



Summary: *This chapter describes the statutory authority of the Behavioral Health Administration to promulgate this rule volume. It includes definitions that appear in multiple chapters of the rule volume. Terms only used in one chapter of rule are defined at the beginning of that chapter.*

Chapter 1: General Statutory Authority and Definitions

1.1 Authority

1.1.1 The statutory authority for the promulgation of these regulations is set forth in parts 106 and 107 of article 50 of title 27, C.R.S. and part 501 of article 50 of title 27, C.R.S.

1.2 Definitions

1.2.1 “42 C.F.R. Part 2” means the federal regulations issued by the Substance Abuse & Mental Health Services Administration of the U.S. Department of Health & Human Services found at 42 C.F.R. Part 2 (Feb. 2018), which are hereby incorporated by reference. No later editions or amendments are incorporated. These regulations are available at no cost from the U.S. Department of Health & Human Services, Substance Abuse & Mental Health Services Administration, Office of Communications, 5600 Fishers Lane, Rockville, MD 20857 or at <https://www.ecfr.gov/>. These regulations are also available for public inspection and copying at the BEHAVIORAL HEALTH ADMINISTRATION, 3824 West Princeton Circle, Denver, Colorado 80236, during regular business hours.

1.2.2 “ABUSE” MEANS ANY OF THE FOLLOWING ACTS OR OMISSIONS:

- (A) THE NON-ACCIDENTAL INFLICTION OF PSYCHOLOGICAL INJURY, BODILY INJURY, SERIOUS BODILY INJURY OR DEATH,
- (B) CONFINEMENT OR RESTRAINT THAT IS UNREASONABLE UNDER GENERALLY ACCEPTED CARETAKING STANDARDS, OR
- (C) SUBJECTION TO SEXUAL CONDUCT OR CONTACT THAT IS CLASSIFIED AS A CRIME.

1.2.3 “ACTIVITIES OF DAILY LIVING (ADLS)” MEANS THOSE PERSONAL FUNCTIONAL ACTIVITIES REQUIRED BY AN INDIVIDUAL FOR CONTINUED WELL-BEING, HEALTH AND



SAFETY. ACTIVITIES OF DAILY LIVING INCLUDE, BUT ARE NOT LIMITED TO, ACCOMPANIMENT, EATING, DRESSING, GROOMING, BATHING, PERSONAL HYGIENE (HAIR CARE, NAIL CARE, MOUTH CARE, POSITIONING, SHAVING, SKIN CARE), MOBILITY (AMBULATION, POSITIONING, TRANSFER), ELIMINATION (USING THE TOILET) AND RESPIRATORY CARE.

1.2.4 “ADMINISTRATION” MEANS ASSISTING A PERSON IN THE INGESTION, APPLICATION, INHALATION, OR, USING UNIVERSAL PRECAUTIONS, RECTAL OR VAGINAL INSERTION OF MEDICATION, INCLUDING PRESCRIPTION DRUGS, ACCORDING TO THE LEGIBLY WRITTEN OR PRINTED DIRECTIONS OF THE ATTENDING PHYSICIAN OR OTHER AUTHORIZED PRACTITIONER OR AS WRITTEN ON THE PRESCRIPTION LABEL AND MAKING A WRITTEN RECORD THEREOF WITH REGARD TO EACH MEDICATION ADMINISTERED, INCLUDING THE TIME AND THE AMOUNT TAKEN, BUT “ADMINISTRATION” DOES NOT INCLUDE JUDGMENT, EVALUATION, OR ASSESSMENTS OR THE INJECTIONS OF MEDICATION, THE MONITORING OF MEDICATION, OR THE SELF-ADMINISTRATION OF MEDICATION, INCLUDING PRESCRIPTION DRUGS AND INCLUDING THE SELF-INJECTION OF MEDICATION BY THE RESIDENT.

1.2.5 “ADMINISTRATOR” MEANS AN INDIVIDUAL IMPLEMENTING POLICIES AND PROCEDURES ON AN ENTITY-WIDE, ENDORSEMENT, SERVICE, OR LOCATION-SPECIFIC BASIS, WHO IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF SUCH ENDORSEMENT, SERVICE, OR LOCATION. A BHE MAY HAVE A SINGLE ADMINISTRATOR, OR MULTIPLE ADMINISTRATORS, AS APPROPRIATE FOR THE COMBINATION OF ENDORSEMENTS, SERVICES, AND LOCATIONS INCLUDED IN THE BHE LICENSE.

1.2.6 “ADVANCED PRACTICE REGISTERED NURSE” OR “APRN” MEANS A REGISTERED NURSE EDUCATED AT MASTERS OR POST MASTERS LEVEL AND IN A SPECIFIC ROLE AND PATIENT POPULATION. APRNS ARE PREPARED BY EDUCATION AND CERTIFICATION TO ASSESS, DIAGNOSE, AND MANAGE PATIENT PROBLEMS, ORDER TESTS, AND PRESCRIBE MEDICATIONS.

1.2.7 “AGENCY” MEANS A BEHAVIORAL HEALTH PROVIDER LICENSED, DESIGNATED OR APPROVED BY THE BHA.

1.2.8 “Aggrieved” means having suffered actual loss or injury or being exposed to potential loss or injury to legitimate interests as defined in 24-4-102 (3.5), C.R.S.

1.2.9 “APPROVED RESTORATION PROVIDER” MEANS A BHE OR SAFETY NET APPROVED INDIVIDUAL/AGENCY WITH THE APPROVED ENDORSEMENT TO PROVIDE OUTPATIENT COMPETENCY RESTORATION SERVICES, AND IS CURRENTLY UNDER CONTRACT AND ACTIVELY PROVIDING SERVICES; OR HAS COMPLETED THE APPLICATION PROCESS THROUGH DIRECTOR OF OUTPATIENT RESTORATION



PROGRAM WITH OFFICE OF CIVIL AND FORENSIC MENTAL HEALTH (OCFMH) AND IS ENGAGING IN THE TRAINING PROCESS TO PROVIDE SERVICES.

1.2.10 “Assessment” means a formal and continuous process of collecting and evaluating information about an individual for service planning, treatment and referral. Assessments establish justification for services.

1.2.11 “AT-RISK PERSON” MEANS ANY PERSON WHO IS 70 YEARS OF AGE OR OLDER, OR ANY PERSON WHO IS 18 YEARS OF AGE OR OLDER AND MEETS ONE OR MORE OF THE FOLLOWING CRITERIA:

- (A) IS IMPAIRED BY THE LOSS (OR PERMANENT LOSS OF USE) OF A HAND OR FOOT, BLINDNESS OR PERMANENT IMPAIRMENT OF VISION SUFFICIENT TO CONSTITUTE VIRTUAL BLINDNESS;
- (B) IS UNABLE TO WALK, SEE, HEAR OR SPEAK;
- (C) IS UNABLE TO BREATHE WITHOUT MECHANICAL ASSISTANCE;
- (D) IS A PERSON WITH AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY AS DEFINED IN SECTION 25.5- 10-202, C.R.S.;
- (E) IS A PERSON WITH A MENTAL HEALTH DISORDER AS DEFINED IN SECTION 27-65-102(11.5), C.R.S.;
- (F) IS MENTALLY IMPAIRED AS DEFINED IN SECTION 24-34-501(1.3)(B)(II), C.R.S.;
- (G) IS BLIND AS DEFINED IN SECTION 26-2-103(3), C.R.S.; OR
- (H) IS RECEIVING CARE AND TREATMENT FOR A DEVELOPMENTAL DISABILITY UNDER ARTICLE 10.5 OF TITLE 27, C.R.S.

1.2.12 “AUTHORIZED PRACTITIONER” MEANS THE ATTENDING PHYSICIAN OR OTHER INDIVIDUAL AUTHORIZED BY LAW TO PRESCRIBE TREATMENT, MEDICATION OR MEDICAL DEVICES WHO HOLDS A CURRENT UNRESTRICTED LICENSE TO PRACTICE AND IS ACTING WITHIN THE SCOPE OF SUCH AUTHORITY.

1.2.13 “Auxiliary aid” means any device used by persons to overcome a physical disability and includes but is not limited to a wheelchair, walker or orthopedic appliance.

1.2.14 “BEHAVIORAL HEALTH” REFERS TO AN INDIVIDUAL'S MENTAL AND EMOTIONAL WELL-BEING AND ACTIONS THAT AFFECT AN INDIVIDUAL'S OVERALL WELLNESS. BEHAVIORAL HEALTH ISSUES AND DISORDERS INCLUDE SUBSTANCE USE DISORDERS, SERIOUS PSYCHOLOGICAL DISTRESS, SUICIDE, AND OTHER MENTAL



HEALTH DISORDERS, AND RANGE FROM UNHEALTHY STRESS OR SUBCLINICAL CONDITIONS TO DIAGNOSABLE AND TREATABLE DISEASES. THE TERM “BEHAVIORAL HEALTH” IS ALSO USED TO DESCRIBE SERVICE SYSTEMS THAT ENCOMPASS PREVENTION AND PROMOTION OF EMOTIONAL HEALTH AND PREVENTION AND TREATMENT SERVICES FOR MENTAL HEALTH AND SUBSTANCE USE DISORDERS.

1.2.15 “BEHAVIORAL HEALTH ADMINISTRATION” OR “BHA” MEANS THE BEHAVIORAL HEALTH ADMINISTRATION ESTABLISHED IN PART 102 OF ARTICLE 50 OF TITLE 27, C.R.S.

1.2.16 “BEHAVIORAL HEALTH CRISIS” MEANS A SIGNIFICANT DISRUPTION IN A PERSON’S MENTAL OR EMOTIONAL STABILITY OR FUNCTIONING RESULTING IN AN URGENT NEED FOR IMMEDIATE ASSESSMENT AND TREATMENT TO PREVENT A SERIOUS DETERIORATION IN THE PERSON’S MENTAL OR PHYSICAL HEALTH.

1.2.17 “Behavioral health disorder” means a mental health disorder, or a substance use disorder, AS DETERMINED BY THE DSM-5-TR.

1.2.18 “BEHAVIORAL HEALTH ENTITY” MEANS A FACILITY OR PROVIDER ORGANIZATION ENGAGED IN PROVIDING COMMUNITY-BASED HEALTH SERVICES, WHICH MAY INCLUDE SERVICES FOR A BEHAVIORAL HEALTH DISORDER, BUT DOES NOT INCLUDE RESIDENTIAL CHILD CARE FACILITIES, AS DEFINED IN SECTION 26-6-903 (29), DETENTION AND COMMITMENT FACILITIES OPERATED BY THE DIVISION OF YOUTH SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, OR SERVICES PROVIDED BY A LICENSED OR CERTIFIED MENTAL HEALTH-CARE PROVIDER UNDER THE PROVIDER’S INDIVIDUAL PROFESSIONAL PRACTICE ACT ON THE PROVIDER’S OWN PREMISES.

1.2.19 “BEHAVIORAL HEALTH PROVIDER” UNLESS OTHERWISE SPECIFIED, MEANS A RECOVERY COMMUNITY ORGANIZATION AS DEFINED IN 27-80-126, C.R.S. RECOVERY SUPPORT SERVICES ORGANIZATION AS DEFINED IN 27-60-108, C.R.S. OR A LICENSED ORGANIZATION OR PROFESSIONAL PROVIDING DIAGNOSTIC, THERAPEUTIC, OR PSYCHOLOGICAL SERVICES FOR BEHAVIORAL HEALTH CONDITIONS. BEHAVIORAL HEALTH PROVIDERS INCLUDE A RESIDENTIAL CHILD CARE FACILITY, AS DEFINED IN SECTION 26-6-903 (29), C.R.S. AND A FEDERALLY QUALIFIED HEALTH CENTER.

1.2.20 “BEHAVIORAL HEALTH SAFETY NET PROVIDER” MEANS ANY AND ALL BEHAVIORAL HEALTH SAFETY NET PROVIDERS, INCLUDING COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH PROVIDERS AND ESSENTIAL BEHAVIORAL HEALTH SAFETY NET PROVIDERS. A COMMUNITY MENTAL HEALTH CENTER PURSUANT TO 42 U.S.C. SEC. 300X-2(C) AND THAT IS LICENSED AS A BEHAVIORAL HEALTH ENTITY MAY APPLY TO BE APPROVED AS A COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH PROVIDER, AN ESSENTIAL BEHAVIORAL HEALTH SAFETY NET PROVIDER, OR BOTH.



1.2.21 “CARE COORDINATION” MEANS THE PERSON-CENTERED, TRAUMA-INFORMED, AND CULTURALLY RESPONSIVE ACTIVITIES THAT SUPPORT INDIVIDUALS AND FAMILIES IN ACCESSING AND ENGAGING IN THE PHYSICAL HEALTH, BEHAVIORAL HEALTH, AND SOCIAL SERVICES NEEDED TO ACHIEVE WHOLE PERSON HEALTH. CARE COORDINATION ACTIVITIES INCLUDE DELIBERATELY ORGANIZING INDIVIDUAL CARE ACTIVITIES AND TIMELY SHARING OF INFORMATION AMONG ALL OF THE PARTICIPANTS CONCERNED WITH AN INDIVIDUAL’S CARE.

1.2.22 “CARE MANAGEMENT” MEANS A RANGE OF SERVICES PROVIDED TO ASSIST AND SUPPORT INDIVIDUALS IN DEVELOPING THEIR SKILLS TO GAIN ACCESS TO PHYSICAL HEALTH, BEHAVIORAL HEALTH, AND SOCIAL SERVICES NEEDED, AND TO ACHIEVE WHOLE PERSON HEALTH. CARE MANAGEMENT ALSO INCLUDES THE MONITORING OF OVERALL SERVICE DELIVERY.

1.2.23 “CARETAKER NEGLECT” MEANS NEGLECT THAT OCCURS WHEN ADEQUATE FOOD, CLOTHING, SHELTER, PSYCHOLOGICAL CARE, PHYSICAL CARE, MEDICAL CARE, HABILITATION, SUPERVISION OR ANY OTHER SERVICE NECESSARY FOR THE HEALTH OR SAFETY OF AN AT-RISK PERSON IS NOT SECURED FOR THAT PERSON OR IS NOT PROVIDED BY A CARETAKER IN A TIMELY MANNER AND WITH THE DEGREE OF CARE THAT A REASONABLE PERSON IN THE SAME SITUATION WOULD EXERCISE, OR A CARETAKER KNOWINGLY USES HARASSMENT, UNDUE INFLUENCE OR INTIMIDATION TO CREATE A HOSTILE OR FEARFUL ENVIRONMENT FOR AN AT-RISK PERSON.

1.2.24 “CERTIFICATE OF COMPLIANCE” MEANS AN OFFICIAL DOCUMENT ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL FOR A BUILDING OR STRUCTURE AS EVIDENCE THAT MATERIALS AND PRODUCTS MEET SPECIFIED CODES AND STANDARDS, THAT WORK HAS BEEN PERFORMED IN COMPLIANCE WITH APPROVED CONSTRUCTION DOCUMENTS, AND THAT THE PROVISIONS OF APPLICABLE FIRE AND LIFE SAFETY CODES AND STANDARDS CONTINUE TO BE APPROPRIATELY MAINTAINED.

1.2.25 “CHEMICAL RESTRAINT” MEANS A DRUG OR MEDICATION WHEN IT IS USED AS A RESTRICTION TO MANAGE BEHAVIOR OR RESTRICT FREEDOM OF MOVEMENT AND IS NOT A STANDARD TREATMENT OR DOSAGE FOR THE PATIENT’S CONDITION.

1.2.26 “CHILD/CHILDREN” MEANS ANYONE UNDER THE AGE OF TWELVE (12), UNLESS OTHERWISE NOTED.

1.2.27 “CLINICAL DIRECTOR” MEANS AN INDIVIDUAL RESPONSIBLE FOR OVERSEEING INDIVIDUAL TREATMENT SERVICES ON AN ENTITY-WIDE, ENDORSEMENT, SERVICE, OR LOCATION-SPECIFIC BASIS, INCLUDING, BUT NOT LIMITED TO ENSURING APPROPRIATE TRAINING AND SUPERVISION FOR CLINICAL PERSONNEL. A BHE MAY HAVE A SINGLE CLINICAL DIRECTOR, OR MULTIPLE CLINICAL DIRECTORS, AS



APPROPRIATE FOR THE COMBINATION OF ENDORSEMENTS, SERVICES, AND LOCATIONS INCLUDED IN THE BHE LICENSE.

1.2.28 “COMMISSIONER” MEANS THE COMMISSIONER OF THE BEHAVIORAL HEALTH ADMINISTRATION APPOINTED PURSUANT TO PART 103 OF ARTICLE 50 OF TITLE 27, C. R. S.

1.2.29 “COMMUNITY-BASED” MEANS OUTSIDE OF A HOSPITAL, PSYCHIATRIC HOSPITAL, DETENTION AND COMMITMENT FACILITY OPERATED BY THE DIVISION OF YOUTH SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, OR NURSING HOME.

1.2.30 “Competent to Proceed” means that the defendant does not have a mental disability or developmental disability that prevents the defendant from having sufficient present ability to consult with the defendant's lawyer with a reasonable degree of rational understanding in order to assist in the defense, or prevents the defendant from having a rational and factual understanding of the criminal proceedings.

1.2.31 “COMPREHENSIVE COMMUNITY BEHAVIORAL HEALTH PROVIDER” MEANS A LICENSED BEHAVIORAL HEALTH ENTITY (BHE) APPROVED BY THE BEHAVIORAL HEALTH ADMINISTRATION TO PROVIDE THE FOLLOWING BEHAVIORAL HEALTH SAFETY NET SERVICES, EITHER DIRECTLY OR THROUGH FORMAL AGREEMENTS WITH BEHAVIORAL HEALTH PROVIDERS IN THE COMMUNITY OR REGION:

- (A) EMERGENCY AND CRISIS BEHAVIORAL HEALTH SERVICES
- (B) MENTAL HEALTH AND SUBSTANCE USE OUTPATIENT SERVICES
- (C) BEHAVIORAL HEALTH HIGH INTENSITY OUTPATIENT SERVICES
- (D) CARE MANAGEMENT
- (E) OUTREACH, EDUCATION, AND ENGAGEMENT SERVICES
- (F) MENTAL HEALTH AND SUBSTANCE USE RECOVERY SUPPORTS
- (G) CARE COORDINATION
- (H) OUTPATIENT COMPETENCY RESTORATION
- (I) SCREENING, ASSESSMENT AND DIAGNOSIS, INCLUDING RISK ASSESSMENT, CRISIS PLANNING, AND MONITORING OF KEY HEALTH INDICATORS.

1.2.32 “Controlled Substance” means a drug whose general availability is restricted or any substance that is strictly regulated or outlawed because of its potential for misuse or dependence. Controlled substances include narcotics, stimulants, depressants, and hallucinogens.

1.2.33 “Counselor-in-training” means an individual currently in the process of obtaining a professional credential pursuant to Part 8 of Article 245 of Title 12, C.R.S.

“Counselor-in-training” does not include a psychologist candidate; a clinical social worker candidate; a marriage and family therapist candidate; a licensed professional counselor candidate; or an addiction counselor candidate.

1.2.34 “Court” means any district court of the state of Colorado and the probate court in the city and county of Denver.

1.2.35 “Crisis stabilization unit” or “CSU” means a facility, utilizing a restrictive egress alert device, which serves individuals requiring 24-hour intensive behavioral health crisis intervention and cannot be accommodated in a less restrictive environment. Crisis stabilization units include Acute Treatment Units formerly licensed by the Colorado Department of Public Health and Environment as pursuant to 6 CCR 1011-1, Chapter 6, or as a Community Clinic, pursuant to 6 CCR 1011-1, chapter 9.

1.2.36 “Critical Incident” means a significant event or condition, which may be of public concern, which jeopardizes the health, safety, and/or welfare of staff and/or individuals.

1.2.37 “Danger to the person’s self or others” means:

(A) A person poses a substantial risk of physical harm to the person’s self as manifested by evidence of recent threats of or attempts at suicide or serious bodily harm to the person’s self; or

(B) A person poses a substantial risk of physical harm to another person or persons, as manifested by evidence of recent homicidal or other violent behavior by the person in question, or by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them, as evidenced by a recent overt act, attempt, or threat to do serious physical harm by the person in question.

1.2.38 “Deficiency” means a failure to fully comply with any statutory and/or regulatory requirements applicable to a licensee.

1.2.39 “Designated Managed Service Organization” means an organization approved and authorized by the BHA to manage oversight, quality assurance, and contract compliance of substance use disorder treatment providers within one or more of the seven established geographic sub-state planning areas.



1.2.40 “Designated Representative” means a designated representative of an individual or service provider who is a person so authorized in writing or by court order to act on behalf of the individual or service provider. In the case of a deceased individual, the personal representative, as defined at section 1510-201(39), C.R.S., or, if none has been appointed, heirs shall be deemed to be designated representatives of the individual.

1.2.41 “DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS, FIFTH EDITION, TEXT REVISION,” OR “DSM-5-TR,” IS PUBLISHED BY THE AMERICAN PSYCHIATRIC ASSOCIATION (YEAR), WHICH IS HEREBY INCORPORATED BY REFERENCE. NO LATER EDITIONS OR AMENDMENTS ARE INCORPORATED. INDIVIDUALS MAY INSPECT A COPY AT THE AMERICAN PSYCHIATRIC ASSOCIATION, 1000 WILSON BOULEVARD, ARLINGTON, VA 22209-3901. INDIVIDUALS MAY ALSO INSPECT A COPY AT THE BEHAVIORAL HEALTH ADMINISTRATION, 3824 W. PRINCETON CIRCLE, DENVER, CO 80236, DURING REGULAR BUSINESS HOURS.

1.2.42 “Disaster” means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural cause or cause of human origin, including but not limited to fire, flood, earthquake, wind, storm, wave action, hazardous substance incident, oil spill or other water contamination requiring emergency action to avert danger or damage, volcanic activity, epidemic, air pollution, blight, drought, infestation, explosion, civil disturbance, hostile military or paramilitary action, or a condition of riot, insurrection, or invasion existing in the state or in any county, city, town, or district in the state as defined in 24-33.5-703(3), C.R.S.

1.2.43 “Discharge” means the termination of treatment obligations and service between the individual and the agency.

1.2.44 “Dispense” means to interpret, evaluate, and implement a prescription drug order or chart order, including the preparation of a drug for an individual in a suitable container appropriately labeled for subsequent administration or use by an individual.

1.2.45 “EARLY INTERVENTION SERVICES” MEANS SERVICES PROVIDED TO AN INDIVIDUAL THAT IS EITHER AT RISK OF DEVELOPING A MENTAL HEALTH, SUBSTANCE USE, OR CO-OCCURRING DISORDER OR CURRENTLY IS DIAGNOSED AND SCREENING, BRIEF-INTERVENTIONS, REFERRAL TO TREATMENT, AND/OR EDUCATION-ONLY SERVICES ARE BEING PROVIDED.

1.2.46 “Emergency” means an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures per 24-33.5-703(3.5), C.R.S.

1.2.47 “ENDORSEMENT” MEANS BHA APPROVAL FOR A BHE TO PROVIDE SERVICES AS DESCRIBED WITHIN THIS CHAPTER.



1.2.48 “ESSENTIAL BEHAVIORAL HEALTH SAFETY NET PROVIDER” MEANS A LICENSED BHE OR BEHAVIORAL HEALTH PROVIDER APPROVED BY THE BHA TO PROVIDE AT LEAST ONE OF THE COMPREHENSIVE SAFETY NET SERVICES LISTED IN PART 1.2.25.

1.2.49 “EXPLOITATION” MEANS AN ACT OR OMISSION COMMITTED BY A PERSON WHO:

(A) USES DECEPTION, HARASSMENT, INTIMIDATION OR UNDUE INFLUENCE TO PERMANENTLY OR TEMPORARILY DEPRIVE AN AT-RISK PERSON OF THE USE, BENEFIT OR POSSESSION OF ANYTHING OF VALUE;

(B) EMPLOYS THE SERVICES OF A THIRD PARTY FOR THE PROFIT OR ADVANTAGE OF THE PERSON OR ANOTHER PERSON TO THE DETRIMENT OF THE AT-RISK PERSON;

(C) FORCES, COMPELS, COERCES OR ENTICES AN AT-RISK PERSON TO PERFORM SERVICES FOR THE PROFIT OR ADVANTAGE OF THE PERSON OR ANOTHER PERSON AGAINST THE WILL OF THE AT-RISK PERSON; OR

(D) MISUSES THE PROPERTY OF AN AT-RISK PERSON IN A MANNER THAT ADVERSELY AFFECTS THE AT-RISK PERSON’S ABILITY TO RECEIVE HEALTH CARE, HEALTH CARE BENEFITS, OR TO PAY BILLS FOR BASIC NEEDS OR OBLIGATIONS.

1.2.50 “GENDER IDENTITY” MEANS AN INDIVIDUAL’S INNATE KNOWLEDGE OF WHO THEY ARE, INCLUDING WHAT THEY CALL THEMSELF. THIS MAY OR MAY NOT MATCH THE SEX ASSIGNED TO THE INDIVIDUAL AT BIRTH AND COULD INCLUDE BUT IS NOT LIMITED TO IDENTIFICATION AS A MAN, A WOMAN, TRANSGENDER, NON-BINARY, OR GENDERQUEER. THIS DOES NOT IMPLY SEXUAL ORIENTATION OR GENDER NON-CONFORMING EXPRESSIONS.

1.2.51 “Family member” means a spouse, partner in a civil union, as defined in Section 14-15-103 (5), C.R.S., parent, adult child, or adult sibling of a person with a mental health disorder.

1.2.52 “FGI GUIDELINES” MEANS THE GUIDELINES FOR DESIGN AND CONSTRUCTION OF HOSPITALS, GUIDELINES FOR DESIGN AND CONSTRUCTION OF OUTPATIENT FACILITIES, AND GUIDELINES FOR DESIGN AND CONSTRUCTION OF RESIDENTIAL HEALTH, CARE, AND SUPPORT FACILITIES, PUBLISHED BY THE FACILITIES GUIDELINES INSTITUTE.

1.2.53 “Governing body” means the board of trustees, directors, or other governing body in whom the ultimate authority and responsibility for the conduct of the agency is vested.

1.2.54 “HARM REDUCTION” MEANS AN APPROACH THAT EMPHASIZES ENGAGING DIRECTLY WITH INDIVIDUALS WHO USE SUBSTANCES TO PREVENT OVERDOSE AND



INFECTIOUS DISEASE TRANSMISSION, IMPROVE THEIR PHYSICAL, MENTAL, AND SOCIAL WELLBEING, AND OFFER LOW-THRESHOLD OPTIONS FOR ACCESSING SUBSTANCE USE DISORDER TREATMENT AND OTHER HEALTH CARE SERVICES.

1.2.55 "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, pub. l. no. 104-191, 110 stat. 1936 (1996), codified at 42 U.S.C. § 300GG (2012) and 29 U.S.C. § 1181 et seq. (2012) and 42 U.S.C. § 1320D et seq. (2012) and the federal regulations issued by the U.S. Department of Health & Human Services found at 45 C.F.R. Part 160 (2017); 45 C.F.R. Part 162 (2017); and, 45 C.F.R. Part 164 (2017), which are hereby incorporated by reference. No later editions or amendments are incorporated. These statutes are available for public inspection and copying from the Tenth Circuit Court of Appeals Library, Room 430 Byron Rogers Courthouse, 1929 Stout Street, Denver, Colorado 80294, from the hours of 8 A.M. TO 4:30 P.M. or at <http://uscode.house.gov/>. These statutes are also available for public inspection and copying at the Colorado Department of Human Services, Office of Behavioral Health, 3824 West Princeton Circle, Denver, Colorado 80236, during regular business hours. These regulations are available at no cost from the U.S. Department of Health & Human Services, Office of Civil Rights, 200 Independence Avenue, SW, Room 509F, HHH Building, Washington, D.C. 20201 or at <https://www.ecfr.gov/>. These regulations are also available for public inspection and copying at the BEHAVIORAL HEALTH ADMINISTRATION, 3824 West Princeton Circle, Denver, Colorado 80236 during regular business hours.

1.2.56 "Hospitalization" means twenty-four (24) hour out-of-home placement for treatment in a facility for a person with a mental health disorder.

1.2.57 "IN-PERSON SERVICES" MEANS SERVICES PROVIDED IN THE SAME PHYSICAL LOCATION AS THE INDIVIDUAL AND EDUCATION/TREATMENT FACILITATOR.

1.2.58 "Incompetent to proceed" means that, as a result of a mental disability or developmental disability, the defendant does not have sufficient present ability to consult with the defendant's lawyer with a reasonable degree of rational understanding in order to assist in the defense, or that, as a result of a mental disability or developmental disability, the defendant does not have a rational and factual understanding of the criminal proceedings.

1.2.59 "Individual" means a person seeking or receiving services.

1.2.60 "INFLUENZA VACCINE" MEANS A CURRENTLY LICENSED UNITED STATES FOOD AND DRUG ADMINISTRATION APPROVED VACCINE PRODUCT.

1.2.61 "Informed consent" means:

(A) An explanation of the nature and purpose of the recommended treatment or procedure in layman's terms and in a form of communication understood by the individual or the individual's designated representative;



(B) An explanation of the risks and benefits of a treatment or procedure, the probability of success, mortality risks, and serious side effects;

(C) An explanation of the alternatives with the risks and benefits of these alternatives;

(D) An explanation of the risks and benefits if no treatment is pursued;

(E) An explanation of the recuperative period which includes a discussion of anticipated problems; and

(F) An explanation that the individual, or the individual's designated representative, is free to withdraw consent and to discontinue participation in the treatment regimen at any time.

1.2.62 "Initial license" means the licensing of a facility or agency that is not currently licensed, as well as a licensure change from one type to another.

1.2.63 "Inpatient" refers to inpatient hospitalization as well as twenty-four (24) hour residential levels of care.

1.2.64 "Inspection" means a process of review to ensure licensed or designated entities are operating in substantial conformity with applicable licensing and/or designation rules.

1.2.65 "INTENSIVE OUTPATIENT PROGRAM" MEANS A SERVICE PROVIDED FOR INDIVIDUALS THAT REQUIRE A MORE STRUCTURED OUTPATIENT TREATMENT EXPERIENCE THAN CAN BE RECEIVED IN STANDARD OUTPATIENT SERVICES. PROGRAM MAY BE TREATMENT FOR MENTAL HEALTH, SUBSTANCE-RELATED, AND CO-OCCURRING DISORDERS OF MODERATE SEVERITY, OR ARE OF HIGHER SEVERITY BUT ARE STABILIZED.

1.2.66 "Legal Guardian" is an individual appointed by the court, or by will, to make decisions concerning an incapacitated individual's or minor's care, health, and welfare.

1.2.67 "Legal Representative" means one of the following:

(A) The legal guardian of the individual, where proof is offered that such guardian has been duly appointed by a court of law, acting within the scope of such guardianship;

(B) An individual named as the agent in a Power of Attorney (POA) that authorizes the individual to act on the individual's behalf, as enumerated in the POA;

(C) An individual selected as a proxy decision-maker pursuant to Section 15-18.5-101, et seq., C.R.S., to make medical treatment decisions. For the purposes of these rules, the proxy decision-maker serves as the individual's legal representative for the purposes of medical treatment decisions only; or,



(D) A conservator, where proof is offered that such conservator has been duly appointed by a court of law, acting within the scope of such conservatorship.

1.2.68 “LETTER OF INTENT” MEANS THE NOTIFICATION PROVIDED TO THE BHA RELATED TO AN APPLICATION FOR A LICENSE, TO MAKE CHANGES TO AN EXISTING LICENSE, TO MAKE CHANGES IN SERVICES PROVIDED BY THE ENTITY, OR FOR ANY OTHER BUSINESS REASON THE BHA REQUESTS.

1.2.69 “Licensee” means a facility or agency that is required to obtain a license, or a certificate of compliance for governmental entities, from the BHA pursuant to section 27-50-501, C.R.S.

1.2.70 “Licensed Independent Practitioner” for the purposes of this section means a practitioner permitted by law and by the agency to provide care, treatment, or services, without direction or supervision, within the scope of the practitioner license and consistent with assigned clinical responsibilities.

1.2.71 “Licensed mental health professional” means a psychologist licensed pursuant to Section 12-245301, et seq., C.R.S., a psychiatrist licensed pursuant to Section 12-240-101, et seq., C.R.S., a clinical social worker licensed pursuant to Section 12-245-401, et seq., C.R.S., a marriage and family therapist licensed pursuant to Section 12-245-501, et seq., a professional counselor licensed pursuant to Section 12-245-601, et seq., C.R.S., or an addiction counselor licensed pursuant to Section 12-245-801, et seq., C.R.S.

1.2.72 “MANAGED CARE ENTITY” MEANS AN ENTITY THAT ENTERS INTO A CONTRACT TO PROVIDE SERVICES IN THE STATEWIDE MANAGED CARE SYSTEM AS OPERATED BY THE DEPARTMENT OF HEALTH CARE POLICY & FINANCING. MANAGED CARE ENTITIES ARE RESPONSIBLE FOR PROVIDING CARE COORDINATION SERVICES TO INDIVIDUALS ENROLLED IN THE STATE MEDICAL ASSISTANCE PROGRAM, ACCORDING TO THE REQUIREMENTS OF 25.5-5-419, C.R.S.

1.2.73 “MANAGER” MEANS AN INDIVIDUAL INVOLVED IN AND/OR RESPONSIBLE FOR DECISIONS MADE ON BEHALF OF THE BHE REGARDING CLINICAL AND/OR OPERATIONAL POLICIES, PROCEDURES, AND ACTIONS FOR A LOCATION, ENDORSEMENT, SERVICE TYPE, AND/OR THE BHE, AND MAY INCLUDE ADMINISTRATORS OR CLINICAL DIRECTORS, DEPENDING ON THE STRUCTURE AND OPERATION OF THE BHE. A BHE MAY HAVE A SINGLE MANAGER, OR MULTIPLE MANAGERS, AS APPROPRIATE FOR THE COMBINATION OF ENDORSEMENTS, SERVICES, AND LOCATIONS INCLUDED IN THE BHE LICENSE.

1.2.74 “Mechanical Restraint” means a physical device used to involuntarily restrict the movement of an individual or the movement or normal function of a portion of his or her body.



1.2.75 “Medication Assisted Treatment,” or “MAT” services, means THE USE OF MEDICATIONS, IN COMBINATION WITH COUNSELING AND BEHAVIORAL THERAPIES, TO PROVIDE A “WHOLE-PERSON” APPROACH TO THE TREATMENT OF SUBSTANCE USE DISORDERS. MEDICATIONS USED IN MAT ARE APPROVED BY THE FDA AND MAT PROGRAMS ARE CLINICALLY DRIVEN AND TAILORED TO MEET EACH INDIVIDUAL’S NEEDS. MAT SERVICES MAY INCLUDE MEDICATIONS FOR OPIOID USE DISORDER, OR “MOUD” SERVICES FOR THE SPECIALIZED TREATMENT OF OPIOID USE DISORDER (OUD)..

1.2.76 “Medication diversion” means the transfer of any controlled substance from a licit to an illicit channel of distribution or use.

1.2.77 “Medication formulary” means the Required Formulary Psychotropic Medications: 2018, which is hereby incorporated by reference. No later editions or amendments are incorporated. The medication formulary is available at no cost from the Colorado Department of Human Services at <https://www.colorado.gov/pacific/cdhs/behavioral-health-laws-rules>. The medication formulary is also available for public inspection and copying at the BEHAVIORAL HEALTH ADMINISTRATION, 3824 West Princeton Circle, Denver, CO 80236, during regular business hours. The medication formulary is a list of minimum medications, established pursuant to 27-70-103, C.R.S., that may be used by service providers to increase the likelihood that a broad spectrum of effective medications are available to individuals to treat behavioral health disorders, regardless of the setting or service provider. The medication formulary may not contain a complete list of medications, and providers may prescribe and/or carry any additional medications they deem necessary.

1.2.78 “MEDICATION REMINDER BOX” MEANS A CONTAINER THAT IS COMPARTMENTALIZED AND DESIGNED TO HOLD MEDICATIONS FOR DISTRIBUTION ACCORDING TO A TIME ELEMENT SUCH AS DAY, WEEK, OR PORTIONS THEREOF.

1.2.79 “MONITORING” MEANS

(A) REMINDING THE INDIVIDUAL TO TAKE MEDICATION(S) AT THE TIME ORDERED BY THE AUTHORIZED PRACTITIONER;

(B) HANDING AN INDIVIDUAL A CONTAINER OR PACKAGE OF MEDICATION THAT WAS LAWFULLY LABELED PREVIOUSLY BY AN AUTHORIZED PRACTITIONER FOR THE INDIVIDUAL RESIDENT;

(C) VISUAL OBSERVATION OF THE INDIVIDUAL TO ENSURE COMPLIANCE;

(D) MAKING A WRITTEN RECORD OF THE INDIVIDUAL'S COMPLIANCE WITH REGARD TO EACH MEDICATION, INCLUDING THE TIME TAKEN; AND



(E) NOTIFYING THE AUTHORIZED PRACTITIONER IF THE INDIVIDUAL REFUSES OR IS UNABLE TO COMPLY WITH THE PRACTITIONER'S INSTRUCTIONS REGARDING THE MEDICATION.

1.2.80 "NURSE" MEANS AN INDIVIDUAL WHO HOLDS A CURRENT UNRESTRICTED LICENSE TO PRACTICE PURSUANT TO ARTICLE 38 OF TITLE 12, C.R.S., AND IS ACTING WITHIN THE SCOPE OF SUCH AUTHORITY.

1.2.81 "OUTPATIENT TREATMENT" MEANS BEHAVIORAL HEALTH SERVICES PROVIDED TO AN INDIVIDUAL IN ACCORDANCE WITH THEIR SERVICE PLAN ON A REGULAR BASIS IN A NON-OVERNIGHT SETTING, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, INDIVIDUAL, GROUP, OR FAMILY COUNSELING, CASE MANAGEMENT, OR MEDICATION MANAGEMENT.

1.2.82 "OWNER" MEANS A SHAREHOLDER IN A CORPORATION, A PARTNER IN A PARTNERSHIP OR LIMITED PARTNERSHIP, MEMBER IN A LIMITED LIABILITY COMPANY, A SOLE PROPRIETOR, OR A PERSON WITH A SIMILAR INTEREST IN A BHE, WHO HAS A TWENTY-FIVE (25) PERCENT OWNERSHIP INTEREST IN THE BHE.

1.2.83 "PARTIAL HOSPITALIZATION PROGRAM" MEANS A SERVICE PROVIDED FOR INDIVIDUALS THAT REQUIRE DAILY MONITORING OR MANAGEMENT WHILE PROVIDING CLINICAL STRUCTURE IN AN OUTPATIENT SETTING TO TREAT MENTAL HEALTH, SUBSTANCE USE, OR CO-OCCURRING NEEDS IN ADDITION TO PROVIDING DIRECT ACCESS TO MEDICAL, PSYCHIATRIC, AND LABORATORY SERVICES.

1.2.84 "Peer support" means recovery-oriented services provided by PEER SUPPORT PROFESSIONALS that promote self-management of psychiatric symptoms, relapse prevention, treatment choices, mutual support, enrichment, and rights protection. Peer support also provides social supports and a lifeline for individuals who have difficulties developing and maintaining relationships.

1.2.85 "Peer support professional" means a peer support specialist, recovery coach, peer and family recovery support specialist, peer mentor, family advocate, or family systems navigator who meets the qualifications described in Section 27-60-108(3)(a)(iii), C.R.S.

1.2.86 "PERSON-CENTERED CARE" MEANS INDIVIDUALS PARTICIPATE IN THE DEVELOPMENT OF TREATMENT GOALS AND SERVICES PROVIDED, TO THE GREATEST EXTENT POSSIBLE. PERSON-CENTERED TREATMENT PLANNING IS STRENGTH-BASED AND FOCUSES ON INDIVIDUAL CAPACITIES, PREFERENCES, AND GOALS. INDIVIDUALS ARE CORE PARTICIPANTS IN THE DEVELOPMENT OF THE PLANS AND GOALS OF TREATMENT.

1.2.87 "PERSONNEL" MEANS INDIVIDUALS EMPLOYED BY AND/OR PROVIDING SERVICES UNDER THE DIRECTION OF THE BHE, INCLUDING, BUT NOT LIMITED TO



MANAGERS, ADMINISTRATORS, CLINICAL DIRECTORS, EMPLOYEES, CONTRACTORS, STUDENTS, INTERNS, OR VOLUNTEERS.

1.2.88 "PHYSICAL LOCATION" MEANS A DISCRETE PHYSICAL SPACE HAVING ITS OWN ADDRESS AND OCCUPANCY STATUS FOR PURPOSES OF COMPLIANCE WITH THE STANDARDS OF THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL.

1.2.89 "PHYSICIAN EXTENDERS" MEANS A QUALIFIED MEDICAL PROFESSIONAL WHO PER THE FEDERAL DATA WAIVER, IS ABLE TO HOLD A WM-SPECIFIC CASELOAD AND PRESCRIBE CONTROLLED SUBSTANCES TO AID IN WITHDRAWAL MANAGEMENT SERVICES. THIS TYPICALLY INCLUDES NURSE PRACTITIONERS (NP) AND PHYSICIAN ASSISTANTS (PAS).

1.2.90 "Plan of Action" is a description of how an agency plans to bring into compliance any standards identified as out of compliance within a specified time period.

1.2.91 "PRIORITY POPULATIONS" MEANS PEOPLE WHO ARE:

(A) UNINSURED, UNDERINSURED, MEDICAID-ELIGIBLE, PUBLICLY INSURED, OR WHOSE INCOME IS BELOW THRESHOLDS ESTABLISHED BY THE BHA; AND

(B) PRESENTING WITH ACUTE OR CHRONIC BEHAVIORAL HEALTH NEEDS, INCLUDING BUT NOT LIMITED TO INDIVIDUALS WHO HAVE BEEN DETERMINED INCOMPETENT TO STAND TRIAL, ADULTS WITH SERIOUS MENTAL ILLNESS, AND CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL DISTURBANCE.

(C) OTHER UNDERSERVED POPULATIONS IDENTIFIED BY THE BHA AS MEETING THE ABOVE CRITERIA FOR SPECIFIC PRIORITIZATION ON A REGIONAL OR STATEWIDE BASIS BASED ON HEALTH EQUITY DATA, INCLUDING BUT NOT LIMITED TO PEOPLE EXPERIENCING OR AT RISK OF HOMELESSNESS; CHILDREN AND YOUTH AT RISK OF OUT-OF-HOME PLACEMENT AND THEIR PARENTS; PEOPLE INVOLVED WITH THE CRIMINAL OR JUVENILE JUSTICE SYSTEM; PEOPLE OF COLOR; AMERICAN INDIANS; ALASKA NATIVES; VETERANS; PEOPLE WHO ARE PREGNANT; PEOPLE WHO ARE LESBIAN, GAY, BISEXUAL, TRANSGENDER, OR QUEER OR QUESTIONING; AND INDIVIDUALS WITH DISABILITIES AS DEFINED BY THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C.. SEC. 12101 ET SEQ., AS AMENDED.

1.2.92 "Professional person" means a person licensed to practice medicine in this state, a psychologist licensed to practice in this state, or a person licensed and in good standing to practice medicine in another state or a psychologist licensed 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.

1.2.93 “Protective Oversight” means guidance as required by the needs of the individual or legal representative or as reasonably requested by the individual including the following:

(A) Being aware of an individual’s general whereabouts, although the individual may travel independently in the facility; and,

(B) Monitoring the activities of the individual on the premises to ensure the individual’s health, safety, and well-being, including monitoring the individual’s needs and ensuring that they receive the services and care necessary to protect health, safety, and well-being.

1.2.94 “Psychotherapy” or “psychotherapy services” as defined in Section 12-245-202(14), C.R.S., means the treatment, diagnosis, testing, assessment, or counseling in a professional relationship to assist individuals or groups to alleviate behavioral and mental health disorders, understand unconscious or conscious motivation, resolve emotional, relationship, or attitudinal conflicts, or modify behaviors that interfere with effective emotional, social, or intellectual functioning. Psychotherapy follows a planned procedure of intervention that takes place on a regular basis, over a period of time, or in the cases of testing, assessment, and brief psychotherapy, psychotherapy can be a single intervention.

1.2.95 “QUALIFIED MEDICATION ADMINISTRATION PERSON” OR “QMAP” MEANS AN INDIVIDUAL WHO PASSED A COMPETENCY EVALUATION ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT BEFORE JULY 1, 2017, OR PASSED A COMPETENCY EVALUATION ADMINISTERED BY AN APPROVED TRAINING ENTITY ON OR AFTER JULY 1, 2017 AND WHOSE NAME APPEARS ON THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT’S LIST OF PERSONS WHO HAVE PASSED THE REQUISITE COMPETENCY EVALUATION.

1.2.96 “RCCF” means a residential child care facility licensed pursuant to 12 CCR 2509-8, Section 7.705, et seq., by the Colorado Department of Human Services, Division of Child Welfare.

1.2.97 “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, A PHYSICAL RESTRAINT, AND/OR SECLUSION. “Restraint” does not include the holding of a minor by one adult for the purpose of calming or comforting the minor.

1.2.98 “SCREENING” MEANS A BRIEF PROCESS USED TO IDENTIFY CURRENT BEHAVIORAL HEALTH OR HEALTH NEEDS AND IS TYPICALLY DOCUMENTED THROUGH THE USE OF A STANDARDIZED INSTRUMENT. SCREENING IS USED TO DETERMINE THE



NEED FOR FURTHER ASSESSMENT, REFERRAL, OR IMMEDIATE INTERVENTION SERVICES.

1.2.99 “Seclusion” means the confinement of a person alone in a room from which egress is INVOLUNTARILY prevented. THIS INCLUDES CIRCUMSTANCES IN WHICH THE PERSON BELIEVES THAT EGRESS IS PREVENTED. SECLUSION does not include the placement of persons, who are assigned to an intake unit in a secure treatment facility, in locked rooms during sleeping hours pursuant to 27-65 involuntary designation.

1.2.100 “SELF-ADMINISTRATION” MEANS THE ABILITY OF A PERSON TO TAKE MEDICATION INDEPENDENTLY WITHOUT ANY ASSISTANCE FROM ANOTHER PERSON.

1.2.101 “SERVICE PLAN” MEANS A WRITTEN DESCRIPTION OF THE SERVICES TO BE PROVIDED BY THE BHE TO MEET AN INDIVIDUAL'S TREATMENT NEEDS. THE TERM “SERVICE PLAN” MAY ALSO MEAN A CARE PLAN OR TREATMENT PLAN AS REFERENCED ELSEWHERE IN 2 CCR 502-1.

1.2.102 “Short-Term” psychiatric care means the average lengths of services are from three (3) to seven (7) days.

1.2.103 “SOCIAL DETERMINANTS OF HEALTH” REFERS TO THE CONDITIONS IN WHICH INDIVIDUALS ARE BORN, GROW, LIVE, WORK AND AGE. THEY INCLUDE FACTORS SUCH AS SOCIOECONOMIC STATUS, EDUCATION, NEIGHBORHOOD AND PHYSICAL ENVIRONMENT, EMPLOYMENT, AND SOCIAL SUPPORT NETWORKS, AS WELL AS ACCESS TO HEALTH CARE.

1.2.104 “STOCK MEDICATION” MEANS MEDICATION THAT IS NOT LABELED FOR, OR INTENDED FOR, USE BY A SPECIFIC INDIVIDUAL WHEN IT LEAVES THE PHARMACY, BUT IS INTENDED TO BE STORED AND ULTIMATELY ADMINISTERED BY A LICENSED HEALTH CARE PROFESSIONAL IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS.

1.2.105 “Substance use disorder” shall have the same meaning as defined in Section 27-80-203 (23.3), C.R.S.

1.2.106 “TELEHEALTH” MEANS DELIVERY OF SERVICES THROUGH TELECOMMUNICATIONS SYSTEMS THAT ARE COMPLIANT WITH ALL FEDERAL AND STATE PROTECTIONS OF INDIVIDUAL PRIVACY, TO FACILITATE INDIVIDUAL ASSESSMENT, DIAGNOSIS, CONSULTATION, TREATMENT, AND/OR SERVICE PLANNING/CASE MANAGEMENT WHEN THE INDIVIDUAL AND THE INDIVIDUAL PROVIDING BHE SERVICES ARE NOT IN THE SAME LOCATION. TELECOMMUNICATIONS SYSTEMS USED TO PROVIDE TELEHEALTH INCLUDE INFORMATION, ELECTRONIC, AND COMMUNICATION TECHNOLOGIES.



1.2.107 “The ASAM Criteria” means the publication from the American Society of Addiction Medicine, Mee-Lee, D., Shulman, G.D., Fishman, M.J., Gastfriend, D.R., Miller, M.M., EDS. The ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, 3rd ed. Carson City, NV: The Change Companies®; 2013, which is hereby incorporated by reference. No later editions or amendments are incorporated. Mee-Lee, D., Shulman, G.D., Fishman, M.J., Gastfriend, D.R., Miller, M.M., EDS. The ASAM Criteria: Treatment Criteria for Addictive, Substance-Related, and Co-Occurring Conditions, 3rd ed. Carson City, NV: The Change Companies®; 2013, is available for a reasonable charge at <http://www.asam.org/resources/the-asam-criteria>. Mee-Lee, D., Shulman, G.D., Fishman, M.J., Gastfriend, D.R., Miller, M.M., EDS. The ASAM Criteria: Treatment Criteria for Addictive, Substance Related, and Co-Occurring Conditions, 3rd ed. Carson City, NV: The Change Companies®; 2013, is also available for public inspection at the Behavioral Health Administration, 3824 West Princeton Circle, Denver, Colorado 80236, during regular business hours.

1.2.108 “TIERED INSPECTION” MEANS AN ON-SITE RE-LICENSURE SURVEY THAT HAS A REDUCED SCOPE AND REVIEWS FEWER ITEMS FOR COMPLIANCE WITH APPLICABLE STATE REGULATIONS THAN A FULL RE-LICENSURE SURVEY.

1.2.109 “TRAUMA-INFORMED” MEANS AN APPROACH TO CARE THAT REALIZES THE WIDESPREAD IMPACT OF TRAUMA, UNDERSTANDS POTENTIAL PATHS FOR RECOVERY, RECOGNIZES THE SIGNS AND SYMPTOMS OF TRAUMA IN INDIVIDUALS, FAMILIES, STAFF, AND OTHERS INVOLVED IN THE SYSTEM, AND RESPONDS BY FULLY INTEGRATING KNOWLEDGE ABOUT TRAUMA INTO POLICIES, PROCEDURES, AND PRACTICES, SEEKING TO ACTIVELY RESIST RE-TRAUMATIZATION. THE SIX KEY PRINCIPLES OF A TRAUMA-INFORMED APPROACH INCLUDE: SAFETY, TRUSTWORTHINESS AND TRANSPARENCY, PEER SUPPORT, COLLABORATION AND MUTUALITY, EMPOWERMENT, VOICE AND CHOICE, AND CULTURAL, HISTORICAL AND GENDER ISSUES.

1.2.110 “Triage” means a dynamic process of evaluating and prioritizing the urgent NEEDS AND INTERVENTION OPTIONS BASED on the nature and severity of the individuals’ presenting situation.

1.2.111 “WARM HANDOFF” MEANS AN APPROACH TO CARE TRANSITIONS IN WHICH A BEHAVIORAL HEALTH CARE PROVIDER USES FACE-TO-FACE OR TELEPHONE CONTACT TO DIRECTLY LINK INDIVIDUALS BEING TREATED TO OTHER PROVIDERS OR SERVICES.

1.2.112 “WOMEN/WOMAN” IS DEFINED AS ANYONE WHO IDENTIFIES AS A WOMAN, INCLUDING TRANS, TWO SPIRIT, INTERSEX, GENDERQUEER AND NON-BINARY PEOPLE WHO ARE SIGNIFICANTLY FEMME-IDENTIFIED, UNLESS OTHERWISE NOTED.

1.2.113 “Youth” means anyone under the age of twenty-one (21), unless otherwise noted.