

COLORADO GENERAL ASSEMBLY

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**EXECUTIVE COMMITTEE OF THE
LEGISLATIVE COUNCIL**

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RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL

BEHAVIORAL HEALTH TRANSFORMATIONAL TASK FORCE

June 28, 2021

WHEREAS, in March of 2021, the federal government enacted the "American Rescue Plan Act of 2021" (federal act) to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and to assist them in their efforts to contain the effects of COVID-19 on their communities, residents, and businesses; and

WHEREAS, during the 2021 legislative session, the General Assembly adopted Senate Bill 21-137, which enacts the "Behavioral Health Recovery Act of 2021"; and

WHEREAS, Senate Bill 21-137 directs the Executive Committee of the Legislative Council to, by resolution, create a task force to meet during the 2021 interim; and

WHEREAS, the task force must issue a report with recommendations to the General Assembly and the Governor on policies to create transformational change in the area of behavioral health using money the state receives from the federal act;

WHEREAS, Senate Bill 21-137 permits the task force to include nonlegislative members and have working groups created to assist them and to hire a facilitator to guide the work of the task force; now, therefore

Be it resolved by the Executive Committee of the Legislative Council of the Seventy-third General Assembly of the State of Colorado:

(1) That, pursuant to the authority set forth in Section 24-75-203, Colorado Revised Statutes, there is hereby created the Behavioral Health Transformational Task Force (Task Force), to issue a report with recommendations to the General Assembly and the Governor on policies to create transformational change in the area of behavioral health using money the state receives from the federal act. The Task Force consists of 16 members appointed no later than Friday, July 16, 2021, as follows:

- (a) Three members of the Senate, appointed by the Senate President;
- (b) Two members of the Senate, appointed by the Senate Minority Leader;
- (c) Three members of the House of Representatives, appointed by the Speaker of the House of Representatives;
- (d) Two members of the House of Representatives, appointed by the House Minority Leader;
- (e) The Executive Director of the Colorado Department of Human Services, or their designee;
- (f) The Director of the Office of Behavioral Health, or their designee;
- (g) The Executive Director of the Colorado Department of Health Care Policy and Financing, or their designee;
- (h) The Commissioner of Insurance representing the Colorado Division of Insurance, or their designee;
- (i) The Executive Director of the Colorado Department of Corrections, or their designee; and
- (j) The Lieutenant Governor, or their designee.

(2) That the President of the Senate shall appoint the Task Force Chair and the Speaker of the House of Representatives shall appoint the Task Force Vice-Chair.

(3) That the Task Force shall meet up to ten times during the 2021 interim.

(4) That the legislative members of the Task Force shall be reimbursed for expenses and shall receive per diem payment for attendance at meetings of the Task Force.

(5) That if nonlegislative members of the Task Force are not eligible for reimbursement from any other source, that the General Assembly will reimburse nonlegislative members of the Task Force for reasonable expenses related to their service on the Task Force. Nonlegislative members of the Task Force are not eligible for per diem.

(6) That the Task Force shall approve recommendations and the final report of the Task Force by a majority vote of all members of the Task Force.

(7) That, pursuant to the authority set forth in Section 24-75-203, Colorado Revised Statutes, there is hereby created the Behavioral Health Transformational Task Force Subpanel (Subpanel), to meet during the 2021 legislative interim to make recommendations to the Task Force on policies to create transformational change in the area of behavioral health using money the state receives from the federal act. The Subpanel consists of 25 members appointed no later than Friday, July 23, 2021, as follows:

(a) The President of the Senate shall appoint the following members:

(I) One member with knowledge of evidence-based harm reduction strategies;

(II) One member representing a disability advocacy or policy organization;

(III) One member with expertise in the needs of the criminal justice population;

(IV) One member from the Colorado Consortium for Prescription Drug Abuse Prevention;

(V) Three members representing behavioral health practitioners or providers as follows. An appointee can fulfill more than one of the listed requirements:

(A) At least one member focused on provision of behavioral health services to children or youth;

(B) At least one member focused on provision of behavioral health services to adults;

(C) At least one member focused on substance use disorder treatment; and

(D) At least one member focused on mental health treatment;

(VI) One member representing the behavioral health needs of frontline and low-income workers; and

(VII) One representative from a hospital that has demonstrated experience working with the behavioral health community or treating patients with complex behavioral health needs.

(b) The Speaker of the House of Representatives shall appoint the following members:

- (I) One member representing a statewide organization that develops and advocates for mental health policy;
- (II) One member representing individuals, either patients or caregivers, with lived experience navigating the behavioral health care system;
- (III) Four representatives of community-based organizations representing communities that experience disproportionate health impacts;
- (IV) One representative of local government representing a municipality; and
- (V) One member representing the Department of Law, the Judicial Branch, or a member of the judiciary.

(c) The Minority Leader of the Senate shall appoint the following members:

- (I) One member representing school-based health centers;
- (II) One representative of health insurance companies;
- (III) One representative of local government representing a county; and
- (IV) One member representing rural crisis services.

(d) The Minority Leader of the House of Representatives shall appoint the following members:

- (I) One member focused on suicide prevention efforts;
- (II) One member representing county sheriffs;
- (III) One member representing individuals, either patients or caregivers, with lived experience navigating the behavioral health care system; and
- (IV) One member representing community mental health centers.

(8) That the Speaker of the House of Representatives shall appoint the Subpanel Chair and the President of the Senate shall appoint the Subpanel Vice-Chair.

(9) That the Subpanel shall meet up to 16 times during the 2021 legislative interim.

(10) That the Subpanel shall make recommendations to the Task Force for review, consideration, and approval by the Task Force.

(11) If Subpanel members are not eligible for reimbursement from any other source, that the General Assembly will reimburse members of the subpanel for reasonable expenses related to their service on the subpanel. Members of the subpanel are not eligible for per diem.

(12) That Task Force members may participate in Subpanel meetings in a nonvoting capacity and are eligible for per diem and expenses for attendance as outlined above in sections (4) & (5).

(13) That members of the Task Force and Subpanel may participate in meetings remotely, including voting.

(14) That state departments and agencies with relevant information shall provide assistance and information to the Task Force and Subpanel upon request.

(15) That staff from the legislative service agencies shall provide support to the Task Force and Subpanel, subject to the provisions of the request for information issued for facilitation services.

(16) That a facilitation firm shall be hired by the Executive Committee to help manage, coordinate and support the work of the Task Force and Subpanel, no later than Monday, July 26, 2021.

(17) That the Behavioral Health Transformational Task Force and Subpanel may collaborate as needed with the Housing Transformational Task Force and Subpanel.

(18) That the Task Force shall finalize recommendations no later than January 11, 2022, and that a report on the recommendations of the Task Force shall be submitted to the General Assembly and the Governor no later than January 21, 2022.

President Leroy Garcia, Chair

Speaker Alec Garnett, Vice-Chair

Senate Majority Leader Stephen Fenberg

House Majority Leader Daneya Esgar

Senate Minority Leader Chris Holbert

House Minority Leader Hugh McKean

