

## CHAPTER 325

---

**HUMAN SERVICES - SOCIAL SERVICES**

---

**HOUSE BILL 18-1348**

BY REPRESENTATIVE(S) Singer and Landgraf, Buckner, Exum, Hamner, Hansen, Herod, Michaelson Jenet, Pettersen, Winkler, Young;  
also SENATOR(S) Gardner and Kefalas, Aguilar, Court, Donovan, Fields, Garcia, Guzman, Jahn, Jones, Kagan, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Todd, Williams A., Zenzinger.

**AN ACT**

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

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

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

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

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

(I) A FOSTER CHILD'S EDUCATIONAL RECORDS;

(II) RELEVANT INFORMATION IN THE FAMILY SERVICES PLAN TO MEET THE SAFETY, PERMANENCY, AND WELL-BEING NEEDS OF THE FOSTER CHILD, INCLUDING ANY SAFETY ISSUES THAT IMPACT THE FOSTER PARENT'S ABILITY TO PARENT THE

---

*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

FOSTER CHILD;

(III) CIRCUMSTANCES RELATED TO THE REMOVAL OF THE FOSTER CHILD FROM HIS OR HER HOME; AND

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

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

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

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

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

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

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

(d) May use its CCCAP allocation to provide direct contracts or grants to early care and education providers for a county-determined number of CCCAP slots for a twelve-month period to increase the supply and improve the quality of child care for infants and toddlers, children with disabilities, after-hours care, and children in underserved neighborhoods; ~~and~~

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

(f) SUBJECT TO AVAILABLE CAPACITY TO RAISE FEDERAL OR STATE FUNDING, SHALL PRIORITIZE CHILD CARE ASSISTANCE FOR CERTIFIED FOSTER PARENTS, CERTIFIED KINSHIP FOSTER PARENTS, NONCERTIFIED KINSHIP CARE PROVIDERS THAT

PROVIDE CARE FOR CHILDREN WITH AN OPEN CHILD WELFARE CASE WHO ARE IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT, AND NONCERTIFIED KINSHIP CARE PROVIDERS THAT PROVIDE CARE FOR CHILDREN WITH AN OPEN CHILD WELFARE CASE WHO ARE NOT IN THE LEGAL CUSTODY OF A COUNTY DEPARTMENT.

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

Approved: May 30, 2018