

CHAPTER 217

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 18-1319

BY REPRESENTATIVE(S) Singer and Young, Arndt, Becker K., Esgar, Exum, Gray, Hamner, Herod, Hooton, Jackson, Kennedy, Kraft-Tharp, Lontine, McLachlan, Melton, Michaelson Jenet, Pettersen, Rosenthal, Weissman, Winter, Duran; also SENATOR(S) Gardner, Aguilar, Court, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Williams A., Zenzinger.

AN ACT

CONCERNING THE EXTENSION OF SERVICES FOR A SUCCESSFUL ADULTHOOD FOR FORMER FOSTER CARE YOUTH WHO ARE BETWEEN THE AGES OF EIGHTEEN YEARS AND TWENTY-ONE YEARS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 26-5-100.2 as follows:

26-5-100.2. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) EACH YEAR, FOR A VARIETY OF REASONS, MORE THAN THREE HUNDRED YOUTH, AGES EIGHTEEN TO TWENTY-ONE, EXIT COLORADO'S FOSTER CARE SYSTEM WITHOUT A PERMANENT HOME OR A STABLE SUPPORT NETWORK;

(b) THESE YOUTH DO NOT HAVE THE SAME SAFETY NETS, SUPPORTIVE ADULTS, AND SUPPORT NETWORKS AS DO OTHER YOUTH THEIR AGE;

(c) MANY OF THESE YOUTH WILL FACE CHALLENGES AS THEY SEARCH FOR AFFORDABLE HOUSING, PURSUE HIGHER EDUCATION OR TRAINING, SEARCH FOR EMPLOYMENT, MANAGE TIGHT BUDGETS, TAKE CARE OF THEIR HEALTH NEEDS, AND MUCH MORE;

(d) YOUTH IN FOSTER CARE FACE NOT ONLY THE TYPICAL DEVELOPMENTAL CHANGES AND NEW EXPERIENCES THAT ARE COMMON TO YOUTH THEIR AGE BUT ALSO THE DRAMATIC CHANGE FROM BEING UNDER THE COUNTY'S CARE TO BEING ON THEIR OWN, MANY WITHOUT ANY SUPPORTIVE ADULTS OR SAFETY NET TO HELP THEM

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SUCCEED;

(e) THE ARRAY OF SERVICES AND SUPPORTS AVAILABLE TO YOUTH WHILE IN THE FOSTER CARE SYSTEM, INCLUDING HOUSING, FOOD, MEDICAL CARE, AND CASEWORKER SUPPORT, DISAPPEAR AS SOON AS THE YOUTH EXITS FOSTER CARE. ADDITIONALLY, MANY OF THESE YOUTH ARE DEALING WITH THE LONG-TERM CONSEQUENCES OF TRAUMA RELATED TO THE ABUSE, NEGLECT, REMOVAL, AND OVERALL LACK OF RESOURCES THAT THEY MAY HAVE EXPERIENCED.

(f) BY LEVERAGING THE EXPERTISE OF YOUTH WHO HAVE SUCCESSFULLY MADE THE TRANSITION TO ADULTHOOD, AS WELL AS EXPERTS IN THE FIELD, MANY STATES HAVE DEVELOPED CREATIVE APPROACHES TO ADDRESS THE NEEDS OF THESE YOUTH;

(g) COLORADO CAN START ADDRESSING THE NEEDS OF YOUTH BY ALLOWING COUNTIES TO USE EXISTING CHILD WELFARE MONEY TO PROVIDE CONTINUED SUPPORTIVE SERVICES FOR YOUTH WHO EXIT THE FOSTER CARE SYSTEM; AND

(h) ALTHOUGH EXISTING CHILD WELFARE MONEY MAY ENABLE THE STATE TO PROVIDE SERVICES TO SOME YOUTH, IT IS INSUFFICIENT TO ADDRESS ALL THE NEED, NOR IS IT AVAILABLE CONSISTENTLY ACROSS THE STATE.

(2) THEREFORE, THE GENERAL ASSEMBLY DETERMINES THAT BY COUPLING THE SHORT-TERM APPROACH OF USING EXISTING CHILD WELFARE MONEY WITH THE CREATION OF A STEERING COMMITTEE TASKED WITH DEVELOPING A LONG-TERM IMPLEMENTATION PLAN FOR SERVICES FOR A SUCCESSFUL ADULTHOOD FOR YOUTH WHO WERE FORMERLY IN THE STATE'S FOSTER CARE SYSTEM, THE STATE CAN BETTER MEET THE NEEDS OF YOUTH WHO ARE MAKING THE TRANSITION FROM THE FOSTER CARE SYSTEM TO SUCCESSFUL ADULTHOOD.

SECTION 2. In Colorado Revised Statutes, 26-5-101, **amend** the introductory portion; and **add** (4.1), (4.7), (5.5), and (5.8) as follows:

26-5-101. Definitions. As used in this ~~article~~ ARTICLE 5, unless the context otherwise requires:

(4.1) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES.

(4.7) "FORMER FOSTER CARE YOUTH" MEANS A YOUTH AT LEAST EIGHTEEN YEARS OF AGE BUT YOUNGER THAN TWENTY-ONE YEARS OF AGE WHO WAS FORMERLY IN THE LEGAL CUSTODY OR LEGAL AUTHORITY OF A COUNTY DEPARTMENT AND WHO WAS PLACED IN A CERTIFIED OR NONCERTIFIED KINSHIP CARE PLACEMENT, AS DEFINED IN SECTION 26-6-102 (21); A CERTIFIED OR LICENSED FACILITY; OR A FOSTER CARE HOME, AS DEFINED IN SECTION 26-6-102 (14) AND CERTIFIED PURSUANT TO ARTICLE 6 OF THIS TITLE 26.

(5.5) "SERVICES FOR A SUCCESSFUL ADULTHOOD" MEANS SUPPORTIVE SERVICES THAT HELP FORMER FOSTER CARE YOUTH ACHIEVE SELF-SUFFICIENCY. "SERVICES FOR A SUCCESSFUL ADULTHOOD" MAY INCLUDE, BUT IS NOT LIMITED TO, ASSISTANCE WITH EDUCATION, EMPLOYMENT, FINANCIAL MANAGEMENT, HOUSING, MENTAL HEALTH CARE, AND SUBSTANCE ABUSE PREVENTION. "SERVICES FOR A SUCCESSFUL

ADULTHOOD" DOES NOT INCLUDE OUT-OF-HOME PLACEMENT, AS DESCRIBED IN SECTION 26-5-102 (2)(i).

(5.8) "STEERING COMMITTEE" MEANS THE FORMER FOSTER CARE YOUTH STEERING COMMITTEE ESTABLISHED PURSUANT TO SECTION 26-5-114.

SECTION 3. In Colorado Revised Statutes, **add** 26-5-113 and 26-5-114 as follows:

26-5-113. Extended services for former foster care youth. (1) A COUNTY DEPARTMENT MAY COORDINATE CERTAIN SERVICES TO FORMER FOSTER CARE YOUTH WHO REQUEST SUCH SERVICES IN ORDER TO SUPPORT SUCH FORMER FOSTER CARE YOUTH IN BECOMING SELF-SUFFICIENT ADULTS. THIS SECTION IS NOT MEANT TO REPLACE SERVICES FOR FOSTER CARE YOUTH WHO REMAIN IN THE CUSTODY OF A COUNTY DEPARTMENT. THE DETERMINATION OF WHETHER A YOUTH WHO IS IN FOSTER CARE IS READY TO LEAVE THE CUSTODY OF THE COUNTY DEPARTMENT REMAINS UNDER THE JURISDICTION OF THE COURT.

(2) A COUNTY DEPARTMENT MAY OPT TO SERVE FORMER FOSTER CARE YOUTH WHO HAVE BEEN IN THE CUSTODY OF THE DIVISION OF YOUTH SERVICES IF SUCH YOUTH ARE INCLUDED IN THE PLAN FOR SERVICES FOR A SUCCESSFUL ADULTHOOD.

(3) THE DEPARTMENT OF LOCAL AFFAIRS MAY ASSIST A COUNTY DEPARTMENT IN SECURING AVAILABLE HOUSING VOUCHERS THROUGH PROGRAMS OFFERED BY THE DEPARTMENT OF LOCAL AFFAIRS, SUCH AS THE HOMELESS SOLUTIONS PROGRAM, THE HOUSING CHOICE VOUCHER PROGRAM, OR ANY OTHER APPROPRIATE SUPPORTIVE HOUSING PROGRAM FOR FORMER FOSTER CARE YOUTH, SPECIFICALLY BETWEEN THE AGES OF EIGHTEEN AND TWENTY-ONE, WHO ARE EXPERIENCING HOMELESSNESS OR IMMINENT RISK OF HOMELESSNESS. IF APPROPRIATIONS ARE AVAILABLE, THE DEPARTMENT OF LOCAL AFFAIRS MAY ASSIST FORMER FOSTER CARE YOUTH WITH SECURITY DEPOSITS RELATED TO HOUSING.

(4) THE MANAGED CARE ENTITY CONTRACTED WITH FOR THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING'S STATEWIDE MANAGED CARE SYSTEM SHALL ASSIST A COUNTY DEPARTMENT THAT OPTS TO SERVE FORMER FOSTER CARE YOUTH WHO ARE ENROLLED IN MEDICAID.

(5) STATE INSTITUTIONS OF HIGHER EDUCATION AND COMMUNITY COLLEGES SHALL WORK WITH THE COUNTY DEPARTMENTS TO EXPLORE WAYS TO SUPPORT FORMER FOSTER CARE YOUTH BOTH FINANCIALLY AND THROUGH OTHER SUPPORTIVE SERVICES. THIS SUPPORT INCLUDES REVIEWING THE ABILITY TO PROVIDE TUITION ASSISTANCE AND OTHER FEE WAIVERS TO FORMER FOSTER CARE YOUTH.

(6) A COUNTY DEPARTMENT MAY SUPPORT FORMER FOSTER CARE YOUTH PURSUANT TO THIS SECTION BY DEVELOPING A PLAN FOR SERVICES FOR A SUCCESSFUL ADULTHOOD AND TRANSFERRING AN AMOUNT OF MONEY OUT OF THE COUNTY'S CORE SERVICES FUNDING AND INTO A FUND FOR SERVICES FOR A SUCCESSFUL ADULTHOOD.

26-5-114. Former foster care youth steering committee - implementation plan - recommendations - report. (1) THE STATE DEPARTMENT SHALL ESTABLISH

A FORMER FOSTER CARE YOUTH STEERING COMMITTEE THAT INCLUDES COMPREHENSIVE AND APPROPRIATE STAKEHOLDER REPRESENTATION FROM THE STATE AND COUNTY LEVEL. THE STATE DEPARTMENT SHALL CONVENE THE COMMITTEE ON OR BEFORE OCTOBER 30, 2018. THE STEERING COMMITTEE SHALL:

(a) DEVELOP AN IMPLEMENTATION PLAN THAT ALLOWS FORMER FOSTER CARE YOUTH TO RECEIVE SERVICES FOR A SUCCESSFUL ADULTHOOD OR ASSISTANCE IN RETURNING TO PLACEMENT, AS WELL AS ALTERNATIVES TO RETURNING TO PLACEMENT AFTER REACHING EIGHTEEN YEARS OF AGE BUT BEFORE REACHING TWENTY-ONE YEARS OF AGE, OR A LATER AGE IF SO RECOMMENDED BY THE STEERING COMMITTEE, AND AFTER THE COUNTY DEPARTMENT'S JURISDICTION ENDS;

(b) MAKE RECOMMENDATIONS RELATING TO THE OPERATION, EVALUATION, AND SUSTAINABILITY OF THE IMPLEMENTATION PLAN. IN MAKING ITS RECOMMENDATIONS, THE STEERING COMMITTEE SHALL USE A CONSENSUS-BASED APPROACH.

(c) COORDINATE WITH OTHER COMMITTEES FORMED BY THE GENERAL ASSEMBLY THAT HAVE SIMILAR OR OVERLAPPING JURISDICTIONAL TASKS OR PURPOSES.

(2) ON OR BEFORE JANUARY 1, 2020, THE STEERING COMMITTEE SHALL SUBMIT A REPORT WITH ITS RECOMMENDATIONS FOR AN IMPLEMENTATION PLAN TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES; THE GOVERNOR; AND THE JOINT BUDGET COMMITTEE, THE HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, THE PUBLIC HEALTH AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

(3) THE IMPLEMENTATION PLAN RECOMMENDED BY THE STEERING COMMITTEE PURSUANT TO THIS SECTION IS NOT REQUIRED TO BECOME OPERATIONAL UNLESS ADEQUATE STATE AND FEDERAL FUNDING IS AVAILABLE.

SECTION 4. In Colorado Revised Statutes, 19-1-116, **amend** (1.5) as follows:

19-1-116. Funding - alternatives to placement out of the home - services to prevent continued involvement in child welfare system. (1.5) No later than July 1, 1994, each county in the state shall assure access to alternatives to out-of-home placements for families with children AND YOUTH WHO ARE at imminent risk of out-of-home placements. Beginning September 1, 2011, a county may also provide access for families to alternative services to prevent continued involvement with the county department child welfare system. BEGINNING SEPTEMBER 1, 2018, A COUNTY MAY ALSO PROVIDE ACCESS TO ALTERNATIVE SERVICES FOR FORMER FOSTER CARE YOUTH, AS DEFINED IN SECTION 26-5-101, WHO ARE NO LONGER IN THE CUSTODY OF THE DEPARTMENT BUT NEED LIMITED ASSISTANCE FROM THE COUNTY. Two or more counties may jointly provide or purchase alternative services to families in the respective counties. Such services shall either be provided for under the plan adopted by placement alternative commissions in accordance with ~~paragraph (b) of subsection (2)~~ SUBSECTION (2)(b) of this section or purchased by the county if such county does not have a placement alternative commission for the county. If a county purchases alternative services, the county shall ensure that the services purchased meet the goals of placement alternative commission plans, as described in ~~subparagraph (f) of paragraph (b) of subsection (2)~~ SUBSECTION (2)(b)(I) of this section.

SECTION 5. Appropriation. For the 2018-19 state fiscal year, \$30,000 is appropriated to the department of human services for use by the division of child welfare. This appropriation is from the general fund. To implement this act, the division may use this appropriation for administration.

SECTION 6. 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 18, 2018