

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 5, 2021

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB21-137 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 4, line 7, strike "2022-23" and substitute
2 "2023-24".
- 3 Page 4, line 8, strike "two" and substitute "~~two~~ THREE".
- 4 Page 8, line 9, after "FOR" insert "THE PARENT OF".
- 5 Page 15, lines 4 and 5, strike "SEPTEMBER 1, 2021," and substitute
6 "JANUARY 1, 2022,".
- 7 Page 16, line 2, strike "SHALL" and substitute "MAY".
- 8 Page 16, line 11, strike "PRIORITIZE" and substitute "CONSIDER".
- 9 Page 17, strike line 19 and substitute "DISORDER OR CO-OCCURRING
10 SUBSTANCE USE AND MENTAL HEALTH DISORDER.".
- 11 Page 17, strike line 23 and substitute "USE DISORDER OR CO-OCCURRING
12 SUBSTANCE USE AND MENTAL HEALTH DISORDER IN RECOVERY TO".
- 13 Page 17, strike line 27 and substitute "DISORDER OR CO-OCCURRING
14 SUBSTANCE USE AND MENTAL HEALTH DISORDER AND THEIR FAMILY".
- 15 Page 18, line 3, strike "AND CO-OCCURRING" and substitute "DISORDER OR

1 CO-OCCURRING SUBSTANCE USE AND".

2 Page 19, line 9, strike "2022," and substitute "2023,".

3 Page 21, after line 15 insert:

4 "SECTION 19. In Colorado Revised Statutes, 17-1-113.4, **amend**
5 (2) and (4)(b); and **add** (3.5) as follows:

6 **17-1-113.4. Opioid treatment for a person in custody -**
7 **definitions.** (2) (a) Qualified medication administration personnel may,
8 in accordance with a written physician's order, administer opioid agonists
9 and opioid antagonists FOR THE TREATMENT OF AN OPIOID USE DISORDER
10 pursuant to subsection (1) of this section.

11 (b) AS FUNDING AND SUPPLIES ALLOW, IF A PERSON IN CUSTODY IS
12 TREATED FOR AN OPIOID USE DISORDER PURSUANT TO THIS SECTION, THE
13 CORRECTIONAL FACILITY OR PRIVATE CONTRACT PRISON SHALL OFFER THE
14 PERSON, UPON RELEASE FROM THE FACILITY, AT LEAST TWO DOSES OF AN
15 OPIOID REVERSAL MEDICATION, IN A FORM APPROVED BY THE FEDERAL
16 DRUG ADMINISTRATION, AND PROVIDE EDUCATION TO THE PERSON ABOUT
17 THE APPROPRIATE USE OF THE MEDICATION.

18 (3.5) NOTHING IN THIS SECTION IMPOSES CIVIL OR CRIMINAL
19 LIABILITY ON A LOCAL OR STATE LAW ENFORCEMENT AGENCY OR LAW
20 ENFORCEMENT OFFICER WHEN ORDINARY CARE IS USED IN THE
21 ADMINISTRATION OR PROVISION OF AN OPIOID REVERSAL MEDICATION IN
22 CASES WHEN AN INDIVIDUAL APPEARS TO BE EXPERIENCING AN OPIOID
23 OVERDOSE.

24 (4) As used in this section, unless the context otherwise requires:

25 (b) "Opioid antagonist" means naltrexone, AN OPIOID REVERSAL
26 MEDICATION, or any similarly acting drug USED FOR THE TREATMENT OF
27 AN OPIOID USE DISORDER that is not a controlled substance and that is
28 approved by the federal food and drug administration for the treatment of
29 an opioid use disorder."

30 **SECTION 20.** In Colorado Revised Statutes, 18-18-607, **amend**
31 (4) as follows:

32 **18-18-607. Safe stations - disposal of controlled substances -**
33 **medical evaluation - definition.** (4) As used in this section, unless the
34 context otherwise requires, a "safe station" means any municipal police
35 station OR county sheriff's office. ~~or municipal, county, or fire protection~~
36 ~~district fire station."~~



1 **SECTION 21.** In Session Laws of Colorado 2020, **amend** section
2 27-81-102 (13.8), Colorado Revised Statutes, as added by section 12 of
3 chapter 286, as follows:

4 Section 12. In Colorado Revised Statutes, 27-81-102, amend (14);
5 amend as it exists until July 1, 2022, (1); amend as it will become
6 effective July 1, 2022, (1); add (9.4); add with amended and relocated
7 provisions (6.5), (9.2), (13.6), and (13.9); add with amended and
8 relocated provisions as it exists until July 1, 2022, (1.2) **and (13.8)**; and
9 add with amended and relocated provisions as they will become effective
10 July 1, 2022, (1.2) and (13.8) as follows:

11 **27-81-102. Definitions.** As used in this article 81, unless the
12 context otherwise requires:

13 (13.8) [**Formerly 27-82-102 (13.5) as it is effective until July 1,**
14 **2022]** "Substance use disorder" means ~~a condition by which a person~~
15 ~~habitually uses drugs or uses drugs to the extent that his or her health is~~
16 ~~substantially impaired or endangered or his or her social or economic~~
17 ~~function is substantially disrupted. Nothing in this subsection (13.5)~~
18 ~~precludes the denomination of a person with a substance use disorder as~~
19 ~~a person under the influence of or incapacitated by drugs.~~ A CHRONIC
20 RELAPSING BRAIN DISEASE, CHARACTERIZED BY RECURRENT USE OF
21 ALCOHOL, DRUGS, OR BOTH, CAUSING CLINICALLY SIGNIFICANT
22 IMPAIRMENT, INCLUDING HEALTH PROBLEMS, DISABILITY, AND FAILURE TO
23 MEET MAJOR RESPONSIBILITIES AT WORK, SCHOOL, OR HOME.

24 (13.8) [**Formerly 27-82-102 (13.5) as it will become effective**
25 **July 1, 2022]** "Substance use disorder" means a chronic relapsing brain
26 disease, characterized by recurrent use of alcohol, drugs, or both, causing
27 clinically significant impairment, including health problems, disability,
28 and failure to meet major responsibilities at work, school, or home."

29 Renumber succeeding sections accordingly.

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