



HB21-1072 CONCERNING EQUAL ACCESS TO SERVICES RELATED TO OUT-OF-HOME PLACEMENTS

Madame Chair and members of the committee,

My name is Meghan Baker, and I am a staff attorney at Disability Law Colorado. As the Protection and Advocacy agency for the state of Colorado, charged with protecting the rights of people with disabilities across our state, Disability Law Colorado (DLC) supports HB21-1072. This legislation benefits not only the service providers, such as potential foster, adoption and kinship providers, but also system-involved youth and ultimately, the state.

First, this bill creates broad protections against discrimination when it comes to selecting service providers related to out of home placement of youth. These protections explicitly include “a real or perceived disability.” We now know that implicit bias, as much as outright discrimination, play a role in how we navigate the world around us. Individuals and systems often have implicit biases when it comes to people with disabilities. This is especially true when it comes to individuals serving as potential parents or caregivers, be it biological, foster, adoptive or kinship.

For example, I have heard parents who are blind or visually impaired describe ways in which their disabilities have been used to argue that they cannot be good parents or provide sufficient care for their children, which is simply not true. Similarly, adults with mental illness may be perceived as less-than-capable of caring for others. People with physical disabilities who may use a wheelchair may be perceived as unable to provide transportation for their children. These are just a few examples of how biases against people with disabilities may come into play in this context. People with disabilities are resilient and resourceful—they have learned how to successfully navigate life without some of the benefits and privileges that many of us have, and they can also navigate parenting.

In addition, inclusion of people with disabilities as service providers for youth in out of home placements benefits youth by maximizing the availability of lower-level, family or family-like placements. In doing so, we can work to meet the state’s goal of reducing reliance on congregate care and avoid funneling youth with disabilities into our juvenile justice system, residential placements, and other settings that lead to demonstrably worse outcomes for these youth. Colorado has a severe shortage of foster homes and other home-like settings, and people with disabilities should not be excluded from providing a safe and loving home for a young person simply because they have a disability. Similarly, the child welfare system relies heavily on kinship placements and needs to continue increasing its use of these resources. These kinship providers often include older relatives such as grandparents, who may be more likely to have disabilities. Accommodations can be made to meet the needs of families and caregivers with disabilities, but accommodations cannot be made to create family ties, so preserving these placements wherever possible is critical to positive youth development. Finally, we know that youth with disabilities are overrepresented in the child welfare and juvenile justice systems. By facilitating placement

with parents and caregivers with disabilities, we can provide these youth with role models and living examples of how people with disabilities can lead successful and rewarding lives.

Lastly, ensuring inclusion of people with disabilities as service providers for out-of-home placements ultimately saves the state money. Foster and kinship placements typically cost the state much less than residential placements. These placements will also be central to the state's compliance and federal reimbursement when the Families First Prevention Services Act is implemented soon.

Historically, youth have lingered unnecessarily in residential and other congregate care settings, as well as detention facilities, due simply to a lack of sufficient lower-level placements in which to place them. This not only costs the state and counties more up front, but it also leads to worse outcomes for youth, thereby increasing the likely cost to the state later when these youth experience issues like homelessness, incarceration, addiction and untreated mental health issues.

For all these reasons, DLC supports HB21-1072 and asks you to vote "yes" to advance this important legislation.

Respectfully submitted,



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House Public & Behavioral Health & Human Services

Testimony - HB21-1072 Equal Access Services For Out-of-home Placements

First Name	Last Name	Position	Representing	Testifying	Text of Testimony	Registered
Gini	Pingenot	For	Colorado Counties, Inc	In Person		3/9/2021 13:39
Korey	Elger	For	Co Dept of Human Services	In Person		3/9/2021 12:39
Korey	Elger	For	CDHS	In Person		3/9/2021 12:40
Heather	Crate	For	Self	Remotely		2/25/2021 15:14
Betsy	Fordyce	For	Rocky Mountain Children's Law Center	Remotely		3/5/2021 13:00
Samantha	Carwyn	For	Interfaith Alliance of Colorado	Remotely		3/5/2021 14:43
Milagro	Lebron	For	Self	Remotely		3/5/2021 15:50
Deanna	Blair	For	Self	Remotely		3/8/2021 13:59
Andrew	Andrew	For	Self	Remotely		3/8/2021 16:27
Chris	Henderson	For	Colorado Office of the Child's Representative	Remotely		3/8/2021 9:48
Wayne	Laws	For	Self	Remotely		3/9/2021 7:55
Alison	Butler	For	Colorado Office of Respondent Parents' Counsel	Remotely		3/9/2021 11:41
Karla	GonzalesGarcia	For	Colorado Organization for Latina Opportunity and Reproductive Rights	Remotely		3/9/2021 12:59

Testimony Report HB21-1072

					<p>I urge the committee to vote for this bill. _x000D_ _x000D_ As the facilitator of a transgender support group I can tell you that Transgender youth in and out of foster care need to be supported in their gender identity and gender expression. I have seen the harsh consequences for those who were not supported, and those who have seen suicide as their only escape. Depression and suicidal ideation and attempts are common in transgender youths who are not supported, and all those involved in the foster care systems needed to be educated and required to support these youth. _x000D_ _x000D_ Please support HB21-1072 _x000D_ _x000D_ Thank you. _x000D_ _x000D_</p>	
Laura	MacWaters	Amend	Self	Submitted text		3/8/2021 21:33
Meghan	Baker	For	Disability Law Colorado	Uploaded file		3/9/2021 13:15