



**Health & Human Services Steering Committee
Friday, March 11, 2022 | 9:15—11:15 am (approx.)**

Agenda as of 3/7/2022

Welcome/Introductions

Chair: Commissioner Janet Rowland, Mesa County
 Vice Chair: Commissioner Wendy Buxton-Andrade, Prowers County
 CCI Staff: Gini Pingnot (gpingenot@ccionline.org | 720-255-8941)
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New Legislation for Discussion (2 Bills)

<u>HB22-1258, Essential Services for Youth Special Districts</u>			
H-Spon	S. Bird	S-Spon	
Summary	<p>The bill creates an essential services for youth special district (district) in each judicial district. The boundaries of each district are coterminous with the boundaries of the judicial district in which it is created. The purposes of each district are to:</p> <ul style="list-style-type: none"> • Seek voter approval from registered electors in the district for the levy and collection of a uniform sales and use tax or a property tax, or both, throughout the entire geographical area of the district for the purpose of providing a sustainable funding source for essential services providers to provide services to at-risk youth who reside in the district; • Upon the approval of the registered electors in the district, to levy and collect a uniform sales and use tax or a property tax, or both, throughout the entire geographical area of the district; • Distribute the district sales and use tax or property tax revenue to essential services providers to provide services to at-risk youth who reside in the district; and • Monitor the purposes for which the district tax revenue is used by essential services providers. <p>A district is inactive until:</p> <ul style="list-style-type: none"> • Either the chief judge of the judicial district or the board of directors of the local court-appointed special advocate (CASA) program call a meeting of the appointing authorities of the district board (appointing authorities) to determine whether the district will become active. The appointing authorities include representatives from the judicial district, the local CASA program, the district attorney’s office, the child advocacy center in the judicial district, and the counties and municipalities in which the district is located. • The appointing authorities meet and adopt a resolution by a majority vote declaring that the district will become active; and • The board of directors of the local CASA program files the resolution with specified entities. <p>A district that is activated by a vote of the appointing authorities is governed by a board of directors (board) consisting of 9 members. The bill specifies the eligibility criteria to serve on the board, the process by which board directors are appointed, a rotation of appointing authorities, and the powers and duties of the board.</p>		

	<p>Once appointed, a board is authorized to present to the registered electors of the district a question of whether the district is authorized to levy and collect a sales and use tax, a property tax, or both, in amounts determined by the board.</p> <p>The bill directs the board to distribute the proceeds of any district tax revenue to essential services providers that provide services to at-risk youth. After deductions for administrative expenses, a board is required to distribute 60% of the tax revenue to the local CASA program in the district and to the child advocacy center in the district as determined by the board. The board is required to distribute the remaining 40% of the tax revenue to other essential services providers through a grant program.</p> <p>An essential services provider that receives a distribution of tax revenue is required to use the money for one or more of the following purposes:</p> <ul style="list-style-type: none"> • Programs that address the health, safety, wellness, and mental health of at-risk youth; • Programs that provide services for unhoused at-risk youth; • Programs that support at-risk youth in the judicial system; • Programs that provide forensic support, including the administration costs of providing such support; or • The construction of capital facilities for the provision of essential services. <p>An essential services provider that receives a distribution of tax revenue is prohibited from using the revenue for day care, data collection, school-based education, or fitness and recreational programming.</p>
Status	Introduced In House – Assigned to Judiciary
Position	Pending

<u>HB22-1278, Behavioral Health Administration</u>			
H-Spon	R. Pelton & M. Young	S-Spon	P. Lee & C. Simpson
Summary	<p>The bill creates the behavioral health administration (BHA) in the department of human services (department) to create a coordinated, cohesive, and effective behavioral health system in the state. The BHA will handle most of the behavioral health programs that were previously handled by the office of behavioral health in the department. The bill establishes a commissioner as the head of the BHA and authorizes the commissioner and state board of human services to adopt and amend rules that previously were promulgated by the executive director of the department.</p> <p>By July 1, 2024, the bill requires the BHA to establish:</p> <ul style="list-style-type: none"> • A statewide behavioral health grievance system; • A behavioral health performance monitoring system; • A comprehensive behavioral health safety net system; • Regionally-based behavioral health administrative service organizations; • The BHA as the licensing authority for all behavioral health entities; and • The BHA advisory council to provide feedback to the BHA on the behavioral health system in the state. <p>The bill transfers to the department of public health and environment responsibility for community prevention and early intervention programs previously administered by the department.</p>		

	The bill makes extensive conforming amendments. View CCI's document on key deliverables outlined in the bill.
Status	Introduced In House – Assigned to Public & Behavioral Health & Human Services
Position	Pending
Staff	G. Pingenot

Legislation to Revisit / for Updates (5 Bills)

HB22-1042, Teen Parent Driving Instruction Course			
H-Spon	K. Van Winkle & T. Exum Sr.	S-Spon	J. Buckner & D. Hisey
Summary	The bill requires the state department of human services to reimburse a county or district department of human or social services (county department) for costs paid by the county department to a public or private driving school for the provision of driving instruction to an individual who is a teen parent and meets income requirements.		
Status	Introduced In House - Assigned to Transportation & Local Government		
Position	Amend (CCI is seeking amendments so that local public health reimburses counties for costs paid for driving school OR so driving courses/schools receive voucher directly.)		
Staff	K. Burress		

HB22-1131, Reduce Justice-involvement For Young Children			
H-Spon	S. Gonzales-Gutierrez & J. Bacon	S-Spon	D. Coram & J. Gonzales
Summary	<p>The bill changes the minimum age of a juvenile who is subject to the juvenile court's jurisdiction. Under current law, juveniles who are 10 years of age and older can be prosecuted in juvenile court. The bill removes juveniles who are 10, 11, and 12 years of age from the juvenile court's jurisdiction and increases the age for a prosecution in juvenile court to 13 years of age; except in the case of a homicide, then the juvenile court's jurisdiction extends to juveniles who are 10, 11, and 12 years of age.</p> <p>The bill changes the minimum age of a county court's concurrent original jurisdiction with the district court in criminal actions that constitute misdemeanors or petty offenses to a person who is 13 years of age.</p> <p>The bill changes the minimum age of a municipal court's jurisdiction for a charge of a municipal offense to a person who is 13 years of age.</p> <p>The bill clarifies that juveniles who are 10, 11, and 12 years of age may be taken into temporary custody by law enforcement for safety and then may be referred to appropriate services. Existing funding used to serve children who are 10, 11, and 12 years of age through the Colorado youth detention continuum may continue to serve those children.</p> <p>Under current law, a juvenile court may transfer the juvenile to district court for criminal proceedings under certain conditions. The bill eliminates the ability for the juvenile court to transfer the juvenile to the district court for juveniles who are 12 or 13 years of age. Furthermore, for a juvenile who is 14 years of age or older, the bill changes the current authority of the juvenile</p>		

	<p>court to transfer the juvenile's case for any delinquent act that constitutes any felony to only any delinquent act that constitutes a class 1 or class 2 felony or a crime of violence.</p> <p>The bill extends certain sentencing limitations that are currently provided to juveniles who are 10 or 11 years of age to juveniles who are 13 or 14 years of age.</p>
Status	House Committee on Judiciary Witness Testimony and/or Committee Discussion Only
Position	Oppose
Staff	K. Burress

<u>HB22-1224, Public Benefits Theft</u>			
H-Spon	K. Tipper & M. Soper	S-Spon	J. Gonzales
Summary	<p>The bill creates specific elements for public benefits theft in the theft statute. A person commits public benefits theft when a person intentionally misrepresents or withholds a material fact for determining eligibility, and does so for the purpose of obtaining or retaining public benefits the recipient of the public benefits is not eligible for.</p> <p>For the purposes of calculating the value of the public benefit involved, the bill defines it as the difference between the value of the public benefit received and the value of the public benefit the recipient was eligible for; except that, if the agency that provides the public benefit makes a referral for prosecution more than 180 calendar days after first receiving evidence of a misrepresentation or withholding of material fact, the value of the public benefit received after the agency received the evidence must be subtracted from the total.</p>		
Status	Introduced In House - Assigned to Judiciary		
Position	<p>Amend</p> <p>CCI is seeking an amendment that clarifies when the clock begins once a referral is made. As drafted, the bills requires 180 days once a referral is made, instead CCI would like for that to say 180 days once an investigation begins.</p>		
Staff	K. Burress		

<u>HB22-1231, Foster Parent Bill of Rights</u>			
H-Spon	T. Van Beber	S-Spon	D. Coram
Summary	<p>The bill creates certain rights for foster parents. The rights do not apply to a foster parent who jeopardizes the safety of a child or persons against whom criminal charges have been filed for child abuse, a sexual offense, or any felony.</p>		
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services		
Position	<p>Amend</p> <p>CCI is seeking technical amendments that clarify some language in the bill such as the definition of contact.</p>		
Staff	K. Burress		

<u>HB22-1259, Modifications to Colorado Works Program</u>			
H-Spon	M. Duran & I. Jodeh	S-Spon	D. Moreno
Summary	<p>The bill allows the state board of human services (state board) to utilize eligibility processes from other public assistance or entitlement programs when promulgating rules for redetermining and verifying eligibility for the Colorado works program (works program).</p>		

When determining income requirements for the works program, the bill requires the department of human services (state department) to use an income conversion ratio for converting weekly and biweekly income to a monthly amount using the lowest ratio or methodology that results in the lowest monthly income amount allowable under federal law.

Current law prohibits a person convicted of a drug-related felony offense from being eligible for assistance under the works program unless the person is determined by a county department of human or social services to have taken action toward rehabilitation. The bill removes the ban on eligibility.

The bill requires the state board to promulgate rules establishing statewide standards and procedures that require counties to offer an extension:

- Beyond the 60-month lifetime maximum for all households that demonstrate good cause, which includes an applicant or participant who is a child-only case, the head of a single parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs; and
- From work requirements to all households that demonstrate good cause, which includes for an applicant or participant who is the head of a single-parent household and has a child under one year of age, experiencing hardship, or addressing family or medical needs.

The bill requires the state department to annually review and promulgate rules as necessary to update the standard of need to ensure the standard of need is equitable, promotes economic mobility and self-sufficiency, and reflects the current economic status of the state.

The bill requires the state department to disregard any earned income for at least the first 6 months an applicant or participant is employed while enrolled in the works program. The bill requires that the state department determine the amount of earned income that must be disregarded after the first 6 months and ensure a gradual step down of the amount of earned income disregarded and that the appropriate work supports are made available to the applicant or participant.

Current law requires the state department to ensure the amount of a basic cash assistance grant that an applicant or participant receives is equal to or exceeds 102% of the need standard for a participant in a similarly sized household on January 1, 2008. By the 2027-28 state fiscal year, and each state fiscal year thereafter, the bill requires the amount of the basic cash assistance grant to equal or exceed 50% of the federal poverty guidelines established by the federal department of health and human services for a similarly sized household for that fiscal year.

No later than January 1, 2023, the bill requires the state department to begin phasing in the increase in basic cash assistance that is equal to or exceeds 50% of the federal poverty guidelines.

The bill requires a county department to attempt to contact each participant using each method of communication provided by the participant in order to conduct exit and follow-up interviews upon case closure. The bill expands the purpose of the exit and follow-up interviews to include evaluating the participant's experience with the works program, how well the program met the participant's needs and assisted the participant in meeting the participant's goals, and informing the state department of any changes to rules that are needed to improve the participant's experience.

The bill requires the state department to monitor impacts to counties' workload in the works program and consult with counties regarding additional need for money to administer the works program.

	<p>Beginning January 2023, and each January thereafter, the state department is required to submit a report to the general assembly on the effectiveness of the works program.</p> <p>Current law requires the state board to promulgate rules that require a percentage reduction in the basic cash assistance grant upon the imposition of a sanction affecting the grant, with the percentage to be specified in the rules but not to be less than 25%. The bill requires the percentage not to exceed one dollar.</p> <p>No later than September 30, 2022, the bill requires the state department to develop an outreach and engagement plan to promote access to the works program for eligible persons.</p>
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services
Position	Oppose

Other Business

- Update: County Administration Workload Model – JBC Advocacy Work
 - [View CHSDA White Paper](#)
 - [View CCI + CHSDA Budget Request Letter](#)

Past Legislation for Reference

<u>HB22-1038, Right to Counsel for Youth</u>			
H-Spon	L. Daugherty & T. Van Beber	S-Spon	D. Moreno & R. Gardner
Summary	<p>Current law requires the appointment of a guardian ad litem for children or youth in dependency and neglect cases. The bill requires that client-directed counsel for youth be appointed for children or youth 12 years of age or older to provide specialized client-directed legal representation.</p> <p>The bill prohibits the waiver of a child's or youth's right to counsel in dependency and neglect proceedings. The bill also allows a child or youth to be a party in a dependency and neglect proceeding. For a child or youth 12 years of age or older with diminished capacity, a guardian ad litem shall remain in the role and separate counsel for the child or youth must be appointed.</p> <p>The bill makes conforming amendments.</p>		
Status	House Third Reading Passed - No Amendments		
Position	Monitor		
Staff	K. Burress		

<u>HB22-1056, Emergency Temporary Care for Children</u>			
H-Spon	D. Michaelson Jenet	S-Spon	
Summary	<p>The bill permits county departments of human or social services (county departments) to enter into an agreement with one or more facilities to provide emergency temporary shelter to children who are neglected and dependent, who are taken into temporary custody, or who have had contact with law enforcement and are unable to return home. "Emergency temporary shelter" is described in the bill as the temporary care of a child in a physically unrestricted setting for no more than 5 days, pending a return to the child's home or placement in an alternate setting. Receiving temporary care in emergency temporary shelter is voluntary, and a child may leave emergency temporary shelter at any time.</p>		

	<p>A county department may contract with any of the following facilities to provide emergency temporary shelter in the county: Group care facilities and homes or a foster care home, homeless youth shelter, residential child care facility, respite child care center, specialized group facility, or any other licensed or certified 24-hour nonsecure care and treatment facility away from the child's parent or guardian. A county can enter into agreements with more than one facility, and 2 or more counties may jointly enter into an agreement with a facility.</p> <p>The bill requires the general assembly to appropriate money to the state department of human services (state department) for emergency temporary shelter services. The state department allocates the money to a county after approving the county's emergency temporary shelter plan.</p>
Status	House Committee on Public & Behavioral Health & Human Services Refer Amended to Appropriations
Position	Monitor CCI secured amendments that have been adopted that focus on building out the continuum for placement options for youth who screen out of detention
Staff	K. Burress

HB22-1113, Appeal Procedures Dependency And Neglect Cases

H-Spon	C. Kipp & T. Van Beber	S-Spon	
Summary	<p>There is a child welfare appeals workgroup established in the state judicial department that made recommendations for changes in 2021. The bill requires the child welfare appeals workgroup to monitor those changes, study changes to the child welfare appeals system, and submit reports in January 2023 and July 2024.</p> <p>The bill requires the district court to make written orders within 35 days after a hearing.</p>		
Status	House Second Reading Passed - No Amendments		
Position	Support		
Staff	K. Burress		

HB22-1160, Establishing Family Justice Centers

H-Spon	K. Tipper	S-Spon	
Summary	<p>The bill authorizes a city, county, city and county, or community-based nonprofit organization to establish a multiagency, multidisciplinary family justice center to ensure victims of domestic violence, sexual assault, elder or dependent adult abuse, and human trafficking are able to access all needed services in one location.</p>		
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services		
Position	Monitor		
Staff	K. Burress		

HB22-1214, Behavioral Health Crisis Response System

H-Spon	R. Pelton & M. Young	S-Spon	C. Kolker
Summary	<p>The bill requires crisis system facilities and programs, including crisis walk-in centers and mobile crisis programs, to meet minimum standards to provide mental health and substance use disorder services. The bill clarifies that crisis system facilities and programs shall provide behavioral health services to individuals experiencing a substance use disorder crisis. Mobile crisis programs and crisis walk-in centers shall provide crisis services to any individual, including youth of any age.</p>		
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services		

Position	Support
Staff	G. Pingenot

<u>HB22-1240, Mandatory Reporters</u>			
H-Spon	M. Froelich & M. Young	S-Spon	R. Fields
Summary	<p>The bill creates the mandatory reporter task force (task force). The purpose of the task force is to analyze best practices and recommend changes to training materials and reporting procedures for people required by law to report child abuse or neglect. The task force shall analyze the effectiveness of mandatory reporting and its relationship with systemic issues, including the disproportionate impact of mandatory reporting on families of color and under-resourced communities. The task force may propose clarifications to the law to help implement its recommendations. The task force operates for 2 years. The task force shall submit a final report on its findings and recommendations on January 1, 2025, to the house of representatives public and behavioral health and human services committee and the senate health and human services committee, or their successor committees, the governor, and the department of human services.</p> <p>The bill also updates mandatory reporting requirements and procedures for people required to report child abuse or neglect (mandatory reporters). The updates include:</p> <ul style="list-style-type: none"> • Changing the time frame for reporting child abuse or neglect from "immediately" to "within 24 hours"; • Requiring reporting on unlawful sexual behavior; • Requiring employers to notify and to provide materials to their employees regarding mandatory reporter responsibilities; and • Changing the mental state of a person who violates the mandatory reporter provision from "willfully" to "knowingly". 		
Status	Introduced In House - Assigned to Judiciary		
Position	Support		
Staff	K. First		

<u>SB22-102, Transparency Out-of-home Placements Developmental Disabilities</u>			
H-Spon	M. Young	S-Spon	B. Kirkmeyer
Summary	<p>The bill requires the state department of human services (department) to promulgate additional rules relating to children and youth with intellectual and developmental disabilities (children and youth) who are in out-of-home placements. The additional rules include access to the interdisciplinary appeals review panel (review panel) for the appeals process for children and youth who have been determined to be ineligible for the program of services (program) for children and youth who have been placed out of the home. The bill allows for the addition of additional members to the review panel.</p> <p>To promote transparency and accountability, the bill requires the department to submit a report on details of the program to the health and human services committee of the senate and the public and behavioral health and human services committee of the house of representatives, or any successor committees, and details the information required on the report.</p>		
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services		
Position	Support		
Staff	K. Burress		

<u>SB22-106, Conflict of Interest in Public Behavioral Health</u>			
H-Spon	D. Michaelson Jenet & J. Rich	S-Spon	J. Sonnenberg & C. Kolker
Summary	On or before October 1, 2022, the bill requires each managed care entity, administrative service organization, and managed service organization that has 25% or more provider ownership to comply with certain conflict of interest policies in order to promote transparency and accountability.		
Status	Senate Third Reading Passed - No Amendments		
Position	Support		
Staff	G. Pingnot		

Adjourn