

DIVISION 4.23.15

SB109_L.011

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.

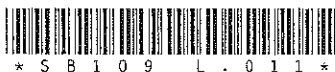
12 (2) THE TASK FORCE SHALL STUDY AND PREPARE
 13 RECOMMENDATIONS FOR THE IMPLEMENTATION OF MANDATORY
 14 REPORTING OF MISTREATMENT, ABUSE, NEGLECT, OR EXPLOITATION OF
 15 AT-RISK ADULTS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES,
 16 WHICH RECOMMENDATIONS, AT A MINIMUM, SHALL INCLUDE:

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; AND

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

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

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

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

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

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

32 (6) THE TASK FORCE SHALL SOLICIT AND ACCEPT REPORTS AND
33 PUBLIC TESTIMONY AND MAY REQUEST OTHER SOURCES TO PROVIDE
34 TESTIMONY, WRITTEN COMMENTS, AND OTHER RELEVANT DATA TO THE
35 TASK FORCE.

36 (7) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT
37 COMPENSATION AND SHALL NOT BE ENTITLED TO REIMBURSEMENT FOR
38 EXPENSES.

39 (8) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF
40 LEGISLATIVE LEGAL SERVICES SHALL NOT PROVIDE STAFF SUPPORT TO THE
41 TASK FORCE.

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

2 Renumber succeeding sections accordingly.

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

4 Page 6, strike lines 24 and 25 and substitute:

5 **"SECTION 6. Effective date - applicability.** (1) Except as
6 otherwise provided in this section, this act takes effect upon passage.

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

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