

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 22-0997.01 Conrad Imel x2313

HOUSE BILL 22-1375

HOUSE SPONSORSHIP

Michaelson Jenet,

SENATE SPONSORSHIP

Buckner,

House Committees

Public & Behavioral Health & Human Services
Appropriations

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 [REDACTED]

3 **SECTION 1.** In Colorado Revised Statutes, **add** 19-3.3-111 as
4 follows:

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

9 (a) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE.
10 (b) "CHILDREN WHO HAVE RUN AWAY" MEANS A CHILD WHO HAS

1 LEFT AND REMAINS AWAY FROM OUT-OF-HOME PLACEMENT WITHOUT THE
2 PERMISSION OF THE CHILD'S PARENT, CAREGIVER, OR LEGAL GUARDIAN.

3 (c) "INSTITUTION OF HIGHER EDUCATION" MEANS A
4 POSTSECONDARY INSTITUTION THAT ENTERS INTO AN AGREEMENT WITH
5 THE CHILD PROTECTION OMBUDSMAN TO PERFORM RESEARCH AND
6 CONDUCT FOCUS GROUPS.

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

10 (e) "OUT-OF-HOME PLACEMENT PROVIDER" OR "PROVIDER"
11 INCLUDES A LICENSED OUT-OF-HOME PLACEMENT PROVIDER AND A FOSTER
12 PARENT APPROVED BY A COUNTY DEPARTMENT OF HUMAN OR SOCIAL
13 SERVICES.

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

17 (2) (a) THERE IS CREATED IN THE OFFICE OF THE CHILD
18 PROTECTION OMBUDSMAN THE TIMOTHY MONTOYA TASK FORCE TO
19 PREVENT CHILDREN FROM RUNNING AWAY FROM OUT-OF-HOME
20 PLACEMENT. THE TASK FORCE IS ESTABLISHED TO ANALYZE THE ROOT
21 CAUSES OF WHY CHILDREN RUN AWAY FROM OUT-OF-HOME PLACEMENT;
22 DEVELOP A CONSISTENT, PROMPT, AND EFFECTIVE RESPONSE TO RECOVER
23 MISSING CHILDREN; AND ADDRESS THE SAFETY AND WELL-BEING OF A
24 CHILD UPON THE CHILD'S RETURN TO OUT-OF-HOME PLACEMENT.

25 (b) THE OFFICE SHALL ENTER INTO AN AGREEMENT WITH AN
26 INSTITUTION OF HIGHER EDUCATION WITH EXPERIENCE IN CHILD WELFARE
27 RESEARCH TO PERFORM RESEARCH TO SUPPORT THE TASK FORCE'S WORK

1 AND CONDUCT THE FOCUS GROUPS DESCRIBED IN SUBSECTION (6) OF THIS
2 SECTION.

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

4 (I) THE CHILD PROTECTION OMBUDSMAN, OR THE OMBUDSMAN'S
5 DESIGNEE;

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

8 (III) A REPRESENTATIVE OF THE DIVISION OF YOUTH SERVICES
9 WITHIN THE STATE DEPARTMENT OF HUMAN SERVICES, APPOINTED BY THE
10 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

11 (IV) A REPRESENTATIVE OF THE DIVISION OF CHILD WELFARE
12 WITHIN THE STATE DEPARTMENT OF HUMAN SERVICES, APPOINTED BY THE
13 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

14 (V) THE DIRECTOR OF THE OFFICE OF THE CHILD'S
15 REPRESENTATIVE, OR THE DIRECTOR'S DESIGNEE;

16 (VI) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
17 SAFETY, OR THE EXECUTIVE DIRECTOR'S DESIGNEE; AND

18 (VII) THE FOLLOWING MEMBERS, APPOINTED BY THE CHILD
19 PROTECTION OMBUDSMAN:

20 (A) TWO MEMBERS WHO REPRESENT A COUNTY DEPARTMENT OF
21 HUMAN OR SOCIAL SERVICES THAT DELIVERS CHILD WELFARE SERVICES,
22 ONE WHO MUST BE FROM AN URBAN COUNTY AND THE OTHER FROM A
23 RURAL COUNTY;

24 (B) A REPRESENTATIVE FROM A STATEWIDE ORGANIZATION THAT
25 SUPPORTS VICTIMS OF HUMAN TRAFFICKING;

26 (C) A REPRESENTATIVE FROM A STATEWIDE ASSOCIATION THAT
27 REPRESENTS DIRECTORS OF COUNTY HUMAN OR SOCIAL SERVICES

1 AGENCIES;

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

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

6 (F) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION THAT
7 REPRESENTS CHILD PLACEMENT AGENCIES, AS DEFINED IN SECTION
8 26-6-102;

9 (G) A REPRESENTATIVE OF A STATEWIDE ASSOCIATION OF FAMILY
10 AND CHILDREN'S AGENCIES;

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

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

15 (J) ~~TWO MEMBERS WHO ARE A PARENT OR~~ FAMILY MEMBER OF A
16 CHILD WHO HAS RUN AWAY FROM OUT-OF-HOME PLACEMENT;

17 (K) A REPRESENTATIVE OF A NONPROFIT ORGANIZATION THAT
18 SERVES CHILDREN OR YOUTH WHO HAVE RUN AWAY FROM OUT-OF-HOME
19 PLACEMENT;

20 (L) A REPRESENTATIVE OF THE CHIEFS OF POLICE, RECOMMENDED
21 BY THE PRESIDENT OF A STATEWIDE ORGANIZATION REPRESENTING THE
22 CHIEFS OF POLICE; AND

23 (M) TWO REPRESENTATIVES OF POLICE OFFICERS, ONE OF WHOM
24 MUST BE FROM A RURAL JURISDICTION AND ONE OF WHOM MUST BE FROM
25 AN URBAN JURISDICTION, BOTH RECOMMENDED BY THE PRESIDENT OF A
26 STATEWIDE ORGANIZATION REPRESENTING POLICE OFFICERS.

27 (b) (I) IN MAKING APPOINTMENTS PURSUANT TO SUBSECTION

1 (3)(a)(VII) OF THIS SECTION, THE CHILD PROTECTION OMBUDSMAN SHALL
2 SELECT MEMBERS WHO REPRESENT DIVERSE GEOGRAPHIC LOCATIONS,
3 RACE AND ETHNICITY, GENDER, RELIGION, AND SOCIOECONOMIC STATUS.

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

9 (c) EACH MEMBER OF THE TASK FORCE SERVES WITHOUT
10 COMPENSATION. MEMBERS APPOINTED PURSUANT TO SUBSECTIONS
11 (3)(a)(VII)(D), (3)(a)(VII)(E), (3)(a)(VII)(I), AND (3)(a)(VII)(J) OF THIS
12 SECTION MAY BE REIMBURSED FOR REASONABLE EXPENSES INCURRED
13 WHILE SERVING ON THE TASK FORCE.

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

19 (4) THE CHILD PROTECTION OMBUDSMAN SHALL CONVENE THE
20 FIRST MEETING OF THE TASK FORCE NO LATER THAN OCTOBER 1, 2022.
21 THE TASK FORCE SHALL MEET AT LEAST ONCE EVERY TWO MONTHS UNTIL
22 THE TASK FORCE SUBMITS ITS FINAL REPORT DESCRIBED IN SUBSECTION
23 (7)(b) OF THIS SECTION, AND ADDITIONALLY AT THE CALL OF THE CHAIR AS
24 NECESSARY TO COMPLETE ITS DUTIES. THE TASK FORCE MAY MEET
25 ELECTRONICALLY. THE OFFICE SHALL PROVIDE STAFF SUPPORT NECESSARY
26 FOR THE ADVISORY GROUP TO CARRY OUT ITS DUTIES. AT THE REQUEST OF
27 THE TASK FORCE, THE INSTITUTION OF HIGHER EDUCATION SHALL PERFORM

1 RESEARCH TO SUPPORT THE TASK FORCE'S WORK.

2 (5) THE TASK FORCE SHALL:

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

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

8 (c) IDENTIFY AND ANALYZE BEHAVIORS THAT CONSTITUTE
9 RUNNING AWAY FROM OUT-OF-HOME PLACEMENT, ANALYZE DIFFERENCES
10 BETWEEN RUNAWAY BEHAVIOR AND AGE-APPROPRIATE BEHAVIORS
11 OUTSIDE OF THE HOME OR OUT-OF-HOME PLACEMENT, AND IDENTIFY
12 BEHAVIORS THAT SHOULD LEAD TO A PERSON OR FACILITY FILING A
13 MISSING PERSON REPORT ABOUT A CHILD;

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

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

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

26 (g) ANALYZE HOW ENTITIES RESPONSIBLE FOR THE CARE OF
27 CHILDREN WHO RUN AWAY FROM OUT-OF-HOME PLACEMENT CAN

1 COORDINATE A THOROUGH AND CONSISTENT RESPONSE TO RUNAWAY
2 BEHAVIORS;

3 (h) IDENTIFY RESOURCES NECESSARY TO IMPROVE OR FACILITATE
4 COMMUNICATION AND COORDINATED EFFORTS RELATED TO CHILDREN
5 WHO RUN AWAY FROM OUT-OF-HOME PLACEMENT AMONG OUT-OF-HOME
6 PLACEMENT FACILITIES, COUNTY DEPARTMENTS OF HUMAN OR SOCIAL
7 SERVICES, AND LAW ENFORCEMENT AGENCIES; AND

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

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

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

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

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

3 (c) THE OFFICE SHALL REIMBURSE EACH FOCUS GROUP
4 PARTICIPANT WHO IS A CHILD OR YOUTH FOR THE PARTICIPANT'S
5 REASONABLE EXPENSES INCURRED FOR PARTICIPATING IN A FOCUS GROUP.

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

22 (b) ON OR BEFORE OCTOBER 1, 2024, THE TASK FORCE SHALL
23 SUBMIT A FINAL REPORT TO THE GOVERNOR, THE PRESIDENT OF THE
24 SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND THE
25 HOUSE OF REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND
26 HUMAN SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN
27 SERVICES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, THAT INCLUDES

1 A SUMMARY OF THE TASK FORCE'S WORK AND THE TASK FORCE'S
2 RECOMMENDATIONS, IF APPLICABLE.

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

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