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2001



HOUSE BILL 01-1265

BY REPRESENTATIVE(S) Bacon, Alexander, Larson, Stafford, Williams S., Witwer, Boyd, Coleman, Daniel, Garcia, Groff, Hodge, Hoppe, Jahn, Jameson, Lawrence, Mace, Madden, Miller, Plant, Ragsdale, Romanoff, Sanchez, Scott, Spence, Spradley, Swenson, Vigil, and Weddig; also SENATOR(S) Linkhart, Hagedorn, Hanna, Hernandez, Nichol, Pascoe, Reeves, Takis, Tate, Tupa, and Windels.

CONCERNING FAMILY RESOURCE CENTER PROGRAMS IN LOCAL COMMUNITIES.

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

SECTION 1. 26-18-101, Colorado Revised Statutes, is amended to read:

26-18-101. Legislative declaration. (1) The general assembly hereby declares that Colorado needs healthy and cohesive families at all income levels in order for the state to be economically viable. A number of families in ~~at-risk neighborhoods do~~ COMMUNITIES THROUGHOUT COLORADO TEMPORARILY MAY not have access to the basic necessities of life or to resources or services designed to promote individual development and family growth. ~~Under current systems for providing services to families, a family crisis or a finding that a family is dysfunctional is~~

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

~~required before a family can receive certain services. In addition, procedures for applying for and receiving some services are lengthy, cumbersome, and duplicative.~~

(2) The general assembly further declares that many of Colorado's ~~most~~ vulnerable families, INDIVIDUALS, ~~and~~ children, AND YOUTH DO NOT NECESSARILY live in at-risk neighborhoods. Such ~~families do~~ PERSONS MAY not have APPROPRIATE RESOURCES OR sufficient income for adequate housing, health care, or child care because the primary wage earners are unemployed, UNDEREMPLOYED, or work at jobs that pay minimum wage or less. Further, many ~~of such families~~ PERSONS not only live in poverty, but also experience divorce, DOMESTIC VIOLENCE, or are ~~headed by a single parent~~ PARENTS. Children AND YOUTH who are raised in ~~at-risk neighborhoods~~ VULNERABLE FAMILIES experience an increased risk of being abused, BEING ILLITERATE, BEING UNDEREDUCATED, dropping out of school, becoming teen parents, abusing drugs, and engaging in at-risk behaviors, including BUT NOT LIMITED TO criminal activities. Such children AND YOUTH are often influenced by and are likely to repeat behaviors that began with their parents.

(3) Therefore, the general assembly finds that it is appropriate to establish a ~~project that provides~~ PROGRAM TO PROVIDE family development RESOURCE centers ~~which~~ IN COMMUNITIES TO serve as a single point of entry for providing comprehensive, intensive, integrated, state and community-based services to VULNERABLE families, INDIVIDUALS, ~~in at-risk neighborhoods~~ CHILDREN, AND YOUTH.

SECTION 2. 26-18-102, Colorado Revised Statutes, is amended to read:

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

(1) "At-risk neighborhood" means ~~a~~ AN URBAN OR RURAL neighborhood OR COMMUNITY in which there ~~is a preponderance~~ ARE INCIDENCES of poverty, unemployment and underemployment, substance abuse, crime, school dropouts, ILLITERACY, teen pregnancies and teen parents, DOMESTIC VIOLENCE, or other conditions ~~which~~ THAT put families at risk.

(2) "Case management" means the process whereby a family

advocate for the family ~~development~~ RESOURCE center assesses a family's need for services in accordance with section 26-18-104 (2).

(3) "Community applicant" means any local entity interested and willing to commit private and public resources to establish a family ~~development~~ RESOURCE center and which applies for a family ~~development~~ RESOURCE center grant pursuant to section 26-18-105. "Community applicant" includes, but is not limited to, any state or local governmental agency or governing body, a local private nonprofit agency, a local board of education on a cost-shared basis, a local recreational center, or a local child care agency.

(3.5) "DIVISION" MEANS THE DIVISION OF PREVENTION AND INTERVENTION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(4) "Family ~~development~~ RESOURCE center" means a unified single point of entry where VULNERABLE families, INDIVIDUALS, CHILDREN, AND YOUTH in communities or within at-risk neighborhoods OR PARTICIPANTS IN COLORADO WORKS, PURSUANT TO PART 7 OF ARTICLE 2 OF THIS TITLE, can obtain information, assessment of needs, and referral to delivery of family services described in section 26-18-104 (2) and for which a grant is awarded to a community applicant in accordance with section 26-18-105.

(5) "Local advisory council" means the body that oversees the operation of the family ~~development~~ RESOURCE center and which is described in section 26-18-105 (1) (b).

(6) Repealed.

SECTION 3. 26-18-104, Colorado Revised Statutes, is amended to read:

26-18-104. Program created. (1) (a) There is hereby established in the division of prevention and intervention in the department of public health and environment ~~referred to in this section as the "division"~~ a family ~~development~~ RESOURCE center program. The purposes of said program shall be to provide grants to community applicants for the creation of family ~~development~~ RESOURCE centers OR TO PROVIDE GRANTS TO FAMILY RESOURCE CENTERS FOR THE CONTINUED OPERATION OF SUCH 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.

(b) The division shall operate the family ~~development~~ 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 may establish any other procedures necessary to implement the program, INCLUDING ESTABLISHING THE PROCEDURE FOR THE SUBMITTAL OF 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) The family ~~development centers~~ RESOURCE CENTER program shall not receive DIRECT appropriations from the state general fund, from any state moneys received pursuant to the temporary assistance for needy families federal block grant, or from the family issues cash fund created in section 26-5.3-106. The division is authorized to 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 ~~development~~ RESOURCE centers and for the purpose of evaluating the effectiveness of the family ~~development~~ RESOURCE center program. Nothing in this article shall be construed to prohibit a family ~~development~~ RESOURCE center from accepting and expending grants or donations from public or private sources.

(2) (a) Services provided by a family ~~development~~ RESOURCE center shall be coordinated and ~~one service shall not overshadow others~~ SERVICES SHOULD REFLECT THE NEEDS OF THE COMMUNITY AND THE RESOURCES AVAILABLE TO SUPPORT SUCH PROGRAMS AND SERVICES. Services may be delivered directly to a family at the center by center staff or by providers who contract with or have provider agreements with the center. Any family ~~development~~ RESOURCE center that provides direct services shall comply with applicable state and federal laws and regulations regarding the delivery of such services, unless required waivers or exemptions have been granted by the appropriate governing body.

(b) Each family ~~development~~ RESOURCE center shall provide case management by a family advocate who screens and assesses a family's needs and develops, with the concurrence of the family, a ~~case~~ plan TO

ASSIST FAMILIES AND INDIVIDUALS IN WORKING TOWARD A GREATER LEVEL OF SELF-RELIANCE OR IN ATTAINING SELF-SUFFICIENCY. The case plan shall provide for the following:

(I) A negotiated ~~contract~~ AGREEMENT that includes reciprocal responsibilities of THE INDIVIDUAL OR family members and the personnel of each human service agency providing services to the family;

(II) A commitment of resources AS AVAILABLE AND necessary to meet the family's plan;

(III) The delivery of applicable services to the INDIVIDUAL OR family, if feasible, or referral to an appropriate service provider;

(IV) The coordination of services; ~~and~~

(V) The monitoring OF THE PROGRESS OF THE FAMILY TOWARD GREATER SELF-RELIANCE OR SELF-SUFFICIENCY and AN evaluation of services PROVIDED; ~~by the family advocate~~; AND

(VI) ASSISTANCE TO THE INDIVIDUAL OR FAMILY IN APPLYING FOR THE CHILDREN'S BASIC HEALTH PLAN OR MEDICAL ASSISTANCE BENEFITS.

(c) In addition to ~~case management~~ services required by paragraph (b) of this subsection (2), the family ~~development~~ RESOURCE center shall MAY provide for the direct delivery of or referral to a provider of ~~at least~~ the following ~~five~~ SIX services:

(I) Early childhood care and education;

(II) Parenting education;

(III) Well child check-ups and basic health services;

(IV) Early intervention for identifying infants, toddlers, and preschoolers who are developmentally disabled in order to provide necessary services to such children; ~~and~~

(V) Before and after school care;

(VI) PROGRAMS FOR CHILDREN AND YOUTH.

(d) A family ~~development~~ RESOURCE center may ALSO provide optional services, including, but not limited to, the following:

(I) Additional educational programs, such as mentoring programs for students in elementary, junior, and senior high schools; literacy programs; and educational programs that link families with local schools and alternative educational programs, including links with boards of cooperative services;

(II) Job skills training and self-sufficiency programs for adults and youth;

(III) Social, health, mental health, and child welfare services and housing, homeless, food and nutrition, domestic violence support, recreation, and substance abuse services;

(IV) Outreach, education, and support programs, including programs aimed at preventing teen pregnancies and school dropouts and programs providing parent support and advocacy;

(V) Transportation services to obtain other services provided pursuant to this subsection (2).

(e) (Deleted by amendment, L. 2000, p. 583, § 4, effective May 18, 2000.)

SECTION 4. 26-18-105, Colorado Revised Statutes, is amended to read:

26-18-105. Selection of centers - grants. (1) The division may award a grant to a ~~community applicant~~ for the purpose of establishing a family ~~development~~ RESOURCE center based on a plan submitted to the division by the applicant OR FOR THE CONTINUED OPERATION OF A FAMILY RESOURCE CENTER. The plan shall meet specific criteria which the division is hereby authorized to set, but the criteria shall include at least the following provisions:

(a) That members of the community will participate in the development and implementation of the family ~~development~~ RESOURCE center;

(b) That the center shall be governed by a local advisory council comprised of community representatives ~~of at least the following~~ SUCH AS:

(I) Families living in ~~at-risk neighborhoods~~ THE COMMUNITY;

(II) Local public or private service provider agencies;

(III) Local job skills training programs, if any;

(IV) Local governing bodies;

(V) Local businesses serving families ~~from at-risk neighborhoods~~ IN THE COMMUNITY; and

(VI) Local professionals serving families ~~from at-risk neighborhoods~~ IN THE COMMUNITY;

(c) That the advisory council shall establish rules concerning the operation of the family ~~development~~ RESOURCE center, including provisions for staffing;

(d) That services provided by the family ~~development~~ RESOURCE center shall be coordinated and tailored to the specific needs of INDIVIDUALS AND families who live in ~~the at-risk neighborhood within~~ the community;

(e) That the family ~~development~~ RESOURCE center will:

(I) Promote and support, not supplant, successful INDIVIDUAL AND family functioning and increase the recognition of the importance of successful INDIVIDUALS AND families in the community;

(II) Contribute to the strength of family ties;

(III) Establish programs ~~focusing~~ THAT FOCUS on the needs of family members, such as preschool programs, family preservation programs, and teenage pregnancy prevention programs, AND ASSIST THE INDIVIDUAL OR FAMILY IN MOVING TOWARD GREATER SELF-SUFFICIENCY;

(IV) Recognize the diversity of families within the community;

(V) Support family stability and unity;

(VI) Treat families as partners in providing services;

(VII) Encourage intergovernmental cooperation and a community-based alliance between government and the private sector. SUCH COOPERATION MAY INCLUDE BUT NOT BE LIMITED TO THE POOLING OF PUBLIC AND PRIVATE FUNDS AVAILABLE TO STATE AGENCIES UPON APPROPRIATION OR TRANSFER BY THE GENERAL ASSEMBLY.

(VIII) PROVIDE PROGRAMS THAT reduce institutional barriers related to categorical funding and eligibility requirements;

(IX) Make information regarding available resources and services readily accessible to INDIVIDUALS AND families; and

(f) That the family ~~development~~ RESOURCE center shall coordinate the provision of services and shall pool the resources of providers of services to aid in funding and operating the center.

(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 ~~development~~ RESOURCE center annually and shall submit an annual report to the division in accordance with section 25-20.5-108, C.R.S.

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

SECTION 5. 24-1-120 (4) (c), Colorado Revised Statutes, is amended to read:

24-1-120. Department of human services - creation. (4) Unless otherwise transferred to the department of health care policy and financing or the department of public health and environment, the department of human services shall exercise the following powers and perform the following duties:

(c) Powers, duties, and functions relating to the family ~~development~~ RESOURCE center ~~pilot~~ program, created in article 18 of title 26, C.R.S., which are transferred by a **type 2** transfer to the department of human services.

SECTION 6. 25-20.5-104 (2) (e), Colorado Revised Statutes, is amended to read:

25-20.5-104. Functions of division - repeal. (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:

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

SECTION 7. 26-5.3-106 (1.5), Colorado Revised Statutes, is amended to read:

26-5.3-106. State's savings - cash fund created - use of moneys in fund - plan required. (1.5) All moneys in the fund shall be subject to annual appropriation by the general assembly and shall be used for the purposes set forth in the plan for improving the child welfare system in the state, developed in accordance with subsection (2) of this section, for the implementation of the emergency assistance program established pursuant to section 26-5.3-104, and for the family ~~development~~ RESOURCE center program established pursuant to section 26-18-104. Federal funds received by the state for the emergency assistance program shall be used only for such program and not for any other purpose. In accordance with 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 general fund. It is the general assembly's intent that no additional state or county general fund moneys shall be used to finance the implementation of the plan established in accordance with subsection (2) of this section.

SECTION 8. 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.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
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Karen Goldman
SECRETARY OF
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APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO