

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0414.01 Chelsea Princell x4335

HOUSE BILL 26-1147

HOUSE SPONSORSHIP

Brown,

SENATE SPONSORSHIP

Cutter,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROCESSES RELATED TO HOST HOMES FOR INDIVIDUALS**
102 **WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, AND,**
103 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**

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>.)

The bill requires the department of health care policy and financing (HCPF) to establish and the department of public health and environment (CDPHE) to utilize risk criteria to identify certain service agencies to survey.

The bill requires CDPHE to prioritize surveys at service agencies

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.

that have a higher risk rating based on the risk criteria established by HCPF.

The bill requires HCPF to establish a statewide database containing information about host homes and their associated service agencies. The database must be made available and accessible by host home providers, service agencies, and CDPHE and must be made available for viewing by the public.

The bill requires HCPF to make a complaint form publicly available on its website for use by the public and requires the website to allow a person to submit a complaint electronically.

The bill requires HCPF to establish a process for tracking the status of each complaint filed and any records associated with that complaint.

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

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

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

16 (d) Individual residential services and supports are designed to
17 ensure that individuals with intellectual and developmental disabilities
18 receive residential supports that promote individualized guidance,

1 habilitation, community inclusion, and health and safety in home settings;

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

6 (f) The diversity of individual residential services and supports
7 settings, including host homes and other residential options, reflects the
8 state's commitment to person-centered choice, integration in community
9 life, and compliance with the federal home- and community-based
10 services rules that prohibit institutionalization and support
11 community-based placement;

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

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

22 (i) The Colorado department of health care policy and financing
23 and the Colorado department of public health and environment must
24 coordinate to establish standardized requirements for the oversight of host
25 homes and other individual residential services and supports settings,
26 including inspection frequency, reporting mechanisms, data sharing, and
27 corrective action processes where appropriate; and

1 (j) This coordinated oversight framework is necessary to
2 strengthen accountability, ensure health and safety outcomes for home-
3 and community-based services waiver participants, support compliance
4 with state and federal home- and community-based services rules, and
5 promote transparency for individuals, families, providers, and
6 stakeholders.

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

9 **25.5-6-414. Individual residential services and supports**
10 **settings for persons with intellectual and developmental disabilities**
11 **- statewide database - risk criteria - complaint process - rules -**
12 **definitions.**

13 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
14 REQUIRES:

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

18 (b) "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING"
19 MEANS A COMMUNITY LIVING RESIDENTIAL SETTING IN WHICH INDIVIDUAL
20 RESIDENTIAL SERVICES AND SUPPORTS ARE PROVIDED TO NO MORE THAN
21 THREE PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES
22 AND FOR WHICH A STATE LICENSE IS NOT REQUIRED.

23 (c) "SERVICE PROVIDER AGENCY" MEANS AN ORGANIZATION
24 APPROVED BY THE STATE DEPARTMENT TO PROVIDE OVERSIGHT AND
25 SUPPORT TO AN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
26 SETTING TO ENSURE THAT THE CAREGIVERS MEET STATE STANDARDS FOR
27 HEALTH, SAFETY, AND QUALITY OF CARE.

1 (2) (a) THE STATE DEPARTMENT SHALL ESTABLISH A STATEWIDE
2 DATABASE TO ENHANCE THE TRANSPARENCY OF COLORADO'S INDIVIDUAL
3 RESIDENTIAL SERVICES AND SUPPORTS NETWORK. THE PURPOSE OF THE
4 STATEWIDE DATABASE IS TO PROVIDE ACCURATE INFORMATION ABOUT
5 CERTAIN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTINGS AND
6 THEIR ASSOCIATED SERVICE PROVIDER AGENCIES.

7 (b) THE DATABASE IS FOR USE BY THE STATE DEPARTMENT, THE
8 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND SERVICE
9 PROVIDER AGENCIES.

10 (c) THE DATABASE MUST INCLUDE INFORMATION ON INDIVIDUAL
11 RESIDENTIAL SERVICES AND SUPPORTS SETTINGS. THE STATE DEPARTMENT
12 SHALL DETERMINE WHAT INFORMATION MUST BE COLLECTED ON EACH
13 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING TYPE FOR
14 INCLUSION IN THE DATABASE. AT A MINIMUM, EACH SERVICE PROVIDER
15 AGENCY MUST SUBMIT THE FOLLOWING INFORMATION FOR EACH COVERED
16 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING THAT THE
17 SERVICE PROVIDER AGENCY OVERSEES:

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

20 (II) THE ADDRESS AND LOCATION OF THE INDIVIDUAL RESIDENTIAL
21 SERVICES AND SUPPORTS SETTING;

22 (III) THE NAME OF EACH SERVICE PROVIDER AGENCY THAT THE
23 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS SETTING IS CURRENTLY
24 ASSOCIATED WITH AND THE SERVICE PROVIDER AGENCY'S CONTACT
25 INFORMATION; AND

26 (IV) WHEN APPLICABLE, THE NAME OF EACH SERVICE PROVIDER
27 AGENCY THAT THE INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS

1 SETTING CONTRACTED WITH IN THE PREVIOUS FIVE YEARS AND EACH
2 SERVICE PROVIDER AGENCY'S CONTACT INFORMATION.

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

6 (e) BEGINNING AUGUST 1, 2026, AND QUARTERLY THEREAFTER,
7 THE STATE DEPARTMENT SHALL UPDATE THE DATABASE TO ACCURATELY
8 REFLECT THE INFORMATION SUBMITTED BY A SERVICE PROVIDER AGENCY,
9 AS REQUIRED BY SUBSECTION (2)(d) OF THIS SECTION. THE STATE
10 DEPARTMENT SHALL UPDATE THE DATABASE WITHIN ONE MONTH AFTER
11 RECEIVING THE INFORMATION DETAILED IN SUBSECTION (2)(c) OF THIS
12 SECTION.

13 (f) THE STATE DEPARTMENT SHALL DETERMINE THE
14 CIRCUMSTANCES IN WHICH INFORMATION FROM THE DATABASE MAY BE
15 SHARED WITH MEMBERS OF THE PUBLIC, CONSISTENT WITH ALL
16 APPLICABLE STATE AND FEDERAL PRIVACY AND CONFIDENTIALITY LAWS.

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

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

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

27 **SECTION 3.** In Colorado Revised Statutes, 25.5-10-202, **amend**

1 (22); and **add** (21.5) as follows:

2 **25.5-10-202. Definitions.**

3 As used in this article 10, unless the context otherwise requires:

4 (21.5) "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS" HAS
5 THE MEANING SET FORTH IN SECTION 25.5-6-414.

6 (22) ~~"Independent residential support services" means a~~
7 ~~community living situation, defined by rule of the state board, in which~~
8 ~~services and supports are provided to no more than three persons with~~
9 ~~intellectual and developmental disabilities and for which a state license~~
10 ~~is not required.~~ "INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
11 SETTING" HAS THE MEANING SET FORTH IN SECTION 25.5-6-414.

12 **SECTION 4.** In Colorado Revised Statutes, 25.5-10-214, **amend**
13 (1) as follows:

14 **25.5-10-214. Community residential home - licenses - rules.**

15 (1) The department of public health and environment and the state
16 department shall implement a system of joint licensure and certification
17 of community residential homes. ~~Independent residential support services~~
18 INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS provided by the state
19 department do not require licensure by the department of public health
20 and environment. AN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
21 SETTING MUST BE TREATED AS RESIDENTIAL PROPERTY IN THE
22 APPLICATION OF LOCAL REGULATIONS, INCLUDING ZONING, LAND USE
23 DEVELOPMENT, FIRE AND LIFE SAFETY, SANITATION, AND BUILDING CODES.
24 LOCAL GOVERNING AUTHORITIES SHALL NOT IMPOSE ADDITIONAL
25 REGULATIONS ON AN INDIVIDUAL RESIDENTIAL SERVICES AND SUPPORTS
26 SETTING THAT DO NOT APPLY TO OTHER RESIDENTIAL PROPERTIES.

27 **SECTION 5. Appropriation.** (1) For the 2026-27 state fiscal

1 year, \$20,000 is appropriated to the department of health care policy and
2 financing for use by the executive director's office. This appropriation is
3 from the general fund. To implement this act, the office may use this
4 appropriation for general professional services and special projects.

5 (2) For the 2026-27 state fiscal year, the general assembly
6 anticipates that the department of health care policy and financing will
7 receive \$60,000 in federal funds for the executive director's office to
8 implement this act. The appropriation in subsection (1) of this section is
9 based on the assumption that the office will receive this amount of federal
10 funds, which is subject to the "(I)" notation as defined in the annual
11 general appropriation act for the same fiscal year.

12 **SECTION 6. Safety clause.** The general assembly finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, or safety or for appropriations for
15 the support and maintenance of the departments of the state and state
16 institutions.