



Human Services

During the 2018 legislative session, the General Assembly considered measures related to increasing access to behavioral health services, increasing capacity for competency restoration, protecting children in foster care, child care assistance funding, and increasing the effectiveness of other human services programs.

Behavioral Health

Three bills passed this session that expanded resources for individuals in need of behavioral health services. *Senate Bill 18-270* establishes the Community Transition Specialist Program, within the Division of Behavioral Health (OBH) in the Department of Human Services (DHS), to coordinate referrals of individuals who are under an emergency or involuntary hold, who have a significant mental health or substance use disorder, and who are not in consistent behavioral health treatment. Transition specialists provide services related to housing, program placement, access to behavioral health treatment or benefits, advocacy, and other supportive services. *House Bill 18-1357* establishes the Office of the Ombudsman for Behavioral Health Access to Care within DHS to assist individuals in accessing behavioral health care. The bill also requires the Division of Insurance to report on issues related to mental health parity requirements.

The Child Mental Health Treatment Act, enacted in 1999, allows Colorado families to access residential treatment services for their children without requiring a dependency and neglect action, when there is no child abuse or neglect. To be eligible, a child must have a mental illness and require the level of care provided in either a therapeutic residential child care facility or psychiatric residential treatment facility. The program was set to repeal on July 1, 2018. *House Bill 18-1094* extends indefinitely the act and renames it the Children and Youth Mental Health Treatment Act. The bill also extends eligibility for services from age 18 to age 21, expands service availability statewide, and makes other systematic changes.

Competency and Restoration

In Colorado a judge, prosecutor, or defense attorney may request the court to order an exam of a defendant to determine his or her competency to stand trial. If a defendant is found incompetent to proceed, the court will order outpatient or inpatient services provided by DHS. DHS provides inpatient competency restoration services at one of Colorado's mental health institutes or through the RISE Program located at the Arapahoe County jail. In recent years, the number of defendants that are ordered to restoration has outpaced DHS' capacity to provide the services in a timely manner. *Senate Bill 18-252* focused on

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alleviating the backlog of defendants waiting for restoration services. The bill established a process which allows defendants to receive competency services in the most appropriate location, based on clinical need. The bill also made various changes regarding the process of conducting competency evaluations, providing competency restoration services to defendants deemed incompetent to proceed to trial, and reviewing cases of defendants determined to be incompetent after specified periods of time. The bill was deemed lost.

Child Welfare and Foster Care

House Bill 18-1306 permits students in out-of-home placement to remain in their school of origin at any time during the school year, rather than move to a different school as a result of a change in placement. The bill also sets parameters for students' transportation needs and clarifies the role of school districts in addressing the needs of the students.

House Bill 18-1319 allows county departments of human or social services to extend certain services to foster care youth between the ages of 18 and 21 who have exited the foster care system, including assistance with employment, housing, education, financial management, mental health care, and substance abuse treatment.

House Bill 18-1348 authorizes prospective and current foster parents to receive information about a foster child that is necessary to meet the child's physical, mental, emotional, behavioral, and other identified trauma needs. This includes education records, relevant information in a family service plan, placement history, and medical records. The bill also requires counties to prioritize Colorado Child Care Assistance Program (CCCAP) funds to foster parents, certified kinship foster parents, and non-certified kinship care providers who

provide care to children with an open welfare case but who are not in the custody of the county.

Child Care

House Bill 18-1335 requires DHS to base the amount of each county's CCCAP block grant on the local child care provider market rate for services and each county's percentage of the total number of children eligible to participate in the program. In addition, the bill increases the eligibility guideline for the program from 165 percent to 185 percent of the federal poverty level, but allows the State Board of Human Service to adjust this eligibility guideline by rule.

House Bill 18-1411 allows for a single background check for employees of child care centers who have or will have direct contact with vulnerable persons, reducing redundancy for employees.

Senate Bill 18-162 creates a license within DHS for a substitute placement agency that places, facilitates, or arranges placement of substitute child care providers in licensed day care centers.

Other DHS Programs

DHS operates a variety of residential care institutions that provide services to vulnerable populations, including the state's mental health hospitals, regional centers, veterans' nursing homes, and youth correctional facilities. *House Bill 18-1065* requires DHS to give weight to the safety of these vulnerable persons over the interests of any other person when considering a disciplinary action against an employee of the department for engaging in mistreatment, abuse, neglect, or exploitation against a vulnerable person. The department may take any disciplinary action it deems appropriate,

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including termination, if it finds that the employee engaged in such behavior.

House Bill 18-1108 changes the name of the Colorado Commission for the Deaf and Hard of Hearing to the Colorado Commission for the Deaf, Hard of Hearing, and Deafblind and expands the services offered by the commission to include services specific to the needs of the deafblind community.

House Bill 18-1334 extends Colorado's transitional jobs program, ReHire Colorado, through June 30, 2024. The program helps veterans, seniors, and non-custodial parents re-enter the workforce by combining wage-paid work, job skills training, and supportive services.