

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 22-0997.01 Conrad Imel x2313

HOUSE BILL 22-1375

HOUSE SPONSORSHIP

Michaelson Jenet,

SENATE SPONSORSHIP

(None),

House Committees
Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO IMPROVE THE OUTCOMES FOR THOSE**
102 **PLACED IN OUT-OF-HOME PLACEMENT FACILITIES.**

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>.)

The bill requires the state department of human services (state department) to develop and implement a quality assurance and accountability system (system) to set quality measures for certain residential child care facilities (residential treatment facilities). The system includes quality assurance standards and a collaborative model of quality improvement in which providers and oversight agencies work

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

together to ensure that residential treatment facilities meet the quality assurance standards. The state department must enter into an agreement with an institution of higher education to collaborate and assist the state department with developing the system.

The state department shall implement the system statewide on or before July 1, 2026. Prior to implementing the system statewide, the state department shall convene an advisory group to advise the state department on the development of the system and convene an implementation team to run a pilot program of the system. The state department is required to annually report to the general assembly about the system.

The bill creates the Timothy Montoya task force to prevent children from running away from out-of-home placement (task force) in the office of the child protection ombudsman. The task force must analyze the root causes of why children run away from out-of-home placement; develop a consistent, prompt, and effective response to recover missing children; and address the safety and well-being of a child who has run away upon the child's return to out-of-home placement.

The office of the child protection ombudsman must enter into an agreement with an institution of higher education to perform research that supports the task force's work and conduct focus groups with children in out-of-home placement, young adults who have aged out of the child protection system, and out-of-home placement providers.

The task force is required to issue a preliminary report by October 1, 2023, and a final report by October 1, 2024, that each include the task force's findings and recommendations to reduce the number children who run away from out-of-home placement.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 9 to article
3 6 of title 26 as follows:

PART 9

ACCOUNTABILITY FOR

RESIDENTIAL TREATMENT FACILITIES

7 **26-6-901. Definitions.** AS USED IN THIS PART 9, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "ADVISORY GROUP" MEANS THE ADVISORY GROUP
10 ESTABLISHED PURSUANT TO SECTION 26-6-903 (1).

1 (2) "BEHAVIORAL HEALTH" HAS THE SAME MEANING AS SET FORTH
2 IN SECTION 27-60-100.3.

3 (3) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.

4 (4) "IMPLEMENTATION TEAM" MEANS THE IMPLEMENTATION TEAM
5 ESTABLISHED PURSUANT TO SECTION 26-6-903 (2).

10 (6) "QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM" OR
11 "SYSTEM" MEANS THE QUALITY ASSURANCE AND ACCOUNTABILITY
12 SYSTEM DESCRIBED IN SECTION 26-6-902.

18 (8) "RESIDENTIAL TREATMENT PROVIDER" MEANS A PROVIDER
19 THAT OPERATES A RESIDENTIAL TREATMENT FACILITY.

1 FACILITIES AND SO THAT THE PUBLIC AND ENTITIES THAT PLACE CHILDREN
2 IN A FACILITY CAN MAKE INFORMED DECISIONS RELATED TO CHILD
3 PLACEMENT.

4 (b) THE STATE DEPARTMENT SHALL ENTER INTO AN AGREEMENT
5 WITH AN INSTITUTION OF HIGHER EDUCATION THAT HAS EXPERTISE IN
6 CHILD WELFARE RESEARCH, INCLUDING OUTCOME MEASUREMENT AND
7 IMPACT ANALYSIS, TO ASSIST THE STATE DEPARTMENT IN THE
8 DEVELOPMENT AND IMPLEMENTATION OF THE SYSTEM. THE INSTITUTION
9 SHALL COLLABORATE WITH THE STATE DEPARTMENT AND CARRY OUT THE
10 DUTIES ASSIGNED TO THE INSTITUTION DESCRIBED IN THIS PART 9.

11 (2) THE STATE DEPARTMENT SHALL IMPLEMENT THE SYSTEM
12 STATEWIDE ON OR BEFORE JULY 1, 2026. PRIOR TO IMPLEMENTING THE
13 SYSTEM STATEWIDE, THE STATE DEPARTMENT SHALL CONVENE AND
14 RECEIVE THE RECOMMENDATIONS OF THE ADVISORY GROUP DESCRIBED IN
15 SECTION 26-6-903 (1) AND SHALL CONVENE THE IMPLEMENTATION TEAM
16 TO CONDUCT THE PILOT PROGRAM DESCRIBED IN SECTION 26-6-903 (2).

17 (3) THE QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM MUST
18 INCLUDE EACH OF THE FOLLOWING COMPONENTS:

19 (a) QUALITY ASSURANCE STANDARDS WITH DOMAINS AND
20 CLEARLY DEFINED LEVELS OF QUALITY. DOMAINS MAY INCLUDE, BUT ARE
21 NOT LIMITED TO, ADMISSIONS, SERVICE PLANNING, TREATMENT PLANNING,
22 LIVING ENVIRONMENT, TRANSITION AND DISCHARGE PLANNING, AND
23 PROGRAM AND SERVICE REQUIREMENTS. THE SYSTEM MUST MEASURE THE
24 LEVEL OF QUALITY FOR EACH DOMAIN, USING CRITERIA THAT RESIDENTIAL
25 TREATMENT FACILITIES MUST MEET TO ACHIEVE EACH LEVEL OF QUALITY.

26 (b) STANDARDS THAT CONSIDER THE ACUITY LEVEL OF INDIVIDUAL
27 CHILDREN WHEN USING THE SYSTEM TO EVALUATE FACILITIES AND

1 PROVIDERS;

2 (c) A COLLABORATIVE MODEL OF QUALITY IMPROVEMENT IN
3 WHICH RESIDENTIAL TREATMENT FACILITIES AND STATE AND COUNTY
4 OVERSIGHT AGENCIES WORK TOGETHER TO ENSURE THAT FACILITIES MEET
5 THE QUALITY ASSURANCE STANDARDS. THE QUALITY IMPROVEMENT
6 MODEL MUST NOT BE PUNITIVE AND MUST INCLUDE POSITIVE METHODS OF
7 ENGAGEMENT, TRAINING, AND TECHNICAL ASSISTANCE THAT ENSURES THE
8 BEST OUTCOMES FOR DELIVERING TREATMENT TO CHILDREN.

9 (d) A PUBLIC-FACING DASHBOARD THAT PROVIDES THE PUBLIC AND
10 CHILD PLACEMENT ENTITIES WITH CURRENT INFORMATION REGARDING
11 RESIDENTIAL TREATMENT FACILITIES. THE DASHBOARD MUST INCLUDE
12 THE NATURE AND TYPE OF SERVICES PROVIDED BY A FACILITY AND A
13 MEANINGFUL DESCRIPTION OF EACH FACILITY'S PERFORMANCE. THE
14 DASHBOARD MUST INCLUDE SUFFICIENT INFORMATION TO ALLOW
15 MEMBERS OF THE PUBLIC AND CHILD PLACEMENT ENTITIES TO MAKE
16 INFORMED DECISIONS ABOUT THE PLACEMENT OF A CHILD IN A FACILITY.
17 THE DASHBOARD MUST NOT ASSIGN A SINGLE SUMMARY RATING TO ANY
18 FACILITY.

19 (4) THE QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM MAY
20 INCLUDE COMPONENTS IN ADDITION TO THE COMPONENTS DESCRIBED IN
21 SUBSECTION (3) OF THIS SECTION, AS DETERMINED BY THE STATE
22 DEPARTMENT.

23 (5) IN DEVELOPING AND OPERATING THE QUALITY ASSURANCE AND
24 ACCOUNTABILITY SYSTEM, THE STATE DEPARTMENT SHALL COMPLY WITH
25 ALL STATE AND FEDERAL LAWS THAT APPLY TO THE PLACEMENT OR
26 TREATMENT OF CHILDREN IN A RESIDENTIAL TREATMENT FACILITY. TO
27 AVOID DUPLICATIVE STATE REGULATORY ACTION, THE STATE

1 DEPARTMENT SHALL CREATE A PLAN THAT ENSURES THAT THE SYSTEM IS
2 ALIGNED WITH THE PRACTICES OF ALL STATE AGENCIES RESPONSIBLE FOR
3 THE OVERSIGHT OF A FACILITY.

4 (6) THE DEPARTMENT AND RESIDENTIAL TREATMENT FACILITIES
5 SHALL USE THE INFORMATION FROM THE QUALITY ASSURANCE AND
6 ACCOUNTABILITY SYSTEM TO IMPROVE TREATMENT IN FACILITIES.

7 **26-6-903. Advisory group - implementation team - creation -**
8 **membership - duties - institution of higher education.** (1) (a) PRIOR
9 TO DEVELOPING THE QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM,
10 THE STATE DEPARTMENT, IN COLLABORATION WITH THE INSTITUTION OF
11 HIGHER EDUCATION, SHALL ESTABLISH AND CONVENE AN ADVISORY
12 GROUP TO ADVISE THE STATE DEPARTMENT ABOUT THE DEVELOPMENT OF
13 THE SYSTEM.

14 (b) THE ADVISORY GROUP IS COMPRISED OF:

15 (I) THE FOLLOWING MEMBERS, APPOINTED BY THE EXECUTIVE
16 DIRECTOR AS FOLLOWS:

17 (A) A REPRESENTATIVE OF A RESIDENTIAL TREATMENT PROVIDER
18 LOCATED IN AN URBAN AREA;

19 (B) A REPRESENTATIVE OF A RESIDENTIAL TREATMENT PROVIDER
20 LOCATED IN A RURAL AREA;

21 (C) A REPRESENTATIVE OF A RESIDENTIAL TREATMENT PROVIDER
22 THAT SERVES CHILDREN ELEVEN YEARS OF AGE OR YOUNGER;

23 (D) A REPRESENTATIVE OF A RESIDENTIAL TREATMENT PROVIDER
24 THAT SERVES CHILDREN TWELVE YEARS OF AGE OR OLDER;

25 (E) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF FAMILY
26 AND CHILDREN'S AGENCIES;

27 (F) A PHYSICIAN WHO REPRESENTS A HOSPITAL THAT PROVIDES

1 PSYCHIATRIC TREATMENT FOR CHILDREN;

2 (G) TWO ADULTS WHO RESIDED IN A RESIDENTIAL TREATMENT

3 FACILITY AS CHILDREN;

4 (H) TWO PARENTS WHO HAVE CHILDREN WHO RESIDED IN A

5 RESIDENTIAL TREATMENT FACILITY;

6 (I) A REPRESENTATIVE FROM A STATEWIDE ASSOCIATION THAT

7 REPRESENTS CHILD PLACEMENT AGENCIES;

8 (J) TWO MEMBERS WHO REPRESENT A COUNTY DEPARTMENT OF

9 HUMAN OR SOCIAL SERVICES, ONE FROM AN URBAN COUNTY AND THE

10 OTHER FROM A RURAL COUNTY;

11 (K) ONE MEMBER WHO REPRESENTS THE OFFICE OF BEHAVIORAL

12 HEALTH IN THE DEPARTMENT OF HUMAN SERVICES;

13 (L) ONE MEMBER WHO REPRESENTS THE OFFICE OF CHILDREN,

14 YOUTH, AND FAMILIES IN THE DIVISION OF CHILD WELFARE WITHIN THE

15 STATE DEPARTMENT OF HUMAN SERVICES; AND

16 (M) TWO MEMBERS WHO REPRESENT THE PROVIDER SERVICES UNIT

17 IN THE STATE DEPARTMENT'S OFFICE OF CHILDREN, YOUTH, AND FAMILIES;

18 (II) A REPRESENTATIVE OF THE OFFICE OF THE CHILD PROTECTION

19 OMBUDSMAN, APPOINTED BY THE OMBUDSMAN;

20 (III) A REPRESENTATIVE OF THE COLORADO DEPARTMENT OF

21 HEALTH CARE POLICY AND FINANCING WITH EXPERTISE IN THE

22 ADMINISTRATION OF THE "COLORADO MEDICAL ASSISTANCE ACT",

23 ARTICLES 4 TO 6 OF TITLE 25.5, APPOINTED BY THE EXECUTIVE DIRECTOR

24 OF THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING; AND

25 (IV) A REPRESENTATIVE OF THE FACILITY SCHOOLS UNIT IN THE

26 DEPARTMENT OF EDUCATION, APPOINTED BY THE COMMISSIONER OF

27 EDUCATION.

5 (d) THE EXECUTIVE DIRECTOR SHALL CONVENE THE FIRST MEETING
6 OF THE ADVISORY GROUP NO LATER THAN SEPTEMBER 30, 2022. THE
7 ADVISORY GROUP SHALL MEET AT LEAST FOUR TIMES, AND ADDITIONALLY
8 AT THE CALL OF THE EXECUTIVE DIRECTOR AS NECESSARY TO CARRY OUT
9 ITS DUTIES. THE ADVISORY GROUP MAY MEET ELECTRONICALLY. THE
10 STATE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE ADVISORY
11 GROUP.

12 (e) THE ADVISORY GROUP SHALL:

13 (I) IDENTIFY FACTORS THAT POSITIVELY CONTRIBUTE TO A CHILD'S
14 BEHAVIORAL HEALTH OUTCOMES;

15 (II) IDENTIFY SYSTEMIC CONCERNs THAT CREATE BARRIERS TO
16 POSITIVE BEHAVIORAL HEALTH OUTCOMES;

17 (III) IDENTIFY STRATEGIES FOR ASSESSING THE QUALITY OF
18 RESIDENTIAL TREATMENT FACILITIES:

19 (IV) IDENTIFY INFORMATION THAT WOULD ASSIST THE PUBLIC IN
20 UNDERSTANDING THE NATURE AND QUALITY OF CARE PROVIDED BY
21 RESIDENTIAL TREATMENT FACILITIES; AND

22 (V) RECOMMEND TO THE STATE DEPARTMENT WHETHER ALL OR
23 PART OF THE QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM SHOULD
24 BE USED TO ASSESS ADDITIONAL RESIDENTIAL FACILITIES, INCLUDING
25 SHELTER FACILITIES, PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES,
26 OR COMMUNITY-BASED RESIDENTIAL CHILD CARE FACILITIES.

27 (f) ON OR BEFORE SEPTEMBER 1, 2023, THE ADVISORY GROUP

1 SHALL REPORT THE RESULTS OF ITS WORK, INCLUDING ANY FINDINGS AND
2 RECOMMENDATIONS, TO THE STATE DEPARTMENT.

3 (2) (a) AFTER RECEIVING THE RECOMMENDATIONS FROM THE
4 ADVISORY GROUP AND DEVELOPING THE SYSTEM PURSUANT TO SECTION
5 26-6-902, THE STATE DEPARTMENT, IN COLLABORATION WITH THE
6 INSTITUTION OF HIGHER EDUCATION, SHALL ESTABLISH AND CONVENE AN
7 IMPLEMENTATION TEAM TO CONDUCT A PILOT PROGRAM FOR THE SYSTEM.

8 (b) (I) THE IMPLEMENTATION TEAM INCLUDES A REPRESENTATIVE
9 FROM EACH RESIDENTIAL TREATMENT FACILITY; A REPRESENTATIVE FROM
10 THE PROVIDER SERVICES UNIT IN THE STATE DEPARTMENT'S OFFICE OF
11 CHILDREN, YOUTH, AND FAMILIES; AND ANY ADDITIONAL MEMBERS
12 DEEMED APPROPRIATE BY THE EXECUTIVE DIRECTOR. A MEMBER OF THE
13 ADVISORY GROUP MAY BE A MEMBER OF THE IMPLEMENTATION TEAM.

14 (II) MEMBERS OF THE IMPLEMENTATION TEAM SERVE WITHOUT
15 COMPENSATION OR REIMBURSEMENT FOR EXPENSES.

16 (c) THE EXECUTIVE DIRECTOR SHALL CONVENE THE FIRST MEETING
17 OF THE IMPLEMENTATION TEAM WITHIN THIRTY DAYS AFTER THE STATE
18 DEPARTMENT HAS DEVELOPED THE QUALITY ASSURANCE AND
19 ACCOUNTABILITY SYSTEM. THE IMPLEMENTATION TEAM SHALL MEET AT
20 LEAST FOUR TIMES DURING THE PILOT PROGRAM, AND ADDITIONALLY AT
21 THE CALL OF THE EXECUTIVE DIRECTOR AS NECESSARY TO CARRY OUT ITS
22 DUTIES. THE STATE DEPARTMENT SHALL PROVIDE STAFF SUPPORT FOR THE
23 IMPLEMENTATION TEAM. THE IMPLEMENTATION TEAM MAY MEET
24 ELECTRONICALLY.

25 (d) THE IMPLEMENTATION TEAM SHALL EVALUATE THE SYSTEM BY
26 CONDUCTING A PILOT PROGRAM THAT USES THE SYSTEM TO ASSESS FIVE
27 RESIDENTIAL TREATMENT FACILITIES SELECTED BY THE IMPLEMENTATION

1 TEAM. IN SELECTING PILOT SITES, THE IMPLEMENTATION TEAM SHALL
2 ENSURE THAT AT LEAST TWO PILOT SITES ARE QUALIFIED RESIDENTIAL
3 TREATMENT PROGRAMS, AT LEAST ONE PILOT SITE IS LOCATED IN THE
4 DENVER METROPOLITAN AREA, AND AT LEAST ONE PILOT SITE IS LOCATED
5 OUTSIDE THE DENVER METROPOLITAN AREA. AS PART OF ITS EVALUATION
6 OF THE SYSTEM, THE IMPLEMENTATION TEAM SHALL:

7 (I) IDENTIFY EXISTING PRACTICES AND SYSTEM FACTORS
8 NECESSARY FOR THE SUCCESSFUL IMPLEMENTATION OF THE QUALITY
9 ASSURANCE AND ACCOUNTABILITY SYSTEM;

10 (II) IDENTIFY BARRIERS TO SUCCESSFUL IMPLEMENTATION OF THE
11 SYSTEM; AND

12 (III) IDENTIFY RESOURCES NEEDED FOR THE SUCCESSFUL
13 IMPLEMENTATION OF THE SYSTEM.

14 (e) THE STATE DEPARTMENT SHALL NOT TAKE ANY ADVERSE
15 ACTION AGAINST THE LICENSE OF A RESIDENTIAL TREATMENT FACILITY
16 THAT PARTICIPATES IN THE PILOT PROGRAM BASED ON THE FACILITY'S
17 FAILURE TO MEET QUALITY ASSURANCE STANDARDS INCLUDED IN THE
18 SYSTEM.

19 (f) ON OR BEFORE DECEMBER 31, 2025, THE IMPLEMENTATION
20 TEAM SHALL REPORT THE RESULTS OF ITS WORK TO THE STATE
21 DEPARTMENT AND THE INSTITUTION OF HIGHER EDUCATION, INCLUDING
22 ANY RECOMMENDATIONS FOR CHANGES TO THE SYSTEM PRIOR TO
23 STATEWIDE IMPLEMENTATION.

24 (3) AS PART OF ITS COLLABORATION WITH THE STATE DEPARTMENT
25 ON THE DEVELOPMENT AND IMPLEMENTATION OF THE SYSTEM, THE
26 INSTITUTION OF HIGHER EDUCATION SHALL MAKE RECOMMENDATIONS TO
27 THE STATE DEPARTMENT CONCERNING THE QUALITY ASSURANCE AND

1 ACCOUNTABILITY SYSTEM. AT A MINIMUM, THE RECOMMENDATIONS MUST
2 INCLUDE:

3 (a) THE METRICS FACILITIES MUST REPORT AS PART OF THE
4 SYSTEM;

5 (b) THE FREQUENCY THAT EACH METRIC MUST BE REPORTED AND
6 UPDATED;

7 (c) THE CATEGORY OF METRICS THAT MUST BE INCLUDED IN A
8 PUBLIC-FACING DASHBOARD;

9 (d) A TRANSPARENT PROCESS FOR MAKING CHANGES TO WHICH
10 DATA ELEMENTS ARE REPORTED, HOW THEY ARE REPORTED, AND HOW
11 FREQUENTLY THEY ARE REPORTED; AND

12 (e) THE REQUIRED INFRASTRUCTURE FEATURES OF A REPORTING
13 SYSTEM THAT MEETS THE NEEDS OF STAKEHOLDERS USING THE SYSTEM.

14 **26-6-904. Rules - licensing authority not impaired.** (1) THE
15 STATE DEPARTMENT MAY ADOPT RULES NECESSARY FOR THE PURPOSES OF
16 THIS PART 9.

17 (2) NOTHING IN THIS PART 9 IMPAIRS THE DEPARTMENT'S
18 LICENSING AUTHORITY PURSUANT TO THE "CHILD CARE LICENSING ACT",
19 PART 1 OF THIS ARTICLE 6.

20 **26-6-905. Statewide quality assurance and accountability**
21 **system reports - repeal.** (1) (a) ON OR BEFORE OCTOBER 1, 2023, THE
22 STATE DEPARTMENT, IN COLLABORATION WITH THE INSTITUTION OF
23 HIGHER EDUCATION, SHALL MAKE PUBLICLY AVAILABLE THE ADVISORY
24 GROUP'S FINDINGS AND RECOMMENDATIONS.

25 (b) ON OR BEFORE OCTOBER 1, 2023, OCTOBER 1, 2024, AND
26 OCTOBER 1, 2025, THE STATE DEPARTMENT SHALL SUBMIT A REPORT
27 ABOUT THE QUALITY ASSURANCE AND ACCOUNTABILITY SYSTEM TO THE

1 HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND
2 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
3 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES; THE JOINT
4 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY; THE PRESIDENT OF THE
5 SENATE; THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND THE
6 GOVERNOR. THE REPORT MUST INCLUDE, AT A MINIMUM, AN UPDATE ON
7 THE DEVELOPMENT OF THE SYSTEM, A PLAN FOR DEPARTMENT OVERSIGHT
8 AND IMPLEMENTATION OF THE SYSTEM, AND AN ANALYSIS OF AND
9 RECOMMENDATIONS FOR LEGISLATIVE, REGULATORY, AND BUDGETARY
10 CHANGES NECESSARY AS A RESULT OF THE DEVELOPMENT OF THE SYSTEM.

11 (c) THIS SUBSECTION (1) IS REPEALED, EFFECTIVE JUNE 30, 2026.

12 (2) (a) BEGINNING WITH THE 2026 LEGISLATIVE SESSION, THE
13 STATE DEPARTMENT SHALL INCLUDE INFORMATION ABOUT THE QUALITY
14 ASSURANCE AND ACCOUNTABILITY SYSTEM IN ITS REPORT TO THE
15 COMMITTEES OF REFERENCE PURSUANT TO SECTION 2-7-203. THE REPORT
16 MUST INCLUDE A DESCRIPTION OF THE SYSTEM, INCLUDING THE QUALITY
17 ASSURANCE STANDARDS AND ANY TOOLS DEVELOPED AS A PART OF THE
18 SYSTEM; A DESCRIPTION OF HOW THE STATE DEPARTMENT USES
19 INFORMATION LEARNED FROM THE SYSTEM AND HOW RESIDENTIAL
20 TREATMENT PROVIDERS AND MEMBERS OF THE PUBLIC USE THE
21 INFORMATION; AN ASSESSMENT OF HOW CHILDREN ARE PLACED IN
22 RESIDENTIAL TREATMENT FACILITIES USING DATA FROM THE
23 ACCOUNTABILITY SYSTEM MEASURES; AND RECOMMENDATIONS TO
24 FURTHER IMPROVE SERVICES AND TREATMENT IN FACILITIES.

25 (b) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE REPORT
26 REQUIRED IN THIS SUBSECTION (2) CONTINUES INDEFINITELY.

27 **SECTION 2.** In Colorado Revised Statutes, **add** 19-3.3-111 as

1 follows:

2 **19-3.3-111. Task force to prevent youth from running from**
3 **out-of-home placement - creation - membership - duties - report**
4 **-definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
5 OTHERWISE REQUIRES:

6 (a) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.

7 (b) "CHILDREN WHO HAVE RUN AWAY" MEANS A CHILD WHO HAS
8 LEFT AND REMAINS AWAY FROM OUT-OF-HOME PLACEMENT WITHOUT THE
9 PERMISSION OF THE CHILD'S PARENT, CAREGIVER, OR LEGAL GUARDIAN.

10 (c) "INSTITUTION OF HIGHER EDUCATION" MEANS A
11 POSTSECONDARY INSTITUTION THAT ENTERS INTO AN AGREEMENT WITH
12 THE CHILD PROTECTION OMBUDSMAN TO PERFORM RESEARCH AND
13 CONDUCT FOCUS GROUPS.

14 (d) "OUT-OF-HOME PLACEMENT" MEANS PLACEMENT IN A
15 RESIDENTIAL CHILD CARE FACILITY OR FOSTER CARE HOME, AS EACH IS
16 DEFINED IN SECTION 26-6-102.

17 (e) "OUT-OF-HOME PLACEMENT PROVIDER" OR "PROVIDER"
18 INCLUDES A LICENSED OUT-OF-HOME PLACEMENT PROVIDER AND A FOSTER
19 PARENT APPROVED BY A COUNTY DEPARTMENT OF HUMAN OR SOCIAL
20 SERVICES.

21 (f) "TASK FORCE" MEANS THE TIMOTHY MONTOYA TASK FORCE TO
22 PREVENT CHILDREN FROM RUNNING AWAY FROM OUT-OF-HOME
23 PLACEMENT ESTABLISHED IN THIS SECTION.

24 (2) (a) THERE IS CREATED IN THE OFFICE OF THE CHILD
25 PROTECTION OMBUDSMAN THE TIMOTHY MONTOYA TASK FORCE TO
26 PREVENT CHILDREN FROM RUNNING AWAY FROM OUT-OF-HOME
27 PLACEMENT. THE TASK FORCE IS ESTABLISHED TO ANALYZE THE ROOT

1 CAUSES OF WHY CHILDREN RUN AWAY FROM OUT-OF-HOME PLACEMENT;
2 DEVELOP A CONSISTENT, PROMPT, AND EFFECTIVE RESPONSE TO RECOVER
3 MISSING CHILDREN; AND ADDRESS THE SAFETY AND WELL-BEING OF A
4 CHILD UPON THE CHILD'S RETURN TO OUT-OF-HOME PLACEMENT.

5 (b) THE OFFICE SHALL ENTER INTO AN AGREEMENT WITH AN
6 INSTITUTION OF HIGHER EDUCATION WITH EXPERIENCE IN CHILD WELFARE
7 RESEARCH TO PERFORM RESEARCH TO SUPPORT THE TASK FORCE'S WORK
8 AND CONDUCT THE FOCUS GROUPS DESCRIBED IN SUBSECTION (6) OF THIS
9 SECTION.

10 (3) (a) THE TASK FORCE CONSISTS OF THE FOLLOWING MEMBERS:

11 (I) THE CHILD PROTECTION OMBUDSMAN, OR THE OMBUDSMAN'S
12 DESIGNEE;

13 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
14 SERVICES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;

15 (III) A REPRESENTATIVE OF THE DIVISION OF YOUTH SERVICES
16 WITHIN THE STATE DEPARTMENT OF HUMAN SERVICES, APPOINTED BY THE
17 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

18 (IV) THE DIRECTOR OF THE OFFICE OF THE CHILD'S
19 REPRESENTATIVE, OR THE DIRECTOR'S DESIGNEE;

20 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
21 SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

22 (VI) THE FOLLOWING MEMBERS, APPOINTED BY THE CHILD
23 PROTECTION OMBUDSMAN:

24 (A) TWO MEMBERS WHO REPRESENT A COUNTY DEPARTMENT OF
25 HUMAN OR SOCIAL SERVICES THAT DELIVERS CHILD WELFARE SERVICES,
26 ONE WHO MUST BE FROM AN URBAN COUNTY AND THE OTHER FROM A
27 RURAL COUNTY;

3 (C) A REPRESENTATIVE FROM A STATEWIDE ASSOCIATION THAT
4 REPRESENTS DIRECTORS OF COUNTY HUMAN OR SOCIAL SERVICES
5 AGENCIES;

6 (D) TWO FOSTER PARENTS CERTIFIED BY A COUNTY DEPARTMENT
7 OF HUMAN OR SOCIAL SERVICES;

8 (E) TWO KINSHIP PROVIDERS CERTIFIED BY A COUNTY
9 DEPARTMENT OF HUMAN OR SOCIAL SERVICES;

10 (F) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION THAT
11 REPRESENTS CHILD PLACEMENT AGENCIES, AS DEFINED IN SECTION
12 26-6-102;

13 (G) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF FAMILY
14 AND CHILDREN'S AGENCIES;

15 (H) A REPRESENTATIVE OF AN OUT-OF-HOME PLACEMENT
16 PROVIDER THAT SERVES CHILDREN IN THE CHILD WELFARE SYSTEM;

17 (I) A YOUNG ADULT WHO IS UNDER TWENTY-TWO YEARS OF AGE
18 WHO HAS EXPERIENCED RESIDENTIAL CARE PLACEMENT;

19 (J) A FAMILY MEMBER OF A CHILD WHO HAS RUN AWAY FROM
20 OUT-OF-HOME PLACEMENT;

21 (K) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT
22 SERVES CHILDREN OR YOUTH WHO HAVE RUN AWAY FROM OUT-OF-HOME
23 PLACEMENT;

24 (L) A REPRESENTATIVE OF THE CHIEFS OF POLICE, RECOMMENDED
25 BY THE PRESIDENT OF A STATEWIDE ORGANIZATION REPRESENTING THE
26 CHIEFS OF POLICE; AND

27 (M) TWO REPRESENTATIVES OF POLICE OFFICERS, ONE OF WHOM

1 MUST BE FROM A RURAL JURISDICTION AND ONE OF WHOM MUST BE FROM
2 AN URBAN JURISDICTION, BOTH RECOMMENDED BY THE PRESIDENT OF A
3 STATEWIDE ORGANIZATION REPRESENTING POLICE OFFICERS.

4 (b) (I) IN MAKING APPOINTMENTS PURSUANT TO SUBSECTION
5 (3)(a)(VI) OF THIS SECTION, THE CHILD PROTECTION OMBUDSMAN SHALL
6 SELECT MEMBERS WHO REPRESENT DIVERSE GEOGRAPHIC LOCATIONS,
7 RACE AND ETHNICITY, GENDER, RELIGION, AND SOCIOECONOMIC STATUS.

8 (II) THE APPOINTING AUTHORITIES SHALL MAKE THEIR
9 APPOINTMENTS ON OR BEFORE SEPTEMBER 1, 2022. THE TERM OF THE
10 APPOINTMENT IS FOR THE DURATION OF THE TASK FORCE. THE APPOINTING
11 AUTHORITY SHALL FILL ANY VACANCY SUBJECT TO THE SAME
12 QUALIFICATIONS AS THE INITIAL APPOINTMENT.

13 (c) EACH MEMBER OF THE TASK FORCE SERVES WITHOUT
14 COMPENSATION. MEMBERS APPOINTED PURSUANT TO SUBSECTIONS
15 (3)(a)(VI)(D), (3)(a)(VI)(E), (3)(a)(VI)(I), AND (3)(a)(VI)(J) OF THIS
16 SECTION MAY BE REIMBURSED FOR REASONABLE EXPENSES INCURRED
17 WHILE SERVING ON THE TASK FORCE.

18 (d) THE CHILD PROTECTION OMBUDSMAN, OR THE OMBUDSMAN'S
19 DESIGNEE, IS THE CHAIR OF THE TASK FORCE. AT ITS FIRST MEETING, THE
20 TASK FORCE SHALL SELECT A VICE-CHAIR FROM AMONG ITS MEMBERS. THE
21 CHAIR AND THE VICE-CHAIR SERVE FOR THE DURATION OF THE TASK
22 FORCE.

23 (4) THE CHILD PROTECTION OMBUDSMAN SHALL CONVENE THE
24 FIRST MEETING OF THE TASK FORCE NO LATER THAN OCTOBER 1, 2022.
25 THE TASK FORCE SHALL MEET AT LEAST ONCE EVERY TWO MONTHS UNTIL
26 THE TASK FORCE SUBMITS ITS FINAL REPORT DESCRIBED IN SUBSECTION
27 (7)(b) OF THIS SECTION, AND ADDITIONALLY AT THE CALL OF THE CHAIR AS

1 NECESSARY TO COMPLETE ITS DUTIES. THE TASK FORCE MAY MEET
2 ELECTRONICALLY. THE OFFICE SHALL PROVIDE STAFF SUPPORT NECESSARY
3 FOR THE ADVISORY GROUP TO CARRY OUT ITS DUTIES. AT THE REQUEST OF
4 THE TASK FORCE, THE INSTITUTION OF HIGHER EDUCATION SHALL PERFORM
5 RESEARCH TO SUPPORT THE TASK FORCE'S WORK.

6 (5) THE TASK FORCE SHALL:

7 (a) ANALYZE THE SUFFICIENCY OF STATEWIDE DATA THAT
8 MEASURES THE QUANTITATIVE AND QUALITATIVE EXPERIENCES OF
9 CHILDREN WHO HAVE RUN AWAY FROM OUT-OF-HOME PLACEMENT;

10 (b) ANALYZE THE ROOT CAUSES OF WHY CHILDREN RUN AWAY
11 FROM OUT-OF-HOME PLACEMENT;

12 (c) ANALYZE THE RELATIONSHIP BETWEEN CHILDREN WHO HAVE
13 RUN AWAY FROM OUT-OF-HOME PLACEMENT AND THE LIKELIHOOD THAT
14 THE CHILD WILL BECOME A VICTIM OF CRIME;

15 (d) ANALYZE THE COMPREHENSIVENESS AND EFFECTIVENESS OF
16 EXISTING STATE LAWS AND REGULATIONS, AND PLACEMENT FACILITY
17 PROTOCOLS, TO RESPOND TO A CHILD'S THREAT TO RUN AWAY FROM
18 OUT-OF-HOME PLACEMENT AND FOR PROMPTLY REPORTING, LOCATING,
19 EVALUATING, AND TREATING CHILDREN WHO HAVE RUN AWAY;

20 (e) ANALYZE BEST PRACTICES STATEWIDE AND NATIONALLY FOR
21 PREVENTING AND ADDRESSING RUNAWAY BEHAVIOR, INCLUDING
22 IDENTIFYING METHODS TO DETER CHILDREN FROM RUNNING AWAY FROM
23 OUT-OF-HOME PLACEMENT;

24 (f) ANALYZE HOW ENTITIES RESPONSIBLE FOR THE CARE OF
25 CHILDREN WHO RUN AWAY FROM OUT-OF-HOME PLACEMENT CAN
26 COORDINATE A THOROUGH AND CONSISTENT RESPONSE TO RUNAWAY
27 BEHAVIORS;

6 (h) AT ITS DISCRETION, DEVELOP RECOMMENDATIONS TO REDUCE
7 THE NUMBER OF CHILDREN WHO RUN AWAY FROM OUT-OF-HOME
8 PLACEMENT AND INCLUDE THE RECOMMENDATIONS IN ITS REPORTS
9 DESCRIBED IN SUBSECTION (7) OF THIS SECTION.

10 (6) (a) THE INSTITUTION OF HIGHER EDUCATION SHALL CONDUCT
11 FOCUS GROUPS WITH CHILDREN IN OUT-OF-HOME PLACEMENT AND YOUNG
12 ADULTS UNDER TWENTY-TWO YEARS OF AGE WHO HAVE AGED OUT OF THE
13 CHILD PROTECTION SYSTEM TO ASSIST THE TASK FORCE IN FULFILLING ITS
14 DUTIES. THE INSTITUTION SHALL CONDUCT FOCUS GROUPS WITH
15 OUT-OF-HOME PLACEMENT PROVIDERS TO DETERMINE WHAT CONDITIONS
16 LEAD CHILDREN TO RUN AWAY FROM OUT-OF-HOME PLACEMENT, THE
17 PROVIDER'S EFFORTS TO LOCATE CHILDREN WHO HAVE RUN AWAY, AND
18 THE SERVICES PROVIDED TO A RUNAWAY CHILD UPON THE CHILD'S
19 RETURN.

20 (b) THE INSTITUTION OF HIGHER EDUCATION SHALL ASK EACH
21 FOCUS GROUP TO CONSIDER:

22 (I) THE REASONS WHY CHILDREN RUN AWAY FROM OUT-OF-HOME
23 PLACEMENT;

24 (II) OPPORTUNITIES AND RESOURCES THAT COULD PREVENT
25 CHILDREN FROM RUNNING AWAY FROM OUT-OF-HOME PLACEMENT; AND

26 (III) RESOURCES THAT CHILDREN NEED TO ENSURE THEIR SAFETY
27 AND WELL-BEING AFTER THEY RETURN TO OUT-OF-HOME PLACEMENT.

4 (d) THE INSTITUTION OF HIGHER EDUCATION SHALL MAKE
5 INFORMATION LEARNED FROM THE FOCUS GROUPS PUBLICLY AVAILABLE
6 AND SHALL SUBMIT ITS FINDINGS TO THE TASK FORCE ON OR BEFORE APRIL
7 1, 2023. PERSONALLY IDENTIFIABLE INFORMATION ABOUT THE PERSONS
8 WHO PARTICIPATED IN A FOCUS GROUP IS CONFIDENTIAL AND THE
9 INSTITUTION SHALL NOT MAKE PUBLIC ANY PERSONALLY IDENTIFIABLE
10 INFORMATION.

1 (8) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2025.

2 **SECTION 3. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety.