

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 24-0175.01 Shelby Ross x4510

**SENATE BILL 24-117**

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**SENATE SPONSORSHIP**

**Cutter and Winter F.,**

**HOUSE SPONSORSHIP**

**deGruy Kennedy,**

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**Senate Committees**

Health & Human Services  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING PROTECTIONS FOR INDIVIDUALS WITH AN EATING**  
102            **DISORDER, AND, IN CONNECTION THEREWITH, REQUIRING AN**  
103            **EATING DISORDER TREATMENT AND RECOVERY FACILITY TO**  
104            **HOLD AN APPROPRIATE DESIGNATION AND REQUIRING THE**  
105            **BEHAVIORAL HEALTH ADMINISTRATION TO REGULATE THE USE**  
106            **OF INVOLUNTARY FEEDING TUBES.**

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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>.)*

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.*

SENATE  
Amended 2nd Reading  
April 23, 2024



1 MEDICAL EXAMINATION, INCLUDING A WEIGH-IN, WITHOUT OTHER  
2 PATIENTS PRESENT IN THE SAME ROOM;

3 (b) PROHIBIT A TREATMENT FACILITY FROM REQUIRING THAT A  
4 PATIENT REMOVE ALL CLOTHING DURING A WEIGH-IN WITHOUT PROVIDING  
5 CLOTHING THAT SUFFICIENTLY PROVIDES PRIVACY AND COVERS THE  
6 PATIENT'S BODY;

7 (c) PROHIBIT A TREATMENT FACILITY FROM REQUIRING THAT A  
8 PATIENT PERFORM PHYSICAL EXERCISES DURING A WEIGH-IN, UNLESS THE  
9 TREATMENT PROVIDER HAS SUFFICIENT CAUSE TO BELIEVE THAT THE  
10 PATIENT WOULD BE AT RISK OF HARM, AT WHICH POINT THE TREATMENT  
11 PROVIDER SHALL DOCUMENT THE NEED FOR FURTHER INVESTIGATION IN  
12 THE PATIENT'S MEDICAL RECORD AND ASK THE PATIENT TO PERFORM ANY  
13 PHYSICAL EXERCISE IN A LOCATION WITH SUFFICIENT PRIVACY AND IN A  
14 WAY THAT PRESERVES THE PATIENT'S DIGNITY TO THE GREATEST EXTENT  
15 POSSIBLE;

16 (d) REQUIRE A TREATMENT FACILITY TO PROVIDE GENDER  
17 NONCONFORMING AND TRANSGENDER PATIENTS WITH THE SAME  
18 RESTROOM POLICIES PROVIDED FOR CISGENDER PATIENTS;

19 (e) PROHIBIT A TREATMENT FACILITY FROM REQUIRING THAT  
20 PATIENTS SHARE A SINGLE STALL WITH A STAFF MEMBER OR ANOTHER  
21 PATIENT WHILE IN THE ACT OF USING THE RESTROOM;

22 (f) REQUIRE A TREATMENT FACILITY'S POLICIES TO RESPECT AND  
23 ACCOMMODATE A PATIENT'S SEXUAL ORIENTATION, GENDER IDENTITY,  
24 RELIGION, AND, UNLESS CLINICALLY CONTRAINDICATED, PERSONAL  
25 DIETARY ETHICS;

26 (g) REQUIRE THE PRESENCE OF APPROPRIATE AND QUALIFIED STAFF  
27 TO TREAT A PATIENT AT ALL TIMES, INCLUDING DURING WEIGH-INS,

1 RESTROOM TIME, VITAL SIGN CHECKS, AND BEHAVIORAL HEALTH  
2 TREATMENT AND GROUP THERAPY. IF A STAFF MEMBER PERFORMS  
3 MULTIPLE FUNCTIONS AT A TREATMENT FACILITY, THE RULES MUST  
4 ENSURE PROVIDERS PRESERVE AND PRIORITIZE THE THERAPEUTIC  
5 RELATIONSHIP BETWEEN THE STAFF MEMBER AND PATIENT.

6 (h) ADDRESS THE USE OF RESTRAINTS AND RESTRICTION OF A  
7 PATIENT'S ALLOWED BODILY MOVEMENT. THE RULES MUST ENSURE THAT  
8 RESTRICTION OF MOVEMENT IS NEVER USED AS A FORM OF PUNISHMENT  
9 AND THAT PATIENTS ARE PERMITTED A MINIMUM AMOUNT OF PHYSICAL  
10 ACTIVITY PER DAY AS CLINICALLY APPROPRIATE.

11 (i) ADDRESS THE USE OF BED-BASED OR ROOM-BASED CARE,  
12 ENSURING THESE PRACTICES ARE USED AS A LAST RESORT AND THAT STAFF  
13 MEANINGFULLY ENGAGE PATIENTS TO AVOID THESE RESTRICTIVE  
14 MEASURES; EXCEPT THAT THIS SUBSECTION (2)(i) DOES NOT APPLY TO AN  
15 EATING DISORDER PROGRAM IN A GENERAL HOSPITAL SETTING;

16 (j) REQUIRE A TREATMENT FACILITY TO IMPLEMENT A  
17 TRAUMA-INFORMED TREATMENT FRAMEWORK; ==

18 (k) ESTABLISH THE MINIMUM RIGHTS EACH PATIENT IS ENTITLED  
19 TO AT A TREATMENT FACILITY AND REQUIRING THAT PATIENT RIGHTS BE  
20 PUBLICLY POSTED AND PROVIDED TO EACH PATIENT ELECTRONICALLY AND  
21 IN WRITING. IN ADDITION, THE FORMAL GRIEVANCE PROCESS FOR A  
22 PATIENT TO FILE A COMPLAINT AGAINST THE TREATMENT FACILITY  
23 THROUGH THE BEHAVIORAL HEALTH ADMINISTRATION FOR AN ALLEGED  
24 VIOLATION OF THE PATIENT'S RIGHTS MUST BE PUBLICLY POSTED AND  
25 PROVIDED TO EACH PATIENT ELECTRONICALLY AND IN WRITING; AND

26 (l) PRIOR TO INVOLUNTARILY PLACING A FEEDING TUBE FOR A  
27 MINOR PATIENT, REQUIRE THE EATING DISORDER TREATMENT AND

1 RECOVERY FACILITY TO OBTAIN INFORMED WRITTEN CONSENT FROM BOTH  
2 THE PATIENT AND THE PATIENT'S PARENT OR LEGAL GUARDIAN IF THE  
3 PATIENT IS FIFTEEN YEARS OF AGE OR OLDER OR FROM ONLY THE PATIENT'S  
4 PARENT OR LEGAL GUARDIAN IF THE PATIENT IS FOURTEEN YEARS OF AGE  
5 OR YOUNGER. IF A PATIENT IS FIFTEEN YEARS OF AGE OR OLDER AND DOES  
6 NOT CONSENT TO OR OBJECTS TO THE CONTINUED USE OF AN  
7 INVOLUNTARY FEEDING TUBE, THE PATIENT MAY SEEK REVIEW PURSUANT  
8 TO SECTION 27-65-104 (6).

9           **SECTION 2.** In Colorado Revised Statutes, **amend** 27-65-128 as  
10 follows:

11           **27-65-128. Administration - rules.** The BHA shall promulgate  
12 any rules and develop and distribute any applications or forms necessary  
13 to consistently enforce the provisions of this article 65, INCLUDING RULES  
14 CONCERNING INVOLUNTARY FEEDING TUBES FOR INDIVIDUALS WITH AN  
15 EATING DISORDER. The BHA shall proactively train providers, facilities,  
16 counties, judges, magistrates, intervening professionals, and certified  
17 peace officers on the procedures under this article 65, which training must  
18 include an understanding of the criteria for invoking an emergency mental  
19 health hold pursuant to section 27-65-106, the definition of "gravely  
20 disabled" and how a person who is gravely disabled may present  
21 physically and psychiatrically, and suggested templates and resources to  
22 be used by facilities to meet the requirements of section 27-65-106  
23 (8)(a)(III) and (8)(a)(VII).

24           **SECTION 3. Safety clause.** The general assembly finds,  
25 determines, and declares that this act is necessary for the immediate  
26 preservation of the public peace, health, or safety or for appropriations for

- 1 the support and maintenance of the departments of the state and state
- 2 institutions.