

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 19-1069.01 Shelby Ross x4510

**HOUSE BILL 19-1308**

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Appropriations

**Senate Committees**

Appropriations

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**A BILL FOR AN ACT**

101      **CONCERNING FOSTER CARE PREVENTION SERVICES TO ALIGN CURRENT**  
102                      **STANDARDS WITH THE FEDERAL "FAMILY FIRST PREVENTION**  
103                      **SERVICES ACT".**

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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>.)*

The bill authorizes the department of human services (department) to establish and implement a foster care prevention services program for families with children and youth who are candidates for foster care but who can safely remain at home with receipt of foster care prevention services.

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.*

SENATE  
2nd Reading Unamended  
April 30, 2019

HOUSE  
3rd Reading Unamended  
April 26, 2019

HOUSE  
Amended 2nd Reading  
April 25, 2019

Eligible recipients of foster care prevention services include children and youth and their parents, legal custodians, legal guardians, and kin caregivers when their needs are directly related to the safety, permanent placement, or well-being of the child or youth.

If a child or youth is placed in a qualified residential treatment program (QRTP), the court or the administrative review division of the department is required to review the assessment and needs of the child or youth and determine whether placement in the QRTP is appropriate.

The bill requires the county department of human or social services (county department) to submit certain evidence to the court during each review and permanency hearing of a child or youth placed in a QRTP.

The county department may provide foster care prevention services to a child or youth and the parents or kin caregivers of the child or youth upon the receipt of a report of intrafamilial abuse or neglect or human trafficking.

The bill adds the federal "Family First Prevention Services Act" as a program to be administered by the department. The bill adds foster care prevention services to the definition of child welfare services.

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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** article 5.4 to title  
3 26 as follows:

4 **ARTICLE 5.4**

5 **Foster Care Prevention Services**

6 **26-5.4-101. Legislative declaration.** (1) THE FEDERAL "FAMILY  
7 FIRST PREVENTION SERVICES ACT" WAS ENACTED ON FEBRUARY 9, 2018.  
8 IN ORDER TO COMPLY WITH THE PROVISIONS OF THE "FAMILY FIRST  
9 PREVENTION SERVICES ACT", THE GENERAL ASSEMBLY FINDS IT IS  
10 NECESSARY TO UPDATE CURRENT STATUTES TO ENABLE COLORADO TO  
11 PROVIDE ENHANCED SUPPORT TO CHILDREN, YOUTH, AND THEIR FAMILIES  
12 IN ORDER TO PREVENT FOSTER CARE PLACEMENTS. ■ ■ ■

13 (2) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO TREAT  
14 CHILDREN AND YOUTH IN-HOME OR WITH A KIN CAREGIVER WHEN DOING

1 SO SERVES THE SAFETY, PERMANENT PLACEMENT, AND WELL-BEING OF  
2 THE CHILD OR YOUTH.

3 **26-5.4-102. Definitions.** AS USED IN THIS ARTICLE 5.4, UNLESS  
4 THE CONTEXT OTHERWISE REQUIRES:

5 (1) "FOSTER CARE PREVENTION SERVICES" MEANS [REDACTED] MENTAL  
6 HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES,  
7 IN-HOME PARENT SKILL-BASED PROGRAMS, [REDACTED] KINSHIP NAVIGATOR  
8 PROGRAMS, AND OTHER PROGRAMS ELIGIBLE FOR REIMBURSEMENT UNDER  
9 THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT" THAT ARE  
10 TRAUMA-INFORMED, PROMISING, SUPPORTED OR WELL-SUPPORTED, AND  
11 PROVIDED TO PREVENT FOSTER CARE PLACEMENT.

12 (2) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A  
13 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED  
14 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR  
15 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF  
16 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL  
17 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)  
18 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS  
19 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR  
20 YOUTH BY THE ASSESSMENT OF THE CHILD OR YOUTH REQUIRED IN  
21 SECTION 19-1-115 (4)(e)(I).

22 (3) "TRAUMA-INFORMED" REFERS TO THE SERVICES TO BE  
23 PROVIDED TO OR ON BEHALF OF A CHILD OR YOUTH [REDACTED] UNDER AN  
24 ORGANIZATIONAL STRUCTURE AND TREATMENT FRAMEWORK THAT  
25 INVOLVES UNDERSTANDING, RECOGNIZING, AND RESPONDING TO THE  
26 EFFECTS OF ALL TYPES OF TRAUMA IN ACCORDANCE WITH RECOGNIZED  
27 PRINCIPLES OF A TRAUMA-INFORMED APPROACH AND TRAUMA-SPECIFIC

1 INTERVENTIONS TO ADDRESS TRAUMA'S CONSEQUENCES AND FACILITATE  
2 HEALING.

3 **26-5.4-103. Foster care prevention services program - rules.**

4 (1) THE STATE DEPARTMENT IS AUTHORIZED TO INCLUDE IN THE STATE'S  
5 FIVE-YEAR TITLE IV-E PREVENTION PLAN, AS DEFINED IN 42 U.S.C. SEC.  
6 671, THE ESTABLISHMENT AND IMPLEMENTATION OF A FOSTER CARE  
7 PREVENTION SERVICES PROGRAM FOR FAMILIES WITH CHILDREN AND  
8 YOUTH WHO ARE CANDIDATES FOR FOSTER CARE BUT WHO CAN SAFELY  
9 REMAIN AT HOME OR IN A KINSHIP PLACEMENT WITH RECEIPT OF SERVICES,  
10 INCLUDING CHILDREN AND YOUTH WHO, WITHOUT INTERVENTION, RISK  
11 INVOLVEMENT WITH THE CHILD WELFARE SYSTEM AS ESTABLISHED BY  
12 RULE OF THE STATE BOARD. THE STATE DEPARTMENT SHALL PROMULGATE  
13 RULES SETTING FORTH PROCEDURES REGARDING THE PROVISION OF THESE  
14 SERVICES.

15 (2) NOTHING IN THIS ARTICLE 5.4 SHALL PREVENT THE STATE  
16 DEPARTMENT FROM COMPLYING WITH FEDERAL REQUIREMENTS FOR A  
17 FOSTER CARE PREVENTION SERVICES PROGRAM IN ORDER FOR THE STATE  
18 TO QUALIFY FOR FEDERAL MONEY UNDER THE FEDERAL "SOCIAL SECURITY  
19 ACT", AS AMENDED.

20 **26-5.4-104. Eligibility requirements - period of eligibility -**

21 **services available - rules.** (1) CHILDREN AND YOUTH AND THEIR  
22 PARENTS, LEGAL CUSTODIANS, LEGAL GUARDIANS, OR KIN CAREGIVERS  
23 ARE ELIGIBLE FOR FOSTER CARE PREVENTION SERVICES WHEN THEIR NEEDS  
24 FOR SERVICES ARE DIRECTLY RELATED TO THE SAFETY, PERMANENT  
25 PLACEMENT, OR WELL-BEING OF THE CHILD OR YOUTH, OR TO PREVENT THE  
26 CHILD OR YOUTH FROM ENTERING THE FOSTER CARE SYSTEM.

27 (2) FOSTER CARE PREVENTION SERVICES MAY BE AUTHORIZED FOR

1 UP TO TWELVE MONTHS PER EPISODE OF ELIGIBILITY.

2 (3) FOSTER CARE PREVENTION SERVICES PROVIDED PURSUANT TO  
3 THIS ARTICLE 5.4 MUST BE DEFINED IN THE CHILD'S OR YOUTH'S  
4 PREVENTION PLAN, AS DEFINED THROUGH RULES PROMULGATED BY THE  
5 STATE BOARD.

6 **26-5.4-105. Implementation of article - federal authorization**

7 **- request for funding.** THE STATE DEPARTMENT SHALL IMPLEMENT THE  
8 PROVISIONS OF THIS ARTICLE 5.4 AND THE PROVISIONS OF TITLES 19 AND  
9 26 EXECUTING THE UTILIZATION OF FOSTER CARE PREVENTION SERVICES  
10 AND QUALIFIED RESIDENTIAL TREATMENT PROGRAMS WHEN THE FEDERAL  
11 GOVERNMENT APPROVES COLORADO'S FIVE-YEAR TITLE IV-E PREVENTION  
12 PLAN, AT WHICH TIME THE DEPARTMENT MAY SUBMIT A BUDGET REQUEST  
13 TO THE JOINT BUDGET COMMITTEE FOR NECESSARY FUNDING TO  
14 IMPLEMENT THE PLAN.

15 **SECTION 2.** In Colorado Revised Statutes, 19-1-102, **add** (1.9)  
16 as follows:

17 **19-1-102. Legislative declaration.** (1.9) THE FEDERAL "FAMILY  
18 FIRST PREVENTION SERVICES ACT" WAS ENACTED ON FEBRUARY 9, 2018.  
19 IN ORDER TO COMPLY WITH THE PROVISIONS OF THE FEDERAL "FAMILY  
20 FIRST PREVENTION SERVICES ACT", THE GENERAL ASSEMBLY FINDS THAT  
21 IT IS NECESSARY TO UPDATE CURRENT STATUTES TO ENABLE COLORADO  
22 TO PROVIDE ENHANCED SUPPORT TO CHILDREN, YOUTH, AND THEIR  
23 FAMILIES IN ORDER TO PREVENT FOSTER CARE PLACEMENTS. THE STATE  
24 DEPARTMENT SHALL IMPLEMENT THE UPDATED PROVISIONS IN SECTIONS  
25 19-1-103, 19-1-115, 19-3-208, AND 19-3-308 UTILIZING FOSTER CARE  
26 PREVENTION SERVICES AND QUALIFIED RESIDENTIAL TREATMENT  
27 PROGRAMS WHEN THE FEDERAL GOVERNMENT APPROVES COLORADO'S

1 FIVE-YEAR TITLE IV-E PREVENTION PLAN, AND SUBJECT TO AVAILABLE  
2 GENERAL FUND APPROPRIATIONS OR FEDERAL FUNDING.

3 **SECTION 3.** In Colorado Revised Statutes, 19-1-103, **add** (51.7),  
4 (87.7), (87.9), and (109.5) as follows:

5 **19-1-103. Definitions.** As used in this title 19 or in the specified  
6 portion of this title 19, unless the context otherwise requires:

7 (51.7) "FOSTER CARE PREVENTION SERVICES" MEANS MENTAL  
8 HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES,  
9 IN-HOME PARENT SKILL-BASED PROGRAMS, KINSHIP NAVIGATOR  
10 PROGRAMS, AND OTHER PROGRAMS ELIGIBLE FOR REIMBURSEMENT UNDER  
11 THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT" THAT ARE  
12 TRAUMA-INFORMED, PROMISING, SUPPORTED OR WELL-SUPPORTED, AND  
13 PROVIDED TO PREVENT FOSTER CARE PLACEMENT.

14 (87.7) "QUALIFIED INDIVIDUAL" MEANS A TRAINED PROFESSIONAL  
15 OR LICENSED CLINICIAN, AS DEFINED IN THE FEDERAL "FAMILY FIRST  
16 PREVENTION SERVICES ACT".

17 (87.9) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A  
18 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED  
19 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR  
20 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF  
21 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL  
22 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)  
23 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS  
24 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR  
25 YOUTH BY THE ASSESSMENT OF THE CHILD REQUIRED IN SECTION 19-1-115  
26 (4)(e)(I).

27 (109.5) "TRAUMA-INFORMED" REFERS TO THE SERVICES TO BE

1 PROVIDED TO OR ON BEHALF OF A CHILD OR YOUTH [REDACTED] UNDER AN  
2 ORGANIZATIONAL STRUCTURE AND TREATMENT FRAMEWORK THAT  
3 INVOLVES UNDERSTANDING, RECOGNIZING, AND RESPONDING TO THE  
4 EFFECTS OF ALL TYPES OF TRAUMA IN ACCORDANCE WITH RECOGNIZED  
5 PRINCIPLES OF A TRAUMA-INFORMED APPROACH AND TRAUMA-SPECIFIC  
6 INTERVENTIONS TO ADDRESS TRAUMA'S CONSEQUENCES AND FACILITATE  
7 HEALING.

8 **SECTION 4.** In Colorado Revised Statutes, 19-1-115, **add (4)(e),**  
9 **(4)(f), and (4.5)** as follows:

10 **19-1-115. Legal custody - guardianship - placement out of the**  
11 **home - petition for review for need of placement. (4) (e)** WHENEVER  
12 A CHILD IS PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM, [REDACTED]  
13 A FAMILY OR JUVENILE COURT, **OR, IF THERE IS NO OBJECTION,** THE  
14 ADMINISTRATIVE REVIEW DIVISION OF THE DEPARTMENT OF HUMAN  
15 SERVICES, SHALL, WITHIN SIXTY DAYS:

16 (I) CONSIDER THE ASSESSMENT, DETERMINATION, AND  
17 DOCUMENTATION MADE BY THE QUALIFIED INDIVIDUAL;

18 (II) DETERMINE WHETHER THE NEEDS OF THE CHILD CAN BE MET  
19 THROUGH PLACEMENT WITH A PARENT, LEGAL GUARDIAN, LEGAL  
20 CUSTODIAN, KIN CAREGIVER, OR IN A FOSTER CARE HOME, OR WHETHER  
21 PLACEMENT OF THE CHILD IN A QUALIFIED RESIDENTIAL TREATMENT  
22 PROGRAM PROVIDES THE MOST EFFECTIVE AND APPROPRIATE LEVEL OF  
23 CARE FOR THE CHILD IN THE LEAST RESTRICTIVE ENVIRONMENT, AND  
24 WHETHER THAT PLACEMENT IS CONSISTENT WITH THE SHORT- AND  
25 LONG-TERM **GOALS, INCLUDING MENTAL, BEHAVIORAL, AND PHYSICAL**  
26 **HEALTH GOALS,** FOR THE CHILD AS SPECIFIED IN THE PERMANENCY PLAN  
27 FOR THE CHILD OR AS OUTLINED IN THE FAMILY SERVICES PLAN; AND

1 (III) APPROVE OR DISAPPROVE OF THE PLACEMENT.

2 (f) AS LONG AS A CHILD REMAINS IN A QUALIFIED RESIDENTIAL  
3 TREATMENT PROGRAM, THE COUNTY DEPARTMENT SHALL SUBMIT  
4 EVIDENCE AT EACH REVIEW AND EACH PERMANENCY HEARING HELD WITH  
5 RESPECT TO THE CHILD:

6 (I) DEMONSTRATING THAT ONGOING ASSESSMENT OF THE  
7 STRENGTHS AND NEEDS OF THE CHILD CONTINUES TO SUPPORT THE  
8 DETERMINATION THAT THE NEEDS OF THE CHILD CANNOT BE MET  
9 THROUGH PLACEMENT WITH A PARENT, LEGAL GUARDIAN, LEGAL  
10 CUSTODIAN, KIN CAREGIVER, OR IN A FOSTER FAMILY HOME; AND THAT  
11 THE PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM  
12 PROVIDES THE MOST EFFECTIVE AND APPROPRIATE LEVEL OF CARE FOR THE  
13 CHILD IN THE LEAST RESTRICTIVE ENVIRONMENT; AND THAT THE  
14 PLACEMENT IS CONSISTENT WITH THE SHORT- AND LONG-TERM GOALS FOR  
15 THE CHILD AS SPECIFIED IN THE PERMANENCY PLAN FOR THE CHILD, OR AS  
16 OUTLINED IN THE FAMILY SERVICES PLAN;

17 (II) DOCUMENTING THE SPECIFIC TREATMENT OR SERVICE NEEDS  
18 THAT WILL BE MET FOR THE CHILD IN THE PLACEMENT AND THE LENGTH OF  
19 TIME THE CHILD IS EXPECTED TO NEED TREATMENT OR SERVICES; AND

20 (III) DOCUMENTING THE EFFORTS MADE BY THE COUNTY TO  
21 PREPARE THE CHILD TO RETURN HOME OR TO BE PLACED WITH A FIT AND  
22 WILLING KIN CAREGIVER, A LEGAL GUARDIAN, LEGAL CUSTODIAN, OR AN  
23 ADOPTIVE PARENT, OR IN A FOSTER FAMILY.

24 (4.5) THE DEPARTMENT OF HUMAN SERVICES SHALL IMPLEMENT  
25 THE PROVISIONS OF SUBSECTION (4)(e) AND (4)(f) OF THIS SECTION WHEN  
26 THE FEDERAL GOVERNMENT APPROVES COLORADO'S FIVE-YEAR TITLE  
27 IV-E PREVENTION PLAN, AT WHICH TIME THE DEPARTMENT OF HUMAN



1 SERVICES MAY SUBMIT A BUDGET REQUEST TO THE JOINT BUDGET  
2 COMMITTEE FOR NECESSARY FUNDING TO IMPLEMENT THE PLAN.

3 **SECTION 5.** In Colorado Revised Statutes, 19-3-208, **amend**  
4 (2)(d) introductory portion, (2)(d)(VIII), and (2)(d)(IX); and **add**  
5 (2)(d)(X) as follows:

6 **19-3-208. Services - county required to provide - rules -**  
7 **definitions.** (2) (d) The following services ~~shall~~ **MUST** be made available  
8 and provided based upon the state's capacity to increase federal funding  
9 or any other ~~moneys~~ **MONEY** appropriated for these services and as  
10 determined necessary and appropriate by individual case plans:

11 (VIII) Financial services in order to prevent placement; **and**

12 (IX) Family preservation services, which are brief,  
13 comprehensive, and intensive services provided to prevent the  
14 out-of-home placement of children or to promote the safe return of  
15 children to the home; **AND**

16 (X) FOSTER CARE PREVENTION SERVICES.

17 **SECTION 6.** In Colorado Revised Statutes, 19-3-308, **add** (13)  
18 as follows:

19 **19-3-308. Action upon report of intrafamilial, institutional, or**  
20 **third-party abuse - investigations - child protection team - rules -**  
21 **report.** (13) UPON THE RECEIPT OF A REPORT OF INTRAFAMILIAL ABUSE  
22 OR NEGLECT OR HUMAN TRAFFICKING, OR A REPORT THAT A FAMILY MAY  
23 BE ELIGIBLE FOR FOSTER CARE PREVENTION SERVICES, **AS DEFINED IN**  
24 **SECTION 26-5.4-102 (1)**, THE COUNTY DEPARTMENT MAY PROVIDE FOSTER  
25 CARE PREVENTION SERVICES FOR A CHILD AND THE PARENTS OR KIN  
26 CAREGIVERS OF THE CHILD WHEN THE NEEDS OF THE CHILD ARE DIRECTLY  
27 RELATED TO THE SAFETY, PERMANENT PLACEMENT, OR WELL-BEING OF

1 THE CHILD OR TO PREVENT THE CHILD FROM ENTERING THE FOSTER CARE  
2 SYSTEM.

3 **SECTION 7.** In Colorado Revised Statutes, 26-1-109, **amend**  
4 (4.5) as follows:

5 **26-1-109. Cooperation with federal government -**  
6 **grants-in-aid.** (4.5) In addition to the powers granted the state  
7 department in subsection (4) of this section, the state department shall  
8 take necessary measures to obtain increased federal reimbursement  
9 ~~moneys~~ MONEY available under the Title IV-E program created under the  
10 federal "Social Security Act", as amended, based on the out-of-home  
11 placements, FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION  
12 26-5.4-102 (1), and alternative care treatment by county departments of  
13 children eligible for Title IV-E federal assistance, which ~~moneys~~ MONEY  
14 shall be allocated to county departments in proportion to each county's  
15 eligible placements, to help defray program costs. Nothing in this  
16 subsection (4.5) shall be construed to allow counties to continue to  
17 receive an amount equal to the increased funding in the event the said  
18 funding is no longer available from the federal government.

19 **SECTION 8.** In Colorado Revised Statutes, 26-1-201, **amend**  
20 (1)(aa) and (1)(bb); and **add** (1)(cc) as follows:

21 **26-1-201. Programs administered - services provided -**  
22 **department of human services.** (1) This section specifies the programs  
23 to be administered and the services to be provided by the department of  
24 human services. These programs and services include the following:

25 (aa) The Colorado mental health institute at Pueblo, as specified  
26 in article 93 of title 27; ~~C.R.S.~~; and

27 (bb) The Colorado mental health institute at Fort Logan, as

1 specified in article 94 of title 27; ~~C.R.S.~~ AND

2 (cc) FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION  
3 26-5.4-102 (1) AND AUTHORIZED PURSUANT TO THE FEDERAL "FAMILY  
4 FIRST PREVENTION SERVICES ACT.

5 **SECTION 9.** In Colorado Revised Statutes, 26-5-101, **amend** (3)  
6 introductory portion and (3)(n); and **add** (3)(p) as follows:

7 **26-5-101. Definitions.** As used in this article 5, unless the context  
8 otherwise requires:

9 (3) "Child welfare services" means the provision of necessary  
10 shelter, sustenance, and guidance to or for children who are or who, if  
11 such services are not provided, are likely to become neglected or  
12 dependent, as defined in section 19-3-102. ~~C.R.S.~~ "Child welfare  
13 services" includes but is not limited to:

14 (n) Services described in section 19-3-208; ~~C.R.S.~~; and

15 (p) FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION  
16 26-5.4-102 (1).

17 **SECTION 10.** In Colorado Revised Statutes, 26-5-104, **amend**  
18 (6.2)(d) as follows:

19 **26-5-104. Funding of child welfare services - rules - report -**  
20 **provider contracts - funding mechanism review - fund - definitions**  
21 **- rules - repeal.** (6.2) For the purposes of this section, unless the context  
22 otherwise requires:


23 (d) "Workload" means the number of child welfare child abuse  
24 and neglect hotline calls, referrals, assessments, open cases, out-of-home  
25 placements, IN-HOME SERVICES, new adoptions, RELATIVE GUARDIAN  
26 ASSISTANCE, and adoption subsidies being handled by a county  
27 department of human or social services.

1           **SECTION 11.** In Colorado Revised Statutes, 26-6-102, **amend**  
2 (33); and **add** (30.5) as follows:

3           **26-6-102. Definitions.** As used in this article 6, unless the context  
4 otherwise requires:

5           (30.5) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A  
6 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED  
7 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR  
8 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF  
9 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL  
10 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)  
11 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS  
12 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR  
13 YOUTH BY THE ASSESSMENT OF THE CHILD OR YOUTH REQUIRED IN  
14 SECTION 19-1-115 (4)(e)(I).

15           (33) "Residential child care facility" means a facility licensed by  
16 the state department pursuant to this part 1 to provide twenty-four-hour  
17 group care and treatment for five or more children operated under private,  
18 public, or nonprofit sponsorship. "Residential child care facility" includes  
19 community-based residential child care facilities, QUALIFIED RESIDENTIAL  
20 TREATMENT PROGRAMS, AS DEFINED IN SECTION 26-5.4-102 (2), shelter  
21 facilities, and therapeutic residential child care facilities as defined in rule  
22 by the state board, and psychiatric residential treatment facilities as  
23 defined in section 25.5-4-103 (19.5). ~~C.R.S.~~ A residential child care  
24 facility may be eligible for designation by the executive director of the  
25 state department pursuant to article 65 of title 27. ~~C.R.S.~~

26             
27           **SECTION 12.** In Colorado Revised Statutes, **add** 27-66-110 as

1 follows:

2 **27-66-110. Trauma-informed care standards of approval.** THE  
3 OFFICE OF BEHAVIORAL HEALTH SHALL ESTABLISH CARE STANDARDS AND  
4 AN APPROVAL PROCESS THAT A QUALIFIED RESIDENTIAL TREATMENT  
5 PROGRAM, AS DEFINED IN SECTION 26-6-102 (30.5), MUST MEET TO ENSURE  
6 THAT QUALIFIED RESIDENTIAL TREATMENT PROGRAMS HAVE A  
7 TRAUMA-INFORMED TREATMENT MODEL THAT ADDRESSES THE NEEDS OF  
8 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL HEALTH  
9 DISORDERS OR DISTURBANCES.

10 **SECTION 13. Act subject to petition - effective date.** This act  
11 takes effect at 12:01 a.m. on the day following the expiration of the  
12 ninety-day period after final adjournment of the general assembly (August  
13 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
14 referendum petition is filed pursuant to section 1 (3) of article V of the  
15 state constitution against this act or an item, section, or part of this act  
16 within such period, then the act, item, section, or part will not take effect  
17 unless approved by the people at the general election to be held in  
18 November 2020 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.