A BILL FOR AN ACT

CONCERNING THE CREATION OF THE RESPITE CARE TASK FORCE.

Bill Summary

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

The bill creates the respite care task force to study the dynamics of supply and demand with regard to respite care services in Colorado. The majority and minority leadership of the Senate and House of Representatives shall appoint 9 members to the task force, who shall serve without compensation. The department of human services is directed to provide staff support to the task force. The task force is required to submit a report to the general assembly by December 1, 2015.
Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly determines and declares that:

(a) The current extent of demand for respite care in Colorado is unknown, although it is apparent that there is a lack of adequate respite care facilities and respite training programs in Colorado;

(b) Caregivers work twenty-four hours per day, seven days per week to ensure their loved ones have the support and tools they need to live their best lives;

(c) It is critical that caregivers in our communities have access to respite care so that they have time to rejuvenate and spend time with their families and friends;

(d) It is important that caregivers are able to trust and depend on the individuals providing respite care to their loved ones; and

(e) Reliable access to affordable respite care will be beneficial to caregivers and to their families and loved ones.

(2) Therefore, it is the intent of the general assembly to create a respite care task force and to authorize a study to determine the current state of respite care in Colorado, including access to care and funding of respite care services, and to increase the availability of affordable respite care throughout Colorado.

SECTION 2. In Colorado Revised Statutes, add part 6 to article 1 of title 26 as follows:

PART 6

RESPITE CARE TASK FORCE

26-1-601. Task force - creation. (1) There is created, within
THE DEPARTMENT OF HUMAN SERVICES, THE RESPITE CARE TASK FORCE TO
STUDY THE DYNAMICS OF SUPPLY AND DEMAND WITH REGARD TO RESPITE
CARE SERVICES IN COLORADO.

(2) NO LATER THAN JULY 1, 2015:

(a) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL
APPOINT ONE MEMBER OF THE HOUSE OF REPRESENTATIVES AND ONE
HOSPICE CAREGIVER;

(b) THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES
SHALL APPOINT ONE INDIVIDUAL WHO REPRESENTS PERSONS WITH
DEVELOPMENTAL DISABILITIES AND ONE CAREGIVER WHO UTILIZES
RESPITE CARE;

(c) THE PRESIDENT OF THE SENATE SHALL APPOINT ONE MEMBER
OF THE SENATE AND ONE OWNER OR OPERATOR OF RESPITE CARE
FACILITIES;

(d) THE MINORITY LEADER OF THE SENATE SHALL APPOINT ONE
INDIVIDUAL WHO REPRESENTS PERSONS WITH BRAIN INJURIES AND ONE
MEMBER OF AN ORGANIZATION THAT ADVANCES RESEARCH TO END
ALZHEIMER'S DISEASE AND DEMENTIA AND TO ENHANCE CARE FOR THOSE
LIVING WITH ALZHEIMER'S DISEASE;

(e) THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE
PRESIDENT OF THE SENATE SHALL JOINTLY APPOINT ONE MEMBER OF A
NONPROFIT ENTITY THAT PROVIDES SERVICES, EDUCATION, OUTREACH,
AND ADVOCACY FOR PERSONS WITH DISABILITIES.

(3) (a) THE SPEAKER SHALL CONVENE THE FIRST MEETING OF THE
TASK FORCE NO LATER THAN JULY 15, 2015, AT WHICH MEETING THE TASK
FORCE MEMBERS SHALL SELECT FROM AMONG THE MEMBERSHIP A PERSON
TO SERVE AS CHAIR OF THE TASK FORCE. THE TASK FORCE SHALL MEET
UPON THE CALL OF THE CHAIR AS OFTEN AS NECESSARY TO COMPLETE THE
STUDY SPECIFIED IN THIS PART 6. THE TASK FORCE MAY MEET WITHIN THE
COMMITTEE HEARING ROOMS OF THE STATE CAPITOL, SUBJECT TO
AVAILABILITY.

(b) THE TASK FORCE MEMBERS SHALL SERVE WITHOUT
COMPENSATION AND WITHOUT REIMBURSEMENT FOR EXPENSES.

(c) IF A VACANCY OCCURS ON THE TASK FORCE FOR ANY REASON,
THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT A PERSON WHO
MEETS THE REQUIREMENTS OF THE VACANT POSITION TO FILL THE
VACANCY AS SOON AS POSSIBLE AFTER THE VACANCY OCCURS.

(4) THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE
INFORMATION AND STAFF SUPPORT TO THE TASK FORCE UPON THE
REQUEST OF THE TASK FORCE CHAIR TO THE EXTENT NECESSARY FOR THE
TASK FORCE TO COMPLETE THE DUTIES SPECIFIED IN THIS PART 6.

26-1-602. Respite care study - report. (1) THE RESPITE CARE
TASK FORCE CREATED IN SECTION 26-1-601 SHALL STUDY THE DYNAMICS
OF THE SUPPLY OF, AND DEMAND FOR, RESPITE CARE SERVICES IN THIS
STATE. THE STUDY MAY INCLUDE THE FOLLOWING ISSUES:

(a) ACCESS TO RESPITE CARE SERVICES;

(b) THE TYPES OF SERVICES THAT ARE MOST IN DEMAND AND THE
SERVICES THAT ARE CURRENTLY AVAILABLE;

(c) THE NUMBER OF RESPITE CAREGIVERS IN THE STATE AND THEIR
LOCATIONS;

(d) SOLUTIONS TO INCREASE THE NUMBER OF RESPITE
CAREGIVERS;

(e) THE FUNDING OF RESPITE CARE SERVICES; AND

(f) OTHER RESPITE CARE ISSUES AS DETERMINED APPROPRIATE BY
THE TASK FORCE.

(2) The respite care task force may discuss policies that include, but are not limited to:

(a) Requiring the Department of Human Services, the Department of Health Care Policy and Financing, and the Department of Public Health and Environment to create a structure to give one department the responsibility to license respite caregivers and address the payment for services; and

(b) Creating a pilot program in community colleges to train respite caregivers.

(3) On or before December 1, 2015, the respite care task force, with assistance from the Department of Human Services, shall submit a report that includes its findings and recommendations to the Public Health Care and Human Services Committee of the House of Representatives and the Health and Human Services Committee of the Senate, or their successor committees.

26-1-603. Repeal. This Part 6 is repealed, effective July 1, 2016.

SECTION 3. 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.