

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 11, 2023
Date

Committee on Public & Behavioral Health & Human Services.

After consideration on the merits, the Committee recommends the following:

HB23-1269 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 4, after line 3 insert:

2 "SECTION 2. In Colorado Revised Statutes, 26-5-104, add (7.5)
3 as follows:

4 **26-5-104. Funding of child welfare services provider contracts**
5 **- funding mechanism review - fund - report - rules - definitions -**
6 **repeal. (7.5) High-acuity treatment and services cash fund.**

7 (a) THERE IS CREATED IN THE STATE TREASURY THE HIGH-ACUITY
8 TREATMENT AND SERVICES CASH FUND, REFERRED TO IN THIS SUBSECTION
9 (7.5) AS THE "HIGH-ACUITY CASH FUND".

10 (b) FOR STATE FISCAL YEAR 2023-24 AND 2024-25, THE STATE
11 DEPARTMENT SHALL RETAIN ANY UNSPENT MONEY APPROPRIATED IN
12 FISCAL YEAR 2023-24 AND 2024-25 FROM THE GENERAL FUND TO
13 COUNTIES DURING THE INITIAL ALLOCATIONS FOR THE ADMINISTRATION OF
14 CHILD WELFARE SERVICES, CORE SERVICES, OR CHILD WELFARE STAFFING.
15 UNSPENT GENERAL FUND MONEY INCLUDES MONEY REMAINING AFTER
16 TRANSFERS TO THE PREVENTION AND INTERVENTION SERVICES CASH FUND
17 CREATED IN SUBSECTION (7)(a)(I) OF THIS SECTION.

18 (c) ON JUNE 30, 2023 AND JUNE 30, 2024, THE STATE TREASURER
19 SHALL TRANSFER ANY MONEY RETAINED PURSUANT TO SUBSECTION
20 (7.5)(b) OF THIS SECTION TO THE HIGH-ACUITY CASH FUND. THE MONEY
21 TRANSFERRED PURSUANT TO THIS SUBSECTION (7.5)(c) IS AVAILABLE FOR
22 EXPENDITURE THROUGH JUNE 30, 2025.

23 (d) (I) THE STATE DEPARTMENT SHALL EXPEND MONEY FROM THE
24 HIGH-ACUITY CASH FUND TO PROVIDE ADDITIONAL RESOURCES TO
25 LICENSED PROVIDERS TO HELP REMOVE BARRIERS THAT PROVIDERS FACE
26 IN SERVING CHILDREN AND YOUTH WHOSE BEHAVIORAL OR MENTAL
27 HEALTH NEEDS REQUIRE SERVICES AND TREATMENT THAT EXCEED

1 CAPACITY OF THE ESTABLISHED DAILY RATES, INCLUDING FOR THE SAME
2 PURPOSES IDENTIFIED IN SECTION 26-5-117 (2).

3 (II) ANY LICENSED PROVIDER WHO RECEIVES MONEY PURSUANT TO
4 SUBSECTION (7)(d)(I) SHALL MEET THE REQUIREMENTS OF A QUALIFIED
5 RESIDENTIAL TREATMENT PROGRAM, AS DEFINED IN SECTION 26-5.4-102,
6 A PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY, AS DEFINED IN
7 SECTION 25.5-4-103 (19.5), OR THERAPEUTIC FOSTER CARE, AS DEFINED IN
8 SECTION 26-6-903 (35).

9 (e) THIS SUBSECTION (7.5) IS REPEALED, EFFECTIVE JULY 1, 2025.
10 ANY MONEY REMAINING IN THE HIGH-ACUITY CASH FUND AT THE END OF
11 THE 2024-25 FISCAL YEAR REVERTS TO THE GENERAL FUND."

12 Renumber succeeding sections accordingly.

13 Page 4, line 11, after "STAKEHOLDERS," insert "INCLUDING
14 STAKEHOLDERS THAT REPRESENT INDIVIDUALS WITH INTELLECTUAL AND
15 DEVELOPMENTAL DISABILITIES,".

16 Page 4, line 16, strike "PLACEMENT." and substitute "PLACEMENT,
17 INCLUDING THE PRESENCE OF CO-OCCURRING DISABILITIES.".

18 Page 6, line 20, strike "COLORADO-BASED THIRD-PARTY EVALUATOR" and
19 substitute "THIRD-PARTY CONTRACTOR".

20 Page 7, strike lines 23 and 24 and substitute "SETTING.".

21 Page 8, strike lines 5 through 8 and substitute "27-67-109. THE BHA
22 SHALL MAKE THE DE-IDENTIFIED AND AGGREGATED DATA PUBLICLY
23 AVAILABLE ON THE BHA'S WEBSITE.".

24 Page 8, line 22, before "PLAN" insert "CAPACITY".

25 Page 8, strike lines 25 through 27 and substitute "CHANGE IN OPERATION.
26 THE STATE".

27 Page 9, strike lines 3 through 11 and substitute:

28 "SECTION 7. Safety clause. The general assembly hereby finds,
29 determines, and declares that this act is necessary for the immediate
30 preservation of the public peace, health, or safety.".

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