

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB19-1044 be amended as follows:

1 Amend printed bill, page 7, after line 10 insert:

2        "(3) NOTHING IN THIS PART 2 ALLOWS AN ADULT TO INCLUDE IN  
3 HIS OR HER BEHAVIORAL HEALTH ORDERS FORM AN INSTRUCTION THAT  
4 EXEMPTS THE ADULT FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR  
5 COMMITMENT AUTHORIZED PURSUANT TO STATE LAW. ANY INSTRUCTION  
6 THAT ATTEMPTS TO EXEMPT THE ADULT FROM AN INVOLUNTARY  
7 EMERGENCY PROCEDURE OR COMMITMENT AUTHORIZED PURSUANT TO  
8 STATE LAW IS VOID.".

9 Page 11, after line 20 insert:

10        "(6) (a) NOTHING IN THIS PART 2 ALLOWS AN ADULT TO INCLUDE  
11 IN HIS OR HER BEHAVIORAL HEALTH ORDERS FORM AN INSTRUCTION THAT  
12 EXEMPTS THE ADULT FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR  
13 COMMITMENT AUTHORIZED PURSUANT TO STATE LAW. ANY INSTRUCTION  
14 THAT ATTEMPTS TO EXEMPT THE ADULT FROM AN INVOLUNTARY  
15 EMERGENCY PROCEDURE OR COMMITMENT AUTHORIZED PURSUANT TO  
16 STATE LAW IS VOID.

17        (b) NOTWITHSTANDING AN INSTRUCTION ON AN ADULT'S  
18 BEHAVIORAL HEALTH ORDERS FORM THAT STATES TO EXEMPT THE ADULT  
19 FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT  
20 AUTHORIZED PURSUANT TO STATE LAW, ANY PERSON AUTHORIZED TO  
21 PERFORM AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT  
22 PURSUANT TO STATE LAW AND WHO COMPLIES WITH THE REQUIREMENTS  
23 OF AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT  
24 PURSUANT TO STATE LAW IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY  
25 OR REGULATORY SANCTION.".

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