

CHAPTER 191

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**HUMAN SERVICES - SOCIAL SERVICES**

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**HOUSE BILL 99-1017**

BY REPRESENTATIVES Chavez, Alexander, Bacon, Berry, Clarke, Coleman, Gagliardi, Gordon, Larson, Mace, McElhany, McKay, Morrison, Saliman, Tapia, and Vigil;  
also SENATORS Reeves and Wham.

**AN ACT**

CONCERNING APPEALS OF DISPUTED INDIVIDUAL RESPONSIBILITY CONTRACTS UNDER THE COLORADO WORKS PROGRAM.

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

**SECTION 1.** 26-2-708 (3), Colorado Revised Statutes, is amended to read:

**26-2-708. Benefits - assessment - individual responsibility contract - screening for domestic violence.** (3) The IRC shall contain provisions in bold print at the beginning of the document that notify the participant of the following:

(a) That no individual is legally entitled to any form of assistance under the Colorado works program;

(b) That the IRC is a contract that contains terms and conditions governing the participant's receipt of assistance under the Colorado works program and that nothing in such contract may be deemed to create a legal entitlement to assistance under the Colorado works program; ~~and~~

(c) That the participant's failure to comply with the terms and conditions of the IRC may result in sanctions, including but not limited to the termination of any cash assistance; AND

(d) THAT THE APPLICANT OR PARTICIPANT SHALL INDICATE BY SIGNATURE ON THE IRC EITHER AGREEMENT WITH THE TERMS AND CONDITIONS OF THE IRC OR THAT THE APPLICANT OR PARTICIPANT REQUESTS A COUNTY LEVEL REVIEW OF THE PROPOSED IRC IN ACCORDANCE WITH SECTION 26-2-710 (4) ON THE GROUNDS THAT THE PROPOSED IRC IS UNREASONABLE WITHIN THE CONTEXT OF THE COUNTY'S WRITTEN

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

POLICIES.

**SECTION 2.** 26-2-710, Colorado Revised Statutes, is amended to read:

**26-2-710. Administrative review.** (1) The state department shall promulgate rules for an administrative review process.

(2) All decisions of the state department shall be binding upon the county department involved and shall be complied with by such county department.

(3) If a participant does not agree with or fails to participate in a program or service identified in the IRC, the participant shall continue to receive the basic cash assistance grant that the participant received at the time the appeal is requested during the pendency of any appeal process.

(4) AN APPLICANT OR PARTICIPANT WHO BELIEVES THE IRC PROPOSED BY THE COUNTY IS UNREASONABLE HAS A RIGHT TO REQUEST A REVIEW OF THE PROPOSED IRC BY THE COUNTY DEPARTMENT PURSUANT TO A PROCESS DESIGNATED BY THE COUNTY IN ITS WRITTEN COUNTY POLICY. IF THE APPLICANT OR PARTICIPANT REQUESTS SUCH REVIEW, THE COUNTY SHALL PROVIDE THE APPLICANT OR PARTICIPANT THE OPPORTUNITY FOR A COUNTY LEVEL REVIEW BY A PERSON NOT DIRECTLY INVOLVED IN THE INITIAL DETERMINATION. THE REVIEW SHALL BE LIMITED TO DETERMINING WHETHER THE TERMS OF THE DISPUTED IRC ARE REASONABLE WITHIN THE CONTEXT OF THE COUNTY'S WRITTEN POLICY. THE REVIEWER SHALL ISSUE A WRITTEN DECISION FOR THE COUNTY REGARDING THE RESOLUTION OF THE OUTSTANDING ISSUES INVOLVING THE PROPOSED IRC. THE TIME FRAME FOR SUCH REVIEW SHALL BE SPECIFIED BY THE COUNTY IN ITS WRITTEN COUNTY POLICY.

**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 18, 1999