

CHAPTER 324

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 08-216

BY SENATOR(S) Morse, Keller, Johnson, Kester, Shaffer, Tochtrop, Ward, Williams, and Windels;
also REPRESENTATIVE(S) White, Buescher, Pommer, Casso, Frangas, Green, Merrifield, Stafford, and Todd.

AN ACT

**CONCERNING THE COUNTY CONTRIBUTION FOR THE COST OF PLACEMENT OF CHILDREN IN
RESIDENTIAL CHILD CARE FACILITIES, AND MAKING AN APPROPRIATION THEREFOR.**

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

SECTION 1. 25.5-5-306 (3), Colorado Revised Statutes, is amended to read:

25.5-5-306. Residential child health care - waiver - program. (3) ~~(a)~~ The state board, in cooperation with the department of human services, shall promulgate rules as necessary for the implementation of the program, including, but not limited to, rules regarding program services that may include rehabilitative services as appropriate to residential child health care when referred by a physician licensed pursuant to article 36 of title 12, C.R.S. a psychologist licensed pursuant to part 3 of article 43 of title 12, C.R.S., a registered professional nurse as defined in section 12-38-103 (11), C.R.S., who, by reason of postgraduate education and additional nursing preparation, has gained knowledge, judgment, and skill in psychiatric or mental health nursing, a clinical social worker licensed pursuant to part 4 of article 43 of title 12, C.R.S., a marriage and family therapist licensed pursuant to part 5 of article 43 of title 12, C.R.S., or a professional counselor licensed pursuant to part 6 of article 43 of title 12, C.R.S.; the number of recipients participating; eligibility criteria including financial eligibility criteria; reimbursement of providers; and such other rules as are necessary for the implementation and administration of the program. The ~~twenty percent~~ county contribution established in section 26-1-122, C.R.S., for residential child care facilities may be used by the state to obtain federal financial participation under Title XIX of the social security act for any residential child health care program established pursuant to this section. The ~~twenty percent~~ COUNTY contribution shall not be increased due to any federal financial participation received as a result of any programs established pursuant to this section. Nothing in this section shall be construed to prohibit an adjustment in the county

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

contribution due to caseload or service cost increases. Nothing in this section shall be construed to create a county obligation to directly participate in the financing of any program established pursuant to the "Colorado Medical Assistance Act" as set forth in this article and articles 4 and 6 of this title.

~~(b) Notwithstanding the provisions of section 26-1-122, C.R.S., for fiscal years 2006-07 and 2007-08, the annual county contribution shall be reduced to the county's fiscal year 2004-05 actual contribution.~~

~~(c) On or before January 15, 2008, the department of human services, in collaboration with the child welfare allocation committee, shall submit a recommendation to the joint budget committee of the general assembly regarding the county contribution toward the actual cost of providing residential child health care services pursuant to this section for fiscal year 2008-09 and for each fiscal year thereafter. The department of human services shall include in its submission to the joint budget committee any legislative changes that may be necessary to accomplish any change in the county contribution.~~

SECTION 2. 26-1-122 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

26-1-122. County appropriations and expenditures - advancements - procedures - repeal. (4) (j) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, FOR FISCAL YEARS COMMENCING ON JULY 1, 2008, AND JULY 1, 2009, THE COUNTY CONTRIBUTION FOR CHILDREN PLACED IN RESIDENTIAL CHILD CARE FACILITIES BY THE COUNTY DEPARTMENT SHALL BE LIMITED TO TEN PERCENT OF THE COST OF THE PLACEMENT.

(II) THIS PARAGRAPH (j) IS REPEALED, EFFECTIVE JULY 1, 2010.

SECTION 3. Appropriation - adjustments to the 2008 long bill. (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1, 2008, shall be adjusted as follows:

(a) The general fund appropriation to the department of human services, division of child welfare, for child welfare services, is increased by the sum of eight million one thousand nine hundred twenty-seven dollars (\$8,001,927).

(b) The appropriation to the department of human services, division of child welfare, for child welfare services, is decreased by eight million one thousand nine hundred twenty-seven dollars (\$8,001,927) cash funds. Said sum shall be from counties for the local share of child welfare services expenditures.

SECTION 4. 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 28, 2008