

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 10, 2015
Date

Committee on Public Health Care & Human Services.

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

HB15-1087 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, strike everything below the enacting clause and
2 substitute:
- 3 "SECTION 1. In Colorado Revised Statutes, **add** 27-80-118 as
4 follows:
- 5 **27-80-118. Alcohol and substance abuse medical detox centers**
6 **pilot program - legislative declaration - definitions - administration**
7 **- reporting - fund - repeal.** (1) (a) THE GENERAL ASSEMBLY FINDS AND
8 DECLARES THAT COLORADO HAS TWO SEPARATE LICENSED LEVELS OF
9 DETOXIFICATION IN SEPARATE FACILITY SETTINGS WHEN OFTEN
10 INDIVIDUALS REQUIRING DETOXIFICATION FOR SUBSTANCE ABUSE NEED
11 DETOXIFICATION TREATMENT, AS DEFINED IN SECTION 27-80-203 (9), AT
12 ONE CONSOLIDATED FACILITY.
- 13 (b) THEREFORE, THE GENERAL ASSEMBLY WILL CREATE A PILOT
14 PROGRAM TO TRIAGE INDIVIDUALS REQUIRING DETOXIFICATION FOR
15 SUBSTANCE ABUSE, AND THIS PROGRAM WILL ASSIST IN MEETING THEIR
16 NEEDS IN A TIMELY MANNER. THE PILOT PROGRAM WILL ALLOW FOR THE
17 COLLABORATION AND USE OF THE TWO LICENSED LEVELS OF
18 DETOXIFICATION TREATMENT BY AN APPROVED SERVICE PROVIDER WHILE
19 PROVIDING THE APPROPRIATE LEVEL OF CARE AND ENSURING INDIVIDUAL
20 SAFETY.
- 21 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:
- 23 (a) "FUND" MEANS THE SUBSTANCE ABUSE MULTI-LEVEL
24 DETOXIFICATION CARE CENTERS PILOT PROGRAM FUND CREATED IN

1 SUBSECTION (4) OF THIS SECTION.

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

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

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

31 (e) "RURAL TREATMENT CENTER" MEANS AN ALCOHOL OR
32 SUBSTANCE ABUSE TREATMENT CENTER THAT SERVES A COUNTY OR
33 GROUP OF COUNTIES THAT HAS A TOTAL POPULATION OF LESS THAN FIFTY
34 THOUSAND PEOPLE, ACCORDING TO THE MOST RECENTLY AVAILABLE
35 POPULATION STATISTICS OF THE UNITED STATES DEPARTMENT OF
36 COMMERCE'S BUREAU OF THE CENSUS.

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

1 (3) (a) THERE IS CREATED WITHIN THE UNIT THE SUBSTANCE ABUSE
2 MULTI-LEVEL DETOXIFICATION CARE CENTERS PILOT PROGRAM. THE
3 PURPOSE OF THE PILOT PROGRAM IS TO ALLOW INDIVIDUALS TO BE
4 TRIAGED WITHIN THE TWO LEVELS OF DETOXIFICATION TREATMENT,
5 DEPENDING ON THE SPECIFIC NEEDS OF THE INDIVIDUAL AFTER INITIAL
6 ASSESSMENT, ALLOWING THE INDIVIDUAL TO RECEIVE SERVICES FROM AN
7 APPROVED SERVICE PROVIDER FOR BOTH LICENSED MEDICALLY
8 MONITORED INPATIENT DETOXIFICATION AND LICENSED CLINICALLY
9 MANAGED RESIDENTIAL DETOXIFICATION. THE PILOT PROGRAM PROVIDES
10 LICENSED MEDICALLY MONITORED INPATIENT DETOXIFICATION AND
11 LICENSED CLINICALLY MANAGED RESIDENTIAL DETOXIFICATION WITH THE
12 ABILITY TO PROVIDE COLLABORATIVE SERVICES THROUGH CONGRUENCE
13 WITH THE SELECTED PILOT SITES TO INDIVIDUALS WHOSE WITHDRAWAL
14 SIGNS AND SYMPTOMS FROM ALCOHOL, OPIATES, OR OTHER SUBSTANCES
15 ARE SUFFICIENTLY SEVERE AS TO REQUIRE TWENTY-FOUR-HOUR
16 OBSERVATION, MONITORING, AND TREATMENT.

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

32 (II) THE UNIT, THROUGH A COMPETITIVE PROCUREMENT PROCESS,
33 SHALL SECURE AN INDEPENDENT EVALUATOR TO PROVIDE AN EVALUATION
34 OF THE OUTCOMES FOR THE TWO PILOT PROGRAM CENTERS TO ASSESS
35 THEIR EFFECTIVENESS. THE INDEPENDENT EVALUATOR SHALL SUBMIT A
36 REPORT FOR THE PILOT PROGRAM TO THE UNIT ON OR BEFORE OCTOBER 1,
37 2017, AND ON OR BEFORE OCTOBER 1, 2018. ON OR BEFORE OCTOBER 1,
38 2019, THE INDEPENDENT EVALUATOR SHALL SUBMIT A FINAL WRITTEN
39 REPORT TO THE UNIT, THE PUBLIC HEALTH CARE AND HUMAN SERVICES
40 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE HEALTH AND
41 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR

1 COMMITTEES.

2 (c) THE TREATMENT CENTERS PARTICIPATING IN THE PILOT
3 PROGRAM SHALL OPERATE THEIR PILOT PROGRAMS FOR THREE YEARS.
4 EACH TREATMENT CENTER SHALL SUBMIT DATA AND NECESSARY
5 INFORMATION WHEN REQUESTED BY THE UNIT AND THE INDEPENDENT
6 EVALUATOR IN THE PRESCRIBED FORMAT.

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

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

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly
25 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
26 if a referendum petition is filed pursuant to section 1 (3) of article V of
27 the state constitution against this act or an item, section, or part of this act
28 within such period, then the act, item, section, or part will not take effect
29 unless approved by the people at the general election to be held in
30 November 2016 and, in such case, will take effect on the date of the
31 official declaration of the vote thereon by the governor."

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