

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 30, 2018

Date

Committee on State, Veterans, & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB18-263 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 2, line 15, after "TO" insert "DETERMINE AND, IF
- 2 APPROPRIATE,".

- 3 Page 3, line 10, before "ONCE" insert "PRIOR TO APPROVING A JAIL TO
- 4 PARTICIPATE IN THE PILOT PROGRAM, THE ADVISORY BOARD SHALL SEEK
- 5 INPUT FROM A MEMBERSHIP ASSOCIATION THAT REPRESENTS DEFENSE
- 6 ATTORNEYS WITH EXPERIENCE WORKING WITH RESPONDENTS WHO HAVE
- 7 MENTAL HEALTH ISSUES.".

- 8 Page 3, line 13, strike "CONTINUANCE" and substitute "CONTINUED".

- 9 Page 3, line 14, after "DEPARTMENT," insert "PURSUANT TO SUBSECTION
- 10 (6) OF THIS SECTION,".

- 11 Page 4, line 9, strike "POTENTIALLY" and substitute "MORE LIKELY THAN
- 12 NOT".

- 13 Page 4, line 17, after the period add "THE CRITERIA FOR MEDICATION
- 14 MUST INCLUDE:
- 15 (I) MEDICATION AVAILABILITY IN THE JAIL IN WHICH THE
- 16 RESPONDENT IS HELD; AND
- 17 (II) IDENTIFICATION OF LESS INTRUSIVE METHODS ALREADY
- 18 ATTEMPTED.".

- 1 Page 4, line 20, before "ANY" insert "ALL RECOMMENDATIONS FROM THE
2 ADVISORY BOARD TO THE EXECUTIVE DIRECTOR MUST HAVE RECEIVED
3 TWO-THIRDS APPROVAL PRIOR TO THE EXECUTIVE DIRECTOR
4 IMPLEMENTING THE PILOT PROGRAM."
- 5 Page 5, line 1, after "DETERMINED" insert "BY RULE AND AS DETERMINED".
- 6 Page 5, line 14, strike "PRIOR TO" and substitute "FOR NO LATER THAN
7 SEVENTY-TWO HOURS UPON".
- 8 Page 7, line 5, strike "AND".
- 9 Page 7, line 7, strike "PURPOSES." and substitute "PURPOSES;
10 (IX) ESTABLISHMENT OF STANDARDS AND PROTOCOLS FOR
11 DOCUMENTATION AND OBSERVATION OF THE RESPONDENT'S BEHAVIOR,
12 ESPECIALLY WITHIN THE FIRST FORTY-EIGHT HOURS FOLLOWING THE
13 ADMINISTRATION OF THE MEDICATION. STANDARDS AND PROTOCOLS MUST
14 INCLUDE, BUT NEED NOT BE LIMITED TO, ADVERSE EFFECTS OF THE
15 MEDICATION AS EXPERIENCED BY THE RESPONDENT; ANY ASSAULTIVE
16 BEHAVIOR; AND ANY NEW CHARGES FILED DURING OR THROUGHOUT THE
17 COURSE OF THE ADMINISTRATION OF MEDICATION.
18 (X) ESTABLISHMENT OF STANDARDS AND PROTOCOLS FOR
19 DOCUMENTING CRITICAL INCIDENTS, INCLUDING BUT NOT LIMITED TO
20 SANCTIONING OR CLOSING A PILOT PROGRAM THAT FAILS TO ADHERE TO
21 THE RULES ESTABLISHED BY THE STATE BOARD OF HUMAN SERVICES."
- 22 Page 8, line 14, strike "DECEMBER 1," and substitute "AUGUST 1,".
- 23 Page 8, after line 18 insert:
24 "(b) A REQUIREMENT THAT ENSURES THAT RESPONDENTS
25 RECEIVING PSYCHOTROPIC MEDICATIONS HAVE ACCESS TO APPROPRIATE
26 AND NECESSARY HEALTH CARE OVERSIGHT AND SERVICES;".
- 27 Reletter succeeding paragraphs accordingly.

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