

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Insurance.

HB22-1236 be amended as follows:

1 Amend printed bill, page 2, after line 1 insert:

2 **"SECTION 1. Legislative declaration.** The general assembly
3 finds and declares that the "Parent's Bill of Rights" created in article 16
4 of title 14, C.R.S., does not impact the provisions of title 19, C.R.S.".

5 Renumber succeeding sections accordingly.

6 Page 2, line 14, after "(1)" insert "(a)".

7 Page 2, after line 22, insert:

8 "(b) NOTHING IN THIS SECTION IS INTENDED TO CONFLICT WITH
9 ANY OTHER FEDERAL OR STATE LAW CONCERNING MENTAL HEALTH
10 SERVICES.".

11 Page 3, line 10, after "ALL" insert "ACADEMIC".

12 Page 3, line 13, strike "CHILD;" and substitute "CHILD. THIS SUBSECTION
13 (2)(d) IS NOT INTENDED TO CONFLICT WITH ANY OTHER FEDERAL OR STATE
14 LAW THAT ADDRESSES MENTAL HEALTH SERVICES.".

15 Page 3, line 14, after "CHILD;" insert "EXCEPT THAT THIS SUBSECTION
16 (2)(e) DOES NOT AFFECT A MINOR'S RIGHT TO SEEK PSYCHOTHERAPY
17 SERVICES PURSUANT TO SECTION 12-245-203.5;".

18 Page 3, line 20, strike "ORDER;" and substitute "ORDER OR UNLESS STATE
19 OR FEDERAL LAW AUTHORIZES A MINOR TO CONSENT TO THE MINOR'S OWN
20 MEDICAL TREATMENT, IN WHICH CASE PARENTAL CONSENT IS NOT
21 REQUIRED;".

22 Page 4, line 10, strike "TERMINATED," and substitute "AFFECTED BY A
23 COURT ORDER,".

24 Page 4, strike line 14 and substitute "CHILD MAY ONLY BE AFFECTED AS
25 PROVIDED BY LAW. THE "PARENT'S BILL OF RIGHTS" DOES NOT IMPACT
26 ANY PROVISIONS OF THE "COLORADO CHILDREN'S CODE" OR ANY OTHER
27 FEDERAL OR STATE LAW CONCERNING PARENT'S RIGHTS.".

28 Page 5, line 20, strike "OPT" and substitute "PURSUANT TO SECTION
29 22-7-1013 (8), OPT".

1 Page 6, line 4, strike "TWO" and substitute "SEVEN".

2 Page 6, strike lines 17 through 21 and substitute:

3 "(2) (a) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION,
4 AFTER MAKING A REASONABLE EFFORT TO OBTAIN THE CONSENT OF A
5 MINOR'S PARENT, LEGAL GUARDIAN, OR OTHER LEGAL CUSTODIAN, THE
6 COURT MAY AUTHORIZE OR CONSENT TO THE MEDICAL, SURGICAL, OR
7 DENTAL TREATMENT OR CARE OF A MINOR PLACED IN SHELTER CARE OR A
8 TEMPORARY HOLDING FACILITY THAT IS NOT OPERATED BY THE
9 DEPARTMENT OF HUMAN SERVICES.

10 (b) WHEN THE COURT FINDS THAT AN EMERGENCY MEDICAL,
11 SURGICAL, OR DENTAL TREATMENT IS REQUIRED FOR A MINOR PLACED IN
12 SHELTER CARE OR A TEMPORARY HOLDING FACILITY THAT IS NOT
13 OPERATED BY THE DEPARTMENT OF HUMAN SERVICES, THE COURT MAY
14 AUTHORIZE SUCH TREATMENT OR CARE IF THE MINOR'S PARENT, LEGAL
15 GUARDIAN, OR LEGAL CUSTODIAN IS NOT IMMEDIATELY AVAILABLE.

16 (3) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, UPON A
17 HEARING, AFTER PRIOR NOTICE IS GIVEN TO THE MINOR'S PARENT, LEGAL
18 GUARDIAN, OR LEGAL CUSTODIAN, THE COURT MAY ISSUE A TEMPORARY
19 ORDER PROVIDING FOR THE LEGAL CUSTODY, PROTECTION, AND SUPPORT
20 OF THE MINOR, INCLUDING AUTHORIZING A MEDICAL EVALUATION,
21 MEDICAL TREATMENT, SURGICAL TREATMENT, PSYCHOLOGICAL
22 EVALUATION, PSYCHOLOGICAL TREATMENT, OR DENTAL TREATMENT TO
23 BE PERFORMED AS THE COURT DETERMINES IS IN THE BEST INTEREST OF
24 THE MINOR WHOM A PETITION HAS BEEN FILED PRIOR TO ADJUDICATION OR
25 DISPOSITION OF THE CASE.

26 (4) THE RIGHTS OF A PARENT WHOSE MINOR CHILD IS IN THE
27 CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES OR DIVISION OF
28 YOUTH SERVICES ARE SET FORTH IN SECTIONS 19-3-403 (6) AND 19-1-104
29 (3).".

** *** ** *** **