Where Things Stand

Last week concluded with the Senate passing the state budget—both the long bill and corresponding statutory changes required for budget-balancing. This now puts the Joint Budget Committee in the unenviable position of reconciling the different versions of the long bill passed by the two chambers and ultimately ensuring that the final changes adopted still yield a balanced state budget. Once they have done that, the bill will return to each chamber for final passage.

Among the most significant changes adopted during the long bill process were an increase of $2.5 million for the Circle Program and restoration of some of the funding proposed to be cut from wrap-around services for at-risk youth. Mental Health Colorado was actively engaged in the successful passage of both these efforts. Whether those changes survive the conference committee reconciliation process remains to be seen.

In addition to the budget, the Senate also began work on some of the newly introduced bills. Senate bills 205, 212, and 215 all passed the Appropriations Committee on Saturday morning. The votes on both SB 205, which requires employers to provide paid sick leave to employees, and SB 215, which proposes measures to address the affordability of health insurance purchased on the individual market, have followed party line, suggesting a contentious and lengthy floor debate lies ahead. The third, SB 212, making permanent the emergency rules around the use of telehealth, including ensuring that providers receive payment for telehealth services, moved through with much more bi-partisan support, passing committee unanimously. It is now scheduled for the consent calendar on the Senate floor.*

Budget

As the legislature grapples with the budget and how to maintain as many services as possible in this economic climate, they are doing everything they can to maximize the availability and use of the federal CARES Act money. Much of this has already been allocated to various sources, either by requirements from the federal government or through the Governor’s discretionary allocation. Governor Polis allocated $70 million of the state’s $1.67 billion in CARES Act funding to the General...
Assembly for appropriation for any permissible uses under the CARES Act. The result is HB 1417 creating the CARE Subfund within the General Fund to account for those dollars and ensure that they go toward allowable uses. One of the bills drawing appropriations from the CARE Subfund is HB 1411, which grants money to the departments of human services, public health and environment, higher education, and law for behavioral health programs and services. Among the expenditures within that legislation are $3.5 million for substance use treatment, $2 million for behavioral health services for school-aged children, $3.8 million for co-responder services, $1 million for purchase of opiate antagonists, $120,000 for the Safe2Tell program. In all, the bill allocates over $15 million into a variety of behavioral health programs and services. This bill is currently scheduled for hearing in House Appropriations at 9 a.m. on Monday, (6/8) having passed the House State Affairs Committee on Friday with only one no vote.

A companion bill has also been introduced, HB 1410, Concerning Housing Assistance for Those in Need. This bill provides roughly $20 million to provide housing, rental, and mortgage assistance to individuals affected by the pandemic along with establishing a legal defense fund for assisting individuals facing possible eviction due to the pandemic.

What Comes Next

Mental Health Colorado is still working to advance HB 1312, the bill introduced earlier this session to require behavioral health training as part of teacher recertification. When the session reconvened in late May this bill was on the “kill list” due to a party line vote in committee. However, Mental Health Colorado, along with both the sponsors of the bill and advocates outside the building are urging House leadership to bring the bill to the floor for debate. It currently sits as the second bill on the 2nd Reading calendar but given the rapid-pace and unpredictability with which the General Assembly is operating, when or if it is called up is unclear.

Another bill that pre-dates the pandemic is SB 007, concerning treatment of opioid and other substance use disorders. This bill originally carried a $2.7 million fiscal note for a wide variety of services and programs. Unfortunately, as part of the drastic budget cuts, most of that funding was removed from the bill. The pared-down bill passed the Senate on Saturday and will be introduced in the House early this week.

When they first returned, the General Assembly seemed intent on postponing indefinitely many of the bills sitting on their calendar from March. As the days pass, we are witnessing not only more of the existing bills moving forward, but a slew of new bills being introduced. Since they resumed work on May 26, 73 new bills have been introduced. The vast majority of these have been related to the budget or
COVID relief, but by no means all of them. Some deal with high-profile issues such as health care costs or police brutality, which will no doubt feature prominently in the upcoming campaign season. Others were just “in the hopper” prior to the break but had not yet been introduced.

*BREAKING NEWS: On Monday morning (6/8), as we prepare to release this update, Speaker of the House KC Becker announced that the legislature is within its last five days of the session. Regardless of the background driving them, the quantity of bills coupled with the political electricity both inside and outside the Capitol building these days is creating an environment that is challenging to even the most patient legislators. Under the Constitution, they are technically allowed to meet for another 28 days.