A BILL FOR AN ACT

CONCERNING STATUTORY PROVISIONS RELATED TO THE USE OF SECLUSION ON INDIVIDUALS.

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://www.leg.state.co.us/billsummaries.)

The bill strengthens the safety provisions for the use of restraint and seclusion on individuals, particularly youths, who are being detained by a state or local agency. Language is added to clarify that restraint or seclusion must never be used as a punishment, sanction, or part of a treatment plan, or for retaliation, or for protection, except in the case of demonstrated emergencies.
The division of youth corrections (division) within the state department of human services (department) may place a youth in emergency seclusion for a maximum of no more than 4 consecutive hours in a calendar day unless a prescribed protocol is followed for an extended emergency situation. If the emergency situation continues and the youth is in seclusion for 8 total hours in a 2-calendar-day period, the division must obtain a court order to continue the seclusion.

The division may confine a youth for a period of time not to exceed 2 hours, not including sleeping hours, in a calendar day for the completion of administrative functions, provided that the confinement is part of a routine practice that is applicable to substantial portions of the population and is not imposed in response to the behavior of one or more youth.

If an agency uses seclusion:

- The room or area used for seclusion must have at least 60 square feet of floor space, be clean, have adequate lighting, heating, and, by January 1, 2020, be suicide resistant;
- The individual in seclusion must have access to water, toilet facilities, and toilet paper;
- Staff shall adhere to strict timeline protocols for youth in seclusion for emergency situations;
- Scheduled status reports must be made to the facility director;
- Within 12 hours, the facility shall notify the youth's parent, guardian, or legal custodian of the fact of and need for the seclusion; and
- If the emergency requiring seclusion continues beyond 4 hours, the division may only continue the seclusion if it obtains written approval after a licensed physician has consulted with a qualified mental health professional who has met with the youth.

A division facility that utilizes seclusion is required to have staff undergo at least 40 hours of initial training and at least 16 hours of annual training thereafter, especially on the use and effect of seclusion on youth.

Additional reporting requirements are imposed in the bill. The division is required to keep specific documentation on file for each individual placed in seclusion. The division shall make a compilation report of the documentation to the youth seclusion working group (working group), created in the bill. Similarly, any facility that operates for the purpose of detaining youth shall report quarterly to the public health and human services committee of the house of representatives and the health and human services committee of the senate, or any successor committees, on its use of seclusion.

The working group is created to study the issues surrounding the use and effect of seclusion on youth.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, amend 26-20-101 as follows:

26-20-101. Short title. This section shall be known and may be cited as the "Protection of Persons from Restraint AND SECLUSION Act".

SECTION 2. In Colorado Revised Statutes, 26-20-102, amend (6) introductory portion, (6) (c), (6) (d), and (7); add (2.5), (3.5), (5.7), (8), and (9); and repeal (6) (e) as follows:

26-20-102. Definitions. As used in this article, unless the context otherwise requires:

(2.5) "DIVISION OF YOUTH CORRECTIONS" means the Division of Youth Corrections within the State Department created pursuant to section 19-2-203, C.R.S.

(3.5) "INDIVIDUAL" encompasses both adults and youths, unless the context specifically states one or the other.

(5.7) "QUALIFIED MENTAL HEALTH PROFESSIONAL" means an individual who is a licensed psychologist, psychiatrist, or licensed clinical social worker or who is a behavioral health specialist employed by the Division of Youth Corrections.

(6) "Restraint" means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force, mechanical devices, or chemicals. "Restraint" includes a chemical restraint, a mechanical restraint, and physical restraint. "Restraint" does not include:

(c) The holding of an individual for less than five minutes by a
staff person for protection of the individual or other persons; OR

(d) Placement of an inpatient or resident in his or her room for the
night. OR

(e) The use of time-out as may be defined by written policies,
rules, or procedures of an agency.

(7) "Seclusion" means the INVOLUNTARY placement of an individual
alone in a room OR AREA from which egress is
involuntarily prevented, EXCEPT DURING NORMAL SLEEPING HOURS.

(8) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
HUMAN SERVICES.

(9) "YOUTH" MEANS AN INDIVIDUAL WHO IS LESS THAN
TWENTY-ONE YEARS OF AGE.

SECTION 3. In Colorado Revised Statutes, amend 26-20-103 as
follows:

26-20-103. Basis for use of restraint or seclusion. (1) Subject
to the provisions of this article, an agency may only use restraint OR
SECLUSION ON AN INDIVIDUAL:

(a) In cases of emergency; and

(b) (I) After the failure of less restrictive alternatives; or

(II) After a determination that such alternatives would be
inappropriate or ineffective under the circumstances.

(1.5) RESTRAINT AND SECLUSION MUST NEVER BE USED:

(a) AS A PUNISHMENT OR DISCIPLINARY SANCTION;

(b) AS PART OF A TREATMENT PLAN OR BEHAVIOR MODIFICATION
PLAN;

(c) FOR THE PURPOSE OF RETALIATION BY STAFF; OR

(d) FOR THE PURPOSE OF PROTECTION, UNLESS:
(I) THE RESTRAINT OR SECLUSION IS ORDERED BY THE COURT; OR

(II) IN AN EMERGENCY, AS PROVIDED FOR IN SUBSECTION (1) OF THIS SECTION.

(2) An agency that uses restraint OR SECLUSION pursuant to the provisions of subsection (1) of this section shall use such restraint OR SECLUSION:

(a) For ONLY FOR the purpose of preventing the continuation or renewal of an emergency;

(b) For ONLY FOR the period of time necessary to accomplish its purpose; and

(c) In the case of physical restraint, using ONLY IF no more force than is necessary to limit the individual's freedom of movement IS USED.

(3) In addition to the circumstances described in subsection (1) of this section, a facility, as defined in section 27-65-102 (7), C.R.S., that is designated by the executive director of the STATE department of human services to provide treatment pursuant to section 27-65-105, 27-65-106, 27-65-107, or 27-65-109, C.R.S., to an INDIVIDUAL with mental illness, as defined in section 27-65-102 (14), C.R.S., may use seclusion to restrain a person AN INDIVIDUAL with a mental illness when the seclusion is necessary to eliminate a continuous and serious disruption of the treatment environment.

(4) (a) The general assembly recognizes that skilled nursing and nursing care facilities that participate in federal medicaid programs are subject to federal statutes and regulations concerning the use of restraint in such facilities that afford protections from restraint in a manner consistent with the purposes and policies set forth in this article.

(b) If the use of restraint OR SECLUSION in skilled nursing and
nursing care facilities licensed under state law is in accordance with the federal statutes and regulations governing the medicare program set forth in 42 U.S.C. sec. 1395i-3(c) and 42 CFR part 483, subpart B and the medicaid program set forth in 42 U.S.C. sec. 1396r(c) and 42 CFR part 483, subpart B and with the rules of the department of public health and environment relating to the licensing of these facilities, there shall be a conclusive presumption that such use of restraint OR SECLUSION is in accordance with the provisions of this article.

(5) (a) The general assembly recognizes that article 10.5 of title 27, C.R.S., AND ARTICLE 10 OF TITLE 25.5, C.R.S., and the rules promulgated pursuant to the authority set forth in that article, address the use of restraint on a person with a developmental disability.

(b) If any provision of this article concerning the use of restraint OR SECLUSION conflicts with any provision concerning the use of restraint stated in article 10.5 of title 27, C.R.S., ARTICLE 10 OF TITLE 25.5, C.R.S., or any regulation adopted pursuant thereto, the provision of article 10.5 of title 27, C.R.S., ARTICLE 10 OF TITLE 25.5, C.R.S., or the regulation adopted pursuant thereto shall prevail.

(6) The provisions of this article shall not apply to any agency while engaged in transporting a person from one facility or location to another facility or location when it is within the scope of that agency's powers and authority to effect such transportation.

SECTION 4. In Colorado Revised Statutes, add 26-20-104.5 as follows:

26-20-104.5. Duties relating to use of seclusion by division of
youth corrections. (1) notwithstanding the provisions of section 26-20-103 to the contrary, if the division of youth corrections holds a youth in seclusion:

(a) the room or area used for seclusion must have at least sixty square feet of floor space and have adequate, operating lighting, heating, cooling, and ventilation. The room or area must be clean and, by january 1, 2020, suicide resistant and protrusion-free.

(b) the youth in seclusion must have access to water, toilet facilities, and toilet paper if he or she is held in seclusion for more than fifteen minutes;

(c) a staff member shall check the youth's safety at varying intervals, but at least every fifteen minutes;

(d) within thirty minutes after the beginning of the youth's seclusion period, and every thirty minutes thereafter, a staff member shall meet with the youth in seclusion, attempt to de-escalate the youth, and work to process the youth out of seclusion as soon as possible;

(e) within one hour after the beginning of the youth's seclusion period, and every thirty minutes thereafter, a staff member shall notify the facility director or his or her designee of the seclusion and receive his or her approval of the seclusion;

(f) within one hour after the beginning of the youth's seclusion period, a qualified mental health professional shall meet with the youth in seclusion and work to process the youth out of seclusion as soon as possible; and

(g) within twelve hours after the beginning of the youth's
SECLUSION PERIOD, THE DIVISION OF YOUTH CORRECTIONS SHALL NOTIFY
THE YOUTH’S PARENT, GUARDIAN, OR LEGAL CUSTODIAN AND INFORM
THAT PERSON THAT THE YOUTH IS OR WAS IN SECLUSION AND THE REASON
FOR HIS OR HER SECLUSION.

(2) (a) A YOUTH PLACED IN SECLUSION BECAUSE OF AN ONGOING
EMERGENCY MUST NOT BE HELD IN SECLUSION BEYOND FOUR
CONSECUTIVE HOURS, UNLESS THE REQUIREMENTS OF PARAGRAPH (b) OF
THIS SUBSECTION (2) ARE SATISFIED. AFTER FOUR HOURS, THE STAFF
SHALL RETURN THE YOUTH TO THE MILIEU OR CONSULT WITH A QUALIFIED
MENTAL HEALTH PROFESSIONAL TO DETERMINE IF A REFERRAL TO A
MENTAL HEALTH FACILITY IS NECESSARY.

(b) IF AN EMERGENCY SITUATION OCCURS THAT CONTINUES
BEYOND FOUR CONSECUTIVE HOURS AND THE YOUTH IN SECLUSION DOES
NOT REQUIRE A TRANSFER TO A MENTAL HEALTH FACILITY, THE DIVISION
OF YOUTH CORRECTIONS MAY ONLY CONTINUE THE USE OF SECLUSION FOR
THAT YOUTH IF THE FOLLOWING CRITERIA ARE MET:

(I) A LICENSED PHYSICIAN, IN CONSULTATION WITH A QUALIFIED
MENTAL HEALTH PROFESSIONAL WHO HAS MET WITH THE YOUTH,
APPROVES, IN WRITING AT FOUR HOURS AND EVERY TWO HOURS
THEREAFTER, THE CONTINUED USE OF SECLUSION; AND

(II) A YOUTH MAY NOT BE HELD IN SECLUSION UNDER ANY
CIRCUMSTANCES FOR MORE THAN EIGHT TOTAL HOURS IN TWO
CONSECUTIVE CALENDAR DAYS WITHOUT A WRITTEN COURT ORDER.

(3) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
THE DIVISION OF YOUTH CORRECTIONS MAY PLACE A YOUTH
INVOLUNTARILY ALONE IN A ROOM OR AREA FROM WHICH EGRESS IS
PREVENTED IF SUCH CONFINEMENT IS PART OF A ROUTINE PRACTICE THAT
IS APPLICABLE TO SUBSTANTIAL PORTIONS OF THE POPULATION AND IS NOT IMPOSED IN RESPONSE TO THE BEHAVIOR OF ONE OR MORE YOUTH. SUCH CONFINEMENT MUST BE IMPOSED FOR THE COMPLETION OF ADMINISTRATIVE TASKS AND SHOULD LAST NO LONGER THAN NECESSARY TO ACHIEVE THE TASK SAFELY AND EFFECTIVELY. CONFINEMENT PURSUANT TO THIS SUBSECTION (3) MUST NOT EXCEED TWO HOURS, NOT INCLUDING SLEEPING HOURS, IN A CALENDAR DAY UNLESS EXTRAORDINARY CIRCUMSTANCES EXIST AND ARE DOCUMENTED.

SECTION 5. In Colorado Revised Statutes, amend 26-20-105 as follows:

26-20-105. Staff training concerning the use of restraints and seclusion - adults and youth. (1) All agencies shall ensure that all staff involved in utilizing restraint or seclusion in its facilities or programs are trained in the appropriate use of restraint and seclusion.

(1.5) The Division of Youth Corrections shall ensure that training for staff who are employed by a facility that houses youths includes at least forty hours of initial training and at least sixteen hours of annual training related to:

(a) Adolescent development;

(b) The value of positive over negative reinforcement in dealing with youth and methods of implementing positive behavior incentives;

(c) The health and behavioral effects of restraint and seclusion on individuals generally and youth particularly;

(d) Effective de-escalation techniques to use with youths;

(e) The signs and symptoms of mental illness and other

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SIGNIFICANT MENTAL IMPAIRMENTS;

(f) METHODS TO EFFECTIVELY AND SAFELY MANAGE YOUTH WITH MENTAL ILLNESS OR WITH OTHER MENTAL OR INTELLECTUAL DISABILITIES;

AND

(g) METHODS TO EFFECTIVELY AND SAFELY MANAGE YOUTH IN CRISIS.

(2) All agencies THAT UTILIZE RESTRAINT OR SECLUSION shall ensure that staff are trained to explain, where possible, the use of restraint OR SECLUSION to the individual who is to be restrained OR SECLUDED and to the individual's family if appropriate.

SECTION 6. In Colorado Revised Statutes, amend 26-20-106 as follows:

26-20-106. Documentation requirements for restraint and seclusion - adults and youth. (1) Each agency shall ensure that an appropriate notation of the use of restraint OR SECLUSION is documented in the record of the individual WHO WAS restrained OR SECLUDED. Each agency that is authorized to promulgate rules or adopt ordinances shall promulgate rules or adopt ordinances applicable to the agencies within their respective jurisdictions specifying the documentation requirements for purposes of this section.

(2) THE DIVISION OF YOUTH CORRECTIONS SHALL MAINTAIN THE FOLLOWING DOCUMENTATION EACH TIME A YOUTH IS PLACED IN SECLUSION AS A RESULT OF AN EMERGENCY:

(a) THE DATE OF THE OCCURRENCE;

(b) THE RACE, ETHNICITY, AGE, AND GENDER OF THE INDIVIDUAL;

(c) THE REASON OR REASONS FOR SECLUSION, INCLUDING A DESCRIPTION OF THE EMERGENCY AND THE SPECIFIC FACTS THAT
DEMONSTRATE THAT THE YOUTH POSED A SERIOUS, PROBABLE, AND
IMMINENT DANGER OF BODILY HARM TO HIMSELF, HERSELF, OR OTHERS,
AND THAT THERE WAS A PRESENT ABILITY TO EFFECT SUCH BODILY HARM;
(d) A DESCRIPTION OF DE-ESCALATION MEASURES TAKEN BY STAFF
AND THE RESPONSE, IF ANY, OF THE YOUTH IN SECLUSION TO THOSE
MEASURES;
(e) AN EXPLANATION OF WHY LESS RESTRICTIVE ALTERNATIVES
WERE UNSUCCESSFUL;
(f) THE TOTAL TIME IN SECLUSION;
(g) ANY INCIDENTS OF SELF-HARM OR SUICIDE THAT OCCURRED
WHILE THE YOUTH WAS IN SECLUSION;
(h) WITH RESPECT TO THE THIRTY-MINUTE INTERACTIONS
REQUIRED BY SECTION 26-20-104.5, DOCUMENTATION OF THE
JUSTIFICATION FOR KEEPING THE YOUTH IN SECLUSION AND SPECIFIC FACTS
TO DEMONSTRATE THAT THE EMERGENCY WAS ONGOING;
(i) THE FACILITY DIRECTOR OR HIS OR HER DESIGNEE'S APPROVAL
OF CONTINUED SECLUSION AT INTERVALS AS REQUIRED BY SECTION
26-20-104.5;
(j) DOCUMENTATION OF NOTIFICATION WITHIN TWELVE HOURS TO
THE PARENT, GUARDIAN, OR LEGAL CUSTODIAN OF THE YOUTH IN
SECLUSION AS REQUIRED BY SECTION 26-20-104.5; AND
(k) ANY WRITTEN APPROVAL BY A LICENSED PHYSICIAN FOR ANY
SECLUSION THAT RESULTS FROM AN EMERGENCY THAT EXTENDS BEYOND
FOUR CONSECUTIVE HOURS, AS REQUIRED BY SECTION 26-20-104.5. THIS
WRITTEN APPROVAL INCLUDES DOCUMENTATION OF SPECIFIC FACTS TO
DEMONSTRATE THAT THE EMERGENCY WAS ONGOING, SPECIFIC REASONS
WHY A REFERRAL TO A MENTAL HEALTH FACILITY WAS NOT WARRANTED
OR APPROPRIATE, AND AN ASSESSMENT OF THE EFFECT OF THE EXTENDED
SECLUSION ON THE YOUTH'S MENTAL HEALTH.

(3) THE DIVISION OF YOUTH CORRECTIONS SHALL MAINTAIN THE
FOLLOWING DOCUMENTATION EACH TIME A YOUTH IS PLACED IN
CONFINEMENT FOR ADMINISTRATIVE REASONS PURSUANT TO SECTION
26-20-104.5 (3):

(a) THE LENGTH OF TIME THE YOUTH WAS CONFINED; AND

(b) THE REASON OR REASONS FOR THE CONFINEMENT.

(4) THE DIVISION OF YOUTH CORRECTIONS HAS THE FOLLOWING
REPORTING REQUIREMENTS RELATED TO ITS USE OF SECLUSION:

(a) TO REPORT QUARTERLY TO THE PUBLIC HEALTH CARE AND
HUMAN SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND
THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
SUCCESSOR COMMITTEES, THE FOLLOWING:

(I) A REPORT ON ANY YOUTH WHOM THE DIVISION OF YOUTH
CORRECTIONS HELD IN SECLUSION DUE TO AN EMERGENCY FOR MORE THAN
FOUR CONSECUTIVE HOURS, OR FOR MORE THAN EIGHT TOTAL HOURS IN A
SEVEN-DAY PERIOD. EACH REPORT MUST INCLUDE THE REASONS WHY
ATTEMPTS TO PROCESS THE YOUTH OUT OF SECLUSION WERE
UNSUCCESSFUL AND ANY CORRECTIVE MEASURES TAKEN TO PREVENT
LENGTHY PERIODS OF SECLUSION IN THE FUTURE.

(II) A REPORT THAT LISTS, FOR THE PREVIOUS QUARTER, THE
NUMBER OF YOUTH WHO WERE HELD IN SECLUSION DUE TO AN EMERGENCY
FOR THE ENTIRE DIVISION, THE AVERAGE TIME IN SECLUSION FOR YOUTH,
THE TOTAL NUMBER OF YOUTH HELD IN SECLUSION PER FACILITY, THE
COLLECTIVE AMOUNT OF TIME FOR ALL YOUTH HELD IN SECLUSION AT
EACH FACILITY, AND AN AGGREGATE SUMMARY OF RACE, ETHNICITY, AGE,
GENDER, AND THE REASON FOR SECLUSION FOR THE YOUTH; AND

(III) A REPORT THAT LISTS, FOR THE PREVIOUS QUARTER, THE
NUMBER OF YOUTH WHO WERE CONFINED FOR ADMINISTRATIVE PURPOSES
Pursuant to Section 26-20-104.5 (3) FOR THE ENTIRE DIVISION, THE
AVERAGE TIME IN SUCH CONFINEMENT PER YOUTH PER DAY AND PER
WEEK, THE NUMBER OF YOUTH WHO WERE CONFINED FOR ADMINISTRATIVE
PURPOSES PER FACILITY, THE AVERAGE TIME OF SUCH CONFINEMENT PER
DAY AND PER WEEK AT EACH FACILITY, AND THE REASONS FOR
CONFINEMENT; AND

(b) To provide the documentation required by this
subsection (4) to the Youth Seclusion Working Group established
in Section 26-20-110 and, upon the Working Group's request, to
provide records kept pursuant to subsections (2) and (3) of this
section, with any identifying information of youth redacted.

(5) Reports prepared pursuant to this section must
maintain the confidentiality of all youth. The reports made
pursuant to this section are available to the public upon
request.

SECTION 7. In Colorado Revised Statutes, amend 26-20-107 as
follows:

26-20-107. Review of the use of restraint and seclusion. Each
an agency that utilizes restraint or seclusion shall ensure that a
review process is established for the appropriate use of restraint or
seclusion.

SECTION 8. In Colorado Revised Statutes, amend 26-20-108 as
follows:

26-20-108. Rules. Each an agency that is authorized to
promulgate rules or adopt ordinances shall promulgate rules or adopt ordinances applicable to the agencies within their respective jurisdictions that establish procedures for the use of restraint AND SECLUSION consistent with the provisions of this article. Any agency that has rules or ordinances in existence on April 22, 1999, is not required to promulgate additional rules or adopt additional ordinances unless that agency's existing rules or ordinances do not meet the minimum requirements of this article.

SECTION 9. In Colorado Revised Statutes, add 26-20-110 as follows:

26-20-110. Youth seclusion working group - membership - purpose - repeal. (1) THERE IS ESTABLISHED WITHIN THE DIVISION OF YOUTH CORRECTIONS A YOUTH SECLUSION WORKING GROUP, REFERRED TO IN THIS SECTION AS THE "WORKING GROUP". THE WORKING GROUP CONSISTS OF:

(a) THE DIRECTOR OF THE OFFICE OF CHILDREN, YOUTH, AND FAMILIES IN THE DIVISION OF CHILD WELFARE WITHIN THE STATE DEPARTMENT, OR HIS OR HER DESIGNEE. THE DIRECTOR SHALL CONVENE THE WORKING GROUP AND SERVE AS CHAIR.

(b) THE DIRECTOR OF THE DIVISION OF YOUTH CORRECTIONS, OR HIS OR HER DESIGNEE;

(c) THE DIRECTOR OF BEHAVIORAL HEALTH WITHIN THE DIVISION OF YOUTH CORRECTIONS, OR HIS OR HER DESIGNEE;

(d) THE DIRECTOR OF THE OFFICE OF BEHAVIORAL HEALTH, OR HIS OR HER DESIGNEE;

(e) THE MANAGER OF THE OFFICE OF ADULT AND JUVENILE JUSTICE ASSISTANCE IN THE DIVISION OF CRIMINAL JUSTICE OF THE DEPARTMENT.
OF PUBLIC SAFETY, OR HIS OR HER DESIGNEE;

    (f) A REPRESENTATIVE FROM THE OFFICE OF THE CHILD’S REPRESENTATIVE;

    (g) A REPRESENTATIVE FROM EITHER THE OFFICE OF ALTERNATE DEFENSE COUNSEL OR THE OFFICE OF THE PUBLIC DEFENDER WHO REGULARLY REPRESENTS JUVENILES WHO ARE BEING HELD BY THE DIVISION OF YOUTH CORRECTIONS;

    (h) TWO REPRESENTATIVES FROM NONPROFIT ADVOCACY GROUPS THAT WORK TO RESTRICT SECLUSION FOR YOUTH, ONE WHO IS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND ONE WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE; AND

    (i) TWO EXPERTS WITH GENERAL EXPERTISE IN ADOLESCENT DEVELOPMENT, ADOLESCENT BRAIN DEVELOPMENT, TRAUMA-INFORMED CARE OF JUVENILES, POSITIVE BEHAVIOR INCENTIVES IN A JUVENILE CORRECTIONAL SETTING, EVIDENCE-BASED DE-ESCALATION TECHNIQUES, OR THE NEGATIVE EFFECTS OF SECLUSION ON THE ADOLESCENT BRAIN. THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE EXPERT, AND THE MINORITY LEADER OF THE SENATE SHALL APPOINT THE OTHER EXPERT.

    (2) THE WORKING GROUP SHALL ADVISE THE DIVISION OF YOUTH CORRECTIONS ON POLICIES, PROCEDURES, AND BEST PRACTICES RELATED TO SECLUSION AND ALTERNATIVES TO SUCH SECLUSION.


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HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES, ABOUT LIMITING THE USE OF CONFINEMENT FOR ADMINISTRATIVE PURPOSES.

(4) THE WORKING GROUP MAY REQUEST ON A QUARTERLY BASIS INFORMATION AND DATA FROM THE STATE DEPARTMENT ON THE STATUS OF THE DIVISION OF YOUTH CORRECTIONS' WORK RELATED TO THE SECLUSION OF YOUTH IN THEIR CARE AND CUSTODY.

(5) THE CHAIR OF THE WORKING GROUP SHALL CONVENE THE WORKING GROUP'S FIRST MEETING NO LATER THAN AUGUST 1, 2016. THE WORKING GROUP MUST MEET AT LEAST SEMI-ANNUALLY THEREAFTER. THE CHAIR SHALL SCHEDULE AND CONVENE SUBSEQUENT MEETINGS.

(6) THE CHAIR SHALL PROVIDE THE WORKING GROUP WITH QUARTERLY UPDATES ON THE DIVISION OF YOUTH CORRECTIONS' POLICIES RELATED TO SECLUSION AND ALTERNATIVES TO SECLUSION.

(7) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026. (b) PRIOR TO THE REPEAL, THE WORKING GROUP SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203, C.R.S.

SECTION 10. In Colorado Revised Statutes, 2-3-1203, add (3) (mm) (II) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates on which the statutory authorization for the designated advisory committee is scheduled for repeal:

(mm) September 1, 2026:

(II) YOUTH SECLUSION WORKING GROUP IN THE DIVISION OF YOUTH CORRECTIONS, CREATED IN SECTION 26-20-110, C.R.S;

SECTION 11. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, and safety.