

HB1295\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.

HB22-1295 be amended as follows:

- 1 Amend printed bill, page 73, line 24, strike "seventeen" and substitute  
2 "~~seventeen~~ NINETEEN".
- 3 Page 74, after line 1, insert:  
4 "(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EARLY  
5 CHILDHOOD OR THE EXECUTIVE DIRECTOR'S DESIGNEE;"
- 6 Reletter succeeding paragraphs according.
- 7 Page 74, line 6, strike "two" and substitute "~~two~~ THREE".
- 8 Page 74, line 18, strike "(2)(d)" and substitute "~~(2)(d)~~ (2)(e)".
- 9 Page 237, lines 21 and 22, strike "In addition, some children are placed  
10 in facilities for residential care for their protection and well-being." and  
11 substitute "~~In addition, some children are placed in facilities for  
12 residential care for their protection and well-being.~~".
- 13 Page 253, line 9, strike "purpose;" and substitute "purpose, AS DEFINED IN  
14 DEPARTMENT RULE;"
- 15 Page 255, line 2, after "body that" insert "HAS HAD ITS LICENSE  
16 SUSPENDED PURSUANT TO SECTION 24-4-104 OR".
- 17 Page 255, line 3, strike "suspension or" and substitute "~~suspension or~~".
- 18 Page 274, strike lines 25 through 27.
- 19 Page 275, strike lines 1 through 18.
- 20 Page 288, line 21, strike "appeal, but that the" and substitute "appeal. ~~but  
21 that the entire appeals process shall last no more than one hundred  
22 calendar days after the date of the notice of denial of the waiver request.~~".
- 23 Page 288, strike lines 22 through 24.
- 24 Page 313, line 6, strike "3;" and substitute "3 OR ANY OF THE STANDARDS  
25 PRESCRIBED AND PUBLISHED IN DEPARTMENT RULE PURSUANT TO THIS  
26 PART 3;"
- 27 Page 317, line 2, strike "OF THE DEPARTMENT".

- 1 Page 317, lines 4 and 5, strike "PART 3 AND shall render his or her A  
2 recommendation to the" and substitute "shall render his or her  
3 ~~recommendation to~~ PART 3 AND ISSUE AN INITIAL DECISION. The".
- 4 Page 317, strike line 6 and substitute "~~of human services~~ who shall render  
5 the final decision of the department," and substitute "~~of human services~~  
6 ~~who shall render~~ SHALL REVIEW THE INITIAL DECISION AND ISSUE the final  
7 decision of the department."
- 8 Page 317, line 7, strike "and" and substitute "and", and strike "A" and  
9 substitute "A".
- 10 Page 323, strike lines 12 through 14 and substitute "MUST be before an  
11 administrative law judge, ~~of the department, who shall render his or her~~  
12 ~~recommendation to~~ WHO SHALL ISSUE AN INITIAL DECISION. The executive  
13 director ~~of the department who render~~ SHALL REVIEW THE INITIAL  
14 DECISION AND ISSUE the final decision of the department."
- 15 Page 360, line 7, after "BODY" insert "FOR WHICH THE LICENSE IS  
16 SUSPENDED PURSUANT TO SECTION 24-4-104 OR".
- 17 Page 360, line 8, strike "SUSPENSION OR".
- 18 Page 410, line 6, strike "9;" and substitute "9 OR ANY OF THE STANDARDS  
19 PRESCRIBED AND PUBLISHED IN DEPARTMENT RULE PURSUANT TO THIS  
20 PART 9;".
- 21 Page 430, line 10, strike "(2)(k), (2)(k.5)," and substitute "(2)(j.8), (2)(k),  
22 (2)(k.5), (2)(l),".
- 23 Page 430, line 11, strike "and (2)(y)" and substitute "(2)(s), (2)(y), and  
24 (2.5)(a)".
- 25 Page 431, line 18, strike "~~state department of human services~~" and  
26 substitute "state department of human services,".
- 27 Page 431, line 19, strike "CHILDHOOD" and substitute "CHILDHOOD,".
- 28 Page 432, after line 7, insert:  
29 "(j.8) The state department of human services OR DEPARTMENT OF  
30 EARLY CHILDHOOD investigating any person required to submit to a  
31 background check pursuant to section 26-6-705 (2), when the person has

1 given written authorization to the state department of human services OR  
2 DEPARTMENT OF EARLY CHILDHOOD to check records or reports of child  
3 abuse or neglect;"

4 Page 432, line 27, strike "services," and substitute "services OR  
5 DEPARTMENT OF EARLY CHILDHOOD,"

6 Page 433, line 8, after "services" insert "OR DEPARTMENT OF EARLY  
7 CHILDHOOD".

8 Page 433, after line 19 insert:

9 "(l) The state department of human services OR DEPARTMENT OF  
10 EARLY CHILDHOOD, when requested in writing by the department of  
11 education to check records or reports of child abuse or neglect for the  
12 purpose of aiding the department of education in its investigation of an  
13 allegation of abuse by an employee of a school district in this state.  
14 Within ten days of the department of education's request, the state  
15 department of human services OR DEPARTMENT OF EARLY CHILDHOOD  
16 shall provide the date of the report of the incident, the location of  
17 investigation, the type of abuse or neglect, and the county ~~which~~ THAT  
18 investigated the incident contained in the confirmed reports of child abuse  
19 or neglect. The department of education ~~shall be~~ IS subject to the fee  
20 assessment established in subsection (2.5) of this section. Any employee  
21 of the department of education who releases any information obtained  
22 under this ~~paragraph (l)~~ SUBSECTION (2)(l) to any person not authorized  
23 to receive ~~such~~ THE information pursuant to the provisions of section  
24 22-32-109.7 C.R.S., or any member of the board of education of a school  
25 district who releases ~~such~~ THE information obtained pursuant to said  
26 section ~~shall be deemed to have violated~~ VIOLATES the provisions of  
27 subsection (4) of this section and ~~shall be~~ IS subject to the penalty ~~therefor~~  
28 FOR THE VIOLATION."

29 Page 434, after line 9, insert:

30 "(s) The state department of human services OR THE DEPARTMENT  
31 OF EARLY CHILDHOOD investigating a prospective CASA volunteer for the  
32 CASA program when the prospective CASA volunteer has given written  
33 authorization to the CASA program to check any records or reports of  
34 child abuse or neglect pursuant to section 19-1-205 (3)(a.5);"

35 Page 434, after line 15, insert:

36 "(2.5) **Fee - rules - records and reports fund.** (a) Any person or  
37 agency provided information from the state department of human services  
38 OR DEPARTMENT OF EARLY CHILDHOOD pursuant to subsections (2)(i),

1 (2)(k) to (2)(o), (2)(t), and (2)(y) of this section and any child placement  
2 agency must be assessed a fee that is established and collected by the state  
3 department of human services pursuant to parameters set forth in rule  
4 established by the state board of human services OR THE DEPARTMENT OF  
5 EARLY CHILDHOOD PURSUANT TO PARAMETERS SET FORTH IN RULE  
6 ESTABLISHED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
7 EARLY CHILDHOOD, WHICHEVER IS APPLICABLE. At a minimum, the rules  
8 must include a provision requiring the state department of human services  
9 OR DEPARTMENT OF EARLY CHILDHOOD, AS APPLICABLE, to provide notice  
10 of the fee to interested persons and the maximum fee amount that the  
11 department shall not exceed without the express approval of the state  
12 board of human services OR EXECUTIVE DIRECTOR OF THE DEPARTMENT  
13 OF EARLY CHILDHOOD, AS APPLICABLE. The fee established must not  
14 exceed the direct and indirect costs of administering subsections (2)(i),  
15 (2)(k) to (2)(o), (2)(t), and (2)(y) of this section and the direct and indirect  
16 costs of administering section 19-3-313.5 (3) and (4)."

17 Page 435, line 7, strike "(2)(m)" and substitute "(2)(m), (2)(ll), and  
18 (2)(mm); and **add** (2)(nn)".

19 Page 435, after line 13, insert:

20 (ll) Officials or employees of county departments of health,  
21 human services, or social services; ~~and~~  
22 (mm) Naturopathic doctor registered under article 250 of title 12;  
23 AND  
24 (nn) EMPLOYEES OF THE DEPARTMENT OF EARLY CHILDHOOD."

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