

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 24-1191.01 Shelby Ross x4510

HOUSE BILL 24-1471

HOUSE SPONSORSHIP

Young and Bradfield, Bacon, Duran, Garcia, Rutinel, Story

SENATE SPONSORSHIP

Michaelson Jenet,

House Committees
Health & Human Services

Senate Committees
State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING THE CONDITIONS WHEN ELECTROCONVULSIVE**
102 **TREATMENT MAY BE PERFORMED ON A MINOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law prohibits electroconvulsive treatment (ECT) from being performed on a minor under 16 years of age. The bill authorizes ECT to be performed on a minor who is under 16 years of age only if:

- 2 individuals licensed to practice medicine in Colorado and specializing in psychiatry approve the ECT;
- Other less-invasive treatments have failed;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
2nd Reading Unamended
May 6, 2024

HOUSE
3rd Reading Unamended
May 5, 2024

HOUSE
2nd Reading Unamended
May 4, 2024

- ECT is medically necessary to treat life-threatening malignant catatonia;
- ECT is performed by at least one physician, or the physician's designee, who is trained and credentialed in ECT; and
- The minor's parent or guardian consents to ECT.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 13-20-403 as
3 follows:

4 **13-20-403. Restrictions on electroconvulsive treatment - rights**
5 **of minors.** (1) ~~Under no circumstances shall an electroconvulsive~~
6 ~~treatment be performed on a minor under sixteen years of age.~~

7 (2) Electroconvulsive treatment may be performed on a minor
8 who is sixteen years of age or older but under eighteen years of age only
9 if ~~such treatment is performed with the concurring approval of two~~
10 ~~persons~~ INDIVIDUALS licensed to practice medicine IN COLORADO and
11 specializing in psychiatry APPROVE THE TREATMENT, and a parent or
12 guardian of ~~such~~ THE minor CONSENTS TO THE TREATMENT.

13 (3) ELECTROCONVULSIVE TREATMENT MAY BE PERFORMED ON A
14 MINOR WHO IS FIFTEEN YEARS OF AGE OR YOUNGER ONLY IF:

15 (a) TWO INDIVIDUALS LICENSED TO PRACTICE MEDICINE IN
16 COLORADO AND SPECIALIZING IN PSYCHIATRY APPROVE THE
17 ELECTROCONVULSIVE TREATMENT;

18 (b) OTHER LESS-INVASIVE TREATMENTS HAVE FAILED;

19 (c) ELECTROCONVULSIVE TREATMENT IS MEDICALLY NECESSARY
20 TO TREAT LIFE-THREATENING MALIGNANT CATATONIA;

21 (d) ELECTROCONVULSIVE TREATMENT IS PERFORMED BY AT LEAST
22 ONE PHYSICIAN, OR THE PHYSICIAN'S DESIGNEE, WHO IS TRAINED AND

1 CREDENTIALLED IN ELECTROCONVULSIVE TREATMENT; AND

2 (e) A PARENT OR GUARDIAN OF THE MINOR CONSENTS TO
3 ELECTROCONVULSIVE TREATMENT.

4 (3) Electroconvulsive treatment may be performed on ~~a person~~ AN
5 INDIVIDUAL who is eighteen years of age or older only in ~~those~~ cases
6 ~~where~~ WHEN two or more ~~persons~~ INDIVIDUALS licensed to practice
7 medicine and specializing in psychiatry determine that ~~such~~
8 ELECTROCONVULSIVE treatment is the most preferred form of treatment.

9 **SECTION 2. Safety clause.** The general assembly finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, or safety or for appropriations for
12 the support and maintenance of the departments of the state and state
13 institutions.