

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 19-1069.01 Shelby Ross x4510

HOUSE BILL 19-1308

HOUSE SPONSORSHIP

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SENATE SPONSORSHIP

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Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING FOSTER CARE PREVENTION SERVICES TO ALIGN CURRENT**
102 **STANDARDS WITH THE FEDERAL "FAMILY FIRST PREVENTION**
103 **SERVICES ACT".**

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://leg.colorado.gov>.)

The bill authorizes the department of human services (department) to establish and implement a foster care prevention services program for families with children and youth who are candidates for foster care but who can safely remain at home with receipt of foster care prevention services.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
3rd Reading Unamended
April 26, 2019

HOUSE
Amended 2nd Reading
April 25, 2019

Eligible recipients of foster care prevention services include children and youth and their parents, legal custodians, legal guardians, and kin caregivers when their needs are directly related to the safety, permanent placement, or well-being of the child or youth.

If a child or youth is placed in a qualified residential treatment program (QRTP), the court or the administrative review division of the department is required to review the assessment and needs of the child or youth and determine whether placement in the QRTP is appropriate.

The bill requires the county department of human or social services (county department) to submit certain evidence to the court during each review and permanency hearing of a child or youth placed in a QRTP.

The county department may provide foster care prevention services to a child or youth and the parents or kin caregivers of the child or youth upon the receipt of a report of intrafamilial abuse or neglect or human trafficking.

The bill adds the federal "Family First Prevention Services Act" as a program to be administered by the department. The bill adds foster care prevention services to the definition of child welfare services.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 5.4 to title
3 26 as follows:

4 **ARTICLE 5.4**

5 **Foster Care Prevention Services**

6 **26-5.4-101. Legislative declaration.** (1) THE FEDERAL "FAMILY
7 FIRST PREVENTION SERVICES ACT" WAS ENACTED ON FEBRUARY 9, 2018.
8 IN ORDER TO COMPLY WITH THE PROVISIONS OF THE "FAMILY FIRST
9 PREVENTION SERVICES ACT", THE GENERAL ASSEMBLY FINDS IT IS
10 NECESSARY TO UPDATE CURRENT STATUTES TO ENABLE COLORADO TO
11 PROVIDE ENHANCED SUPPORT TO CHILDREN, YOUTH, AND THEIR FAMILIES
12 IN ORDER TO PREVENT FOSTER CARE PLACEMENTS. ■ ■ ■

13 (2) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO TREAT
14 CHILDREN AND YOUTH IN-HOME OR WITH A KIN CAREGIVER WHEN DOING

1 SO SERVES THE SAFETY, PERMANENT PLACEMENT, AND WELL-BEING OF
2 THE CHILD OR YOUTH.

3 **26-5.4-102. Definitions.** AS USED IN THIS ARTICLE 5.4, UNLESS
4 THE CONTEXT OTHERWISE REQUIRES:

5 (1) "FOSTER CARE PREVENTION SERVICES" MEANS [REDACTED] MENTAL
6 HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES,
7 IN-HOME PARENT SKILL-BASED PROGRAMS, [REDACTED] KINSHIP NAVIGATOR
8 PROGRAMS, AND OTHER PROGRAMS ELIGIBLE FOR REIMBURSEMENT UNDER
9 THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT" THAT ARE
10 TRAUMA-INFORMED, PROMISING, SUPPORTED OR WELL-SUPPORTED, AND
11 PROVIDED TO PREVENT FOSTER CARE PLACEMENT.

12 (2) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A
13 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED
14 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR
15 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF
16 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL
17 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)
18 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS
19 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR
20 YOUTH BY THE ASSESSMENT OF THE CHILD OR YOUTH REQUIRED IN
21 SECTION 19-1-115 (4)(e)(I).

22 (3) "TRAUMA-INFORMED" REFERS TO THE SERVICES TO BE
23 PROVIDED TO OR ON BEHALF OF A CHILD OR YOUTH [REDACTED] UNDER AN
24 ORGANIZATIONAL STRUCTURE AND TREATMENT FRAMEWORK THAT
25 INVOLVES UNDERSTANDING, RECOGNIZING, AND RESPONDING TO THE
26 EFFECTS OF ALL TYPES OF TRAUMA IN ACCORDANCE WITH RECOGNIZED
27 PRINCIPLES OF A TRAUMA-INFORMED APPROACH AND TRAUMA-SPECIFIC

1 INTERVENTIONS TO ADDRESS TRAUMA'S CONSEQUENCES AND FACILITATE
2 HEALING.

3 **26-5.4-103. Foster care prevention services program - rules.**

4 (1) THE STATE DEPARTMENT IS AUTHORIZED TO INCLUDE IN THE STATE'S
5 FIVE-YEAR TITLE IV-E PREVENTION PLAN, AS DEFINED IN 42 U.S.C. SEC.
6 671, THE ESTABLISHMENT AND IMPLEMENTATION OF A FOSTER CARE
7 PREVENTION SERVICES PROGRAM FOR FAMILIES WITH CHILDREN AND
8 YOUTH WHO ARE CANDIDATES FOR FOSTER CARE BUT WHO CAN SAFELY
9 REMAIN AT HOME OR IN A KINSHIP PLACEMENT WITH RECEIPT OF SERVICES,
10 INCLUDING CHILDREN AND YOUTH WHO, WITHOUT INTERVENTION, RISK
11 INVOLVEMENT WITH THE CHILD WELFARE SYSTEM AS ESTABLISHED BY
12 RULE OF THE STATE BOARD. THE STATE DEPARTMENT SHALL PROMULGATE
13 RULES SETTING FORTH PROCEDURES REGARDING THE PROVISION OF THESE
14 SERVICES.

15 (2) NOTHING IN THIS ARTICLE 5.4 SHALL PREVENT THE STATE
16 DEPARTMENT FROM COMPLYING WITH FEDERAL REQUIREMENTS FOR A
17 FOSTER CARE PREVENTION SERVICES PROGRAM IN ORDER FOR THE STATE
18 TO QUALIFY FOR FEDERAL MONEY UNDER THE FEDERAL "SOCIAL SECURITY
19 ACT", AS AMENDED.

20 **26-5.4-104. Eligibility requirements - period of eligibility -**

21 **services available - rules.** (1) CHILDREN AND YOUTH AND THEIR
22 PARENTS, LEGAL CUSTODIANS, LEGAL GUARDIANS, OR KIN CAREGIVERS
23 ARE ELIGIBLE FOR FOSTER CARE PREVENTION SERVICES WHEN THEIR NEEDS
24 FOR SERVICES ARE DIRECTLY RELATED TO THE SAFETY, PERMANENT
25 PLACEMENT, OR WELL-BEING OF THE CHILD OR YOUTH, OR TO PREVENT THE
26 CHILD OR YOUTH FROM ENTERING THE FOSTER CARE SYSTEM.

27 (2) FOSTER CARE PREVENTION SERVICES MAY BE AUTHORIZED FOR

1 UP TO TWELVE MONTHS PER EPISODE OF ELIGIBILITY.

2 (3) FOSTER CARE PREVENTION SERVICES PROVIDED PURSUANT TO
3 THIS ARTICLE 5.4 MUST BE DEFINED IN THE CHILD'S OR YOUTH'S
4 PREVENTION PLAN, AS DEFINED THROUGH RULES PROMULGATED BY THE
5 STATE BOARD.

6 **26-5.4-105. Implementation of article - federal authorization**

7 **- request for funding.** THE STATE DEPARTMENT SHALL IMPLEMENT THE
8 PROVISIONS OF THIS ARTICLE 5.4 AND THE PROVISIONS OF TITLES 19 AND
9 26 EXECUTING THE UTILIZATION OF FOSTER CARE PREVENTION SERVICES
10 AND QUALIFIED RESIDENTIAL TREATMENT PROGRAMS WHEN THE FEDERAL
11 GOVERNMENT APPROVES COLORADO'S FIVE-YEAR TITLE IV-E PREVENTION
12 PLAN, AT WHICH TIME THE DEPARTMENT MAY SUBMIT A BUDGET REQUEST
13 TO THE JOINT BUDGET COMMITTEE FOR NECESSARY FUNDING TO
14 IMPLEMENT THE PLAN.

15 **SECTION 2.** In Colorado Revised Statutes, 19-1-102, **add** (1.9)
16 as follows:

17 **19-1-102. Legislative declaration.** (1.9) THE FEDERAL "FAMILY
18 FIRST PREVENTION SERVICES ACT" WAS ENACTED ON FEBRUARY 9, 2018.
19 IN ORDER TO COMPLY WITH THE PROVISIONS OF THE FEDERAL "FAMILY
20 FIRST PREVENTION SERVICES ACT", THE GENERAL ASSEMBLY FINDS THAT
21 IT IS NECESSARY TO UPDATE CURRENT STATUTES TO ENABLE COLORADO
22 TO PROVIDE ENHANCED SUPPORT TO CHILDREN, YOUTH, AND THEIR
23 FAMILIES IN ORDER TO PREVENT FOSTER CARE PLACEMENTS. THE STATE
24 DEPARTMENT SHALL IMPLEMENT THE UPDATED PROVISIONS IN SECTIONS
25 19-1-103, 19-1-115, 19-3-208, AND 19-3-308 UTILIZING FOSTER CARE
26 PREVENTION SERVICES AND QUALIFIED RESIDENTIAL TREATMENT
27 PROGRAMS WHEN THE FEDERAL GOVERNMENT APPROVES COLORADO'S

1 FIVE-YEAR TITLE IV-E PREVENTION PLAN, AND SUBJECT TO AVAILABLE
2 GENERAL FUND APPROPRIATIONS OR FEDERAL FUNDING.

3 **SECTION 3.** In Colorado Revised Statutes, 19-1-103, **add** (51.7),
4 (87.7), (87.9), and (109.5) as follows:

5 **19-1-103. Definitions.** As used in this title 19 or in the specified
6 portion of this title 19, unless the context otherwise requires:

7 (51.7) "FOSTER CARE PREVENTION SERVICES" MEANS MENTAL
8 HEALTH AND SUBSTANCE ABUSE PREVENTION AND TREATMENT SERVICES,
9 IN-HOME PARENT SKILL-BASED PROGRAMS, KINSHIP NAVIGATOR
10 PROGRAMS, AND OTHER PROGRAMS ELIGIBLE FOR REIMBURSEMENT UNDER
11 THE FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT" THAT ARE
12 TRAUMA-INFORMED, PROMISING, SUPPORTED OR WELL-SUPPORTED, AND
13 PROVIDED TO PREVENT FOSTER CARE PLACEMENT.

14 (87.7) "QUALIFIED INDIVIDUAL" MEANS A TRAINED PROFESSIONAL
15 OR LICENSED CLINICIAN, AS DEFINED IN THE FEDERAL "FAMILY FIRST
16 PREVENTION SERVICES ACT".

17 (87.9) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A
18 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED
19 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR
20 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF
21 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL
22 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)
23 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS
24 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR
25 YOUTH BY THE ASSESSMENT OF THE CHILD REQUIRED IN SECTION 19-1-115
26 (4)(e)(I).

27 (109.5) "TRAUMA-INFORMED" REFERS TO THE SERVICES TO BE

1 PROVIDED TO OR ON BEHALF OF A CHILD OR YOUTH [REDACTED] UNDER AN
2 ORGANIZATIONAL STRUCTURE AND TREATMENT FRAMEWORK THAT
3 INVOLVES UNDERSTANDING, RECOGNIZING, AND RESPONDING TO THE
4 EFFECTS OF ALL TYPES OF TRAUMA IN ACCORDANCE WITH RECOGNIZED
5 PRINCIPLES OF A TRAUMA-INFORMED APPROACH AND TRAUMA-SPECIFIC
6 INTERVENTIONS TO ADDRESS TRAUMA'S CONSEQUENCES AND FACILITATE
7 HEALING.

8 **SECTION 4.** In Colorado Revised Statutes, 19-1-115, **add (4)(e),**
9 **(4)(f), and (4.5)** as follows:

10 **19-1-115. Legal custody - guardianship - placement out of the**
11 **home - petition for review for need of placement. (4) (e)** WHENEVER
12 A CHILD IS PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM, [REDACTED]
13 A FAMILY OR JUVENILE COURT, **OR, IF THERE IS NO OBJECTION,** THE
14 ADMINISTRATIVE REVIEW DIVISION OF THE DEPARTMENT OF HUMAN
15 SERVICES, SHALL, WITHIN SIXTY DAYS:

16 (I) CONSIDER THE ASSESSMENT, DETERMINATION, AND
17 DOCUMENTATION MADE BY THE QUALIFIED INDIVIDUAL;

18 (II) DETERMINE WHETHER THE NEEDS OF THE CHILD CAN BE MET
19 THROUGH PLACEMENT WITH A PARENT, LEGAL GUARDIAN, LEGAL
20 CUSTODIAN, KIN CAREGIVER, OR IN A FOSTER CARE HOME, OR WHETHER
21 PLACEMENT OF THE CHILD IN A QUALIFIED RESIDENTIAL TREATMENT
22 PROGRAM PROVIDES THE MOST EFFECTIVE AND APPROPRIATE LEVEL OF
23 CARE FOR THE CHILD IN THE LEAST RESTRICTIVE ENVIRONMENT, AND
24 WHETHER THAT PLACEMENT IS CONSISTENT WITH THE SHORT- AND
25 LONG-TERM **GOALS, INCLUDING MENTAL, BEHAVIORAL, AND PHYSICAL**
26 **HEALTH GOALS,** FOR THE CHILD AS SPECIFIED IN THE PERMANENCY PLAN
27 FOR THE CHILD OR AS OUTLINED IN THE FAMILY SERVICES PLAN; AND

1 (III) APPROVE OR DISAPPROVE OF THE PLACEMENT.

2 (f) AS LONG AS A CHILD REMAINS IN A QUALIFIED RESIDENTIAL
3 TREATMENT PROGRAM, THE COUNTY DEPARTMENT SHALL SUBMIT
4 EVIDENCE AT EACH REVIEW AND EACH PERMANENCY HEARING HELD WITH
5 RESPECT TO THE CHILD:

6 (I) DEMONSTRATING THAT ONGOING ASSESSMENT OF THE
7 STRENGTHS AND NEEDS OF THE CHILD CONTINUES TO SUPPORT THE
8 DETERMINATION THAT THE NEEDS OF THE CHILD CANNOT BE MET
9 THROUGH PLACEMENT WITH A PARENT, LEGAL GUARDIAN, LEGAL
10 CUSTODIAN, KIN CAREGIVER, OR IN A FOSTER FAMILY HOME; AND THAT
11 THE PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM
12 PROVIDES THE MOST EFFECTIVE AND APPROPRIATE LEVEL OF CARE FOR THE
13 CHILD IN THE LEAST RESTRICTIVE ENVIRONMENT; AND THAT THE
14 PLACEMENT IS CONSISTENT WITH THE SHORT- AND LONG-TERM GOALS FOR
15 THE CHILD AS SPECIFIED IN THE PERMANENCY PLAN FOR THE CHILD, OR AS
16 OUTLINED IN THE FAMILY SERVICES PLAN;

17 (II) DOCUMENTING THE SPECIFIC TREATMENT OR SERVICE NEEDS
18 THAT WILL BE MET FOR THE CHILD IN THE PLACEMENT AND THE LENGTH OF
19 TIME THE CHILD IS EXPECTED TO NEED TREATMENT OR SERVICES; AND

20 (III) DOCUMENTING THE EFFORTS MADE BY THE COUNTY TO
21 PREPARE THE CHILD TO RETURN HOME OR TO BE PLACED WITH A FIT AND
22 WILLING KIN CAREGIVER, A LEGAL GUARDIAN, LEGAL CUSTODIAN, OR AN
23 ADOPTIVE PARENT, OR IN A FOSTER FAMILY.

24 (4.5) THE DEPARTMENT OF HUMAN SERVICES SHALL IMPLEMENT
25 THE PROVISIONS OF SUBSECTION (4)(e) AND (4)(f) OF THIS SECTION WHEN
26 THE FEDERAL GOVERNMENT APPROVES COLORADO'S FIVE-YEAR TITLE
27 IV-E PREVENTION PLAN, AT WHICH TIME THE DEPARTMENT OF HUMAN

1 SERVICES MAY SUBMIT A BUDGET REQUEST TO THE JOINT BUDGET
2 COMMITTEE FOR NECESSARY FUNDING TO IMPLEMENT THE PLAN.

3 **SECTION 5.** In Colorado Revised Statutes, 19-3-208, **amend**
4 (2)(d) introductory portion, (2)(d)(VIII), and (2)(d)(IX); and **add**
5 (2)(d)(X) as follows:

6 **19-3-208. Services - county required to provide - rules -**
7 **definitions.** (2) (d) The following services ~~shall~~ **MUST** be made available
8 and provided based upon the state's capacity to increase federal funding
9 or any other ~~moneys~~ **MONEY** appropriated for these services and as
10 determined necessary and appropriate by individual case plans:

11 (VIII) Financial services in order to prevent placement; ~~and~~

12 (IX) Family preservation services, which are brief,
13 comprehensive, and intensive services provided to prevent the
14 out-of-home placement of children or to promote the safe return of
15 children to the home; AND

16 (X) FOSTER CARE PREVENTION SERVICES.

17 **SECTION 6.** In Colorado Revised Statutes, 19-3-308, **add** (13)
18 as follows:

19 **19-3-308. Action upon report of intrafamilial, institutional, or**
20 **third-party abuse - investigations - child protection team - rules -**
21 **report.** (13) UPON THE RECEIPT OF A REPORT OF INTRAFAMILIAL ABUSE
22 OR NEGLECT OR HUMAN TRAFFICKING, OR A REPORT THAT A FAMILY MAY
23 BE ELIGIBLE FOR FOSTER CARE PREVENTION SERVICES, **AS DEFINED IN**
24 **SECTION 26-5.4-102 (1)**, THE COUNTY DEPARTMENT MAY PROVIDE FOSTER
25 CARE PREVENTION SERVICES FOR A CHILD AND THE PARENTS OR KIN
26 CAREGIVERS OF THE CHILD WHEN THE NEEDS OF THE CHILD ARE DIRECTLY
27 RELATED TO THE SAFETY, PERMANENT PLACEMENT, OR WELL-BEING OF

1 THE CHILD OR TO PREVENT THE CHILD FROM ENTERING THE FOSTER CARE
2 SYSTEM.

3 **SECTION 7.** In Colorado Revised Statutes, 26-1-109, **amend**
4 (4.5) as follows:

5 **26-1-109. Cooperation with federal government -**
6 **grants-in-aid.** (4.5) In addition to the powers granted the state
7 department in subsection (4) of this section, the state department shall
8 take necessary measures to obtain increased federal reimbursement
9 ~~moneys~~ MONEY available under the Title IV-E program created under the
10 federal "Social Security Act", as amended, based on the out-of-home
11 placements, FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION
12 26-5.4-102 (1), and alternative care treatment by county departments of
13 children eligible for Title IV-E federal assistance, which ~~moneys~~ MONEY
14 shall be allocated to county departments in proportion to each county's
15 eligible placements, to help defray program costs. Nothing in this
16 subsection (4.5) shall be construed to allow counties to continue to
17 receive an amount equal to the increased funding in the event the said
18 funding is no longer available from the federal government.

19 **SECTION 8.** In Colorado Revised Statutes, 26-1-201, **amend**
20 (1)(aa) and (1)(bb); and **add** (1)(cc) as follows:

21 **26-1-201. Programs administered - services provided -**
22 **department of human services.** (1) This section specifies the programs
23 to be administered and the services to be provided by the department of
24 human services. These programs and services include the following:

25 (aa) The Colorado mental health institute at Pueblo, as specified
26 in article 93 of title 27; ~~C.R.S.~~; and

27 (bb) The Colorado mental health institute at Fort Logan, as

1 specified in article 94 of title 27; ~~C.R.S.~~ AND

2 (cc) FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION
3 26-5.4-102 (1) AND AUTHORIZED PURSUANT TO THE FEDERAL "FAMILY
4 FIRST PREVENTION SERVICES ACT.

5 **SECTION 9.** In Colorado Revised Statutes, 26-5-101, **amend** (3)
6 introductory portion and (3)(n); and **add** (3)(p) as follows:

7 **26-5-101. Definitions.** As used in this article 5, unless the context
8 otherwise requires:

9 (3) "Child welfare services" means the provision of necessary
10 shelter, sustenance, and guidance to or for children who are or who, if
11 such services are not provided, are likely to become neglected or
12 dependent, as defined in section 19-3-102. ~~C.R.S.~~ "Child welfare
13 services" includes but is not limited to:

14 (n) Services described in section 19-3-208; ~~C.R.S.~~; and

15 (p) FOSTER CARE PREVENTION SERVICES, AS DEFINED IN SECTION
16 26-5.4-102 (1).

17 **SECTION 10.** In Colorado Revised Statutes, 26-5-104, **amend**
18 (6.2)(d) as follows:

19 **26-5-104. Funding of child welfare services - rules - report -**
20 **provider contracts - funding mechanism review - fund - definitions**
21 **- rules - repeal.** (6.2) For the purposes of this section, unless the context
22 otherwise requires:


23 (d) "Workload" means the number of child welfare child abuse
24 and neglect hotline calls, referrals, assessments, open cases, out-of-home
25 placements, IN-HOME SERVICES, new adoptions, RELATIVE GUARDIAN
26 ASSISTANCE, and adoption subsidies being handled by a county
27 department of human or social services.

1 **SECTION 11.** In Colorado Revised Statutes, 26-6-102, **amend**
2 (33); and **add** (30.5) as follows:

3 **26-6-102. Definitions.** As used in this article 6, unless the context
4 otherwise requires:

5 (30.5) "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" MEANS A
6 LICENSED AND ACCREDITED PROGRAM THAT HAS A TRAUMA-INFORMED
7 TREATMENT MODEL THAT IS DESIGNED TO ADDRESS THE CHILD'S OR
8 YOUTH'S NEEDS, INCLUDING CLINICAL NEEDS, AS APPROPRIATE, OF
9 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL
10 DISORDERS OR DISTURBANCES IN ACCORDANCE WITH SECTION 201(a)(4)
11 OF THE FEDERAL "FAMILIES FIRST PREVENTION SERVICES ACT", AND IS
12 ABLE TO IMPLEMENT THE TREATMENT IDENTIFIED FOR THE CHILD OR
13 YOUTH BY THE ASSESSMENT OF THE CHILD OR YOUTH REQUIRED IN
14 SECTION 19-1-115 (4)(e)(I).

15 (33) "Residential child care facility" means a facility licensed by
16 the state department pursuant to this part 1 to provide twenty-four-hour
17 group care and treatment for five or more children operated under private,
18 public, or nonprofit sponsorship. "Residential child care facility" includes
19 community-based residential child care facilities, QUALIFIED RESIDENTIAL
20 TREATMENT PROGRAMS, AS DEFINED IN SECTION 26-5.4-102 (2), shelter
21 facilities, and therapeutic residential child care facilities as defined in rule
22 by the state board, and psychiatric residential treatment facilities as
23 defined in section 25.5-4-103 (19.5). ~~C.R.S.~~ A residential child care
24 facility may be eligible for designation by the executive director of the
25 state department pursuant to article 65 of title 27. ~~C.R.S.~~

26 
27 **SECTION 12.** In Colorado Revised Statutes, **add** 27-66-110 as

1 follows:

2 **27-66-110. Trauma-informed care standards of approval.** THE
3 OFFICE OF BEHAVIORAL HEALTH SHALL ESTABLISH CARE STANDARDS AND
4 AN APPROVAL PROCESS THAT A QUALIFIED RESIDENTIAL TREATMENT
5 PROGRAM, AS DEFINED IN SECTION 26-6-102 (30.5), MUST MEET TO ENSURE
6 THAT QUALIFIED RESIDENTIAL TREATMENT PROGRAMS HAVE A
7 TRAUMA-INFORMED TREATMENT MODEL THAT ADDRESSES THE NEEDS OF
8 CHILDREN AND YOUTH WITH SERIOUS EMOTIONAL OR BEHAVIORAL HEALTH
9 DISORDERS OR DISTURBANCES.

10 **SECTION 13. Act subject to petition - effective date.** This act
11 takes effect at 12:01 a.m. on the day following the expiration of the
12 ninety-day period after final adjournment of the general assembly (August
13 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a
14 referendum petition is filed pursuant to section 1 (3) of article V of the
15 state constitution against this act or an item, section, or part of this act
16 within such period, then the act, item, section, or part will not take effect
17 unless approved by the people at the general election to be held in
18 November 2020 and, in such case, will take effect on the date of the
19 official declaration of the vote thereon by the governor.