

CORRECTED REPORT
SENATE COMMITTEE OF REFERENCE REPORT

_____ February 23, 2012
Chairman of Committee Date

Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

SB12-130 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **add** article 6.1 as
4 follows:

5 **ARTICLE 6.1**
6 **Office of Early Childhood**
7 **26-6.1-101. Legislative declaration.** (1) THE GENERAL
8 ASSEMBLY FINDS THAT:

9 (a) THE EARLY CHILDHOOD SYSTEM IN COLORADO INCLUDES FOUR
10 SYSTEM SECTORS THAT ADDRESS THE NEEDS OF CHILDREN, INCLUDING
11 EARLY LEARNING, CHILD HEALTH, CHILD MENTAL HEALTH, AND FAMILY
12 SUPPORT AND PARENT EDUCATION. RESEARCH CONFIRMS THAT THESE
13 AREAS ARE INTERRELATED AND THAT IT IS DIFFICULT, IF NOT IMPOSSIBLE,
14 TO SEPARATE CHILDREN'S LEARNING NEEDS FROM THEIR HEALTH AND
15 WELLNESS OR FROM THE INVOLVEMENT AND SUPPORT OF THEIR FAMILIES.

16 (b) THE PROGRAMS THAT SERVE THE EARLY CHILDHOOD NEEDS OF
17 CHILDREN AND THEIR FAMILIES ACROSS THE FOUR SYSTEM SECTORS OFTEN
18 CONTINUE PROVIDING SERVICES OR WORK WITH OTHER PROGRAMS TO
19 PROVIDE A CONTINUUM OF SERVICES TO ENSURE THAT, AS THEY DEVELOP,
20 THESE CHILDREN HAVE ACCESS TO THE SERVICES AND SUPPORTS THEY
21 NEED TO GROW INTO HEALTHY, EDUCATED ADULTS WHO ARE
22 WELL-PREPARED TO POSITIVELY CONTRIBUTE TO THEIR SOCIETY;

23 (c) THE SUPPORT SYSTEMS AND SERVICES THAT COMPRISE
24 COLORADO'S EARLY CHILDHOOD SYSTEM HAVE HISTORICALLY BEEN

1 SPREAD ACROSS MULTIPLE PUBLIC AGENCIES, INCLUDING BUT NOT LIMITED
2 TO THE DEPARTMENTS OF EDUCATION, HUMAN SERVICES, PUBLIC HEALTH
3 AND ENVIRONMENT, HEALTH CARE POLICY AND FINANCING, AND HIGHER
4 EDUCATION, AS WELL AS VARIOUS PRIVATE ENTITIES;

5 (d) RESOURCES THAT ARE AVAILABLE FOR SERVICES AND
6 SUPPORTS FOR CHILDREN ARE DERIVED FROM SEVERAL PUBLIC FUNDING
7 SOURCES. EACH SOURCE HAS ITS OWN PROGRAM STANDARDS AND
8 ELIGIBILITY, REPORTING, DATA TRACKING, AND FUNDING REQUIREMENTS,
9 MAKING IT VERY DIFFICULT FOR PROGRAMS THAT PROVIDE SERVICES AND
10 SUPPORTS FOR CHILDREN TO BE ABLE TO EFFICIENTLY COMBINE THE
11 VARIOUS FUNDING SOURCES.

12 (e) THE COMMUNITY OF EARLY CHILDHOOD SERVICES PROVIDERS
13 IN COLORADO HAS FOR SEVERAL YEARS WORKED TO ESTABLISH A
14 GOVERNANCE STRUCTURE WITHIN STATE GOVERNMENT TO PROVIDE AND
15 OVERSEE THE PROVISION OF SERVICES ACROSS THE FOUR SYSTEM SECTORS
16 FOR PREGNANT WOMEN, CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE,
17 AND THEIR FAMILIES. COORDINATING THESE SERVICES THROUGH A SINGLE
18 GOVERNANCE SYSTEM WILL:

19 (I) ENHANCE THE QUALITY OF EARLY CHILDHOOD SERVICES BY
20 HOLDING PROGRAMS ACCOUNTABLE TO GUIDELINES, STANDARDS, AND
21 ASSESSMENTS OF SERVICE DELIVERY AND OUTCOMES AND IMPLEMENTING
22 A UNIFIED APPROACH TO RESOURCE ALLOCATION AND REFERRAL FOR
23 FAMILIES TO SERVICES AND PROGRAMS;

24 (II) STRENGTHEN THE LINK BETWEEN STATE-LEVEL PROGRAMS
25 AND SERVICES AND THE LOCAL SYSTEM OF SERVICE DELIVERY THAT EXISTS
26 IN COUNTIES THROUGHOUT THE STATE;

27 (III) IMPROVE THE EFFICIENCY, EFFECTIVENESS, AND QUALITY IN
28 DELIVERING EARLY CHILDHOOD SERVICES TO PREGNANT WOMEN,
29 CHILDREN AND FAMILIES AT THE STATE AND LOCAL LEVELS;

30 (IV) PROVIDE GREATER SUPPORT FOR AND IMPROVE THE ABILITY
31 OF PROGRAM AND SERVICE PROVIDERS TO WORK WITH STATE AND LOCAL
32 EARLY CHILDHOOD PROGRAMS IN PROVIDING SERVICES TO PREGNANT
33 WOMEN, CHILDREN, AND FAMILIES;

34 (V) IMPROVE COORDINATION AMONG STATE DEPARTMENTS WITH
35 REGARD TO THE PROGRAMS THAT SERVE PREGNANT WOMEN, CHILDREN,
36 AND THEIR FAMILIES AND THAT ARE IMPLEMENTED WITHIN EACH
37 DEPARTMENT; AND

38 (VI) IMPROVE THE COORDINATION OF THE STATE'S EFFORTS AT
39 EARLY IDENTIFICATION, PROMOTION, PREVENTION, AND INTERVENTION
40 WITH REGARD TO THE FULL SPECTRUM OF SERVICES PROVIDED TO
41 PREGNANT WOMEN, CHILDREN, AND THEIR FAMILIES ACROSS THE FOUR
42 SYSTEM SECTORS OF EARLY LEARNING, CHILD HEALTH, CHILD MENTAL

1 HEALTH, AND FAMILY SUPPORT AND PARENT EDUCATION. IMPROVING THE
2 COORDINATION AMONG THESE PROGRAMS WILL IMPROVE THE STATE'S
3 ABILITY TO SET A SOLID FOUNDATION FOR FAMILIES AND THEIR CHILDREN
4 AS THEY CONTINUE TO DEVELOP ACADEMICALLY, PHYSICALLY,
5 EMOTIONALLY, AND SOCIALLY.

6 (2) THEREFORE, THE GENERAL ASSEMBLY FINDS THAT IT IS IN THE
7 BEST INTERESTS OF THE CHILDREN OF THE STATE AND THEIR FAMILIES TO
8 CREATE WITHIN THE DEPARTMENT OF HUMAN SERVICES AN OFFICE OF
9 EARLY CHILDHOOD THAT WILL OVERSEE AND COORDINATE THE WIDE
10 RANGE OF EARLY CHILDHOOD PROGRAMS WITHIN THE DEPARTMENT OF
11 HUMAN SERVICES AND WITHIN OTHER STATE DEPARTMENTS WITH THE
12 GOAL OF IMPROVING OUTCOMES FOR CHILDREN AND THEIR FAMILIES.

13 **26-6.1-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
14 CONTEXT OTHERWISE REQUIRES:

15 (1) "DEPARTMENT LEADERS" MEANS THE EXECUTIVE DIRECTORS
16 OF THE DEPARTMENTS OF HUMAN SERVICES, PUBLIC HEALTH AND
17 ENVIRONMENT, AND HEALTH CARE POLICY AND FINANCING AND THE
18 COMMISSIONER OF EDUCATION.

19 (2) "EARLY CHILDHOOD AND SCHOOL READINESS COMMISSION"
20 MEANS THE LEGISLATIVE COMMISSION FOR POLICY IMPROVEMENT
21 RELATED TO EARLY CHILDHOOD AND SCHOOL READINESS CREATED IN
22 SECTION 26-6.5-203.

23 (3) "EARLY CHILDHOOD COUNCILS" MEANS THE EARLY CHILDHOOD
24 COUNCILS ESTABLISHED AND OPERATING PURSUANT TO PART 1 OF ARTICLE
25 6.5 OF THIS TITLE.

26 (4) "EARLY CHILDHOOD LEADERSHIP COMMISSION" MEANS THE
27 EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN SECTION
28 24-44.7-102, C.R.S.

29 (5) "EARLY CHILDHOOD PROGRAM" MEANS A PROGRAM THAT
30 PROVIDES SERVICES TO PREGNANT WOMEN OR TO CHILDREN FROM BIRTH
31 TO EIGHT YEARS OF AGE AND THEIR FAMILIES, WHICH SERVICES MAY
32 INCLUDE, BUT NEED NOT BE LIMITED TO, CHILD CARE; EARLY LEARNING;
33 FAMILY SUPPORT AND PARENT EDUCATION; MENTAL HEALTH; MATERNAL
34 AND CHILD HEALTH; HOME VISITATION; AND DISABILITY IDENTIFICATION
35 AND EARLY INTERVENTION.

36 (6) "OFFICE" MEANS THE OFFICE OF EARLY CHILDHOOD CREATED
37 IN SECTION 26-6.1-103 IN THE STATE DEPARTMENT OF HUMAN SERVICES.

38 (7) "POLICY BOARD" MEANS:

39 (a) THE STATE BOARD OF HUMAN SERVICES CREATED IN SECTION
40 26-1-107 AS THE RULE-MAKING BOARD FOR PROGRAMS WITHIN THE STATE
41 DEPARTMENT OF HUMAN SERVICES;

1 (b) THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103,
2 C.R.S., AS THE RULE-MAKING BOARD FOR PROGRAMS WITHIN THE STATE
3 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

4 (c) THE MEDICAL SERVICES BOARD CREATED IN SECTION
5 25.5-1-301, C.R.S., AS THE RULE-MAKING BOARD FOR PROGRAMS WITHIN
6 THE STATE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING; AND

7 (d) THE STATE BOARD OF EDUCATION CREATED IN SECTION 1 OF
8 ARTICLE IX OF THE STATE CONSTITUTION AND GRANTED STATUTORY
9 AUTHORITY TO PROMULGATE RULES FOR PROGRAMS WITHIN THE STATE
10 DEPARTMENT OF EDUCATION.

11 (8) "STATE BOARD" MEANS THE STATE BOARD OF HUMAN SERVICES
12 CREATED IN SECTION 26-1-107.

13 (9) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
14 HUMAN SERVICES CREATED IN SECTION 26-1-105.

15 (10) "STATE PLAN" MEANS THE STATE PLAN FOR DELIVERY OF
16 SERVICES TO PREGNANT WOMEN, CHILDREN FROM BIRTH TO EIGHT YEARS
17 OF AGE, AND THEIR FAMILIES, AS INITIALLY ADOPTED OR REVISED BY THE
18 STATE BOARD OF HUMAN SERVICES PURSUANT TO SECTION 26-6.1-105.

19 **26-6.1-103. Office of early childhood - creation.** (1) THERE IS
20 HEREBY CREATED WITHIN THE STATE DEPARTMENT OF HUMAN SERVICES
21 THE OFFICE OF EARLY CHILDHOOD. THE OFFICE IS HEADED BY THE
22 DIRECTOR OF EARLY CHILDHOOD SERVICES APPOINTED BY THE EXECUTIVE
23 DIRECTOR OF THE STATE DEPARTMENT OF HUMAN SERVICES IN
24 ACCORDANCE WITH SECTION 13 OF ARTICLE XII OF THE STATE
25 CONSTITUTION.

26 (2) THE OFFICE SHALL EXERCISE ITS POWERS AND PERFORM ITS
27 DUTIES AND FUNCTIONS SPECIFIED IN THIS ARTICLE UNDER THE STATE
28 DEPARTMENT AS IF IT WERE TRANSFERRED TO THE STATE DEPARTMENT BY
29 A **TYPE 2** TRANSFER AS SUCH TRANSFER IS DEFINED IN THE
30 "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF TITLE 24,
31 C.R.S.

32 **26-6.1-104. Office of early childhood - functions.** (1) THE
33 OFFICE HAS THE FOLLOWING FUNCTIONS:

34 (a) TO COLLABORATE WITH THE OTHER DIVISIONS WITHIN THE
35 STATE DEPARTMENT OF HUMAN SERVICES AND WITHIN OTHER STATE
36 DEPARTMENTS THAT ADMINISTER EARLY CHILDHOOD PROGRAMS TO
37 DEVELOP A STATE PLAN FOR DELIVERY OF SERVICES TO PREGNANT WOMEN,
38 CHILDREN FROM BIRTH TO EIGHT YEARS OF AGE, AND THEIR FAMILIES, AS
39 DESCRIBED IN SECTION 26-6.1-105, AND RECOMMEND THE STATE PLAN TO
40 THE EARLY CHILDHOOD LEADERSHIP COMMISSION, THE EXECUTIVE
41 DIRECTOR, AND THE EARLY CHILDHOOD AND SCHOOL READINESS

1 COMMISSION FOR REVIEW AND COMMENT AND TO THE STATE BOARD FOR
2 APPROVAL. THE OFFICE AND THE OTHER DIVISIONS WITHIN THE STATE
3 DEPARTMENT AND WITHIN OTHER STATE DEPARTMENTS THAT ADMINISTER
4 EARLY CHILDHOOD PROGRAMS SHALL BIENNIALLY REVIEW THE STATE
5 PLAN AND SUBMIT REVISIONS TO THE EARLY CHILDHOOD LEADERSHIP
6 COMMISSION, THE EXECUTIVE DIRECTOR, AND THE EARLY CHILDHOOD AND
7 SCHOOL READINESS COMMISSION FOR REVIEW AND COMMENT AND TO THE
8 STATE BOARD FOR APPROVAL.

9 (b) TO ADMINISTER THE EARLY CHILDHOOD PROGRAMS SPECIFIED
10 IN THIS ARTICLE AND SUCH OTHER EARLY CHILDHOOD PROGRAMS AS MAY
11 BE CREATED IN OR TRANSFERRED TO THE OFFICE BY THE EXECUTIVE
12 DIRECTOR OR BY EXECUTIVE ORDER TO BE FUNDED BY NONSTATE MONEYS.
13 THE OFFICE SHALL ADMINISTER THE EARLY CHILDHOOD PROGRAMS IN
14 ACCORDANCE WITH STATUTE AND RULE AND, WHERE APPLICABLE, REVIEW
15 APPLICATIONS SUBMITTED BY ENTITIES TO RECEIVE FUNDING THROUGH
16 THE PROGRAMS, AWARD GRANTS BASED ON THE APPLICATIONS, AND
17 NOTIFY THE STATE BOARD OF THE GRANTS AWARDED AND THE AMOUNTS
18 OF SAID GRANTS; EXCEPT THAT:

19 (I) THE COLORADO CHILDREN'S TRUST FUND BOARD SHALL REVIEW
20 APPLICATIONS AND AWARD GRANTS AS PROVIDED IN ARTICLE 3.5 OF TITLE
21 19, C.R.S.; AND

22 (II) THE STATE BOARD SHALL APPROVE APPLICATIONS AND AWARD
23 GRANTS THROUGH THE COLORADO NURSE HOME VISITOR PROGRAM TO THE
24 LIST OF APPLYING ENTITIES RECOMMENDED BY THE HEALTH SCIENCES
25 FACILITY PURSUANT TO SECTION 26-6.4-106(3), UNLESS THE STATE BOARD
26 FINDS THE RECOMMENDATIONS TO BE CLEARLY ERRONEOUS OR
27 INAPPROPRIATE.

28 (c) TO SOLICIT AND ACCEPT GRANTS FROM THE FEDERAL
29 GOVERNMENT AND TO SOLICIT AND ACCEPT CONTRIBUTIONS, GRANTS,
30 GIFTS, BEQUESTS, AND DONATIONS FROM INDIVIDUALS, PRIVATE
31 ORGANIZATIONS, AND FOUNDATIONS FOR THE OPERATION OF EARLY
32 CHILDHOOD PROGRAMS UNDER THE AUTHORITY OF THE OFFICE;

33 (d) TO WORK WITH OTHER OFFICES AND DIVISIONS WITHIN THE
34 STATE DEPARTMENT OF HUMAN SERVICES AND WITH OTHER STATE
35 DEPARTMENTS THAT ADMINISTER EARLY CHILDHOOD PROGRAMS TO
36 PERIODICALLY REVIEW THE FEDERAL FUNDING GUIDELINES FOR FEDERAL
37 EARLY CHILDHOOD PROGRAMS AND TO SEEK THE FEDERAL WAIVERS AND
38 THE APPROVAL OF PLAN AMENDMENTS TO ACHIEVE THE MAXIMUM
39 FEDERAL FUNDING FOR EARLY CHILDHOOD PROGRAMS AND THE MAXIMUM
40 FLEXIBILITY IN USING THE FEDERAL FUNDS FOR EARLY CHILDHOOD
41 PROGRAMS; AND

1 (e) TO COORDINATE WITH THE EARLY CHILDHOOD COUNCILS. THE
2 OFFICE'S ROLE SHALL INCLUDE, BUT NEED NOT BE LIMITED TO,
3 IDENTIFICATION OF BENCHMARKS AND EXPECTATIONS FOR PROGRAM AND
4 SERVICE DELIVERY BY THE EARLY CHILDHOOD COUNCILS. IN ADDITION,
5 THE DIRECTOR SHALL ALLOCATE FUNDING AS DESCRIBED IN THE STATE
6 PLAN FROM THE EARLY CHILDHOOD PROGRAMS ADMINISTERED BY THE
7 OFFICE TO THE EARLY CHILDHOOD COUNCILS TO OFFSET A PORTION OF
8 THEIR OPERATIONAL COSTS; EXCEPT THAT ANY MONEYS ALLOCATED FROM
9 THE NURSE HOME VISITOR PROGRAM SHALL BE FROM THE AMOUNT
10 RETAINED BY THE OFFICE PURSUANT TO SECTION 26-6.4-107 (2) (b) AS
11 COMPENSATION FOR THE COSTS INCURRED BY THE OFFICE IN
12 IMPLEMENTING THE PROVISIONS OF SECTION 26-6.4-107 (2) (a.5).

13 (2) IN ADDITION TO ANY EARLY CHILDHOOD PROGRAMS CREATED
14 IN OR TRANSFERRED TO THE OFFICE BY EXECUTIVE ORDER AND ANY EARLY
15 CHILDHOOD PROGRAMS TRANSFERRED TO THE OFFICE BY THE EXECUTIVE
16 DIRECTOR PURSUANT TO SUBSECTION (4) OF THIS SECTION, THE OFFICE
17 SHALL INCLUDE THE FOLLOWING PROGRAMS:

18 (a) THE COLORADO CHILDREN'S TRUST FUND CREATED IN ARTICLE
19 3.5 OF TITLE 19, C.R.S.;

20 (b) THE NURSE HOME VISITOR PROGRAM CREATED IN ARTICLE 6.4
21 OF THIS TITLE;

22 (c) THE FAMILY RESOURCE CENTER PROGRAM CREATED IN SECTION
23 26-18-104;

24 (d) CHILD CARE, INCLUDING BUT NOT LIMITED TO CHILD CARE
25 LICENSING PURSUANT TO ARTICLE 6 OF THIS TITLE;

26 (e) THE COLORADO CHILD CARE ASSISTANCE PROGRAM AS
27 DESCRIBED IN PART 8 OF ARTICLE 2 OF THIS TITLE;

28 (f) PART C EARLY INTERVENTION SERVICES PURSUANT TO PART 7
29 OF ARTICLE 10.5 OF TITLE 27, C.R.S.; AND

30 (g) PROMOTING SAFE AND STABLE FAMILIES AS AUTHORIZED BY
31 THE FEDERAL "ADOPTION AND SAFE FAMILIES ACT OF 1997",
32 PUB.L.105-89.

33 (3) WHEN THE OFFICE RECEIVES AN APPLICATION FOR FUNDING
34 THROUGH ANY EARLY CHILDHOOD PROGRAM, THE OFFICE SHALL REVIEW
35 THE APPLICATION AND DETERMINE WHETHER THERE ARE OTHER EARLY
36 CHILDHOOD PROGRAMS ADMINISTERED BY OTHER DIVISIONS WITHIN THE
37 STATE DEPARTMENT OF HUMAN SERVICES OR BY OTHER STATE
38 DEPARTMENTS THROUGH WHICH FUNDING MAY BE AVAILABLE TO THE
39 APPLICANT. WITH THE APPLICANT'S CONSENT, THE OFFICE SHALL
40 FORWARD A COPY OF THE APPLICATION TO ANY SUCH PROGRAM FOR
41 CONSIDERATION.

1 (4) THE EXECUTIVE DIRECTOR SHALL TRANSFER ANY EARLY
2 CHILDHOOD PROGRAMS ADMINISTERED BY THE STATE DEPARTMENT TO
3 THE OFFICE, AS HE OR SHE DEEMS APPROPRIATE. THE OFFICE SHALL
4 COORDINATE WITH ANY OTHER DIVISION WITHIN THE STATE DEPARTMENT
5 THAT ADMINISTERS AN EARLY CHILDHOOD PROGRAM OR A YOUTH
6 DEVELOPMENT PROGRAM IN THE SAME MANNER THAT IT COORDINATES
7 WITH OTHER STATE DEPARTMENTS THAT ADMINISTER EARLY CHILDHOOD
8 PROGRAMS.

9 (5) (a) THE TRANSFER OF PROGRAMS TO THE OFFICE FROM OTHER
10 STATE DEPARTMENTS OR DIVISIONS DOES NOT REQUIRE THE
11 REORGANIZATION OR TRANSFER OF THE PROGRAMS AS THEY ARE
12 IMPLEMENTED BY LOCAL GOVERNMENT AGENCIES.

13 (b) ANY CONTRACT EXISTING AS OF JULY 1, 2012, THAT INVOLVES
14 EARLY CHILDHOOD PROGRAMS AND ANY MULTI-YEAR GRANT AWARDED
15 PRIOR TO JULY 1, 2012, THAT INVOLVES EARLY CHILDHOOD PROGRAMS
16 ARE NOT AFFECTED FOR THE TERM OF THE CONTRACT OR GRANT BY THE
17 ENACTMENT OF THIS ARTICLE OR ARTICLE 6.4 OR 6.8 OF THIS TITLE.

18 **26-6.1-105. State plan for delivery of services to pregnant**
19 **women, children, and their families - contents - approval.** (1) THE
20 OFFICE SHALL COLLABORATE WITH THE OTHER DIVISIONS WITHIN THE
21 STATE DEPARTMENT AND WITHIN OTHER STATE DEPARTMENTS THAT
22 ADMINISTER EARLY CHILDHOOD PROGRAMS TO DEVELOP A STATE PLAN
23 FOR DELIVERY OF SERVICES TO PREGNANT WOMEN, CHILDREN FROM BIRTH
24 TO EIGHT YEARS OF AGE, AND THEIR FAMILIES. THE OFFICE AND THE OTHER
25 DIVISIONS AND STATE DEPARTMENTS SHALL DESIGN THE STATE PLAN TO
26 PROVIDE A STATEWIDE, UNIFIED APPROACH TO PROVIDING EARLY
27 CHILDHOOD SERVICES AND OPERATING EARLY CHILDHOOD PROGRAMS.
28 THE GOAL OF THE STATE PLAN IS TO INCREASE EFFICIENCY,
29 EFFECTIVENESS, AND QUALITY IN DELIVERING EARLY CHILDHOOD
30 SERVICES FOR CHILDREN AND FAMILIES AT THE STATE AND LOCAL LEVELS.
31 AT A MINIMUM, THE STATE PLAN SHALL:

32 (a) ESTABLISH PRIORITIES FOR THE DELIVERY OF EARLY
33 CHILDHOOD SERVICES AND THE USE OF FEDERAL, STATE, AND PRIVATE
34 MONEYS RECEIVED TO PROVIDE EARLY CHILDHOOD SERVICES AND
35 IMPLEMENT EARLY CHILDHOOD PROGRAMS;

36 (b) ESTABLISH GUIDELINES, POLICIES, AND STANDARDS FOR
37 PROGRAM OPERATION AND SERVICE DELIVERY, INCLUDING THE USE OF
38 STANDARDIZED TOOLS FOR ASSESSING EARLY CHILDHOOD DEVELOPMENT,
39 THE USE OF A UNIVERSAL APPLICATION FOR SERVICES, AND STATEWIDE
40 STANDARDS FOR MEASURING OUTCOMES;

41 (c) IDENTIFY TOOLS FOR ASSESSING EARLY CHILDHOOD
42 DEVELOPMENT AND THE NEED FOR EARLY CHILDHOOD SERVICES;

- 1 (d) ESTABLISH GUIDELINES AND STANDARDS FOR REFERRALS TO
2 SERVICES;
- 3 (e) ESTABLISH CONSISTENT REQUIREMENTS TO ENSURE THAT
4 EARLY CHILDHOOD PROGRAMS COORDINATE IN THE DELIVERY OF SERVICES
5 AND, TO THE EXTENT ALLOWED UNDER LAW, SHARE INFORMATION
6 CONCERNING SERVICE PROVISION AND RECIPIENTS;
- 7 (f) ESTABLISH MINIMUM EXPECTATIONS AND REQUIREMENTS FOR
8 COMMUNICATION AMONG EARLY CHILDHOOD PROGRAMS;
- 9 (g) IDENTIFY AREAS IN WHICH EARLY CHILDHOOD PROGRAMS MAY
10 RECOGNIZE INCREASED ECONOMIES OF SCALE IN PROVIDING SERVICES AND
11 ESTABLISH GUIDELINES AND PROCEDURES FOR ACHIEVING THE INCREASE
12 IN ECONOMIES OF SCALE;
- 13 (h) ESTABLISH PROCEDURES AND GUIDELINES FOR COORDINATING
14 THE USE AND CONTENT OF REQUESTS FOR PROPOSALS AND GRANT
15 APPLICATIONS AND THE REPORTING REQUIREMENTS IMPOSED ON GRANT
16 RECIPIENTS;
- 17 (i) IDENTIFY CHILD AND FAMILY OUTCOME METRICS AND SERVICE
18 DELIVERY OUTCOME PERFORMANCE METRICS THAT THE OFFICE AND OTHER
19 DIVISIONS AND OTHER STATE DEPARTMENTS THAT OPERATE EARLY
20 CHILDHOOD PROGRAMS, BUT NOT INCLUDING THE DEPARTMENT OF
21 EDUCATION OR THE NURSE HOME VISITOR PROGRAM, SHALL USE TO
22 MEASURE PROGRAM PERFORMANCE AND DETERMINE WHETHER
23 IMPLEMENTATION OF THE STATE PLAN RESULTS IN INCREASED
24 EFFICIENCIES, EFFECTIVENESS, AND QUALITY IN THE DELIVERY OF EARLY
25 CHILDHOOD SERVICES AT THE STATE AND LOCAL LEVELS; AND
- 26 (j) COORDINATE WITH OTHER RELEVANT STATE PLANS REGARDING
27 EARLY CHILDHOOD SERVICES, WHICH PLANS ARE PREPARED BY DIVISIONS
28 WITHIN THE STATE DEPARTMENT AND OTHER STATE DEPARTMENTS FOR
29 THE FEDERAL GOVERNMENT.
- 30 (2) IN DEVELOPING THE STATE PLAN, THE OFFICE SHALL:
- 31 (a) CONSULT WITH THE DIVISIONS WITHIN THE STATE DEPARTMENT
32 AND WITH OTHER STATE DEPARTMENTS THAT OPERATE YOUTH
33 DEVELOPMENT PROGRAMS, INCLUDING BUT NOT LIMITED TO THE TONY
34 GRAMPSAS YOUTH SERVICES PROGRAM CREATED IN ARTICLE 6.8 OF THIS
35 TITLE, TO ENSURE AN INTEGRATED CONTINUUM OF EARLY CHILDHOOD AND
36 YOUTH DEVELOPMENT SERVICE DELIVERY FOR CHILDREN AND THEIR
37 FAMILIES;
- 38 (b) CONSULT WITH AND SEEK ADVICE FROM THE EARLY
39 CHILDHOOD LEADERSHIP COMMISSION AND THE EARLY CHILDHOOD AND
40 SCHOOL READINESS COMMISSION; AND
- 41 (c) SOLICIT INPUT AND COMMENT FROM THE EARLY CHILDHOOD
42 COMMUNITY, INCLUDING BUT NOT LIMITED TO, EARLY CHILDHOOD

1 PROGRAMS, SERVICE PROVIDERS, COMMUNITY PARTNERS, AND PARENTS
2 AND FAMILIES.

3 (3) (a) ON OR BEFORE JANUARY 31, 2013, THE OFFICE, IN
4 COLLABORATION WITH THE OTHER DIVISIONS AND OTHER STATE
5 DEPARTMENTS THAT ADMINISTER EARLY CHILDHOOD PROGRAMS, SHALL
6 REPORT PROGRESS IN DEVELOPING THE STATE PLAN TO THE EARLY
7 CHILDHOOD LEADERSHIP COMMISSION, THE DEPARTMENT LEADERS, AND
8 THE EARLY CHILDHOOD AND SCHOOL READINESS COMMISSION.

9 (b) ON OR BEFORE JULY 1, 2013, THE OFFICE, WITH THE APPROVAL
10 OF THE OTHER DIVISIONS AND STATE DEPARTMENTS THAT ADMINISTER
11 EARLY CHILDHOOD PROGRAMS, SHALL RECOMMEND THE STATE PLAN TO
12 THE EARLY CHILDHOOD LEADERSHIP COMMISSION, THE EXECUTIVE
13 DIRECTOR, AND THE EARLY CHILDHOOD AND SCHOOL READINESS
14 COMMISSION FOR REVIEW AND COMMENT. AFTER RECEIVING COMMENTS
15 AND AMENDING THE STATE PLAN AS APPROPRIATE, THE OFFICE SHALL
16 SUBMIT THE STATE PLAN TO THE STATE BOARD FOR APPROVAL. THE STATE
17 BOARD MAY APPROVE THE STATE PLAN AS SUBMITTED OR WITH CHANGES.

18 (c) FOLLOWING APPROVAL OF THE INITIAL STATE PLAN, THE OFFICE
19 AND THE OTHER DIVISIONS AND STATE DEPARTMENTS THAT ADMINISTER
20 EARLY CHILDHOOD PROGRAMS SHALL BIENNIALY REVIEW THE STATE
21 PLAN AND SUBMIT A REVISED STATE PLAN TO THE EARLY CHILDHOOD
22 LEADERSHIP COMMISSION, THE EXECUTIVE DIRECTOR AND THE EARLY
23 CHILDHOOD AND SCHOOL READINESS COMMISSION FOR REVIEW AND
24 COMMENT. AFTER RECEIVING COMMENTS AND AMENDING THE REVISED
25 STATE PLAN AS APPROPRIATE, THE OFFICE SHALL SUBMIT THE REVISED
26 STATE PLAN TO THE STATE BOARD FOR APPROVAL. THE STATE BOARD MAY
27 APPROVE THE STATE PLAN AS SUBMITTED OR WITH CHANGES.

28 (d) EVERY SIX MONTHS FOLLOWING ADOPTION OF THE INITIAL OR
29 A REVISED STATE PLAN, THE OFFICE, IN COLLABORATION WITH THE OTHER
30 DIVISIONS AND STATE DEPARTMENTS THAT ADMINISTER EARLY
31 CHILDHOOD PROGRAMS, SHALL REPORT TO THE EARLY CHILDHOOD
32 LEADERSHIP COMMISSION, THE DEPARTMENT LEADERS, AND THE EARLY
33 CHILDHOOD AND SCHOOL READINESS COMMISSION CONCERNING
34 IMPLEMENTATION OF THE STATE PLAN.

35 **26-6.1-106. Early childhood programs - interdepartmental**
36 **coordination.** (1) THE EXECUTIVE DIRECTORS OF THE STATE
37 DEPARTMENTS OF HUMAN SERVICES, PUBLIC HEALTH AND ENVIRONMENT,
38 AND HEALTH CARE POLICY AND FINANCING AND THE COMMISSIONER OF
39 EDUCATION SHALL COMPRISE AN EXECUTIVE MANAGEMENT TEAM FOR
40 EARLY CHILDHOOD PROGRAMS. THE DEPARTMENT LEADERS SHALL MEET
41 ON A REGULAR BASIS TO REVIEW THE OPERATION OF EARLY CHILDHOOD
42 PROGRAMS WITHIN THE STATE AND ENSURE THAT THE PROGRAMS

1 COORDINATE IN PROVIDING SERVICES. THE DEPARTMENT LEADERS SHALL
2 ALSO REVIEW THE STATE PLAN AND ENSURE THAT THE PROGRAMS IN THEIR
3 RESPECTIVE STATE DEPARTMENTS ARE COMPLYING WITH THE PROVISIONS
4 OF THE STATE PLAN. THE DEPARTMENT LEADERS SHALL, AS NECESSARY,
5 INCLUDE THE DIRECTORS OF THE VARIOUS STATE EARLY CHILDHOOD
6 PROGRAMS IN THEIR MEETINGS AND OTHERWISE COMMUNICATE WITH THE
7 PROGRAM DIRECTORS TO ENSURE THAT THE EARLY CHILDHOOD PROGRAMS
8 COORDINATE IN PROVIDING SERVICES.

9 (2) THE DEPARTMENT LEADERS SHALL DIRECT THE EARLY
10 CHILDHOOD PROGRAM DIRECTORS IN THEIR RESPECTIVE STATE
11 DEPARTMENTS TO COORDINATE IN PROVIDING COMMUNICATIONS TO THE
12 EARLY CHILDHOOD COUNCILS AND OTHER LOCAL AGENCIES AND
13 PROVIDERS CONCERNING IMPLEMENTATION OF EARLY CHILDHOOD
14 PROGRAMS. TO THE EXTENT APPROPRIATE, THE DEPARTMENT LEADERS
15 SHALL JOINTLY SEND DEPARTMENT LETTERS WHEN NECESSARY TO
16 PROVIDE DIRECTION TO THE EARLY CHILDHOOD COUNCILS AND OTHER
17 LOCAL PROVIDERS FOR THE OPERATION OF EARLY CHILDHOOD PROGRAMS
18 OR CONCERNING INTERPRETATION OR APPLICATION OF PROGRAM RULES
19 AND GUIDELINES.

20 (3) EACH OF THE DEPARTMENT LEADERS SHALL REPORT TO HIS OR
21 HER POLICY BOARD CONCERNING THE IMPLEMENTATION AND
22 COORDINATION OF EARLY CHILDHOOD PROGRAMS ACROSS THE VARIOUS
23 STATE DEPARTMENTS. EACH POLICY BOARD SHALL TAKE INTO ACCOUNT
24 THE RULES AND GUIDELINES FOR EARLY CHILDHOOD PROGRAMS
25 PROMULGATED BY THE OTHER POLICY BOARDS AND, TO THE GREATEST
26 EXTENT PRACTICABLE AND APPROPRIATE, ALIGN ITS EARLY CHILDHOOD
27 PROGRAM RULES AND GUIDELINES TO FACILITATE COORDINATION IN THE
28 IMPLEMENTATION OF EARLY CHILDHOOD PROGRAMS BY EACH STATE
29 DEPARTMENT.

30 **26-6.1-107. Reporting.** (1) AS PART OF ITS ANNUAL
31 PRESENTATION TO A COMMITTEE OF REFERENCE IN ACCORDANCE WITH
32 SECTION 2-7-203, C.R.S., THE STATE DEPARTMENT SHALL SPECIFICALLY
33 REPORT ON THE CREATION, REVIEW, AND IMPLEMENTATION OF THE STATE
34 PLAN. AT A MINIMUM, THE STATE DEPARTMENT'S REPORT SHALL ADDRESS:

35 (a) THE PRIORITIES FOR PROVIDING EARLY CHILDHOOD SERVICES
36 AND FOR USING MONEYS AVAILABLE FOR EARLY CHILDHOOD SERVICES;

37 (b) THE OUTCOMES EXPECTED AND THE OUTCOMES ACHIEVED DUE
38 TO EARLY CHILDHOOD SERVICES PROVIDED IN THE PRECEDING FISCAL
39 YEAR;

40 (c) THE MANNER IN WHICH AND DEGREE TO WHICH EARLY
41 CHILDHOOD PROGRAMS ARE COMPLYING WITH THE STATE PLAN AND

1 SUCCESSFULLY COORDINATING THE DELIVERY OF EARLY CHILDHOOD
2 SERVICES AND THE USE OF AVAILABLE MONEYS THROUGHOUT THE STATE;

3 (d) THE LEVEL OF COORDINATION BETWEEN EARLY CHILDHOOD
4 PROGRAMS AT THE STATE LEVEL AND AT THE LOCAL LEVEL; AND

5 (e) THE LEVEL OF FUNDING FOR AND THE SOURCES OF MONEYS
6 ALLOCATED TO THE EARLY CHILDHOOD COUNCILS.

7 **SECTION 2.** In Colorado Revised Statutes, **add with amended**
8 **and relocated provisions** article 6.4 to title 26 as follows:

9 **ARTICLE 6.4**

10 **Colorado Nurse Home Visitor Program**

11 **26-6.4-101. [Formerly 25-31-101] Short title.** This article shall
12 be known and may be cited as the "Colorado Nurse Home Visitor
13 Program Act".

14 **26-6.4-102. [Formerly 25-31-102] Legislative declaration.**

15 (1) The general assembly hereby finds that, in order to adequately care
16 for their newborns and young children, new mothers may often benefit
17 from receiving professional assistance and information. Without such
18 assistance and information, a young mother may develop habits or
19 practices that are detrimental to her health and well-being and the health
20 and well-being of her child. The general assembly further finds that
21 inadequate prenatal care and inadequate care in infancy and early
22 childhood often inhibit a child's ability to learn and develop throughout
23 his or her childhood and may have lasting, adverse effects on the child's
24 ability to function as an adult. The general assembly recognizes that
25 implementation of a nurse home visitor program that provides
26 educational, health, and other resources for new young mothers during
27 pregnancy and the first years of their infants' lives has been proven to
28 significantly reduce the amount of drug, including nicotine, and alcohol
29 use and abuse by mothers, the occurrence of criminal activity committed
30 by mothers and their children under fifteen years of age, and the number
31 of reported incidents of child abuse and neglect. Such a program has also
32 been proven to reduce the number of subsequent births, increase the
33 length of time between subsequent births, and reduce the mother's need
34 for other forms of public assistance. It is the intent of the general
35 assembly that such a program be established for the state of Colorado,
36 beginning with a limited number of participants and expanding by the
37 year 2010 to be available to all low-income, first-time mothers in the state
38 who consent to receiving services.

39 (2) The general assembly further finds that, to implement such a
40 program efficiently and effectively and to promote the successful
41 implementation of partnerships between state public entities and the

1 private sector, responsibility for the program should be divided between
2 the STATE department, which shall be responsible for financial
3 administration of the program, and a health sciences facility at the
4 university of Colorado, which shall be responsible for programmatic and
5 clinical support, evaluation, and monitoring for the program, and such
6 other responsibilities as described in this article. It is the intent of the
7 general assembly that the STATE department and the health sciences
8 facility work collaboratively to share information in order to promote
9 efficient and effective program implementation; however, neither entity
10 is responsible for the other entity's statutorily prescribed duties.

11 **26-6.4-103. [Formerly 25-31-103] Definitions.** As used in this
12 article, unless the context otherwise requires:

13 ~~(1) "Department" means the department of public health and~~
14 ~~environment created in section 25-1-102.~~

15 ~~(2)~~ (1) "Entity" means any nonprofit, not-for-profit, or for-profit
16 corporation, religious or charitable organization, institution of higher
17 education, visiting nurse association, existing visiting nurse program,
18 county, district, or municipal public health agency, county department of
19 social services, political subdivision of the state, or other governmental
20 agency or any combination thereof.

21 ~~(3)~~ (2) "Health sciences facility" means the Anschutz medical
22 campus or a successor facility located at the university of Colorado health
23 sciences center that is selected by the president of the university of
24 Colorado pursuant to ~~section 25-31-105~~ SECTION 26-6.4.105 to assist the
25 state board in administering the program.

26 ~~(4)~~ (3) "Low-income" means an annual income that does not
27 exceed two hundred percent of the federal poverty line.

28 ~~(5)~~ (4) "Master settlement agreement" means the master
29 settlement agreement, the smokeless tobacco master settlement
30 agreement, and the consent decree approved and entered by the court in
31 the case denominated *State of Colorado, ex rel. Gale A. Norton, Attorney*
32 *General v. R.J. Reynolds Tobacco Co.; American Tobacco Co., Inc.;*
33 *Brown & Williamson Tobacco Corp.; Liggett & Myers, Inc.; Lorillard*
34 *Tobacco Co., Inc.; Philip Morris, Inc.; United States Tobacco Co.; B.A.T.*
35 *Industries, P.L.C.; The Council For Tobacco Research--U.S.A., Inc.; and*
36 *Tobacco Institute, Inc.*, Case No. 97 CV 3432, in the district court for the
37 city and county of Denver.

38 ~~(6)~~ (5) "Nurse" means a person licensed as a professional nurse
39 pursuant to article 38 of title 12, C.R.S., or accredited by another state or
40 voluntary agency that the state board of nursing has identified by rule
41 pursuant to section 12-38-108 (1) (a), C.R.S., as one whose accreditation
42 may be accepted in lieu of board approval.

1 (6) "OFFICE" MEANS THE OFFICE OF EARLY CHILDHOOD CREATED
2 IN ARTICLE 6.1 OF THIS TITLE IN THE DEPARTMENT OF HUMAN SERVICES.

3 (7) "Program" means the nurse home visitor program established
4 in this article.

5 (8) "State board" means the state board of health created in section
6 ~~25-1-103~~ HUMAN SERVICES CREATED IN SECTION 26-1-107.

7 (9) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
8 HUMAN SERVICES CREATED IN SECTION 26-1-105.

9 **26-6.4-104. [Formerly 25-31-104] Nurse home visitor program**

10 **- created - rules.** (1) (a) There is hereby established the nurse home
11 visitor program to provide regular, in-home, visiting nurse services to
12 low-income, first-time mothers, with their consent, during their
13 pregnancies and through their children's second birthday. The program
14 shall provide trained visiting nurses to help educate mothers on the
15 importance of nutrition and avoiding alcohol and drugs, including
16 nicotine, and to assist and educate mothers in providing general care for
17 their children and in improving health outcomes for their children. In
18 addition, visiting nurses may help mothers in locating assistance with
19 educational achievement and employment. Any assistance provided
20 through the program shall be provided only with the consent of the
21 low-income, first-time mother, and she may refuse further services at any
22 time.

23 (b) THE NURSE HOME VISITOR PROGRAM CREATED IN ARTICLE 31
24 OF TITLE 25, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS
25 ARTICLE, IS HEREBY TRANSFERRED TO THE OFFICE OF EARLY CHILDHOOD
26 IN THE DEPARTMENT OF HUMAN SERVICES. ALL GRANTS IN EXISTENCE AS
27 OF THE EFFECTIVE DATE OF THIS ARTICLE SHALL CONTINUE TO BE VALID
28 THROUGH JUNE 30, 2013, AND MAY BE EXTENDED OR RENEWED BEYOND
29 SAID DATE.

30 (2) The program shall be administered in communities throughout
31 the state by entities selected on a competitive basis by the state board.
32 Any entity that seeks to administer the program shall submit an
33 application to the ~~department~~ OFFICE as provided in ~~section 25-31-106~~
34 SECTION 26-6.4-106. The entities selected pursuant to ~~section 25-31-107~~
35 SECTION 26-6.4-107 shall be expected to provide services to a minimum
36 of one hundred low-income, first-time mothers in the community in
37 which the entity administers the program; except that the state board may
38 grant a waiver of this requirement if the population base of the
39 community does not have the capacity to enroll one hundred eligible
40 families. The state board shall consult with the health sciences facility
41 prior to granting the waiver to ensure that the entity can implement the
42 program within the smaller community and maintain compliance with the

1 program requirements. A mother shall be eligible to receive services
2 through the program if she is pregnant with her first child, or her first
3 child is less than one month old, and her gross annual income does not
4 exceed two hundred percent of the federal poverty line.

5 (3) The state board shall promulgate, pursuant to the provisions
6 of article 4 of title 24, C.R.S., rules for the implementation of the
7 program. The state board shall base the rules establishing program
8 training requirements, program protocols, program management
9 information systems, and program evaluation requirements on
10 research-based model programs that have been implemented in one or
11 more other states for a period of at least five years and have shown
12 significant reductions in:

13 (a) The occurrence among families receiving services through the
14 model program of infant behavioral impairments due to use of alcohol
15 and other drugs, including nicotine;

16 (b) The number of reported incidents of child abuse and neglect
17 among families receiving services through the model program;

18 (c) The number of subsequent pregnancies by mothers receiving
19 services through the model program;

20 (d) The receipt of public assistance by mothers receiving services
21 through the model program;

22 (e) Criminal activity engaged in by mothers receiving services
23 through the model program and their children.

24 (4) Notwithstanding the provisions of subsection (3) of this
25 section, the board shall adopt rules pursuant to which a nurse home
26 visitation program that is in operation in the state as of July 1, 1999, may
27 qualify for participation in the program if it can demonstrate that it has
28 been in operation in the state for a minimum of five years and that it has
29 achieved a reduction in the occurrences specified in subsection (3) of this
30 section. Any program so approved shall be exempt from the rules adopted
31 regarding program training requirements, program protocols, program
32 management information systems, and program evaluation requirements
33 so long as said program continues to demonstrate a reduction in the
34 occurrences specified in subsection (3) of this section.

35 (5) The ~~department~~ OFFICE may propose to the state board rules
36 concerning program applications under ~~section 25-31-106 (1)~~ SECTION
37 26-6.4-106. Any such proposal shall be made in consultation with the
38 health sciences facility.

39 **26-6.4-105. [Formerly 25-31-105] Health sciences facility -**
40 **duties.** (1) The president of the university of Colorado shall identify a
41 facility at the university of Colorado health sciences center with the
42 knowledge and expertise necessary to:

1 (a) Assist the state board in selecting entities from among the
2 applications submitted pursuant to ~~section 25-31-106~~ SECTION
3 26-6.4-106;

4 (b) Provide programmatic and clinical support, evaluation, and
5 monitoring for the program, including nurse practice support and training,
6 clinical and programmatic technical assistance, compliance monitoring
7 and support, program development and implementation support, and
8 performance improvement monitoring and support, in communities
9 throughout the state;

10 (c) Cooperate with the ~~department~~ OFFICE in connection with the
11 ~~department's~~ OFFICE'S financial administration of the program; and

12 (d) Work with the state auditor's office as required in section
13 2-3-113 (4), C.R.S.

14 (1.5) The health sciences facility is not responsible for the duties
15 assigned to the ~~department~~ OFFICE with respect to the program under
16 ~~section 25-31-107 (2) (a.5)~~ SECTION 26-6.4-107 (2) (a.5).

17 (2) The health sciences facility shall perform the duties set forth
18 in subsection (1) of this section to ensure that the program is implemented
19 and operated according to the program training requirements, protocols,
20 management information systems, and evaluation requirements
21 established by rule of the state board. The health sciences facility shall
22 evaluate overall program implementation, operation, and effectiveness,
23 and include that evaluation, along with any recommendations concerning
24 the program's selected entities or changes in the program's
25 implementation, operation, and effectiveness, including program training
26 requirements, protocols, management information systems, or evaluation
27 requirements, in the annual report submitted to the ~~department~~ OFFICE
28 pursuant to ~~section 25-31-108~~ SECTION 26-6.4-108.

29 (3) The ~~department~~ OFFICE shall compensate the health sciences
30 facility for the health sciences facility's actual costs incurred in
31 performing its duties under this article, as determined by the health
32 sciences facility. Such duties and actual costs shall be included in the
33 scope of work in the agreement between the ~~department~~ OFFICE and the
34 health sciences facility for implementation of those duties and shall
35 include the costs incurred by any contractor or subcontractor of the health
36 sciences facility for those duties. Such compensation shall be paid out of
37 the amount allocated for the health sciences facility's costs, in accordance
38 with the maximum allocation of three percent of the amount annually
39 allocated for the program under ~~section 25-31-107 (2)~~ SECTION
40 26-6.4-107 (2).

41 **26-6.4-106. [Formerly 25-31-106] Program applications -**
42 **requirements.** (1) An entity that seeks to administer the program in a

1 community shall submit an application to the ~~department~~ OFFICE in
2 accordance with rules adopted by the state board, in consultation with the
3 ~~department~~ OFFICE and the health sciences facility. At a minimum, the
4 application shall specify the basic elements and procedures that the entity
5 shall use in administering the program. Basic program elements shall
6 include the following:

7 (a) The specific training to be received by each nurse employed
8 by the entity to provide home nursing services through the program,
9 which training shall meet or exceed the visiting nurse training
10 requirements established by rule of the state board;

11 (b) The protocols to be followed by the entity in administering the
12 program, which protocols at a minimum shall comply with the program
13 protocols established by rule of the state board;

14 (c) The management information system to be used by the entity
15 in administering the program, which at a minimum shall comply with the
16 management information system requirements established by rule of the
17 state board;

18 (d) The reporting and evaluation system to be used by the entity
19 in measuring the effectiveness of the program in assisting low-income,
20 first-time mothers, which at a minimum shall meet the reporting and
21 evaluation requirements specified by rule of the state board;

22 (e) An annual report to both the health sciences facility and the
23 community in which the entity administers the program that reports on the
24 effectiveness of the program within the community and is written in a
25 manner that is understandable for both the health sciences facility and
26 members of the community.

27 (2) Any program application submitted pursuant to this section
28 shall demonstrate strong, bipartisan public support for and a long-time
29 commitment to operation of the program in the community.

30 (3) The ~~department~~ OFFICE shall initially review the applications
31 received pursuant to this section and submit to the health sciences facility
32 for review those applications that include the basic program elements as
33 required by the rules adopted by the state board. Following its review, the
34 health sciences facility shall submit to the state board a list of the
35 applying entities that the health sciences facility recommends to
36 administer the program in communities throughout the state.

37 **26-6.4-107. [Formerly 25-31-107] Selection of entities to**
38 **administer the program - grants - nurse home visitor program fund**
39 **- created.** (1) On receipt of the list of entities recommended by the health
40 sciences facility, the state board shall select the entities that will
41 administer the program in communities throughout the state. In selecting
42 entities, the state board shall give special consideration to entities that are

1 proposing to administer the program as a collaborative effort among
2 multiple entities.

3 (2) (a) The entities selected to operate the program shall receive
4 grants in amounts specified by the state board. The grants may include
5 operating costs and additional amounts for training and development of
6 any infrastructure, including but not limited to development of the
7 information management system necessary to administer the program. ~~For~~
8 ~~the 2000-01 fiscal year, the state board shall award grants to no more than~~
9 ~~twelve entities in at least eight communities.~~ THE STATE BOARD SHALL
10 DETERMINE the number of entities selected and the number of
11 communities in which the program shall be IS implemented in subsequent
12 fiscal years shall be determined by BASED ON THE moneys available in the
13 nurse home visitor program fund created in paragraph (b) of this
14 subsection (2).

15 (a.5) Except as otherwise provided in ~~section 25-31-108~~ SECTION
16 26-6.4-108, the ~~department shall be~~ OFFICE IS responsible for financial
17 administration of this article, which shall include compensating the health
18 sciences facility pursuant to ~~section 25-31-105 (3)~~ SECTION 26-6.4-105
19 (3); paying grants to entities selected to administer the program;
20 monitoring financial, contractual, and regulatory compliance; providing
21 medicaid financing oversight; managing accounting and budgeting; and,
22 in cooperation with the health sciences facility, managing grant
23 applications as set forth in ~~section 25-31-106~~ SECTION 26-6.4-106. The
24 ~~department~~ OFFICE shall also cooperate with the health sciences facility's
25 administration of programmatic and clinical support, evaluation, and
26 monitoring of the program. The ~~department shall not be~~ OFFICE IS NOT
27 responsible for any duties assigned to the health sciences facility with
28 respect to the program, as described in ~~section 25-31-105~~ SECTION
29 26-6.4-105.

30 (b) Grants awarded pursuant to paragraph (a) of this subsection
31 (2) shall be ARE payable from the nurse home visitor program fund, which
32 fund is hereby created in the state treasury. The nurse home visitor
33 program fund, referred to in this section as the "fund", shall be IS
34 administered by the ~~department~~ OFFICE and shall consist CONSISTS of
35 moneys transferred thereto by the state treasurer from moneys received
36 pursuant to the master settlement agreement in the amount described in
37 paragraph (d) of this subsection (2). In addition, the state treasurer shall
38 credit to the fund any public or private gifts, grants, or donations received
39 by the ~~department~~ OFFICE for implementation of the program, including
40 any moneys received from the United States federal government for the
41 program. The fund shall be IS subject to annual appropriation by the
42 general assembly to the ~~department~~ OFFICE for grants to entities for

1 operation of the program. The ~~department~~ OFFICE may retain a total of up
2 to five percent of the amount annually appropriated from the fund for the
3 program, in order to compensate the health sciences facility pursuant to
4 ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in the scope of
5 work in the agreement between the ~~department~~ OFFICE and the health
6 sciences facility, and to compensate the ~~department~~ OFFICE for the actual
7 costs incurred by the ~~department~~ OFFICE in implementing the provisions
8 of paragraph (a.5) of this subsection (2), as determined by the ~~department~~
9 OFFICE; except that the portion of the costs to compensate the ~~department~~
10 OFFICE for implementing the provisions of paragraph (a.5) of this
11 subsection (2) shall not exceed two percent of the amount annually
12 appropriated from the fund for the program, and the portion of such costs
13 to compensate the health sciences facility under ~~section 25-31-105 (3)~~
14 SECTION 26-6.4-105 (3), as set forth in the scope of work in the contract
15 between the ~~department~~ OFFICE and the health sciences facility, shall not
16 exceed three percent of the amount annually appropriated from the fund
17 for the program. In addition, if the total amount annually appropriated
18 from the fund for the program exceeds nineteen million dollars, the
19 ~~department~~ OFFICE and the health sciences facility shall assess whether a
20 smaller percentage of the appropriated funds exceeding nineteen million
21 dollars is adequate to cover their actual costs and shall jointly submit to
22 the general assembly a report articulating their conclusions on this
23 subject. The actual costs of the ~~department~~ OFFICE include ~~department~~
24 personnel and operating costs and any necessary transfers to the
25 department of health care policy and financing for administrative costs
26 incurred for the medicaid program associated with the program. The
27 actual costs of the health sciences facility include the facility's own actual
28 program costs and those of its contractors and subcontractors. Any costs
29 for time studies required to obtain medicaid reimbursement for the
30 program may be paid from program funds and shall not be subject to the
31 five percent limit in this section. Notwithstanding section 24-36-114,
32 C.R.S., all interest derived from the deposit and investment of moneys in
33 the fund shall be credited to the fund. Any unencumbered moneys
34 appropriated from moneys received pursuant to the master settlement
35 agreement remaining in the fund at the end of any fiscal year shall be
36 transferred to the tobacco litigation settlement trust fund created in
37 section 24-22-115.5, C.R.S.

38 (c) It is the intent of the general assembly that general fund
39 moneys not be appropriated for implementation of the program.

40 (d) (I) Pursuant to section 24-75-1104.5 (1) (a), C.R.S., and except
41 as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning with
42 the 2006-07 fiscal year and for each fiscal year thereafter so long as the

1 state receives moneys pursuant to the master settlement agreement, the
2 state treasurer shall transfer to the fund the amounts specified in
3 subparagraph (III) of this paragraph (d) from the master settlement
4 agreement moneys received by the state, other than attorney fees and
5 costs, during the preceding fiscal year, not to exceed nineteen million
6 dollars in any fiscal year. The transfer shall be from moneys credited to
7 the tobacco litigation settlement cash fund created in section 24-22-115,
8 C.R.S.

9 (II) Repealed.

10 (III) (A) For the 2004-05 fiscal year, the general assembly shall
11 appropriate to the fund nine percent of the total amount of moneys
12 received by the state.

13 (A.5) For the 2005-06 fiscal year, the general assembly shall
14 appropriate to the fund ten percent of the total amount of moneys received
15 by the state.

16 (A.7) For the 2006-07 fiscal year, the state treasurer shall transfer
17 from the moneys received by the state pursuant to the master settlement
18 agreement to the fund eleven percent of the total amount of moneys
19 received by the state.

20 (B) Beginning with the 2007-08 fiscal year and for each fiscal
21 year thereafter through the 2010-11 fiscal year, the state treasurer shall
22 increase the percentage transferred to the fund pursuant to
23 sub-subparagraph (A.7) of this subparagraph (III) by one percent; except
24 that the percentage transferred to the fund for the 2009-10 fiscal year
25 shall be the same as the percentage transferred to the fund for the 2008-09
26 fiscal year.

27 (C) For the 2011-12 and 2012-13 fiscal years, the state treasurer
28 shall transfer to the fund the greater of twelve million seven hundred
29 thirty-seven thousand three hundred fifty dollars or the same percentage
30 of the total amount of moneys received by the state as was transferred to
31 the fund for the 2010-11 fiscal year.

32 (D) For the 2013-14 fiscal year, the state treasurer shall transfer
33 to the fund fifteen percent of the total amount of moneys received by the
34 state.

35 (E) For the 2014-15 fiscal year and for each fiscal year thereafter
36 through the 2016-17 fiscal year, the state treasurer shall increase the
37 percentage transferred to the fund by one percent over the percentage
38 transferred to the fund in the preceding fiscal year.

39 (F) For the 2017-18 fiscal year and for each fiscal year thereafter,
40 the state treasurer shall transfer to the fund nineteen percent of the total
41 amount of moneys received by the state.

1 (IV) In addition to all other moneys transferred to the fund
2 pursuant to this paragraph (d), the state treasurer shall transfer moneys
3 from the general fund to the fund as specified in section 24-75-1104.5 (5)
4 (a) (I) (B), C.R.S.

5 **26-6.4-108. [Formerly 25-31-108] Annual program review -**
6 **audit.** (1) The health sciences facility shall annually prepare and submit
7 to the ~~department~~ OFFICE a report including an evaluation of the
8 implementation of the program, the results achieved by the program based
9 on the annual reports submitted by the administering entities pursuant to
10 ~~section 25-31-106 (1) (e)~~ SECTION 26-6.4-106 (1) (e), the extent to which
11 the program serves medicaid-eligible persons and provides services that
12 may be provided in part through medicaid funding, and any
13 recommendations concerning changes to the program, including any
14 changes that may be appropriate to enable the program to receive
15 medicaid funding. The ~~department~~ OFFICE shall include the report in the
16 annual report on the program prepared pursuant to section 25-1-108.5 (3),
17 C.R.S. Each program contractor and subcontractor and each entity that
18 administers the program shall work with the health sciences facility and
19 the ~~department~~ OFFICE to prepare the reports required under this section
20 and sections 2-3-113 (2) and 25-1-108.5 (3), C.R.S. Any entity that is
21 administering the program is subject to a reduction in or cessation of
22 funding if the state board, based on recommendations from the health
23 sciences facility, determines that the entity is not operating the program
24 in accordance with the program requirements established by rule of the
25 state board or is operating the program in such a manner that the program
26 does not demonstrate positive results.

27 (2) The state auditor's office, pursuant to section 2-3-113, C.R.S.,
28 shall audit each entity administering the program to determine whether
29 the entity is administering the program in compliance with the program
30 requirements and in an effective manner. The audit shall be conducted
31 and reported in accordance with the provisions of section 2-3-113, C.R.S.

32 **SECTION 3.** In Colorado Revised Statutes, **add** article 6.7 to title
33 26 as follows:

34 **ARTICLE 6.7**

35 **Division of Youth and Community Development**

36 **26-6.7-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
37 CONTEXT OTHERWISE REQUIRES:

38 (1) "DIVISION" MEANS THE DIVISION OF YOUTH AND COMMUNITY
39 DEVELOPMENT CREATED IN SECTION 26-6.7-102.

40 (2) "YOUTH DEVELOPMENT PROGRAM" MEANS A PROGRAM THAT
41 PROVIDES SERVICES TO OLDER CHILDREN AND THEIR FAMILIES, WHICH

1 SERVICES MAY INCLUDE BUT NEED NOT BE LIMITED TO, FAMILY SUPPORT
2 AND PARENT EDUCATION, HEALTH, MENTAL HEALTH, MENTORING, AND
3 BEFORE-AND-AFTER-SCHOOL PROGRAMS.

4 **26-6.7-102. Division of youth and community development -**
5 **created.** (1) THERE IS HEREBY CREATED WITHIN THE STATE DEPARTMENT
6 OF HUMAN SERVICES THE DIVISION OF YOUTH AND COMMUNITY
7 DEVELOPMENT. THE DIVISION IS HEADED BY THE DIRECTOR OF YOUTH
8 DEVELOPMENT SERVICES APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
9 STATE DEPARTMENT OF HUMAN SERVICES IN ACCORDANCE WITH SECTION
10 13 OF ARTICLE XII OF THE STATE CONSTITUTION.

11 (2) THE DIVISION SHALL EXERCISE ITS POWERS AND PERFORM ITS
12 DUTIES AND FUNCTIONS SPECIFIED IN THIS ARTICLE UNDER THE STATE
13 DEPARTMENT OF HUMAN SERVICES AS IF IT WERE TRANSFERRED TO THE
14 STATE DEPARTMENT BY A **TYPE 2** TRANSFER AS SUCH TRANSFER IS
15 DEFINED IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE
16 1 OF TITLE 24, C.R.S.

17 **26-6.7-103. Division of youth and community development -**
18 **functions.** (1) THE DIVISION HAS THE FOLLOWING FUNCTIONS:

19 (a) TO OPERATE THE YOUTH DEVELOPMENT PROGRAMS
20 TRANSFERRED TO THE DIVISION BY THE EXECUTIVE DIRECTOR AND SUCH
21 OTHER YOUTH DEVELOPMENT PROGRAMS THAT MAY BE CREATED IN OR
22 TRANSFERRED TO THE DIVISION BY EXECUTIVE ORDER TO BE FUNDED
23 SOLELY BY NONSTATE MONEYS;

24 (b) TO COORDINATE WITH THE OFFICE OF EARLY CHILDHOOD IN THE
25 STATE DEPARTMENT AND WITH THE OFFICE WITHIN THE STATE
26 DEPARTMENT THAT OVERSEES DELIVERY OF SERVICES TO CHILDREN,
27 YOUTH, AND FAMILIES TO HELP ENSURE THE AVAILABILITY OF A
28 CONTINUUM OF SERVICES FOR CHILDREN AND YOUTH AND THEIR FAMILIES;

29 (c) TO ACT AS A LIAISON WITH COMMUNITIES THROUGHOUT THE
30 STATE TO ASSIST THEM IN ASSESSING THE NEEDS OF THE COMMUNITIES
31 WITH REGARD TO YOUTH DEVELOPMENT PROGRAMS AND TO PROVIDE
32 INFORMATION THAT WILL ASSIST COMMUNITIES IN OBTAINING FUNDING
33 FOR APPROPRIATE YOUTH DEVELOPMENT PROGRAMS;

34 (d) TO PROVIDE TECHNICAL ASSISTANCE TO COMMUNITIES AND TO
35 ENTITIES THAT PROVIDE YOUTH DEVELOPMENT PROGRAMS;

36 (e) TO SOLICIT AND ACCEPT GRANTS FROM THE FEDERAL
37 GOVERNMENT AND TO SOLICIT AND ACCEPT CONTRIBUTIONS, GRANTS,
38 GIFTS, BEQUESTS, AND DONATIONS FROM INDIVIDUALS, PRIVATE
39 ORGANIZATIONS, AND FOUNDATIONS FOR THE OPERATION OF ANY YOUTH
40 DEVELOPMENT PROGRAMS UNDER THE AUTHORITY OF THE DIVISION; AND

41 (f) TO PERIODICALLY REVIEW THE FEDERAL FUNDING GUIDELINES
42 FOR FEDERAL YOUTH DEVELOPMENT PROGRAMS AND TO SEEK THE

1 MAXIMUM FLEXIBILITY IN THE USE OF FEDERAL MONEYS IN FUNDING
2 YOUTH DEVELOPMENT PROGRAMS.

3 **SECTION 4.** In Colorado Revised Statutes, **add with amended**
4 **and relocated provisions** article 6.8 to title 26 as follows:

5 **ARTICLE 6.8**

6 **Tony Grampsas Youth Services Program**

7 **26-6.8-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "BOARD" MEANS THE TONY GRAMPSAS YOUTH SERVICES
10 BOARD CREATED IN SECTION 26-6.8-103.

11 (2) "ENTITY" MEANS A LOCAL GOVERNMENT, A COLORADO PUBLIC
12 OR NONSECTARIAN SECONDARY SCHOOL, A GROUP OF PUBLIC OR
13 NONSECTARIAN SECONDARY SCHOOLS, A SCHOOL DISTRICT OR GROUP OF
14 SCHOOL DISTRICTS, A BOARD OF COOPERATIVE SERVICES, AN INSTITUTION
15 OF HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, A STATE
16 AGENCY, A STATE-OPERATED PROGRAM, OR A PRIVATE NONPROFIT OR
17 NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

18 (3) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
19 THE STATE DEPARTMENT OF HUMAN SERVICES.

20 (4) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF
21 HUMAN SERVICES.

22 **26-6.8-102. [Formerly 25-20.5-201] Tony Grampsas youth**
23 **services program - creation - standards - applications.** (1) (a) ~~The~~
24 ~~youth crime prevention and intervention program created in part 28 of~~
25 ~~article 32 of title 24, C.R.S., as it existed prior to August 1, 2000, is~~
26 ~~hereby transferred to the division and is renamed the Tony Grampsas~~
27 ~~youth services program. All program grants in existence as of July 1,~~
28 ~~2000, shall continue to be valid through July 31, 2001. Persons appointed~~
29 ~~to the youth crime prevention and intervention program board, hereby~~
30 ~~renamed the Tony Grampsas youth services board, shall continue serving~~
31 ~~until completion of their terms and may be reappointed as provided in~~
32 ~~section 25-20.5-202.~~ THE TONY GRAMPSAS YOUTH SERVICES PROGRAM
33 IS HEREBY TRANSFERRED TO THE DIVISION OF YOUTH AND COMMUNITY
34 DEVELOPMENT WITHIN THE STATE DEPARTMENT OF HUMAN SERVICES. ALL
35 PROGRAM GRANTS IN EXISTENCE AS OF JULY 1, 2012, SHALL CONTINUE TO
36 BE VALID THROUGH JUNE 30, 2014. PERSONS APPOINTED TO THE TONY
37 GRAMPSAS YOUTH SERVICES BOARD SHALL CONTINUE SERVING UNTIL
38 COMPLETION OF THEIR TERMS AND MAY BE REAPPOINTED AS PROVIDED IN
39 SECTION 26-6.8-103.

40 (b) The Tony Grampsas youth services program is established to
41 provide state funding for community-based programs that target youth
42 and their families for intervention services in an effort to reduce incidents

1 of youth crime and violence. In addition, the Tony Grampsas youth
2 services program shall promote prevention and education programs that
3 are designed to reduce the occurrence and reoccurrence of child abuse
4 and neglect and to reduce the need for state intervention in child abuse
5 and neglect prevention and education.

6 (2) (a) ~~The Tony Grampsas youth services program shall be~~
7 ~~administered through the division.~~ Subject to the designation in paragraph
8 (b) of this subsection (2), the ~~Tony Grampsas youth services~~ board
9 created in ~~section 25-20.5-202~~ SECTION 26-6.8-103 shall choose those
10 entities that will receive grants through the Tony Grampsas youth services
11 program and the amount of each grant. ~~In addition, the division~~ THE
12 STATE DEPARTMENT shall monitor the effectiveness of programs that
13 receive funds through the Tony Grampsas youth services program.

14 (b) ~~Any grant awarded through the Tony Grampsas youth services~~
15 ~~program shall be paid from moneys appropriated pursuant to paragraph~~
16 ~~(c) of this subsection (2) or out of the general fund for such program.~~
17 Each year, no less than twenty percent of the appropriation shall be
18 designated and used exclusively for programs designed for children
19 younger than nine years of age. THE DIVISION OF YOUTH AND COMMUNITY
20 DEVELOPMENT CREATED IN ARTICLE 6.7 OF THIS TITLE IN THE STATE
21 DEPARTMENT OF HUMAN SERVICES SHALL ADMINISTER THE GRANTS
22 AWARDED TO PROGRAMS DESCRIBED IN THIS PARAGRAPH (b) AND SHALL
23 MONITOR THE EFFECTIVENESS OF THE PROGRAMS.

24 (c) ~~ANY GRANT AWARDED THROUGH THE TONY GRAMPSAS YOUTH~~
25 ~~SERVICES PROGRAM SHALL BE PAID FROM MONEYS APPROPRIATED~~
26 ~~PURSUANT TO PARAGRAPH (d) OF THIS SUBSECTION (2) OR OUT OF THE~~
27 ~~GENERAL FUND FOR SUCH PROGRAM.~~ The board, in accordance with the
28 timelines adopted pursuant to ~~section 25-20.5-202(3)~~ SECTION 26-6.8-103
29 (3), shall submit a list of the entities chosen to receive grants to the
30 governor for approval. The governor shall either approve or disapprove
31 the entire list of entities by responding to the board within twenty days.
32 If the governor ~~has~~ DOES NOT ~~responded~~ RESPOND to the board within
33 twenty days after receipt of the list, the list ~~shall be deemed~~ IS approved.
34 ~~No grants shall be awarded~~ THE BOARD SHALL NOT AWARD A GRANT
35 through the Tony Grampsas youth services program without the prior
36 approval of the governor.

37 (e)(d) Pursuant to section 24-75-1104.5 (1) (i), C.R.S., and except
38 as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in
39 the 2004-05 fiscal year, and for each fiscal year thereafter so long as the
40 state receives moneys pursuant to the master settlement agreement, the
41 general assembly shall appropriate to the ~~division~~ STATE DEPARTMENT for
42 the Tony Grampsas youth services program four percent of the amount of

1 moneys transmitted to the state treasurer in accordance with the master
2 settlement agreement, other than attorney fees and costs, for the preceding
3 fiscal year; except that the amount so appropriated to the ~~division~~ STATE
4 DEPARTMENT in any fiscal year shall not exceed five million dollars. The
5 general assembly shall appropriate the amount specified in this ~~paragraph~~
6 ~~(e)~~ PARAGRAPH (d) from moneys credited to the tobacco litigation
7 settlement cash fund created in section 24-22-115, C.R.S.

8 (3) To participate in the Tony Grampsas youth services program,
9 an entity may apply to the board in accordance with timelines and
10 guidelines adopted by the board pursuant to ~~section 25-20.5-202~~ SECTION
11 26-6.8-103.

12 ~~(4) For purposes of this part 2 "entity" means any local~~
13 ~~government, Colorado public or nonsectarian secondary school, including~~
14 ~~charter schools, group of public or nonsectarian secondary schools,~~
15 ~~school district or group of school districts, board of cooperative services,~~
16 ~~institution of higher education, the Colorado National Guard, state~~
17 ~~agency, or state-operated program or any private nonprofit or~~
18 ~~not-for-profit community-based organization.~~

19 ~~(5)~~ (4) Entities seeking to provide youth mentoring services or to
20 enhance existing youth mentoring programs are encouraged to submit an
21 application to the board for grants directly from the Tony Grampsas youth
22 services program, in addition to any funding the entities may be seeking
23 from the youth mentoring services cash fund pursuant to ~~section~~
24 ~~25-20.5-203~~ (6) SECTION 26-6.8-104 (6), to establish or enhance youth
25 mentoring programs. Entities submitting applications for grants directly
26 from the Tony Grampsas youth services program pursuant to this section
27 need not meet the requirements of ~~section 25-20.5-203~~ (5) (b) SECTION
28 26-6.8-104 (5) (b).

29 **26-6.8-103. [Formerly 25-20.5-202] Tony Grampsas youth**
30 **services board - members - duties.** (1) (a) There is hereby created the
31 Tony Grampsas youth services board ~~referred to in this part 2 as the~~
32 ~~"board"~~, consisting of four members appointed by the governor, three
33 members appointed by the speaker of the house of representatives, and
34 two members appointed by the president of the senate and one member
35 appointed by the minority leader of the senate. For the initial
36 appointments, the governor shall appoint members to the board after the
37 speaker of the house of representatives and the president and the minority
38 leader of the senate have made appointments. No more than six of the
39 members appointed to the board shall be members of the same political
40 party.

41 (b) In addition to the appointed board members, the executive
42 director shall serve as a member of the board.

1 (c) At the first meeting of the board, the members of the board
2 shall choose a chairperson and a vice-chairperson.

3 (d) (I) In appointing members to the board, the governor, the
4 speaker of the house of representatives, and the president and the minority
5 leader of the senate shall:

6 (A) Choose persons who have a knowledge and awareness of
7 innovative strategies for youth crime prevention and intervention services
8 and for reducing the occurrence and reoccurrence of child abuse and
9 neglect; AND

10 ~~(H) (B) In appointing members of the board, the governor, the~~
11 ~~speaker of the house of representatives, and the president and the minority~~
12 ~~leader of the senate shall~~ Appoint one or more persons who possess
13 knowledge and awareness of early childhood care and education. FOR
14 PURPOSES OF THIS SUB-SUBPARAGRAPH (B), "EARLY CHILDHOOD" MEANS
15 YOUNGER THAN NINE YEARS OF AGE.

16 (II) ~~In addition~~ APPOINTING MEMBERS TO THE BOARD, the speaker
17 of the house of representatives and the president of the senate shall each
18 appoint at least one person who has a knowledge and awareness of
19 student issues, including the causes of student dropout in secondary
20 schools, as well as innovative strategies for reducing the dropout rate
21 among secondary school students. ~~For purposes of this subparagraph (H),~~
22 ~~"early childhood" means younger than nine years of age.~~

23 (III) In appointing members TO THE BOARD, the governor shall:

24 (A) Appoint at least one ~~member to the board~~ PERSON who is
25 representative of a minority community;

26 (B) ~~Beginning with the members appointed to terms beginning~~
27 ~~July 1, 2001, the governor, in appointing members, shall~~ Appoint at least
28 one person who is knowledgeable in the area of child abuse prevention;
29 and

30 (C) APPOINT at least one person who is knowledgeable in the area
31 of community planning for youth violence prevention.

32 (e) The appointed members of the board shall serve three-year
33 terms; except that, of the members first appointed, one of the members
34 appointed by the governor shall serve a two-year term, two of the
35 members appointed by the governor shall serve one-year terms, one of the
36 members appointed by the speaker of the house of representatives shall
37 serve a two-year term, and one of the members appointed by the president
38 of the senate shall serve a two-year term. The respective appointing
39 person shall choose those members who shall serve initial shortened
40 terms. If a vacancy arises in one of the appointed offices, the authority
41 making the original appointment shall fill the vacancy for the remainder
42 of the term. Members of the board shall serve without compensation but

1 shall be reimbursed out of available appropriations for all actual and
2 necessary expenses incurred in the performance of their duties.

3 (f) The board is authorized to meet, when necessary, via
4 telecommunications.

5 (2) (a) The board shall develop and make available program
6 guidelines, including but not limited to:

7 (I) Guidelines for proposal design;
8 (II) Local public-to-private funding match requirements; and
9 (III) Processes for local review and prioritization of program
10 applications.

11 (b) In addition to the guidelines developed pursuant to paragraph
12 (a) of this subsection (2), the board shall develop criteria for awarding
13 grants under the Tony Grampsas youth services program, including but
14 not limited to the following requirements:

15 (I) That the program is operated in cooperation with a local
16 government, a local governmental agency, or a local nonprofit or
17 not-for-profit agency;

18 (II) That the program is community-based, receiving input from
19 organizations in the community such as schools, community mental
20 health centers, local nonprofit or not-for-profit agencies, local law
21 enforcement agencies, businesses, and individuals within the community;
22 and

23 (III) (A) That the program is directed at providing intervention
24 services to youth and their families in an effort to decrease incidents of
25 crime and violence or that the program is directed at providing services
26 to at-risk students and their families in an effort to reduce the dropout rate
27 in secondary schools pursuant to ~~section 25-20.5-204~~ SECTION
28 26-6.8-105.

29 (B) If an entity is seeking a grant from the board for a student
30 dropout prevention and intervention program pursuant to ~~section~~
31 ~~25-20.5-204~~ SECTION 26-6.8-105, one of the criteria that the board shall
32 consider is whether the program has been implemented elsewhere, if
33 known, and, if so, the relative success of the program. It shall not be
34 required, however, that the program be previously implemented for the
35 board to award a grant to the entity.

36 (C) If an entity is seeking a grant from the board for a program
37 directed at providing intervention services to youth and their families in
38 an effort to decrease incidents of crime and violence, one of the criteria
39 that the board shall consider is whether the program includes restorative
40 justice components. It shall not be required, however, that the program
41 include restorative justice components for the board to award a grant to
42 the entity.

1 (c) In addition to the guidelines and criteria developed pursuant
2 to paragraphs (a) and (b) of this subsection (2), the board shall develop
3 result-oriented criteria for measuring the effectiveness of programs that
4 receive grants under the Tony Grampsas youth services program as
5 deemed appropriate to the nature of each program including, but not
6 limited to, requiring grantees to evaluate the impact of the services
7 provided by the program. Any criteria developed pursuant to this
8 paragraph (c) for measuring the effectiveness of student dropout
9 prevention and intervention programs established pursuant to ~~section~~
10 ~~25-20.5-204~~ SECTION 26-6.8-105 shall include the implementation of a
11 method by which to track the students served by the program to evaluate
12 the impact of the services provided, which tracking shall continue, if
13 possible, for at least two years or through graduation from a secondary
14 school, whichever occurs first.

15 (3) ~~(a)~~ In addition to the guidelines and criteria developed
16 pursuant to subsection (2) of this section, the board shall establish
17 timelines for submission and review of applications for grants through the
18 Tony Grampsas youth services program. The board shall also adopt
19 timelines for submission to the governor of the list of entities chosen to
20 receive grants. If the governor disapproves the list, the board may submit
21 a replacement list within thirty days after such disapproval.

22 ~~(b) Repeated.~~

23 (4) The board shall review all applications received pursuant to
24 ~~section 25-20.5-201~~ SECTION 26-6.8-102 for grants from the Tony
25 Grampsas youth services program and choose those entities that shall
26 receive grants through the Tony Grampsas youth services program and
27 the amount of each grant.

28 (5) In addition to the duties relating specifically to the Tony
29 Grampsas youth services program specified in this section, the board shall
30 operate the prevention, intervention, and treatment programs specified in
31 this ~~part 2~~ ARTICLE and such other prevention, intervention, and treatment
32 programs as may be assigned to the board by executive order to be funded
33 solely by federal funds.

34 **26-6.8-104. [Formerly 25-20.5-203] Colorado Youth**
35 **Mentoring Services Act. (1) Short title.** This section shall be known
36 and may be cited as the "Colorado Youth Mentoring Services Act".

37 (2) **Legislative declaration.** (a) The general assembly hereby
38 finds and declares that mentoring programs such as big brothers, big
39 sisters, and partners have been active in Colorado for many years. The
40 general assembly finds that national research has indicated that structured
41 mentoring programs are effective tools in combating youth substance
42 abuse and youth crime and violence. The general assembly further finds,

1 based upon recent national research results, that at-risk youth who are
2 matched in a minimum of year-long mentoring relationships are less
3 likely to become involved in substance and alcohol abuse, less likely to
4 be truant, less likely to commit violent acts against other persons, and
5 more likely to show improvements in academic performance and positive
6 peer relations.

7 (b) The general assembly further finds that, despite the positive
8 results that may be achieved through structured youth mentoring
9 programs, as many as thirty-eight counties in the state of Colorado do not
10 have the organizational resources necessary to carry out successful
11 mentoring programs or lack the adult volunteers to establish such
12 programs or both. The general assembly finds that even counties in which
13 there are established youth mentoring programs, such programs are
14 unable to meet the demand for mentors and that such established
15 programs have waiting lists that exceed two thousand youths.

16 (c) The general assembly therefore declares and determines that
17 the provision of youth mentoring services that would use public and
18 private entities to recruit, train, screen, and supervise adult volunteers to
19 serve as mentors for at-risk youth would be beneficial and in the best
20 interests of the citizens of the state of Colorado.

21 (3) **Definition.** For purposes of this section, "at-risk youth" means
22 a person who is at least five years of age but who is less than eighteen
23 years of age and who is challenged by such risk factors as poverty,
24 residence in a substance-abusing household, family conflict, association
25 with peers who commit crimes, residence in a single-parent household,
26 exhibition of indicia of delinquent behavior, or being the victim of child
27 abuse.

28 (4) **Provision of youth mentoring services.** There is hereby
29 created the Colorado youth mentoring program for the purpose of
30 providing state funding for the provision of community-based youth
31 mentoring services that target at-risk youths in an effort to reduce
32 substance abuse and to decrease the incidents of youth crime and
33 violence. Such funding shall be used to provide new mentoring services
34 in communities that do not have existing mentoring programs as well as
35 to enhance established community-based youth mentoring programs that
36 are already in existence.

37 (5) **Administration - duties of contracting entities.** (a) To be
38 eligible for moneys from the youth mentoring services cash fund created
39 in subsection (6) of this section for the provision of youth mentoring
40 services, an entity shall apply to the board in accordance with the
41 timelines and guidelines adopted by the board pursuant to section

1 ~~25-20.5-202~~ SECTION 26-6.8-103 and shall meet the requirements of
2 paragraph (b) of this subsection (5).

3 (b) The entities that ~~are selected by~~ the board SELECTS to provide
4 community-based youth mentoring services shall be responsible for:

5 (I) Actively recruiting qualified and appropriate adult volunteers
6 who are willing to serve as youth mentors for a period of not less than one
7 year and to commit to spending an average of three hours per week with
8 the at-risk youth;

9 (II) Effectively screening adult volunteers to serve as mentors,
10 including but not limited to conducting criminal background checks of
11 such adult volunteers;

12 (III) Providing training and ongoing support to adult volunteers
13 to prepare them to serve in one-year mentoring relationships with at-risk
14 youths;

15 (IV) Carefully matching each adult volunteer with an at-risk youth
16 based upon the unique qualifications of the adult volunteer and the
17 specific needs of the youth;

18 (V) Supervising closely and through case managers the activities
19 of the adult volunteer and the mutual benefits and effectiveness of the
20 mentoring relationship;

21 (VI) Making available life skill workshops, recreational activities,
22 and community service opportunities to the at-risk youth and adult
23 volunteer;

24 (VII) Implementing a method of evaluating the effectiveness of
25 the community-based youth mentoring program and tracking the youths
26 served by the program to evaluate the impact of the services provided
27 through the program; and

28 (VIII) Reporting annually to the board concerning the results of
29 the entity's evaluation of youths served by the community-based youth
30 mentoring program as well as the fiscal contributions made by the entity
31 to the program and such other information that the board may require.

32 (c) Community-based organizations may obtain private and public
33 funds, grants, gifts, or donations for youth mentoring programs. The
34 executive director is authorized to accept and expend on behalf of the
35 state any funds, grants, gifts, or donations from any private or public
36 source for the purpose of implementing this section; except that no grant
37 or donation shall be accepted if the conditions attached to the grant or
38 donation require the expenditure thereof in a manner contrary to law.

39 (d) Entities selected to receive grants pursuant to this section for
40 the provision of youth mentoring services shall match any grant received
41 with a contribution that is the equivalent of twenty percent of the grant
42 awarded.

1 (6) **Youth mentoring services cash fund.** (a) There is hereby
2 created in the state treasury the youth mentoring services cash fund. The
3 moneys in the youth mentoring services cash fund shall be subject to
4 annual appropriation by the general assembly for the direct and indirect
5 costs associated with the implementation of this section. The executive
6 director is authorized to accept on behalf of the state any grants, gifts, or
7 donations from any private or public source for the purpose of this
8 section. All private and public funds received through grants, gifts, or
9 donations shall be transmitted to the state treasurer, who shall credit the
10 same to the youth mentoring services cash fund. All investment earnings
11 derived from the deposit and investment of moneys in the fund shall
12 remain in the fund and shall not be transferred or revert to the general
13 fund of the state at the end of any fiscal year.

14 (b) Notwithstanding any provision of paragraph (a) of this
15 subsection (6) to the contrary, on April 20, 2009, the state treasurer shall
16 transfer the balance of moneys in the youth mentoring services cash fund
17 to the general fund.

18 **26-6.8-105. [Formerly 25-20.5-204] Colorado student dropout**
19 **prevention and intervention program.** (1) **Short title.** This section
20 shall be known and may be cited as the "Colorado Student Dropout
21 Prevention and Intervention Act".

22 (2) **Legislative declaration.** The general assembly hereby finds
23 that:

24 (a) During the last decade, over one hundred thousand students in
25 Colorado left school without successfully completing a high school
26 program;

27 (b) In 1996, three million six hundred thousand young adults in
28 the United States were neither enrolled in school nor had they completed
29 a high school program;

30 (c) In the 1995-1996 academic year, approximately thirteen
31 thousand students withdrew from Colorado schools prior to receiving a
32 diploma, resulting in a four percent dropout rate;

33 (d) Of those students who withdrew from Colorado schools prior
34 to receiving a diploma, approximately five thousand nine hundred were
35 minority students;

36 (e) The dropout rate of minority students in Colorado is
37 significantly greater than that of nonminority students;

38 (f) Numerous factors, including socioeconomic background, lack
39 of adult support, and the inability to communicate well in English,
40 influence a student's decision to drop out of school;

41 (g) Research has shown that, compared with high school
42 graduates, relatively more dropouts are unemployed, and those dropouts

1 who do succeed in finding work tend to earn less money than high school
2 graduates; and

3 (h) High school dropouts are more likely to apply for and receive
4 public assistance than high school graduates.

5 (3) **Definitions.** For purposes of this section:

6 (a) "At-risk students" means students in secondary schools who
7 are at risk of dropping out of school because of their socioeconomic
8 background, lack of adult support, language barriers, or other identified
9 indicators that cause students to drop out of school.

10 (b) ~~"Entity" means any local government, Colorado public or~~
11 ~~nonsectarian secondary school, including charter schools, group of public~~
12 ~~or nonsectarian secondary schools, school district or group of school~~
13 ~~districts, board of cooperative services, institution of higher education,~~
14 ~~the Colorado National Guard, state agency, or state-operated program or~~
15 ~~any private nonprofit or not-for-profit community-based organization.~~

16 (4) **Colorado student dropout prevention and intervention**
17 **program.** There is hereby created the Colorado student dropout
18 prevention and intervention program in the Tony Grampsas youth
19 services program for the purpose of providing services to at-risk students
20 and their families in an effort to reduce the dropout rate in secondary
21 schools through an appropriate combination of academic and
22 extracurricular activities designed to enhance the overall education and
23 edification of students in secondary schools.

24 (5) **Administration.** (a) The student dropout prevention and
25 intervention program shall be administered through the division OF
26 YOUTH AND COMMUNITY DEVELOPMENT IN THE STATE DEPARTMENT.
27 Subject to the designation in paragraph (b) of this subsection (5), the
28 ~~Tony Grampsas youth services board created in section 25-20.5-202~~ shall
29 select those entities that will receive grants through the student dropout
30 prevention and intervention program and the amount of each grant. In
31 addition, the division OF YOUTH AND COMMUNITY DEVELOPMENT shall
32 monitor the effectiveness of programs that receive funds through the
33 student dropout prevention and intervention program. To be eligible for
34 grants from the ~~Tony Grampsas youth services board~~ for the provision of
35 student dropout prevention and intervention programs targeting at-risk
36 students, an entity shall apply to the board in accordance with the
37 timelines and guidelines adopted by the board pursuant to ~~section~~
38 ~~25-20.5-202~~ SECTION 26-6.8-103.

39 (b) Any moneys awarded by the ~~Tony Grampsas youth services~~
40 board shall be paid from moneys appropriated out of the general fund for
41 ~~such~~ THE TONY GRAMPSAS YOUTH SERVICES program. Each year no less
42 than ten percent of the total appropriation from the general fund shall be

1 designated and used exclusively for programs specifically designed to
2 prevent students from dropping out of secondary schools; except that,
3 commencing in fiscal year 2004-05 and in each fiscal year thereafter, no
4 less than twenty percent of the total appropriation shall be designated and
5 used exclusively for such purpose.

6 (6) **Receipt of moneys.** (a) The executive director is authorized
7 to accept on behalf of the state any funds, grants, gifts, or donations from
8 any private or public source for the purpose of implementing student
9 dropout prevention and intervention programs pursuant to this ~~article~~
10 SECTION; except that no funds, grants, gifts, or donations shall be
11 accepted if the conditions attached thereto require the expenditure thereof
12 in a manner contrary to law.

13 (b) (I) All private and public moneys received through funds,
14 grants, gifts, or donations pursuant to this subsection (6) shall be
15 transmitted to the state treasurer, who shall credit the same to the student
16 dropout prevention and intervention fund, which fund is hereby created.
17 The moneys in the fund shall be subject to annual appropriation by the
18 general assembly for the direct and indirect costs associated with the
19 administration of this ~~article~~ SECTION. The executive director may expend
20 moneys appropriated to the STATE department from the fund for purposes
21 of providing a grant for the implementation and administration of a
22 student dropout prevention and intervention program. All investment
23 earnings derived from the deposit and investment of moneys in the fund
24 shall be credited to the fund. Any moneys not appropriated shall remain
25 in the fund and shall not be transferred or revert to the general fund of the
26 state at the end of any fiscal year.

27 (II) Notwithstanding any provision of subparagraph (I) of this
28 paragraph (b) to the contrary, on April 20, 2009, the state treasurer shall
29 transfer the balance of moneys in the student dropout prevention and
30 intervention fund to the general fund.

31 **26-6.8-106. [Formerly 25-20.5-205] Colorado student**
32 **before-and-after-school project - creation - funding.** (1) **Definitions.**
33 As used in this section, unless the context otherwise requires:

34 (a) "Before-and-after-school program" means a program that
35 meets before regular school hours or after regular school hours or during
36 a period when school is not in session.

37 (b) "Fund" means the Colorado student before-and-after-school
38 project fund created in subsection (4) of this section.

39 (c) "Project" means the Colorado before-and-after-school project
40 created in subsection (2) of this section.

41 (2) **Colorado student before-and-after-school project.** There is
42 hereby created, in the Tony Grampsas youth services program, the

1 Colorado student before-and-after-school project for the purpose of
2 providing grants to entities to provide high-quality
3 before-and-after-school programs that may include an alcohol or drug
4 abuse prevention and education component. Entities that receive grants
5 pursuant to this section shall apply the grants to creating and
6 implementing before-and-after-school programs that primarily serve
7 youth enrolled in grades six through eight or youth who are twelve to
8 fourteen years of age. The before-and-after-school programs shall be
9 designed to help youth develop their interests and skills in the areas of
10 sports and fitness, character and leadership, or arts and culture and may
11 provide education regarding the dangers of the use of alcohol and drugs.
12 Before-and-after-school programs that are designed primarily to increase
13 academic achievement or that provide religious instruction are not
14 eligible for funding pursuant to this section.

15 (3) **Administration.** (a) The division OF YOUTH AND COMMUNITY
16 DEVELOPMENT IN THE STATE DEPARTMENT shall administer the project.
17 The board shall select the entities that will receive grants through the
18 project and the amount of each grant. In addition, the division OF YOUTH
19 AND COMMUNITY DEVELOPMENT shall monitor the effectiveness of
20 before-and-after-school programs that receive moneys through the
21 project. To be eligible for grants through the project, an entity shall apply
22 to the board in accordance with the timelines and guidelines adopted by
23 the board pursuant to ~~section 25-20.5-202~~ SECTION 26-6.8-103.
24 Notwithstanding any provision of this ~~part 2~~ ARTICLE or any criteria for
25 awarding grants adopted by the board pursuant to ~~section 25-20.5-202 (2)~~
26 ~~(b)~~ SECTION 26-6.8-103 (2) (b) to the contrary, an entity may be eligible
27 to receive a grant pursuant to this section regardless of whether the
28 before-and-after-school program to which the grant would apply serves
29 youth who are eligible for free or reduced-cost lunch pursuant to the
30 "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.

31 (b) The grants awarded through the project shall be paid from
32 moneys appropriated from the fund to the ~~division~~ STATE DEPARTMENT.
33 The board and grant recipients are encouraged to apply moneys awarded
34 through the project to leverage additional funding as matching funds from
35 private and federal sources.

36 (4) **Colorado student before-and-after-school project fund.**
37 There is hereby created in the state treasury the Colorado student
38 before-and-after-school project fund that shall consist of moneys that may
39 be appropriated by the general assembly to the fund. The moneys in the
40 fund shall be subject to annual appropriation by the general assembly to
41 the ~~division~~ STATE DEPARTMENT for the purpose of providing grants as
42 provided in this section and the direct and indirect costs associated with

1 the implementation of this section. Any moneys in the fund not expended
2 for the purpose of this section may be invested by the state treasurer as
3 provided by law. All interest and income derived from the investment and
4 deposit of moneys in the fund shall be credited to the fund. Any
5 unexpended and unencumbered moneys remaining in the fund at the end
6 of a fiscal year shall remain in the fund and shall not be credited or
7 transferred to the general fund or another fund.

8 **SECTION 5. Repeal of provisions being relocated in this**
9 **act.** In Colorado Revised Statutes, **repeal** part 2 of article 20.5 of title 25
10 and article 31 of title 25.

11 **SECTION 6.** In Colorado Revised Statutes, 19-3.5-104, **amend**
12 (1) as follows:

13 **19-3.5-104. Colorado children's trust fund board - creation -**
14 **members.** (1) (a) There is hereby created, in the department of public
15 health and environment, the Colorado children's trust fund board. The
16 board shall exercise its powers and duties as if transferred by a **type 2**
17 transfer.

18 (b) THE COLORADO CHILDREN'S TRUST FUND BOARD IS HEREBY
19 TRANSFERRED TO THE OFFICE OF EARLY CHILDHOOD CREATED IN ARTICLE
20 6.1 OF TITLE 26, C.R.S., IN THE DEPARTMENT OF HUMAN SERVICES. THE
21 BOARD SHALL EXERCISE ITS POWERS AND DUTIES AS IF TRANSFERRED BY
22 A **TYPE 2** TRANSFER. PERSONS APPOINTED TO THE COLORADO CHILDREN'S
23 TRUST FUND BOARD SHALL CONTINUE SERVING UNTIL COMPLETION OF
24 THEIR TERMS AND MAY BE REAPPOINTED AS PROVIDED IN THIS SECTION.

25 **SECTION 7.** In Colorado Revised Statutes, 26-18-102, **repeal**
26 (3.5); and **add** (7) as follows:

27 **26-18-102. Definitions.** As used in this article, unless the context
28 otherwise requires:

29 (3.5) ~~"Division" means the prevention services division in the~~
30 ~~department of public health and environment.~~

31 (7) "OFFICE" MEANS THE OFFICE OF EARLY CHILDHOOD CREATED
32 IN ARTICLE 6.1 OF THIS TITLE IN THE DEPARTMENT OF HUMAN SERVICES.

33 **SECTION 8.** In Colorado Revised Statutes, 26-18-104, **amend**
34 (1) (a), (1) (b), and (1) (c) (III); and **add** (1) (a.5) as follows:

35 **26-18-104. Program created.** (1) (a) There is hereby established
36 in the prevention services division in the department of public health and
37 environment a family resource center program. The purposes of said
38 program shall be to provide grants to community applicants for the
39 creation of family resource centers or to provide grants to family resource
40 centers for the continued operation of such centers through which
41 services for vulnerable families, individuals, children, and youth who live

1 in communities or in at-risk neighborhoods are accessible and
2 coordinated through a single point of entry.

3 (a.5) THE FAMILY RESOURCE CENTER PROGRAM IS TRANSFERRED
4 TO THE OFFICE OF EARLY CHILDHOOD IN THE DEPARTMENT OF HUMAN
5 SERVICES. ALL PROGRAM GRANTS IN EXISTENCE AS OF THE EFFECTIVE
6 DATE OF THIS PARAGRAPH (a.5) SHALL CONTINUE TO BE VALID THROUGH
7 JUNE 30, 2013, AND MAY BE CONTINUED AFTER SAID DATE.

8 (b) The ~~division~~ OFFICE shall operate the family resource center
9 program in accordance with the provisions of this article. ~~the~~
10 ~~requirements for prevention, intervention, and treatment programs~~
11 ~~specified in article 20.5 of title 25, C.R.S., and the rules for prevention,~~
12 ~~intervention, and treatment programs adopted by the state board of health~~
13 ~~pursuant to section 25-20.5-106, C.R.S.~~ In addition, the ~~division~~ OFFICE
14 may establish any other procedures necessary to implement the program,
15 including establishing the procedure for the submittal of grant
16 applications by community applicants seeking to establish a family
17 resource center or by a family resource center applying for a grant for
18 continued operation of a family resource center.

19 (c) (III) The ~~division~~ OFFICE is authorized to accept and expend
20 any grants from any public or private source for the purpose of making
21 grants to community applicants for the establishment or continued
22 operation of family resource centers and for the purpose of evaluating the
23 effectiveness of the family resource center program. Nothing in this
24 article shall be construed to prohibit a family resource center from
25 accepting and expending funds received through an authorized contract,
26 grants, or donations from public or private sources.

27 **SECTION 9.** In Colorado Revised Statutes, 26-18-105, **amend**
28 (1) introductory portion, (2), and (3) as follows:

29 **26-18-105. Selection of centers - grants.** (1) The ~~division~~ OFFICE
30 may award a grant for the purpose of establishing a family resource center
31 based on a plan submitted to the ~~division~~ OFFICE by the applicant or for
32 the continued operation of a family resource center. The plan shall meet
33 specific criteria which the ~~division~~ OFFICE is hereby authorized to set, but
34 the criteria shall include at least the following provisions:

35 (2) The local advisory council for a community applicant awarded
36 a grant pursuant to subsection (1) of this section shall evaluate the overall
37 effectiveness of the family resource center annually and shall submit an
38 annual report to the ~~division in accordance with section 25-20.5-108,~~
39 ~~C.R.S.~~ OFFICE.

40 (3) In the event the ~~division~~ OFFICE determines, from any report
41 submitted by a local advisory council or any other source, that the

1 operation of a family resource center is not in compliance with this article
2 or any rule adopted pursuant to the provisions of this article, the ~~division~~
3 OFFICE may impose sanctions including termination of the grant.

4 **SECTION 10.** In Colorado Revised Statutes, 25-20.5-101,
5 **amend** (1) (a), (1) (c), and (2) as follows:

6 **25-20.5-101. Legislative declaration.** (1) The general assembly
7 hereby finds that:

8 (a) The state operates or state agencies provide funding for a wide
9 variety of prevention, intervention, and treatment programs designed to
10 assist ~~children and~~ youth in achieving an education, in making informed
11 choices about their health and well-being, in avoiding the juvenile and
12 criminal justice systems, and, generally, in becoming healthy,
13 law-abiding, contributing members of society;

14 (c) There is some overlap among prevention, intervention, and
15 treatment programs, sometimes resulting in the potentially inefficient use
16 of state resources which may result in the provision of fewer services to
17 ~~children and~~ youth;

18 (2) The general assembly therefore finds that it is in the best
19 interests of the ~~children~~, youth and families of the state to create a single
20 division in the department of public health and environment to operate
21 prevention and intervention programs and to oversee the provision of
22 prevention, intervention, and treatment services through federally and
23 state-funded prevention, intervention, and treatment programs to ensure
24 collaboration among programs and the availability of a continuum of
25 services for ~~children and~~ youth.

26 **SECTION 11.** In Colorado Revised Statutes, 25-20.5-102,
27 **amend** (5) and (6) as follows:

28 **25-20.5-102. Definitions.** As used in this article, unless the
29 context otherwise requires:

30 (5) "Prevention, intervention, and treatment services" means
31 services that are designed to promote the well-being of ~~children and~~ youth
32 and their families by decreasing high-risk behaviors, strengthening
33 healthy behaviors, and promoting family stability.

34 (6) "State plan" means the state plan for delivery of prevention,
35 intervention, and treatment services to ~~children and~~ youth throughout the
36 state adopted by the division pursuant to section 25-20.5-105.

37 **SECTION 12.** In Colorado Revised Statutes, 25-20.5-104,
38 **amend** (1) (a) and (2) as follows:

39 **25-20.5-104. Functions of division.** (1) The division has the
40 following functions:

41 (a) On or before February 1, 2001, to submit to the executive
42 director to ~~the Tony Grampsas youth services board~~, and to the governor

1 for approval a state plan for delivery of prevention, intervention, and
2 treatment services to ~~children and~~ youth throughout the state as provided
3 in section 25-20.5-105, and to biennially review the state plan and submit
4 revisions as provided by rule of the state board of health to the executive
5 director ~~the Tony Grampsas youth services board~~, and the governor for
6 approval;

7 (2) In addition to any prevention and intervention programs
8 created in or transferred to the division by executive order and any
9 prevention and intervention programs transferred to the division by the
10 executive director pursuant to subsection (4) of this section, the division
11 shall operate the following prevention and intervention programs:

12 (a) ~~The Tony Grampsas youth services program created in section~~
13 ~~25-20.5-201;~~

14 (b) ~~The Colorado youth mentoring services program created in~~
15 ~~section 25-20.5-203;~~

16 (c) ~~The Colorado student dropout prevention and intervention~~
17 ~~program created in section 25-20.5-204;~~

18 (d) ~~The Colorado children's trust fund created in article 3.5 of title~~
19 ~~19, C.R.S.;~~

20 (e) ~~The family resource center program created in section~~
21 ~~26-18-104, C.R.S.;~~

22 (f) The school-based health center grant program created in part
23 5 of this article.

24 **SECTION 13.** In Colorado Revised Statutes, 25-20.5-105,
25 **amend** (1) introductory portion and (2) as follows:

26 **25-20.5-105. State plan for delivery of prevention,**
27 **intervention, and treatment services to children and youth - contents.**

28 (1) On or before February 1, 2001, the division shall submit to the
29 governor ~~the Tony Grampsas youth services board~~, and the executive
30 director for approval a state plan for delivery of prevention, intervention,
31 and treatment services to ~~children and~~ youth throughout the state. The
32 state plan shall apply to all prevention, intervention, and treatment
33 programs that receive state or federal funds and are operated within the
34 state. The state plan shall be designed to coordinate and provide direction
35 for the delivery of prevention, intervention, and treatment services
36 through the various prevention and intervention programs operated by the
37 division and the prevention, intervention, and treatment programs
38 operated by other state departments and to ensure collaboration among
39 programs that results in a continuum of services available to ~~children and~~
40 youth throughout the state. At a minimum, the state plan shall:

41 (2) The division shall biennially review and revise the state plan
42 as necessary to ensure the most efficient and effective delivery of

1 prevention, intervention, and treatment services throughout the state. The
2 division shall submit any revised state plan as provided by rule of the
3 state board of health to the governor ~~the Tony Grampsas youth services~~
4 ~~board~~, and the executive director for approval.

5 **SECTION 14.** In Colorado Revised Statutes, 25-20.5-106,
6 **amend** (1) and (3) as follows:

7 **25-20.5-106. State board of health - rules - program duties.**

8 (1) The state board of health created in section 25-1-103 shall promulgate
9 rules as necessary for the operation of the division, including but not
10 limited to rules establishing the time frames for review of the state plan
11 and submittal of any revised state plan to the governor ~~the Tony~~
12 ~~Grampsas youth services board~~, and the executive director and to the
13 entities specified in section 25-20.5-105 (4).

14 (3) The state board of health shall act as the program board for the
15 oversight of the prevention and intervention programs operated by the
16 division. ~~except that the Tony Grampsas youth services board shall act as~~
17 ~~the program board for the programs specified in part 2 of this article and~~
18 ~~for any additional programs specified by executive order.~~

19 **SECTION 15.** In Colorado Revised Statutes, 2-3-113, **amend** (1)
20 (a) as follows:

21 **2-3-113. Programs that receive tobacco settlement moneys -**
22 **program review - repeal.** (1) As used in this section:

23 (a) "Health sciences facility" has the meaning set forth in ~~section~~
24 ~~25-31-103, C.R.S.~~ SECTION 26-6.4-103 (2), C.R.S. For purposes of this
25 section, "health sciences facility" includes any contractor or subcontractor
26 engaged by the health sciences facility to assist in the implementation and
27 monitoring of the nurse home visitor program established under ~~article 31~~
28 ~~of title 25, C.R.S.~~ ARTICLE 6.4 OF TITLE 26, C.R.S.

29 **SECTION 16.** In Colorado Revised Statutes, 13-3-113, **amend**
30 (3) (a) as follows:

31 **13-3-113. "Family-friendly Courts Act".** (3) **Definitions.** For
32 purposes of this section:

33 (a) "At-risk youth" shall have the same meaning as set forth in
34 ~~section 25-20.5-203 (3), C.R.S.~~ SECTION 26-6.8-104 (3), C.R.S.

35 **SECTION 17.** In Colorado Revised Statutes, 24-1-119, **repeal** (9)
36 as follows:

37 **24-1-119. Department of public health and environment -**
38 **creation.** (9) ~~The powers, duties, and functions of the Colorado~~
39 ~~children's trust fund board, created in section 19-3.5-104, C.R.S., are~~
40 ~~transferred by a type 2 transfer to the department of public health and~~
41 ~~environment.~~

1 **SECTION 18.** In Colorado Revised Statutes, 24-1-120, **add** (6)
2 (f), (6) (g), and (10) as follows:

3 **24-1-120. Department of human services - creation -**
4 **repeal.**(6) The department shall consist of the following divisions and
5 units:

6 (f) THE OFFICE OF EARLY CHILDHOOD CREATED PURSUANT TO
7 SECTION 26-6.1-103, C.R.S. THE OFFICE OF EARLY CHILDHOOD AND ALL
8 OF ITS POWERS, DUTIES, AND FUNCTIONS ARE TRANSFERRED BY A **TYPE 2**
9 TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES AS AN OFFICE
10 THEREOF.

11 (g) THE DIVISION OF YOUTH AND COMMUNITY DEVELOPMENT
12 CREATED PURSUANT TO SECTION 26-6.7-103, C.R.S. THE DIVISION OF
13 YOUTH AND COMMUNITY DEVELOPMENT AND ALL OF ITS POWERS, DUTIES,
14 AND FUNCTIONS ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE
15 DEPARTMENT OF HUMAN SERVICES AS A DIVISION THEREOF.

16 (10) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO
17 CHILDREN'S TRUST FUND BOARD, CREATED IN SECTION 19-3.5-104, C.R.S.,
18 ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF
19 HUMAN SERVICES.

20 **SECTION 19.** In Colorado Revised Statutes, 24-75-1104.5,
21 **amend** (1) (a) introductory portion, (1) (i), (3), and (5) (a) (I) (B) as
22 follows:

23 **24-75-1104.5. Use of settlement moneys - programs - repeal.**

24 (1) Except as otherwise provided in subsection (5) of this section, for the
25 2004-05 fiscal year and for each fiscal year thereafter, the following
26 programs, services, or funds shall receive the following specified amounts
27 from the settlement moneys received by the state in the preceding fiscal
28 year; except that fifteen million four hundred thousand dollars of strategic
29 contribution fund moneys and, for the 2010-11 fiscal year and for each
30 fiscal year thereafter only, the lesser of sixty-five million dollars of other
31 settlement moneys or all other settlement moneys shall be allocated in
32 each fiscal year in which they are received by the state and except that, of
33 the other settlement moneys received by the state in the 2009-10 fiscal
34 year, the lesser of sixty-five million dollars or all of such moneys shall be
35 transferred to the general fund on June 30, 2010, and shall not be
36 allocated:

37 (a) The Colorado nurse home visitor program created in ~~article 31~~
38 ~~of title 25, C.R.S.~~ ARTICLE 6.4 OF TITLE 26, C.R.S., shall receive the
39 following amounts, not to exceed nineteen million dollars in any fiscal
40 year, as provided in ~~section 25-31-107, C.R.S.~~ SECTION 26-6.4-107,
41 C.R.S.:

1 (i) The Tony Grampas youth services program created in ~~part 2~~
2 ~~of article 20.5 of title 25, C.R.S.~~ ARTICLE 6.8 OF TITLE 26, C.R.S., shall
3 receive four percent of the total amount of settlement moneys annually
4 received by the state, not to exceed five million dollars in any fiscal year,
5 as provided in ~~section 25-20.5-201, C.R.S.~~ SECTION 26-6.8-101, C.R.S.

6 (3) Notwithstanding the provisions of subsections (1) and (1.5) of
7 this section, for purposes of sections 22-7-908 (3), 23-20-136 (3.5) (a),
8 25-4-1411 (6) (a), 25-4-1415 (2), ~~25-20.5-201 (2) (c)~~, 25-23-104 (2),
9 ~~25-31-107 (2) (d) (I)~~, 25.5-6-805 (2), 25.5-8-105 (3), 26-6.4-107 (2) (d)
10 (I), 26-6.8-201 (2) (d), 27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S.,
11 settlement moneys received and allocated by the state pursuant to said
12 subsections (1) and (1.5) during the same fiscal year shall be deemed to
13 be moneys received for or during the preceding fiscal year.

14 (5) (a) (I) The state treasurer shall credit all disputed payments
15 upon receipt, or if received prior to June 1, 2009, on June 1, 2009, to the
16 general fund. On June 1, 2009, the state treasurer shall transfer the
17 following amounts from the general fund:

18 (B) Four hundred seventy-eight thousand dollars to the nurse
19 home visitor program fund created in ~~section 25-31-107 (2) (b), C.R.S.~~
20 SECTION 26-6.4-107 (2) (b), C.R.S.

21 **SECTION 20.** In Colorado Revised Statutes, 25-1-108.5, **amend**
22 (1) (a), (1) (c), and (2) introductory portion as follows:

23 **25-1-108.5. Additional powers and duties of state board of**
24 **health and department - programs that receive tobacco settlement**
25 **moneys - monitoring - annual report.** (1) As used in this section:

26 (a) "Health sciences facility" has the meaning set forth in ~~section~~
27 ~~25-31-103~~ SECTION 26-6.4-103, C.R.S.

28 (c) "Nurse home visitor program" means the tobacco settlement
29 program established in ~~article 31 of this title~~ ARTICLE 6.4 OF TITLE 26,
30 C.R.S.

31 (2) Except for the nurse home visitor program, which shall be
32 monitored by the health sciences facility in accordance with ~~section~~
33 ~~25-31-105 (1)~~ SECTION 26-6.4-105 (1), the state board and the department
34 shall monitor the operation and effectiveness of tobacco settlement
35 programs. Each tobacco settlement program shall annually submit to the
36 department, in accordance with rules promulgated by the state board, the
37 following information:

38 **SECTION 21.** In Colorado Revised Statutes, 25-3.5-804, **amend**
39 (3) (a) as follows:

40 **25-3.5-804. Tobacco education, prevention, and cessation**
41 **programs - review committee - grants.** (3) (a) The division shall

1 review the applications received pursuant to this part 8 and make
2 recommendations to the state board regarding those entities that may
3 receive grants and the amounts of said grants. On and after October 1,
4 2005, the review committee shall review the applications received
5 pursuant to this part 8 and submit to the state board and the director of the
6 department recommended grant recipients, grant amounts, and the
7 duration of each grant. Within thirty days after receiving the review
8 committee's recommendations, the director shall submit his or her
9 recommendations to the state board. The review committee's
10 recommendations regarding grantees of the Tony Grampsas youth
11 services program, ~~section 25-20.5-201~~ SECTION 26-6.8-101, C.R.S.,
12 pursuant to section 25-3.5-805 (5) shall be submitted to the state board
13 and the Tony Grampsas youth services board. Within thirty days after
14 receiving the review committee's recommendations, the Tony Grampsas
15 youth services board shall submit its recommendations to the state board.
16 The state board shall have the final authority to approve the grants under
17 this part 8. If the state board disapproves a recommendation for a grant
18 recipient, the review committee may submit a replacement
19 recommendation within thirty days. In reviewing grant applications for
20 programs to provide tobacco education, prevention, and cessation
21 programs for persons with mental illness, the division or the review
22 committee shall consult with the programs for public psychiatry at the
23 university of Colorado health sciences center, the national alliance for the
24 mentally ill, the mental health association of Colorado, and the
25 department of human services.

26 **SECTION 22.** In Colorado Revised Statutes, 25-3.5-805, **amend**
27 (5) as follows:

28 **25-3.5-805. Tobacco education, prevention, and cessation**
29 **programs - requirements.** (5) Up to fifteen percent of the moneys
30 annually awarded pursuant to this section shall be allocated to grantees of
31 the Tony Grampsas youth services program, ~~section 25-20.5-201~~ SECTION
32 26-6.8-101, C.R.S., for proven tobacco prevention and cessation
33 programs.

34 **SECTION 23.** In Colorado Revised Statutes, 24-44.7-102, **amend**
35 (2) (g) as follows:

36 **24-44.7-102. Early childhood leadership commission - created**
37 **- mission.** (2) The commission shall consist of up to thirty-five members
38 as follows:

39 (g) Four legislative members appointed as follows:

40 (I) Two representatives, one each appointed by the speaker OF THE
41 HOUSE OF REPRESENTATIVES, WHICH APPOINTEE IS A MEMBER OF THE

1 EDUCATION COMMITTEE, OR ANY SUCCESSOR COMMITTEE, and ONE
2 APPOINTED BY the minority leader of the house of representatives, WHICH
3 APPOINTEE IS A MEMBER OF THE HEALTH AND ENVIRONMENT COMMITTEE,
4 OR ANY SUCCESSOR COMMITTEE; and

5 (II) Two senators, one each appointed by the president OF THE
6 SENATE, WHICH APPOINTEE IS A MEMBER OF THE HEALTH AND HUMAN
7 SERVICES COMMITTEE, OR ANY SUCCESSOR COMMITTEE, and ONE
8 APPOINTED BY the minority leader of the senate, WHICH APPOINTEE IS A
9 MEMBER OF THE EDUCATION COMMITTEE, OR ANY SUCCESSOR COMMITTEE.

10 **SECTION 24. Accountability.** Five years after this act becomes
11 law and in accordance with section 2-2-1201, Colorado Revised Statutes,
12 the legislative service agencies of the Colorado General Assembly shall
13 conduct a post-enactment review of the implementation of this act
14 utilizing the information contained in the legislative declaration set forth
15 in section 25-6.1-101, Colorado Revised Statutes, enacted in section 1 of
16 this act.

17 **SECTION 25. Effective date.** This act takes effect July 1, 2012.

18 **SECTION 26. Safety clause.** The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety."

** *** ** *** **