

HB1177_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB18-1177 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 25-1.5-112, add
4 (2)(d) as follows:

5 **25-1.5-112. Colorado suicide and youth suicide prevention**
6 **plan - established - goals - responsibilities - reporting - funding.**
7 (2) The suicide prevention commission, together with the office of
8 suicide prevention, the office of behavioral health, the department, and
9 the department of health care policy and financing, is strongly encouraged
10 to collaborate with criminal justice and health care systems, mental and
11 behavioral health systems, primary care providers, physical and mental
12 health clinics in educational institutions, community mental health
13 centers, advocacy groups, emergency medical services professionals and
14 responders, public and private insurers, hospital chaplains, and
15 faith-based organizations, to develop and implement:

16 (d) (I) A PLAN TO PROVIDE ACCESS TO TRAINING PROGRAMS
17 RELATED TO SUICIDE PREVENTION FOR PEOPLE WHO REGULARLY INTERACT
18 WITH YOUTH BUT WHO ARE NOT IN A PROFESSION THAT TYPICALLY
19 PROVIDES SUCH TRAINING OPPORTUNITIES, SUCH AS CAMP COUNSELORS,
20 RECREATION CENTER EMPLOYEES, YOUTH GROUP LEADERS, CLERGY,
21 ATHLETIC COACHES, CAREGIVERS, AND PARENTS. THE OFFICE OF SUICIDE
22 PREVENTION SHALL CONDUCT AN AWARENESS CAMPAIGN TO PROMOTE THE
23 ADOPTION OF EVIDENCE-BASED AND CULTURALLY SENSITIVE TRAINING
24 THAT TARGETS THESE AUDIENCES AND THAT TEACHES INDIVIDUALS TO
25 RECOGNIZE COMMON MENTAL HEALTH CHALLENGES FOR YOUTH, REVIEWS
26 TYPICAL ADOLESCENT DEVELOPMENT, AND TEACHES AN ACTION PLAN TO
27 HELP YOUTH IN BOTH CRISIS AND NON-CRISIS SITUATIONS. THE OFFICE OF
28 SUICIDE PREVENTION SHALL CONTRACT WITH A COLORADO-BASED
29 NONPROFIT ORGANIZATION TO OFFER SUCH TRAINING THROUGH AN
30 EXISTING STATEWIDE COORDINATED MODEL.

31 (II) ON OR BEFORE OCTOBER 1, 2018, AND EVERY QUARTER
32 THEREAFTER, THE OFFICE OF SUICIDE PREVENTION SHALL POST ON ITS
33 WEBSITE A LIST OF SUICIDE PREVENTION TRAINING CLASSES OR PROGRAMS
34 OFFERED BY NONPROFIT ORGANIZATIONS THROUGHOUT THE STATE THAT
35 HAVE BEEN APPROVED BY THE DEPARTMENT.

36 (III) THE NONPROFIT ORGANIZATION WITH WHICH THE OFFICE OF
37 SUICIDE PREVENTION ENTERED INTO A CONTRACT PURSUANT TO
38 SUBSECTION (2)(d)(I) OF THIS SECTION SHALL PROVIDE EVIDENCE-BASED
39 AND CULTURALLY SENSITIVE TRAINING CLASSES OR PROGRAMS, IN BOTH
40 ENGLISH AND SPANISH, AT NO CHARGE TO THE PUBLIC, AND THE
41 DEPARTMENT SHALL PROVIDE COMPENSATION TO SUCH NONPROFIT

1 ORGANIZATION FOR THE DIRECT AND INDIRECT COSTS RELATED TO THE
2 TRAINING CLASSES OR PROGRAMS.

3 **SECTION 2.** In Colorado Revised Statutes, 25-1.5-101, **amend**
4 (1)(w) as follows:

5 **25-1.5-101. Powers and duties of department - laboratory cash**
6 **fund - report.** (1) The department has, in addition to all other powers
7 and duties imposed upon it by law, the powers and duties provided in this
8 section as follows:

9 (w) (I) To ~~act~~ OPERATE THE OFFICE OF SUICIDE PREVENTION,
10 WHICH IS HEREBY ESTABLISHED IN THE DIVISION OF PREVENTION SERVICES
11 IN THE DEPARTMENT, THAT SERVES as the coordinator for suicide
12 prevention programs throughout the state, including the Colorado suicide
13 prevention plan established in section 25-1.5-112.

14 (II) The department is authorized to accept gifts, grants, and
15 donations ~~to assist it in performing its duties as the coordinator~~ ON
16 BEHALF OF THE OFFICE OF SUICIDE PREVENTION AND for suicide prevention
17 programs. All such gifts, grants, and donations shall be transmitted to the
18 state treasurer who shall credit the same to the suicide prevention
19 coordination cash fund, which fund is ~~hereby~~ created AND REFERRED TO
20 IN THIS SUBSECTION (1)(w) AS THE "FUND". The fund also consists of any
21 money appropriated or transferred to the fund by the general assembly for
22 the purposes of implementing section 25-1.5-112. Any ~~moneys~~ MONEY
23 remaining in the ~~suicide prevention coordination cash~~ fund at the end of
24 any fiscal year ~~shall remain~~ REMAINS in the fund and ~~shall~~ MUST not be
25 transferred or credited to the general fund. The general assembly shall
26 make appropriations from the ~~suicide prevention coordination cash~~ fund
27 for expenditures incurred by the department OR THE OFFICE OF SUICIDE
28 PREVENTION in the performance of its duties ~~under~~ PURSUANT TO this
29 ~~paragraph (w)~~ SUBSECTION (1)(w) and section 25-1.5-112.

30 (III) (A) Notwithstanding section 24-1-136 (11)(a)(I), as part of
31 ~~its~~ THE duties ~~as coordinator for suicide prevention programs~~ OF THE
32 OFFICE OF SUICIDE PREVENTION, on or before each November 1, the
33 ~~department~~ OFFICE OF SUICIDE PREVENTION shall submit to the chairs of
34 the senate health and human services committee, ~~and~~ the house of
35 representatives health, insurance, and environment committee, AND THE
36 HOUSE OF REPRESENTATIVES PUBLIC HEALTH CARE AND HUMAN SERVICES
37 COMMITTEE, or their successor committees, and to the members of the
38 joint budget committee, a report listing all suicide prevention programs
39 in the state and describing the effectiveness of the ~~department~~ OFFICE OF
40 SUICIDE PREVENTION IN acting as the coordinator for suicide prevention
41 programs. For the report submitted in 2013 and each year thereafter, the
42 ~~department~~ OFFICE OF SUICIDE PREVENTION shall include any findings and
43 recommendations it has to improve suicide prevention in the state.

1 (B) (Deleted by amendment, L. 2012.)

2 (IV) In its role as coordinator for suicide prevention programs, the
3 ~~department~~ OFFICE OF SUICIDE PREVENTION may collaborate with each
4 facility licensed or certified pursuant to section 25-1.5-103 in order to
5 coordinate suicide prevention services, including relevant training and
6 other services as part of the Colorado suicide prevention plan established
7 in section 25-1.5-112, INCLUDING THE PLAN TO INCREASE ACCESS TO
8 SUICIDE PREVENTION TRAINING PROGRAMS, AS SET FORTH IN SECTION
9 25-1.5-112 (2)(d). When a facility treats a person OR YOUTH who has
10 attempted suicide or exhibits a suicidal gesture, the facility may provide
11 oral and written information or educational materials to the person or, in
12 the case of a minor, to parents, relatives, or other responsible persons to
13 whom the minor will be released, prior to the person's release, regarding
14 warning signs of depression, risk factors of suicide, methods of
15 preventing suicide, available suicide prevention resources, and any other
16 information concerning suicide awareness and prevention. The
17 ~~department~~ OFFICE OF SUICIDE PREVENTION may work with facilities and
18 the Colorado suicide prevention plan to determine whether and where
19 gaps exist in suicide prevention programs and services, including gaps
20 that may be present in:

21 (A) The information and materials being used and distributed in
22 facilities throughout the state;

23 (B) Resources available to persons, INCLUDING YOUTH, who
24 attempt suicide or exhibit a suicidal gesture and, when the person is a
25 minor, to parents, relatives, and other responsible persons to whom a
26 minor is released; and

27 (C) The process for referring persons, INCLUDING YOUTH, who
28 attempt suicide or exhibit a suicidal gesture to suicide prevention services
29 and programs or other appropriate health care providers for treatment.

30 (V) IN ITS ROLE AS COORDINATOR FOR SUICIDE PREVENTION
31 PROGRAMS, THE OFFICE OF SUICIDE PREVENTION SHALL WORK WITH THE
32 COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302,
33 AND THE YOUTH SUICIDE PREVENTION WORKGROUP OF THE SUICIDE
34 PREVENTION COMMISSION TO ADVISE THE OFFICE OF SUICIDE PREVENTION
35 IN THE CREATION AND DEVELOPMENT OF A YOUTH-FRIENDLY AND
36 CULTURALLY SENSITIVE WEBSITE THAT SERVES AS A CLEARINGHOUSE FOR
37 ACCESS TO PREEXISTING MENTAL HEALTH RESOURCES AVAILABLE
38 THROUGHOUT COLORADO. THE OFFICE OF SUICIDE PREVENTION SHALL
39 CREATE THE WEBSITE ON OR BEFORE JULY 1, 2019, AND SHALL BE
40 RESPONSIBLE FOR MAINTAINING CURRENT INFORMATION ON THE WEBSITE.
41 THE WEBSITE MUST BE ACCESSIBLE TO BOTH ENGLISH- AND
42 SPANISH-SPEAKING INDIVIDUALS.

43 **SECTION 3.** In Colorado Revised Statutes, 12-43-201, **amend**

1 (9)(a) as follows:

2 **12-43-201. Definitions.** As used in this article 43, unless the
3 context otherwise requires:

4 (9) (a) "Psychotherapy", OR "PSYCHOTHERAPY SERVICES", means
5 the treatment, diagnosis, testing, assessment, or counseling in a
6 professional relationship to assist individuals or groups to alleviate
7 behavioral and mental health disorders; understand unconscious or
8 conscious motivation; resolve emotional, relationship, or attitudinal
9 conflicts; or modify behaviors that interfere with effective emotional,
10 social, or intellectual functioning. Psychotherapy follows a planned
11 procedure of intervention that takes place on a regular basis, over a period
12 of time, or in the cases of testing, assessment, and brief psychotherapy,
13 psychotherapy can be a single intervention.

14 **SECTION 4.** In Colorado Revised Statutes, add 12-43-202.5 as
15 follows:

16 **12-43-202.5. Minors - consent for outpatient psychotherapy -**
17 **legislative declaration - immunity.** (1) (a) THE GENERAL ASSEMBLY
18 FINDS AND DECLARES THAT:

19 (I) THE CENTERS FOR DISEASE CONTROL FOUND SUICIDE TO BE THE
20 TENTH LEADING CAUSE OF DEATH FOR ALL AGES IN 2013 AND IS
21 CURRENTLY THE LEADING CAUSE OF DEATH FOR COLORADO YOUTH WHO
22 ARE TEN THROUGH FOURTEEN YEARS OF AGE;

23 (II) ACCORDING TO THE AMERICAN ASSOCIATION OF
24 SUICIDOLOGY, THE SUICIDE RATE FOR YOUTH WHO ARE TEN THROUGH
25 FOURTEEN YEARS OF AGE HAS INCREASED BY MORE THAN FIFTY PERCENT
26 OVER THE PAST THREE DECADES; AND

27 (III) YOUTH WHO ARE TEN THROUGH FOURTEEN YEARS OF AGE
28 OFTEN AVOID OBTAINING, OR ARE LEGALLY UNABLE TO OBTAIN WITHOUT
29 PARENTAL CONSENT, OUTPATIENT PSYCHOTHERAPY SERVICES THAT
30 WOULD HELP THEM PRIOR TO REACHING CRISIS LEVELS BECAUSE THEY ARE
31 EMBARRASSED OR CONCERNED ABOUT SPEAKING WITH THEIR PARENTS
32 ABOUT THEIR MENTAL HEALTH CONCERNS AND SITUATION.

33 (b) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT IT IS A
34 MATTER OF STATEWIDE CONCERN TO ALLOW YOUTH WHO ARE TWELVE
35 YEARS OF AGE AND OLDER TO HAVE ~~LIMITED~~ LEGAL ACCESS TO
36 OUTPATIENT PSYCHOTHERAPY SERVICES THAT MIGHT OTHERWISE BE
37 UNAVAILABLE WITHOUT THE CONSENT OF OR NOTIFICATION TO THE
38 YOUTH'S PARENT OR LEGAL GUARDIAN. PROVIDING THESE YOUTH WITH
39 LIMITED ACCESS TO OUTPATIENT PSYCHOTHERAPY SERVICES IS INTENDED
40 TO REDUCE YOUTH SUICIDES AND ALLOW MENTAL HEALTH PROVIDERS TO
41 WORK WITH YOUTH TO TEACH THEM FUNCTIONAL COPING SKILLS. MENTAL
42 HEALTH PROVIDERS WOULD FURTHER HAVE THE OPPORTUNITY TO HELP
43 THESE YOUTH BUILD HEALTHY CONNECTIONS WITH PARENTS OR LEGAL

1 GUARDIANS BY INCREASING COMMUNICATION AND STRENGTHENING THE
2 BOND BETWEEN PARENT AND CHILD, THUS BUILDING AN ONGOING,
3 NONCLINICAL SUPPORT SYSTEM FOR THE YOUTH TO USE TO MANAGE HIS OR
4 HER MENTAL HEALTH CONCERNS.

5 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
6 CONTRARY, A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED
7 PURSUANT TO THIS ARTICLE 43 MAY, AT A MINOR'S REQUEST, PROVIDE
L.0078 ~~THREE APPOINTMENTS FOR PSYCHOTHERAPY SERVICES, AS THAT TERM IS~~
L.0079 ~~DEFINED IN SECTION 12-43-201 (9)(a), TO A MINOR WHO IS TWELVE YEARS~~ at least
L.00710 ~~OF AGE OR OLDER WITH OR WITHOUT THE CONSENT OF THE MINOR'S~~ "age, but less than fifteen years of age"
L.00711 ~~PARENT OR LEGAL GUARDIAN. THE MINOR'S CONSENT IS NOT SUBJECT TO~~
L.00712 ~~DISAFFIRMANCE BECAUSE OF MINORITY. MORE THAN THREE~~
13 ~~APPOINTMENTS FOR PSYCHOTHERAPY SERVICES BY A MINOR WHO IS~~
14 ~~TWELVE YEARS OF AGE OR OLDER PER YEAR PER MENTAL HEALTH~~
15 ~~PROFESSIONAL REQUIRES THE CONSENT OF THE MINOR'S PARENT OR LEGAL~~
16 ~~GUARDIAN.~~ e

17 (b) A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT
L.00718 TO THIS ARTICLE 43 MAY NOT PROVIDE PSYCHOTHERAPY SERVICES IN ANY
19 ~~SETTING TO A MINOR WHO IS YOUNGER THAN TWELVE YEARS OF AGE~~ "a mental health
20 ~~WITHOUT THE CONSENT OF THE MINOR'S PARENT OR LEGAL GUARDIAN.~~ professional... to
21 section 27-65-103
(2). "

22 (c) THE LICENSED MENTAL HEALTH PROFESSIONAL PROVIDING
23 PSYCHOTHERAPY SERVICES TO A MINOR PURSUANT TO THIS SUBSECTION
24 (2) IS NOT REQUIRED TO, BUT MAY, WITH THE CONSENT OF THE MINOR,
25 ADVISE THE MINOR'S PARENT OR LEGAL GUARDIAN OF THE
26 PSYCHOTHERAPY SERVICES PROVIDED PURSUANT TO SUBSECTION (2)(a) OF
27 THIS SECTION. A LICENSED MENTAL HEALTH PROFESSIONAL PROVIDING
28 SUCH PSYCHOTHERAPY SERVICES IS ENCOURAGED TO OBTAIN THE
29 CONSENT OF THE MINOR TO SPEAK TO THE MINOR'S PARENT OR LEGAL
30 GUARDIAN.

31 (3) IF A MINOR WHO IS RECEIVING PSYCHOTHERAPY SERVICES
32 PURSUANT TO THIS SECTION COMMUNICATES TO THE MENTAL HEALTH
33 PROFESSIONAL A CLEAR AND IMMINENT INTENT OR THREAT TO INFLICT
34 SERIOUS BODILY HARM ON HIMSELF OR HERSELF OR OTHERS, THE MENTAL
L.00735 ~~HEALTH PROFESSIONAL IS SUBJECT TO THE PROVISIONS OF SECTION~~ "13-21-117(2)."
36 ~~13-21-117 (2) AND SHALL IMMEDIATELY NOTIFY THE MINOR PATIENT'S~~
37 ~~PARENT, PARENTS, LEGAL GUARDIAN, OR ANY OTHER PERSON HAVING~~
38 ~~CUSTODY OR DECISION-MAKING RESPONSIBILITY WITH RESPECT TO THE~~
39 ~~MINOR OF SUCH COMMUNICATION.~~ e

40 **SECTION 5.** In Colorado Revised Statutes, 27-60-103, add (8)
as follows:

41 **27-60-103. Behavioral health crisis response system - services**
42 **- request for proposals - criteria - reporting - rules.** (8) THE STATE
43 DEPARTMENT OF HUMAN SERVICES SHALL COORDINATE EFFORTS WITH THE

1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IMPLEMENT A
2 STATEWIDE AWARENESS CAMPAIGN ABOUT YOUTH SUICIDE PREVENTION,
3 AS WELL AS AWARENESS OF THE TWENTY-FOUR-HOUR TELEPHONE CRISIS
4 SERVICE CREATED PURSUANT TO THIS SECTION. THE STATE DEPARTMENT
5 OF HUMAN SERVICES SHALL EXPAND YOUTH-SPECIFIC INTERVENTIONS,
6 INCLUDING TEXT-BASED SERVICES, WITHIN THE TWENTY-FOUR-HOUR
7 TELEPHONE CRISIS SERVICE TO SPECIFICALLY ADDRESS YOUTH SUICIDE
8 PREVENTION.

9 **SECTION 6. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety."

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