

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0503.01 Michael Dohr x4347

HOUSE BILL 24-1223

HOUSE SPONSORSHIP

Willford and Garcia,

SENATE SPONSORSHIP

Cutter,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE IMPROVEMENT OF PROGRAMS THAT BENEFIT**
102 **WORKING FAMILIES.**

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 overhauls the Colorado child care assistance program (CCCAP). The bill simplifies the application process by:

- Creating a universal application;
- Limiting the application information to only what is necessary to determine eligibility;
- Prohibiting counties from adding additional eligibility

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

- requirements; and
● When applying for redetermination, requiring the recipients to provide only information that has changed.

The bill creates presumptive eligibility for 90 days when basic federal requirements are met that are verified through self-attestation. Income qualifications are changed to correspond with universal preschool program requirements. A county may exclude state and federal assistance program income eligibility guidelines in eligibility determinations.

An employee of a child care provider may apply to the CCCAP and be granted full benefits for children from 6 weeks of age to 13 years of age, regardless of the employee's income.

The bill directs that child care providers be paid based on enrollment and not on attendance and be paid a weekly rate in advance. Employers are permitted to cover copayments, and copayments are limited to 7% of a family's income. The bill authorizes grants and contracts for underserved populations.

The bill lists the crimes that disqualify a child care provider from becoming qualified as license-exempt. Family child care home providers are included as eligible providers.

A CCCAP recipient is required to engage in an eligible activity to receive benefits. The bill includes substance use disorder treatment programs, job training, and education activities as eligible activities.

The department of early childhood education (department) is directed to evaluate the costs and benefits of a statewide reimbursement process.

The bill directs the department to administer the child and adult care food program (CACFP). A participant's eligibility for CACFP must not be based on being qualified as exempt in CCCAP. The department shall develop, implement, and oversee an alternative eligibility process for participation in CACFP that is specifically tailored for license-exempt family, friend, or neighbor providers.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) Colorado has been committed to reducing the burdens placed
5 on families seeking child care assistance and child care providers serving
6 children through the Colorado child care assistance program;

7 (b) Currently, there are too many families who need child care and

1 do not have access, and this problem is especially acute for families in
2 under-resourced neighborhoods;

3 (c) Federal funding from the American Rescue Plan Act infused
4 an unprecedented amount of money into Colorado's child care system and
5 created additional policy flexibility that provided stability and access for
6 families across the state; and

7 (d) Administrative burdens serve as unnecessary hurdles for
8 families to access the child care they need.

9 (2) Therefore, the general assembly determines it is necessary to:

10 (a) Make the recent policy changes made as a result of the
11 American Rescue Plan Act permanent;

12 (b) Simplify the application process for applying for child care
13 assistance;

14 (c) Authorize presumptive eligibility for child care assistance;

15 (d) Increase affordability of child care; and

16 (e) Improve payment practices to increase provider financial
17 stability.

18 **SECTION 2.** In Colorado Revised Statutes, 26.5-1-110, **add** (3)
19 as follows:

20 **26.5-1-110. Unified application - child care, services, and**
21 **education.** (3) A COUNTY DEPARTMENT SHALL NOT ADD ADDITIONAL
22 REQUIRED ELIGIBILITY CRITERIA TO THE APPLICATION OR
23 REDETERMINATION PROCESS.

24 **SECTION 3.** In Colorado Revised Statutes, 26.5-4-103, **amend**
25 (1); and **add** (1.5) and (3.5) as follows:

26 **26.5-4-103. Definitions.** As used in this part 1, unless the context
27 otherwise requires:

1 (1) ~~"Child care assistance program" or "CCCAP" means the public~~
2 ~~assistance program for child care known as the Colorado child care~~
3 ~~assistance program established in this part~~ † "APPLICANT" MEANS AN
4 INDIVIDUAL OR A FAMILY WHO SUBMITS AN APPLICATION TO THE
5 COLORADO CHILD CARE ASSISTANCE PROGRAM.

6 (1.5) "CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP" MEANS
7 THE PUBLIC ASSISTANCE PROGRAM FOR CHILD CARE KNOWN AS THE
8 COLORADO CHILD CARE ASSISTANCE PROGRAM ESTABLISHED IN THIS PART
9 1.

10 (3.5) "CUSTOMER SERVICE" MEANS ACTIVITIES THAT PROVIDE
11 ONE-ON-ONE SUPPORT FOR FAMILIES IN SUBMITTING APPLICATIONS AND
12 NAVIGATING SERVICES, AND PROVIDING ACCESS TO TRANSPARENT AND
13 EASY-TO-UNDERSTAND CONSUMER EDUCATION RESOURCES FOR THE
14 COLORADO CHILD CARE ASSISTANCE PROGRAM AND OTHER COUNTY
15 HUMAN SERVICES-ADMINISTERED PUBLIC BENEFIT PROGRAMS.

16 **SECTION 4.** In Colorado Revised Statutes, 26.5-4-106, **amend**
17 (1)(b), (1)(c) introductory portion, (1)(c)(II), (2)(a), and (2)(c); and **add**
18 (1)(d), (1.5), and (6) as follows:

19 **26.5-4-106. Applications for child care assistance -**
20 **applications for child care employees - verification - award - not**
21 **assignable - limitation - rules.** (1) (b) **WITHOUT CREATING A NEW**
22 **INFORMATION TECHNOLOGY SYSTEM,** the department rules **may** MUST
23 provide for a simplified STATEWIDE UNIVERSAL application ~~in order that~~
24 so child care assistance may be furnished to eligible persons as soon as
25 possible and ~~shall~~ MUST provide adequate safeguards and controls to
26 ensure that only eligible persons receive child care assistance ~~under~~
27 PURSUANT TO this part 1. **THE DEPARTMENT AND A COUNTY DEPARTMENT**

1 SHALL PUBLICLY DISCLOSE OR PUBLICIZE INCOME ELIGIBILITY LEVELS BY
2 INCOME PERCENTAGE AND BY MONTHLY INCOME FOR FAMILIES TO USE
3 BEFORE APPLYING. The unified application ~~that the~~ DEVELOPED BY THE
4 department ~~develops~~ pursuant to section 26.5-1-110 must at some point
5 include application for child care assistance through CCCAP.

6 (c) A person seeking child care assistance ~~must~~ SHALL submit an
7 application in accordance with department rule, and the department shall
8 ensure that the application is routed to the applicant's county of residence.
9 EARLY CARE AND EDUCATION PROVIDERS AND EMPLOYEES OF EARLY CARE
10 AND EDUCATION PROVIDERS WHO ARE SEEKING CHILD CARE ASSISTANCE
11 SHALL ALSO SUBMIT AN APPLICATION INDICATING THEIR ELIGIBILITY AS A
12 PROVIDER IN ACCORDANCE WITH SUBSECTION (1.5) OF THIS SECTION. An
13 application for child care assistance must:

14 (II) ~~Include the name, age, and residence of the applicant and a~~
15 ~~statement of the amount of property, both real and personal, in which the~~
16 ~~applicant has an interest and of all income the applicant may have at the~~
17 ~~time of the filing of the application~~ THE APPLICANT'S CURRENT RESIDENCY
18 AND NAME OF THE APPLICANT; THE AGE AND NAME OF THE CHILD OR
19 CHILDREN FOR WHOM CARE IS REQUESTED; LOW-INCOME ELIGIBLE
20 ACTIVITY; INCOME; ■ INCAPACITATION, IF APPLICABLE; and such other
21 information as may be required by department rule ~~and~~ THAT IS
22 NECESSARY TO DETERMINE ELIGIBILITY. THE DEPARTMENT SHALL NOT
23 REQUEST THAT THE APPLICANT PROVIDE IMMUNIZATION HISTORY, EXCEPT
24 WHEN UTILIZING CHILD CARE THAT IS PROVIDED OUTSIDE OF THE CHILD'S
25 HOME BY A NON-RELATIVE QUALIFIED LICENSE-EXEMPT PROVIDER.
26 CUSTODY ARRANGEMENTS SHALL NOT BE INCLUDED ON THE APPLICATION
27 OR OTHERWISE COLLECTED TO DETERMINE ELIGIBILITY FOR CCCAP. THE

1 COUNTY DEPARTMENT MAY REQUEST, BUT SHALL NOT REQUIRE,
2 INFORMATION ON CHILD CARE PROVIDER SELECTION AT THE TIME OF
3 APPLICATION.

4 (d) A COUNTY DEPARTMENT SHALL NOT ADD ADDITIONAL
5 ELIGIBILITY OR REDETERMINATION CRITERIA OR PROCESSES, SUCH AS AN
6 INTERVIEW OR ORIENTATION, TO THE APPLICATION.

7 (1.5) (a) THE DEPARTMENT AND COUNTY DEPARTMENTS SHALL
8 INCLUDE A QUESTION ON THE APPLICATION FOR SELF-ATTESTATION BY
9 FULL-TIME EARLY CARE AND EDUCATION PROVIDERS AND FULL-TIME
10 EMPLOYEES OF EARLY CARE AND EDUCATION PROVIDERS.

11 (b) IF THE COUNTY DEPARTMENT VERIFIES THAT THE APPLICANT IS
12 AN EARLY CARE AND EDUCATION PROVIDER OR AN EMPLOYEE OF AN
13 EARLY CARE AND EDUCATION PROVIDER AND THE PROVIDER FACILITY
14 ACCEPTS CCCAP PAYMENT, THE COUNTY DEPARTMENT SHALL PROVIDE
15 CHILD CARE ASSISTANCE PROGRAM BENEFITS THROUGH CCCAP TO THE
16 APPLICANT FOR ANY CHILD FROM SIX WEEKS OF AGE TO THIRTEEN YEARS
17 OF AGE AS LONG AS THE APPLICANT REMAINS EMPLOYED WITH A
18 PROVIDER.

19 (c) THE COUNTY DEPARTMENT SHALL DETERMINE WHETHER AN
20 EARLY CARE AND EDUCATION PROVIDER OR EMPLOYEES OF EARLY CARE
21 AND EDUCATION PROVIDERS ARE ELIGIBLE FOR CCCAP UNDER FEDERAL
22 ELIGIBILITY GUIDELINES. FOR EARLY CARE AND EDUCATION PROVIDERS OR
23 EMPLOYEES OF EARLY CARE AND EDUCATION PROVIDERS THAT ARE NOT
24 ELIGIBLE BASED ON FEDERAL ELIGIBILITY GUIDELINES, ONLY STATE AND
25 LOCAL FUNDING MAY BE USED TO PROVIDE FULL CHILD CARE ASSISTANCE
26 TO THE APPLICANT FOR ANY CHILD FROM SIX WEEKS TO THIRTEEN YEARS
27 OF AGE.

1 (2)(a) When a county department receives an application for child
2 care assistance, it shall promptly make a record concerning the
3 circumstances of the applicant to verify the facts supporting the
4 application and shall examine all pertinent records. ~~and shall make a~~
5 ~~diligent effort to examine all records prior to granting assistance.~~ The
6 county department shall also verify ~~such~~ ANY other information ~~as may~~
7 ~~be~~ required by department rule.

8 (c) ~~If the information is reasonably available,~~ ON OR BEFORE JULY
9 1, 2026, the county department shall ~~complete~~ PRESUME ELIGIBILITY FOR
10 ALL APPLICANTS THROUGH A MINIMUM ELIGIBILITY VERIFICATION PROCESS
11 IF APPLICANTS ARE IN AN ELIGIBLE ACTIVITY AND INCOME-ELIGIBLE. THE
12 COUNTY SHALL APPROVE OR CONTINUE CHILD CARE ASSISTANCE WHILE
13 COMPLETING the verification ~~before approving or continuing child care~~
14 ~~assistance~~ FOR UP TO THREE MONTHS OR UNTIL ELIGIBILITY IS
15 DETERMINED, WHICHEVER IS EARLIER.

16 (6) THE EXECUTIVE DIRECTOR SHALL PROMULGATE RULES FOR THE
17 IMPLEMENTATION OF THIS SECTION.

18 **SECTION 5.** In Colorado Revised Statutes, 26.5-4-107, **amend**
19 (1) as follows:

20 **26.5-4-107. Reconsideration and changes.** (1) A county
21 department shall reconsider child care assistance awarded pursuant to this
22 part 1 as frequently as and in the manner required by department rules.
23 After ~~such~~ further verification and record as the county department ~~may~~
24 ~~deem~~ DEEMS necessary or department rules may require, the amount of
25 child care assistance provided may be changed ~~or child care assistance~~
26 ~~may be~~ OR terminated, if the department or the county department finds
27 that the recipient's circumstances have altered sufficiently to warrant such

1 action or if changes in state or federal law have been made that would
2 warrant such action. A COUNTY DEPARTMENT SHALL ONLY REQUIRE AND
3 COLLECT ANY DOCUMENTATION THAT HAS CHANGED SINCE THE
4 RECIPIENT'S MOST RECENT APPLICATION OR REDETERMINATION PROCESS
5 AND THAT IS REQUIRED TO DETERMINE THE RECIPIENT'S CONTINUED
6 ELIGIBILITY.

7 SECTION 6. In Colorado Revised Statutes, 26.5-4-109, add (5)
8 and (6) as follows:

9 26.5-4-109. Provider rates - provider recruitment - provider
10 disqualification. (5) AN EARLY CARE AND EDUCATION PROVIDER IS
11 INELIGIBLE TO RECEIVE REIMBURSEMENT IF IT EMPLOYS A PERSON
12 CONVICTED OF:

- 13 (a) FELONY CHILD ABUSE, AS DESCRIBED IN SECTION 18-6-401;
- 14 (b) MURDER IN THE FIRST DEGREE, AS DESCRIBED IN SECTION
15 18-3-102; MURDER IN THE SECOND DEGREE, AS DESCRIBED IN SECTION
16 18-3-103; MANSLAUGHTER, AS DESCRIBED IN SECTION 18-3-104;
17 CRIMINALLY NEGLIGENT HOMICIDE, AS DESCRIBED IN SECTION 18-3-105;
18 OR VEHICULAR HOMICIDE, AS DESCRIBED IN SECTION 18-3-106;
- 19 (c) KIDNAPPING IN THE FIRST OR SECOND DEGREE, AS DESCRIBED
20 IN SECTIONS 18-3-301 AND 18-3-302; OR FELONY FALSE IMPRISONMENT,
21 AS DESCRIBED IN SECTION 18-3-303;
- 22 (d) A FELONY CRIME OF VIOLENCE ENHANCER, AS DEFINED IN
23 SECTION 18-1.3-406 (2)(a)(I), EXCLUDING THE CONVICTION OF ESCAPE;
- 24 (e) AN OFFENSE INVOLVING UNLAWFUL SEXUAL BEHAVIOR, AS
25 DEFINED IN SECTION 16-22-102 (9), INCLUDING SEXUAL EXPLOITATION OF
26 A CHILD, HUMAN TRAFFICKING FOR SEXUAL SERVITUDE, AND HUMAN
27 TRAFFICKING OF A MINOR FOR SEXUAL SERVITUDE;

1 (f) A FELONY, THE UNDERLYING FACTUAL BASIS OF WHICH HAS
2 BEEN FOUND BY A COURT TO INCLUDE AN ACT OF DOMESTIC VIOLENCE, AS
3 DEFINED IN SECTION 18-6-800.3 (1), WITHIN THE PRECEDING FIVE YEARS;

4 (g) A FELONY INVOLVING PHYSICAL ASSAULT, AS DESCRIBED IN
5 SECTION 18-3-202 OR 18-3-203, WITHIN THE PRECEDING FIVE YEARS;

6 (h) A PATTERN OF MISDEMEANOR CONVICTIONS RELATED TO
7 DOMESTIC VIOLENCE WITHIN THE PRECEDING FIVE YEARS; OR

8 (i) AN OFFENSE IN ANY OTHER STATE, THE ELEMENTS OF WHICH
9 ARE SUBSTANTIALLY SIMILAR TO THE ELEMENTS OF ANY ONE OF THE
10 OFFENSES DESCRIBED IN SUBSECTIONS (5)(a) TO (5)(i) OF THIS SECTION.

11 (6) THE DEPARTMENT SHALL CREATE A PROCESS FOR AN
12 UNLICENSED PROVIDER TO SEEK LICENSE-EXEMPT STATUS AND
13 ESTABLISHMENT AS AN ELIGIBLE CCCAP PROVIDER SEPARATE AND
14 DISTINCT FROM THE PARENT-INITIATED PROCESS.

15 **SECTION 7.** In Colorado Revised Statutes, 26.5-4-111, **amend**
16 (1), (2)(a), (4)(a)(I), (4)(b), (4)(c), (7)(d), and (12)(a); and **add** (15) as
17 follows:

18 **26.5-4-111. Services - eligibility - assistance provided - waiting**
19 **lists - rules - exceptions from cooperating with child support**
20 **establishment.** (1) Subject to available appropriations and pursuant to
21 department rules promulgated for the implementation of this part 1, a
22 county shall provide child care assistance to a participant or any person
23 or family whose income is not more than one hundred eighty-five percent
24 of the federal poverty level. FOR PURPOSES OF DETERMINING OR
25 REDETERMINING ELIGIBILITY FOR CHILD CARE ASSISTANCE, A COUNTY
26 SHALL EXCLUDE FROM THE DEFINITION OF INCOME PAYMENTS MADE TO A
27 FAMILY FROM ANY UNRESTRICTED CASH ASSISTANCE PROGRAM

1 ADMINISTERED BY A GOVERNMENT, INTERMEDIARY, NONPROFIT, OR
2 CORPORATE ENTITY. Subject to available appropriations and as necessary
3 to comply with federal law or to align eligibility across early care and
4 education programs specifically to meet the early care and education,
5 income security, and child welfare needs of similar populations and as
6 allowed by federal regulations, the executive director by rule may adjust
7 the percentage of the federal poverty level used to determine child care
8 assistance eligibility and shall revise income and verification
9 requirements that promote alignment and simplification WITH THE
10 COLORADO UNIVERSAL PRESCHOOL PROGRAM.

11 (2) (a) A county may provide child care assistance for any family
12 whose income at initial determination exceeds the requirements of
13 subsection (1) of this section but does not exceed the maximum federal
14 level for eligibility for services of eighty-five percent of the state median
15 income for a family of the same size if it is serving all eligible families
16 who have applied for CCCAP and whose income level is below that
17 requirement. A COUNTY SHALL EXCLUDE STATE AND FEDERAL ASSISTANCE
18 PROGRAM INCOME IN ELIGIBILITY DETERMINATIONS.

19 (4) (a) (I) A recipient of child care assistance through CCCAP is
20 responsible for paying a portion of the recipient's child care costs based
21 upon the recipient's income and the formula developed by department
22 rule. THE DEPARTMENT AND COUNTIES SHALL PROVIDE PARENT FEE
23 INFORMATION IN A VARIETY OF DISSEMINATION METHODS SUCH AS
24 WEBSITES, INCLUDING THE COLORADO SHINES WEBSITE, MASS MEDIA,
25 PAPER FORMS AND BROCHURES, AND TARGETED OUTREACH. THE
26 INFORMATION MUST INCLUDE A CLEAR DEFINITION OF THE PARENT FEE;
27 HOW PARENT FEES ARE CALCULATED; PARENT FEE POLICIES, SUCH AS

1 WHEN THEY MUST BE PAID; THE PARENT FEE AND SLIDING FEE SCALE; HOW
2 PARENTS AND PROVIDERS WERE ENGAGED IN THE PROCESS FOR
3 DETERMINING THE PARENT FEE AND SLIDING FEE SCALE; AND A
4 DESCRIPTION OF HOW PARENT FEES MIGHT DIFFER BASED ON THE PROVIDER
5 THAT A FAMILY SELECTS. PARENT FEE SLIDING SCALES SHOULD BE
6 PRESENTED IN A CLEAR, ACCESSIBLE FORMAT. THE INFORMATION MUST
7 ALSO BE ACCESSIBLE IN LANGUAGES IN ADDITION TO ENGLISH AND
8 SPANISH, BASED ON THE POPULATIONS THE DEPARTMENT AND COUNTIES
9 SERVE.

10 (b) The executive director by rule shall establish, and at least
11 every five years review and revise, as appropriate, a copayment schedule
12 so that the copayment gradually increases as the family income
13 approaches self-sufficiency income levels, BUT MUST BE NO GREATER
14 THAN SEVEN PERCENT OF THE FAMILY'S GROSS MONTHLY INCOME ON OR
15 BEFORE JULY 1, 2026, REGARDLESS OF THE NUMBER OF CHILDREN IN CARE,
16 AS DETERMINED BASED ON ONE MONTH OF INCOME, UNLESS ONE MONTH
17 OF INCOME DOES NOT PROVIDE AN ACCURATE INDICATION OF ANTICIPATED
18 INCOME, IN WHICH CASE THE COUNTY MAY USE EVIDENCE OF UP TO THE
19 MOST RECENT TWELVE MONTHS OF INCOME; HOWEVER, IF A FEDERAL RULE
20 LIMITS COPAYMENTS TO LESS THAN SEVEN PERCENT OF THE FAMILY'S
21 GROSS MONTHLY INCOME, THE DEPARTMENT SHALL IMMEDIATELY COMPLY
22 WITH THE FEDERAL LIMIT. This revised copayment schedule should allow
23 families to retain a portion of their increases in income.

24 (c) A participant who is employed shall pay a portion of the
25 participant's income for child care assistance under CCCAP. The
26 participant's required copayment pursuant to the provisions of this
27 subsection (4)(c) ~~must be~~ IS determined by a formula established by

1 department rule that takes into consideration the factors set forth in
2 subsections (4)(a) and (4)(b) of this section. THE PARTICIPANT'S
3 EMPLOYER MAY PAY THE PARTICIPANT'S COPAYMENT AT THE
4 PARTICIPANT'S COPAYMENT RATE.

5 (7) (d) ~~Subject to available appropriations and~~ Pursuant to
6 department rules promulgated for the implementation of this part 1, a
7 parent who is enrolled in a postsecondary education program or a
8 workforce training program is eligible for CCCAP for at least any two
9 years of the postsecondary education or workforce training program,
10 provided all other CCCAP eligibility requirements are met during those
11 two years. On and after ~~July 1, 2023~~ JULY 1, 2024, a county may ~~only~~ NOT
12 give priority for services to a working family over a family enrolled in
13 postsecondary education or workforce training. ~~if the county does not~~
14 ~~have sufficient funding and has received approval from the department~~
15 ~~before implementing the prioritization.~~

16 (12) Each county:

17 (a) Upon notification to counties by the department that the
18 relevant case management systems, including the Colorado child care
19 automated tracking system, are capable of accommodating this subsection
20 (12)(a), and pursuant to department rules, **ON OR BEFORE JULY 1, 2026**, in
21 addition to regular provider reimbursement rates, **THE COUNTY**
22 **DEPARTMENTS** shall pay providers for care in alignment with common
23 practices in the private market for child care, **INCLUDING PAYING**
24 **PROVIDERS A WEEKLY RATE FOR EACH CHILD BASED ON CHILD**
25 **ENROLLMENT IN ADVANCE OF THE PROVISION OF SERVICES.** The
26 department rules governing payment policies must allow daily
27 reimbursement rates only for drop-in child care, back-up child care, and

1 care that is commonly paid on a daily reimbursement basis in the PRIVATE
2 child care market and must incentivize providers to promote regular
3 program attendance. THE DEPARTMENT AND COUNTY DEPARTMENTS
4 SHALL UTILIZE GRANTS AND CONTRACTS FOR UNDERSERVED POPULATIONS,
5 INCLUDING CHILDREN IN UNDERSERVED GEOGRAPHIC AREAS, INFANTS AND
6 TODDLERS, CHILDREN WITH DISABILITIES, AND FAMILIES NEEDING
7 NONTRADITIONAL-HOUR CARE, TO IMPROVE EQUITABLE ACCESS FOR THESE
8 POPULATIONS. THE DEPARTMENT SHALL ANNUALLY EVALUATE DATA
9 REGARDING THE NUMBERS AND PERCENTAGES OF UNDERSERVED
10 POPULATIONS BEING SERVED BY CCCAP TO DETERMINE IF EQUITABLE
11 ACCESS IS IMPROVED OR ACHIEVED. A PROVIDER MAY BE REIMBURSED
12 MORE THAN THE PROVIDER'S ESTABLISHED PRIVATE PAY WHEN RECEIVING
13 THE STATE-ESTABLISHED PAYMENT RATES. THE EXECUTIVE DIRECTOR
14 SHALL PROMULGATE RULES FOR THE IMPLEMENTATION OF THIS
15 SUBSECTION (12).

16 (15) AN APPLICANT CAN SATISFY THE ELIGIBLE ACTIVITY CRITERIA
17 FOR UP TO ONE YEAR BY PARTICIPATING IN A SUBSTANCE USE DISORDER
18 TREATMENT. PARTICIPATION IN A NATIONALLY RECOGNIZED,
19 EVIDENCE-BASED SUBSTANCE USE DISORDER TREATMENT PROGRAM AT AN
20 INTENSIVE OUTPATIENT SERVICE LEVEL OF CARE OR HIGHER MUST BE
21 RECOGNIZED AS AN ELIGIBLE ACTIVITY FOR A WORKFORCE TRAINING
22 PROGRAM.

23 **SECTION 8.** In Colorado Revised Statutes, 26.5-4-115, **amend**
24 (1)(a) as follows:

25 **26.5-4-115. Performance contracts.** (1) (a) Each county, either
26 acting singly or with a group of counties, shall enter into an annual
27 performance contract with the department that identifies the county's or

1 group of counties' and the department's duties and responsibilities in
2 implementing the child care assistance program, INCLUDING QUALITY
3 CUSTOMER SERVICE TO CLIENTS. The performance contract must include,
4 but need not be limited to, requirements and provisions that address each
5 party's duties and responsibilities to work in a collaborative manner to
6 administer, financially support, and implement the child care assistance
7 program using fair and objective criteria.

8 **SECTION 9.** In Colorado Revised Statutes, **add 26.5-4-120** as
9 follows:

10 **26.5-4-120. Statewide reimbursement evaluation.** THE
11 DEPARTMENT SHALL CONDUCT OR CONTRACT FOR AN EVALUATION
12 DETAILING THE COSTS AND BENEFITS OF IMPLEMENTING A STATE LEVEL
13 REIMBURSEMENT PROCESS. THE EVALUATION MUST BE COMPLETED AND
14 REPORTED TO THE HOUSE OF REPRESENTATIVES EDUCATION COMMITTEE
15 AND THE SENATE EDUCATION COMMITTEE, OR THEIR SUCCESSOR
16 COMMITTEES, ON OR BEFORE DECEMBER 1, 2026.

17
18 **SECTION 10.** In Colorado Revised Statutes, **add 26.5-4-121** as
19 follows:

20 **26.5-4-121. Child and adult care food program feasibility**
21 **study.** (1) THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT
22 OF PUBLIC HEALTH AND ENVIRONMENT, SHALL CONDUCT OR CONTRACT
23 FOR A STUDY TO DETERMINE THE FEASIBILITY OF DE-LINKING ELIGIBILITY
24 FOR THE FEDERAL CHILD AND ADULT CARE FOOD PROGRAM FROM THE
25 COLORADO CHILD CARE ASSISTANCE PROGRAM. THE STUDY MUST
26 INCLUDE:

27 (a) RESEARCH ON ALTERNATIVE ELIGIBILITY PROCESSES FOR

1 PARTICIPATION IN THE FEDERAL CHILD AND ADULT CARE FOOD PROGRAM
2 THAT IS SPECIFICALLY TAILORED FOR LICENSE-EXEMPT FAMILY, FRIEND,
3 AND NEIGHBOR PROVIDERS, AS DESCRIBED IN SECTION 26.5-3-808; AND

4 (b) GUIDELINES AND BEST PRACTICES FOR THE IMPLEMENTATION
5 OF ALTERNATIVE ELIGIBILITY PROCESSES TO ENSURE ADEQUATE
6 OVERSIGHT WITHOUT CREATING UNDUE ADMINISTRATIVE BURDENS FOR
7 THE DEPARTMENT OR LICENSE-EXEMPT FAMILY, FRIEND, AND NEIGHBOR
8 PROVIDERS, WHILE ENSURING THE NUTRITIONAL WELL-BEING OF CHILDREN
9 IN THE PROVIDER'S CARE.

10 SECTION 11. **Safety clause.** The general assembly finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, or safety or for appropriations for
13 the support and maintenance of the departments of the state and state
14 institutions.