

CHAPTER 6

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 08-1051

BY REPRESENTATIVE(S) Marshall, Kerr J., Mitchell V., Primavera, Borodkin, Butcher, Carroll M., Frangas, Garza-Hicks, Hodge, Kefalas, Looper, Massey, Todd, Green, Merrifield, and Stafford;
also SENATOR(S) Spence, Isgar, Takis, Taylor, and Keller.

AN ACT

CONCERNING TECHNICAL STATUTORY MODIFICATIONS PER THE 2007 STATE AUDITOR'S REPORT REGARDING CORE SERVICES FOR FAMILIES.

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

SECTION 1. 26-5-101 (3), Colorado Revised Statutes, is amended to read:

26-5-101. Definitions. As used in this article, unless the context otherwise requires:

(3) "Child welfare services" means the provision of necessary shelter, sustenance, and guidance to or for children who are or who, if such services are not provided, are likely to become neglected or dependent, as defined in section 19-3-102, C.R.S. "Child welfare services" includes but is not limited to:

- (a) Child protection;
- (b) Risk assessment;
- (c) Permanency planning;
- (d) Treatment planning;
- (e) Case management;

(f) Core services, as defined in ~~section 19-3-208, C.R.S.~~ IN RULES PROMULGATED BY THE STATE DEPARTMENT, AS AUTHORIZED IN SECTIONS 26-5-102 AND 26-5.5-104;

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

- (g) Adoption and subsidized adoption;
- (h) Emergency shelter;
- (i) Out-of-home placement, including foster care;
- (j) Utilization review;
- (k) Early intervention and prevention;
- (l) Youth-in-conflict functions; ~~and~~
- (m) Administration and support functions; AND
- (n) SERVICES DESCRIBED IN SECTION 19-3-208, C.R.S.

SECTION 2. 26-5.5-104 (4), Colorado Revised Statutes, is amended to read:

26-5.5-104. Statewide family preservation program - creation - single state agency designated - program criteria established - available services - powers and duties of agencies - local oversight - feasibility report. (4) (a) ~~Short-term~~ Intensive services shall be available for AN at-risk ~~families~~ FAMILY in the family home, ~~for a period not to exceed six weeks~~; as deemed necessary by the family development specialist. ~~Such~~ Intensive services shall include, at a minimum: ~~the following:~~

(I) Family preservation services described in subsection (3) of this section; except that the screening of a family for intensive services shall occur within twenty-four hours after referral by the investigating or placement agency to decide the appropriateness of providing intensive services to the family where the child has been determined by the investigating or placement agency to be at imminent risk of out-of-home placement;

(II) Crisis intervention, including in-home counseling, by a family development specialist, which intervention shall be available on a twenty-four-hour basis;

(III) Concentrated assistance in the development and enhancement of parenting skills, stress reduction, and problem-solving from a family development specialist; ~~who shall carry a caseload consisting of no more than two at-risk families~~; AND

(IV) Individualized and group counseling.

(b) ~~For the purposes of this section, "family development specialist" means a person who meets the qualification criteria and training standards which the executive director of the state department shall establish through the adoption of rules:~~

(c) INTENSIVE SERVICES SHALL BE AVAILABLE TO A FAMILY FOR A CHILD WHO REQUIRES A MORE RESTRICTIVE LEVEL OF CARE BUT WHO MAY BE MAINTAINED AT A LESS RESTRICTIVE OUT-OF-HOME PLACEMENT OR IN HIS OR HER OWN HOME WITH SERVICES FOR A PERIOD OF TIME AS DETERMINED BY RULE OF THE STATE

DEPARTMENT.

SECTION 3. 26-5.5-103, Colorado Revised Statutes, is amended to read:

26-5.5-103. Definitions. As used in this article, unless the context otherwise requires:

(1) "At-risk family" means a family unit with a child who meets out-of-home placement criteria as established by the state board. ~~of human services.~~

(1.5) "FAMILY DEVELOPMENT SPECIALIST" MEANS A PERSON WHO MEETS THE QUALIFICATION CRITERIA AND TRAINING STANDARDS THAT THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT SHALL ESTABLISH THROUGH THE ADOPTION OF RULES.

(2) "Family preservation services" means SERVICES OR assistance that focuses on family strengths and includes services that empower a family by providing alternative problem-solving techniques, child-rearing practices, ~~and~~ responses to living situations ~~creating~~ THAT CREATE stress upon the family, and ~~includes~~ resources that are available as support systems for the family. Family preservation services include, but are not limited to services and resources described in section 26-5.5-104.

(3) "Intensive services" means immediate, ~~short-term~~, concentrated, and in-home crisis intervention by one or more family development specialists ~~as such persons are described in section 26-5.5-104 (4), carrying a limited family caseload,~~ who assist a family in developing strengths ~~in coping~~ TO COPE with family stress.

SECTION 4. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: February 21, 2008