HB1017_L.010

HOUSE COMMITTEE OF REFERENCE AMENDMENT
Committee on Appropriations.

HB20-1017 be amended as follows:

1 Strike the Public Health Care & Human Services Committee Report, dated February 12, 2020.

Amend printed bill, page 2, strike lines 6 through 8 and substitute "PRISON MAY MAKE AVAILABLE OPIOID AGONISTS AND OPIOID ANTAGONISTS TO A PERSON IN CUSTODY WITH AN OPIOID USE DISORDER. THE CORRECTIONAL FACILITY OR PRIVATE CONTRACT PRISON IS STRONGLY ENCOURAGED TO MAINTAIN THE TREATMENT OF THE PERSON THROUGHOUT THE DURATION OF THE PERSON'S INCARCERATION, AS MEDICALLY NECESSARY."

(2) QUALIFIED MEDICATION ADMINISTRATION PERSONNEL MAY, IN ACCORDANCE WITH A WRITTEN PHYSICIAN'S ORDER, ADMINISTER OPIOID AGONISTS AND OPIOID ANTAGONISTS PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(3) A CORRECTIONAL FACILITY OR PRIVATE CONTRACT PRISON MAY CONTRACT WITH COMMUNITY-BASED HEALTH PROVIDERS FOR THE IMPLEMENTATION OF THIS SECTION.".

Page 3, strike line 1.

Renumber succeeding subsection accordingly.

Page 3, strike lines 15 through 18 and substitute "ENTITY OR PRIVATE CONTRACTOR, MAY MAKE AVAILABLE OPIOID AGONISTS AND OPIOID ANTAGONISTS TO A PERSON IN CUSTODY WITH AN OPIOID USE DISORDER. THE FACILITY IS STRONGLY ENCOURAGED TO MAINTAIN THE TREATMENT OF THE PERSON THROUGHOUT THE DURATION OF THE PERSON'S INCARCERATION, AS MEDICALLY NECESSARY."

(2) QUALIFIED MEDICATION ADMINISTRATION PERSONNEL MAY, IN ACCORDANCE WITH A WRITTEN PHYSICIAN'S ORDER, ADMINISTER OPIOID AGONISTS AND OPIOID ANTAGONISTS PURSUANT TO SUBSECTION (1) OF THIS SECTION.

(3) A FACILITY MAY CONTRACT WITH COMMUNITY-BASED HEALTH PROVIDERS FOR THE IMPLEMENTATION OF THIS SECTION.".

Renumber succeeding subsection accordingly.

Page 4, line 10, strike "SHALL" and substitute "MAY".

Page 4, strike lines 11 through 14 and substitute "OPIOID AGONISTS AND OPIOID ANTAGONISTS TO A PERSON COMMITTED TO OR PLACED WITHIN THE FACILITY WITH AN OPIOID USE DISORDER. THE FACILITY IS STRONGLY
ENCOURAGED TO MAINTAIN THE TREATMENT OF THE PERSON THROUGHOUT
THE DURATION OF THE PERSON'S COMMITMENT, AS MEDICALLY
NECESSARY.

(2) QUALIFIED MEDICATION ADMINISTRATION PERSONNEL MAY, IN
ACCORDANCE WITH A WRITTEN PHYSICIAN'S ORDER, ADMINISTER OPIOID
AGONISTS AND OPIOID ANTAGONISTS PURSUANT TO SUBSECTION (1) OF
THIS SECTION.

(3) A STATE DEPARTMENT FACILITY MAY CONTRACT WITH
COMMUNITY-BASED HEALTH PROVIDERS FOR THE IMPLEMENTATION OF
THIS SECTION.”.

Renumber succeeding subsection accordingly.

Page 5, line 1, strike "SHALL" and substitute "IS STRONGLY ENCOURAGED
TO".

Page 5, line 10, strike "EITHER".

Page 5, strike lines 11 through 13 and substitute "UTILIZE CURRENT
PROCEDURES AND PROTOCOLS FOR THE DISPOSAL OF THE CONTROLLED
SUBSTANCES.”.

Page 5, strike lines 23 and 24 and substitute "SHALL PROVIDE THE PERSON
WITH INFORMATION ABOUT THE BEHAVIORAL HEALTH CRISIS RESPONSE
SYSTEM, CREATED IN SECTION 27-60-103, TO HELP IDENTIFY AVAILABLE
TREATMENT OPTIONS AND, IF PRACTICABLE, PROVIDE TRANSPORTATION
FOR THE PERSON TO THE MOST APPROPRIATE FACILITY FOR TREATMENT OF
A SUBSTANCE USE DISORDER. INFORMATION ABOUT THE CRISIS HOTLINE
MUST BE DEVELOPED BY THE OFFICE OF BEHAVIORAL HEALTH IN THE
STATE DEPARTMENT AND BE PROVIDED TO SAFE STATIONS FOR
DISTRIBUTION.”.

Page 5, before line 25 insert:
"(3) THIS SECTION DOES NOT APPLY IF SAFE STATION PERSONNEL
ARE NOT AVAILABLE TO ASSIST A PERSON WHO ARRIVES AT A SAFE
STATION FOR DISPOSAL OF A CONTROLLED SUBSTANCE.”.

Renumber succeeding subsection accordingly.

Page 6, line 6, strike "SHALL" and substitute "SHALL, AT A MINIMUM, ".

Page 6, strike lines 9 through 11.
1 Page 6, line 12, strike "(c)" and substitute "(a)".

2 Page 6, line 13, after "PERSON;" add "AND".

3 Page 6, strike lines 14 through 18 and substitute:

   "(b) PROVIDE A LIST OF AVAILABLE SUBSTANCE USE PROVIDERS,
   TO THE EXTENT THE OFFICE OF BEHAVIORAL HEALTH IN THE STATE
   DEPARTMENT HAS SUCH A LIST AVAILABLE.

   (2) THE COUNTY JAIL SHALL PROVIDE MEDICAID REENROLLMENT
   PAPERWORK TO THE PERSON WHEN THE PERSON ENTERS THE COUNTY JAIL.

   THE COUNTY JAIL MUST FILE THE MEDICAID PAPERWORK WITH THE
   COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES UPON RELEASING
   THE PERSON FROM THE COUNTY JAIL'S CUSTODY.
   
   Page 7, line 24, after "(1)" insert "(a)".

4 Page 8, after line 4 insert:

   "(b) THE OFFICE OF BEHAVIORAL HEALTH IN THE STATE
   DEPARTMENT MAY REQUIRE CRIMINAL JUSTICE DIVERSION PROGRAMS
   CONTRACTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION TO
   PARTICIPATE AS A MOBILE CRISIS SERVICE IN THE BEHAVIORAL HEALTH
   CRISIS RESPONSE SYSTEM, CREATED PURSUANT TO SECTION 27-60-103."

5 Page 8, strike lines 19 through 26 and substitute:

   "SECTION 11. In Colorado Revised Statutes, 27-60-100.3, add
   (1.5) as follows:

   27-60-100.3. Definitions. (1.5) "CRIMINAL JUSTICE DIVERSION
   PROGRAM" MEANS A PROGRAM CREATED PURSUANT TO SECTION
   27-60-106.5 OR PROGRAMS OPERATED BY CITIES OR COUNTIES THAT
   CONNECT LAW ENFORCEMENT OFFICERS WITH BEHAVIORAL HEALTH
   PROVIDERS TO ASSIST INDIVIDUALS IN NEED OF BEHAVIORAL HEALTH
   INTERVENTIONS OR TO DIVERT INDIVIDUALS FROM THE CRIMINAL JUSTICE
   SYSTEM.

   SECTION 12. In Colorado Revised Statutes, 27-60-104, amend
   (2) as follows:

   27-60-104. Behavioral health crisis response system - crisis
   service facilities - walk-in centers - mobile response units. (2) (a) On
   or before January 1, 2018, the state department shall ensure that mobile
   response units are available to respond to a behavioral health crisis
   anywhere in the state within no more than two hours, either face-to-face
   or using telehealth operations, for mobile crisis evaluations.

   (b) MOBILE CRISIS SERVICES MAY BE DELIVERED BY CRIMINAL
   JUSTICE DIVERSION PROGRAMS APPROVED BY THE STATE DEPARTMENT OR
A CRISIS RESPONSE SYSTEM CONTRACTOR.

SECTION 13. 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

Page 1, strike lines 103 and 104 and substitute "JUSTICE SYSTEM.".

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