

First Regular Session  
Sixty-sixth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 07-0582.02 Jane Ritter

**SENATE BILL 07-146**

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**SENATE SPONSORSHIP**

**Morse,**

**HOUSE SPONSORSHIP**

**Rice,**

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**Senate Committees**

State, Veterans & Military Affairs  
Appropriations

**House Committees**

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**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, AND MAKING AN APPROPRIATION**  
104 **THEREFOR.**

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**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

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.*

SENATE  
3rd Reading Unamended  
April 18, 2007

SENATE  
Amended 2nd Reading  
April 17, 2007

mental health services from community mental health centers in the Colorado Springs area for families of recently discharged veterans. Requires participating community mental health centers to collect data on pilot program outcomes and submit a report to the department. Requires the department to make a report to the general assembly on the results of the pilot program prior to the repeal of the pilot program.

Creates a mental health services pilot program fund and a supplemental tobacco litigation settlement moneys account within the fund and, with limited and specified exceptions requires moneys in the fund and account to be used by the department to purchase mental health services for families of discharged veterans pursuant to the pilot program. Requires the lesser of a specified percentage or specified amount of the tobacco litigation settlement moneys to be allocated to a new short-term innovative health program grant fund under the provisions of Senate Bill 07-097, which is still pending approval by the General Assembly, to be credited to the account.

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

2 **SECTION 1.** Article 1 of title 27, Colorado Revised Statutes, is  
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 3**

5 **MENTAL HEALTH SERVICES PILOT PROGRAM FOR**  
6 **FAMILIES OF DISCHARGED VETERANS OF OPERATION**  
7 **ENDURING FREEDOM AND OPERATION IRAQI FREEDOM**

8 **27-1-301. Short title.** THIS PART 3 SHALL BE KNOWN AND MAY BE  
9 CITED AS THE "MENTAL HEALTH SERVICES PILOT PROGRAM FOR FAMILIES  
10 OF RECENTLY DISCHARGED VETERANS ACT".

11 **27-1-302. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
12 HEREBY FINDS AND DECLARES THAT:

13 (a) CURRENT RESEARCH INDICATES THAT THERE EXISTS A  
14 MILITARY CULTURE IN THE UNITED STATES THAT IS RELUCTANT TO SEEK  
15 MENTAL HEALTH SERVICES, IN PART BECAUSE OF A WIDELY HELD  
16 PERCEPTION THAT SEEKING MENTAL HEALTH SERVICES WILL DESTROY A

1 MILITARY CAREER. THIS PERCEPTION ADDS ADDITIONAL STRESS TO A  
2 VETERAN OR THE FAMILY OF A VETERAN IN ADDITION TO THE UNDERLYING  
3 CAUSE OF THEIR DISTRESS, THUS COMPOUNDING THE INITIAL PROBLEM.

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

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

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

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

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

1 (1) "COMMUNITY MENTAL HEALTH CENTER" MEANS A NONPROFIT  
2 COMMUNITY MENTAL HEALTH CENTER AS DEFINED IN SECTION 27-1-201  
3 (2).

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

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

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

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

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

16 **27-1-304. Pilot program - creation - scope - reporting.**

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

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

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

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

25 (4) BEGINNING JULY 1, 2007, COMMUNITY MENTAL HEALTH  
26 CENTERS PARTICIPATING IN THE PILOT PROGRAM SHALL COLLECT DATA ON  
27 SERVICES PROVIDED AND CLIENT OUTCOMES FOR THE PURPOSE OF

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

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

1       REQUIRED BY SECTION 25-36-101 (3), C.R.S. ALL INTEREST AND INCOME  
2       EARNED ON THE DEPOSIT AND INVESTMENT OF MONEYS IN THE PORTION OF  
3       THE FUND THAT IS NOT THE ACCOUNT SHALL BE CREDITED TO THAT  
4       PORTION OF THE FUND, AND ALL INTEREST AND INCOME EARNED ON THE  
5       DEPOSIT AND INVESTMENT OF MONEYS IN THE ACCOUNT SHALL BE  
6       CREDITED TO THE ACCOUNT AND REMAIN IN THE ACCOUNT UNTIL  
7       TRANSFERRED AS REQUIRED BY THIS SUBSECTION (1). THE DEPARTMENT  
8       SHALL USE MONEYS IN THE FUND AND ACCOUNT ONLY TO PURCHASE  
9       MENTAL HEALTH SERVICES FOR FAMILIES OF DISCHARGED VETERANS  
10       PURSUANT TO THIS PART 3 AND TO PAY THE ADMINISTRATIVE COSTS OF  
11       IMPLEMENTING THE PILOT PROGRAM; EXCEPT THAT ADMINISTRATIVE  
12       COSTS SHALL NOT EXCEED FIVE PERCENT OF ALL AMOUNTS APPROPRIATED  
13       FROM THE FUND OR THE ACCOUNT FOR A FISCAL YEAR; AND EXCEPT THAT,  
14       AT THE END OF THE 2007-08 FISCAL YEAR AND AT THE END OF ANY FISCAL  
15       YEAR THEREAFTER, ANY UNEXPENDED AND UNENCUMBERED MONEYS IN  
16       THE ACCOUNT SHALL BE TRANSFERRED TO THE SHORT-TERM INNOVATIVE  
17       HEALTH PROGRAM GRANT FUND.

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

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

1           **SECTION 2.** 25-36-101, Colorado Revised Statutes, as enacted  
2 by Senate Bill 07-097 at the first regular session of the sixty-sixth general  
3 assembly, is amended BY THE ADDITION OF A NEW SUBSECTION  
4 to read:

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

19           **SECTION 3. Appropriation.** (1) In addition to any other  
20 appropriation, there is hereby appropriated, out of any moneys in the  
21 supplemental tobacco litigation settlement moneys account of the mental  
22 health services pilot program fund, created in section 27-1-305 (1),  
23 Colorado Revised Statute, not otherwise appropriated, to the department  
24 of human services, for the fiscal year beginning July 1, 2007, the sum of  
25 three hundred thousand dollars (\$300,000) and 0.3 FTE, or so much  
26 thereof as may be necessary, for the implementation of this act. Of said  
27 sum, fourteen thousand four hundred seventy-one dollars (\$14,471) and

1 0.3 FTE shall be allocated to mental health and alcohol and drug abuse  
2 services, administration, and two hundred eighty-five thousand five  
3 hundred twenty-nine dollars (\$285,529) shall be allocated to mental  
4 health community programs.

5 **SECTION 4. Effective date.** (1) Except as otherwise provided  
6 in subsection (2) of this section, this act shall take effect upon passage.

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

11 **SECTION 5. Safety clause.** The general assembly hereby finds,  
12 determines, and declares that this act is necessary for the immediate  
13 preservation of the public peace, health, and safety.