

**Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 18-0373.01 Jane Ritter x4342

**HOUSE BILL 18-1177**

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**HOUSE SPONSORSHIP**

**Michaelson Jenet,**

**SENATE SPONSORSHIP**

**Fenberg and Coram,**

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING MULTIPLE APPROACHES TO HELP PREVENT YOUTH**  
102 **SUICIDE, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **APPROPRIATION.**

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**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 the office of suicide prevention (office) in the department of public health and environment (department) to work with appropriate entities to develop and implement a plan to provide access to training programs related to youth suicide prevention for people who regularly interact with youth but who are not in a profession that typically

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.

provides such training opportunities, such as camp counselors, recreation center employees, youth group leaders, clergy, and parents. The office is required to approve at least 3 nonprofit organizations statewide to participate in a coordinated program of youth suicide prevention training. Classes and programs offered by the approved nonprofit organizations must be free to the public, and the department shall reimburse the approved nonprofit organization for any direct or indirect costs associated with such classes and programs.

The bill further directs the department to coordinate efforts to create and implement a statewide awareness campaign about suicide and youth suicide prevention, as well as awareness of the suicide prevention hotline. The awareness campaign may include, but is not limited to, the use of written, electronic, radio, and television media.

The age of consent for a minor to seek and obtain outpatient psychotherapy services is lowered from 15 years of age or older to 12 years of age and older. The licensed mental health provider is immune from civil or criminal liability for providing outpatient psychotherapy services unless he or she acts negligently or outside the scope of his or her practice.

The bill clarifies that the age of consent for a minor seeking inpatient psychotherapy or other inpatient mental health services without the consent of a parent or legal guardian remains 15 years of age or older.

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

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

4 **25-1.5-112. Colorado suicide and youth suicide prevention**  
5 **plan - established - goals - responsibilities - reporting - funding.**

6 (2) The suicide prevention commission, together with the office of  
7 suicide prevention, the office of behavioral health, the department, and  
8 the department of health care policy and financing, is strongly encouraged  
9 to collaborate with criminal justice and health care systems, mental and  
10 behavioral health systems, primary care providers, physical and mental  
11 health clinics in educational institutions, community mental health  
12 centers, advocacy groups, emergency medical services professionals and  
13 responders, public and private insurers, hospital chaplains, and

1 faith-based organizations, to develop and implement:

2 (d) (I) A PLAN TO PROVIDE ACCESS TO TRAINING PROGRAMS  
3 RELATED TO SUICIDE PREVENTION FOR PEOPLE WHO REGULARLY INTERACT  
4 WITH YOUTH BUT WHO ARE NOT IN A PROFESSION THAT TYPICALLY  
5 PROVIDES SUCH TRAINING OPPORTUNITIES, SUCH AS CAMP COUNSELORS,  
6 RECREATION CENTER EMPLOYEES, YOUTH GROUP LEADERS, CLERGY,  
7 ATHLETIC COACHES, CAREGIVERS, AND PARENTS. THE OFFICE OF SUICIDE  
8 PREVENTION SHALL CONTRACT WITH A COLORADO-BASED NONPROFIT  
9 ORGANIZATION TO OFFER SUCH TRAINING THROUGH AN EXISTING  
10 STATEWIDE COORDINATED MODEL.

11 (II) THE NONPROFIT ORGANIZATION WITH WHICH THE OFFICE OF  
12 SUICIDE PREVENTION ENTERED INTO A CONTRACT PURSUANT TO  
13 SUBSECTION (2)(d)(I) OF THIS SECTION SHALL PROVIDE EVIDENCE-BASED  
14 AND CULTURALLY SENSITIVE TRAINING CLASSES OR PROGRAMS, IN BOTH  
15 ENGLISH AND SPANISH, AT NO CHARGE TO THE PUBLIC, AND THE  
16 DEPARTMENT SHALL PROVIDE COMPENSATION TO SUCH NONPROFIT  
17 ORGANIZATION FOR THE DIRECT AND INDIRECT COSTS RELATED TO THE  
18 TRAINING CLASSES OR PROGRAMS. STARTING OCTOBER 1, 2018, AND AT  
19 LEAST QUARTERLY THEREAFTER, THE DEPARTMENT SHALL POST ON ITS  
20 WEBSITE A SCHEDULE OF TRAINING CLASSES OR PROGRAMS OFFERED BY  
21 THE CONTRACTED NONPROFIT ORGANIZATION.

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

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

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

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

22          (III) (A) Notwithstanding section 24-1-136 (11)(a)(I), as part of  
23          ~~its~~ THE duties as ~~coordinator for suicide prevention programs~~ OF THE  
24          OFFICE OF SUICIDE PREVENTION, on or before each November 1, the  
25          ~~department~~ OFFICE OF SUICIDE PREVENTION shall submit to the chairs of  
26          the senate health and human services committee, ~~and~~ the house of  
27          representatives health, insurance, and environment committee, AND THE

1 HOUSE OF REPRESENTATIVES PUBLIC HEALTH CARE AND HUMAN SERVICES  
2 COMMITTEE, or their successor committees, and to the members of the  
3 joint budget committee, a report listing all suicide prevention programs  
4 in the state and describing the effectiveness of the ~~department~~ OFFICE OF  
5 SUICIDE PREVENTION IN acting as the coordinator for suicide prevention  
6 programs. For the report submitted in 2013 and each year thereafter, the  
7 ~~department~~ OFFICE OF SUICIDE PREVENTION shall include any findings and  
8 recommendations it has to improve suicide prevention in the state.

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

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

1 that may be present in:

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

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

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

11 (V) FOR THE FISCAL YEAR COMMENCING JULY 1, 2018, THE  
12 GENERAL ASSEMBLY SHALL APPROPRIATE TWENTY-FIVE THOUSAND  
13 DOLLARS TO THE OFFICE OF SUICIDE PREVENTION FOR THE CREATION AND  
14 DEVELOPMENT OF A WEBSITE TO SERVE AS A CLEARINGHOUSE FOR ACCESS  
15 TO PREEXISTING MENTAL HEALTH RESOURCES AVAILABLE THROUGHOUT  
16 COLORADO. THE OFFICE SHALL CONSULT WITH THE COLORADO YOUTH  
17 ADVISORY COUNCIL, CREATED PURSUANT TO SECTION 2-2-1302, AND THE  
18 YOUTH SUICIDE PREVENTION WORKGROUP OF THE SUICIDE PREVENTION  
19 COMMISSION ON THE DEVELOPMENT OF THE WEBSITE AND, WHEN  
20 APPROPRIATE, MAKE USE OF INFORMATION AND RESOURCES PREVIOUSLY  
21 COMPILED BY THE COUNCIL AND WORKGROUP. THE WEBSITE MUST BE  
22 YOUTH FRIENDLY, CULTURALLY SENSITIVE, AND AVAILABLE IN BOTH  
23 ENGLISH AND SPANISH.

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

26 **12-43-201. Definitions.** As used in this article 43, unless the  
27 context otherwise requires:

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

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

13 **12-43-202.5. Minors - consent for outpatient psychotherapy -**  
14 **legislative declaration - immunity.** (1) (a) THE GENERAL ASSEMBLY  
15 FINDS AND DECLARES THAT:

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

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

24 (III) YOUTH WHO ARE TEN THROUGH FOURTEEN YEARS OF AGE  
25 OFTEN AVOID OBTAINING, OR ARE LEGALLY UNABLE TO OBTAIN WITHOUT  
26 PARENTAL CONSENT, OUTPATIENT PSYCHOTHERAPY SERVICES THAT  
27 WOULD HELP THEM PRIOR TO REACHING CRISIS LEVELS BECAUSE THEY ARE

1 EMBARRASSED OR CONCERNED ABOUT SPEAKING WITH THEIR PARENTS  
2 ABOUT THEIR MENTAL HEALTH CONCERNS AND SITUATION.

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

17 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
18 CONTRARY, A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED  
19 PURSUANT TO THIS ARTICLE 43 MAY, AT A MINOR'S REQUEST, PROVIDE  
20 PSYCHOTHERAPY SERVICES, AS THAT TERM IS DEFINED IN SECTION  
21 12-43-201 (9)(a), TO A MINOR WHO IS AT LEAST TWELVE YEARS OF AGE,  
22 BUT LESS THAN FIFTEEN YEARS OF AGE WITH OR WITHOUT THE CONSENT  
23 OF THE MINOR'S PARENT OR LEGAL GUARDIAN. THE MINOR'S CONSENT IS  
24 NOT SUBJECT TO DISAFFIRMANCE BECAUSE OF MINORITY.

25 (b) A MENTAL HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT  
26 TO THIS ARTICLE 43 MAY NOT PROVIDE PSYCHOTHERAPY SERVICES TO A  
27 MINOR WHO IS YOUNGER THAN TWELVE YEARS OF AGE WITHOUT THE

1 CONSENT OF THE MINOR'S PARENT OR LEGAL GUARDIAN. A MENTAL  
2 HEALTH PROFESSIONAL WHO IS LICENSED PURSUANT TO THIS ARTICLE 43  
3 MAY PROVIDE PSYCHOTHERAPY SERVICES TO A MINOR WHO IS FIFTEEN  
4 YEARS OF AGE OR OLDER PURSUANT TO SECTION 27-65-103 (2).

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

14 (3) IF A MINOR WHO IS RECEIVING PSYCHOTHERAPY SERVICES  
15 PURSUANT TO THIS SECTION COMMUNICATES TO THE MENTAL HEALTH  
16 PROFESSIONAL A CLEAR AND IMMINENT INTENT OR THREAT TO INFLICT  
17 SERIOUS BODILY HARM ON HIMSELF OR HERSELF OR OTHERS, THE MENTAL  
18 HEALTH PROFESSIONAL IS SUBJECT TO THE PROVISIONS OF SECTION  
19 13-21-117 (2).

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

22 **27-60-103. Behavioral health crisis response system - services**  
23 **- request for proposals - criteria - reporting - rules.** (8) THE STATE  
24 DEPARTMENT OF HUMAN SERVICES SHALL COORDINATE EFFORTS WITH THE  
25 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO IMPLEMENT A  
26 STATEWIDE AWARENESS CAMPAIGN ABOUT YOUTH SUICIDE PREVENTION,  
27 AS WELL AS AWARENESS OF THE TWENTY-FOUR-HOUR TELEPHONE CRISIS

1 SERVICE CREATED PURSUANT TO THIS SECTION. THE STATE DEPARTMENT  
2 OF HUMAN SERVICES SHALL EXPAND YOUTH-SPECIFIC INTERVENTIONS,  
3 INCLUDING TEXT-BASED SERVICES, WITHIN THE TWENTY-FOUR-HOUR  
4 TELEPHONE CRISIS SERVICE TO SPECIFICALLY ADDRESS YOUTH SUICIDE  
5 PREVENTION.

6 **SECTION 6. Appropriation.** (1) For the 2018-19 state fiscal  
7 year, \$375,000 is appropriated to the department of human services for  
8 use by the office of behavioral health. This appropriation is from the  
9 general fund. To implement this act, the office may use this appropriation  
10 for the behavioral health crisis response system telephone hotline.

11 (2) For the 2018-19 state fiscal year, \$97,838 is appropriated to  
12 the department of public health and environment for use by the prevention  
13 services division. This appropriation is from the general fund and is based  
14 on an assumption that the division will require an additional 0.3 FTE. To  
15 implement this act, the division may use this appropriation for suicide  
16 prevention.

17 **SECTION 7. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.