

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB22-1278 be amended as follows:

1 Amend reengrossed bill, page 74, line 6, strike "27-65-102 (17);" and
2 substitute "27-65-102; ~~(17);~~".

3 Page 115, line 7, strike "27-65-12 (11.5)," and substitute "27-65-102,
4 ~~(11.5);~~".

5 Page 261, after line 20 insert:

6 "SECTION 240. In Colorado Revised Statutes, **amend as**
7 **amended by House Bill 22-1278** 27-50-703 (2)(b) as follows:

8 **27-50-703. Advisory council - regional subcommittees -**
9 **subcommittees - working groups.** (2) The BHA may create committees
10 within the advisory council to meet other state and federal board or
11 advisory council requirements, which may include:

12 (b) The mental health advisory board for service standards and
13 rules created pursuant to ~~section 27-65-131~~ SECTION 27-65-130; and

14 **SECTION 241.** In Colorado Revised Statutes, **amend as**
15 **amended by House Bill 22-1278** 13-20-401 (2) as follows:

16 **13-20-401. Definitions.** As used in this part 4, unless the context
17 otherwise requires:

18 (2) "Patient" means the person upon whom a proposed
19 electroconvulsive treatment is to be performed; except that nothing in this
20 part 4 supersedes the provisions of article 65 of title 27 or any rule
21 adopted by the behavioral health administration in the department of
22 human services pursuant to ~~section 27-65-116 (2)~~ SECTION 27-65-118
23 with regard to the care and treatment of any person unable to exercise
24 written informed consent or of a person with a mental health disorder.

25 **SECTION 242.** In Colorado Revised Statutes, **amend as**
26 **amended by House Bill 22-1278** 25-3.5-103 (11.4)(b)(I) as follows:

27 **25-3.5-103. Definitions.** As used in this article 3.5, unless the
28 context otherwise requires:

29 (11.4) (b) Secure transportation includes:

30 (I) For an individual being transported pursuant to ~~section~~
31 ~~27-65-103 or 27-65-105 (1)~~ SECTION 27-65-104 OR 27-65-106 (1),
32 transportation from the community to a facility designated by the
33 commissioner of the behavioral health administration in the department
34 of human services for treatment and evaluation pursuant to article 65 of
35 title 27;

36 **SECTION 243.** In Colorado Revised Statutes, **amend as**
37 **amended by House Bill 22-1278** 26-20-103 (3) as follows:

1 **26-20-103. Basis for use of restraint or seclusion.** (3) In
2 addition to the circumstances described in subsection (1) of this section,
3 a facility, as defined in section 27-65-102, ~~(7)~~, that is designated by the
4 commissioner of the behavioral health administration in the state
5 department to provide treatment pursuant to ~~section 27-65-105,~~
6 ~~27-65-106, 27-65-107, or 27-65-109~~ SECTION 27-65-106, 27-65-108,
7 27-65-109, OR 27-65-110 to an individual with a mental health disorder,
8 as defined in section 27-65-102, ~~(11.5)~~, may use seclusion to restrain an
9 individual with a mental health disorder when the seclusion is necessary
10 to eliminate a continuous and serious disruption of the treatment
11 environment.

12 **SECTION 244.** In Colorado Revised Statutes, **amend as**
13 **amended by House Bill 22-1278** 27-60-104 (3)(a) as follows:

14 **27-60-104. Behavioral health crisis response system - crisis**
15 **10 service facilities - walk-in centers - mobile response units - report.**
16 (3) (a) All walk-in centers throughout the state's crisis response system
17 must be appropriately designated by the commissioner for a
18 ~~seventy-two-hour treatment and evaluation~~ AN EMERGENCY MENTAL
19 HEALTH HOLD, adequately prepared, and properly staffed to accept an
20 individual through the ~~emergency mental health~~ procedure outlined in
21 ~~section 27-65-105~~ SECTION 27-65-106 or a voluntary application for
22 mental health services pursuant to section 27-65-103 OR 27-65-104.
23 Priority for individuals ~~receiving emergency placement~~ PLACED UNDER AN
24 EMERGENCY MENTAL HEALTH HOLD pursuant to ~~section 27-65-105~~
25 SECTION 27-65-106 is on treating high-acuity individuals in the least
26 restrictive environment without the use of law enforcement."

27 Renumber succeeding sections accordingly.

28 Page 265, strike lines 19 through 21 and substitute:

29 **"SECTION 253. Effective date.** This act takes effect July 1,
30 2022; except that sections 115 through 125 and section 234 take effect
31 only if House Bill 22-1256 does not become law; section 213 takes effect
32 July 1, 2023; sections 214 through 239 take effect July 1, 2024; and
33 sections 240 through 244 take effect only if House Bill 22-1256 becomes
34 law."

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