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Seventy-fourth General Assembly
STATE OF COLORADO

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BILL 7

LLS NO. 24-0347.01 Alana Rosen x2606

INTERIM COMMITTEE BILL

Colorado's Child Welfare System Interim Study Committee

BILL TOPIC: Child Welfare System Tools

DEADLINES: File by: 10/3/2023

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENHANCE CHILD WELFARE SYSTEM**
102 **TOOLS.**

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/>.)

Colorado's Child Welfare System Interim Study Committee. Current law requires mandatory reporters to include certain information when reporting child abuse or neglect to the mandatory reporter's county department, local law enforcement, or through the statewide child abuse reporting hotline system (hotline system). The bill requires a mandatory reporter to report any evidence of known or suspected domestic violence in the child's home, including any evidence of previous cases of known

*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words indicate deletions from existing law.*

or suspected domestic violence in the child's home.

The bill requires the state department of human services (state department) to develop and implement a consistent screening process for a county department to follow, when possible, in responding to a report or inquiry to the hotline system. The screening process must include questions about domestic violence. The state department is required to develop and implement a disclosure procedure that notifies callers to the hotline system that calls are recorded.

No later than January 15, 2025, the office of the child protection ombudsman (ombudsman) shall select a third-party evaluator to conduct an audit on the Colorado family safety assessment, the Colorado family risk assessment, and the TRAILS case management system. The third-party evaluator shall create a report summarizing the results of the audit. On or before March 1, 2026, the ombudsman is required to submit the audit report to the house of representatives public and behavioral health and human services committee and the senate health and human services committee, or their successor committees, the speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate, and the minority leader of the senate.

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

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) The reporting and prevention of child abuse is a matter of public concern;

(b) It is the intent of the general assembly to protect the best interests of the children of Colorado and offer protective services to prevent further harm to children suffering from child abuse;

(c) The protection of children requires the most up-to-date tools, assessment criteria, and resources for the state department of human services and participating counties;

(d) An audit of the tools used to report and track child abuse is prudent and necessary. This includes a thorough audit of the appropriate language used, best practices, and assessing risk factors in the home,

1 directly or indirectly, that may cause children harm.

2 (e) Research indicates that if domestic violence is present in the
3 home, both survivors of domestic violence and their children are at the
4 highest risk after a critical event, such as reporting abuse in the home.

5 (2) The general assembly finds, therefore, that it is the obligation
6 of the state to ensure individuals involved in assessing reports of child
7 abuse and domestic violence have access to appropriate tools and
8 resources. The processes outlined in this bill address this matter of
9 public concern.

10 **SECTION 2.** In Colorado Revised Statutes, 19-3-307, **add**
11 (2)(c.5) as follows:

12 **19-3-307. Reporting procedures.** (2) Reports of known or
13 suspected child abuse or neglect made pursuant to this article 3 must
14 include the following information whenever possible:

15 (c.5) ANY EVIDENCE OF KNOWN OR SUSPECTED DOMESTIC
16 VIOLENCE IN THE CHILD'S HOME, INCLUDING ANY EVIDENCE OF
17 PREVIOUS CASES OF KNOWN OR SUSPECTED DOMESTIC VIOLENCE IN
18 THE CHILD'S HOME;

19 **SECTION 3.** In Colorado Revised Statutes, 26-5-111, **amend**
20 (4)(h) and (4)(i); and **add** (3.5) and (4)(j) as follows:

21 **26-5-111. Statewide child abuse reporting hotline system -**
22 **child abuse hotline steering committee - rules on consistent**
23 **processes in response to reports and inquiries for information -**
24 **legislative declaration - definitions.** (3.5) (a) THE STATE
25 DEPARTMENT SHALL DEVELOP AND IMPLEMENT A CONSISTENT
26 SCREENING PROCESS FOR A COUNTY DEPARTMENT TO FOLLOW,
27 WHENEVER POSSIBLE, WHILE RESPONDING TO A REPORT OR INQUIRY

1 SUBMITTED TO THE STATEWIDE CHILD ABUSE REPORTING HOTLINE
2 SYSTEM. THE SCREENING PROCESS MUST INCLUDE QUESTIONS ABOUT
3 DOMESTIC VIOLENCE.

4 (b) THE STATE DEPARTMENT SHALL DEVELOP AND IMPLEMENT
5 A DISCLOSURE PROCEDURE THAT NOTIFIES CALLERS TO THE
6 STATEWIDE CHILD ABUSE REPORTING HOTLINE SYSTEM THAT CALLS
7 ARE RECORDED.

8 (4) The state board is authorized to adopt rules, based upon the
9 recommendations of the child abuse hotline steering committee, and may
10 revise rules, as necessary, including but not limited to the following:

11 (h) A consistent screening process with criteria and steps for the
12 county department to follow in responding to a report or inquiry THAT IS
13 CONSISTENT WITH THE PROCESS SET FORTH IN SUBSECTION (3.5)(a) OF
14 THIS SECTION; ~~and~~

15 (i) Rules establishing a consistent decision-making process with
16 criteria and steps for the county department to follow when deciding how
17 to act on a report or inquiry or when to take no action on a report or
18 inquiry; AND

19 (j) A DISCLOSURE PROCEDURE THAT NOTIFIES CALLERS TO THE
20 HOTLINE SYSTEM THAT CALLS ARE RECORDED THAT IS CONSISTENT
21 WITH THE PROCEDURE SET FORTH IN SUBSECTION (3.5)(b) OF THIS
22 SECTION.

23 **SECTION 4.** In Colorado Revised Statutes, **add** 26-5-118 as
24 follows:

25 **26-5-118. Audit of child welfare system tools - Colorado**
26 **family safety assessment - Colorado family risk assessment -**
27 **domestic violence - report - rules - definitions.** (1) AS USED IN THIS

1 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

2 (a) "COLORADO FAMILY RISK ASSESSMENT" MEANS A
3 SYSTEMATIC COLLECTION AND ANALYSIS OF INFORMATION ENTERED
4 INTO TRAILS TO DETERMINE THE LIKELIHOOD OF FUTURE
5 MALTREATMENT OF A CHILD OR YOUTH.

6 (b) "COLORADO FAMILY SAFETY ASSESSMENT" MEANS A
7 SYSTEMATIC COLLECTION OF INFORMATION ENTERED INTO TRAILS ON
8 FAMILY CIRCUMSTANCES TO DETERMINE WHETHER A CHILD IS IN
9 CURRENT OR IMPENDING DANGER AND TO ASSIST WITH INFORMED AND
10 RELIABLE DECISION-MAKING TO MITIGATE SAFETY CONCERNS.

11 (c) "TRAILS" MEANS THE STATEWIDE COMPREHENSIVE CHILD
12 WELFARE CASE MANAGEMENT SYSTEM.

13 (2) (a) (I) NO LATER THAN JANUARY 15, 2025, THE OFFICE OF
14 THE CHILD PROTECTION OMBUDSMAN, ESTABLISHED IN SECTION
15 19-3.3-102, SHALL SELECT AND CONTRACT WITH A THIRD-PARTY
16 EVALUATOR TO CONDUCT AN AUDIT ON THE:

17 (A) COLORADO FAMILY SAFETY ASSESSMENT;

18 (B) COLORADO FAMILY RISK ASSESSMENT; AND

19 (C) TRAILS CASE MANAGEMENT SYSTEM.

20 (II) THE THIRD-PARTY EVALUATOR SHALL CREATE A REPORT
21 SUMMARIZING THE RESULTS OF THE AUDIT.

22 (b) IN CONDUCTING AN AUDIT OF THE COLORADO FAMILY RISK
23 ASSESSMENT, THE THIRD-PARTY EVALUATOR, AT A MINIMUM, SHALL:

24 (I) IDENTIFY TOOLS AND RESOURCES TO ENSURE THE
25 ASSESSMENT IS CARRIED OUT CONSISTENTLY;

26 (II) IDENTIFY GAPS AND SOLUTIONS TO ENABLE CASEWORKERS
27 TO COMPLETE THE ASSESSMENT IN REAL TIME WHILE IN THE FIELD;

1 (III) EXAMINE THE IMPACTS OF GEOGRAPHY WHEN USING THE
2 ASSESSMENT;

3 (IV) EXAMINE THE IMPACTS OF RACE AND ETHNICITY WHEN
4 USING THE ASSESSMENT AND HOW THEY IMPACT COMMUNITIES THAT
5 ARE OVER-REPRESENTED IN THE CHILD WELFARE SYSTEM;

6 (V) EVALUATE AND RECOMMEND BEST PRACTICES FOR SHARING
7 THE ASSESSMENT WITH FAMILIES, LEGAL PROFESSIONALS, AND THE
8 JUDICIAL BRANCH;

9 (VI) EVALUATE AND RECOMMEND BEST PRACTICES FOR
10 TRAINING ON THE ASSESSMENT; AND

11 (VII) EXAMINE THE ASSESSMENT FOR DOMESTIC VIOLENCE AND
12 RECOMMEND BEST PRACTICES.

13 (c) IN CONDUCTING AN AUDIT OF THE COLORADO FAMILY
14 SAFETY ASSESSMENT, THE THIRD PARTY, AT A MINIMUM, SHALL:

15 (I) EXAMINE THE ISSUES SET FORTH IN SUBSECTIONS (2)(b)(I)
16 TO (2)(b)(VII) OF THIS SECTION;

17 (II) STUDY THE INTER-RATER RELIABILITY OF THE COLORADO
18 FAMILY SAFETY ASSESSMENT; AND

19 (III) STUDY THE REQUIRED DOCUMENTATION FOR THE
20 PLANNING AND REMOVAL OF THE CHILD FROM THE CHILD'S PRIMARY
21 CAREGIVER.

22 (d) IN CONDUCTING AN AUDIT OF TRAILS, THE THIRD-PARTY
23 EVALUATOR SHALL, AT A MINIMUM:

24 (I) REVIEW THE PROCESS TO DETERMINE RACE, ETHNICITY,
25 DISABILITY STATUS, LGBTQ IDENTITY, IF APPLICABLE, AND ENGLISH
26 PROFICIENCY IN A SCREENING REPORT AND RECOMMEND A PROCESS
27 FOR IMPROVING THE ACCURACY OF DETERMINING THIS DEMOGRAPHIC

1 INFORMATION, WHICH MUST INCLUDE OPPORTUNITIES TO UPDATE THE
2 INFORMATION IN TRAILS;

3 (II) REVIEW THE TYPES OF QUESTIONS ASKED DURING THE
4 SCREENING TO DETERMINE DEMOGRAPHIC INFORMATION AND
5 RECOMMEND QUESTIONS THAT REFLECT BEST PRACTICES AND
6 CULTURAL COMPETENCY; AND

7 (III) REVIEW THE SEQUENCE OF QUESTIONS ASKED DURING THE
8 SCREENING TO DETERMINE DEMOGRAPHIC INFORMATION AND
9 RECOMMEND A SEQUENCE OF QUESTIONS THAT BETTER REFLECTS BEST
10 PRACTICES.

11 (3) ON OR BEFORE MARCH 1, 2026, THE OFFICE OF THE CHILD
12 PROTECTION OMBUDSMAN SHALL SUBMIT THE REPORT DESCRIBED IN
13 SUBSECTION (2)(a)(II) OF THIS SECTION TO THE HOUSE OF
14 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
15 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
16 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, THE SPEAKER OF THE
17 HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF THE HOUSE OF
18 REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE
19 MINORITY LEADER OF THE SENATE.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.