



LEGISLATIVE UPDATE

JUNE 1, 2020

➤ Where Things Stand

The General Assembly reconvened this week for the first time since March 14. They wasted no time clearing several dozen bills off their calendar by postponing them indefinitely in committee hearings on Tuesday (5/26) and Wednesday (5/27) afternoons. The fate of the majority of bills introduced prior to mid-March is already determined by House and Senate leadership, who have stated for several weeks that anything allowed to move forward in these final days must be “fast, friendly, and free.” And urgent. That said, there are still many bills that did move forward or are not definitively on the “kill list” yet.

One such bill on the “kill list” is Mental Health Colorado’s effort to incorporate behavioral health training into the requirements for teacher recertification, HB-1312. When the General Assembly reconvened, this legislation was being categorized as one to kill, based on a party-line vote coming out of the first committee. However, that vote did not reflect a true partisan, ideological divide so much as some confusion and unresolved concerns related to an amendment. Mental Health Colorado, along with help from the Colorado Education Association (CEA), is working with leadership, the bill sponsor, and some of the key Republicans who previously expressed concerns, to move the bill forward.

Some of the other bills of interest to Mental Health Colorado which are not faring so well include HB-1005, Concerning Enhancements to Safe2Tell, which was postponed indefinitely at the sponsor’s request in Senate Education Committee on Tuesday (5/26). That committee also killed HB-1058, Concerning Behavior Analysts in Schools, during the same hearing. HB-1006, Early Childhood Mental Health Consultants, is still not calendared. Mental Health Colorado worked with the Colorado Children’s Campaign and Children’s Hospital to remove the bill’s fiscal impact of \$150,000 in the first year. Even with this amendment, it seems unlikely that House Appropriations will pass HB-1006.

Despite the dismal fate of many of Mental Health Colorado’s priority bills, there are some promising new pieces of legislation into which we can now channel our efforts. The first is a bill promoting telehealth by making permanent the temporary telehealth guidelines established by the state Medicaid program during the coronavirus. This bill applies to the private insurance providers as well. (See fact sheet [here](#)).

In addition, Senator Pettersen is hoping to introduce legislation directing some of the federal CARES Act funding to various mental health and substance use services. She has been working for several weeks with stakeholders within the behavioral health community, as well as members of the Joint Budget Committee, to solicit feedback. A bill like this would likely be broad, encompassing many areas to which CARES Act dollars should be directed. Mental Health Colorado has been, and will continue to be, involved in the development of this legislation.

Most, if not all, of the anticipated new legislation will be somehow related to the budget, health care services, or the economy. Among the first bills introduced upon their return were the long bill (state budget for 2020-21) and the “orbital bills,” those required to make the statutory changes the Joint Budget Committee assumed when balancing the budget and drafting the long bill. In a typical year, there might be 10-15 orbital bills. This year there are over forty. Those bills have now passed through the House Appropriations Committee and are ready to be debated on the House floor. The House Democratic and Republican caucuses met separately on Thursday morning (5/28) to discuss them. In the process of drafting amendments that they intend to propose during floor debate, everything came to a screeching halt.

At roughly 5:30 p.m. on Thursday, during a protest of the death of George Floyd, a black man murdered by a police officer in Minneapolis, shots were fired near the Capitol. The building went into lockdown, and not long after that, a riot erupted, which led to vandalism around the Capitol complex and tear gas being fired into the crowd. In response, leadership of both chambers canceled all activity for Friday (5/29) and Saturday (5/30). Debate on the budget, previously slated for Friday afternoon, will now presumably take place on Monday afternoon (6/1). Amendments, which were due to be turned in by 4:00 p.m. on Thursday (6/4) in order to be drafted by Legislative Legal Services, are not yet complete, and it's unclear how or when members will receive and review them.

➤ What Comes Next

We begin this week, as we have so many others in recent months, with a level of uncertainty. We hope that the episode on Thursday evening was a single, isolated event, and that the General Assembly will be able to return safely and resume their work. They certainly have a lot of work to do.

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