

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 18-1049.03 Jane Ritter x4342

SENATE BILL 18-254

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SENATE SPONSORSHIP

Lambert and Moreno, Lundberg

HOUSE SPONSORSHIP

Young and Rankin, Hamner

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Senate Committees  
Appropriations

House Committees

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A BILL FOR AN ACT

101 CONCERNING REFORMS TO CHILD WELFARE SERVICES.

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/>.)*

**Joint Budget Committee.** The bill addresses numerous reforms to the funding structure for the state's child welfare services.

**Section 1** of the bill clarifies the types of child welfare services that must be available and provided, as necessary and appropriate, by county departments of human or social services (county departments).

**Sections 2 and 7** of the bill eliminate the option for county departments to maintain unspent general fund money from the child welfare services block allocation if they participate in the collaborative

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.

management program or the integrated care management program.

**Section 3** of the bill adds a statutory definition of and citation to the federal "Family First Prevention Services Act of 2018".

**Section 4** of the bill creates a program in the child welfare system for residential out-of-home placements for children and youth with intellectual and developmental disabilities.

**Section 5** of the bill:

! Changes the number of and process for appointments to the child welfare allocations committee; and

! Requires the development of a child welfare system funding model.

**Section 6** of the bill:

! Increases the percentage that counties are reimbursed by the state for adoption and relative guardianship subsidies from 80% to 90%;

! Formalizes the input process of the child welfare allocations committee;

! Allows the department of human services (state department) to submit supplemental budget requests for increases in out-of-home placement provider rates and adoption and relative guardianship expenditures;

! Modifies language concerning negotiations between county departments and providers for out-of-home placement rates;

! Requires capacity evaluations in counties or regions;

! Requires the state department to perform an analysis and cost projections to determine the fiscal impact on the state for changes in federal reimbursement rates for child welfare expenditures that result from the federal "Family First Prevention Services Act of 2018";

! Modifies the close-out process for child welfare expenditures; and

! Creates a child welfare prevention and intervention services cash fund into which unspent general fund money allocated to county departments through block allocations are transferred for sustainability of state-approved prevention and intervention programs and services.

**Section 8** of the bill creates the delivery of child welfare services task force.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-3-208, **amend**

1 (2)(b) introductory portion and (2)(b)(I) as follows:

2 **19-3-208. Services - county required to provide - rules.**

3 (2) (b) The following services ~~shall~~ MUST be available and provided, as  
4 determined necessary and appropriate by individual case plans,  
5 commencing on or after July 1, 1993:

6 (I) Screening, assessments, INCLUDING THOSE REQUIRED BY THE  
7 FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", TITLES  
8 IV-B AND IV-E OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED,  
9 and individual case plans;

10 **SECTION 2.** In Colorado Revised Statutes, 24-1.9-102, **amend**  
11 (2)(h) as follows:

12 **24-1.9-102. Memorandum of understanding - local-level**  
13 **interagency oversight groups - individualized service and support**  
14 **teams - coordination of services for children and families -**  
15 **requirements - waiver. (2) (h) Reinvestment of money saved to serve**  
16 **additional children and families. (†) The memorandum of**  
17 **understanding shall** MUST require the interagency oversight group to  
18 create a procedure, subject to approval by the head or director of each  
19 agency or department specified in ~~paragraphs (a) and (a.5) of subsection~~  
20 ~~(†) SUBSECTIONS (1)(a) AND (1)(a.5) of this section, to allow any moneys~~  
21 ~~MONEY~~ resulting from waivers granted by the federal government, ~~and~~  
22 ~~any state general fund savings realized as a result of the implementation~~  
23 ~~of the collaborative system of management of multi-agency services~~  
24 ~~provided to children and families related to the funding sources specified~~  
25 ~~by the parties to the memorandum of understanding pursuant to paragraph~~  
26 ~~(b) of this subsection (2) to be reinvested by the parties to the~~  
27 ~~memorandum of understanding to provide appropriate services, as~~

1 ~~defined in paragraph (b) of this subsection (2)~~ ANY LOCAL FUNDS, AND  
2 ANY STATE GENERAL FUND MONEY APPROPRIATED TO THE PROGRAM TO BE  
3 USED TO PROVIDE SERVICES to children and families who would benefit  
4 from integrated multi-agency services, as the population is defined by the  
5 memorandum of understanding pursuant to ~~paragraph (c) of this~~  
6 ~~subsection (2)~~ SUBSECTION (2)(c) OF THIS SECTION.

7 ~~(H) A county that has implemented a collaborative management~~  
8 ~~process for services to children and families, which services are not~~  
9 ~~included as services to be provided to children and families who would~~  
10 ~~benefit from integrated multi-agency services in the memorandum of~~  
11 ~~understanding pursuant to paragraph (b) of this subsection (2), and that~~  
12 ~~underspends the general fund portion of its capped or targeted allocation~~  
13 ~~may use the portion of general fund savings realized, as referenced in this~~  
14 ~~section, of its underspent capped or targeted allocation for provision of~~  
15 ~~existing services for such children and families in the county.~~

16 **SECTION 3.** In Colorado Revised Statutes, 26-5-101, **amend** the  
17 introductory portion; and **add** (4.5) as follows:

18 **26-5-101. Definitions.** As used in this ~~article~~ ARTICLE 5, unless  
19 the context otherwise requires:

20 (4.5) "FAMILY FIRST PREVENTION SERVICES ACT OF 2018" MEANS  
21 TITLES IV-B AND IV-E OF THE FEDERAL "SOCIAL SECURITY ACT", AS  
22 AMENDED.

23 **SECTION 4.** In Colorado Revised Statutes, 26-5-102, **add** (3)  
24 and (4) as follows:

25 **26-5-102. Provision of child welfare services - system reform**  
26 **goals - out-of-home placements for children and youth with**  
27 **intellectual and developmental disabilities - rules - definition.**

1 (3) (a) ON OR BEFORE AUGUST 1, 2018, THE STATE DEPARTMENT SHALL  
2 DEVELOP A PROGRAM TO SERVE CHILDREN AND YOUTH WITH  
3 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WHO ARE PLACED BY  
4 COUNTY DEPARTMENTS OF HUMAN OR SOCIAL SERVICES IN A LICENSED  
5 OUT-OF-HOME SETTING AS DEFINED IN SECTION 26-6-102 (33).

6 (b) THE STATE DEPARTMENT SHALL PROMULGATE RULES  
7 CONCERNING THE PLACEMENT OF CHILDREN OR YOUTH IN THE PROGRAM.  
8 THE RULES MUST INCLUDE, BUT NEED NOT BE LIMITED TO, QUALITY  
9 ASSURANCE MONITORING, ADMISSIONS, DISCHARGE PLANNING, AND  
10 APPROPRIATE LENGTH OF STAY.

11 (c) ON OR BEFORE DECEMBER 31, 2018, THE STATE DEPARTMENT  
12 SHALL CONTRACT WITH A LICENSED PROVIDER FOR THE DELIVERY OF  
13 SERVICES TO CHILDREN AND YOUTH WITH INTELLECTUAL AND  
14 DEVELOPMENTAL DISABILITIES WHO ARE PLACED IN THE PROGRAM. THE  
15 STATE DEPARTMENT SHALL UTILIZE A REQUEST FOR PROPOSAL PROCESS TO  
16 DEFINE THE SCOPE OF THE CONTRACT AND TO SELECT THE LICENSED  
17 PROVIDER.

18 (d) A COUNTY DEPARTMENT THAT WISHES TO PLACE A CHILD OR  
19 YOUTH IN THE PROGRAM SHALL SUBMIT AN APPLICATION TO THE STATE  
20 DEPARTMENT FOR REVIEW. THE STATE DEPARTMENT SHALL APPROVE  
21 ADMISSIONS INTO THE PROGRAM AND DETERMINE DISCHARGE CRITERIA  
22 FOR EACH PLACEMENT. A COUNTY DEPARTMENT THAT HAS APPLIED FOR  
23 THE ADMISSION OF A CHILD OR YOUTH INTO THE PROGRAM SHALL BE  
24 NOTIFIED IN WRITING OF A PLACEMENT APPROVED BY THE STATE  
25 DEPARTMENT.

26 (e) FOR THE DURATION OF THE TREATMENT, AS DEFINED IN THE  
27 APPROVAL LETTER FROM THE STATE DEPARTMENT, AND FOR THIRTY DAYS

1 AFTER THE COMPLETION OF TREATMENT, THE COUNTY DEPARTMENT  
2 RESPONSIBLE FOR THE PLACEMENT OF THE CHILD OR YOUTH IN THE  
3 PROGRAM MUST BE REIMBURSED BY THE STATE DEPARTMENT FOR ONE  
4 HUNDRED PERCENT OF THE COSTS ASSOCIATED WITH THE APPROVED  
5 PLACEMENT.

6 (f) THE STATE DEPARTMENT SHALL NOTIFY THE COUNTY  
7 DEPARTMENT THAT IS RESPONSIBLE FOR THE PLACEMENT OF THE CHILD OR  
8 YOUTH OF THE DATE ON WHICH THE REIMBURSEMENT ELIGIBILITY WILL  
9 EXPIRE. UPON EXPIRATION OF THE REIMBURSEMENT ELIGIBILITY, IF THE  
10 CHILD OR YOUTH REMAINS IN PLACEMENT AT THE FACILITY, THE COUNTY  
11 DEPARTMENT IS RESPONSIBLE FOR ONE HUNDRED PERCENT OF THE  
12 PLACEMENT COSTS.

13 (g) A COUNTY DEPARTMENT THAT HAS PLACED A CHILD OR YOUTH  
14 IN THE PROGRAM RETAINS THE RIGHT TO REMOVE THE CHILD OR YOUTH  
15 FROM THE PROGRAM ANY TIME PRIOR TO THE DISCHARGE DATE SPECIFIED  
16 BY THE STATE DEPARTMENT.

17 (h) THE STATE DEPARTMENT SHALL REIMBURSE THE PROVIDER ONE  
18 HUNDRED PERCENT OF THE COST OF UNUTILIZED BEDS IN THE PROGRAM TO  
19 ENSURE AVAILABLE SPACE FOR EMERGENCY RESIDENTIAL OUT-OF-HOME  
20 PLACEMENTS.

21 (i) ENTITIES OTHER THAN COUNTY DEPARTMENTS, INCLUDING BUT  
22 NOT LIMITED TO HOSPITALS, HEALTH CARE PROVIDERS, SINGLE ENTRY  
23 POINT AGENCIES, AND COMMUNITY-CENTERED BOARDS, MAY APPLY TO  
24 THE STATE DEPARTMENT FOR ADMISSION OF A CHILD OR YOUTH WITH  
25 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES INTO THE PROGRAM  
26 PURSUANT TO THIS SUBSECTION (3). SUCH APPLICATIONS WILL BE  
27 CONSIDERED IF SPACE IS AVAILABLE. HOWEVER, CHILDREN AND YOUTH

1 WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES PLACED BY  
2 COUNTY DEPARTMENTS HAVE PRIORITY. THE STATE DEPARTMENT SHALL  
3 NOT ACCEPT APPLICATIONS FOR PLACEMENT OF A CHILD OR YOUTH WHO  
4 IS EXCLUSIVELY INSURED BY PRIVATE INSURANCE. A CHILD OR YOUTH  
5 WHO IS DUALY INSURED BY PRIVATE INSURANCE AND MEDICAID AND  
6 WHOSE RESIDENTIAL LEVEL OF CARE HAS BEEN DENIED BY PRIVATE  
7 INSURANCE MAY BE ELIGIBLE FOR SERVICES IN THE PROGRAM.

8 (j) ANY ENTITY DEFINED IN SUBSECTION (3)(i) OF THIS SECTION  
9 THAT RECEIVES PLACEMENT APPROVAL FROM THE STATE DEPARTMENT  
10 SHALL CONTRACT DIRECTLY WITH THE PROVIDER FOR SUCH PLACEMENT  
11 AND IS RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE PLACEMENT.

12 (4) AS USED IN THIS SECTION, "COUNTY DEPARTMENT" MEANS A  
13 COUNTY DEPARTMENT OF HUMAN OR SOCIAL SERVICES.

14 **SECTION 5.** In Colorado Revised Statutes, **amend 26-5-103.5**  
15 as follows:

16 **26-5-103.5. Child welfare allocations committee - organization**  
17 **- advisory duties - funding model - allocations model - definitions.**

18 (1) THE STATE DEPARTMENT SHALL CONVENE a child welfare allocations  
19 committee, ~~shall be convened by the state department~~ REFERRED TO IN  
20 THIS SECTION AS THE "COMMITTEE", as necessary in order to make  
21 advisory recommendations as described in this ~~article~~ ARTICLE 5.

22 (2) (a) ~~The child welfare allocations committee shall consist of~~  
23 ~~eleven members, eight of whom shall be appointed by a statewide~~  
24 ~~association of counties and three of whom shall be appointed by the state~~  
25 ~~department. Of the members appointed by the statewide association of~~  
26 ~~counties, at least two members shall be from small or medium-sized~~  
27 ~~counties, and at least three shall be from large counties. The appointing~~

1 ~~authorities shall consult with each other to ensure that the child welfare~~  
2 ~~allocations committee is representative of the counties in the state. A~~  
3 ~~representative from the county that has the greatest percentage of the~~  
4 ~~state's child welfare caseload will automatically be appointed, which~~  
5 ~~appointment shall be credited against the eight appointments allocated to~~  
6 ~~the statewide association of counties~~ THE COMMITTEE CONSISTS OF  
7 THIRTEEN MEMBERS, EIGHT OF WHOM MUST BE APPOINTED BY COUNTY  
8 COMMISSIONERS AND FIVE OF WHOM MUST BE APPOINTED BY THE STATE  
9 DEPARTMENT.

10 (b) OF THE MEMBERS APPOINTED BY THE STATE DEPARTMENT, AT  
11 LEAST TWO MEMBERS MUST BE REPRESENTATIVES FROM THE TWO  
12 COUNTIES IN THE STATE WITH THE GREATEST PERCENTAGE OF THE STATE'S  
13 CHILD WELFARE CASELOAD.

14 (c) OF THE APPOINTMENTS MADE BY COUNTY COMMISSIONERS,  
15 ONLY ONE REPRESENTATIVE PER COUNTY MAY SERVE ON THE COMMITTEE  
16 AT THE SAME TIME, AND:

17 (I) ONE MUST BE APPOINTED BY THE COMMISSIONERS OF EACH OF  
18 THE FOLLOWING REGIONS, AS THOSE REGIONS ARE DEFINED IN SUBSECTION  
19 (2)(d) OF THIS SECTION:

- 20 (A) THE EASTERN REGION;
- 21 (B) THE FRONT RANGE REGION;
- 22 (C) THE MOUNTAIN REGION;
- 23 (D) THE SOUTHERN REGION; AND
- 24 (E) THE WESTERN REGION; AND

25 (II) THREE MUST BE AT-LARGE APPOINTMENTS. OF THE THREE  
26 AT-LARGE APPOINTMENTS, TWO MUST BE APPOINTED BY THE  
27 COMMISSIONERS OF THE COUNTIES DESCRIBED IN SECTION 26-5-104

1 (4)(b)(I), AND ONE MUST BE APPOINTED BY THE COMMISSIONERS WHO  
2 REPRESENT THE COUNTIES DESCRIBED IN SECTION 26-5-104 (4)(b)(II).

3 (d) FOR THE PURPOSES OF THIS SUBSECTION (2):

4 (I) THE EASTERN REGION IS COMPRISED OF CHEYENNE, ELBERT,  
5 KIT CARSON, LINCOLN, LOGAN, MORGAN, PHILLIPS, SEDGWICK,  
6 WASHINGTON, AND YUMA COUNTIES;

7 (II) THE FRONT RANGE REGION IS COMPRISED OF ADAMS,  
8 ARAPAHOE, BOULDER, DOUGLAS, EL PASO, JEFFERSON, LARIMER, AND  
9 WELD COUNTIES, AND THE CITY AND COUNTY OF BROOMFIELD AND THE  
10 CITY AND COUNTY OF DENVER;

11 (III) THE MOUNTAIN REGION IS COMPRISED OF CHAFFEE, CLEAR  
12 CREEK, CUSTER, EAGLE, FREMONT, GILPIN, GRAND, JACKSON, LAKE,  
13 PARK, PITKIN, SUMMIT, AND TELLER COUNTIES;

14 (IV) THE SOUTHERN REGION IS COMPRISED OF ALAMOSA, BACA,  
15 BENT, CONEJOS, COSTILLA, CROWLEY, HUERFANO, KIOWA, LAS ANIMAS,  
16 MINERAL, OTERO, PROWERS, PUEBLO, RIO GRANDE, AND SAGUACHE  
17 COUNTIES; AND

18 (V) THE WESTERN REGION IS COMPRISED OF ARCHULETA, DELTA,  
19 DOLORES, GARFIELD, GUNNISON, HINSDALE, LA PLATA, MESA, MOFFAT,  
20 MONTEZUMA, MONTROSE, OURAY, RIO BLANCO, ROUTT, SAN JUAN, AND  
21 SAN MIGUEL COUNTIES.

22 (3) The ~~child welfare allocations~~ committee shall develop its own  
23 operating procedures.

24 (4) No later than January 15, 1999, the state department, with  
25 input from the ~~child welfare allocations~~ committee, shall make  
26 recommendations to the joint budget committee of the general assembly  
27 for a definition of what ~~shall constitute~~ CONSTITUTES administration and

1 support functions as referred to in section 26-5-101 (3)(m) and a method  
2 for identifying costs for such functions.

3 ~~(5) Pursuant to section 26-5-104 (3), the child welfare allocations~~  
4 ~~committee shall develop a formula to allocate additional funding to~~  
5 ~~counties in addition to the child welfare block grant for the specific~~  
6 ~~purpose of hiring new child welfare staff at the county level in addition~~  
7 ~~to county child welfare staff existing as of January 1, 2015, pursuant to~~  
8 ~~the requirements of section 26-5-104 (8). Counties shall continue to pay~~  
9 ~~for child welfare staff positions existing as of January 1, 2015, through~~  
10 ~~the child welfare block grant. The child welfare allocations committee~~  
11 ~~shall modify the allocation formula as necessary in consideration of any~~  
12 ~~findings from the child welfare caseload study performed pursuant to~~  
13 ~~section 26-5-112 at such time as those findings are available.~~

14 ~~(6) On or before June 15, 2017, the child welfare allocations~~  
15 ~~committee shall consider developing an allocations model based on the~~  
16 ~~recommendations developed pursuant to section 26-5-104 (9). None of~~  
17 ~~the provisions of Senate Bill 16-201, enacted in 2016, supersede or~~  
18 ~~infringe on the statutory authority of the child welfare allocations~~  
19 ~~committee.~~

20 (7) (a) BEGINNING WITH STATE FISCAL YEAR 2018-19, AND EVERY  
21 THREE YEARS THEREAFTER, THE STATE DEPARTMENT SHALL CONTRACT  
22 WITH AN OUTSIDE ENTITY TO DEVELOP A FUNDING MODEL THAT MUST BE  
23 USED TO INFORM THE COMMITTEE, THE GENERAL ASSEMBLY, THE  
24 GOVERNOR, AND THE STATE DEPARTMENT OF THE APPROPRIATE LEVEL OF  
25 FUNDING REQUIRED TO FULLY MEET ALL STATE AND FEDERAL  
26 REQUIREMENTS CONCERNING THE COMPREHENSIVE DELIVERY OF CHILD  
27 WELFARE SERVICES, AS DEFINED IN SECTION 26-5-101 (3). THE FUNDING

1 MODEL MUST TAKE INTO CONSIDERATION WORKLOAD; DEMOGRAPHIC  
2 DATA, INCLUDING POVERTY STATISTICS; AND STATE AND LOCAL ECONOMIC  
3 DRIVERS THAT MAY INFLUENCE THE DELIVERY OF SERVICES. THE FUNDING  
4 MODEL DEVELOPED PURSUANT TO THIS SUBSECTION (7) MUST BE  
5 INFORMED BY THE RECOMMENDATIONS OF THE DELIVERY OF CHILD  
6 WELFARE SERVICES TASK FORCE AS SET FORTH IN SECTION 26-5-105.8 AND  
7 MUST BE USED TO INFORM THE DECISION-MAKING PROCESS OF THE  
8 COMMITTEE.

9 (b) (I) ON OR BEFORE NOVEMBER 1, 2019, AND EACH NOVEMBER  
10 1 THEREAFTER, THE STATE DEPARTMENT, IN COLLABORATION WITH THE  
11 COMMITTEE, SHALL SUBMIT AN ANNUAL REPORT TO THE JOINT BUDGET  
12 COMMITTEE, OR ANY SUCCESSOR COMMITTEE. THE REPORT MUST INCLUDE  
13 THE RESULTS OF REGULAR EVALUATIONS OF THE FUNDING MODEL  
14 DEVELOPED PURSUANT TO SUBSECTION (7)(a) OF THIS SECTION, THE  
15 ALLOCATION FORMULAS DEVELOPED PURSUANT TO SECTION 26-5-104(3),  
16 AND OUTCOMES AND PERFORMANCE MEASURES RELATED TO THE  
17 DELIVERY OF CHILD WELFARE SERVICES, PURSUANT TO SECTION  
18 26-5-105.8.

19 (II) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
20 REPORTING REQUIREMENT IN SUBSECTION (7)(b)(I) OF THIS SECTION  
21 CONTINUES INDEFINITELY.

22 **SECTION 6.** In Colorado Revised Statutes, 26-5-104, **amend** (1),  
23 (3)(a), (3)(b), (3)(c), (4)(d), (6)(a), (6)(b), (6)(d), (6)(g), and (7); **repeal**  
24 (9); and **add** (3)(a.5), (3)(a.6), (4)(d.5), (4)(f), and (6.6) as follows:

25 **26-5-104. Funding of child welfare services - rules - report -**  
26 **provider contracts - funding mechanism review - fund - definitions**  
27 **- rules - repeal.** (1) **Reimbursement.** (a) EXCEPT AS PROVIDED IN

1 SUBSECTION (1)(b) OF THIS SECTION, the state department shall, within the  
2 limits of available appropriations, reimburse the county departments  
3 eighty percent of amounts expended by county departments for child  
4 welfare services, up to the amount of the county's allocation as  
5 determined pursuant to the provisions of this section, except as otherwise  
6 authorized in accordance with the close-out process described in  
7 subsection (7) of this section.

8 (b) THE STATE DEPARTMENT SHALL REIMBURSE THE COUNTY  
9 DEPARTMENTS NINETY PERCENT OF THE AMOUNTS EXPENDED BY COUNTY  
10 DEPARTMENTS FOR ADOPTION AND RELATIVE GUARDIANSHIP ASSISTANCE.  
11 THE ADOPTION AND RELATIVE GUARDIANSHIP ASSISTANCE IS EXEMPT  
12 FROM THE CLOSE-OUT PROCESS DESCRIBED IN SUBSECTION (7) OF THIS  
13 SECTION AND THE CAPPED ALLOCATION DESCRIBED IN SUBSECTION (3) OF  
14 THIS SECTION.

15 (3) **Allocation formula.** (a) For state fiscal year ~~1997-98~~  
16 2018-19, and for each state fiscal year thereafter, the state department,  
17 after input from the child welfare allocations committee, shall develop  
18 formulas for capped and targeted allocations, ~~that must include,~~  
19 INCLUDING THE CHILD WELFARE SERVICES ALLOCATION, THE ALLOCATION  
20 FOR ADDITIONAL COUNTY CHILD WELFARE STAFF, AND THE ALLOCATION  
21 FOR FAMILY AND CHILDREN'S PROGRAMS. ALLOCATION FORMULAS  
22 DEVELOPED PURSUANT TO THIS SUBSECTION (3)(a) MUST INCLUDE,  
23 effective for state fiscal year ~~1998-99~~ 2018-19 AND EACH STATE FISCAL  
24 YEAR THEREAFTER, the estimated caseload for the delivery of those  
25 specific child welfare services to be funded by the money in the capped  
26 or targeted allocations. THE FORMULAS MUST ALSO INCLUDE A  
27 PERFORMANCE-ALIGNED COMPONENT THAT SUPPORTS THE

1 IMPLEMENTATION OF PROMISING, SUPPORTED, OR WELL-SUPPORTED  
2 PRACTICES, AS DEFINED IN THE FEDERAL "FAMILY FIRST PREVENTION  
3 SERVICES ACT OF 2018", AS DEFINED IN SECTION 26-5-101 (4.5); BE  
4 OUTCOME-DRIVEN; AND BE ALIGNED WITH DESIRED STATE  
5 DEPARTMENT-DEFINED OR FEDERALLY REQUIRED OUTCOMES AND GOALS.  
6 THE ALLOCATION TO EACH COUNTY FROM ANY GIVEN FORMULA MUST BE  
7 EQUITABLE AND REFLECTIVE OF THE COST OF DELIVERING SERVICES. If a  
8 county receives more than one capped or targeted allocation for the  
9 delivery of child welfare services, the formula must identify the specific  
10 caseload estimate attributable to each capped or targeted allocation. ~~The~~  
11 ~~determination of the formulas pursuant to the provisions of this~~  
12 ~~subsection (3) must also take into consideration factors that directly affect~~  
13 ~~the population of children in need of child welfare services, as determined~~  
14 ~~by the state department and the child welfare allocations committee.~~

15 (a.5) PURSUANT TO THIS SUBSECTION (3), A COUNTY THAT  
16 RECEIVES AN ALLOCATION FOR COUNTY CHILD WELFARE STAFF IN  
17 ADDITION TO THE CHILD WELFARE SERVICES ALLOCATION SHALL FUND  
18 EXISTING STAFF POSITIONS AS OF JANUARY 1, 2015, THROUGH THE CHILD  
19 WELFARE SERVICES ALLOCATION. POSITIONS CREATED AFTER JANUARY 1,  
20 2015, MAY BE FUNDED THROUGH THE ALLOCATION FOR COUNTY CHILD  
21 WELFARE STAFF.

22 (a.6) ON OR BEFORE MARCH 1 OF ANY STATE FISCAL YEAR, THE  
23 CHILD WELFARE ALLOCATIONS COMMITTEE SHALL SUBMIT WRITTEN  
24 RECOMMENDATIONS TO THE STATE DEPARTMENT TO INFORM THE CAPPED  
25 AND TARGETED ALLOCATIONS. THE CHILD WELFARE ALLOCATIONS  
26 COMMITTEE IS ENCOURAGED TO INCLUDE DOCUMENTATION ON HOW THE  
27 RECOMMENDATIONS SUPPORT THE ACHIEVEMENT OF EXPECTATIONS

1 DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

2 (b) In the event that the state department and the child welfare  
3 allocations committee do not reach an agreement on the allocation  
4 formula on or before ~~June 15~~ JUNE 1 of any state fiscal year for the  
5 succeeding state fiscal year, the state department and the child welfare  
6 allocations committee shall submit alternatives to the joint budget  
7 committee of the general assembly from which such joint budget  
8 committee shall select an allocation formula before the beginning of such  
9 succeeding state fiscal year.

10 (c) ~~The formulas developed by the state department, after input~~  
11 ~~from the child welfare allocations committee, shall~~ PURSUANT TO THIS  
12 SUBSECTION (3) MUST identify the portion of the amounts appropriated for  
13 child welfare services that ~~shall~~ MUST be allocated to the counties for the  
14 provision of child welfare services.

15 (4) **Allocations.** (d) EXCEPT AS PROVIDED FOR IN SUBSECTIONS  
16 (4)(e) AND (4)(f) OF THIS SECTION, the state department may only seek  
17 additional funding from the general assembly in a supplemental  
18 appropriations bill based upon caseload growth, subject to the provisions  
19 of subsection (7) of this section, or changes in federal law or federal  
20 funding. ~~For fiscal years 2006-07 and 2007-08, the state department may~~  
21 ~~seek supplemental funding related to the implementation of the placement~~  
22 ~~of children in a residential child health care program as specified in~~  
23 ~~section 25.5-5-306, C.R.S.~~

24 (d.5) (I) FOR FISCAL YEARS 2018-19 THROUGH 2023-24, IN  
25 ADDITION TO FUNDING RECEIVED PURSUANT TO SUBSECTION (4)(d) OF THIS  
26 SECTION, THE STATE DEPARTMENT MAY SEEK ADDITIONAL FUNDING FROM  
27 THE GENERAL ASSEMBLY IN A SUPPLEMENTAL BILL RELATED TO THE

1 IMPLEMENTATION OF SUBSECTION (6) OF THIS SECTION, AND SUBJECT TO  
2 THE PROVISIONS OF SUBSECTION (7) OF THIS SECTION OR CHANGES IN  
3 FEDERAL LAW OR FEDERAL FUNDING.

4 (II) THIS SUBSECTION (4)(d.5) IS REPEALED, EFFECTIVE JULY 1,  
5 2024.

6 (f) IN ADDITION TO FUNDING RECEIVED PURSUANT TO SUBSECTION  
7 (4)(d) OF THIS SECTION, THE STATE DEPARTMENT MAY SUBMIT A REQUEST  
8 TO THE GENERAL ASSEMBLY FOR A CHANGE IN A SUPPLEMENTAL  
9 APPROPRIATIONS BILL TO THE APPROPRIATION THAT FUNDS ADOPTION AND  
10 RELATIVE GUARDIANSHIP ASSISTANCE EXPENDITURES.

11 (6) **County negotiations with providers.** (a) Subject to rules  
12 promulgated by the state department pursuant to subsection (6)(b) of this  
13 section AND THE METHODOLOGY ADOPTED PURSUANT TO SUBSECTIONS  
14 (6)(e) TO (6)(h) OF THIS SECTION, FOR EACH CHILD OR YOUTH PLACED IN  
15 AN OUT-OF-HOME PLACEMENT SETTING, a county is authorized to  
16 negotiate rates RELATED TO services and outcomes with licensed  
17 out-of-home placement providers; ~~if the county has~~ EXCEPT THAT A  
18 COUNTY MAY NOT NEGOTIATE RATES BELOW THE BASE ANCHOR RATES  
19 ESTABLISHED BY THE STATE DEPARTMENT. COUNTIES WITH AN APPROVED  
20 ALTERNATIVE METHODOLOGY SHALL USE a request for proposal process  
21 ~~in effect for soliciting~~ TO SOLICIT bids from licensed out-of-home  
22 placement providers ~~or another mechanism for evaluating the rates,~~  
23 ~~services, and outcomes that it is negotiating with such licensed~~  
24 ~~out-of-home placement providers that is acceptable to the state~~  
25 ~~department~~ THAT ALLOWS FOR ADEQUATE PRIVATE COMPETITION AND  
26 PROVIDES OPPORTUNITIES FOR COMPETITIVE NEGOTIATIONS.

27 (b) On or before ~~January 1, 2008~~ JANUARY 1, 2019, and as

1 necessary thereafter, the state department shall WORK COLLABORATIVELY  
2 WITH THE STATE BOARD OF HUMAN SERVICES TO promulgate rules  
3 governing the methodology by which counties may negotiate rates,  
4 services, and outcomes with licensed out-of-home placement providers.  
5 IF A COUNTY NEGOTIATES A CONTRACT WITH A LICENSED OUT-OF-HOME  
6 PLACEMENT PROVIDER, THE COUNTY MAY DEFINE THE EXPECTED  
7 OUTCOMES AND INCLUDE OPTIONS FOR THE PAYMENT OF INCENTIVES TO  
8 PROVIDERS WHEN SUCH OUTCOMES ARE ACHIEVED. THE STATE  
9 DEPARTMENT SHALL WORK COLLABORATIVELY WITH THE STATE BOARD OF  
10 HUMAN SERVICES TO PROMULGATE RULES CONCERNING SUCH OUTCOMES  
11 AND INCENTIVE PAYMENTS.

12 (d) ~~By July 1, 2008, and by July 1 of each even-numbered year~~ ON  
13 OR BEFORE JULY 1, 2019, AND EACH JULY 1 thereafter, the state  
14 department shall complete a review of the methodology by which  
15 counties evaluate and negotiate rates, services, ~~and~~ outcomes, AND  
16 INCENTIVES with licensed out-of-home placement providers DEVELOPED  
17 PURSUANT TO THIS SUBSECTION (6) AND ANY ALTERNATIVE  
18 METHODOLOGY FOR WHICH COUNTIES HAVE APPROVAL FROM THE STATE  
19 DEPARTMENT TO UTILIZE. The methodology used is governed by rules  
20 promulgated by the state department pursuant to subsection (6)(b) of this  
21 section. In preparing for and conducting the review, the state department  
22 shall convene a group of persons representing the directors of county  
23 departments of human or social services and the licensed out-of-home  
24 placement provider community. On or before September 1 of each fiscal  
25 year, the group shall submit a report to the joint budget committee  
26 detailing any changes to the rate-setting methodology that results from the  
27 review conducted pursuant to this subsection (6)(d).

1           (g) SUBJECT TO AVAILABLE APPROPRIATIONS, the methodology  
2 must be implemented on or before July 1, 2018, except for those rates that  
3 must be approved by CMS. Rates that must be approved by CMS must be  
4 implemented upon approval. In the event that the representatives  
5 identified in subsection (6)(e) of this section do not agree on the  
6 rate-setting methodology on or before February 1, 2018, the state  
7 department, the county representatives, and the licensed out-of-home  
8 placement providers shall submit alternatives to the joint budget  
9 committee. The joint budget committee shall then select a methodology  
10 prior to the start of the succeeding state fiscal year. IT IS THE INTENT OF  
11 THE GENERAL ASSEMBLY THAT THE RATE METHODOLOGY DEVELOPED  
12 PURSUANT TO THIS SUBSECTION (6) BE FULLY IMPLEMENTED ON OR BEFORE  
13 JUNE 30, 2022, THROUGH INCREMENTAL RATE INCREASES ESTABLISHED BY  
14 THE STATE DEPARTMENT. FOR FISCAL YEAR 2019-20 THROUGH FISCAL  
15 YEAR 2021-22, THE STATE DEPARTMENT IS ENCOURAGED TO SUBMIT, AS  
16 A PART OF THE ANNUAL BUDGET PROCESS, A REQUEST FOR INCREASED  
17 APPROPRIATIONS TO FUND THE INCREASED RATES REQUIRED BY THE  
18 METHODOLOGY.

19           (6.6) (a) EACH COUNTY OR REGION OF COUNTIES, AS DETERMINED  
20 BY THE STATE DEPARTMENT, SHALL, WITH ASSISTANCE FROM THE STATE  
21 DEPARTMENT, PERFORM AN ANALYSIS OF AVAILABLE IN-HOME,  
22 FAMILY-LIKE, AND OUT-OF-HOME PLACEMENT SETTINGS. ON OR BEFORE  
23 JULY 1, 2019, EACH DESIGNATED COUNTY OR REGION OF COUNTIES SHALL  
24 SUBMIT A REPORT TO THE STATE DEPARTMENT, INCLUDING AN  
25 EVALUATION OF THE TYPES AND AVAILABILITY OF EACH PLACEMENT  
26 OPTION IN THE COUNTY OR REGION OF COUNTIES, AVAILABLE PLACEMENT  
27 OPTIONS IN ADJACENT COUNTIES OR REGION OF COUNTIES, AND A PLAN TO

1 EXPAND IN-HOME, FAMILY-LIKE, AND OUT-OF-HOME PLACEMENT SETTINGS  
2 CAPACITY WITHIN THE COUNTY OR REGION OF COUNTIES, IF NECESSARY.

3 (b) ON OR BEFORE JULY 1, 2020, THE STATE DEPARTMENT SHALL  
4 SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE. THE REPORT MUST  
5 INCLUDE:

6 (I) THE COUNTY UTILIZATION RATE FOR IN-HOME, FAMILY-LIKE,  
7 AND OUT-OF-HOME PLACEMENT SETTINGS;

8 (II) AN ANALYSIS OF PROJECTED FEDERAL REIMBURSEMENT FOR  
9 EACH TYPE OF PLACEMENT PURSUANT TO THE FEDERAL "FAMILY FIRST  
10 PREVENTION SERVICES ACT OF 2018", AS DEFINED IN SECTION 26-5-101  
11 (4.5);

12 (III) A DESCRIPTION OF ANTICIPATED CHANGES IN FEDERAL  
13 REIMBURSEMENT FOR EACH TYPE OF PLACEMENT;

14 (IV) AN ANALYSIS OF STATEWIDE SERVICES AND PLACEMENT  
15 CAPACITY, INFORMED BY THE COUNTY REPORTS REQUIRED PURSUANT TO  
16 SUBSECTION (6.6)(a) OF THIS SECTION;

17 (V) PROJECTIONS FOR THE STATEWIDE FISCAL IMPACT RESULTING  
18 FROM CHANGES IN FEDERAL REIMBURSEMENT; AND

19 (VI) A PLAN TO MINIMIZE THE FISCAL IMPACT TO THE STATE  
20 RESULTING FROM CHANGES IN FEDERAL REIMBURSEMENT FOR SERVICES  
21 AND PLACEMENT TYPES.

22 (7) **Close-out process for county allocations.** (a) (I) For state  
23 fiscal year ~~1998-99~~ 2018-19, and for each state fiscal year thereafter, ~~and~~  
24 THE STATE DEPARTMENT SHALL RETAIN ANY UNSPENT GENERAL FUND  
25 MONEY INCLUDED IN THE INITIAL ALLOCATION TO EACH BALANCE OF  
26 STATE COUNTY, UP TO FIVE PERCENT OF THE TOTAL GENERAL FUND MONEY  
27 ALLOCATED TO BALANCE OF STATE COUNTIES, AS DESCRIBED IN

1 SUBSECTION (4)(b) OF THIS SECTION AND REFERRED TO IN THIS  
2 SUBSECTION (7)(a) AS "SMALL AND MEDIUM-SIZED COUNTIES".

3 (II) RETAINED MONEY PURSUANT TO SUBSECTION (7)(a)(I) OF THIS  
4 SECTION MUST BE TRANSFERRED INTO THE CHILD WELFARE PREVENTION  
5 AND INTERVENTION SERVICES CASH FUND, WHICH IS HEREBY CREATED IN  
6 THE STATE TREASURY AND REFERRED TO IN THIS SUBSECTION (7) AS THE  
7 "FUND".

8 (III) THE STATE DEPARTMENT IS AUTHORIZED TO ACCEPT GIFTS,  
9 GRANTS, AND DONATIONS, WHICH MUST BE TRANSFERRED INTO THE FUND,  
10 IN ADDITION TO TRANSFERS FROM THE GENERAL FUND AS APPROPRIATED  
11 BY THE GENERAL ASSEMBLY.

12 (IV) MONEY FROM THE FUND MUST BE ALLOCATED BY THE STATE  
13 DEPARTMENT, IN CONSULTATION WITH COUNTIES, TO SMALL AND  
14 MEDIUM-SIZED COUNTIES TO INCREASE LOCAL CHILD WELFARE  
15 PREVENTION AND INTERVENTION SERVICES CAPACITY AND SHALL BE USED  
16 BY COUNTIES FOR THE DELIVERY OF CHILD WELFARE PREVENTION AND  
17 INTERVENTION SERVICES THAT HAVE BEEN APPROVED BY THE STATE  
18 DEPARTMENT.

19 (V) THE STATE DEPARTMENT SHALL WORK COLLABORATIVELY  
20 WITH THE STATE BOARD OF HUMAN SERVICES TO PROMULGATE RULES  
21 CONCERNING THE ALLOCATION AND USE OF MONEY FROM THE FUND.

22 (a.5) Subject to the limitations set forth in this subsection (7), the  
23 state department may, at the end of a state fiscal year based upon the  
24 recommendations of the child welfare allocations committee, allocate any  
25 unexpended capped funds for the delivery of specific child welfare  
26 services to any one or more counties whose spending has exceeded a  
27 capped allocation for such specific child welfare services. SUBSEQUENT

1 TO THE ALLOCATION OF ANY UNEXPENDED CAPPED FUNDS, ANY  
2 REMAINING STATE GENERAL FUND MONEY MUST BE TRANSFERRED INTO  
3 THE FUND FOR ALLOCATION BY THE STATE DEPARTMENT TO COUNTIES FOR  
4 THE DELIVERY OF STATE DEPARTMENT-APPROVED CHILD WELFARE  
5 PREVENTION AND INTERVENTION SERVICES.

6 (b) A county may only receive funds pursuant to the provisions of  
7 ~~paragraph (a) of this subsection (7)~~ SUBSECTION (7)(a) OF THIS SECTION  
8 if the requirements of section 26-5-103.5 (4) have been satisfied, for  
9 expenditures other than those attributable to administrative and support  
10 functions as referred to in section 26-5-101 (3)(m), as defined in  
11 accordance with the provisions of section 26-5-103.5 (4), and for  
12 authorized expenditures attributable to caseload increases beyond the  
13 caseload estimate established pursuant to subsection (3) of this section for  
14 a specific capped allocation.

15 (c) A county may not receive funds pursuant to the provisions of  
16 ~~paragraph (a) of this subsection (7)~~ SUBSECTION (7)(a) OF THIS SECTION  
17 for authorized expenditures attributable to caseload increases for services  
18 in one capped allocation from unexpended capped funds in another  
19 capped allocation.

20 (d) As used in this section, "unexpended capped funds" means  
21 funds that have been appropriated for child welfare services, allocated to  
22 a county or group of counties as a capped allocation or allocations  
23 pursuant to the provisions of subsection (4) of this section. ~~but not spent~~  
24 ~~by such county or group of counties or subject to the provisions of section~~  
25 ~~26-5-105.5(3).~~

26 (9) **Child welfare funding review and restructure.** ~~(a) On or~~  
27 ~~before August 1, 2016, the child welfare allocations committee shall~~

1 consider whether a restructuring of child welfare funding policy would be  
2 advisable. The child welfare allocations committee shall solicit and  
3 include input from any interested county commissioners, directors of  
4 county departments of human or social services, county child welfare  
5 directors, county financial officers, the state department, and the joint  
6 budget committee in its consideration of child welfare funding  
7 restructuring. Any such policy changes must reflect federal and state law,  
8 as well as current child welfare practices.

9 (b) On or before December 15, 2016, the child welfare allocations  
10 committee shall provide the joint budget committee with its findings and  
11 any recommendations for restructuring child welfare funding. The  
12 recommendations must include the input from stakeholders as provided  
13 for in paragraph (a) of this subsection (9), and may include standards for  
14 a new allocations model for child welfare funding and an evaluation  
15 process. The child welfare allocations committee is not required to  
16 recommend changes to the current child welfare funding structure if it  
17 determines that the current structure is the preferable option.

18 (c) The child welfare allocations committee shall consider input  
19 from stakeholders as provided for in paragraph (a) of this subsection (9)  
20 in discussing:

21 (I) Funding for county-level staff, services, child welfare-related  
22 operational expenses, and administrative and support functions;

23 (II) Strategies that enhance the flexibility for counties to use child  
24 welfare funding in accordance with state and federal laws;

25 (III) Strategies to improve job enrichment and employee retention;

26 (IV) The impact of any recommendation on local spending  
27 requirements;

1           ~~(V) Any statutory changes necessary to implement the~~  
2 ~~recommendations; and~~

3           ~~(VI) Allocations that support current child welfare practices:~~

4           ~~(d) On or before January 1, 2018, and each January 1 thereafter,~~  
5 ~~the child welfare allocations committee shall submit an annual report to~~  
6 ~~the joint budget committee, the public health care and human services~~  
7 ~~committee of the house of representatives, and the senate health and~~  
8 ~~human services committee, or any successor committees. The report must~~  
9 ~~include the results of regular assessments of the methods for the~~  
10 ~~evaluation of and reporting on the allocation, use, sufficiency, and~~  
11 ~~effectiveness of funding and services funded through line items from~~  
12 ~~which allocations are made to counties.~~

13           **SECTION 7.** In Colorado Revised Statutes, 26-5-105.5, **repeal**  
14 **(3)** as follows:

15           **26-5-105.5. State department integrated care management**  
16 **program - county performance agreements - authorized -**  
17 **performance incentive cash fund created - repeal.** (3) Any county that  
18 has entered into a performance agreement with the state department and  
19 underspends the general fund portion of its capped or targeted allocation  
20 may use those funds, not to exceed five percent of the general fund  
21 portion of its total capped or targeted allocation for child welfare services,  
22 to either reduce its county share by the amount of the underexpenditure  
23 or spend such moneys on additional services for children in the county.  
24 Any balance of the general fund portion of its capped or targeted  
25 allocation shall be used for additional services for children in the county.

26           **SECTION 8.** In Colorado Revised Statutes, **add** 26-5-105.8 as  
27 follows:

1           **26-5-105.8. Delivery of child welfare services task force -**  
2           **duties - membership - reporting requirements - repeal.** (1) THERE IS

3           CREATED IN THE STATE DEPARTMENT THE DELIVERY OF CHILD WELFARE  
4           SERVICES TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK  
5           FORCE". THE STATE DEPARTMENT, IN COLLABORATION WITH COUNTIES,  
6           SHALL CONVENE THE TASK FORCE AT LEAST ONCE PER QUARTER,  
7           BEGINNING JULY 1, 2018. THE PURPOSE OF THE TASK FORCE IS TO:

8           (a) ANALYZE LAWS AND RULES RELATED TO THE DELIVERY OF  
9           CHILD WELFARE SERVICES TO ENSURE ALIGNMENT WITH THE FEDERAL  
10          "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", AS DEFINED IN  
11          SECTION 26-5-101 (4.5);

12          (b) DEVELOP A METHOD THROUGH WHICH TO INCENTIVIZE  
13          COUNTIES FOR THE PROVISION OF SERVICES AND PLACEMENTS THAT ARE  
14          BASED ON THE NEEDS OF THE CHILD OR YOUTH, AS DETERMINED BY THE  
15          ASSESSMENT AND REVIEW PROCESS REQUIRED BY THE FEDERAL "FAMILY  
16          FIRST PREVENTION SERVICES ACT OF 2018", AS DEFINED IN SECTION  
17          26-5-101 (4.5), AND DETERMINE THE LEVEL TO WHICH THE STATE  
18          DEPARTMENT SHALL REIMBURSE THE COUNTIES FOR CERTAIN  
19          OUT-OF-HOME PLACEMENTS THAT DO NOT MEET THE CRITERIA OF THE  
20          FEDERAL "FAMILY FIRST PREVENTION SERVICES ACT OF 2018";

21          (c) ESTABLISH PERFORMANCE AND OUTCOME MEASURES AND THE  
22          PROCESS BY WHICH TO EVALUATE THE MEASURES ASSOCIATED WITH THE  
23          DELIVERY OF CHILD WELFARE SERVICES, INCLUDING BUT NOT LIMITED TO  
24          RESIDENTIAL OUT-OF-HOME PLACEMENTS; FOSTER CARE; ADOPTION; AND  
25          SERVICES TO CHILDREN AND YOUTH IN THEIR OWN HOMES, INCLUDING  
26          PREVENTION AND INTERVENTION SERVICES, AND DETERMINE HOW THE  
27          MEASURES AND EVALUATION WILL BE USED TO INFORM THE FUNDING

1 MODEL DESCRIBED IN SECTION 26-5-103.5 (7)(a) AND THE ALLOCATION OF  
2 FUNDS PURSUANT TO SECTION 26-5-104 (3);

3 (d) INVESTIGATE COLLABORATIVE PREVENTION AND  
4 INTERVENTION MODELS THROUGHOUT THE COUNTRY AND DETERMINE  
5 MODIFICATIONS THAT CAN BE MADE TO THE COLLABORATIVE  
6 MANAGEMENT AND INTEGRATED CARE MANAGEMENT PROGRAMS IN ORDER  
7 TO GUARANTEE ONGOING CROSS-SYSTEMS COLLABORATION, IMPROVED  
8 OUTCOMES FOR CHILDREN AND FAMILIES, INTEGRATION OF MULTI-SYSTEM  
9 SERVICES, AND EXPANSION OF SYSTEM-OF-CARE PRINCIPLES, WHILE  
10 MAINTAINING THE INTEGRITY AND CAPACITY OF THE CHILD WELFARE  
11 SYSTEM AND ITS ASSOCIATED FUNDING;

12 (e) EVALUATE AND SELECT ONE OR MORE STATEWIDE  
13 LEVEL-OF-CARE TOOLS TO ENSURE COMPLIANCE WITH THE FEDERAL  
14 "FAMILY FIRST PREVENTION SERVICES ACT OF 2018", AS DEFINED IN  
15 SECTION 26-5-101 (4.5);

16 (f) EVALUATE THE PROCESS THROUGH WHICH THE STATE ACCESSES  
17 FEDERAL FUNDING AND DETERMINE METHODS THROUGH WHICH THE STATE  
18 WILL MAXIMIZE FEDERAL FUNDING FOR THE DELIVERY OF PREVENTION  
19 AND INTERVENTION SERVICES, OUT-OF-HOME PLACEMENT SERVICES, AND  
20 ANY OTHER FEDERALLY FUNDED PROGRAMS OR SERVICES;

21 (g) EVALUATE MEDICAID RATES AND THE ELIGIBILITY  
22 DETERMINATION PROCESS AND TIMELINE SPECIFICALLY RELATED TO  
23 INDIVIDUALS INVOLVED IN THE CHILD WELFARE SYSTEM AND DEVELOP A  
24 PROCESS THROUGH WHICH COUNTIES CAN MAXIMIZE MEDICAID  
25 UTILIZATION; AND

26 (h) MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, THE  
27 GOVERNOR, THE STATE DEPARTMENT, AND THE CHILD WELFARE

1 ALLOCATIONS COMMITTEE CONCERNING THE TASK FORCE'S  
2 RESPONSIBILITIES AND FINDINGS.

3 (2) THE TASK FORCE MEMBERS MUST BE APPOINTED BY AUGUST  
4 1, 2018, AND MUST INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING  
5 MEMBERS:

6 (a) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, OR HIS  
7 OR HER DESIGNEE;

8 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH  
9 CARE POLICY AND FINANCING, OR HIS OR HER DESIGNEE;

10 (c) THE STATE COURT ADMINISTRATOR, OR HIS OR HER DESIGNEE;

11 (d) ONE PERSON FROM A BEHAVIORAL HEALTH SERVICES  
12 PROVIDER, APPOINTED BY THE STATE DEPARTMENT;

13 (e) THREE PERSONS WHO REPRESENT THE PROVIDER COMMUNITY,  
14 APPOINTED BY THE STATE DEPARTMENT AS FOLLOWS:

15 (I) ONE PERSON WHO REPRESENTS PREVENTION AND  
16 INTERVENTION PROVIDERS;

17 (II) ONE PERSON WHO REPRESENTS OUT-OF-HOME PLACEMENT  
18 PROVIDERS; AND

19 (III) ONE PERSON WHO REPRESENTS PROVIDERS WITH EXPERTISE  
20 IN PROMISING, SUPPORTED, OR WELL-SUPPORTED PRACTICES OR  
21 PROGRAMMING; AND

22 (f) THREE PERSONS WHO REPRESENT THE COUNTIES, APPOINTED BY  
23 THE STATE DEPARTMENT.

24 (3) EXCEPT AS PROVIDED FOR IN SECTION 2-2-326, MEMBERS OF  
25 THE TASK FORCE SHALL SERVE ON A VOLUNTARY BASIS WITHOUT  
26 COMPENSATION BUT ARE ENTITLED TO REIMBURSEMENT FOR ACTUAL AND  
27 NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR DUTIES.

1           (4) THE TASK FORCE SHALL DEVELOP A PLAN TO IMPLEMENT ITS  
2 RECOMMENDATIONS AND PROVIDE A QUARTERLY UPDATE, BEGINNING  
3 OCTOBER 15, 2018, ON THE TASK FORCE'S PROGRESS TO THE JOINT BUDGET  
4 COMMITTEE, THE PUBLIC HEALTH CARE AND HUMAN SERVICES COMMITTEE  
5 OF THE HOUSE OF REPRESENTATIVES, AND THE HEALTH AND HUMAN  
6 SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR COMMITTEES.

7           (5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2022.

8           **SECTION 9. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety.