



**COLORADO**  
Department of Human Services

June 19, 2015

Dianne E. Ray, CPA  
State Auditor  
Colorado Office of the State Auditor  
1525 Sherman Street, 7th Floor  
Denver, CO 80203

Dear Ms. Ray:

The Colorado Department of Human Services received your request dated June 4, 2015 to provide an update on the steps taken by the Department in response to the October 2014 *Child Welfare Performance Audit*. The attached report provides a brief explanation of the actions taken by the Colorado Department of Human Services, Division of Child Welfare to implement each recommendation.

If you have any questions, please do not hesitate to contact Robert Werthwein at (303) 866-4544 or Robert.Werthwein@state.co.us.

Sincerely,

Reggie Bicha  
Executive Director

Enclosure

cc: Nikki Hatch, Deputy Executive Director of Operations  
Julie Krow, Deputy Executive Director of Community Partnerships  
Melissa Wavelet, Director, Office of Performance & Strategic Outcomes  
Robert Werthwein, Director, Office of Children, Youth & Families  
Ann Rosales, Director, Division of Child Welfare  
Mette Boes, Director, Audit Division  
Andrea Goldstein, Auditor, Audit Division  
Jennifer Corrigan, Legislative Liaison



# AUDIT RECOMMENDATION STATUS REPORT

**AUDIT NAME: CHILD WELFARE**

**AUDIT NUMBER: 1303P**

**DEPARTMENT: HUMAN SERVICES**

**DATE OF STATUS REPORT: JULY 2015**

## SUMMARY INFORMATION

Rec. Number	Agency's Response	Original Implementation Date	Implementation Status  <i>(Insert: Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable. Please refer to the attached sheet for definitions of each implementation status option.)</i>	Revised Implementation Date (If applicable)  <i>(Complete only if agency is revising the original implementation date.)</i>
1a	Partially Agree	January 2015	Implemented and Ongoing	
1b	Disagree	N/A	N/A	
2a	Disagree	N/A	N/A	
2b	Agree	March 2015	Implemented and Ongoing	
3a	Agree	March 2015	Implemented	
3b	Disagree	N/A	N/A	
3c	Agree	July 2015	Implemented	
3d	Agree	January 2015	No Longer Applicable	
3e	Agree	January 2015	Implemented	
4a	Partially Agree	January 2015	Implemented and Ongoing	
4b	Partially Agree	January 2015	Implemented	
4c	Agree	January 2015	Implemented	
5a	Agree	January 2015	Implemented	
5b	Agree	July 2015	Implemented	
6a	Agree	January 2015	Implemented	
6b	Agree	January 2015	Implemented	
6c	Agree	April 2016	Partially Implemented	
6d	Agree	January 2016	Partially Implemented	
6e	Agree	July 2016	Partially Implemented	
7	Agree	June 2015	Implemented	
8a	Agree	October 2015	Partially Implemented	
8b	Agree	October 2015	Partially Implemented	

<b>Rec. Number</b>	<b>Agency's Response</b>	<b>Original Implementation Date</b>	<b>Implementation Status</b> <i>(Insert: Implemented, Implemented and Ongoing, Partially Implemented, Not Implemented, or No Longer Applicable. Please refer to the attached sheet for definitions of each implementation status option.)</i>	<b>Revised Implementation Date (If applicable)</b> <i>(Complete only if agency is revising the original implementation date.)</i>
8c	Disagree	N/A	N/A	
9a	Disagree	N/A	N/A	
9b	Disagree	N/A	N/A	
9c	Partially Agree	January 2015	Implemented	
10	Disagree	N/A	N/A	
11a	Agree	March 2015	Implemented and Ongoing	
11b	Agree	March 2015	Implemented and Ongoing	
11c	Agree	January 2015	Implemented and Ongoing	
12a	Agree	June 2015	Implemented	
12b	Agree	June 2015	Implemented	
12c	Disagree	N/A	N/A	
12d	Agree	July 2015	Partially Implemented	
12e	Agree	July 2015	Implemented	
13a	Partially Agree	July 2015	No Longer Applicable	
13b	Disagree	N/A	N/A	
13c	Agree	July 2015	Implemented	
14a	Disagree	N/A	N/A	
14b	Partially Agree	July 2015	Implemented	
14c	Agree	July 2015	Implemented	
15a	Agree	August 2015	Partially Implemented	
15b	Agree	August 2015	Partially Implemented	
15c	Agree	January 2016	Partially Implemented	
16a	Agree	March 2015	Implemented	
16b	Agree	October 2015	Partially Implemented	
16c	Agree	March 2015	Implemented	

## DETAIL OF IMPLEMENTATION STATUS

### Recommendation No. 1:

The Department of Human Services should ensure that counties make appropriate child welfare referral screening decisions based on established requirements by working with the State Board of Human Services as needed to:

- A Implement guidance and training that clarifies how counties should interpret statutes and rules and use referral information, including additional insight obtained through enhanced screening, to determine if an allegation could indicate known or suspected child abuse or neglect, and meets the legal definition of abuse or neglect. The guidance and training should also be clear regarding (i) how a child not making an outcry of abuse should influence the screening decision and (ii) whether a referral can be screened out solely on the basis that one parent indicates some ability to keep a child safe. The Department should consider providing vignettes based on real-life scenarios so that counties have concrete examples from which to draw when deciding how to screen a referral.

*The Department partially agreed with this recommendation. The Department disagreed with providing vignettes based on real-life scenarios.*

**Current Implementation Status for Rec. 1, part a:** Implemented and Ongoing

#### Agency's Update:

A Dear Director Letter (DD-DCW-12-01-2014), two webinars, and access to Division of Child Welfare ("DCW") experts, and the Department provides guidance and training on consideration of the above factors to ensure referral screening decisions are based on established requirements. New rules approved by the State Board of Human Services ("State Board") became effective January 1, 2015. Rule 7.103 expands information gathering during referrals and 7.103.4 increases consistency in screening decisions through the use of RED Teams, which sort information into 7 categories.

- B Establish requirements for counties to include in Trails a brief narrative of the rationale behind their referral screening decisions.

*The Department disagreed with this audit recommendation.*

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### Recommendation No. 2:

The Department of Human Services should strengthen its performance measures and monitoring related to counties making actual contact with children within assigned response times by:

- A Expanding C-Stat performance measures to include a separate measure on actual initial contacts with children.

*The Department disagreed with this audit recommendation.*

- B Developing and publicly reporting a separate performance measure that reflects actual initial contacts with children on the Community Performance Center. This could be in addition to existing performance measures.

**Current Implementation Status for Rec. 2, part b: Implemented and Ongoing**

**Agency's Update:**

The Department created a performance measure titled, "Timeliness of Initial Response to Abuse/Neglect Assessment: Actual Contact." This data can be pulled by members of the public at any time through the Community Performance Center, [www.cdhsdatamatters.org](http://www.cdhsdatamatters.org).

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**Recommendation No. 3:**

The Department of Human Services should ensure that children's safety and risk of abuse or neglect are assessed in a thorough and timely manner by:

- A Establishing clearer written guidance on how caseworkers should identify child safety concerns in situations that may be difficult to assess, such as those involving substance use, and determine when overrides of risk assessment scores are appropriate. This should include working with the State Board of Human Services as needed.

**Current Implementation Status for Rec. 3, part a: Implemented**

**Agency's Update:**

Rules 7.107.1 to 7.107.17 and 7.107.2 to 7.107.4 were approved by the State Board and became effective January 1, 2015. Rule 7.107.12 establishes a safety threshold to determine if a present or impending danger exists. Rule 7.107.13 defines 10 current or impending dangers involving difficult situations, such as substance abuse or mental health needs. Rules 7.107.23 and 7.107.24 address documentation of risk assessment scores and responding to a high risk assessment. Risk assessment score overrides were rescinded from rule. Two webinars were provided in December 2014.

- B Establishing written expectations that counties implement controls to prevent the same person from both requesting and approving (i) an extension to complete an assessment or (ii) the closure of an assessment, or implement other compensating controls.

*The Department disagreed with this audit recommendation.*

- C Modifying Trails so that supervisors can clearly document their review and approval of the safety and risk assessment tools before approving closure of the overall assessment.

**Current Implementation Status for Rec. 3, part c: Implemented**

**Agency's Update:**

Both the current and proposed safety and risk assessment tools in Trails require supervisory approval and review before closure of an overall assessment. This tool was fully functional as of

May 31, 2015. There have been multiple trainings held to inform county directors and their staff of this new functionality.

- D Enforcing requirements for caseworkers to request, and supervisors to approve, extensions when assessments need to take longer than 30 days, and for supervisors to document their approval in Trails.

**Current Implementation Status for Rec. 3, part d:** No Longer Applicable

**Agency's Update:**

To address this recommendation, rules 7.104.131, 7.104.132, and 7.104.23 were proposed to and approved by State Board and became effective January 1, 2015. Counties were also provided a Dear Director Letter (DD-DCW-12-01-2014) on December 3, 2014, and two webinars. Subsequently, the use of extensions was rescinded.

- E Ensuring that all Department staff who interact with county departments of human/social services for the purposes of child welfare activities understand the requirements regarding documenting sufficient assessment details in Trails and consistently communicate the requirements to counties.

**Current Implementation Status for Rec. 3, part e:** Implemented

**Agency's Update:**

All members of the Child Protection Services Unit and the DCW have received training on the requirements for documenting assessment details in Trails and consistently communicating the requirements to counties. ARD staff who interact with counties attend three days of trainings once a month to review current practices and ensure ARD consistency in findings and messaging. ARD instructions for review assessment tools reference Volume 7, which outlines practice expectations, and are updated when statute or DCW policy changes.

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**Recommendation No. 4:**

The Department of Human Services (Department) should improve its Child Fatality Review Team process by:

- A Implementing a process to (i) provide Child Fatality Review Team members written information on the county violations identified by Department staff so that members can more easily participate in the process of identifying violations of statutes and rules and (ii) allow members to review and provide feedback on all reports before they are finalized.

*The Department partially agreed with this recommendation, citing a need for additional resources and statutory changes to either ease timeframes, create more CFRT teams, secure additional staff to support those teams, or have fewer cases to review.*

**Current Implementation Status for Rec. 4, part a:** Implemented and Ongoing

**Agency’s Update:**

The Department worked with CFRT on creating processes that would allow members to more easily participate in the process of identifying violations. On December 1, 2014, the Department met with CFRT members, who stated they did not have time to read all incident information and felt it more appropriate to focus on their individual subject matter expertise in identifying systematic strengths and barriers to assessing and managing child safety. CFRT denied any need for new processes or information.

- B Working with the State Board of Human Services to promulgate rules in accordance with Sections 26-1-139(4)(i) and (7), C.R.S., to provide additional guidance on the Child Fatality Review Team process, including (i) what factors should be covered in reviews to comply with statute, (ii) what information should be included in annual reports to policy makers, and (iii) requiring the Child Fatality Review Team to request responses for implementing recommendations and include the responses in the final review reports.

*The Department partially agreed with this recommendation, citing that it believed implementation of recommendations should be monitored by the Division of Child Welfare and not the Child Fatality Review Team.*

**Current Implementation Status for Rec. 4, part b: Implemented**

**Agency’s Update:**

Rule 7.106 was approved by the State Board and became effective January 1, 2015. Rules 7.106.13 and 7.106.14 address the factors that must be included in reviews in order to comply with statute. Rule 7.106.16 lists the mandatory information included in annual reports. Included in this rule is the requirement for the CFRT to report on the status of recommendations that were made in prior case specific, executive summary reports. In addition, on December 3, 2015 a Dear Director Letter (DD-DCW-12-01-2014) was sent to all counties regarding these rules.

- C Implementing written guidance to use performance data and other information in a consistent manner when determining whether a recommendation should be made. This should include (i) using performance data that reflect a consistent and appropriately broad time horizon, are comprehensive, and are applied consistently across reports; (ii) establishing a standard that the performance data must show performance at or above the Department’s benchmarks for a pre-determined period; and (iii) establishing when it is appropriate to rely on current or planned efforts to address a deficiency.

**Current Implementation Status for Rec. 4, part c: Implemented**

**Agency’s Update:**

The Administrative Review Division (“ARD”) has implemented written guidance through the CFRT common agreement document. Rule 7.106.16, regarding the CFRT Annual Report, was approved by the State Board and became effective January 1, 2015.

**Recommendation No. 5:**

The Department of Human Services should improve county reporting of egregious incidents of abuse and neglect by:

- A Working with the State Board of Human Services to further define in rules, or implementing through other formal mechanisms, egregious incidents of child abuse and neglect that require review.

**Current Implementation Status for Rec. 5, part a:** Implemented

**Agency's Update:**

Rule 7.106 was approved by the State Board and became effective January 1, 2015. Rule 7.106.1 addresses assessments and referrals of egregious incidents of child abuse and/or neglect, including assessment procedures, additional actions when county departments have had prior or current involvement, guidelines for reporting to the State Department, and requirements for State review. The Department completed a policy and research analysis entitled, "Defining Egregious Incidents of Child Maltreatment Version 1.0."

- B Providing training and guidance to county departments of human/social services on the identification and reporting of egregious incidents.

**Current Implementation Status for Rec. 5, part b:** Implemented

**Agency's Update:**

The policy and research analysis entitled, "Defining Egregious Incidents of Child Maltreatment Version 1.0," has been incorporated into the training provided by the Kempe Center at the New Worker Pre-Service Training Academy. A Dear Director Letter was sent on March 9 to inform all county departments and their staff about the new guidance on egregious incidents created for recommendation 5A. Additionally, ARD holds targeted county trainings as necessary.

**Recommendation No. 6:**

The Department of Human Services should ensure compliance with the requirements for providing certain mandatory reporters with information about cases they have reported to the county by:

- A Working with the State Board of Human Services to promulgate in rule, or implementing through other formal mechanisms, guidance for counties regarding (i) what it means for a county to have "actual knowledge" that mandatory reporters continue to be officially and professionally involved with the child for whom they made a report of suspected abuse or neglect and (ii) the type of information a county may provide mandatory reporters to allow them to fulfill their professional and official roles in maintaining a child's safety.

**Current Implementation Status for Rec. 6, part a:** Implemented

**Agency's Update:**

The State Board approved Rules 7.000.2 and 7.103.8(a), which became effective January 1, 2015. "Actual Knowledge" is defined in Rule 7.000.2. Rule 7.103.8(a) defines the relationship between mandatory reporters and the child/ren for which they made a report of suspected abuse or neglect and the information a county may provide a mandatory reporter. In addition, guidance has been provided to counties in the form of both a Dear Director Letter (DD-DCW-12-01-2014) sent on December 3, 2014 as well as through webinars.

- B Working with the State Board of Human Services to modify the rule that requires counties to inform all reporting parties when their referrals are screened out (Section 7.202.4.C, 12 C.C.R. 2509-3) so that rules are consistent with Section 19-1-307(2)(e.5), C.R.S.

**Current Implementation Status for Rec. 6, part b: Implemented**

**Agency's Update:**

The Department modified Rule 7.202.4(c) to be consistent with statute. The State Board approved the rule modification, which became effective January 1, 2015.

- C Expanding the reviews conducted by the Administrative Review Division to include assessments of whether the county complied with requirements to notify mandatory reporters of case information when required.

**Current Implementation Status for Rec. 6, part c: Partially Implemented**

**Agency's Update:**

This recommendation has been provided to the ARD's New Assessment Instrument Workgroup for inclusion in the final Assessment Review Tool. This workgroup meets monthly and is scheduled to have a draft instrument completed for piloting on or before July 2015 with an anticipated finalization date of October 2015.

- D Pursuing a modification of Trails to capture data needed to facilitate monitoring of counties' compliance with notifying mandatory reporters of case information when required and enforcing requirements for counties to document their compliance in Trails.

**Current Implementation Status for Rec. 6, part d: Partially Implemented**

**Agency's Update:**

On October 22, 2014, the Department requested a modification to the Trails mandatory reporter notification box to include: whether the individual is a mandatory reporter, whether notification was sent to the mandatory reporter, the date notification was sent, and a drop down box of what was sent. The Department is seeking further Trails modification noting if a qualified mandatory reporter submitted written affirmation and was sent caseworker contact information so that case involvement may continue. The estimated completion date is prior to the January 1, 2016 deadline.

- E Implementing a process to regularly analyze Trails data and the results of reviews conducted by the Administrative Review Division to monitor counties' compliance with notification requirements and provide technical assistance to counties based on the analysis.

**Current Implementation Status for Rec. 6, part e: Partially Implemented**

**Agency’s Update:**

This recommendation has been provided to the ARD’s New Assessment Instrument Workgroup for inclusion in the final Assessment Review Tool. This workgroup meets monthly and is scheduled to have a draft instrument completed for piloting on or before July 2015 with an anticipated finalization date of October 2015.

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**Recommendation No. 7:**

The Department of Human Services should work with child welfare and county stakeholders to assess whether Child Protection Teams are still needed and work with the General Assembly on statutory changes to either make Child Protection Teams effective as an oversight mechanism for the child welfare system or to eliminate the requirement for Child Protection Teams.

**Current Implementation Status for Rec. 7: Implemented**

**Agency’s Update:**

The Department consulted with stakeholders through the Child Welfare Sub-Policy Advisory Committee (“CW Sub-PAC”), the Child Protection Task Group to assess whether Child Protection Teams (“CPT”) were still needed. On February 24, 2015, the Department proposed ending the use of CPTs to the Legislative Audit Committee (“LAC”). The motion to request a bill draft failed. As CPTs remain in statute, the Department has begun working with stakeholders to review rules related to CPTs and is consulting the Office of the Attorney General (“AG”) as needed.

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**Recommendation No. 8:**

As long as Child Protection Teams continue in their current form, the Department of Human Services should improve their use as an oversight mechanism by:

- A Seeking legal guidance from the Office of the Attorney General on whether statute as currently written allows for counties to employ a risk-based approach for determining which cases should be reviewed by a Child Protection Team. Based on that guidance either (i) work with the State Board of Human Services to promulgate rules on how to employ a risk-based approach for selecting which cases are reviewed by the Child Protection Team, or (ii) work with the General Assembly to seek statutory change to allow for a risk-based approach.

**Current Implementation Status for Rec. 8, part a: Partially Implemented**

**Agency’s Update:**

The Department requested an AG opinion regarding the use of a risk-based approach for CPTs. On February 24, 2015, the Department proposed statutory changes related to CPTs to the LAC, where a motion was made to request a bill draft; however, the motion failed and the LAC took no further action to make changes to the CPT statute. As CPTs will remain in statute as currently written, the

Department has begun work with its stakeholders to review rules related to CPTs and is consulting with the AG's office as needed.

- B Working with the State Board of Human Services to promulgate rules providing parameters for counties to determine (i) which cases should be reviewed by Child Protection Teams, (ii) when in the case the Child Protection Teams should review the case, (iii) how the results of the Child Protection Team review should be used by the counties to improve their cases and processes, and (iv) how to publicly report the results.

**Current Implementation Status for Rec. 8, part b: Partially Implemented**

**Agency's Update:**

The Department is currently working with child welfare and county stakeholders through the CW Sub-PAC and the Child Protection Task Group to review current rules related to CPTs and make any recommended changes to these rules. The Department will work with the State Board to promulgate any changes to existing rules related to CPTs.

- C Implementing a process for monitoring Trails data to ensure counties are complying with requirements for using Child Protection Teams and following up with counties that are not complying. This should include requiring counties to populate Child Protection Team review information into Trails.

*The Department disagreed with this audit recommendation.*

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**Recommendation No. 9:**

The Department of Human Services (Department) should ensure that it exercises appropriate authority when advising and overseeing counties regarding requirements for the child welfare system by:

- A Requesting a legal opinion from the Office of the Attorney General on whether the Department has authority to waive rules that govern the child welfare system or to otherwise provide direction to counties to operate in a manner that is inconsistent with requirements in rules.

*The Department disagreed with this audit recommendation.*

- B If the Attorney General finds that the Department does not have authority to waive or contravene rules, discontinuing the practice of directing or allowing counties to operate in a manner that is not consistent with rules.

*The Department disagreed with this audit recommendation.*

- C Based on the opinion of the Attorney General obtained in response to Part A, as well as the Attorney General's recent guidance to the Department regarding its authority to establish and enforce policies, taking steps to communicate any changes in practice or expectations. This should include informing Department staff who provide technical assistance to counties of any new Department policies or practices and revising quality assurance review tools used by the Administrative Review Division as needed.

*The Department partially agreed with this recommendation, citing its disagreement with seeking an opinion from the Attorney General.*

**Current Implementation Status for Rec. 9, part c:** Implemented

**Agency's Update:**

Both the Division of Child Welfare and ARD have internal processes to notify staff interacting with counties regarding additions and/or revisions to Volume 7 and Department policies. ARD updates review tools as applicable to coincide with Department policies and practices and emails its staff. The Department created a communication procedure that details the steps for communication to its staff and between ARD and the DCW.

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**Recommendation No. 10:**

The Department of Human Services should improve its SMART Government Act performance measure for child welfare by revising the "Timeliness of Assessment Closure" measure, or adding an additional measure, to align with the regulatory requirement for investigative assessments to be closed in 30 days unless an extension is approved by a supervisor. The revised measure should be used as the basis for awarding incentives to counties.

*The Department disagreed with this audit recommendation.*

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**Recommendation No. 11:**

The Department of Human Services should promote compliance with the statutory requirement that county departments of human/social services establish cooperative agreements with the law enforcement agencies in their jurisdictions by:

- A Working with the State Board of Human Services to promulgate in rule, or otherwise provide, formal written guidance on (i) establishing effective cooperative agreements and (ii) reviewing and updating the agreements on a specified frequency.

**Current Implementation Status for Rec. 11, part a:** Implemented and Ongoing

**Agency's Update:**

Rules 7.601.1 and 7.601.2 have been approved by the State Board and became effective January 1, 2015. Rule 7.601.2 requires a cooperative agreement between county departments and incorporated and unincorporated municipality, city, and state law enforcement agencies. A review and update is required every four years. The Department created a template of a cooperative agreement between county departments and local law enforcement. A Dear Director letter was sent to counties on December 3, 2014 (DD-DCW-12-01-14), providing guidance and a copy of this template.

- B Implementing processes to obtain county agreements, including any time the agreements are revised; review the agreements for compliance with requirements in statute, rule, and applicable guidance; and provide technical assistance to counties that do not have adequate agreements.

**Current Implementation Status for Rec. 11, part b: Implemented and Ongoing**

**Agency's Update:**

A tracking document is used to review agreements for compliance with applicable requirements. The document notes: county name, law enforcement agency, whether or not the county has entered into a Memorandum of Understanding (“MOU”) with the local law enforcement agency, the date of the MOU, and any relevant notes pertaining to the cooperative agreement. The document is updated each time a revision is made. Guidance was provided to counties through two webinars and a Dear Director Letter (DCW-DD-12-01-14) sent on December 3, 2014.

- C Providing a statewide agreement with Colorado State Patrol that counties can use, or ensuring that counties create a separate agreement.

**Current Implementation Status for Rec. 11, part c: Implemented and Ongoing**

**Agency's Update:**

The Department collaborated with the Colorado State Patrol to create a law enforcement agreement. The agreement was signed by the Chief of the Colorado State Patrol on March 31, 2014. This agreement facilitated county departments entering into agreements with the Colorado State Patrol.

**Recommendation No. 12:**

The Department of Human Services (Department) should improve its oversight of the Collaborative Management Program (CMP) by:

- A Establishing procedures and deadlines to comply with State Board of Human Services (State Board) rules for submitting and accepting memoranda of understanding (MOUs) or working with the State Board to revise the deadlines. The Department should then communicate the due dates to county-level programs and discontinue allocating incentive funds to county-level programs that do not submit MOUs in accordance with rules.

**Current Implementation Status for Rec. 12, part a: Implemented**

**Agency's Update:**

The Department has established an internal procedure regarding the process for submitting and accepting MOUs. The procedure includes: instruction/guidance and templates, a detailed MOU review process, and MOU acceptance and notification guidelines. The timelines and deadlines for MOUs were communicated to all county directors through a Dear Director Letter (DD-DCW-03-25-2015) sent on March 25, 2015.

- B Establishing processes to determine whether county-level programs have “successfully implemented the elements of collaborative management,” working with the State Board as needed. This should include working with the Judicial Department to revise the MOU template to adequately capture statutory and regulatory requirements, including defining the target population

and detailing expectations and requirements for collaborative management processes; promulgating and communicating guidance; and establishing MOU review criteria and checklists.

**Current Implementation Status for Rec. 12, part b: Implemented**

**Agency's Update:**

Rules 7.303.3-36, were approved by the State Board on June 5, 2015. These rules will go into effect on August 1, 2015. The elements of Collaborative Management are listed in 7.303.33(C). In addition, the Department has defined target population, detailed expectations and requirements for the Collaborative Management Program (CMP) processes, and established MOU criteria and checklists within the CMP MOU instructions for State Fiscal Year 2015-16, all of which are included in rule.

- C Developing a set of standardized performance measures that (i) specify the results that all county-level programs must achieve to be eligible for incentive funding; (ii) are based on outcome measures already used by the Department to allow comparisons between CMP participants and non-CMP participants; and (iii) include process measures to incentivize compliance with Department requirements, statutes, and rules.

*The Department disagreed with this audit recommendation.*

- D Establishing a monitoring program to (i) determine whether county level programs have implemented collaborative management in accordance with statute, rule, and MOUs and (ii) verify the accuracy and reliability of county-level program performance data used to award incentive funding.

**Current Implementation Status for Rec. 12, part d: Partially Implemented**

**Agency's Update:**

Rule 7.303.33(D)(3), which was approved by the State Board and will go into effect on August 1, 2015, establishes a CMP monitoring program. The Department collaborated with the Collaborative Management Steering Committee ("Committee") to create the CMP monitoring process, whereby the accuracy and reliability of the data will be verified during the approval process of the measures and as a part of the approval process of the awards. On June 16, 2015, the Committee provided final edits and feedback to this written monitoring process.

- E Revising the allocation methodology to ensure that it incentivizes and rewards performance in an equitable manner within the funds available, and uses actual data on participants served to allocate incentive payments.

**Current Implementation Status for Rec. 12, part e: Implemented**

**Agency's Update:**

Rule 7.303.35 was approved by the State Board on June 5, 2015, and will go into effect on August 1, 2015. The rule clarifies the incentive funding formula to include performance measures. The Child Welfare Allocation Committee ("CWAC") approved the incentive funding formula at a meeting on April 27, 2015.

**Recommendation No. 13:**

The Department of Human Services should improve its management of general fund savings from the Collaborative Management Program (CMP) by:

- A Working with the State Board of Human Services to promulgate a rule to determine general fund savings resulting from the CMP as set forth in Section 24-1.9-102(2)(h)(I), C.R.S.

*The Department partially agreed with this recommendation, citing that it saw a conflict between Title 24 and Title 26.*

**Current Implementation Status for Rec. 13, part a:** No Longer Applicable

**Agency's Update:**

The Department worked in conjunction with the CDHS Legislative Liaison to provide information to the JBC regarding passage of Senate Bill 15-241 during the 2015 Legislative Session, which addressed the conflict between Title 24 and Title 26. In addition, Rule 7.303.36 establishes the CWAC as the group that recommends the allocation of any unexpended funds at close out. This rule was adopted by the State Board on June 5, 2015 and will go into effect on August 1, 2015.

- B Discontinuing the practice of requiring county-level programs to elect either a savings or surplus distribution in their memoranda of understanding.

*The Department disagreed with this audit recommendation.*

- C Seeking further legal guidance on the use of surplus funds for distributing general fund savings, and proposing legislative change to establish a mechanism for distributing general fund savings, if needed.

**Current Implementation Status for Rec. 13, part c:** Implemented

**Agency's Update:**

On March 5, 2015, the Department received an AG's Opinion regarding the CMP and Child Welfare Allocations Statutes' Reinvestment Provisions. The Opinion concluded that the Department has statutory and legal authority to require counties to elect between Title 24 and Title 26 reinvestment schemes and to allocate general fund savings to counties that have elected to participate in the CMP. Senate Bill 15-241, which directly pertains to this recommendation, was signed into law by the Governor on May 1, 2015.

**Recommendation No. 14:**

The Department of Human Services (Department) should improve accountability for the Collaborative Management Program (CMP) by:

- A Requesting an opinion from the Office of the Attorney General on whether the Department is exercising its full authority as permitted in current statute. Depending on the results of the opinion,

the Department should ensure its practices are consistent with the opinion and work with the General Assembly to request clarification of its authority related to CMP funding, if needed.

***The Department disagreed with this audit recommendation.***

- B Developing improved data collection and reporting protocols for programmatic and expenditure data and requiring all county departments of human/social services that participate in county-level programs to comply with them. This could include requiring county departments to identify CMP participants in the child welfare system in Trails so that participant demographics, services, outcomes, and expenditures can be tracked and monitored.

***The Department partially agreed with this recommendation. The Department disagreed with requiring county departments to identify CMP participants in the child welfare Trails system.***

**Current Implementation Status for Rec. 14, part b: Implemented**

**Agency's Update:**

On June 5, 2015, the State Board adopted Rules 7.303.33(D) and 7.303.34. Rule 7.303.33(D) addresses the requirements of the CMP monitoring and review process. Included in this is the requirement for data reporting on program components and expenditure data. Rule 7.303.34 states what must be included in the annual report to the State Department. These rules will go into effect on August 1, 2015.

- C Assessing options for implementing a single data system to maintain CMP data. This should include determining whether to acquire capacity to bring data collection and management, currently performed by the contractor, in-house or evaluating the feasibility of improving the interoperability of existing state information systems to better track CMP data.

**Current Implementation Status for Rec. 14, part c: Implemented**

**Agency's Update:**

The Department has taken a three prong approach to assessing options for implementing a single data system to maintain CMP data. First, the Department brought the data collection process in-house to assess the feasibility of improving data collection. Second, the Department met with the Office of Business Technology to discuss other data systems available to increase interoperability. Finally, the Department is working to procure a contract to maintain historic and current data and work towards the creation of a new data system that would allow for greater interoperability.

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**Recommendation No. 15:**

If the General Assembly enacts legislation to continue the use of differential response beyond July 1, 2015, the Department of Human Services (Department) should ensure successful expansion of differential response by:

- A Establishing guidance that clearly defines risk levels that influence whether a differential response assessment is appropriate and clarifies how different factors can influence a child's risk of maltreatment. This should include working with the State Board of Human Services as appropriate.

**Current Implementation Status for Rec. 15, part a : Partially Implemented**

**Agency’s Update:**

House Bill 15-1358, enacted during the 2015 Legislative Session, removed the pilot status from the Differential Response (“DR”) program, thereby establishing a permanent DR program for child abuse or neglect cases of low or moderate risk. Rules 7.000.2 and 7.103.7 were approved by the State Board and became effective January 1, 2015. Rule 7.000.2 provides definitions of response tracks within differential response. Rule 7.103.7 addresses procedures for counties interested in participating in the DR program and establishes guidance for counties that implement DR.

- B Enforcing Department policies and guidance or working with the State Board of Human Services to codify in rules all requirements that counties must follow when handling assessments and cases through differential response.

**Current Implementation Status for Rec. 15, part b: Partially Implemented**

**Agency’s Update:**

Rules 7.103.7 and 7.104 were approved by the State Board and became effective January 1, 2015. Rules 7.103.7 and 7.104 establish guidelines for counties that have implemented the DR program. The Department has also created three new components to the New Worker Pre-Service Training related to the DR program: Enhanced Screening, Group Supervision, and Facilitation.

- C Implementing a more robust process for monitoring differential response activities that includes modifying Trails so the Department can easily monitor the risk level of referrals undergoing differential response assessments.

**Current Implementation Status for Rec. 15, part c: Partially Implemented**

**Agency’s Update:**

On October 22, 2014, the Department requested modification of the Trails Referral Acceptance Screen to more easily monitor the risk level of referrals undergoing DR assessments. This Trails modification is scheduled to be completed on or before January 1, 2016. The Department surveyed counties using DR in order to improve practice and conducted quality assessment site visits to Differential Response counties to observe and provide assistance. The Department monitors DR and traditional counties performance through monthly C-STAT measures.

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**Recommendation No. 16:**

The Department of Human Services should ensure that counties statewide implement the Review, Evaluate, and Direct (RED) Team process consistently and effectively by:

- A Establishing guidance that clarifies (i) instances when counties must use RED Teams and when counties have discretion to use a different referral screening method, and (ii) how counties should document RED Team discussions and supervisory approval of RED Team decisions. This should include working with the State Board of Human Services as appropriate.

**Current Implementation Status for Rec. 16, part a: Implemented**

**Agency's Update:**

Rules 7.103.4, 7.103.7, and 7.103.9 were approved by the State Board and became effective January 1, 2015. Rule 7.103.4 explains when the RED team framework shall be used and what that framework shall include. Rules 7.103.7 and 7.103.9 address approval, team decision making, and documentation requirements. In addition, a Dear Director Letter (DD-DCW-12-01-2014) was sent to county directors on December 3, 2014 regarding these rules. Lastly, two webinars were provided to assist counties in implementing these rules.

- B Adding a component to the Administrative Review Division's quality assurance reviews that includes reviewing Trails documentation that supports RED Team decisions for referrals that are assigned for assessment.

**Current Implementation Status for Rec. 16, part b: Partially Implemented**

**Agency's Update:**

This recommendation has been provided to the ARD's New Assessment Instrument Workgroup for inclusion in the final Assessment Review Tool. This workgroup meets monthly and is scheduled to have a draft instrument completed for piloting on or before July 2015 with an anticipated finalization date of October 2015. Data would then be collected and available for analysis.

- C Modifying Trails so the database fields more closely align with the factors that RED Teams consider during their discussions.

**Current Implementation Status for Rec. 16, part c: Implemented**

**Agency's Update:**

On November 19, 2014, the Colorado Department of Human Services, Office of Informational Technologies Project Governance Team approved the Department's requested modification to Trails related to this recommendation. The Trails modification was completed on March 23, 2015.