

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0700.01 Jane Ritter x4342

SENATE BILL 18-113

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SENATE SPONSORSHIP

**Garcia**, Court, Donovan, Fenberg, Fields, Kagan, Kefalas, Kerr, Merrifield, Williams A., Zenzinger

HOUSE SPONSORSHIP

**Esgar**,

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Senate Committees

State, Veterans, & Military Affairs

House Committees

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A BILL FOR AN ACT

101 CONCERNING ESTABLISHING THE CIRCLE PROGRAM FOR SUBSTANCE  
102 USE DISORDERS.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill formally establishes in statute the circle program, a 90-day inpatient treatment program for persons with co-occurring mental health and substance use disorders.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

1           **SECTION 1.** In Colorado Revised Statutes, **add** 27-80-119 as  
2 follows:

3           **27-80-119. Circle program for persons with co-occurring**  
4 **mental health and substance use disorders - established - legislative**  
5 **declaration.** (1) THE GENERAL ASSEMBLY FINDS THAT:

6           (a) SUBSTANCE USE DISORDERS CONTINUE TO PRESENT A  
7 SIGNIFICANT PUBLIC HEALTH CONCERN THROUGHOUT COLORADO;

8           (b) PERSONS WITH SUBSTANCE USE DISORDERS FREQUENTLY HAVE  
9 CO-OCCURRING MENTAL HEALTH DISORDERS AND PRESENT UNIQUE  
10 CHALLENGES IN TREATMENT;

11           (c) THERE IS INCREASING EVIDENCE THAT THE LONGER A PERSON  
12 WITH A SUBSTANCE USE DISORDER, PARTICULARLY ONE WITH  
13 CO-OCCURRING MENTAL HEALTH ISSUES, CAN REMAIN IN A SUBSTANCE USE  
14 DISORDER TREATMENT PROGRAM, THE BETTER HIS OR HER CHANCES FOR  
15 A SUCCESSFUL OUTCOME WILL BE, BECAUSE BEHAVIORAL CHANGE TAKES  
16 SIGNIFICANT TIME AND EFFORT TO BE EFFECTIVE;

17           (d) THE CIRCLE PROGRAM, CURRENTLY LOCATED AT THE  
18 COLORADO MENTAL HEALTH INSTITUTE AT PUEBLO AS PART OF THE  
19 DEPARTMENT OF HUMAN SERVICES, HAS BEEN IN EXISTENCE SINCE THE  
20 LATE 1980s. IT IS A TWENTY-BED, NINETY-DAY, INPATIENT, FULLY  
21 INTEGRATED, DUAL-DIAGNOSIS TREATMENT PROGRAM FOR MEN AND  
22 WOMEN AGED EIGHTEEN THROUGH SIXTY-FIVE WHO HAVE FAILED OTHER  
23 TREATMENT PROGRAMS. ALTHOUGH THE CIRCLE PROGRAM HAS  
24 SUCCESSFULLY OPERATED FROM ITS PUEBLO FACILITY, IT SERVES  
25 PATIENTS FROM THROUGHOUT COLORADO.

26           (e) THERE IS STRONG EVIDENCE THAT COERCION CAN HELP  
27 PATIENTS GET INTO AND REMAIN IN TREATMENT FOR A SUBSTANCE USE

1 DISORDER;

2 (f) ALTHOUGH THE CIRCLE PROGRAM IS VOLUNTARY, NEARLY  
3 EIGHTY-FIVE PERCENT OF ITS PATIENTS ARE REFERRED UNDER SOME FORM  
4 OF COERCION, INCLUDING AS A CONDITION OF PROBATION OR PAROLE,  
5 THROUGH CIVIL COMMITMENTS INITIATED BY FAMILY MEMBERS, OR FROM  
6 REFERRALS FROM A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES  
7 FOR CASES OF DEPENDENCY AND NEGLECT IN WHICH THE PATIENT IS AT  
8 RISK OF LOSING PARENTAL RIGHTS DUE TO HIS OR HER SUBSTANCE USE  
9 DISORDER;

10 (g) THE CIRCLE PROGRAM'S TREATMENT PHILOSOPHY IS TO  
11 INVOLVE THE PATIENT AS A PARTNER IN A COMPREHENSIVE, EDUCATIONAL,  
12 AND HOLISTIC APPROACH TO RECOVERY, WITH THE ULTIMATE GOAL OF  
13 RECOGNIZING AND MANAGING THE SYMPTOMS OF MENTAL HEALTH AND  
14 SUBSTANCE USE DISORDERS;

15 (h) THE CIRCLE PROGRAM IS POPULAR WITH JUDGES, DISTRICT  
16 ATTORNEYS, PROBATION AND PAROLE OFFICERS, AND PUBLIC DEFENDERS  
17 THROUGHOUT THE STATE, IN PART BECAUSE NEARLY EIGHTY PERCENT OF  
18 CIRCLE PROGRAM PATIENTS COMPLETE THE FULL NINETY-DAY PROGRAM;

19 (i) THERE IS TYPICALLY A FOUR- TO SIX-MONTH WAITING LIST FOR  
20 THE CIRCLE PROGRAM;

21 (j) THE CIRCLE PROGRAM HAS SAVED THE STATE OF COLORADO  
22 MONEY OVER THE YEARS BY SUCCESSFULLY TREATING PATIENTS FOR  
23 THREE MONTHS RATHER THAN HAVING THEM SERVE TIME IN THE  
24 DEPARTMENT OF CORRECTIONS FOR AN AVERAGE OF TWO TO SIX YEARS.  
25 AN OUTCOME STUDY FROM 2011 ESTIMATED A TWO-YEAR COST SAVINGS  
26 OF NEARLY THREE MILLION DOLLARS.

27 (k) BECAUSE OF ISSUES UNRELATED TO THE CIRCLE PROGRAM, THE

1 DEPARTMENT OF HUMAN SERVICES EFFECTIVELY SHUT THE PROGRAM'S  
2 DOORS IN JUNE 2017.

3 (2) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT,  
4 BECAUSE OF THE CIRCLE PROGRAM'S OUTSTANDING PAST SUCCESS IN THE  
5 TREATMENT OF CO-OCCURRING MENTAL HEALTH AND SUBSTANCE USE  
6 DISORDERS, AS WELL AS THE SIGNIFICANT COST-BENEFIT SAVINGS TO THE  
7 STATE BY CONTINUING ITS OPERATIONS, IT IS A MATTER OF STATEWIDE  
8 CONCERN TO PERMANENTLY ESTABLISH THE CIRCLE PROGRAM IN STATUTE.

9 (3) (a) THE CIRCLE PROGRAM FOR PERSONS WITH CO-OCCURRING  
10 MENTAL HEALTH AND SUBSTANCE USE DISORDERS IS ESTABLISHED IN THE  
11 DEPARTMENT OF HUMAN SERVICES. THE PURPOSE OF THE CIRCLE PROGRAM  
12 IS TO PROVIDE A NINETY-DAY, INPATIENT PROGRAM TO HELP PERSONS  
13 WITH CO-OCCURRING MENTAL HEALTH AND SUBSTANCE USE DISORDERS  
14 LEARN HOW TO MAINTAIN SOBRIETY, PSYCHIATRIC STABILITY,  
15 MEDICATION COMPLIANCE, SOCIAL RESPONSIBILITY, AND PERSONAL  
16 INTEGRITY OUTSIDE THE HOSPITAL SETTING.

17 (b) THE CIRCLE PROGRAM IS VOLUNTARY; HOWEVER, IT MAY  
18 ACCEPT PATIENTS WHO ARE REFERRED AS A CONDITION OF PROBATION OR  
19 PAROLE, THROUGH A CIVIL COMMITMENT INITIATED BY FAMILY MEMBERS,  
20 OR FROM A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES FOR  
21 CASES OF DEPENDENCY AND NEGLECT IN WHICH THE PATIENT IS AT RISK OF  
22 LOSING PARENTAL RIGHTS DUE TO HIS OR HER SUBSTANCE USE DISORDER.

23 **SECTION 2. Safety clause.** The general assembly hereby finds,  
24 determines, and declares that this act is necessary for the immediate  
25 preservation of the public peace, health, and safety.