



# COLORADO

Department of Human Services

October 29, 2020

The Honorable KC Becker  
Speaker, Colorado State House of Representatives

The Honorable Leroy M. Garcia, Jr.  
President, Colorado State Senate

Members of the Colorado General Assembly  
c/o the Staff of the Legislative Council

**Re: Colorado Department of Human Services 2021 Regulatory Agenda and 2020  
Regulatory Report**

Representative Becker, Senator Garcia, and members of the General Assembly:

I am pleased to submit the Colorado Department of Human Services' (CDHS) 2020 Regulatory Agenda Report and 2021 Regulatory Agenda, in compliance with COLO. REV. STAT. § 2-7-203, as amended by House Bill 12-1008. The Department's 2021 Regulatory Agenda has also been submitted to the Colorado Secretary of State for publication in the Colorado Register, and will be posted to our website.

The Department's 2020 Regulatory Agenda Report provides a brief summary of all permanent, temporary and emergency rules reviewed, revised and adopted since the Department's 2019 Departmental Regulatory Agenda was filed on October 31, 2019, as well as the status, comments, and information relative to stakeholder input. Pursuant to COLO. REV. STAT. § 24-4-103.3(4), the 2020 Regulatory Agenda Report also reflects the results of the Department's mandatory rule review activity over the past year. Effective July 1, 2016, all permanent rules adopted by the Department, as reflected in the 2020 Regulatory Agenda Report, involved early stakeholder engagement.

Information pertaining to a specific rule can be obtained by contacting State Board Administrator Kyle Zinth at [kyle.zinth@state.co.us](mailto:kyle.zinth@state.co.us) or 720.602.6807.





**COLORADO**  
Department of Human Services

Pursuant to COLO. REV. STAT. §2-7-203(2)(a)(II), we will be prepared to discuss our 2020 Regulatory Agenda Report and 2021 Regulatory Agenda with the Department's Joint Committee of Reference during our upcoming SMART Act hearing.

Sincerely,

*Michelle Barnes*

Michelle Barnes  
Executive Director, Colorado Department of Human Services

Enclosures:  
2020 Regulatory Report  
2021 Regulatory Agenda



# 2020

## Regulatory Agenda **REPORT**

January 1, 2020-December 31, 2020



**COLORADO**  
Department of Human Services

## Overview

The Colorado Department of Human Services (CDHS) submits the following 2020 Regulatory Agenda Report and Results of Mandatory Review of Rules in fulfillment of the statutory requirements set forth in Colo. Rev. Stat. § 2-7-203(4), detailing the results of the past year’s rules review activity and the results of its mandatory review of rules pursuant to Colo. Rev. Stat. § 24-4-103.3.

Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status Adopted /Not Adopted / Withdrawn/ Ongoing	On FY20 Agenda?
Adopted: 01/10/2020	12 CCR 2516-1	Technical Update for the Colorado Commission for the Deaf, Hard of Hearing, and DeafBlind’s Communications Technology Program (19-09-24-01)	Revised	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-214-106(1)(d), C.R.S., 26-21-106, (3) C.R.S., 26-21-107, (1) C.R.S.	To amend the definition of “communications technology” to match the statutory definition in section 26-1-103 and to fix a typo in citation to 26-21-103(8). To amend eligibility for the Communications Technology Program as it pertains to the minimum age requirements.	Deaf, hard-of-hearing and deafblind individuals/consumers Colorado Division of Vocational Rehabilitation Colorado Public Utilities Commission (Telephone Users with Disabilities Fund) Government Services Communications technology businesses.	Adopted	Yes
Adopted: 01/10/2020	12 CCR 2516-1	Technical Update for the Colorado Commission for the Deaf, Hard of Hearing, and DeafBlind’s Grant Program (19-10-02-01)	Revised	26-1-109, C.R.S., 26-1-111, C.R.S., 26-21-107.5(3), C.R.S., 24-1-120(4)(h), C.R.S., 26-21-107.5(1), C.R.S., 26-21-107.7 C.R.S.	Technical revisions were required to correct language in the Grant Program rules, which were revised during FY 2018-19. Changes relate to statutory language and issues raised by the Office of Legislative Legal Services.	Deaf, hard-of-hearing, and deafblind consumers Local government State agencies State-operated programs Private non-profit community-based organizations	Adopted	Yes
Adopted: 01/10/2020	9 CCR 2503-8	Income Maintenance Volume 9 CCR 2503-8	Repeal, Amended	26-1-107(5), C.R.S., 26-1-106(1)(a), C.R.S., 26-2-127, C.R.S., 26-2-104, C.R.S., 26-2-133(4),	To strike through the entire rule except for 3.840 and 3.850 as all programs referenced in this rule have incorporated this language	All Colorado Child Care Assistance Program applicants/recipients.	Adopted	Yes

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		Revision (19-05-23-02)		C.R.S.	in the corresponding rule volumes with the exception of the Colorado Child Care Assistance Program.			
Adopted: 01/10/2020	9 CCR 2503-5	Adult Financial Programs Rule Revisions (18-09-25-01)	Amended, New, Repealed, Reviewed	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S.	To streamline and simplify eligibility processes for customers, county departments of human/social services, and Single Entry Point Agencies. Impacted all Adult Financial programs.	County departments and Single Entry Points as well as clients of: the Old Age Pension, Aid to the Needy Disabled- State Only, Aid to the Needy Disabled-Colorado Supplement, Home Care Allowance and Burial programs. Special Populations Home Care Allowance recipients, Individuals interested in the Adult Foster Care program.	Adopted	Yes
Adopted: 2/7/2020 (Emergency) 3/6/2020 (Permanent)	12 CCR 2516-1	Technical Update for the Colorado Commission for the Deaf, Hard of Hearing, and DeafBlind's Communications Technology Program (20-01-22-01)	Amended	26-1-107(5), (6), C.R.S., 26-21-106(1)(d), (3), C.R.S., 26-21-107.5(3) C.R.S.	To update 27.130 ELIGIBILITY FOR THE COMMUNICATIONS TECHNOLOGY PROGRAM, Section F, in order for the numbers to reflect 2020's Federal Poverty Guidelines.	Deaf, hard-of-hearing and deafblind individuals/consumers Colorado Division of Vocational Rehabilitation Colorado Public Utilities Commission (Telephone Users with Disabilities Fund) Government Services Communications technology businesses.	Adopted	Yes
Adopted:	10 CCR	SNAP	Revised,	26-1-107, C.R.S., 26-1-	To avoid federal fiscal sanctions	Food Assistance	Adopted	No

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2/7/2020 (Emergency) 3/6/2020 (Permanent)	2506-1	Employment First Updates 2020 (20-01-21-01)	New, Repealed	109, C.R.S., 26-2-301, C.R.S., 26-2-302, C.R.S. 7 CFR Subtitle B, Chapter II, Subchapter C, §271.4, 7 CFR Subtitle B, Chapter II, Subchapter C, §273 7 USC § 51	related to the federal audit and reduce SNAP payment errors related to Employment First (EF) participation. In October 2019, EF moved to a voluntary model. As a result of this change in conjunction with recent federal audit findings related to SNAP E&T, these regulations update 10 CCR 2506-1 to reflect the changes required by the audit and shift to voluntary EF.	applicants, recipients, State of Colorado Food Assistance program staff, and County Food Assistance staff.		
Adopted: 2/7/2020 (Emergency) 3/6/2020 (Permanent)	10 CCR 2506-1	Food Assistance Recipient Claims Updates 2020 (20-01-17-01)	Revised, New	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 24-4-103, C.R.S. 26-2-301, C.R.S., 26-2-302, C.R.S., 7 CFR Subtitle B, Chapter II, Subchapter C, §271.4, 7 CFR Subtitle B, Chapter II, Subchapter C, §273, 7 USC § 51	These sections of rule were reviewed by the USDA, Food and Nutrition Service (FNS), during a Recipient Claims and Treasury Offset Program Management Evaluation Review in August 2019. Updates to these regulations were noted as resolution to the audit findings in the FEAD formal corrective action response.	State of Colorado Food Assistance program staff, County Food Assistance staff, Food Assistance recipients.	Adopted	No
Adopted: 4/3/2020	12 CCR 2509-1	Sibling Foster Care 1 of 3 (19-09-11-01)	Revised, New	HB19-1288, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S. 26-1-111, C.R.S., 19-1-103 (98.5), C.R.S., 19-1-103, C.R.S., 19-7-201, C.R.S., 19-7-202, C.R.S., 19-7-203, C.R.S., 19-3-213(1)(c), 19-3-500.2, 19-3-507 (1)(b), 19-3-508 (1)(c), 19-3-605 (2), and 19-5-207.3 (2), 19-7-204 (2), C.R.S., 19-1-303 (2.7)(a), 19-7-204(8),	To have clear and consistent guidance through sections 12 CCR 2509-1 through 12 CCR-2509-4 for Colorado counties who take children/youth into custody in how they maintain sibling relationships with children/youth in the child welfare system.	Children and youth who are served County Departments of Human/Social Services, Foster parents and caregivers.	Adopted	Yes

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				19-1-128, C.R.S.				
Adopted: 4/3/2020	12 CCR 2509-2	Sibling Foster Care 2 of 3 (19-09-11-02)	Revised	HB 19-1288, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S. 26-1-111, C.R.S. (2019), 19-1-103 (98.5), C.R.S., 19-1-103, C.R.S., 19-7-201, C.R.S., 19-7-202, C.R.S., 19-7-203, C.R.S., 19-3-213(1)(c), 19-3-500.2, 19-3-507 (1)(b), 19-3-508 (1)(c), 19-3-605 (2), and 19-5-207.3 (2), 19-7-204 (2), C.R.S. (2019), 19-1-303 (2.7)(a), 19-7-204(8), 19-1-128, C.R.S.	To have clear and consistent guidance through sections 12 CCR 2509-1 through 12 CCR-2509-4 for Colorado counties who take children/youth into custody in how they maintain sibling relationships with children/youth in the child welfare system.	Children and youth who are served County Departments of Human/Social Services, Foster parents and caregivers.	Adopted	Yes
Adopted: 4/3/2020	12 CCR 2509-4	Sibling Foster Care 3 of 3 (19-09-11-03)	Revised	HB 19-1288, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S. 26-1-111, C.R.S., 19-1-103 (98.5), C.R.S., 19-1-103, C.R.S., 19-7-201, C.R.S., 19-7-202, C.R.S., 19-7-203, C.R.S., 19-3-213(1)(c), 19-3-500.2, 19-3-507 (1)(b), 19-3-508 (1)(c), 19-3-605 (2), and 19-5-207.3 (2), 19-7-204 (2), C.R.S. (2019), 19-1-303 (2.7)(a), 19-7-204(8), 19-1-128, C.R.S.	To have clear and consistent guidance through sections 12 CCR 2509-1 through 12 CCR-2509-4 for Colorado counties who take children/youth into custody in how they maintain sibling relationships with children/youth in the child welfare system.	Children and youth who are served County Departments of Human/Social Services, Foster parents and caregivers.	Adopted	Yes
Adopted: 4/3/2020 (Emergency)	9 CCR 2503-7	Revisions to Low Income Energy	Revised	26-1-107(5)(b), C.R.S., 26-1-111(2)(a), C.R.S., 26-1-201(1)(d), C.R.S.,	To extend the program application deadline that might be needed to respond to a	State LEAP county/contractor staff, potential	Adopted	No

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5/8/2020 (Permanent)		Assistance Program (LEAP) (20-03-18-01)		40-8.5-105, C.R.S.	substantial increase in utility assistance needs in response to COVID-19.	increased number of eligible households.		
Adopted: 4/3/2020 (Emergency) 5/8/2020 (Permanent)	9 CCR 2503-8	Appeal and State Level Fair Hearing (20-03-12-01)	Revised, Amended	26-1-107, C.R.S., 26-1-111, C.R.S., 26-2-127, C.R.S., 26-1-106, C.R.S., 26-3.1-108, C.R.S., 19-3-313.5, C.R.S.	To re-promulgate previously existing rules surrounding appeals of county department actions, which were inadvertently removed in Income maintenance rule amendments adopted by the State Board of Human Services in January 2020.	Members of the public, their potential representatives, CDHS, and other entities involved in related proceedings.	Adopted	No
Adopted: 4/3/2020 (Emergency) 6/12/2020 (Permanent)	2 CCR 502-1	Emergency Rule-Making: License Modifications and Telehealth Promotion (20-04-01-01)	Revised	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 27-65-116(2)(a), C.R.S., 27-65-128, C.R.S., 27-80-108, C.R.S. (2019), 27-80-213, C.R.S., 27-81-106, C.R.S., 27-82-103, C.R.S.	To allow the utilization of verbal consent to treatment, receipt of behavioral health services through video technology, emergency license modification for agencies to continue to provide behavioral health services in the event of a statewide emergency, and modification of on-site inspection requirements for agency license and designation reviews.	Individuals in need of or receiving behavioral health services and agencies licensed or designated by the Office of Behavioral to provide behavioral health services.	Adopted	No
Adopted: 5/8/2020	9 CCR 2503-5	Disability Navigator for the Aid to the Needy Disabled - State Only (AND-SO) Program (20-01-09-02)	New Rules	26-1-107, C.R.S., 26-1-111, C.R.S., 26-2-119.7, C.R.S., HB19-1223	To add language pursuant to HB19-1223 which creates a program to help clients applying for or receiving Aid to the Needy Disabled - State Only (AND_SO) apply for federal disability benefits. AND-SO provides interim assistance to adults with disabilities while they pursue federal disability benefits.	County departments of human services who choose to opt-in to their program and clients who reside in those counties.	Adopted	Yes
Adopted: 5/8/2020	12 CCR 2518-1	Adult Protective	Revised	26-1-107, C.R.S., 26-3.1-108, C.R.S.	The charging documents for Adult Protective Services (APS) cases,	At-risk adults and appellants with	Adopted	No



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(Emergency) 6/12/2020 (Permanent)		Services (APS) Cases and Protective Orders (20-04-23-01)			Notices of Issues (NOI), regularly need to include some level of medical information for the alleged victim. Additionally, the mistreatment is often-times tied to the alleged victim's diagnosis. Requires Administrative Law Judges to issue a protective order related to such information.	substantiated findings that they were responsible for mistreatment of an at-risk adult. Office of Administrative Courts, CDHS Office of Appeals, and APS Program.		
Adopted: 5/8/2020 (Emergency) 6/12/2020 (Permanent)	9 CCR 2503-9	Colorado Child Care Assistance Program Rules (CCCAP): Parent Fee Waivers (20-04-24-01)	Revised, New	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-1-107(5), (6), C.R.S., 26-1-109(5), C.R.S.	Allows counties to waive parent fees for families in the Colorado Child Care Assistance Program to include the option for a county to waive parent fees in the event of a declared state or county emergency.	County Departments of Human services, CCCAP families, CCCAP providers.	Adopted	No
Adopted: 5/8/2020 (Emergency) 6/12/2020 (Permanent)	12 CCR 2509-1	Definitions Rules - Division of Child Welfare EMERGENCY RULES (20-04-07-01)	Revised, Reviewed	26-1-107(5), C.R.S., 26-1-109(5), 26-1-111(2)(g), C.R.S., 26-1-111(2)(q), C.R.S., 26-1-107(5), C.R.S.	First of two emergency rules to align rules with federal guidance and best practices to ensure the safety of children, families, communities and Division of Child Welfare (DCW) staff during emergencies and disasters. Incorporates the statutory definitions of emergency and disaster into the child welfare regulations.	Children, youth and families who are served in child welfare, county child welfare divisions.	Adopted	No
Adopted: 5/8/2020 (Emergency) 6/12/2020 (Permanent)	12 CCR 2509-3	Contacts for Parents and Caregivers during COVID19 (20-04-03-01)	Revised, Reviewed	26-1-107(5), C.R.S., 26-1-109(5), 26-1-111(2)(g), C.R.S., 26-1-111(2)(q), C.R.S., 26-1-107(5), C.R.S.	Second set of emergency rules to align rules with federal guidance and best practices during emergencies or disasters. Allows counties to continue providing child welfare services, specifically caseworker contacts,	Children, youth and families who are served in child welfare, county child Welfare divisions.	Adopted	No

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					through video technology during a state of emergency or a disaster.			
Adopted: 6/12/2020	9 CCR 2503-6	Technical Clean-up of Colorado Works (20-01-09-01)	Revised, New Rules	26-1-107, C.R.S., 26-1-109, C.R.S., 26-2-106(3), C.R.S., 26-2-709(1), C.R.S., 26-2-711(1)(a), C.R.S. 26-2-128(1) C.R.S., 45 CFR § 261.11(a), 45 CFR §§ 261.20 through 261.25, 45 CFR § 261 through 63	Modifies references to work activities as previously federally defined in the Work Verification Plan and incorporates the Work Verification Plan by reference for consistency. Section addressing assessments is updated to match federal language for consistency. Aligns rules on mandatory disqualification period for Intentional Program Violations with statute.	County departments of human services who process Colorado Works cases, Colorado Works customers who commit an Intentional Program Violation.	Adopted	Yes
Adopted: 6/12/2020 (Emergency) 7/10/2020 (Regular)	12 CCR 2509-4	County Department Requirement Upon Placement of a Child or Youth in Out-of-Home Care (20-04-25-02)	New Rules	26-1-107(5)(a), (b), C.R.S., 26-1-109(3), C.R.S., 26-1-111(1), C.R.S., 26-1-111(1), C.R.S., 26-6-106(1)(a), C.R.S., 42 U.S.C. § 671(a)(10), 42 U.S.C. § 671(a)(22)	Gives authority to CDHS to allow conditional and temporary modifications through rules regulating facilities when there is a qualified emergency or disaster.	Children, youth, and their families, county departments, and facility/agency/provider types	Adopted	No
Adopted: 6/12/2020 (Emergency) 7/10/2020 (Regular)	12 CCR 2509-6	Emergency Rules for County Foster Care Programs Due to Declared Disaster or Emergency (20-05-12-01)	New Rules	26-1-107(5)(a),(b), C.R.S., 26-1-109(3), C.R.S., 26-1-111(1), C.R.S., 26-1-111, C.R.S., 26-6-106, C.R.S., 42 U.S.C. § 671(a)(10)	Gives authority CDHS to allow conditional and temporary modifications through rules regulating facilities when there is a qualified emergency or disaster.	Children, youth, and their families, county departments, and facility/agency/provider types.	Adopted	No
Adopted: 6/12/2020 (Emergency) 7/10/2020	12 CCR 2509-8	Emergency Rules for Child Placement	New Rules	26-1-107(5)(a),(b), C.R.S., 26-1-109(3), C.R.S., 26-1-111(1), C.R.S., 26-1-111(1),	Gives authority to CDHS to allow conditional and temporary modifications through rules regulating facilities when there is	Children, youth, and their families, county departments, and facility/agency/provid	Adopted	No

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(Regular)		Agencies Due to Qualified Disaster or Emergency (20-04-25-01)		C.R.S., 26-6-106(1)(a), C.R.S., 42 U.S.C. § 671 (a)(10)	a qualified emergency or disaster.	er types.		
Adopted: 6/12/2020 (Emergency) 8/7/2020 (Regular)	9 CCR 2504-1	CSS Retained Collections (20-06-04-01)	Revised	26-1-107(5)(b), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-13-103, C.R.S., 45 C.F.R. 304.26(a), 42 U.S.C. 657(c)(2), 42 U.S.C. 1396d(b)	On March 18, 2020 the federal Families First Coronavirus Response Act became law (FFCRA). This increased the Federal Medical Assistance Percentage (FMAP) by 6.2%. Due to the CDHS needs to reimburse the federal government 56.2% of retained collections and the counties percentage of retained collections will decrease to approximately 43.8%.	County Department of Human Services Directors, Child Support Services (CSS) IV-D Administrators.	Adopted	No
Adopted: 7/10/2020 (Emergency) 9/4/2020 (Regular)	12 CCR 2509-10	Early Intervention Program (20-05-29-02)	Revised	26-1-107(5), C.R.S., 26-1-111, C.R.S., 27-10.5-703(2), C.R.S., 27-10.5-703(3)(b), C.R.S., 34 C.F.R. Part 303.102	Changes the definition of developmental delay from 25% to 33% in one or more domains of development. This will ensure that the program is serving those children that are most in need, and reduce the amount of funding needed to continue operating the program.	Families of infants and toddlers with mild developmental delay and service providers of Early Intervention services.	Adopted	No
Adopted: 7/10/2020 (Emergency)	9 CCR 2503-9	Affordable Parent Fees	Revised	26-1-107(5)(a)(I-II), (6) C.R.S., 26-1-109(5), C.R.S., 26-1-111(2)(q), C.R.S., 26-2-05(4)(a)(I), C.R.S., 26-2-805(13), C.R.S.	Amends rule to lower a household's contribution to the total cost of child care to the suggested federal benchmark for affordable family parent fees of 7% of countable household income. (NOTE: Emergency provisions included in 20-04-02-02, listed below.)	CCCAP families, child care providers, counties.	Adopted	No
Adopted:	9 CCR	Colorado	Revised,	26-1-107, C.R.S., 26-1-	Changed provisions of the current	County departments	Adopted	Yes

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8/7/2020	2503-9	Child Care Assistance Program Rules (CCCAP) (20-04-02-02)	New Rules, Repeal, Reviewed	109, C.R.S., 26-1-111, C.R.S., 26-1-107 (5), (6), C.R.S., 26-1-109 (5), C.R.S.	Child Care Assistance Program rules in order to meet the federal requirements of the Child Care Development Fund. Colorado is required to come into compliance with the Child Care Development Fund no later than October 1, 2020.	of human services, CCCAP families, CCCAP providers.		
Adopted: 8/7/2020	2 CCR 502-1	ASAM Levels of Care Update (20-02-21-01)	Revised, New Rules, Repealed, Reviewed	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 27-80-108, C.R.S., 27-81-106, C.R.S., 27-82-103, C.R.S.	The federal government requires Colorado to update substance use disorder program licensing standards to align consistently with the American Standards of Addiction (ASAM) Levels of Care in order for Colorado to be approved to add residential substance use disorder treatment and withdrawal management services to Colorado's Medicaid benefit.	Individuals in need of or receiving substance use disorder (SUD) services and their families, entities responsible for the payment of SUD services, providers of SUD services.	Adopted	No
Adopted: 8/7/2020	12 CCR 2509-8	General Rules for Child Care Facilities (12 CCR 2509-8.7.701) (20-04-02-01)	New Rules	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-6-106(1)(a), C.R.S., 26-6-113, C.R.S.	This package adds requirements of national sex offender registry (NSOR) and inter-state checks as required by the Child Care and Development Block Grant Act that must be effective by September 30, 2020.	Licensed child care centers, school-aged child care centers, family child care homes and qualified exempt providers.	Adopted	Yes
Adopted: 8/7/2020	2509-4	Child Welfare Adoption Rules 7.306-Division of Child Welfare (2509-4 Part 2 of 3)	Revised, Repealed, Reviewed	26-1-107, C.R.S., 26-1-109(5), C.R.S., 26-7-101 to 110, C.R.S., 26-7-103(1), C.R.S., 42 U.S.C. § 673, P.L. 96-27, 42 U.S.C. § 670	Modifies the Code of Colorado Regulations 7.306 to more clearly reflect federal and state law expectations regarding the adoption program.	Children, youth and families who are served in child welfare. County departments of human services.	Adopted	Yes
Adopted: 9/4/2020	9 CCR 2503-7	Revisions to the Low	Revised, New Rules	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111,	The Low Income Energy Assistance Program (LEAP) is	State LEAP unit, county/contractor	Adopted	Yes

Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status Adopted /Not Adopted / Withdrawn/ Ongoing	On FY20 Agenda?
		Income Energy Assistance Program (20-05-29-01)		C.R.S., 26-2-122.5, C.R.S., 40-8.5-101, C.R.S., 40-8.7-101, C.R.S., et seq, 40-8.7-109, C.R.S.	reviewed annually for updates that may be needed for the next benefit season, beginning November 1st.	staff and clients.		
Adopted: 9/4/2020 (Emergency) 10/9/2020 (Permanent)	12 CCR 2518-1	Adult Protective Services & CAPS Check Rule Changes (20-06-12-01)	Revised	HB20-1302, 26-1-107(5)-(6), C.R.S., 26-1-109(5), C.R.S., 26-3.1-108(1), C.R.S., 26-3.1-108(2), C.R.S.	Implements changes necessary to conform to statutory changes enacted through HB20-1302. Additionally, implements additional practice changes to improve outcomes for at-risk adults and to provide efficiencies in practices for county department APS staff. Technical corrections are also included.	At-risk adults, families of at-risk adults, county departments of human services, employees and employers who utilize CAPS checks.	Adopted	No
Adopted: 9/4/2020 (Emergency) 10/9/2020 (Permanent)	10 CCR 2506-1	FFY21 SNAP COLA and Work Registration Updates (20-07-20-01)	Revised	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-2-301, C.R.S., 26-2-302, C.R.S., 26-1-107(5)(b), C.R.S., Agricultural Act of 2014 (Public Law 113-79)	Incorporates cost of living (COLA) adjustments released by the federal government to comply with federal Food Assistance regulations that must be effective October 1, 2020.	Food Assistance applicants and participants.	Adopted	Yes
Adopted: 10/9/2020	9 CCR 2504-1	Child Support Rule Package 2020 (20-05-07-01)	Revised, New Rules	26-1-107(5)(b), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-13-103, C.R.S., 26-13.5-105(5), C.R.S., 26-13.5-112, C.R.S., 45 CFR 303.3, 45 CFR 303.4, 45 CFR 303.8, 45 CFR 303.11	Creates consistent and equitable standards required to be followed by all counties within Colorado. Custodial and non-custodial parents/parties receiving services through the Colorado Child Support Services (CSS) program will benefit from the rule changes.	Custodial and non-custodial parents, county child support professionals, state division of child support services.	Adopted	Yes
Adopted: 10/9/2020	12 CCR 2509-4	Independent Living planning, Services,	Revised	26-1-107(5)(b), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-1-109(2)(a),	Ensures that youth are given all the documents required by title IV-E if they emancipate from foster care and expands eligibility	Youth exiting foster care to adulthood, county departments of human services.	Adopted	Yes

Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status Adopted /Not Adopted / Withdrawn/ Ongoing	On FY20 Agenda?
		Chafee, and Educational and Training Vouchers update (12 CCR 2509-4) (19-01-16-01)		C.R.S., 26-1-111(2)(d)(I), C.R.S., 42 U.S.C. § 677	of the Chafee program and Educational and Training Vouchers. First of four rule packets that pertain to services for youth who have aged out or are at-risk of aging out of foster care.			
Adopted: 10/9/2020	12 CCR 2509-1	Independent Living planning, Services, Chafee, and Educational and Training Vouchers update (12 CCR 2509-1) (20-01-10-01)	Revised	26-1-107(5)(b), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 42 U.S.C. § 677	Updates rule language relating to the Independent Living Arrangement and aligns the rule with title IV-E of the Social Security Act (Supervised Independent Living Placement) as well as changes that have already been adopted in section 7.305 in renaming the Independent Living Plan the Roadmap to Success. Second of four rule packets that pertain to services for youth who have aged out or at-risk of aging out of foster care.	Youth exiting foster care to adulthood, county departments of human services.	Adopted	Yes
Adopted: 10/9/2020	12 CCR 2509-3	Independent Living planning, Services, Chafee, and Educational and Training Vouchers update (12 CCR 2509-3) (20-01-10-02)	Revised	26-1-107(5)(b), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 42 U.S.C. § 677	Expands eligibility for the Chafee and Educational and Training Voucher programs as permitted by Family First Prevention Services Act (FFPSA). Third of four rule packets that pertain to services for youth who have aged out or at-risk of aging out of foster care.	Youth exiting foster care to adulthood, county departments of human services.	Adopted	Yes
Adopted: 10/9/2020	12 CCR 2509-5	Independent Living planning, Services,	Revised	26-1-107(5)(b), C.R.S., 26-1-109(2)(a), C.R.S., 26-1-111(2)(d)(I), C.R.S., 26-1-109(2)(a),	Expands eligibility for the Chafee and Educational and Training Voucher programs as permitted by FFPSA. Revises the	Youth exiting foster care to adulthood, county departments of human services.	Adopted	Yes

Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status Adopted /Not Adopted / Withdrawn/ Ongoing	On FY20 Agenda?
		Chafee, and Educational and Training Vouchers update (12 CCR 2509-5) (20-01-10-03)		C.R.S., 26-1-111(2)(d)(l), C.R.S., 42 U.S.C. § 677	reimbursement criteria for youth residing in a Supervised Independent Living Placement (SILP) so that counties may only be reimbursed for SILPs for youth over age 18. Fourth of four rule packets that pertain to services for youth who have aged out or at-risk of aging out of foster care.			
Hearing: 11/6/2020	9 CCR 2503-6	Update to Colorado Works Disregards (20-06-17-02)	Revised	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-2-128, C.R.S., 26-2-706, C.R.S., 26-2-709, C.R.S.	Would simplify the calculation of grant payments and to eliminate the additional penalty for untimely reporting a change which leads to a claim. The current rule outlines a penalty for not reporting a change in earned income by the 10th of the month following the change. This penalty applies to claim calculations.	County departments of human services who process Colorado Works cases. Colorado Works clients.	Ongoing	Yes
Hearing: 11/6/2020	9 CCR 2503-5	Technical Clean Up of Adult Financial (20-06-17-01)	Revised, New Rules, Repealed	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-1-127, C.R.S., 26-2-103, C.R.S., 26-2-128(1) C.R.S.	Would remove a cross program penalty from Adult Financial programs due to an intentional program violation in another program area based on a revision to State statute. This rule will also update the standard for proof for intentional program violations in Adult Financial to align with other program areas.	Clients or representative payees of Adult Financial benefits, county departments of human services.	Ongoing	No
Hearing: 12/4/2020	12 CCR 2509-1	SB20-106 Youth Consent to Shelter and Services - Definitions	Revised, New Rules	SB20-106, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-5.7-105 (1) , C.R.S., 26-5.7-105 (8) , C.R.S., 26-5-101(3)(q) ,	Implements changes required by SB20-106. Adds definitions for youth who are experiencing homelessness, youth who have run away, and youth who are unaccompanied, as well as	Youth who are homeless, unaccompanied, or who have run away; providers who provide shelter and	Ongoing	No

Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status Adopted /Not Adopted / Withdrawn/ Ongoing	On FY20 Agenda?
		(20-07-14-01)		C.R.S.	ensuring it is clear that these youth should have access to child welfare services as required by the bill.	family reunification services and county departments of human services.		
Hearing: 12/4/2020	12 CCR 2509-2	SB20-106 Youth Consent to Shelter and Services - Referral and Assessment (20-07-14-02)	New Rules	SB20-106, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-5.7-105 (1) , C.R.S., 26-5.7-105 (8) , C.R.S., 26-5-101(3)(q) , C.R.S.	Implements changes required by SB20-106. Ensures that child welfare screening staff who take calls are asking the questions needed to ensure counties have all relevant information when a youth consents to shelter from a runaway and homeless youth provider.	Youth who are homeless, unaccompanied, or who have run away, providers who provide shelter and family reunification services, and, county departments of human services.	Ongoing	No
Hearing: 12/4/2020	12 CCR 2509-8	SB20-106 Youth Consent to Shelter and Services - Consent Rules (20-07-14-03)	Revised, New Rules	SB20-106, 26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-5.7-105 (1) , C.R.S., 26-5.7-105 (8) , C.R.S., 26-5-101(3)(q) , C.R.S.	Implements changes required by SB20-106. Implements the consent to shelter and services and notification requirements.	Youth who are homeless, unaccompanied, or who have run away, providers who provide shelter and family reunification services, and, county departments of human services.	Ongoing	No
Hearing: 12/4/2020	12 CCR 2509-4	Revision to kinship rules regarding non-certified kinship care placements (20-07-14-04)	Revised, New Rules	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 19-3-406, C.R.S., 19-3-407, C.R.S.	Allow counties the ability to retain flexibility around individual cases involving kinship placements and minimize the fiscal impact. allow flexibility for county human services directors to name a designee to authorize kinship living arrangements when the county department does not have custody or authority for placement, and there is a disqualifying factor in the home	County departments of human services, kinship caregivers, families, children and youth.	Ongoing	No



Hearing or Adoption Date	CCR Number	Rule Title (CDHS Tracking)	New Rule, Revised, Reviewed or Repeal?	Statutory or Other Basis for Adoption of Rule	Purpose of Proposed Rule	High-Level Stakeholders	Status <i>Adopted / Not Adopted / Withdrawn / Ongoing</i>	On FY20 Agenda?
					of the potential kinship living arrangement			

# 2020

## Results of Mandatory Review of Rules



## 2020 Results of Mandatory Review of Rules

Number (CCR) and Title (or Description)	Office/Division	Month of Review Completion	Identified Sections With Rules For Potential or Enacted Repeal, Revision, or Amendment	Did Review Result in Repeal of Entire CCR Volume?	Adoption Date (if applicable)
2 CCR 502-1 - Behavioral Health	OBH/CBH	September	21.110, 21.120, 21.190, 21.200, 21.270, 21.280, 21.300, 21.320, 21.400, 20.100 (Revision or amendment); 21.230, 21.240, 21.290, 21.330, 21.400 (Combination repeal, revision, or amendment); 21.330.8, 21.330.9, 21.400.2 (Repeal)	No	N/A
2 CCR 502-5 - Behavioral Health Executive Director Rules	OBH/CBH	September	N/A	No	N/A
2 CCR 504-1 - Division of Youth Corrections - Parental Fee Assessment	OCYF/ DYS	October	N/A	No	N/A
9 CCR 2501-1 - Human Services Administration (Volume 1)	EDO/OCP	September	1.142 (Revision)	No	N/A
9 CCR 2502-1 - County Personnel and Merit System (Volume 2)	EDO/OCP	September	N/A	No	N/A
9 CCR 2503-3 - Income Maintenance (Volume 3) - Colorado Refugee Services Program (CRSP)	OES/EB	September	N/A	No	N/A
9 CCR 2503-5 - Income Maintenance (Volume 3) - Adult Financial Programs	OES/EB	September	N/A <u>Note:</u> This rule series was the subject of a comprehensive revision adopted by the State Board of Human Services in January, 2020.	No	N/A

Number (CCR) and Title (or Description)	Office/Division	Month of Review Completion	Identified Sections With Rules For Potential or Enacted Repeal, Revision, or Amendment	Did Review Result in Repeal of Entire CCR Volume?	Adoption Date (if applicable)
9 CCR 2503-6 (Income Maintenance (Volume 3) - Colorado Works Program)	OES/EB	September	3.600, 3.601, 3.602, 3.603, 3.604, 3.605, 3.606, 3.607, 3.608, 3.609, 3.639 (Revision)	No	N/A

# 2021

## Regulatory **Agenda**

January 1, 2021-December 31, 2021



**COLORADO**  
Department of Human Services

## Overview

The Colorado Department of Human Services (CDHS) submits the following 2021 Regulatory Agenda in fulfillment of the statutory requirements set forth in Colo. Rev. Stat. § 2-7-203(4). Pursuant to state law, annually by November 1, executive-branch agencies must file a Departmental Regulatory Agenda (DRA) containing:

- A list of new rules or amendments that the department or its divisions expect to propose in the next calendar year;
- The statutory or other basis for adoption of the proposed rules;
- The purpose of the proposed rules;
- The contemplated schedule for adoption of the rules; and
- An identification and listing of persons or parties that may be affected positively or negatively by the rules.

The DRA is to be filed with Legislative Council staff for distribution to committee(s) of reference, posted on the department's web site, and submitted to the Secretary of State for publication in the Colorado Register. Each department must also present its DRA as part of its "SMART Act" hearing and presentation pursuant to Colo. Rev. Stat. §2-7-203(2)(a)(III)(A).

The following constitutes Department of Human Services' DRA for 2021 and is provided in accordance with Colo. Rev. Stat. § 24-7-203(2)(a)(IV):

Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
	Office of Children Youth and Families (OCYF)	12 CCR 2509-4	Foster Youth Sibling Rights	To address Office of Legislative Legal Services (OLLS) comments that portions of current rule language is in conflict with statute.	OLLS comments.	Revision	January 2021	OLLS.
	Office of Economic Security (OES) (20-10-16-01)	9 CCR 2503-5	Adult Financial Cost of Living Adjustment	To incorporate Social Security Act (SSA) cost of living increases into Adult Financial rules.	Alignment with SSA	Revision	January 2021	Counties, Food Energy Assistance Division (FEAD), Economic Security Sub-Policy Advisory Committee (PAC).
SB20-206	OES	9 CCR 2503-5	Adult Financial Technical Clean-Up	To align Adult Financial program rules with other programs related to Intentional Program Violations.	SB20-206	Revision, Repeal	January 2021	Counties, FEAD, Economic Security Sub-PAC.
	Office of Behavioral	2 CCR 502-1	Controlled Substances & OMAT (21.300 & 21.320)	To refine unclear language to ensure program requirements are better understood. The revisions	SB12-1311, 27-80-200, C.R.S., 18-18,	Revision	January 2021	Current and prospective providers with or planning to

Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
	Health (OBH) (19-10-18-01)		combined with Controlled Substance License for Researchers combined with Medication Assisted Treatment	will also ensure that individual and public safety is paramount when providing treatment services using controlled substances.	C.R.S.			obtain a controlled substance license from the Office of Behavioral Health. Individuals receiving or in need of medication assisted treatment.
	OCYF (20-07-06-01)	12 CCR-2509-8	Meeting' National Model Foster Family Home Licensing Standards' and Foster Parent Steering Committee Recommendation to Improve Substitute Care	To meet or be reasonably in accord with ACYF-CB-IM-19-01 concerning National Model Foster Family Home Licensing Standards. Rule changes are needed in a few specific areas. Compliance/reasonable accord with the standards tied to the State Title IV-E Plan which allows Colorado to access Title IV-E funding for eligible children/youth in foster care. A rule is also proposed to allow more flexibility for foster parents and their use of substitute care, based on a recommendation of a Foster Parent Steering Committee formerly under CWELC.	26-1-111(1), C.R.S., 26-1-109(3), C.R.S.; 26-6-106(1)(a), C.R.S., 42 U.S.C. § 671(a)(10), 42 U.S.C. § 671(a)(36)(A)	New Rule, Revision, Repeal	January 2021	Foster Parent Steering Committee and Time Limited Foster Care Rules Task Group.
	OCYF (20-09-24-03)	12 CCR 2509-8	Rules Regulating Therapeutic Foster Care	To create needed rules to create programming for therapeutic foster care.	26-1-107, C.R.S.	New Rule	January 2021	Child placement agencies, county departments of human/social services, Colorado Department of Human Services, Office of the Child's Representative.
	OCYF (20-09-11-01)	12 CCR 2509-8	General Rules 701 Update	To comply with pending federal requirements for Family First Prevention Services Act (FFPSA). Also to clarify/modify rules for consistency among the 24-hour care and day treatment programs.	26-6-106, C.R.S.	Revision	January 2021	Providers including those from child placement agencies, day treatment centers, residential child care centers, secure residential treatment centers, specialized group facilities (SGFs), and foster care homes.
HB20-1206	OBH	2 CCR 502-1	Addiction Counselor Training Program	To update the Addiction Counselor Clinical Training Program administered by OBH to align with HB20-1206.	12-245-800, C.R.S.; 27-80-108, C.R.S.	New Rule, Revision, Repeal	February 2021	Addiction counselors seeking certification and certified addiction counselors requiring continuing competency.
	OES (20-09-03-01)	9 CCR 2503-5	Adult Financial Programs Self-Employment Standard	To simplify the calculation of self-employment income by allowing a standard deduction that is not based on type or amount of expenses, unless	26-1-107, C.R.S., 26-1-111, C.R.S.	Revision	February 2021	County Human Services Directors Association, Colorado Commission on Aging, Colorado

Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
			Deduction and Technical Clean-Up	the actual expenses exceed the standard deduction. This is a cross-program effort between Adult Financial, Colorado Works, and Food Assistance programs. Additionally, this rule package includes one piece of technical clean-up to strike unnecessary/confusing language.				Legal Services, Disability Law Colorado, Colorado Senior Lobby, Single Entry Point agencies, PAC & Economic Security Sub-PAC, Colorado Gerontological Society, Area Agencies on Aging, Colorado Center on Law and Policy, CDHS FEAD, and Colorado Department of Health Care Policy and Financing (HCPF).
	OES (20-09-03-02)	9 CCR 2503-6	Colorado Works Program Self-Employment Standard Deduction and Modernization Phase I	To simplify the calculation of self-employment income. This is a cross-program effort between Adult Financial, Colorado Works, and Food Assistance programs. Additionally, this rule package seeks to modernize Colorado Works rule to eliminate unnecessary language, update rules to clarify county expectations around county policies, and align the redetermination process with other programs.	26-1-107, C.R.S., 26-1-111, C.R.S., 26-2-706(4), C.R.S., 26-2-790(1), C.R.S.,	Revision	February 2021	County Human Services Directors Association, Colorado Legal Services, Disability Law Colorado, All Families Deserve a Chance Coalition, PAC & Economic Security Sub-PAC, Colorado Center on Law and Policy, CDHS FEAD and, HCPF.
	OES (20-08-10-01)	10 CCR 2506-1	Self-Employment Standard Deduction and Technical Cleanup	To simplify the self-employment regulations for Supplemental Nutrition Assistance Program (SNAP), to move oversight from Office of Administrative Courts (OAC) to Office of Economic Security (OES) for the Fair Hearings process, removing unnecessary bulky language in regulation (duplicative revision history), moving definitions to the beginning of regulation for ease of use, and other technical updates to improve readability and structure of regulation for simplification and clarity.	26-1-107, C.R.S., 26-1-109, C.R.S., 26-1-111, C.R.S., 26-2-301, 26-2-302, C.R.S., Agricultural Act of 2014 (Public Law 113-79)	Revision	March 2021	All SNAP applicants, participants, and administrators.
Potential Budget Decision Item	OES	10 CCR 2506-1	Food Assistance	To updates language related to Fair Hearings.	Potential Budget Decision Item	Revision	March 2021	Counties, SNAP/Food Assistance Participants.
SB19-185	OCYF (20-07-22-01)	12 CCR 2509-1	Labor Trafficking of a Minor	To update rules to add in procedures for identification of labor trafficking as it applies to child abuse and neglect.	26-1-111, C.R. S.	New Rule	March 2021	Community members, county stakeholders, Office of Child's Representative (OCR), Division



Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
								of Youth Services (DYS).
SB19-185	OCYF (20-09-11-02)	12 CCR 2509-2	Labor Trafficking of Youth	To add in procedures for identification of labor trafficking as it applies to child abuse and neglect.	26-1-111, C.R. S.	Revision	March 2021	County stakeholders, OCR, DYS.
SB19-185	OCYF	12 CCR 2509-4	Human Trafficking-Labor trafficking	To add in procedures for identification of labor trafficking as it applies to child abuse and neglect.	19-1-103 ,C.R.S. and 18-3-503, C.R.S.	Revision	March 2021	Human trafficking task force, child welfare caseworkers Child Protection Task Group (CPTG) and Permanency Task Force Group), Sub-PAC.
SB20-106	OCYF	12 CCR 2509-1, 2, 8	SB20-106 Implementation Rules	To outline the requirements for a youth who is 15 years of age or older to consent to services through a Runaway and Homeless Youth provider in 12 CCR 2509-08. To include definitions for runaway, homeless, and unaccompanied youth and ensure program descriptions include those populations in 12 CCR 2509-01. To include additional questions that must be asked at referral including when the 21-day shelter period expires and if the youth's continued safety is contingent upon the services being provided by the Runaway and Homeless Youth (RHY) provider. Includes language specific to the assessment of families with youth receiving services by RHY providers when a referral is assigned for assessment.	SB20-106	New Rule, Revision	April 2021	Youth experiencing homelessness and their families, County Departments of Human/Social Services, Runaway and Homeless Youth providers, Continuum's of Care.
SB20-007	OBH	2 CCR 502-1	Involuntary Commitment Update	To update emergency commitment and involuntary commitment rules to ensure alignment with SB20-007.	27-81-106; C.R.S., 27-81-108, C.R.S., 27-81-115, C.R.S., SB20-007.	New Rule, Revision	April 2021	OBH regulated programs that provide emergency and involuntary commitment services, individuals receiving or requiring substance use disorder services.
SB20-162	OCYF/OAS	12 CCR 2509	Family First Implementation	To update licensing rules to align with FFPSA and statute. To update how Administrative Review Division (ARD) completes reviews when a child/youth/juvenile is placed in a Qualified Residential Treatment Program (QRTF). To align definitions with statute. Potentially to update rules related to the assessment process.	SB20-162, Family First Prevention Services legislation, 19-1-115(4)(e),(f),(g), (h), C.R.S.	New Rule, Revision	Spring 2021	County departments, judicial, OCR, Office of Respondent Parent Counsel, Ombudsman, county attorney's, public defenders, district attorneys, DYS.
SB20-162	OAS	12 CCR 2509-4	Qualified Residential	To create rule related to the review of QRTF	SB20-162, Family	New Rule	Spring 2021	CDHS, County child welfare,

Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
			Treatment Plan (QRTP) Placement Review	placements. These reviews are required per SB20-162 as well as federal Family First Prevention Services legislation. This includes document review procedures, requirement deadlines, review participants, tracking and scheduling of cases, and confidentiality.	First Prevention Services legislation, 19-1-115(4)(e), (f), (g), (h), C.R.S.			children, families, attorneys of record, treatment providers.
	OCYF	12 CCR 2509-8	Rules Regulating Residential Child Care Facilities (RCCF)	To add regulations for QRTP as outlined in FFPSA.	26-6-106, C.R.S., and 26-6-106.3, C.R.S.	Revision	Spring 2021	RCCF, CDHS, county departments of human services, youth in RCCF/QRTP
	OCYF	12 CCR 2509-8	Quality Standards for Twenty-four (24)- Hour Child Care	To align with revisions in Rules Regulating RCCFs, update restraint and seclusion regulations to reflect trauma-informed care.	26-6-106 and 26-6-106.3, C.R.S.	Revision	Spring 2021	RCCF, SGFs, shelter care facilities, Psychiatric Residential Treatment Facilities (PRTF), youth in respective placements.
	Office of Adult, Aging, and Disability Services (OAADS) (20-09-01-01)	12 CCR 2512-2	MINDSOURCE - Brain Injury Network Rule Updates Fiscal Year 2021	To ensure that the program rules reflect the current statute language and to remove unnecessary language. To reflect the change from "traumatic" brain injury to "brain injury," "care coordination" to "service coordination and skills training," "Brain Injury Program" to "MINDSOURCE - Brain Injury Network."	26-1-107, C.R.S.	Revision	May 2021	Individuals with brain injury, their family members, providers that serve this population, and Trust Fund and Advisory Board members.
	OES	10 CCR 2506-1	Food Assistance	To effectuate a technical clean-up of various rules, reorganization of the title, name change from Food Assistance to SNAP,	Language in areas conflicts with federal regulation, other updates needed for clarity.	Revision	May 2020	Counties, SNAP clients, Colorado Center for Law and Policy (CCLP), Hunger Free Colorado.
	OCYF	12 CCR 2509-4	Youth Transitioning to Division of Youth Services (DYS)	To provide guidance to county departments of social/human services under Volume 7. Provides guidance to counties in circumstances where a legally free youth is either returning to county custody after a period of DYS commitment or is projected to emancipate from DYS.	Colorado Commission on Crime and Juvenile Justice recommendations.	New Rule, Revision	May 2021	Counties, DYS, juvenile justice stakeholders, Office of the Child's Representative, prosecutors, defense counsel, Ombudsman.
	OCYF	12 CCR 2509-4	Youth Transitioning to DYS or back to DCW	To provide guidance to county departments of social/human services under Volume 7. 3 Provides guidance to counties in circumstances where a legally free youth is either returning to county custody after a period of DYS commitment or is projected to emancipate from DYS.	Colorado Commission on Crime and Juvenile Justice recommendations.	New Rule, Revision	May 2021	Counties, DYS, juvenile justice stakeholders, Office of the Child's Representative, prosecutors, defense counsel, Ombudsman.

Bill	Office / CDHS Tracking Number	CCR	Rule Title	Purpose of Proposed Rule	Statutory or other basis for adoption or change to rule	New rule, revision, or repeal?	Anticipated Hearing Date	Stakeholders
	OES	9 CCR 2503-6	Colorado Works Re-Visioned (Modernization Phase I)	To modernize Colorado Works rules to incorporate federal flexibility, clarify and streamline rules.		New Rule, Revision, Repeal	June 2021	Counties, FEAD, Economic Security sub-PAC.
HB19-1069	OAADS	12 CCR 2510-1	Sign Language Interpreter Certifications	To implement requirements of HB19-1069 to evaluate and recognize additional interpreter certifications to address a severe shortage of certified sign language interpreters.	6-1-707(1)(e), C.R.S., HB19-1069	New Rule	June 2021	Deaf, hard-of-hearing and deafblind communities, interpreting community, commissioners, rule-making committee and other stakeholders (those who participated in town halls).
	OAADS	12 CCR 2516-1	Grant Program Technical clean-up	To make the language used in the rule consistent with the language used in statute.	26-21-107.5(5), C.R.S.	Revision	June 2021	Grant Program Committee; commissioners; deaf, hard-of-hearing, and deafblind communities, awarded grantees.
	Office of Early Childhood (OEC)	12 CCR 2509-10	Early Intervention Program	To move certain procedures into rule and updates dispute resolution section.	34 C.F.R. Part 303	Revision	2021	Community Centered Boards, EI providers, families receiving Part C services.
	OEC	9 CCR 2503-9	Colorado Child Care Assistance Program (CCCAP) Parent Fees	To addresses the parental fee formula in CCCAP Rule.	26-1-107(5)(a)(I-II), (6) C.R.S., 26-1-109(5), C.R.S., 26-1-111(2)(q), C.R.S.	Revision	July 2020	CCCAP Rule Re-Write Committee (counties, community partners, providers).
	OAADS	12 CCR 2510-1	Revisions to the Older Americans Act Volume 10 Regulations	To allow increased flexibility and further interpretation to allow best practices identified during the COVID-19 pandemic to continue into the future.	P.L. 109-365, Older Americans Act Amendments of 2019, 26-11-206, C.R.S.	Revision	July 2021	Area Agencies on Aging, Colorado Commission on Aging, provider agencies of Older Americans Act and State Funding for Senior Services programs.
	OAADS	12 CCR 2518-1	Adult Protective Services (APS) Rule Updates	Specific changes are not yet know but there are legislative initiatives being discussed by stakeholder groups and other State agencies that might impact the APS program. If any of those move forward, they are likely require rule changes. Additionally, the APS program works with county departments regularly to identify practice improvements for the APS program. If any of those are recommended to move forward, APS rules	Pending legislative action	Revision	Latter half of calendar year 2021.	County departments, other state departments, employers required to conduct CAPS checks, advocacy groups, lobbying groups.

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				would likely need to be updated. Finally, the APS program continues to work on implementing the findings from the Office of the State Auditor's recently concluded audit of the APS program. Implementation may drive rule changes.				
SB20-028	OCYF (20-07-20-02)	12 CCR 2059-1, 2	SB20-028 Substance Exposed Newborns Abuse and Neglect Definition	To align definitions in section 7.100 with those in the newly revised statute.	SB20-028, 19-1-103(1)(a)(VII), C.R.S., 19-3-102(1)(g), C.R.S.	New Rule, Revision	July 2021	Child Welfare, substance exposed newborn community providers.
	OES	9 CCR 2503-5	Adult Financial Unearned Income for Receiving Client	To align treatment of unearned income (Child Support) for a receiving client with SSA	Alignment with SSA	Revision	September 2021	Counties, FEAD, Economic Security Sub-PAC.
	OES	9 CCR 2503-5	Adult Financial Disaster Assistance	To add Disaster Assistance as a program option for Adult Financial Clients.		New Rule	September 2021	Counties, FEAD, Economic Security Sub-PAC.
	OES	10 CCR 2503-6	Colorado Works Re-Visioned (Modernization Phase II)	To modernize Colorado Works rules to incorporate federal flexibility, clarify and streamline rules.	No new statutory basis	New Rule, Revision, Repeal	September 2021	Counties, FEAD, Economic Security Sub-PAC.
SB19-063	OEC	12 CCR 2509-8	Rules Regulating Family Child Care Homes	To align with the strategic action plan to address infant and family child care home shortages in Colorado.	26-1-107, C.R.S., 26-6-113, C.R.S.	All	October 2020	Early Childhood Education (ECE) stakeholders, licensed child care programs.
	OBH	2 CCR 502-1	Update to OBH's Licensing, Approval, and Designation of Behavioral Health Programs	To align OBH's statutory authority for behavioral health program approval with the regulatory framework being drafted by CDPHE's Behavioral Health Entity License. This update will clarify OBH's role in regulating the public behavioral health system and remove regulatory duplication across departments.	25-27.6, C.R.S. (HB 19-1237-BHE), 27-65, C.R.S., 27-66, C.R.S., 27-80, C.R.S., 27-81, C.R.S., 17-27.1-101, C.R.S., 42-4-1301.3, C.R.S.	Revision, Repeal	October 2021	All OBH regulated programs and facilities, individuals accessing community behavioral health care, CDPHE, HCPF.
	OCYF	12 CCR 2512-2	Domestic Violence Program (DVP)	To update DVP rules and clarify language in certain areas.	26-7.5-104, C.R.S.	Revision	October 2021	Community-based domestic violence advocacy organizations.
Federal Requirement	OES	CCR 2506-1	Food Assistance	To update rules with the federally released annual Cost of Living increases in October.	7 CFR 273.12(e)(3)	Revision	October 2021	Counties, SNAP/Food Assistance participants.
	OEC	12 CCR 2509-8	Rules Regulating Child Care Centers (Less than 24-hour Care)	To align rules with Federal Preschool Development Grant recommendations.	26-1-107, C.R.S.; 26-6-113, C.R.S.	All	October 2020	ECE stakeholders, licensed child care programs.
	OES	9 CCR 2503-7	Low Income Energy	To update to the program rules on income	40-8.5-105, C.R.S.	Revision	November	County/Contractor LEAP

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			Assistance Program (LEAP)	guidelines, flat rate charts for heating costs, and any other changes required on an annual basis.			2021	offices, Colorado Commission on Low Income Energy Assistance
HB19-1308	OCYF (19-07-05-01)	12 CCR 2509-8	Child Care Facility Licensing	To create rules for the standards of care for qualified residential treatment programs to include accreditation, assessment, family engagement, trauma-informed care, nursing care, discharge and aftercare planning as set forth in the FFPSA.	26-6-106(1)(a), C.R.S.	New Rule	TBD	County departments of human or social services, licensed residential child care facilities, SGFs.
	OCYF (18-06-15-01)	12 CCR 2509-8	Rules regulating Child Care Facilities & Quality Standards for 24 Hour Care	To align services required with current best practices, clarify interpretation, add rules for when a parenting youth has a child who is also in care, and clean up technical errors. Adds requirements from the Interstate Compact on the Placement of Children.	26-1-107, C.R.S., 26-1-111, C.R.S., 26-5-102, C.R.S., 26-6-106-5, C.R.S.	Revision	TBD	Licensed residential child care facilities, OBH, CDPHE.