

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

HB22-1326 be amended as follows:

1 Amend reengrossed bill, page 60, after line 5 insert:

2 "SECTION 39. In Colorado Revised Statutes, 27-81-104, **amend**  
3 (1)(q) and (1)(r); and **add** (1)(s) as follows:

4 **27-81-104. Duties of the office of behavioral health - review.**

5 (1) In addition to duties prescribed by section 27-80-102, the office of  
6 behavioral health shall:

7 (q) Encourage all health and disability insurance programs to  
8 include substance use disorders as a covered illness; **and**

9 (r) Submit to the governor an annual report covering the activities  
10 of the office of behavioral health; **AND**

11 (s) TRAIN EMERGENCY DEPARTMENTS AND CERTIFIED PEACE  
12 OFFICERS IN THE PROCEDURES REQUIRED PURSUANT TO SECTIONS  
13 27-81-111 AND 27-81-112.

14 **SECTION 40.** In Colorado Revised Statutes, 27-81-104, **amend**  
15 (1)(q) and (1)(r); and **add** (1)(s) as follows:

16 **27-81-104. Duties of the office of behavioral health - review.**

17 ~~(1) In addition to duties prescribed by section 27-80-102, the office of~~  
18 ~~behavioral health~~ THE BHA shall:

19 (q) Encourage all health and disability insurance programs to  
20 include substance use disorders as a covered illness; **and**

21 (r) Submit to the governor an annual report covering the activities  
22 of the ~~office of behavioral health~~ BHA; **AND**

23 (s) TRAIN EMERGENCY DEPARTMENTS AND CERTIFIED PEACE  
24 OFFICERS IN THE PROCEDURES REQUIRED PURSUANT TO SECTIONS  
25 27-81-111 AND 27-81-112.

26 **SECTION 41.** In Colorado Revised Statutes, 27-81-112, **amend**  
27 (1) as follows:

28 **27-81-112. Involuntary commitment of a person with a**  
29 **substance use disorder.** (1) The court may commit a person to the

30 custody of the office of behavioral health upon the petition of the person's  
31 spouse or guardian, a relative, a physician, an advanced practice nurse,  
32 the administrator in charge of an approved treatment facility, A CERTIFIED  
33 PEACE OFFICER, or any other responsible person. The petition must allege

34 that the person has a substance use disorder and that the person has  
35 threatened or attempted to inflict or inflicted physical harm on ~~himself or~~  
36 ~~herself~~ THE PERSON'S SELF or on another and that unless committed, the

37 person is likely to inflict physical harm on ~~himself or herself~~ THE  
38 PERSON'S SELF or on another or that the person is incapacitated by

39 substances. A refusal to undergo treatment does not constitute evidence

1 of lack of judgment as to the need for treatment. The petition must be  
2 accompanied by a certificate of a licensed physician who has examined  
3 the person within ten days before submission of the petition, unless the  
4 person whose commitment is sought has refused to submit to a medical  
5 examination, in which case the fact of refusal must be alleged in the  
6 petition, or an examination cannot be made of the person due to the  
7 person's condition. The certificate must set forth the physician's findings  
8 in support of the petition's allegations.

9 **SECTION 42.** In Colorado Revised Statutes, 27-81-112, **amend**  
10 (1) as follows:

11 **27-81-112. Involuntary commitment of a person with a**  
12 **substance use disorder.** (1) The court may commit a person to the  
13 custody of the ~~office of behavioral health~~ BHA upon the petition of the  
14 person's spouse or guardian, a relative, a physician, an advanced practice  
15 nurse, the administrator in charge of an approved treatment facility, A  
16 CERTIFIED PEACE OFFICER, or any other responsible person. The petition  
17 must allege that the person has a substance use disorder and that the  
18 person has threatened or attempted to inflict or inflicted physical harm on  
19 ~~himself or herself~~ THE PERSON'S SELF or on another and that unless  
20 committed, the person is likely to inflict physical harm on ~~himself or~~  
21 ~~herself~~ THE PERSON'S SELF or on another or that the person is incapacitated  
22 by substances. A refusal to undergo treatment does not constitute  
23 evidence of lack of judgment as to the need for treatment. The petition  
24 must be accompanied by a certificate of a licensed physician who has  
25 examined the person within ten days before submission of the petition,  
26 unless the person whose commitment is sought has refused to submit to  
27 a medical examination, in which case the fact of refusal must be alleged  
28 in the petition, or an examination cannot be made of the person due to the  
29 person's condition. The certificate must set forth the physician's findings  
30 in support of the petition's allegations.".

31 Renumber succeeding sections accordingly.

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