

CHAPTER 114

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 20-1197

BY REPRESENTATIVE(S) Snyder and Rich, Bird, Cutter, Exum, Landgraf, Larson, Liston, Soper, Arndt, Buentello, Caraveo, Duran, Garnett, Gonzales-Gutierrez, Gray, Herod, Hooton, Jackson, Jaquez Lewis, Kennedy, Kipp, Kraft-Tharp, Lontine, McCluskie, Michaelson Jenet, Mullica, Sirota, Titone, Valdez A., Valdez D., Weissman, Young, Becker; also SENATOR(S) Bridges, Danielson, Ginal, Gonzales, Hansen, Lee, Moreno, Story, Todd, Williams A., Winter, Zenzinger.

AN ACT

CONCERNING THE STATEWIDE COMMUNICATION SYSTEM FOR REFERRAL TO ESSENTIAL SERVICES, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) On March 27, 2020, the federal government enacted the "CARES Act", Pub.L. 116-136, 134 Stat. 281 (2020), from which Colorado received approximately \$1,674,000,000 from the federal coronavirus relief fund to use for necessary expenditures incurred due to the current COVID-19 public health emergency;

(b) On May 18, 2020, the Colorado governor issued Executive Order 2020 D 070, transferring \$70,000,000 from the state "CARES Act" fund to the state general fund for eligible expenditures;

(c) The expenditure in the bill is considered an allowable use under the federal "CARES Act" and is necessary to respond to the COVID-19 public health emergency; and

(d) The expenditure in the bill was not accounted for in the Colorado state budget most recently approved as of March 27, 2020, and all of the expenses will be incurred on or before December 30, 2020.

(2) The general assembly further finds that in the wake of the COVID-19 pandemic more individuals than ever before are in need of referrals to and assistance from health and human services for basic needs along with supports

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associated with COVID-19, which include but are not limited to referrals regarding equity, access, or discrimination concerning employment and health access, as well as information on COVID-19 test site locations.

(3) The Colorado 2-1-1 collaborative currently operates call centers within the state as the human services referral services provider and is in the best position to offer the necessary additional referral and intake services to respond to the COVID-19 public health crisis.

SECTION 2. In Colorado Revised Statutes, **amend** part 2 of article 11 of title 29 as follows:

PART 2
HUMAN SERVICES REFERRAL SERVICE

29-11-201. Legislative declaration. The general assembly hereby finds and declares that obtaining access to appropriate community-based organizations and governmental agencies providing for human services is a critical first step for many individuals and families of Colorado to receiving the help and assistance they need. In 2000, in recognition of the need to promote effective access to human services, the federal communications commission reserved the three-digit telephone number of 2-1-1 for access to community health and human services information. The public utilities commission approved the use of a 2-1-1 number for Colorado in October of 2002. ~~and while four pilot sites are operating in specified counties, there is a need for service in all counties of this state.~~ THE PUBLIC UTILITIES COMMISSION ASSIGNED THE 2-1-1 DIAL CODE TO THE COLORADO 2-1-1 COLLABORATIVE. The 2-1-1 human services referral service is dedicated to providing individuals and families with referral information to obtain nonemergency services such as food assistance, shelter, job assistance, and low-cost health care, for those in need. Due to the importance of the human services referral system and the need to assure that this system is enabled in all areas of the state of Colorado, the general assembly hereby finds and declares that ~~the human~~ THE 2-1-1 HUMAN services referral service providers should receive protection of immunity that is similar to the protection afforded to the 9-1-1 emergency service.

29-11-202. Definitions. For purposes of this part 2, unless the context otherwise requires:

(1) "Colorado 2-1-1 collaborative" means the group authorized by the public utilities commission to establish the provision of human services referral services in the state of Colorado.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF HUMAN SERVICES CREATED IN SECTION 26-1-105.

~~(2)~~(3) "Human services referral service provider" means ~~a service~~ AN ENTITY that is authorized by the Colorado 2-1-1 collaborative to provide health and human services referral information.

29-11-203. Human services referral service - immunity - grant - repeal. (1) ~~No~~ THE Colorado 2-1-1 collaborative, human services referral service provider, or

employee, agent, or financial supporter thereof ~~shall be~~ IS NOT liable to any person or entity for any damages in a civil action for injuries, death, or loss to person or property incurred as a result of any act or omission of the Colorado 2-1-1 collaborative, human services referral service provider, or any employee or agent thereof in connection with developing, adopting, authorizing, implementing, maintaining, enhancing, or operating a referral service unless such damage or injury was intentionally caused by or resulted from gross negligence of the Colorado 2-1-1 collaborative, human services referral service provider, employee, agent, or financial supporter in connection with the provision of human services referral service.

(2) ~~No~~ THE COLORADO 2-1-1 collaborative, human services referral service provider or employee, agent, or financial supporter thereof ~~shall be~~ IS NOT liable to any person or entity for infringement or invasion of the right of privacy of any person caused or claimed to have been caused, directly or indirectly, by any act or omission in connection with the provision of human service referral information to any person or entity unless the infringement or invasion of the right of privacy arose out of the gross negligence or other wrongful and intentional act of the Colorado 2-1-1 collaborative, human services referral service provider, employee, agent, or financial supporter thereof.

(3) (a) THE COLORADO 2-1-1 COLLABORATIVE SHALL PROVIDE NECESSARY HUMAN SERVICES REFERRAL SERVICES IN THE STATE THROUGH DECEMBER 30, 2020, RELATING TO THE COVID-19 PUBLIC HEALTH EMERGENCY, INCLUDING INFORMATION ON COVID-19 TEST SITE LOCATIONS AND REFERRALS REGARDING EQUITY, ACCESS, OR DISCRIMINATION CONCERNING EMPLOYMENT AND HEALTH ACCESS, AS WELL AS OTHER NECESSARY REFERRALS AND INTAKE SERVICES DUE TO THE PRESENCE OF COVID-19 IN THE STATE.

(b) THE GENERAL ASSEMBLY SHALL APPROPRIATE FROM THE CARES SUBFUND IN THE GENERAL FUND TO THE DEPARTMENT FIVE HUNDRED THOUSAND DOLLARS FOR A GRANT TO THE COLORADO 2-1-1 COLLABORATIVE TO PROVIDE NECESSARY REFERRAL AND INTAKE SERVICES DUE TO THE COVID-19 PUBLIC HEALTH EMERGENCY, AS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION, INCURRED THROUGH DECEMBER 30, 2020.

(c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2021.

SECTION 3. Appropriation. For the 2019-20 state fiscal year, \$500,000 is appropriated to the department of human services. This appropriation is from the care subfund in the general fund. To implement this act, the department may use this appropriation for a grant to the Colorado 2-1-1 collaborative for eligible services. Any money appropriated in this section not expended prior to July 1, 2020, is further appropriated to the department for the period from July 1, 2020, through December 30, 2020.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: June 22, 2020