

The Honorable Dianne Primavera, Chair Public Health Care and Human Services Committee 200 E. Colfax Avenue, Room 271 Denver, CO 80203

December 1, 2016

Dear Representative Primavera:

Enclosed please find a legislative report to the Public Health Care and Human Services Committee from the Department of Human Services concerning the Gambling Addiction Grant Program.

Section 12-47.1-1601 C.R.S. (2015) requires the Department to submit an annual report by January 1. The report is required to detail the following information:

- (A) The amount of moneys allocated to the gambling addiction account pursuant to paragraph (a) of subsection (1) of this section;
- (B) The number of grant applications received and the total amount of grant moneys requested by grant applicants;
- (C) The total amount of moneys in the gambling addiction account that was awarded as grants to applicants; and
- (D) The entities or programs that received grants and the amount of grant moneys each grant received.

If you require further information or have additional questions, please contact the Department's Executive and Legislative Liaison, Lauren Lambert-Schreier, at lauren.schreier@state.co.us or 303-866-3019.

Sincerely.

Reggie Bičha

**Executive Director** 

**Enclosure** 

Cc: Representative Jonathan Singer, Vice-Chair, Public Health Care and Human Services Committee

Representative Kathleen Conti, Public Health Care and Human Services Committee Representative Janak Joshi, Public Health Care and Human Services Committee Representative Brittany Pettersen, Public Health Care and Human Services Committee Representative Jessie Danielson, Public Health Care and Human Services Committee Representative Lois Landgraf, Public Health Care and Human Services Committee



Representative Max Tyler, Public Health Care and Human Services Committee Representative Justin Everett, Public Health Care and Human Services Committee Representative Timothy Leonard, Public Health Care and Human Services Committee Representative JoAnn Windholz, Public Health Care and Human Services Committee Representative Joann Ginal, Public Health Care and Human Services Committee Representative Dominick Moreno, Public Health Care and Human Services Committee

Anne Wallace, Public Health Care and Human Services Committee Staff Molly Otto, Colorado Joint Legislative Library
Debbi MacLeod, Colorado State Publications Library
Nikki Hatch, Deputy Executive Director of Operations
Julie Krow, M.A., L.P.C., Deputy Executive Director, Community Partnerships
Sarah L. Sills, M.P.A., M.S.T.C., Director of Budget and Policy
Nancy VanDeMark, Ph.D., Director Office of Behavioral Health
Laura Morsch-Babu, Director of Communications and Public Information Officer
Alicia Caldwell, Deputy Executive Director Strategic Communications and
Legislative Affairs





# Gambling Addiction Program Report (12-47.1-1601 (4) (a.5) CRS 2016)

Fiscal Year 2015-2016
July 1, 2015–June 30, 2016
Submitted January 1, 2017

PREPARED FOR
The General Assembly
Colorado House Public Health Care and Human Services Committee
Colorado Senate Health and Human Services Committee

PREPARED BY

Mary McMahon, Manager, CAC Clinical Training Program and Workforce Development
Elsa Henry, Finance Manager
Chris Habgood, Director of Policy and Planning

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# **Executive Summary**

The following report provides a brief overview of Gambling Addiction Program for the established use of moneys from the Local Government Limited Gaming Impact Fund to offer grants to state or local, public and private entities or individuals that provide gambling addiction counseling services (treatment grants) and to behavioral healthcare professionals pursuing national accreditation as gambling addiction counselors (training grants) in Fiscal Year (FY) 2015-2016.

- The amount allocated to Gambling Addiction Fund \$269,000
- The amount allocated in grants \$146,037.
- Five applicants applied for grants.
- Two applicants were to entitles to provide gambling addiction counseling services.
- Two behavioral healthcare professionals applied for grants to pursue national accreditation as gambling addiction counselors.
- One entity was awarded a grant for one-time use of unspent gambling addiction account funds to be used to evaluate the supply and demand for gambling counseling and problem gambling treatment accreditation.
- Two clients received extensive counseling services through grantee entity to provide gambling addiction counseling services.
- The Department of Human Services, Office of Behavioral Health has no recommendations at this time.

## Introduction

The Colorado Department of Human Services, Office of Behavioral Health respectfully submits the Fiscal Year (FY) 2015-2016 report entitled, "Gambling Addiction Program Report" to the Colorado House Public Health Care and Human Services Committee and Senate Health and Human Services Committee in compliance with:

#### 12-47.1-1601 (4) (a.5) C.R.S. 2016

- (II) By January 1, 2009, and by each January 1 thereafter, the Department of Human Services shall submit a report to the health and human services committees of the senate and house of representatives, or their successor committees, regarding the grant program. The report shall detail the following information for the fiscal year in which the report is submitted:
- (A) The amount of moneys allocated to the gambling addiction account pursuant to paragraph (a) of subsection (1) of this section;
- (B) The number of grant applications received and the total amount of grant moneys requested by grant applicants;
- (C) The total amount of moneys in the gambling addiction account that was awarded as grants to applicants; and
- (D) The entities or programs that received grants and the amount of grant moneys each grant received.

# Background

Gambling Addiction Grant Program, House Bill 2008-1314, was enacted by the Colorado General Assembly creating the Gambling Addiction Program within the Colorado Department of Human Services, Office of Behavioral Health (Department). Pursuant to C.R.S. § 12-47.1-1601 is the creation of the Gambling Addiction Program within the Department. This statute established the use of moneys from the Local Government Limited Gaming Impact Fund to offer grants to state or local, public and private entities or individuals that provide gambling addiction counseling services (treatment grants) and to behavioral healthcare professionals pursuing national accreditation as gambling addiction counselors (training grants).

# **Program Services**

The Gambling Addiction Grants Program selects the organizations, programs, or individuals to provide gambling addiction treatment services in Colorado and provides the funds as grants to entities with counselors nationally accredited or eligible to pursue national accreditation. The Gambling Addiction Training Grants are available for behavioral health professionals to cover the cost of gambling-specific training or education, approved supervision/consultation and the nationally certified gambling counselor exam.

# Population(s) Served

The Gambling Addiction Grant Program provides grants to aspiring addiction counselor candidates, students, behavioral health clinicians, and community behavioral health programs providing services to problem gamblers.

## **Procedures**

The Department posted two Requests for Applications on October 26, 2015: Problem Gambling Treatment Services and Problem Gambling National Certification Grant Program.

# Request for Application: Problem Gambling Treatment Services

Entities, programs, or individuals providing problem gambling treatment services with nationally accredited gambling counselors or behavioral health professionals seeking national accreditation to provide gambling services are eligible to apply for the grant funding. The Department has two nationally accredited providers under contract to provide these services. The first vendor was awarded a Purchase Order on December 16, 2015; and the second vendor was awarded a Purchase Order on March 3, 2016.

Both Purchase Orders include a statement of work, which provides detailed work plan objectives that state the contractor(s) "shall provide counseling services for gambling addiction treatment" to ensure the Department is providing counseling to Colorado residents. One of the providers began delivering counseling services on January 19, 2016 and has provided services to two clients through June 2016. As of the date of this report, the other provider has not yet secured clients; however, the provider has marketed the gambling addiction counseling services to create awareness and enroll clients.

# Request for Application: Problem Gambling National Certification Grant Program

Behavioral health professionals pursuing national accreditation as gambling addiction counselors are offered grant funds for coursework, counseling hours provided to residents in Colorado with problem gambling, and supervision hours.

The Department has received two applications for these funds. The applications were approved by the Department on May 31, 2016, and finalized on July 1, 2016. The signed agreement states participants "will require semi-annual status reports (provided to the Department, from the grantees) that document progression towards national accreditation."

# Marketing Strategy Development

Marketing and outreach have been targeted to Colorado Gaming, Problem Gambling Coalition of Colorado, Tribal Casinos in Colorado, and Colorado Lottery. Marketing has been provided to the Colorado Psychotherapy Associates Annual Winter Symposium, through monthly emails, and gambling grant flyers were distributed at the Colorado Association of Addiction Professionals June 17, 2016, annual conference. Flyers and gambling grant program information are available on the Office of Behavioral Health website. Continuing and on-going outreach includes monthly emails and distributing information at Office of Behavioral Health Research forums.

# Problem Gambling Study

The Department requested through a legislative decision item to allow for the one-time use of unspent gambling addiction account funds to be used to evaluate the supply and demand for gambling counseling and problem gambling treatment accreditation in Colorado due to the impact as a result of the implementation of the Affordable Care Act and State and Federal Parity laws.

The Department, through a competitive bid process, awarded a grant to Educational Policy Institute, which is responsible for conducting a statewide survey and evaluation on the following:

- The need for gambling addiction treatment services for individuals in Colorado, including the demographics of individuals seeking problem gambling treatment, within the state and nationally, including gender, age, ethnicity, income range, and geographic location.
- How individuals seeking gambling addiction services are having these services paid for, and what entities are paying for the gambling addiction services.
- The numbers and locations of the range of professionals, training, license, and credential categories that render a practitioner eligible to provide gambling addiction services and who are providing gambling addiction treatment services.

- The demand for accreditation grants for those professionals seeking national certification for gambling addiction treatment.
- Gambling addiction service investment and gambling addiction treatment infrastructure in Colorado.
- Recommendations for workforce development and service delivery systems for gambling addiction treatment services across the state.

The final FY 2015-2016 report will be submitted to the Department on November 30, 2016.

#### Results

## Reporting requirements 12-47.1-1601 (4) (a.5) (II) C.R.S. 2013

(A) The amount of moneys allocated to the gambling addictions account.

#### FY 2015-2016:

# Amount Allocated to Gambling Addiction Account \$269,000

The amount allocated to the Gambling Addiction Account by the State Treasurer from the Local Government Limited Gaming Impact Fund.

(B) The number of grant applications received and the total amount of grant moneys requested by grant applicants.

#### FY 2015-2016:

| Applicants | Grant Amounts Requested |  |  |
|------------|-------------------------|--|--|
| 5          | \$146.037               |  |  |

Please note the Department did not pay the full amount allocated because the contracts and purchase orders (PO) are designed for payment based on a reimbursement model.

(C) The total amount of moneys in the gambling addiction account that was awarded as grants to applicants.

#### FY 2015-2016:

| 1 1 2010-2010.   |                       |  |
|--|-----------------------|--|
| Applicant  | Grant Amounts Awarded |  |
| S  |                       |  |
| <b>Aurora Comprehensive Community MH</b>                 | C \$49,087            |  |
| Education Policy Institute                               | \$74,400              |  |
| Nancy Lantz  | \$22,550              |  |
| Participant A (applicant seeking national accreditation) | al \$1,600*           |  |
| Participant B (applicant seeking national                | al \$1,600*           |  |
|  |                       |  |

#### accreditation)

- \*The national accreditation grant is a reimbursement agreement not to exceed \$1,600 annually for each participant.
- (D) The entities or programs that received grants and the amount of moneys each grant received.

#### FY 2015-2016:

| Grants to Service Organizations | Clients Served | Total<br>Amount |
|---------------------------------|----------------|-----------------|
| Aurora Mental Health Center     | 0              | \$49,087        |
| Nancy Lantz                     | 2              | \$22,550        |

Two nationally accredited provider entities applied for funds to deliver counseling services. Aurora Mental Health Center was only reimbursed for one payment of \$2,042.15 for client outreach and marketing, as they did not treat any clients for gambling addiction. No other reimbursements were made to Aurora Mental Health Center. Nancy Lantz was reimbursed \$4,043.22 for providing gambling addiction counseling and treatment services to two clients.

| Grants to Individual for National Certification | Total Amount |
|---|--------------|
| Participant A                                   | \$400        |
| Participant B                                   | \$370        |

# State Audit Report Findings

In August 2015, the Office of the State Auditor conducted a performance audit of the Gambling Addiction Program resulting in several important findings and nine recommendations. The Department has worked diligently to implement the recommendations for the improvement of the program.

#### SUMMARY INFORMATION

| Rec.<br>Number | Department's<br>Response | Original<br>Implementation<br>Date | Implementation<br>Status   | Revised<br>Implementation<br>Date<br>(If applicable) |
|----------------|--------------------------|------------------------------------|----------------------------|--|
| 4A             | Agree                    | November 2015                      | Implemented                |  |
| 4B             | Agree                    | December 2015                      | Implemented                |  |
| 4C             | Agree                    | November 2015                      | Implemented                |  |
| 4D             | Agree                    | November 2015                      | Implemented                |  |
| 4E             | Agree                    | November 2015                      | Implemented and<br>Ongoing |  |
| 5A             | Agree                    | July 2016                          | Partially<br>Implemented   | October 31, 2016                                     |
| 5B             | Agree                    | July 2016                          | Not Implemented            | March 31, 2017                                       |

|    |       | rogram Report |             |  |
|----|-------|---------------|-------------|--|
| 5C | Agree | May 2016      | Implemented |  |
| 5D | Agree | November 2015 | Implemented |  |

<sup>\*</sup>See full audit report in Appendix

#### Recommendations

The Department has no recommendations at this time. The Department is awaiting the report from the Educational Policy Institute contracted to conduct the statewide evaluation of the supply and demand for gambling counseling and problem gambling treatment accreditation in Colorado. Once the report is complete, the Department will be able to provide recommendations based on the findings.

# **Appendix**

Colordo Department of Human Services Legislative Audit Report

#### **AUDIT RECOMMENDATION STATUS REPORT**

AUDIT NAME: Gaming Impact Grants Performance Audit, August 2015

**AUDIT NUMBER: 1419P** 

DEPARTMENT & PROGRAM: Department of Human Services, Gambling Addiction Program

DATE OF STATUS REPORT: July 20, 2016

#### **SUMMARY INFORMATION**

| Rec.<br>Number | Department's<br>Response | Original<br>Implementation<br>Date | Implementation Status   | Revised Implementation Date (If applicable) |
|----------------|--------------------------|------------------------------------|-------------------------|---|
| 4A             | Agree                    | November 2015                      | Implemented             |   |
| 4B             | Agree                    | December 2015                      | Implemented             |   |
| 4C             | Agree                    | November 2015                      | Implemented             |   |
| 4D             | Agree                    | November 2015                      | Implemented             |   |
| 4E             | Agree                    | November 2015                      | Implemented and Ongoing |   |
| 5A             | Agree                    | July 2016                          | Partially Implemented   | October 31, 2016                            |
| 5B             | Agree                    | July 2016                          | Not Implemented         | March 31, 2017                              |
| 5C             | Agree                    | May 2016                           | Implemented             |   |
| 5D             | Адтее                    | November 2015                      | Implemented             |   |

#### **DETAIL OF IMPLEMENTATION STATUS**

Note: Recommendations I through 3 in the audit report were addressed to the Department of Local Affairs.

#### Recommendation 4:

The Department of Human Services (DHS) should ensure that the Gambling Addiction Program (Program) operates effectively and in accordance with statute to help address problem gambling in Colorado by:

A. Ensuring that grants are offered primarily for providing counseling to Colorado residents as well as for pursuing national counselor accreditation, in accordance with statute. This should include ensuring that grants for gambling addiction counseling services are awarded to entities and/or programs that have or are seeking nationally accredited counselors.

Current Implementation Status for 4A: Implemented.

Department's Update: The Department is now issuing grants directly, rather than contracting with an organization to issue the grants. The Department posted two requests for applications (RFA) on October 26, 2015. The first RFA was a request open to individuals or entities (providers/contractors) to apply for grants to provide gambling addiction counseling (treatment) services. In response to this RFA, the Department awarded grants to two nationally accredited providers/contractors now under contract to provide these services. One provider/contractor is an individual counselor and the other provider/contractor is an agency that employs

counselors. The first provider/contractor was awarded a purchase order (PO) on December 16, 2015 and the second provider/contractor was awarded a PO on March 3, 2016. Both POs include a statement of work which provides detailed work plan objectives that state the provider(s)/contractor(s) "shall provide counseling services for gambling addiction treatment" to ensure the Department is providing counseling to Colorado residents. One of the providers/contractors began delivering counseling services on January 19, 2016 and currently has two clients. The Department has reimbursed this provider/contractor \$3,588.22 to provide gambling addiction counseling (treatment) services to the two clients through June 2016. The amount includes at least 17 client visits (4 visits provided to one client and 13 visits provided to another client) which included intake/evaluation and gambling addiction counseling (treatment) services. As of July 20, 2016, the other provider/contractor has not yet secured clients even though they have marketed the gambling addiction counseling services.

The second RFA was for grant funds to be used for individuals (grantees) pursuing national counselor accreditation. The Department has received one application for these funds. The application was approved by the Department on May 31, 2016 and finalized on July 1, 2016. The Department requires each individual pursuing national counselor accreditation to sign a written agreement that states that he or she will submit to the Department "semi-annual status reports that document progression towards national accreditation. This report must include the courses, counseling hours and supervision hours." The language was added to the written agreement to ensure the Department is tracking each grantee's progress for pursing national counselor accreditation in accordance with statute. The Department will seek repayment of funds from individuals (grantees) who do not obtain the national accreditation pursuant to 2 CCR 502-5 20.420.B.

B. Revising Program rules to clarify the requirements for counseling grant applicants.

Current Implementation Status for 4B: Implemented.

Department's Update: Pursuant to Section 12-47.1-1601(4)(a.5)(1), C.R.S., "The executive director of the department of human services shall adopt rules establishing the procedure for applying for a grant from the gambling addiction account, the criteria for awarding grants and prioritizing applications, and any other provisions necessary for the administration of the grant applications and awards." On July 10, 2015, 2 CCR 502-5 (Sections 20.000 through 20.600) "Executive Director Rules – the Procedure for Awarding Gambling Addiction Grants" was adopted during the Executive Director rule-making session, with an effective date of September 1, 2015. The rules effective September 1, 2015 underwent revisions to clarify the procedures for grant applications, the criteria for awarding grants, and how grant applications will be prioritized. The rules include processes for verifying applicant certification and assurance for compliance with statutory, contract, and grant terms. Revisions to 2 CCR 502-5 (Sections 20.000 through 20.500) were adopted during the Executive Director rule-making session on December 4, 2015, with an effective date of February 1, 2016.

C. Ensuring written agreements are executed with the grantees, Program contracts align with statute, and contracts and agreements include reasonable expectations for the use of grant funds, such as deadlines for completing accreditation.

Current Implementation Status for 4C: Implemented.

Department's Update: The Department executed written contracts/agreements for both counseling and accreditation grants, ensuring the written contracts/agreements meet and align with statute and rules and include reasonable expectations for use of the grant funds. The statements of work for the two counseling grant providers/contractors include detailed work plan objectives that state the providers/contractors shall provide counseling services for gambling addiction treatment to Colorado residents. In addition, the written contracts/agreements for the national counselor accreditation grant includes requiring each individual grantee pursuing accreditation to submit to the Department semi-annual status reports documenting his or her progression toward the national accreditation, including the deadline that accreditation be completed within two years. The grantee sends the Department status reports that include the courses taken, the amount of counseling hours provided, and supervision hours to ensure the grantee is making progress to complete accreditation. The two POs issued for gambling addiction counseling (treatment) services include reporting requirements to the Department from the providers/contractors. Quarterly reports from the providers/contractors must be submitted to the Department within 30 days of the end of each quarter. The reports detail the number of unique clients

receiving gambling addiction treatment services, as well as the type, number, and dollar amount of services provided to the client.

D. Ensuring any future Program contractors provide written reports that contain specific information, as determined by DHS, to allow for adequate monitoring of the written contracts/agreements.

Current Implementation Status for 4D: Implemented.

Department's Update: Both POs for gambling addiction counseling (treatment) services require the providers/contractors to submit quarterly reports to the Department detailing information for monitoring purposes. The one provider/contractor serving clients has submitted the required reports and supporting documentation. The report provides the number of clients served and the dollar amounts of services provided. The written agreement states that the funds in the PO can only be used when no other payer source, such as Medicaid or private insurance, is available. The Department requires each individual who receives a grant to pursue national counselor accreditation to sign a written agreement that states that he or she will submit to the Department semi-annual status reports that document progression towards national accreditation. This report includes the courses, counseling hours, and supervision hours.

E. Training DHS staff on the statutory requirements for the Program, the requirements of the Program contract, and on how to hold future contractors accountable for the contract terms through effective oversight and monitoring.

Current Implementation Status for 4E: Implemented and Ongoing.

Department's Update: The Department conducted staff training on November 30, 2015 and December 15, 2015 to provide contract and vendor oversight and monitoring training. The Department is committed to provide training to internal and external staff and stakeholders on an ongoing basis.

#### Recommendation 5:

The Department of Human Services (DHS) should maximize the use of funds in the Gambling Addiction Account (Account) to fulfill the purpose of the Gambling Addiction Program (Program) by:

A. Evaluating the demand for both counseling and accreditation grants, and offering grants for both purposes as required by statute. DHS should seek specific authority to spend Account resources to conduct this evaluation, if the authority is needed.

Current Implementation Status for 5A: Partially Implemented.

Department's Update: The Department requested and received spending authority through Supplemental Bill H.B. 16-1242 (S.B. 15-234 Long Bill) in order to seek specific authority to spend resources to conduct an evaluation. The Department has awarded a PO to conduct an evaluation to assess the demand for both counseling and accreditation. The Department has awarded two grants for counseling and one agreement for accreditation as required by statute. The Department is revising the implementation date to October 31, 2016 when the evaluation will be completed.

B. Ensuring that criteria for awarding grants align with the results of the evaluation in Part A.

Current Implementation Status for 5B: Not Implemented.

Department's Update: The Department awarded a gambling evaluation PO on May 27, 2016 and the anticipated completion date is October 31, 2016. The Department will ensure the awarded grants align with the results of the evaluation, once completed. This part of the recommendation cannot be completed until the

evaluation is finalized. The Department is revising the implementation date to March 31, 2017 to allow for the evaluation findings to be incorporated and contracts to be aligned with the results.

C. Seeking authority to use more of the unspent funds in the Account, either through statutory change to obtain continuous spending authority or through the annual budget request process.

Current Implementation Status for 5C: Implemented.

Department's Update: The Department requested and received spending authority through Supplemental Bill H.B. 16-1242 (S.B. 15-234 Long Bill). The Department was given authority to spend the unspent account balance of \$169,000 from the Local Gaming Impact Fund to be used for the Gambling Addiction Program. The bill also adds a footnote stating that, after the increase, funds will remain available through June 30, 2017.

D. Establishing a clear rationale for determining the amount of administrative and marketing funds DHS will allow the Program's contractor(s) to spend to fulfill contractual duties and administer an effective Program.

Current Implementation Status for 5D: Implemented.

Department's Update: The reimbursement of administrative and marketing expenses only applies to the gambling addiction counseling treatment providers/contractors that were awarded POs. The Department established a clear rationale for determining the amount of funds that the gambling addiction counseling treatment providers/contractors may spend and have outlined a Gambling Compliance Evaluation Matrix. The Matrix documents the amounts to be spent on treatment, marketing, and administrative and indirect costs. The Matrix limits the amount of administrative expenses to 10% of the direct costs. Marketing/education materials should not exceed 5% of direct costs, and the amount for treatment should be no less than 85% of the total grant. Additionally, the amounts of each PO were determined through the RFA negotiation and response process. One PO is for \$49,087 and the other is for \$22,550. The Department has reimbursed the provider/contractor two with clients \$3,588.22 to provide gambling addiction counseling (treatment) services to the clients through June 2016. The amount is payment for at least 17 client visits (4 visits provided to one client and 13 visits provided to another client) which included intake/evaluation and gambling addiction counseling (treatment) services. The \$3,588.22 includes reimbursement for administrative costs (not to exceed 10%) and reimbursement for education/training and advertising.

The national counselor accreditation grant is a reimbursement agreement not to exceed \$1,600 annually for each participant seeking national accreditation. The Department will seek repayment of funds from individuals (grantees) who do not obtain the national accreditation pursuant to 2 CCR 502-5 20.420.B. Additionally, the Legislature has authorized the Department to spend \$50,000 out of the total \$269,000 appropriated to market the Gambling Addiction Program to potential treatment providers/contractors seeking national counselor accreditation, or individuals (grantees) seeking gambling addiction treatment. The marketing was approved to address a lack of responses to the RFAs and lack of client enrollment for the providers/contractors. The \$50,000 is in addition to the 5% marketing/education materials. Furthermore, the Department has awarded \$74,400 to conduct an evaluation to evaluate demand for both counseling and accreditation grants as advised in Recommendation 5A. As the Department receives additional applications, the remaining funds (approximately \$66,000) will be spent on gambling addiction counseling (treatment) services and to reimburse participants pursuing national counselor accreditation.