

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1156.01 Jerry Barry x4341

SENATE BILL 18-231

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SENATE SPONSORSHIP

Lambert and Moreno, Lundberg

HOUSE SPONSORSHIP

Young, Hamner, Rankin

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Senate Committees  
Appropriations

House Committees

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A BILL FOR AN ACT

101 CONCERNING A TASK FORCE ON THE TRANSITION OF PERSONS WITH  
102 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES FROM  
103 EDUCATIONAL SERVICES TO HOME- AND COMMUNITY-BASED  
104 SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN  
105 APPROPRIATION.

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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/>.)*

**Joint Budget Committee.** The bill establishes a task force for transition planning to make recommendations on improvements for the

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

transition of individuals with disabilities who are receiving services and supports in an educational setting to receiving services and supports through home- and community-based services. It specifies membership on the task force and duties including making a report to specified committees of the general assembly.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25.5-10-102 as  
3 follows:

4 **25.5-10-102. Transition planning - task force - legislative**  
5 **declaration - report - definitions - repeal.** (1) THE GENERAL ASSEMBLY  
6 FINDS AND DECLARES THAT:

7 (a) CURRENTLY, CHILDREN WITH DISABILITIES BETWEEN THREE  
8 AND TWENTY-ONE YEARS OF AGE ARE SERVED BY EDUCATIONAL  
9 PROVIDERS UNDER PART B OF THE FEDERAL "INDIVIDUALS WITH  
10 DISABILITIES EDUCATION ACT", 20 U.S.C. SEC. 1400. THIS ACT ENSURES  
11 THAT CHILDREN WITH DISABILITIES HAVE A FREE AND APPROPRIATE PUBLIC  
12 EDUCATION TO PREPARE THEM FOR FURTHER EDUCATION, EMPLOYMENT,  
13 AND INDEPENDENT LIVING.

14 (b) ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL  
15 DISABILITIES OVER TWENTY-ONE YEARS OF AGE ARE SERVED BY THE  
16 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING THROUGH HOME-  
17 AND COMMUNITY-BASED SERVICES WAIVER PROGRAMS INTENDED TO  
18 PROVIDE ADDITIONAL SUPPORTS TO THESE ADULTS TO ALLOW THEM TO  
19 REMAIN LIVING IN THE COMMUNITY;

20 (c) CHILDREN WITH DISABILITIES AND THEIR PARENTS EXPERIENCE  
21 DIFFICULTIES IN TRANSITIONING FROM RECEIVING SERVICES IN THE  
22 EDUCATIONAL SETTING TO RECEIVING SERVICES THROUGH THE  
23 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

1 (d) ADDITIONALLY, THE DEPARTMENT OF HEALTH CARE POLICY  
2 AND FINANCING HAS NO WAY OF DETERMINING THE NUMBER OF CHILDREN  
3 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WHO WILL BE  
4 TRANSITIONING INTO ITS SYSTEM; AND

5 (e) IT IS THEREFORE APPROPRIATE TO CONVENE A TASK FORCE  
6 COMPOSED OF INTERESTED PARTIES TO DETERMINE WHAT CAN BE DONE TO  
7 EASE THE TRANSITION FROM THE EDUCATIONAL SETTING AND TO INFORM  
8 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING OF THE  
9 NUMBER OF CHILDREN WITH INTELLECTUAL AND DEVELOPMENTAL  
10 DISABILITIES WHO MAY BE IN NEED OF ITS SERVICES IN ANY YEAR.

11 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
12 REQUIRES:

13 (a) "INDIVIDUALIZED EDUCATION PROGRAM" OR "IEP" MEANS A  
14 WRITTEN STATEMENT FOR A CHILD WITH A DISABILITY THAT IS DEVELOPED,  
15 REVIEWED, AND REVISED IN ACCORDANCE WITH PART 1 OF ARTICLE 20 OF  
16 TITLE 22 AND THE RULES PROMULGATED BY THE STATE BOARD OF  
17 EDUCATION.

18 (b) "TASK FORCE" MEANS THE TASK FORCE FOR TRANSITION  
19 PLANNING CREATED PURSUANT TO SUBSECTION (3) OF THIS SECTION.

20 (c) "TRANSITION" MEANS THE TRANSITION FROM AN EDUCATIONAL  
21 SETTING TO A HOME- AND COMMUNITY-BASED SETTING.

22 (3) (a) THERE IS CREATED IN THE OFFICE THE TASK FORCE FOR  
23 TRANSITION PLANNING TO MAKE RECOMMENDATIONS ON IMPROVEMENTS  
24 FOR THE TRANSITION OF INDIVIDUALS WITH DISABILITIES WHO ARE  
25 RECEIVING SERVICES AND SUPPORTS IN AN EDUCATIONAL SETTING TO  
26 RECEIVING SERVICES AND SUPPORTS THROUGH HOME- AND  
27 COMMUNITY-BASED SERVICES UNDER THIS TITLE 25.5. THE TASK FORCE

1 CONSISTS OF:

2 (I) THE DIRECTOR OF COMMUNITY LIVING, OR THE DIRECTOR'S  
3 DESIGNEE;

4 (II) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH  
5 CARE POLICY AND FINANCING, OR THE DIRECTOR'S DESIGNEE;

6 (III) THE COMMISSIONER OF EDUCATION, OR THE COMMISSIONER'S  
7 DESIGNEE;

8 (IV) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF  
9 SCHOOL BOARDS, APPOINTED BY THE ORGANIZATION;

10 (V) A REPRESENTATIVE OF COMMUNITY-CENTERED BOARDS,  
11 APPOINTED BY THE DIRECTOR OF COMMUNITY LIVING;

12 (VI) A PROVIDER OF SERVICES UNDER THIS PART 10, APPOINTED BY  
13 THE DIRECTOR OF COMMUNITY LIVING;

14 (VII) A PERSON WITH AN INTELLECTUAL AND DEVELOPMENTAL  
15 DISABILITY, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE  
16 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING;

17 (VIII) A PARENT OR GUARDIAN OF A STUDENT WITH AN  
18 INTELLECTUAL AND DEVELOPMENTAL DISABILITY, APPOINTED BY THE  
19 COMMISSIONER OF EDUCATION;

20 (IX) A REPRESENTATIVE OF AN APPROVED SERVICE AGENCY,  
21 APPOINTED BY THE DIRECTOR OF COMMUNITY LIVING; AND

22 (X) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION  
23 ADVOCATING FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL  
24 DISABILITIES, APPOINTED BY THE ORGANIZATION.

25 (b) IN MAKING THE APPOINTMENTS, THE APPOINTING AUTHORITIES  
26 ARE TO CONSIDER THE NEED FOR REPRESENTATION ACROSS ALL  
27 GEOGRAPHIC AREAS OF THE STATE.

1 (c) MEMBERS OF THE TASK FORCE SERVE WITHOUT  
2 COMPENSATION, BUT MAY BE REIMBURSED FOR THEIR ACTUAL AND  
3 NECESSARY EXPENSES FOR SERVING ON THE TASK FORCE.

4 (d) THE TASK FORCE SHALL MEET DURING THE INTERIM FOLLOWING  
5 THE 2018 REGULAR SESSION OF THE GENERAL ASSEMBLY.

6 (4) THE TASK FORCE SHALL:

7 (a) REVIEW THE CURRENT STATUTORY CATEGORIES OF DISABILITY  
8 AND SERVICES AND SUPPORTS IN EDUCATION AND IN THIS TITLE 25.5 AND  
9 RECOMMEND ALIGNMENT OF THE STATUTORY CATEGORIES;

10 (b) RECOMMEND MANNERS IN WHICH CASE MANAGERS CAN BE  
11 INVOLVED EARLIER IN THE TRANSITION, IN ORDER TO:

12 (I) IMPROVE PARENTS' OR GUARDIANS' UNDERSTANDING OF THE  
13 TRANSITION AND ROLE OF COMMUNITY PROVIDERS IN SERVING THE  
14 PARENT'S OR GUARDIAN'S CHILD IN THE FUTURE;

15 (II) ENSURE GRADUAL TRANSITION BETWEEN THE SCHOOL  
16 DISTRICT AND CASE MANAGERS BY FOSTERING RELATIONSHIPS BETWEEN  
17 SCHOOL DISTRICT EMPLOYEES, CASE MANAGERS, AND PARENTS AND  
18 GUARDIANS; AND

19 (III) DETERMINE HOW INDIVIDUAL EDUCATION PROGRAMS CAN BE  
20 USED TO ASSIST CASE MANAGERS IN THE TRANSITION;

21 (c) DETERMINE HOW AGGREGATE, NONIDENTIFYING DATA FROM  
22 INDIVIDUALIZED EDUCATION PROGRAMS COULD BE USED TO:

23 (I) IDENTIFY AREAS IN WHICH SERVICES ARE NEEDED AFTER  
24 TRANSITION;

25 (II) FORECAST THE ANNUAL NUMBER OF STUDENTS WITH AN  
26 INTELLECTUAL AND DEVELOPMENTAL DISABILITY WHO MAY TRANSITION;

27 AND

1 (III) PROJECT FUTURE COSTS AFTER TRANSITION; AND

2 (d) ON OR BEFORE JANUARY 2, 2019, SUBMIT A REPORT OF ITS  
3 FINDINGS AND RECOMMENDATIONS TO THE HEALTH AND HUMAN SERVICES  
4 COMMITTEE OF THE SENATE, THE PUBLIC HEALTH CARE AND HUMAN  
5 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND THE JOINT  
6 BUDGET COMMITTEE, OR ANY SUCCESSOR COMMITTEES.

7 (5) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2019.

8 **SECTION 2. Appropriation.** (1) For the 2018-19 state fiscal  
9 year, \$109,500 is appropriated to the department of health care policy and  
10 financing for use by the executive director's office. This appropriation is  
11 from the general fund. To implement this act, the department may use this  
12 appropriation as follows:

13 (a) \$3,000 for operating expenses; and

14 (b) \$106,500 for general professional services and special  
15 projects.

16 **SECTION 3. Safety clause.** The general assembly hereby finds,  
17 determines, and declares that this act is necessary for the immediate  
18 preservation of the public peace, health, and safety.