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Seventy-third General Assembly
STATE OF COLORADO

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LLS NO. 21-0831.01 Conrad Imel x2313

COMMITTEE BILL

Joint Budget Committee

BILL TOPIC: "Child Welfare Services Allocation Formula"

A BILL FOR AN ACT

101 **CONCERNING A FUNDING MODEL USED TO DETERMINE CHILD WELFARE**
102 **SERVICES ALLOCATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Joint Budget Committee. The bill requires the state department of human services (state department), beginning in state fiscal year 2023-24, to use the child welfare allocations funding model (funding model) to determine the capped and targeted allocations for child welfare services and the funding required for adoption and relative guardianship subsidies, the independent living program, additional county child welfare

*Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

staff, and family and children's programs.

The bill requires the state department to retain up to 4% of the money appropriated for child welfare services for the purpose of mitigating the effects of extraordinary events, including natural disasters or public health emergencies, that impact county expenditures related to the delivery of child welfare services. The state department allocates the retained money in accordance with rules established by the state department after consultation with the child welfare allocations committee.

The funding model determines the appropriate level of funding required to fully meet all state and federal requirements concerning the comprehensive delivery of child welfare services. The bill clarifies what must be included in the funding model and requires the state department and the child welfare allocations committee to annually submit a report on the funding model to the joint budget committee.

Existing law requires the state department to enter into an agreement with an outside entity every 3 years to develop the funding model. The bill establishes requirements for evaluation and modification of the funding model. To maintain the integrity of the data used in the funding model, the child welfare allocations committee must annually examine county practices regarding data collection and financial management. The child welfare allocations committee is required to establish an evaluation group to annually evaluate the funding model, and an outside entity modifies the model based on recommendations from the child welfare allocations committee.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 26-5-104, **amend**
3 (3)(a), (3)(a.6), (4)(c), and (8)(a); and **add** (3)(a.2), (4)(b)(III), and
4 (6.6)(c) as follows:

5 **26-5-104. Funding of child welfare services provider contracts**
6 **- funding mechanism review - fund - report - rules - definitions -**
7 **repeal.** (3) **Allocation formula.** (a) (I) For state fiscal year ~~2018-19~~, and
8 ~~for each state fiscal year thereafter~~ 2018-19 THROUGH STATE FISCAL YEAR
9 2022-23, the state department, after input from the child welfare
10 allocations committee, shall develop formulas for capped and targeted
11 allocations, including the child welfare services allocation, the allocation

1 for additional county child welfare staff, and the allocation for family and
2 children's programs. Allocation formulas developed pursuant to this
3 subsection (3)(a) must include, ~~effective~~ for EACH state fiscal year
4 2018-19 ~~and each state fiscal year thereafter~~ THROUGH 2022-23, the
5 estimated caseload for the delivery of those specific child welfare services
6 to be funded by the money in the capped or targeted allocations. The
7 formulas must also include a performance-aligned component that
8 supports the implementation of promising, supported, or well-supported
9 practices, as defined in the federal "Family First Prevention Services Act
10 of 2018", as defined in section 26-5-101 (4.5); be outcome-driven; and be
11 aligned with ~~desired~~ state-department-defined or federally required
12 outcomes and goals. The allocation to each county from any given
13 formula must be equitable and reflective of the cost of delivering
14 services. If a county receives more than one capped or targeted allocation
15 for the delivery of child welfare services, the formula must identify the
16 specific caseload estimate attributable to each capped or targeted
17 allocation.

18 (II) THIS SUBSECTION (3)(a) IS REPEALED, EFFECTIVE JULY 1, 2023.

19 (a.2) (I) FOR STATE FISCAL YEAR 2023-24, AND FOR EACH STATE
20 FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT SHALL USE THE
21 FUNDING MODEL DESCRIBED IN SECTION 26-5-103.5 (7) TO DETERMINE THE
22 FUNDING REQUIRED FOR ADOPTION AND RELATIVE GUARDIANSHIP
23 SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM, AND TO DETERMINE
24 THE CAPPED AND TARGETED ALLOCATIONS FOR CHILD WELFARE SERVICES,
25 ADDITIONAL COUNTY CHILD WELFARE STAFF, AND FAMILY AND CHILDREN'S
26 PROGRAMS.

27 (II) THE STATE DEPARTMENT SHALL MAKE THE CAPPED AND

1 TARGETED ALLOCATIONS DESCRIBED IN SUBSECTION (3)(a.2)(I) OF THIS
2 SECTION BASED ON THE TOTAL AMOUNT IDENTIFIED IN THE FUNDING
3 MODEL AS THE APPROPRIATE LEVEL OF FUNDING REQUIRED FOR EACH
4 COUNTY TO FULLY MEET ALL STATE AND FEDERAL REQUIREMENTS
5 CONCERNING THE COMPREHENSIVE DELIVERY OF CHILD WELFARE
6 SERVICES, AS DEFINED IN SECTION 26-5-101 (3), AND PREVENTION
7 PROGRAMS, AS DEFINED IN SECTION 19-1-103, LESS THE AMOUNT
8 APPROPRIATED BY THE GENERAL ASSEMBLY IN THE ANNUAL LONG
9 APPROPRIATIONS BILL FOR ADOPTION AND RELATIVE GUARDIANSHIP
10 SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM.

11 (III) PRIOR TO MAKING THE CAPPED AND TARGETED ALLOCATIONS
12 DESCRIBED IN SUBSECTION (3)(a.2)(I) OF THIS SECTION, THE STATE
13 DEPARTMENT SHALL RETAIN UP TO FOUR PERCENT OF THE MONEY
14 APPROPRIATED TO THE STATE DEPARTMENT FOR CHILD WELFARE SERVICES,
15 REFERRED TO IN THIS SECTION AS THE "CHILD WELFARE SERVICES
16 EMERGENCY MITIGATION POOL", FOR THE PURPOSE OF MITIGATING THE
17 EFFECTS OF EXTRAORDINARY EVENTS, INCLUDING BUT NOT LIMITED TO
18 NATURAL DISASTERS OR PUBLIC HEALTH EMERGENCIES, THAT IMPACT
19 COUNTY EXPENDITURES RELATED TO THE DELIVERY OF CHILD WELFARE
20 SERVICES. THE RETAINED MONEY IS AVAILABLE TO ANY COUNTY, SUBJECT
21 TO THE RULES PROMULGATED BY THE STATE DEPARTMENT PURSUANT TO
22 SUBSECTION (4)(c) OF THIS SECTION. AT THE END OF EACH FISCAL YEAR,
23 THE STATE DEPARTMENT SHALL, IN THE MANNER DESCRIBED IN
24 SUBSECTION (7)(a.6) OF THIS SECTION, TRANSFER ANY UNUSED MONEY IN
25 THE CHILD WELFARE SERVICES EMERGENCY MITIGATION POOL TO THE
26 CHILD WELFARE PREVENTION AND INTERVENTION SERVICES CASH FUND
27 AND CREDIT THE MONEY TO THE ALL-COUNTIES ACCOUNT WITHIN THE

1 FUND.

2 (IV) IF THE APPROPRIATION MADE FOR A FISCAL YEAR IS NOT
3 EQUAL TO THE AMOUNT NECESSARY TO FULLY FUND THE ALLOCATIONS
4 REQUIRED BY THE FUNDING MODEL, THE STATE DEPARTMENT SHALL
5 ADJUST THE ALLOCATION TO EACH COUNTY BY THE SAME PERCENTAGE
6 DIFFERENCE BETWEEN THE APPROPRIATION AND THE AMOUNT REQUIRED
7 TO FULLY FUND THE FUNDING MODEL.

8 (a.6) On or before March 1 of any state fiscal year, the child
9 welfare allocations committee shall submit written recommendations to
10 the state department to inform the capped and targeted allocations. ~~The~~
11 ~~child welfare allocations committee is encouraged to include~~
12 ~~documentation on how the recommendations support the achievement of~~
13 ~~expectations described in subsection (3)(a) of this section.~~

14 (4) **Allocations.** (b) (III) IN ACCORDANCE WITH THE RULES
15 PROMULGATED PURSUANT TO SUBSECTION (4)(c)(II) OF THIS SECTION, THE
16 STATE DEPARTMENT SHALL ALLOCATE MONEY FROM THE CHILD WELFARE
17 SERVICES EMERGENCY MITIGATION POOL TO A COUNTY TO MITIGATE THE
18 EFFECTS OF EXTRAORDINARY EVENTS THAT IMPACT COUNTY
19 EXPENDITURES.

20 (c) (I) The state department, in consultation with the child welfare
21 allocations committee, shall adopt rules for when a county may exceed its
22 capped or targeted allocation or allocations.

23 (II) THE STATE DEPARTMENT, IN CONSULTATION WITH THE CHILD
24 WELFARE ALLOCATIONS COMMITTEE, SHALL ADOPT RULES FOR WHEN A
25 COUNTY MAY EXCEED ITS CAPPED OR TARGETED ALLOCATION AND IS
26 ELIGIBLE TO RECEIVE AN ADDITIONAL ALLOCATION FROM THE CHILD
27 WELFARE SERVICES EMERGENCY MITIGATION POOL TO MITIGATE THE

1 FINANCIAL EFFECTS OF AN EXTRAORDINARY EVENT.

2 (6.6) (c) ON OR BEFORE JULY 1, 2022, THE STATE DEPARTMENT
3 SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE AN UPDATE OF THE
4 REPORT REQUIRED PURSUANT TO SECTION (6.6)(b) OF THIS SECTION THAT
5 INCLUDES UPDATED INFORMATION ABOUT EACH OF THE SUBJECTS
6 ADDRESSED IN THE INITIAL REPORT.

7 (8) **County-level child welfare staff.** (a) For the state fiscal year
8 2015-16, and for each state fiscal year thereafter, each county may receive
9 a capped allocation in addition to its portion of the child welfare block
10 grant for the specific purpose of hiring new child welfare staff at the
11 county level in addition to child welfare staff existing as of January 1,
12 2015. A county that utilizes said additional allocation shall continue to
13 pay for child welfare staff positions existing as of January 1, 2015,
14 through the child welfare block grant. ~~The child welfare allocations~~
15 ~~committee shall determine the allocation formula pursuant to subsection~~
16 ~~(3) of this section.~~

17 **SECTION 2.** In Colorado Revised Statutes, 26-5-103.5, **amend**
18 (1), (2)(a), (2)(c) introductory portion, (2)(c)(III), (3), (4), and (7); and
19 **add** (4.5) as follows:

20 **26-5-103.5. Child welfare allocations committee - organization**
21 **- duties - funding model - allocations model - definition.** (1) The state
22 department shall convene a child welfare allocations committee ~~referred~~
23 ~~to in this section as the "committee"~~, as necessary in order to PERFORM
24 THE DUTIES DESCRIBED IN THIS SECTION AND make advisory
25 recommendations as described in this article 5.

26 (2) (a) The CHILD WELFARE ALLOCATIONS committee consists of
27 thirteen members, ten of whom must be appointed by county

1 commissioners and three of whom must be appointed by the state
2 department, and the CHILD WELFARE ALLOCATIONS committee consists of
3 two nonvoting members who must be appointed by the state department.

4 (c) Of the members appointed by county commissioners, only one
5 representative per county may serve on the CHILD WELFARE ALLOCATIONS
6 committee at the same time, and:

7 (III) Two members must be representatives from the two counties
8 in the state with the greatest percentage of the state's child welfare
9 caseload. County commissioners in the two counties with the greatest
10 percentage of the state's child welfare caseload shall each appoint one
11 member from their counties to serve on the CHILD WELFARE ALLOCATIONS
12 committee.

13 (3) The CHILD WELFARE ALLOCATIONS committee shall develop its
14 own operating procedures.

15 (4) No later than January 15, 1999, the state department, with
16 input from the CHILD WELFARE ALLOCATIONS committee, shall make
17 recommendations to the joint budget committee of the general assembly
18 for a definition of what constitutes administration and support functions
19 as referred to in section 26-5-101 (3)(m) and a method for identifying
20 costs for such functions.

21 (4.5) (a) ON OR BEFORE AUGUST 1, 2022, AND ON OR BEFORE
22 AUGUST 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
23 COMMITTEE SHALL IDENTIFY COMPONENTS OF THE FUNDING MODEL THAT
24 SHOULD BE EVALUATED BY THE FUNDING MODEL EVALUATION GROUP
25 PURSUANT TO SUBSECTION (7)(d) OF THIS SECTION.

26 (b) IN ORDER TO ENSURE THE INTEGRITY OF THE FUNDING MODEL
27 DESCRIBED IN SUBSECTION (7) OF THIS SECTION, ON OR BEFORE

1 SEPTEMBER 1, 2022, AND ON OR BEFORE SEPTEMBER 1 OF EACH YEAR
2 THEREAFTER, THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL:

3 (I) ESTABLISH EXPECTATIONS FOR GATHERING AND USING DATA IN
4 THE FUNDING MODEL TO ENSURE CONSISTENCY WITHIN THE FUNDING
5 MODEL;

6 (II) IDENTIFY COUNTY TRAINING AND CAPACITY NEEDS TO ENSURE
7 INTEGRITY OF THE DATA COLLECTED AND USED IN THE COLORADO
8 TRAILS CASE MANAGEMENT SYSTEM AND COUNTY FINANCIAL
9 MANAGEMENT SYSTEMS; AND

10 (III) DEVELOP STRATEGIES AND RECOMMEND CHANGES TO DATA
11 SYSTEMS THAT SUPPORT THE FUNDING MODEL AND TO FINANCIAL POLICIES
12 AND PRACTICES TO ENSURE THAT APPROPRIATE, CONSISTENT, AND
13 ACCURATE DATA CAN BE USED TO INFORM THE FUNDING MODEL.

14 (c) THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL ALSO
15 PERFORM ANY DUTIES REQUIRED IN SUBSECTION (7) OF THIS SECTION
16 RELATED TO THE FUNDING MODEL.

17 (7) (a) Beginning with state fiscal year 2018-19, and every three
18 years thereafter, the state department shall contract with an outside entity
19 to develop a funding model, REFERRED TO IN THIS SUBSECTION (7) AS THE
20 "FUNDING MODEL", that must be used to inform the ~~committee, the general~~
21 ~~assembly~~ JOINT BUDGET COMMITTEE, the governor, and the state
22 department of the appropriate level of funding required to fully meet all
23 state and federal requirements concerning the comprehensive delivery of
24 child welfare services, as defined in section 26-5-101 (3). ~~The funding~~
25 ~~model must take into consideration workload; demographic data,~~
26 ~~including poverty statistics; and state and local economic drivers that may~~
27 ~~influence the delivery of services. The funding model developed pursuant~~

1 ~~to this subsection (7) must be informed by the recommendations of the~~
2 ~~delivery of child welfare services task force as set forth in section~~
3 ~~26-5-105.8 and must be used to inform the decision-making process of~~
4 ~~the committee.~~ BEGINNING WITH STATE FISCAL YEAR 2022-23, THE
5 OUTSIDE ENTITY MAY DEVELOP A FUNDING MODEL BY EVALUATING AND
6 MODIFYING THE EXISTING FUNDING MODEL.

7 (a.5) BEGINNING WITH THE FUNDING MODEL EFFECTIVE FOR STATE
8 FISCAL YEAR 2023-24, THE FUNDING MODEL MUST:

9 (I) INCLUDE FACTORS ADDRESSING COUNTY WORKLOAD;
10 DEMOGRAPHIC DATA, INCLUDING POVERTY STATISTICS; AND STATE AND
11 LOCAL ECONOMIC DRIVERS THAT MAY INFLUENCE THE COST OF
12 DELIVERING CHILD WELFARE SERVICES AND PREVENTION PROGRAMS, AS
13 DEFINED IN SECTION 19-1-103, WITH AN EMPHASIS ON BUILDING CAPACITY
14 TO PROVIDE SERVICES BASED ON THE NEEDS OF THE CHILD AND FAMILY;

15 (II) INCLUDE THE ESTIMATED CASELOAD FOR THE DELIVERY OF
16 SPECIFIC CHILD WELFARE SERVICES IN EACH COUNTY, TO BE FUNDED BY
17 THE MONEY ALLOCATED TO COUNTIES PURSUANT TO SECTION 26-5-104;

18 (III) INCLUDE A PERFORMANCE-ALIGNED COMPONENT THAT
19 SUPPORTS THE IMPLEMENTATION OF PROMISING, SUPPORTED, OR
20 WELL-SUPPORTED PRACTICES, AS DEFINED IN THE FEDERAL "FAMILY FIRST
21 PREVENTION SERVICES ACT OF 2018";

22 (IV) BE OUTCOME-DRIVEN, CONSISTENT WITH THE
23 RECOMMENDATIONS OF THE CHILD WELFARE SERVICES TASK FORCE MADE
24 PURSUANT TO SECTION 26-5-105.8(4.5) PRIOR TO ITS REPEAL IN 2023; AND

25 (V) INCLUDE INCENTIVES FOR THE DELIVERY OF SERVICES THAT
26 RESULT IN IMPROVED OUTCOMES FOR CHILDREN AND FAMILIES, BASED ON
27 THE RECOMMENDATIONS OF THE CHILD WELFARE SERVICES TASK FORCE

1 MADE PURSUANT TO SECTION 26-5-105.8 (4.5) PRIOR TO ITS REPEAL IN
2 2023.

3 ~~(b) (I) On or before November 1, 2019, and each November 1~~
4 ~~thereafter, the state department, in collaboration with the committee, shall~~
5 ~~submit an annual report to the joint budget committee, or any successor~~
6 ~~committee. The report must include the results of regular evaluations of~~
7 ~~the funding model, developed pursuant to subsection (7)(a) of this~~
8 ~~section, the allocation formulas developed pursuant to section 26-5-104~~
9 ~~(3), and outcomes and performance measures related to the delivery of~~
10 ~~child welfare services, pursuant to section 26-5-105.8.~~

11 ~~(II) Notwithstanding section 24-1-136 (11)(a)(I), the reporting~~
12 ~~requirement in subsection (7)(b)(I) of this section continues indefinitely.~~

13 (c) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
14 BEFORE SEPTEMBER 1, 2022, AND ON OR BEFORE SEPTEMBER 1 OF EACH
15 YEAR THEREAFTER, THE STATE DEPARTMENT AND THE CHILD WELFARE
16 ALLOCATIONS COMMITTEE SHALL SUBMIT A REPORT REGARDING THE
17 FUNDING MODEL TO THE JOINT BUDGET COMMITTEE. THE REPORT MUST
18 INCLUDE THE FOLLOWING INFORMATION CONCERNING THE PREVIOUS
19 FISCAL YEAR:

20 (I) THE RESULTS OF THE FUNDING MODEL, INCLUDING THE COST
21 PER COUNTY NECESSARY TO MEET ALL STATE AND FEDERAL
22 REQUIREMENTS FOR THE COMPREHENSIVE DELIVERY OF CHILD WELFARE
23 SERVICES;

24 (II) THE DIFFERENCE BETWEEN THE EACH COUNTY'S ACTUAL
25 ALLOCATION AND THE ALLOCATION AMOUNT IDENTIFIED BY THE FUNDING
26 MODEL;

27 (III) THE AMOUNT RETAINED BY THE STATE DEPARTMENT FOR THE

1 CHILD WELFARE SERVICES EMERGENCY MITIGATION POOL DESCRIBED IN
2 SECTION 26-5-104 (3)(a.2)(III) AND A DESCRIPTION OF INCIDENTS
3 REQUIRING ADDITIONAL ALLOCATIONS TO INDIVIDUAL COUNTIES FROM
4 THE CHILD WELFARE SERVICES EMERGENCY MITIGATION POOL;

5 (IV) THE FINAL CLOSE-OUT PURSUANT TO SECTION 26-5-104 (7)
6 FOR THE PREVIOUS FISCAL YEAR;

7 (V) ANY MODIFICATIONS MADE TO THE MODEL TO IMPROVE THE
8 ACCURACY OF THE DATA; AND

9 (VI) A DESCRIPTION OF THE INCENTIVES INCLUDED IN THE
10 FUNDING MODEL AND THE AMOUNT OF INCENTIVES PROVIDED TO EACH
11 COUNTY.

12 (d) (I) (A) ON OR BEFORE JULY 1, 2022, AND ON OR BEFORE JULY
13 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
14 COMMITTEE SHALL ESTABLISH AND APPOINT MEMBERS TO A FUNDING
15 MODEL EVALUATION GROUP, REFERRED TO IN THIS SUBSECTION (7) AS THE
16 "EVALUATION GROUP", TO EVALUATE THE FUNDING MODEL.

17 (B) THE EVALUATION GROUP HAS SEVEN MEMBERS WHO ARE
18 EXPERTS IN CHILD WELFARE FUNDING AND POLICY. AT LEAST ONE MEMBER
19 MUST BE A REPRESENTATIVE OF THE STATE DEPARTMENT WITH CHILD
20 WELFARE FUNDING EXPERTISE, ONE MEMBER MUST BE A COUNTY
21 FINANCIAL OFFICER FROM A COUNTY DESCRIBED IN SECTION 26-5-104
22 (4)(b)(I), AND ONE MEMBER MUST BE A COUNTY FINANCIAL OFFICER FROM
23 A COUNTY DESCRIBED IN SECTION 26-5-104 (4)(b)(II).

24 (C) THE MEMBERS OF THE EVALUATION GROUP SERVE WITHOUT
25 COMPENSATION BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY
26 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

27 (II) THE EVALUATION GROUP SHALL EVALUATE THE FUNDING

1 MODEL TO ENSURE THAT IT IS CONSISTENT WITH CHANGES TO STATE AND
2 FEDERAL LAW, INCLUDES OUTCOME-BASED INCENTIVES AND CHILD AND
3 FAMILY WELL-BEING OUTCOMES AS FACTORS IN THE MODEL, INCLUDES AN
4 ONGOING WORKLOAD ANALYSIS, AND SATISFIES THE CRITERIA DESCRIBED
5 IN SUBSECTION (7)(a.5) OF THIS SECTION. THE EVALUATION GROUP SHALL
6 EVALUATE ANY COMPONENTS OF THE FUNDING MODEL IDENTIFIED FOR
7 EVALUATION BY THE CHILD WELFARE ALLOCATIONS COMMITTEE
8 PURSUANT TO SUBSECTION (4.5) OF THIS SECTION.

9 (III) ON OR BEFORE OCTOBER 1, 2022, AND ON OR BEFORE
10 OCTOBER 1 OF EACH YEAR THEREAFTER, THE EVALUATION GROUP MUST
11 COMPLETE ITS ANNUAL EVALUATION OF THE FUNDING MODEL AND
12 DELIVER ITS FINDINGS AND RECOMMENDATIONS TO THE CHILD WELFARE
13 ALLOCATIONS COMMITTEE.

14 (e) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
15 BEFORE DECEMBER 31, 2022, AND ON OR BEFORE DECEMBER 31 OF EACH
16 YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL
17 INFORM THE STATE DEPARTMENT, THE OUTSIDE ENTITY DESCRIBED IN
18 SUBSECTION (7)(a) OR (7)(f) OF THIS SECTION, AND THE JOINT BUDGET
19 COMMITTEE OF THE RECOMMENDATIONS MADE BY THE EVALUATION
20 GROUP; THE RECOMMENDATIONS MADE, AND STRATEGIES DEVELOPED, BY
21 THE CHILD WELFARE ALLOCATIONS COMMITTEE TO ADDRESS ISSUES
22 RELATED TO THE DELIVERY OF CHILD WELFARE SERVICES; AND ANY OTHER
23 ISSUES RELATED TO FUNDING CHILD WELFARE SERVICES IDENTIFIED BY THE
24 CHILD WELFARE ALLOCATIONS COMMITTEE.

25 (f) (I) IN EACH YEAR THAT THE STATE DEPARTMENT DOES NOT
26 ENTER INTO AN AGREEMENT WITH AN OUTSIDE ENTITY PURSUANT TO
27 SUBSECTION (7)(a) OF THIS SECTION, THE STATE DEPARTMENT SHALL

1 CONTRACT WITH AN OUTSIDE ENTITY TO MODIFY THE FUNDING MODEL.
2 THE OUTSIDE ENTITY CONTRACTED WITH TO PERFORM THE MODIFICATION
3 PURSUANT TO THIS SUBSECTION (7)(f) MUST NOT BE THE SAME ENTITY
4 THAT ENTERED INTO THE IMMEDIATELY PRECEDING CONTRACT PURSUANT
5 TO SUBSECTION (7)(a) OF THIS SECTION TO CONDUCT THE TRIENNIAL
6 DEVELOPMENT OF THE FUNDING MODEL.

7 (II) ON OR BEFORE MARCH 1, 2023, AND ON OR BEFORE MARCH 1
8 OF EACH YEAR IN WHICH THE STATE DEPARTMENT CONTRACTS WITH AN
9 OUTSIDE ENTITY PURSUANT TO THIS SUBSECTION (7)(f), THE OUTSIDE
10 ENTITY MUST UPDATE AND MODIFY THE FUNDING MODEL IN ACCORDANCE
11 WITH THE RECOMMENDATIONS OF THE CHILD WELFARE ALLOCATIONS
12 COMMITTEE MADE PURSUANT TO SUBSECTION (7)(e) OF THIS SECTION AND
13 DELIVER THE RESULTS OF THE MODEL TO THE CHILD WELFARE
14 ALLOCATIONS COMMITTEE, STATE DEPARTMENT, AND JOINT BUDGET
15 COMMITTEE.

16 **SECTION 3.** In Colorado Revised Statutes, 26-5-105.8, **amend**
17 (1)(b), (1)(h), and (5); and **add** (1)(b.5) and (4.5) as follows:

18 **26-5-105.8. Delivery of child welfare services task force -**
19 **creation - duties - membership - reporting requirements - repeal.**

20 (1) There is created in the state department the delivery of child welfare
21 services task force, referred to in this section as the "task force". The state
22 department, in collaboration with counties, shall convene the task force
23 at least once per quarter, beginning July 1, 2018. The purpose of the task
24 force is to:

25 (b) Develop a method through which to incentivize counties for
26 the provision of services and placements that are based on the needs of
27 the child or youth, as determined by the assessment and review process

1 required by the federal "Family First Prevention Services Act of 2018",
2 as defined in section ~~26-5-101 (4.5)~~, and determine the level to which the
3 ~~state department shall reimburse the counties for certain out-of-home~~
4 ~~placements that do not meet the criteria of the federal "Family First~~
5 ~~Prevention Services Act of 2018"~~; AND THAT RESULT IN IMPROVED
6 OUTCOMES FOR THE CHILD AND FAMILY AS MEASURED AS DESCRIBED IN
7 SUBSECTION (1)(c) OF THIS SECTION;

8 (b.5) DETERMINE THE LEVEL TO WHICH THE STATE DEPARTMENT
9 SHALL REIMBURSE THE COUNTIES FOR CERTAIN OUT-OF-HOME
10 PLACEMENTS THAT DO NOT MEET THE CRITERIA OF THE FEDERAL "FAMILY
11 FIRST PREVENTION SERVICES ACT OF 2018";

12 (h) Make recommendations to the ~~general assembly~~ JOINT BUDGET
13 COMMITTEE, the governor, the state department, and the child welfare
14 allocations committee concerning the task force's responsibilities and
15 findings.

16 (4.5) ON OR BEFORE JULY 31, 2022, THE TASK FORCE SHALL
17 REPORT TO THE FUNDING MODEL EVALUATION GROUP ESTABLISHED IN
18 SECTION ~~26-5-103.5 (7)(d)~~ ITS RECOMMENDATIONS FOR INCLUDING
19 PERFORMANCE AND OUTCOME MEASURES AND OUTCOME-BASED
20 INCENTIVES ASSOCIATED WITH THE DELIVERY OF CHILD WELFARE
21 SERVICES IN THE CHILD WELFARE SERVICES FUNDING MODEL DEVELOPED
22 PURSUANT TO SECTION ~~26-5-103.5 (7)~~. THE TASK FORCE MAY PROVIDE
23 UPDATED RECOMMENDATIONS TO THE EVALUATION GROUP PRIOR TO THE
24 REPEAL OF THIS SECTION.

25 (5) This section is repealed, effective June 30, ~~2022~~ 2023.

26 **SECTION 4. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, or safety.