

**First Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 07-0582.02 Jane Ritter

SENATE BILL 07-146

SENATE SPONSORSHIP

Morse,

HOUSE SPONSORSHIP

Rice,

Senate Committees

House Committees

Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A PILOT PROGRAM TO PROVIDE**
102 **MENTAL HEALTH SERVICES TO FAMILIES OF RECENTLY**
103 **DISCHARGED VETERANS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Creates a 3-year mental health services pilot program for spouses and dependent children ("families") of discharged veterans of operation enduring freedom and operation Iraqi freedom ("pilot program"). Authorizes the department of human services ("department") to purchase mental health services from community mental health centers in the Colorado Springs area for families of recently discharged veterans.

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.

1 VETERAN OR THE FAMILY OF A VETERAN IN ADDITION TO THE UNDERLYING
2 CAUSE OF THEIR DISTRESS, THUS COMPOUNDING THE INITIAL PROBLEM.

3 (b) FREQUENTLY, IT IS THE FAMILY OF THE VETERAN WHO
4 INITIALLY SEEKS TREATMENT SERVICES AND THE VETERAN THEN FOLLOWS
5 SUIT. HOWEVER, UPON DISCHARGE, FAMILIES ARE NOT COVERED UNDER
6 VETERANS ADMINISTRATION BENEFITS, LEAVING MOST FAMILIES OF
7 DISCHARGED VETERANS WITH LIMITED ACCESS TO MENTAL HEALTH
8 SERVICES.

9 (c) ACCESS TO MENTAL HEALTH SERVICES IS BEING SEVERELY
10 LIMITED BY CAPACITY CONSTRAINTS WITHIN THE MILITARY SYSTEM.
11 VETERANS ADMINISTRATION MEDICAL AND MENTAL HEALTH CLINICS
12 REPORT WAITING LISTS OF MORE THAN FOUR HUNDRED VETERANS IN SOME
13 AREAS.

14 (d) COLORADO SPRINGS IS HOME TO A HIGH PERCENTAGE OF
15 COMBAT VETERANS FROM OPERATION ENDURING FREEDOM AND
16 OPERATION IRAQI FREEDOM AND THEIR FAMILIES WHO WOULD BENEFIT
17 FROM THE PROVISION OF MENTAL HEALTH SERVICES.

18 (2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IT IS IN THE
19 BEST INTEREST OF THE STATE OF COLORADO TO CREATE A PILOT PROGRAM
20 TO EDUCATE VETERANS AND THEIR FAMILIES ABOUT MENTAL HEALTH
21 ISSUES, INCLUDING POSTTRAUMATIC STRESS DISORDER, ENCOURAGE
22 FAMILIES OF DISCHARGED VETERANS TO SEEK MENTAL HEALTH SERVICES,
23 AND PROVIDE MENTAL HEALTH SERVICES TO FAMILIES WHO WOULD
24 OTHERWISE NOT BE ABLE TO RECEIVE SUCH SERVICES.

25 **27-1-303. Definitions.** AS USED IN THIS PART 3, UNLESS THE
26 CONTEXT OTHERWISE REQUIRES:

27 (1) "COMMUNITY MENTAL HEALTH CENTER" MEANS A NONPROFIT

1 COMMUNITY MENTAL HEALTH CENTER AS DEFINED IN SECTION 27-1-201
2 (2).

3 (2) "DEPARTMENT" MEANS THE COLORADO DEPARTMENT OF
4 HUMAN SERVICES.

5 (3) "DISCHARGED VETERAN" MEANS A DISCHARGED VETERAN WHO
6 SERVED IN OPERATION ENDURING FREEDOM OR OPERATION IRAQI
7 FREEDOM.

8 (4) "FAMILY" MEANS A SPOUSE OR DEPENDENT CHILD OF A
9 DISCHARGED VETERAN.

10 (5) "FUND" MEANS THE MENTAL HEALTH SERVICES PILOT PROGRAM
11 FUND CREATED IN SECTION 27-1-305.

12 (6) "PILOT PROGRAM" MEANS THE MENTAL HEALTH SERVICES
13 PILOT PROGRAM FOR FAMILIES OF RECENTLY DISCHARGED VETERANS
14 CREATED IN SECTION 27-1-304 (1).

15 **27-1-304. Pilot program - creation - scope - reporting.**

16 (1) THERE IS HEREBY CREATED IN THE DEPARTMENT THE MENTAL HEALTH
17 SERVICES PILOT PROGRAM FOR FAMILIES OF RECENTLY DISCHARGED
18 VETERANS TO EDUCATE VETERANS AND THEIR FAMILIES ABOUT MENTAL
19 HEALTH ISSUES, INCLUDING POSTTRAUMATIC STRESS DISORDER,
20 ENCOURAGE FAMILIES OF DISCHARGED VETERANS TO SEEK MENTAL
21 HEALTH SERVICES, AND PROVIDE MENTAL HEALTH SERVICES TO FAMILIES
22 OF DISCHARGED VETERANS WHO WOULD OTHERWISE NOT BE ABLE TO
23 RECEIVE SUCH SERVICES.

24 (2) EFFECTIVE JULY 1, 2007, SUBJECT TO AVAILABLE FUNDING, THE
25 DEPARTMENT SHALL PURCHASE COMMUNITY MENTAL HEALTH TREATMENT
26 SERVICES PURSUANT TO SECTION 27-1-203 AND MENTAL HEALTH
27 EDUCATION SERVICES FROM COMMUNITY MENTAL HEALTH CENTERS IN THE

1 COLORADO SPRINGS AREA FOR THE PURPOSE OF PROVIDING MENTAL
2 HEALTH EDUCATION, REFERRAL, AND TREATMENT SERVICES TO FAMILIES
3 OF RECENTLY DISCHARGED VETERANS. PARTICIPATING COMMUNITY
4 MENTAL HEALTH CENTERS SHALL PROVIDE A FULL RANGE OF MENTAL
5 HEALTH SERVICES TO FAMILIES OF DISCHARGED VETERANS.
6 PARTICIPATING COMMUNITY MENTAL HEALTH CENTERS ARE HEREBY
7 AUTHORIZED AND ENCOURAGED TO CONTRACT WITH OTHER MENTAL
8 HEALTH PROVIDERS IN THE COLORADO SPRINGS AREA FOR MENTAL
9 HEALTH SERVICES AS NECESSARY. MENTAL HEALTH EDUCATION SERVICES
10 PROVIDED BY PARTICIPATING COMMUNITY MENTAL HEALTH CENTERS
11 SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, CREATING AND
12 MAINTAINING A WEBSITE THAT INCLUDES INFORMATION ON THE
13 SYMPTOMS OF POSTTRAUMATIC STRESS DISORDER, TREATMENT OPTIONS,
14 REFERRAL INFORMATION, AND CONTACT INFORMATION FOR PERSONS
15 SEEKING TREATMENT.

16 (3) A FAMILY THAT RECEIVES SERVICES THROUGH THE PILOT
17 PROGRAM SHALL PAY TO THE PARTICIPATING COMMUNITY MENTAL
18 HEALTH CENTER A CO-PAY NOT TO EXCEED TWENTY DOLLARS FOR EACH
19 CALENDAR MONTH TO COVER ALL SERVICES RECEIVED DURING THAT
20 MONTH. IF THE FAMILY HAS ACCESS TO ALTERNATIVE INSURANCE
21 COVERAGE FOR THE MENTAL HEALTH SERVICES RECEIVED, SUCH
22 ALTERNATIVE FUNDING SHALL BE UTILIZED PRIOR TO ACCESSING PILOT
23 PROGRAM DOLLARS.

24 (4) BEGINNING JULY 1, 2007, COMMUNITY MENTAL HEALTH
25 CENTERS PARTICIPATING IN THE PILOT PROGRAM SHALL COLLECT DATA ON
26 SERVICES PROVIDED AND CLIENT OUTCOMES FOR THE PURPOSE OF
27 DETERMINING THE EFFECTIVENESS OF THE PILOT PROGRAM. NO LATER

1 THAN DECEMBER 1, 2009, EACH PARTICIPATING COMMUNITY MENTAL
2 HEALTH CENTER SHALL SUBMIT A REPORT TO THE DEPARTMENT
3 SUMMARIZING THE OUTCOMES OF THE PILOT PROGRAM. NO LATER THAN
4 FEBRUARY 1, 2010, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE
5 HEALTH AND HUMAN SERVICES COMMITTEES OF THE SENATE AND HOUSE
6 OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, THAT
7 SUMMARIZES THE FINDINGS OF THE PARTICIPATING COMMUNITY MENTAL
8 HEALTH CENTERS.

9 **27-1-305. Mental health services pilot program fund -**
10 **supplemental tobacco litigation settlement moneys account -**
11 **creation.** (1) THERE ARE HEREBY CREATED IN THE STATE TREASURY THE
12 MENTAL HEALTH SERVICES PILOT PROGRAM FUND AND AN ACCOUNT
13 WITHIN THE FUND TO BE KNOWN AS THE SUPPLEMENTAL TOBACCO
14 LITIGATION SETTLEMENT MONEYS ACCOUNT. THE PRINCIPAL OF THE
15 PORTION OF THE FUND THAT IS NOT THE ACCOUNT SHALL CONSIST OF
16 GENERAL FUND APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY FOR
17 THE PILOT PROGRAM AND GIFTS, GRANTS, MATCHING FUNDS, OR
18 DONATIONS RECEIVED BY THE DEPARTMENT FOR THE PILOT PROGRAM
19 FROM THE FEDERAL GOVERNMENT OR ANY OTHER PUBLIC OR PRIVATE
20 SOURCE. THE PRINCIPAL OF THE ACCOUNT SHALL CONSIST OF SETTLEMENT
21 MONEYS, AS DEFINED IN SECTION 24-75-1102 (2), C.R.S., OR INTEREST OR
22 INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF SETTLEMENT
23 MONEYS TRANSFERRED TO THE ACCOUNT FROM THE SHORT-TERM
24 INNOVATIVE HEALTH PROGRAM GRANT FUND CREATED PURSUANT TO
25 SECTION 25-36-101 (2), C.R.S., ENACTED BY SENATE BILL 07-097 AT THE
26 FIRST REGULAR SESSION OF THE SIXTY-SIXTH GENERAL ASSEMBLY, AS
27 REQUIRED BY SECTION 25-36-101 (3), C.R.S. ALL INTEREST AND INCOME

1 EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE PORTION OF
2 THE FUND THAT IS NOT THE ACCOUNT SHALL BE CREDITED TO THAT
3 PORTION OF THE FUND, AND ALL INTEREST AND INCOME EARNED ON THE
4 DEPOSIT AND INVESTMENT OF MONEYS IN THE ACCOUNT SHALL BE
5 CREDITED TO THE ACCOUNT AND REMAIN IN THE ACCOUNT UNTIL
6 TRANSFERRED AS REQUIRED BY THIS SUBSECTION (1). THE DEPARTMENT
7 SHALL USE MONEYS IN THE FUND AND ACCOUNT ONLY TO PURCHASE
8 MENTAL HEALTH SERVICES FOR FAMILIES OF DISCHARGED VETERANS
9 PURSUANT TO THIS PART 3 AND TO PAY THE ADMINISTRATIVE COSTS OF
10 IMPLEMENTING THE PILOT PROGRAM; EXCEPT THAT ADMINISTRATIVE
11 COSTS SHALL NOT EXCEED FIVE PERCENT OF ALL AMOUNTS APPROPRIATED
12 FROM THE FUND OR THE ACCOUNT FOR A FISCAL YEAR; AND EXCEPT THAT,
13 AT THE END OF THE 2007-08 FISCAL YEAR AND AT THE END OF ANY FISCAL
14 YEAR THEREAFTER, ANY UNEXPENDED AND UNENCUMBERED MONEYS IN
15 THE ACCOUNT SHALL BE TRANSFERRED TO THE SHORT-TERM INNOVATIVE
16 HEALTH PROGRAM GRANT FUND.

17 (2) THE DEPARTMENT MAY SOLICIT AND RECEIVE GIFTS, GRANTS,
18 AND DONATIONS FROM PUBLIC AND PRIVATE SOURCES TO CARRY OUT THE
19 PURPOSES OF THIS PART 3, BUT RECEIPT OF GIFTS, GRANTS, AND
20 DONATIONS SHALL NOT BE A PREREQUISITE TO THE IMPLEMENTATION OF
21 THE PILOT PROGRAM. THE DEPARTMENT SHALL TRANSFER ANY MONEYS
22 RECEIVED PURSUANT TO THIS SUBSECTION (3) TO THE STATE TREASURER
23 WHO SHALL CREDIT THEM TO THE FUND IN ACCORDANCE WITH THE
24 PROVISIONS OF SUBSECTION (1) OF THIS SECTION.

25 **27-1-306. Repeal of part.** THIS PART 3 IS REPEALED, EFFECTIVE
26 JULY 1, 2010.

27 **SECTION 2.** 25-36-101, Colorado Revised Statutes, as enacted

1 by Senate Bill 07-097 at the first regular session of the sixty-sixth general
2 assembly, is amended BY THE ADDITION OF A NEW SUBSECTION
3 to read:

4 **25-36-101. Short-term grants for innovative health programs**
5 **- grant fund - creation - transfer of moneys for fiscal years 2007-08**
6 **to 2009-10.** (3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
7 SECTION, FOR THE 2007-08, 2008-09 AND 2009-10 FISCAL YEARS, THE
8 STATE TREASURER SHALL TRANSFER FROM THE SHORT-TERM INNOVATIVE
9 HEALTH PROGRAM GRANT FUND TO THE SUPPLEMENTAL TOBACCO
10 LITIGATION SETTLEMENT MONEYS ACCOUNT OF THE MENTAL HEALTH
11 SERVICES PILOT PROGRAM FUND, CREATED IN SECTION 27-1-305 (1),
12 C.R.S., THE LESSER OF THREE HUNDRED THOUSAND DOLLARS OR TWENTY
13 PERCENT OF THE AMOUNT ALLOCATED TO THE SHORT-TERM INNOVATIVE
14 HEALTH PROGRAM GRANT FUND FOR THE FISCAL YEAR PURSUANT TO
15 SECTION 24-75-1104.5 (1.5) (a) (IX), C.R.S., ENACTED BY SENATE BILL
16 07-097 AT THE FIRST REGULAR SESSION OF THE SIXTY-SIXTH GENERAL
17 ASSEMBLY.

18 **SECTION 3. Effective date.** (1) Except as otherwise provided
19 in subsection (2) of this section, this act shall take effect upon passage.

20 (2) Section 27-1-305, Colorado Revised Statutes, as set forth in
21 section 1 of this act, and section 2 of this act shall only take effect if
22 Senate Bill 07-097 is enacted at the first regular session of the sixty-sixth
23 general assembly and becomes law.

24 **SECTION 4. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety.