

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) "COMPETITIVE 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) EXAMINE 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".

\*\* \*\* \*\* \*\* \*\*

