

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 16, 2013
Date

Committee on Public Health Care & Human Services.

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

HB13-1291 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. Legislative declaration.** (1) The general assembly
4 hereby finds and declares that:

5 (a) The first three years of life are a period of dynamic and
6 unparalleled brain development in which children acquire the ability to
7 think, speak, learn, and reason. During these first three years, children
8 need good health, strong families, and positive early learning experiences
9 to lay the foundation for future school success.

10 (b) Young children living in poverty are more likely to face
11 challenges that can negatively impact their development and create
12 disparities in their cognitive and social abilities long before they enter
13 school;

14 (c) In 2011, an estimated twenty-one percent of all Colorado
15 children, or nearly forty-two thousand children, under three years of age
16 lived in poverty. Since 2000, the number of infants and toddlers living in
17 poverty in Colorado has more than doubled, increasing by more than one
18 hundred thirty percent.

19 (d) In an effort to ensure that all young children have the same
20 opportunities to succeed in school and life, high quality early childhood
21 education programs have been created to support the healthy development
22 of low-income infants and toddlers;

23 (e) Research shows that high quality early childhood programs

1 make a positive difference in areas associated with children's success in
2 school, family self-sufficiency, and parental support of child
3 development; and

4 (f) In Colorado in 2011, licensed child care center homes had the
5 capacity to care for only nine percent of the infants in the state.

6 (2) The general assembly, therefore, declares that it is in the best
7 interests of the children and people of the state of Colorado to provide
8 state funding to expand and enhance high quality early childhood
9 programs and services to meet the needs of more of our low-income
10 infants and toddlers.

11 **SECTION 2.** In Colorado Revised Statutes, **add** article 6.7 to title
12 26 as follows:

13 **ARTICLE 6.7**

14 **Colorado Infant and Toddler Quality**
15 **and Availability Grant Program**

16 **26-6.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
17 BE CITED AS THE "COLORADO INFANT AND TODDLER QUALITY AND
18 AVAILABILITY GRANT PROGRAM".

19 **26-6.7-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "COLORADO CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP"
22 MEANS THE COLORADO CHILD CARE ASSISTANCE PROGRAM IN THE STATE
23 DEPARTMENT.

24 (2) "COUNTY DEPARTMENT" MEANS A COUNTY OR DISTRICT
25 DEPARTMENT OF SOCIAL SERVICES.

26 (3) "EARLY CHILDHOOD COUNCIL" MEANS AN EARLY CHILDHOOD
27 COUNCIL ESTABLISHED PURSUANT PART 1 OF ARTICLE 6.5 OF THIS TITLE.

28 (4) "EARLY CHILDHOOD PROGRAM" MEANS A SCHOOL DISTRICT,
29 PROVIDER, HEAD START PROGRAM, OR FACILITY THAT PROVIDES CHILD
30 CARE AND EDUCATION TO LOW-INCOME INFANTS AND TODDLERS, HAS A
31 CONTRACT AS A PROVIDER THROUGH THE COLORADO CHILD CARE
32 ASSISTANCE PROGRAM, AND IS EITHER LICENSED PURSUANT TO PART 1 OF
33 ARTICLE 6 OF THIS TITLE OR PARTICIPATES IN THE COLORADO PRESCHOOL
34 PROGRAM PURSUANT TO ARTICLE 28 OF TITLE 22, C.R.S.

35 (5) "FUND" MEANS THE COLORADO INFANT AND TODDLER QUALITY
36 AND AVAILABILITY GRANT PROGRAM FUND CREATED IN SECTION
37 26-6.7-106.

38 (6) "GRANT PROGRAM" MEANS THE COLORADO INFANT AND
39 TODDLER QUALITY AND AVAILABILITY GRANT PROGRAM CREATED IN
40 SECTION 26-6.7-103.

41 (7) "TIERED REIMBURSEMENT" MEANS A PAY STRUCTURE THAT

1 REFLECTS AN INCREASED RATE OF REIMBURSEMENT FOR EARLY
2 CHILDHOOD PROGRAMS THAT RECEIVE MONEYS THROUGH CCCAP.

3 **26-6.7-103. Colorado infant and toddler quality and**
4 **availability grant program - creation.** SUBJECT TO AVAILABLE
5 APPROPRIATIONS, THERE IS HEREBY CREATED IN THE STATE DEPARTMENT
6 THE COLORADO INFANT AND TODDLER QUALITY AND AVAILABILITY GRANT
7 PROGRAM. THE GOAL OF THE GRANT PROGRAM IS TO IMPROVE QUALITY IN
8 INFANT AND TODDLER CARE, PROVIDE TIERED REIMBURSEMENT TO
9 HIGH-QUALITY EARLY CHILDHOOD PROGRAMS, AND INCREASE THE
10 NUMBER OF LOW-INCOME INFANTS AND TODDLERS SERVED THROUGH
11 HIGH-QUALITY EARLY CHILDHOOD PROGRAMS, AS WELL AS PROMOTE
12 VOLUNTARY PARENTAL INVOLVEMENT. A PROGRAM IS CONSIDERED
13 "HIGH-QUALITY" IF IT IS IN THE TOP TWO RATINGS OF THE STATE'S QUALITY
14 RATING AND IMPROVEMENT SYSTEM, ACCREDITED BY A NATIONAL
15 ASSOCIATION FOR THE EDUCATION OF YOUNG CHILDREN OR A NATIONAL
16 ASSOCIATION FOR FAMILY CHILD CARE, OR IS AN EARLY HEAD START
17 PROGRAM MEETING FEDERAL STANDARDS. EARLY CHILDHOOD COUNCILS
18 AND COUNTY DEPARTMENTS MUST JOINTLY APPLY FOR MONEYS THROUGH
19 THE GRANT PROGRAM, WHICH WILL BE ADMINISTERED BY THE STATE
20 DEPARTMENT. EARLY CHILDHOOD PROGRAMS THAT ARE WITHIN THE
21 SERVICE AREA OF AN EARLY CHILDHOOD COUNCIL AND WITHIN THE
22 COUNTY JOINTLY APPLYING FOR THE GRANT MAY APPLY TO THE EARLY
23 CHILDHOOD COUNCIL FOR MONEYS THAT WOULD ALLOW THEM TO ACHIEVE
24 ONE OF THE OBJECTIVES OF THE GRANT PROGRAM.

25 **26-6.7-104. Eligibility for grants - applications - deadlines.**

26 (1) THE STATE DEPARTMENT SHALL DEVELOP AN APPLICATION PROCESS
27 AND ISSUE A REQUEST FOR PROPOSALS FOR THE GRANT PROGRAM,
28 INCLUDING NOTIFICATION OF AVAILABLE MONEYS TO EARLY CHILDHOOD
29 COUNCILS AND COUNTY DEPARTMENTS, ELIGIBILITY CRITERIA, PROPOSAL
30 REQUIREMENTS, AND AWARD CRITERIA.

31 (2) AN APPLICANT TO THE GRANT PROGRAM IS ELIGIBLE FOR A
32 GRANT AWARD PURSUANT TO THIS ARTICLE IF:

33 (a) THE APPLICATION IS MADE JOINTLY BETWEEN AN EARLY
34 CHILDHOOD COUNCIL AND A COUNTY DEPARTMENT. IF AN EARLY
35 CHILDHOOD COUNCIL SERVES MORE THAN ONE COUNTY, IT MAY SUBMIT A
36 SINGLE APPLICATION THAT COMBINES MULTIPLE COUNTIES IN ITS SERVICE
37 AREA.

38 (b) THE EARLY CHILDHOOD PROGRAMS TO WHICH THE GRANT
39 MONEYS WILL BE DISTRIBUTED HAVE CONTRACTS WITH CCCAP;

40 (c) THE APPLICATION DEMONSTRATES A NEED AND PROVIDES A
41 PLAN TO IMPROVE QUALITY AND INCREASE THE CAPACITY FOR EARLY

1 CHILDHOOD PROGRAMS IN ITS SERVICE AREA. THE GOAL OF THE GRANT
2 PROGRAM IS TO INCREASE THE NUMBER OF INFANTS AND TODDLERS
3 SERVED THROUGH EARLY CHILDHOOD PROGRAMS. THE EARLY CHILDHOOD
4 PROGRAMS MAY BE HOME-BASED OR CENTER-BASED;

5 (d) IT PROVIDES A PLAN DETAILING HOW IT WILL PROVIDE TIERED
6 REIMBURSEMENT; AND

7 (e) IT MEETS ANY OTHER CRITERIA SET FORTH IN THE APPLICATION
8 PROCESS DEVELOPED PURSUANT TO THIS SECTION.

9 (3) (a) IN FISCAL YEAR 2013-14, GRANT APPLICATIONS MUST BE
10 RECEIVED BY THE STATE DEPARTMENT ON OR BEFORE JULY 31, 2013. THE
11 STATE DEPARTMENT SHALL REVIEW APPLICATIONS AND DETERMINE WHICH
12 APPLICANTS WILL RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.
13 GRANT AWARDS MUST BE MADE ON OR BEFORE SEPTEMBER 1, 2013,
14 THROUGH THE FUND.

15 (b) FOR EACH FISCAL YEAR THEREAFTER, SUBJECT TO AVAILABLE
16 APPROPRIATIONS, GRANT APPLICATIONS MUST BE RECEIVED BY THE STATE
17 DEPARTMENT ON OR BEFORE JUNE 30 OF THE PRIOR FISCAL YEAR. THE
18 STATE DEPARTMENT SHALL REVIEW APPLICATIONS AND DETERMINE WHICH
19 APPLICANTS WILL RECEIVE GRANTS AND THE AMOUNT OF EACH GRANT.
20 GRANT AWARDS MUST BE MADE ON OR BEFORE AUGUST 1 THROUGH THE
21 FUND.

22 (c) IF IN ANY FISCAL YEAR THE FULL APPROPRIATION BY THE
23 GENERAL ASSEMBLY FOR THE GRANT PROGRAM IS NOT DISPERSED AS
24 SPECIFIED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (3), THE STATE
25 DEPARTMENT SHALL REVIEW PROPOSALS AND AWARD GRANTS AS THE
26 APPLICATIONS ARE RECEIVED AND NOT REQUIRE THE APPLICATIONS TO BE
27 HELD UNTIL THE NEXT GRANT CYCLE.

28 **26-6.7-105. Colorado infant and toddler quality and**
29 **availability grant program fund.** THERE IS HEREBY CREATED IN THE
30 STATE TREASURY THE COLORADO INFANT AND TODDLER QUALITY AND
31 AVAILABILITY GRANT PROGRAM FUND, CONSISTING OF ANY MONEYS THAT
32 MAY BE APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY. THE
33 MONEYS IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
34 GENERAL ASSEMBLY TO THE STATE DEPARTMENT FOR THE DIRECT AND
35 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE. THE
36 STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND NOT EXPENDED
37 FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW. THE STATE
38 TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED FROM THE
39 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE FUND. ANY
40 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT
41 THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL NOT BE

1 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.
2 THE STATE DEPARTMENT MAY EXPEND UP TO THREE PERCENT OF THE
3 MONEYS ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE COSTS
4 INCURRED IN IMPLEMENTING THIS ARTICLE.

5 **26-6.7-106. Reporting requirements.** (1) NO LATER THAN FOUR
6 MONTHS AFTER THE CONCLUSION OF A GRANT, THE EARLY CHILDHOOD
7 COUNCIL THAT RECEIVED THE GRANT SHALL PROVIDE THE STATE
8 DEPARTMENT WITH AN ANNUAL REPORT CONCERNING THE OUTCOMES OF
9 THE GRANT. THE REPORT MUST INCLUDE, AT A MINIMUM:

10 (a) A SUMMARY OF DATA RECEIVED FROM EARLY CHILDHOOD
11 PROGRAMS THAT RECEIVED GRANT MONEYS;

12 (b) THE NUMBER OF INFANTS AND TODDLERS UNDER THREE YEARS
13 OF AGE SERVED BECAUSE OF THE GRANT PROGRAM IN HOME-BASED
14 PROGRAMS AND THE NUMBER SERVED IN CENTER-BASED PROGRAMS;

15 (c) THE LENGTH OF TIME SERVICES WERE PROVIDED;

16 (d) A DETAILED DESCRIPTION OF QUALITY IMPROVEMENTS MADE
17 USING GRANT MONEYS;

18 (e) A DESCRIPTION OF HOW THE GRANTEE'S PROGRAM MET THE
19 STATED OUTCOMES IN ITS APPLICATION;

20 (f) A SUMMARY OF THE NUMBER OF JOBS CREATED THROUGH THE
21 GRANT PROGRAM; AND

22 (g) ANY OTHER DATA REQUIRED BY THE STATE DEPARTMENT.

23 (2) ON OR BEFORE DECEMBER 1, 2014, AND EACH DECEMBER 1
24 THEREAFTER, THE STATE DEPARTMENT SHALL PROVIDE A WRITTEN REPORT
25 ON THE GRANT PROGRAM TO THE PUBLIC HEALTH CARE AND HUMAN
26 SERVICES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE
27 HEALTH AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY
28 SUCCESSOR COMMITTEES. THE REPORT MUST INCLUDE A SUMMARY OF THE
29 DATA RECEIVED PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE
30 TOTAL AMOUNT OF GRANTS AND GRANT MONEYS AWARDED, AND THE
31 TOTAL INCREASE IN THE NUMBER OF INFANTS AND TODDLERS UNDER
32 THREE YEARS OF AGE SERVED BY THE GRANT PROGRAM.

33 **SECTION 3. Safety clause.** The general assembly hereby finds,
34 determines, and declares that this act is necessary for the immediate
35 preservation of the public peace, health, and safety."

36 Page 1, strike lines 101 through 103 and substitute: "**CONCERNING**
37 **EARLY CHILDHOOD PROGRAMS IN COLORADO, AND, IN CONNECTION**
38 **THEREWITH, EXPANDING THE CAPACITY AND IMPROVING THE QUALITY**
39 **OF THE PROGRAMS THROUGH THE CREATION OF THE COLORADO**
40 **INFANT AND TODDLER QUALITY AND AVAILABILITY GRANT PROGRAM.**".

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