

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 15, 2019

Committee on Public Health Care & Human Services.

After consideration on the merits, the Committee recommends the following:

HB19-1142 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 3, line 7, strike "ATTORNEY." and substitute
- 2 "ATTORNEY, AS DESCRIBED IN SECTION 15-14-105."

- 3 Page 3, strike lines 8 through 22 .

- 4 Renumber succeeding subsection accordingly.

- 5 Page 4, line 1, strike "ATTORNEY." and substitute "ATTORNEY PURSUANT
- 6 TO SECTION 15-14-105."

- 7 Page 4, lines 7 and 8, strike "ARTICLE 6 AND ARE NOT SUBJECT TO THE
- 8 LICENSING REQUIREMENTS OF FOSTER CARE." and substitute "ARTICLE 6."

- 9 Page 4, line 10, after "(a)" insert "(I)".

- 10 Page 4, after line 16 insert:
- 11 "(II) A TEMPORARY CARE ASSISTANCE PROGRAM MUST MAKE
- 12 DILIGENT EFFORTS TO NOTIFY ANY PARENT OR GUARDIAN IDENTIFIED BY
- 13 THE DELEGATING PARENT AS HAVING PARENTAL RIGHTS OR LEGAL
- 14 DECISION-MAKING AUTHORITY REGARDING THE MINOR'S CARE.
- 15 (III) A PARENT WHO IS NAMED AS A RESPONDENT IN AN OPEN
- 16 DEPENDENCY AND NEGLECT CASE MAY NOT USE THE ASSISTANCE OF A
- 17 TEMPORARY CARE ASSISTANCE PROGRAM, AS DESCRIBED IN THIS PART 7."

- 18 Page 4, line 17, strike "A" and substitute "NOTWITHSTANDING ANY OTHER

1 PROVISIONS OF LAW, A".

2 Page 4, lines 19 and 20, strike "MONTHS. A PARENT OR GUARDIAN MAY
3 EXECUTE A SUBSEQUENT POWER OF ATTORNEY, BUT," and substitute
4 "MONTHS,".

5 Page 4, line 21, strike "SECTION, THE TOTAL LENGTH OF A" and substitute
6 "SECTION.".

7 Page 4, strike lines 22 and 23.

8 Page 4, lines 25 and 26, strike "TWELVE-MONTH TOTAL".

9 Page 5, line 8, strike "EXPIRATION, REVOCATION, OR OTHER
10 TERMINATION" and substitute "EXPIRATION OR REVOCATION".

11 Page 7, line 10, strike "INVESTIGATION;" and substitute "INVESTIGATION
12 IN THE SAME MANNER AS DESCRIBED IN SECTION 26-6-107 (1)(a)(I)(C).".

13 Page 7, lines 11 and 12, strike "ON THE TRAILS SYSTEM, AS DEFINED IN
14 SECTION 16-20.5-102 (10);" and substitute "PURSUANT TO SECTION
15 19-1-307;".

16 Page 7, line 14, strike "REGISTRY" and substitute "WEBSITE".

17 Page 8, line 9, strike "A TEMPORARY CARE PROVIDER" and substitute "AN
18 APPROVED TEMPORARY CAREGIVER".

19 Page 8, strike lines 21 through 27 and substitute:

20 **"26-6-705. Rules.** (1) A TEMPORARY CARE ASSISTANCE PROGRAM
21 AND A TEMPORARY CARE PROVIDER ARE SUBJECT TO ANY RULE
22 PROMULGATED BY THE DEPARTMENT THAT IS APPLICABLE TO
23 NONCERTIFIED KINSHIP CARE, DEFINED IN SECTION 19-1-103 (78.7);
24 EXCEPT THAT A TEMPORARY CARE ASSISTANCE PROGRAM AND A
25 TEMPORARY CARE PROVIDER ARE NOT SUBJECT TO SUCH A RULE THAT IS
26 INCONSISTENT WITH THIS PART 7.

27 (2) EXCEPT AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, A
28 TEMPORARY CARE ASSISTANCE PROGRAM AND A TEMPORARY CAREGIVER
29 ARE NOT SUBJECT TO ANY RULE PROMULGATED BY THE DEPARTMENT FOR
30 AN ACTIVITY PERFORMED PURSUANT TO THIS PART 7.".

- 1 Page 9, strike lines 1 through 12.
- 2 Page 10, strike lines 16 through 19 and substitute "ANY PERSON REQUIRED
3 TO SUBMIT TO A BACKGROUND CHECK PURSUANT TO SECTION 26-6-704
4 (2), WHEN THE".
- 5 Page 10, line 20, strike "OTHER".
- 6 Page 10, strike lines 23 through 27.
- 7 Renumber succeeding section accordingly.
- 8 Page 11, strike lines 1 through 6.
- 9 Strike "QUALIFIED NONPROFIT ORGANIZATION" and substitute "CHILD
10 PLACEMENT AGENCY" on: **Page 3**, line 24; **Page 4**, line 3; **Page 6**, line 24;
11 **Page 7**, line 3, line 19, line 22, and line 24; **Page 8**, lines 1 and 2, line 7,
12 and line 16.

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