

CHAPTER 276

HUMAN SERVICES - SOCIAL SERVICES

SENATE BILL 09-164

BY SENATOR(S) Newell, Bacon, Carroll M., Foster, Heath, Hodge, Keller, Morse, Shaffer B., Williams, Boyd, Gibbs, Hudak, Sandoval, Schwartz;
also REPRESENTATIVE(S) Miklosi, Frangas, Gagliardi, Kefalas, Ryden, Green, Kagan, Labuda, Primavera, Schafer S., Todd.

AN ACT

CONCERNING REQUIRING CERTAIN PERSONS SERVING IN THE STATE CHILD WELFARE SYSTEM TO DEMONSTRATE THE NECESSARY COMPETENCIES TO PERFORM THEIR JOB RESPONSIBILITIES.

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

SECTION 1. 26-5-102 (2) (g), Colorado Revised Statutes, is amended to read:

26-5-102. Provision of child welfare services - system reform goals.

(2) Reforms in child welfare and related delivery systems shall be directed at the following objectives:

(g) Successful training efforts directed at county staff, judges, court staff, providers, parents, and families and other appropriate entities that are involved in managed care service systems, WHICH TRAINING EFFORTS SHALL INCLUDE, BUT NOT BE LIMITED TO, THE OPERATION OF THE CHILD WELFARE TRAINING ACADEMY CREATED IN SECTION 26-5-109. Notwithstanding any limitation of the "M" notation of the appropriation in the annual appropriation act for child welfare services, the state department is authorized to expend any additional federal or private funding that may be available to support the training efforts identified in this subsection (2).

SECTION 2. Article 5 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-5-109. Child welfare training academy established - rules. (1) THERE IS HEREBY ESTABLISHED WITHIN THE STATE DEPARTMENT THE CHILD WELFARE TRAINING ACADEMY, REFERRED TO IN THIS SECTION AS THE "ACADEMY", TO ENSURE THAT CERTAIN PERSONS HIRED TO WORK WITHIN CHILD WELFARE SERVICES RECEIVE THE NECESSARY TRAINING TO PERFORM THE FUNCTIONS OF THEIR JOBS RESPONSIBLY

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

AND EFFECTIVELY. THE STATE DEPARTMENT SHALL ADMINISTER THE ACADEMY IN ACCORDANCE WITH RULES PROMULGATED BY THE STATE DEPARTMENT PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(2) ON OR BEFORE SEPTEMBER 15, 2009, THE STATE DEPARTMENT SHALL PROMULGATE RULES FOR THE ADMINISTRATION OF THE ACADEMY. THE RULES SHALL INCLUDE:

(a) IDENTIFICATION OF SPECIFIC JOB TITLES WITHIN CHILD WELFARE SERVICES THAT SHALL BE REQUIRED TO ATTAIN CERTIFICATION FROM THE ACADEMY AS A MANDATORY CONDITION OF EMPLOYMENT;

(b) IDENTIFICATION OF SPECIFIC JOB TITLES WITHIN CHILD WELFARE SERVICES THAT SHALL BE REQUIRED TO COMPLETE ONGOING OR OCCASIONAL TRAINING FROM THE ACADEMY AS A MANDATORY CONDITION OF EMPLOYMENT;

(c) ESTABLISHMENT OF MINIMUM STANDARDS OF COMPETENCE THAT A PERSON SHALL BE REQUIRED TO DEMONSTRATE PRIOR TO RECEIVING CERTIFICATION FROM THE ACADEMY, WHICH STANDARDS OF COMPETENCE SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A DEMONSTRATED ABILITY TO PERFORM THE DUTIES DESCRIBED IN SECTION 19-3-313.5 (2), C.R.S.;

(d) IDENTIFICATION OF MEANS BY WHICH A PERSON MAY DEMONSTRATE THE MINIMUM STANDARDS ESTABLISHED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2); AND

(e) ESTABLISHMENT OF ALTERNATIVE METHODS FOR ATTAINING CERTIFICATION FROM THE ACADEMY FOR PERSONS WHO HAVE ALREADY SUCCESSFULLY COMPLETED COMPARABLE CHILD WELFARE TRAINING, INCLUDING A DESCRIPTION OF CHILD WELFARE TRAINING THAT SHALL BE DEEMED TO BE COMPARABLE TO THE TRAINING OFFERED BY THE ACADEMY.

SECTION 3. Effective date. (1) This act shall take effect upon passage; except that this act shall not take effect unless:

(a) The general appropriations bill is enacted at the 2009 regular session of the General Assembly and becomes law; and

(b) The general appropriations bill enacted at the 2009 regular session of the General Assembly includes an increase in the appropriation to the department of human services, division of child welfare, for training, for the fiscal year beginning July 1, 2009, which increase is for an amount not less than eight hundred eighty thousand seven hundred eighteen dollars (\$880,718), including four hundred ninety-six thousand three hundred twenty-five dollars (\$496,325) of general fund moneys and three hundred eighty-four thousand three hundred ninety-three dollars (\$384,393) of moneys from federal sources, and 3.0 FTE.

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 19, 2009