

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 19, 2025
Date

Committee on Health & Human Services.

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

HB25-1087 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

1 COMMITTING A CRIME OR PROVIDES INFORMATION PERTAINING TO THE
2 INDIVIDUAL'S SELF OR OTHERS THAT IS INDICATIVE OF CRIMINAL CONDUCT,
3 INCLUDING A COMMITTED CRIME, A PLAN OR INTENTION TO COMMIT A
4 CRIME, OR A PLAN OR INTENTION TO CONCEAL A CRIME;

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

8 (IV) A RECIPIENT OF PEER SUPPORT SERVICES MAKES AN
9 ARTICULABLE AND SIGNIFICANT THREAT AGAINST, OR EXHIBITS
10 BEHAVIORS THAT IN THE REASONABLE JUDGMENT OF A PEER SUPPORT
11 TEAM MEMBER CREATE AN ARTICULABLE AND SIGNIFICANT THREAT
12 AGAINST, THE HEALTH OR SAFETY OF ANOTHER INDIVIDUAL, INCLUDING
13 UNIDENTIFIED INDIVIDUALS BELONGING TO AN IDENTIFIABLE GROUP, SUCH
14 AS A GROUP OF SCHOOL STUDENTS, TEACHERS, ADMINISTRATORS, OR
15 OTHER SCHOOL PERSONNEL; OR

16 (V) A RECIPIENT OF PEER SUPPORT SERVICES MAKES AN
17 ARTICULABLE AND SIGNIFICANT THREAT INVOLVING, OR EXHIBITS
18 BEHAVIORS THAT IN THE REASONABLE JUDGMENT OF A PEER SUPPORT
19 TEAM MEMBER CREATE AN ARTICULABLE AND SIGNIFICANT THREAT
20 INVOLVING, THE DAMAGE OR DESTRUCTION OF PRIVATE OR PUBLIC
21 PROPERTY, INCLUDING A SCHOOL, BUILDING, STRUCTURE, OR NATURAL
22 AREA.

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

27 (e) A PEER SUPPORT TEAM MEMBER WHO DISCLOSES OR DOES NOT
28 DISCLOSE A CONFIDENTIAL COMMUNICATION WITH A RECIPIENT OF PEER
29 SUPPORT SERVICES IN ACCORDANCE WITH SUBSECTION (1)(c) OF THIS
30 SECTION IS NOT LIABLE FOR DAMAGES IN A CIVIL ACTION FOR DISCLOSING
31 OR NOT DISCLOSING THE COMMUNICATION.

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

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

40 (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
41 REQUIRES:

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

1 (b) "PEER SUPPORT TEAM MEMBER" MEANS A DISTRICT ATTORNEY
2 OR PUBLIC DEFENDER PEER SUPPORT TEAM MEMBER, AS DEFINED IN
3 SECTION 13-90-107 (1)(m)(III)(B); AN EMERGENCY MEDICAL SERVICE
4 PROVIDER OR RESCUE UNIT PEER SUPPORT TEAM MEMBER, AS DEFINED IN
5 SECTION 13-90-107 (1)(m)(III)(C); OR A LAW ENFORCEMENT OR
6 FIREFIGHTER PEER SUPPORT TEAM MEMBER, AS DEFINED IN SECTION
7 13-90-107 (1)(m)(III)(E).

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

10 **12-245-220. Disclosure of confidential communications -**
11 **definitions.** (2) Subsection (1) of this section does not apply and a **person**
12 **LICENSEE, REGISTRANT, OR CERTIFICATE HOLDER** may disclose
13 confidential information when:

14 (d) (I) A client, regardless of age:

15 (A) ~~Makes an articulable and significant threat against a school or~~
16 ~~the occupants of a school~~ AN INDIVIDUAL OR THEMSELF OR MAKES AN
17 ARTICULABLE AND SIGNIFICANT THREAT THAT, IF CARRIED OUT, WOULD
18 RESULT IN HARM TO AN INDIVIDUAL OR THEMSELF; or

19 (B) Exhibits behaviors that, in the reasonable judgment of the
20 licensee, registrant, or certificate holder, create an articulable and
21 significant threat to the health or safety of ~~students, teachers,~~
22 ~~administrators, or other school personnel~~ AN INDIVIDUAL OR THEMSELF.

23 **SECTION 3. Act subject to petition - effective date.** This act
24 takes effect at 12:01 a.m. on the day following the expiration of the
25 ninety-day period after final adjournment of the general assembly; except
26 that, if a referendum petition is filed pursuant to section 1 (3) of article V
27 of the state constitution against this act or an item, section, or part of this
28 act within such period, then the act, item, section, or part will not take
29 effect unless approved by the people at the general election to be held in
30 November 2026 and, in such case, will take effect on the date of the
31 official declaration of the vote thereon by the governor."

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