. The program is repealed effective June 30, 2022.

House Bill 21-1097 requires the DHS to develop a plan to create and establish a Behavioral Health Administration (BHA) by no later than July 1, 2022. In addition to other elements, the plan must include:

- recommendations for funding and legislation to implement the plan and the BHA;
- a list of state programs that should be managed by the BHA; and
- the governance structure of the BHA.

The BHA must:

- be the single state agency responsible for state behavioral health programs;
- receive, coordinate, and distribute behavioral health funding;
- monitor, evaluate, and report data on behavioral health outcomes;
- promote a system that supports a whole-person approach; and
- promote culturally responsive and equitable behavioral health care.

Until the BHA is fully operational, the agency is housed within the DHS.

Senate Bill 21-154 implements 988 as the 3-digit number for Colorado crisis response services. The bill creates the 988 crisis hotline enterprise in DHS to fund the hotline and provide crisis outreach, stabilization, and acute care to individuals calling the hotline. Beginning January 1, 2022, the enterprise will impose a prepaid wireless 988 charge on each retail transaction in an amount to be established annually by the enterprise, but not to exceed 30 cents per each retail transaction. On or before July 1, 2022, the enterprise must fund a nonprofit organization to operate the crisis hotline and provide intervention services and crisis care coordination to individuals calling the hotline.

Public Health (cont'd)

The federal government enacted the American Rescue Plan Act (ARPA) to provide support to state, local, and tribal governments in responding to the COVID-19 pandemic. *Senate Bill 21-137*, otherwise known as the “Behavioral Health Recovery Act of 2021,” extends, modifies, and finances behavioral health programs throughout state government and creates a fund for federal APRA funds dedicated to behavioral health programs.

In addition, the bill:

- continues the requirement for opioid prescribing limitations;
- makes the Harm Reduction Grant Program continuously appropriated to the Colorado Department of Public Health and Environment;
- continues the Building Substance Use Disorder Treatment Capacity in Underserved Communities Grant Program indefinitely;
- requires the Perinatal Substance Use Data Linkage Project to use additional data sources from state-administered programs when examining issues related to pregnant and postpartum women with substance use disorders and their infants;
- continues the public awareness campaign about safe storage of opioid medication;
- requires state and private prisons to provide at least two doses of an opioid reversal medication upon release to individuals that were treated for opioid use disorder while in custody, as funding and supplies allow; and
- creates a task force to meet during the 2021 interim to develop recommendations to the General Assembly and the Governor for how to spend funds received from the American Rescue Plan Act on behavioral health needs.

Senate Bill 21-239 requires the Colorado 2-1-1 phone number program to include referrals for behavioral health services and other social service resources in the state for Coloradans, particularly for individuals who are unemployed, regardless of whether they receive benefits. The OBH must contract with the 2-1-1 to hire and train specialized personnel and

collaborate in targeted marketing and outreach, aimed at reaching traditionally underserved communities, such as immigrant, low-income, and communities of color.

The act also requires the collaborative to coordinate with the Department of Labor and Employment to target, conduct outreach, and market to individuals who are unemployed, regardless of whether they receive benefits, and who may need referrals for behavioral health services and other social service resources.

Long-term Care

Substantive changes to the state’s long-term care system were adopted during the session. *House Bill 21-1166* directs the department of Health Care Policy and Financing (HCPF) to develop a comprehensive care coordination and treatment training model for persons who work with individuals with intellectual and developmental disabilities and co-occurring behavioral health needs. The model must allow the use of teleconferencing formats to better reach rural areas of the state. Case management agencies, mental health centers, and program-approved service agencies must nominate up to 20 providers to receive the training. HCPF may select an additional 10 providers from underserved areas of the state to receive the training.

Currently a single-entry point system enables persons 18 years of age or older in need of long-term care to access services and supports. *House Bill 21-1187* requires the establishment of a redesigned case management system by July 1, 2024. HCPF is required to work with stakeholders by December 31, 2021, to develop a timeline for the implementation of the system and issue a competitive solicitation by December 31, 2022, to select case management agencies for the system.