

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Amabile

- 1 Amend the Public & Behavioral Health & Human Services Committee
2 Report, dated March 22, 2022, page 1, line 10, strike ""(I.5)" and
3 substitute ""(f.5)".
- 4 Page 2 of the report, line 1, strike ""(c)" and substitute ""(c)".
- 5 Page 2 of the report, after line 8 insert:
- 6 "Page 22 of the bill, line 24, strike "(d)" and substitute "(c) ~~(d)~~".
- 7 Page 2 of the report, strike lines 21 through 23 and substitute:
- 8 "Page 30 of the bill, lines 18 and 19, strike "BEHAVIORAL HEALTH
9 ADMINISTRATION" and substitute "BHA, THE DEPARTMENT OF PUBLIC
10 HEALTH AND ENVIRONMENT,"."
- 11 Page 2 of the report, strike lines 27 through 34.
- 12 Page 3 of the report, strike lines 1 through 4 and substitute:
- 13 **""27-65-108. Care coordination for persons certified or in need**
14 **of ongoing treatment.** (1) A FACILITY DESIGNATED BY THE
15 COMMISSIONER SHALL NOTIFY AND ENGAGE THE BHA PRIOR TO
16 TERMINATING OR TRANSFERRING A PERSON CERTIFIED PURSUANT TO
17 SECTION 27-65-109, 27-65-110, OR 27-65-111. THE BHA MAY PROVIDE
18 CARE COORDINATION SERVICES TO SUPPORT A PERSON WHOSE
19 CERTIFICATION IS TERMINATED BUT WHO IS IN NEED OF ONGOING
20 TREATMENT AND SERVICES.
- 21 (2) THE BHA SHALL, DIRECTLY OR THROUGH CONTRACT, PROVIDE
22 CARE COORDINATION SERVICES TO A PERSON CERTIFIED PURSUANT TO
23 SECTION 27-65-109, 27-65-110, OR 27-65-111 AND DETERMINED BY THE
24 DESIGNATED FACILITY AND THE BHA TO NEED CARE COORDINATION
25 SERVICES."."
- 26 Page 4 of the report, strike lines 13 and 14.
- 27 Page 4 of the report, line 23, strike ""ONCE" and substitute ""THE
28 FACILITY MAY NOTIFY THE COURT WHERE THE PERSON RESIDES BY MAIL.
29 ONCE".
- 30 Page 7 of the report, strike lines 7 through 10 and substitute:

1 "Page 88 of the bill, lines 12 and 13, strike "POSSESSIONS, INCLUDING THE
2 PERSON'S CELL PHONE," and substitute "POSSESSIONS".

3 Page 88 of the bill, line 14, strike "MONEY;" and substitute "MONEY. A
4 FACILITY MAY TEMPORARILY RESTRICT A PERSON'S ACCESS TO PERSONAL
5 CLOTHING OR PERSONAL POSSESSIONS, UNTIL A SAFETY ASSESSMENT IS
6 COMPLETED. IF THE FACILITY RESTRICTS A PERSON'S ACCESS TO PERSONAL
7 CLOTHING OR PERSONAL POSSESSIONS, THE FACILITY SHALL HAVE A
8 DISCUSSION WITH THE PERSON ABOUT WHY THE PERSON'S PERSONAL
9 CLOTHING OR PERSONAL POSSESSIONS ARE BEING RESTRICTED. A LICENSED
10 MEDICAL PROFESSIONAL OR A LICENSED BEHAVIORAL HEALTH
11 PROFESSIONAL SHALL CONDUCT A SAFETY ASSESSMENT AS SOON AS
12 POSSIBLE. THE LICENSED PROFESSIONAL SHALL DOCUMENT IN THE
13 PERSON'S MEDICAL RECORD THE SPECIFIC REASONS WHY IT IS NOT SAFE
14 FOR THE PERSON TO POSSESS THE PERSON'S PERSONAL CLOTHING OR
15 PERSONAL POSSESSIONS. THE FACILITY SHALL PERIODICALLY CONDUCT
16 ADDITIONAL SAFETY ASSESSMENTS TO DETERMINE WHETHER THE PERSON
17 MAY POSSESS THE PERSON'S PERSONAL CLOTHING OR PERSONAL
18 POSSESSIONS, WITH THE GOAL OF RESTORING THE PERSON'S RIGHTS
19 ESTABLISHED PURSUANT TO THIS SECTION.

20 (X) TO KEEP AND USE THE PERSON'S CELL PHONE, UNLESS ACCESS
21 TO THE CELL PHONE CAUSES THE PERSON TO DESTABILIZE OR CREATES A
22 DANGER TO THE PERSON'S SELF OR OTHERS, AS DETERMINED BY A
23 PROVIDER, FACILITY STAFF MEMBER, OR SECURITY PERSONNEL INVOLVED
24 IN THE PERSON'S CARE;"

25 Renumber succeeding subparagraphs accordingly."

26 Page 8 of the report, line 33, strike "27-65-119." and substitute
27 "27-65-119 TO THE EXTENT THE COMPLAINT IS APPLICABLE TO HEALTH
28 FACILITIES LICENSED BY THE DEPARTMENT OF PUBLIC HEALTH AND
29 ENVIRONMENT.".

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