

HB1256_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public & Behavioral Health & Human Services.

HB22-1256 be amended as follows:

- 1 Amend printed bill, page 20, line 14, strike "**summary**" and substitute
2 "**instructions**".
- 3 Page 30, line 19, strike "ADMINISTRATION" and substitute
4 "ADMINISTRATION, THE DEPARTMENT OF PUBLIC HEALTH AND
5 ENVIRONMENT,".
- 6 Page 39, line 4, strike "SUMMARY" and substitute "INSTRUCTIONS".
- 7 Page 43, line 7, strike "SUMMARY" and substitute "INSTRUCTIONS".
- 8 Page 72, line 2, strike "SECOND" and substitute "SUBSEQUENT".
- 9 Page 73, line 21, strike "**summary**" and substitute "**instructions**".
- 10 Page 74, line 4, strike "AN EMERGENCY MEDICAL SERVICES FACILITY
11 OR".
- 12 Page 74, line 6, after "HOLD." insert "IF SUCH A FACILITY IS NOT
13 AVAILABLE, THE CERTIFIED PEACE OFFICER MAY TRANSPORT THE
14 PERSON TO AN EMERGENCY MEDICAL SERVICES FACILITY.".
- 15 Page 75, line 26, strike "AN EMERGENCY MEDICAL SERVICES FACILITY
16 OR".
- 17 Page 75, line 27, after "HOLD." insert "IF SUCH A FACILITY IS NOT
18 AVAILABLE, THE CERTIFIED PEACE OFFICER MAY TRANSPORT THE
19 PERSON TO AN EMERGENCY MEDICAL SERVICES FACILITY.".
- 20 Page 82, line 17, strike "SECOND" and substitute "SUBSEQUENT".
- 21 Page 82, line 21, after "PERSON." insert "ONCE THE COURT IS NOTIFIED,
22 THE EMERGENCY MEDICAL SERVICES FACILITY IS NOT REQUIRED TO
23 TAKE ANY FURTHER ACTION TO PROVIDE THE PERSON WITH AN
24 ATTORNEY UNLESS SPECIFIED IN SUBSECTION (10) OF THIS SECTION.
25 THE EMERGENCY MEDICAL SERVICES FACILITY SHALL NOTIFY THE BHA
26 AFTER EACH EMERGENCY MENTAL HEALTH HOLD IS PLACED.".
- 27 Page 82, line 27, strike "SECOND" and substitute "SUBSEQUENT".

- 1 Page 83, line 3, strike "SECOND" and substitute "SUBSEQUENT".
- 2 Page 83, strike lines 8 through 10 and substitute:
- 3 "(8) (a) THE FACILITY SHALL PROVIDE EACH PERSON DETAINED
4 FOR AN EMERGENCY MENTAL HEALTH HOLD DISCHARGE
5 INSTRUCTIONS. THE DISCHARGE".
- 6 Page 83, line 11, strike "SUMMARY" and substitute "INSTRUCTIONS".
- 7 Page 83, line 12, strike "RELEASED AND MUST" and substitute
8 "RELEASED.".
- 9 Page 83, strike lines 13 through 15 and substitute "IF THE DETAINED".
- 10 Page 83, line 16, strike "SIGN THE DISCHARGE SUMMARY," and
11 substitute "ACCEPT THE DISCHARGE INSTRUCTIONS,".
- 12 Page 83, line 18, strike "SUMMARY" and substitute "INSTRUCTIONS".
- 13 Page 83, strike lines 19 through 23 and substitute:
- 14 "(I) A SUMMARY OF WHY THE PERSON WAS DETAINED OR
15 EVALUATED FOR AN EMERGENCY MENTAL HEALTH HOLD; DETAILED
16 INFORMATION AS TO WHY THE EVALUATING PROFESSIONAL
17 DETERMINED THE PERSON NO LONGER MEETS THE CRITERIA FOR AN
18 EMERGENCY MENTAL HEALTH HOLD OR CERTIFICATION PURSUANT TO
19 SECTION 27-65-109; AND WHETHER THE PERSON MAY RECEIVE
20 SERVICES ON A VOLUNTARY BASIS PURSUANT TO SUBSECTION (6) OF
21 THIS SECTION;
- 22 (II) IF THE PERSON'S MEDICATIONS WERE CHANGED OR THE
23 PERSON WAS NEWLY PRESCRIBED MEDICATIONS DURING THE
24 EMERGENCY MENTAL HEALTH HOLD, A CLINICALLY APPROPRIATE
25 SUPPLY OF MEDICATIONS, AS DETERMINED BY THE JUDGMENT OF A
26 LICENSED HEALTH-CARE PROVIDER, FOR THE PERSON UNTIL THE
27 PERSON CAN ACCESS ANOTHER PROVIDER OR FOLLOW-UP
28 APPOINTMENT;".
- 29 Page 83, line 24, strike "(B)" and substitute "(III)".
- 30 Page 83, line 26, strike "(C)" and substitute "(IV)".
- 31 Page 84, strike lines 1 through 3 and substitute:

- 1 "(V) A REFERRAL TO APPROPRIATE SERVICES, IF SUCH SERVICES
2 EXIST IN THE COMMUNITY, IF THE PERSON IS DISCHARGED WITHOUT
3 FOOD, HOUSING, OR ECONOMIC SECURITY. ANY REFERRALS AND
4 LINKAGES MUST BE DOCUMENTED IN THE PERSON'S MEDICAL
5 RECORD.".
- 6 Page 84, line 4, strike "(E)" and substitute "(VI)".
- 7 Page 84, line 6, strike "AND".
- 8 Page 84, line 7, strike "(F)" and substitute "(VII)".
- 9 Page 84, line 9, strike "(II)" and substitute "(VIII)".
- 10 Page 84, line 14, strike "(III)" and substitute "(IX)".
- 11 Page 84, line 16, strike "(IV)" and substitute "(X)".
- 12 Page 84, line 18, strike "(V)" and substitute "(XI)".
- 13 Page 84, line 20, strike "(VI)" and substitute "(XII)".
- 14 Page 84, line 22, strike "(VII)" and substitute "(XIII)".
- 15 Page 84, line 24, strike "(VIII)" and substitute "(XIV)".
- 16 Page 84, line 26, strike "SUMMARY." and substitute "INSTRUCTIONS.".
- 17 Page 84, line 27, strike "SUMMARY" and substitute "INSTRUCTIONS".
- 18 Page 85, line 8, after "DISCHARGE." insert "FACILITIES SHALL COMPLY
19 WITH THIS SUBSECTION (8)(c) WHEN THE STATEWIDE CARE
20 COORDINATION INFRASTRUCTURE CREATED IN SECTION 27-60-204 IS
21 FULLY OPERATIONAL, AS DETERMINED BY THE BHA. THE BHA SHALL
22 IMMEDIATELY NOTIFY FACILITIES WHEN THE STATEWIDE CARE
23 COORDINATION INFRASTRUCTURE IS AVAILABLE TO ASSIST PERSONS
24 WITH DISCHARGE.".
- 25 Page 85, line 18, after "HOTLINE." insert "If THE FACILITY FACILITATES
26 FOLLOW-UP CARE THROUGH A THIRD-PARTY CONTRACT, THE FACILITY
27 SHALL OBTAIN AUTHORIZATION FROM THE PERSON TO PROVIDE
28 FOLLOW-UP CARE.".

- 1 Page 87, line 13, strike "VERBALLY AND IN WRITING".
- 2 Page 87, line 16, strike "MEDICATION" and substitute "MEDICATION,
3 UNLESS THE PERSON REQUIRES EMERGENCY MEDICATIONS,".
- 4 Page 87, line 26, strike "TIME;" and substitute "TIME; EXCEPT THAT,
5 UNLESS SPECIFIED IN SUBSECTION (7)(b) OF THIS SECTION, THE
6 FACILITY IS NOT REQUIRED TO RETAIN AN ATTORNEY ON BEHALF OF
7 THE PERSON BUT MUST ALLOW THE PERSON TO CONTACT AN
8 ATTORNEY;".
- 9 Page 88, line 14, strike "MONEY;" and substitute "MONEY, UNLESS
10 ACCESS TO THE ITEMS CAUSES THE PERSON TO DESTABILIZE OR
11 CREATES A DANGER TO THE PERSON'S SELF OR OTHERS, AS
12 DETERMINED BY A LICENSED PROVIDER INVOLVED IN THE PERSON'S
13 CARE;".
- 14 Page 89, line 9, strike "WOULD".
- 15 Page 89, strike lines 10 and 11 and substitute "CAUSES THE PERSON TO
16 DESTABILIZE OR CREATES A DANGER TO THE PERSON'S SELF OR
17 OTHERS, AS DETERMINED BY A LICENCED PROVIDER INVOLVED IN THE".
- 18 Page 89, strike lines 25 through 27.
- 19 Page 90, strike lines 1 through 4 and substitute:
- 20 "(d) ANY PERSON WHOSE RIGHTS ARE DENIED OR VIOLATED
21 PURSUANT TO THIS SECTION HAS THE RIGHT TO FILE A COMPLIANT
22 AGAINST THE FACILITY WITH THE BEHAVIORAL HEALTH
23 ADMINISTRATION AND THE DEPARTMENT OF PUBLIC HEALTH AND
24 ENVIRONMENT".
- 25 Page 98, strike lines 22 through 27.
- 26 Page 99, strike line 1 and substitute:
- 27 "(7) ANY RESPONDENT WHOSE RIGHTS ARE DENIED OR
28 VIOLATED PURSUANT TO THIS SECTION HAS THE RIGHT TO FILE A
29 COMPLIANT AGAINST THE FACILITY WITH THE BEHAVIORAL HEALTH
30 ADMINISTRATION AND THE DEPARTMENT OF PUBLIC HEALTH AND
31 ENVIRONMENT.".

1 Page 123, strike lines 5 through 19 and substitute:

2 "SECTION 40. In Colorado Revised Statutes, 25-3-102.1,
3 **amend** (1)(c) as follows:

4 **25-3-102.1. Deemed status for certain facilities.** (1) (c) Upon
5 submission of a completed application for license renewal, the
6 department of public health and environment shall accept proof of the
7 accreditation in lieu of licensing inspections or other requirements.
8 Nothing in this section exempts an accredited health facility from
9 inspections or from other forms of oversight by the department as
10 necessary to ensure public health and safety. NOTHING IN THIS SECTION
11 PREVENTS THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
12 FROM CONDUCTING AN INSPECTION OF A HOSPITAL OR OTHER HEALTH
13 FACILITY DESCRIBED IN SECTION 25-3-101 TO INVESTIGATE A
14 COMPLAINT REGARDING THE PROVISIONS OF SECTION 27-65-106,
15 27-65-107, 27-65-109, 27-65-110, OR 27-65-119."

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