

First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0810.02 Renee Leone x2695

HOUSE BILL 25-1256

HOUSE SPONSORSHIP

Bradley,

SENATE SPONSORSHIP

Pelton R.,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REGULATION OF LIFE-SUSTAINING HEALTH-CARE
102 TREATMENT FOR MINORS, AND, IN CONNECTION THEREWITH,
103 REQUIRING THE CONSENT OF A PARENT OR LEGAL GUARDIAN
104 BEFORE IMPLEMENTING A DO-NOT-RESUSCITATE ORDER FOR A
105 MINOR, EXCEPT IN CERTAIN LIMITED CIRCUMSTANCES.

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 mandates that a health-care provider (provider) shall not implement a do-not-resuscitate order (DNR) for a minor without written

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

consent from the minor's parent or legal guardian. However, if a provider makes a reasonably diligent and documented effort to contact a parent or legal guardian for 72 hours without success, the provider may enter a DNR for the minor. A parent or legal guardian may revoke their consent in writing, and such a revocation must take precedence over the prior consent and be recorded in the minor's medical records.

The bill states that a provider shall not hinder or delay the life-sustaining or resuscitative treatment, determined by the right of the parent or legal guardian of the minor, to be given to the minor unless there is destruction of the minor's circulatory system, respiratory system, and entire brain. A court does not have authority to require withdrawal of life-sustaining or resuscitative treatment for a minor unless there is destruction of the minor's circulatory system, respiratory system, and entire brain. The bill creates a presumption that the continuation of the life of a minor is in the minor's best interest.

Under the bill, a provider shall not interfere with a parent or legal guardian of a minor seeking to obtain another medical opinion or the transfer of the minor to another health facility (facility). If the parent or legal guardian requests that the minor be transferred, the provider shall:

- Provide the new facility immediate access to the minor and the minor's medical records; and
- Not hinder or delay the necessary measures or procedures needed to facilitate the transfer.

The facility receiving the minor on transfer must:

- Continue providing the life-sustaining measures and procedures being administered; and
- Make every reasonable effort to help facilitate the transfer.

Lastly, the bill directs a provider, if requested, to disclose any policies the provider has relating to services involving resuscitation or life-sustaining measures.

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

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

4 **12-30-125. Do-not-resuscitate orders - minors - parental**
5 **communication - short title - definitions.** (1) THE SHORT TITLE OF THIS
6 SECTION IS "SIMON'S LAW".

7 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
8 REQUIRES:

1 (a) (I) "Do-NOT-RESUSCITATE ORDER" MEANS AN ORDER IN A
2 PATIENT'S MEDICAL RECORD THAT REFLECTS A DECISION TO FORGO
3 CARDIOPULMONARY RESUSCITATIVE MEASURES.

4 (II) "Do-NOT-RESUSCITATE ORDER" DOES NOT INCLUDE
5 WITHHOLDING OTHER MEDICAL INTERVENTIONS DEEMED NECESSARY TO
6 PROVIDE A PATIENT WITH COMFORT CARE OR TO ALLEVIATE PAIN.

7 (b) "HEALTH-CARE PROVIDER" MEANS AN INDIVIDUAL LICENSED,
8 CERTIFIED, OR REGISTERED PURSUANT TO ARTICLES 200 TO 310 OF THIS
9 TITLE 12.

10 (c) "HEALTH FACILITY" MEANS A FACILITY LICENSED OR CERTIFIED
11 PURSUANT TO SECTION 25-1.5-103 (1), ARTICLE 3 OF TITLE 25, OR BOTH.

12 (d) "MINOR" MEANS AN UNEMANCIPATED INDIVIDUAL WHO IS
13 UNDER EIGHTEEN YEARS OF AGE AND NOT:

14 (I) SUBJECT TO COURT JURISDICTION THROUGH THE JUVENILE
15 JUSTICE SYSTEM SET FORTH IN ARTICLE 2.5 OF TITLE 19; OR

16 (II) ON ACTIVE DUTY WITH ANY BRANCH OF THE ARMED SERVICES
17 OF THE UNITED STATES.

18 (3) (a) A HEALTH-CARE PROVIDER SHALL NOT IMPLEMENT A
19 DO-NOT-RESUSCITATE ORDER OR ANY SIMILAR ORDER FOR A MINOR EITHER
20 ORALLY OR IN WRITING WITHOUT THE WRITTEN CONSENT OF AT LEAST ONE
21 PARENT OR LEGAL GUARDIAN OF THE MINOR.

22 (b) IF THE HEALTH-CARE PROVIDER MAKES A REASONABLY
23 DILIGENT AND DOCUMENTED EFFORT TO REACH THE PARENT OR LEGAL
24 GUARDIAN OF THE MINOR FOR AT LEAST SEVENTY-TWO HOURS WITHOUT
25 SUCCESS, THE HEALTH-CARE PROVIDER MAY IMPLEMENT SUCH AN ORDER
26 WITHOUT THE CONSENT OF THE PARENT OR LEGAL GUARDIAN.

27 (4) (a) CONSENT GIVEN BY A PARENT OR LEGAL GUARDIAN OF A

1 MINOR PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION MAY BE
2 REVOKED IN WRITING ONLY BY THE PARENT OR LEGAL GUARDIAN WHO
3 GAVE THE CONSENT.

4 (b) IF THE PARENT OR LEGAL GUARDIAN REVOKES THEIR PRIOR
5 CONSENT PURSUANT TO THIS SUBSECTION (4), THAT REVOCATION:

6 (I) MUST TAKE PRECEDENCE OVER THE PRIOR CONSENT; AND

7 (II) MUST BE RECORDED IN THE MINOR'S MEDICAL RECORDS ALONG
8 WITH THE FOLLOWING INFORMATION:

9 (A) THE NAME OF THE PARENT OR LEGAL GUARDIAN WHO GAVE
10 AND REVOKED THE CONSENT;

11 (B) TO WHOM THE PARENT OR LEGAL GUARDIAN GAVE THE
12 CONSENT;

13 (C) TO WHOM THE PARENT OR LEGAL GUARDIAN GAVE THE
14 REVOCATION;

15 (D) THE DATE AND TIME THE REVOCATION WAS GIVEN; AND

16 (E) WHO, IF ANYONE, WITNESSED THE REVOCATION BEING GIVEN.

17 (5) (a) A HEALTH-CARE PROVIDER SHALL NOT HINDER OR DELAY
18 THE LIFE-SUSTAINING OR RESUSCITATIVE TREATMENT, DETERMINED BY
19 THE RIGHT OF A PARENT OR LEGAL GUARDIAN OF THE MINOR, TO BE GIVEN
20 TO THE MINOR UNLESS THERE IS DESTRUCTION OF THE MINOR'S:

21 (I) CIRCULATORY SYSTEM; AND

22 (II) RESPIRATORY SYSTEM; AND

23 (III) ENTIRE BRAIN.

24 (b) A COURT DOES NOT HAVE AUTHORITY TO REQUIRE
25 WITHDRAWAL OF LIFE-SUSTAINING OR RESUSCITATIVE TREATMENT FOR A
26 MINOR OVER THE OBJECTION OF THE MINOR'S PARENT OR LEGAL GUARDIAN
27 UNLESS THERE IS DESTRUCTION OF THE MINOR'S:

1 (I) CIRCULATORY SYSTEM; AND

2 (II) RESPIRATORY SYSTEM; AND

3 (III) ENTIRE BRAIN.

4 (c) THERE IS A PRESUMPTION THAT THE CONTINUATION OF THE LIFE
5 OF A MINOR IS IN THE MINOR'S BEST INTEREST.

6 (6) (a) A HEALTH-CARE PROVIDER SHALL NOT INTERFERE WITH THE
7 EFFORTS OF A PARENT OR LEGAL GUARDIAN OF A MINOR TO:

8 (I) OBTAIN ANOTHER MEDICAL OPINION; OR

9 (II) TRANSFER THE MINOR TO ANOTHER HEALTH FACILITY.

10 (b) IF THE PARENT OR LEGAL GUARDIAN OF THE MINOR REQUESTS
11 THAT THE MINOR BE TRANSFERRED TO ANOTHER HEALTH FACILITY, THE
12 HEALTH-CARE PROVIDER SHALL:

13 (I) PROVIDE THE NEW HEALTH FACILITY IMMEDIATE ACCESS TO
14 THE MINOR AND THE MINOR'S MEDICAL RECORDS; AND

15 (II) NOT HINDER OR DELAY THE NECESSARY MEASURES OR
16 PROCEDURES NEEDED TO FACILITATE THE TRANSFER, INCLUDING AN
17 IMMEDIATE TRACHEOTOMY OR GASTRONOMY TUBE PLACEMENT.

18 (c) THE HEALTH FACILITY RECEIVING THE MINOR ON TRANSFER
19 MUST:

20 (I) CONTINUE PROVIDING THE LIFE-SUSTAINING MEASURES AND
21 PROCEDURES BEING ADMINISTERED THROUGHOUT THE TRANSFER PROCESS;
22 AND

23 (II) MAKE EVERY REASONABLE EFFORT TO HELP FACILITATE THE
24 TRANSFER.

25 (7) (a) UPON THE REQUEST OF A MINOR OR THE PARENT OR LEGAL
26 GUARDIAN OF THE MINOR, A HEALTH-CARE PROVIDER OR HEALTH FACILITY
27 SHALL DISCLOSE VERBALLY AND IN WRITING ANY POLICIES RELATING TO

1 RESUSCITATION OR LIFE-SUSTAINING MEASURES, INCLUDING ANY POLICIES
2 RELATED TO TREATMENTS DEEMED NONBENEFICIAL, INEFFECTIVE, FUTILE,
3 OR INAPPROPRIATE.

4 (b) THIS SUBSECTION (7) DOES NOT REQUIRE A HEALTH-CARE
5 PROVIDER OR HEALTH FACILITY TO MAINTAIN A WRITTEN POLICY RELATING
6 TO OR INVOLVING RESUSCITATION, LIFE-SUSTAINING MEASURES, OR
7 NONBENEFICIAL TREATMENT FOR MINOR OR ADULT PATIENTS.

8 **SECTION 2. Act subject to petition - effective date -**
9 **applicability.** (1) This act takes effect January 1, 2026; except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within the ninety-day period after final adjournment of the general
13 assembly, then the act, item, section, or part will not take effect unless
14 approved by the people at the general election to be held in November
15 2026 and, in such case, will take effect on the date of the official
16 declaration of the vote thereon by the governor.

17 (2) This act applies to health-care services provided on or after the
18 applicable effective date of this act.