

HOUSE COMMITTEE OF REFERENCE REPORT

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Chairman of Committee

March 13, 2018  
Date

Committee on Public Health Care & Human Services.

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

HB18-1177 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 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

1 RECOGNIZE COMMON MENTAL HEALTH CHALLENGES FOR YOUTH, REVIEWS  
2 TYPICAL ADOLESCENT DEVELOPMENT, AND TEACHES AN ACTION PLAN TO  
3 HELP YOUTH IN BOTH CRISIS AND NON-CRISIS SITUATIONS. THE OFFICE OF  
4 SUICIDE PREVENTION SHALL CONTRACT WITH A COLORADO-BASED  
5 NONPROFIT ORGANIZATION TO OFFER SUCH TRAINING THROUGH AN  
6 EXISTING STATEWIDE COORDINATED MODEL.

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

12 (III) THE NONPROFIT ORGANIZATION WITH WHICH THE OFFICE OF  
13 SUICIDE PREVENTION ENTERED INTO A CONTRACT PURSUANT TO  
14 SUBSECTION (2)(d)(I) OF THIS SECTION SHALL PROVIDE EVIDENCE-BASED  
15 AND CULTURALLY SENSITIVE TRAINING CLASSES OR PROGRAMS, IN BOTH  
16 ENGLISH AND SPANISH, AT NO CHARGE TO THE PUBLIC, AND THE  
17 DEPARTMENT SHALL PROVIDE COMPENSATION TO SUCH NONPROFIT  
18 ORGANIZATION FOR THE DIRECT AND INDIRECT COSTS RELATED TO THE  
19 TRAINING CLASSES OR PROGRAMS.

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

22 **25-1.5-101. Powers and duties of department - laboratory cash**  
23 **fund - report.** (1) The department has, in addition to all other powers  
24 and duties imposed upon it by law, the powers and duties provided in this  
25 section as follows:

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

31 (II) The department is authorized to accept gifts, grants, and  
32 donations ~~to assist it in performing its duties as the coordinator~~ ON  
33 BEHALF OF THE OFFICE OF SUICIDE PREVENTION AND for suicide prevention  
34 programs. All such gifts, grants, and donations shall be transmitted to the  
35 state treasurer who shall credit the same to the suicide prevention  
36 coordination cash fund, which fund is ~~hereby~~ created AND REFERRED TO  
37 IN THIS SUBSECTION (1)(w) AS THE "FUND". The fund also consists of any  
38 money appropriated or transferred to the fund by the general assembly for  
39 the purposes of implementing section 25-1.5-112. Any ~~moneys~~ MONEY  
40 remaining in the ~~suicide prevention coordination cash~~ fund at the end of  
41 any fiscal year ~~shall remain~~ REMAINS in the fund and ~~shall~~ MUST not be

1 transferred or credited to the general fund. The general assembly shall  
2 make appropriations from the ~~suicide prevention coordination cash fund~~  
3 for expenditures incurred by the department OR THE OFFICE OF SUICIDE  
4 PREVENTION in the performance of its duties ~~under~~ PURSUANT TO this  
5 ~~paragraph (w)~~ SUBSECTION (1)(w) and section 25-1.5-112.

6 (III) (A) Notwithstanding section 24-1-136 (11)(a)(I), as part of  
7 ~~its~~ THE duties ~~as coordinator for suicide prevention programs~~ OF THE  
8 OFFICE OF SUICIDE PREVENTION, on or before each November 1, the  
9 ~~department~~ OFFICE OF SUICIDE PREVENTION shall submit to the chairs of  
10 the senate health and human services committee, ~~and~~ the house of  
11 representatives health, insurance, and environment committee, AND THE  
12 HOUSE OF REPRESENTATIVES PUBLIC HEALTH CARE AND HUMAN SERVICES  
13 COMMITTEE, or their successor committees, and to the members of the  
14 joint budget committee, a report listing all suicide prevention programs  
15 in the state and describing the effectiveness of the ~~department~~ OFFICE OF  
16 SUICIDE PREVENTION in acting as the coordinator for suicide prevention  
17 programs. For the report submitted in 2013 and each year thereafter, the  
18 ~~department~~ OFFICE OF SUICIDE PREVENTION shall include any findings and  
19 recommendations it has to improve suicide prevention in the state.

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

21 (IV) In its role as coordinator for suicide prevention programs, the  
22 ~~department~~ OFFICE OF SUICIDE PREVENTION may collaborate with each  
23 facility licensed or certified pursuant to section 25-1.5-103 in order to  
24 coordinate suicide prevention services, including relevant training and  
25 other services as part of the Colorado suicide prevention plan established  
26 in section 25-1.5-112, INCLUDING THE PLAN TO INCREASE ACCESS TO  
27 SUICIDE PREVENTION TRAINING PROGRAMS, AS SET FORTH IN SECTION  
28 25-1.5-112 (2)(d). When a facility treats a person OR YOUTH who has  
29 attempted suicide or exhibits a suicidal gesture, the facility may provide  
30 oral and written information or educational materials to the person or, in  
31 the case of a minor, to parents, relatives, or other responsible persons to  
32 whom the minor will be released, prior to the person's release, regarding  
33 warning signs of depression, risk factors of suicide, methods of  
34 preventing suicide, available suicide prevention resources, and any other  
35 information concerning suicide awareness and prevention. The  
36 ~~department~~ OFFICE OF SUICIDE PREVENTION may work with facilities and  
37 the Colorado suicide prevention plan to determine whether and where  
38 gaps exist in suicide prevention programs and services, including gaps  
39 that may be present in:

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

1 (B) Resources available to persons, INCLUDING YOUTH, who  
2 attempt suicide or exhibit a suicidal gesture and, when the person is a  
3 minor, to parents, relatives, and other responsible persons to whom a  
4 minor is released; and

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

8 (V) IN ITS ROLE AS COORDINATOR FOR SUICIDE PREVENTION  
9 PROGRAMS, THE OFFICE OF SUICIDE PREVENTION SHALL WORK WITH THE  
10 COLORADO YOUTH ADVISORY COUNCIL, CREATED IN SECTION 2-2-1302,  
11 AND THE YOUTH SUICIDE PREVENTION WORKGROUP OF THE SUICIDE  
12 PREVENTION COMMISSION TO ADVISE THE OFFICE OF SUICIDE PREVENTION  
13 IN THE CREATION AND DEVELOPMENT OF A YOUTH-FRIENDLY AND  
14 CULTURALLY SENSITIVE WEBSITE THAT SERVES AS A CLEARINGHOUSE FOR  
15 ACCESS TO PREEXISTING MENTAL HEALTH RESOURCES AVAILABLE  
16 THROUGHOUT COLORADO. THE OFFICE OF SUICIDE PREVENTION SHALL  
17 CREATE THE WEBSITE ON OR BEFORE JULY 1, 2019, AND SHALL BE  
18 RESPONSIBLE FOR MAINTAINING CURRENT INFORMATION ON THE WEBSITE.  
19 THE WEBSITE MUST BE ACCESSIBLE TO BOTH ENGLISH- AND  
20 SPANISH-SPEAKING INDIVIDUALS.

21 **SECTION 3.** In Colorado Revised Statutes, 12-43-201, **amend**  
22 (9)(a) as follows:

23 **12-43-201. Definitions.** As used in this article 43, unless the  
24 context otherwise requires:

25 (9) (a) "Psychotherapy", OR "PSYCHOTHERAPY SERVICES", means  
26 the treatment, diagnosis, testing, assessment, or counseling in a  
27 professional relationship to assist individuals or groups to alleviate  
28 behavioral and mental health disorders; understand unconscious or  
29 conscious motivation; resolve emotional, relationship, or attitudinal  
30 conflicts; or modify behaviors that interfere with effective emotional,  
31 social, or intellectual functioning. Psychotherapy follows a planned  
32 procedure of intervention that takes place on a regular basis, over a period  
33 of time, or in the cases of testing, assessment, and brief psychotherapy,  
34 psychotherapy can be a single intervention.

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

37 **12-43-202.5. Minors - consent for outpatient psychotherapy -**  
38 **legislative declaration - immunity.** (1) (a) THE GENERAL ASSEMBLY  
39 FINDS AND DECLARES THAT:

40 (I) THE CENTERS FOR DISEASE CONTROL FOUND SUICIDE TO BE THE  
41 TENTH LEADING CAUSE OF DEATH FOR ALL AGES IN 2013 AND IS

1 CURRENTLY THE LEADING CAUSE OF DEATH FOR COLORADO YOUTH WHO  
2 ARE TEN THROUGH FOURTEEN YEARS OF AGE;

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

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

13 (b) THE GENERAL ASSEMBLY THEREFORE DECLARES THAT IT IS A  
14 MATTER OF STATEWIDE CONCERN TO ALLOW YOUTH WHO ARE TWELVE  
15 YEARS OF AGE AND OLDER TO HAVE LEGAL ACCESS TO OUTPATIENT  
16 PSYCHOTHERAPY SERVICES THAT MIGHT OTHERWISE BE UNAVAILABLE  
17 WITHOUT THE CONSENT OF OR NOTIFICATION TO THE YOUTH'S PARENT OR  
18 LEGAL GUARDIAN. PROVIDING THESE YOUTH WITH ACCESS TO OUTPATIENT  
19 PSYCHOTHERAPY SERVICES IS INTENDED TO REDUCE YOUTH SUICIDES AND  
20 ALLOW MENTAL HEALTH PROVIDERS TO WORK WITH YOUTH TO TEACH  
21 THEM FUNCTIONAL COPING SKILLS. MENTAL HEALTH PROVIDERS WOULD  
22 FURTHER HAVE THE OPPORTUNITY TO HELP THESE YOUTH BUILD HEALTHY  
23 CONNECTIONS WITH PARENTS OR LEGAL GUARDIANS BY INCREASING  
24 COMMUNICATION AND STRENGTHENING THE BOND BETWEEN PARENT AND  
25 CHILD, THUS BUILDING AN ONGOING, NONCLINICAL SUPPORT SYSTEM FOR  
26 THE YOUTH TO USE TO MANAGE HIS OR HER MENTAL HEALTH CONCERNS.

27 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
28 CONTRARY, A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED  
29 PURSUANT TO THIS ARTICLE 43 MAY, AT A MINOR'S REQUEST, PROVIDE  
30 PSYCHOTHERAPY SERVICES, AS THAT TERM IS DEFINED IN SECTION  
31 12-43-201 (9)(a), TO A MINOR WHO IS AT LEAST TWELVE YEARS OF AGE,  
32 BUT LESS THAN FIFTEEN YEARS OF AGE WITH OR WITHOUT THE CONSENT  
33 OF THE MINOR'S PARENT OR LEGAL GUARDIAN. THE MINOR'S CONSENT IS  
34 NOT SUBJECT TO DISAFFIRMANCE BECAUSE OF MINORITY.

35 (b) A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT  
36 TO THIS ARTICLE 43 MAY NOT PROVIDE PSYCHOTHERAPY SERVICES TO A  
37 MINOR WHO IS YOUNGER THAN TWELVE YEARS OF AGE WITHOUT THE  
38 CONSENT OF THE MINOR'S PARENT OR LEGAL GUARDIAN. A MENTAL  
39 HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO THIS ARTICLE 43  
40 MAY PROVIDE PSYCHOTHERAPY SERVICES TO A MINOR WHO IS FIFTEEN  
41 YEARS OF AGE OR OLDER PURSUANT TO SECTION 27-65-103 (2).

1 (c) THE LICENSED MENTAL HEALTH PROFESSIONAL PROVIDING  
2 PSYCHOTHERAPY SERVICES TO A MINOR PURSUANT TO THIS SUBSECTION  
3 (2) IS NOT REQUIRED TO, BUT MAY, WITH THE CONSENT OF THE MINOR,  
4 ADVISE THE MINOR'S PARENT OR LEGAL GUARDIAN OF THE  
5 PSYCHOTHERAPY SERVICES PROVIDED PURSUANT TO SUBSECTION (2)(a) OF  
6 THIS SECTION. A LICENSED MENTAL HEALTH PROFESSIONAL PROVIDING  
7 SUCH PSYCHOTHERAPY SERVICES IS ENCOURAGED TO OBTAIN THE  
8 CONSENT OF THE MINOR TO SPEAK TO THE MINOR'S PARENT OR LEGAL  
9 GUARDIAN.

10 (3) IF A MINOR WHO IS RECEIVING PSYCHOTHERAPY SERVICES  
11 PURSUANT TO THIS SECTION COMMUNICATES TO THE MENTAL HEALTH  
12 PROFESSIONAL A CLEAR AND IMMEDIATE INTENT OR THREAT TO INFLICT  
13 SERIOUS BODILY HARM ON HIMSELF OR HERSELF OR OTHERS, THE MENTAL  
14 HEALTH PROFESSIONAL IS SUBJECT TO THE PROVISIONS OF SECTION  
15 13-21-117 (2).

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

18 **27-60-103. Behavioral health crisis response system - services**  
19 **- request for proposals - criteria - reporting - rules.** (8) THE STATE  
20 DEPARTMENT OF HUMAN SERVICES SHALL COORDINATE EFFORTS WITH THE  
21 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IMPLEMENT A  
22 STATEWIDE AWARENESS CAMPAIGN ABOUT YOUTH SUICIDE PREVENTION,  
23 AS WELL AS AWARENESS OF THE TWENTY-FOUR-HOUR TELEPHONE CRISIS  
24 SERVICE CREATED PURSUANT TO THIS SECTION. THE STATE DEPARTMENT  
25 OF HUMAN SERVICES SHALL EXPAND YOUTH-SPECIFIC INTERVENTIONS,  
26 INCLUDING TEXT-BASED SERVICES, WITHIN THE TWENTY-FOUR-HOUR  
27 TELEPHONE CRISIS SERVICE TO SPECIFICALLY ADDRESS YOUTH SUICIDE  
28 PREVENTION.

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

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