

# 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

Today

- Finalize Transportation Hold and Intervening Professional Proposal

May

- Patient Rights During Emergency Mental Health Procedure
- Presentation by the Colorado Hospital Association

June

- Discharge Planning
- 72-Hour Hold Implementation

July

- Law Enforcement Presentation
- Jail Alternatives

# *Transportation Hold & Intervening Professional Wrap-Up*

## *Agenda:*

*Intervening Professional Update Proposal*

*Transportation Hold Update Proposal*

# Current Intervening Professional Statute: **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.*



# *Intervening Professional Update Proposal*

- **Add:**
  - Physician assistant
  - Advanced practice registered nurse
  - Emergency medical service provider
- **Remove reference to Transportation Hold**
  - Transportation Hold moved from 27-65-105\*

*\*Upcoming Slides for details*
- **Require intervening professionals be trained**

# Proposed Intervening Professional Definition

## 27-65-105(1)(a), 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) of this section:*

*(A) A certified peace officer;*

*(B) A professional person;*

*(C) An emergency medical services provider as defined in 25-3.5-103(8);*

*(D) A physician assistant licensed under the provisions of 12-240-113;*

*(E) An advanced practice registered nurse as defined in section 12-255-104(1);*

*(F) A registered professional nurse as defined in section 12-255-104 (11);*

*(G) A licensed marriage and family therapist licensed under the provisions of part 5 of article 245 of title 12;*

*(H) A licensed professional counselor licensed under the provisions of part 6 of article 245 of title 12;*

*(I) An addiction counselor licensed under the provisions of part 8 of article 245 of title 12;*  
*or*

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

**HOW SHOULD TRAINING BE ADDRESS???**



# CURRENT

*(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.*

# PROPOSED

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

- (A) A certified peace officer;*
- (B) A professional person;*
- \* (C) An emergency medical services provider as defined in 25-3.5-103(8);*
- \* (D) A physician assistant licensed under the provisions of 12-240-113;*
- \* (E) An advanced practice registered nurse as defined in section 12-255-104(1);*
- (F) A registered professional nurse as defined in section 12-255-104 (11);*
- (G) A licensed marriage and family therapist licensed under the provisions of part 5 of article 245 of title 12;*
- (H) A licensed professional counselor licensed under the provisions of part 6 of article 245 of title 12;*
- (I) An addiction counselor licensed under the provisions of part 8 of article 245 of title 12; or*
- (J) A licensed clinical social worker licensed under the provisions of part 4 of article 245 of title 12.*

**ADDRESS TRAINING!!!**



# *Intervening Professional Training Requirements*

- **Should all the listed professionals be required to have 27-65 specific training?**
  - Currently only RN, LMFT, LPC, & LAC have “additional preparation” requirements
- **How often should training be required?**
  - Annually?
  - Every 2 years to aligns with licensure renewal?
  - Once?
- **Who delivers the training?**
  - State Agency (OBH/BHA)?



# Current Transportation Hold Statute: *27-65-105 (1)(a)(I.5) C.R.S.*

*27-65-105(1)(a)(I.5)* When any person appears to have a mental health disorder and, as a result of such mental health disorder, is in need of immediate evaluation for treatment in order to prevent physical or psychiatric harm to others or to himself or herself, then an intervening professional, as specified in subsection (1)(a)(II) of this section, upon probable cause and with such assistance as may be required, may immediately transport the person to an outpatient mental health facility or other clinically appropriate facility designated or approved by the executive director. If such a facility is not available, the person may be taken to an emergency medical services facility.

# *Transportation Hold Update Proposal*

- **NEW 27-65-105.5 for the Transportation Hold**
  - Remove Transportation Hold language from 27-65-105
- **Align 27-65-105.5 with 27-65-106 provisions**
  - 27-65-106 is court-ordered evaluations (M-4)
- **Transportation Hold only for LE and EMS**
  - Not all intervening professionals
- **Establish clear Transportation Hold criteria and process**

# *Transportation Hold Proposal Overview*

## **1. Criteria**

- Community-based services unsuccessful or unavailable

## **2. Who can initiate**

- Only peace officers and emergency medical services providers

## **3. What must be included in the application**

- Names, circumstance, copy to person

## **4. What facilities do the screening**

- Designated walk-in or emergency department

## **5. Screening procedure**

- Determine probable cause for meeting 72HH criteria
- Maximum length of time to complete screening (2 hours?)

## **6. Procedure upon screening determination**

- Pursue voluntary treatment and evaluation
- 72-hour treatment and evaluation



# *Discussion*

- What was missed?
- What are the anticipated outcomes of these proposed changes?
- Will there be strong support or opposition?

# Next Meetings

**May 10:**

Patient Rights During Emergency Mental Health Procedure

**May 24:**

Presentation by the Colorado Hospital Association



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

# Stay Connected

Ryan Templeton, Office of Behavioral Health  
[ryan.templeton@state.co.us](mailto:ryan.templeton@state.co.us)

Laura Ferguson, Office of Behavioral Health  
[laura.ferguson@state.co.us](mailto:laura.ferguson@state.co.us)

Lauren Snyder, Mental Health Colorado  
[lsnyder@mentalhealthcolorado.org](mailto:lsnyder@mentalhealthcolorado.org)

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



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