

2015 *Legislative Report*



Broker Change | Reduce Stigma | Improve Lives



Mental Health America of Colorado
1385 South Colorado Blvd., Suite 610
Denver, Colorado 80222
720.208.2220 TEL
720.208.2250 FAX

facebook.com/mhacolorado
twitter.com/mhacolorado
linkedin.com/mhacolorado

www.mhacolorado.org



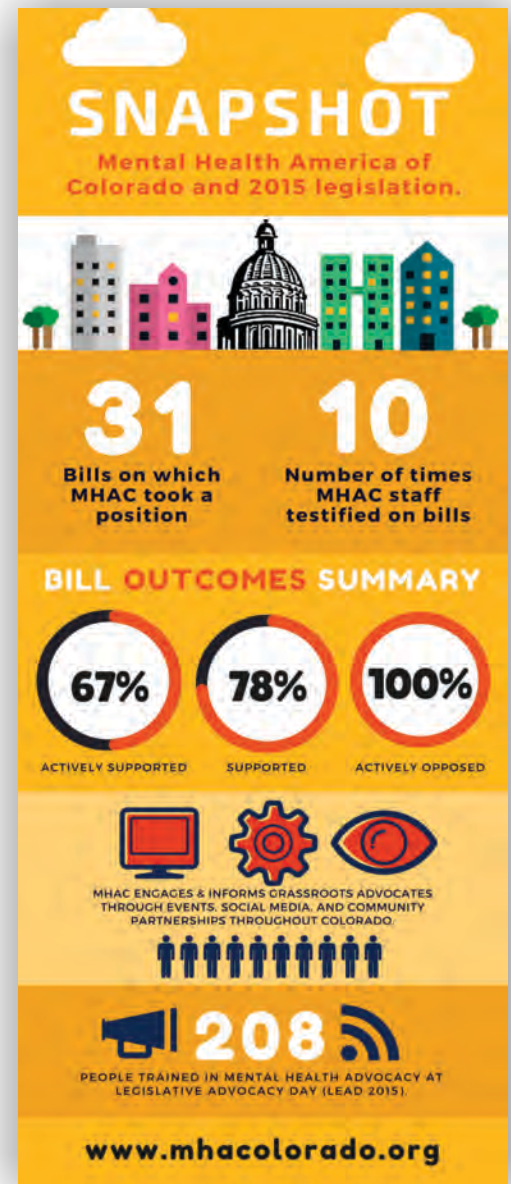
Executive Summary

The first regular session of Colorado's 70th General Assembly convened in January, 2015 under new management. In the 2014 elections, voters gave Republicans control of the state Senate for the first time in a decade and narrowed the Democrats' majority in the House, splitting control of the legislature between the two parties. Divided control at the capitol led to some partisan showdowns, but also encouraged bipartisan cooperation on issues affecting Coloradans' mental health.

Mental Health America of Colorado (MHAC) partnered with lawmakers from both parties to shape statewide responses to complex challenges, and to prevent harmful proposals from becoming law. Every bill MHAC opposed during the session was defeated, and 77% of the bills it supported passed. Staff also worked closely with leadership in the House and Senate to ensure that Coloradans who experience mental health conditions and substance use disorders, their families, and caregivers had a strong voice at the highest levels of legislative negotiations.

Legislation affecting Coloradans' mental health ranged from direct health care policy to law enforcement and criminal justice reform. As Colorado continues to implement its homegrown approach to health systems transformation, legislative priorities centered on oversight and evaluation, barriers to access in rural areas and among specific populations, and planning for future needs. Recent turmoil between police departments and local communities created an opening for bipartisan cooperation on reform, which MHAC ensured addressed the need for greater training concerning people with mental health conditions and substance use disorders. Increased state revenues from a growing economy led to a crossroads in the budget process, with the Taxpayer Bill of Rights constitutional amendment coming into conflict with funding for public health, education, and other priorities.

MHAC plays a unique role by reconnecting these and other policy areas to the underlying need for Coloradans to have equitable opportunities for health, including mental health. Some bills from the 2015 legislative expanded opportunities, while others threatened to curtail them. Together with partners in health advocacy, state government, and diverse communities across Colorado, MHAC will continue to advance those opportunities for all Coloradans.





Expanding Access

MHAC supported and helped shape many successful bills to improve access to whole-person health care for Coloradans regardless of age, where they live, or what type of health challenges they experience. These bills eliminate policy barriers to care, promote health care workforce capacity, and set the stage for collaboration on big-picture challenges.

HB 15-1029: Allows health plans to pay for remote **telehealth** services statewide, including mental health care. This care delivery option is particularly important for people in rural and frontier areas and those who have difficulty accessing transportation.

HB 15-1032: Updates definition of professional persons allowed to provide **mental health care to minors** to include licensed social workers, marriage and family therapists, professional counselors, and addiction counselors. This bill will help more Colorado youth access appropriate and confidential mental health and counseling services.

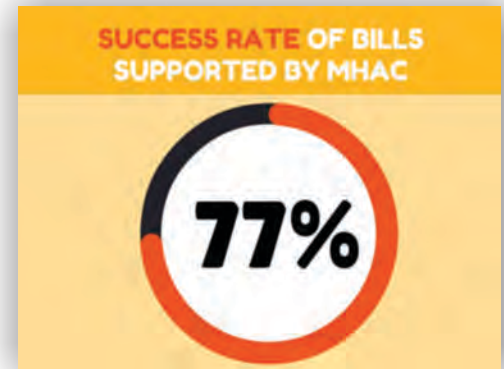
HB 15-1033: Creates strategic action **planning group on aging** to study issues related to the increasing number of Coloradans over the age of 50. MHAC worked with the bill sponsors to ensure that older Coloradans' mental health will be a focus of this group. MHAC will remain engaged with this group going forward.

HB 15-1067: Currently, psychologists are the only mental health professionals in Colorado who do not have ongoing professional development requirements. This bill creates a **continuing education program for licensed psychologists** to improve skills such as suicide prevention to trauma-informed care.

SB 15-015: Adds **autism spectrum disorder to Colorado's mental health parity law** for the purposes of insurance coverage, beginning in 2017. This change removes a technical barrier to parents accessing intensive early childhood treatment that can dramatically change the trajectory of their child's lifelong health and functioning. MHAC will continue to work with insurers, providers, and parents to improving care for all Coloradans who experience autism.

SB 15-053: Allows licensed prescribers to dispense **emergency medication for opiate-related overdoses** to individuals who are at risk, their family members, harm reduction specialists, and first responders. Expanding access to these lifesaving drugs is an essential step in combating the growing number of opiate misuse and overdose deaths in Colorado.

SB 15-197: Currently, Colorado nurses are required to complete 3,600 hours of training in order to be able to prescribe medications to patients—one of the most arduous standards in the nation. This bill gives **advance practice nurses prescriptive authority** after 1,000 hours, expanding Colorado's workforce capacity to deliver primary health care, especially in under-served areas.





Advocating for a Smarter Budget

While Colorado's economy has been growing faster than most of the nation, its budget continues to feel the squeeze of the Taxpayer Bill of Rights. State revenue growth is set to trigger rebates to taxpayers, prompting lawmakers to make difficult choices about which state programs will receive increasingly scarce funding. MHAC monitored the budget process closely and educated Joint Budget Committee members about the high return on investment in mental health and substance use disorder services. In the end, there were several wins for Colorado's mental health in the fiscal year 2015-16 budget.

\$92.7 million increase for behavioral health managed care programs, made available through Colorado's participation in expanded Medicaid eligibility under the Affordable Care Act.

\$81.3 million to increase reimbursement rates for behavioral health service providers in child welfare and foster care, substance abuse prevention, and other programs.

\$3.7 million for expanded mental health services in correctional system, including criminal justice diversion programs for youth.



As advocates and legislators consider next steps in ensuring Colorado's long-term financial health, MHAC will continue to advocate for increased investments in services that are proven to control costs over time: prevention, early intervention, long-term recovery supports, and health promotion. The more Colorado invests "upstream," the more it will save taxpayers in the long run.





Protecting Progress

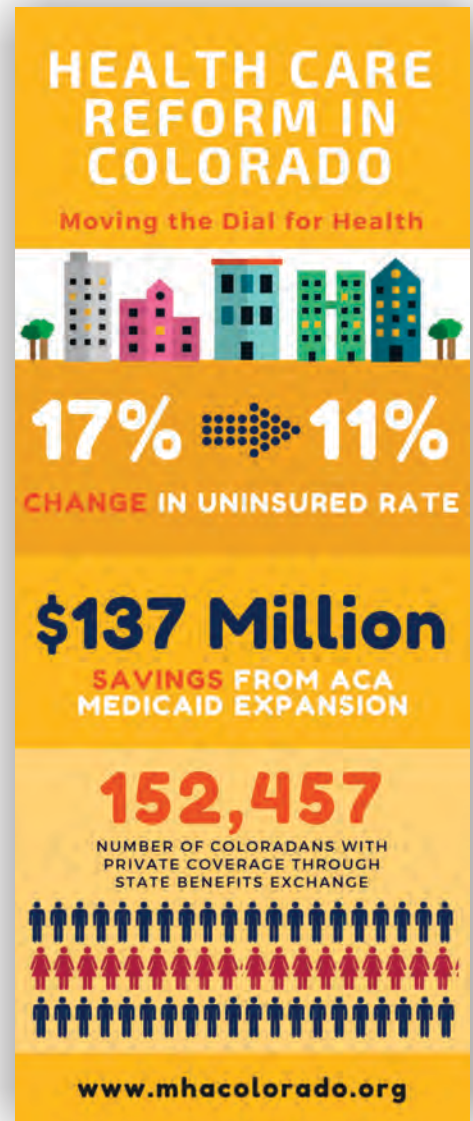
As it has done for 62 years, MHAC defended policies which protect the health, safety, and civil rights of all Coloradans who experience mental health conditions and substance use disorders. In recent years, this has included protecting the expansion of insurance coverage and mental health parity achieved through state and federal reforms. Staff testified against five potentially harmful pieces of legislation which targeted health reform and equitable access to mental health care, all of which were defeated.

HB 15-1066: This bill would have repealed the authorizing legislation for Colorado's health benefits exchange, **Connect for Health Colorado**, which allows Coloradans to access premium tax credits for health coverage and has helped over 150,000 Coloradans and their families purchase private insurance plans which include mental health benefits on parity with physical health.

HB 15-1163: **Health insurance reform** in Colorado began long before the United States Patient Protection and Affordable Care Act was signed in 2010, yet this bill would have repealed Colorado's health insurance code if that federal law were to be repealed by Congress. This bill offered no replacement code, endangering all Colorado health care consumers, and would have set a troubling precedent for state lawmakers.

HB 15-1082 & HB 15-1351: Both of these bills would have established a time limit for people who receive mental health treatment to initiate a **disciplinary proceeding against a licensed mental health professional**. No such time limits exist for people to start this process with any other licensed health care professionals. MHAC worked to defeat these bills because all Coloradans deserve equal justice under law, regardless of what health conditions they experience or what types of services they utilize.

SB 15-077: Under Colorado law dating back 30 years, minors ages 15-18 have the right to see a mental health professional without first asking for the permission of a parent or guardian. This bill would have required Colorado teens to obtain written parental consent before seeking **confidential counseling or mental health care**. Such a law would endanger youth during a critical period of development, when problems with parents and family members are a commonly reported reason for seeking help. MHAC used its testimony against the bill to remind legislators that suicide is the leading cause of death among Coloradans ages 10 to 35, and that access to confidential counseling and care is vital to people of all ages.

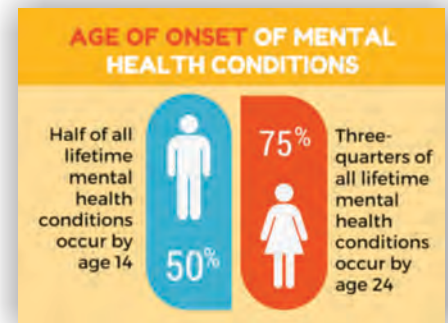




Advancing Priorities

As part of its mission to make improving Colorado's mental health the next great public health campaign, MHAC is increasingly focused on **children and youth**. This focus is driven by the knowledge that half of all lifetime mental health conditions occur by age 14, and three-quarters by age 24. Unfortunately, public attention toward youth and children's mental health is all too often connected to the search for answers in the wake of high-profile tragedies. This was the case in the aftermath of yet another shooting at a Colorado high school which resulted in the deaths of two students, including the suicide death of the shooter, in December, 2013.

This heartbreaking tragedy led the parents of Claire Davis, the young woman who was killed by the shooter, to work with lawmakers on a set of proposals to improve school safety. Midway through the 2015 legislative session, after months of private discussions with the Davis family, the leadership of both houses introduced a pair of school safety bills. One dealt with the liability of school districts after incidents of violence, and the other, **SB 15-214** was originally introduced as a committee tasked with improving school safety, and in connection with that goal, addressing youth mental health. MHAC immediately reached out to offer its support for the Davis family's incredibly courageous and compassionate efforts, and to work with leadership at the legislature to guide the work of the proposed committee.



Part of MHAC's goal in this process was to fight the stigma against mental health by raising awareness of the fact that while mental health conditions can place youth and others at greater risk of suicide, they are not significant risk factors for violence against others. It is important for youth, families, educators, and the general public to understand that mental health conditions are not a cause for fear. They are diagnosable and treatable issues, and people who experience symptoms should not feel any shame about discussing them and seeking help. Stigma causes not only shame, but secrecy, isolation, and anger, which are also threats to young people's health and safety.

To that end, MHAC succeeded in changing the language of SB 15-214 to emphasize the importance of building safe, understanding, and welcoming communities in all Colorado schools. Staff worked with legislators to craft a successful amendment that removed language which equated youth who experience mental health conditions with threats to school safety, focusing instead on all youth who may experience a crisis that needs to be addressed quickly and appropriately. MHAC looks forward to contributing to the work of the committee on school safety, and helping to build a future where all Colorado kids have opportunities to grow up, be healthy, and reach their potential.

Building Groundwork for Change

MHAC supported several bills that did not make it through legislative process this year. Past experience shows that often it takes two or more attempts to pass important legislation, and MHAC will continue to work with key partners on advancing these priorities for Colorado's health.

HB 15-1175: Would have prohibited licensed mental health professionals from performing the harmful and scientifically discredited practice of so-called “**conversion therapy**,” also known as reparative therapy, which seeks to change an individual's sexual orientation or gender identity, on youth under the age of 18. The American Psychiatric, Psychological, and Medical Associations all have officially rejected and denounced the practice, but some licensed persons in Colorado continue to perform it on vulnerable youth.

HB 15-1258: Most Colorado families do not have enough access to **paid family leave** to care for loved ones who experience illness or disability. This bill would have created a worker-funded program to extend that opportunity to more low-income families and employees of small-to-medium sized businesses.



Summary of Bills

MHAC took positions on 30 bills during the 2015 legislative session based on their intersection with four main policy priority areas: prevention of mental health conditions, access to care, integration of health care systems, and criminal justice reform. Active support or opposition of bills entails MHAC working to influence the outcome of legislation, including staff providing committee testimony. Simple support or opposition can include lending MHAC's name to fact sheets, educating legislators and staff, and coordinating with advocacy allies.

During the 2015 session, MHAC actively supported and opposed several bills, and took support positions on many more, but did not take simple opposition stances on any legislation. This was due in part to political polarization caused by split control of the legislature, and because of the serious potential consequences of legislation MHAC opposed.

Actively Oppose: 100%

HB 15-1066 X
HB 15-1082 X
HB 15-1163 X
HB 15-1351 X
SB 14-077 X

Support: 78%

HB 15-1023
HB 15-1029
HB 15-1032
HB 15-1033
HB 15-1039
HB 15-1067
HB 15-1097 X
HB 15-1111 X
HB 15-1186
HB 15-1186
HB 15-1233
HB 15-1242
HB 15-1258 X
HB 15-1269
HB 15-1287
HB 15-1292 X
SB 15-007 X
SB 15-053
SB 15-109
SB 15-116
SB 15-182
SB 15-185
SB 15-197

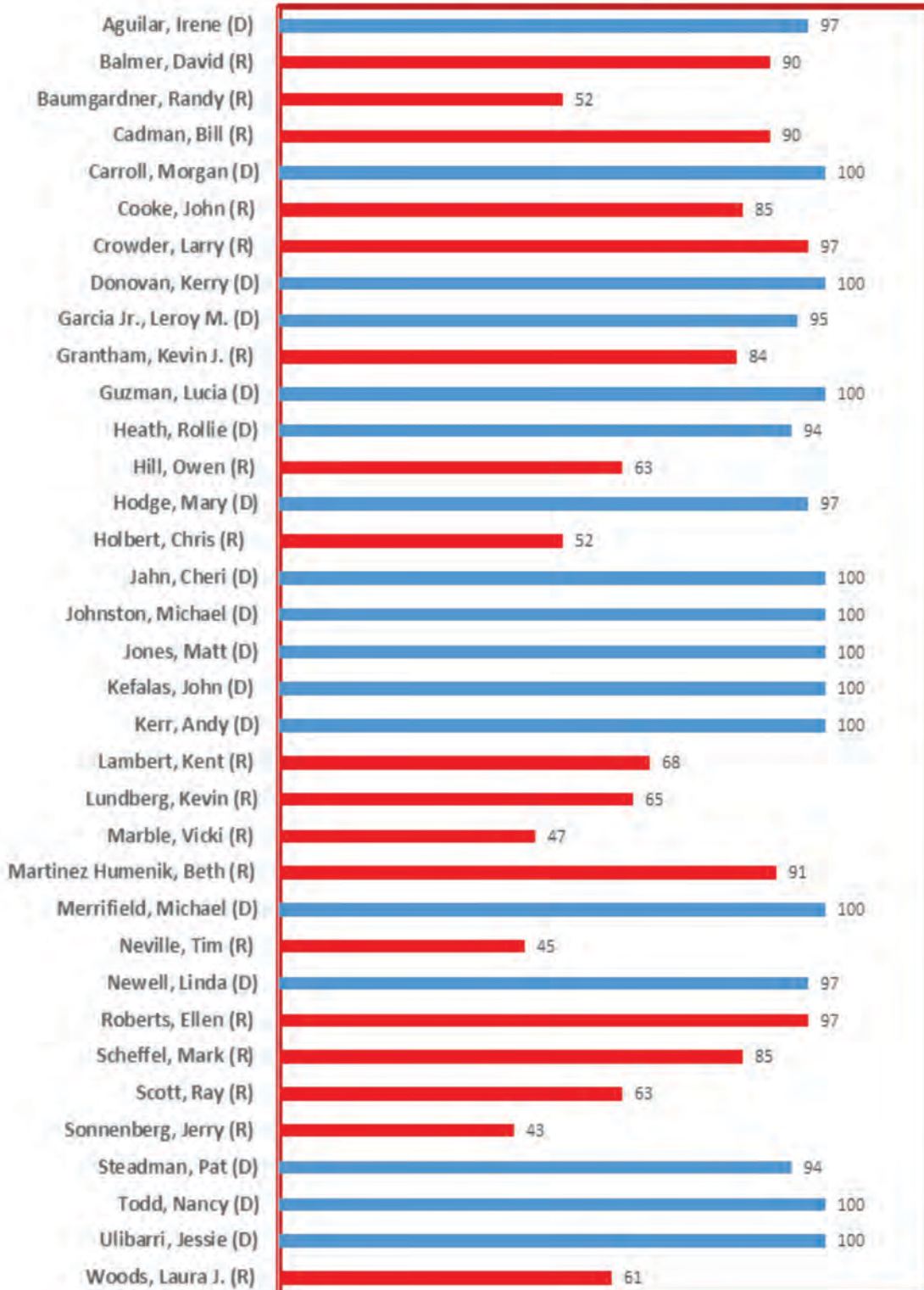
Actively Support: 67%

HB 15-1175 X
SB 15-015
SB 15-214



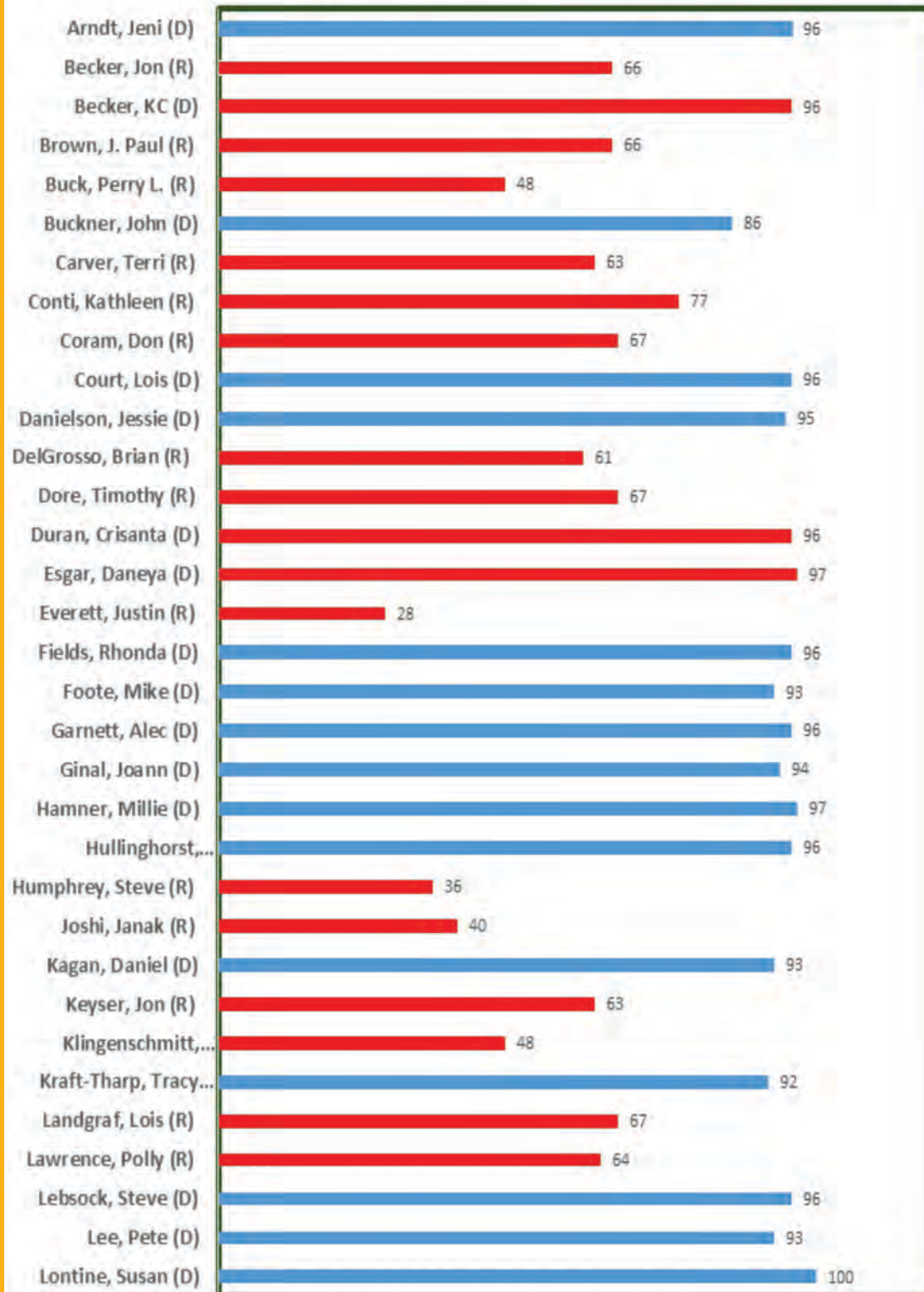


2015 Legislator Scorecard: Colorado Senate





2015 Legislator Scorecard: Colorado House





2015 Legislator Scorecard: Colorado House

