

Chapter 4: County Human and Health Services

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County Human and Health Services

The provision of social and health services programs is one of the most complex responsibilities of county government. Over the past five to seven years, the programs offered have become increasingly complex. Not only are the programs complex, but the financing of the programs is diverse and one of the most demanding of all programs offered by counties. Over recent years many counties have renamed their departments Human Services, from Social Services. These name changes are indicative of the changes in program philosophy that have taken place. Especially in the larger counties, the programs in the Departments of Human Services are becoming more and more diverse, and many of these programs exceed those traditionally mandated through the Colorado Department of Human Services (CDHS).

There are two state departments that are most significantly involved with counties in the administration of human services programs. They are CDHS and the Colorado Department of Health Care Policy and Financing (HCPF). CDHS is the state agency responsible for supervising and financing most of the programs traditionally considered “social” services programs. HCPF is responsible for the administration of the Medicaid program, among others. Counties determine the eligibility for Medicaid programs. Some counties also have other Medicaid programs that they administer either for their own county or for a multi-county district.

County departments of human/social services are involved in a wide array of programs and functions that are not traditionally included in those mandated and supervised by CDHS or HCPF. Some of the programs that are commonly administered under the auspices of county department of human/social services are Child Support Enforcement Programs, Workforce Center Programs, Area Agencies on Aging, and many other county programs that enhance the services of the mandated or non-discretionary programs. The operation of these programs adds to the complexity of the administration and financing of the county departments. For instance, for most of the Workforce Center Programs’ state supervision is the responsibility of the Department of Labor and Employment.

COLORADO DEPARTMENT OF HUMAN SERVICES

The CDHS is charged with supervision of all 64 county departments of human/social services’ administration of cash and food assistance programs, child support enforcement services, and child welfare services. An executive director, who is appointed by and responsible to the Governor, administers the state department. Primary programs supervised by the state and administered by county departments of human services/social services include:

- ◆ Colorado Works (TANF): cash and other assistance for low-income families with children;
- ◆ Child Welfare Services
- ◆ Old Age Pension (OAP): cash and medical assistance for low-income persons over age 59;
- ◆ Aid to the Needy Disabled/Blind (AND and AB): cash assistance for low-income disabled adults;

- ◆ Adult Protective Services
- ◆ Low Income Energy Assistance Program (LEAP): cash assistance to assist with winter utility costs; and
- ◆ Food Assistance: food assistance for low-income persons.

Colorado Department of Health Care Policy and Financing

HCPF is charged with the administration of the Medicaid program for Colorado. Counties are statutorily charged with determination of eligibility for Medicaid programs. HCPF is also charged with administration of the Colorado Indigent Care Program, the Colorado Cares Program, and The Children’s Health Plan (also known as CHP+). County departments are generally not involved in running programs other than Medicaid eligibility determination.

One exception to this rule is the Non-emergent Medicaid Transportation program. Counties are required to authorize and pay all non-emergent Medicaid Transportation. The counties then bill the Medicaid fiscal agent to recover the cost of the transportation. Counties may contract this service to other entities at county cost.

County/District Departments of Human/Social Services

A county board of human/social services, usually comprised of the BOCC, administers the county department. Two or more counties, with the approval of the state department, may establish a district department of human/social services, governed by a district board of social services. The district board must consist of at least three members with at least one county commissioner from each county in the district serving as a board member. The district board of human/social services has the same responsibilities as any county board of human/social services. The duties of the board of human/social services are established according to federal and state law and rules and regulations instituted by the state Board of Human Services and the state Medical Services Board for Medicaid related rules.

The county board appoints and sets the salary of the county human/social services director. The state has no direct role in hiring county human/social service directors or in supervising county department staff. C.R.S. §26-1-117. The county director appoints staff, with the approval of the county board, to administer human/social service activities. C.R.S. §26-1-119 and §26-1-120. Counties must have a county “merit system” in place for the management of personnel issues for the county department of human/social services.

Funding

County Social Services Fund and Budgeting

Colorado Statute requires that each county operating social services programs have a social services fund with the county treasurer. A budget for this fund and the expenditures related to human/social services activities must be prepared each year by the human/social services director. Before the county board adopts the budget, it must be submitted to the state department for review. C.R.S. §26-1-124. County boards of social services are required to administer their respective “County Social Services Fund” pursuant to rules and regulation promulgated by the state Board of Human Services. C.R.S. §26-1-123(3)(a).

Counties are also responsible for collections of public assistance funds that have been obtained fraudulently. In the past this was difficult, however, under new legislation counties are able to recover this debt by making claims against an estate for the excess public assistance paid for which the recipient was ineligible. C.R.S. §26-2-128(1)(a) and §8-42-124. Counties are also allowed to garnish disability benefits as wages for recovering fraudulently obtained or excess public assistance payments. C.R.S. §8-43-204 (5).

County Social Services Levy

The BOCC must set a county social services levy at a rate sufficient to raise local revenues to meet its approved social services budget, with certain specified limitations. Levies may not exceed limitations established in statute by the General Assembly except upon approval of the Division of Local Government. C.R.S. §26-1-125.

County Tax Base Relief Fund

Subject to available appropriations, the County Tax Base Relief Fund provides funding to county departments of human/social services whose required share of local health and human services expenses are disproportionately high in comparison to their assessed value. In other words, the fund helps mitigate an inequitable burden borne by property taxpayers in counties that experience high caseloads and/or low property values.

A county's eligibility for this funding is based upon the difference between the county share for human/social services and what certain standard social services mill levies would provide in property tax revenue for that county. A three-tiered reimbursement formula is outlined in statute. When state appropriations are insufficient to address total need, payments are first made to counties eligible for Tier 1. If there is sufficient funding available for Tier 1 counties, counties in Tier 2 and 3 will receive funding. Payments to eligible counties are prorated if funding is insufficient to cover all the payments required in a specific tier. C.R.S. §26-1-126

Family and Adult Services Funding

Family and Adult Services Funding, also known as County Administration Funding, is the name given to the state funding stream that funds county eligibility and casework services associated with Supplemental Nutrition Assistance Program (Food Stamps), Medicaid and programs benefiting the elderly and disabled. Since the General Assembly is not required to fully fund the Family and Adult Services Fund, it is historically underfunded by the state.

Electronic Benefit Transfer (EBT)

Colorado implemented a statewide Electronic Benefits Transfer (EBT) service in 1996. The service delivers benefits for the following programs: Colorado Works Cash Assistance (TANF), Aid to the Needy Disabled (AND), Old Age Pension (OAP), Food Assistance (SNAP), Child Care Assistance, and Child Welfare Out-of-Home Placement. Through this program the above benefits or payments are transmitted directly to the recipients electronically.

HUMAN/SOCIAL SERVICES PROGRAMS

Due to the complex relationship between the state and county departments of human/social services, each service depends on the county and/or state in different ways. Only the county operates some programs, others are mandated by the state, but day-to-day responsibility lies with the county, and others are administered by the county but funded by the state. The table

following this section is a quick reference of traditional county human/social services programs. For more specific information on a particular program please consult with your county's human/social services director.

Major Programs

General Assistance

Temporary general assistance is the only major social services program entirely county controlled and involving no state or federal participation. It is discretionary with the county and permits each county to provide temporary assistance of a general nature to the poor who reside in the county or to transients. C.R.S. §30-17-101 through 108.

If the BOCC decides to undertake a temporary general assistance program, the board is required to establish standards and guidelines for eligibility, the types of assistance to be offered, and the length of time assistance will be available. C.R.S. §26-2-129.

Child Welfare Programs

Child welfare programs provide services to children who are dependent or neglected or at risk without the protection of these services. Much of what the county departments do under the general heading of child welfare falls under juvenile delinquency statutes. There are also core services programs provided under child welfare divisions of county departments that are aimed at preventing or reducing out-of-home placement of youth. In recent years child welfare programs have become some of the costliest and most complex of all programs administered by counties. They are also some of the most misunderstood programs by constituents.

CDHS, within the limits of available appropriations, generally reimburses county departments 80 percent of amounts expended by county departments for child welfare services, up to the amount of the county's allocation developed by the state department, with input from the Child Welfare Allocations Committee, for capped and targeted allocations. C.R.S. §26-5-104(1). There are certain small portions of child welfare administrative costs that are reimbursed at 100%. In addition, certain portions of the cost of treatment for children placed in residential treatment facilities are reimbursed through Medicaid at 100% up to the county allocation. Fees are also collected from those legally responsible for the child based on their ability to pay.

Child Protection

County departments of human/social services are responsible for the coordination of all investigations of reports of intra-familial abuse or neglect, third-party abuse, or neglect of persons under age 10, and institutional abuse. The county departments screen such reports, conduct an investigation when warranted and provide intervention services if appropriate. If a county department believes an incident of abuse or neglect occurred, it is to notify the local law enforcement agency responsible for investigation of violations of criminal child abuse laws. Whenever the county department determines a child should be removed from the home, it prepares a specific placement and treatment plan for consideration by the district court. The court makes actual decisions regarding the custody of the child and/or removal of the child from their home.

Counties are required to provide a set of services to children (and their families) who have been removed from the home or should be removed from the home if other services are not provided. C.R.S. §19-3-208(2)(b).

Definition of Child Abuse

The broadest definition of child abuse/neglect is found in the federal Child Abuse Prevention and Treatment Act, for the purpose of reporting. This federal law is also codified in Colorado Statute.

The Children's Code defines "Abuse" or "child abuse or neglect" as an act or omission in one of the following categories that threatens the health or welfare of a child:

(I) Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of an accidental occurrence;

(II) Any case in which a child is subjected to unlawful sexual behavior;

(III) Any case in which a child is a child in need of services because the child's parents, legal guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent would take;

(IV) Any case in which a child is subjected to emotional abuse which means an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk of impairment of the child's intellectual or psychological functioning or development; and

(VI) Any case in which, in the presence of a child, or on the premises where a child is found, or where a child resides, a controlled substance is manufactured or attempted to be manufactured. C.R.S. §19-1-103 (1)(a)

Frequently Asked Questions about the Child Protection Process

Some answers to frequently asked questions are provided here for a general understanding of the Child Protection process.

Who calls human/social services about children? Certain people are mandated to report suspected abuse. Mandatory reporters include, teachers, health care professionals, therapists, film developers, fire fighters, and law enforcement, to name a few. However, anyone, who has reason to suspect a child is being abused or neglected, such as a neighbor or relative, is allowed, and in fact encouraged, to report suspected child abuse and neglect.

What does the law say about disciplining children? What are my rights as a parent? In the State of Colorado reasonable discipline is allowed. C.R.S. §19-3-303 (1)(b). Nothing in Colorado State Law states that parents cannot spank their children. However, Colorado law defines physical abuse as when “... *a child exhibits evidence of skin bruising, bleeding... burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and either: Such condition or death is not justifiably explained; the history given concerning such condition is at variance with the degree or type of such condition or death; or the circumstances indicate that such condition may not be the product of accidental occurrence*” therefore, if a parent

spanks or in any another manner disciplines his/her child, and physical evidence of an injury exists, that is considered child abuse.

When human/social services is called do they come right away? When a referral is received it is reviewed by a supervisor and may be assigned to a child protection intake case manager who will conduct an “Investigative Assessment” of the report. It is important to note that not all reports are investigated. The supervisor reviewing the report determines if the allegations meet the criteria to be investigated. The response time, for the investigation to begin, can range from “Immediate” to “Four Working Days.” The response time is determined by the supervisor screening the calls and is based on the criteria of a pre-investigative risk assessment.

When human/social services is called do they put children in foster care immediately? What many people do not understand is that human/social services has no authority, on their own, to remove a child from his/her parents and place them into foster care. Only a court can grant authority to human/social services to remove a child from his/her home. On some occasions law enforcement is called to check on the safety and well being of a child. This is called a welfare check. If law enforcement believes a child to be at imminent risk of being abused or neglected, the responding officer may take temporary custody of the child and transfer that custody to the County Department of Human/Social Services. However, a judge must hear the case within 48 hours (excluding weekends and holidays) to determine if the child should remain in the custody of the County Department of Human/Social Services.

A county department that has been granted custody of a child is allowed to intervene in court proceedings concerning that child. C.R.S. §19-1-108. A county department that is custodian of a child is allowed to request a court review of a magistrate’s decision in delinquency cases. C.R.S. §19-1-108.

If the County Department of Human/Social Services motions the court for emergency custody of a child, several things must happen first. If a report is assigned to be investigated, the investigation must include an interview with and/or observation of the child or children who are mentioned in the referral. The investigation will also include an interview with the parent(s) of the child or children, and may include interviews with other people, such as relatives, physicians, schoolteachers, day care providers, and counselors, all who might provide important information to the investigator.

The “Investigative Assessment” makes three specific conclusions. The first is whether or not the child or children have been abused or neglected. The second conclusion is the level of risk that exists that the children could be abused in the future. This conclusion is made using a risk assessment-screening tool. The third conclusion is the degree of safety the child is experiencing in his or her home. This conclusion is made using a safety assessment-screening tool. Based upon these assessments there are three possible directions the case might take. First, if the risk and safety assessments do not indicate a problem, the case will be closed. Second, if the risk and safety levels are of concern to the intake worker he or she will encourage the family to take voluntary action through the development of a “Safety Plan” to address the risk and safety issues. The third option involves the case manager seeking court intervention to insure the child or children are protected. This court intervention could involve the filing of a court petition and/or removal of the children from the custody of their parents by court order.

When human/social services takes a child where do they take her/him? In an emergency situation, children are usually placed directly into a foster home. All efforts are made to place the child in a home that is best suited and trained to meet the individual needs of the child. Efforts are also made to keep the child in the same school district in which his family lives and/or to provide transportation to ensure the child remains in his/her current school. Because the County Department of Human/Social Services believes in the importance of children remaining with family, immediately after the child's initial placement into a foster home, the case manager will ask the parents for names and contact information of relatives who the parent believes might provide a suitable home for the child. Those relatives then go through the same process as a foster home would go through in order to be licensed to care for foster children. If the relatives are assessed to be appropriate and safe, the children can be placed with those relatives.....

What are Child Protection Teams? Child Protection Teams (CPT) are optional for counties to implement. If a county chooses to have a CPT, the team may be tasked with reviewing an assessment or the investigatory reports of a case, including the diagnostic, prognostic and treatment services being offered to the family in connection with the reported abuse. Typically, CPTs consist of members of the community. C.R.S § 19-3-308 (6)(a)

Adolescent Services

Adolescent Services provides case management services for youth ages 11-18. Occasionally youth are served over the age of 18 if ordered by the court. The two main areas addressed by the Adolescent Services Team are Youth in Conflict and Juvenile Delinquents. Youth in Conflict refers to those adolescents who are exhibiting behaviors that are a danger to themselves or others. Case managers look at several areas when working with a youth in conflict. These areas include criminal involvement, mental health issues, educational status, drug/alcohol use, runaway behaviors, and assaultive behaviors of the youth. A youth-in-conflict case manager may focus on alleviating conflicts, protecting the youth and the community, re-establishing family stability or assisting the youth to emancipate successfully.

Occasionally it becomes necessary for the youth to live in a foster care setting while issues are being identified and services put into place. Placement of the youth can be made by having the parent or guardian sign a Voluntary Placement Contract for up to 90 days. This allows the youth to live in a foster care setting. The parent/guardian may keep legal custody of the youth. Either the parent/guardian or the County Department of Human/Social Services (DHS) can terminate the contract at any time during the 90 days. If the youth still requires placement out of the home beyond 90 days then a "Senate Bill 26 Petition" must be filed with the court before the end of 90 days. The Senate Bill 26 Petition or Petition for Review of Need of Placement is required by the state and enables the court to determine if the youth is receiving appropriate placement and services. A court hearing will be held for this purpose. Parents or guardians and Human Services' staff should appear at the hearing. The court will require that a review be done every six months while the youth remains involved with Human Services. These reviews may be done in writing or by a hearing.

Juvenile Delinquents are youth (10 and older) who are involved with the Criminal Justice system. This means that they have not followed probation requirements and/or they have been accused of committing a crime. These youth may be sentenced to placement out of the home, which can include placement in a Division of Youth Services (formerly, Youth Corrections) facility. CDHS

has sole responsibility over the oversight of children in DYS. Minors will very rarely, if ever, serve time in a county jail.

Core Services to Families Programs

Family Preservation Services are standardized and available on a statewide basis for families who have children and youth at imminent risk of being placed into the foster care system. All Family Preservation Program services have two primary goals: to prevent children from being placed in Foster Care or to provide for reunification of the child with their family in the event placement out of the home was necessary. The six Basic Family Preservation Services are: Intensive Family Therapy, Home Based Services, Sexual Abuse Therapy, Adolescent Day Treatment, Life Skills, and Family Visitation and Support.

Foster Care Licensing Requirements

The State of Colorado and County Departments recognize the need for foster care providers to be carefully screened and well prepared for the task of caring for abused and neglected children. Screening includes the following:

- ◆ Completed application
- ◆ Colorado Bureau of Investigation clearances on all adults in the home
- ◆ FBI clearances on any adults in the home who have lived in Colorado less than 2 years
- ◆ Colorado Department of Human Services background checks through TRAILS for clearance of each adult in the home
- ◆ Foster Care orientation attendance by foster father and foster mother
- ◆ Twenty-seven hours of training classes completed by foster father and foster mother
- ◆ Health clearances for each family member from their physician
- ◆ Pets must have current vaccinations for rabies
- ◆ Well water certificate if home has well water
- ◆ CPR certification for foster father and foster mother
- ◆ First Aid certification for foster father and foster mother
- ◆ Twenty hours of ongoing training per foster parent each year that they are a licensed provider.

Medical Assistance (Medicaid)

The Colorado Department of Health Care Policy and Financing (HCPF) administers the Medicaid Program.

If certain individuals' and families' financial resources are insufficient to meet the cost of necessary medical care, they are entitled to medical services and remedial care in order to assist them in attaining or retaining their capability for independence and self-care.

County departments determine Medicaid eligibility, pursuant to state regulations. This eligibility is primarily based on financial need, but for certain groups may also be based on medical need (i.e. pregnant women, long-term care). Often Medicaid eligibility is a "benefit" of receiving one of the other forms of public assistance. The federal and state governments share the costs of this program. Providers generally bill the state's fiscal agent directly for payment of Medicaid claims. However, counties are responsible for 20% of the cost of the eligibility determination function.

An exception to the direct provider billing under Medicaid is for Non-emergent Medicaid Transportation. County departments are responsible for the authorization and payment of claims for transportation to and from a non-emergent Medicaid eligible service for Medicaid recipients. The county department must make the payment to the recipient or transportation provider and bill the state's fiscal agent to recoup the amount. Some counties have chosen to contract this function to another county or to a private entity.

County departments or other county agencies (such as health or nursing services) may also be eligible to contract as a provider of certain Medicaid services to eligible individuals. If the county agency is a Medicaid provider, it will be reimbursed by the state for the established reimbursement rate for those services. Title XIX of U.S. Social Security Act and C.R.S. §26-4-101. Many counties provide access to community based long-term care through Single Entry Point contracts under this provision.

Counties may participate in pilot demonstration programs in which certain school personnel can make determinations about students' eligibility for medical benefits. This is an option for county human service departments. C.R.S. §26-4-106.

Food Assistance/Supplemental Nutrition Assistance Program (SNAP)

The Food Assistance program is an individual entitlement program providing recipients with electronic benefit transfer (EBT) cards for the purchase of food. The program serves:

- ◆ Individuals up to 130 percent of the Federal Poverty Level (FPL) who are under age 60 and able-bodied; and
- ◆ Individuals up to 165 percent of the FPL who are elderly (over 60) or disabled.

Eligibility is also based on net income, assets, allowable deductions, and size of household. The U.S. Department of Agriculture establishes the eligibility requirements. County departments determine client eligibility, issue benefits, and administer client employment and training programs. The state department supervises and monitors the program. Food Assistance benefits are 100 percent federally funded and program administration requires a 50 percent state match. For those administrative costs incurred at the county level, counties contribute 20 percent and the state contributes 30 percent.

Mental Health Services

The board may purchase services from community mental health centers or other community agencies or private facilities approved by the executive director of the state Department of Human Services, and impose a mill levy of up to 2.0 mills for this purpose after favorable vote of the electorate. C.R.S. §27-1-207.

Furthermore, upon voter approval, mental health special districts can be created to provide mental health care services to district residents and their families. C.R.S. §32-17-101, et seq.

Colorado Works Program

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and the Federal Deficit Reduction Omnibus Reconciliation Act (DRA) of 2005 replaced the following three federal Social Security Act programs with a single program entitled, "Temporary Assistance for Needy Families" (TANF):

- ◆ Aid to Families with Dependent Children (AFDC)
- ◆ Job Opportunity and Basic Skills (JOBS) program
- ◆ Title IV-A Emergency Assistance Program.

This federal legislation ended the federal entitlement to assistance through the above programs and replaced the existing open-ended funding mechanisms with a single block grant of funds. The TANF program either needs to be federally reauthorized or extended for the block grant to be funded. Each state now receives an annual block grant of funds based upon historical federal expenditures for the predecessor programs. The federal legislation also changed federal child care assistance programs for low-income families, eliminating federal child care entitlements and consolidating major sources of federal funding into a single block grant to states called the Child Care Development Fund.

Following the federal legislation reform SB 97-120 was adopted, making significant changes to Colorado's public assistance program, and establishing the Colorado Works Program. Under the Colorado Works Program, counties have increased responsibility for program design and administration. The program also ensures each county receives a block grant of state and federal funds and requires each county to maintain a certain level of spending on the program. The CDHS is the designated state agency responsible for supervising Colorado Works at the state level and county departments of human/social services administer and deliver services at the local level.

Purpose

The goal of the Colorado Works Program is to place participants in jobs in addition to the following:

- ◆ Assist participants with terminating their dependence on government benefits by promoting job preparation, work, and marriage;
- ◆ Provide assistance to needy families so that children may be cared for in their homes or in the homes of family members;
- ◆ Prevent and reduce the incidence of out-of-wedlock pregnancies and to establish annual numerical goals for preventing and reducing the incidences of these pregnancies;
- ◆ Encourage the formation and maintenance of two-parent families;
- ◆ Develop strategies and policies ensuring participants are in work activities as soon as possible, enabling the state to meet or exceed work participation rates specified in the federal law. C.R.S. § 26-2-705.

Essentially, the program provides cash assistance, services, and other types of support to help families pay their bills while they transition into the workforce.

To receive cash assistance, Colorado Works Program participants must participate in work activities when they are "job ready." If participants are not participating in a work activity after receiving assistance for 24 cumulative months and they do not have good cause, their assistance terminates, and their case is closed. Colorado Works Program participants may receive TANF assistance for a lifetime maximum of 60 cumulative months. C.R.S. §26-2-701 – 724; federal welfare reform legislation.

Child Care Programs

Similar to the Works Program, the Colorado Child Care Assistance Program (CCCAP) provides some flexibility to counties to design and administer the program, including negotiating rates with providers. S.B. 97-120 provides each county will receive a block grant of state and federal funding to administer the program and requires each county to maintain a certain level of county spending. Annual allocations, coupled with locally based decision making, gives all 64 counties in Colorado the flexibility to meet welfare reform and low-income families' child care needs.

The income eligibility level for CCCAP is uniform throughout the state and is set at 185% federal poverty level. Counties can provide services to families above this threshold if they are currently serving all children in families with incomes below 185% FPL and they use only local funds to serve higher income families. Exit eligibility levels are set at 85% state median income. The county share of funding for the program is defined and stays constant under the provisions of the Act. County and state/federal shares equal the amount appropriated for child care subsidies under the CCCAP. County administration for the program requires a 20 percent county match. C.R.S. §26-2-801 – 806.

Maintenance of Effort Requirements (MOE)

Related to county budgeting for social services programs, the federal welfare reform bill (PRWORA) also requires states to maintain a certain level of spending on TANF programs, called Maintenance of Effort (MOE) based on historic spending on the predecessor programs. The minimum federal TANF MOE required for a state to receive its full TANF block grant is equal to 80 percent of the amount a state spent on predecessor programs in federal FY 1993-94. In Colorado, this amounts to \$88.4 million annually. Failure to meet this level of funding results in a reduction in the amount of the federal block grant as well as a corresponding increase in the amount of state and local funds that would need to be appropriated to make up the difference.

Effect of MOE on State and County Funding for the Works Program

Under PRWORA, the state is required to meet an MOE requirement for the TANF program rather than a matching requirement. As long as the state is required to meet the minimum federal TANF MOE requirement, the appropriation of state and county funds may not fall below the floor established by the federal legislation.

County and State Memorandum of Understanding (MOU)

Under the Colorado Works Program, CDHS is required to enter into an “annual performance contract” with each county (or group of counties). The purpose of the contract is to identify the counties' duties and responsibilities in implementing the Colorado Works Program and Colorado Child Care Assistance Program. In Colorado, counties negotiated a memorandum of understanding (MOU) with CDHS to fulfill the contract requirements. Included, as part of this negotiated MOU is the requirement for counties to submit a set of attachments and policies governing the implementation of the county's program. C.R.S. §26-2-715(1)(a)

Work Activities and Federal Work Participation Rates

To receive federal block grant funds, the state must ensure a minimum percentage of Works Program participants are engaged in work activities for a minimum number of hours each week.

The federal government specifically defined “work activities” for the purpose of calculating work participation rates. These activities include:

- ◆ Unsubsidized employment;
- ◆ Subsidized public or private sector employment;
- ◆ Work experience;
- ◆ On-the-job training;
- ◆ Job search and job readiness assistance;
- ◆ Community service programs;
- ◆ Up to 12 months of vocational training; and
- ◆ Provision of child care services to a participant in a community service program.

The DRA of 2005 requires the Secretary of Health and Human Services to issue regulations that further define the above “work activities” and that address the following:

- ◆ When an activity can count as one of the federally listed work activities;
- ◆ Uniform methods for reporting participation hours;
- ◆ Documentation needed to verify reported hours; and
- ◆ Circumstances under which a parent who resides with a child receiving assistance should be included in the work participation rates.

State and federal laws allow additional work activities that count toward meeting work participation rate purposes with certain restrictions. These activities are:

- ◆ Job skills training directly related to employment;
- ◆ Education directly related to employment; and
- ◆ Satisfactory attendance at a secondary school or program leading to a GED if the participant does not have a GED or high school diploma.

These activities count with no restriction for a minor parent. However, adults must be engaged in one of the eight activities listed previously for a minimum of 20 hours per week (30 or 50 hours for two-parent families) before participation in any of the above three activities will count. The family must still meet the total hourly requirements to be counted. Hourly requirements are an average of 30 hours per week for All Families rate or an average of 35 or 55 hours per week, pending receipt of federal child care benefits, for Two-Parent rate. Under current federal regulations, there is no partial credit for hours of countable activities, meaning if a Colorado Works Participant does not complete the minimum federal requirement, the number of hours is reported to the U.S. Department of Health and Human Services as zero hours.

Counties may define additional activities that qualify as “work” for the purpose of meeting the 24-month work requirement for receiving ongoing assistance. These activities do not count towards meeting federal work participation rates. These activities may include any activity designed to lead to the participant’s self-sufficiency, including attending counseling sessions or parenting classes and obtaining mental health or substance abuse treatment. Additionally, counties define the conditions that determine a participant to be “job-ready.” Some counties take a “work-first” approach and consider all participants to be job-ready immediately. Other counties define “job-ready” more conservatively and expect individuals to have acquired specific skills before determined job-ready. Counties also define the circumstances under which a participant cannot be determined job-ready for “good cause.” Counties apply to the state for waivers or exemptions from Colorado Works Program requirements for participants who are not

job-ready for good cause. County definitions for additional work activities, job-ready, and good cause are set forth in individual county plans.

Eligible Populations

Needy families with dependent children who meet state income and resource standards are eligible for the Colorado Works Program. To be eligible for assistance, children must be living with a parent or caretaker and minor parents must be living with a parent or guardian and be working toward their degree or GED. Generally, the families who were eligible for the former AFDC program are also eligible for the Colorado Works Program. Standards for determining eligibility are consistent statewide.

State statutes exclude certain populations from participating in the Colorado Works Program. These populations include:

- ◆ Fugitive felons and parole or probation violators;
- ◆ Persons who have been convicted of drug-related felonies since July 1, 1997 and have not made progress toward rehabilitation; and
- ◆ Legal aliens entering the United States after August 22, 1996.

People seeking to participate in the Colorado Works Program must apply at their County Departments of Human/Social Services. The state has developed a single purpose application form for individuals to use when seeking state and federal assistance from a number of programs, including the Colorado Works Program. County staff enters application information into the Colorado Benefit Management System (CBMS), the state's automated eligibility determination system. County staff also verifies eligibility information against federal Social Security Administration and Internal Revenue Service files through the Income Eligibility Verification System (IEVS). State rules require counties to process applications for assistance within 45 days. Additionally, counties must redetermine eligibility for all participants every 12 months.

Types of Assistance

Colorado provides many types of assistance through the Colorado Works Program:

Ongoing Assistance Payments or Basic Cash Assistance Grant. All eligible families receive basic cash assistance determined by a formula that is standardized statewide. This formula relies on a need standard identified in statute for various household sizes. These payments can be used for basic, ongoing needs such as food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses. Families may also receive up to six months of cash assistance in a lump sum if the county and the participant determine that a lump sum payment is in the best interest of the family. Receipt of lump sum payments, however, is voluntary on the part of the participant.

Other Assistance. Counties may provide "other assistance" in addition to the basic cash assistance grant. Since counties are not required to grant other assistance, the amount and type of other assistance provided varies among counties. Other assistance may include supportive services such as child care and transportation services for families who are employed, refundable earned income tax credits and contributions to an individual development account for home purchases, business capitalization or higher education. Other assistance may also include substance abuse treatment and job skills education vouchers for

use at a community or technical college. Counties explain their policies for granting other assistance in their program plans, submitted to CDHS annually.

Short-term Assistance Payments

Colorado Works Participants may choose to receive a short-term assistance payment, formerly referred to as a diversion payment, which is non-recurrent and needs-based in nature. A short-term assistance payment is designed to address a specific crisis situation or episode of need such as a rent payment or auto insurance payment that will enable a family to remain self-sufficient. Short term assistance payments may not exceed beyond four months. There are two types of short-term assistance payments which counties can offer participants: a standard short-term assistance payment (formerly known as a state diversion payment) and an expanded short-term assistance payment (formerly known as a county diversion payment). If a county chooses to offer expanded short-term assistance payments, the criteria for receiving these payments, including maximum allowable income, must be set forth in a participant's Individual Responsibility Contract (IRC).

Program Structure

The structure of the Colorado Works Program offers maximum flexibility to counties in administering local programs. According to state statutes and regulations, counties (not the state) are responsible for designing programs and services that achieve county, state, and federal goals and meet the needs of individual families. Thus, the amount and type of assistance and the methods for implementing basic program requirements vary widely among counties. For example, some counties may contract out all or part of their program operations to private or public providers. Other counties may provide all services themselves. Large counties may have several staff, each of whom is assigned to one specific type of activity, such as assessment, training, or case management. Small counties may have one staff person responsible for providing eligibility determination and all other Colorado Works services.

Statutes require each county to develop a plan that explains how it will operate Colorado Works within state and federal guidelines. CDHS staff reviews the plans and makes suggestions for improvement, but staff does not approve or deny county plans. The plans are incorporated as part of each county's performance contract with CDHS. The performance contract, or Memorandum of Understanding (MOU), identifies the county's duties and responsibilities, including the duty to administer and implement the Colorado Works and CCCAP according to fair and objective criteria. The MOU includes each county's work participation rate, which CDHS negotiates with individual counties each year to ensure compliance with federal law. The MOU also includes the county's agreement to accept sanctions, including a reduction in future county block grants, for failing to meet work participation rates. Statutes authorize CDHS to include performance measures that counties must achieve in exchange for receiving block grant funds. Currently, the only performance measure included in the MOU is the county's work participation rate

County Programs

Counties engage in numerous activities to operate local Colorado Works Programs. Although each county may operate the program differently, county responsibilities generally include:

Assessment

Counties must assess each participant within 30 days of applying for assistance. Assessments generally evaluate a participant's basic skills, past employment history, employability, education level, barriers to employment, strengths, family situation, needs and other relevant factors. Counties have different processes for assessing participants. Some do assessments with their own staff, others contract with a professional agency; some do assessments by mail, others do face-to-face interviews in their offices.

Case Management

Case management and participant follow-up activities also differ among counties, but generally include identifying participant goals and work activities, establishing timeframes for achieving self-sufficiency, obtaining supportive services for participants (such as mental health counseling, substance abuse counseling, life skills training, money management, or parenting classes), providing ongoing support and assistance to participants in overcoming barriers to training and employment, and monitoring participant progress toward attaining self-sufficiency.

Referral Services

According to statutes and rules, counties must refer participants who are past or present victims of domestic violence, are homeless, or are in need of mental health or substance abuse treatment to counseling or other supportive services. State statutes do not require counties to pay for these services.

Individual Responsibility Contracts (IRCs)

Counties enter into contracts with each Works Program participant, including those receiving short-term assistance payments. These contracts explain the responsibilities and duties that the participant must perform—including those activities the participant will complete to become “job ready”, employed, or self-sufficient-in exchange for assistance. Counties develop IRCs to address the service needs of individual families. Counties must complete IRCs within 30 days of assessment. Counties evaluate and modify the IRCs as they determine necessary and appropriate.

Written Notification

Counties notify applicants and participants of their rights in writing. Counties must notify participants of time limits for receiving assistance, domestic violence waivers, extensions or exemptions, and any other services available.

Employment and Training Program

All counties must provide a program to develop, facilitate, and provide employment and training opportunities for their Works Program participants. The program may be delivered by the county itself or arranged through a workforce center, welfare-to-work agency, a community-based organization such as Goodwill, or a private, for-profit organization.

Defining Program Features

Each county defines specific program features to reflect its goals and policies, including 1) developing criteria to determine when a participant is “job- ready,” 2) defining activities, in addition to the federally-listed activities, which constitute “work,” 3) developing criteria for granting county diversion assistance, including the maximum income allowed and timeframes during which participants may not apply for Colorado Works assistance, and 4) developing

criteria for administering sanctions when participants fail to carry out responsibilities set forth in their Individual Responsibility Contracts.

Sanctions

Counties administer sanctions defined by state rules. There are sanctions for failing to: cooperate with child support services, participate in work activities, immunize children; and committing fraud and misrepresentation. Counties determine the circumstances that result in a sanction and the sanction's duration. Sanction policies are set forth in individual county plans.

Record Keeping

Counties track participants and maintain records and accounts on Works Program costs. Counties must report information on participants to the state as required for federal reporting purposes.

State Monitoring

The CDHS has the following responsibilities for administering and monitoring the Colorado Works Program:

- ◆ Ensuring compliance with the federal Personal Responsibility and Work Opportunity Reconciliation Act through the state plan and rules
- ◆ Developing, with the assistance of the Works Allocation Committee, adjustments to county block grants
- ◆ Monitoring the state's progress toward meeting federal work participation requirements, levels of spending required by federal law (MOE) and counties' provision of basic assistance grants
- ◆ Establishing and monitoring statewide goals for reducing the incidence of out-of-wedlock pregnancies
- ◆ Developing a uniform reporting system for counties to report participant information as required by the federal government and standardized forms to streamline the application process, delivery of services, and tracking of participants
- ◆ Providing training to county caseworkers
- ◆ Establishing an administrative review process for participants who appeal county decisions

Other Assistance Programs

Many Colorado Works Program participants also qualify for other state and federal assistance programs. Some participants remain eligible for these programs after leaving the Colorado Works Program and transitioning to employment. These programs include:

Food Assistance

Most Colorado Works Program participants are eligible for food assistance. All participants receiving basic cash assistance are categorically eligible for SNAP benefits. SNAP has different income eligibility standards than the Colorado Works Program. Participants do not have to be employed to receive food assistance, and many participants continue to be eligible for food assistance after becoming employed. The eligibility criteria is set federally by the Food and Nutrition Service at the U.S. Department of Agriculture.

Child care Assistance

Child care assistance is available to Colorado families with incomes up to 85 percent of the state median income. If funding is available, eligible families whose income is equivalent to 185% federal poverty level can receive child care assistance until their income reaches 85 percent of the state median income. C.R.S §26-2-805. Participants pay some portion of their child care costs based on a sliding scale fee; the state pays the remainder directly to the provider. Many participants continue to receive child care assistance when transitioning from the Colorado Works Program under the Low Income Child Care program.

Medicaid

All Colorado Works Program participants receiving basic cash assistance also receive Medicaid. When participants become ineligible for basic cash assistance, they typically qualify for transitional Medicaid for a maximum of another 12 months. After adult family members are no longer eligible for Medicaid benefits, the children generally remain eligible.

Child Support

The state establishes paternity and collects child support payments from non-custodial parents through its Child Support Enforcement Division. All Colorado Works Program participants who receive child support for their dependent children assign their child support rights to the state.

Other Assistance

Colorado Works Program participants may also receive assistance from energy assistance programs, housing assistance programs, the Head Start program, school lunch programs, and other programs.

Old Age Pension

Since 1937, the Colorado Constitution has insured Colorado residents' basic retirement income and health coverage. The Old Age Pension (OAP) program provides financial assistance and health care benefits for low-income adults age 60 or older. Generally speaking, persons in the program are between the ages of 60 and 65 and are not yet Medicare eligible (age 65), do not meet Social Security disability criteria for Medicaid eligibility, and have incomes significantly below the federal poverty level. The Old Age Pension is 100% funded by the state under the state Old Age Pension Fund.

Medical Benefits-All Old Age Pension recipients qualify for medical coverage of:

- ◆ Inpatient hospital services
- ◆ Outpatient hospital services
- ◆ Home health care
- ◆ Laboratory and X-ray services
- ◆ Physician services
- ◆ Pharmacy services
- ◆ Medical transportation
- ◆ Dental care (limited to surgical Procedures)
- ◆ Medical supplies and durable medical equipment

Some Old Age Pension recipients may also qualify for nursing home care, home and community-based care, inpatient psychiatric care, Adult Foster Care, or a Home Care Allowance.

OAP Recipients May Qualify for:

- ◆ SNAP benefits
- ◆ Financial assistance to reduce winter heating costs (LEAP)
- ◆ Discount on monthly CenturyLink telephone bill

To qualify for OAP benefits you must:

- ◆ Be age 60 or older
- ◆ Have total gross monthly income below 76.2% of the federal poverty level per month (if you receive home care allowance, this amount may be higher.) Call your local county office for exact amount.
Income is anything that can be used to purchase food, clothing, or shelter. Some examples include wages, social security, pensions, child support, unemployment benefits, and spouse's income.
- ◆ Have resources below \$2,000, couple resources below \$3,000
Resources are any money that remains unspent from a prior month. Some examples include cash, checking and savings accounts, stocks, bonds, some insurance policies, and secondary property.
- ◆ Be a U.S. citizen or legal immigrant.
- ◆ Be a resident of Colorado.

Resources

The home, a car, personal belongings, household goods, some burial policies, and some life insurance policies are EXEMPT. They are NOT COUNTED as part of an applicant's resources. However, a Medicaid lien may be filed on property to be collected after death if over the age 55 or receiving long term care (LTC).

Colorado Aid to Needy Disabled/Blind (AND)

Low income adults aged 18-59 years with total work disabilities may be eligible for monthly cash payments through the STATE Aid to Needy Disabled/Blind (AND) program. The ultimate amount of the cash payment is subject to state general fund appropriations and is therefore susceptible to change. Counties are required to provide a 20% local match but some of that match may be offset for AND clients who are later found eligible for social security benefits.

If the primary diagnosis is alcoholism or controlled substance addiction, the maximum period of eligibility is 12 cumulative months. STATE AND may also provide temporary financial assistance while eligibility for federal Supplemental Security Income (SSI) is pending. All STATE AND applicants must also apply for SSI. However, the STATE AND applicant does not need to be found eligible for SSI in order to receive STATE AND benefits.

Note: If approved for SSI, the STATE AND individual will have to repay some STATE AND representing duplicate payments from the first SSI check.

Adult Protection

Adult Protection is a program designed to intervene with or on the behalf of at-risk adults to correct or alleviate situations in which actual or imminent danger of abuse, neglect, or exploitation exists and to utilize support systems to provide continuing safety from the incident(s) of abuse, neglect, or exploitation.

Target population includes:

- ◆ At-risk adults 18 years of age and older who are unable to protect their own interests and who are in need of assessment for protection or short-term services due to a report of actual or potential neglect, abuse, or exploitation.
- ◆ At-risk adults for whom the county department has guardianship or conservatorship or individuals for whom the county department is the representative payee.

Counties where a certain number of mistreatment or self-neglect reports have been filed on at-risk adults must establish an at-risk adult protection team. The at-risk adult protection team must examine processes used to report and investigate mistreatment or self-neglect, review protective services for such adults, facilitate interagency cooperation and provide community education of the mistreatment and self-neglect of at-risk adults. C.R.S§ 26-3.1-103.

Beginning July 1, 2014, certain professionals who witness or suspect physical or sexual abuse, caretaker neglect or financial exploitation of those 70 years or older must file a report with local law enforcement.

Low Income Energy Assistance Program - LEAP

The Low-Income Energy Assistance Program (LEAP) helps needy Colorado residents pay their winter utility bills. The program is 100% federally funded including county administration of the program

Qualifications include:

- ◆ Family household income less than 185% of the federal poverty level guidelines;
- ◆ Home heating costs are paid to an energy provider or as part of your rent and;
- ◆ Permanent and legal residency in the United States and Colorado.

Automated Information Systems

Several automated data systems collect and report data of importance to the Financial and Medical Assistance programs as well as the Children, Youth, and Families programs. Following is general information about each of these systems:

1. **Colorado Benefits Management System (CBMS).** The Colorado Benefits Management System (CBMS) was implemented in September 2004. CBMS is an integrated windows-based environment that replaced six antiquated mainframe systems in Colorado. The system provides improved access to public assistance and medical benefits by providing one-stop access, faster eligibility determinations, enhanced communications between counties, higher accuracy, and consistency in eligibility determination statewide. The system maintains extensive information on participant's eligibility, payment history, types of assistance, case actions, work activities and participation, notifications, and county expenditures for all assistance programs. CBMS provides legislators, commissioners, and administrators with increased and easier access to information for trend analysis and policy development.

2. **Income Eligibility Verification System (IEVS).** The IEVS system allows counties to verify eligibility determination information on COIN (such as social security, income, and employment information) against unemployment benefit, wage report, income, and social security information through interfaces with the Colorado Department of Labor and Employment, the Internal Revenue Service, and the Social Security Administration. CDHS manages the system.
3. **Child Care Automated Tracking System (CHATS).** This system maintains information on the Colorado Child Care Assistance Program. The system determines eligibility based on income, authorizes subsidized child care, tracks provider rates, makes payments to child care providers and parents, and tracks expenditures. System components include intake, authorization, benefit payment, provider, case management, expenditure, and system administration. CDHS manages CHATS.
4. **Children, Youth, and Families System (TRAILS).** The TRAILS system contains information on children in the Child Welfare system. The system contains basic demographic data, information about the court case (dependency and neglect, abuse, adoption), services provided to the child (including foster care services), the provider serving the child, and financial information about payments to providers. TRAILS does not contain information about families who were contacted by or received services from county social services caseworkers unless the child completed the intake process. The old automated system known as CWEST was replaced by the new TRAILS System effective October of 2000. CDHS manages the TRAILS system.
5. **Automated Child Support Enforcement System (ACSES).** The ACSES system maintains information on child support requirements for intrastate (when all parties reside in Colorado) and interstate (when one party resides outside of Colorado) cases. The system maintains information on all people in the case and every child support court order associated with the parties. It records the dollars collected from and distributed to the various parties, as set forth in the court order. CDHS manages the ACSES system.
6. **Client Index and State Identification Module (SIDMOD).** The SIDMOD system develops a single state identification number for clients who receive services from CDHS programs and are tracked on various CDHS automated systems. Client Index can determine whether a client with a state identification number has ever been served by programs tracked on COIN, ACSES, CHATS, CWEST, CAFSS, and on the automated computer systems serving mental health, youth corrections, ADAD, developmental disabilities, vocational rehabilitation, energy assistance, and refugee programs. For confidentiality reasons, SIDMOD cannot be used to identify clients receiving mental health, ADAD, or youth corrections programs without specific approval from the Client Index Steering Committee.
7. **Unemployment Insurance Benefits (UIB) and the Wage Report Systems.** These systems track information on unemployment insurance payments from employers, including the name of the employer, the industry of employment, and the salary of the employee. The systems are managed by the Colorado Department of Labor and Employment.
8. **Integrated Colorado On-Line Network (ICON).** The ICON system tracks cases through the Colorado District Courts and through Probation. The system records names of parties,

charges, filings, court documents, and case dispositions. The system is part of the Colorado Integrated Criminal Justice Information System, which maintains data from the Judicial Department, District Attorneys, the Division of Youth Corrections, the Department of Corrections, and the Colorado Bureau of Investigation systems. ICON is managed by the Judicial Department.

9. Colorado Adult Protective Services Data System (CAPS). In 2014, the CAPS system was implemented to capture reports of alleged mistreatment, help identify client and program needs, and track the progress of adult protection investigations and cases. CAPS allows for every part of a case to be documented electronically, thus the entirety of the case can be viewed at once without referencing paper files. Other program requirements, such as continuing education and adult protection team activities, are also captured in CAPS.

State Administered Programs

While the county administers most human services programs, the following section describes programs administered by the state with counties matching the funding. Often these programs work as a part of or in cooperation with other county programs.

Programs for the Aged

Elderly in Colorado may receive assistance in maintaining independence through supportive human services programs. Such services are statewide and funded by monetary grants to “Area Agencies on Aging” (AAAs) or provided through “Community Food and Nutrition” programs for the elderly.

CDHS supervises the administration of these services with federal grant monies going to the state’s 16 Area Agencies on Aging (AAA). The state also monitors the AAAs and administers Title III of the Older Americans’ Act that establishes community programs and nutrition programs for the elderly. It also administers staff training and model project grants, and state grants for seniors’ programs. Title III under the federal “Older Americans’ Act”; C.R.S. §§26-1-109 and 26-11-101, et seq. and 201, et seq., “Older Coloradans’ Act.”

Vocational Rehabilitation Programs

The state department is responsible for coordinating and strengthening rehabilitation programs for disabled and non-disabled persons for the purpose of attaining their maximum potential in employment, self-care, and independent living. C.R.S. §26-8-101.

Child Support Services

The federal law requires each state to establish a single and separate agency to provide child support enforcement services. These services consist of:

- ◆ Locating non-custodial parents;
- ◆ Establishing paternity;
- ◆ Establishing, enforcing, and modifying child support orders;
- ◆ Establishing, enforcing and modifying medical support orders; and
- ◆ Collecting and distributing child support payments.

See your local director for more information on the federal law requirements.

In response to federal legislation, Colorado substantially strengthened the child support enforcement authority of the state in 1997. Among other provisions, statutes provide for protecting confidentiality of information and certain notice and appeal rights of persons subject to child support enforcement proceedings. C.R.S. §26-13-101, et seq.

States have automated systems for tracking and monitoring child support payments. Such services are designed to ensure absent parents fulfill support obligations to their children. Child Support Services is a statewide enforcement program of such obligations, location of absent parents, and establishment of paternity. These services are available to all persons in Colorado; however, Colorado Works Program recipients are required to participate in, and cooperate with, the program as a condition of eligibility for Colorado Works.

The Division of Child Support Enforcement supervises county administration of all such services - except for the State Parent Locator Service, which is directly administered by CDHS. Such services constitute what is commonly referred to as the “IV-D Program.” Counties have chosen different methods of providing the program. U.S. Social Security Act, Title IV-D, C.R.S. §§26-1-111, 26-13.5-101, et seq.

Most Child Support Services programs are included as a program of the County Department of Human/Social Services. However, in some counties the program is operated by another agency, typically an attorney’s office or a private entity.

PUBLIC HEALTH AGENCIES

County government in Colorado is also charged with providing a number of public health services to its citizens. Public Health uses science-based strategies to promote the health of the community; prevent disease, injury and premature death; and respond to environmental threats and emergencies that could impact human health. In practice, state and local public health agencies work to ensure:

- Community health status is regularly assessed, and plans are made to improve health
- Infectious diseases are monitored and investigated to prevent their spread
- Children and adults have the opportunity to be vaccinated against disease
- Screening programs are available for early identification of chronic diseases
- Reproductive health services are available
- Health care services are available to all populations within the community
- Emergency response plans are in place for disasters
- Hazards that cause injury or disease are mitigated
- Drinking water is safe
- Air is clean
- Sewage is contained
- Restaurants serve safe, untainted food

In 2008, Colorado’s legislature passed the Public Health Act to update Colorado’s public health system. Colorado’s Public Health Act (SB08 194) called for major reforms to the state’s governmental public health system, made up of the Colorado Department of Health and Environment (CDPHE), and 53 local public health agencies (LPHAs). The Act’s purpose was to ensure that Core Public Health Services were available with a consistent standard of quality, to

every person in Colorado regardless of where they live. Over the decade since this Act was passed, Colorado has seen many achievements and advancements in public health.

In general, the Act:

- Restructured the local governmental public health system.
- Defined the duties of a local public health agency.
- Directed the Colorado Board of Health to establish by rule:
 - minimum qualifications for directors
 - core public health services
 - minimum quality standards for public health services, and
 - a funding formula for allocating moneys to county and district public health agencies.
- Defined new roles for the state board of health and local boards of health.
- Established a collaborative, five-year planning cycle at the state and local levels.

The *intent* of the Public Health Act of 2008 was to improve the performance of the public health system in order to improve the health outcomes of Colorado's residents and visitors. The Act called upon the Colorado Department of Public Health and Environment (CDPHE) to develop a comprehensive statewide public health improvement plan every five years that assesses and sets priorities for the public health system.

County or District Public Health Agencies

The Act requires that each county establish and maintain a county public health agency or participate in a district (two or more contiguous counties) public health agency to protect and preserve the public's health. An agency consists of a county or district board of health, a public health director, and a medical officer (if the director is not a physician), and other relevant personnel necessary to carry out the duties of the agency.

The Act established the duties of all local public health agencies, including carrying out the public health laws and rules of the state board and commissions. In addition to other powers and duties, agencies shall:

- Complete a community health assessment and to create a county or district public health plan at least every five years.
- Advise the local board of health on public policy issues necessary to protect public health and the environment.
- Provide or arrange for the provision of quality, core public health services as defined by the Colorado Board of Health.

County and District Boards of Health

The Act (C.R.S. 25-1-508) states that members of a county board of health shall be appointed by the board of county commissioners (BOCC). Furthermore, members of a district board shall be appointed by an appointments committee, composed of one commissioner from each county comprising the district.

County Agencies

- Each county board of health shall consist of at least five members.
- The terms of the initial appointments are staggered, and then for five years thereafter.
- Members of the county board of health shall reside within the county where the public health agency is located.
- No business or professional group or governmental entity shall constitute a majority of the board.
- In counties with populations of less than 100,000, a three-member board may be appointed. The board of county commissioners may designate itself as the county board of health if there was not a separate board of health prior to the effective date of the Act.

District Agencies

- Each district board of health shall consist of a minimum of five members and include at least one representative from each county in the district.
- Members of the district board of health shall be residents of one of the counties within the district.
- No business, professional group or governmental entity shall constitute a majority of the board.

Responsibilities for the County and District Boards of Health include

Administrative:

- Select a Public Health Director to serve at the pleasure of the board.
- Employ/contract with a medical officer to advise the director if the director is not a physician.
- Hold regular Board of Health meetings at least once every three months.
- Provide, equip, and maintain suitable offices and facilities for the proper administration and provision of Core Public Health Services.
- Follow orders, rules, and standards of the Colorado Board of Health.
- Act in an advisory capacity to the public health director on all matters pertaining to public health.
- Approve the five-year local public health plan, and then submit to the State Board of Health for review.
- Determine necessary services and set local priorities consistent with state public health laws and rules, according to local needs and the resources available, and consistent with the state and local public health improvement plans.

Policy Making:

- Determine general policies to be followed by the public health director, in administering & enforcing public health laws, orders, & rules.
- Develop and promote the public policies needed to secure the conditions for a healthy community, by considering the advice and expertise of the local public health agency.
- Issue orders & adopt rules consistent with the laws, rules & orders of the state & the state board, for public or environmental health issues that pose no immediate health threat.

Financial Oversight:

- Annually review the costs of maintaining the local public health agency for the ensuing year.
- Assess fees to offset the actual, direct costs of environmental health services, with the exception of any person who has already paid a fee to the state or federal government and using the already-established fee for annual retail food establishment inspections, set forth in section 25-4-1607.
- Accept and, through the public health director, use, disburse, and administer all appropriated county general funds, federal and state aid or other property and services or money allotted to an agency for county or district public health functions.
- Board President (or designee) and Public Health Director certify that claims or demands made against the local public health agency fund were expended only for the duties of the agency.

BOCC Roles and Responsibilities

Unless the BOCC is currently serving as the County Board of Health, the roles, and responsibilities of the BOCC are largely limited to approving the local public health agency's budget. Of importance is C.R.S §25-1-512 which states "In order to qualify for state assistance, each county and city and county shall contribute a minimum of one dollar and fifty cents per capita for its local health services and may contribute additional amounts as it may determine to be necessary to meet its local health needs.

Child Fatality Prevention Teams

Subject to available appropriations, County Public Health Agencies are required to establish or designate a local child fatality prevention team. The local review teams are required to review fatalities of children up to the age of 17 and to operate under the supervision of the Colorado Department of Public Health and Environment. County Public Health Agencies may partner with each other to form regional review teams or work in partnership with community providers to meet this requirement.

Traditional County Social Services

Program	Mandated	County Option	Funding	Explanation/Remarks
GENERAL SOCIAL SERVICES				
General Assistance Medicaid		X	100% county.	
Food Assistance Benefits	X		100% federal.	These are benefits issued to a client through Electronic Benefits Transfer (EBT); includes voter registration.
Food Assistance Administration	X		80% federal and state, 20% county (included in regular admin. allocation).	Includes program eligibility staff.
Food Stamp Fraud		X	75% state, 25% county to allocation.	Includes investigative staff.
Food Stamp Employment First Program (FSEFP)	X		Combination of 80% federal and state, 20% county, 100% federal and 100% in-kind.	Food Assistance Work Program includes Workfare Program and Child Care Assistance.
Services to the Aged		X	County, state, and federal.	Includes social, recreational, medical, transportation and homemaker services.
Family Planning and Birth Control Services		X	County, state, and federal.	
Old Age Pension (OAP)	X		100% state.	These are benefits issued to a client through EBT; includes voter registration and Medicaid.
OAP Administration	X		Combination: 80% federal, state, 20% county, included in regular admin. allocation, 100% state.	Includes eligibility staff. Eligibility staff caseloads consist of OAP, AND AND/SSI/CS, AB and AB/SSI/CS. 100% funding based on rms indirect costs.
Aid to the Needy Disabled (AND)	X		80% federal and state, 20% county.	These are benefits issued to clients through EBT; includes voter registration but no Medicaid.

AND Administration	X		80% federal and state, 20% county, included in regular admin. allocation.	Includes eligibility staff. Eligibility staff caseloads consist of OAP, AND AND/SSI/CS, AB, and AB/SSI/CS.
Aid to the Blind (AB)	X		80% federal and state, 20% county.	These are benefits issued to clients through EBT; includes voter registration, no Medicaid.
AB Administration	X		80% federal and state, 20% county, included in regular admin. allocation.	Includes eligibility staff. Eligibility staff caseloads consist of AOP, AND AND/SSI/CS, AB, and AB/SSI/CS.
Social Security Income (SSI)	X		100% federal and state.	Includes Medicaid.
SSI Only Administration	X		80% federal and state, 20% county, included in regular admin. allocation.	Includes eligibility staff. Eligibility staff caseloads consist of AOP, AND AND/SSI/CS, AB, and AB/SSI/CS.
AND/SSI/Colorado Supplemental (CS)	X		80% federal and state, 20% county.	This program is a Colorado Supplemental to SSI through AND. Medicaid is included as a benefit. These are benefits issued to clients through EBT; includes voters.
AB/SSI/CS	X		80% federal and state, 20% county.	This program is a Colorado Supplemental to SSI through AND. Medicaid is included as benefit. These are benefits issued to clients through EBT; includes voters.
Old Age Health and Medical Care Fund	X		Federal and state.	Eligibility: all persons receiving an old age pension except those who are inmates of mental hospitals or of institutions for the care of the tubercular.
Welfare Fraud Prevention and Recovery	X		County, state, and federal.	
CHILD WELFARE PROGRAMS				
Expedited Permanency Planning	X		100% state, to allocation limit.	Includes protective services staff.
ALIVE/E	X		100% federal.	Includes case management staff.

Certified Kinship Care	X			
Domestic Violence Grants		X	State and federal.	
Basic Child Abuse Grant		X	State and federal.	
Children's Habilitation Residential Program (CHRP) Waiver		X	State and federal.	
Child Support Enforcement	X		66% federal, 34% county, federal and state incentives.	Includes program, child support and establishment of paternity and staff.
LEAP	X		100% federal.	These benefits are issued to clients through EBT.
LEAP Administration	X		100% federal within allocation.	Includes temporary eligibility staff.
Division of Refugee Assistance	X		Federal.	
Core Services/Family Preservation				
Day Treatment	X		80% federal and state, 20% county, 100% federal and state.	Includes contract and protective services staff.
Home Based "Option B"	X		80% federal and state, 20% county, 100% federal and state.	Includes protective services staff.
Life Skills	X		80% federal and state, 20% county, 100% federal and state.	Includes protective services staff.

Special Economic Assistance	X		80% federal and state, 20% county, 100% federal and state.	Includes protective services staff.
Intensive Family Therapy	X		80% federal and state, 20% county, 100% federal and state.	Includes contract and protective services staff.
Substance Abuse Treatment	X		80% federal and state, 20% county, 100% federal and state.	Includes contract and protective services staff.
Mental Health Treatment	X		80% federal and state, 20% county, 100% federal and state.	Includes contract and protective services staff.
Sexual Abuse Treatment	X		80% federal and state, 20% county, 100% federal and state.	Includes contract and protective services staff.
Adult and Family Services				
Option for Long Term Care	X		100% federal and state.	Mandated program, however, it is not mandated at Department of Human Services. Includes case management staff.
Adult Self Sufficiency	X		Federal and state.	Services to maintain adults in the community rather than being placed in nursing homes.
Family Self Support	X		Federal and state.	Assists families in achieving or maintaining self-support by reducing barriers to education, training, or employment plans (i.e. daycare).
Home and Community Based Services	X		Federal and state.	Medicaid funded. Provides case management and services to maintain persons, at risk of nursing home placement, in their own homes.
Adult Protection	X		80% federal and state, 20% county, included in regular admin. allocation.	Includes protective services staff.

Children Services				
Foster Care Placements	X		80% federal and state, 20% county, included in Child Welfare capped allocation TANF funds, if available.	These benefits are issued to providers through EBT. Includes kinship care, subsidized adoption, and independent living placements as well as foster care placements.
Special Circumstance Child Care	X		80% federal and state, 20% county, included in Child Welfare capped allocation TANF funds, if available.	These benefits are issued to providers through EBT.
Youth in Conflict	X		80% federal and state, 20% county, included in Child Welfare capped allocation TANF funds, if available.	Includes protective services and foster care staff.
Children in Need of Protection	X		80% federal and state, 20% county, included in Child Welfare Capped allocation. 100% ACLU allocation included in Child Welfare capped allocation, TANF funds, if available.	Includes protective services and foster care staff.
Children and Youth in Need of Specialized Services	X		80% federal and state, 20% county, included in Child Welfare Capped allocation 100% ACLU allocation included in Child Welfare capped allocation TANF funds, if available.	Includes protective services and foster care staff.
Adoption Services	X		80% federal and state, 20% county, included in Child Welfare capped allocation 100% ACLU allocation included in Child Welfare capped allocation TANF funds, if available.	Includes protective services and foster care staff.

COLORADO WORKS PROGRAM				
Colorado Works/Temporary Assistance to Needy Families (TANF) includes: Basic Cash Assistance	X		Block Grant, county Maintenance of Effort (MOE) and TANF reserve funds MOE.	The county MOE is required, regardless of how much or how little of the block grant is spent.
Colorado Works/TANF administration	X		MOE.	Includes eligibility staff for TANF assistance and case managers for Colorado Works work program unit. PLEASE NOTE: The Colorado Works unit must meet federal participation rates each month. This rate says 40% of all families and 90% of two-parent families must participate in eligible activities for a qualifying number of hours. Only the following activities are eligible in counting toward the participation rate: unsubsidized employment, subsidized employment, work experience, on-the-job training, job search, community service, vocational education, job skills training related to employment, education directly related to employment and high school/GED.
Medicaid	X		MOE.	
Domestic Violence Information	X		MOE.	
State Diversion		X	MOE.	
County Diversion		X	MOE.	
Lump Sum Payments		X	MOE.	
Other Services by contract		X	MOE.	
Supportive Services		X	MOE.	
Non-Assistance		X	MOE.	
TANF Fraud		X	MOE.	Includes investigative staff.
Low-Income and TANF Child Care Services	X		Block Grant, county MOE and TANF reserve funds.	The county MOE is required, regardless of how much or how little of the block grant is spent.
Consolidated Child Care	Pilot			

Neighbors Program	Pilot			
Child Care Administration	X		80% federal and state, 20% county up to Child Care admin. allocation, TANF reserve.	Includes eligibility staff.