

HB1044_L.004

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB19-1044 be amended as follows:

1 Amend printed bill, page 7, after line 10 insert:

2 "(3) NOTHING IN THIS PART 2 ALLOWS AN ADULT TO INCLUDE IN
3 HIS OR HER BEHAVIORAL HEALTH ORDERS FORM AN INSTRUCTION THAT
4 EXEMPTS THE ADULT FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR
5 COMMITMENT AUTHORIZED PURSUANT TO STATE LAW. ANY INSTRUCTION
6 THAT ATTEMPTS TO EXEMPT THE ADULT FROM AN INVOLUNTARY
7 EMERGENCY PROCEDURE OR COMMITMENT AUTHORIZED PURSUANT TO
8 STATE LAW IS VOID."

9 Page 11, after line 20 insert:

10 "(6) (a) NOTHING IN THIS PART 2 ALLOWS AN ADULT TO INCLUDE
11 IN HIS OR HER BEHAVIORAL HEALTH ORDERS FORM AN INSTRUCTION THAT
12 EXEMPTS THE ADULT FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR
13 COMMITMENT AUTHORIZED PURSUANT TO STATE LAW. ANY INSTRUCTION
14 THAT ATTEMPTS TO EXEMPT THE ADULT FROM AN INVOLUNTARY
15 EMERGENCY PROCEDURE OR COMMITMENT AUTHORIZED PURSUANT TO
16 STATE LAW IS VOID.

17 (b) NOTWITHSTANDING AN INSTRUCTION ON AN ADULT'S
18 BEHAVIORAL HEALTH ORDERS FORM THAT STATES TO EXEMPT THE ADULT
19 FROM AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT
20 AUTHORIZED PURSUANT TO STATE LAW, ANY PERSON AUTHORIZED TO
21 PERFORM AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT
22 PURSUANT TO STATE LAW AND WHO COMPLIES WITH THE REQUIREMENTS
23 OF AN INVOLUNTARY EMERGENCY PROCEDURE OR COMMITMENT
24 PURSUANT TO STATE LAW IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY
25 OR REGULATORY SANCTION."

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