

HB19-1169: MENTAL HEALTH INVOLUNTARY TRANSPORTATION HOLDS

Concerning the authority to hold a person in mental health crisis through the provisions of the mental health involuntary transportation hold until the initial evaluation at the receiving facility is completed.

Policy Issue Summary

Current law allows specified professionals (certified peace officer, person licensed to practice medicine, licensed psychologist, licensed clinical social worker, registered nurse, licensed professional counselor, licensed marriage and family therapist, or licensed addiction counselor)¹ to transport to a treatment facility any individual who is in a behavioral health crisis -- but will not go voluntarily or does not clearly meet 72-Hour Hold (M-1 Hold) criteria -- from the community to a facility with walk-in services. The authority to involuntarily hold such a person in custody expires upon the delivery of the person to the facility. This involuntary transportation hold is known as an M-0.5 hold and was created under SB17-207, which aimed to strengthen Colorado's behavioral health crisis system. As current law stands, there have been issues with the specified professionals being reticent to use this hold due to uncertainty in the language.

This bill adds language that clarifies that the authority of the specified professionals to hold an individual remains in effect until the evaluation at the receiving facility is complete and a determination has been made concerning the continued evaluation and treatment of the individual.

Reason for Involvement by the Health District of Northern Larimer County

Policy Priority – 1

The Health District has a strong interest HB19-1169 as the ability for people to get evaluated during a time of crisis is essential for determining the appropriate level of care. The M-0.5 hold is an important tool available to law enforcement and other specified professionals to address behavioral health crises in our community. Local law enforcement is reluctant to use the hold without this important wording change.

Staff Recommendation

The Health District Public Policy Strategy Team recommends that the Board of Directors strongly support HB19-1169.

About this Memo

This memo was prepared by Health District of Northern Larimer County staff to assist the Health District Board of Directors in determining whether to take an official stand on various health-related issues. The Health District is a special district of the northern two-thirds of Larimer County, Colorado, supported by local property tax dollars and governed by a publicly elected five-member board. The Health District provides medical, mental health, dental, preventive and health planning services to the communities it serves. This memo is not a complete analysis of this policy issue. This memo is accurate to staff knowledge as of date printed. For more information about this summary or the Health District, please contact Alyson Williams, Policy Coordinator, at (970) 224-5209, or e-mail at awilliams@healthdistrict.org.

¹ The registered nurse, licensed professional counselor, licensed marriage and family therapist, and licensed addiction counselor can place an M0.5 hold if by reason of postgraduate education and additional preparation has gained knowledge, judgment and skill in psychiatric or mental health nursing or psychiatric or clinical mental health therapy, forensic psychotherapy, or the evaluation of mental health disorders.