

## CHAPTER 193

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**HUMAN SERVICES - SOCIAL SERVICES**


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**HOUSE BILL 15-1358**

BY REPRESENTATIVE(S) Singer, Danielson, Fields, Ginal, Hamner, Kraft-Tharp, Moreno, Pettersen, Primavera, Rosenthal, Ryden, Williams, Young, Hullinghorst;  
also SENATOR(S) Lundberg and Kefalas, Carroll, Crowder, Guzman, Heath, Hodge, Jahn, Johnston, Kerr, Martinez Humenik, Merrifield, Roberts, Steadman, Todd.

**AN ACT****CONCERNING CREATING A PERMANENT DIFFERENTIAL RESPONSE PROGRAM FOR CHILD ABUSE OR NEGLECT CASES OF LOW OR MODERATE RISK.**

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

**SECTION 1.** In Colorado Revised Statutes, **amend** 19-3-308.3 as follows:

**19-3-308.3. Differential response program for child abuse or neglect cases of low or moderate risk - rules - evaluation.** (1) (a) There is ~~hereby~~ created the differential response ~~pilot~~ program, referred to in this section as the "~~pilot~~ program". ~~to allow selected~~ THE PROGRAM WILL ALLOW county departments ~~on or after April 15, 2010,~~ OF HUMAN OR SOCIAL SERVICES THAT CHOOSE TO PARTICIPATE to address known or suspected incidents of intrafamilial abuse or neglect that have been assessed AS LOW OR MODERATE RISK, pursuant to rule of the state board. ~~to be of low or moderate risk.~~ The executive director of the state department shall ~~select the county departments~~ APPROVE ANY COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES that CHOOSES TO participate in the ~~pilot~~ program, ~~which county departments are~~ referred to in this section as ~~the~~ A "participating county departments DEPARTMENT".

(b) The state department is authorized to solicit, accept, and expend gifts, grants, and donations for the implementation and administration of the ~~pilot~~ program.

(2) Participation in the ~~pilot~~ program by families who are referred to the ~~pilot~~ program ~~shall be~~ IS voluntary.

(3) For each family ~~who is~~ referred to the ~~pilot~~ program, neither the state

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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.*

department nor a county department OF HUMAN OR SOCIAL SERVICES ~~shall be~~ IS required to make a finding concerning the alleged intrafamilial abuse or neglect in the family.

(4) The state department and the participating county departments shall administer the ~~pilot~~ program in accordance with ~~such~~ rules ~~as may be~~ promulgated by the state board pursuant to subsection (6) of this section.

(5) To the extent permitted by law and by ~~such~~ ANY rules ~~as may be~~ promulgated by the state board pursuant to subsection (6) of this section, the participating county departments, in administering the ~~pilot~~ program, shall cooperate with local community service organizations in addressing known or suspected incidents of intrafamilial abuse or neglect.

(6) The state board shall promulgate rules to define and implement differential response and for the administration of the ~~pilot~~ program.

~~(7) On or before November 1, 2014, each participating county department shall prepare and submit to the state department a report concerning the participating county department's administration of the pilot program.~~

~~(8) On or before January 1, 2015, the state department shall prepare and submit to the health and human services committees of the house of representatives and senate, or any successor committees, a report concerning the administration of the pilot program since April 15, 2010. The report, at a minimum, shall include:~~

~~(a) An evaluation of the pilot program's success or failure, which evaluation shall include, but need not be limited to, consideration of the pilot program's effectiveness in achieving the following outcomes:~~

~~(I) Child safety and permanency;~~

~~(II) Family and caseworker satisfaction; and~~

~~(III) Cost effectiveness;~~

~~(b) A description of any specific problems that the state department or participating county departments encountered during their administration of the pilot program, including any recommendations that the state department may have for legislation to address such problems.~~

~~(c) A recommendation by the state department as to whether the general assembly should repeal the pilot program, continue the pilot program for a specific period, or establish the pilot program statewide on a permanent basis.~~

~~(9) This section is repealed, effective July 1, 2015.~~

**SECTION 2.** In Colorado Revised Statutes, 19-3-308, **amend** (1.5) (c) as follows:

**19-3-308. Action upon report of intrafamilial, institutional, or third-party**

**abuse - investigations - child protection team - rules.** (1.5) (c) ~~(H)~~ On and after April 15, 2010, if a county department OF HUMAN OR SOCIAL SERVICES that is participating in the differential response ~~pilot~~ program pursuant to section 19-3-308.3 determines from an assessment performed pursuant to paragraph (a) of this subsection (1.5) that the known or suspected incident of intrafamilial abuse or neglect that was the basis for the assessment is of low or moderate risk, the county department, in lieu of performing an investigation pursuant to this section, may proceed in accordance with the provisions of section 19-3-308.3.

~~(H) This paragraph (c) is repealed, effective July 1, 2015.~~

**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: May 14, 2015