

FORTY- EIGHTH LEGISLATURE
FIRST SESSION, 2007

February 14, 2007

Mr. Speaker:

Your HEALTH AND GOVERNMENT AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 637

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 6, line 5, strike lines 5 through 8 in their entirety.

2. Reletter the succeeding subsections accordingly.

3. On page 9, line 13, after the second "state" strike the remainder of the line.

4. On page 9, line 14, strike the line up to the semicolon.

5. On page 14, line 3, strike "socialization" and insert in lieu thereof "psychosocial assessment".

6. On page 14, line 23, strike "commission" and insert in lieu thereof "committee of the department of health".

7. On page 14, line 25, strike "commission" and insert in lieu thereof "committee".

8. On page 15, line 13, strike "commission" and insert in lieu thereof "committee of the department of health".

9. On page 15, line 24, strike "commission" and insert in lieu thereof "committee of the department of health".

10. On page 16, line 1, strike the quotation mark.

11. On page 16, between lines 1 and 2, insert the following new subsection:

"F. The department shall work in collaboration with the department of health to promulgate rules for implementing a human rights committee pursuant to this section. "".

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12. On page 26, line 5, after "plan" insert "that conforms to the requirements of state and federal law".

13. On page 29, line 4, after the period, insert:

"Nothing in this section shall be interpreted to provide a child fourteen years of age or older with independent consent rights for the purposes of the provision of special education and related services as set forth in federal law."

14. On page 30, line 3, after "decision" insert "or the legal custodian's assumption of authority to make mental health or developmental disability treatment decisions or determination of lack of capacity".

15. On page 57, line 12, strike "seven" and insert in lieu thereof "five".

16. On page 70, line 3, strike "appropriate party" and insert in lieu thereof:

"child or legal custodian authorized under the Children's Mental Health and Developmental Disabilities Act to give consent and any other consent necessary for redisclosure in conformance with state and federal law, including consent that may be required from the professional or the facility that created the document".

17. On page 73, between lines 6 and 7, insert the following new section:

"Section 30. TEMPORARY PROVISION. -- In keeping with Section 8 of the Children's Mental Health and Developmental Disabilities Act, the department of health shall promulgate rules for the operation of a human rights committee charged with review and evaluation of a treatment plan that includes aversive intervention."

18. Renumber the succeeding section accordingly.,
and thence referred to the JUDICIARY COMMITTEE.

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Respectfully submitted,

Mimi Stewart, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Fox-Young

Absent: None

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