

HOUSE BILL NO. HB0031

Criminal justice-mental health-substance use programming.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to behavioral health and substance use
2 disorders; requiring the department of health and the
3 department of corrections to collaborate to reduce criminal
4 offender recidivism by improving mental health and
5 substance use programming and funding; creating new
6 programs; creating a unit within the department of
7 corrections; making an appropriation; authorizing new
8 positions; and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 9-2-130 is created to read:

13

1 **9-2-130. Mental health and substance use disorder**
2 **programming; department of corrections; criminal justice**
3 **populations.**

4
5 (a) Pursuant to this section and W.S. 25-1-105(f) and
6 (g), the department of health shall collaborate with the
7 department of corrections to reduce recidivism rates for
8 persons with behavioral health needs and substance use
9 disorders who are involved in the criminal justice system
10 and improve mental health and substance use disorder
11 programming by:

12
13 (i) Creating a behavioral health services
14 enhancement program for community providers to improve
15 outcomes for persons involved in the criminal justice
16 system through a separate contract, or in a separate
17 provision in an existing contract, administered by the
18 department of health;

19
20 (ii) Adopting standardized, evidence based
21 treatment practices and guidelines for treating and
22 providing programming to persons involved in the criminal

1 justice system with behavioral health and substance use
2 needs;

3

4 (iii) Increasing communication between the
5 department of health, the department of corrections and
6 contracted behavioral health providers working with persons
7 involved in the criminal justice system;

8

9 (iv) Promoting and requiring to the maximum
10 extent practical and permissible under applicable laws and
11 regulations the portability and universal recognition of
12 substance use disorder assessment tools and other
13 assessments; and

14

15 (v) Creating a competitive and outcomes based
16 funding stream for behavioral health providers to:

17

18 (A) Expand existing services for criminal
19 justice involved populations;

20

21 (B) Improve the quality and availability of
22 services and programs;

23

1 (C) Train and develop the skills of
2 providers and stakeholders working with persons who have
3 behavior health needs and substance use disorders and who
4 are involved in the criminal justice system.

5
6 (b) This section shall not be interpreted to require
7 the creation or maintenance of any duplicate functions,
8 services or programs in the department of health and the
9 department of corrections, but shall be interpreted with
10 W.S. 25-1-105(f) and (g) to require coordination and
11 collaboration between the agencies to assure the creation
12 and maintenance of independent or coordinated functions,
13 services and programs to meet the goals of this section and
14 W.S. 25-1-105(f) and (g).

15

16 **Section 2.** W.S. 25-1-105 by creating new subsections
17 (f) and (g) is amended to read:

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19 **25-1-105. Powers of department; care of persons**
20 **committed outside of state.**

21

22 (f) Pursuant to this section and W.S. 9-2-130, the
23 department of corrections shall collaborate with the

1 department of health to reduce recidivism rates for persons
2 with behavioral health needs and substance use disorders
3 who are involved in the criminal justice system and improve
4 mental health and substance use disorder programming by:

5
6 (i) Improving the quality and accuracy of
7 substance use assessments administered to persons with
8 criminal justice involvement by creating a quality
9 improvement unit in the department of corrections that will
10 regularly monitor the administration and use of assessment
11 tools;

12
13 (ii) Creating a behavioral health services
14 enhancement program for community providers to improve
15 outcomes for persons involved in the criminal justice
16 system through a separate contract, or in a separate
17 provision in an existing contract, administered by the
18 department of health;

19
20 (iii) Adopting standardized, evidence based
21 treatment practices and guidelines for treating and
22 providing programming to persons involved in the criminal

1 justice system with behavioral health and substance use
2 needs;

3

4 (iv) Increasing communication between the
5 department of health, the department of corrections and
6 contracted behavioral health providers working with persons
7 involved in the criminal justice system;

8

9 (v) Promoting and requiring to the maximum
10 extent practical and permissible under applicable laws and
11 regulations the portability and universal recognition of
12 substance use disorder assessment tools and other
13 assessments; and

14

15 (vi) Creating a competitive and outcomes based
16 funding stream for behavioral health providers to:

17

18 (A) Expand existing services for criminal
19 justice involved populations;

20

21 (B) Improve the quality and availability of
22 services and programs;

23

1 (C) Train and develop the skills of
2 providers and stakeholders working with persons who have
3 behavior health needs and substance use disorders and who
4 are involved in the criminal justice system.

5
6 (g) This section shall not be interpreted to require
7 the creation or maintenance of any duplicate functions,
8 services or programs in the department of corrections and
9 the department of health, but shall be interpreted with
10 W.S. 9-2-130 to require coordination and collaboration
11 between the agencies to assure the creation and maintenance
12 of independent or coordinated functions, services and
13 programs to meet the goals of this section and W.S.
14 9-2-130.

15
16 **Section 3.**

17
18 (a) There is appropriated six hundred forty-eight
19 thousand seven hundred sixty dollars (\$648,760.00) from the
20 general fund to the department of corrections for the
21 purpose of creating the quality improvement unit in the
22 department of corrections required by W.S. 25-1-105(f)(i),
23 created by this act, including for the payment of salaries

1 and benefits for three (3) additional employees as
2 authorized in subsection (b) of this section. This
3 appropriation shall be for the period beginning with the
4 effective date of this act and ending June 30, 2022. This
5 appropriation shall not be transferred or expended for any
6 other purpose and any unexpended, unobligated funds
7 remaining from this appropriation shall revert as provided
8 by law on June 30, 2022.

9

10 (b) The department of corrections is authorized three
11 (3) additional, full-time equivalent positions for the
12 purpose of staffing a quality improvement unit within the
13 department of corrections as required by W.S.
14 25-1-105(f)(i), created by this act.

15

16 **Section 4.** This act is effective immediately upon
17 completion of all acts necessary for a bill to become law
18 as provided by Article 4, Section 8 of the Wyoming
19 Constitution.

20

21

(END)