

SB109 L.012

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health, Insurance, & Environment.

SB15-109 be amended as follows:

1 Amend reengrossed bill, page 2, after line 1 insert:

2 "SECTION 1. In Colorado Revised Statutes, add 18-6.5-109 as
3 follows:

4 **18-6.5-109. At-risk adults with intellectual and developmental**
5 **disabilities mandatory reporting implementation task force - report**
6 **- repeal.** (1) THERE IS CREATED IN THE DEPARTMENT OF HUMAN SERVICES
7 THE AT-RISK ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL
8 DISABILITIES MANDATORY REPORTING IMPLEMENTATION TASK FORCE,
9 REFERRED TO IN THIS SECTION AS THE "TASK FORCE", WHICH SHALL MEET
10 DURING THE INTERIM AFTER THE FIRST REGULAR SESSION OF THE
11 SEVENTIETH GENERAL ASSEMBLY.

12 (2) THE TASK FORCE SHALL STUDY AND PREPARE
13 RECOMMENDATIONS FOR THE IMPLEMENTATION OF MANDATORY
14 REPORTING OF MISTREATMENT, ABUSE, NEGLECT, OR EXPLOITATION OF
15 AT-RISK ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES,
16 WHICH RECOMMENDATIONS, AT A MINIMUM, SHALL INCLUDE:

17 (a) RECOMMENDATIONS CONCERNING THE PROVISION OF
18 PROTECTIVE SERVICES BY COUNTY DEPARTMENTS TO ADULTS WITH
19 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WHO ARE MISTREATED,
20 ABUSED, NEGLECTED, OR EXPLOITED;

21 (b) RECOMMENDATIONS CONCERNING CONFORMING CHANGES TO
22 THE STATUTORY OR REGULATORY PROVISIONS IN EITHER CIVIL OR
23 CRIMINAL AREAS AS THEY RELATE TO MANDATORY REPORTING AND
24 INVESTIGATING MISTREATMENT, ABUSE, NEGLECT, OR EXPLOITATION OF
25 AN AT-RISK ADULT WITH AN INTELLECTUAL AND DEVELOPMENTAL
26 DISABILITY, INCLUDING DEFINITIONS OF MISTREATMENT AND NEGLECT;

27 (c) AN ESTIMATE OF THE COSTS, INCLUDING WORKLOAD IMPACTS
28 AND SERVICES, TO BE INCURRED BY STATE DEPARTMENTS, COUNTY
29 DEPARTMENTS, COMMUNITY-CENTERED BOARDS, AND LAW ENFORCEMENT
30 AGENCIES OF THE STATE AS A RESULT OF REQUIRING MANDATORY
31 REPORTERS, AS IDENTIFIED IN SECTION 18-6.5-108, ON AND AFTER JULY 1,
32 2016, TO REPORT KNOWN OR SUSPECTED MISTREATMENT, ABUSE,
33 NEGLECT, OR EXPLOITATION OF AT-RISK ADULTS WITH INTELLECTUAL AND
34 DEVELOPMENTAL DISABILITIES;

35 (d) IDENTIFICATION OF SUSTAINABLE SOURCES OF FUNDING,
36 INCLUDING NEW OR EXISTING REVENUES, THAT MAY BE USED TO OFFSET
37 THE COSTS TO BE INCURRED BY STATE DEPARTMENTS, COUNTY



1 DEPARTMENTS, COMMUNITY-CENTERED BOARDS, AND LAW ENFORCEMENT
2 AGENCIES OF THE STATE AS A RESULT OF REQUIRING CERTAIN PERSONS, ON
3 AND AFTER JULY 1, 2016, TO REPORT KNOWN OR SUSPECTED
4 MISTREATMENT, ABUSE, NEGLECT, OR EXPLOITATION OF AT-RISK ADULTS
5 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

6 (e) RECOMMENDATIONS FOR TRAINING EMPLOYEES OF STATE
7 DEPARTMENTS, COUNTY DEPARTMENTS, AND COMMUNITY-CENTERED
8 BOARDS, TO USE OUTCOME-BASED BEST PRACTICES IN THE PROVISION OF
9 PROTECTIVE SERVICES TO AT-RISK ADULTS WITH INTELLECTUAL AND
10 DEVELOPMENTAL DISABILITIES; AND

11 (f) RECOMMENDATIONS REGARDING THE TRAINING OF
12 MANDATORY REPORTERS IN IDENTIFYING SUSPECTED MISTREATMENT,
13 ABUSE, NEGLECT, OR EXPLOITATION OF AT-RISK ADULTS WITH
14 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

15 (3) THE TASK FORCE SHALL CONSIST OF THE FOLLOWING MEMBERS:

16 (a) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
17 SERVICES OR HIS OR HER DESIGNEE;

18 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
19 CARE POLICY AND FINANCING OR HIS OR HER DESIGNEE;

20 (c) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
21 HEALTH AND ENVIRONMENT OR HIS OR HER DESIGNEE; AND

22 (d) THE FOLLOWING MEMBERS, TO BE APPOINTED JOINTLY BY THE
23 EXECUTIVE DIRECTORS OF THE DEPARTMENT OF HUMAN SERVICES, THE
24 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, AND THE
25 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT:

26 (I) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
27 COMMUNITY-CENTERED BOARDS;

28 (II) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
29 DISTRICT ATTORNEYS;

30 (III) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
31 LONG-TERM CARE PROVIDERS FOR ADULTS WITH INTELLECTUAL AND
32 DEVELOPMENTAL DISABILITIES;

33 (IV) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
34 PERSONS WHO PROVIDE LEGAL ADVICE TO ADULTS WITH INTELLECTUAL
35 AND DEVELOPMENTAL DISABILITIES;

36 (V) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF LAW
37 ENFORCEMENT OFFICERS;

38 (VI) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
39 ADVOCATES ON BEHALF OF ADULTS WITH INTELLECTUAL AND
40 DEVELOPMENTAL DISABILITIES;

41 (VII) A REPRESENTATIVE OF A STATEWIDE, CROSS-DISABILITY

1 ORGANIZATION THAT ADVOCATES ON BEHALF OF PERSONS WITH A
2 DISABILITY;

3 (VIII) A REPRESENTATIVE OF COUNTY DEPARTMENTS WHO HAS
4 EXPERIENCE IN THE PROVISION OF PROTECTIVE SERVICES TO AT-RISK
5 ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

6 (IX) A REPRESENTATIVE OF ONE OR MORE AGENCIES THAT
7 PROVIDE NONMEDICAL HOME CARE TO ADULTS WITH INTELLECTUAL AND
8 DEVELOPMENTAL DISABILITIES;

9 (X) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION THAT
10 REPRESENTS COUNTIES;

11 (XI) A PARENT OR GUARDIAN OF AN ADULT WITH AN
12 INTELLECTUAL AND DEVELOPMENTAL DISABILITY; AND

13 (XII) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
14 FINANCIAL INSTITUTIONS.

15 (d) ALL APPOINTMENTS TO THE TASK FORCE SHALL BE MADE
16 WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.

17 (4) (a) THE TASK FORCE SHALL SUBMIT A WRITTEN REPORT OF ITS
18 FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR AND TO THE JOINT
19 BUDGET COMMITTEE OF THE GENERAL ASSEMBLY, THE HEALTH AND
20 HUMAN SERVICES COMMITTEE OF THE SENATE, AND TO THE PUBLIC
21 HEALTH CARE AND HUMAN SERVICES COMMITTEE OF THE HOUSE OF
22 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE
23 DECEMBER 1, 2015. UPON REQUEST OF A MEMBER OF THE TASK FORCE,
24 SUMMARIES OF DISSENTING OPINIONS SHALL BE PREPARED AND ATTACHED
25 TO THE FINAL REPORT OF FINDINGS AND RECOMMENDATIONS.

26 (b) IN ADDITION TO THE REPORT REQUIRED BY PARAGRAPH (a) OF
27 THIS SUBSECTION (4), THE TASK FORCE SHALL SUBMIT TO THE OFFICE OF
28 STATE PLANNING AND BUDGETING AND TO THE JOINT BUDGET COMMITTEE
29 OF THE GENERAL ASSEMBLY A PRELIMINARY REPORT ON THE COSTS OF
30 IMPLEMENTATION SO THAT THE AMOUNT MAY BE INCLUDED IN THE
31 GOVERNOR'S BUDGET REQUEST.

32 (5) (a) THE FIRST MEETING OF THE TASK FORCE SHALL OCCUR NO
33 LATER THAN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION.
34 THE TASK FORCE SHALL MEET AT LEAST FOUR TIMES.

35 (b) MEETINGS OF THE TASK FORCE SHALL BE PUBLIC MEETINGS.

36 (6) THE TASK FORCE SHALL SOLICIT AND ACCEPT REPORTS AND
37 PUBLIC TESTIMONY AND MAY REQUEST OTHER SOURCES TO PROVIDE
38 TESTIMONY, WRITTEN COMMENTS, AND OTHER RELEVANT DATA TO THE
39 TASK FORCE.

40 (7) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT
41 COMPENSATION AND SHALL NOT BE ENTITLED TO REIMBURSEMENT FOR

1 EXPENSES.

2 (8) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
3 LEGISLATIVE LEGAL SERVICES SHALL NOT PROVIDE STAFF SUPPORT TO THE
4 TASK FORCE.

5 (9) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016."

6 Renumber succeeding sections accordingly.

7 Page 2, line 15, strike "2015," and substitute "2016,".

8 Page 6, strike lines 18 through 25 and substitute:

9 "SECTION 5. Effective date - applicability. (1) Except as
10 otherwise provided in this section, this act takes effect upon passage.

11 (2) Sections 3 through 4 of this act take effect July 1, 2016, and
12 apply to offenses committed on or after said date."

13 Page 1, strike lines 102 and 103 and substitute "AGAINST AN ADULT WITH
14 A DISABILITY."

** ** ** ** **

