

# C.R.S. 27-81-110

## Copy Citation

Statutes current and final through all legislation from the 2023 Regular and First Extraordinary Sessions.

- [Colorado Revised Statutes Annotated](#)
- [Title 27. Behavioral Health](#)
- [Alcohol and Substance Use - Alcohol and Substance Use Disorders \(Arts. 80 — 82\)](#)
- [Article 81. Alcohol Use Education, Prevention, and Treatment \(§§ 27-81-101 — 27-81-118\)](#)

## 27-81-110. Voluntary treatment for persons intoxicated by alcohol, under the influence of drugs, or incapacitated by substances.

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(1) A person intoxicated by alcohol, under the influence of drugs, or incapacitated by substances, including a minor if provided by rules of the BHA, may voluntarily admit the person's self to an approved treatment facility for an emergency evaluation to determine need for treatment.

(2) The administrator shall immediately evaluate or examine a person who voluntarily enters an approved treatment facility. If the person is found to be in need of treatment, the administrator shall admit the person or refer the person to another appropriate facility. If a person is found not to be in need of treatment, the administrator shall release the person and may refer the person to another appropriate facility.

(3) Except as provided in subsection (7) of this section, a treatment facility shall immediately release a voluntarily admitted person upon the person's request.

(4) A person who is not admitted to an approved treatment facility or referred to another health facility, and who has no money, may be taken to the person's home, if any. If the person has no home, the approved treatment facility may assist the person in obtaining shelter.

(5) If a person is admitted to an approved treatment facility, the person's family or next of kin must be notified as promptly as possible in accordance with federal confidentiality regulations for substance use disorder patient records, which regulations are found at 42 CFR part 2, as amended. If an adult person requests that there be no notification, the adult person's request must be respected.

(6) If the administrator determines that it is for the person's benefit, the person must be encouraged to agree to further diagnosis and appropriate voluntary treatment.

(7) Nothing in this section precludes the administrator from seeking emergency commitment of a person as provided in section 27-81-111 or involuntary commitment of a person as provided in section 27-81-112, regardless of whether the person has been voluntarily admitted under this section. In such case, the administrator's further conduct is governed by section 27-81-111 or 27-81-112, as applicable.

## History

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**Source:** **L. 2010:**Entire article added with relocations,(SB 10-175), ch. 188, p. 738, § 2, effective April 29. **L. 2020:**Entire section R&RE,(SB 20-007), ch. 286, p. 1398, § 19, effective July 13. **L. 2022:**(1) amended,(HB 22-1278), ch. 222, p. 1572, § 185, effective July 1.

### ▼ Annotations

## Research References & Practice Aids

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### Hierarchy Notes:

C.R.S. Title 27, Art. 81

## State Notes

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## Notes

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### Editor's note:

- (1) This section is similar to former § 25-1-309 as it existed prior to 2010.
- (2) This section is similar to former § 27-82-106 as it existed prior to 2020.

## ANNOTATION

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### Law reviews.

For article, "Consent to Treatment and Access to Minors' Medical Records", see 17 Colo. Law. 1323 (1988).