



(2 CCR 502-1)

21.280.1 DEFINITIONS

“Facility or community based personnel” means:

- A. A professional person;
- B. A registered professional nurse as defined in Section 12-38-103 (11), C.R.S. who by reason of postgraduate education and additional nursing preparation has gained knowledge, judgment, and skill in psychiatric or mental health nursing;
- C. A licensed marriage and family therapist, licensed professional counselor, or addiction counselor licensed under Part 5, 6, or 8 of Article 43 of Title 12, C.R.S., 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,
- D. A licensed clinical social worker licensed under the provisions of Part 4 of Article 43 of Title 12, C.R.S.

“Unduplicated” means an individual is counted only once, no matter how many specific services the individual received during the calendar year.

21.282 EMERGENCY MEDICAL SERVICES FACILITY DATA REPORTING REQUIREMENTS

- A. An emergency medical services facility, as defined in 27-65-102(5.5), C.R.S., providing care to an individual pursuant to Title 27, Article 65, C.R.S. is required to maintain a data set sufficient to report the following aggregate numbers to the Department annually pursuant to 27-65-105(7), C.R.S., in the format and timeframe required by the Department.
- B. For each facility, the annual report shall include:
 - 1. The name, county, and address of each facility site where the service was provided.
 - 2. The total number of unduplicated individuals, as defined in Section 21.280.1, who had a seventy-two hour hold resolved (this includes release without need for further mental health services, or referral for voluntary treatment) at the facility, as well as:
 - a. Total number of unduplicated individuals by gender;
 - B. Total number of unduplicated individuals by race and ethnicity;
 - c. Total number of unduplicated individuals by age; and,
 - D. Total number of unduplicated individuals by county of residence.
 - 3. The total number of seventy-two hour holds transferred to a designated facility for continued involuntary services.



4. The total number of involuntary transportation holds, as defined in Section 21.281.1, received by the facility, as well as total numbers by outcome of the required screening, including at least:
 - A. Total number of involuntary transportation hold screenings resulting in the placement of a seventy-two hour hold;
 - B. Total number of involuntary transportation hold screenings resulting in a referral for further mental health care and treatment on a voluntary basis: and,
 - C. Total number of involuntary transportation hold screenings resulting in a release without need for further mental health services.
5. The total number of seventy-two hour holds where the involuntary status was resolved at the facility, as well as, the total number of seventy-two hour holds where the involuntary status was resolved at the facility grouped by:
 - A. Who initiated the seventy-two hour hold (each hold can only meet the requirements of one category listed below):
 - 1) Certified peace officer;
 - 2) Court; or,
 - 3) Facility or community based personnel as defined in Section 21.280.1.
 - B. The reason for the seventy-two hour hold (each hold can meet the requirements of multiple categories listed below):
 - 1) Dangerous to self;
 - 2) Dangerous to others; or,
 - 3) Gravely disabled.
 - C. Disposition of the seventy-two hour hold (each hold can only meet the requirements of one category listed below):
 - 1) Released without need for further mental health services; or,
 - 2) Referred for further mental health care and treatment on a voluntary basis.
- C. Process of data reporting
 1. Facilities must submit their annual data report to the Department by July 1 of each year covering the most recent, complete calendar year covering January 1 through December 31. The report must meet the requirements in section 24-1-136(9), C.R.S.
 2. The Department will annually request from the Department of Public Health and Environment a list of licensed facilities that may provide emergency services pursuant to Title 27, Article 65, C.R.S. the facility list shall include, but is not limited to: general hospitals; hospital units; psychiatric hospitals; and, community clinics.



3. If a facility on the list provided by the Department of Public Health and Environment does not report to the Department, the Department will contact the facility to confirm that the facility did not provide involuntary care to an individual pursuant to Title 27, Article 65, C.R.S. during the reporting cycle. If a facility is found to have provided involuntary care to an individual pursuant to Title 27, Article 65, C.R.S. and did not submit an annual report, an annual report will be requested. If a facility refuses to provide the statutorily required report, the Department may submit a complaint to the Office of the Ombudsperson for Behavioral Health Access to Care.
- D. Pursuant to § 27-65-121, C.R.S. and HIPAA, as defined in Section 21.100, the facility must maintain confidentiality over the data sets. The reports generated from these data sets are also confidential; but the Department may release aggregated information contained in the reports so long as the total number of individuals in any aggregate data group (including county or facility name) is greater than thirty (30). If the total number in such a data group is less than or equal to thirty (30), the Department may release this information by redacting such number.