

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public & Behavioral Health & Human Services.

HB23-1200 be amended as follows:

1 Amend printed bill, page 2, strike lines 2 through 16.

2 Strike pages 3 through 6.

3 Page 7, strike lines 1 through 22 and substitute:

4 "SECTION 1. In Colorado Revised Statutes, add 27-50-109 as
5 follows:

6 **27-50-109. Bill of rights for family and friends of persons with**
7 **mental and behavioral health disorders - family input form -**
8 **permissions.** (1) (a) ON OR BEFORE JULY 1, 2024, THE BHA SHALL
9 CREATE A FAMILY INPUT PROCESS TO ALLOW A PARENT, A LEGAL OR
10 CUSTODIAL GUARDIAN OF AN INDIVIDUAL, OR A FRIEND OF THE INDIVIDUAL
11 TO PROVIDE INFORMATION OR BACKGROUND ON AN INDIVIDUAL NEEDING
12 MENTAL OR BEHAVIORAL HEALTH SERVICES. THIS INCLUDES, BUT IS NOT
13 LIMITED TO, INFORMATION ABOUT PAST HOSPITALIZATIONS, PREFERENCES,
14 DE-ESCALATION TECHNIQUES, CURRENT AND PAST PROVIDERS, CURRENT
15 AND PAST MEDICATIONS, AND ANY OTHER RELEVANT INFORMATION ABOUT
16 THE INDIVIDUAL. THE FAMILY INPUT PROCESS MUST BE IN COMPLIANCE
17 WITH THE FEDERAL "HEALTH INSURANCE PORTABILITY AND
18 ACCOUNTABILITY ACT OF 1996", AND ANY OTHER RELEVANT STATE AND
19 FEDERAL STATUTES. THE FAMILY INPUT PROCESS MUST INCLUDE
20 GUIDANCE TO PROVIDERS CONCERNING HOW TO TREAT INFORMATION
21 RECEIVED FROM A PARENT, A LEGAL GUARDIAN OR CUSTODIAN OR A
22 FRIEND; DISTINGUISH BETWEEN INFORMATION ABOUT INDIVIDUALS WHO
23 ARE CURRENTLY RECEIVING SERVICES FROM THE PROVIDER AND THOSE
24 WHO ARE NOT; AND SPECIFY THAT PROVIDERS CANNOT USE THE
25 INFORMATION TO FORCE A FAMILY MEMBER INTO TREATMENT.

26 (b) TO DEVELOP THE FAMILY INPUT PROCESS, THE BHA SHALL
27 CONVENE A STAKEHOLDER GROUP COMPRISED OF MEMBERS OF THE BHA
28 ADVISORY COMMITTEE WITH LIVED EXPERIENCE; BEHAVIORAL HEALTH
29 PROVIDERS AND THEIR REPRESENTATIVES; REPRESENTATIVES OF
30 CONSUMER GROUPS; AND INDIVIDUALS WITH EXPERTISE IN STATE AND
31 FEDERAL PRIVACY LAW PLUS ANY OTHER REPRESENTATIVES THE BHA
32 DEEMS NECESSARY. THE STAKEHOLDER GROUP SHALL EXAMINE VARYING
33 SITUATIONS, INCLUDING BUT NOT LIMITED TO, POTENTIAL INTERSECTION
34 WITH THE CRIMINAL JUSTICE SYSTEM, INVOLUNTARY TREATMENT, AND
35 THOSE SITUATIONS IN WHICH A CLIENT HAS CEASED OR REFUSED CARE."

36 Renumber succeeding section accordingly.

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