

## CHAPTER 88

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**CHILDREN AND DOMESTIC MATTERS**


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SENATE BILL 13-177

BY SENATOR(S) Lambert, Hodge, Steadman;  
 also REPRESENTATIVE(S) Gerou, Duran, Levy, Court, Fields, Fischer, Hullinghorst, Lee, May, Melton, Rosenthal, Vigil.

**AN ACT**

**CONCERNING CHANGES TO JUVENILE CORRECTIONS PROGRAMS RESULTING IN COST REDUCTIONS, AND, IN CONNECTION THEREWITH, REDUCING THE JUVENILE DETENTION BED CAP, REDUCING THE APPROPRIATION FOR COMMITMENT BEDS AND ASSESSMENT SERVICES, AND MAKING AN APPROPRIATION FOR TRANSPORTATION.**

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

**SECTION 1.** In Colorado Revised Statutes, 19-2-1201, **amend** (2); and **add** (3) as follows:

**19-2-1201. Juvenile detention bed cap.** (2) For the fiscal year 2011-12 and ~~each fiscal year thereafter~~ FROM JULY 1, 2012, THROUGH MARCH 31, 2013, the number of available juvenile detention beds statewide shall be limited to four hundred twenty-two.

(3) FROM APRIL 1, 2013, THROUGH JUNE 30, 2013, AND FOR THE FISCAL YEAR 2013-14 AND EACH FISCAL YEAR THEREAFTER, THE NUMBER OF AVAILABLE JUVENILE DETENTION BEDS STATEWIDE SHALL BE LIMITED TO THREE HUNDRED EIGHTY-TWO.

**SECTION 2. Appropriation to the department of health care policy and financing for the fiscal year beginning July 1, 2012.** In Session Laws of Colorado 2012, section 2 of chapter 305 (HB 12-1335), **amend** Part V (6) (I) and the affected totals as follows:

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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.*

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART V  
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING**

**(6) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS**

**(I) Division of Youth**

**Corrections - Medicaid**

<b>Funding</b>	<del>1,632,783</del>	<del>816,392(M)</del>				<del>816,391</del>
	1,596,319	798,160(M)				798,159
	<del>447,007,956</del>					
	446,971,492					

**TOTALS PART V**

**(HEALTH CARE**

**POLICY AND**

**FINANCING)**

	<del>\$5,561,097,516</del>	<del>\$1,545,412,545</del>	\$312,644,224 <sup>a</sup>	\$925,385,218 <sup>b</sup>	\$7,172,593	<del>\$2,770,482,936</del>
	<u>\$5,561,061,052</u>	<u>\$1,545,394,313</u>				<u>\$2,770,464,704<sup>c</sup></u>

<sup>a</sup> Of this amount, \$312,202,624 shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and \$441,600 shall be General Fund Exempt pursuant to Section 24-22-117 (1) (c) (I) (B), C.R.S. Further, said \$441,600 is also not subject to the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

<sup>b</sup> Of this amount \$10,000,000 contains an (I) notation.

<sup>c</sup> Of this amount \$226,395,675 contains an (I) notation.

**SECTION 3. Appropriation to the department of human services for the fiscal year beginning July 1, 2012.** In Session Laws of Colorado 2012, section 2 of chapter 305 (HB 12-1335), **amend** Part VII (1) (A), (11) (B), (11) (C), and the affected totals as follows:

**PART VII  
DEPARTMENT OF HUMAN SERVICES**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

**(A) General Administration**

Personal Services	1,895,788
	(21.4 FTE)
Health, Life, and Dental	<del>26,827,557</del>
	26,776,713
Short-term Disability	<del>360,598</del>
	359,665
S.B. 04-257 Amortization	
Equalization Disbursement	<del>6,783,683</del>
	6,766,846
S.B. 06-235 Supplemental	
Amortization Equalization	
Disbursement	<del>5,817,366</del>
	5,802,894
Shift Differential	4,089,727
Workers' Compensation	12,601,993

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	495,280						
Legal Services for 18,439 hours	1,424,413						
Administrative Law Judge Services	922,776						
Payment to Risk Management and Property Funds	1,392,061						
Staff Training	31,870						
Injury Prevention Program	105,970						
	<u>62,749,082</u>		<del>36,200,880(M)</del>		2,622,057 <sup>a</sup>	16,436,501 <sup>b</sup>	7,489,644 <sup>c</sup>
	62,665,996		36,117,794(M)				

<sup>a</sup> Of this amount, it is estimated that \$548,385 shall be from patient cash collected by the Mental Health Institutes, \$180,203 shall be from the Records and Reports Fund created in Section 19-1-307 (2.5), C.R.S., \$31,870 shall be from fees and charges for workshops and conferences, and \$1,861,599 shall be from various sources of cash funds and shall include \$192,978 for statewide indirect cost recoveries.

<sup>b</sup> Of this amount, it is estimated that \$14,414,866 shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing, \$160,000 shall be from federal Medicaid indirect costs transferred from the Department of Health Care Policy and Financing, \$1,350 shall be from other funds transferred from the Department of Health Care Policy and Financing, and \$1,860,285 shall be from various sources of reappropriated funds and shall include \$306,459 for statewide indirect cost recoveries.

<sup>c</sup> Of this amount, it is estimated that \$707,332 shall be from the Temporary Assistance for Needy Families Block Grant, \$630,953 shall be from Section 110 vocational rehabilitation funds, \$280,000 shall be from Child Care Development Funds, \$261,097 shall be from federal cost allocation recoveries, \$240,443 shall be from the

Substance Abuse Prevention and Treatment Block Grant, and \$5,369,819 shall be from various sources of federal funds including \$374,597 for statewide indirect cost recoveries.

**(11) DIVISION OF YOUTH CORRECTIONS<sup>1</sup>**

**(B) Institutional Programs<sup>32</sup>**

Personal Services	<del>41,103,499</del>	<del>41,103,499</del>	
	40,555,227	40,555,227	
		(752.3 FTE)	
		(740.8 FTE)	
Operating Expenses	<del>3,336,475</del>	<del>2,006,275</del>	1,330,200(I) <sup>a</sup>
	3,344,459	2,014,259	
Medical Services	6,605,444	6,605,444	
		(36.0 FTE)	
Educational Programs	5,422,722	5,081,946	340,776 <sup>b</sup>
		(32.3 FTE)	(2.5 FTE)
Prevention/Intervention Services	49,693		49,693 <sup>c</sup>
			(1.0 FTE)
	<del>56,517,833</del>		
	55,977,545		

<sup>a</sup> This amount shall be transferred from the Department of Education, Assistance to Public Schools, Grant Programs, Distributions, and Other Assistance, Health and Nutrition, Federal Nutrition Programs for the federal school breakfast and lunch program.

<sup>b</sup> This amount shall be transferred from the Department of Higher Education, Division of Occupational Education, Area Vocational School Support and the Department of Education, Assistance to Public Schools from the line items for Grant Programs, Distributions, and Other Assistance, Other Assistance, Appropriated Sponsored Programs; and Categorical Programs, District Programs Required by Statute, Special Education Programs for Children with Disabilities.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(C) Community Programs<sup>32</sup></b>						
Personal Services	6,708,323	6,351,028		50,833 <sup>a</sup>	45,688 <sup>b</sup>	260,774(I) <sup>c</sup>
		(96.8 FTE)		(1.0 FTE)		
Operating Expenses	337,444	334,996		2,448 <sup>a</sup>		
Purchase of Contract						
Placements	<del>34,938,029</del>	<del>32,261,467</del>			<del>1,554,426<sup>b</sup></del>	<del>1,122,136(I)<sup>c</sup></del>
	34,244,410	31,827,743			1,517,962 <sup>b</sup>	898,705(I) <sup>c</sup>
Managed Care Pilot Project	1,368,060	1,335,391			32,669 <sup>b</sup>	
S.B. 91-94 Programs	12,031,528	12,031,528				
Parole Program Services	4,180,771	3,289,112				891,659(I) <sup>c</sup>
Juvenile Sex Offender Staff						
Training	47,060	8,810		38,250 <sup>d</sup>		
	<u>59,611,215</u>					
	58,917,596					

<sup>c</sup> This amount shall be transferred from Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division, Other Programs, Balance of Substance Abuse Block Grant Programs.

<sup>a</sup> These amounts shall be from the contractor for the Ridge View facility pursuant to Section 19-2-411.5 (2) (e), C.R.S.

<sup>b</sup> These amounts shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing, Department of Human Services Medicaid-funded Programs.

<sup>c</sup> These amounts shall be from Title IV-E of the Social Security Act. Although these federal funds amounts are not appropriated, they were assumed in developing the appropriated fund source amounts in these line items. Further, they are reflected pursuant to Section 26-1-111 (2) (d) (II) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (II) (C), C.R.S.

<sup>d</sup> This amount shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

~~117,536,181~~  
116,302,274

**TOTALS PART VII**

<b>(HUMAN SERVICES)</b>	<del>\$2,048,892,375</del>	<del>\$637,576,480</del>		\$330,720,504 <sup>a</sup>	<del>\$465,712,069</del> <sup>b</sup>	<del>\$614,883,322</del> <sup>c</sup>
	<u>\$2,047,575,382</u>	<u>\$636,519,382</u>			<u>\$465,675,605</u> <sup>b</sup>	<u>\$614,659,891</u> <sup>c</sup>

<sup>a</sup> Of this amount, \$117,556,986 contains an (L) notation and \$217,894,509 contains an (I) notation.

<sup>b</sup> Of this amount, \$1,330,200 contains an (I) notation.

<sup>c</sup> Of this amount, ~~\$273,375,213~~ \$273,151,782 contains an (I) notation.

**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: March 29, 2013