

CHAPTER 83

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 99-1227

BY REPRESENTATIVES Tapia, Coleman, Lawrence, Spradley, Zimmerman, Alexander, Chavez, Clarke, Gagliardi, Gordon, Hagedorn, Hefley, Larson, Mace, Morrison, Plant, Tochtrop, Vigil, and S. Williams;
also SENATORS Dennis, Hernandez, Tebedo, and Weddig.

AN ACT

CONCERNING THE DEFINITION OF RESIDENTIAL CHILD CARE FACILITIES.

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

SECTION 1. 26-4-527 (1), Colorado Revised Statutes, is amended to read:

26-4-527. Residential child health care - waiver - program. (1) The department of health care policy and financing, in cooperation with the department of human services, shall implement a program concerning residential child health care under this article to provide services to medicaid-eligible children residing in residential child care facilities, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (8), and children placed through county departments of social services in licensed or certified out-of-home placement facilities in addition to residential child care facilities. Children with developmental disabilities, as defined in section 27-10.5-102 (11), C.R.S., who are placed in such facilities shall meet the out-of-home placement criteria described in section 19-1-107, C.R.S., and shall be neglected or dependent as described in section 19-3-102, C.R.S. The medical services board shall establish the type of rehabilitative or medical assistance services to be provided under the program as described in subsection (3) of this section, to the extent such services are cost-efficient, and the recipient eligibility criteria that may include, but are not limited to, a medical necessity determination and a financial eligibility determination.

SECTION 2. 26-6-102 (8), Colorado Revised Statutes, is amended to read:

26-6-102. Definitions. As used in this article, unless the context otherwise requires:

(8) "Residential child care facility" means a facility licensed by the department

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

pursuant to this part 1 to provide twenty-four-hour group care and treatment for five or more children operated under private, PUBLIC, or nonprofit sponsorship. A residential child care facility may be eligible for designation by the executive director of the department of human services pursuant to article 10 of title 27, C.R.S.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 8, 1999