

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 16-0561.01 Brita Darling x2241

SENATE BILL 16-077

SENATE SPONSORSHIP

Kefalas, Aguilar

HOUSE SPONSORSHIP

Ginal and Primavera,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A COLLABORATIVE MULTI-AGENCY APPROACH TO**
102 **INCREASING COMPETITIVE INTEGRATED EMPLOYMENT**
103 **OPPORTUNITIES FOR PERSONS WITH DISABILITIES, AND, IN**
104 **CONNECTION THEREWITH, ADVANCING AN EMPLOYMENT FIRST**
105 **POLICY.**

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://www.leg.state.co.us/billsummaries>.)

The bill requires the heads of the department of health care policy and financing (HCPF), the department of labor and employment (CDLE),

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

the department of education (CDE), and the department of higher education (CDHE), (referred to as agency partners), to develop an employment first policy that increases competitive integrated employment, as defined in the bill, for persons with disabilities. The agency partners shall consult with the employment first advisory board (advisory board) as part of developing and implementing the employment first policy.

At a minimum, the employment first policy must:

- ! Ensure that competitive integrated employment is the primary objective for all working-age persons regardless of disability;
- ! Remove barriers to competitive integrated employment for persons with disabilities;
- ! Reallocate existing resources, where possible, to increase provider capacity through funding incentives;
- ! Include provisions relating to postsecondary education planning, career planning, transition planning, employment services, and closing gaps in service;
- ! Include provisions for data collection and sharing by agency partners relating to employment and postsecondary education for persons with disabilities, consistent with state and federal data privacy laws;
- ! Require professionals providing employment services to complete a nationally-certified program before providing employment services;
- ! Establish the employment first policy as part of the state's plan to address federal case law relating to providing disability services in an integrated setting; and
- ! Include a plan for a statewide outreach and training program.

Each agency partner shall implement the program pursuant to its statutory authority, available appropriations, and federal authority if changes relate to medicaid waivers. The agency partner's policy boards shall adopt any rules necessary to implement the program.

In addition to any other duties under the plan, HCPF shall:

- ! Develop a plan to expand competitive integrated employment for persons with intellectual and developmental disabilities that includes a gradual shift in funding from noncompetitive employment to competitive integrated employment;
- ! Limit pre-vocational services for persons receiving home- and community-based services to a maximum of 2 years, with extensions possible for up to 3 additional years;
- ! Provide persons with intellectual and developmental disabilities who work in segregated employment or

employment that pays below minimum wage with services related to exploring competitive integrated employment prior to allowing the individual to remain in segregated or low-wage employment;

- ! Establish baseline data for competitive integrated employment and set goals for annual increases in the number of persons in home- or community-based services who obtain competitive integrated employment;
- ! In consultation with the advisory board and by a certain date, develop a plan and implementation timeline to expand the medicaid buy-in program, and develop a plan to raise asset limits for medicaid eligibility categories that do not have federal limits, and develop recommendations for the development and implementation of career development plans;
- ! Dedicate a full-time staff member to oversee and coordinate employment support through medicaid waiver programs;
- ! Maintain Colorado's membership in the national employment leadership network for states;
- ! Actively participate in the United States department of labor's employment first state leadership mentoring program (federal mentoring program); and
- ! Prepare an annual report concerning the employment first policy and its implementation by agency partners and present the report to the general assembly committee of reference for HCPF.

In addition to any other duties under the plan, the CDLE shall:

- ! Establish Colorado's membership in the federal mentoring program;
- ! Promote partnerships with employers to overcome barriers to employment for persons with disabilities;
- ! Create a reimbursement code discovery process for persons with significant disabilities;
- ! Require workforce centers to use a federal reference guide and checklist to promote nondiscrimination and equal opportunities in employment for persons with disabilities; and
- ! Provide information to HCPF to prepare the annual report on the employment first policy and present the report to the general assembly's committee of reference for the CDLE.

The bill creates the advisory board in the CDLE. The advisory board will encompass the state's advisory group created for purposes of the federal mentoring plan, and will include that group's membership and duties, along with additional advisory board members and duties. The bill

includes the structure of the advisory board, including the advisory board's membership and appointing authorities. In addition, the bill requires a sunset review of the advisory board by the department of regulatory affairs before the advisory board's repeal date in 2026.

In addition to any other duties under the plan, the bill encourages the CDE, in conjunction with the agency partners, to facilitate, encourage, and expand programs and supports for students with disabilities relating to, among other provisions, school-to-work transitions, early transition planning, and postsecondary education options and career paths. Further, the bill directs the CDE to actively participate in the federal mentoring program to coordinate employment first practices that affect public schools. Finally, the bill requires the CDE to provide information to HCPF to prepare the annual report on the employment first policy and present the report to the general assembly's committee of reference for the CDE.

In addition to any other duties under the plan, the bill requires the CDHE, among other provisions, to collaborate with the CDE concerning policies and programs that support early transition planning, including postsecondary education; the use of assistive technology; and the retention and graduation of students with disabilities attending higher education institutions. The bill directs the CDHE to actively participate in the federal mentoring program to coordinate employment first practices in the higher education setting. The CDHE shall provide information to HCPF to prepare the annual report on the employment first policy and present the report to the general assembly's committee of reference for the CDHE.

The bill takes effect July 1, 2016.

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

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

4 (a) The value of meaningful work has significance and importance
5 to all working-age individuals, including persons with disabilities, which
6 includes veterans with service-connected disabilities;

7 (b) Eighty-five percent of adults with intellectual and
8 developmental disabilities are either unemployed or underemployed due
9 to many employment barriers and disincentives, despite their ability,
10 desire, and willingness to work in the community;

1 (c) Public policy designed to increase competitive integrated
2 employment for persons with disabilities must address these barriers by
3 promoting best practices relating to youth transitions; employer
4 engagement; service system enhancements, including the adoption of
5 employment first policies; and training and supports for persons with
6 disabilities and those delivering services and support;

7 (d) The adoption of employment first policies is consistent with
8 the "Workforce Innovation and Opportunity Act" (WIOA); the Center for
9 Medicare and Medicaid Services' final federal rule setting forth
10 requirements for home- and community-based services; and the United
11 States Supreme Court's decision in *Olmstead v. L.C.* that requires that
12 persons with disabilities receive services in the most integrated setting
13 appropriate to the person's needs;

14 (e) Free-market principles can guide employers to use innovative
15 methods for employing persons with disabilities; and

16 (f) Nothing in this act requires any employer to give hiring
17 preferences to persons with disabilities; rather the intent is to strengthen
18 supports and relationships for employers to hire persons with disabilities.

19 (2) Therefore, the general assembly declares that developing and
20 implementing employment first policies will benefit persons with
21 disabilities and the state of Colorado by increasing;

22 (a) The number of people entering the workforce who contribute
23 to Colorado's tax base;

24 (b) The self-worth and dignity of people with disabilities who are
25 gainfully employed working alongside people without disabilities;

26 (c) Opportunities to do meaningful and gainful work, thereby
27 lessening dependence on Medicaid and other public assistance;

1 MINIMUM WAGE OR PREVAILING WAGE WITH COMMENSURATE BENEFITS,
2 OCCURRING IN A TYPICAL WORK SETTING WHERE THE EMPLOYEE WITH A
3 DISABILITY INTERACTS OR HAS THE OPPORTUNITY TO INTERACT
4 CONTINUOUSLY WITH COWORKERS WITHOUT DISABILITIES, NOT INCLUDING
5 SUPERVISORY PERSONNEL OR INDIVIDUALS WHO ARE PROVIDING SERVICES
6 TO THE EMPLOYEE WITH A DISABILITY, AND THE EMPLOYEE WITH A
7 DISABILITY HAS AN OPPORTUNITY FOR ADVANCEMENT OR JOB MOBILITY,
8 AND IS ENGAGED, PREFERABLY, IN FULL-TIME WORK.

9 (4) "DISCOVERY PROCESS" MEANS A PROCESS TO DISCOVER
10 ALREADY-EXISTING INFORMATION ABOUT A JOB SEEKER THAT IS BASED ON
11 INFORMATION OBTAINED FROM A PERSON'S ENTIRE LIFE AND NOT FROM
12 SHORT INSTANCES OF JOB PERFORMANCE. THE INFORMATION IS GATHERED
13 FROM THE JOB SEEKER AND OTHERS TO DETERMINE THE JOB SEEKER'S
14 INTERESTS, SKILLS, AND PREFERENCES RELATED TO POTENTIAL
15 EMPLOYMENT THAT GUIDE THE DEVELOPMENT OF A CUSTOMIZED JOB.

16 (5) "EMPLOYMENT FIRST" MEANS A FRAMEWORK FOR CHANGE IN
17 THE PROVISION OF SERVICES THAT IS CENTERED ON THE PREMISE THAT ALL
18 PERSONS, INCLUDING PERSONS WITH SIGNIFICANT DISABILITIES, ARE
19 CAPABLE OF FULL PARTICIPATION IN COMPETITIVE INTEGRATED
20 EMPLOYMENT AND COMMUNITY LIFE. UNDER THIS FRAMEWORK, IN
21 PROVIDING PUBLICLY FUNDED SERVICES, EMPLOYMENT IN THE GENERAL
22 WORKFORCE IS THE FIRST AND PREFERRED OUTCOME FOR ALL
23 WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF
24 DISABILITY. PUBLICLY FUNDED AGENCIES AND SYSTEMS ALIGN POLICIES,
25 SERVICE DELIVERY PRACTICES, FUNDING, AND REIMBURSEMENT
26 STRUCTURES IN ORDER TO ACHIEVE COMPETITIVE INTEGRATED
27 EMPLOYMENT.

1 (6) "EMPLOYMENT FIRST ADVISORY PARTNERSHIP" OR
2 "PARTNERSHIP" MEANS THE PARTNERSHIP DESCRIBED IN SECTION
3 8-84-303.

4 (7) "PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL
5 DISABILITIES" HAS THE SAME MEANING AS "PERSON WITH AN
6 INTELLECTUAL AND DEVELOPMENTAL DISABILITY"AS SET FORTH IN
7 SECTION 25.5-10-202, C.R.S.

8 (8) "STATE EMPLOYMENT LEADERSHIP NETWORK" MEANS THE
9 JOINT PARTNERSHIP BETWEEN THE NATIONAL ASSOCIATION OF STATE
10 DIRECTORS OF DEVELOPMENTAL DISABILITIES SERVICES AND THE
11 INSTITUTE FOR COMMUNITY INCLUSION AT THE UNIVERSITY OF
12 MASSACHUSETTS BOSTON OR ANOTHER SIMILAR ORGANIZATION THAT
13 FACILITATES COLLABORATION WITH OTHER STATES TO SHARE EFFECTIVE
14 SOLUTIONS TO INCREASE EMPLOYMENT OUTCOMES FOR PERSONS WITH
15 DISABILITIES.

16 **8-84-302. Duties of the department. (1) PURSUANT TO ITS**
17 STATUTORY AUTHORITY AND AVAILABLE APPROPRIATIONS, THE
18 DEPARTMENT SHALL:

19 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
20 PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE
21 INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO, AND ENSURE THAT
22 OPTIONS FOR COMPETITIVE INTEGRATED EMPLOYMENT WITH APPROPRIATE
23 SUPPORTS ARE EXPLORED BEFORE CONSIDERATION OF SEGREGATED
24 ACTIVITIES;

25 (b) PROMOTE YOUTH TRANSITIONS THAT FOCUS ON
26 PUBLIC-PRIVATE COLLABORATION, AND EMPLOYER ENGAGEMENT THAT
27 EMPHASIZES FREE-MARKET SOLUTIONS;

1 (c) PROVIDE DEPARTMENT INPUT AND ASSISTANCE TO THE
2 EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION
3 8-84-303 IN CARRYING OUT ITS DUTIES; AND

4 (d) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
5 EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S
6 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303
7 (7).

8 **8-84-303. Employment first advisory partnership -**
9 **memorandum of understanding - reporting - repeal.** (1) THE
10 EMPLOYMENT FIRST ADVISORY PARTNERSHIP IS HEREBY ESTABLISHED AS
11 A PARTNERSHIP OF EXISTING ENTITIES INCLUDING THE STATE
12 REHABILITATION COUNCIL, ESTABLISHED BY THE DEPARTMENT, THE STATE
13 WORK FORCE DEVELOPMENT COUNCIL, CREATED IN ARTICLE 46.3 OF TITLE
14 24, C.R.S., AND THE EMPLOYMENT FIRST STATE LEADERSHIP MENTORING
15 PROGRAM CORE STATE ADVISORY GROUP, ESTABLISHED BY THE
16 DEPARTMENT. THE PARTNERSHIP SHALL ALSO CONSULT WITH THE STATE
17 LEADERSHIP EMPLOYMENT NETWORK FOR BEST PRACTICES IN DEVELOPING
18 EMPLOYMENT FIRST POLICIES AND INCREASING COMPETITIVE INTEGRATED
19 EMPLOYMENT FOR PERSONS WITH DISABILITIES. THE STATE
20 REHABILITATION COUNCIL SHALL SERVE AS THE LEAD AGENCY TO
21 COORDINATE CROSS-DEPARTMENTAL AND INTER-AGENCY COLLABORATION
22 WITHIN THE DEPARTMENT AND AMONG THE AGENCY PARTNERS AND TO
23 MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND AGENCY
24 PARTNERS RELATING TO EMPLOYMENT FIRST POLICIES.

25 (2) ON OR BEFORE AUGUST 1, 2016, EACH AGENCY PARTNER
26 SHALL IDENTIFY THE STAFF MEMBER OR MEMBERS WITHIN THE AGENCY
27 CHARGED WITH PROVIDING AGENCY INPUT AND ASSISTANCE RELATING TO

1 THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SUBSECTION (3) OF
2 THIS SECTION AND THE DUTIES OF THE PARTNERSHIP SET FORTH IN SECTION
3 8-84-304.

4 (3) ON OR BEFORE SEPTEMBER 1, 2016, THE STATE
5 REHABILITATION COUNCIL SHALL CONVENE A MEETING OR MEETINGS OF
6 THE PARTNERSHIP AND AGENCY PARTNERS TO DEVELOP A MEMORANDUM
7 OF UNDERSTANDING FOR THE PARTNERSHIP RELATING TO THE DUTIES OF
8 THE PARTNERSHIP SET FORTH IN SECTION 8-84-304. AT A MINIMUM, THE
9 MEMORANDUM OF UNDERSTANDING SHALL INCLUDE THE RESPONSIBILITIES
10 OF EACH MEMBER OF THE PARTNERSHIP AND EACH AGENCY PARTNER AND
11 A PLAN FOR COMPLETING THE WORK OF THE PARTNERSHIP, INCLUDING
12 TIME FRAMES.

13 (4) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, THROUGH
14 THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP, EMPLOYMENT FIRST
15 POLICIES ARE CONSIDERED AND RECOMMENDED THAT REFLECT NOT ONLY
16 THE PERSPECTIVE OF THE AGENCY PARTNERS BUT ALSO PERSONS WITH
17 DISABILITIES, ADVOCATES, SERVICE PROVIDERS, EMPLOYERS, AND
18 MEMBERS OF THE COMMUNITY. THEREFORE, UNLESS PROVIDED THROUGH
19 THE MEMBERSHIP OF THE PARTNERSHIP, THE PARTNERSHIP SHALL SEEK
20 STAKEHOLDER PARTICIPATION FROM, AT A MINIMUM:

21 (a) REPRESENTATIVES OF A NATIONAL ASSOCIATION OF PERSONS
22 SUPPORTING THE IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES;

23 (b) ADVOCATES FOR PERSONS WITH INTELLECTUAL AND
24 DEVELOPMENTAL DISABILITIES;

25 (c) PERSONS WITH DISABILITIES WHO HAVE SECURED OR ARE
26 SEEKING COMPETITIVE INTEGRATED EMPLOYMENT; AND

27 (d) MEMBERS OF THE COMMUNITY WHO ARE NOT CONNECTED TO

1 ANY SERVICE AGENCY.

2 (5) AT ITS DISCRETION, THE PARTNERSHIP MAY FORM SUBGROUPS
3 COMPRISED OF MEMBERS AND STAKEHOLDERS TO CONSIDER SPECIFIC
4 ISSUES RELATING TO THE STRATEGIC PLAN AND THE RECOMMENDATIONS
5 OF THE PARTNERSHIP.

6 (6) THE PARTNERSHIP SHALL MEET AS OFTEN AS NECESSARY TO
7 COMPLETE ITS DUTIES BUT SHALL MEET AT LEAST ONCE EVERY QUARTER.

8 (7) (a) THE AGENCY PARTNERS SHALL PRESENT THE STRATEGIC
9 PLAN AND RECOMMENDATIONS DEVELOPED PURSUANT TO SECTION
10 8-84-304 TO THE LEGISLATIVE COMMITTEES OF REFERENCE FOR THE
11 AGENCY PARTNERS AS PART OF EACH AGENCY'S ANNUAL PRESENTATION
12 MADE PURSUANT TO SECTION 2-7-103, C.R.S., DURING THE INTERIM
13 BETWEEN NOVEMBER 1, 2017, AND THE START OF THE 2018 REGULAR
14 LEGISLATIVE SESSION. THEREAFTER, EACH AGENCY PARTNER SHALL
15 INFORM THE LEGISLATIVE COMMITTEE OF REFERENCE OF REVISIONS TO THE
16 STRATEGIC PLAN AND THE IMPLEMENTATION OF EMPLOYMENT FIRST
17 POLICIES.

18 (b) AFTER THE PRESENTATION OF THE STRATEGIC PLAN, THE
19 EMPLOYMENT FIRST ADVISORY PARTNERSHIP SHALL CONTINUE TO MEET,
20 AS NECESSARY, TO ISSUE ADDITIONAL REPORTS, IF DESIRABLE; TO
21 CONSIDER REVISIONS TO THE PLAN; AND TO PROVIDE ADVICE AND
22 EXPERTISE RELATING TO THE SUBSEQUENT IMPLEMENTATION OF THE PLAN.

23 (8) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

24 (b) PRIOR TO REPEAL OF THE EMPLOYMENT FIRST ADVISORY
25 PARTNERSHIP, THE DEPARTMENT OF REGULATORY AGENCIES SHALL
26 CONDUCT A SUNSET REVIEW PURSUANT TO THE PROVISIONS OF SECTION
27 2-3-1203, C.R.S.

1 **8-84-304. Duties of the employment first advisory partnership**

2 **- strategic plan. (1) AFTER CONSIDERING THE DUTIES SET FORTH IN**
3 **SUBSECTION (2) OF THIS SECTION, THE EMPLOYMENT FIRST ADVISORY**
4 **PARTNERSHIP SHALL DEVELOP A STRATEGIC PLAN TO EXPAND**
5 **COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR PERSONS WITH**
6 **DISABILITIES THROUGH EMPLOYMENT FIRST POLICIES AND PRACTICES. THE**
7 **STRATEGIC PLAN MUST INCLUDE RECOMMENDATIONS TO THE GENERAL**
8 **ASSEMBLY AND THE RELEVANT POLICY-MAKING BOARDS CONCERNING ANY**
9 **CHANGES TO STATE STATUTES OR RULES NECESSARY TO IMPLEMENT THE**
10 **STRATEGIC PLAN, ALONG WITH A FISCAL ANALYSIS OF IMPLEMENTATION**
11 **COSTS, WHERE PRACTICABLE.**

12 **(2) IN DEVELOPING THE STRATEGIC PLAN TO EXPAND COMPETITIVE**
13 **INTEGRATED EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES**
14 **THROUGH EMPLOYMENT FIRST POLICIES AND PRACTICES, AND IN**
15 **FORMULATING THE RECOMMENDATIONS OF THE EMPLOYMENT FIRST**
16 **ADVISORY PARTNERSHIP, THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP**
17 **SHALL:**

18 **(a) MAKE RECOMMENDATIONS TO ENSURE THAT, IN PROVIDING**
19 **PUBLICLY FUNDED SERVICES, COMPETITIVE INTEGRATED EMPLOYMENT IS**
20 **THE PRIMARY OBJECTIVE AND PREFERRED OUTCOME FOR ALL**
21 **WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF**
22 **DISABILITY;**

23 **(b) IDENTIFY THE BARRIERS TO COMPETITIVE INTEGRATED**
24 **EMPLOYMENT FOR PERSONS WITH DISABILITIES, INCLUDING POLICY,**
25 **PROCEDURAL, FINANCIAL, EDUCATIONAL, TRANSPORTATION, SERVICE**
26 **DELIVERY, AND OTHER BARRIERS;**

27 **(c) IDENTIFY UNNECESSARY, INEFFICIENT, OR CONFLICTING**

1 AGENCY RULES AND REGULATIONS THAT MAKE IT MORE DIFFICULT FOR
2 EMPLOYERS TO HIRE PERSONS WITH DISABILITIES;

3 (d) IDENTIFY TRAINING AND KNOWLEDGE GAPS AMONG AGENCY
4 STAFF, AGENCY VENDORS, AND INDIVIDUALS WITH DISABILITIES AND THEIR
5 FAMILIES, THAT MAY CREATE OBSTACLES AND PERCEIVED OBSTACLES FOR
6 INDIVIDUALS WITH DISABILITIES, INCLUDING SIGNIFICANT DISABILITIES,
7 FROM PARTICIPATING IN COMPETITIVE INTEGRATED EMPLOYMENT;

8 (e) IDENTIFY THE DATA AVAILABLE AND THE GAPS IN DATA
9 COLLECTION THAT PROHIBIT THE MEASUREMENT OF COLORADO'S
10 PROGRESS TOWARDS COMPLIANCE WITH THE UNITED STATES SUPREME
11 COURT'S DECISION IN *OLMSTEAD V. L.C.*; AND

12 (f) MAKE RECOMMENDATIONS RELATING TO PRE-VOCATIONAL
13 SERVICES TO ENSURE THAT, IN COMPLIANCE WITH FEDERAL LAW, THE
14 SERVICES ARE TIME LIMITED AND REASONABLY LEAD TO COMPETITIVE
15 INTEGRATED EMPLOYMENT. THE EMPLOYMENT FIRST ADVISORY
16 PARTNERSHIP'S CONSIDERATION SHALL INCLUDE THE AVERAGE TIME
17 CURRENTLY SPENT IN PRE-EMPLOYMENT SERVICES BY PERSONS THROUGH
18 THE HOME- AND COMMUNITY-BASED SERVICES INTELLECTUAL AND
19 DEVELOPMENTAL DISABILITIES WAIVER COMBINED WITH THE TIME
20 PREVIOUSLY SPENT IN SHELTERED WORKSHOPS.

21 (3) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP MAY
22 CONSIDER EMPLOYMENT FIRST ISSUES AND MAKE RECOMMENDATIONS ON
23 ISSUES THAT ARE NOT DESCRIBED IN SUBSECTION (2) OF THIS SECTION,
24 WHICH ISSUES MAY INCLUDE CAREER DEVELOPMENT PLANNING AND
25 DISCOVERY PROCESS. THE PARTNERSHIP MAY ALSO PRIORITIZE ITS WORK
26 ON THE ISSUES, INCLUDING DECIDING NOT TO PURSUE AN ISSUE, IN ORDER
27 TO ACHIEVE AN EFFICIENT USE OF THE EMPLOYMENT FIRST ADVISORY

1 PARTNERSHIP'S TIME AND RESOURCES.

2 **SECTION 3.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
3 (hh.5) (II) as follows:

4 **2-3-1203. Sunset review of advisory committees.** (3) The
5 following dates are the dates on which the statutory authorization for the
6 designated advisory committee is scheduled for repeal:

7 (hh.5) September 1, 2021:

8 (II) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP IN THE
9 DEPARTMENT OF LABOR AND EMPLOYMENT DESCRIBED IN SECTION
10 8-84-303, C.R.S.:

11 **SECTION 4.** In Colorado Revised Statutes, 25.5-10-202, **add**
12 (5.5) as follows:

13 **25.5-10-202. Definitions.** As used in this article, unless the
14 context otherwise requires:

15 (5.5) "COMPETITIVE INTEGRATED EMPLOYMENT" HAS THE SAME
16 MEANING AS SET FORTH IN SECTION 8-84-301, C.R.S.

17 **SECTION 5.** In Colorado Revised Statutes, 25.5-10-204, **amend**
18 (1) (e) and (1) (f); and **add** (1) (g) as follows:

19 **25.5-10-204. Duties of the executive director - state board**
20 **rules.** (1) In order to implement the provisions of this article, the
21 executive director shall, subject to available appropriations, carry out the
22 following duties:

23 (e) Implement the provision of home- and community-based
24 services to eligible persons with intellectual and developmental
25 disabilities and pursue other medicaid-funded services determined by the
26 state department to be appropriate for persons with intellectual and
27 developmental disabilities, pursuant to part 4 of article 6 of this title and

1 subject to available appropriations; and
2 (f) Promote effective coordination with agencies serving persons
3 with intellectual and developmental disabilities in order to improve
4 continuity of services and supports for persons facing life transitions from
5 toddler to preschool, school to adult life, and work to retirement; AND
6 (g) FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY:
7 (I) PROVIDING STATE DEPARTMENT INPUT AND ASSISTANCE TO THE
8 EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION
9 8-84-303, C.R.S., IN CARRYING OUT ITS DUTIES;
10 (II) ESTABLISHING ANNUAL REPORTING OF THE NUMBER OF
11 INDIVIDUALS EMPLOYED, NUMBER OF INDIVIDUALS EMPLOYED IN
12 COMPETITIVE INTEGRATED EMPLOYMENT, WAGES PER HOUR EARNED, AND
13 HOURS WORKED PER WEEK FOR INDIVIDUALS SERVED BY THE DIVISION;
14 (III) MAINTAINING COLORADO'S MEMBERSHIP IN THE STATE
15 EMPLOYMENT LEADERSHIP NETWORK THAT WAS FOUNDED AS A JOINT
16 PARTNERSHIP BETWEEN THE NATIONAL ASSOCIATION OF STATE DIRECTORS
17 OF DEVELOPMENTAL DISABILITIES SERVICES AND THE INSTITUTE FOR
18 COMMUNITY INCLUSION AT THE UNIVERSITY OF MASSACHUSETTS BOSTON
19 OR ANOTHER SIMILAR ORGANIZATION THAT FACILITATES COLLABORATION
20 WITH OTHER STATES TO SHARE EFFECTIVE SOLUTIONS TO INCREASE
21 EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES; AND
22 (IV) PRESENTING THE REPORT AND RECOMMENDATIONS OF THE
23 EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE STATE DEPARTMENT'S
24 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303
25 (7), C.R.S.
26 **SECTION 6.** In Colorado Revised Statutes, 22-2-112, add (1) (s)
27 as follows:

1 **22-2-112. Commissioner - duties.** (1) Subject to the supervision
2 of the state board, the commissioner has the following duties:

3 (s) TO FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES

4 BY:

5 (I) PROVIDING INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST
6 ADVISORY PARTNERSHIP DESCRIBED IN SECTION 8-84-303, C.R.S., IN
7 CARRYING OUT ITS DUTIES; AND

8 (II) PRESENTING THE REPORT AND RECOMMENDATIONS OF THE
9 EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S
10 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303
11 (7), C.R.S.

12 **SECTION 7.** In Colorado Revised Statutes, **add 23-1-109.8** as
13 follows:

14 **23-1-109.8. Duties and powers of the commission with regard**
15 **to employment first policies.** (1) THE COMMISSION SHALL FACILITATE
16 EMPLOYMENT FIRST POLICIES AND PRACTICES BY PROVIDING DEPARTMENT
17 INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY
18 PARTNERSHIP DESCRIBED IN SECTION 8-84-303, C.R.S., IN CARRYING OUT
19 ITS DUTIES.

20 (2) THE DEPARTMENT SHALL PRESENT THE REPORT AND
21 RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP
22 TO THE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT
23 TO SECTION 8-84-303 (7), C.R.S.

24 **SECTION 8.** In Colorado Revised Statutes, **27-10.5-103, amend**
25 (1) (b) and (1) (c); and add (1) (d) as follows:

26 **27-10.5-103. Duties of the executive director - rules.** (1) In
27 order to implement the provisions of this article, the executive director

1 shall carry out the following duties, subject to available appropriations:

2 (b) Conduct appropriate part C child find activities as described
3 in section 27-10.5-704. Part C child find activities conducted by the
4 department shall include, but need not be limited to, case management,
5 referral, transitions, and public education outreach and awareness of early
6 intervention services; and

7 (c) Operate regional centers pursuant to part 3 of this article; AND

8 (d) FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY:

9 (I) PROVIDING DEPARTMENT INPUT AND ASSISTANCE TO THE
10 EMPLOYMENT FIRST ADVISORY PARTNERSHIP ESTABLISHED IN PART 3 OF
11 ARTICLE 84 OF TITLE 8, C.R.S., IN CARRYING OUT ITS DUTIES; AND

12 (II) PRESENTING THE REPORT AND RECOMMENDATIONS OF THE
13 EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S
14 LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303
15 (7), C.R.S.

16 **SECTION 9. Effective date.** This act takes effect July 1, 2016.

17 **SECTION 10. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety.