

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

REREVISED

*This Version Includes All Amendments
Adopted in the Second House*

LLS NO. 18-0959.01 Conrad Imel x2313

HOUSE BILL 18-1348

HOUSE SPONSORSHIP

Singer and Landgraf,

SENATE SPONSORSHIP

Gardner and Kefalas,

House Committees

Public Health Care & Human Services

Senate Committees

State, Veterans, & Military Affairs

A BILL FOR AN ACT

101 **CONCERNING FAMILIES INVOLVED IN THE CHILD WELFARE SYSTEM,**
102 **AND, IN CONNECTION THEREWITH, PRIORITIZING SERVICES AND**
103 **PROVIDING SUPPORT FOR FOSTER PARENTS.**

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 allows foster parents access to certain information regarding a foster child or prospective foster child, including judicial information and education records. The bill also allows community-based agencies and public health agencies implementing child abuse and neglect prevention programs access to certain contact information of families that

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.

SENATE
3rd Reading Unamended
April 26, 2018

SENATE
2nd Reading Unamended
April 25, 2018

HOUSE
3rd Reading Unamended
April 17, 2018

HOUSE
Amended 2nd Reading
April 16, 2018

were the subject of a referral of child abuse or neglect that did not result in a case being opened. The bill requires that a county prioritize child care assistance for children who are in out-of-home placement.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-303, **add** (11)
3 as follows:

4 **19-1-303. General provisions - delinquency and dependency**
5 **and neglect cases - exchange of information - civil penalty - rules -**
6 **definitions.** (11) (a) THE JUDICIAL DEPARTMENT OR ANY AGENCY
7 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION MAY PROVIDE A
8 PROSPECTIVE FOSTER PARENT, AS DEFINED BY RULE OF THE DEPARTMENT
9 OF HUMAN SERVICES, OR A FOSTER PARENT WHO IS RESPONSIBLE FOR THE
10 HEALTH OR WELFARE OF A FOSTER CHILD NAMED IN A REPORT WHO IS
11 RESIDING IN THE FOSTER PARENT'S HOME, WITH INFORMATION THAT IS
12 NECESSARY TO MEET THE FOSTER CHILD'S PHYSICAL, MENTAL, EMOTIONAL,
13 BEHAVIORAL, AND OTHER IDENTIFIED TRAUMA NEEDS.

14 (b) THE INFORMATION DESCRIBED IN SUBSECTION (11)(a) OF THIS
15 SECTION IS ONLY INFORMATION DIRECTLY RELEVANT TO MEETING THE
16 FOSTER CHILD'S PHYSICAL, MENTAL, EMOTIONAL, BEHAVIORAL, AND
17 OTHER IDENTIFIED TRAUMA NEEDS, AND INCLUDES, BUT IS NOT LIMITED
18 TO, THE FOLLOWING:

- 19 (I) A FOSTER CHILD'S EDUCATIONAL RECORDS;
- 20 (II) RELEVANT INFORMATION IN THE FAMILY SERVICES PLAN TO
21 MEET THE SAFETY, PERMANENCY, AND WELL-BEING NEEDS OF THE FOSTER
22 CHILD, INCLUDING ANY SAFETY ISSUES THAT IMPACT THE FOSTER PARENT'S
23 ABILITY TO PARENT THE FOSTER CHILD;
- 24 (III) CIRCUMSTANCES RELATED TO THE REMOVAL OF THE FOSTER

1 CHILD FROM HIS OR HER HOME; AND

2 (IV) YOUTH PLACEMENT HISTORY, INCLUDING SAFETY CONCERNS
3 AND REASONS FOR UNPLANNED PLACEMENT MOVES.

4 (c) MENTAL HEALTH AND MEDICAL RECORDS OF A █ CHILD MAY
5 BE RELEASED PURSUANT TO THIS SUBSECTION (11), SUBJECT TO ANY
6 PRIVILEGE RECOGNIZED OR GOVERNED BY STATE OR FEDERAL LAW.

7 (d) THE FOSTER PARENT SHALL MAINTAIN THE CONFIDENTIALITY
8 OF ANY INFORMATION OBTAINED PURSUANT TO THIS SUBSECTION (11).

9 █

10 **SECTION 2.** In Colorado Revised Statutes, 22-32-138, **add** (8)
11 as follows:

12 **22-32-138. Out-of-home placement students - transfer**
13 **procedures - absences - exemptions.** (8) A SCHOOL DISTRICT OR SCHOOL
14 IN WHICH A STUDENT IN OUT-OF-HOME PLACEMENT IS ENROLLED SHALL
15 PROVIDE A FOSTER PARENT WITH ACCESS TO EDUCATION RECORDS AND
16 REPORTS FOR A STUDENT WHO RESIDES IN THE FOSTER PARENT'S HOME,
17 INCLUDING INFORMATION AND RECORDS AVAILABLE ONLINE. THE FOSTER
18 PARENT SHALL MAINTAIN THE CONFIDENTIALITY OF ANY INFORMATION
19 OBTAINED PURSUANT TO THIS SUBSECTION (8).

20 **SECTION 3.** In Colorado Revised Statutes, 26-2-805, **amend**
21 (12)(d) and (12)(e); and **add** (12)(f) as follows:

22 **26-2-805. Services - eligibility - assistance provided - waiting**
23 **lists - rules - exceptions from cooperating with child support**
24 **establishment.** (12) Each county:

25 (d) May use its CCCAP allocation to provide direct contracts or
26 grants to early care and education providers for a county-determined
27 number of CCCAP slots for a twelve-month period to increase the supply

1 and improve the quality of child care for infants and toddlers, children
2 with disabilities, after-hours care, and children in underserved
3 neighborhoods; and

4 (e) Subject to available appropriations and pursuant to rules
5 promulgated by the state board for the implementation of this part 8, and
6 upon notification to counties by the state department that the relevant
7 human services case management systems, including the Colorado child
8 care automated tracking system, are capable of accommodating this
9 ~~paragraph (e)~~ SUBSECTION (12)(e), must determine that a recipient of
10 benefits from the food assistance program established in part 3 of this
11 ~~article~~ ARTICLE 2 is eligible for CCCAP if he or she meets all other
12 CCCAP eligibility criteria and may use eligibility determination
13 information from other public assistance programs and systems to
14 determine CCCAP eligibility; AND

15 (f) SUBJECT TO AVAILABLE CAPACITY TO RAISE FEDERAL OR STATE
16 FUNDING, SHALL PRIORITIZE CHILD CARE ASSISTANCE FOR CERTIFIED
17 FOSTER PARENTS, CERTIFIED KINSHIP FOSTER PARENTS, ■ NONCERTIFIED
18 KINSHIP CARE PROVIDERS THAT PROVIDE CARE FOR CHILDREN WITH AN
19 OPEN CHILD WELFARE CASE WHO ARE IN THE LEGAL CUSTODY OF A
20 COUNTY DEPARTMENT, AND NONCERTIFIED KINSHIP CARE PROVIDERS THAT
21 PROVIDE CARE FOR CHILDREN WITH AN OPEN CHILD WELFARE CASE WHO
22 ARE NOT IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT. ■

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