



**Colorado Behavioral Healthcare Council
Legislative Bill Tracking Slate ~ June 2, 2010 ~**

ACTIVELY SUPPORT			
Bill #	BILL SPONSOR	TITLE AND SUMMARY	Bill Status
<u>HB 10-1352</u>	Waller Steadman and Mitchell	CONCERNING CHANGES TO CRIMES INVOLVING CONTROLLED SUBSTANCES.	Sent to the Governor 5/24/10. Governor Action – Signed 5/25/10.
<u>HB 10-1360</u>	Pace Steadman	CONCERNING CHANGES TO CERTAIN PAROLE-RELATED STATUTES TO REDUCE THE NUMBER OF PAROLEES WHO RETURN TO THE DEPARTMENT OF CORRECTIONS.	Sent to the Governor 5/24/10. Governor Action – Signed 5/25/10.



SUPPORT

Bill #	BILL SPONSOR	TITLE AND SUMMARY	Bill Status
<u>HB 10-1010</u> <u>Fiscal Note</u>	Ferrandino, Morse,	CONCERNING AUTHORIZATION FOR AGENCIES OF THE STATE TO ENTER INTO PUBLIC-PRIVATE INITIATIVE AGREEMENTS WITH NONPROFIT ENTITIES.	Sent to the Governor 04/08/10. Governor Action – Signed 4/15/10.
<u>HB 10-1032</u> <u>Fiscal Note</u>	Frangas, Boyd	CONCERNING BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES.	Sent to the Governor 5/25/10. Governor Action – Signed 5/27/10.
<u>HB 10-1033</u> <u>Fiscal Note</u>	Massey, Boyd	CONCERNING THE PROVISION OF SERVICES THROUGH THE MEDICAID PROGRAM THAT ARE RELATED TO SUBSTANCE ABUSE.	Sent to the Governor 5/24/10.
<u>HB 10-1104</u>	Looper Williams,	CONCERNING AUTHORIZATION FOR THE ESTABLISHMENT OF A VETERANS TREATMENT COURT PROGRAM IN JUDICIAL DISTRICTS.	Sent to the Governor 04/08/10. Governor Action – Signed 4/16/10.
<u>HB 10-1160</u> <u>Fiscal Note</u>	Rice and Stephens Mitchell	CONCERNING THE ABILITY OF HEALTH INSURANCE CARRIERS TO OFFER INCENTIVES FOR PARTICIPATION IN WELLNESS PROGRAMS BASED ON SATISFACTION OF A STANDARD RELATED TO A HEALTH RISK FACTOR.	Sent to the Governor 5/24/10. Governor Action – Signed 5/26/10.
<u>HB 10-1284</u> <u>Fiscal Note</u>	Massey and Summers Romer and Spence	CONCERNING REGULATION OF MEDICAL MARIJUANA	Sent to the Governor 6/1/10.



SUPPORT

Bill #	BILL SPONSOR	TITLE AND SUMMARY	Bill Status
<u>HB 10-1330</u>	Kefalas and Kagan Morse	CONCERNING THE CREATION OF AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE CREATION OF A COLORADO ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION.	Sent to the Governor 5/18/10. Governor Action – Signed 5/26/10.
<u>SB 10-006</u> <u>Fiscal Note</u>	Boyd Summers	CONCERNING REDUCTIONS IN BARRIERS TO OBTAINING IDENTITY-RELATED DOCUMENTS.	Sent to the Governor 5/20/10.
<u>SB 10-014</u> <u>Fiscal Note</u>	Tochtrop Solano	CONCERNING CHANGES TO THE DEMONSTRATION PROGRAMS FOR SYSTEM OF CARE FAMILY ADVOCATES.	Sent to the Governor 3/22/10. Governor Action – Signed 03/31/10.
<u>SB 10-066</u> <u>Fiscal Note</u>	Hudak Levy	CONCERNING THE REQUIREMENT THAT CERTAIN PERSONS REPORT CHILD ABUSE OR NEGLECT.	Sent to the Governor 5/10/10.
<u>SB 10-115</u> <u>Fiscal Note</u>	Tochtrop Primavera and Merrifield	CONCERNING THE AUTHORITY OF LICENSED HEALTH CARE FACILITIES TO REDISPENSE UNUSED MEDICATIONS.	Sent to the Governor 04/08/10. Governor Action – Signed 4/13/10.
<u>SB 10-153</u>	Boyd Frangas	CONCERNING BEHAVIORAL HEALTH TRANSFORMATION.	Sent to the Governor 5/20/10.
<u>SB 10-175</u>	Boyd Riesberg	CONCERNING THE RELOCATION OF PROVISIONS RELATING TO BEHAVIORAL HEALTH.	Sent to the Governor 4/21/10. Governor Action – Signed 4/29/10.



MONITOR

Bill #	BILL SPONSOR	TITLE AND SUMMARY	Bill Status
<u>HB 10-1053</u>	Riesberg Boyd	CONCERNING COMMUNITY LONG-TERM CARE SAVINGS.	Sent to the Governor 5/24/10. Governor Action – Signed 5/26/10.
<u>HB 10-1146</u>	Hullinghorns Tochtrop,	CONCERNING CERTAIN STATE-FUNDED, COMMUNITY-BASED, LONG-TERM CARE ASSISTANCE PROVIDED TO RECIPIENTS OF CERTAIN PUBLIC BENEFIT PROGRAMS.	Sent to the Governor 5/25/10. Governor Action – Signed 5/26/10.
<u>HB 10-1274</u>	Schafer S. Johnston	CONCERNING SUCCESSFUL TRANSITIONS BACK TO THE PUBLIC SCHOOL SYSTEM FOR JUVENILES IN OUT-OF-HOME PLACEMENT WHO HAVE DEMONSTRATED BEHAVIOR THAT IS DETRIMENTAL TO THE SAFETY OR WELFARE OF THEMSELVES OR OTHERS DURING THE PREVIOUS TWELVE MONTHS.	Sent to the Governor 5/20/10. Governor Action – Signed 5/25/10.
<u>SB 10-171</u>	Newell Gagliardi	CONCERNING THE CREATION OF A CHILD PROTECTION OMBUDSMAN PROGRAM	Sent to the Governor 5/13/10. Governor Action – Signed 5/14/10.



POSTPONE INDEFINITELY/ LOST

Bill #	BILL SPONSOR	TITLE AND SUMMARY	Bill Status
<u>HB 10-1061</u>	Merrifield, Tochtrop	CONCERNING THE CREATION OF THE COLORADO MEDICAL DONATION PROGRAM TO BE ADMINISTERED BY THE STATE BOARD OF HEALTH.	House Second Reading Laid Over to 6/09/10.
<u>HB 10-1070</u> <u>Fiscal Note</u>	Casso Sandoval	CONCERNING SAFETY IN DAY TREATMENT CENTERS.	Assigned to House Health and Human Services 1/13/10.
<u>HB 10-1258</u> <u>Fiscal Note</u>	Acree Harvey	CONCERNING THE AUTHORITY OF HEALTH INSURANCE CARRIERS TO OFFER PREMIUM DISCOUNTS FOR COMPLIANCE WITH TREATMENT PLANS PRESCRIBED TO MANAGE CERTAIN COVERED CONDITIONS.	House Committee on Health and Human Services PI 2/18/10.
<u>HB 10-1354</u>	Benefield and Looper Morse	CONCERNING POLICY STUDIES CONDUCTED BY THE GENERAL ASSEMBLY DURING THE LEGISLATIVE INTERIM.	Senate Second Reading Lost with Amendments 4/30/10.
<u>SB 10-114</u> <u>Fiscal Note</u>	Carroll M. Weissmann	CONCERNING THE "COLORADO TAXPAYER TRANSPARENCY ACT OF 2010"	House Consideration of First Conference Committee Report result was to Adopt Committee Report – Not Repass 5/12/10.

FOR INFORMATIONAL PURPOSES ONLY – NO CBHC POSITION

<p><u>HB 10-1023</u></p>	<p>Waller, Gagliardi, Kagan, Kefalas, Summers</p> <p>Hudak, Boyd, Sandoval, Scheffel, White</p>	<p>CONCERNING CLARIFYING CIVIL LIABILITY REGARDING NEGLIGENT HIRING PRACTICES FOR AN EMPLOYER THAT HIRES A PERSON WITH A CRIMINAL RECORD.</p> <p>The bill prohibits information regarding an employee's criminal history from being introduced as evidence in a civil action against an employer if:</p> <ul style="list-style-type: none"> - The nature of the criminal history does not bear a direct relationship to the facts underlying the cause of action; - A court order sealed any record of a criminal case or a pardon was issued before the occurrence of the civil action; or - The record of an arrest or charge did not result in a criminal conviction. <p>The bill does not eliminate the requirement for criminal history background checks in hiring for certain employment.</p>	<p>Economic Opportunity Poverty Reduction Task Force Bill</p>	<p>Introduced in House – Assigned to Judiciary 1/13/10.</p>
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FOR INFORMATIONAL PURPOSES ONLY – NO CBHC POSITION

<p><u>HB 10-1138</u> <u>Fiscal Note</u></p>	<p>Gagliardi, Massey, Apuan, Casso, Ferrandino, Fischer, Frangas, Hullinghorst, Kefalas, Labuda, McFadyen, Middleton, Pace, Rice, Scanlan, Todd, Tyler</p> <p>Morse, Newell</p>	<p>CONCERNING THE PROGRAM TO REPAY EDUCATIONAL LOANS OF HEALTH CARE PROFESSIONALS. The bill changes the name of the state health care professional loan repayment program to the Colorado health services corps. The bill:</p> <ul style="list-style-type: none"> • specifies the manner in which the health services corps may make a lump sum payment on an eligible professional's education loans pursuant to a contract; • exempts the selection of health care professionals from the competitive bidding requirements of the procurement code; • repeals the \$35,000 per year limit on the amount of education loan repayment that a health professional may receive under the health services corps; and, • requires the primary care office to report specified information to the governor and specified committees of the general assembly on or before December 1, 2011, and every other December 1 thereafter. 		<p>Assigned to House. Health and Human Services 1/19/10.</p> <p>Scheduled for Friday, February 5th, upon adjournment, LSB-A.</p>
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FOR INFORMATIONAL PURPOSE ONLY – NO CBHC POSITION

<p><u>SB 10-176</u></p>	<p>Tochtrop Gagliardi</p>	<p>CONCERNING THE REQUIREMENTS FOR INCLUSION OF A PROFESSIONAL NURSE ON THE ADVANCED PRACTICE NURSE REGISTRY.</p> <p>Under current law, a professional nurse with an identified specialty area may apply for inclusion in the advanced practice nurse registry as a professional nurse who has obtained specialized education or training. The bill updates terminology in the law to refer to a professional nurse's "role and population focus" rather than "specialty area", and allows the state board of nursing to determine the appropriate graduate degrees a professional nurse must successfully complete in order to qualify for inclusion on the registry. Additionally, the bill allows a professional nurse to obtain inclusion on the registry by endorsement if he or she:</p> <ul style="list-style-type: none"> • Is recognized as an advanced practice nurse in another state or jurisdiction and has practiced as an advanced practice nurse for at least 2 of the last 5 years; or • Holds a national certification in the appropriate role and population focus and possesses an appropriate graduate degree. 		<p>Introduced in Senate – Assigned to Business, Labor and Technology 03/01/10.</p>
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ADDITIONAL INFORMATION

ACTIVELY SUPPORT

HB 10-1352 - CONCERNING CHANGES TO CRIMES INVOLVING CONTROLLED SUBSTANCES

Summary

- The bill changes the classification, scope, definitions, and other specific provisions of certain drug-related crimes and the crime of fraud and deceit.
 - **Section 1** makes legislative findings and declarations.
 - **Section 2** lowers the penalty for unlawful use of a controlled substance.
 - **Sections 3 and 4** separate the crime of possession of a controlled substance, other than marijuana, from the crime of manufacturing, dispensing, selling, distributing, or possessing with intent to manufacture, dispense, sell, or distribute a controlled substance, and change the penalties.
 - **Section 5** makes changes to marijuana offenses and penalties.
 - **Section 6** amends the special offender designations for certain drug crimes.
 - **Section 7** lowers the penalty for fraud and deceit in connection with controlled substances from a class 5 to a class 6 felony.
 - **Section 8** directs the General Assembly to appropriate a portion of the cost savings generated by the bill to the drug offender treatment fund.
 - **Section 9** requires the Division of Criminal Justice in the Department of Public Safety to analyze annually and report the fiscal savings generated by the bill.
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ACTIVELY SUPPORT

HB 10-1360 - CONCERNING CHANGES TO CERTAIN PAROLE-RELATED STATUTES TO REDUCE THE NUMBER OF PAROLEES WHO RETURN TO THE DEPARTMENT OF CORRECTIONS.

Summary

- **Section 1.** The bill clarifies that parole officers' duties include helping offenders reintegrate into society.
- **Section 3.** The bill lowers the maximum amount of time that the state board of parole revoke parole for a parolee who has committed a technical parole violation. It creates a new option for the parole board at a revocation hearing for a parolee who commits a parole violation based on a substance abuse problem, mental illness, or both. If the board finds the parolee would be amenable to treatment, the board can continue the parole revocation hearing and modify the parole conditions to allow the parolee to be placed in a treatment program. If the parolee completes the program, the board shall dismiss the parole revocation complaint. If the parolee is terminated from the treatment program, the parole board shall set a new revocation hearing. The bill creates a cash fund to support the treatment costs needed for the new parole revocation option and directs the general assembly to appropriate a portion of the cost savings generated by the bill to the cash fund.



SUPPORT

HB 10-1010 - CONCERNING AUTHORIZATION FOR AGENCIES OF THE STATE TO ENTER INTO PUBLIC-PRIVATE INITIATIVE AGREEMENTS WITH NONPROFIT ENTITIES

Summary

Using the existing public-private initiative program for the Department of Transportation as a model:

- Authorizes state agencies to enter into public-private initiative agreements with nonprofit entities; and
- Specifies evaluative criteria and procedures to be followed by the agencies in considering, evaluating, and accepting/rejecting unsolicited proposals for public-private initiatives.
- Provides an incentive for an agency to enter into public-private initiatives by amending an existing definition of "cost savings" in order to allow an agency to retain a portion of any cost savings realized from a personal services contract entered into pursuant to a public/private initiative agreement.

Notes

- Bill derived by the Long Term Fiscal Stability Commission
 - Conditional Fiscal Impact – State agency expenditures may increase or decrease, depending on volume and nature of proposals from non-profits.
 - Not intended to establish or authorize the establishment of new programs
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SUPPORT

HB 10-1032 - CONCERNING BEHAVIORAL HEALTH CRISIS RESPONSE SERVICES.

Summary

- Bill creates a statewide approach to behavioral health crisis response. If amendment to be offered February 18th is accepted, this bill will direct the Division of Behavioral Health to review the current behavioral health crisis response in Colorado and formulate a plan to address the lack of a coordinated response, which would include an analysis of the best use of existing entities that are currently involved in crisis response around the state.

Notes



SUPPORT

HB 10-1033 - CONCERNING THE PROVISION OF SERVICES THROUGH THE MEDICAID PROGRAM THAT ARE RELATED TO SUBSTANCE ABUSE

Support

- Adds to the list of optional services provided to Medicaid recipients screening, brief intervention, and referral to treatment for alcohol and other substance abuse services.

Notes

- Bill created by the Interim Health Care Task Force
 - The Department of Health Care Policy and Financing requires an appropriation of \$870,155 in FY 2010-11. Of the total, \$435,078 is General Fund and \$435,077 is federal funds.
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SUPPORT

HB 10-1104 - CONCERNING AUTHORIZATION FOR THE ESTABLISHMENT OF A VETERANS TREATMENT COURT PROGRAM IN JUDICIAL DISTRICTS

Summary

- The bill authorizes each judicial district to establish a program for the treatment of certain defendants who are veterans or members of the military (veterans court).
- The bill describes the general components required for each veterans court.
 - A court may place a veteran or member of the military in a supervision program, without entering a judgment of conviction, with terms and conditions that include successful completion of the veterans court
 - A court may not assign a defendant to a veterans court if the defendant committed an offense for which the suspension of sentence or the granting of probation is prohibited by existing law.
 - A court may seal documents relating to a case involving a defendant who was assigned to the veterans court after the defendant is successfully discharged from the supervision program unless the district attorney objects.
- A county or municipal court may transfer original jurisdiction of certain cases involving misdemeanors to the district court for the purpose of assigning defendants to the veterans court.

Notes



SUPPORT

HB 10-1160 - CONCERNING THE ABILITY OF HEALTH INSURANCE CARRIERS TO OFFER INCENTIVES FOR PARTICIPATION IN WELLNESS PROGRAMS BASED ON SATISFACTION OF A STANDARD RELATED TO A HEALTH RISK FACTOR.

Summary

- Current law allows health insurance carriers offering individual health coverage plans and small group plans and the board of directors of the CoverColorado program or carriers providing health benefit plans to CoverColorado participants to offer incentives or rewards to encourage persons covered under the plans to participate in a wellness and prevention program.
 - The incentives or rewards can be based only on participation in a wellness and prevention program and cannot be tied to any particular outcome achieved by participating in the program.
 - The bill repeals the restriction on incentives based on outcomes and allows carriers to base the incentives or rewards on satisfaction of a standard related to a health factor if the incentive or reward under the wellness and prevention program is consistent with the nondiscrimination requirements of HIPAA.
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SUPPORT

HB 10-1284 - CONCERNING REGULATION OF MEDICAL MARIJUANA

Summary

- The bill creates the medical marijuana licensing authority in the department of revenue. The state licensing authority grants, refuses, or renews a medical marijuana center license after the licensee has received local approval.
 - The state licensing authority also administers aspects of medical marijuana licensure, including rulemaking.
- CDPHE will promulgate new rules related to standards for issuing registry identification cards, documentation for physicians who prescribe medical marijuana, and sanctions for physicians who violate the bill.
- A physician who certifies that a patient can use medical marijuana shall not receive remuneration from or offer it to a primary caregiver, distributor, or any other provider of medical marijuana
- A primary caregiver may serve no more than 5 patients on the registry at one time, unless the department allows more patients due to exceptional circumstances.
- The bill imposes a one-year moratorium on the opening of new medical marijuana centers, but allows current medical marijuana centers to operate for a year before becoming licensed
- The bill provides an exception to the adulterated food offenses for medical marijuana centers that manufacture or sell food that contains medical marijuana if the food is labeled as containing medical marijuana and the label specifies the amount of medical marijuana

Notes

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George DelGrosso, Executive Director, CBHC



SUPPORT

HB 10-1330 - CONCERNING THE CREATION OF AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE CREATION OF A COLORADO ALL-PAYER HEALTH CLAIMS DATABASE FOR THE PURPOSE OF TRANSPARENT PUBLIC REPORTING OF HEALTH CARE INFORMATION

Summary

- The bill requires the executive director of HCPF to appoint an advisory committee to make recommendations regarding the creation of a Colorado all-payer health claims database for the purpose of transparent public reporting of health care information.
 - The executive director is required to appoint an administrator to create the database. The administrator, in consultation with the advisory committee, shall create the database if sufficient gifts, grants, and donations are received on or before January 1, 2012, to pay for the creation and maintenance of the database.
 - The data shall be made available to the public, state agencies, and private entities consistent with privacy laws.
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SUPPORT

SB 10-006 - CONCERNING REDUCTIONS IN BARRIERS TO OBTAINING IDENTITY-RELATED DOCUMENTS.

Summary

- This bill was created through the Economic Opportunity Poverty Reduction Task Force
- Prohibits the state from charging a fee for a certified birth or death record if the applicant is a county department of social services or human services or the applicant has a letter of referral from such a county department.
- Prohibits the state from charging a fee for a Colorado identification card to an applicant referred by, or released within the prior 6 months from, the department of corrections, the division of youth corrections, or a county jail.
- Authorizes a court to grant a name change if a person has previously been convicted of a felony if specified conditions are found by the court. Directs the court to forward information on the name change to specified departments.

Notes

- This bill reduces revenue to county governments by \$211,680 for FY 2010-11 and FY 2011-12.
 - The Department of Revenue will incur computer programming costs of \$3,923 from the Licensing Services Cash Fund to track the free IDs in the motor vehicle computer system.
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SUPPORT

SB 10-014 - CONCERNING CHANGES TO THE DEMONSTRATION PROGRAMS FOR SYSTEM OF CARE FAMILY ADVOCATES.

Summary

- Under the current demonstration programs for system of care family advocates, the services are provided by family advocates. The bill will allow family system navigators to provide the same services through the demonstration programs. The bill makes necessary conforming amendments.

Notes

- Bill derived from the Legislative Oversight Committee for the Continuing Examination of the Treatment of Persons with Mental Illness Who are Involved in the Criminal and Juvenile Justice Systems
 - No fiscal impact.
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SUPPORT

SB 10-066 - CONCERNING THE REQUIREMENT THAT CERTAIN PERSONS REPORT CHILD ABUSE OR NEGLECT

Summary

- The bill clarifies that the requirement that certain persons report child abuse or neglect does not apply if a person does not have reasonable cause to know of or suspect the abuse or neglect until the child is 18 years of age or older.

Notes

- Bill from the Colorado Coalition Against Sexual Assault
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SUPPORT

SB 10-115 - CONCERNING THE AUTHORITY OF LICENSED HEALTH CARE FACILITIES TO REDISPENSE UNUSED MEDICATIONS

Summary

- The bill deletes the requirement that medications be donated by a patient, resident, or the patient's or resident's next of kin before allowing a licensed health care facility to donate the unused medications to another patient in the facility or to a nonprofit entity.
- Currently, medications in the possession of a facility are destroyed when the patient dies or is discharged if the facility is not able to get permission for the donation.

Notes

- This bill is assessed as having no fiscal impact. Under current law, if a licensed health care facility does not get permission to redispense or donate unused medication, it is destroyed. Where permission to redispense or donate unused medication is granted, the costs associated with that medication are not currently credited back to a state program. Therefore, this bill does not affect state revenue or expenses.



SUPPORT

SB 10-153 - CONCERNING BEHAVIORAL HEALTH TRANSFORMATION.

Summary

- The bill sets forth a legislative declaration concerning the importance of creating a comprehensive approach to behavioral health issues, including mental health and substance use disorders, and establishes the behavioral health transformation council to develop strategies for implementing a systemic transformation of the behavioral health care system.
 - The governor is directed to appoint a behavioral health transformation council whose goal it is to implement a systemic transformation of the behavioral health system.
 - The bill further establishes the behavioral health screening in the criminal justice system planning group to determine a standard set of data elements and outlines the membership and duties of the planning group.
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SUPPORT

SB 10-175 - CONCERNING THE RELOCATION OF PROVISIONS RELATING TO BEHAVIORAL HEALTH

Summary

- The bill relocates provisions in statute relating to behavioral health disorders. Would move Title 25 statutes under Title 27.

Notes



MONITOR

HB 10-1053 - CONCERNING COMMUNITY LONG-TERM CARE SAVINGS

Summary

- Subject to the receipt of sufficient moneys through gifts, grants, or donations, the bill directs HCPF to contract for a study of Medicaid recipients who receive services under a home- and community-based waiver to evaluate whether cost savings can be realized from changes to reimbursement methods for alternative care facilities.
- If savings can be realized, HCPF will recommend to the JBC, and the JBC may authorize, that HCPF implement a pilot program based upon the study.
- If the JBC determines that the pilot program results in savings without adversely affecting the services provided, the JBC may direct HCPF to implement the changes to all Medicaid recipients under the home- and community-based waivers.

Notes

MONITOR

HB 10-1146 - CONCERNING CERTAIN STATE-FUNDED, COMMUNITY-BASED, LONG-TERM CARE ASSISTANCE PROVIDED TO RECIPIENTS OF CERTAIN PUBLIC BENEFIT PROGRAMS

Summary

- The bill clarifies the circumstances under which recipients of old age pension, aid to the needy disabled, aid to the blind, or supplemental security income benefits can receive state-funded adult foster care and home care allowance. The bill extends home care allowances to persons who are receiving old age pension benefits as of June 30, 2010, but eliminates home care allowances for future old age pension beneficiaries who are not eligible for supplemental social security benefits. The bill repeals language that authorizes the department of human services to make medical care payments not covered by medicare or medicaid for persons receiving aid to the needy disabled or aid to the blind.
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MONITOR

HB 10-1274 - CONCERNING SUCCESSFUL TRANSITIONS BACK TO THE PUBLIC SCHOOL SYSTEM FOR JUVENILES IN OUT-OF-HOME PLACEMENT WHO HAVE DEMONSTRATED BEHAVIOR THAT IS DETRIMENTAL TO THE SAFETY OR WELFARE OF THEMSELVES OR OTHERS DURING THE PREVIOUS TWELVE MONTHS

Summary

- The bill requires DHS to provide written notification to a school district, charter school, or institute charter school 10 days prior to enrollment of a student who has been placed in out-of-home placement and is identified as potentially presenting a risk to himself or herself or the community.
- In a case where the student requires an emergency placement, the bill requires the department to provide written notification to the school 5 days prior to the student's enrollment.
- The school is encouraged to use the notification period to gather medical, mental health, sociological, and scholastic achievement data about the student from various sources to develop a transition plan for the student.
- DHS and DOE are required to enter into a memorandum of understanding that includes, at a minimum:
 - (1) A consistent and uniform approach to sharing medical, mental health, sociological, and scholastic achievement data about students between a school district, charter school, or institute charter school and the county department of social services to better facilitate the creation of transition plans for those students and ensure the safety of the people in the school community;
 - (2) A plan for utilizing existing state and federal data and any existing information-sharing activities;
 - (3) An appeals process to follow if there is a disagreement between a school district, charter school, or institute charter school and the county department of social services regarding the enrollment of a student; and
 - (4) A plan for determining accountability concerning the use of the notification periods and the number of emergency placements that occur.

Notes



MONITOR

SB 10-66 - CONCERNING THE REQUIREMENT THAT CERTAIN PERSONS REPORT CHILD ABUSE OR NEGLECT.

Summary

- The bill clarifies that the requirement that certain persons report child abuse or neglect does not apply if a person does not have reasonable cause to know of or suspect the abuse or neglect until the child is 18 years of age or older.
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MONITOR

SB 10-114 - CONCERNING THE "COLORADO TAXPAYER TRANSPARENCY ACT OF 2010"

Summary

- The bill extends the application of the "Colorado Open Records Act" (CORA) to all writings made, maintained, or kept by any entity that receives public moneys or performs a governmental or other public function and that relate to the receipt of the public moneys or the performance of that function.
- Each contract for the performance of a governmental or other public function entered into on or after the effective date of the bill shall specify that the records and files relating to the costs or any performance measures under the contract that are made, maintained, or kept by any entity that is a party to the contract shall be open for public inspection in accordance with CORA.
- This does not require a private entity to make any materials available for inspection that do not relate to the contract for the performance of a governmental or other public function.

Notes



MONITOR

SB 10-171 - CONCERNING THE CREATION OF A CHILD PROTECTION OMBUDSMAN PROGRAM

Support

- The bill establishes the child protection ombudsman program as an independent program in DHS that shall be operated by the executive director of DHS either directly or by contract with a private nonprofit or public agency or organization.
- The powers and duties of the ombudsman shall include:
 - Reviewing and seeking resolution of complaints concerning child protection services made by or on behalf of a child, including requesting and reviewing information relating to the case;
 - Evaluating and making recommendations for a statewide grievance policy; and
 - Filing an annual report concerning the duties of the program and recommendations for improvements to the child protection system.
- The powers and duties of the ombudsman may include:
 - Reviewing issues raised by members of the community relating to child protection services and making recommendations for resolution of the issues;
 - Helping to educate the public concerning the prevention of child maltreatment;
 - Promoting best practices and effective programs relating to the child protection system; and
 - Recommending statutory, regulatory, budgetary, and administrative changes to improve the child protection system

Notes