First Regular Session
Sixty-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 01-0048.01 Jennifer Gilroy **HOUSE BILL** 01-1019

HOUSE SPONSORSHIP

Alexander, and Chavez

SENATE SPONSORSHIP

(None)

House Committees
Health, Environment, Welfare, & Institutions

Senate Committees

A BILL FOR AN ACT

CONCERNING EXPENSES ASSOCIATED WITH THE PROVISION OF FOSTER CARE SERVICES.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Interim Committee on Foster Care. Directs county departments of social services ("counties") that negotiate rates, services, and outcomes with child placement agencies ("CPAs") to meet the following requirements:

- Inclusion in each contract with a CPA of a requirement that the CPA submit an itemized list of expenses associated with the provision of foster care services; and
- Compliance with all child placement agency rate-setting

guidelines established by rule of the state board of human services ("state board").

Directs the counties and the department of human services to analyze and evaluate the expenditures reported by the CPAs and to use such information in determining reasonable and appropriate rates for foster care services. Requires the state board to promulgate rules setting forth minimum formal guidelines to be followed by counties in setting reasonable and appropriate rates for CPAs providing foster care services.

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

SECTION 1. 26-5-104 (6), Colorado Revised Statutes, is amended to read:

26-5-104. Funding of child welfare services. (6) (a) SUBJECT TO THE REQUIREMENTS SET FORTH IN PARAGRAPH (b) OF THIS SUBSECTION (6), on and after July 1, 1997, a county shall be authorized to negotiate rates, services, and outcomes with providers if the county has a request for proposal process in effect for soliciting bids from providers or another mechanism for evaluating the rates, services, and outcomes that it is negotiating with such providers that is acceptable to the state department.

(b) (I) IN ORDER TO ASSESS THE EXPENDITURES ASSOCIATED WITH THE PROVISION OF FOSTER CARE SERVICES BY CHILD PLACEMENT AGENCIES, AS THAT TERM IS DEFINED IN SECTION 26-6-102 (2), ANY COUNTY THAT NEGOTIATES RATES, SERVICES, AND OUTCOMES WITH CHILD PLACEMENT AGENCIES LICENSED TO CERTIFY FOSTER CARE HOMES SHALL BE SUBJECT TO THE FOLLOWING REQUIREMENTS:

(A) THE COUNTY SHALL INCLUDE IN EVERY CONTRACT ENTERED INTO WITH A CHILD PLACEMENT AGENCY A REQUIREMENT THAT THE CHILD PLACEMENT AGENCY SHALL REPORT ANNUALLY TO THE CONTRACTING COUNTY, AND DIRECTLY TO THE STATE DEPARTMENT, CONCERNING THE EXPENDITURES ASSOCIATED WITH THE PROVISION OF FOSTER CARE

SERVICES. SUCH REPORT SHALL PROVIDE AN ITEMIZATION OF THE FOLLOWING EXPENDITURES INCLUDING, BUT NOT LIMITED TO: THE VALUE OF THE SALARIES AND OTHER REMUNERATION PAID TO EACH ADMINISTRATOR AND EMPLOYEE OF THE CHILD PLACEMENT AGENCY; THE AMOUNTS ATTRIBUTABLE TO THE PROCESS OF CONTRACTING WITH COUNTIES; THE AMOUNTS ATTRIBUTABLE TO RECRUITING FOSTER CARE HOMES; THE AMOUNTS ATTRIBUTABLE TO EACH STEP IN CERTIFYING FOSTER CARE HOMES; THE AMOUNTS ATTRIBUTABLE TO PAYMENTS TO FOSTER CARE HOMES FOR THE PROVISION OF FOOD AND SHELTER; THE AMOUNTS ATTRIBUTABLE TO PAYMENTS TO FOSTER CARE HOMES FOR EACH TYPE OF SERVICE PROVIDED TO CHILDREN IN FOSTER CARE SUCH AS COUNSELING, MENTAL HEALTH SERVICES, AND MEDICAL SERVICES; AND THE AMOUNTS ATTRIBUTABLE TO THE MONITORING AND OVERSEEING OF FOSTER CARE HOMES; AND

(B) THE COUNTY ENTERING INTO A CONTRACT WITH A CHILD PLACEMENT AGENCY TO PROVIDE FOSTER CARE SERVICES SHALL COMPLY WITH ANY CHILD PLACEMENT AGENCY RATE-SETTING GUIDELINES ESTABLISHED BY THE STATE DEPARTMENT THROUGH RULES OF THE STATE BOARD.

(II) THE COUNTIES AND THE STATE DEPARTMENT SHALL ANALYZE AND EVALUATE THE EXPENDITURES AS REPORTED BY CHILD PLACEMENT AGENCIES PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) EACH YEAR AND COMPARE SUCH EXPENDITURES TO COUNTY EXPENDITURES FOR THE PROVISION OF FOSTER CARE SERVICES. THE COUNTIES AND THE STATE DEPARTMENT SHALL USE SUCH INFORMATION IN DETERMINING REASONABLE AND APPROPRIATE RATES FOR FOSTER CARE SERVICES. BASED UPON THE ANALYSIS OF SUCH

INFORMATION AND SUCH OTHER CRITERIA AS IT DEEMS APPROPRIATE, THE STATE BOARD SHALL PROMULGATE RULES SETTING FORTH MINIMUM FORMAL GUIDELINES TO BE USED BY COUNTIES IN SETTING REASONABLE AND APPROPRIATE RATES FOR CHILD PLACEMENT AGENCIES PROVIDING FOSTER CARE SERVICES.

SECTION 2. 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.