

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-1059.01 Jane Ritter x4342

HOUSE BILL 15-1358

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Lundberg and Kefalas,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING CREATING A PERMANENT DIFFERENTIAL RESPONSE
102 PROGRAM FOR CHILD ABUSE OR NEGLECT CASES OF LOW OR
103 MODERATE RISK.

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/bills summaries>.)

In 2010, the differential response pilot program for child abuse or neglect cases of low or moderate risk was created and scheduled for repeal on July 1, 2015. The bill removes the pilot status of the program and makes it a permanent program by removing the repeal. The reporting requirements for the pilot program are repealed.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 19-3-308.3
3 as follows:

4 **19-3-308.3. Differential response program for child abuse or**
5 **neglect cases of low or moderate risk - rules - evaluation.**

6 (1) (a) There is hereby created the differential response ~~pilot~~ program,
7 referred to in this section as the "~~pilot~~ program", to allow selected county
8 departments OF HUMAN OR SOCIAL SERVICES, on and after April 15, 2010,
9 to address known or suspected incidents of intrafamilial abuse or neglect
10 that have been assessed AS LOW OR MODERATE RISK, pursuant to rule of
11 the state board. ~~to be of low or moderate risk.~~ The executive director of
12 the state department shall ~~select~~ APPROVE the county departments OF
13 HUMAN OR SOCIAL SERVICES that participate in the ~~pilot~~ program, ~~which~~
14 ~~county departments are~~ referred to in this section as the "participating
15 county departments".

16 (b) The state department is authorized to solicit, accept, and
17 expend gifts, grants, and donations for the implementation and
18 administration of the ~~pilot~~ program.

19 (2) Participation in the ~~pilot~~ program by families who are referred
20 to the ~~pilot~~ program ~~shall be~~ IS voluntary.

21 (3) For each family ~~who is~~ referred to the ~~pilot~~ program, neither
22 the state department nor a county department OF HUMAN OR SOCIAL
23 SERVICES ~~shall be~~ IS required to make a finding concerning the alleged
24 intrafamilial abuse or neglect in the family.

25 (4) The state department and the participating county departments
26 shall administer the ~~pilot~~ program in accordance with ~~such~~ rules as ~~may~~

1 be promulgated by the state board pursuant to subsection (6) of this
2 section.

3 (5) To the extent permitted by law and by ~~such~~ ANY rules as may
4 be promulgated by the state board pursuant to subsection (6) of this
5 section, the participating county departments, in administering the pilot
6 program, shall cooperate with local community service organizations in
7 addressing known or suspected incidents of intrafamilial abuse or neglect.

8 (6) The state board shall promulgate rules to define and
9 implement differential response and for the administration of the pilot
10 program.

11 ~~(7) On or before November 1, 2014, each participating county~~
12 ~~department shall prepare and submit to the state department a report~~
13 ~~concerning the participating county department's administration of the~~
14 ~~pilot program.~~

15 ~~(8) On or before January 1, 2015, the state department shall~~
16 ~~prepare and submit to the health and human services committees of the~~
17 ~~house of representatives and senate, or any successor committees, a report~~
18 ~~concerning the administration of the pilot program since April 15, 2010.~~
19 ~~The report, at a minimum, shall include:~~

20 ~~(a) An evaluation of the pilot program's success or failure, which~~
21 ~~evaluation shall include, but need not be limited to, consideration of the~~
22 ~~pilot program's effectiveness in achieving the following outcomes:~~

23 ~~(I) Child safety and permanency;~~

24 ~~(II) Family and caseworker satisfaction; and~~

25 ~~(III) Cost effectiveness;~~

26 ~~(b) A description of any specific problems that the state~~
27 ~~department or participating county departments encountered during their~~

1 administration of the pilot program, including any recommendations that
2 the state department may have for legislation to address such problems.

3 (c) ~~A recommendation by the state department as to whether the~~
4 ~~general assembly should repeal the pilot program, continue the pilot~~
5 ~~program for a specific period, or establish the pilot program statewide on~~
6 ~~a permanent basis.~~

7 (9) ~~This section is repealed, effective July 1, 2015.~~

8 **SECTION 2.** In Colorado Revised Statutes, 19-3-308, **amend**
9 (1.5) (c) as follows:

10 **19-3-308. Action upon report of intrafamilial, institutional, or**
11 **third-party abuse - investigations - child protection team - rules.**

12 (1.5) (c) ~~(F)~~ On and after April 15, 2010, if a county department OF
13 HUMAN OR SOCIAL SERVICES that is participating in the differential
14 response ~~pilot~~ program pursuant to section 19-3-308.3 determines from
15 an assessment performed pursuant to paragraph (a) of this subsection
16 (1.5) that the known or suspected incident of intrafamilial abuse or
17 neglect that was the basis for the assessment is of low or moderate risk,
18 the county department, in lieu of performing an investigation pursuant to
19 this section, may proceed in accordance with the provisions of section
20 19-3-308.3.

21 ~~(H) This paragraph (c) is repealed, effective July 1, 2015.~~

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