NOTE: The governor signed this measure on 5/7/2013.

An Act

HOUSE BILL 13-1117

BY REPRESENTATIVE(S) Hamner, Ferrandino, Labuda, May, Peniston, Primavera, Singer, Tyler, Young, Court, Fields, Fischer, Ginal, Hullinghorst, Kraft-Tharp, Lebsock, Mitsch Bush, Moreno, Pabon, Rosenthal, Salazar, Schafer, Williams, Ryden;
also SENATOR(S) Hodge and Kerr, Aguilar, Heath, Hudak, Johnston, Kefalas, Nicholson, Schwartz, Todd, Ulibarri, Jahn, Newell, Tochtrop.

CONCERNING ALIGNMENT OF CHILD DEVELOPMENT PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly finds that:

(a) The early childhood system in Colorado includes four system sectors that address the needs of children, including early learning, child health, child mental health, and family support and parent education. Research confirms that these areas, along with prenatal health, are interrelated and that it is difficult, if not impossible, to separate children's emotional, behavioral, and learning needs from their prenatal and child health and wellness or from the involvement and support of their families.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(b) The programs that serve the maternal health, child health, and early childhood needs of children and their families across the four system sectors often continue providing services or work with other programs to provide a continuum of services to ensure that, as they develop, these children have access to the services and supports they need to grow into healthy, educated adults who are well-prepared to positively contribute to their society;

(c) The support systems and services that comprise Colorado's early childhood system have historically been spread across multiple public agencies, including but not limited to the departments of education, human services, public health and environment, health care policy and financing, and higher education, as well as various private entities;

(d) Resources that are available for services and supports for families and children are derived from several public funding sources. Each source has its own program standards and eligibility, reporting, data-tracking, and funding requirements, making it very difficult for programs that provide services and supports for children to be able to efficiently combine the various funding sources.

(e) The community of early childhood services providers in Colorado has for several years worked to establish a coordinated structure within state government to provide and coordinate the provision of services across the four system sectors for pregnant women, children from birth to eight years of age, and their families. Coordinating these services through a single system will:

(I) Enhance the quality of early childhood services by holding programs accountable to guidelines, standards, and assessments of service delivery and outcomes and implementing a unified approach to resource allocation and referral for families to services and programs;

(II) Strengthen the link between state-level programs and services and the local system of service delivery that exists in counties throughout the state;

(III) Improve the efficiency, effectiveness, and quality in delivering early childhood services to pregnant women, children, and their families at

the state and local levels;

(IV) Provide greater support for and improve the ability of program and service providers to work with state and local early childhood programs in providing services to pregnant women, children, and their families;

(V) Improve coordination among state departments with regard to the programs that serve pregnant women, children, and their families and that are implemented within each department; and

(VI) Improve the coordination of the state's efforts at early identification, promotion, prevention, and intervention with regard to the full spectrum of services provided to pregnant women, children, and their families across the four system sectors of early learning, child health, child mental health, and family support and parent education. Improving the coordination among these programs will improve the state's ability to set a solid foundation for families and their children as they continue to develop academically, physically, emotionally, and socially.

(2) Therefore, the general assembly finds that it is in the best interests of the children of the state and their families for an office to exist within the department of human services that will coordinate the wide range of maternal health, child health, and early childhood programs that are in the department of human services and in other state departments with the goal of improving outcomes for children and their families.

SECTION 2. In Colorado Revised Statutes, 26-1-111, **add** (2) (t) as follows:

26-1-111. Activities of the state department under the supervision of the executive director - cash fund - report - rules - statewide adoption resource registry. (2) The state department, under the supervision of the executive director, shall:

(t) ADMINISTER EARLY CHILDHOOD PROGRAMS IN ACCORDANCE WITH STATUTE AND RULE AND, WHERE APPLICABLE, REVIEW APPLICATIONS SUBMITTED BY ENTITIES TO RECEIVE FUNDING THROUGH THE PROGRAMS, AWARD GRANTS BASED ON THE APPLICATIONS, OR IN THE CASE OF THE NURSE HOME VISITOR PROGRAM, APPLICATIONS SELECTED BY THE HEALTH SCIENCES CENTER, AND NOTIFY THE STATE BOARD OF THE GRANTS AWARDED AND THE

AMOUNTS OF THE GRANTS. PARTICIPATION IN AN EARLY CHILDHOOD PROGRAM ADMINISTERED BY THE STATE DEPARTMENT IS VOLUNTARY. THE EARLY CHILDHOOD PROGRAMS ARE NOT DESIGNED OR INTENDED TO INTERFERE WITH THE RIGHTS OF PARENTS TO RAISE THEIR CHILDREN.

SECTION 3. In Colorado Revised Statutes, **add with amended and relocated provisions** article 6.2 to title 26 as follows:

ARTICLE 6.2
Early Childhood Leadership Commission

26-6.2-101. [Formerly 24-44.7-101] Legislative declaration. (1) The general assembly hereby finds that:

(a) Public investments for PREGNANT WOMEN AND young children from birth to eight years of age fall behind investments for older Colorado children and lag behind national trends;

~~(b) Resources that are available for services and supports for young children are derived from, at a minimum, twenty-three different public funding sources;~~

~~(c) Programs that provide services and supports for young children blend multiple sources of public funding, although each source has its own program standards and eligibility, reporting, data-tracking, and funding requirements;~~

~~(d) The early childhood system in Colorado comprises four system sectors that address the needs of children, including early learning, child health, child mental health, and family support and parent education. Research confirms that these areas are interrelated and that it is difficult, if not impossible, to separate children's learning needs from their health and wellness or from the involvement and support of their families.~~

~~(e) The support systems and services that compose Colorado's early childhood system are currently spread across multiple public agencies, including but not limited to the departments of education, human services, public health and environment, health care policy and financing, and higher education, as well as various private entities;~~

~~(f) There are at least six separate councils or commissions created in statute or by executive order that address issues relating to services and supports for young children and a myriad of related groups created by public and private organizations that specialize in early childhood issues;~~

~~(g)~~ (b) For the state's early childhood system to operate effectively, the efforts of the public and private agencies that compose the system must be efficiently coordinated, aligned to state and federal standards, and made accountable across state systems; and

~~(h)~~ (c) While there are several planning efforts related to early childhood services and collaborative bodies within state and local governments, there is no single venue to allow high-level decision making among policy makers, to collectively study recommendations, and to make joint policy and funding recommendations.

(2) The general assembly further finds that:

(a) A commission to assist in coordinating services and supports for PREGNANT WOMEN AND young children from birth to eight years of age will improve the delivery of those services and improve the educational, health, emotional and mental health, child welfare, and employment outcomes for these children and their families; and

(b) A commission to assist in coordinating the delivery of services and supports for PREGNANT WOMEN AND young children will also significantly improve Colorado's workforce and economic development by:

(I) Helping to ensure a healthy, well-educated workforce far into the future;

(II) Supporting those persons who currently provide early childhood services and supports and creating additional employment opportunities;

(III) Supporting parents of young children who need dependable, high-quality child care and supportive services in order to be fully engaged and productive in their jobs; and

(IV) Supporting the market in early childhood services and products as a vibrant element of the state's economy.

(3) The general assembly finds, therefore, that it is essential to create a high-level, interagency, public-private leadership commission to identify opportunities for, and address barriers to, the coordination of federal and state early childhood policies and procedures that affect the health and well-being of Colorado's children.

26-6.2-102. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "COMMISSION" MEANS THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN SECTION 26-6.2-103.

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

26-6.2-103. [Formerly 24-44.7-102] Early childhood leadership commission - created - mission. (1) There is ~~hereby~~ created in the ~~office of the governor~~ STATE DEPARTMENT the early childhood leadership commission. ~~referred to in this article as the "commission".~~ The purpose of the commission ~~shall be~~ IS to ensure and advance a comprehensive service delivery system for PREGNANT WOMEN AND children from birth to eight years of age using data to improve decision-making, alignment, and coordination among federally funded and state-funded services and programs for PREGNANT WOMEN AND young children and their families. At a minimum, the comprehensive service delivery system for PREGNANT WOMEN AND children ~~shall~~ MUST include services in the areas of PRENATAL HEALTH, child health, child mental health, early learning, and family support and parent education.

(2) The commission shall consist of up to ~~thirty-five~~ TWENTY members as follows:

(a) The executive directors of each of the following agencies or their designees:

(I) The STATE department of human services;

(II) The department of public health and environment;

(III) The department of health care policy and financing; and

(IV) The department of higher education;

(b) The commissioner of education or his or her designee;

~~(c) The executive director of the office of information technology or his or her designee;~~

~~(d) The director of the office of economic development or his or her designee;~~

~~(e)~~ (c) The head start state collaboration director for Colorado; AND

~~(f)~~ (d) No more than ~~twenty-three~~ FOURTEEN persons appointed by the governor, which persons collectively have the following expertise, affiliations, or backgrounds:

(I) Representatives of local government groups;

~~(II) A representative from the state work force development council created in article 46.3 of this title;~~

~~(III)~~ (II) Representatives of school districts;

~~(IV) Representatives of head start programs;~~

~~(V)~~ (III) Providers of early childhood supports and services;

~~(VI)~~ (IV) Persons whose families receive early childhood supports or services;

~~(VII)~~ (V) Representatives of statewide FOUNDATIONS AND nonprofit organizations involved in early childhood issues;

~~(VIII)~~ (VI) Members of the business community; and

(VII) REPRESENTATIVES OF THE LOCAL PUBLIC HEALTH COMMUNITY.

~~(g) Four legislative members appointed as follows:~~

~~(I) Two representatives, one each appointed by the speaker and the~~

~~minority leader of the house of representatives; and~~

~~(II) Two senators, one each appointed by the president and the minority leader of the senate.~~

(3) (a) In appointing persons to the commission, the governor shall ensure that the appointed persons reflect the gender balance and ethnic diversity in the state and provide representation from throughout the state and that the commission includes representation of persons with disabilities.

(b) The persons appointed to the commission pursuant to ~~paragraph (f)~~ PARAGRAPH (d) of subsection (2) of this section shall:

(I) Serve at the pleasure of the governor; and

(II) Serve without compensation but may receive reimbursement for reasonable expenses incurred in fulfilling their duties on the commission, subject to the availability of moneys pursuant to section ~~24-44.7-104~~ 26-6.2-105.

(c) If a vacancy occurs in the positions appointed pursuant to ~~paragraph (f)~~ PARAGRAPH (d) of subsection (2) of this section, the governor shall appoint a person to fill the vacancy.

~~(d) Notwithstanding any provision of this section to the contrary, the governor may identify one or more of the persons appointed as of March 11, 2010, to the governor's early childhood leadership commission created by executive order B 2010-002 as a member initially appointed to the commission pursuant to paragraph (f) of subsection (2) of this section.~~

~~(4) (a) The appointing authorities specified in paragraph (g) of subsection (2) of this section shall appoint the legislative members in January of each odd-numbered year, beginning in January 2011. The legislative members shall serve two-year terms. The appointing authorities may appoint persons to serve consecutive terms. If a vacancy arises in a legislative position, the appropriate appointing authority shall fill the vacancy for the remainder of the unexpired term on the commission.~~

~~(b) Notwithstanding the provisions of paragraph (a) of this subsection (4) to the contrary, the appointing authorities specified in~~

~~paragraph (g) of subsection (2) of this section shall each appoint a legislative member within thirty days after August 11, 2010, who shall serve as a member of the commission through December 2010.~~

~~(c) The legislative members appointed pursuant to paragraph (g) of subsection (2) of this section shall serve without compensation but may receive reimbursement for reasonable expenses incurred in fulfilling their duties on the commission, subject to the availability of moneys pursuant to section 24-44.7-104.~~

~~(5)~~ (4) The governor shall appoint three persons from among the members of the commission, one representing business interests, one representing private, nonprofit entities, and one representing public entities, to serve as co-chairs of the commission. The commission shall meet regularly at the direction of the co-chairs and as often as necessary to fulfill its duties. The co-chairs may appoint working groups and subcommittees to assist the commission in its work or to address specific issues. The working groups and subcommittees, at the discretion of the co-chairs, may consist of any combination of members of the commission and other persons from the community.

~~(6)~~ (5) The commission, IN COLLABORATION WITH THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, may appoint an executive director to assist the commission in fulfilling its duties pursuant to this article. The executive director may appoint such additional persons as may be necessary to assist the commission. The executive director and any other persons appointed pursuant to this subsection ~~(6)~~ (5) shall be compensated from moneys credited to the early childhood leadership commission fund created in ~~section 24-44.7-104~~ SECTION 26-6.2-105.

~~(7)~~ (6) The governor's office, THE STATE DEPARTMENT, and the OTHER agencies represented on the commission may, at the request of the commission and within existing appropriations, provide necessary support to the commission, including but not limited to administrative support, data, and other analytical information. In addition, the commission may accept in-kind contributions from public and private entities to the extent necessary to cover the expenses of the commission.

26-6.2-104. [Formerly 24-44.7-103] Early childhood leadership commission - duties. (1) In addition to any other duties specified in law,

the commission ~~shall have~~ HAS the following duties:

~~(a) To provide advice and recommendations to the general assembly concerning methods to promote the sharing and use of common data for planning and accountability by state programs and agencies that support young children. The commission shall work with the government data advisory board created in section 24-37.5-703, C.R.S., in developing these recommendations.~~

~~(b)~~ (a) To identify opportunities for, and barriers to, the alignment of standards, rules, policies, and procedures across programs and agencies that support young children and to recommend to the APPROPRIATE COMMITTEES OF REFERENCE OF THE general assembly PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2, C.R.S., and to government and nonprofit agencies and policy boards changes to enhance the alignment and provision of services and supports for young children;

(b) TO ADVISE AND MAKE RECOMMENDATIONS TO THE STATE DEPARTMENT AND TO OTHER RELEVANT EARLY CHILDHOOD ENTITIES CONCERNING IMPLEMENTATION OF THE EARLY CHILDHOOD COLORADO FRAMEWORK;

(c) TO ASSIST PUBLIC AND PRIVATE AGENCIES IN COORDINATING EFFORTS ON BEHALF OF PREGNANT WOMEN AND CHILDREN, INCLUDING SECURING FUNDING AND ADDITIONAL INVESTMENTS FOR SERVICES AND PROGRAMS FOR CHILDREN AND THEIR FAMILIES;

~~(c)~~ (d) To consider and recommend waivers from state regulations on behalf of early childhood councils as provided in section 26-6.5-104 (1); ~~C.R.S.;~~

~~(d) To develop methods for using interagency data to inform comprehensive policy and budget decisions relating to children's services and supports;~~

~~(e) To ensure the interagency data system infrastructure allows for statewide needs assessments concerning the quality and availability of early childhood services, including but not limited to health, mental health, behavioral health, child protection, family support, and early learning services; and~~

(e) To ~~develop recommendations regarding~~ MONITOR THE ONGOING DEVELOPMENT, PROMOTION, AND IMPLEMENTATION OF:

(I) A quality, cohesive professional development and career advancement system; ~~including performance metrics to guide continuous improvement processes for professionals working with young children.~~

(II) HIGH-QUALITY, COMPREHENSIVE EARLY LEARNING STANDARDS; AND

(III) THE SHARING AND USE OF COMMON DATA FOR PLANNING AND ACCOUNTABILITY AMONG EARLY CHILDHOOD PROGRAMS;

(f) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING INCREASING CHILDREN'S SCHOOL READINESS;

(g) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING INCREASING PARTICIPATION IN AND ACCESS TO CHILD CARE AND EARLY EDUCATION PROGRAMS; AND

(h) TO DEVELOP STRATEGIES AND MONITOR EFFORTS CONCERNING PROMOTING FAMILY AND COMMUNITY ENGAGEMENT IN CHILDREN'S EDUCATION AND DEVELOPMENT.

~~(2) The commission shall review the overall governance system for early childhood services and supports within the state and develop recommendations concerning the feasibility and efficacy of creating a state-level oversight and coordination structure for the delivery of services and supports to young children.~~

~~(3)~~ (2) In fulfilling its duties, the commission shall collaborate, at a minimum, with:

~~(a) Repealed.~~

~~(b)~~ (a) Members of the early childhood councils established pursuant to section 26-6.5-103; ~~C.R.S.;~~ AND

~~(c) The prevention leadership council created in the STATE department of public health and environment through the implementation~~

~~of section 25-20.5-107, C.R.S.;~~

~~(d) The state work force development council created in article 46.3 of this title;~~

~~(e) The government data advisory board created in section 24-37.5-703;~~

~~(f) The economic opportunity poverty reduction task force created in section 2-2-1404, C.R.S.;~~

~~(g)~~ (b) Any other boards, commissions, and councils existing within the executive branch agencies that address services and supports for young children. ~~and~~

~~(h) Any statewide organizations that work in the areas of child protection or criminal justice.~~

~~(4) On or before January 31, 2011, and on or before January 31 each year thereafter, the commission shall meet in a joint session with the governor and the health and human services committees and education committees of the house of representatives and the senate, or any successor committees, to report its advice and recommendations, including any recommended legislative or regulatory changes, concerning the issues specified in this section. At the joint meeting held on or before January 31, 2012, the commission shall report its recommendations concerning creation of a state-level oversight and coordination structure for the delivery of services and supports to young children.~~

26-6.2-105. [Formerly 24-44.7-104] Early childhood leadership commission fund - created. (1) There is ~~hereby~~ created in the state treasury the early childhood leadership commission fund, referred to in this section as the "fund". The fund shall consist of such federal moneys as the governor may allocate to the fund. The fund shall not include appropriations of moneys from the state general fund. The moneys in the fund are available to the commission for administrative costs and the expenses incurred by the commission in fulfilling its duties pursuant to this article.

(2) Any moneys in the fund not expended for the expenses of the commission may be invested by the state treasurer as provided by law. All

interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

26-6.2-106. [Formerly 24-44.7-105] Repeal of article. This article is repealed, effective ~~July 1, 2013~~ SEPTEMBER 1, 2018. PRIOR TO ITS REPEAL, THE COMMISSION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203 (3), C.R.S.

SECTION 4. In Colorado Revised Statutes, **add with amended and relocated provisions** article 6.4 to title 26 as follows:

ARTICLE 6.4
Colorado Nurse Home Visitor Program

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

26-6.4-102. [Formerly 25-31-102] Legislative declaration. (1) The general assembly hereby finds that, in order to adequately care for their newborns and young children, new mothers may often benefit from receiving professional assistance and information. Without such assistance and information, a young mother may develop habits or practices that are detrimental to her health and well-being and the health and well-being of her child. The general assembly further finds that inadequate prenatal care and inadequate care in infancy and early childhood often inhibit a child's ability to learn and develop throughout his or her childhood and may have lasting, adverse effects on the child's ability to function as an adult. The general assembly recognizes that implementation of a nurse home visitor program that provides educational, health, and other resources for new young mothers during pregnancy and the first years of their infants' lives has been proven to significantly reduce the amount of drug, including nicotine, and alcohol use and abuse by mothers, the occurrence of criminal activity committed by mothers and their children under fifteen years of age, and the number of reported incidents of child abuse and neglect. Such a program has also been proven to reduce the number of subsequent births, increase the length of time between subsequent births, and reduce the

mother's need for other forms of public assistance. It is the intent of the general assembly that such a program be established for the state of Colorado, beginning with a limited number of participants and expanding by the year 2010 to be available to all low-income, first-time mothers in the state who consent to receiving services.

(2) The general assembly further finds that, to implement such a program efficiently and effectively and to promote the successful implementation of partnerships between state public entities and the private sector, responsibility for the program should be divided between the STATE department, which shall be responsible for financial administration of the program, and a health sciences facility at the university of Colorado, which shall be responsible for programmatic and clinical support, evaluation, and monitoring for the program, and such other responsibilities as described in this article. It is the intent of the general assembly that the STATE department and the health sciences facility work collaboratively to share information in order to promote efficient and effective program implementation; however, neither entity is responsible for the other entity's statutorily prescribed duties.

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

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

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

~~(3)~~ (2) "Health sciences facility" means the Anschutz medical campus or a successor facility located at the university of Colorado health sciences center that is selected by the president of the university of Colorado pursuant to ~~section 25-31-105~~ SECTION 26-6.4-105 to assist the state board in administering the program.

~~(4)~~ (3) "Low-income" means an annual income that does not exceed

two hundred percent of the federal poverty line.

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

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

(6) "Program" means the nurse home visitor program established in this article.

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

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

26-6.4-104. [Formerly 25-31-104] Nurse home visitor program - created - rules. (1) (a) There is ~~hereby~~ established the nurse home visitor program to provide regular, in-home, visiting nurse services to low-income, first-time mothers, with their consent, during their pregnancies and through their children's second birthday. The program shall provide trained visiting nurses to help educate mothers on the importance of nutrition and avoiding alcohol and drugs, including nicotine, and to assist and educate mothers in providing general care for their children and in improving health outcomes for their children. In addition, visiting nurses may help mothers in locating assistance with educational achievement and employment. Any assistance provided through the program shall be provided only with the consent of the low-income, first-time mother, and she may refuse further services at any

time.

(b) THE NURSE HOME VISITOR PROGRAM CREATED IN ARTICLE 31 OF TITLE 25, C.R.S., AS IT EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE, IS TRANSFERRED TO THE STATE DEPARTMENT OF HUMAN SERVICES. ALL RULES, ORDERS, AND AWARDS OF THE STATE BOARD OF HEALTH CONCERNING THE NURSE HOME VISITOR PROGRAM ADOPTED PRIOR TO THE EFFECTIVE DATE OF THIS ARTICLE CONTINUE TO BE EFFECTIVE UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED PURSUANT TO LAW. ALL GRANTS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS ARTICLE ARE VALID THROUGH JUNE 30, 2014, AND MAY BE EXTENDED OR RENEWED BEYOND SAID DATE.

(2) The program shall be administered in communities throughout the state by entities selected on a competitive basis by the HEALTH SCIENCES FACILITY AND APPROVED BY THE state board. Any entity that seeks to administer the program shall submit an application to the STATE department as provided in ~~section 25-31-106~~ SECTION 26-6.4-106. The entities selected pursuant to ~~section 25-31-107 shall be~~ SECTION 26-6.4-107 ARE expected to provide services to a minimum of one hundred low-income, first-time mothers in the community in which the entity administers the program; except that the state board may grant a waiver of this requirement if the population base of the community does not have the capacity to enroll one hundred eligible families. The state board shall consult with the health sciences facility prior to granting the waiver to ensure that the entity can implement the program within the smaller community and maintain compliance with the program requirements. A mother ~~shall be~~ IS eligible to receive services through the program if she is pregnant with her first child, or her first child is less than one month old, and her gross annual income does not exceed two hundred percent of the federal poverty line.

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

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

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

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

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

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

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

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

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

(a) Assist the state board ~~in~~ BY selecting AND PRESENTING entities from among the applications submitted pursuant to ~~section 25-31-106~~

SECTION 26-6.4-106;

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

(c) Cooperate with the STATE department in connection with the STATE department's financial administration of the program; and

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

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

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

(3) The STATE department shall compensate the health sciences facility for the health sciences facility's actual costs incurred in performing its duties under this article, as determined by the health sciences facility. Such duties and actual costs shall be included in the scope of work in the agreement between the STATE department and the health sciences facility for implementation of those duties and shall include the costs incurred by any contractor or subcontractor of the health sciences facility for those duties. Such compensation shall be paid out of the amount allocated for the

health sciences facility's costs, in accordance with the maximum allocation of three percent of the amount annually allocated for the program under ~~section 25-31-107 (2)~~ SECTION 26-6.4-107 (2).

26-6.4-106. [Formerly 25-31-106] Program applications - requirements. (1) An entity that seeks to administer the program in a community shall submit an application to the STATE department in accordance with rules adopted by the state board, in consultation with the STATE department and the health sciences facility. At a minimum, the application ~~shall~~ MUST specify the basic elements and procedures that the entity shall use in administering the program. Basic program elements ~~shall~~ MUST include the following:

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

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

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

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

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

(2) Any program application submitted pursuant to this section ~~shall~~ MUST demonstrate strong, bipartisan public support for and a long-time

commitment to operation of the program in the community.

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

26-6.4-107. [Formerly 25-31-107] Selection of entities to administer the program - grants - nurse home visitor program fund - created. (1) On receipt of the list of entities recommended by the health sciences facility, the state board shall select the entities that will administer the program in communities throughout the state. In selecting entities, the state board shall give special consideration to entities that are proposing to administer the program as a collaborative effort among multiple entities.

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

(a.5) Except as otherwise provided in ~~section 25-31-108~~ SECTION 26-6.4-108, the STATE department ~~shall be~~ IS responsible for financial administration of this article, which ~~shall include~~ INCLUDES compensating the health sciences facility pursuant to ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3); paying grants to entities selected to administer the program; monitoring financial, contractual, and regulatory compliance; providing medicaid financing oversight; managing accounting and budgeting; and, in cooperation with the health sciences facility, managing grant applications as set forth in ~~section 25-31-106~~ SECTION 26-6.4-106. The STATE department shall also cooperate with the health sciences facility's

administration of programmatic and clinical support, evaluation, and monitoring of the program. The STATE department ~~shall not be~~ IS NOT responsible for any duties assigned to the health sciences facility with respect to the program, as described in ~~section 25-31-105~~ SECTION 26-6.4-105.

(b) Grants awarded pursuant to paragraph (a) of this subsection (2) ~~shall be~~ ARE payable from the nurse home visitor program fund, which fund is hereby created in the state treasury. The nurse home visitor program fund, referred to in this section as the "fund", ~~shall be~~ IS administered by the STATE department and ~~shall consist~~ CONSISTS of moneys transferred thereto by the state treasurer from moneys received pursuant to the master settlement agreement in the amount described in paragraph (d) of this subsection (2). In addition, the state treasurer shall credit to the fund any public or private gifts, grants, or donations received by the STATE department ~~for implementation of~~ TO IMPLEMENT the program, including any moneys received from the United States federal government for the program. The fund ~~shall be~~ IS subject to annual appropriation by the general assembly to the STATE department for grants to entities for operation of the program. The STATE department may retain a total of up to five percent of the amount annually appropriated from the fund for the program, in order to compensate the health sciences facility pursuant to ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in the scope of work in the agreement between the STATE department and the health sciences facility, and to compensate the STATE department for the actual costs ~~incurred by~~ the STATE department INCURS in implementing the provisions of paragraph (a.5) of this subsection (2), as determined by the STATE department; except that the portion of the costs to compensate the STATE department for implementing the provisions of paragraph (a.5) of this subsection (2) shall not exceed two percent of the amount annually appropriated from the fund for the program, and the portion of such costs to compensate the health sciences facility under ~~section 25-31-105 (3)~~ SECTION 26-6.4-105 (3), as set forth in the scope of work in the contract between the STATE department and the health sciences facility, shall not exceed three percent of the amount annually appropriated from the fund for the program. In addition, if the total amount annually appropriated from the fund for the program exceeds nineteen million dollars, the STATE department and the health sciences facility shall assess whether a smaller percentage of the appropriated funds exceeding nineteen million dollars is adequate to cover their actual costs and shall jointly submit to the general assembly a report articulating their conclusions

on this subject. The actual costs of the STATE department include STATE department personnel and operating costs and any necessary transfers to the department of health care policy and financing for administrative costs incurred for the medicaid program associated with the program. The actual costs of the health sciences facility include the facility's own actual program costs and those of its contractors and subcontractors. Any costs for time studies required to obtain medicaid reimbursement for the program may be paid from program funds and ~~shall not be~~ ARE NOT subject to the five percent limit in this section. Notwithstanding section 24-36-114, C.R.S., all interest derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any unencumbered moneys appropriated from moneys received pursuant to the master settlement agreement remaining in the fund at the end of any fiscal year shall be transferred to the tobacco litigation settlement trust fund created in section 24-22-115.5, C.R.S.

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

(d) (I) Pursuant to section 24-75-1104.5 (1) (a), C.R.S., and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning with the 2006-07 fiscal year and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the state treasurer shall transfer to the fund the amounts specified in ~~subparagraph (III)~~ SUBPARAGRAPH (II) of this paragraph (d) from the master settlement agreement moneys received by the state, other than attorney fees and costs, during the preceding fiscal year, not to exceed nineteen million dollars in any fiscal year. The transfer shall be from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

~~(II) Repealed.~~

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

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

(A.7) For the 2006-07 fiscal year, the state treasurer shall transfer

from the moneys received by the state pursuant to the master settlement agreement to the fund eleven percent of the total amount of moneys received by the state.

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

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

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

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

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

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

26-6.4-108. [Formerly 25-31-108] Annual program review - audit. (1) The health sciences facility shall annually prepare and submit to the STATE department a report including an evaluation of the implementation of the program, the results achieved by the program based on the annual reports submitted by the administering entities pursuant to

~~section 25-31-106 (1) (e)~~ SECTION 26-6.4-106 (1) (e), the extent to which the program serves medicaid-eligible persons and provides services that may be provided in part through medicaid funding, and any recommendations concerning changes to the program, including any changes that may be appropriate to enable the program to receive AND MAXIMIZE medicaid funding. The STATE department shall include the report in the annual report on the program prepared pursuant to section 25-1-108.5 (3), C.R.S. Each program contractor and subcontractor and each entity that administers the program shall work with the health sciences facility and the STATE department to prepare the reports required under this section and sections 2-3-113 (2) and 25-1-108.5 (3), C.R.S. Any entity that is administering the program is subject to a reduction in or cessation of funding if the state board, based on recommendations from the health sciences facility, determines that the entity is not operating the program in accordance with the program requirements established by rule of the state board or is operating the program in such a manner that the program does not demonstrate positive results.

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

SECTION 5. In Colorado Revised Statutes, **add with amended and relocated provisions** article 6.8 to title 26 as follows:

ARTICLE 6.8
Tony Grampsas Youth Services Program

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

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

(2) "ENTITY" MEANS A LOCAL GOVERNMENT, A COLORADO PUBLIC OR NONSECTARIAN SECONDARY SCHOOL, A GROUP OF PUBLIC OR NONSECTARIAN SECONDARY SCHOOLS, A SCHOOL DISTRICT OR GROUP OF SCHOOL DISTRICTS, A BOARD OF COOPERATIVE SERVICES, AN INSTITUTION OF

HIGHER EDUCATION, THE COLORADO NATIONAL GUARD, A STATE AGENCY, A STATE-OPERATED PROGRAM, OR A PRIVATE NONPROFIT OR NOT-FOR-PROFIT COMMUNITY-BASED ORGANIZATION.

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

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

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

(b) The Tony Grampsas youth services program is established to provide state funding for community-based programs that target youth and their families for intervention services in an effort to reduce incidents of youth crime and violence. In addition, the Tony Grampsas youth services program shall promote prevention and education programs that are designed to reduce the occurrence and reoccurrence of child abuse and neglect and to reduce the need for state intervention in child abuse and neglect prevention and education.

(2) (a) ~~The Tony Grampsas youth services program shall be administered through the division.~~ Subject to the designation in paragraph (b) of this subsection (2), the ~~Tony Grampsas youth services~~ board ~~created in section 25-20.5-202~~ shall choose those entities that will receive grants

through the Tony Grampsas youth services program and the amount of each grant. ~~In addition, the division~~ THE STATE DEPARTMENT shall monitor the effectiveness of programs that receive funds through the Tony Grampsas youth services program.

(b) ~~Any grant awarded through the Tony Grampsas youth services program shall be paid from moneys appropriated pursuant to paragraph (c) of this subsection (2) or out of the general fund for such program.~~ Each year, no less than twenty percent of the appropriation shall be designated and used exclusively for programs designed for children younger than nine years of age. THE STATE DEPARTMENT SHALL ADMINISTER THE GRANTS AWARDED TO PROGRAMS DESCRIBED IN THIS PARAGRAPH (b) AND SHALL MONITOR THE EFFECTIVENESS OF THE PROGRAMS.

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

~~(c)~~ (d) Pursuant to section 24-75-1104.5 (1) (i), C.R.S., and except as otherwise provided in section 24-75-1104.5 (5), C.R.S., beginning in the 2004-05 fiscal year, and for each fiscal year thereafter so long as the state receives moneys pursuant to the master settlement agreement, the general assembly shall appropriate to the ~~division~~ STATE DEPARTMENT for the Tony Grampsas youth services program four percent of the amount of moneys transmitted to the state treasurer in accordance with the master settlement agreement, other than attorney fees and costs, for the preceding fiscal year; except that the amount so appropriated to the ~~division~~ STATE DEPARTMENT in any fiscal year shall not exceed five million dollars. The general assembly shall appropriate the amount specified in this ~~paragraph (c)~~ PARAGRAPH (d) from moneys credited to the tobacco litigation settlement cash fund created in section 24-22-115, C.R.S.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) The appointed members of the board shall serve three-year terms; except that, of the members first appointed, one of the members appointed by the governor shall serve a two-year term, two of the members appointed by the governor shall serve one-year terms, one of the members

appointed by the speaker of the house of representatives shall serve a two-year term, and one of the members appointed by the president of the senate shall serve a two-year term. The respective appointing person shall choose those members who shall serve initial shortened terms. If a vacancy arises in one of the appointed offices, the authority making the original appointment shall fill the vacancy for the remainder of the term. Members of the board shall serve without compensation but shall be reimbursed out of available appropriations for all actual and necessary expenses incurred in the performance of their duties.

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

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

(I) Guidelines for proposal design;

(II) Local public-to-private funding match requirements; and

(III) Processes for local review and prioritization of program applications.

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

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

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

(III) (A) That the program is directed at providing intervention services to youth and their families in an effort to decrease incidents of crime and violence or that the program is directed at providing services to

at-risk students and their families in an effort to reduce the dropout rate in secondary schools pursuant to ~~section 25-20.5-204~~ SECTION 26-6.8-105.

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

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

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

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

~~(b) Repealed.~~

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

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

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

(2) **Legislative declaration.** (a) The general assembly hereby finds and declares that mentoring programs such as big brothers, big sisters, and partners have been active in Colorado for many years. The general assembly finds that national research has indicated that structured mentoring programs are effective tools in combating youth substance abuse and youth crime and violence. The general assembly further finds, based upon recent national research results, that at-risk youth who are matched in a minimum of year-long mentoring relationships are less likely to become involved in substance and alcohol abuse, less likely to be truant, less likely to commit violent acts against other persons, and more likely to show improvements in academic performance and positive peer relations.

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

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

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

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

(5) **Administration - duties of contracting entities.** (a) To be eligible for moneys from the youth mentoring services cash fund created in subsection (6) of this section for the provision of youth mentoring services, an entity ~~shall~~ MUST apply to the board in accordance with the timelines and guidelines adopted by the board pursuant to ~~section 25-20.5-202~~ SECTION 26-6.8-103 and ~~shall~~ MUST meet the requirements of paragraph (b) of this subsection (5).

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

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

(II) Effectively screening adult volunteers to serve as mentors,

including but not limited to conducting criminal background checks of such adult volunteers;

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

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

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

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

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

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

(c) Community-based organizations may obtain private and public funds, grants, gifts, or donations for youth mentoring programs. The executive director ~~is authorized to~~ MAY accept and expend on behalf of the state any funds, grants, gifts, or donations from any private or public source for the purpose of implementing this section; except that ~~no~~ THE EXECUTIVE DIRECTOR SHALL NOT ACCEPT A grant or donation ~~shall be accepted~~ if the conditions attached to the grant or donation require the expenditure thereof in a manner contrary to law.

(d) Entities selected to receive grants pursuant to this section for the provision of youth mentoring services shall match any grant received with

a contribution that is the equivalent of twenty percent of the grant awarded.

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

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

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

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

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

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

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

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

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

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

(g) Research has shown that, compared with high school graduates, relatively more dropouts are unemployed, and those dropouts who do succeed in finding work tend to earn less money than high school graduates; and

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

(3) **Definitions.** For purposes of this section, ~~(a)~~ "at-risk students" means students in secondary schools who are at risk of dropping out of school because of their socioeconomic background, lack of adult support, language barriers, or other identified indicators that cause students to drop out of school.

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

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

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

(b) Any moneys awarded by the ~~Tony Grampsas youth services~~ board shall be paid from moneys appropriated out of the general fund for ~~such~~ THE TONY GRAMPSAS YOUTH SERVICES program. Each year no less than ten percent of the total appropriation from the general fund shall be designated and used exclusively for programs specifically designed to prevent students from dropping out of secondary schools; except that, commencing in fiscal year 2004-05 and in each fiscal year thereafter, no less than twenty percent of the total appropriation shall be designated and used exclusively for such purpose.

(6) **Receipt of moneys.** (a) The executive director ~~is authorized to~~ MAY accept on behalf of the state any funds, grants, gifts, or donations from any private or public source for the purpose of implementing student dropout prevention and intervention programs pursuant to this ~~article~~ SECTION; except that ~~no~~ THE EXECUTIVE DIRECTOR SHALL NOT ACCEPT funds, grants, gifts, or donations ~~shall be accepted~~ if the conditions attached thereto require the expenditure thereof in a manner contrary to law.

(b) ~~(I)~~ All private and public moneys received through funds, grants, gifts, or donations pursuant to this subsection (6) shall be transmitted to the state treasurer, who shall credit the same to the student dropout prevention and intervention fund, which fund is hereby created. The moneys in the fund ~~shall be~~ ARE subject to annual appropriation by the general assembly for the direct and indirect costs associated with the administration of this ~~article~~ SECTION. The executive director may expend moneys appropriated

to the STATE department from the fund ~~for purposes of providing~~ TO PROVIDE a grant for ~~the implementation and administration of~~ IMPLEMENTING AND ADMINISTERING a student dropout prevention and intervention program. All investment earnings derived from the deposit and investment of moneys in the fund shall be credited to the fund. Any moneys not appropriated shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

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

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

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

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

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

(2) **Colorado student before-and-after-school project.** There is ~~hereby~~ created, in the Tony Grampsas youth services program, the Colorado student before-and-after-school project ~~for the purpose of providing~~ TO PROVIDE grants to entities to provide high-quality before-and-after-school programs that may include an alcohol or drug abuse prevention and education component. Entities that receive grants pursuant to this section shall apply the grants to creating and implementing before-and-after-school programs that primarily serve youth enrolled in grades six through eight or youth who are twelve to fourteen years of age. The before-and-after-school programs ~~shall be~~ ARE designed to help youth develop their interests and skills in the areas of sports and fitness, character and leadership, or arts and culture and may provide education regarding the dangers of the use of alcohol and drugs. Before-and-after-school programs that are designed

primarily to increase academic achievement or that provide religious instruction are not eligible for funding pursuant to this section.

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

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

(4) **Colorado student before-and-after-school project fund.** There is ~~hereby~~ created in the state treasury the Colorado student before-and-after-school project fund that shall consist of moneys that THE GENERAL ASSEMBLY may ~~be appropriated by the general assembly~~ APPROPRIATE to the fund. The moneys in the fund ~~shall be~~ ARE subject to annual appropriation by the general assembly to the ~~division~~ STATE DEPARTMENT for the purpose of providing grants as provided in this section and the direct and indirect costs associated with the implementation of this section. Any moneys in the fund not expended for the purpose of this section may be invested by the state treasurer as provided by law. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of a fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or another fund.

SECTION 6. Repeal of provisions being relocated in this act. In Colorado Revised Statutes, **repeal** article 44.7 of title 24, part 2 of article 20.5 of title 25, and article 31 of title 25.

SECTION 7. In Colorado Revised Statutes, 19-3.5-104, **amend** (1) as follows:

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

(b) THE COLORADO CHILDREN'S TRUST FUND BOARD IS TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THE BOARD SHALL EXERCISE ITS POWERS AND DUTIES AS IF TRANSFERRED BY A **TYPE 2** TRANSFER. PERSONS APPOINTED TO THE COLORADO CHILDREN'S TRUST FUND BOARD SHALL CONTINUE SERVING UNTIL COMPLETION OF THEIR TERMS AND MAY BE REAPPOINTED AS PROVIDED IN THIS SECTION.

SECTION 8. In Colorado Revised Statutes, 19-3.5-109, **amend** (1) as follows:

19-3.5-109. Report - repeal of article. (1) The department of ~~public health and environment~~ HUMAN SERVICES shall contract for an independent evaluation of the trust fund, including administrative costs of operating the trust fund and the cost-effectiveness and the impact of the grants on reducing and preventing child abuse. A report of ~~such~~ THE evaluation shall be provided to the house and senate health and human services committees, or any successor committees, by November 1, 2011, and by November 1, 2021.

SECTION 9. In Colorado Revised Statutes, 26-18-102, **repeal** (3.5); and **add** (7) as follows:

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

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

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

SECTION 10. In Colorado Revised Statutes, 26-18-104, **amend** (1) (a), (1) (b), and (1) (c) (III); and **add** (1) (a.5) as follows:

26-18-104. Program created. (1) (a) There is ~~hereby~~ established in the prevention services division in the department of public health and environment a family resource center program. The purposes of ~~said program shall be~~ THE PROGRAM ARE to provide grants to community applicants for the creation of family resource centers or to provide grants to family resource centers for the continued operation of ~~such~~ THE centers through which services for vulnerable families, individuals, children, and youth who live in communities or in at-risk neighborhoods are accessible and coordinated through a single point of entry.

(a.5) ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5), THE FAMILY RESOURCE CENTER PROGRAM IS TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. ALL PROGRAM GRANTS IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS PARAGRAPH (a.5) SHALL CONTINUE TO BE VALID THROUGH JUNE 30, 2015, AND MAY BE CONTINUED AFTER SAID DATE.

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

(c) (III) The ~~division is authorized to~~ STATE DEPARTMENT MAY accept and expend any grants from any public or private source for the purpose of making grants to community applicants for the establishment or continued operation of family resource centers and for the purpose of evaluating the effectiveness of the family resource center program. ~~Nothing in~~ This article ~~shall be construed to~~ DOES NOT prohibit a family resource

center from accepting and expending funds received through an authorized contract, grants, or donations from public or private sources.

SECTION 11. In Colorado Revised Statutes, 26-18-105, **amend** (1) introductory portion, (2), and (3) as follows:

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

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

(3) ~~In the event the division~~ IF THE STATE DEPARTMENT determines, from any report submitted by a local advisory council or any other source, that the operation of a family resource center is not in compliance with this article or any rule adopted pursuant to the provisions of this article, the ~~division~~ STATE DEPARTMENT may impose sanctions, including termination of the grant.

SECTION 12. In Colorado Revised Statutes, 25-20.5-101, **amend** (1) (a), (1) (c), and (2) as follows:

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

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

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

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

SECTION 13. In Colorado Revised Statutes, 25-20.5-102, **amend** (5) and (6) as follows:

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

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

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

SECTION 14. In Colorado Revised Statutes, 25-20.5-104, **amend** (1) (a), (1) (e), and (2) as follows:

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

(a) On or before February 1, 2001, to submit to the executive director ~~to the Tony Grampsas youth services board,~~ and to the governor for approval a state plan for delivery of prevention, intervention, and treatment services to ~~children and~~ youth throughout the state as provided in section 25-20.5-105, and to biennially review the state plan and submit revisions as

provided by rule of the state board of health to the executive director ~~the Tony Grampsas youth services board,~~ and the governor for approval;

(e) To operate the prevention and intervention programs specified in this article and such other prevention and intervention programs as may be created in or transferred to the division by executive order to be funded solely by nonstate moneys, including but not limited to reviewing applications submitted by entities to receive funding through said programs, awarding grants based on such applications, and notifying the state board of health of the grants awarded and the amounts of said grants; ~~except that the Tony Grampsas youth services board shall review applications and award grants for the programs specified in part 2 of this article;~~

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

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

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

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

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

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

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

SECTION 15. In Colorado Revised Statutes, 25-20.5-105, **amend** (1) introductory portion and (2) as follows:

25-20.5-105. State plan for delivery of prevention, intervention, and treatment services to youth - contents. (1) On or before February 1, 2001, the division shall submit to the governor ~~the Tony Grampsas youth services board,~~ and the executive director for approval a state plan for delivery of prevention, intervention, and treatment services to ~~children and~~ youth throughout the state. The state plan shall apply to all prevention, intervention, and treatment programs that receive state or federal funds and are operated within the state. The state plan shall be designed to coordinate and provide direction for the delivery of prevention, intervention, and treatment services through the various prevention and intervention programs operated by the division and the prevention, intervention, and treatment programs operated by other state departments and to ensure collaboration among programs that results in a continuum of services available to ~~children and~~ youth throughout the state. At a minimum, the state plan shall:

(2) The division shall biennially review and revise the state plan as necessary to ensure the most efficient and effective delivery of prevention, intervention, and treatment services throughout the state. The division shall submit any revised state plan as provided by rule of the state board of health to the governor ~~the Tony Grampsas youth services board,~~ and the executive director for approval.

SECTION 16. In Colorado Revised Statutes, 25-20.5-106, **amend** (1) and (3) as follows:

25-20.5-106. State board of health - rules - program duties. (1) The state board of health created in section 25-1-103 shall promulgate rules as necessary for the operation of the division, including but not limited to rules establishing the time frames for review of the state plan and submittal of any revised state plan to the governor ~~the Tony Grampsas youth services board,~~ and the executive director and to the entities specified in section 25-20.5-105 (4).

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

SECTION 17. In Colorado Revised Statutes, 2-3-113, **amend** (1)

(a) as follows:

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

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

SECTION 18. In Colorado Revised Statutes, 13-3-113, **amend** (3) (a) as follows:

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

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

SECTION 19. In Colorado Revised Statutes, 24-1-119, **repeal** (9) as follows:

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

SECTION 20. In Colorado Revised Statutes, 24-1-120, **add** (5) (m), (10), and (11) as follows:

24-1-120. Department of human services - creation - repeal. (5) The department of human services shall include the following:

(m) THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED BY ARTICLE 6.2 OF TITLE 26, C.R.S.

(10) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO CHILDREN'S TRUST FUND BOARD, CREATED IN SECTION 19-3.5-104, C.R.S.,

ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES.

(11) THE POWERS, DUTIES, AND FUNCTIONS OF THE TONY GRAMPSAS YOUTH SERVICES BOARD CREATED IN SECTION 26-6.8-103, C.R.S., ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF HUMAN SERVICES.

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

24-75-1104.5. Use of settlement moneys - programs - repeal. (1) Except as otherwise provided in subsections (1.3) and (5) of this section, for the 2004-05 fiscal year and for each fiscal year thereafter, the following programs, services, or funds shall receive the following specified amounts from the settlement moneys received by the state in the preceding fiscal year:

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

(i) The Tony Grampsas youth services program created in ~~part 2 of article 20.5 of title 25, C.R.S.~~ ARTICLE 6.8 OF TITLE 26, C.R.S., shall receive four percent of the total amount of settlement moneys annually received by the state, not to exceed five million dollars in any fiscal year, as provided in ~~section 25-20.5-201, C.R.S.~~ SECTION 26-6.8-102, C.R.S.

(3) Notwithstanding the provisions of subsections (1) and (1.5) of this section, for purposes of sections 22-7-1210 (3), 23-20-136 (3.5) (a), 25-4-1411 (6) (a), 25-4-1415 (2), ~~25-20.5-201 (2) (c),~~ 25-23-104 (2), ~~25-31-107 (2) (d) (I),~~ 25.5-6-805 (2), 25.5-8-105 (3), 26-6.4-107 (2) (d) (I), 26-6.8-102 (2) (d), 27-67-106 (2) (b), and 28-5-709 (2) (a), C.R.S., settlement moneys received and allocated by the state pursuant to said subsections (1) and (1.5) during the same fiscal year shall be deemed to be moneys received for or during the preceding fiscal year.

(5) (a) (I) The state treasurer shall credit all disputed payments upon receipt, or if received prior to June 1, 2009, on June 1, 2009, to the general

fund. On June 1, 2009, the state treasurer shall transfer the following amounts from the general fund:

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

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

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

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

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

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

SECTION 23. In Colorado Revised Statutes, 25-3.5-804, **amend** (3) (a) as follows:

25-3.5-804. Tobacco education, prevention, and cessation programs - review committee - grants. (3) (a) The division shall review the applications received pursuant to this part 8 and make recommendations to the state board regarding those entities that may receive grants and the amounts of said grants. On and after October 1, 2005, the review committee shall review the applications received pursuant to this part 8 and submit to the state board and the director of the department recommended grant recipients, grant amounts, and the duration of each grant. Within thirty days

after receiving the review committee's recommendations, the director shall submit his or her recommendations to the state board. The review committee's recommendations regarding grantees of the Tony Grampsas youth services program, ~~section 25-20.5-201~~ SECTION 26-6.8-102, C.R.S., pursuant to section 25-3.5-805 (5) shall be submitted to the state board and the Tony Grampsas youth services board. Within thirty days after receiving the review committee's recommendations, the Tony Grampsas youth services board shall submit its recommendations to the state board. The state board shall have the final authority to approve the grants under this part 8. If the state board disapproves a recommendation for a grant recipient, the review committee may submit a replacement recommendation within thirty days. In reviewing grant applications for programs to provide tobacco education, prevention, and cessation programs for persons with mental illness, the division or the review committee shall consult with the programs for public psychiatry at the university of Colorado health sciences center, the national alliance for the mentally ill, the mental health association of Colorado, and the department of human services.

SECTION 24. In Colorado Revised Statutes, 25-3.5-805, **amend** (5) as follows:

25-3.5-805. Tobacco education, prevention, and cessation programs - requirements. (5) Up to fifteen percent of the moneys annually awarded pursuant to this section shall be allocated to grantees of the Tony Grampsas youth services program, ~~section 25-20.5-201~~ SECTION 26-6.8-102, C.R.S., for proven tobacco prevention and cessation programs.

SECTION 25. In Colorado Revised Statutes, 26-6.5-104, **amend** (1) as follows:

26-6.5-104. Early childhood councils - waivers - rules - funding - application. (1) A local council may request a waiver of any rule that would prevent a council from implementing council projects. The local council shall submit the request to the early childhood leadership commission created in ~~article 44.7 of title 24, C.R.S.~~ ARTICLE 6.2 OF THIS TITLE. The early childhood leadership commission shall consult with the affected state agency in reviewing the request. The state department or other affected state agency shall grant waivers upon recommendation by the commission.

SECTION 26. In Colorado Revised Statutes, 2-3-1203, **add** (3) (ee) (V) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates for which the statutory authorization for the designated advisory committees is scheduled for repeal:

(ee) July 1, 2018:

(V) THE EARLY CHILDHOOD LEADERSHIP COMMISSION CREATED IN SECTION 26-6.2-103, C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

SECTION 27. Appropriation to the department of health care policy and financing for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, **amend** Part V (1) (B) and (6) (G) and **add** Part V (6) (D.5) as follows:

PART V
DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

(1) EXECUTIVE DIRECTOR'S OFFICE							
(B) Transfers to Other Departments							
Transfer to Department of Public Health and Environment Facility for Survey and Certification	5,297,765		1,651,255(M)				3,646,510
Transfer ~~to Department of Public Health and Environment~~ FROM DEPARTMENT OF HUMAN SERVICES for Nurse Home Visitor Program	3,010,000					1,505,000[a]	1,505,000(I)
Transfer to Department of Public Health and Environment for Prenatal Statistical Information	5,887		2,944(M)				2,943
Transfer to Department of Regulatory Agencies for Nurse Aide Certification	324,041		147,369(M)			14,652[b]	162,020
Transfer to Department of Regulatory Agencies for Reviews	4,160		2,080(M)				2,080

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Transfer to Department of Education for Public School Health Services Administration	149,999					149,999[c]	
	8,791,852						

[a] This amount shall be transferred from the Nurse Home Visitor Program line item of the ~~Prevention Services Division in the Department of Public Health and Environment~~. DIVISION OF COMMUNITY AND FAMILY SUPPORT IN THE OFFICE OF EARLY CHILDHOOD IN THE DEPARTMENT OF HUMAN SERVICES.

[b] This amount shall be transferred from the Department of Regulatory Agencies.

[c] This amount shall be from moneys originally appropriated for Public School Health Services in the Other Medical Services division.

		172,537,481					
(6) DEPARTMENT OF HUMAN SERVICES MEDICAID-FUNDED PROGRAMS							
(D) Division of Child Welfare - Medicaid Funding							
Administration	133,070		66,535(M)				66,535
Child Welfare Services	14,579,137		7,289,569(M)				7,289,568
	14,712,207						
(D.5) OFFICE OF EARLY CHILDHOOD - MEDICAID FUNDING							
DIVISION OF COMMUNITY AND FAMILY SUPPORT, EARLY INTERVENTION SERVICES	4,582,485		2,291,243(M)				2,291,242
(G) Services for People with Disabilities - Medicaid Funding							
Community Services for People with Developmental Disabilities, Administration	2,897,037		1,448,519(M)				1,448,518

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Community Services for People with Developmental Disabilities, Program Costs	374,575,651		187,287,826(M)		1[a]		187,287,824
~~Community Services for People with Developmental Disabilities, Early Intervention Services~~	~~4,582,485~~		~~2,291,243(M)~~				~~2,291,242~~
Regional Centers	45,632,428		22,816,214(M)				22,816,214
Regional Center Depreciation and Annual Adjustments	1,187,825		593,913(M)				593,912
	~~428,875,426~~						
	424,292,941						

[a] This amount shall be from the Health Care Expansion Fund created in Section 24-22-117 (2) (a) (I), C.R.S.

TOTALS PART V (HEALTH CARE POLICY AND FINANCING)	$6,195,287,695	$1,601,027,096	$470,280,384[a]	$1,029,835,723[b]	$8,483,522	$3,085,660,970[c]

[a] Of this amount, $469,842,084 shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S., and $438,300 shall be General Fund Exempt pursuant to Section 24-22-117 (1) (c) (I) (B), C.R.S. Further, said $438,300 is also not subject to the statutory limitation on General Fund appropriations imposed by Section 24-75-201.1, C.R.S.

[b] Of this amount $10,000,000 contains an (I) notation.

[c] Of this amount $236,968,775 contains an (I) notation.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

SECTION 28. Appropriation to the department of human services for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, **amend** Part VII (5) , (6), (8) (A), (8) (B), (9) (A), Footnote 32, and the affected totals as follows:

PART VII
DEPARTMENT OF HUMAN SERVICES

(5) DIVISION OF CHILD WELFARE[23]					
Administration	~~4,476,717~~	~~3,630,439(M)~~		133,070[a]	~~713,208[b]~~
	5,876,717	4,880,439(M)			863,208[b]
	~~(44.6 FTE)~~				
	(61.6 FTE)				
Training	6,444,548	3,248,229(M)	37,230[c]		3,159,089[d]
	(6.0 FTE)				
Foster and Adoptive Parent Recruitment, Training, and Support	335,562	268,395(M)			67,167[b]
	(1.0 FTE)				
Child Welfare Services[24]	338,029,998[e]	172,690,086	62,068,186[c]	14,579,137[a]	88,692,589[f]
Title IV-E Waiver and Evaluation Development	500,018	250,009			250,009[b]
Family and Children's Programs[25]	51,805,244	43,441,810	5,292,541[c]		3,070,893[f]
Performance-based Collaborative Management Incentives	3,100,000		3,100,000[g]		
Independent Living Programs	2,826,582				2,826,582(I)[h]
					(4.0 FTE)

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
~~Promoting Safe and Stable Families Program~~	~~4,456,680~~ ~~(2.0 FTE)~~		~~50,265(M)~~		~~1,064,160~~[c]		~~3,342,255~~[i]
Federal Child Abuse Prevention and Treatment Act Grant	436,054						436,054(I)[j] (3.0 FTE)
Community-based Child Abuse Prevention Services	4,879,297		4,879,297 (2.8 FTE)				
Workforce Tools-Mobile Computing Technology	723,000		600,090				122,910[b]
Workload Study	468,555		388,901				79,654
TONY GRAMPSAS YOUTH SERVICES PROGRAM	5,060,499		1,453,849		3,606,650[k] (3.0 FTE)		
		~~418,482,255~~ 420,486,074					

[a] These amounts shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing, Department of Human Services Medicaid-funded Programs.

[b] These amounts shall be from Title IV-E of the Social Security Act. They are reflected pursuant to Section 26-1-111 (2) (d) (II) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (II) (C), C.R.S.

[c] These amounts shall be from local funds. The (L) notation and the (I) notation apply to these amounts.

[d] Of this amount, $2,903,373 shall be from Title IV-E of the Social Security Act, and $255,716 shall be from the Title XX Social Services Block Grant.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[e] For informational purposes, this amount includes $4,605,011 that is anticipated to be initially held out from state and federal funds that are allocated to county departments of social services for the administration and provision of child welfare services, including the following estimated amounts: $3,208,511 for parental fee reimbursements to counties pursuant to Section 26-5-104 (2), C.R.S., $950,000 for tribal placements of Native American children, $346,500 for a statewide insurance policy for county-administered foster homes, and $100,000 for contractual services related to the allocation of funds among counties. The remaining $333,424,987 includes the state and federal funds to be allocated to county departments of social services pursuant to Section 26-5-104, C.R.S., the estimated local share of child welfare services expenditures, and federal Medicaid funds estimated to be available to county departments of social services for certain expenditures.

[f] Of these amounts, $64,153,620 (I) shall be from Title IV-E of the Social Security Act, $23,590,313 shall be from the Title XX Social Services Block Grant, and $4,019,549(I) shall be from Title IV-B, Subpart 1, of the Social Security Act. Although federal funds amounts that contain the (I) notation are not appropriated, these amounts were assumed in developing the appropriated fund source amounts in these line items. The amount from Title IV-E of the Social Security Act is reflected pursuant to Section 26-1-111 (2) (d) (II) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (II) (C), C.R.S.

[g] This amount shall be from the Performance-based Collaborative Management Incentive Cash Fund created in Section 24-1.9-104 (1), C.R.S.

[h] This amount shall be from Title IV-E of the Social Security Act, including an estimated $2,106,894 for the Chafee Foster Care Independence Program and $719,688 for the Education and Training Voucher Program.

~~[i] This amount shall be from Title IV-B, Subpart 2, of the Social Security Act.~~

[j] This amount shall be from the Child Abuse Prevention and Treatment Act state grant.

[k] THIS AMOUNT SHALL BE FROM THE YOUTH SERVICES PROGRAM FUND CREATED IN SECTION 26-6.8-102 (2) (C), C.R.S., WHICH IS RECEIVED AS A DAMAGE AWARD AND, AS SUCH, DOES NOT CONSTITUTE FISCAL YEAR SPENDING FOR THE PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(6) ~~DIVISION OF CHILD CARE~~ OFFICE OF EARLY CHILDHOOD

~~Child Care Licensing and Administration~~	~~6,583,810~~ ~~(64.4 FTE)~~		~~2,239,932(M)~~		~~770,824[a]~~	~~3,573,054[b]~~
~~Fines Assessed Against Licensees~~	~~20,000~~				~~20,000(I)[c]~~	
~~Child Care Assistance Program~~	~~75,456,123~~		~~13,604,221~~		~~9,366,274[d]~~	~~52,485,628[e]~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
~~Grants to Improve the Quality and Availability of Child Care and to Comply with Federal Targeted Funds Requirements~~	~~3,473,633~~						~~3,473,633[f]~~
~~Early Childhood Councils~~	~~1,978,317~~						~~1,978,317[f]~~ ~~(1.0 FTE)~~
~~School-readiness Quality Improvement Program~~	~~2,228,586~~						~~2,228,586[f]~~ ~~(1.0 FTE)~~
(A) DIVISION OF EARLY CARE AND LEARNING							
PROMOTING SAFE AND STABLE FAMILIES PROGRAM	4,456,680 (2.0 FTE)		50,265		1,064,160[a]		3,342,255[b]
CHILD CARE LICENSING AND ADMINISTRATION	5,183,810 (47.4 FTE)		989,932 (M)		770,824[c]		3,423,054[d]
FINE ASSESSED AGAINST LICENSEES	20,000				20,000(I)[e]		
CHILD CARE ASSISTANCE PROGRAM	75,456,123		13,604,221		9,366,274[f]		52,485,628[g]
CHILD CARE GRANTS FOR QUALITY AND AVAILABILITY AND FEDERAL TARGETED FUNDS REQUIREMENTS	3,473,633						3,473,633[h]
SCHOOL-READINESS QUALITY IMPROVEMENT PROGRAM	2,228,586						2,228,586[h]
	90,818,832						(1.0 FTE)

[a] THIS AMOUNT SHALL BE FROM LOCAL FUNDS. THE (L) NOTATION AND THE (I) NOTATION APPLY TO THIS AMOUNT.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[b] THIS AMOUNT SHALL BE FROM TITLE IV-B, SUBPART 2, OF THE SOCIAL SECURITY ACT.

[c] THIS AMOUNT SHALL BE FROM THE CHILD CARE LICENSING CASH FUND CREATED IN SECTION 26-6-105 (4), C.R.S.

[d] OF THIS AMOUNT, $3,273,054 SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS AND $150,000(I) SHALL BE FROM TITLE IV-E OF THE SOCIAL SECURITY ACT. THE AMOUNT FROM TITLE IV-E OF THE SOCIAL SECURITY ACT IS REFLECTED PURSUANT TO SECTION 26-1-111 (2) (D) (II) (B), C.R.S., AND SHALL BE USED IN DETERMINING THE AMOUNT TO BE DEPOSITED TO THE EXCESS FEDERAL TITLE IV-E REIMBURSEMENTS CASH FUND PURSUANT TO SECTION 26-1-111 (2) (D) (II) (C), C.R.S.

[e] THIS AMOUNT SHALL BE FROM THE CHILD CARE CASH FUND CREATED IN SECTION 26-6-114 (5), C.R.S. THIS AMOUNT IS SHOWN FOR INFORMATIONAL PURPOSES AS IT IS CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT OF HUMAN SERVICES FOR ACTIVITIES RELATED TO THE IMPROVEMENT OF THE QUALITY OF CHILD CARE IN COLORADO, PURSUANT TO SECTION 26-6-114 (5), C.R.S.

[f] THIS AMOUNT SHALL BE FROM LOCAL FUNDS AND REFLECTS THE LOCAL SHARE OF THE COSTS OF ADMINISTERING THE CHILD CARE ASSISTANCE PROGRAM AND THE LOCAL SHARE OF CHILD CARE SUBSIDIES. THE (L) NOTATION AND THE (I) NOTATION APPLY TO THIS AMOUNT. COUNTY MAINTENANCE OF EFFORT FOR THIS PROGRAM, PURSUANT TO FEDERAL REQUIREMENTS, TOTALS $8,985,901.

[g] OF THIS AMOUNT, $52,385,628 SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS AND $100,000 SHALL BE FROM THE TITLE XX SOCIAL SERVICES BLOCK GRANT.

[h] THESE AMOUNTS SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS.

(B) DIVISION OF COMMUNITY AND FAMILY SUPPORT

EARLY CHILDHOOD COUNCILS	1,978,317						1,978,317[a] (1.0 FTE)
EARLY CHILDHOOD MENTAL HEALTH SERVICES	2,355,399		2,355,399 (0.2 FTE)				
EARLY INTERVENTION SERVICES	36,115,007		17,177,707		10,895,900(I)[b]		8,041,400(I)[c] (6.5 FTE)
EARLY INTERVENTION SERVICES CASE MANAGEMENT	7,315,534		2,733,049			4,582,485[d]	
COLORADO CHILDREN'S TRUST FUND	1,114,514				470,914[e]		643,600(I)

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
					(1.5 FTE)		
NURSE HOME VISITOR PROGRAM	13,729,550				13,524,950[f]		204,600(I)
					(3.0 FTE)		
	62,608,321						

[a] THIS AMOUNT SHALL BE FROM CHILD CARE DEVELOPMENT FUNDS.

[b] OF THIS AMOUNT, AN ESTIMATED $5,969,466 (L) SHALL BE FROM LOCAL FUNDS AND $4,926,434 SHALL BE FROM THE EARLY INTERVENTION SERVICES TRUST FUND CREATED IN SECTION 27-10.5-709 (2) (A), C.R.S. THE $4,926,434 IS EXEMPT FROM THE RESTRICTIONS ON STATE SPENDING IMPOSED BY SECTION 20 OF ARTICLE X, OF THE STATE CONSTITUTION PURSUANT TO SECTION 27-10.5-709 (2) (A), C.R.S.

[c] THIS AMOUNT REFLECTS FUNDS ANTICIPATED TO BE RECEIVED PURSUANT TO PART C OF THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT.

[d] THIS AMOUNT SHALL BE FROM MEDICAID FUNDS TRANSFERRED FROM THE DIVISION OF COMMUNITY AND FAMILY SUPPORT, EARLY INTERVENTION SERVICES LINE ITEM IN THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

[e] THESE AMOUNTS SHALL BE FROM THE COLORADO CHILDREN'S TRUST FUND CREATED IN SECTION 19-3.5-106 (1), C.R.S.

[f] THIS AMOUNT SHALL BE FROM THE NURSE HOME VISITOR PROGRAM FUND CREATED IN SECTION 26-6.8-102 (2) (B), C.R.S., WHICH IS RECEIVED AS A DAMAGE AWARD AND, AS SUCH, DOES NOT CONSTITUTE FISCAL YEAR SPENDING FOR THE PURPOSES OF SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

~~89,740,469~~
153,427,153

~~[a] This amount shall be from the Child Care Licensing Cash Fund created in Section 26-6-105 (4), C.R.S.~~

~~[b] Of this amount, $3,423,054 shall be from Child Care Development Funds and $150,000(I) shall be from Title IV-E of the Social Security Act. The amount from Title IV-E of the Social Security Act is reflected pursuant to Section 26-1-111 (2) (d) (II) (B), C.R.S., and shall be used in determining the amount to be deposited to the Excess Federal Title IV-E Reimbursements Cash Fund pursuant to Section 26-1-111 (2) (d) (II) (C), C.R.S.~~

~~[c] This amount shall be from the Child Care Cash Fund created in Section 26-6-114 (5), C.R.S. This amount is shown for informational purposes as it is continuously appropriated to the Department of Human Services for activities related to the improvement of the quality of child care in Colorado, pursuant to Section 26-6-114 (5), C.R.S.~~

~~[d] This amount shall be from local funds and reflects the local share of the costs of administering the Child Care Assistance Program and the local share of child care subsidies. The (L) notation and the (I) notation apply to this amount. County maintenance of effort for this program, pursuant to federal requirements, totals $8,985,901.~~

~~[e] Of this amount, $52,385,628 shall be from Child Care Development Funds and $100,000 shall be from the Title XX Social Services Block Grant.~~

~~[f] These amounts shall be from Child Care Development Funds.~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
(8) BEHAVIORAL HEALTH SERVICES							
(A) Administration							
Personal Services	~~4,527,215~~		~~1,214,878~~		305,206[a]	804,054[b]	2,203,077(I)[c]
	4,511,035		1,198,698				
	~~(57.8 FTE)~~						
	(57.6 FTE)						
Operating Expenses	289,230		18,729		36,524[d]	16,266[e]	217,711(I)[c]
Indirect Cost Assessment	270,861				3,280[f]		267,581(I)[c]
Federal Programs and Grants	2,307,608						2,307,608(I)[c]
							(1.5 FTE)
Other Federal Grants	258,209						258,209(I)[c]
	~~7,653,123~~						
	7,636,943						

[a] Of this amount, $95,333 shall be from the Offender Mental Health Services Fund created in Section 27-66-104 (4) (a), C.R.S., $95,221 shall be from patient revenues earned by the Mental Health Institutes, $55,382 shall be from the Alcohol and Drug Abuse Community Prevention and Treatment Fund created in Section 24-75-1104.5 (1.5) (a) (VIII), C.R.S., $27,423 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-402 (2), C.R.S., $22,721 shall be from the Persistent Drunk Driver Cash Fund created in Section 42-3-303 (1), C.R.S., $5,719 shall be from the Controlled Substances Program Fund created in Section 27-80-206, C.R.S., and $3,407 shall be from the Addiction Counselor Training Fund pursuant to Section 27-80-111 (2), C.R.S.

[b] Of this amount, $427,496 shall be funds transferred from the Judicial Department for the Alcohol and Drug Driving Safety Program created in Section 42-4-1301.3 (3) (a), C.R.S., and $376,558 shall be transferred from Medicaid funds appropriated to the Department of Health Care Policy and Financing.

[c] Of these amounts, it is estimated that $1,873,799 shall be from the Substance Abuse Prevention and Treatment Block Grant, $709,946 shall be from the Mental Health Services Block Grant, and $2,670,441 shall be from various sources of federal funds.

[d] Of this amount, $11,538 shall be from the Alcohol and Drug Abuse Community Prevention and Treatment Fund created in Section 24-75-1104.5 (1.5) (a) (VIII), C.R.S., $10,508 shall be from the Addiction Counselor Training Fund pursuant to Section 27-80-111 (2), C.R.S., $6,496 shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-402 (2) (a), C.R.S., $4,482 shall be from the Offender Mental Health Services Fund created in Section 27-66-104 (4) (a), C.R.S., and $3,500 shall be from the Persistent Drunk Driver Cash Fund created in Section 42-3-303 (1), C.R.S.

[e] Of this amount, $12,226 shall be Medicaid funds transferred from the Department of Health Care Policy and Financing and $4,040 shall be transferred from the Judicial Department for the Alcohol and Drug Driving Safety Program created in Section 42-4-1301.3 (3) (a), C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[f] This amount shall be from the Law Enforcement Assistance Fund pursuant to Section 43-4-402 (2), C.R.S.

(B) Mental Health Community Programs

(1) Mental Health Services for the Medically Indigent

Services for Indigent Mentally Ill Clients	39,825,825		33,430,347			161,909[a]	6,233,569(I)[b]
Medications for Indigent Mentally Ill Clients	1,748,273		1,748,273				
~~School-based Mental Health Services~~	~~2,339,219~~		~~2,339,219~~				
Assertive Community Treatment Programs	1,316,208		658,104		658,104[c]		
Alternatives to Inpatient Hospitalization at a Mental Health Institute	3,201,657		3,201,657				
Mental Health Services for Juvenile and Adult Offenders	3,297,476				3,297,476[d]		
	~~51,728,658~~						
	49,389,439						

[a] This amount shall be transferred from the Division of Vocational Rehabilitation.

[b] Of this amount, it is estimated that $5,459,809 shall be from the Mental Health Services Block Grant and $773,760 shall be from the Projects for Assistance in Transition from Homelessness (PATH) Grant.

[c] This amount shall be from local matching funds. The (L) notation and the (I) notation apply to this amount.

[d] This amount shall be from the Offender Mental Health Services Fund created in Section 27-66-104 (4) (a), C.R.S.

(2) Residential Treatment for Youth (H.B. 99-1116)	987,149		568,556		300,000[a]	118,593[b]	

[a] This amount shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115 (1) (a), C.R.S., pursuant to Section 24-75-1104.5 (1) (k), C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

[b] This amount shall be from Medicaid funds transferred from the Department of Health Care Policy and Financing.

		~~208,295,172~~					
		205,939,773					

(9) SERVICES FOR PEOPLE WITH DISABILITIES

(A) Community Services for People with Developmental Disabilities

(1) Administration

Personal Services	2,821,868		226,958			2,594,910[a]	
	(34.0 FTE)						
Operating Expenses	148,523					148,523[a]	
Community and Contract Management System	137,480		41,244			96,236[a]	
Support Level Administration	57,368					57,368[a]	
	3,165,239						

[a] These amounts shall be from Medicaid cash funds transferred from the Community Services for People with Developmental Disabilities, Administration line item in the Department of Health Care Policy and Financing.

(2) Program Costs[30]

Adult Comprehensive Services for 4,471.2 Medicaid Full Program Equivalents (FPE)	329,907,455						
Adult Supported Living Services for 692 General Fund FPE and 3,417.5 Medicaid FPE	46,728,721						
Family Support Services	3,255,842						

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
Children's Extensive Support Services for 659 Medicaid FPE	13,201,051						
Case Management for 692 General Fund and 8,547.7 Medicaid FPE	25,717,760						
Eligibility Determination and Waiting List Management	2,987,431						
Preventive Dental Hygiene[31]	64,239						
	421,862,499		16,484,491		30,802,357[a]	374,575,651[b]	

[a] Of this amount, $30,798,715 shall be from client cash sources, and $3,642 shall be from local funds. The (L) and (I) notation shall apply to $3,642.

[b] This amount shall be from Medicaid funds transferred from the Community Services for People with Developmental Disabilities, Program Costs line item in the Department of Health Care Policy and Financing.

~~(3) Early Intervention Services[32]~~							
~~Early Intervention Services~~	~~36,115,007~~		~~17,177,707~~		~~10,895,900(I)[a]~~		~~8,041,400(I)[b] (6.5 FTE)~~
~~Early Intervention Services Case Management~~	~~7,315,534~~		~~2,733,049~~			~~4,582,485[c]~~	
	~~43,430,541~~						

~~[a] Of this amount, an estimated $5,969,466 (L) shall be from local funds and $4,926,434 shall be from the Early Intervention Services Trust Fund created in Section 27-10.5-709 (2) (a), C.R.S. The $4,926,434 is exempt from the restrictions on state spending imposed by Section 20 of Article X, of the State Constitution pursuant to Section 27-10.5-709 (2) (a), C.R.S.~~

~~[b] This amount reflects funds anticipated to be received pursuant to Part C of the federal Individuals with Disabilities Education Improvement Act.~~

~~[c] This amount shall be from Medicaid funds transferred from the Community Services for People with Developmental Disabilities, Early Intervention Services line item in the Department of Health Care Policy and Financing.~~

~~615,309,388~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
		571,878,847					
TOTALS PART VII (HUMAN SERVICES)		~~$2,163,229,846~~	~~$696,785,662~~		~~$338,613,036~~[a]	$517,852,655[b]	~~$609,978,493~~[c]
		$2,183,134,409	$698,239,511		$356,215,550[a]		$610,826,693[c]

[a] Of this amount, $126,014,974 contains an (L) notation and $226,061,001 contains an (I) notation.
[b] Of this amount, $1,330,200 contains an (I) notation.
[c] Of this amount, ~~$273,402,352~~ $274,250,552 contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

~~32 Department of Human Services, Services for People with Disabilities, Community Services for People with Developmental Disabilities, Early Intervention Services -- It is the intent of the General Assembly that expenditures for these services be recorded only against the Long Bill group total for Early Intervention Services.~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$

SECTION 29. Appropriation to the department of public health and environment for the fiscal year beginning July 1, 2013. In Senate Bill 13-230, section 2, **amend** Part XVI (9) (D) and the affected totals as follows:

PART XVI
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

(9) PREVENTION SERVICES DIVISION						
(D) Family and Community Health						
(1) Women's Health						
Family Planning Program Administration[58]	1,050,698		395,998 (5.8 FTE)			654,700(I) (6.2 FTE)
Family Planning Purchase of Services[58]	4,932,026		1,223,326			3,708,700(I)
Family Planning Federal Grants	351,400					351,400(I) (3.8 FTE)
Adult Stem Cells Cure Fund	140,000				140,000[a]	
Maternal and Child Health	4,659,400					4,659,400[b] (15.0 FTE)
~~Nurse Home Visitor Program~~	~~13,729,550~~				~~13,524,950[c]~~ ~~(3.0 FTE)~~	~~204,600(I)~~
	~~24,863,074~~ 11,133,524					

[a] This amount shall be from the Adult Stem Cells Cure Fund created in Section 25-40-103 (1), C.R.S.

[b] This amount shall be from the Maternal and Child Health Block Grant.

~~[c] This amount shall be from the Nurse Home Visitor Program Fund created in Section 25-31-107 (2) (b), C.R.S., which is received as a damage award and, as such, does not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
(2) Children and Youth Health							
Health Care Program for Children with Special Needs	1,381,567		697,467(M) (8.5 FTE)				684,100[a] (7.1 FTE)
Health Care Program for Children with Special Needs Purchase of Services	3,409,973		1,847,899(M)		40,874[b]		1,521,200[a]
Genetics Counseling Program Costs	1,654,417				1,654,417[c] (1.0 FTE)		
School-based Health Centers[59]	5,260,817		5,260,817 (2.9 FTE)				
Interagency Prevention Programs Coordination	133,284		133,284 (2.0 FTE)				
Federal Grants	1,108,700						1,108,700(I) (9.0 FTE)
	12,948,758						

[a] These amounts shall be from the Maternal and Child Health Block Grant.
[b] This amount shall be from client fees.
[c] This amount shall be from the Newborn Screening and Genetic Counseling Cash Fund created in Section 25-4-1006 (1), C.R.S.

(3) Injury, Suicide, and Violence Prevention							
~~Colorado Children's Trust Fund Personal Services~~	~~196,577~~				~~75,777[a]~~ ~~(1.5 FTE)~~		~~120,800(I)~~

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	$	$	$	$	$	$	$
~~Colorado Children's Trust Fund Operating Expenses~~	~~917,937~~				~~395,137[a]~~		~~522,800(I)~~
~~Tony Grampsas Youth Services Program~~	~~5,060,499~~		~~1,453,849~~		~~3,606,650[b]~~ ~~(3.0 FTE)~~		
Suicide Prevention	384,348		384,348 (2.0 FTE)				
Injury Prevention	1,971,500						1,971,500(I) (11.4 FTE)
	~~8,530,861~~ 2,355,848						

~~[a] These amounts shall be from the Colorado Children's Trust Fund created in Section 19-3.5-106 (1), C.R.S.~~

~~[b] This amount shall be from the Youth Services Program Fund created in Section 25-20.5-201 (2) (c), C.R.S., which is received as a damage award and, as such, does not constitute fiscal year spending for the purposes of Section 20 of Article X of the State Constitution.~~

	~~237,303,151~~ 217,398,588					
TOTALS PART XVI (PUBLIC HEALTH AND ENVIRONMENT)	~~$527,884,495~~	~~$38,985,158~~	$438,300[a]	~~$166,674,257~~	$29,677,710	~~$292,109,070[b]~~
	$507,979,932	$37,531,309		$149,071,743		$291,260,870[b]

[a] This amount is not subject to the limitation on General Fund appropriations set forth in Section 24-75-201.1, C.R.S., and shall be General Fund Exempt pursuant to Section 24-22-117 (1) (c) (I) (B), C.R.S.

[b] Of this amount, ~~$271,200,374~~ $270,352,174 contains an (I) notation.

SECTION 30. Effective date. This act takes effect July 1, 2013.

SECTION 31. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Mark Ferrandino SPEAKER OF THE HOUSE OF REPRESENTATIVES	John P. Morse PRESIDENT OF THE SENATE
Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Cindi L. Markwell SECRETARY OF THE SENATE

APPROVED_____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO