

SB077_L.001

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.SB16-077 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add part 3 to article
4 84 of title 8 as follows:

5 PART 3
6 EMPLOYMENT FIRST FOR
7 PERSONS WITH DISABILITIES

8 **8-84-301. Legislative declaration.** (1) THE GENERAL ASSEMBLY
9 FINDS AND DECLARES THAT:

10 (a) RECENT UNITED STATES DEPARTMENT OF JUSTICE
11 INVESTIGATIONS IN SEVERAL STATES HAVE RESULTED IN THE IMPOSITION
12 OF STATEWIDE SETTLEMENT AGREEMENTS AND CONSENT DECREES TO
13 RESOLVE VIOLATIONS OF THE UNITED STATES SUPREME COURT'S DECISION
14 IN *OLMSTEAD v. L.C.*, 527 U.S. 581 (1999), WITH RESPECT TO
15 STATE-SPONSORED DAY ACTIVITY SERVICES, INCLUDING EMPLOYMENT,
16 WHICH HAVE BEEN FOUND TO BE OVERLY RELIANT ON SEGREGATED
17 WORKSHOPS AND FACILITY-BASED DAY PROGRAMS;

18 (b) THE COLORADO DIVISION OF INTELLECTUAL AND
19 DEVELOPMENTAL DISABILITIES IN THE DEPARTMENT OF HEALTH CARE
20 POLICY AND FINANCING REPORTED IN 2014 THAT FIFTY-NINE PERCENT OF
21 THE NEARLY EIGHT THOUSAND PEOPLE SERVED IN HOME- AND
22 COMMUNITY-BASED SUPPORTED LIVING SERVICES AND DEVELOPMENTAL
23 DISABILITY WAIVER PROGRAMS ARE SERVED IN SEGREGATED WORKSHOPS
24 AND FACILITY-BASED PROGRAMS, INDICATING OVER-RELIANCE ON
25 SEGREGATED SERVICES CONTRARY TO THE UNITED STATES SUPREME
26 COURT'S *OLMSTEAD* DECISION;

27 (c) THE ADOPTION OF EMPLOYMENT FIRST POLICIES IS ALSO
28 CONSISTENT WITH THE "WORKFORCE INNOVATION AND OPPORTUNITY
29 ACT", PUB. L. 113-128; THE CENTER FOR MEDICARE AND MEDICAID
30 SERVICES' HOME- AND COMMUNITY-BASED SERVICES SETTINGS FINAL
31 REQUIREMENTS, CMS 2249-F AND CMS 2296-F; THE UNITED STATES
32 SUPREME COURT'S *OLMSTEAD* DECISION, THAT PERSONS WITH DISABILITIES
33 RECEIVE SERVICES IN THE MOST INTEGRATED SETTING APPROPRIATE TO
34 THE PERSON'S NEEDS; AND MAY ALSO SERVE AS REASONABLE DEFENSE
35 AGAINST A POTENTIAL UNITED STATES DEPARTMENT OF JUSTICE
36 CORRECTIVE ACTION UNDER THE *OLMSTEAD* DECISION;

37 (d) BY PURSUING EMPLOYMENT FIRST POLICIES, COLORADO WILL



1 NOT ONLY BE SERVING THE NEEDS OF ITS CITIZENS WITH DISABILITIES, IT
2 WILL BE MAKING A SOUND ECONOMIC INVESTMENT, AS RESEARCH SHOWS
3 THAT SUPPORTED EMPLOYMENT YIELDS A \$1.46 BENEFIT TO TAXPAYERS
4 FOR EVERY DOLLAR SPENT;

5 (e) EIGHTY-FIVE PERCENT OF ADULTS WITH INTELLECTUAL AND
6 DEVELOPMENTAL DISABILITIES ARE EITHER UNEMPLOYED OR
7 UNDEREMPLOYED, DESPITE THEIR ABILITY, DESIRE, AND WILLINGNESS TO
8 WORK IN THE COMMUNITY;

9 (f) THE PERCENTAGE OF WORKING-AGE PEOPLE WITH DISABILITIES
10 IN THE LABOR FORCE IS ABOUT ONE-THIRD THAT OF PERSONS WITH NO
11 DISABILITY;

12 (g) AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR
13 BUREAU OF LABOR STATISTICS, PERSONS WITH DISABILITIES WHO ARE NOT
14 EMPLOYED OR ARE UNDEREMPLOYED REPORT MANY BARRIERS TO
15 EMPLOYMENT, INCLUDING THE POTENTIAL FOR LOSS OF MEDICAID
16 BENEFITS DUE TO MEDICAID INCOME AND ASSET LIMITATIONS; AND

17 (h) PUBLIC POLICY DESIGNED TO INCREASE COMPETITIVE
18 INTEGRATED EMPLOYMENT FOR PERSONS WITH DISABILITIES MUST
19 ADDRESS THESE BARRIERS IN A NUMBER OF KEY WAYS BY PROMOTING
20 BEST PRACTICES; BETTER SCHOOL-TO-WORK TRANSITIONS; SERVICE
21 SYSTEM ENHANCEMENTS, INCLUDING THE ADOPTION OF EMPLOYMENT
22 FIRST POLICIES; AND TRAINING AND SUPPORTS FOR PERSONS WITH
23 DISABILITIES AND THOSE IMPLEMENTING PROGRAMS AND PROVIDING
24 SERVICES.

25 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
26 DEVELOPING AND IMPLEMENTING EMPLOYMENT FIRST POLICIES WILL
27 BENEFIT PERSONS WITH DISABILITIES BY INCREASING:

28 (a) THE NUMBER OF PEOPLE ENTERING THE WORKFORCE WHO
29 CONTRIBUTE TO COLORADO'S TAX BASE;

30 (b) THE SELF-WORTH AND DIGNITY OF PEOPLE WITH DISABILITIES
31 WHO ARE GAINFULLY EMPLOYED, WORKING ALONGSIDE PEOPLE WITHOUT
32 DISABILITIES;

33 (c) OPPORTUNITIES TO WORK IN JOBS THAT PAY FAIR WAGES AND
34 BENEFITS, THEREBY LESSENING DEPENDENCE ON MEDICAID AND OTHER
35 PUBLIC ASSISTANCE;

36 (d) OPPORTUNITIES FOR POSTSECONDARY EDUCATION, INCLUDING
37 COLLEGE AND VOCATIONAL TRAINING, LEADING TO BETTER JOBS,
38 SELF-EMPLOYMENT, BUSINESS OWNERSHIP, AND NEW CAREER DIRECTIONS;
39 AND

40 (e) THE ABILITY TO ACCUMULATE EARNINGS AND ASSETS
41 THROUGH WORK, WITHOUT LOSING ESSENTIAL PUBLIC BENEFITS, AND TO

1 PREPARE FOR RETIREMENT.

2 **8-84-302. Definitions.** AS USED IN THIS PART 3, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "ADVISORY GROUP" MEANS THE EXISTING EMPLOYMENT FIRST
5 STATE LEADERSHIP MENTORING PROGRAM CORE STATE ADVISORY GROUP
6 THAT IS RECONSTITUTED AND CREATED PURSUANT TO SECTION 8-84-304
7 AS THE EMPLOYMENT FIRST CORE STATE ADVISORY GROUP.

8 (2) "AGENCY PARTNERS" MEANS THE DEPARTMENT, THE
9 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE DEPARTMENT
10 OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, AND THE
11 DEPARTMENT OF HUMAN SERVICES.

12 (3) "CAREER DEVELOPMENT PLANNING" MEANS A
13 PERSON-CENTERED PROCESS THAT IDENTIFIES THE INDIVIDUAL'S
14 EMPLOYMENT GOALS AND OBJECTIVES; THE SERVICES AND SUPPORTS
15 NEEDED TO ACHIEVE THOSE GOALS AND OBJECTIVES; THE PERSONS,
16 AGENCIES, AND PROVIDERS ASSIGNED TO ASSIST THE INDIVIDUAL IN
17 ATTAINING THE GOALS; AND THE OBSTACLES FACED BY THE INDIVIDUAL
18 WORKING IN COMPETITIVE INTEGRATED EMPLOYMENT. CAREER
19 DEVELOPMENT PLANNING REFLECTS A PRESUMPTION THAT ALL PERSONS
20 WITH DISABILITIES ARE CAPABLE OF WORKING IN A COMPETITIVE
21 INTEGRATED EMPLOYMENT SETTING.

22 (4) "COMPETTIVE INTEGRATED EMPLOYMENT" MEANS WORK PAID
23 DIRECTLY BY EMPLOYERS AT THE GREATER OF THE STATE OR FEDERAL
24 MINIMUM WAGE OR PREVAILING WAGE WITH COMMENSURATE BENEFITS,
25 OCCURRING IN A TYPICAL WORK SETTING WHERE THE EMPLOYEE WITH A
26 DISABILITY INTERACTS OR HAS THE OPPORTUNITY TO INTERACT
27 CONTINUOUSLY WITH COWORKERS WITHOUT DISABILITIES, NOT INCLUDING
28 SUPERVISORY PERSONNEL OR INDIVIDUALS WHO ARE PROVIDING SERVICES
29 TO THE EMPLOYEE WITH A DISABILITY, AND THE EMPLOYEE WITH A
30 DISABILITY HAS AN OPPORTUNITY FOR ADVANCEMENT OR JOB MOBILITY,
31 AND IS ENGAGED, PREFERABLY, IN FULL-TIME WORK.

32 (5) "DISCOVERY PROCESS" MEANS A PROCESS TO DISCOVER
33 ALREADY-EXISTING INFORMATION ABOUT A JOB SEEKER THAT IS BASED ON
34 INFORMATION OBTAINED FROM A PERSON'S ENTIRE LIFE AND NOT FROM
35 SHORT INSTANCES OF JOB PERFORMANCE. THE INFORMATION IS GATHERED
36 FROM THE JOB SEEKER AND OTHERS TO DETERMINE THE JOB SEEKER'S
37 INTERESTS, SKILLS, AND PREFERENCES RELATED TO POTENTIAL
38 EMPLOYMENT THAT GUIDE THE DEVELOPMENT OF A CUSTOMIZED JOB.

39 (6) "EMPLOYMENT FIRST" MEANS A FRAMEWORK FOR CHANGE IN
40 THE PROVISION OF SERVICES THAT IS CENTERED ON THE PREMISE THAT ALL
41 PERSONS, INCLUDING PERSONS WITH SIGNIFICANT DISABILITIES, ARE

1 CAPABLE OF FULL PARTICIPATION IN COMPETITIVE INTEGRATED
2 EMPLOYMENT AND COMMUNITY LIFE. UNDER THIS FRAMEWORK, IN
3 PROVIDING PUBLICLY FUNDED SERVICES, EMPLOYMENT IN THE GENERAL
4 WORKFORCE IS THE FIRST AND PREFERRED OUTCOME FOR ALL
5 WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF
6 DISABILITY. PUBLICLY FUNDED AGENCIES AND SYSTEMS ALIGN POLICIES,
7 SERVICE DELIVERY PRACTICES, FUNDING, AND REIMBURSEMENT
8 STRUCTURES IN ORDER TO ACHIEVE COMPETITIVE INTEGRATED
9 EMPLOYMENT.

10 (7) "PERSON WITH AN INTELLECTUAL AND DEVELOPMENTAL
11 DISABILITY" HAS THE SAME MEANING AS SET FORTH IN SECTION
12 25.5-10-202, C.R.S.

13 **8-84-303. Department duties.** (1) PURSUANT TO ITS STATUTORY
14 AUTHORITY AND AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL:

15 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
16 PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE
17 INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO, AND ENSURE THAT
18 OPTIONS FOR COMPETITIVE INTEGRATED EMPLOYMENT WITH APPROPRIATE
19 SUPPORTS ARE EXPLORED BEFORE CONSIDERATION OF SEGREGATED
20 ACTIVITIES;

21 (b) PROMOTE PARTNERSHIPS WITH EMPLOYERS TO OVERCOME
22 BARRIERS TO MEETING WORKFORCE NEEDS THROUGH THE EMPLOYMENT
23 OF PERSONS WITH DISABILITIES;

24 (c) CREATE A SUPPORT RATE REIMBURSEMENT CODE IN THE
25 VENDOR FEE SCHEDULE FOR DISCOVERY PROCESS TO ALIGN ACROSS
26 AGENCIES WITH EVIDENCE-BASED BEST PRACTICES OF SUPPORTED AND
27 CUSTOMIZED EMPLOYMENT SERVICES FOR PERSONS WITH SIGNIFICANT
28 DISABILITIES;

29 (d) MAINTAIN COLORADO'S MEMBERSHIP IN THE UNITED STATES
30 DEPARTMENT OF LABOR OFFICE OF DISABILITY EMPLOYMENT POLICY'S
31 EMPLOYMENT FIRST STATE LEADERSHIP MENTORING PROGRAM TO ALIGN
32 POLICIES, COORDINATE RESOURCES, AND UPDATE SERVICE DELIVERY
33 MODELS TO FACILITATE INCREASED COMPETITIVE INTEGRATED
34 EMPLOYMENT OUTCOMES;

35 (e) SERVE AS A LIAISON BETWEEN THE EMPLOYMENT FIRST CORE
36 STATE ADVISORY GROUP, THE UNITED STATES DEPARTMENT OF LABOR
37 OFFICE OF DISABILITY EMPLOYMENT POLICY, AND THE OTHER AGENCY
38 PARTNERS;

39 (f) ALONG WITH ITS AGENCY PARTNERS, ACTIVELY PARTICIPATE IN
40 AND PROVIDE ASSISTANCE TO THE ADVISORY GROUP TO ALIGN POLICIES,
41 COORDINATE RESOURCES, AND UPDATE DELIVERY MODELS TO FACILITATE

1 INCREASED COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR
2 PERSONS WITH DISABILITIES; AND

3 (g) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
4 ADVISORY GROUP AT THE DEPARTMENT'S ANNUAL PRESENTATION MADE
5 TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION
6 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND
7 THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER,
8 THE DEPARTMENT SHALL INFORM ITS LEGISLATIVE COMMITTEE OF
9 REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE
10 IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES.

11 (2) THE DEPARTMENT SHALL PROVIDE MEETING SPACE,
12 EQUIPMENT, AND STAFF SERVICES AS MAY BE NECESSARY FOR THE
13 ADVISORY GROUP TO CARRY OUT ITS DUTIES, AND SHALL AID IN THE
14 DRAFTING OF THE ADVISORY GROUP'S REPORT AND RECOMMENDATIONS TO
15 THE GENERAL ASSEMBLY, AND ANY SUBSEQUENT REPORTING.

16 **8-84-304. Employment first core state advisory group -**
17 **creation - membership - repeal.** (1) THE EMPLOYMENT FIRST STATE
18 LEADERSHIP MENTORING PROGRAM CORE STATE ADVISORY GROUP HAS
19 BEEN CREATED IN THE DEPARTMENT AS PART OF THE UNITED STATES
20 DEPARTMENT OF LABOR OFFICE OF DISABILITY EMPLOYMENT POLICY'S
21 EMPLOYMENT FIRST STATE LEADERSHIP MENTORING PROGRAM AND IS
22 HEREBY RECONSTITUTED AS THE EMPLOYMENT FIRST CORE STATE
23 ADVISORY GROUP. AFTER CONSIDERING THE DUTIES SET FORTH IN SECTION
24 8-84-305, THE ADVISORY GROUP SHALL DEVELOP A STRATEGIC PLAN TO
25 EXPAND COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR
26 PERSONS WITH DISABILITIES THROUGH EMPLOYMENT FIRST POLICIES AND
27 PRACTICES. THE STRATEGIC PLAN MUST INCLUDE RECOMMENDATIONS TO
28 THE GENERAL ASSEMBLY AND THE RELEVANT POLICY-MAKING BOARDS
29 CONCERNING ANY CHANGES TO STATE STATUTES OR RULES NECESSARY TO
30 IMPLEMENT THE STRATEGIC PLAN, ALONG WITH A FISCAL ANALYSIS OF
31 IMPLEMENTATION COSTS, WHERE PRACTICABLE. THE STRATEGIC PLAN AND
32 RECOMMENDATIONS SHALL BE PRESENTED TO THE LEGISLATIVE
33 COMMITTEES OF REFERENCE FOR THE AGENCY PARTNERS AS PART OF THE
34 DEPARTMENTS' ANNUAL PRESENTATIONS MADE PURSUANT TO SECTION
35 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND
36 THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER,
37 THE AGENCY PARTNERS SHALL INFORM THE LEGISLATIVE COMMITTEES OF
38 REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE
39 IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES. AFTER THE
40 PRESENTATION OF THE STRATEGIC PLAN, THE ADVISORY GROUP SHALL
41 CONTINUE TO MEET, AS NECESSARY, TO ISSUE ADDITIONAL REPORTS, IF

1 DESIRABLE; TO CONSIDER REVISIONS TO THE PLAN; AND TO PROVIDE
2 ADVICE AND EXPERTISE RELATING TO THE SUBSEQUENT IMPLEMENTATION
3 OF THE PLAN.

4 (2) THE ADVISORY GROUP CONSISTS OF NOT LESS THAN SEVENTEEN
5 AND NOT MORE THAN TWENTY-ONE MEMBERS, INCLUDING ONE MEMBER
6 FROM EACH OF THE AGENCY PARTNERS, APPOINTED BY THE HEAD OF THE
7 AGENCY; FOUR MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
8 REPRESENTATIVES; FOUR MEMBERS APPOINTED BY THE PRESIDENT OF THE
9 SENATE; AND UP TO EIGHT ADDITIONAL MEMBERS APPOINTED BY THE
10 GOVERNOR. THE GOVERNOR'S INITIAL APPOINTMENTS SHALL INCLUDE THE
11 MEMBERS ORIGINALLY APPOINTED TO THE EMPLOYMENT FIRST STATE
12 LEADERSHIP MENTORING PROGRAM CORE STATE ADVISORY GROUP BEFORE
13 IT WAS RECONSTITUTED AS THE ADVISORY GROUP PURSUANT TO THIS
14 SECTION.

15 (3) (a) WITH THE EXCEPTION OF THE MEMBERS REPRESENTING THE
16 AGENCY PARTNERS, THE APPOINTMENTS TO THE ADVISORY GROUP MUST
17 INCLUDE, AT A MINIMUM:

18 (I) ONE MEMBER REPRESENTING A NATIONAL ASSOCIATION OF
19 PERSONS SUPPORTING THE IMPLEMENTATION OF EMPLOYMENT FIRST
20 POLICIES;

21 (II) ONE MEMBER WHO IS AN ADVOCATE FOR PERSONS WITH
22 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

23 (III) TWO MEMBERS WHO ARE PERSONS WITH A DISABILITY WHO
24 HAVE SECURED OR ARE SEEKING COMPETITIVE INTEGRATED EMPLOYMENT;

25 (IV) ONE MEMBER WHO IS A PARENT OR LEGAL GUARDIAN OF A
26 PERSON WITH A DISABILITY;

27 (V) ONE MEMBER WHO REPRESENTS AN EMPLOYMENT SERVICE
28 AGENCY OR WHO IS A JOB COACH, JOB DEVELOPMENT PROFESSIONAL, OR
29 A PERSON WHO OFFERS EMPLOYMENT SERVICES;

30 (VI) TWO MEMBERS REPRESENTING EMPLOYERS WHO HIRE
31 INDIVIDUALS WITH DISABILITIES; AND

32 (VII) ONE MEMBER WHO WORKS FOR A SCHOOL DISTRICT IN
33 TRANSITION SERVICES.

34 (b) IF QUALIFIED, A MEMBER MAY BE APPOINTED TO REPRESENT
35 MORE THAN ONE INTEREST ON THE ADVISORY GROUP.

36 (4) THE APPOINTING AUTHORITIES SHALL MAKE APPOINTMENTS TO
37 THE ADVISORY GROUP NO LATER THAN OCTOBER 1, 2016, WITH THE
38 MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
39 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE SERVING
40 TWO-YEAR TERMS. THE AGENCY REPRESENTATIVES MAY SERVE
41 INDEFINITE TERMS, AND THE GOVERNOR'S APPOINTEES MAY SERVE A TERM

1 SPECIFIED BY THE GOVERNOR. MEMBERS SERVE AT THE PLEASURE OF THE
2 APPOINTING AUTHORITY AND WITHOUT COMPENSATION OR
3 REIMBURSEMENT FOR EXPENSES.

4 (5) THE ADVISORY GROUP SHALL ELECT A MEMBER TO SERVE AS
5 CHAIR AND VICE-CHAIR OF THE ADVISORY GROUP. THE ADVISORY GROUP
6 SHALL MEET AS OFTEN AS NECESSARY TO COMPLETE ITS DUTIES, BUT
7 SHALL MEET AT LEAST ONCE EVERY QUARTER.

8 (6) AT ITS DISCRETION, THE ADVISORY GROUP MAY FORM
9 SUBGROUPS THAT INCLUDE STAKEHOLDERS AND ADVOCATES WHO ARE
10 NOT MEMBERS OF THE ADVISORY GROUP, AND MAY INVITE PUBLIC
11 COMMENT.

12 (7) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2026.

13 (b) PRIOR TO REPEAL OF THE ADVISORY GROUP, THE DEPARTMENT
14 OF REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW OF THE
15 ADVISORY GROUP PURSUANT TO THE PROVISIONS OF SECTION 2-3-1203,
16 C.R.S.

17 **8-84-305. Duties of the advisory group.** (1) IN DEVELOPING THE
18 STRATEGIC PLAN TO EXPAND COMPETITIVE INTEGRATED EMPLOYMENT
19 OUTCOMES FOR PERSONS WITH DISABILITIES THROUGH EMPLOYMENT FIRST
20 POLICIES AND PRACTICES, AND IN FORMULATING THE RECOMMENDATIONS
21 OF THE ADVISORY GROUP, THE ADVISORY GROUP SHALL:

22 (a) REVIEW AGENCY PARTNER RESPONSIBILITIES FOR PROGRAMS
23 AND SERVICES, STATE AND FEDERAL FUNDING, AND OVERSIGHT TO
24 DETERMINE WHETHER OPPORTUNITIES EXIST FOR MORE EFFICIENT OR
25 EFFECTIVE PROGRAMS OR SERVICES;

26 (b) MAKE RECOMMENDATIONS TO ENSURE THAT, IN PROVIDING
27 PUBLICLY FUNDED SERVICES, COMPETITIVE INTEGRATED EMPLOYMENT IS
28 THE PRIMARY OBJECTIVE AND PREFERRED OUTCOME FOR ALL
29 WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF
30 DISABILITY;

31 (c) IDENTIFY THE BARRIERS TO COMPETITIVE INTEGRATED
32 EMPLOYMENT FOR PERSONS WITH DISABILITIES, INCLUDING POLICY,
33 PROCEDURAL, FINANCIAL, EDUCATIONAL, TRANSPORTATION, SERVICE
34 DELIVERY, AND OTHER BARRIERS;

35 (d) IDENTIFY GAPS IN POSTSECONDARY EDUCATION PLANNING,
36 CAREER PLANNING, TRANSITION PLANNING, AND INTEGRATION OF
37 PLANNING WITH PLACEMENT AND EMPLOYMENT SERVICES;

38 (e) MAKE RECOMMENDATIONS RELATING TO CAREER
39 DEVELOPMENT PLANNING TO ENSURE THAT CAREER DEVELOPMENT PLANS
40 ARE PART OF INDIVIDUALIZED EDUCATION PLANS, INDIVIDUAL PLANS FOR
41 EMPLOYMENT, AND SERVICE PLANS, AND THAT SUCH PLANNING IS

1 INTEGRATED WITH ACTUAL CAREER PREPARATION, SERVICES, AND
2 ACTIVITIES;

3 (f) IDENTIFY TRAINING AND KNOWLEDGE GAPS AMONG AGENCY
4 STAFF AND AGENCY VENDORS THAT MAY CREATE OBSTACLES AND
5 PERCEIVED OBSTACLES FOR INDIVIDUALS WITH DISABILITIES, INCLUDING
6 SIGNIFICANT DISABILITIES, FROM PARTICIPATING IN COMPETITIVE
7 INTEGRATED EMPLOYMENT;

8 (g) IDENTIFY INFORMATION RELATING TO BENEFITS AND OTHER
9 INFORMATION THAT, WHEN PRESENTED TO GUARDIANS OF AND
10 INDIVIDUALS WITH DISABILITIES, WOULD HELP ADDRESS OBSTACLES AND
11 PERCEIVED OBSTACLES FOR INDIVIDUALS WITH DISABILITIES, INCLUDING
12 SIGNIFICANT DISABILITIES, FROM PARTICIPATING IN COMPETITIVE
13 INTEGRATED EMPLOYMENT;

14 (h) IDENTIFY SOLUTIONS TO ENSURE THAT SECONDARY STUDENTS
15 OBTAIN EMPLOYMENT OR ACCEPTANCE TO POSTSECONDARY EDUCATIONAL
16 PROGRAMS PRIOR TO GRADUATION FROM HIGH SCHOOL;

17 (i) IDENTIFY THE GAPS IN THE STATE'S IMPLEMENTATION OF THE
18 UNITED STATES SUPREME COURT'S DECISION IN *OLMSTEAD v. L.C.*, 527
19 U.S. 581 (1999), AND, SPECIFICALLY, THE INCLUSION OF EMPLOYMENT AS
20 PART OF THE STATE'S PLAN;

21 (j) IDENTIFY THE DATA AVAILABLE AND THE GAPS IN DATA
22 COLLECTION THAT PROHIBIT THE MEASUREMENT OF COLORADO'S
23 PROGRESS TOWARDS COMPLIANCE WITH THE UNITED STATES SUPREME
24 COURT'S *OLMSTEAD* DECISION;

25 (k) RECOMMEND APPROPRIATE STATE BENCHMARKS TO IMPROVE
26 COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES AND PROCEDURES
27 FOR MEASURING THE ATTAINMENT OF THE BENCHMARKS;

28 (l) IDENTIFY EVIDENCE-BASED EMPLOYMENT SERVICES POLICIES
29 THAT ARE BASED ON AN INDIVIDUAL'S CAPABILITIES, CHOICES, AND
30 STRENGTHS;

31 (m) IDENTIFY BEST PRACTICES FOR IMPLEMENTATION OF
32 SUPPORTED EMPLOYMENT AND CUSTOMIZED EMPLOYMENT MODELS THAT
33 RESULT IN COMPETITIVE INTEGRATED EMPLOYMENT;

34 (n) RECOMMEND PROVIDER QUALIFICATION STANDARDS FOR
35 SUPPORTED EMPLOYMENT SERVICES, INCLUDING PROGRAMS FUNDED BY
36 THE HOME- AND COMMUNITY-BASED SERVICES INTELLECTUAL AND
37 DEVELOPMENTAL DISABILITIES AND SUPPORTED LIVING SERVICES
38 WAIVERS;

39 (o) EXAMINE REQUIREMENTS FOR THE EXPANSION OF THE
40 MEDICAID BUY-IN PROGRAM, INCLUDING A FISCAL ANALYSIS OF POTENTIAL
41 COSTS;

1 (p) EXAMINER RAISING ASSET LIMITS FOR ALL MEDICAID ELIGIBILITY
2 CATEGORIES AS PERMITTED UNDER FEDERAL LAW, INCLUDING A FISCAL
3 ANALYSIS OF POTENTIAL COSTS; AND

4 (q) MAKE RECOMMENDATIONS RELATING TO PRE-VOCATIONAL
5 SERVICES TO ENSURE THAT, IN COMPLIANCE WITH FEDERAL LAW, THE
6 SERVICES ARE TIME LIMITED AND REASONABLY LEAD TO COMPETITIVE
7 INTEGRATED EMPLOYMENT. THE ADVISORY GROUP'S CONSIDERATION
8 SHALL INCLUDE THE AVERAGE TIME CURRENTLY SPENT IN
9 PRE-EMPLOYMENT SERVICES BY PERSONS THROUGH THE HOME- AND
10 COMMUNITY-BASED SERVICES INTELLECTUAL AND DEVELOPMENTAL
11 DISABILITIES WAIVER COMBINED WITH THE TIME PREVIOUSLY SPENT IN
12 SHELTERED WORKSHOPS.

13 (2) THE ADVISORY GROUP MAY CONSIDER EMPLOYMENT FIRST
14 ISSUES AND MAKE RECOMMENDATIONS ON ISSUES THAT ARE NOT
15 DESCRIBED IN SUBSECTION (1) OF THIS SECTION, AND MAY PRIORITIZE ITS
16 WORK ON THE ISSUES, INCLUDING DECIDING NOT TO PURSUE AN ISSUE, IN
17 ORDER TO ACHIEVE AN EFFICIENT USE OF THE ADVISORY GROUP'S TIME
18 AND RESOURCES.

19 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
20 (mm) (II) as follows:

21 **2-3-1203. Sunset review of advisory committees.** (3) The
22 following dates are the dates on which the statutory authorization for the
23 designated advisory committee is scheduled for repeal:

24 (mm) September 1, 2026:

25 (II) THE EMPLOYMENT FIRST CORE STATE ADVISORY GROUP IN THE
26 DEPARTMENT OF LABOR AND EMPLOYMENT CREATED IN SECTION 8-84-304,
27 C.R.S.;

28 **SECTION 3.** In Colorado Revised Statutes, **add** part 5 to article
29 10 of title 25.5 as follows:

30 PART 5
31 EMPLOYMENT FIRST FOR
32 PERSONS WITH DISABILITIES

33 **25.5-10-501. Legislative declaration.** (1) THE GENERAL
34 ASSEMBLY FINDS AND DECLARES THAT:

35 (a) RECENT UNITED STATES DEPARTMENT OF JUSTICE
36 INVESTIGATIONS IN SEVERAL STATES HAVE RESULTED IN THE IMPOSITION
37 OF STATEWIDE SETTLEMENT AGREEMENTS AND CONSENT DECREES TO
38 RESOLVE VIOLATIONS OF THE UNITED STATES SUPREME COURT'S DECISION
39 IN *OLMSTEAD v. L.C.*, 527 U.S. 581 (1999), WITH RESPECT TO
40 STATE-SPONSORED DAY ACTIVITY SERVICES, INCLUDING EMPLOYMENT,
41 WHICH HAVE BEEN FOUND TO BE OVERLY RELIANT ON SEGREGATED



1 WORKSHOPS AND FACILITY-BASED DAY PROGRAMS;

2 (b) THE COLORADO DIVISION OF INTELLECTUAL AND
3 DEVELOPMENTAL DISABILITIES IN THE STATE DEPARTMENT REPORTED IN
4 2014 THAT FIFTY-NINE PERCENT OF THE NEARLY EIGHT THOUSAND PEOPLE
5 SERVED IN HOME- AND COMMUNITY-BASED SUPPORTED LIVING SERVICES
6 AND DEVELOPMENTAL DISABILITY WAIVER PROGRAMS ARE SERVED IN
7 SEGREGATED WORKSHOPS AND FACILITY-BASED PROGRAMS, INDICATING
8 OVER-RELIANCE ON SEGREGATED SERVICES CONTRARY TO THE SUPREME
9 COURT'S *OLMSTEAD* DECISION;

10 (c) THE ADOPTION OF EMPLOYMENT FIRST POLICIES IS ALSO
11 CONSISTENT WITH THE "WORKFORCE INNOVATION AND OPPORTUNITY
12 ACT", PUB. L. 113-128; THE CENTER FOR MEDICARE AND MEDICAID
13 SERVICES' HOME- AND COMMUNITY-BASED SERVICES SETTINGS FINAL
14 REQUIREMENTS, CMS 2249-F AND CMS 2296-F; THE UNITED STATES
15 SUPREME COURT'S *OLMSTEAD* DECISION, THAT PERSONS WITH DISABILITIES
16 RECEIVE SERVICES IN THE MOST INTEGRATED SETTING APPROPRIATE TO
17 THE PERSON'S NEEDS; AND MAY ALSO SERVE AS REASONABLE DEFENSE
18 AGAINST A POTENTIAL UNITED STATES DEPARTMENT OF JUSTICE
19 CORRECTIVE ACTION UNDER THE *OLMSTEAD* DECISION;

20 (d) BY PURSUING EMPLOYMENT FIRST POLICIES, COLORADO WILL
21 NOT ONLY BE SERVING THE NEEDS OF ITS CITIZENS WITH DISABILITIES, IT
22 WILL BE MAKING A SOUND ECONOMIC INVESTMENT, AS RESEARCH SHOWS
23 THAT SUPPORTED EMPLOYMENT YIELDS A \$1.46 BENEFIT TO TAXPAYERS
24 FOR EVERY DOLLAR SPENT;

25 (e) EIGHTY-FIVE PERCENT OF ADULTS WITH INTELLECTUAL AND
26 DEVELOPMENTAL DISABILITIES ARE EITHER UNEMPLOYED OR
27 UNDEREMPLOYED, DESPITE THEIR ABILITY, DESIRE, AND WILLINGNESS TO
28 WORK IN THE COMMUNITY;

29 (f) THE PERCENTAGE OF WORKING-AGE PEOPLE WITH DISABILITIES
30 IN THE LABOR FORCE IS ABOUT ONE-THIRD THAT OF PERSONS WITH NO
31 DISABILITY;

32 (g) AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR
33 BUREAU OF LABOR STATISTICS, PERSONS WITH DISABILITIES WHO ARE NOT
34 EMPLOYED OR ARE UNDEREMPLOYED REPORT MANY BARRIERS TO
35 EMPLOYMENT, INCLUDING THE POTENTIAL FOR LOSS OF MEDICAID
36 BENEFITS DUE TO MEDICAID INCOME AND ASSET LIMITATIONS; AND

37 (h) PUBLIC POLICY DESIGNED TO INCREASE COMPETITIVE
38 INTEGRATED EMPLOYMENT FOR PERSONS WITH DISABILITIES MUST
39 ADDRESS THESE BARRIERS IN A NUMBER OF KEY WAYS BY PROMOTING
40 BEST PRACTICES; BETTER SCHOOL-TO-WORK TRANSITIONS; SERVICE
41 SYSTEM ENHANCEMENTS, INCLUDING THE ADOPTION OF EMPLOYMENT

1 FIRST POLICIES; AND TRAINING AND SUPPORTS FOR PERSONS WITH
2 DISABILITIES AND THOSE IMPLEMENTING PROGRAMS AND PROVIDING
3 SERVICES.

4 (2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT
5 DEVELOPING AND IMPLEMENTING EMPLOYMENT FIRST POLICIES WILL
6 BENEFIT PERSONS WITH DISABILITIES BY INCREASING:

7 (a) THE NUMBER OF PEOPLE ENTERING THE WORKFORCE WHO
8 CONTRIBUTE TO COLORADO'S TAX BASE;

9 (b) THE SELF-WORTH AND DIGNITY OF PEOPLE WITH DISABILITIES
10 WHO ARE GAINFULLY EMPLOYED, WORKING ALONGSIDE PEOPLE WITHOUT
11 DISABILITIES;

12 (c) OPPORTUNITIES TO WORK IN JOBS THAT PAY FAIR WAGES AND
13 BENEFITS, THEREBY LESSENING DEPENDENCE ON MEDICAID AND OTHER
14 PUBLIC ASSISTANCE;

15 (d) OPPORTUNITIES FOR POSTSECONDARY EDUCATION, INCLUDING
16 COLLEGE AND VOCATIONAL TRAINING, LEADING TO BETTER JOBS,
17 SELF-EMPLOYMENT, BUSINESS OWNERSHIP, AND NEW CAREER DIRECTIONS;
18 AND

19 (e) THE ABILITY TO ACCUMULATE EARNINGS AND ASSETS
20 THROUGH WORK, WITHOUT LOSING ESSENTIAL PUBLIC BENEFITS, AND TO
21 PREPARE FOR RETIREMENT.

22 **25.5-10-502. Definitions.** AS USED IN THIS PART 5, UNLESS THE
23 CONTEXT OTHERWISE REQUIRES:

24 (1) "ADVISORY GROUP" MEANS THE EXISTING EMPLOYMENT FIRST
25 STATE LEADERSHIP MENTORING PROGRAM CORE STATE ADVISORY GROUP
26 THAT IS RECONSTITUTED AND CREATED PURSUANT TO SECTION 8-84-304,
27 C.R.S., AS THE EMPLOYMENT FIRST CORE STATE ADVISORY GROUP.

28 (2) "AGENCY PARTNERS" MEANS THE STATE DEPARTMENT, THE
29 DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF
30 EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, AND THE
31 DEPARTMENT OF HUMAN SERVICES.

32 (3) "COMPETITIVE INTEGRATED EMPLOYMENT" MEANS WORK PAID
33 DIRECTLY BY EMPLOYERS AT THE GREATER OF THE STATE OR FEDERAL
34 MINIMUM WAGE OR PREVAILING WAGE WITH COMMENSURATE BENEFITS,
35 OCCURRING IN A TYPICAL WORK SETTING WHERE THE EMPLOYEE WITH A
36 DISABILITY INTERACTS OR HAS THE OPPORTUNITY TO INTERACT
37 CONTINUOUSLY WITH COWORKERS WITHOUT DISABILITIES, NOT INCLUDING
38 SUPERVISORY PERSONNEL OR INDIVIDUALS WHO ARE PROVIDING SERVICES
39 TO THE EMPLOYEE WITH A DISABILITY, AND THE EMPLOYEE WITH A
40 DISABILITY HAS AN OPPORTUNITY FOR ADVANCEMENT OR JOB MOBILITY,
41 AND IS ENGAGED, PREFERABLY, IN FULL-TIME WORK.

1 (4) "EMPLOYMENT FIRST" MEANS A FRAMEWORK FOR CHANGE IN
2 THE PROVISION OF SERVICES THAT IS CENTERED ON THE PREMISE THAT ALL
3 PERSONS, INCLUDING PERSONS WITH SIGNIFICANT DISABILITIES, ARE
4 CAPABLE OF FULL PARTICIPATION IN COMPETITIVE INTEGRATED
5 EMPLOYMENT AND COMMUNITY LIFE. UNDER THIS FRAMEWORK, IN
6 PROVIDING PUBLICLY FUNDED SERVICES, EMPLOYMENT IN THE GENERAL
7 WORKFORCE IS THE FIRST AND PREFERRED OUTCOME FOR ALL
8 WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF
9 DISABILITY. PUBLICLY FUNDED AGENCIES AND SYSTEMS ALIGN POLICIES,
10 SERVICE DELIVERY PRACTICES, FUNDING, AND REIMBURSEMENT
11 STRUCTURES IN ORDER TO ACHIEVE COMPETITIVE INTEGRATED
12 EMPLOYMENT.

13 **25.5-10-503. Employment first for persons with disabilities -**
14 **state department duties.** (1) PURSUANT TO ITS STATUTORY AUTHORITY
15 AND AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL:

16 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
17 PERSONS WITH DISABILITIES RECEIVING HOME- AND COMMUNITY-BASED
18 SERVICES ARE CAPABLE OF WORKING IN COMPETITIVE INTEGRATED
19 EMPLOYMENT IF THEY CHOOSE TO DO SO, AND ENSURE THAT OPTIONS FOR
20 COMPETITIVE INTEGRATED EMPLOYMENT WITH APPROPRIATE SUPPORTS
21 ARE EXPLORED BEFORE CONSIDERATION OF SEGREGATED ACTIVITIES;

22 (b) RE-ESTABLISH ANNUAL REPORTING OF THE NUMBER OF
23 INDIVIDUALS EMPLOYED, NUMBER OF INDIVIDUALS EMPLOYED IN
24 COMPETITIVE INTEGRATED EMPLOYMENT, WAGES PER HOUR EARNED, AND
25 HOURS WORKED PER WEEK FOR INDIVIDUALS SERVED BY THE DIVISION FOR
26 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

27 (c) MAINTAIN COLORADO'S MEMBERSHIP IN THE STATE
28 EMPLOYMENT LEADERSHIP NETWORK THAT WAS FOUNDED AS A JOINT
29 PARTNERSHIP BETWEEN THE NATIONAL ASSOCIATION OF STATE DIRECTORS
30 OF DEVELOPMENTAL DISABILITIES SERVICES AND THE INSTITUTE FOR
31 COMMUNITY INCLUSION AT THE UNIVERSITY OF MASSACHUSETTS BOSTON,
32 OR ANOTHER SIMILAR ORGANIZATION THAT FACILITATES COLLABORATION
33 WITH OTHER STATES TO SHARE EFFECTIVE SOLUTIONS TO INCREASE
34 EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES; AND

35 (d) ALONG WITH ITS AGENCY PARTNERS, ACTIVELY PARTICIPATE
36 IN AND PROVIDE ASSISTANCE TO THE ADVISORY GROUP TO ALIGN POLICIES,
37 COORDINATE RESOURCES, AND UPDATE DELIVERY MODELS TO FACILITATE
38 INCREASED COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR
39 PERSONS WITH DISABILITIES; AND

40 (e) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
41 ADVISORY GROUP AT THE STATE DEPARTMENT'S ANNUAL PRESENTATION

1 MADE TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO
2 SECTION 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1,
3 2017, AND THE START OF THE 2018 REGULAR LEGISLATIVE SESSION.
4 THEREAFTER, THE STATE DEPARTMENT SHALL INFORM ITS LEGISLATIVE
5 COMMITTEE OF REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND
6 THE IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES.

7 **SECTION 4.** In Colorado Revised Statutes, **add** 22-20-120 as
8 follows:

9 **22-20-120. Employment first for persons with disabilities -**
10 **duties - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
11 OTHERWISE REQUIRES:

12 (a) "AGENCY PARTNERS" MEANS THE DEPARTMENT, THE
13 DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HEALTH
14 CARE POLICY AND FINANCING, THE DEPARTMENT OF HIGHER EDUCATION,
15 AND THE DEPARTMENT OF HUMAN SERVICES.

16 (b) "COMPETITIVE INTEGRATED EMPLOYMENT" HAS THE SAME
17 MEANING AS SET FORTH IN SECTION 8-84-302, C.R.S.

18 (c) "EMPLOYMENT FIRST" HAS THE SAME MEANING AS SET FORTH
19 IN SECTION 8-84-302, C.R.S.

20 (2) PURSUANT TO ITS STATUTORY AUTHORITY AND AVAILABLE
21 APPROPRIATIONS, THE DEPARTMENT SHALL:

22 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
23 PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE
24 INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO;

25 (b) ALONG WITH ITS AGENCY PARTNERS, ACTIVELY PARTICIPATE
26 IN AND PROVIDE ASSISTANCE TO THE EMPLOYMENT FIRST CORE STATE
27 ADVISORY GROUP CREATED IN SECTION 8-84-304, C.R.S., TO ALIGN
28 POLICIES, COORDINATE RESOURCES, AND UPDATE DELIVERY MODELS TO
29 FACILITATE INCREASED COMPETITIVE INTEGRATED EMPLOYMENT
30 OUTCOMES FOR PERSONS WITH DISABILITIES; AND

31 (c) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
32 EMPLOYMENT FIRST CORE STATE ADVISORY GROUP CREATED IN SECTION
33 8-84-304, C.R.S., AT THE DEPARTMENT'S ANNUAL PRESENTATION MADE
34 TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION
35 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND
36 THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER,
37 THE DEPARTMENT SHALL INFORM ITS LEGISLATIVE COMMITTEE OF
38 REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE
39 IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES.

40 **SECTION 5.** In Colorado Revised Statutes, **add** 23-1-134 as
41 follows:



1 **23-1-134. Department directive - employment first for persons**
2 **with disabilities - duties - definitions.** (1) AS USED IN THIS SECTION,
3 UNLESS THE CONTEXT OTHERWISE REQUIRES:

4 (a) "AGENCY PARTNERS" MEANS THE DEPARTMENT, THE
5 DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HEALTH
6 CARE POLICY AND FINANCING, THE DEPARTMENT OF EDUCATION, AND THE
7 DEPARTMENT OF HUMAN SERVICES.

8 (b) "COMPETITIVE INTEGRATED EMPLOYMENT" HAS THE SAME
9 MEANING AS SET FORTH IN SECTION 8-84-302, C.R.S.

10 (c) "EMPLOYMENT FIRST" HAS THE SAME MEANING AS SET FORTH
11 IN SECTION 8-84-302, C.R.S.

12 (2) PURSUANT TO ITS STATUTORY AUTHORITY AND AVAILABLE
13 APPROPRIATIONS, THE DEPARTMENT SHALL:

14 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
15 PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE
16 INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO;

17 (b) ALONG WITH ITS AGENCY PARTNERS, ACTIVELY PARTICIPATE
18 IN AND PROVIDE ASSISTANCE TO THE EMPLOYMENT FIRST CORE STATE
19 ADVISORY GROUP CREATED IN SECTION 8-84-304, C.R.S., TO ALIGN
20 POLICIES, COORDINATE RESOURCES, AND UPDATE DELIVERY MODELS TO
21 FACILITATE INCREASED COMPETITIVE INTEGRATED EMPLOYMENT
22 OUTCOMES FOR PERSONS WITH DISABILITIES; AND

23 (c) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
24 EMPLOYMENT FIRST CORE STATE ADVISORY GROUP CREATED IN SECTION
25 8-84-304, C.R.S., AT THE DEPARTMENT'S ANNUAL PRESENTATION MADE
26 TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION
27 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND
28 THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER,
29 THE DEPARTMENT SHALL INFORM ITS LEGISLATIVE COMMITTEE OF
30 REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE
31 IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES.

32 **SECTION 6.** In Colorado Revised Statutes, **add 27-10.5-903** as
33 follows:

34 **27-10.5-903. Employment first for persons with disabilities -**
35 **duties - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
36 OTHERWISE REQUIRES:

37 (a) "AGENCY PARTNERS" MEANS THE DEPARTMENT, THE
38 DEPARTMENT OF LABOR AND EMPLOYMENT, THE DEPARTMENT OF HEALTH
39 CARE POLICY AND FINANCING, THE DEPARTMENT OF EDUCATION, AND THE
40 DEPARTMENT OF HIGHER EDUCATION.

41 (b) "COMPETITIVE INTEGRATED EMPLOYMENT" HAS THE SAME

1 MEANING AS SET FORTH IN SECTION 8-84-302, C.R.S.

2 (c) "EMPLOYMENT FIRST" HAS THE SAME MEANING AS SET FORTH
3 IN SECTION 8-84-302, C.R.S.

4 (2) PURSUANT TO ITS STATUTORY AUTHORITY AND AVAILABLE
5 APPROPRIATIONS, THE DEPARTMENT SHALL:

6 (a) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL
7 PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE
8 INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO;

9 (b) ALONG WITH ITS AGENCY PARTNERS, ACTIVELY PARTICIPATE
10 IN AND PROVIDE ASSISTANCE TO THE EMPLOYMENT FIRST CORE STATE
11 ADVISORY GROUP CREATED IN SECTION 8-84-304, C.R.S., TO ALIGN
12 POLICIES, COORDINATE RESOURCES, AND UPDATE DELIVERY MODELS TO
13 FACILITATE INCREASED COMPETITIVE INTEGRATED EMPLOYMENT
14 OUTCOMES FOR PERSONS WITH DISABILITIES; AND

15 (c) PRESENT THE REPORT AND RECOMMENDATIONS OF THE
16 EMPLOYMENT FIRST CORE STATE ADVISORY GROUP CREATED IN SECTION
17 8-84-304, C.R.S., AT THE DEPARTMENT'S ANNUAL PRESENTATION MADE
18 TO ITS LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION
19 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND
20 THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER,
21 THE DEPARTMENT SHALL INFORM ITS LEGISLATIVE COMMITTEE OF
22 REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE
23 IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES.

24 **SECTION 7. Effective date.** This act takes effect July 1, 2016.

25 **SECTION 8. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety."

28 Page 1, strike line 104 and substitute "CONNECTION THEREWITH,
29 ADVANCING THE".

** ** ** ** **

