

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

ENGROSSED

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

LLS NO. 21-0831.02 Conrad Imel x2313

SENATE BILL 21-277

SENATE SPONSORSHIP

Moreno, Hansen, Rankin

HOUSE SPONSORSHIP

Herod, McCluskie

Senate Committees

Health & Human Services
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING A FUNDING MODEL USED TO DETERMINE CHILD WELFARE**
102 **SERVICES ALLOCATIONS, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN APPROPRIATION.**

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 requires the state department of human services (state department), beginning in state fiscal year 2024-25, to use the child welfare allocations funding model (funding model) to determine the capped and targeted allocations for child welfare services and the funding required for adoption and relative guardianship

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
May 26, 2021

subsidies, the independent living program, additional county child welfare staff, and family and children's programs.

The funding model determines the appropriate level of funding required to fully meet all state and federal requirements concerning the comprehensive delivery of child welfare services. The bill clarifies what must be included in the funding model and requires the state department and the child welfare allocations committee to annually submit a report on the funding model to the joint budget committee.

The department is required to enter into a 3-year agreement with an outside entity to annually modify the funding model based on recommendations from the child welfare allocations committee and evaluations and deliver the results of the model each year. The bill requires a child welfare workload study to inform the funding model. To maintain the integrity of the data used in the funding model, the child welfare allocations committee shall annually examine county practices regarding data collection and financial management, an evaluation group annually evaluates the funding model, and, every 3 years, an outside evaluating entity conducts a comprehensive evaluation of the implementation of the funding model.

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

2 **SECTION 1.** In Colorado Revised Statutes, 26-5-104, **amend**
3 (3)(a), (3)(a.6), (7)(b), and (8)(a); and **add** (3)(a.2), (6.1)(c), and (6.6)(c)
4 as follows:

5 **26-5-104. Funding of child welfare services provider contracts**
6 **- funding mechanism review - fund - report - rules - definitions -**
7 **repeal.** (3) **Allocation formula.** (a) (I) For state fiscal year 2018-19 ~~and~~
8 ~~for each state fiscal year thereafter~~ THROUGH STATE FISCAL YEAR 2023-24,
9 the state department, after input from the child welfare allocations
10 committee, shall develop formulas for capped and targeted allocations,
11 including the child welfare services allocation, the allocation for
12 additional county child welfare staff, and the allocation for family and
13 children's programs. Allocation formulas developed pursuant to this
14 subsection (3)(a) must include, ~~effective~~ for EACH state fiscal year

1 2018-19 ~~and each state fiscal year thereafter~~ THROUGH 2023-24, the
2 estimated caseload for the delivery of those specific child welfare services
3 to be funded by the money in the capped or targeted allocations. The
4 formulas must also include a performance-aligned component that
5 supports the implementation AND DELIVERY of promising, supported, or
6 well-supported practices, as defined in the federal "Family First
7 Prevention Services Act of 2018", as defined in section 26-5-101 (4.5);
8 be outcome-driven; and be aligned with ~~desired~~ state-department-defined
9 or federally required outcomes and goals. The allocation to each county
10 from any given formula must be equitable and reflective of the cost of
11 delivering services. If a county receives more than one capped or targeted
12 allocation for the delivery of child welfare services, the formula must
13 identify the specific caseload estimate attributable to each capped or
14 targeted allocation.

15 (II) THIS SUBSECTION (3)(a) IS REPEALED, EFFECTIVE JULY 1, 2024.

16 (a.2) (I) FOR STATE FISCAL YEAR 2024-25, AND FOR EACH STATE
17 FISCAL YEAR THEREAFTER, THE STATE DEPARTMENT, AFTER INPUT FROM
18 THE CHILD WELFARE ALLOCATIONS COMMITTEE, SHALL USE THE FUNDING
19 MODEL DESCRIBED IN SECTION 26-5-103.7 TO DETERMINE THE FUNDING
20 REQUIRED FOR EACH COUNTY FOR ADOPTION AND RELATIVE
21 GUARDIANSHIP SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM, AND
22 TO DETERMINE THE CAPPED AND TARGETED ALLOCATIONS TO EACH
23 COUNTY, OR GROUP OF COUNTIES, FOR CHILD WELFARE SERVICES,
24 ADDITIONAL COUNTY CHILD WELFARE STAFF, AND FAMILY AND CHILDREN'S
25 PROGRAMS.

26 (II) THE STATE DEPARTMENT, AFTER INPUT FROM THE CHILD
27 WELFARE ALLOCATIONS COMMITTEE, SHALL MAKE THE CAPPED AND

1 TARGETED ALLOCATIONS DESCRIBED IN SUBSECTION (3)(a.2)(I) OF THIS
2 SECTION BASED ON THE TOTAL AMOUNT IDENTIFIED IN THE FUNDING
3 MODEL AS THE APPROPRIATE LEVEL OF FUNDING REQUIRED FOR EACH
4 COUNTY TO FULLY MEET ALL STATE AND FEDERAL REQUIREMENTS
5 CONCERNING THE COMPREHENSIVE DELIVERY OF CHILD WELFARE
6 SERVICES, AS DEFINED IN SECTION 26-5-101 (3), AND PREVENTION
7 PROGRAMS, AS DEFINED IN SECTION 19-1-103, LESS THE AMOUNT
8 APPROPRIATED BY THE GENERAL ASSEMBLY IN THE ANNUAL LONG
9 APPROPRIATIONS BILL FOR ADOPTION AND RELATIVE GUARDIANSHIP
10 SUBSIDIES AND THE INDEPENDENT LIVING PROGRAM. THE ALLOCATIONS
11 MUST BE EQUITABLE AND REFLECTIVE OF THE COST OF DELIVERING
12 SERVICES AND MUST IDENTIFY THE SPECIFIC CASELOAD ESTIMATE
13 ATTRIBUTABLE TO EACH CAPPED OR TARGETED ALLOCATION.

14 (III) IF THE APPROPRIATION MADE FOR A FISCAL YEAR IS NOT
15 EQUAL TO THE AMOUNT NECESSARY TO FULLY FUND THE ALLOCATIONS
16 REQUIRED BY THE FUNDING MODEL, THE CHILD WELFARE ALLOCATIONS
17 COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT
18 CONCERNING HOW TO MODIFY THE RESULTS OF THE FUNDING MODEL TO
19 ALIGN WITH THE APPROPRIATION. AFTER INPUT FROM THE CHILD WELFARE
20 ALLOCATIONS COMMITTEE, THE STATE DEPARTMENT SHALL ADJUST THE
21 ALLOCATION TO EACH COUNTY TO ENSURE THAT THE FUNDING MADE
22 AVAILABLE TO ALL COUNTIES THROUGH CAPPED AND TARGETED
23 ALLOCATIONS DOES NOT EXCEED THE ANNUAL APPROPRIATION.

24 (a.6) On or before March 1 of any state fiscal year, the child
25 welfare allocations committee shall submit written recommendations to
26 the state department to inform the capped and targeted allocations. ~~The~~
27 ~~child welfare allocations committee is encouraged to include~~

1 ~~documentation on how the recommendations support the achievement of~~
2 ~~expectations described in subsection (3)(a) of this section.~~

3 (6.1) (c) (I) ON OR BEFORE DECEMBER 31, 2021, THE STATE
4 DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH AN OUTSIDE
5 ENTITY TO CONDUCT AN UPDATED WORKLOAD STUDY. THE OUTSIDE
6 ENTITY MAY BE THE SAME ENTITY THAT UPDATES AND MODIFIES THE
7 ALLOCATIONS FUNDING MODEL PURSUANT TO SECTION 26-5-103.7(2). ON
8 OR BEFORE JANUARY 15, 2023, THE OUTSIDE ENTITY SHALL COMPLETE THE
9 STUDY AND DELIVER THE RESULTS OF THE STUDY TO THE JOINT BUDGET
10 COMMITTEE, THE STATE DEPARTMENT, THE CHILD WELFARE ALLOCATIONS
11 COMMITTEE, AND, IF DIFFERENT, THE OUTSIDE ENTITY DESCRIBED IN
12 SECTION 26-5-103.7 (2).

13 (II) (A) THE UPDATED WORKLOAD STUDY MUST INCLUDE
14 CONSIDERATION OF, BUT IS NOT LIMITED TO CONSIDERING, THE FOLLOWING
15 DATA: COUNTY POPULATION INFORMATION; CHILD WELFARE STAFF BY
16 COUNTY; COUNTY BUDGET INFORMATION; THE NUMBER OF TIME-STUDY
17 PARTICIPANTS BY COUNTY; KEY TASKS PERFORMED BY CHILD WELFARE
18 WORKERS; DETAILED RESULTS FOR TIME SPENT PER CASE ON INDIVIDUAL
19 TASKS; THE PERCENTAGE OF HOURS RECORDED AND PAID BY EACH
20 COUNTY; AND DEVELOPMENT OF A METHOD TO CREATE WORKLOAD,
21 CASELOAD, AND STAFFING MODELS.

22 (B) ALL COUNTIES ARE ENCOURAGED TO PARTICIPATE IN THE
23 UPDATED WORKLOAD STUDY. IF A COUNTY ELECTS NOT TO PARTICIPATE
24 IN THE STUDY, THE DEPARTMENT SHALL DETERMINE THE PROXY DATA FOR
25 EACH NONPARTICIPATING COUNTY TO BE USED IN THE STUDY.

26 (III) THIS SUBSECTION (6.1)(c) IS REPEALED, EFFECTIVE JUNE 30,
27 2023.

1 (6.6) (c) (I) ON OR BEFORE JULY 1, 2022, THE STATE DEPARTMENT
2 SHALL SUBMIT TO THE JOINT BUDGET COMMITTEE AN UPDATE OF THE
3 REPORT REQUIRED PURSUANT TO SUBSECTION (6.6)(b) OF THIS SECTION
4 THAT INCLUDES UPDATED INFORMATION ABOUT EACH OF THE SUBJECTS
5 ADDRESSED IN THE INITIAL REPORT.

6 (II) THIS SUBSECTION (6.6)(c) IS REPEALED, EFFECTIVE JUNE 30,
7 2023.

8 (7) (b) A county may only receive money pursuant to ~~the~~
9 ~~provisions of subsection (7)(a.5) of this section if the requirements of~~
10 ~~section 26-5-103.5 (4) have been satisfied,~~ for expenditures other than
11 those attributable to administrative and support functions as referred to
12 in section 26-5-101 (3)(m) ~~as defined in accordance with the provisions~~
13 ~~of section 26-5-103.5 (4),~~ and for authorized expenditures attributable to
14 caseload increases beyond the caseload estimate established pursuant to
15 subsection (3) of this section for a specific capped allocation.

16 (8) **County-level child welfare staff.** (a) For the state fiscal year
17 2015-16, and for each state fiscal year thereafter, each county may receive
18 a capped allocation in addition to its portion of the child welfare block
19 grant for the specific purpose of hiring new child welfare staff at the
20 county level in addition to child welfare staff existing as of January 1,
21 2015. A county that utilizes said additional allocation shall continue to
22 pay for child welfare staff positions existing as of January 1, 2015,
23 through the child welfare block grant. ~~The child welfare allocations~~
24 ~~committee shall determine the allocation formula pursuant to subsection~~
25 ~~(3) of this section.~~

26 **SECTION 2.** In Colorado Revised Statutes, **add** 26-5-103.7 as
27 follows:

1 **26-5-103.7. Child welfare allocations funding model -**
2 **evaluation group - report - definitions - repeal.** (1) AS USED IN THIS
3 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

4 (a) "EVALUATION GROUP" MEANS THE GROUP ESTABLISHED TO
5 EVALUATE THE FUNDING MODEL DESCRIBED IN SUBSECTION (6) OF THIS
6 SECTION.

7 (b) "FUNDING MODEL" MEANS THE FUNDING MODEL TO DETERMINE
8 THE APPROPRIATE LEVEL OF FUNDING REQUIRED TO FULLY MEET ALL
9 STATE AND FEDERAL REQUIREMENTS CONCERNING THE COMPREHENSIVE
10 DELIVERY OF CHILD WELFARE SERVICES THAT WAS DEVELOPED PURSUANT
11 TO SECTION 26-5-103.5 (7) PRIOR TO ITS REPEAL IN 2021, AND INCLUDES
12 FACTORS THAT BEST MEET THE NEEDS OF CHILDREN, YOUTH, AND FAMILIES
13 IN THE CHILD WELFARE SYSTEM.

14 (2) (a) (I) ON OR BEFORE DECEMBER 31, 2021, THE STATE
15 DEPARTMENT SHALL ENTER INTO AN AGREEMENT WITH AN OUTSIDE
16 ENTITY TO UPDATE AND MODIFY THE FUNDING MODEL FOR FISCAL YEARS
17 2022-23 THROUGH 2024-25 IN ACCORDANCE WITH THE
18 RECOMMENDATIONS OF THE CHILD WELFARE ALLOCATIONS COMMITTEE.
19 THE AGREEMENT MUST END NO LATER THAN JUNE 30, 2024.

20 (II) ON OR BEFORE MARCH 31, 2022, THE OUTSIDE ENTITY SHALL
21 UPDATE AND MODIFY THE FUNDING MODEL TO BE USED FOR THE 2022-23
22 FISCAL YEAR. ON OR BEFORE MARCH 31, 2023, THE OUTSIDE ENTITY
23 SHALL UPDATE AND MODIFY THE FUNDING MODEL TO BE USED FOR THE
24 2023-24 FISCAL YEAR. ON OR BEFORE MARCH 31, 2024, THE OUTSIDE
25 ENTITY SHALL UPDATE AND MODIFY THE FUNDING MODEL TO BE USED FOR
26 THE 2024-25 FISCAL YEAR. FOR EACH YEAR, THE OUTSIDE ENTITY SHALL
27 UPDATE THE FUNDING MODEL IN ACCORDANCE WITH THE

1 RECOMMENDATIONS OF THE CHILD WELFARE ALLOCATIONS COMMITTEE
2 MADE PURSUANT TO SUBSECTION (7) OF THIS SECTION AND DELIVER THE
3 RESULTS OF THE MODEL TO THE JOINT BUDGET COMMITTEE, STATE
4 DEPARTMENT, AND CHILD WELFARE ALLOCATIONS COMMITTEE.

5 (III) THIS SUBSECTION (2)(a) IS REPEALED, EFFECTIVE JULY 1,
6 2024.

7 (b) ON OR BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1 EVERY
8 THIRD YEAR THEREAFTER, THE STATE DEPARTMENT SHALL ENTER INTO A
9 THREE-YEAR AGREEMENT WITH AN OUTSIDE ENTITY TO ANNUALLY MODIFY
10 THE FUNDING MODEL, UPDATE THE DATA USED IN THE FUNDING MODEL,
11 AND DELIVER THE RESULTS OF THE FUNDING MODEL, AS DESCRIBED IN
12 SUBSECTION (8) OF THIS SECTION.

13 (3) ON OR BEFORE JULY 1, 2024, AND ON OR BEFORE JULY 1 EVERY
14 THIRD YEAR THEREAFTER, THE STATE DEPARTMENT SHALL ENTER INTO AN
15 AGREEMENT WITH AN OUTSIDE EVALUATING ENTITY TO CONDUCT A
16 COMPREHENSIVE EVALUATION OF THE IMPLEMENTATION OF THE FUNDING
17 MODEL. THE EVALUATION MUST ENSURE THAT THE APPROPRIATE
18 MODIFICATIONS WERE MADE TO THE FUNDING MODEL IN THE PRECEDING
19 THREE YEARS, INCLUDING NECESSARY CHANGES RELATED TO FEDERAL
20 AND STATE LAW; WHETHER COUNTY DATA WAS ACCURATELY AND
21 APPROPRIATELY UPDATED EACH YEAR; WHETHER THE MODEL WAS RUN
22 EACH YEAR AND USED FOR ALLOCATIONS TO COUNTIES; HOW THE
23 ALLOCATIONS WERE MADE TO EACH COUNTY; WHETHER COUNTIES
24 INCREASED STAFFING LEVELS AS A RESULT OF THE MODEL'S WORKLOAD
25 METRIC; AND WHETHER THE UPDATED WORKLOAD STUDY DESCRIBED IN
26 SECTION 26-5-104 (6.1)(b) WAS ADDED TO THE MODEL. ON OR BEFORE
27 OCTOBER 1 OF EACH YEAR OF AN AGREEMENT, THE EVALUATING ENTITY

1 SHALL DELIVER THE RESULTS OF ITS EVALUATION TO THE STATE
2 DEPARTMENT, CHILD WELFARE ALLOCATIONS COMMITTEE, AND THE
3 OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS SECTION. THE
4 DEPARTMENT SHALL NOT ENTER INTO AN AGREEMENT PURSUANT TO THIS
5 SUBSECTION (3) WITH THE SAME OUTSIDE ENTITY DESCRIBED IN
6 SUBSECTION (2) OF THIS SECTION.

7 (4) BEGINNING WITH THE FUNDING MODEL EFFECTIVE FOR STATE
8 FISCAL YEAR 2024-25, THE FUNDING MODEL MUST:

9 (a) INCLUDE FACTORS ADDRESSING COUNTY WORKLOAD,
10 INFORMED BY THE WORKLOAD STUDY CONDUCTED PURSUANT TO SECTION
11 26-5-104 (6.1)(c), INCLUDING THE NUMBER OF CHILD WELFARE CASE
12 AIDES, CASE WORKERS, AND SUPERVISORS NECESSARY TO PERFORM ALL
13 RESPONSIBILITIES REQUIRED BY STATE AND FEDERAL LAW;

14 (b) INCLUDE FACTORS ADDRESSING DEMOGRAPHIC DATA,
15 INCLUDING POVERTY STATISTICS, AND STATE AND LOCAL ECONOMIC
16 DRIVERS THAT MAY INFLUENCE THE COST OF DELIVERING CHILD WELFARE
17 SERVICES AND PREVENTION PROGRAMS, AS DEFINED IN SECTION 19-1-103,
18 WITH AN EMPHASIS ON BUILDING CAPACITY TO PROVIDE SERVICES BASED
19 ON THE NEEDS OF THE CHILD AND FAMILY;

20 (c) INCLUDE THE ESTIMATED CASELOAD FOR THE DELIVERY OF
21 SPECIFIC CHILD WELFARE SERVICES IN EACH COUNTY, TO BE FUNDED BY
22 THE MONEY ALLOCATED TO COUNTIES PURSUANT TO SECTION 26-5-104;

23 (d) INCLUDE A PERFORMANCE-ALIGNED COMPONENT THAT
24 SUPPORTS THE IMPLEMENTATION OF PROMISING, SUPPORTED, OR
25 WELL-SUPPORTED PRACTICES, AS DEFINED IN THE FEDERAL "FAMILY FIRST
26 PREVENTION SERVICES ACT OF 2018";

27 (e) BE DRIVEN BY OUTCOMES RELATED TO THE STABILITY AND

1 WELL-BEING OF CHILDREN RECEIVING CHILD WELFARE SERVICES,
2 CONSISTENT WITH THE RECOMMENDATIONS OF THE DELIVERY OF CHILD
3 WELFARE SERVICES TASK FORCE MADE PURSUANT TO SECTION 26-5-105.8
4 (4.5) PRIOR TO ITS REPEAL IN 2023; AND

5 (f) INCLUDE INCENTIVES FOR THE DELIVERY OF SERVICES BASED
6 ON THE RECOMMENDATIONS OF THE DELIVERY OF CHILD WELFARE
7 SERVICES TASK FORCE MADE PURSUANT TO SECTION 26-5-105.8. THE
8 FUNDING MODEL MUST PROVIDE THE INCENTIVES TO COUNTIES BASED ON
9 MEASUREMENTS AND METRICS ESTABLISHED BY THE STATE DEPARTMENT
10 AFTER CONSIDERATION OF INPUT FROM THE CHILD WELFARE ALLOCATIONS
11 COMMITTEE. THE MEASUREMENTS AND METRICS MAY INCLUDE METRICS
12 CONCERNING SUCCESSFUL ADOPTIONS, SUCCESSFULLY SUSTAINED
13 PLACEMENTS, HIGH SCHOOL GRADUATIONS, FAMILY REUNIFICATIONS, NO
14 RECURRENCE OF ABUSE AND NEGLECT, AND TIMELY DENTAL AND MEDICAL
15 CHECKS.

16 (5) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), ON OR
17 BEFORE NOVEMBER 15, 2021, AND ON OR BEFORE NOVEMBER 15 OF EACH
18 YEAR THEREAFTER, THE STATE DEPARTMENT AND THE CHILD WELFARE
19 ALLOCATIONS COMMITTEE SHALL SUBMIT A REPORT REGARDING THE
20 FUNDING MODEL TO THE JOINT BUDGET COMMITTEE. THE REPORT MUST
21 INCLUDE THE FOLLOWING INFORMATION CONCERNING THE PREVIOUS
22 FISCAL YEAR:

23 (a) THE RESULTS OF THE FUNDING MODEL, INCLUDING THE COST
24 PER COUNTY NECESSARY TO MEET ALL STATE AND FEDERAL
25 REQUIREMENTS FOR THE COMPREHENSIVE DELIVERY OF CHILD WELFARE
26 SERVICES;

27 (b) THE DIFFERENCE BETWEEN EACH COUNTY'S ACTUAL

1 ALLOCATION AND THE ALLOCATION AMOUNT IDENTIFIED BY THE FUNDING
2 MODEL;

3 (c) THE FINAL CLOSE-OUT PURSUANT TO SECTION 26-5-104(7) FOR
4 THE PREVIOUS FISCAL YEAR;

5 (d) ANY MODIFICATIONS MADE TO THE MODEL TO IMPROVE THE
6 ACCURACY OF THE DATA;

7 (e) A DESCRIPTION OF THE INCENTIVES INCLUDED IN THE FUNDING
8 MODEL AND THE AMOUNT OF INCENTIVES PROVIDED TO EACH COUNTY;
9 AND

10 (f) ANY OTHER ISSUES RELATED TO FUNDING CHILD WELFARE
11 SERVICES IDENTIFIED BY THE CHILD WELFARE ALLOCATIONS COMMITTEE.

12 (6) (a) (I) ON OR BEFORE AUGUST 1, 2021, AND ON OR BEFORE
13 AUGUST 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
14 COMMITTEE SHALL ESTABLISH AND APPOINT MEMBERS TO A FUNDING
15 MODEL EVALUATION GROUP TO EVALUATE THE FUNDING MODEL.

16 (II) THE EVALUATION GROUP HAS SEVEN MEMBERS WHO ARE
17 EXPERTS IN CHILD WELFARE FUNDING AND POLICY. AT LEAST ONE MEMBER
18 MUST BE A REPRESENTATIVE OF THE STATE DEPARTMENT WITH CHILD
19 WELFARE FUNDING EXPERTISE, ONE MEMBER MUST BE A COUNTY
20 FINANCIAL OFFICER FROM A COUNTY DESCRIBED IN SECTION 26-5-104
21 (4)(b)(I), AND ONE MEMBER MUST BE A COUNTY FINANCIAL OFFICER FROM
22 A COUNTY DESCRIBED IN SECTION 26-5-104 (4)(b)(II).

23 (III) THE MEMBERS OF THE EVALUATION GROUP SERVE WITHOUT
24 COMPENSATION BUT MAY BE REIMBURSED FOR ACTUAL AND NECESSARY
25 EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

26 (b) THE EVALUATION GROUP SHALL EVALUATE THE FUNDING
27 MODEL TO ENSURE THAT IT IS CONSISTENT WITH CHANGES TO STATE AND

1 FEDERAL LAW, INCLUDES OUTCOME-BASED INCENTIVES AND CHILD AND
2 FAMILY WELL-BEING OUTCOMES AS FACTORS IN THE MODEL, INCLUDES AN
3 ONGOING WORKLOAD ANALYSIS, AND SATISFIES THE CRITERIA DESCRIBED
4 IN SUBSECTION (4) OF THIS SECTION. THE EVALUATION GROUP SHALL
5 EVALUATE ANY COMPONENTS OF THE FUNDING MODEL IDENTIFIED FOR
6 EVALUATION BY THE CHILD WELFARE ALLOCATIONS COMMITTEE
7 PURSUANT TO SECTION 26-5-103.5 (4.5).

8 (c) ON OR BEFORE OCTOBER 1, 2021, AND ON OR BEFORE OCTOBER
9 1 OF EACH YEAR THEREAFTER, THE EVALUATION GROUP MUST COMPLETE
10 ITS ANNUAL EVALUATION OF THE FUNDING MODEL AND DELIVER ITS
11 FINDINGS AND RECOMMENDATIONS TO THE CHILD WELFARE ALLOCATIONS
12 COMMITTEE.

13 (7) ON OR BEFORE DECEMBER 31, 2021, AND ON OR BEFORE
14 DECEMBER 31 OF EACH YEAR THEREAFTER, AND AFTER CONSIDERING THE
15 FINDINGS AND RECOMMENDATIONS OF THE EVALUATION GROUP, THE
16 CHILD WELFARE ALLOCATIONS COMMITTEE SHALL DELIVER TO THE STATE
17 DEPARTMENT AND OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS
18 SECTION RESPONSIBLE FOR UPDATING THE FUNDING MODEL THE
19 COMMITTEE'S RECOMMENDATIONS FOR MODIFICATIONS TO THE FUNDING
20 MODEL THAT ARE NECESSARY TO ENSURE THAT THE MODEL IS CURRENT
21 AND REFLECTS ANY CHANGES IN FEDERAL OR STATE LAW AND COUNTY
22 DATA AND WORKLOAD.

23 (8) THE OUTSIDE ENTITY DESCRIBED IN SUBSECTION (2) OF THIS
24 SECTION SHALL:

25 (a) ON OR BEFORE MARCH 31 OF THE FIRST YEAR OF ITS
26 AGREEMENT, MODIFY THE MODEL TO BE USED FOR THE NEXT FISCAL YEAR
27 BASED ON THE RESULTS OF THE EVALUATION CONDUCTED PURSUANT TO

1 SUBSECTION (3) OF THIS SECTION AND THE RECOMMENDATIONS OF THE
2 STATE DEPARTMENT, CHILD WELFARE ALLOCATIONS COMMITTEE, AND
3 EVALUATION GROUP; UPDATE THE DATA USED IN THE MODEL; AND
4 DELIVER THE RESULTS OF THE MODEL TO THE CHILD WELFARE
5 ALLOCATIONS COMMITTEE, STATE DEPARTMENT, AND JOINT BUDGET
6 COMMITTEE; AND

7 (b) ON OR BEFORE MARCH 31 OF EACH OTHER YEAR OF THE
8 AGREEMENT, MODIFY THE FUNDING MODEL TO BE USED FOR THE NEXT
9 FISCAL YEAR IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE CHILD
10 WELFARE ALLOCATIONS COMMITTEE MADE PURSUANT TO SUBSECTION (7)
11 OF THIS SECTION, UPDATE THE DATA USED IN THE MODEL, AND DELIVER
12 THE RESULTS OF THE MODEL TO THE CHILD WELFARE ALLOCATIONS
13 COMMITTEE, STATE DEPARTMENT, AND JOINT BUDGET COMMITTEE.

14 **SECTION 3.** In Colorado Revised Statutes, 26-5-103.5, **amend**
15 (1), (2)(a), (2)(c) introductory portion, (2)(c)(III), and (3); **repeal** (4) and
16 (7); and **add** (4.5) as follows:

17 **26-5-103.5. Child welfare allocations committee - organization**
18 **- duties - funding model - definition - repeal.** (1) The state department
19 shall convene a child welfare allocations committee ~~referred to in this~~
20 ~~section as the "committee"~~, as necessary in order to PERFORM THE DUTIES
21 DESCRIBED IN THIS SECTION AND make advisory recommendations as
22 described in this article 5.

23 (2) (a) The CHILD WELFARE ALLOCATIONS committee consists of
24 thirteen members, ten of whom must be appointed by county
25 commissioners and three of whom must be appointed by the state
26 department, and the CHILD WELFARE ALLOCATIONS committee consists of
27 two nonvoting members who must be appointed by the state department.

1 (c) Of the members appointed by county commissioners, only one
2 representative per county may serve on the CHILD WELFARE ALLOCATIONS
3 committee at the same time, and:

4 (III) Two members must be representatives from the two counties
5 in the state with the greatest percentage of the state's child welfare
6 caseload. County commissioners in the two counties with the greatest
7 percentage of the state's child welfare caseload shall each appoint one
8 member from their counties to serve on the CHILD WELFARE ALLOCATIONS
9 committee.

10 (3) The CHILD WELFARE ALLOCATIONS committee shall develop its
11 own operating procedures.

12 ~~(4) No later than January 15, 1999, the state department, with~~
13 ~~input from the committee, shall make recommendations to the joint~~
14 ~~budget committee of the general assembly for a definition of what~~
15 ~~constitutes administration and support functions as referred to in section~~
16 ~~26-5-101 (3)(m) and a method for identifying costs for such functions.~~

17 (4.5) (a) ON OR BEFORE AUGUST 1, 2021, AND ON OR BEFORE
18 AUGUST 1 OF EACH YEAR THEREAFTER, THE CHILD WELFARE ALLOCATIONS
19 COMMITTEE SHALL IDENTIFY COMPONENTS OF THE FUNDING MODEL THAT
20 SHOULD BE EVALUATED BY THE FUNDING MODEL EVALUATION GROUP
21 PURSUANT TO SECTION 26-5-103.7.

22 (b) IN ORDER TO ENSURE THE INTEGRITY OF THE FUNDING MODEL
23 DESCRIBED IN SECTION 26-5-103.7, ON OR BEFORE SEPTEMBER 1, 2021,
24 AND ON OR BEFORE SEPTEMBER 1 OF EACH YEAR THEREAFTER, THE CHILD
25 WELFARE ALLOCATIONS COMMITTEE SHALL:

26 (I) ESTABLISH EXPECTATIONS FOR GATHERING AND USING DATA IN
27 THE FUNDING MODEL TO ENSURE CONSISTENCY WITHIN THE FUNDING

1 MODEL;

2 (II) IDENTIFY COUNTY TRAINING AND CAPACITY NEEDS TO ENSURE
3 INTEGRITY OF THE DATA COLLECTED AND USED IN THE COLORADO
4 TRAILS CASE MANAGEMENT SYSTEM AND COUNTY FINANCIAL
5 MANAGEMENT SYSTEMS; AND

6 (III) DEVELOP STRATEGIES AND RECOMMEND CHANGES TO DATA
7 SYSTEMS THAT SUPPORT THE FUNDING MODEL AND TO FINANCIAL POLICIES
8 AND PRACTICES TO ENSURE THAT APPROPRIATE, CONSISTENT, AND
9 ACCURATE DATA CAN BE USED TO INFORM THE FUNDING MODEL.

10 (c) THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL PROVIDE
11 INPUT TO THE STATE DEPARTMENT CONCERNING THE MEASUREMENTS AND
12 METRICS FOR COUNTIES TO RECEIVE INCENTIVES RECOMMENDED BY THE
13 DELIVERY OF CHILD WELFARE SERVICES TASK FORCE MADE PURSUANT TO
14 SECTION 26-5-105.8.

15 (d) THE CHILD WELFARE ALLOCATIONS COMMITTEE SHALL ALSO
16 PERFORM ANY DUTIES REQUIRED IN SECTION 26-5-103.7 RELATED TO THE
17 CHILD WELFARE ALLOCATIONS FUNDING MODEL.

18 ~~(7) (a) Beginning with state fiscal year 2018-19, and every three~~
19 ~~years thereafter, the state department shall contract with an outside entity~~
20 ~~to develop a funding model that must be used to inform the committee,~~
21 ~~the general assembly, the governor, and the state department of the~~
22 ~~appropriate level of funding required to fully meet all state and federal~~
23 ~~requirements concerning the comprehensive delivery of child welfare~~
24 ~~services, as defined in section 26-5-101 (3). The funding model must take~~
25 ~~into consideration workload; demographic data, including poverty~~
26 ~~statistics; and state and local economic drivers that may influence the~~
27 ~~delivery of services. The funding model developed pursuant to this~~

1 subsection (7) must be informed by the recommendations of the delivery
2 of child welfare services task force as set forth in section 26-5-105.8 and
3 must be used to inform the decision-making process of the committee.

4 (b) (I) ~~On or before November 1, 2019, and each November 1~~
5 ~~thereafter, the state department, in collaboration with the committee, shall~~
6 ~~submit an annual report to the joint budget committee, or any successor~~
7 ~~committee. The report must include the results of regular evaluations of~~
8 ~~the funding model developed pursuant to subsection (7)(a) of this section,~~
9 ~~the allocation formulas developed pursuant to section 26-5-104 (3), and~~
10 ~~outcomes and performance measures related to the delivery of child~~
11 ~~welfare services, pursuant to section 26-5-105.8.~~

12 (H) ~~Notwithstanding section 24-1-136 (11)(a)(I), the reporting~~
13 ~~requirement in subsection (7)(b)(I) of this section continues indefinitely.~~

14 **SECTION 4.** In Colorado Revised Statutes, 26-5-105.8, **amend**
15 (1)(c), (1)(h), and (5); and **add** (4.5) as follows:

16 **26-5-105.8. Delivery of child welfare services task force -**
17 **creation - duties - membership - reporting requirements - repeal.**

18 (1) There is created in the state department the delivery of child welfare
19 services task force, referred to in this section as the "task force". The state
20 department, in collaboration with counties, shall convene the task force
21 at least once per quarter, beginning July 1, 2018. The purpose of the task
22 force is to:

23 (c) Establish performance and outcome measures and the process
24 by which to evaluate the measures associated with the delivery of child
25 welfare services, including but not limited to residential out-of-home
26 placements; foster care; adoption; and services to children and youth in
27 their own homes, including prevention and intervention services, and

1 determine how the measures and evaluation will be used to inform the
2 funding model described in ~~section 26-5-103.5 (7)(a)~~ SECTION 26-5-103.7
3 and the allocation of funds pursuant to section 26-5-104 (3);

4 (h) Make recommendations to the ~~general assembly~~ JOINT BUDGET
5 COMMITTEE, the governor, the state department, and the child welfare
6 allocations committee concerning the task force's responsibilities and
7 findings.

8 (4.5) ON OR BEFORE JULY 31, 2022, THE TASK FORCE SHALL
9 REPORT TO THE FUNDING MODEL EVALUATION GROUP ESTABLISHED IN
10 SECTION 26-5-103.7 ITS RECOMMENDATIONS FOR INCLUDING IN THE CHILD
11 WELFARE SERVICES FUNDING MODEL DESCRIBED IN SECTION 26-5-103.7
12 PERFORMANCE AND OUTCOME MEASURES AND OUTCOME-BASED
13 INCENTIVES RELATED TO THE STABILITY AND WELL-BEING OF CHILDREN
14 WHO RECEIVE CHILD WELFARE SERVICES. THE TASK FORCE MAY PROVIDE
15 UPDATED RECOMMENDATIONS TO THE EVALUATION GROUP PRIOR TO THE
16 REPEAL OF THIS SECTION.

17 (5) This section is repealed, effective June 30, ~~2022~~ 2023.

18 **SECTION 5. Appropriation.** For the 2021-22 state fiscal year,
19 \$250,000 is appropriated to the department of human services for use by
20 the division of child welfare. This appropriation is from the general fund.
21 To implement this act, the division may use this appropriation for the
22 county child welfare workload study.

23 **SECTION 6. Safety clause.** The general assembly hereby finds,
24 determines, and declares that this act is necessary for the immediate
25 preservation of the public peace, health, or safety.