

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

HB25-1087 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 12-30-125 as
4 follows:

5 **12-30-125. Peer support team members - disclosure of**
6 **confidential information - not regulated by division - definitions.**

7 (1) (a) A PEER SUPPORT TEAM MEMBER SHALL NOT DISCLOSE, WITHOUT
8 THE CONSENT OF THE RECIPIENT OF PEER SUPPORT SERVICES, THE
9 CONFIDENTIAL COMMUNICATIONS THAT ARE MADE BY THE RECIPIENT
10 DURING A PEER SUPPORT INTERACTION. A RECIPIENT OF PEER SUPPORT
11 SERVICES WHO PARTICIPATES IN GROUP PEER SUPPORT SERVICES SHALL
12 NOT DISCLOSE INFORMATION THAT WAS COMMUNICATED BY OTHER
13 RECIPIENTS OF GROUP PEER SUPPORT SERVICES DURING THE COURSE OF
14 GROUP PEER SUPPORT SERVICES WITHOUT THE CONSENT OF THE
15 INDIVIDUAL TO WHOM THE INFORMATION RELATES.

16 (b) SUBSECTION (1)(a) OF THIS SECTION APPLIES ONLY TO
17 COMMUNICATIONS MADE DURING INTERACTIONS IN WHICH A PEER
18 SUPPORT TEAM MEMBER IS:

19 (I) ACTING IN THE INDIVIDUAL'S OFFICIAL CAPACITY AS A PEER
20 SUPPORT TEAM MEMBER OF THE PEER SUPPORT ORGANIZATION; AND

21 (II) FUNCTIONING WITHIN THE WRITTEN PEER SUPPORT GUIDELINES
22 THAT ARE IN EFFECT FOR THE PEER SUPPORT ORGANIZATION.

23 (c) SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY IN CASES
24 IN WHICH:

25 (I) A PEER SUPPORT TEAM MEMBER WAS A WITNESS OR A PARTY TO
26 AN INCIDENT THAT PROMPTED THE DELIVERY OF PEER SUPPORT SERVICES;

27 (II) A RECIPIENT OF PEER SUPPORT SERVICES ADMITS TO
28 COMMITTING A CRIME OR PROVIDES INFORMATION PERTAINING TO THE
29 INDIVIDUAL'S SELF OR OTHERS THAT IS INDICATIVE OF CRIMINAL CONDUCT,
30 INCLUDING A COMMITTED CRIME, A PLAN OR INTENTION TO COMMIT A
31 CRIME, OR A PLAN OR INTENTION TO CONCEAL A CRIME;

32 (III) IN RELATION TO A RECIPIENT OF PEER SUPPORT SERVICES, ONE
33 OR MORE OF THE CRITERIA DESCRIBED IN SECTION 13-90-107 (1)(m)(V)
34 ARE MET;

35 (IV) A RECIPIENT OF PEER SUPPORT SERVICES MAKES AN
36 ARTICULABLE AND SIGNIFICANT THREAT AGAINST, OR EXHIBITS
37 BEHAVIORS THAT IN THE REASONABLE JUDGMENT OF A PEER SUPPORT
38 TEAM MEMBER CREATE AN ARTICULABLE AND SIGNIFICANT THREAT
39 AGAINST, THE HEALTH OR SAFETY OF ANOTHER INDIVIDUAL, INCLUDING
40 UNIDENTIFIED INDIVIDUALS BELONGING TO AN IDENTIFIABLE GROUP, SUCH

1 AS A GROUP OF SCHOOL STUDENTS, TEACHERS, ADMINISTRATORS, OR
2 OTHER SCHOOL PERSONNEL; OR

3 (V) A RECIPIENT OF PEER SUPPORT SERVICES MAKES AN
4 ARTICULABLE AND SIGNIFICANT THREAT INVOLVING, OR EXHIBITS
5 BEHAVIORS THAT IN THE REASONABLE JUDGMENT OF A PEER SUPPORT
6 TEAM MEMBER CREATE AN ARTICULABLE AND SIGNIFICANT THREAT
7 INVOLVING, THE DAMAGE OR DESTRUCTION OF PRIVATE OR PUBLIC
8 PROPERTY, INCLUDING A SCHOOL, BUILDING, STRUCTURE, OR NATURAL
9 AREA.

10 (d) A PEER SUPPORT TEAM MEMBER WHO DISCLOSES INFORMATION
11 UNDER SUBSECTION (1)(c) OF THIS SECTION SHALL LIMIT THE DISCLOSURE
12 TO THE APPROPRIATE INDIVIDUAL, SCHOOL OR SCHOOL DISTRICT
13 PERSONNEL, AND LAW ENFORCEMENT AGENCIES.

14 (e) A PEER SUPPORT TEAM MEMBER WHO DISCLOSES OR DOES NOT
15 DISCLOSE A CONFIDENTIAL COMMUNICATION WITH A RECIPIENT OF PEER
16 SUPPORT SERVICES IN ACCORDANCE WITH SUBSECTION (1)(c) OF THIS
17 SECTION IS NOT LIABLE FOR DAMAGES IN A CIVIL ACTION FOR DISCLOSING
18 OR NOT DISCLOSING THE COMMUNICATION.

19 (2) (a) AN INDIVIDUAL ENGAGING IN GROUP PEER SUPPORT
20 SERVICES AS A PEER SUPPORT TEAM MEMBER IS NOT SUBJECT TO
21 LICENSURE, CERTIFICATION, REGISTRATION, OR OTHER REGULATION BY
22 THE DIVISION OR THE DEPARTMENT.

23 (b) AN INDIVIDUAL ENGAGING IN GROUP PEER SUPPORT SERVICES
24 AS A PEER SUPPORT TEAM MEMBER IS NOT SUBJECT TO DISCIPLINE,
25 ENFORCEMENT, OR REVIEW PURSUANT TO PART 4 OF ARTICLE 20 OF THIS
26 TITLE 12.

27 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
28 REQUIRES:

29 (a) "GROUP PEER SUPPORT SERVICES" HAS THE MEANING SET
30 FORTH IN SECTION 13-90-107 (1)(m)(III)(D).

31 (b) "PEER SUPPORT TEAM MEMBER" MEANS A DISTRICT ATTORNEY
32 OR PUBLIC DEFENDER PEER SUPPORT TEAM MEMBER, AS DEFINED IN
33 SECTION 13-90-107 (1)(m)(III)(B); AN EMERGENCY MEDICAL SERVICE
34 PROVIDER OR RESCUE UNIT PEER SUPPORT TEAM MEMBER, AS DEFINED IN
35 SECTION 13-90-107 (1)(m)(III)(C); OR A LAW ENFORCEMENT OR
36 FIREFIGHTER PEER SUPPORT TEAM MEMBER, AS DEFINED IN SECTION
37 13-90-107 (1)(m)(III)(E).

38 **SECTION 2.** In Colorado Revised Statutes, 12-245-220, amend
39 (2) introductory portion and (2)(d)(I) as follows:

40 **12-245-220. Disclosure of confidential communications -**
41 **definitions.** (2) Subsection (1) of this section does not apply and a person
42 LICENSEE, REGISTRANT, OR CERTIFICATE HOLDER may disclose
43 confidential information when:

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