

CHAPTER 160

HUMAN SERVICES - BEHAVIORAL HEALTH

HOUSE BILL 25-1132

BY REPRESENTATIVE(S) Camacho and Stewart R., Duran, Carter, Gilchrist, Lindstedt, Martinez, Phillips, Smith, Bacon, Bird, Boesenecker, Brown, English, Garcia, Hamrick, Joseph, Lindsay, Lukens, Mabrey, Paschal, Ricks, Rutinel, Stewart K., Willford, McCluskie;
also SENATOR(S) Hinrichsen and Bridges, Ball, Cutter, Danielson, Daugherty, Exum, Gonzales J., Jodeh, Kipp, Kolker, Marchman, Michaelson Jenet, Mullica, Roberts, Rodriguez, Sullivan, Wallace, Weissman, Winter F., Coleman.

AN ACT

CONCERNING CREATING THE MILITARY FAMILY BEHAVIORAL HEALTH GRANT PROGRAM IN THE VETERANS MENTAL HEALTH SERVICES PROGRAM, AND, IN CONNECTION THEREWITH, REDUCING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **repeal and reenact, with amendments**, 28-5-714 as follows:

28-5-714. Veterans mental health services program - community behavioral health program grants - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (a) "ARMED FORCES" MEANS THE ARMY, NAVY, AIR FORCE, MARINE CORPS, SPACE FORCE, AND COAST GUARD OF THE UNITED STATES.
- (b) "BEHAVIORAL HEALTH ADMINISTRATION" OR "BHA" MEANS THE BEHAVIORAL HEALTH ADMINISTRATION IN THE DEPARTMENT OF HUMAN SERVICES ESTABLISHED PURSUANT TO SECTION 27-50-102.
- (c) "DIVISION" MEANS THE DIVISION OF VETERANS AFFAIRS IN THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS.
- (d) "ELIGIBLE VETERAN" MEANS A VETERAN, AS DEFINED IN SECTION 28-5-100.3, WHO LIVES IN A VETERANS COMMUNITY LIVING CENTER, AS DEFINED IN SECTION 26-12-102.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(e) "HEALTH-CARE PROFESSIONAL" MEANS:

(I) A LICENSED PSYCHIATRIST REGULATED PURSUANT TO ARTICLE 240 OF TITLE 12;

(II) A LICENSED PSYCHOLOGIST OR PSYCHOLOGIST CANDIDATE REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12;

(III) A LICENSED SOCIAL WORKER, LICENSED CLINICAL SOCIAL WORKER, OR CLINICAL SOCIAL WORKER CANDIDATE REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12;

(IV) A LICENSED MARRIAGE AND FAMILY THERAPIST OR MARRIAGE AND FAMILY THERAPIST CANDIDATE REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12;

(V) A LICENSED PROFESSIONAL COUNSELOR OR LICENSED PROFESSIONAL COUNSELOR CANDIDATE REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12;

(VI) A LICENSED ADDICTION COUNSELOR, CERTIFIED ADDICTION SPECIALIST, OR ADDICTION COUNSELOR CANDIDATE REGULATED PURSUANT TO ARTICLE 245 OF TITLE 12;

(VII) AN ADVANCED PRACTICE REGISTERED NURSE LICENSED PURSUANT TO ARTICLE 255 OF TITLE 12;

(VIII) AN ACUPUNCTURIST LICENSED PURSUANT TO ARTICLE 200 OF TITLE 12;

(IX) A MASSAGE THERAPIST LICENSED PURSUANT TO ARTICLE 235 OF TITLE 12;

(X) A HEALTH-CARE PROFESSIONAL WHO IS CERTIFIED IN THE PRACTICE OF USING TOUCH OR HEALING TOUCH TO AFFECT THE HUMAN ENERGY SYSTEMS; OR

(XI) A HEALTH-CARE PROFESSIONAL WHO IS CERTIFIED IN CRANIOSACRAL THERAPIES.

(f) "SERVICE MEMBER" MEANS A PERSON WHO IS:

(I) AN ACTIVE-DUTY MEMBER OF THE ARMED FORCES;

(II) A MEMBER OF THE RESERVE FORCES OF THE UNITED STATES; OR

(III) A MEMBER OF THE FEDERALLY RECOGNIZED NATIONAL GUARD.

(g) "TELEHEALTH" HAS THE SAME MEANING AS SET FORTH IN SECTION 10-16-123.

(h) "VETERAN" MEANS A PERSON WHO SERVED IN THE ARMED FORCES, THE FEDERALLY RECOGNIZED NATIONAL GUARD, OR THE RESERVE FORCES OF THE UNITED STATES AND WHO WAS DISCHARGED OR RELEASED FROM SERVICE.

(2) (a) THERE IS ESTABLISHED IN THE DIVISION A VETERANS MENTAL HEALTH SERVICES PROGRAM TO PROMOTE ACCESS TO MENTAL HEALTH SERVICES FOR

ELIGIBLE VETERANS BY REIMBURSING HEALTH-CARE PROFESSIONALS FOR SESSIONS WITH AN ELIGIBLE VETERAN.

(b) THE DIVISION SHALL REIMBURSE A HEALTH-CARE PROFESSIONAL WHO PARTICIPATES IN THE VETERANS MENTAL HEALTH SERVICES PROGRAM FOR MENTAL HEALTH-CARE SESSIONS, EITHER IN PERSON OR THROUGH TELEHEALTH, WITH ELIGIBLE VETERANS. EACH ELIGIBLE VETERAN MAY RECEIVE TWENTY-SIX REIMBURSED SESSIONS PER YEAR.

(c) SUBJECT TO AVAILABLE APPROPRIATIONS, AN ELIGIBLE VETERAN MAY RECEIVE AND THE DIVISION SHALL REIMBURSE A HEALTH-CARE PROFESSIONAL FOR:

(I) ADDITIONAL REIMBURSED SESSIONS IF A HEALTH-CARE PROFESSIONAL DETERMINES ADDITIONAL SESSIONS ARE NECESSARY; AND

(II) COMPLEMENTARY BEHAVIORAL HEALTH SERVICES, INCLUDING, BUT NOT LIMITED TO, ACUPUNCTURE, HEALING TOUCH THERAPY, MASSAGE THERAPY, ACUPRESSURE, AND CRANIOSACRAL THERAPY FOR THE PURPOSE OF SUPPORTING AN ELIGIBLE VETERAN'S MENTAL HEALTH WHEN PROVIDED BY A QUALIFIED HEALTH-CARE PROFESSIONAL.

(d) TO BE ELIGIBLE TO PARTICIPATE IN AND RECEIVE REIMBURSEMENT FROM THE VETERANS MENTAL HEALTH SERVICES PROGRAM, A HEALTH-CARE PROFESSIONAL MUST BE AVAILABLE TO PROVIDE AT LEAST FOUR MENTAL HEALTH-CARE SESSIONS TO EACH ELIGIBLE VETERAN THE HEALTH-CARE PROFESSIONAL ACCEPTS AS A CLIENT.

(e) THE DIVISION SHALL:

(I) DEVELOP A PROCESS CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION FOR HEALTH-CARE PROFESSIONALS TO APPLY FOR AND DEMONSTRATE ELIGIBILITY TO RECEIVE REIMBURSEMENT FROM THE VETERANS MENTAL HEALTH SERVICES PROGRAM;

(II) UPON REIMBURSING A HEALTH-CARE PROFESSIONAL FOR A MENTAL HEALTH-CARE SESSION WITH AN ELIGIBLE VETERAN, INFORM THE HEALTH-CARE PROFESSIONAL OF THE VETERAN'S REMAINING NUMBER OF SESSIONS ELIGIBLE FOR REIMBURSEMENT THAT YEAR; AND

(III) DETERMINE A REASONABLE RATE OF REIMBURSEMENT FOR EACH MENTAL HEALTH-CARE SESSION WITH AN ELIGIBLE VETERAN PURSUANT TO THE VETERANS MENTAL HEALTH SERVICES PROGRAM, WHICH RATE MUST BE THE SAME REGARDLESS OF WHETHER THE APPOINTMENT IS IN-PERSON OR THROUGH TELEHEALTH.

(f) THE ADJUTANT GENERAL, IN CONSULTATION WITH THE BOARD OF VETERANS AFFAIRS, SHALL ADOPT RULES NECESSARY FOR THE IMPLEMENTATION OF THIS SUBSECTION (2).

(3) FOR EACH STATE FISCAL YEAR, THE GENERAL ASSEMBLY SHALL APPROPRIATE MONEY TO THE DIVISION FOR THE PURPOSES OF THE VETERANS MENTAL HEALTH SERVICES PROGRAM. THE FIRST SIX HUNDRED THOUSAND DOLLARS MUST BE USED FOR ELIGIBLE VETERANS.

(4) (a) THE BHA SHALL COORDINATE WITH THE DIVISION TO CONTINUE AND EXPAND THE VETERANS MENTAL HEALTH SERVICES PROGRAM USING THE MONEY TRANSFERRED PURSUANT TO SECTION 39-37-301 (2)(a)(II) TO THE BEHAVIORAL AND MENTAL HEALTH CASH FUND, CREATED IN SECTION 24-75-230 (2)(a), IN ACCORDANCE WITH SECTION 24-75-230 (3.5).

(b) THE BHA SHALL POST ON ITS WEBSITE A LIST OF HEALTH-CARE PROFESSIONALS WHO PARTICIPATE IN THE VETERANS MENTAL HEALTH SERVICES PROGRAM.

(5) (a) IN EXPANDING THE VETERANS MENTAL HEALTH SERVICES PROGRAM PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION, THE BHA SHALL PROVIDE GRANTS TO LOCAL NONPROFIT ORGANIZATIONS TO ESTABLISH AND EXPAND COMMUNITY BEHAVIORAL HEALTH PROGRAMS THAT PROVIDE BEHAVIORAL HEALTH SERVICES TO SERVICE MEMBERS, VETERANS, AND FAMILY MEMBERS OF SERVICE MEMBERS AND VETERANS.

(b) IF A LOCAL NONPROFIT ORGANIZATION RECEIVES A GRANT PURSUANT TO THIS SUBSECTION (5) AND THE ORGANIZATION CONTINUES TO MEET PERFORMANCE METRICS DEVELOPED BY THE BHA, THE BHA MAY DISTRIBUTE AN ADDITIONAL GRANT TO THE LOCAL NONPROFIT ORGANIZATION WITHOUT REQUIRING THE ORGANIZATION TO REAPPLY FOR THE GRANT.

(c) TO RECEIVE A GRANT, A LOCAL NONPROFIT ORGANIZATION MUST SUBMIT AN APPLICATION TO THE BHA IN ACCORDANCE WITH RULES ADOPTED BY THE COMMISSIONER OF THE BHA.

(d) IN ITS APPLICATION, A LOCAL NONPROFIT ORGANIZATION SHALL DEMONSTRATE THAT THE ORGANIZATION:

(I) SERVES THE BEHAVIORAL HEALTH NEEDS OF SERVICE MEMBERS, VETERANS, AND FAMILY MEMBERS OF SERVICE MEMBERS AND VETERANS IN THE LOCALITY SERVED BY THE LOCAL NONPROFIT ORGANIZATION;

(II) UTILIZES EVIDENCE-BASED PRACTICES;

(III) INTEGRATES MILITARY CULTURAL COMPETENCY TRAINING FOR THE LOCAL NONPROFIT ORGANIZATION'S STAFF; AND

(IV) HAS ESTABLISHED AND VERIFIABLE COMMUNITY PARTNERSHIPS TO DELIVER BEHAVIORAL HEALTH SERVICES ALONG THE CONTINUUM OF CARE TO SERVICE MEMBERS, VETERANS, AND THEIR FAMILY MEMBERS.

(e) THE BHA SHALL PRIORITIZE AWARDED GRANTS TO A GRANT APPLICANT THAT:

(I) APPLIES FOR A GRANT TO SUPPORT THE OPERATING COSTS FOR A QUALIFYING PROJECT, AS DETERMINED BY THE BHA, FOR WHICH CAPITAL INVESTMENTS HAVE ALREADY BEEN MADE;

(II) PROVIDES CULTURALLY COMPETENT BEHAVIORAL HEALTH SERVICES TO

SERVICE MEMBERS, VETERANS, AND FAMILY MEMBERS OF SERVICE MEMBERS AND VETERANS;

(III) HAS THE ABILITY TO SUBMIT DATA THAT THE BHA DETERMINES IS NECESSARY TO MEASURE THE IMPACT OF THE GRANT PROGRAM; AND

(IV) DEMONSTRATES A HISTORY OF COLLABORATION WITH, AND PROVIDING SERVICES FOR, MILITARY AND VETERANS COMMUNITY ORGANIZATIONS IN COLORADO.

(f) THE COMMISSIONER OF THE BHA SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (5), INCLUDING PERFORMANCE METRICS FOR LOCAL NONPROFIT ORGANIZATIONS THAT RECEIVE A GRANT.

SECTION 2. Appropriation - adjustments to 2025 long bill. (1) Except as provided in subsection (2) of this section, to implement this act, the reappropriated funds appropriation made in the annual general appropriation act for the 2025-26 state fiscal year to the department of military and veterans affairs for use by the division of veterans affairs for veterans mental health services is decreased by \$5,000,000. This appropriation is from reappropriated funds received from the department of human services for use by the behavioral health administration.

(2) Subsection (1) of this section does not require a reduction of an appropriation in the annual general appropriations act for the 2025-26 state fiscal year if:

(a) The amount of reappropriated funds made in the annual general appropriation act for the 2025-26 state fiscal year to the department of military and veterans affairs for use by the division of veterans affairs for veterans mental health is less than the amount of the adjustment required in subsection (1) of this section; or

(b) The annual general appropriation act for the 2025-26 state fiscal year does not include an appropriation to the department of military and veterans affairs for use by the division of veterans affairs for veterans mental health.

SECTION 3. Act subject to petition - effective date. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) Section 2 of this act takes effect only if the annual general appropriation act for the 2025-26 state fiscal year becomes law, in which case section 2 takes effect upon the effective date of this act or of the annual general appropriation act for state fiscal year 2025-26, whichever is later.

Approved: May 1, 2025