

## CHAPTER 328

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**HUMAN SERVICES - SOCIAL SERVICES**


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**HOUSE BILL 08-1005**

BY REPRESENTATIVE(S) Frangas, Carroll M., Casso, Gagliardi, Gallegos, Jahn, Kefalas, Middleton, Pommer, Primavera, Rice, Stafford, Todd, and Summers;  
also SENATOR(S) Boyd, Gibbs, Gordon, Groff, Keller, Sandoval, Schwartz, Tapia, Tochtrop, Tupa, Veiga, Williams, and Windels.

**AN ACT**

**CONCERNING CHANGES TO THE PROGRAM FOR COLLABORATIVE MANAGEMENT OF MULTI-AGENCY SERVICES PROVIDED TO CHILDREN AND FAMILIES, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** The introductory portion to 24-1.9-102 (1) (a) and 24-1.9-102 (1) (a) (IV), (1) (a) (V), and (2) (h), Colorado Revised Statutes, are amended, and the said 24-1.9-102 (1) (a) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

**24-1.9-102. Memorandum of understanding - local-level interagency oversight groups - individualized service and support teams - coordination of services for children and families - requirements - waiver.** (1) (a) Local representatives of each of the agencies specified in this paragraph (a) and county departments of social services may enter into memorandums of understanding that are designed to promote a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated multi-agency services. The memorandums of understanding entered into pursuant to this subsection (1) shall be between interested county departments of social services and local representatives of each of the following agencies OR ENTITIES:

(IV) Each community mental health center; ~~and~~

(V) Each ~~mental health assessment and service agency~~ BEHAVIORAL HEALTH ORGANIZATION;

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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.*

(VI) THE DIVISION OF YOUTH CORRECTIONS; AND

(VII) A DESIGNATED MANAGED SERVICE ORGANIZATION FOR THE PROVISION OF TREATMENT SERVICES FOR ALCOHOL AND DRUG ABUSE PURSUANT TO SECTION 25-1-206.5, C.R.S.

(2) (h) **Reinvestment of moneys saved to serve additional children and families.** (I) The memorandum of understanding shall require the interagency oversight group to create a procedure, subject to approval by the head or director of each agency or department specified in paragraph (a) of subsection (1) of this section, to allow any moneys resulting from waivers granted by the federal government and any state general fund savings realized as a result of the implementation of the collaborative system of management of multi-agency services provided to children and families related to the funding sources specified by the parties to the memorandum of understanding pursuant to paragraph (b) of this subsection (2) to be reinvested by the parties to the memorandum of understanding to provide appropriate services to children and families who would benefit from integrated multi-agency services, as ~~such~~ THE population is defined by the memorandum of understanding pursuant to paragraph (c) of this subsection (2). THE GENERAL FUND SAVINGS REALIZED, AS REFERENCED IN THIS SECTION, SHALL BE DETERMINED IN ACCORDANCES WITH RULES ESTABLISHED BY THE STATE BOARD OF HUMAN SERVICES.

(II) A county that has implemented a collaborative management process for services to children and families, which services are not included as services to be provided to children and families who would benefit from integrated multi-agency services in the memorandum of understanding pursuant to paragraph (b) of this subsection (2), and that underspends the general fund portion of its capped or targeted allocation may use the PORTION OF general fund ~~portion~~ SAVINGS REALIZED AS REFERENCED IN THIS SECTION of its UNDERSPENT capped or targeted allocation for provision of existing services for such children and families in the county.

**SECTION 2.** Article 1.9 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW SECTIONS to read:

**24-1.9-102.5. Evaluation.** THE DEPARTMENT OF HUMAN SERVICES IS AUTHORIZED TO UTILIZE MONEYS IN THE PERFORMANCE-BASED COLLABORATIVE MANAGEMENT INCENTIVE CASH FUND CREATED IN SECTION 24-1.9-104 FOR ONGOING EXTERNAL EVALUATIONS OF THE COUNTIES PARTICIPATING IN MEMORANDUMS OF UNDERSTANDING PURSUANT TO SECTION 24-1.9-102, ALSO KNOWN AS THE COLLABORATIVE MANAGEMENT PROGRAM, AS WELL AS THOSE COUNTIES THAT OPTED TO NOT PARTICIPATE IN THE COLLABORATIVE MANAGEMENT PROGRAM. THE EXTERNAL EVALUATION SHALL INCLUDE AN EVALUATION THAT MAY BE REQUIRED IN CONNECTION WITH A WAIVER AUTHORIZED PURSUANT TO SECTION 24-1.9-102 (4). THE DEPARTMENT OF HUMAN SERVICES, WITH INPUT FROM THE COUNTIES, AGENCIES AS LISTED IN SECTION 24-1.9-102 (1) (a), THE DIVISION OF YOUTH CORRECTIONS IN THE DEPARTMENT OF HUMAN SERVICES, PARTICIPATING STAKEHOLDERS IN THE PRIVATE AND NONPROFIT SECTOR, AND PARTICIPATING PARENT OR FAMILY ADVOCACY ORGANIZATIONS THAT REPRESENT FAMILY MEMBERS OR CAREGIVERS OF CHILDREN WHO WOULD BENEFIT FROM MULTI-AGENCY SERVICES PARTICIPATING IN THE COLLABORATIVE MANAGEMENT PROGRAM, SHALL DEVELOP THE CRITERIA AND

COMPONENTS OF THE EXTERNAL EVALUATION. EACH COUNTY PARTICIPATING IN THE COLLABORATIVE MANAGEMENT PROGRAM SHALL PARTICIPATE FULLY IN THE ANNUAL EXTERNAL EVALUATION. THE DEPARTMENT OF HUMAN SERVICES IS AUTHORIZED TO PERFORM AN EVALUATION PURSUANT TO THIS SECTION ON AN ONGOING BASIS AS NEEDED, AS DETERMINED BY THE DEPARTMENT OF HUMAN SERVICES AND SUBJECT TO AVAILABLE APPROPRIATIONS.

**24-1.9-102.7. Technical assistance.** THE DEPARTMENT OF HUMAN SERVICES SHALL DEVELOP AND IMPLEMENT TRAINING FOR COUNTIES PARTICIPATING IN OR INTERESTED IN PARTICIPATING IN THE COLLABORATIVE MANAGEMENT PROGRAM. THE DEPARTMENT OF HUMAN SERVICES SHALL UTILIZE MONEYS IN THE PERFORMANCE-BASED COLLABORATIVE MANAGEMENT INCENTIVE CASH FUND CREATED IN SECTION 24-1.9-104 TO DEVELOP AND IMPLEMENT TRAINING FOR COUNTIES. THE TRAINING SHALL IDENTIFY MANAGEMENT STRATEGIES TO COLLABORATE EFFECTIVELY AND EFFICIENTLY TO SHARE RESOURCES OR TO MANAGE AND INTEGRATE THE TREATMENT AND SERVICES PROVIDED TO CHILDREN AND FAMILIES RECEIVING COLLABORATIVE MANAGEMENT SERVICES PURSUANT TO THIS ARTICLE.

**SECTION 3.** 24-1.9-104 (3), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

**24-1.9-104. Cash fund - creation - grants, gifts, and donations.** (3) (a.5) ON AND AFTER JULY 1, 2008, THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES IS AUTHORIZED TO ALLOCATE MONEYS IN THE FUND TO BE USED TO COVER THE DIRECT AND INDIRECT COSTS OF THE EXTERNAL EVALUATION OF THE PERFORMANCE-BASED COLLABORATIVE MANAGEMENT PROGRAM DESCRIBED IN SECTION 24-1.9-102 AND THE TECHNICAL ASSISTANCE AND TRAINING FOR COUNTIES AS DESCRIBED IN SECTION 24-1.9-102.7.

**SECTION 4. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the performance-based collaborative management incentive cash fund created in section 24-1.9-104, Colorado Revised Statutes, not otherwise appropriated, to the department of human services, for allocation to the division of child welfare, for the fiscal year beginning July 1, 2008, the sum of three hundred seventy-six thousand nine hundred fifty dollars (\$376,950), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 5. 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