INTRODUCED

HOUSE BILL 18-1136

A BILL FOR AN ACT

CONCERNING TREATMENT FOR INDIVIDUALS WITH SUBSTANCE USE DISORDERS, AND, IN CONNECTION THERewith, ADDING RESIDENTIAL AND INPATIENT TREATMENT TO THE COLORADO MEDICAL ASSISTANCE 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://leg.colorado.gov/.)

Opioid and Other Substance Use Disorders Interim Study Committee. The bill adds residential and inpatient substance use disorder services to the Colorado medical assistance program. The benefit is
limited to persons who meet nationally recognized, evidence-based level of care criteria for residential and inpatient substance use disorder treatment. The benefit will not be effective until the department of health care policy and financing seeks and receives any federal authorization necessary to secure federal financial participation in the program.

If an enhanced residential and inpatient substance use disorder treatment benefit becomes available, managed care organizations shall reprioritize the use of money allocated from the marijuana tax cash fund to assist in providing treatment, including residential treatment, to persons who are not otherwise covered by public or private insurance.

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

SECTION 1. In Colorado Revised Statutes, 25.5-5-202, add (1)(x) as follows:

25.5-5-202. Basic services for the categorically needy - optional services. (1) Subject to the provisions of subsection (2) of this section, the following are services for which federal financial participation is available and that Colorado has selected to provide as optional services under the medical assistance program:

(x) (I) RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT PURSUANT TO SECTION 25.5-5-324.

(II) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)(x)(I) OF THIS SECTION, RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT SHALL NOT TAKE EFFECT UNLESS ALL NECESSARY APPROVALS UNDER FEDERAL LAW AND REGULATION HAVE BEEN OBTAINED TO RECEIVE FEDERAL FINANCIAL PARTICIPATION FOR THE COSTS OF SUCH SERVICES.

SECTION 2. In Colorado Revised Statutes, add 25.5-5-324 as follows:

25.5-5-324. Residential and inpatient substance use disorder treatment - federal approval. (1) SUBJECT TO AVAILABLE APPROPRIATIONS AND TO THE EXTENT PERMITTED UNDER FEDERAL LAW,
THE MEDICAL ASSISTANCE PROGRAM PURSUANT TO THIS ARTICLE 5 AND ARTICLES 4 AND 6 OF THIS TITLE 25.5 INCLUDES RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT. PARTICIPATION IN THE RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT BENEFIT IS LIMITED TO PERSONS WHO MEET NATIONALLY RECOGNIZED, EVIDENCE-BASED, LEVEL OF CARE CRITERIA FOR RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT. THE BENEFIT SHALL SERVE PERSONS WITH SUBSTANCE USE DISORDERS, INCLUDING THOSE WITH CO-OCCURRING MENTAL HEALTH DISORDERS.

(2) NO LATER THAN OCTOBER 1, 2018, THE STATE DEPARTMENT SHALL SEEK FEDERAL AUTHORIZATION TO PROVIDE RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT WITH FULL FEDERAL FINANCIAL PARTICIPATION. RESIDENTIAL AND INPATIENT SUBSTANCE USE DISORDER TREATMENT SHALL NOT TAKE EFFECT UNTIL FEDERAL APPROVAL HAS BEEN OBTAINED.

SECTION 3. In Colorado Revised Statutes, 27-80-107.5, amend (4)(c) as follows:

27-80-107.5. Increasing access to effective substance use disorder services act - managed service organizations - substance use disorder services - assessment - community action plan - allocations - reporting requirements - evaluation. (4) (c) It is the intent of the general assembly that each designated managed service organization use money allocated to it from the marijuana tax cash fund to cover expenditures for substance use disorder services that are not otherwise covered by public or private insurance. Except as provided in paragraph (a) of this subsection (4) SUBSECTION (4)(a) OF THIS SECTION, each managed service organization may use its allocation from the marijuana
tax cash fund to implement its community action plan and increase access
to substance use disorder services for populations in need of such services
that are within its geographic region. If an enhanced residential and
inpatient substance use disorder treatment benefit becomes
available under the Colorado Medical Assistance Program,
managed service organizations shall reprioritize the use of
money allocated from the marijuana tax cash fund to assist in
providing substance use disorder treatment, including
residential and inpatient substance use disorder treatment, to
persons who are not otherwise covered by public or private
insurance.

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