

## CHAPTER 140

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**HUMAN SERVICES - SOCIAL SERVICES**

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## SENATE BILL 15-241

BY SENATOR(S) Steadman, Grantham, Lambert, Aguilar, Carroll, Guzman, Heath, Johnston, Kefalas, Kerr, Merrifield, Newell, Todd;  
also REPRESENTATIVE(S) Young, Hamner, Rankin, Fields, Ginal, Lontine, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Singer, Tyler, Williams, Winter, Hullinghorst.

## AN ACT

CONCERNING COLLABORATIVE MANAGEMENT OF MULTI-AGENCY SERVICES PROVIDED TO CHILDREN AND FAMILIES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

**SECTION 1.** In Colorado Revised Statutes, 24-1.9-101, **amend** (1), (2), and (3) (a) as follows:

**24-1.9-101. Legislative declaration.** (1) The general assembly hereby finds that children and families ~~who receive child welfare services~~ often benefit from treatment and services that involve multiple agencies, divisions, units, and sections of departments at the state and county level.

(2) The general assembly further finds that the development of a uniform system of collaborative management is necessary for agencies at the state and county levels to effectively and efficiently collaborate to share resources or to manage and integrate the treatment and services provided to children and families who ~~WOULD~~ benefit from multi-agency services.

(3) (a) The development of a more uniform system of collaborative management that includes the input, expertise, and active participation of parent advocacy or family advocacy organizations may reduce duplication and eliminate fragmentation of services; increase the quality, appropriateness, and effectiveness of services provided; encourage cost-sharing among service providers; and ultimately lead to better outcomes and cost-reduction for the services provided to children and families ~~in the child welfare system, including the foster care system,~~ in the state of Colorado.

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

**SECTION 2.** In Colorado Revised Statutes, 24-1.9-102, **amend** (2) (c), (2) (h) (I), and (2) (i); and **add** (1.5) as follows:

**24-1.9-102. Memorandum of understanding - local-level interagency oversight groups - individualized service and support teams - coordination of services for children and families - requirements - waiver.** (1.5) THE DEPARTMENT OF HUMAN SERVICES SHALL ENSURE A UNIFORM SYSTEM OF COLLABORATIVE MANAGEMENT THAT RESULTS IN STATEWIDE CONSISTENCY WITH RESPECT TO THE REQUIREMENTS FOR PROGRAM MEMORANDUMS OF UNDERSTANDING PURSUANT TO THIS ARTICLE.

(2) (c) **Definition of the population to be served.** The memorandum of understanding ~~shall~~ MUST include a functional definition of "children and families who would benefit from integrated multi-agency services". THE COLLABORATIVE MANAGEMENT PROGRAM TARGET POPULATION CONSISTS OF AT-RISK CHILDREN AND YOUTH FROM BIRTH TO TWENTY-ONE YEARS OF AGE, OR FAMILIES OF CHILDREN OR YOUTH, WHO WOULD BENEFIT FROM A MULTI-SYSTEM INTEGRATED SERVICE PLAN THAT MAY INCLUDE PREVENTION, INTERVENTION, AND TREATMENT SERVICES.

(h) **Reinvestment of moneys saved to serve additional children and families.** (I) The memorandum of understanding shall require the interagency oversight group to create a procedure, subject to approval by the head or director of each agency or department specified in paragraphs (a) and (a.5) of subsection (1) of this section, to allow any moneys resulting from waivers granted by the federal government and any state general fund savings realized as a result of the implementation of the collaborative system of management of multi-agency services provided to children and families related to the funding sources specified by the parties to the memorandum of understanding pursuant to paragraph (b) of this subsection (2) to be reinvested by the parties to the memorandum of understanding to provide appropriate services AS DEFINED IN PARAGRAPH (b) OF THIS SUBSECTION (2) to children and families, who would benefit from integrated multi-agency services, as the population is defined by the memorandum of understanding pursuant to paragraph (c) of this subsection (2). ~~The general fund savings realized, as referenced in this section, shall be determined in accordance with rules established by the state board of human services.~~

(i) **Performance-based measures.** THE DEPARTMENT OF HUMAN SERVICES AND THE PERSONS SPECIFIED IN SECTION 24-1.9-103 (2) (b) SHALL DEVELOP PERFORMANCE MEASURES FOR THE SYSTEM OF COLLABORATIVE MANAGEMENT, WHICH MEASURES MAY BE MODIFIED BIENNIALY TO ENSURE THAT THE MEASURES REMAIN VALID. The memorandum of understanding ~~shall include a provision stating whether the parties to the memorandum of understanding will attempt to meet performance measures specified by the department of human services and elements of collaborative management, as defined by rule of the state board of human services~~ MUST IDENTIFY PERFORMANCE MEASURES DEVELOPED PURSUANT TO THIS PARAGRAPH (i). If the parties to the memorandum of understanding ~~agree to attempt to meet the IDENTIFIED performance measures, and elements of collaborative management,~~ the memorandum of understanding ~~shall~~ MUST require the interagency oversight group to create a procedure, subject to the approval of the head or director of each agency or department specified in paragraphs (a) and (a.5) of subsection (1)

of this section, to allow any incentive moneys received by the department of human services and allocated pursuant to section 24-1.9-104 to be reinvested by the parties to the memorandum of understanding to provide appropriate services to children and families who would benefit from integrated multi-agency services, as such population is defined by the memorandum of understanding pursuant to paragraph (c) of this subsection (2). THE PARTIES TO A MEMORANDUM OF UNDERSTANDING SHALL REPORT ANNUALLY TO THE DEPARTMENT OF HUMAN SERVICES ON THE PERFORMANCE MEASURES IDENTIFIED IN THE PARTIES' MEMORANDUM OF UNDERSTANDING PURSUANT TO THIS PARAGRAPH (i).

**SECTION 3.** In Colorado Revised Statutes, **amend** 24-1.9-102.5 as follows:

**24-1.9-102.5. Evaluation.** THE DEPARTMENT OF HUMAN SERVICES SHALL ENSURE THAT AN ANNUAL EXTERNAL EVALUATION OF THE STATEWIDE PROGRAM AND EACH COUNTY OR REGIONAL PROGRAM IS CONDUCTED BY AN INDEPENDENT OUTSIDE ENTITY. THE DEPARTMENT MAY CONTRACT WITH THE OUTSIDE ENTITY TO CONDUCT AN EXTERNAL EVALUATION OF THOSE COUNTIES THAT OPTED NOT TO PARTICIPATE IN THE COLLABORATIVE MANAGEMENT PROGRAM. The department of human services ~~is authorized to~~ SHALL utilize moneys in the performance-based collaborative management incentive cash fund created in section 24-1.9-104, OR ANY GENERAL FUND MONEYS APPROPRIATED FOR THIS PURPOSE, for **ongoing** ANNUAL external evaluations of the counties participating in memorandums of understanding pursuant to section 24-1.9-102, also known as the collaborative management program, as well as EXTERNAL EVALUATIONS AS DETERMINED BY THE DEPARTMENT OF HUMANS SERVICES OF those counties that opted to not participate in the collaborative management program. The ANNUAL external evaluation ~~shall~~ MUST include **an** ANY evaluation that may be required in connection with a waiver authorized pursuant to section 24-1.9-102 (4) ~~The department of human services, with input from the counties, agencies as listed in section 24-1.9-102 (1) (a) and (1) (a.5), the division of youth corrections in the department of human services, participating stakeholders in the private and nonprofit sector, and participating parent or family advocacy organizations that represent family members or caregivers of children who would benefit from multi-agency services participating in the collaborative management program, shall develop the criteria and components of the external evaluation~~ AND AN EVALUATION OF WHETHER THE PARTIES TO A COLLABORATIVE MANAGEMENT PROGRAM HAVE SUCCESSFULLY MET OR EXCEEDED THE PERFORMANCE MEASURES IDENTIFIED IN THE PARTIES' MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i). Each county participating in the collaborative management program shall participate fully in the annual external evaluation. ~~The department of human services is authorized to perform an evaluation pursuant to this section on an ongoing basis as needed, as determined by the department of human services and subject to available appropriations.~~

**SECTION 4.** In Colorado Revised Statutes, **amend** 24-1.9-102.7 as follows:

**24-1.9-102.7. Technical assistance.** The department of human services shall develop and implement training for counties participating in or interested in participating in the collaborative management program. The department of human services shall utilize moneys in the performance-based collaborative management incentive cash fund created in section 24-1.9-104, OR ANY GENERAL FUND MONEYS

APPROPRIATED FOR THIS PURPOSE, to develop and implement training for counties. The training shall identify management strategies to collaborate effectively and efficiently to share resources or to manage and integrate the treatment and services provided to children and families receiving collaborative management services pursuant to this article.

**SECTION 5.** In Colorado Revised Statutes, 24-1.9-103, **amend** (1) (c), (2) (b) (II), (2) (b) (III), and (2) (b) (VI) as follows:

**24-1.9-103. Reports - executive director review.** (1) Commencing January 1, 2007, and on or before each January 1 thereafter, each interagency oversight group shall provide a report to the executive director of each department and agency that is a party to any memorandum of understanding entered into that includes:

(c) An accounting of moneys that were reinvested in additional services provided to children or families who would benefit from integrated multi-agency services due to cost-savings that may have resulted or due to meeting or exceeding performance measures ~~specified by the department of human services and elements of collaborative management established by rule of the state board~~ IDENTIFIED IN THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i);

(2) (b) The following persons or their designees shall attend the annual meeting required pursuant to paragraph (a) of this subsection (2):

(II) A superintendent of a school district that has entered into a memorandum of understanding and has met or exceeded the performance measures ~~specified by the department of human services and the elements of collaborative management established by rule of the state board~~ IDENTIFIED IN THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i), as such superintendent is selected by the commissioner of education;

(III) A director of a county department of social services that has entered into a memorandum of understanding and has met or exceeded the performance measures ~~specified by the department of human services and the elements of collaborative management established by rule of the state board~~ IDENTIFIED IN THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i), as such director is selected by the executive director of the department of human services;

(VI) A director of a local mental health center that has entered into a memorandum of understanding and has met or exceeded the performance measures ~~specified by the department of human services and the elements of collaborative management established by rule of the state board~~ IDENTIFIED IN THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i), as such director is selected by the executive director of the department of human services;

**SECTION 6.** In Colorado Revised Statutes, 24-1.9-104, **amend** (3) as follows:

**24-1.9-104. Cash fund - creation - grants, gifts, and donations.** (3) (a) On and after July 1, 2005, the executive director of the department of human services shall allocate the moneys in the fund, AND ANY GENERAL FUND MONEYS APPROPRIATED FOR THIS PURPOSE, to provide incentives to parties to a memorandum of

understanding who have agreed to performance-based collaborative management pursuant to section 24-1.9-102 (2) (i) and who, BASED UPON THE ANNUAL REPORT TO THE DEPARTMENT OF HUMAN SERVICES PURSUANT TO SECTION 24-1.9-102 (2) (i), have successfully implemented the elements of collaborative management specified by rule of the state board and also met or exceeded the performance measures specified by the department of human services IDENTIFIED IN THE PARTIES' MEMORANDUM OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102 (2) (i). The incentives shall be used to provide services to children and families who would benefit from integrated multi-agency services, as such population is defined by the memorandum of understanding pursuant to section 24-1.9-102 (2) (c).

(a.5) On and after July 1, 2008, the executive director of the department of human services is authorized to allocate moneys in the fund, AND ANY GENERAL FUND MONEYS APPROPRIATED FOR THIS PURPOSE, to be used to cover the direct and indirect costs of the external evaluation of the performance-based collaborative management program described in section 24-1.9-102 and the technical assistance and training for counties as described in section 24-1.9-102.7.

(b) For purposes of allocating incentive moneys ~~in the fund~~ pursuant to this subsection (3), the executive director of the department of human services shall submit an accounting of moneys in the fund available for incentives, AND ANY GENERAL FUND MONEYS APPROPRIATED FOR THIS PURPOSE, and a proposal for the allocation of incentive moneys to the state board of human services for review and approval prior to the allocation of the moneys. The state board of human services shall approve the proposal not later than thirty days after receipt of the proposal from the executive director of the department of human services.

**SECTION 7. Appropriation.** (1) For the 2015-16 state fiscal year, \$1,856,635 is appropriated to the department of human services for use by the division of child welfare. This appropriation is from the general fund. To implement this act, the division may use this appropriation as follows:

(a) \$1,500,000 for allocation to parties of the memorandum of understanding through the incentive formula for the collaborative management program pursuant to section 24-1.9-104 (3) (a), C.R.S.;

(b) \$106,635 for administration of the collaborative management program, which amount is based on an assumption that the division will require an additional 1.5 FTE; and

(c) \$250,000 for the annual external evaluation of the collaborative management program pursuant to section 24-1.9-102.5, C.R.S.

**SECTION 8. 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: May 1, 2015