

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 15-0391.01 Jane Ritter x4342

HOUSE BILL 15-1087

HOUSE SPONSORSHIP

Vigil,

SENATE SPONSORSHIP

Steadman and Jahn,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE ALCOHOL AND SUBSTANCE ABUSE**
102 **MEDICAL DETOX CENTERS PILOT PROGRAM.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates the alcohol and substance abuse medical detox centers pilot program (pilot program) in the unit that administers behavioral health programs and services, including those related to mental health and substance abuse (unit), within the department of human services (department). The purpose of the pilot program is to provide limited medical services that are otherwise unavailable to individuals who

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

are addicted to alcohol or substances and who are going through the detoxification process. The pilot program will initially consist of one rural treatment center and one urban treatment center. Alcohol and substance abuse treatment centers in Colorado may apply to the unit to participate in the pilot program. The state board of human services shall develop rules for applications, review the applications, and select treatment centers for funding. The pilot program will last 2 years. After 2 years, each treatment center will submit a report on activities and outcomes to the unit, which shall in turn submit a report to the public health care and human services committee of the house of representatives and the health and human services committee of the senate. The alcohol and substance abuse medical detox centers pilot program fund is created.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 27-80-118 as
3 follows:

4 **27-80-118. Alcohol and substance abuse medical detox centers**
5 **pilot program - legislative declaration - definitions - administration**
6 **- reporting - fund - repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS AND
7 DECLARES THAT COLORADO HAS TWO SEPARATE LICENSED LEVELS OF
8 DETOXIFICATION IN SEPARATE FACILITY SETTINGS WHEN OFTEN
9 INDIVIDUALS REQUIRING DETOXIFICATION FOR SUBSTANCE ABUSE NEED
10 DETOXIFICATION TREATMENT, AS DEFINED IN SECTION 27-80-203 (9), AT
11 ONE CONSOLIDATED FACILITY.

12 (b) THEREFORE, THE GENERAL ASSEMBLY WILL CREATE A PILOT
13 PROGRAM TO TRIAGE INDIVIDUALS REQUIRING DETOXIFICATION FOR
14 SUBSTANCE ABUSE, AND THIS PROGRAM WILL ASSIST IN MEETING THEIR
15 NEEDS IN A TIMELY MANNER. THE PILOT PROGRAM WILL ALLOW FOR THE
16 COLLABORATION AND USE OF THE TWO LICENSED LEVELS OF
17 DETOXIFICATION TREATMENT BY AN APPROVED SERVICE PROVIDER WHILE
18 PROVIDING THE APPROPRIATE LEVEL OF CARE AND ENSURING INDIVIDUAL
19 SAFETY.

1 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
2 REQUIRES:

3 (a) "FUND" MEANS THE SUBSTANCE ABUSE MULTI-LEVEL
4 DETOXIFICATION CARE CENTERS PILOT PROGRAM FUND CREATED IN
5 SUBSECTION (4) OF THIS SECTION.

6 (b) "LICENSED CLINICALLY MANAGED RESIDENTIAL
7 DETOXIFICATION", MEANS A NONMEDICAL RESIDENTIAL DETOXIFICATION
8 LEVEL OF CARE THAT OFFERS AN ORGANIZED SERVICE THAT MAY BE
9 DELIVERED BY TRAINED STAFF AND PROVIDES TWENTY-FOUR-HOUR
10 SUPERVISION, OBSERVATION, AND SUPPORT FOR INDIVIDUALS WHO ARE
11 INTOXICATED OR EXPERIENCING WITHDRAWAL. THIS LEVEL OF CARE
12 PROVIDES FOR INDIVIDUALS WHOSE INTOXICATION OR WITHDRAWAL SIGNS
13 AND SYMPTOMS ARE SUFFICIENTLY SEVERE TO REQUIRE
14 TWENTY-FOUR-HOUR STRUCTURE AND SUPPORT. THIS LEVEL OF CARE
15 WOULD NOT REQUIRE MEDICALLY MONITORED INPATIENT DETOXIFICATION
16 SERVICE.

17 (c) "LICENSED MEDICALLY MONITORED INPATIENT
18 DETOXIFICATION" MEANS ORGANIZED SERVICE DELIVERED BY MEDICAL
19 AND NURSING PROFESSIONALS THAT PROVIDES FOR TWENTY-FOUR-HOUR
20 MEDICALLY SUPERVISED EVALUATION AND WITHDRAWAL MANAGEMENT.
21 TREATMENT IS PROVIDED IN A PERMANENT FACILITY WITH INPATIENT
22 BEDS AND SERVICES THAT ARE DELIVERED UNDER A DEFINED SET OF
23 PHYSICIAN-APPROVED POLICIES AND PHYSICIAN-MONITORED PROCEDURES
24 AND CLINICAL PROTOCOLS, AND TWENTY-FOUR-HOUR OBSERVATION,
25 MONITORING, AND TREATMENT ARE AVAILABLE. THIS LEVEL RELIES ON
26 ESTABLISHED CLINICAL PROTOCOLS TO IDENTIFY PATIENTS WHO ARE IN
27 NEED OF MEDICAL SERVICES BEYOND THE CAPACITY OF THE FACILITY IN

1 ORDER TO TRANSFER THOSE PATIENTS TO THE APPROPRIATE LEVEL OF
2 CARE. THIS LEVEL PROVIDES CARE TO INDIVIDUALS WHOSE WITHDRAWAL
3 SIGNS AND SYMPTOMS ARE SUFFICIENTLY SEVERE TO REQUIRE
4 TWENTY-FOUR-HOUR INPATIENT CARE.

5 (d) "PILOT PROGRAM" MEANS THE SUBSTANCE ABUSE
6 MULTI-LEVEL DETOXIFICATION CARE CENTERS PILOT PROGRAM CREATED
7 IN SUBSECTION (3) OF THIS SECTION.

8 (e) "RURAL TREATMENT CENTER" MEANS AN ALCOHOL OR
9 SUBSTANCE ABUSE TREATMENT CENTER THAT SERVES A COUNTY OR
10 GROUP OF COUNTIES THAT HAS A TOTAL POPULATION OF LESS THAN FIFTY
11 THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY AVAILABLE
12 POPULATION STATISTICS OF THE UNITED STATES DEPARTMENT OF
13 COMMERCE'S BUREAU OF THE CENSUS.

14 (f) "URBAN TREATMENT CENTER" MEANS AN ALCOHOL OR
15 SUBSTANCE ABUSE TREATMENT CENTER THAT SERVES AN AREA WITH A
16 TOTAL POPULATION OF FIFTY THOUSAND OR MORE PEOPLE, ACCORDING TO
17 THE MOST RECENTLY AVAILABLE POPULATION STATISTICS OF THE UNITED
18 STATES DEPARTMENT OF COMMERCE'S BUREAU OF THE CENSUS.

19 (3) (a) THERE IS CREATED WITHIN THE UNIT THE SUBSTANCE ABUSE
20 MULTI-LEVEL DETOXIFICATION CARE CENTERS PILOT PROGRAM. THE
21 PURPOSE OF THE PILOT PROGRAM IS TO ALLOW INDIVIDUALS TO BE
22 TRIAGED WITHIN THE TWO LEVELS OF DETOXIFICATION TREATMENT,
23 DEPENDING ON THE SPECIFIC NEEDS OF THE INDIVIDUAL AFTER INITIAL
24 ASSESSMENT, ALLOWING THE INDIVIDUAL TO RECEIVE SERVICES FROM AN
25 APPROVED SERVICE PROVIDER FOR BOTH LICENSED MEDICALLY
26 MONITORED INPATIENT DETOXIFICATION AND LICENSED CLINICALLY
27 MANAGED RESIDENTIAL DETOXIFICATION. THE PILOT PROGRAM PROVIDES

1 LICENSED MEDICALLY MONITORED INPATIENT DETOXIFICATION AND
2 LICENSED CLINICALLY MANAGED RESIDENTIAL DETOXIFICATION WITH THE
3 ABILITY TO PROVIDE COLLABORATIVE SERVICES THROUGH CONGRUENCE
4 WITH THE SELECTED PILOT SITES TO INDIVIDUALS WHOSE WITHDRAWAL
5 SIGNS AND SYMPTOMS FROM ALCOHOL, OPIATES, OR OTHER SUBSTANCES
6 ARE SUFFICIENTLY SEVERE AS TO REQUIRE TWENTY-FOUR-HOUR
7 OBSERVATION, MONITORING, AND TREATMENT.

8 (b) (I) SUBJECT TO AVAILABLE APPROPRIATIONS, THE PILOT
9 PROGRAM WILL BE AVAILABLE THROUGH A STATE COMPETITIVE
10 PROCUREMENT PROCESS, WITH A REQUEST FOR PROPOSALS ISSUED ON OR
11 BEFORE NOVEMBER 30, 2015, AND THE DEADLINE FOR SUBMISSION OF
12 PROPOSALS IS ON OR BEFORE FEBRUARY 28, 2016. ALCOHOL AND
13 SUBSTANCE ABUSE TREATMENT CENTERS IN COLORADO MAY SUBMIT A
14 RESPONSE TO THE REQUEST FOR PROPOSALS FOR CONSIDERATION AS A
15 PARTICIPANT IN THE PILOT PROGRAM. THE UNIT SHALL MAKE UP TO THREE
16 AWARDS ON OR BEFORE MARCH 31, 2016, WITH AT LEAST ONE AWARD
17 GOING TO A RURAL TREATMENT CENTER, ONE TO AN URBAN TREATMENT
18 CENTER, AND ONE TO EITHER AN URBAN OR RURAL TREATMENT CENTER
19 LOCATED IN THE WESTERN SLOPE AREA OF COLORADO. CLIENT SERVICES
20 DELIVERY FOR PILOT PROGRAM CENTERS MUST BEGIN ON OR BEFORE JULY
21 1, 2016. THE AWARDS MUST COVER TREATMENT SERVICES FOR PILOT
22 PROGRAM CENTERS THROUGH JULY 1, 2019.

23 (II) THE UNIT, THROUGH A COMPETITIVE PROCUREMENT PROCESS,
24 SHALL SECURE AN INDEPENDENT EVALUATOR TO PROVIDE AN EVALUATION
25 OF THE OUTCOMES FOR THE TWO PILOT PROGRAM CENTERS TO ASSESS
26 THEIR EFFECTIVENESS. THE INDEPENDENT EVALUATOR SHALL SUBMIT A
27 REPORT FOR THE PILOT PROGRAM TO THE UNIT ON OR BEFORE OCTOBER 1,

1 2017, AND ON OR BEFORE OCTOBER 1, 2018. ON OR BEFORE OCTOBER 1,
2 2019, THE INDEPENDENT EVALUATOR SHALL SUBMIT A FINAL WRITTEN
3 REPORT TO THE UNIT, THE PUBLIC HEALTH CARE AND HUMAN SERVICES
4 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE HEALTH AND
5 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
6 COMMITTEES.

7 (c) THE TREATMENT CENTERS PARTICIPATING IN THE PILOT
8 PROGRAM SHALL OPERATE THEIR PILOT PROGRAMS FOR THREE YEARS.
9 EACH TREATMENT CENTER SHALL SUBMIT DATA AND NECESSARY
10 INFORMATION WHEN REQUESTED BY THE UNIT AND THE INDEPENDENT
11 EVALUATOR IN THE PRESCRIBED FORMAT.

12 (4) THERE IS CREATED IN THE STATE TREASURY THE SUBSTANCE
13 ABUSE MULTI-LEVEL DETOXIFICATION CARE CENTERS PILOT PROGRAM
14 FUND, CONSISTING OF ANY MONEYS THAT MAY BE APPROPRIATED TO THE
15 FUND BY THE GENERAL ASSEMBLY. THE MONEYS IN THE FUND ARE
16 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
17 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
18 IMPLEMENTING THIS SECTION. THE STATE TREASURER MAY INVEST ANY
19 MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE OF THIS SECTION
20 AS PROVIDED BY LAW. THE STATE TREASURER SHALL CREDIT ALL
21 INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF
22 MONEYS IN THE FUND TO THE FUND. ANY UNEXPENDED AND
23 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
24 FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
25 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

26 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2020.

27 **SECTION 2. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly
3 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
4 if a referendum petition is filed pursuant to section 1 (3) of article V of
5 the state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2016 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.