

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 15-1059.01 Jane Ritter x4342

**HOUSE BILL 15-1358**

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**HOUSE SPONSORSHIP**

**Singer,**

**SENATE SPONSORSHIP**

**Lundberg and Kefalas,**

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**House Committees**

Public Health Care & Human Services  
Appropriations

**Senate Committees**

Health & Human Services

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**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.**

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**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>.)*

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 The reporting requirements for the pilot program are repealed.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.*

SENATE  
3rd Reading Unamended  
May 6, 2015

SENATE  
2nd Reading Unamended  
May 5, 2015

HOUSE  
3rd Reading Unamended  
April 28, 2015

HOUSE  
Amended 2nd Reading  
April 27, 2015

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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~~ THE  
8 PROGRAM WILL ALLOW county departments ~~on or after April 15, 2010,~~ OF  
9 HUMAN OR SOCIAL SERVICES THAT CHOOSE TO PARTICIPATE to address  
10 known or suspected incidents of intrafamilial abuse or neglect that have  
11 been assessed AS LOW OR MODERATE RISK, pursuant to rule of the state  
12 board. ~~to be of low or moderate risk.~~ The executive director of the state  
13 department shall ~~select the county departments~~ APPROVE ANY COUNTY  
14 DEPARTMENT OF HUMAN OR SOCIAL SERVICES that CHOOSES TO participate  
15 in the pilot program, ~~which county departments are~~ referred to in this  
16 section as ~~the~~ A "participating county departments DEPARTMENT".

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

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

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

26           (4) The state department and the participating county departments

1 shall administer the pilot program in accordance with such rules as may  
2 be promulgated by the state board pursuant to subsection (6) of this  
3 section.

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

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

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

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

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

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

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

26 (III) ~~Cost effectiveness;~~

27 (b) ~~A description of any specific problems that the state~~

1 department or participating county departments encountered during their  
2 administration of the pilot program, including any recommendations that  
3 the state department may have for legislation to address such problems.

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

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

9 **SECTION 2.** In Colorado Revised Statutes, 19-3-308, **amend**  
10 (1.5) (c) as follows:

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

13 (1.5) (c) ~~(f)~~ On and after April 15, 2010, if a county department OF  
14 HUMAN OR SOCIAL SERVICES that is participating in the differential  
15 response ~~pilot~~ program pursuant to section 19-3-308.3 determines from  
16 an assessment performed pursuant to paragraph (a) of this subsection  
17 (1.5) that the known or suspected incident of intrafamilial abuse or  
18 neglect that was the basis for the assessment is of low or moderate risk,  
19 the county department, in lieu of performing an investigation pursuant to  
20 this section, may proceed in accordance with the provisions of section  
21 19-3-308.3.

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

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