

HB26-1147 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

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

5 (a) Within the continuum of individual residential services and
6 supports settings, host homes are a specific type of supported living
7 arrangement in which an individual with intellectual and developmental
8 disabilities resides in the private residence of a host home provider whose
9 home is under contract with a service provider agency to deliver
10 individual residential services and supports;

11 (b) Host homes are a subset of individual residential services and
12 supports settings;

13 (c) Individual residential services and supports are home- and
14 community-based service benefits available under the home- and
15 community-based services waiver administered by the Colorado
16 department of health care policy and financing;

17 (d) Individual residential services and supports are designed to
18 ensure that individuals with intellectual and developmental disabilities
19 receive residential supports that promote individualized guidance,
20 habilitation, community inclusion, and health and safety in home settings;

21 (e) Individual residential services and supports include a variety
22 of residential arrangements, including service provider agency-owned or
23 leased homes and host homes, among other arrangements, to meet the
24 unique needs and preferences of participants;

25 (f) The diversity of individual residential services and supports
26 settings, including host homes and other residential options, reflects the
27 state's commitment to person-centered choice, integration in community
28 life, and compliance with the federal home- and community-based
29 services rules that prohibit institutionalization and support
30 community-based placement;

31 (g) While individual residential services and supports settings,
32 including host homes, currently operate under regulatory oversight, there
33 are identified needs for enhanced tracking, monitoring, and coordination
34 to ensure consistent compliance with health, safety, and quality standards
35 and to provide appropriate protections for participants across all settings;

36 (h) Further, the Colorado department of health care policy and
37 financing must allow for appropriate parties to access relevant
38 information in order to enable a more informed choice by participants or
39 potential participants and their families, advocates, and other interested
40 parties;

1 (i) The Colorado department of health care policy and financing
2 and the Colorado department of public health and environment must
3 coordinate to establish standardized requirements for the oversight of host
4 homes and other individual residential services and supports settings,
5 including inspection frequency, reporting mechanisms, data sharing, and
6 corrective action processes where appropriate; and

7 (j) This coordinated oversight framework is necessary to
8 strengthen accountability, ensure health and safety outcomes for home-
9 and community-based services waiver participants, support compliance
10 with state and federal home- and community-based services rules, and
11 promote transparency for individuals, families, providers, and
12 stakeholders.

13 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-6-414 as
14 follows:

15 **25.5-6-414. Individual residential services and supports**
16 **settings for persons with intellectual and developmental disabilities**
17 **- statewide database - risk criteria - complaint process - rules -**
18 **definitions.**

19 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
20 REQUIRES:

21 (a) "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS" MEANS
22 THE RESIDENTIAL SERVICES PROVIDED BY A SERVICE PROVIDER AGENCY TO
23 NO MORE THAN THREE INDIVIDUALS WITHIN ONE RESIDENCE.

24 (b) "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING"
25 MEANS A COMMUNITY LIVING RESIDENTIAL SETTING IN WHICH INDIVIDUAL
26 RESIDENTIAL SERVICES AND SUPPORTS ARE PROVIDED TO NO MORE THAN
27 THREE PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
28 AND FOR WHICH A STATE LICENSE IS NOT REQUIRED.

29 (c) "SERVICE PROVIDER AGENCY" MEANS AN ORGANIZATION
30 APPROVED BY THE STATE DEPARTMENT TO PROVIDE OVERSIGHT AND
31 SUPPORT TO AN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
32 SETTING TO ENSURE THAT THE CAREGIVERS MEET STATE STANDARDS FOR
33 HEALTH, SAFETY, AND QUALITY OF CARE.

34 (2) (a) THE STATE DEPARTMENT SHALL ESTABLISH A STATEWIDE
35 DATABASE TO ENHANCE THE TRANSPARENCY OF COLORADO'S INDIVIDUAL
36 RESIDENTIAL SERVICES AND SUPPORTS NETWORK. THE PURPOSE OF THE
37 STATEWIDE DATABASE IS TO PROVIDE ACCURATE INFORMATION ABOUT
38 CERTAIN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTINGS AND
39 THEIR ASSOCIATED SERVICE PROVIDER AGENCIES.

40 (b) THE DATABASE IS FOR USE BY THE STATE DEPARTMENT, THE
41 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND SERVICE
42 PROVIDER AGENCIES.

43 (c) THE DATABASE MUST INCLUDE INFORMATION ON INDIVIDUAL

1 RESIDENTIAL SERVICES AND SUPPORTS SETTINGS. THE STATE DEPARTMENT
2 SHALL DETERMINE WHAT INFORMATION MUST BE COLLECTED ON EACH
3 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING TYPE FOR
4 INCLUSION IN THE DATABASE. AT A MINIMUM, EACH SERVICE PROVIDER
5 AGENCY MUST SUBMIT THE FOLLOWING INFORMATION FOR EACH COVERED
6 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING THAT THE
7 SERVICE PROVIDER AGENCY OVERSEES:

8 (I) THE NAME AND CONTACT INFORMATION OF THE INDIVIDUAL
9 RESIDENTIAL SERVICES AND SUPPORTS SETTING, IF APPLICABLE;

10 (II) THE ADDRESS AND LOCATION OF THE INDIVIDUAL RESIDENTIAL
11 SERVICES AND SUPPORTS SETTING;

12 (III) THE NAME OF EACH SERVICE PROVIDER AGENCY THAT THE
13 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING IS CURRENTLY
14 ASSOCIATED WITH AND THE SERVICE PROVIDER AGENCY'S CONTACT
15 INFORMATION; AND

16 (IV) WHEN APPLICABLE, THE NAME OF EACH SERVICE PROVIDER
17 AGENCY THAT THE INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
18 SETTING CONTRACTED WITH IN THE PREVIOUS FIVE YEARS AND EACH
19 SERVICE PROVIDER AGENCY'S CONTACT INFORMATION.

20 (d) BEGINNING JULY 1, 2026, AND QUARTERLY THEREAFTER, A
21 SERVICE PROVIDER AGENCY SHALL SUBMIT THE INFORMATION DETAILED
22 IN SUBSECTION (2)(c) OF THIS SECTION TO THE STATE DEPARTMENT.

23 (e) BEGINNING AUGUST 1, 2026, AND QUARTERLY THEREAFTER,
24 THE STATE DEPARTMENT SHALL UPDATE THE DATABASE TO ACCURATELY
25 REFLECT THE INFORMATION SUBMITTED BY A SERVICE PROVIDER AGENCY,
26 AS REQUIRED BY SUBSECTION (2)(d) OF THIS SECTION. THE STATE
27 DEPARTMENT SHALL UPDATE THE DATABASE WITHIN ONE MONTH AFTER
28 RECEIVING THE INFORMATION DETAILED IN SUBSECTION (2)(c) OF THIS
29 SECTION.

30 (f) THE STATE DEPARTMENT SHALL DETERMINE THE
31 CIRCUMSTANCES IN WHICH INFORMATION FROM THE DATABASE MAY BE
32 SHARED WITH MEMBERS OF THE PUBLIC, CONSISTENT WITH ALL
33 APPLICABLE STATE AND FEDERAL PRIVACY AND CONFIDENTIALITY LAWS.

34 (g) INFORMATION FROM THE DATABASE MAY BE PROVIDED TO
35 APPROPRIATE AND AUTHORIZED PARTIES BY THE SERVICE PROVIDER
36 AGENCY WHEN CONSIDERING POTENTIAL PLACEMENT.

37 (5) THE STATE DEPARTMENT MAY ADOPT RULES, AS NECESSARY,
38 TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

39 (6) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REDUCE,
40 LIMIT, OR OTHERWISE DIMINISH THE RIGHTS OF INDIVIDUALS RECEIVING
41 INTELLECTUAL AND DEVELOPMENTAL DISABILITY SERVICES, INCLUDING
42 THE RIGHT TO INFORMED CHOICE OF SETTING CONSISTENT WITH FEDERAL
43 HOME- AND COMMUNITY-BASED SERVICES REQUIREMENTS.

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

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