

# Colorado's Emergency Mental Health Procedures Stakeholder Process

Hosted by:

The Office of Behavioral Health  
Mental Health Colorado



**COLORADO**  
**Office of Behavioral Health**  
Department of Human Services

# Timeline

March

- Transportation hold

April

- Intervening professional

May

- Patient rights during emergency mental health procedure
- May 24th- Presentation by the Colorado Hospital Association

June

- Discharge Planning

# *Intervening Professional*

## *Agenda:*

*Current Statute*

*Breakdown of Current Professions and Training Requirements*

*Discussion of Additional Professionals and Training Requirements*

# Current Statutory Language

## 27-65-105 (1)(a)(II) C.R.S.

(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:

(A) A certified peace officer;

(B) A professional person;

(C) A registered professional nurse as defined in section 12-255-104 (11) who by reason of postgraduate education and additional nursing preparation has gained knowledge, judgment, and skill in psychiatric or mental health nursing;

(D) A licensed marriage and family therapist, licensed professional counselor, or addiction counselor licensed under part 5, 6, or 8 of article 245 of title 12 who, by reason of postgraduate education and additional preparation, has gained knowledge, judgment, and skill in psychiatric or clinical mental health therapy, forensic psychotherapy, or the evaluation of mental health disorders; or

(E) A licensed clinical social worker licensed under the provisions of part 4 of article 245 of title 12.



# Certified Peace Officer

**CURRENT Statutory Language: 27-65-105(1)(a)(II), C.R.S.**

*(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:*

*(A) A certified peace officer;*

## **“Certified Peace Officer” mean...**

[16-2.5-102] The following peace officers shall meet all the standards imposed by law on a peace officer and shall be certified by the peace officers standards and training board, referred to in this article as the "P.O.S.T. board": A chief of police; a police officer; a sheriff; an undersheriff; a deputy sheriff; a Colorado state patrol officer; a town marshal; a deputy town marshal; a reserve police officer; a reserve deputy sheriff; a reserve deputy town marshal; a police officer or reserve police officer employed by a state institution of higher education; a Colorado wildlife officer; a Colorado parks and recreation officer; a Colorado police administrator or police officer employed by the Colorado mental health institute at Pueblo; an attorney general criminal investigator; a community parole officer; a public transit officer; a municipal court marshal; and the department of corrections inspector general.



# Professional Person

CURRENT Statutory Language: 27-65-105(1)(a)(II), C.R.S.

*(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:*

*(B) A professional person;*

“Professional person” mean...

[27-65-102(17)] "Professional person" means a person licensed to practice medicine in this state, a psychologist certified to practice in this state, or a person licensed and in good standing to practice medicine in another state or a psychologist certified to practice and in good standing in another state who is providing medical or clinical services at a treatment facility in this state that is operated by the armed forces of the United States, the United States public health service, or the United States department of veterans affairs.



# Registered Professional Nurse

**CURRENT Statutory Language: 27-65-105(1)(a)(II), C.R.S.**

*(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:*

*(C) A registered professional nurse as defined in section 12-255-104 (11) who by reason of postgraduate education and additional nursing preparation has gained knowledge, judgment, and skill in psychiatric or mental health nursing;*

**“Registered professional nurse as defined in section 12-255-104 (11)”  
mean...**

- [12-255-104(11)] "Registered nurse" or "registered professional nurse" means a professional nurse, and only a person who holds a license to practice professional nursing in this state pursuant to this part 1 or who holds a license in another state and is practicing in this state pursuant to section 24-60-3802 may use the title "registered nurse" and its abbreviation, "R.N."

**“who by reason of postgraduate education and additional nursing preparation has gained knowledge, judgment, and skill in psychiatric or mental health nursing” means...**

- OBH has interpreted this as minimum master’s degree and documented training



# LMFT, LPC, LAC

**CURRENT Statutory Language: 27-65-105(1)(a)(II), C.R.S.**

*(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:*

*(D) A licensed marriage and family therapist, licensed professional counselor, or addiction counselor licensed under part 5, 6, or 8 of article 245 of title 12 who, by reason of postgraduate education and additional preparation, has gained knowledge, judgment, and skill in psychiatric or clinical mental health therapy, forensic psychotherapy, or the evaluation of mental health disorders;*

**“A licensed marriage and family therapist, licensed professional counselor, or addiction counselor licensed under part 5, 6, or 8 of article 245 of title 12” mean...**

- Licensed professionals NOT candidates or certified professionals

**“who, by reason of postgraduate education and additional preparation, has gained knowledge, judgment, and skill in psychiatric or clinical mental health therapy, forensic psychotherapy, or the evaluation of mental health disorders” means...**

- OBH has interpreted this as minimum master’s degree and documented training



# *Licensed Clinical Social Worker*

**CURRENT Statutory Language: 27-65-105(1)(a)(II), C.R.S.**

*(II) The following persons may act as intervening professionals to effect a seventy-two-hour hold, as provided in subsections (1)(a)(I) and (1)(a)(I.5) of this section:*

*(E) A licensed clinical social worker licensed under the provisions of part 4 of article 245 of title 12.*

**“A licensed clinical social worker licensed under the provisions of part 4 of article 245 of title 12” mean...**

- Licensed Clinical Social Workers (LCSW) *NOT* Licensed social workers (LSW) or clinical social worker candidates
- LCSW do not have “additional preparation” requirements like LMFT, LPC or LAC



# What “Intervening Professional” changes are needed?

- Add *emergency medical service provider*?
- Add *physician assistant*?
- Should certain professional only do certain things (M1 vs M0.5)?
- Only RN, LMFT, LPC, and LAC are currently required to have “additional preparation”, how do we ensure all intervening professionals are trained in 27-65 emergency procedures?
- What could/should intervening professional training look like?



# Next Steps

**April 26:**

Final wrap up on recommendations for  
Transportation Hold and Intervening  
Professional Definition



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Department of Human Services

# Stay Connected

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For updates, meeting notes, and relevant documents:  
<https://www.mentalhealthcolorado.org/emergency-mental-health-procedures/>



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