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Seventy-third General Assembly
STATE OF COLORADO

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LLS NO. 21-0831.02 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 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.

The department is required to enter into a 3-year agreement with an outside entity to annually modify the funding model based on recommendations from the child welfare allocations committee and evaluations and deliver the results of the model each year. The bill requires a child welfare workload study to inform the funding model. To maintain the integrity of the data used in the funding model, the child welfare allocations committee shall annually examine county practices regarding data collection and financial management, an evaluation group annually evaluates the funding model, and, every 3 years, an outside evaluating entity conducts a comprehensive evaluation of the funding model.



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), (7)(b), and (8)(a); and **add** (3)(a.2), (6.1)(c), and (6.6)(c)
4 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~~ THROUGH STATE FISCAL YEAR 2022-23,
9 the state department, after input from the child welfare allocations
10 committee, shall develop formulas for capped and targeted allocations,
11 including the child welfare services allocation, the allocation for
12 additional county child welfare staff, and the allocation for family and
13 children's programs. Allocation formulas developed pursuant to this
14 subsection (3)(a) must include, ~~effective~~ for EACH state fiscal year
15 2018-19 ~~and each state fiscal year thereafter~~ THROUGH 2022-23, the

1 estimated caseload for the delivery of those specific child welfare services
2 to be funded by the money in the capped or targeted allocations. The
3 formulas must also include a performance-aligned component that
4 supports the implementation AND DELIVERY of promising, supported, or
5 well-supported practices, as defined in the federal "Family First
6 Prevention Services Act of 2018", as defined in section 26-5-101 (4.5);
7 be outcome-driven; and be aligned with ~~desired~~ state-department-defined
8 or federally required outcomes and goals. The allocation to each county
9 from any given formula must be equitable and reflective of the cost of
10 delivering services. If a county receives more than one capped or targeted
11 allocation for the delivery of child welfare services, the formula must
12 identify the specific caseload estimate attributable to each capped or
13 targeted allocation.

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

15 (a.2) (I) FOR STATE FISCAL YEAR 2023-24, AND FOR EACH STATE
16 FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT SHALL USE THE
17 FUNDING MODEL DESCRIBED IN SECTION 26-5-103.7 TO DETERMINE THE
18 FUNDING REQUIRED FOR EACH COUNTY FOR ADOPTION AND RELATIVE
19 GUARDIANSHIP SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM, AND
20 TO DETERMINE THE CAPPED AND TARGETED ALLOCATIONS TO EACH
21 COUNTY, OR GROUP OF COUNTIES, FOR CHILD WELFARE SERVICES,
22 ADDITIONAL COUNTY CHILD WELFARE STAFF, AND FAMILY AND CHILDREN'S
23 PROGRAMS.

24 (II) THE STATE DEPARTMENT SHALL MAKE THE CAPPED AND
25 TARGETED ALLOCATIONS DESCRIBED IN SUBSECTION (3)(a.2)(I) OF THIS
26 SECTION BASED ON THE TOTAL AMOUNT IDENTIFIED IN THE FUNDING
27 MODEL AS THE APPROPRIATE LEVEL OF FUNDING REQUIRED FOR EACH

1 COUNTY TO FULLY MEET ALL STATE AND FEDERAL REQUIREMENTS
2 CONCERNING THE COMPREHENSIVE DELIVERY OF CHILD WELFARE
3 SERVICES, AS DEFINED IN SECTION 26-5-101 (3), AND PREVENTION
4 PROGRAMS, AS DEFINED IN SECTION 19-1-103, LESS THE AMOUNT
5 APPROPRIATED BY THE GENERAL ASSEMBLY IN THE ANNUAL LONG
6 APPROPRIATIONS BILL FOR ADOPTION AND RELATIVE GUARDIANSHIP
7 SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM. THE ALLOCATIONS
8 MUST BE EQUITABLE AND REFLECTIVE OF THE COST OF DELIVERING
9 SERVICES AND MUST IDENTIFY THE SPECIFIC CASELOAD ESTIMATE
10 ATTRIBUTABLE TO EACH CAPPED OR TARGETED ALLOCATION.

11 (III) IF THE APPROPRIATION MADE FOR A FISCAL YEAR IS NOT
12 EQUAL TO THE AMOUNT NECESSARY TO FULLY FUND THE ALLOCATIONS
13 REQUIRED BY THE FUNDING MODEL, THE STATE DEPARTMENT SHALL
14 ADJUST THE ALLOCATION TO EACH COUNTY BY THE SAME PERCENTAGE
15 DIFFERENCE BETWEEN THE APPROPRIATION AND THE AMOUNT REQUIRED
16 TO FULLY FUND THE FUNDING MODEL.

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

23 (6.1) (c) (I) ON OR BEFORE DECEMBER 31, 2021, THE STATE
24 DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH AN OUTSIDE
25 ENTITY TO CONDUCT AN UPDATED WORKLOAD STUDY. THE OUTSIDE
26 ENTITY MAY BE THE SAME ENTITY THAT UPDATES AND MODIFIES THE
27 ALLOCATIONS FUNDING MODEL PURSUANT TO SECTION 26-5-103.7 (2). ON

1 OR BEFORE OCTOBER 1, 2022, THE OUTSIDE ENTITY SHALL COMPLETE THE
2 STUDY AND DELIVER THE RESULTS OF THE STUDY TO THE JOINT BUDGET
3 COMMITTEE, THE STATE DEPARTMENT, THE CHILD WELFARE ALLOCATIONS
4 COMMITTEE, AND, IF DIFFERENT, THE OUTSIDE ENTITY DESCRIBED IN
5 SECTION 26-5-103.7 (2).

6 (II) THIS SUBSECTION (6.1)(c) IS REPEALED, EFFECTIVE JUNE 30,
7 2023.

8 (6.6) (c) (I) ON OR BEFORE JULY 1, 2022, THE STATE DEPARTMENT
9 SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE AN UPDATE OF THE
10 REPORT REQUIRED PURSUANT TO SECTION (6.6)(b) OF THIS SECTION THAT
11 INCLUDES UPDATED INFORMATION ABOUT EACH OF THE SUBJECTS
12 ADDRESSED IN THE INITIAL REPORT.

13 (II) THIS SUBSECTION (6.6)(c) IS REPEALED, EFFECTIVE JUNE 30,
14 2023.

15 (7) (b) A county may only receive money pursuant to ~~the~~
16 ~~provisions of subsection (7)(a.5) of this section if the requirements of~~
17 ~~section 26-5-103.5 (4) have been satisfied,~~ for expenditures other than
18 those attributable to administrative and support functions as referred to
19 in section 26-5-101 (3)(m) ~~as defined in accordance with the provisions~~
20 ~~of section 26-5-103.5 (4),~~ and for authorized expenditures attributable to
21 caseload increases beyond the caseload estimate established pursuant to
22 subsection (3) of this section for a specific capped allocation.

23 (8) **County-level child welfare staff.** (a) For the state fiscal year
24 2015-16, and for each state fiscal year thereafter, each county may receive
25 a capped allocation in addition to its portion of the child welfare block
26 grant for the specific purpose of hiring new child welfare staff at the
27 county level in addition to child welfare staff existing as of January 1,



1 2015. A county that utilizes said additional allocation shall continue to
2 pay for child welfare staff positions existing as of January 1, 2015,
3 through the child welfare block grant. ~~The child welfare allocations~~
4 ~~committee shall determine the allocation formula pursuant to subsection~~
5 ~~(3) of this section.~~

6 **SECTION 2.** In Colorado Revised Statutes, **add** 26-5-103.7 as
7 follows:

8 **26-5-103.7. Child welfare allocations funding model -**
9 **evaluation group - report - definitions - repeal.** (1) AS USED IN THIS
10 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

11 (a) "EVALUATION GROUP" MEANS THE GROUP ESTABLISHED TO
12 EVALUATE THE FUNDING MODEL DESCRIBED IN SUBSECTION (6) OF THIS
13 SECTION.

14 (b) "FUNDING MODEL" MEANS THE FUNDING MODEL TO DETERMINE
15 THE APPROPRIATE LEVEL OF FUNDING REQUIRED TO FULLY MEET ALL
16 STATE AND FEDERAL REQUIREMENTS CONCERNING THE COMPREHENSIVE
17 DELIVERY OF CHILD WELFARE SERVICES THAT WAS DEVELOPED PURSUANT
18 TO SECTION 26-5-103.5 (7) PRIOR TO ITS REPEAL IN 2021.

19 (2) (a) (I) ON OR BEFORE OCTOBER 31, 2021, THE STATE
20 DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH AN OUTSIDE
21 ENTITY TO UPDATE AND MODIFY THE FUNDING MODEL FOR FISCAL YEARS
22 2022-23 AND 2023-24 IN ACCORDANCE WITH THE RECOMMENDATIONS OF
23 THE CHILD WELFARE ALLOCATIONS COMMITTEE. THE AGREEMENT MUST
24 END NO LATER THAN JUNE 30, 2023.

25 (II) ON OR BEFORE MARCH 31, 2022, THE OUTSIDE ENTITY SHALL
26 UPDATE AND MODIFY THE FUNDING MODEL TO BE USED FOR THE 2022-23
27 FISCAL YEAR. ON OR BEFORE MARCH 31, 2023, THE OUTSIDE ENTITY

1 SHALL UPDATE AND MODIFY THE FUNDING MODEL TO BE USED FOR THE
2 2023-24 FISCAL YEAR. FOR BOTH YEARS, THE OUTSIDE ENTITY SHALL
3 UPDATE THE FUNDING MODEL IN ACCORDANCE WITH THE
4 RECOMMENDATIONS OF THE CHILD WELFARE ALLOCATIONS COMMITTEE
5 MADE PURSUANT TO SUBSECTION (7) OF THIS SECTION AND DELIVER THE
6 RESULTS OF THE MODEL TO THE JOINT BUDGET COMMITTEE, STATE
7 DEPARTMENT, AND CHILD WELFARE ALLOCATIONS COMMITTEE.

8 (III) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1,
9 2023.

10 (b) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 EVERY
11 THIRD YEAR THEREAFTER, THE STATE DEPARTMENT SHALL ENTER INTO A
12 THREE-YEAR AGREEMENT WITH AN OUTSIDE ENTITY TO MODIFY THE
13 FUNDING MODEL, UPDATE THE DATA USED IN THE FUNDING MODEL, AND
14 DELIVER THE RESULTS OF THE FUNDING MODEL, AS DESCRIBED IN
15 SUBSECTION (8) OF THIS SECTION.

16 (3) ON OR BEFORE JULY 1, 2023, AND ON OR BEFORE JULY 1 EVERY
17 THIRD YEAR THEREAFTER, THE STATE DEPARTMENT SHALL ENTER INTO AN
18 AGREEMENT WITH AN OUTSIDE EVALUATING ENTITY TO CONDUCT A
19 COMPREHENSIVE EVALUATION OF THE IMPLEMENTATION OF THE FUNDING
20 MODEL. THE EVALUATION MUST ENSURE THAT THE APPROPRIATE
21 MODIFICATIONS WERE MADE TO THE FUNDING MODEL IN THE PRECEDING
22 THREE YEARS, INCLUDING NECESSARY CHANGES RELATED TO FEDERAL
23 AND STATE LAW; WHETHER COUNTY DATA WAS ACCURATELY AND
24 APPROPRIATELY UPDATED EACH YEAR; WHETHER THE MODEL WAS RUN
25 EACH YEAR AND USED FOR ALLOCATIONS TO COUNTIES; HOW THE
26 ALLOCATIONS WERE MADE TO EACH COUNTY; WHETHER COUNTIES
27 INCREASED STAFFING LEVELS AS A RESULT OF THE MODEL'S WORKLOAD

1 METRIC; AND WHETHER THE UPDATED WORKLOAD STUDY DESCRIBED IN
2 SECTION 26-5-104 (6.1)(b) WAS ADDED TO THE MODEL. ON OR BEFORE
3 OCTOBER 1 OF EACH YEAR OF AN AGREEMENT, THE EVALUATING ENTITY
4 SHALL DELIVER THE RESULTS OF ITS EVALUATION TO THE STATE
5 DEPARTMENT, CHILD WELFARE ALLOCATIONS COMMITTEE, AND THE
6 OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS SECTION. TO THE
7 EXTENT POSSIBLE, THE DEPARTMENT SHALL NOT ENTER INTO AN
8 AGREEMENT PURSUANT TO THIS SUBSECTION (3) WITH THE SAME OUTSIDE
9 ENTITY DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

10 (4) BEGINNING WITH THE FUNDING MODEL EFFECTIVE FOR STATE
11 FISCAL YEAR 2023-24, THE FUNDING MODEL MUST:

12 (a) INCLUDE FACTORS ADDRESSING COUNTY WORKLOAD,
13 INFORMED BY THE WORKLOAD STUDY CONDUCTED IN 2022 PURSUANT TO
14 SECTION 26-5-104 (6.1)(c), INCLUDING THE NUMBER OF CHILD WELFARE
15 CASE AIDES, CASE WORKERS, AND SUPERVISORS NECESSARY TO PERFORM
16 ALL RESPONSIBILITIES REQUIRED BY STATE AND FEDERAL LAW;

17 (b) INCLUDE FACTORS ADDRESSING DEMOGRAPHIC DATA,
18 INCLUDING POVERTY STATISTICS, AND STATE AND LOCAL ECONOMIC
19 DRIVERS THAT MAY INFLUENCE THE COST OF DELIVERING CHILD WELFARE
20 SERVICES AND PREVENTION PROGRAMS, AS DEFINED IN SECTION 19-1-103,
21 WITH AN EMPHASIS ON BUILDING CAPACITY TO PROVIDE SERVICES BASED
22 ON THE NEEDS OF THE CHILD AND FAMILY;

23 (c) INCLUDE THE ESTIMATED CASELOAD FOR THE DELIVERY OF
24 SPECIFIC CHILD WELFARE SERVICES IN EACH COUNTY, TO BE FUNDED BY
25 THE MONEY ALLOCATED TO COUNTIES PURSUANT TO SECTION 26-5-104;

26 (d) INCLUDE A PERFORMANCE-ALIGNED COMPONENT THAT
27 SUPPORTS THE IMPLEMENTATION OF PROMISING, SUPPORTED, OR

1 WELL-SUPPORTED PRACTICES, AS DEFINED IN THE FEDERAL "FAMILY FIRST
2 PREVENTION SERVICES ACT OF 2018";

3 (e) BE DRIVEN BY OUTCOMES RELATED TO THE STABILITY AND
4 WELL-BEING OF CHILDREN RECEIVING CHILD WELFARE SERVICES,
5 CONSISTENT WITH THE RECOMMENDATIONS OF THE DELIVERY OF CHILD
6 WELFARE SERVICES TASK FORCE MADE PURSUANT TO SECTION 26-5-105.8
7 (4.5) PRIOR TO ITS REPEAL IN 2023; AND

8 (f) INCLUDE INCENTIVES FOR THE DELIVERY OF SERVICES BASED
9 ON THE RECOMMENDATIONS OF THE DELIVERY OF CHILD WELFARE
10 SERVICES TASK FORCE MADE PURSUANT TO SECTION 26-5-105.8. THE
11 FUNDING MODEL MUST PROVIDE THE INCENTIVES TO COUNTIES BASED ON
12 MEASUREMENTS AND METRICS ESTABLISHED BY THE STATE DEPARTMENT
13 AFTER CONSIDERATION OF INPUT FROM THE CHILD WELFARE ALLOCATIONS
14 COMMITTEE.

15 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
16 BEFORE NOVEMBER 15, 2021, AND ON OR BEFORE NOVEMBER 15 OF EACH
17 YEAR THEREAFTER, THE STATE DEPARTMENT AND THE CHILD WELFARE
18 ALLOCATIONS COMMITTEE SHALL SUBMIT A REPORT REGARDING THE
19 FUNDING MODEL TO THE JOINT BUDGET COMMITTEE. THE REPORT MUST
20 INCLUDE THE FOLLOWING INFORMATION CONCERNING THE PREVIOUS
21 FISCAL YEAR:

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

26 (b) THE DIFFERENCE BETWEEN THE EACH COUNTY'S ACTUAL
27 ALLOCATION AND THE ALLOCATION AMOUNT IDENTIFIED BY THE FUNDING

1 MODEL;

2 (c) THE FINAL CLOSE-OUT PURSUANT TO SECTION 26-5-104(7) FOR
3 THE PREVIOUS FISCAL YEAR;

4 (d) ANY MODIFICATIONS MADE TO THE MODEL TO IMPROVE THE
5 ACCURACY OF THE DATA;

6 (e) A DESCRIPTION OF THE INCENTIVES INCLUDED IN THE FUNDING
7 MODEL AND THE AMOUNT OF INCENTIVES PROVIDED TO EACH COUNTY;

8 AND

9 (f) ANY OTHER ISSUES RELATED TO FUNDING CHILD WELFARE
10 SERVICES IDENTIFIED BY THE CHILD WELFARE ALLOCATIONS COMMITTEE.

11 (6) (a) (I) ON OR BEFORE AUGUST 1, 2022, AND ON OR BEFORE
12 AUGUST 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
13 COMMITTEE SHALL ESTABLISH AND APPOINT MEMBERS TO A FUNDING
14 MODEL EVALUATION GROUP TO EVALUATE THE FUNDING MODEL.

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

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

25 (b) THE EVALUATION GROUP SHALL EVALUATE THE FUNDING
26 MODEL TO ENSURE THAT IT IS CONSISTENT WITH CHANGES TO STATE AND
27 FEDERAL LAW, INCLUDES OUTCOME-BASED INCENTIVES AND CHILD AND

1 FAMILY WELL-BEING OUTCOMES AS FACTORS IN THE MODEL, INCLUDES AN
2 ONGOING WORKLOAD ANALYSIS, AND SATISFIES THE CRITERIA DESCRIBED
3 IN SUBSECTION (4) OF THIS SECTION. THE EVALUATION GROUP SHALL
4 EVALUATE ANY COMPONENTS OF THE FUNDING MODEL IDENTIFIED FOR
5 EVALUATION BY THE CHILD WELFARE ALLOCATIONS COMMITTEE
6 PURSUANT TO SECTION 26-5-103.5 (4.5).

7 (c) ON OR BEFORE OCTOBER 1, 2021, AND ON OR BEFORE OCTOBER
8 1 OF EACH YEAR THEREAFTER, THE EVALUATION GROUP MUST COMPLETE
9 ITS ANNUAL EVALUATION OF THE FUNDING MODEL AND DELIVER ITS
10 FINDINGS AND RECOMMENDATIONS TO THE CHILD WELFARE ALLOCATIONS
11 COMMITTEE.

12 (7) ON OR BEFORE DECEMBER 31, 2021, AND ON OR BEFORE
13 DECEMBER 31 OF EACH YEAR THEREAFTER, AND AFTER CONSIDERING THE
14 FINDINGS AND RECOMMENDATIONS OF THE EVALUATION GROUP, THE
15 CHILD WELFARE ALLOCATIONS COMMITTEE SHALL DELIVER TO THE STATE
16 DEPARTMENT AND OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS
17 SECTION RESPONSIBLE FOR UPDATING THE FUNDING MODEL THE
18 COMMITTEE'S RECOMMENDATIONS FOR MODIFICATIONS TO THE FUNDING
19 MODEL THAT ARE NECESSARY TO ENSURE THAT THE MODEL IS CURRENT
20 AND REFLECTS ANY CHANGES IN FEDERAL OR STATE LAW AND COUNTY
21 DATA AND WORKLOAD.

22 (8) THE OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS
23 SECTION SHALL:

24 (a) ON OR BEFORE MARCH 31 OF THE FIRST YEAR OF ITS
25 AGREEMENT, MODIFY THE MODEL TO BE USED FOR THE NEXT FISCAL YEAR
26 BASED ON THE RESULTS OF THE EVALUATION CONDUCTED PURSUANT TO
27 SUBSECTION (3) OF THIS SECTION AND THE RECOMMENDATIONS OF THE

1 STATE DEPARTMENT, CHILD WELFARE ALLOCATIONS COMMITTEE, AND
2 EVALUATION GROUP; UPDATE THE DATA USED IN THE MODEL; AND
3 DELIVER THE RESULTS OF THE MODEL TO THE CHILD WELFARE
4 ALLOCATIONS COMMITTEE, STATE DEPARTMENT, AND JOINT BUDGET
5 COMMITTEE; AND

6 (b) ON OR BEFORE MARCH 31 OF EVERY OTHER YEAR OF THE
7 AGREEMENT, MODIFY THE FUNDING MODEL TO BE USED FOR THE NEXT
8 FISCAL YEAR IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE CHILD
9 WELFARE ALLOCATIONS COMMITTEE MADE PURSUANT TO SUBSECTION (7)
10 OF THIS SECTION, UPDATE THE DATA USED IN THE MODEL, AND DELIVER
11 THE RESULTS OF THE MODEL TO THE CHILD WELFARE ALLOCATIONS
12 COMMITTEE, STATE DEPARTMENT, AND JOINT BUDGET COMMITTEE.

13 **SECTION 3.** In Colorado Revised Statutes, 26-5-103.5, **amend**
14 (1), (2)(a), (2)(c) introductory portion, (2)(c)(III), and (3); **repeal** (4) and
15 (7); and **add** (4.5) as follows:

16 **26-5-103.5. Child welfare allocations committee - organization**
17 **- duties - funding model - definition - repeal.** (1) The state department
18 shall convene a child welfare allocations committee ~~referred to in this~~
19 ~~section as the "committee"~~, as necessary in order to PERFORM THE DUTIES
20 DESCRIBED IN THIS SECTION AND make advisory recommendations as
21 described in this article 5.

22 (2) (a) The CHILD WELFARE ALLOCATIONS committee consists of
23 thirteen members, ten of whom must be appointed by county
24 commissioners and three of whom must be appointed by the state
25 department, and the CHILD WELFARE ALLOCATIONS committee consists of
26 two nonvoting members who must be appointed by the state department.

27 (c) Of the members appointed by county commissioners, only one

1 representative per county may serve on the CHILD WELFARE ALLOCATIONS
2 committee at the same time, and:

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

9 (3) The CHILD WELFARE ALLOCATIONS committee shall develop its
10 own operating procedures.

11 ~~(4) No later than January 15, 1999, the state department, with~~
12 ~~input from the committee, shall make recommendations to the joint~~
13 ~~budget committee of the general assembly for a definition of what~~
14 ~~constitutes administration and support functions as referred to in section~~
15 ~~26-5-101 (3)(m) and a method for identifying costs for such functions.~~

16 (4.5) (a) ON OR BEFORE AUGUST 1, 2021, AND ON OR BEFORE
17 AUGUST 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
18 COMMITTEE SHALL IDENTIFY COMPONENTS OF THE FUNDING MODEL THAT
19 SHOULD BE EVALUATED BY THE FUNDING MODEL EVALUATION GROUP
20 PURSUANT TO SECTION 26-5-103.7.

21 (b) IN ORDER TO ENSURE THE INTEGRITY OF THE FUNDING MODEL
22 DESCRIBED IN SECTION 26-5-103.7, ON OR BEFORE SEPTEMBER 1, 2021,
23 AND ON OR BEFORE SEPTEMBER 1 OF EACH YEAR THEREAFTER, THE CHILD
24 WELFARE ALLOCATIONS COMMITTEE SHALL:

25 (I) ESTABLISH EXPECTATIONS FOR GATHERING AND USING DATA IN
26 THE FUNDING MODEL TO ENSURE CONSISTENCY WITHIN THE FUNDING
27 MODEL;

1 (II) IDENTIFY COUNTY TRAINING AND CAPACITY NEEDS TO ENSURE
2 INTEGRITY OF THE DATA COLLECTED AND USED IN THE COLORADO
3 TRAILS CASE MANAGEMENT SYSTEM AND COUNTY FINANCIAL
4 MANAGEMENT SYSTEMS; AND

5 (III) DEVELOP STRATEGIES AND RECOMMEND CHANGES TO DATA
6 SYSTEMS THAT SUPPORT THE FUNDING MODEL AND TO FINANCIAL POLICIES
7 AND PRACTICES TO ENSURE THAT APPROPRIATE, CONSISTENT, AND
8 ACCURATE DATA CAN BE USED TO INFORM THE FUNDING MODEL.

9 (c) THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL PROVIDE
10 INPUT TO THE STATE DEPARTMENT CONCERNING THE MEASUREMENTS AND
11 METRICS FOR COUNTIES TO RECEIVE INCENTIVES RECOMMENDED BY THE
12 DELIVERY OF CHILD WELFARE SERVICES TASK FORCE MADE PURSUANT TO
13 SECTION 26-5-105.8.

14 (d) THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL ALSO
15 PERFORM ANY DUTIES REQUIRED IN SECTION 26-5-103.7 RELATED TO THE
16 CHILD WELFARE ALLOCATIONS 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 that must be used to inform the committee,~~
20 ~~the general assembly, the governor, and the state department of the~~
21 ~~appropriate level of funding required to fully meet all state and federal~~
22 ~~requirements concerning the comprehensive delivery of child welfare~~
23 ~~services, as defined in section 26-5-101 (3). The funding model must take~~
24 ~~into consideration workload; demographic data, including poverty~~
25 ~~statistics; and state and local economic drivers that may influence the~~
26 ~~delivery of services. The funding model developed pursuant to this~~
27 ~~subsection (7) must be informed by the recommendations of the delivery~~

1 of child welfare services task force as set forth in section 26-5-105.8 and
2 must be used to inform the decision-making process of the committee.

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 section,~~
8 ~~the allocation formulas developed pursuant to section 26-5-104 (3), and~~
9 ~~outcomes and performance measures related to the delivery of child~~
10 ~~welfare services, pursuant to section 26-5-105.8.~~

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

13 **SECTION 4.** In Colorado Revised Statutes, 26-5-105.8, **amend**
14 (1)(c), (1)(h), and (5); and **add** (4.5) as follows:

15 **26-5-105.8. Delivery of child welfare services task force -**
16 **creation - duties - membership - reporting requirements - repeal.**

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

22 (c) Establish performance and outcome measures and the process
23 by which to evaluate the measures associated with the delivery of child
24 welfare services, including but not limited to residential out-of-home
25 placements; foster care; adoption; and services to children and youth in
26 their own homes, including prevention and intervention services, and
27 determine how the measures and evaluation will be used to inform the

1 funding model described in ~~section 26-5-103.5 (7)(a)~~ SECTION 26-5-103.7
2 and the allocation of funds pursuant to section 26-5-104 (3);

3 (h) Make recommendations to the ~~general assembly~~ JOINT BUDGET
4 COMMITTEE, the governor, the state department, and the child welfare
5 allocations committee concerning the task force's responsibilities and
6 findings.

7 (4.5) ON OR BEFORE JULY 31, 2022, THE TASK FORCE SHALL
8 REPORT TO THE FUNDING MODEL EVALUATION GROUP ESTABLISHED IN
9 SECTION 26-5-103.7 ITS RECOMMENDATIONS FOR INCLUDING IN THE CHILD
10 WELFARE SERVICES FUNDING MODEL DESCRIBED IN SECTION 26-5-103.7
11 PERFORMANCE AND OUTCOME MEASURES AND OUTCOME-BASED
12 INCENTIVES RELATED TO THE STABILITY AND WELL-BEING OF CHILDREN
13 WHO RECEIVE CHILD WELFARE SERVICES. THE TASK FORCE MAY PROVIDE
14 UPDATED RECOMMENDATIONS TO THE EVALUATION GROUP PRIOR TO THE
15 REPEAL OF THIS SECTION.

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



17 **SECTION 5. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, or safety.