

CHAPTER 148

CHILDREN AND DOMESTIC MATTERS

SENATE BILL 10-007

BY SENATOR(S) Hudak, Whitehead, Williams;
also REPRESENTATIVE(S) Gagliardi, Fischer, Frangas, Gerou, Kefalas, Labuda, Pommer, Todd.

AN ACT**CONCERNING COLLABORATION IN THE PROVISION OF MULTI-AGENCY SERVICES.**

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) Achieving the goals of improving economic opportunity and decreasing poverty in Colorado will require a coordinated effort on the part of state policymakers and program administrators;

(b) Programs and policies that assist families in need of immediate assistance, short-term assistance, and long-term support need to be crafted and administered with the overriding goals of poverty reduction and family self-sufficiency in mind;

(c) No person or family is the same, and public programs for struggling families cannot be crafted or carried out in a vacuum;

(d) By supporting a wide range of approaches, including applying prevention strategies, creating partnerships with the private sector, identifying and encouraging community-based efforts, and exploring tax-based strategies, state leaders can improve the lives of children and families while at the same time strengthening local economies.

(2) The general assembly therefore finds that it is appropriate to encourage collaboration and alliances among existing entities with the goal of reducing poverty in Colorado through the provision of comprehensive and coordinated support services and education to children and families.

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

SECTION 2. 24-1.9-102 (1), (2) (b), (2) (d), (2) (g), (2) (h) (I), (2) (i), and (4), Colorado Revised Statutes, are amended 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:

(I) The local judicial districts, including probation services;

(II) The health department, whether a county, district, or regional health department;

(III) The local school district or school districts;

(IV) Each community mental health center;

(V) Each behavioral health organization;

(VI) The division of youth corrections;

(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.; and

(VIII) A domestic abuse program as defined in section 26-7.5-102, C.R.S., if representation from such a program is available.

(a.5) IN ADDITION TO THE PARTIES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1), THE MEMORANDUMS OF UNDERSTANDING ENTERED INTO PURSUANT TO THIS SUBSECTION (1) MAY INCLUDE FAMILY RESOURCE CENTERS CREATED PURSUANT TO ARTICLE 18 OF TITLE 26, C.R.S.

(b) The general assembly strongly encourages the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1) to enter into memorandums of understanding that are regional.

(c) Notwithstanding the provisions of paragraph (b) of this subsection (1), the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1) may enter into memorandums of understanding involving only one or more county departments of social services, not necessarily by region, as may be appropriate to ensure the effectiveness of local-level interagency oversight groups and individualized service and support teams in the county or counties.

(d) In developing the memorandums of understanding, the general assembly strongly encourages the parties to the memorandums of understanding ~~specified in paragraph (a) of this subsection (1)~~ to seek input, support, and collaboration from key stakeholders in the private and non-profit sector, as well as parent advocacy or family advocacy organizations that represent family members or caregivers of children who would benefit from multi-agency services.

(e) Nothing shall preclude the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1) from including parties in addition to the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1) in the memorandums of understanding developed for purposes of this section.

(2) (b) **Identification of services and funding sources.** The memorandum of understanding shall specify the legal responsibilities and funding sources of each party to the memorandum of understanding ~~specified in paragraph (a) of subsection (1) of this section~~ as those responsibilities and funding sources relate to children and families who would benefit from integrated multi-agency services, including the identification of the specific services that may be provided. Specific services that may be provided may include, but are not limited to: Prevention, intervention, and treatment services; family preservation services; family stabilization services; out-of-home placement services; services for children at imminent risk of out-of-home placement; probation services; services for children with mental illness; public assistance services; medical assistance services; child welfare services; and any additional services which the parties deem necessary to identify.

(d) **Creation of an oversight group.** The memorandum of understanding shall create a local-level interagency oversight group and identify the oversight group's membership requirements, procedures for selection of officers, procedures for resolving disputes by a majority vote of those members authorized to vote, and procedures for establishing any necessary subcommittees of the interagency oversight group. Each interagency oversight group shall include a local representative of each party to the memorandum of understanding specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, each of whom shall be a voting member of the interagency oversight group. In addition, the interagency oversight group may include, but is not limited to, the following advisory nonvoting members:

(I) Representatives of interested local private sector entities; and

(II) Family members or caregivers of children who would benefit from integrated multi-agency services or current or previous consumers of integrated multi-agency services.

(g) **Authorization to contribute resources and funding.** The memorandum of understanding shall specify that each party to the memorandum of understanding ~~specified in paragraph (a) of subsection (1) of this section~~ has the authority to contribute time, resources, and funding to solve problems identified by the local-level interagency oversight group in order to create a seamless, collaborative system of delivering multi-agency services to children and families, upon approval by the head or director of each agency or department specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section.

(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~~ PARAGRAPHS (a) AND (a.5) 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 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 accordance with rules established by the state board of human services.

(i) **Performance-based measures.** The memorandum of understanding shall include a provision stating whether the parties to the memorandum of understanding will attempt to meet performance measures specified by the department of human services and elements of collaborative management, as defined by rule of the state board of human services. If the parties to the memorandum of understanding agree to attempt to meet the performance measures and elements of collaborative management, the memorandum of understanding shall require the interagency oversight group to create a procedure, subject to the approval of the head or director of each agency or department specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to allow any incentive moneys received by the department of human services and allocated pursuant to section 24-1.9-104 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 population is defined by the memorandum of understanding pursuant to paragraph (c) of this subsection (2).

(4) The departments and agencies that provide oversight to the parties to the memorandum of understanding specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section are authorized to issue waivers of any rules to which the departments and agencies are subject and that would prevent the departments from effective implementation of the memorandums of understanding, however, the departments and agencies are prohibited from waiving a rule in violation of federal law or that would compromise the safety of a child.

SECTION 3. 24-1.9-102.5, Colorado Revised Statutes, is amended 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) AND (1) (a.5), 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.

SECTION 4. Act subject to petition - 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 (August 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless approved by the people at the general election to be held in November 2010 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 21, 2010