

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

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

Health and Human Services

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.

HOUSE
2nd Reading Unam ended
March 23, 2010

SENATE
3rd Reading Unam ended
February 24, 2010

SENATE
Am ended 2nd Reading
February 19, 2010

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 FAMILY RESOURCE
7 CENTERS CREATED PURSUANT TO ARTICLE 18 OF TITLE 26, C.R.S.

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

11 (c) Notwithstanding the provisions of paragraph (b) of this
12 subsection (1), the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND
13 (a.5) of this subsection (1) may enter into memorandums of understanding
14 involving only one or more county departments of social services, not
15 necessarily by region, as may be appropriate to ensure the effectiveness
16 of local-level interagency oversight groups and individualized service and
17 support teams in the county or counties.

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

25 (e) Nothing shall preclude the agencies specified in ~~paragraph~~
26 PARAGRAPHS (a) AND (a.5) of this subsection (1) from including parties
27 in addition to the agencies specified in ~~paragraph~~ PARAGRAPHS (a) AND

1 (a.5) of this subsection (1) in the memorandums of understanding
2 developed for purposes of this section.

3 (2) (b) **Identification of services and funding sources.** The
4 memorandum of understanding shall specify the legal responsibilities and
5 funding sources of each party to the memorandum of understanding
6 ~~specified in paragraph (a) of subsection (1) of this section~~ as those
7 responsibilities and funding sources relate to children and families who
8 would benefit from integrated multi-agency services, including the
9 identification of the specific services that may be provided. Specific
10 services that may be provided may include, but are not limited to:
11 Prevention, intervention, and treatment services; family preservation
12 services; family stabilization services; out-of-home placement services;
13 services for children at imminent risk of out-of-home placement;
14 probation services; services for children with mental illness; public
15 assistance services; medical assistance services; child welfare services;
16 and any additional services which the parties deem necessary to identify.

17 (d) **Creation of an oversight group.** The memorandum of
18 understanding shall create a local-level interagency oversight group and
19 identify the oversight group's membership requirements, procedures for
20 selection of officers, procedures for resolving disputes by a majority vote
21 of those members authorized to vote, and procedures for establishing any
22 necessary subcommittees of the interagency oversight group. Each
23 interagency oversight group shall include a local representative of each
24 party to the memorandum of understanding specified in ~~paragraph~~
25 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, each of whom
26 shall be a voting member of the interagency oversight group. In addition,
27 the interagency oversight group may include, but is not limited to, the

1 following advisory nonvoting members:

2 (I) Representatives of interested local private sector entities; and

3 (II) Family members or caregivers of children who would benefit
4 from integrated multi-agency services or current or previous consumers
5 of integrated multi-agency services.

6 (g) **Authorization to contribute resources and funding.** The
7 memorandum of understanding shall specify that each party to the
8 memorandum of understanding ~~specified in paragraph (a) of subsection~~
9 ~~(1) of this section~~ has the authority to contribute time, resources, and
10 funding to solve problems identified by the local-level interagency
11 oversight group in order to create a seamless, collaborative system of
12 delivering multi-agency services to children and families, upon approval
13 by the head or director of each agency or department specified in
14 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section.

15 (h) **Reinvestment of moneys saved to serve additional children**
16 **and families.** (I) The memorandum of understanding shall require the
17 interagency oversight group to create a procedure, subject to approval by
18 the head or director of each agency or department specified in ~~paragraph~~
19 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to allow any
20 moneys resulting from waivers granted by the federal government and
21 any state general fund savings realized as a result of the implementation
22 of the collaborative system of management of multi-agency services
23 provided to children and families related to the funding sources specified
24 by the parties to the memorandum of understanding pursuant to paragraph
25 (b) of this subsection (2) to be reinvested by the parties to the
26 memorandum of understanding to provide appropriate services to children
27 and families who would benefit from integrated multi-agency services, as

1 the population is defined by the memorandum of understanding pursuant
2 to paragraph (c) of this subsection (2). The general fund savings realized,
3 as referenced in this section, shall be determined in accordance with rules
4 established by the state board of human services.

5 (i) **Performance-based measures.** The memorandum of
6 understanding shall include a provision stating whether the parties to the
7 memorandum of understanding will attempt to meet performance
8 measures specified by the department of human services and elements of
9 collaborative management, as defined by rule of the state board of human
10 services. If the parties to the memorandum of understanding agree to
11 attempt to meet the performance measures and elements of collaborative
12 management, the memorandum of understanding shall require the
13 interagency oversight group to create a procedure, subject to the approval
14 of the head or director of each agency or department specified in
15 ~~paragraph~~ PARAGRAPHS (a) AND (a.5) of subsection (1) of this section, to
16 allow any incentive moneys received by the department of human
17 services and allocated pursuant to section 24-1.9-104 to be reinvested by
18 the parties to the memorandum of understanding to provide appropriate
19 services to children and families who would benefit from integrated
20 multi-agency services, as such population is defined by the memorandum
21 of understanding pursuant to paragraph (c) of this subsection (2).

22 (4) The departments and agencies that provide oversight to the
23 parties to the memorandum of understanding specified in ~~paragraph~~
24 PARAGRAPHS (a) AND (a.5) of subsection (1) of this section are authorized
25 to issue waivers of any rules to which the departments and agencies are
26 subject and that would prevent the departments from effective
27 implementation of the memorandums of understanding, however, the

1 departments and agencies are prohibited from waiving a rule in violation
2 of federal law or that would compromise the safety of a child.

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

5 **24-1.9-102.5. Evaluation.** The department of human services is
6 authorized to utilize moneys in the performance-based collaborative
7 management incentive cash fund created in section 24-1.9-104 for
8 ongoing external evaluations of the counties participating in
9 memorandums of understanding pursuant to section 24-1.9-102, also
10 known as the collaborative management program, as well as those
11 counties that opted to not participate in the collaborative management
12 program. The external evaluation shall include an evaluation that may be
13 required in connection with a waiver authorized pursuant to section
14 24-1.9-102 (4). The department of human services, with input from the
15 counties, agencies as listed in section 24-1.9-102 (1) (a) AND (1) (a.5), the
16 division of youth corrections in the department of human services,
17 participating stakeholders in the private and nonprofit sector, and
18 participating parent or family advocacy organizations that represent
19 family members or caregivers of children who would benefit from
20 multi-agency services participating in the collaborative management
21 program, shall develop the criteria and components of the external
22 evaluation. Each county participating in the collaborative management
23 program shall participate fully in the annual external evaluation. The
24 department of human services is authorized to perform an evaluation
25 pursuant to this section on an ongoing basis as needed, as determined by
26 the department of human services and subject to available appropriations.

27 **SECTION 4. Act subject to petition - effective date.** This act

1 shall take effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part shall not take effect
7 unless approved by the people at the general election to be held in
8 November 2010 and shall take effect on the date of the official
9 declaration of the vote thereon by the governor.