



Universal Contracting Provisions(UCPs)

Frequently Asked Questions

Last Updated: March 15, 2023

- What are Universal Contracting Provisions and why do we need them?

Universal Contracting Provisions (UCPs) are requirements that every behavioral health contract for a particular service must contain, regardless of who the contracting parties are, or how many contracts for services exist. UCPs are incredibly helpful in ensuring that minimum standards, resources, and obligations are uniform, consistent, and fair across service providers within the new state care continuum, and that every person in Colorado will be able to access behavioral health care that is meaningful and trusted.

- Which contracts will the UCPs apply to?

The UCPs will apply to contracts for behavioral health services within Colorado, when one of the contracting parties is a state agency (not just the BHA). For example, if a state agency enters into a contract with a provider to provide recovery support services to a specific population or region, that service contract must contain the UCPs. If that service provider sub-contracts the work out to another entity, the UCPs are not required to appear in the sub-contract. However, the original contracting provider is still bound by the terms of the original state agency contract for services (which will include the UCP provisions) and is accountable for ensuring the service delivery adheres to UCP requirements, regardless of whether a subcontractor is the entity actually performing the work.

- What subjects will the UCPs cover/what is their scope?

The Universal Contracting Provisions are designed to provide clear, standardized requirements addressing a variety of topics that touch on the equitable delivery of behavioral health services statewide. Not all UCPs will appear in every service contract, as multiple UCP “sets” will be available to ensure specificity and practical application to any given contract for services. Colorado Revised Statute [27-50-203](#) lays out sixteen (16) subjects that must be covered by





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UCPs, but also allows for additional topics, which is where you come in! We want to engage with as many people, providers, and entities as possible in collaboratively developing these provisions. This will help us achieve the best behavioral health outcomes possible for the people living in Colorado.

- **What is the timeline for UCP implementation?**

We currently anticipate that finalized UCPs will be available during fiscal year 2024 for new service contracts or contract amendments, and will be included in the fiscal year 2025 renewal season. We have had some questions regarding whether or not UCPs will be applied retroactively to existing contracts and the answer to that particular inquiry is – no. Due to a number of contract law principles, we are unable to unilaterally retroactively apply terms and conditions to contracts that are already in full force and effect. However, we encourage discussions around the anticipated inclusion of UCPs in contracts that affect you as early as possible in your contractual negotiation cycles with any state agency.

- **How can I find out more about UCPs and make sure that my input is considered?**

Your voice matters and we welcome your input about these important provisions and how we can best achieve the lessening of administrative burdens while simultaneously bolstering system equity and effectiveness in the behavioral health space in Colorado. We have a number of informational and collaboration opportunities scheduled across the state (to view details regarding these meetings, please click [here](#) and scroll down to the Universal Contracting Provision Planning section). We also welcome feedback at: CDHS_BHA@state.co.us.

