

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-1194.01 Duane Gall x4335

SENATE BILL 16-182

SENATE SPONSORSHIP

Lambert, Grantham, Steadman

HOUSE SPONSORSHIP

Young, Hamner, Rankin

Senate Committees
Appropriations

House Committees

A BILL FOR AN ACT

101 CONCERNING TECHNICAL REVISIONS TO THE STATUTES GOVERNING
102 THE DIVISION OF VOCATIONAL REHABILITATION.

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://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. The bill deletes obsolete provisions and makes conforming changes to reflect current terminology used in relevant federal law and rules pertaining to vocational rehabilitation programs. Recent legislation (SB 15-239) moved these programs from the department of human services to the department of labor and employment and relocated the statutes as of July 1, 2016; the bill amends the

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

legislative declaration of SB 15-239 and the substantive provisions of the relocated statutes as they will become effective on that date. **Section 4** of the bill also corrects a cross-reference.

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

2 **SECTION 1.** In Session Laws of Colorado 2015, section 1 of
3 chapter 160, **amend** (1) (a) as follows:

4 Section 1. **Legislative declaration.** The general assembly hereby
5 finds and declares that:

6 (a) The general assembly is committed to strengthening the
7 programs of rehabilitation of ~~disabled and nondisabled~~ persons WITH OR
8 WITHOUT DISABILITIES to the end that those persons may attain their
9 maximum potential in employment, ~~self-care~~ SELF-SUFFICIENCY, and
10 independent living;

11 **SECTION 2.** In Colorado Revised Statutes, 8-84-104, **amend as**
12 **it will become effective July 1, 2016,** (1) (c); and **repeal as they will**
13 **become effective July 1, 2016,** (1) (a) and (1) (d) as follows:

14 **8-84-104. Functions of the department.** (1) The department
15 shall manage, control, and supervise all rehabilitation programs provided
16 in this article, including:

17 ~~(a) All duties and functions previously assigned to the vocational~~
18 ~~rehabilitation division of the state board of vocational education;~~

19 (c) All duties and functions regarding vocational rehabilitation
20 programs previously assigned to the division of vocational rehabilitation
21 in the department of human services or any other duties and functions
22 relating to vocational rehabilitation previously assigned to the department
23 of human services; AND

24 ~~(d) All duties and functions relating to home teaching of and~~

1 ~~teachers for the adult blind vested in, exercised by, or imposed upon the~~
2 ~~department of human services or its predecessors prior to July 1, 1973,~~
3 ~~whether by law, rule, or regulation; and~~

4 **SECTION 3.** In Colorado Revised Statutes, 8-84-105, **amend as**
5 **it will become effective July 1, 2016,** (1) (a); and **add** (1) (b.5) as
6 follows:

7 **8-84-105. Administration - rules.** (1) The department shall:

8 (a) Adopt rules governing personnel standards, the protection of
9 records and confidential information, the manner and form of filing
10 applications, eligibility, the investigation and determination of eligibility
11 for vocational rehabilitation services, procedures for fair hearings, ~~the~~
12 ~~establishment and operation of rehabilitation facilities and workshops,~~
13 and other rules as necessary to carry out the purposes of this article;

14 (b.5) ACCEPT AND EXPEND MONEY FROM GOVERNMENTAL AND
15 NONGOVERNMENTAL ENTITIES TO CARRY OUT THE DIVISION'S AUTHORIZED
16 POWERS AND DUTIES; AND

17 **SECTION 4.** In Colorado Revised Statutes, 8-84-106, **amend as**
18 **they will become effective July 1, 2016,** (2) (b), (2) (g), (3) (a), (3) (b)
19 (VIII), and (3) (c) (II); and **repeal as they will become effective July 1,**
20 **2016,** (2) (c) and (2) (e) as follows:

21 **8-84-106. Rehabilitation of persons with disabilities.** (2) The
22 department shall:

23 (b) Enter into ~~reciprocal~~ COLLABORATIVE agreements with other
24 states, IN ACCORDANCE WITH APPLICABLE FEDERAL LAW AND
25 REGULATIONS, to provide ~~for the~~ services authorized by this article; ~~to~~
26 ~~residents of the states concerned;~~

27 (c) ~~Establish and operate rehabilitation facilities and workshops~~

1 and make grants to public and other nonprofit organizations for those
2 purposes;

3 (e) ~~Provide training and instruction, including the establishment~~
4 ~~and maintenance of research fellowships and traineeships with stipends~~
5 ~~and allowances as necessary, in matters relating to vocational~~
6 ~~rehabilitation;~~

7 (g) Provide medical, diagnostic, physical restoration, training, and
8 other rehabilitation services as needed to enable persons with disabilities
9 to attain the maximum degree of ~~self-care~~ SELF-SUFFICIENCY.

10 (3) (a) The department shall provide vocational rehabilitation
11 services directly or through public or private instrumentalities to or for the
12 benefit of an APPLICANT OR eligible person with a disability who:

13 (I) Is ~~residing~~ PRESENT in the state at the time of filing an
14 application for the services; and

15 (II) ~~(A)~~ The department determines, after full investigation, can
16 satisfactorily achieve rehabilitation. ~~or~~

17 ~~(B) Is eligible for vocational rehabilitation services under the~~
18 ~~terms of an agreement with another state or the federal government.~~

19 (b) The state department shall:

20 (VIII) Establish a review process to allow for exceptions to the
21 requirements of subparagraphs (I) to (VII) of this ~~paragraph (a)~~
22 PARAGRAPH (b) in unique cases, in accordance with federal regulations.

23 (c) (II) The department shall provide the following services at
24 public cost without consideration of financial need:

25 (A) Diagnostic and related assessments, including transportation
26 necessary to obtain the assessment, that are required to determine
27 eligibility for services and the nature and scope of the services to be

- 1 provided;
- 2 (B) Vocational rehabilitation COUNSELING AND guidance;
- 3 (C) Referral;
- 4 (D) Personal assistance ~~training~~ SERVICES;
- 5 (E) AUXILIARY AIDS OR SERVICES, INCLUDING interpreter AND
- 6 READER services;
- 7 (F) Job SEARCH AND placement ASSISTANCE; and
- 8 (G) Job retention SERVICES.

9 **SECTION 5. Effective date.** This act takes effect July 1, 2016.

10 **SECTION 6. Safety clause.** The general assembly hereby finds,

11 determines, and declares that this act is necessary for the immediate

12 preservation of the public peace, health, and safety.