

SB26-149

HOUSE FLOOR AMENDMENT

Third Reading BY REPRESENTATIVES McCluskie & Caldwell

1 Amend revised bill, page 191, after line 10 insert:
2 "SECTION 26. In Colorado Revised Statutes, 27-94-101.5, add
3 (2) as follows:

4 **27-94-101.5. Definitions.**

5 As used in this article 94, unless the context otherwise requires:

6 (2) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN SERVICES.

7 **SECTION 27.** In Colorado Revised Statutes, add 27-94-108 as
8 follows:

9 **27-94-108. Construction and operation of an outpatient**
10 **treatment facility.**

11 (1) NO LATER THAN OCTOBER 1, 2027, THE DEPARTMENT SHALL
12 CONSTRUCT AND OPERATE AN OUTPATIENT TREATMENT FACILITY FOR
13 ADULTS WITH BEHAVIORAL HEALTH NEEDS, INCLUDING ADULTS WHO ARE
14 FOUND INCOMPETENT TO PROCEED AND UNLIKELY TO BE RESTORED TO
15 COMPETENCY PURSUANT TO ARTICLE 8.5 OF TITLE 16.

16 (2) A PERSON MAY BE REFERRED TO THE OUTPATIENT TREATMENT
17 FACILITY BY A COURT CONDUCTING A COMPETENCY PROCEEDING
18 PURSUANT TO ARTICLE 8.5 OF TITLE 16, BY THE BRIDGES WRAPAROUND
19 CARE PROGRAM ESTABLISHED IN ARTICLE 8.6 OF TITLE 16, OR BY ANY
20 OTHER PROGRAM OR FACILITY WITHIN THE DEPARTMENT, INCLUDING
21 PROGRAMS OPERATED THROUGH CONTRACTS WITH THE DEPARTMENT. A
22 PERSON SHALL NOT BE REFERRED TO THE OUTPATIENT TREATMENT
23 FACILITY FROM ANY SOURCE OUTSIDE OF COMPETENCY-RELATED
24 PROCEEDINGS, THE BRIDGES WRAPAROUND CARE PROGRAM, OR THE
25 DEPARTMENT.

26 (3) AT A MINIMUM, THE DEPARTMENT SHALL ENSURE THAT THE
27 OUTPATIENT TREATMENT FACILITY OFFERS MENTAL HEALTH THERAPY,
28 MEDICATION MANAGEMENT SERVICES, AND CASE MANAGEMENT SERVICES.
29 THE DEPARTMENT MAY OFFER OUTPATIENT TREATMENT SERVICES AS
30 COMMUNITY-BASED SERVICES, AS TELEHEALTH SERVICES, OR IN-PERSON
31 AT THE OUTPATIENT TREATMENT FACILITY.

32 (4) THE DEPARTMENT MAY OPEN AND OPERATE ADDITIONAL
33 OUTPATIENT TREATMENT FACILITIES OR CONTRACT WITH OTHER ENTITIES
34 AT THE DEPARTMENT'S DISCRETION, SUBJECT TO ADDITIONAL
35 APPROPRIATIONS. THE DEPARTMENT MAY HOLD ALL CIVIL CERTIFICATIONS
36 AT A SINGLE LOCATION AND CONTRACTORS AND OTHER DEPARTMENT
37 TREATMENT FACILITIES MAY PROVIDE SERVICES TO SUPPORT THE CIVIL
38 CERTIFICATIONS."

39 Renumber succeeding sections accordingly.

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