

Summary of Legislation

2024



Human Services, Children, and Domestic Matters

Introduction

Many pieces of legislation regarding human services made their way through the 74th General Assembly. Human Services legislation primarily focused on child welfare issues, funding senior services, and addressing housing concerns through Medicaid.

Child Welfare

During the 2023 interim, Colorado's Child Welfare System Interim Study Committee convened to discuss problems facing Colorado's child welfare system, and to develop legislation to address those problems. Five legislative ideas were introduced, and three bills were brought forward by committee members as a result of the committee's discussions.

Improving Supports for Caretakers, Child Welfare Caseworkers, and Youth

National and state child welfare experts presented to Colorado legislators on issues that prevent family members from taking in children who have entered the child welfare system. One of the issues discussed included kinship care, which is when children and youth live with relatives when their parents can't care for them. The General Assembly passed [Senate Bill 24-008](#) as a result of this discussion. Prior to the passage of Senate Bill 24-008, all foster care homes, including

kinship foster care homes, had to meet certain standards to become certified and receive financial support. Senate Bill 24-008 allows non-certified kinship care homes to be eligible for financial assistance at 30 percent of the foster care rate as established by the state, and requires the Colorado Department of Human Services (CDHS) reimburse county departments for 90 percent of the amounts expended for kinship foster care. The bill also exempts kinship foster care homes from certain certification standards and requirements, and allows the CDHS to develop rules to modify the requirements for kinship foster care homes, including training topics for kinship foster care certification.

Another bill related to the child welfare system is House Bill 24-1046, which seeks to improve the resources available to caseworkers by requiring the Colorado Child Protection Ombudsman to contract with a third party to conduct audits on the Colorado Family Safety Assessment and the Family Risk Assessment.

Although [Senate Bill 24-059](#) did not pass, it was developed by the Colorado Child Welfare System Interim Study Committee to support children facing behavioral health challenges. The bill would have required the development of a comprehensive children's behavioral health system of care by the Behavioral Health Administration (BHA). The system would have allowed children and youth up to twenty-one years of age to have a single point of access to behavioral health

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care, and was modeled after a similar system in New Jersey.

Addressing Disparities

The legislature also worked to address disproportionate outcomes for children and families of color who are involved in the child welfare system and those that have language barriers or complex behavioral health needs.

[House Bill 24-1031](#) requires counties to meet the provisions of the federal Civil Rights Act of 1964, and make reasonable efforts to ensure language access when providing services to children placed in out-of-home care and their families. The act also requires courts to provide translation and interpretation services to parties in dependency and neglect cases, including in dispositional hearings, if the party has limited English proficiency.

[House Bill 24-1038](#) requires the Department of Health Care Policy and Financing (HCPF), in collaboration with the BHA and the CDHS, to develop a system of care for children and youth who are less than 21 years of age and who have complex behavioral health needs. At a minimum, the system of care must include:

- implementation of a standardized assessment tool;
- intensive-care coordination;
- expanded supportive services; and
- expanded access to treatment foster care.

[Senate Bill 24-200](#) requires the CDHS to update the department's annual equity, diversity, and inclusion (EDI) report in

collaboration with county departments and other relevant stakeholders, and submit the report to the General Assembly. This includes reporting on the state's progress in addressing data challenges in the child welfare case management system and progress in training child welfare staff on demographic data collection. The CDHS must also strengthen EDI training for child welfare staff and evaluate the impact of the trainings, and may extend the trainings to other child welfare agencies and entities.

Protecting the Rights of Individuals Involved in the Child Welfare System

Independent of the Colorado's Child Welfare System Interim Study Committee's work, legislators passed [House Bill 24-1017](#) and [House Bill 24-1170](#) to protect the rights of individuals that come into contact with the state's child welfare system. House Bill 24-1017 establishes statutory rights for foster care youth, requires county human service departments to provide written notice to foster youth about their rights, and clarifies the authority of courts to enforce these rights. The rights of foster care youth include:

- freedom from discrimination or harassment;
- freedom of thought, cultural and ethnic practice, and religion;
- freedom to express gender identity;
- freedom from threats, punishment, retaliation for asking questions, stating concerns, or making complaints about violations of their rights;
- access to services, placements, and programs they are eligible for;



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- notification of the benefits they are eligible for;
- the ability to request information on how payments were used by individuals who accepted payments for the youth;
- the right to receive appropriate placement and care including being placed in a safe environment that is free of abuse, having their preferences regarding placement considered, and having providers who are aware of their history;
- the right to timely court proceedings and effective case management;
- the right to a timely notification to the Social Security Administration to initiate the transfer of benefits from providers to youth who are leaving the custody of the department;
- the right to access and communicate privately with caseworkers, legal representatives, advocates, probation officers, and other professionals;
- the right to confidentiality and privacy;
- access to education, basic essentials, and health care;
- ability to participate in legal proceedings and case planning; and
- access to certain necessities and support that will allow them to be self-sufficient in their transition to adulthood.

House Bill 24-1170 focused exclusively on the rights of juveniles in the Division of Youth Services (DYS), and requires the DYS to update its handbook to include the following rights:

- having access to certain information, legal resources, medical care, education, and persons;

- being protected from certain punishment and discrimination; and
- having protections to participate in legal processes.

State Funding for Senior Services

In addition to working on child welfare issues, the legislature also focused on the other end of the age spectrum by passing legislation involving senior services. [Senate Bill 24-040](#) requires CDHS, the Office of State Planning and Budgeting, and Area Agencies on Aging (AAA) to review the adequacy of state funding for senior services and to prepare a report for the General Assembly by November of each year, beginning in 2024. [House Bill 24-1211](#) goes a step further by creating the State Funding for Senior Services Contingency Reserve Fund, and gives the CDHS the authority to distribute money from the fund to the AAA under the following circumstances:

- financial or operational emergencies caused by extreme circumstances;
- a disruption in the delivery of eligible services due to an unexpected change in provider availability or operational capacity;
- an unintended delay or interruption of state or federal allocations; or
- an emergency disaster declaration.

Together, these bills provide accountability and funding for addressing the needs of older persons.



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Improving Access to Housing

[House Bill 24-1322](#) requires the HCPF to study the possibility of covering housing and nutrition services under Medicaid, and to seek federal approval to provide these services if they have a neutral impact on the state General Fund. The study must address several issues, including costs and funding mechanisms, and how the services will integrate with existing state housing and nutrition services.

