

CHAPTER 360

HUMAN SERVICES - BEHAVIORAL HEALTH

HOUSE BILL 24-1471

BY REPRESENTATIVE(S) Young and Bradfield, Bacon, Duran, Garcia, Rutinel, Story;
also SENATOR(S) Michaelson Jenet, Buckner, Cutter, Priola.

AN ACT

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

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

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

13-20-403. Restrictions on electroconvulsive treatment - rights of minors.

(1) ~~Under no circumstances shall an electroconvulsive treatment be performed on a minor under sixteen years of age.~~

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

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

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

(b) OTHER LESS-INVASIVE TREATMENTS HAVE FAILED;

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

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

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

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

Approved: June 3, 2024