

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

BILL E

LLS NO. 24-0347.01 Alana Rosen x2606

HOUSE BILL

HOUSE SPONSORSHIP

Duran and Evans, Bradley, Froelich, Joseph, Pugliese, Young

SENATE SPONSORSHIP

Kolker and Kirkmeyer, Fields, Michaelson Jenet, Zenzinger

House Committees

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENHANCE CHILD WELFARE SYSTEM 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 or suspected domestic violence in the child's home.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

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.

The state department is also required to review the screening process used by county departments and hotline system operators to:

- Determine race; ethnicity; disability status; LGBTQ identity, if applicable; and English proficiency in a screening report and recommend a process for improving the accuracy of determining the demographic information, which must include opportunities to update the TRAILS statewide case management system;
- Understand the types of questions asked during the screening process to determine demographic information; and
- Understand the sequence of questions asked during a screening process to determine demographic information.

The state department shall recommend and implement a screening process procedure to determine demographic information that reflects best practices and cultural competencies.

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 and the Colorado family risk assessment. 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.

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

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

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

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

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

7 (d) An audit of the tools used to report and track child abuse is
8 prudent and necessary. This includes a thorough audit of the appropriate
9 language used, best practices, and assessing risk factors in the home,
10 directly or indirectly, that may cause children harm.

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

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

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

21 **19-3-307. Reporting procedures.** (2) Reports of known or
22 suspected child abuse or neglect made pursuant to this article 3 must
23 include the following information whenever possible:

24 (c.5) ANY EVIDENCE OF KNOWN OR SUSPECTED DOMESTIC
25 VIOLENCE IN THE CHILD'S HOME, INCLUDING ANY EVIDENCE OF PREVIOUS
26 CASES OF KNOWN OR SUSPECTED DOMESTIC VIOLENCE IN THE CHILD'S
27 HOME;

1 **SECTION 3.** In Colorado Revised Statutes, 26-5-111, **amend**
2 (4)(h) and (4)(i); and **add** (3.5), (3.7), and (4)(j) as follows:

3 **26-5-111. Statewide child abuse reporting hotline system -**
4 **child abuse hotline steering committee - screening questions for**
5 **hotline system operators and county departments - rules on**
6 **consistent processes in response to reports and inquiries for**
7 **information - legislative declaration - definitions.** (3.5) (a) THE STATE

8 DEPARTMENT SHALL DEVELOP AND IMPLEMENT A CONSISTENT SCREENING
9 PROCESS FOR A COUNTY DEPARTMENT TO FOLLOW, WHENEVER POSSIBLE,
10 WHILE RESPONDING TO A REPORT OR INQUIRY SUBMITTED TO THE
11 STATEWIDE CHILD ABUSE REPORTING HOTLINE SYSTEM. THE SCREENING
12 PROCESS MUST INCLUDE QUESTIONS ABOUT DOMESTIC VIOLENCE.

13 (b) THE STATE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A
14 DISCLOSURE PROCEDURE THAT NOTIFIES CALLERS TO THE STATEWIDE
15 CHILD ABUSE REPORTING HOTLINE SYSTEM THAT CALLS ARE RECORDED.

16 (3.7) (a) THE STATE DEPARTMENT SHALL REVIEW THE SCREENING
17 PROCESS USED BY COUNTY DEPARTMENTS AND HOTLINE SYSTEM
18 OPERATORS TO:

19 (I) DETERMINE RACE; ETHNICITY; DISABILITY STATUS; LGBTQ
20 IDENTITY, IF APPLICABLE; AND ENGLISH PROFICIENCY IN A SCREENING
21 REPORT AND RECOMMEND A PROCESS FOR IMPROVING THE ACCURACY OF
22 DETERMINING THIS DEMOGRAPHIC INFORMATION, WHICH MUST INCLUDE
23 OPPORTUNITIES TO UPDATE THE INFORMATION IN TRAILS, AS DEFINED IN
24 SECTION 26-5-118;

25 (II) UNDERSTAND THE TYPES OF QUESTIONS ASKED DURING THE
26 SCREENING PROCESS TO DETERMINE DEMOGRAPHIC INFORMATION AND
27 RECOMMEND QUESTIONS THAT REFLECT BEST PRACTICES AND CULTURAL

1 COMPETENCY; AND

2 (III) UNDERSTAND THE SEQUENCE OF QUESTIONS ASKED DURING
3 THE SCREENING PROCESS TO DETERMINE DEMOGRAPHIC INFORMATION AND
4 RECOMMEND A SEQUENCE OF QUESTIONS THAT BETTER REFLECTS BEST
5 PRACTICES.

6 (b) THE STATE DEPARTMENT SHALL IMPLEMENT THE
7 RECOMMENDED BEST PRACTICES DESCRIBED IN SUBSECTION (3.7)(a) OF
8 THIS SECTION.

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

12 (h) A consistent screening process with criteria and steps for the
13 county department to follow in responding to a report or inquiry ~~and~~ THAT
14 IS CONSISTENT WITH THE PROCESS SET FORTH IN SUBSECTIONS (3.5)(a)
15 AND (3.7)(a) OF THIS SECTION;

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

20 (j) A DISCLOSURE PROCEDURE THAT NOTIFIES CALLERS TO THE
21 HOTLINE SYSTEM THAT CALLS ARE RECORDED THAT IS CONSISTENT WITH
22 THE PROCEDURE SET FORTH IN SUBSECTION (3.5)(b) OF THIS 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 family**
26 **safety assessment - Colorado family risk assessment - domestic**
27 **violence - report - rules - definitions.** (1) AS USED IN THIS SECTION,

1 UNLESS THE CONTEXT OTHERWISE REQUIRES:

2 (a) "COLORADO FAMILY RISK ASSESSMENT" MEANS A SYSTEMATIC
3 COLLECTION AND ANALYSIS OF INFORMATION ENTERED INTO TRAILS TO
4 DETERMINE THE LIKELIHOOD OF FUTURE MALTREATMENT OF A CHILD OR
5 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 CURRENT
9 OR IMPENDING DANGER AND TO ASSIST WITH INFORMED AND RELIABLE
10 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 THE
14 CHILD PROTECTION OMBUDSMAN, ESTABLISHED IN SECTION 19-3.3-102,
15 SHALL SELECT AND CONTRACT WITH A THIRD-PARTY EVALUATOR TO
16 CONDUCT AN AUDIT ON THE:

17 (A) COLORADO FAMILY SAFETY ASSESSMENT; AND

18 (B) COLORADO FAMILY RISK ASSESSMENT.

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

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

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

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

27 (III) EXAMINE THE IMPACTS OF GEOGRAPHY WHEN USING THE

1 ASSESSMENT;

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

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

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

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

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

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

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

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

20 (3) ON OR BEFORE MARCH 1, 2026, THE OFFICE OF THE CHILD
21 PROTECTION OMBUDSMAN SHALL SUBMIT THE REPORT DESCRIBED IN
22 SUBSECTION (2)(a)(II) OF THIS SECTION TO THE HOUSE OF
23 REPRESENTATIVES PUBLIC AND BEHAVIORAL HEALTH AND HUMAN
24 SERVICES COMMITTEE AND THE SENATE HEALTH AND HUMAN SERVICES
25 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, THE SPEAKER OF THE
26 HOUSE OF REPRESENTATIVES, THE MINORITY LEADER OF THE HOUSE OF
27 REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE MINORITY

1 LEADER OF THE SENATE.

2 **SECTION 5. Safety clause.** The general assembly finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, or safety or for appropriations for
5 the support and maintenance of the departments of the state and state
6 institutions.