

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 10-0288.01 Brita Darling

SENATE BILL 10-007

SENATE SPONSORSHIP

Hudak,

HOUSE SPONSORSHIP

Gagliardi,

Senate Committees

Health and Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING COLLABORATION IN THE PROVISION OF MULTI-AGENCY
102 SERVICES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Economic Opportunity Poverty Reduction Task Force.

Currently, county departments of social services may enter with certain agencies into memorandums of understanding (MOU's) that are designed to promote a collaborative system of local-level interagency oversight groups and individualized service and support teams to coordinate and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

manage the provision of services to children and families who would benefit from integrated multi-agency services. The bill includes a listing of additional agencies or entities that may also be included in an MOU. The agencies or entities that may be included are: Community colleges and postsecondary career and technical education colleges or programs, early childhood councils, boards of cooperative services, regional service councils, family resource centers, and workforce centers.

The bill includes amendments that clarify that if any of these additional agencies or entities are included in the MOU, that agency or entity shall have the same rights and responsibilities as any other participant in the MOU.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds and declares that:

4 (a) Achieving the goals of improving economic opportunity and
5 decreasing poverty in Colorado will require a coordinated effort on the
6 part of state policymakers and program administrators;

7 (b) Programs and policies that assist families in need of immediate
8 assistance, short-term assistance, and long-term support need to be crafted
9 and administered with the overriding goals of poverty reduction and
10 family self-sufficiency in mind;

11 (c) No person or family is the same, and public programs for
12 struggling families cannot be crafted or carried out in a vacuum;

13 (d) By supporting a wide range of approaches, including applying
14 prevention strategies, creating partnerships with the private sector,
15 identifying and encouraging community-based efforts, and exploring
16 tax-based strategies, state leaders can improve the lives of children and
17 families while at the same time strengthening local economies.

18 (2) The general assembly therefore finds that it is appropriate to
19 encourage collaboration and alliances among existing entities with the

1 goal of reducing poverty in Colorado through the provision of
2 comprehensive and coordinated support services and education to
3 children and families.

4 **SECTION 2.** 24-1.9-102 (1), (2) (b), (2) (d), (2) (g), (2) (h) (I),
5 (2) (i), and (4), Colorado Revised Statutes, are amended to read:

6 **24-1.9-102. Memorandum of understanding - local-level**
7 **interagency oversight groups - individualized service and support**
8 **teams - coordination of services for children and families -**
9 **requirements - waiver.** (1) (a) Local representatives of each of the
10 agencies specified in this paragraph (a) and county departments of social
11 services may enter into memorandums of understanding that are designed
12 to promote a collaborative system of local-level interagency oversight
13 groups and individualized service and support teams to coordinate and
14 manage the provision of services to children and families who would
15 benefit from integrated multi-agency services. The memorandums of
16 understanding entered into pursuant to this subsection (1) shall be
17 between interested county departments of social services and local
18 representatives of each of the following agencies or entities:

- 19 (I) The local judicial districts, including probation services;
- 20 (II) The health department, whether a county, district, or regional
21 health department;
- 22 (III) The local school district or school districts;
- 23 (IV) Each community mental health center;
- 24 (V) Each behavioral health organization;
- 25 (VI) The division of youth corrections;
- 26 (VII) A designated managed service organization for the provision
27 of treatment services for alcohol and drug abuse pursuant to section

1 25-1-206.5, C.R.S.; and

2 (VIII) A domestic abuse program as defined in section
3 26-7.5-102, C.R.S., if representation from such a program is available.

4 (a.5) IN ADDITION TO THE PARTIES SPECIFIED IN PARAGRAPH (a) OF
5 THIS SUBSECTION (1), THE MEMORANDUMS OF UNDERSTANDING ENTERED
6 INTO PURSUANT TO THIS SUBSECTION (1) MAY INCLUDE LOCAL
7 REPRESENTATIVES OF THE FOLLOWING AGENCIES OR ENTITIES:

8 (I) COMMUNITY COLLEGES AND POSTSECONDARY CAREER AND
9 TECHNICAL EDUCATION COLLEGES AND PROGRAMS;

10 (II) EARLY CHILDHOOD COUNCILS CREATED PURSUANT TO PART 1
11 OF ARTICLE 6.5 OF TITLE 26, C.R.S.;

12 (III) BOARDS OF COOPERATIVE SERVICES CREATED PURSUANT TO
13 ARTICLE 5 OF TITLE 22, C.R.S.;

14 (IV) REGIONAL SERVICE COUNCILS CREATED PURSUANT TO
15 ARTICLE 5.5 OF TITLE 22, C.R.S.;

16 (V) FAMILY RESOURCE CENTERS CREATED PURSUANT TO ARTICLE
17 18 OF TITLE 26, C.R.S.; AND

18 (VI) WORKFORCE CENTERS EXISTING PURSUANT TO THE
19 COLORADO WORKS PROGRAM AS DESCRIBED IN PART 7 OF ARTICLE 2 OF
20 TITLE 26, C.R.S.

21 (b) The general assembly strongly encourages the agencies
22 specified in ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of this subsection (1)
23 to enter into memorandums of understanding that are regional.

24 (c) Notwithstanding the provisions of paragraph (b) of this
25 subsection (1), the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND
26 (a.5) of this subsection (1) may enter into memorandums of understanding
27 involving only one or more county departments of social services, not

1 necessarily by region, as may be appropriate to ensure the effectiveness
2 of local-level interagency oversight groups and individualized service and
3 support teams in the county or counties.

4 (d) In developing the memorandums of understanding, the general
5 assembly strongly encourages the parties to the memorandums of
6 understanding ~~specified in paragraph (a) of this subsection (1)~~ to seek
7 input, support, and collaboration from key stakeholders in the private and
8 non-profit sector, as well as parent advocacy or family advocacy
9 organizations that represent family members or caregivers of children
10 who would benefit from multi-agency services.

11 (e) Nothing shall preclude the agencies specified in ~~paragraph~~
12 PARAGRAPHS (a) AND (a.5) of this subsection (1) from including parties
13 in addition to the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND
14 (a.5) of this subsection (1) in the memorandums of understanding
15 developed for purposes of this section.

16 (2) (b) **Identification of services and funding sources.** The
17 memorandum of understanding shall specify the legal responsibilities and
18 funding sources of each party to the memorandum of understanding
19 ~~specified in paragraph (a) of subsection (1) of this section~~ as those
20 responsibilities and funding sources relate to children and families who
21 would benefit from integrated multi-agency services, including the
22 identification of the specific services that may be provided. Specific
23 services that may be provided may include, but are not limited to:
24 Prevention, intervention, and treatment services; family preservation
25 services; family stabilization services; out-of-home placement services;
26 services for children at imminent risk of out-of-home placement;
27 probation services; services for children with mental illness; public

1 assistance services; medical assistance services; child welfare services;
2 and any additional services which the parties deem necessary to identify.

3 (d) **Creation of an oversight group.** The memorandum of
4 understanding shall create a local-level interagency oversight group and
5 identify the oversight group's membership requirements, procedures for
6 selection of officers, procedures for resolving disputes by a majority vote
7 of those members authorized to vote, and procedures for establishing any
8 necessary subcommittees of the interagency oversight group. Each
9 interagency oversight group shall include a local representative of each
10 party to the memorandum of understanding specified in ~~paragraph~~
11 ~~PARAGRAPHS (a) AND (a.5) of subsection (1) of this section~~, each of whom
12 shall be a voting member of the interagency oversight group. In addition,
13 the interagency oversight group may include, but is not limited to, the
14 following advisory nonvoting members:

- 15 (I) Representatives of interested local private sector entities; and
- 16 (II) Family members or caregivers of children who would benefit
17 from integrated multi-agency services or current or previous consumers
18 of integrated multi-agency services.

19 (g) **Authorization to contribute resources and funding.** The
20 memorandum of understanding shall specify that each party to the
21 memorandum of understanding ~~specified in paragraph (a) of subsection~~
22 ~~(1) of this section~~ has the authority to contribute time, resources, and
23 funding to solve problems identified by the local-level interagency
24 oversight group in order to create a seamless, collaborative system of
25 delivering multi-agency services to children and families, upon approval
26 by the head or director of each agency or department specified in
27 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section.

1 (h) **Reinvestment of moneys saved to serve additional children**
2 **and families.** (I) The memorandum of understanding shall require the
3 interagency oversight group to create a procedure, subject to approval by
4 the head or director of each agency or department specified in ~~paragraph~~
5 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to allow any
6 moneys resulting from waivers granted by the federal government and
7 any state general fund savings realized as a result of the implementation
8 of the collaborative system of management of multi-agency services
9 provided to children and families related to the funding sources specified
10 by the parties to the memorandum of understanding pursuant to paragraph
11 (b) of this subsection (2) to be reinvested by the parties to the
12 memorandum of understanding to provide appropriate services to children
13 and families who would benefit from integrated multi-agency services, as
14 the population is defined by the memorandum of understanding pursuant
15 to paragraph (c) of this subsection (2). The general fund savings realized,
16 as referenced in this section, shall be determined in accordance with rules
17 established by the state board of human services.

18 (i) **Performance-based measures.** The memorandum of
19 understanding shall include a provision stating whether the parties to the
20 memorandum of understanding will attempt to meet performance
21 measures specified by the department of human services and elements of
22 collaborative management, as defined by rule of the state board of human
23 services. If the parties to the memorandum of understanding agree to
24 attempt to meet the performance measures and elements of collaborative
25 management, the memorandum of understanding shall require the
26 interagency oversight group to create a procedure, subject to the approval
27 of the head or director of each agency or department specified in

1 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to
2 allow any incentive moneys received by the department of human
3 services and allocated pursuant to section 24-1.9-104 to be reinvested by
4 the parties to the memorandum of understanding to provide appropriate
5 services to children and families who would benefit from integrated
6 multi-agency services, as such population is defined by the memorandum
7 of understanding pursuant to paragraph (c) of this subsection (2).

8 (4) The departments and agencies that provide oversight to the
9 parties to the memorandum of understanding specified in ~~paragraph~~
10 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section are authorized
11 to issue waivers of any rules to which the departments and agencies are
12 subject and that would prevent the departments from effective
13 implementation of the memorandums of understanding, however, the
14 departments and agencies are prohibited from waiving a rule in violation
15 of federal law or that would compromise the safety of a child.

16 **SECTION 3.** 24-1.9-102.5, Colorado Revised Statutes, is
17 amended to read:

18 **24-1.9-102.5. Evaluation.** The department of human services is
19 authorized to utilize moneys in the performance-based collaborative
20 management incentive cash fund created in section 24-1.9-104 for
21 ongoing external evaluations of the counties participating in
22 memorandums of understanding pursuant to section 24-1.9-102, also
23 known as the collaborative management program, as well as those
24 counties that opted to not participate in the collaborative management
25 program. The external evaluation shall include an evaluation that may be
26 required in connection with a waiver authorized pursuant to section
27 24-1.9-102 (4). The department of human services, with input from the

1 counties, agencies as listed in section 24-1.9-102 (1) (a) AND (1) (a.5), the
2 division of youth corrections in the department of human services,
3 participating stakeholders in the private and nonprofit sector, and
4 participating parent or family advocacy organizations that represent
5 family members or caregivers of children who would benefit from
6 multi-agency services participating in the collaborative management
7 program, shall develop the criteria and components of the external
8 evaluation. Each county participating in the collaborative management
9 program shall participate fully in the annual external evaluation. The
10 department of human services is authorized to perform an evaluation
11 pursuant to this section on an ongoing basis as needed, as determined by
12 the department of human services and subject to available appropriations.

13 **SECTION 4. Act subject to petition - effective date.** This act
14 shall take effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part shall not take effect
20 unless approved by the people at the general election to be held in
21 November 2010 and shall take effect on the date of the official
22 declaration of the vote thereon by the governor.