

CHAPTER 247

GOVERNMENT - STATE

HOUSE BILL 94-1005

BY REPRESENTATIVES Prinster, Anderson, Blue, Lyle, Martin, and Morrison;
also SENATORS Rizzuto, Traylor, Casey, Cassidy, Gallagher, Johnson, Mares, Martinez, Mendez, L. Powers, and Ruddick.

AN ACT

**CONCERNING THE CREATION OF A LOCAL SERVICE AREA RESTRUCTURING PROCESS FOR
RESTRUCTURING THE LOCAL ADMINISTRATION AND DELIVERY OF HUMAN SERVICES.**

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

SECTION 1. Article 1.7 of title 24, Colorado Revised Statutes, 1988 Repl. Vol.,
as amended, is amended BY THE ADDITION OF A NEW PART to read:

**PART 4
LOCAL HUMAN SERVICES RESTRUCTURING PROCESS**

24-1.7-401. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY
FINDS, DETERMINES, AND DECLARES THAT:

(a) A PROCESS FOR ASSESSMENT OF AND PLANNING FOR RESTRUCTURING THE
LOCAL DELIVERY OF HUMAN SERVICES MUST BE ESTABLISHED;

(b) THIS PROCESS MUST:

(I) IDENTIFY AND ADDRESS ISSUES DIRECTLY IMPACTING CONSUMERS;

(II) PROVIDE OPPORTUNITIES FOR CONSUMERS OF HUMAN SERVICES TO COMMENT
ON THE LOCAL DELIVERY OF HUMAN SERVICES; AND

(III) GIVE ADEQUATE CONSIDERATION TO THE COMMENTS OF CONSUMERS OF
HUMAN SERVICES;

(c) STATE AND LOCAL POLICYMAKERS AND HEALTH AND HUMAN SERVICES
ADMINISTRATORS RECOGNIZE THAT RESTRUCTURING THE HEALTH AND HUMAN

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing
statutes and such material not part of act.*

SERVICES DELIVERY SYSTEMS IN THIS STATE IS A MATTER OF STATEWIDE CONCERN.

(2) THE GENERAL ASSEMBLY THEREFORE FINDS, DETERMINES, AND DECLARES THAT IT IS APPROPRIATE TO DEVELOP AND IMPLEMENT THE LOCAL HUMAN SERVICES ASSESSMENT AND PLANNING PROCESS AS SET FORTH IN THIS PART 4.

24-1.7-402. Local delivery of human services - local assessment and planning process. (1) THE JOINT DEPARTMENTS, THE RESTRUCTURING STEERING COMMITTEE, AND THE GOVERNING BODY OF EACH COUNTY IN THE STATE SHALL COOPERATE AND COORDINATE TO CONDUCT A LOCAL ASSESSMENT IN AN EFFORT TO IDENTIFY AND RESTRUCTURE THE LOCAL DELIVERY OF HUMAN SERVICES, IF APPROPRIATE, AND PREPARE A LOCAL HUMAN SERVICES DELIVERY PLAN AS SET FORTH IN THIS PART 4.

(2) NOTHING IN THIS PART 4 SHALL BE CONSTRUED TO IMPLY OR REQUIRE THE EXPENDITURE OF ANY FUNDS IN ADDITION TO FUNDS RECEIVED FROM THE STATE, A COUNTY, OR THE FEDERAL GOVERNMENT OR THE PROVISION OF SERVICES BY COUNTIES OR COMMUNITY-BASED HUMAN SERVICES ORGANIZATIONS BEYOND THE SERVICES ESTABLISHED THROUGH ANY CONTRACTUAL AGREEMENT OR SERVICES REQUIRED BY ANY LOCAL, STATE, OR FEDERAL REGULATION OR STANDARD.

(3) EXCEPT AS PROVIDED IN SECTION 24-1.7-407 (3) (b), NOTHING IN THIS PART 4 SHALL BE CONSTRUED TO PREVENT LOCAL PLANNING COMMITTEES OR LOCAL GOVERNING BODIES FROM COMPLETING AND IMPLEMENTING A LOCAL ASSESSMENT OR A LOCAL HUMAN SERVICE DELIVERY PLAN IN ADVANCE OF THE DEADLINES SET FORTH IN THIS PART 4.

24-1.7-403. Local planning area - identification. (1) WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS PART 4, THE GOVERNING BODY OF EVERY COUNTY IN THE STATE SHALL CONSULT WITH THE GOVERNING BODIES OF OTHER COUNTIES AS THEY DEEM APPROPRIATE FOR THE PURPOSE OF COOPERATIVELY IDENTIFYING AND DESIGNATING THE LOCAL PLANNING AREA WHICH WILL SERVE AS A BASIS FOR HUMAN SERVICES ASSESSMENT AND PLANNING IN SAID COUNTY OR COUNTIES. THE BOUNDARIES OF A LOCAL PLANNING AREA MAY BE MODIFIED AT ANY TIME UPON THE MUTUAL AGREEMENT OF THE GOVERNING BODIES OF ALL AFFECTED COUNTIES.

(2) THE LOCAL PLANNING AREA CREATED PURSUANT TO THIS SECTION SHALL BE CREATED SOLELY FOR THE PURPOSES OF LOCAL ASSESSMENT AND PLANNING. NOTHING IN THIS PART 4 SHALL BE CONSTRUED TO REQUIRE THAT ESTABLISHED SERVICE AREA DESIGNATIONS FOR HUMAN SERVICES SYSTEMS, SUCH AS COUNTY SOCIAL SERVICES, MENTAL HEALTH, ALCOHOL AND DRUG ABUSE, DEVELOPMENTAL DISABILITIES, YOUTH SERVICES, AND OTHER HUMAN SERVICES WITH ESTABLISHED SERVICE AREAS, BE CHANGED OR ALIGNED TO CONFORM WITH THE LOCAL PLANNING AREA SOLELY AS A RESULT OF THE CREATION OF THE LOCAL PLANNING AREA PURSUANT TO THIS SECTION.

24-1.7-404. Local planning committees - creation. (1) EACH LOCAL PLANNING COMMITTEE SHALL BE COMPOSED OF THE FOLLOWING:

(a) ONE REPRESENTATIVE OF THE GOVERNING BODY OF EACH COUNTY WITHIN THE LOCAL PLANNING AREA;

(b) ONE REPRESENTATIVE FROM THE COUNTY SOCIAL SERVICES SYSTEM IN EACH OF THE COUNTIES INCLUDED IN THE LOCAL PLANNING AREA;

(c) ONE REPRESENTATIVE OF A COUNTY DEPARTMENT OF HEALTH SERVING THE LOCAL PLANNING AREA;

(d) ONE REPRESENTATIVE OF A COMMUNITY CENTERED BOARD SERVING THE LOCAL PLANNING AREA;

(e) ONE REPRESENTATIVE OF A COMMUNITY MENTAL HEALTH CENTER SERVING THE LOCAL PLANNING AREA;

(f) ONE REPRESENTATIVE OF AN ALCOHOL AND DRUG ABUSE DIVISION PROVIDER SERVING THE LOCAL PLANNING AREA;

(g) ONE REPRESENTATIVE OF THE SCHOOL DISTRICTS OR BOARDS OF COOPERATIVE EDUCATION SERVICES SERVING THE LOCAL PLANNING AREA;

(h) ONE REPRESENTATIVE OF THE DIVISION OF YOUTH SERVICES SERVING THE LOCAL PLANNING AREA;

(i) ONE REPRESENTATIVE OF THE DIVISION OF REHABILITATION SERVING THE LOCAL PLANNING AREA;

(j) ONE REPRESENTATIVE OF THE LOCAL AREA AGENCY ON AGING SERVING THE LOCAL PLANNING AREA;

(k) ONE REPRESENTATIVE FROM A LOCAL HOME CARE PROVIDER SERVING THE LOCAL PLANNING AREA;

(l) ONE REPRESENTATIVE FROM A LOCAL NURSING HOME SERVING THE LOCAL PLANNING AREA;

(m) ONE REPRESENTATIVE FROM A LAW ENFORCEMENT AGENCY SERVING THE LOCAL PLANNING AREA;

(n) ONE REPRESENTATIVE FROM A LONG-TERM CARE SINGLE ENTRY POINT AGENCY SERVING THE LOCAL PLANNING AREA;

(o) ONE MEMBER REPRESENTING ALL MUNICIPALITIES WHICH CONTRIBUTE FINANCIAL RESOURCES FOR HUMAN SERVICES WITHIN THE LOCAL PLANNING AREA, IF APPROPRIATE;

(p) AT LEAST THREE CONSUMERS OF HUMAN SERVICES APPOINTED BY THE LOCAL GOVERNING BODY PURSUANT TO SUBSECTION (3) OF THIS SECTION;

(q) ONE REPRESENTATIVE OF A LOCAL AREA HUMAN SERVICES CONSUMER ADVOCACY AGENCY OR ORGANIZATION SELECTED BY THE LOCAL PLANNING COMMITTEE; AND

(r) ANY REPRESENTATIVES SELECTED BY THE LOCAL PLANNING COMMITTEE IN

ADDITION TO THOSE SPECIFIED IN THIS SUBSECTION (1) WITH SPECIAL CONSIDERATION GIVEN TO ADDING REPRESENTATIVES FROM AGENCIES OR ORGANIZATIONS ALREADY REPRESENTED IF THERE IS MORE THAN ONE AGENCY OR ORGANIZATION OF THE SAME TYPE WITHIN THE LOCAL PLANNING AREA.

(2) ALL MEMBERS OF THE LOCAL PLANNING COMMITTEE EXCEPT THE THREE CONSUMERS OF HUMAN SERVICES SHALL BE SELECTED BY THE AGENCY OR ORGANIZATION ENUMERATED. IN THE EVENT THAT THE MEMBERS ARE NOT SELECTED BY THE ENUMERATED AGENCY, THE LOCAL GOVERNING BODY OR GOVERNING BODIES WITHIN THE LOCAL PLANNING AREA SHALL SELECT THE MEMBER AS PROVIDED IN SUBSECTION (5) OF THIS SECTION.

(3) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 4, THE GOVERNING BODY OF EVERY COUNTY OR PORTION OF A COUNTY INCLUDED IN EACH LOCAL PLANNING AREA SHALL:

(a) IDENTIFY ALL PARTIES AND AGENCIES DESIGNATED AS MEMBERS OF THE LOCAL PLANNING COMMITTEE PURSUANT TO SUBSECTION (1) OF THIS SECTION AND NOTIFY THE PARTIES AND AGENCIES THAT LOCAL PLANNING COMMITTEE SELECTION MUST BE COMPLETED WITHIN THIRTY DAYS OF THE DATE OF THE LOCAL PLANNING COMMITTEE SELECTION NOTICE; AND

(b) POST A NOTICE TO CONSUMERS IN THE LOCAL PLANNING AREA THAT THREE CONSUMERS OF HUMAN SERVICES ARE NEEDED TO SERVE ON THE LOCAL PLANNING COMMITTEE, ACCEPT AND REVIEW APPLICATIONS AND NOMINATIONS FOR CONSUMER APPOINTMENTS TO THE LOCAL PLANNING COMMITTEE, AND APPOINT THE THREE CONSUMER MEMBERS. THE APPOINTMENT OF THE THREE CONSUMER MEMBERS SHALL BE COMPLETED WITHIN THIRTY DAYS OF THE DATE OF POSTING THE NOTICE TO CONSUMERS.

(4) ALL MEMBERS OF THE LOCAL PLANNING COMMITTEE SHALL COOPERATE AND PARTICIPATE IN THE LOCAL ASSESSMENT AND PLANNING PROCESS. IF A MEMBER FAILS TO ATTEND THREE CONSECUTIVE MEETINGS OF THE LOCAL PLANNING COMMITTEE, THE COMMITTEE SHALL NOTIFY THE STATE OR LOCAL AUTHORITY WHICH IS UNDER CONTRACT WITH OR OTHERWISE PROVIDING FUNDING TO THE AGENCY OR ORGANIZATION WHICH THE MEMBER REPRESENTS AND SHALL REQUEST THAT THE AUTHORITY INTERVENE TO URGE THE AGENCY OR ORGANIZATION TO APPOINT A COOPERATIVE AND PARTICIPATING MEMBER TO THE LOCAL PLANNING COMMITTEE. IF, AFTER INTERVENTION BY THE STATE OR LOCAL AUTHORITY, THE MEMBER FAILS TO ATTEND THREE ADDITIONAL CONSECUTIVE MEETINGS, THE COMMITTEE MAY SUBMIT A WRITTEN REQUEST TO THE GOVERNING BODY OR GOVERNING BODIES OF THE LOCAL PLANNING AREA, AND THE GOVERNING BODY OR GOVERNING BODIES SHALL REMOVE THE MEMBER AND APPOINT A QUALIFIED PERSON TO SERVE ON THE COMMITTEE AS SET FORTH IN SUBSECTION (5) OF THIS SECTION. THE LACK OF PARTICIPATION BY ANY MEMBER, AGENCY, OR ORGANIZATION SHALL NOT DELAY OR IMPEDE THE ASSESSMENT PROCESS OR DEVELOPMENT OF A LOCAL HUMAN SERVICES DELIVERY PLAN BY A LOCAL PLANNING COMMITTEE.

(5) IN THE EVENT THAT THE MEMBERS OF THE LOCAL PLANNING COMMITTEE ARE NOT SELECTED BY THE ENUMERATED AGENCIES OR PROVIDERS ON OR BEFORE THIRTY DAYS FROM THE DATE OF THE LOCAL PLANNING COMMITTEE SELECTION NOTICE OR IN

THE EVENT THE COUNTY GOVERNING BODY OR GOVERNING BODIES INCLUDED IN THE LOCAL PLANNING AREA RECEIVE A REQUEST TO REMOVE A MEMBER FOR FAILURE TO ATTEND MEETINGS, THE COUNTY GOVERNING BODY OR GOVERNING BODIES INCLUDED IN THE LOCAL PLANNING AREA SHALL APPOINT A QUALIFIED REPRESENTATIVE TO THE LOCAL PLANNING COMMITTEE.

(6) ALL MEETINGS OF THE LOCAL PLANNING COMMITTEE SHALL BE OPEN TO THE PUBLIC, AND NOTICE OF MEETINGS SHALL BE PROVIDED TO LOCAL PLANNING COMMITTEE MEMBERS AND THE PUBLIC. ALL PERSONS ATTENDING SAID MEETINGS SHALL BE GIVEN AN OPPORTUNITY TO PROVIDE INPUT IN CONNECTION WITH THE LOCAL HUMAN SERVICES DELIVERY PLAN.

(7) NO MEMBER OF THE LOCAL PLANNING COMMITTEE SHALL BE HELD LIABLE EITHER JOINTLY, INDIVIDUALLY, OR AS AN AGENT OF THE AGENCY OR ORGANIZATION WHICH THE MEMBER REPRESENTS FOR ACTIONS TAKEN OR OMISSIONS MADE IN THE PERFORMANCE OF THE DUTIES OF A MEMBER OF THE LOCAL PLANNING COMMITTEE.

24-1.7-405. Assessment and planning - orientation program. (1) ON OR BEFORE JULY 1, 1994, THE JOINT DEPARTMENTS AND THE RESTRUCTURING STEERING COMMITTEE SHALL CREATE A PRELIMINARY ORIENTATION PROGRAM AND SUBMIT THE PRELIMINARY ORIENTATION PROGRAM TO THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE FOR REVIEW AND COMMENT AT A PUBLIC MEETING. THE JOINT DEPARTMENTS AND THE RESTRUCTURING STEERING COMMITTEE SHALL FINALIZE AND DISTRIBUTE THE PRELIMINARY ORIENTATION PROGRAM BASED ON THE COMMENTS AND INSTRUCTIONS OF THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE.

(2) THE ORIENTATION PROGRAM SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO, THE FOLLOWING:

(a) AN ORIENTATION PACKET WHICH INCLUDES:

(I) INFORMATION CONCERNING THE CURRENT STATUS OF THE DELIVERY OF HUMAN SERVICES IN THE STATE, INCLUDING A LIST OF THE HUMAN SERVICES CURRENTLY BEING PROVIDED TO INDIVIDUALS OR FAMILIES RESIDING IN THE STATE, A LIST OF THE POPULATIONS BEING SERVED BY EACH HUMAN SERVICES PROGRAM, AND THE GEOGRAPHIC AREA IN WHICH SERVICES ARE CURRENTLY ADMINISTERED OR DELIVERED; AND

(II) GENERAL GUIDELINES FOR LOCAL ASSESSMENT AND PLANNING;

(b) A METHOD FOR RESPONDING TO QUESTIONS CONCERNING THE INFORMATION PROVIDED IN THE ORIENTATION PACKET, WHICH MAY INCLUDE LECTURES AND SEMINARS, IF APPROPRIATE;

(c) A METHOD FOR RESPONDING TO QUESTIONS AND CONCERNS THAT ARISE IN THE COURSE OF THE LOCAL ASSESSMENT AND PLANNING PROCESS.

24-1.7-406. Local delivery of human services - assessment. (1) EACH LOCAL PLANNING COMMITTEE SHALL REVIEW THE ORIENTATION PROGRAM AND CONDUCT AN ASSESSMENT OF THE DELIVERY OF HUMAN SERVICES WITHIN THE LOCAL PLANNING AREA. THE LOCAL ASSESSMENT SHALL BE GUIDED BY THE INFORMATION PROVIDED

IN THE ORIENTATION PROGRAM AND SHALL IDENTIFY WHETHER THERE IS A NEED FOR RESTRUCTURING THE DELIVERY OF HUMAN SERVICES IN THE LOCAL PLANNING AREA. THE LOCAL PLANNING COMMITTEE SHALL ASSESS THE FOLLOWING:

(a) THE ADEQUACY OF THE DELIVERY OF HUMAN SERVICES IN THE LOCAL PLANNING AREA INCLUDING, BUT NOT LIMITED TO, A DETERMINATION OF WHETHER STATE OR LOCAL HUMAN SERVICE PROGRAMS ARE ABSENT FROM OR INSUFFICIENTLY PROVIDED IN A LOCAL PLANNING AREA;

(b) THE EFFICIENCY OF THE DELIVERY OF HUMAN SERVICES IN THE LOCAL PLANNING AREA INCLUDING, BUT NOT LIMITED TO, A DETERMINATION OF WHETHER THE SAME OR SIMILAR HUMAN SERVICES ARE BEING PROVIDED TO THE SAME CONSUMERS BY MORE THAN ONE AGENCY OR PROGRAM;

(c) THE EFFECTIVENESS OF THE DELIVERY OF HUMAN SERVICES IN THE LOCAL PLANNING AREA INCLUDING, BUT NOT LIMITED TO, THE IDENTIFICATION OF PROBLEMS IN COMMUNICATION OR COORDINATION AMONG HUMAN SERVICES AGENCIES OR SYSTEMS; AND

(d) THE ECONOMY OF THE DELIVERY OF HUMAN SERVICES IN THE LOCAL PLANNING AREA INCLUDING, BUT NOT LIMITED TO, A DETERMINATION OF WHETHER THE CAPACITY FOR DELIVERY OF SERVICES COULD BE INCREASED AND THE QUALITY OF SERVICES IMPROVED BY THE RESTRUCTURING OF THE DELIVERY OF HUMAN SERVICES.

24-1.7-407. Local human services delivery plan - creation - review - implementation. (1) **Creation.** (a) ON OR BEFORE FEBRUARY 1, 1996, EACH LOCAL PLANNING COMMITTEE SHALL PREPARE AND DELIVER A WRITTEN LOCAL HUMAN SERVICES DELIVERY PLAN TO THE GOVERNING BODY OF EVERY COUNTY OR PORTION OF A COUNTY INCLUDED IN THE LOCAL PLANNING AREA. THE LOCAL HUMAN SERVICES DELIVERY PLAN SHALL:

(I) ESTABLISH A SINGLE ENTRY PROCESS DESIGNED TO PROVIDE THE CONSUMER WITH INFORMATION ABOUT AND ACCESS TO THE HEALTH AND HUMAN SERVICES AVAILABLE IN THE LOCAL PLANNING AREA THROUGH ONE OR MORE ENTRY POINTS LOCATED WITHIN THE LOCAL PLANNING AREA;

(II) ESTABLISH A LOCAL CONFLICT RESOLUTION PROCESS IN EACH LOCAL PLANNING AREA WHICH PROVIDES FOR CITIZEN REVIEW PANELS TO CONDUCT HEARINGS AND ISSUE RECOMMENDATIONS CONCERNING CONFLICTS BETWEEN AND AMONG CONSUMERS, PROVIDERS, AGENCIES, AND THE COMMUNITY IF THERE IS NOT A GRIEVANCE, APPEAL, OR RESOLUTION PROCESS ALREADY ESTABLISHED BY REGULATION OR STATUTE;

(III) CREATE AN ONGOING PROCESS, FORUM, OR OTHER METHOD, WHICH ALLOWS CONSUMERS, PROVIDERS, AND AGENCIES TO CONTINUE TO COORDINATE THE DELIVERY OF SERVICES OFFERED TO AN INDIVIDUAL OR FAMILY AND COLLABORATE THEIR EFFORTS IN AN ATTEMPT TO IMPROVE THE OUTCOME OF SERVICES PROVIDED TO AN INDIVIDUAL OR FAMILY FOLLOWING THE COMPLETION OF THE ASSESSMENT AND PLANNING PROCESS; AND

(IV) IDENTIFY WHETHER THERE IS A NEED FOR RESTRUCTURING THE DELIVERY OF

HUMAN SERVICES IN THE LOCAL PLANNING AREA AND, IF A NEED EXISTS, ESTABLISH A PLAN FOR RESTRUCTURING THE LOCAL HUMAN SERVICES DELIVERY SYSTEMS.

(b) THE LOCAL HUMAN SERVICES DELIVERY PLAN MAY INCLUDE COMMENTS, CONCERNS, AND RECOMMENDATIONS ON ANY OTHER HUMAN SERVICE DELIVERY ISSUE ADDRESSED BY THE LOCAL PLANNING COMMITTEE, INCLUDING, BUT NOT LIMITED TO, FLEXIBILITY IN FUNDING THE DELIVERY OF HUMAN SERVICES, METHODS FOR SHARING AND REDUCING CLIENT DATA REPORTS, AND REGIONALIZATION OF THE DELIVERY OF HUMAN SERVICES.

(c) THE LOCAL HUMAN SERVICES DELIVERY PLAN SHALL INCLUDE THE OPINIONS OR VIEWS HELD BY A MINORITY OF THE LOCAL PLANNING COMMITTEE MEMBERSHIP.

(d) NOTHING IN THIS PART 4 SHALL BE CONSTRUED TO AUTHORIZE A LOCAL PLANNING COMMITTEE, THROUGH A LOCAL HUMAN SERVICES DELIVERY PLAN, TO SPECIFICALLY DICTATE THE ADMINISTRATIVE ORGANIZATION OF ANY HUMAN SERVICES DELIVERY AGENCY OR ORGANIZATION.

(e) IN THE EVENT THE LOCAL PLANNING COMMITTEE IS UNABLE TO COMPLETE AND SUBMIT A LOCAL HUMAN SERVICES DELIVERY PLAN ON OR BEFORE FEBRUARY 1, 1996, OR IN THE EVENT THE LOCAL GOVERNING BODY OR BODIES DISAGREE WITH ALL OR ANY PORTION OF THE HUMAN SERVICES DELIVERY PLAN AFTER THEIR REVIEW, THE LOCAL PLANNING COMMITTEE MAY:

(I) REQUEST AN EXTENSION OF TIME TO COMPLETE THE PLAN AND, IF GOOD FAITH IS SHOWN, THE JOINT DEPARTMENTS, IN COOPERATION WITH THE RESTRUCTURING STEERING COMMITTEE, MAY EXTEND THE DEADLINE FOR DELIVERY OF THE PLAN TO A DATE ON OR BEFORE APRIL 1, 1996; OR

(II) REQUEST THAT THE RESTRUCTURING STEERING COMMITTEE ACT AS A MEDIATOR OR OTHERWISE AID IN THE DEVELOPMENT OF THE PLAN; OR

(III) REQUEST THAT THE RESTRUCTURING STEERING COMMITTEE CREATE A LIST OF MEDIATORS AVAILABLE TO MEDIATE A DISPUTE IN THE LOCAL PLANNING AREA.

(f) IN THE EVENT THAT THE LOCAL PLANNING COMMITTEE REMAINS UNABLE TO COMPLETE AND SUBMIT A LOCAL HUMAN SERVICES DELIVERY PLAN BY APRIL 1, 1996, THE LOCAL GOVERNING BODY MAY DEVELOP AND COMPLETE THE PLAN AND SUBMIT THE PLAN TO THE JOINT DEPARTMENTS, THE RESTRUCTURING STEERING COMMITTEE, AND THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE.

(g) IN THE EVENT THAT NEITHER THE LOCAL PLANNING COMMITTEE NOR THE LOCAL GOVERNING BODY OR GOVERNING BODIES HAS SUBMITTED A LOCAL HUMAN SERVICES DELIVERY PLAN ON OR BEFORE JULY 1, 1996, THE JOINT DEPARTMENTS IN COOPERATION WITH THE RESTRUCTURING STEERING COMMITTEE MAY, UPON APPROVAL BY THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE, DEVELOP A LOCAL HUMAN SERVICES DELIVERY PLAN FOR SAID LOCAL PLANNING AREA.

(2) **Review.** (a) (I) THE GOVERNING BODY OF EVERY COUNTY OR PORTION OF A COUNTY INCLUDED IN THE LOCAL PLANNING AREA SHALL REVIEW AND RESPOND IN WRITING TO THE LOCAL HUMAN SERVICES DELIVERY PLAN CREATED BY THE LOCAL

PLANNING COMMITTEE WITHIN THIRTY DAYS OF RECEIPT OF THE PLAN FROM THE LOCAL PLANNING COMMITTEE. SAID GOVERNING BODY OR BODIES SHALL HAVE AUTHORITY TO APPROVE OR MODIFY THAT PORTION OF THE PLAN WHICH PERTAINS TO SERVICES WHICH RECEIVE COUNTY FINANCIAL PARTICIPATION AND MAY ENDORSE OR PROVIDE COMMENTS AND RECOMMENDATIONS TO THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE PERTAINING TO THE REMAINDER OF THE PLAN.

(II) IN THE EVENT THE LOCAL GOVERNING BODY OR BODIES DISAGREE WITH ALL OR ANY PORTION OF THE LOCAL HUMAN SERVICES DELIVERY PLAN, THE LOCAL PLANNING COMMITTEE SHALL REQUEST A LIST OF MEDIATORS AS PROVIDED IN SUBPARAGRAPH (III) OF PARAGRAPH (e) OF SUBSECTION (1) OF THIS SECTION. THE LOCAL PLANNING COMMITTEE AND THE LOCAL GOVERNING BODY OR BODIES SHALL SELECT A MEDIATOR EITHER FROM THE LIST PROVIDED OR AS AGREED UPON BY THE LOCAL PLANNING COMMITTEE AND THE LOCAL GOVERNING BODY OR BODIES AND SHALL ATTEMPT TO REACH AGREEMENT THROUGH MEDIATION PRIOR TO SUBMITTING THE LOCAL HUMAN SERVICES DELIVERY PLAN TO THE JOINT DEPARTMENTS, THE RESTRUCTURING STEERING COMMITTEE, AND THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE.

(b) FOLLOWING REVIEW BY THE LOCAL GOVERNING BODY OR GOVERNING BODIES, ON OR BEFORE FEBRUARY 1, 1996, THE LOCAL PLANNING COMMITTEE SHALL INCORPORATE THE RESULTS OF THE REVIEW INTO THE LOCAL HUMAN SERVICES DELIVERY PLAN AND SHALL SUBMIT THE PLAN TO THE JOINT DEPARTMENTS, THE RESTRUCTURING STEERING COMMITTEE, AND THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE. INFORMATION PREPARED PURSUANT TO THE PLANNING EFFORT WHICH IS NOT CONTAINED IN THE LOCAL HUMAN SERVICES DELIVERY PLAN SHALL BE PROVIDED TO THE RESTRUCTURING STEERING COMMITTEE AND THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE UPON REQUEST.

(3) **Implementation.** (a) THE JOINT DEPARTMENTS, IN COOPERATION WITH THE RESTRUCTURING STEERING COMMITTEE, SHALL REVIEW LOCAL HUMAN SERVICES DELIVERY PLANS AND DEVELOP A STATEWIDE PLAN TO SUPPORT IMPLEMENTATION OF THE PLANS WHICH SHALL INCLUDE FINANCIAL INCENTIVES FOR LOCAL IMPLEMENTATION. LOCAL PLANS SHALL BE REVIEWED FOR CONFORMANCE WITH STATE AND FEDERAL STATUTES, REGULATIONS, AND REQUIREMENTS. THE JOINT DEPARTMENTS ARE AUTHORIZED TO SEEK ANY WAIVERS NECESSARY FOR IMPLEMENTATION OF THE APPROVED STATEWIDE PLAN.

(b) THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE SHALL REVIEW THE PROPOSED STATEWIDE PLAN PRIOR TO ITS IMPLEMENTATION AND SHALL REFER THE PLAN WITH RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR APPROVAL.

(c) IN THE EVENT THE LOCAL HUMAN SERVICES DELIVERY PLAN PROVIDES FOR THE ADMINISTRATION OR DELIVERY OF HUMAN SERVICES REQUIRING COUNTY FINANCIAL PARTICIPATION IN A LOCAL SERVICE AREA WHICH CROSSES COUNTY BOUNDARIES, THE COUNTY GOVERNING BODIES OF THE AFFECTED COUNTIES SHALL COMMUNICATE AND COORDINATE THE PROVISION OF SAID SERVICES.

24-1.7-408. Joint department and restructuring steering committee - reports.

(1) THE JOINT DEPARTMENTS, IN COOPERATION WITH THE RESTRUCTURING STEERING

COMMITTEE, SHALL PROVIDE REPORTS AT LEAST QUARTERLY TO THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE. SAID REPORTS SHALL INCLUDE INFORMATION CONCERNING THE PROGRESS OF LOCAL PLANNING COMMITTEES ACROSS THE STATE AND ANY OTHER INFORMATION REQUESTED BY MEMBERS OF THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE.

(2) FOLLOWING THE COMPLETION OF THE LOCAL HUMAN SERVICES DELIVERY PLANS AS PROVIDED IN SECTION 24-1.7-407, THE JOINT DEPARTMENTS AND THE RESTRUCTURING STEERING COMMITTEE SHALL SUBMIT A REPORT TO THE LEGISLATIVE RESTRUCTURING OVERSIGHT COMMITTEE CONCERNING FURTHER RESTRUCTURING OF THE DELIVERY OF HUMAN SERVICES. THE REPORT SHALL INCLUDE RECOMMENDATIONS CONCERNING THE FOLLOWING:

(a) RESTRUCTURING THE LOCAL HUMAN SERVICES FUNDING SOURCES, INCLUDING A CHANGE IN FUNDING METHODS FROM PRESENT CATEGORICAL AND OTHER RESTRICTIVE REQUIREMENTS TO A MORE FLEXIBLE APPROACH;

(b) SIMPLIFYING THE COMPILATION AND SHARING OF CLIENT DATA REPORTING BETWEEN AGENCIES AND PROVIDERS;

(c) REGIONALIZING THE DELIVERY OF HUMAN SERVICES; AND

(d) ANY OTHER ISSUES WHICH MAY BE IDENTIFIED IN THE COURSE OF THE HUMAN SERVICES RESTRUCTURING EFFORT.

(3) THE REPORT REQUIRED PURSUANT TO SUBSECTION (2) OF THIS SECTION SHALL INCLUDE THE RECOMMENDATIONS OF THE JOINT DEPARTMENTS AND THE RESTRUCTURING STEERING COMMITTEE CONCERNING LEGISLATIVE CHANGES NECESSARY TO ACCOMPLISH ANY RECOMMENDED RESTRUCTURING AND SHALL INCLUDE RECOMMENDATIONS FOR IMPLEMENTATION OF RESTRUCTURING WITHOUT LEGISLATIVE CHANGE, IF POSSIBLE.

SECTION 2. The introductory portion to 24-1.7-102, Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

24-1.7-102. Definitions. As used in ~~parts 1 to 3~~ of this article, unless the context otherwise requires:

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 25, 1994