



Health & Human Services Steering Committee
Friday, April 8, 2022 | 9:15 AM – 10:15 AM (approx.)

Agenda as of 4/4/2022

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 (1 Bill)

<u>HB22-1295, Department of Early Childhood & Universal Preschool Program</u>			
H-Spon	A. Garnett & E. Sirota	S-Spon	J. Buckner & S. Fenberg
Summary	<p>Operations of the department of early childhood: The bill establishes the powers, functions, and responsibilities of the department of early childhood (department) and the executive director of the department (executive director) in overseeing and administering early childhood and family support programs and services (programs and services). The bill relocates most programs from the department of human services and the department of education to the department, effective July 1, 2022; the authority to operate a preschool program transfers July 1, 2023. The department may enter into memoranda of understanding and interagency agreements to allow the department of human services and the department of education to continue operating programs, as necessary, to accomplish the transfer of programs, personnel, property, records, information systems, and funding to the department over time without interruption of service. Any existing contracts, claims, and liabilities that pertain to the transferred programs and functions transfer to the department. The rules that pertain to a particular program or function that is transferred to the department remain in effect and apply to the department and to persons or entities affected by the programs and functions until the executive director repromulgates the rules. The department is authorized to accept, use, and administer federal money made available for the purpose of early childhood programs and services operated by the department.</p> <p>Department rules (pgs 9-13): The bill authorizes the executive director to promulgate rules for the department and the programs administered by the department. The executive director must convene a 15-member rules advisory council (council) to provide consultation and advice with regard to the rules of the department and the programs administered by the department. The bill establishes the membership of the council to include a variety of persons who have experience with programs and services. <i>The executive director must provide a written explanation if the executive director does not follow the advice of the council in promulgating rules.</i></p> <p>The bill requires the department to:</p> <ul style="list-style-type: none"> ● Exercise specified functions and the bill specifies principles the department must follow in exercising the functions; (pgs 20-24) ● Develop and implement a single, unified electronic application for families to use to apply for all publicly funded early childhood programs and services the department administers. The application must be functional by July 1, 2023, for purposes of the Colorado universal preschool program (preschool program). (pgs 24-26) ● Work with local coordinating organizations, state and local agencies, and program providers to collect, share, manage, use, and protect data pertaining to programs and services. The 		

department must regularly inform the public of progress made in improving the delivery of programs and services. (pgs 26-29)

- Contract with a public or private entity to independently evaluate the department's governance and performance after the first 3 years of operation and to evaluate early childhood programs that were not transferred to the department and recommend whether to transfer those programs. By November 1, 2025, the independent evaluator must submit the report to the governor, the early childhood leadership commission, and committees of the general assembly. (pgs 29-32)

- Collaborate with other state departments to prepare an annual report concerning transitioning and implementing programs and services and cross-agency collaboration. The department shall include the report in its annual hearing pursuant to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act". (pgs 32-34)

Local coordinating organization (pgs 34-53): The bill directs the department to solicit applications from local public entities and nonprofit organizations to serve as local coordinating organizations (LCOs) in communities throughout the state. The department must review the applications and, to the extent possible, select an LCO for every community in the state. If there is an area for which an LCO is not selected, the department will serve as the LCO until an organization is selected. An LCO is responsible for working with the families, program and service providers, and local governments in the community and with the department to increase access to, coordinate, and allocate funding for program and service providers in the community. The bill specifies the responsibilities of the LCO, including the requirement to adopt a community plan (plan), subject to approval by the department, to address specified issues, including:

- Assisting families in applying for programs and services;
- Recruiting and ensuring a mixed delivery system of public and private preschool program providers;
- Allocating funding among providers, based on parent choice, to maximize funding to meet community needs for programs and services;
- Supporting increased recruitment and retention of individuals in the early care and education workforce;
- Securing additional local resources and funding for programs and services; and
- Providing transparency concerning the amount of money available for and used to support programs and services.

The LCO must submit the proposed plan to the department, and the department may require revisions before approving the plan.

The department shall enter into a coordinator agreement with each LCO that specifies the duties of the LCO in implementing the plan; other responsibilities the LCO must meet, including responsibilities concerning the preschool program; performance expectations that the LCO is to meet; and the duties of the department to support and assist the LCO. The term of the initial coordinator agreement is 3 years and subsequent agreements must have 3- to 5-year terms. At the conclusion of a coordinator agreement, the department must solicit and review LCO applications for the community and may select the same or a new organization to serve as the LCO. The bill specifies the department's duties concerning LCOs, including annually reviewing each LCO's performance.

Transfer of department of human services programs: Effective July 1, 2022, the bill transfers the authority for the following programs and functions from the department of human services to the department. The programs are relocated within the bill without substantive change, except as noted:

- Early childhood councils (pgs 54-64);
- Family resource centers (pgs 65-73);
- The child abuse prevention trust fund (pgs 73-82);
- The child care services and substance use disorder treatment pilot program (pgs 82-84);

- Early intervention services for infants and toddlers (pgs 84-109);
- The Colorado nurse home visitor program (pgs 110-123);
- Social-emotional learning programs grant program (pgs 124-130). The bill codifies the social-emotional learning programs grant program, currently operated by the department of human services as the incredible years program, to provide grants to operate programs for teachers and parents and directly for young children. The department shall administer the grant program in collaboration with an implementation partner that the department selects. The bill specifies the duties of the implementation partner, the grant application requirements, and the program and curriculum requirements a grantee must meet.
 - The early childhood mental health consultation program (pgs 130-138);
 - Emergency relief grant programs (pgs 138-160);
 - **Family-strengthening home visiting programs (pgs 160-164). Under current law, the department of human services operates family-strengthening home visiting programs under its broad authority for child welfare services. The bill creates specific authority for the department to operate these programs, specifying minimum requirements that the programs must meet to receive grant funding and requirements for the department to select and work with implementation partners.**
 - **The Colorado child care assistance program (CCCAP) (pgs 164-188). The bill requires the department, after consulting with county departments of human and social services and child care providers and by July 1, 2025, to develop a calculation for provider rates that more accurately reflects the cost of child care, while still complying with federal law and procedures. The bill authorizes the executive director to adjust the percentage of the federal poverty rate used to determine eligibility for child care assistance in order to align eligibility across early care and education programs to the extent allowed by federal law. Effective July 1, 2023, a county shall not require a person who applies for child care assistance to participate in child support establishment, modification, or enforcement services. Beginning July 1, 2023, a county may give priority for services to a working family over a family enrolled in postsecondary education or workforce training only if the county does not have sufficient funding and has approval for the prioritization from the department. Each county shall pay providers for care in alignment with common private-market practices, and the department rules for payment policies must not be based on daily reimbursement rates and must incentivize providers to promote regular program attendance. The bill requires the executive director to adopt rules pertaining to children who are enrolled in both CCCAP and the preschool program to ensure funds may be blended or braided at the state and local levels and eligibility and authorization for services are aligned, to the extent practicable. Each county must enter into an annual performance contract with the department with regard to implementing CCCAP.**
 - Quality improvement initiatives for early childhood care and education programs (pgs 235-243);
 - Colorado infant and toddler quality and availability grant program (pgs 243-247);
 - Child care licensing (pgs 247-340). The bill transfers from the department of human services to the department the authority for licensing child care centers, family child care homes, and other facilities generally providing less than 24-hour care for children. The licensing authority is transferred without substantive change except for the creation of a public preschool provider license that is focused on ensuring the health and safety of children in public preschool classrooms. The authority for licensing residential and day treatment facilities and child placement agencies remains in the department of human services.
 - Early childhood workforce development (pgs 340-345). The bill requires the department to create a plan for recruiting, training, and retaining a well-compensated, well-prepared, high-quality early childhood workforce and specifies the issues to be addressed. The department must make the plan publicly available on the department's website and submit a copy to the early childhood

leadership commission, the governor's office, and committees of the general assembly. The department must collaborate with other state departments to periodically review and assess the implementation of recruitment, preparation, professional development, and retention initiatives for the early childhood workforce.

Transfer of department of education programs: Effective July 1, 2022, the bill transfers responsibilities concerning early childhood workforce development, including the professional development information system, from the department of education to the department. Effective July 1, 2023, the bill moves the authority to operate a statewide preschool program from the department of education to the department.

Colorado universal preschool program (pgs 189-231): The bill creates the Colorado universal preschool program to provide 10 hours per week of preschool services for children in the year preceding eligibility for kindergarten ~~including children with disabilities~~ (universal preschool services); preschool services for all 3- and 4-year-old children with disabilities ~~and in accordance with their individualized education programs;~~ preschool services for a limited number of ~~other~~ 3-year-old children who are in low-income families or meet qualifying factors; preschool services for children younger than 3 years of age in limited circumstances; and additional hours of preschool services in the year preceding eligibility for kindergarten (additional preschool services) for children who are in low-income families or meet qualifying factors.

The department shall administer the preschool program, which will begin enrolling students for the 2023-24 school year. The department shall work with the LCOs to make available throughout the state a mixed delivery system of public and private preschool providers to accommodate parent choice. The executive director shall, by rule, establish quality standards, as described in the bill, that preschool providers must meet. The department shall collaborate with the department of education through an interagency agreement to ensure all 3- and 4-year-old children with disabilities are served in accordance with federal and state requirements for children with disabilities.

The department shall implement a process of continuous evaluation and improvement for preschool providers and contract with an independent evaluator to measure the preschool program's success in improving the overall learning and school readiness of children who are served in the preschool program. The department shall publicly communicate the evaluation results and consider the results in reviewing the preschool quality standards; recruiting, training, and retaining a high-quality early childhood workforce; and establishing goals for the preschool program.

The department shall annually establish per-child rates for universal preschool services; *preschool services for 3- and 4-year-old children with disabilities*; preschool services for children 3 years of age and, in limited circumstances, younger; and additional preschool services. The department shall by rule establish the formulas for determining the per-child rates, taking into account the cost of providing preschool services, *special education maintenance of effort funding requirements*, and variations in the cost resulting from regional differences and circumstances and from characteristics of children who enroll in the preschool program. In addition to distributing preschool program funding based on the per-child rates, the department may distribute funding to preschool providers to achieve specified purposes. The department shall distribute the funding to preschool providers throughout the fiscal year based on preschool enrollment, and each preschool provider shall use the funding only to pay the costs of providing preschool services.

In allocating the preschool funding, the department must prioritize funding for universal preschool services; ~~including services for children with disabilities~~; preschool services for 3- and 4-year-old children with disabilities; and preschool services for other 3-year-old, and in limited circumstances younger, children up to a specified amount. The department may then allocate funding for additional preschool services, first for children who are in low-income families and meet qualifying factors, and for specified purposes.

~~Each preschool provider that is a school district or charter school shall provide preschool and special education local contribution amounts that are based on the school district's local share of~~

	<p>50% of its per pupil revenues and the number of children enrolled by the school district or charter school in preschool for the 2022-23 fiscal year and the number of 3-year-old children with disabilities that the school district or charter school annually enrolls in preschool. The department shall decrease the amount of preschool funding distributed to each school district and charter school based on the amount of the school district's or charter school's local contributions.</p> <p>Funding for the preschool program is paid from money <i>credited and</i> appropriated to the preschool programs cash fund (fund), which consists of a portion of the taxes collected on sales of cigarettes and other tobacco and nicotine products and other amounts that the general assembly transfers or appropriates to the fund. For the 2023-24 fiscal year and each fiscal year thereafter, the general assembly is required to transfer to the fund an amount equal to <i>the difference in</i> the state share of total program attributable to preschool enrollment for <i>calculated for</i> the 2022-23 fiscal year <i>with and without preschool students</i>, increased annually <i>thereafter</i> by the rate of inflation. plus an amount necessary to ensure that all 3-year-old children with disabilities who are enrolled in the preschool program are funded at the per child rate for the applicable fiscal year.</p> <p>Beginning in January of 2024, the department shall include in its annual "SMART Act" report specified information concerning implementation of the preschool program and post the information on the department's website.</p> <p><i>Online kindergarten readiness pilot program (pgs 231-235).</i> <i>The bill creates the new online kindergarten readiness pilot program (pilot program) to provide parents access to a voluntary, online kindergarten readiness program to serve children in the year before eligibility for kindergarten. The department must conduct a statewide survey and issue a request for information to identify a provider for the pilot program. Subject to the availability of appropriations for the 2023-24 fiscal year, the department may contract with a provider to operate the pilot program and must report on the implementation of the pilot program. The pilot program is repealed, effective July 1, 2029.</i></p> <p>Conforming amendments (pgs 346-502): The bill makes substantive and technical conforming amendments to address the relocation of programs and functions to the department, including re-creating the provisions for licensing residential and day treatment facilities and child care placement agencies by the department of human services.</p> <p><i>Appropriation (pgs 502-522).</i> <i>The bill appropriates money to the department for operations, including operations of programs and functions that are transferred from the department of human services. The bill makes conforming amendments to appropriations made in the 2022-23 annual general appropriations bill, including reducing to zero the appropriations made to the department of human services for the programs that are transferred to the department.</i></p> <p><i>(Note: Italicized words indicate new material added to the original summary; dashes through words indicate deletions from the original summary.)</i></p>
Status	Senate Committee on Education Refer Amended to Appropriations
Position	Pending
Staff	G. Pingnot

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	Awaiting Governor's Signature		
Position	Monitor		
Staff	K. Burress		

<u>HB22-1042, Teen Parent Driving Instruction Course</u>			
H-Spon	K. Van Winkle & T. Exum Sr.	S-Spon	J. Buckner & D. Hisey
Summary	<p>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.</p>		
Status	House Committee on Transportation & Local Government Refer Amended to Appropriations		
Position	<p>Monitor</p> <p>(CCI secured amendments so that local public health reimburses counties for costs paid for driving school OR so driving courses/schools receive voucher directly.)</p>		
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>		

	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.
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	Governor Signed		
Position	Support		
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 Refer Amended to Appropriations
Position	Oppose
Staff	K. Burress

<u>HB22-1160, Establishing Family Justice Centers</u>			
H-Spon	K. Tipper	S-Spon	
Summary	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.		
Status	Postponed Indefinitely		
Position	Monitor		
Staff	K. Burress		

<u>HB22-1214, Behavioral Health Crisis Response System</u>			
H-Spon	R. Pelton & M. Young	S-Spon	C. Kolker
Summary	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.		
Status	Senate Second Reading Passed with Amendments - Floor		
Position	Support		
Staff	G. Pingnot		

<u>HB22-1224, Public Benefits Theft</u>			
H-Spon	K. Tipper & M. Soper	S-Spon	J. Gonzales
Summary	The bill creates specific elements for public benefits theft in state 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 for which the person is not eligible. A person's conduct that is limited to the elements of public benefits theft is not subject to prosecution pursuant to any other provision of theft statute.		
Status	Senate Committee on Judiciary Refer Unamended - Consent Calendar to Senate Committee of the Whole		
Position	Monitor CCI secured 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.		
Staff	K. Burress		

<u>HB22-1231, Foster Parent Bill of Rights</u>			
H-Spon	T. Van Beber	S-Spon	D. Coram
Summary	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.		
Status	Senate Second Reading Special Order - Passed with Amendments - Committee		
Position	Support CCI secured technical amendments that clarify some language in the bill such as the definition of contact.		
Staff	K. Burress		

<u>HB22-1240, Mandatory Reporters</u>			
H-Spon	M. Froelich & M. Young	S-Spon	R. Fields
Summary	As amended, 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.		
Status	House Committee on Judiciary Refer Amended to Appropriations		
Position	Support		
Staff	K. First		

<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 		

	<p>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.</p> <ul style="list-style-type: none"> • 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	House Committee on Judiciary Refer Amended to Appropriations
Position	Oppose
Staff	K. Burress

HB22-1259, Modifications to Colorado Works Program

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> <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</p>		

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.

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>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

<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> <p>The bill makes extensive conforming amendments.</p> <p>View CCI's document on key deliverables outlined in the bill.</p>		
Status	House Committee on Public & Behavioral Health & Human Services Refer Amended to Appropriations		
Position	Amend		
	CCI is seeking a series of amendments that will add efficiency and accountability to the mission of the BHA, require the BHA to identify regional mechanisms to elevate grievance concerns to the state, continue to add counties as an entity for which the BHA must specifically engage, clarify that the accountability of RAEs will be overseen by the BHA, etc.		
Staff	G. Pingnot		

<u>HB22-1281, Behavioral Health-care Continuum Gap Grant Program</u>			
H-Spon	S. Gonzales-Gutierrez	S-Spon	B. Rankin & F. Winter

Summary	<p>The bill establishes the community behavioral health-care continuum gap grant program (grant program) in the behavioral health administration (BHA). The BHA administers the grant program. As part of the grant program, the BHA may award community investment grants to support services along the continuum of behavioral health care and children, youth, and family services grants to expand youth-oriented and family-oriented behavioral health-care services. A community-based organization, local government, or nonprofit organization is eligible for a grant award.</p> <p>The BHA must develop a behavioral health-care services assessment tool that grant applicants can use to identify regional gaps in services on the behavioral health-care service continuum. In awarding grants, the BHA shall give preference to applicants providing a service that addresses a gap in services identified with the assessment tool.</p> <p>In order to receive a grant, an applicant must submit an application and identify a source of contributing funds or nonfinancial contributing resources, such as in-kind contributions, that directly support the behavioral health-care services provided with the grant award.</p> <p>Each grant recipient must report to the BHA information about the use of the grant award. The state department of human services must include information about the grant program in its annual State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act hearing.</p> <p>The bill appropriates \$90 million from the behavioral and mental health cash fund to the state department for the grant program.</p>
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services
Position	<p>Amend</p> <p>CCI is seeking amendments that 1.) require non-county applicants to collaborate and secure a letter of support with the county/counties they intend to provide services in and 2.) allow applicants to demonstrate need through any existing state and local BH assessment data and gap analyses (rather than require a new tool to be complete in order to secure 'preference' for a grant).</p>

<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	Governor Signed		
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 January 1, 2023, the bill requires each managed care entity, administrative service organization, and managed service organization that has 25% or more ownership by providers of behavioral health services to comply with certain conflict of interest policies in order to promote transparency and accountability.		
Status	Introduced In House - Assigned to Public & Behavioral Health & Human Services		
Position	Support		
Staff	G. Pingenot		

Adjourn