

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0081.01 Shelby Ross x4510

HOUSE BILL 21-1251

HOUSE SPONSORSHIP

Caraveo and Herod, Benavidez, Jackson, Jodeh, Mullica, Woodrow

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE APPROPRIATE USE OF KETAMINE UPON A PERSON IN**
102 **A PREHOSPITAL SETTING.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires an agency that uses a chemical restraint to ensure that a person administering ketamine, haloperidol, or any other medication that is severely dependent on the weight of an individual or may result in a severe or adverse reaction with improper dosage in a nonhospital setting does so when staff trained in the administration of such medication can monitor the vital signs of the individual and weigh

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

the individual to ensure accurate dosage.

Absent a justifiable emergency, a person shall not administer a chemical restraint in a nonhospital setting to subdue, sedate, or chemically incapacitate an individual for alleged or suspected criminal, delinquent, or suspicious conduct.

The bill prohibits a peace officer from using, requesting, causing, directing, or influencing the use of a chemical restraint upon another person.

The bill prohibits a peace officer from compelling, requesting, causing, directing, or influencing an emergency medical service provider (EMS provider) to administer a chemical restraint. An EMS provider shall confidentially report a peace officer's violation to the P.O.S.T. board within 10 days of the occurrence, and a peace officer shall not retaliate in any way against an EMS provider for reporting the incident. A peace officer shall not influence an EMS provider's medical decision or diagnosis, and an EMS provider shall not base its medical decision exclusively on information provided by a peace officer.

When a peace officer directs a person to assist the peace officer, the person is prohibited from administering a chemical restraint.

The bill requires a peace officer who witnesses another peace officer use a chemical restraint in pursuance of the peace officer's duties to report such use to the P.O.S.T. board. The report must be in writing and made within 10 days of the occurrence of the use of a chemical restraint. Any peace officer who fails to report use of a chemical restraint commits a class 1 misdemeanor.

The bill requires a peace officer to intervene, without regard for chain of command, to prevent or stop another peace officer from using a chemical restraint in pursuance of the other peace officer's duties. A peace officer who intervenes shall report the intervention to the peace officer's immediate supervisor. A member of a law enforcement agency shall not discipline or retaliate in any way against a peace officer for intervening. Any peace officer who fails to intervene commits a class 1 misdemeanor, and the officer's certification is subject to revocation.

The bill changes the structure of the emergency medical practice advisory council (advisory council) by adding an EMS provider certified or licensed at an advanced life support level, an anesthesiologist, a registered nurse or physician's assistant certified or licensed at a basic life support level, a clinical pharmacist, and a clinical psychiatrist. Members of the advisory council shall not have any conflicts of interest, and no more than 5 members of the advisory council may be members of, or have a direct affiliation with, the National Association of EMS Physicians.

The bill requires the advisory council to submit a report to the general assembly any time the advisory council advises or recommends authorizing the administration of any chemical restraints.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 26-20-102, **add** (3.7)
3 and (5.1) as follows:

4 **26-20-102. Definitions.** As used in this article 20, unless the
5 context otherwise requires:

6 (3.7) "JUSTIFIABLE MEDICAL EMERGENCY" MEANS AN UNDERLYING
7 MEDICAL, TRAUMATIC, OR PSYCHIATRIC CONDITION POSING AN IMMEDIATE
8 SAFETY RISK TO THE INDIVIDUAL, EMERGENCY MEDICAL SERVICE
9 PROVIDERS, OR THE PUBLIC. EXCITED DELIRIUM, ANY SUBSEQUENT TERM
10 FOR EXCITED DELIRIUM, OR ANY ACUTE PSYCHIATRIC DIAGNOSIS NOT
11 RECOGNIZED IN THE MOST RECENT EDITION OF THE DIAGNOSTIC AND
12 STATISTICAL MANUAL OF MENTAL DISORDERS IS NOT A JUSTIFIABLE
13 MEDICAL EMERGENCY.

14 (5.1) "PREHOSPITAL SETTING" HAS THE SAME MEANING AS SET
15 FORTH IN SECTION 25-3.5-206 (5)(b).

16 **SECTION 2.** In Colorado Revised Statutes, **add** 26-20-104.7 as
17 follows:

18 **26-20-104.7. Use of ketamine on individuals in prehospital**
19 **setting when peace officer present.** (1) (a) WHEN A PEACE OFFICER IS
20 PRESENT AT THE SCENE OF AN EMERGENCY, AN EMERGENCY MEDICAL
21 SERVICE PROVIDER AUTHORIZED TO ADMINISTER KETAMINE IN A
22 PREHOSPITAL SETTING SHALL ONLY ADMINISTER KETAMINE IF THE
23 PROVIDER HAS:

24 (I) WEIGHED THE INDIVIDUAL TO ENSURE ACCURATE DOSAGE. IF
25 THE EMERGENCY MEDICAL SERVICE PROVIDER IS UNABLE TO WEIGH THE
26 INDIVIDUAL, THE EMERGENCY MEDICAL SERVICE PROVIDER SHALL, PRIOR

1 TO THE ADMINISTRATION OF KETAMINE:

2 (A) ESTIMATE THE INDIVIDUAL'S WEIGHT, AND AT LEAST TWO
3 PERSONNEL WHO ARE TRAINED IN WEIGHT ASSESSMENTS MUST AGREE
4 WITH THE WEIGHT ASSESSMENT; AND

5 (B) ATTEMPT TO OBTAIN VERBAL AUTHORIZATION FROM THE
6 EMERGENCY MEDICAL SERVICE PROVIDER'S MEDICAL DIRECTOR OR THEIR
7 DESIGNEE, UNLESS THERE IS A VERIFIABLE REASON THE EMERGENCY
8 MEDICAL SERVICE PROVIDER CANNOT MAKE AN OUTGOING CALL.

9 (II) TRAINING IN THE ADMINISTRATION OF KETAMINE, INCLUDING
10 TRAINING TO ENSURE APPROPRIATE DOSAGE BASED ON THE WEIGHT OF THE
11 INDIVIDUAL;

12 (III) TRAINING IN ADVANCED AIRWAY SUPPORT TECHNIQUES;

13 (IV) EQUIPMENT AVAILABLE TO MANAGE RESPIRATORY
14 DEPRESSION; AND

15 (V) EQUIPMENT AVAILABLE TO IMMEDIATELY MONITOR THE VITAL
16 SIGNS OF THE INDIVIDUAL RECEIVING KETAMINE AND THE ABILITY TO
17 RESPOND TO ANY ADVERSE REACTIONS.

18 (b) THE MEDICAL DIRECTOR OF AN AGENCY THAT HAS A WAIVER
19 TO ADMINISTER KETAMINE SHALL DEVELOP ANY NECESSARY TRAINING FOR
20 EMERGENCY MEDICAL SERVICE PROVIDERS PURSUANT TO THIS SUBSECTION
21 (1).

22 (2) AN EMERGENCY MEDICAL SERVICE PROVIDER WHO
23 ADMINISTERS KETAMINE SHALL:

24 (a) PROVIDE URGENT TRANSPORT TO THE INDIVIDUAL RECEIVING
25 KETAMINE; AND

26 (b) RECORD ANY COMPLICATIONS ARISING OUT OF SUCH
27 ADMINISTRATION, INCLUDING BUT NOT LIMITED TO APNEA,

1 LARYNGOSPASM, HYPOXIA, HYPERTENSION, HYPOTENSION, SEIZURE, AND
2 CARDIAC ARREST.

3 (3) ABSENT A JUSTIFIABLE MEDICAL EMERGENCY, AN EMERGENCY
4 MEDICAL SERVICE PROVIDER SHALL NOT ADMINISTER KETAMINE IN A
5 PREHOSPITAL SETTING TO SUBDUE, SEDATE, OR CHEMICALLY
6 INCAPACITATE AN INDIVIDUAL FOR ALLEGED OR SUSPECTED CRIMINAL,
7 DELINQUENT, OR SUSPICIOUS CONDUCT.

8 (4) IF AN EMERGENCY MEDICAL SERVICE PROVIDER DOES NOT
9 COMPLY WITH THE PROVISIONS OF THIS SECTION, SUCH NONCOMPLIANCE
10 IS CONSIDERED MISCONDUCT, AS DEFINED IN SECTION 25-3.5-205 (5)(b).

11 **SECTION 3.** In Colorado Revised Statutes, 18-1-707, **add** (1.5)
12 as follows:

13 **18-1-707. Use of force by peace officers - definitions - repeal.**
14 (1.5) PURSUANT TO SECTION 18-8-805 (1) AND (2)(a)(I), PEACE OFFICERS
15 SHALL NOT USE, REQUEST, CAUSE, DIRECT, OR INFLUENCE THE USE OF
16 KETAMINE UPON ANOTHER PERSON NOR COMPEL, REQUEST, CAUSE,
17 DIRECT, OR INFLUENCE AN EMERGENCY MEDICAL SERVICE PROVIDER TO
18 ADMINISTER KETAMINE. IF A PEACE OFFICER VIOLATES THIS PROHIBITION,
19 THE DISTRICT ATTORNEY MAY CHARGE THE OFFICER WITH ANY CRIME
20 BASED ON THE FACTS OF THE CASE.

21 **SECTION 4.** In Colorado Revised Statutes, **amend** 18-8-801 as
22 follows:

23 **18-8-801. Definitions.** As used in this part 8, unless the context
24 otherwise requires:

25 (1) "EMERGENCY MEDICAL SERVICE PROVIDER" HAS THE SAME
26 MEANING AS SET FORTH IN SECTION 25-3.5-103 (8).

27 (†) (2) "Materially false statement" has the meaning set out in

1 section 18-8-501 (1).

2 ~~(2)~~ (3) "Peace officer" has the meaning set out in section
3 16-2.5-101, C.R.S.

4 **SECTION 5.** In Colorado Revised Statutes, **add** 18-8-805 as
5 follows:

6 **18-8-805. Prohibition on using or directing administration of**
7 **ketamine - duty to report - duty to intervene.** (1) A PEACE OFFICER
8 SHALL NOT USE, REQUEST, CAUSE, DIRECT, OR INFLUENCE THE USE OF
9 KETAMINE UPON ANOTHER PERSON.

10 (2) (a) (I) A PEACE OFFICER SHALL NOT COMPEL, REQUEST, CAUSE,
11 DIRECT, OR INFLUENCE AN EMERGENCY MEDICAL SERVICE PROVIDER TO
12 ADMINISTER KETAMINE.

13 (II) AN EMERGENCY MEDICAL SERVICE PROVIDER SHALL
14 CONFIDENTIALLY REPORT ANY VIOLATION OF THIS SUBSECTION (2)(a) TO
15 THE P.O.S.T. BOARD CREATED IN SECTION 24-31-302 WITHIN TEN DAYS OF
16 THE OCCURRENCE. AT A MINIMUM, THE REPORT MUST INCLUDE THE DATE,
17 TIME, AND PLACE OF THE OCCURRENCE; THE IDENTITY, IF KNOWN, AND A
18 DESCRIPTION OF THE PARTICIPANTS; AND A DESCRIPTION OF THE EVENTS.

19 (III) A PEACE OFFICER SHALL NOT RETALIATE IN ANY WAY
20 AGAINST AN EMERGENCY MEDICAL SERVICE PROVIDER FOR REPORTING THE
21 INCIDENT PURSUANT TO THIS SUBSECTION (2).

22 (b) A PEACE OFFICER SHALL NOT INFLUENCE AN EMERGENCY
23 MEDICAL SERVICE PROVIDER'S MEDICAL DECISION OR DIAGNOSIS, AND AN
24 EMERGENCY MEDICAL SERVICE PROVIDER SHALL NOT BASE ITS MEDICAL
25 DECISION OR DIAGNOSIS EXCLUSIVELY ON INFORMATION PROVIDED BY A
26 PEACE OFFICER; EXCEPT THAT A PEACE OFFICER MAY PROVIDE CRITICAL
27 MEDICAL INFORMATION OR ANY OTHER PERTINENT INFORMATION ABOUT

1 THE INDIVIDUAL OR THE SCENE OF THE EMERGENCY THAT MAY ASSIST THE
2 EMERGENCY MEDICAL SERVICE PROVIDER'S ASSESSMENT OF THE NEED TO
3 ADMINISTER KETAMINE.

4 (3) A PERSON WHO IS DIRECTED BY A PEACE OFFICER TO ASSIST THE
5 PEACE OFFICER TO EFFECT AN ARREST, DETENTION, RESTRAINT,
6 TRANSPORT, OR PUNISHMENT; TO PREVENT AN ESCAPE FROM CUSTODY; OR
7 TO FACILITATE EASE AND CONVENIENCE IN LAW ENFORCEMENT
8 ENCOUNTERS SHALL NOT USE KETAMINE TO CARRY OUT THE PEACE
9 OFFICER'S DIRECTION OR INFLUENCE.

10 (4) (a) A PEACE OFFICER WHO, IN PURSUANCE OF THE PEACE
11 OFFICER'S LAW ENFORCEMENT DUTIES, WITNESSES ANOTHER PEACE
12 OFFICER, IN PURSUANCE OF THE OTHER PEACE OFFICER'S LAW
13 ENFORCEMENT DUTIES, USE OR DIRECT THE USE OF KETAMINE ON ANOTHER
14 PERSON SHALL REPORT SUCH USE TO THE P.O.S.T. BOARD CREATED IN
15 SECTION 24-31-302.

16 (b) AT A MINIMUM, THE REPORT REQUIRED BY THIS SUBSECTION (4)
17 MUST INCLUDE THE DATE, TIME, AND PLACE OF THE OCCURRENCE; THE
18 IDENTITY, IF KNOWN, AND A DESCRIPTION OF THE PARTICIPANTS; AND A
19 DESCRIPTION OF THE EVENTS. A COPY OF AN ARREST REPORT OR OTHER
20 SIMILAR REPORT REQUIRED AS A PART OF A PEACE OFFICER'S DUTIES CAN
21 BE SUBSTITUTED FOR THE REPORT REQUIRED BY THIS SUBSECTION (4) IF IT
22 INCLUDES SUCH INFORMATION. THE REPORT MUST BE IN WRITING AND
23 MADE WITHIN TEN DAYS OF THE OCCURRENCE OF THE USE OF KETAMINE.

24 (c) ANY PEACE OFFICER WHO FAILS TO REPORT THE USE OR
25 DIRECTED USE OF KETAMINE IN THE MANNER DESCRIBED IN THIS
26 SUBSECTION (4) COMMITS A CLASS 1 MISDEMEANOR.

27 (5) (a) A PEACE OFFICER SHALL INTERVENE, WITHOUT REGARD FOR

1 CHAIN OF COMMAND, TO PREVENT OR STOP ANOTHER PEACE OFFICER FROM
2 USING OR DIRECTING THE USE OF KETAMINE IN PURSUANCE OF THE OTHER
3 PEACE OFFICER'S LAW ENFORCEMENT DUTIES TO EFFECT AN ARREST,
4 DETENTION, RESTRAINT, TRANSPORT, OR PUNISHMENT; TO PREVENT AN
5 ESCAPE FROM CUSTODY; OR TO FACILITATE EASE AND CONVENIENCE IN
6 LAW ENFORCEMENT ENCOUNTERS.

7 (b) (I) A PEACE OFFICER WHO INTERVENES AS REQUIRED BY
8 SUBSECTION (5)(a) OF THIS SECTION SHALL REPORT THE INTERVENTION TO
9 THE INTERVENING PEACE OFFICER'S IMMEDIATE SUPERVISOR.

10 (II) AT A MINIMUM, THE REPORT REQUIRED BY THIS SUBSECTION
11 (5)(b) MUST INCLUDE THE DATE, TIME, AND PLACE OF THE OCCURRENCE;
12 THE IDENTITY, IF KNOWN, AND A DESCRIPTION OF THE PARTICIPANTS; AND
13 A DESCRIPTION OF THE INTERVENTION ACTIONS TAKEN. THE REPORT MUST
14 BE IN WRITING AND MADE WITHIN TEN DAYS OF THE OCCURRENCE OF THE
15 INTERVENTION AND MUST BE INCLUDED WITH ALL OTHER REPORTS OF THE
16 INCIDENT.

17 (c) A MEMBER OF A LAW ENFORCEMENT AGENCY SHALL NOT
18 DISCIPLINE OR RETALIATE IN ANY WAY AGAINST A PEACE OFFICER FOR
19 INTERVENING AS REQUIRED BY SUBSECTION (5)(a) OF THIS SECTION, FOR
20 REPORTING ANY OTHER VIOLATION OF THIS SECTION, OR FOR FAILING TO
21 FOLLOW WHAT THE PEACE OFFICER REASONABLY BELIEVES IS AN
22 UNCONSTITUTIONAL DIRECTIVE.

23 (d) ANY PEACE OFFICER WHO FAILS TO INTERVENE TO PREVENT
24 THE USE OR DIRECT THE USE OF KETAMINE AS DESCRIBED IN THIS
25 SUBSECTION (5) COMMITS A CLASS 1 MISDEMEANOR.

26 (e) WHEN AN ADMINISTRATIVE LAW JUDGE OR INTERNAL
27 INVESTIGATION FINDS THAT A PEACE OFFICER FAILED TO INTERVENE TO

1 PREVENT THE USE OR DIRECT THE USE OF KETAMINE, THE FINDING MUST BE
2 PRESENTED TO THE DISTRICT ATTORNEY SO THAT THE DISTRICT ATTORNEY
3 CAN DETERMINE WHETHER CHARGES SHOULD BE FILED PURSUANT TO
4 SUBSECTION (5)(d) OF THIS SECTION. HOWEVER, NOTHING IN THIS
5 SUBSECTION (5)(e) PROHIBITS OR IS INTENDED TO DISCOURAGE THE
6 DISTRICT ATTORNEY FROM CHARGING AN OFFICER WITH FAILURE TO
7 INTERVENE BEFORE THE CONCLUSION OF ANY INTERNAL INVESTIGATION.

8 (f) IN A CASE IN WHICH THE PROSECUTION CHARGES A PEACE
9 OFFICER WITH OFFENSES RELATED TO AND BASED UPON THE USE OR
10 DIRECTED USE OF KETAMINE BUT DOES NOT FILE CHARGES AGAINST ANY
11 OTHER PEACE OFFICER OR OFFICERS WHO WERE AT THE SCENE DURING THE
12 USE OF KETAMINE, THE DISTRICT ATTORNEY SHALL PREPARE A WRITTEN
13 REPORT EXPLAINING THE DISTRICT ATTORNEY'S BASIS FOR THE DECISION
14 NOT TO CHARGE ANY OTHER PEACE OFFICER WITH ANY CRIMINAL CONDUCT
15 AND SHALL PUBLICLY DISCLOSE THE REPORT; EXCEPT THAT IF DISCLOSURE
16 OF THE REPORT WOULD SUBSTANTIALLY INTERFERE WITH OR JEOPARDIZE
17 AN ONGOING CRIMINAL INVESTIGATION, THE DISTRICT ATTORNEY MAY
18 DELAY PUBLIC DISCLOSURE FOR UP TO FORTY-FIVE DAYS. THE DISTRICT
19 ATTORNEY SHALL POST THE WRITTEN REPORT ON ITS WEBSITE OR, IF IT
20 DOES NOT HAVE A WEBSITE, MAKE IT PUBLICLY AVAILABLE.

21 (g) NOTHING IN THIS SUBSECTION (5) PROHIBITS OR DISCOURAGES
22 PROSECUTION OF ANY OTHER CRIMINAL OFFENSE RELATED TO UNLAWFUL
23 USE OR DIRECTED USE OF KETAMINE, FAILURE TO INTERVENE, OR FAILURE
24 TO REPORT, INCLUDING A HIGHER CHARGE, IF SUPPORTED BY THE
25 EVIDENCE.

26 (6) ANY PEACE OFFICER WHO KNOWINGLY MAKES A MATERIALLY
27 FALSE STATEMENT THAT THE OFFICER DOES NOT BELIEVE TO BE TRUE IN

1 ANY REPORT MADE PURSUANT TO SUBSECTION (4) OF THIS SECTION
2 COMMITS FALSE REPORTING TO AUTHORITIES PURSUANT TO SECTION
3 18-8-111 (1)(a)(III).

4 **SECTION 6.** In Colorado Revised Statutes, **amend 24-31-904** as
5 follows:

6 **24-31-904. Peace officer certification discipline.**

7 (1)(a) Notwithstanding any provision of law, THE P.O.S.T. BOARD SHALL
8 PERMANENTLY REVOKE A PEACE OFFICER'S CERTIFICATION if: ~~any~~

9 (I) THE P.O.S.T.-CERTIFIED peace officer is convicted of or pleads
10 guilty or nolo contendere to a crime involving the unlawful use ~~or~~
11 ~~threatened use~~ of physical force OR a crime involving the failure to
12 intervene in the use of unlawful force ~~or is~~ AND THE INCIDENT RESULTED
13 IN SERIOUS BODILY INJURY OR DEATH TO ANOTHER PERSON;

14 (II) THE P.O.S.T.-CERTIFIED PEACE OFFICER IS found civilly liable
15 for the use of unlawful physical force, or is found civilly liable for failure
16 to intervene in the use of unlawful force ~~the P.O.S.T. board shall~~
17 ~~permanently revoke the peace officer's certification~~ AND THE INCIDENT
18 RESULTED IN SERIOUS BODILY INJURY OR DEATH TO ANOTHER PERSON; OR

19 (III) AN ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR
20 INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER FAILED TO
21 INTERVENE PURSUANT TO SECTION 18-8-805 (5) AND THE INCIDENT
22 RESULTED IN DEATH TO ANOTHER PERSON.

23 (b) The P.O.S.T. board shall not, under any circumstances,
24 reinstate the peace officer's certification or grant new certification to the
25 peace officer unless the peace officer is exonerated by a AN
26 ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR court. The P.O.S.T.
27 board shall record each ~~decertified~~ peace officer WHOSE CERTIFICATION

1 IS REVOKED PURSUANT TO THIS SECTION in the database created pursuant
2 to section 24-31-303 (1)(r).

3 (2) (a) NOTWITHSTANDING ANY PROVISION OF LAW, THE P.O.S.T.
4 BOARD SHALL REVOKE A PEACE OFFICER'S CERTIFICATION FOR AT LEAST
5 ONE YEAR IF AN ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR
6 INTERNAL INVESTIGATION FINDS THAT A PEACE OFFICER FAILED TO
7 INTERVENE PURSUANT TO SECTION 18-8-805 (5) AND THE INCIDENT DID
8 NOT RESULT IN DEATH TO ANOTHER PERSON.

9 (b) THE P.O.S.T. BOARD SHALL REINSTATE THE PEACE OFFICER'S
10 CERTIFICATION IF THE PEACE OFFICER IS EXONERATED BY AN
11 ADMINISTRATIVE LAW JUDGE, HEARING OFFICER, OR COURT.

12 **SECTION 7.** In Colorado Revised Statutes, 25-3.5-206, **amend**
13 (2)(a) introductory portion, (2)(a)(II), and (3)(a); and **add** (2)(a)(IV) and
14 (2)(a)(V) as follows:

15 **25-3.5-206. Emergency medical practice advisory council -**
16 **creation - powers and duties - emergency medical service provider**
17 **scope of practice - definitions - rules.** (2) (a) The advisory council
18 consists of the following ~~eleven~~ THIRTEEN members:

19 (II) One voting member who, as of July 1, 2010, is a member of
20 the state emergency medical and trauma services advisory council,
21 appointed by the executive director of the department; **and**

22 (IV) ONE VOTING MEMBER WHO IS A CLINICAL PSYCHIATRIST
23 LICENSED IN GOOD STANDING IN COLORADO, APPOINTED BY THE
24 COLORADO PSYCHIATRIC SOCIETY; AND

25 (V) ONE VOTING MEMBER WHO IS AN ANESTHESIOLOGIST LICENSED
26 IN GOOD STANDING IN COLORADO, APPOINTED BY THE COLORADO
27 SOCIETY OF ANESTHESIOLOGISTS.

1 (3) The advisory council shall provide general technical expertise
2 on matters related to the provision of patient care by emergency medical
3 service providers and shall advise or make recommendations to the
4 department in the following areas:

5 (a) The acts and medications that emergency medical service
6 providers at each level of certification or licensure are authorized to
7 perform or administer under the direction of a physician medical director.

8 THE ADVISORY COUNCIL SHALL SUBMIT A REPORT TO THE HOUSE OF
9 REPRESENTATIVES HEALTH AND INSURANCE COMMITTEE AND THE SENATE
10 HEALTH AND HUMAN SERVICES COMMITTEE, OR ANY SUCCESSOR
11 COMMITTEES, ANY TIME THE ADVISORY COUNCIL ADVISES OR
12 RECOMMENDS AUTHORIZING THE ADMINISTRATION OF ANY NEW CHEMICAL
13 RESTRAINT, AS DEFINED IN SECTION 26-20-102 (2). THE REPORT MUST
14 INCLUDE THE ADVISORY COUNCIL'S REASONING FOR SUCH ADVISEMENT OR
15 RECOMMENDATION.

16 **SECTION 8.** In Colorado Revised Statutes, **add 25-3.5-209** as
17 follows:

18 **25-3.5-209. Report on statewide use of ketamine.** BEGINNING
19 JANUARY 1, 2022, AND EACH JANUARY 1 THEREAFTER, THE DEPARTMENT
20 SHALL SUBMIT A REPORT ON THE STATEWIDE USE OF KETAMINE BY
21 EMERGENCY MEDICAL SERVICE PROVIDERS AND ANY COMPLICATIONS THAT
22 ARISE OUT OF SUCH USE TO THE HOUSE OF REPRESENTATIVES JUDICIARY
23 COMMITTEE, THE HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL
24 HEALTH AND HUMAN SERVICES COMMITTEE, THE SENATE HEALTH AND
25 HUMAN SERVICES COMMITTEE, AND THE SENATE JUDICIARY COMMITTEE,
26 OR THEIR SUCCESSOR COMMITTEES. THE DEPARTMENT SHALL MAKE THE
27 REPORT PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.

1 **SECTION 9. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, or safety.