



# Legislative Council Staff

## Research Note

Version: Final

Date: 6/16/2016

### Bill Number

**Senate Bill 16-077**

### Sponsors

**Senator Kefalas**  
**Representatives Ginal and**  
**Primavera**

### Short Title

***Employment First For Persons***  
***With Disabilities***

### Research Analyst

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### Status

This research note reflects the final version of the bill, which became effective upon the signature of the Governor on June 10, 2016.

### Summary

The bill outlines policies designed to increase employment opportunities for persons with intellectual and developmental disabilities (IDD). The bill specifies five agency partners — the Colorado Department of Labor and Employment (CDLE), the Department of Health Care Policy and Financing (HCPF), the Department of Education, the Department of Higher Education, and the Department of Human Services — that must work together to identify employment and educational opportunities for persons with disabilities.

The bill requires all agency partners to provide input and assistance to the Employment First Advisory Partnership and present the report and recommendations of the partnership to the General Assembly.

***Employment First Advisory Partnership (partnership).*** The bill creates the Employment First Advisory Partnership, comprised of the following existing entities within CDLE: the State Rehabilitation Council, the Colorado Workforce Development Council, and the Employment First State Leadership Mentoring Program Core State Advisory Group. The State Rehabilitation Council must serve as the lead agency to coordinate collaboration within CDLE and among the agency partners.

The duties of the partnership include:

- developing a strategic plan to expand competitive integrated employment outcomes for persons with IDD through employment first policies and practices;

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- making recommendations to ensure that competitive integrated employment is the primary objective and preferred outcome for all working-age persons with disabilities;
- identifying barriers to employment opportunities for persons with IDD, including unnecessary, inefficient, or conflicting agency rules and regulations; and
- identifying training and knowledge gaps among agency staff, vendors, and individuals with disabilities and their families.

On or before December 30, 2016, each agency partner must identify the staff member who will provide agency input and assistance to the partnership. On or before January 30, 2017, the State Rehabilitation Council must convene the first meeting of the partnership and agency partners to develop a memorandum of understanding relating to the partnership's duties, including the responsibilities of each member of the partnership and agency partners and a plan with a time frame for completing the work of the partnership. The agency partners must present an initial report of the strategic plan to the General Assembly between November 1, 2017, and the start of the 2018 regular legislative session and must revise the strategic plan as they consider additional issues.

The partnership must seek participation from various stakeholder groups involved in employment opportunities for persons with IDD and must meet at least once per quarter. The partnership repeals after a sunset review on September 1, 2021.

## Background

In October 2015, Colorado received approval for a partnership with the U.S. Department of Labor's Employment First State Leadership Mentoring Program. Through this program, a core state advisory group was formed, with nine members from CDLE, the Division of Vocational Rehabilitation, and an external stakeholder group. This advisory group works on improving employment outcomes for persons with disabilities, focusing specifically on employer engagement and the transition of youth from schools to the workforce. The group receives technical assistance and subject matter expertise from the U.S. Department of Labor through the mentoring program.

## Senate Action

**Senate Finance Committee (February 16, 2016).** The committee heard testimony in support of the bill from 14 individuals, including representatives of agencies that provide services to persons with IDD such as the Colorado Cross Disability Coalition and the ARC of Larimer County, as well family members of or persons with IDD. The committee adopted amendment L.001, a strike-below amendment, as well as two amendments to L.001, including amendments L.002 and L.003. Amendment L.002 removed a requirement that the CDLE create a support rate reimbursement code in the vendor fee schedule for discovery process services. Amendment L.003 removed part of the legislative declaration concerning the number of people with IDD served in segregated workshops and facility-based programs. The bill was laid over for action only.

**Senate Finance Committee (March 17, 2016).** The committee adopted amendment L.004, a strike-below amendment that replaced amendments L.001, L.002, and L.003. It also adopted amendment L.005, a technical correction to amendment L.004, and a conceptual amendment to change the date of the sunset review of the Employment First Advisory Partnership from September 1, 2026, to September 1, 2021. The committee referred the bill, as amended, to the Senate Appropriations Committee.

**Senate Appropriations Committee (April 22, 2016).** The committee referred the bill to the Senate Committee of the Whole.

**Senate second reading (April 27, 2016).** The Senate adopted the Senate Finance Committee report and passed the bill on second reading with no additional amendments.

**Senate third reading (April 28, 2016).** The Senate passed the bill on third reading with no amendments.

## House Action

**House Business Affairs and Labor Committee (May 10, 2016).** Several individuals representing themselves or agencies that provide services to persons with IDD testified in support of the bill. A representative of CDLE also spoke about the bill. The committee referred the bill to the House Appropriations Committee.

**House Appropriations Committee (May 10, 2016).** The committee referred the bill to the House Committee of the Whole.

**House second reading (May 10, 2016).** The House passed the bill on second reading with no amendments.

**House third reading (May 11, 2016).** The House passed the bill on third reading with no amendments.