

CHAPTER 38

HUMAN SERVICES - SOCIAL SERVICES

HOUSE BILL 22-1035

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AN ACT**CONCERNING MODERNIZATION OF THE "OLDER COLORADANS' ACT".**

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

SECTION 1. In Colorado Revised Statutes, **amend** 26-11-100.2 as follows:

26-11-100.2. Legislative declaration. (1) The general assembly ~~hereby~~ finds and declares that:

(a) Older Coloradans constitute a fundamental resource of this state. Often, their competence, experience, and wisdom are underutilized, and a means must be found to EFFECTIVELY use their abilities ~~more effectively~~ for the benefit of all Coloradans. The number of persons in this state sixty years of age or older is increasing rapidly, and, of these persons, the number of women, ~~minorities~~ PEOPLE OF COLOR, and persons seventy-five years of age or older is expanding at an even greater rate. ~~Among those persons seventy-five years of age or older, there is a higher incidence of functional disability. The social and health problems of older people are compounded by the lack of access to existing services and by the unavailability of a complete range of services in all areas of the state. The ability of older people to maintain self-sufficiency and personal well-being with the dignity to which their years of labor entitle them and to realize their maximum potential as creative and productive individuals are matters of profound importance and concern for all Coloradans.~~

(b) A STATE THAT IS WELL-ADAPTED FOR AGING IS ONE WHERE ALL INDIVIDUALS CAN THRIVE AND ARE ADEQUATELY SUPPORTED: A COLORADO FOR ALL. COLORADO

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

MUST SUPPORT A HIGH QUALITY OF LIFE FOR OLDER COLORADANS AND THEIR FAMILIES BY PROMOTING HEALTH AND WELL-BEING; SUPPORTING AFFORDABLE, HIGH-QUALITY, AND SUSTAINABLE LONG-TERM SERVICES AND SUPPORTS; FOSTERING WORKFORCE DEVELOPMENT AND SELF-SUFFICIENCY; CREATING LIVABLE COMMUNITIES; AND INTEGRATING AGING POLICY AND PROGRAMS ACROSS STATE GOVERNMENT.

(c) TO ENSURE THAT COLORADO IS THE BEST STATE IN WHICH TO GROW OLD, THE FOLLOWING GOALS MUST GUIDE AGING AND AGING SERVICES IN COLORADO:

(I) OLDER COLORADANS ARE ABLE TO LIVE AND FULLY PARTICIPATE IN THEIR COMMUNITIES OF CHOICE FOR AS LONG AS POSSIBLE;

(II) OLDER COLORADANS ARE ABLE TO STAY ENGAGED IN THE LABOR FORCE OR VOLUNTEER SECTOR FOR AS LONG AS THEY WANT OR NEED;

(III) OLDER COLORADANS AND THEIR FAMILIES ARE FINANCIALLY SECURE AND PREPARED TO MEET THE CHALLENGES OF AGING;

(IV) COLORADANS ARE PREPARED FOR THE CHALLENGES OF CARING FOR AGED LOVED ONES AND ARE ABLE TO DO SO WITHOUT ENDANGERING THEIR OWN PHYSICAL, BEHAVIORAL, AND FINANCIAL HEALTH OR WELL-BEING OR THE HEALTH AND WELL-BEING OF THEIR LOVED ONES;

(V) TRAINED WORKERS ARE SKILLED, EDUCATED, AND PAID COMMENSURATE TO THEIR ABILITIES AND TRAINING TO MEET THE NEEDS OF EMPLOYERS AND INDUSTRIES SERVING AN INCREASING POPULATION OF OLDER COLORADANS;

(VI) OLDER COLORADANS CAN STAY HEALTHIER LONGER THROUGH ACCESS TO QUALITY AND AFFORDABLE PERSON-CENTERED AND CULTURALLY APPROPRIATE CARE THAT ALIGNS WITH THEIR PREFERENCES AND VALUES;

(VII) THE STATE CAN MEET ITS COMMITMENT TO SUPPORT OLDER COLORADANS AND THEIR FAMILIES; AND

(VIII) COLORADO CAN EMPOWER AND PROTECT OLDER COLORADANS FROM ABUSE, NEGLECT, EXPLOITATION, AND OTHER HARMFUL ACTS;

(d) COLORADO FACES A HISTORIC DEMOGRAPHIC SHIFT OVER THE NEXT FIFTY YEARS THAT WILL CREATE OPPORTUNITIES AND CHALLENGES. THIS SHIFT WILL RESULT IN AN UNPRECEDENTED NUMBER OF OLDER WORKERS REMAINING IN THE WORKFORCE AND OLDER COLORADANS SHIFTING INTO RETIREMENT. THE DEMOGRAPHIC CHANGES WILL RESULT IN WIDE-RANGING ECONOMIC AND SOCIAL IMPACTS ON THE WORKFORCE, HOUSING, TRANSPORTATION, LONG-TERM SERVICES AND SUPPORTS, AND HEALTH CARE. THE STATE MUST ACT TO CAPITALIZE ON THE OPPORTUNITIES AND ADDRESS THE CHALLENGES.

(e) TO ENSURE THAT OLDER COLORADANS ARE PREPARED TO ADDRESS AGING-RELATED OPPORTUNITIES AND CHALLENGES, IT IS CRITICAL THAT THE STATE EMPOWER AND EDUCATE RESIDENTS FROM AN EARLY AGE TO PREPARE FOR THE REALITIES OF A LONG LIFE. THE STATE SHOULD ENCOURAGE RESIDENTS TO ENGAGE

IN RETIREMENT PLANNING, HEALTH AND WELLNESS PRESERVATION ACTIVITIES AND SERVICES, LIFELONG LEARNING, CROSS-GENERATIONAL COLLABORATION, AND CIVIC ENGAGEMENT.

(f) AGING IS A PERSONAL EXPERIENCE THAT VARIES FROM PERSON TO PERSON. COLORADANS WILL AGE DIFFERENTLY, WITH SOME REMAINING MENTALLY AND PHYSICALLY CAPABLE UNTIL THEY DIE AND OTHERS EXPERIENCING MENTAL AND PHYSICAL DISABILITIES EARLIER IN LIFE. AS A RESULT, OLDER COLORADANS AND THEIR FAMILIES ARE PRESENTED WITH VARYING OPPORTUNITIES AND CHALLENGES ACROSS THEIR LIVES. SOME OLDER COLORADANS WILL CONTINUE TO LIVE INDEPENDENTLY IN THEIR OWN HOMES WHILE OTHERS WILL REQUIRE LONG-TERM SKILLED NURSING CARE. IN COORDINATION WITH STATE DEPARTMENT SUBJECT MATTER EXPERTS, AREA AGENCIES ON AGING, LOCAL GOVERNMENTS, AND COMMUNITY STAKEHOLDERS, IT IS A PRIORITY OF THE GENERAL ASSEMBLY TO EXAMINE THE COMPLEXITY OF THESE ISSUES AND DEVELOP POLICIES THAT SUPPORT COMMUNITIES AND FAMILIES ACROSS COLORADO. THE AGING PROCESS IS FURTHER IMPACTED BY HISTORICAL DISPARITIES, INCLUDING BUT NOT LIMITED TO STRUCTURAL RACISM, SEXISM, AND AGEISM. THE SOCIAL AND HEALTH PROBLEMS OF OLDER COLORADANS ARE COMPOUNDED BY LIMITED PREPARATION FOR AN INCREASE IN LIFE EXPECTANCY AND LACK OF ACCESS TO SERVICES, OR THE UNAVAILABILITY OF SERVICES, THROUGHOUT THE STATE. IT IS OF PROFOUND IMPORTANCE FOR ALL COLORADANS THAT OLDER COLORADANS MAINTAIN SELF-SUFFICIENCY AND PERSONAL WELL-BEING, HAVE ACCESS TO NECESSARY SERVICES AND SUPPORTS, AND REALIZE THEIR MAXIMUM POTENTIAL AS CREATIVE AND PRODUCTIVE INDIVIDUALS.

~~(2) (a) The general assembly further declares that it is the policy of this state: To protect older Coloradans from abuse, neglect, or exploitation; to involve older Coloradans in the planning and operation of all programs and services that may affect them; to encourage agencies at all levels of government, as well as in the private sector, to develop alternative services and forms of care that would provide a range of services to be delivered in the community and in the home and that would facilitate access to other services which support independent living and prevent unnecessary institutionalization; to give priority in planning services and programs to those older Coloradans with the greatest economic need or the greatest social need; and to facilitate and encourage joint program planning and policy development among state and local agencies which recognize and strengthen the community and personal support networks to which people belong and on which they depend and which administer programs and deliver services to the older population.~~ THEREFORE, THE GENERAL ASSEMBLY FINDS THAT IT IS COLORADO'S POLICY TO:

(I) EMPOWER AND PROTECT OLDER COLORADANS FROM ABUSE, NEGLECT, EXPLOITATION, AND OTHER HARMFUL ACTS;

(II) MEANINGFULLY INVOLVE OLDER COLORADANS IN THE PLANNING AND OPERATION OF ALL PROGRAMS AND SERVICES THAT MAY AFFECT THEM;

(III) ENCOURAGE AGENCIES AT ALL LEVELS OF GOVERNMENT, AS WELL AS THE PRIVATE SECTOR, TO DEVELOP ALTERNATIVE SERVICES AND FORMS OF CARE THAT PROVIDE A RANGE OF SERVICES TO BE DELIVERED IN THE COMMUNITY AND HOME

THAT SUPPORT INDEPENDENT LIVING AND PREVENT UNNECESSARY INSTITUTIONALIZATION;

(IV) REDUCE HEALTH DISPARITIES AND SUPPORT AGING ACROSS AN INDIVIDUAL'S LIFESPAN;

(V) PRIORITIZE PLANNING SERVICES AND PROGRAMS FOR OLDER COLORADANS WITH THE GREATEST ECONOMIC OR SOCIAL NEEDS;

(VI) ACKNOWLEDGE AND REMOVE BARRIERS TO ENSURE PROGRAMS, SERVICES, PROJECTS, POLICIES, PROCEDURES, AND RESOURCES ARE INCLUSIVE OF ALL OLDER COLORADANS, PARTICULARLY THOSE WHO ARE MOST UNDERSERVED;

(VII) RECOGNIZE THAT PREPARING ALL COLORADANS FOR THE DIFFERENT FACETS OF A LONGER LIFE IS PART OF THE STATE'S RESPONSIBILITY; AND

(VIII) FACILITATE AND ENCOURAGE JOINT PROGRAM PLANNING AND POLICY DEVELOPMENT AMONG STATE, REGIONAL, AND LOCAL GOVERNMENT TO PROMOTE INNOVATION, EFFICIENCY, AND MAXIMIZE RESOURCES;

(b) IN ORDER TO SUPPORT OLDER COLORADANS, THE GENERAL ASSEMBLY FINDS THAT A CITIZEN-LED, MULTIDISCIPLINARY STAKEHOLDER COMMISSION, COMPRISED OF REPRESENTATIVES FROM BOTH THE PUBLIC AND PRIVATE SECTORS, IS NEEDED TO COORDINATE AND CONTRIBUTE TO GUIDING STATE PROGRAMS, SERVICES, PROJECTS, POLICIES, PROCEDURES, AND RESOURCES IN THE AREA OF AGING.

SECTION 2. In Colorado Revised Statutes, **amend** 26-11-101 as follows:

26-11-101. Commission on aging - created - definition. (1) (a) There is hereby created in the state department the Colorado commission on the aging, referred to in this article ARTICLE 11 as the "commission", which shall consist of seventeen members appointed by the governor, with the consent of the senate. Two members shall be appointed from each congressional district of the state, one of whom shall be from each major political party, and, after July 1, 1976, and thereafter when a vacancy occurs, one of such members shall be from west of the continental divide. A vacancy on the commission occurs whenever any member moves out of the congressional district from which he or she was appointed. Any member who moves out of such congressional district shall promptly notify the governor of the date of such move, but such notice is not a condition precedent to the occurrence of the vacancy. The governor shall fill the vacancy as provided in subsection (2) of this section. Appointments made to take effect on January 1, 1983, shall be made in accordance with section 24-1-135, C.R.S. No more than nine members of the commission shall be members of the same major political party. One member shall be appointed from the state at large, one member shall be appointed from among the membership of the senate, and one member shall be appointed from among the membership of the house of representatives. Appointments to the commission shall comply with the requirements of the rules and regulations of the United States department of health and human services promulgated pursuant to Public Law 93-29, known as the "Older Americans Comprehensive Services Amendments of 1973", as such rules and regulations appear in section 903.50 (c) of title 45 of the code of federal regulations. In making appointments to the commission, the

~~governor is encouraged to include representation by at least one member who is a person with a disability, a family member of a person with a disability, or a member of an advocacy group for persons with disabilities, provided that the other requirements of this subsection (1) are met~~ FOR THE PURPOSE OF COORDINATING AND GUIDING THE IMPLEMENTATION OF THE STRATEGIC ACTION PLAN ON AGING, DEVELOPED PURSUANT TO SECTION 24-32-3406, AND OTHER STRATEGIES THE COMMISSION MAY IDENTIFY THAT SUPPORT OLDER COLORADANS. THE COMMISSION SHALL CONSIST OF NINETEEN MEMBERS WHO MUST BE APPOINTED AS FOLLOWS:

(I) ONE MEMBER FROM THE COLORADO SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE;

(II) ONE MEMBER FROM THE COLORADO HOUSE OF REPRESENTATIVES, APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND

(III) SEVENTEEN MEMBERS APPOINTED BY THE GOVERNOR, WITH THE CONSENT OF THE SENATE, AS FOLLOWS:

(A) ONE MEMBER FROM EACH CONGRESSIONAL DISTRICT OF THE STATE;

(B) ONE MEMBER WHO IS A REPRESENTATIVE OF HIGHER EDUCATION OR THE COLORADO COMMUNITY COLLEGE SYSTEM;

(C) ONE MEMBER WHO IS A DIRECTOR OF AN AREA AGENCY ON AGING, AS DESCRIBED IN SECTION 26-11-204;

(D) ONE MEMBER WITH EXTENSIVE KNOWLEDGE OF WORKFORCE ISSUES IMPACTING OLDER COLORADANS;

(E) ONE MEMBER WHO REPRESENTS A LONG-TERM RESIDENTIAL CARE SETTING;

(F) ONE MEMBER WHO REPRESENTS COLORADANS LIVING WITH DEMENTIA;

(G) ONE MEMBER WHO REPRESENTS AN ORGANIZATION PROVIDING HOME- AND COMMUNITY-BASED SERVICES;

(H) ONE MEMBER WITH EXTENSIVE KNOWLEDGE OF OR EXPERIENCE WITH TRANSPORTATION INFRASTRUCTURE AND SERVICES;

(I) ONE MEMBER WHO REPRESENTS THE HOUSING SECTOR; AND

(J) ONE MEMBER OF THE PUBLIC POLICY OR ELDER LAW COMMUNITY WITH EXTENSIVE KNOWLEDGE OF AND EXPERIENCE WITH AGING POLICY OR ELDER RIGHTS ISSUES.

(b) IN MAKING APPOINTMENTS PURSUANT TO SUBSECTION (1)(a)(III) OF THIS SECTION, THE GOVERNOR SHALL APPOINT NO MORE THAN A MINIMUM MAJORITY OF COMMISSION MEMBERS AFFILIATED WITH THE SAME POLITICAL PARTY. IN MAKING APPOINTMENTS, THE GOVERNOR SHALL SELECT:

(I) MEMBERS WHO REPRESENT DIVERSE RACIAL, CULTURAL, SOCIOECONOMIC,

GENDER, AND ABILITY GROUPS, AND INDIVIDUALS RECEIVING COMMUNITY-BASED SOCIAL OR MEDICAL SERVICES THAT SUPPORT INDEPENDENT LIVING;

(II) FOR THE CONGRESSIONAL DISTRICT MEMBERS, AT LEAST ONE MEMBER WHO IS SIXTY YEARS OF AGE OR OLDER, OR WHO IS A PERSON LIVING WITH A DISABILITY, OR WHO HAS A FAMILY MEMBER LIVING WITH A DISABILITY;

(III) AT LEAST ONE MEMBER WHO REPRESENTS RURAL OR FRONTIER AREAS OF THE STATE;

(IV) AT LEAST ONE REPRESENTATIVE FROM A LOCAL GOVERNMENT; AND

(V) AT LEAST ONE REPRESENTATIVE OF THE BUSINESS COMMUNITY IN ORDER TO CONSIDER THE POTENTIAL FOR INITIATIVES DEVELOPED IN THE PRIVATE, FOR-PROFIT SECTOR.

(c) APPOINTMENTS TO THE COMMISSION MUST COMPLY WITH THE RULES PROMULGATED BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSUANT TO THE FEDERAL "OLDER AMERICANS COMPREHENSIVE SERVICES AMENDMENTS OF 1973", PUB.L. 93-29, AS AMENDED.

~~(2)(a) All members of the commission shall be appointed for terms of four years each, commencing July 1 in the year of appointment. Appointments to fill vacancies shall be for the unexpired term of the vacated office and shall be made in the same manner as original appointments. Whenever a member of the senate or house of representatives serving as a member of the commission ceases to hold his office in the senate or house of representatives, a vacancy on the commission shall occur, and the governor shall fill the vacancy by the appointment of a similarly qualified person who at the time is holding office, as the case may be, in the senate or house of representatives.~~ A MINIMUM MAJORITY OF THE COMMISSION MEMBERS SHALL BE APPOINTED FOR AN INITIAL TERM OF TWO YEARS EACH AND THE REMAINING COMMISSION MEMBERS SHALL BE APPOINTED FOR AN INITIAL TERM OF THREE YEARS EACH. THE GOVERNOR SHALL INDICATE WHETHER THE APPOINTED PERSON IS SERVING A TWO-YEAR TERM OR A THREE-YEAR TERM. APPOINTMENTS MADE AFTER THE EXPIRATION OF THE INITIAL TERM ARE THREE-YEAR TERMS. IF A VACANCY ON THE COMMISSION OCCURS, THE GOVERNOR SHALL APPOINT A NEW MEMBER FROM THE APPROPRIATE REPRESENTATIVE GROUP TO SERVE THE REMAINDER OF THE MEMBER'S TERM. NO MEMBER MAY SERVE MORE THAN TWO FULL CONSECUTIVE TERMS.

(b) THE TERMS OF PRESENT MEMBERS APPOINTED PURSUANT TO THIS SECTION EXPIRE ON AUGUST 31, 2022. THE GOVERNOR SHALL APPOINT NEW MEMBERS PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AND THE APPOINTMENTS ARE EFFECTIVE SEPTEMBER 1, 2022.

(3) AS USED IN THIS SECTION, "MINIMUM MAJORITY" MEANS THE LOWEST NUMBER OF MEMBERS THAT IS MORE THAN HALF OF ALL COMMISSION MEMBERS.

SECTION 3. In Colorado Revised Statutes, **amend 26-11-102** as follows:

26-11-102. Organization of commission. (1) The commission shall elect AN

EXECUTIVE COMMITTEE from its membership, INCLUDING a ~~chairman~~ CHAIR, a ~~vice-chairman~~ VICE-CHAIR, and such other officers as it deems necessary. The ~~vice-chairman~~ VICE-CHAIR shall act as ~~chairman~~ CHAIR in the absence OF or ~~disability~~ AT THE DIRECTION of the ~~chairman~~ CHAIR. The commission shall meet IN PERSON OR VIRTUALLY on call of the ~~chairman~~ CHAIR but not less than once ~~every three months~~ A MONTH. A majority of the members of the commission shall ~~constitute~~ CONSTITUTE a quorum for the transaction of business. THE EXECUTIVE COMMITTEE IS RESPONSIBLE FOR COORDINATING WITH THE STATE OFFICE ON AGING ESTABLISHED IN SECTION 26-11-202, RELEVANT STATE AGENCIES, AND MEMBERS OF THE GENERAL ASSEMBLY.

(2)(a) THE COMMISSION MAY ESTABLISH STANDING SUBCOMMITTEES TO SUPPORT THE IMPLEMENTATION OF THE STRATEGIC ACTION PLAN ON AGING, DEVELOPED PURSUANT TO SECTION 24-32-3406, AND WORK RELATED TO THE LIFELONG COLORADO INITIATIVE ESTABLISHED IN PART 3 OF THIS ARTICLE 11. THE SUBCOMMITTEE TOPICS MAY INCLUDE, BUT ARE NOT LIMITED TO:

- (I) WORKFORCE OPPORTUNITIES FOR OLDER COLORADANS;
- (II) THE DIRECT-CARE WORKFORCE;
- (III) HOUSING OPTIONS FOR OLDER COLORADANS;
- (IV) AGE-FRIENDLY, AFFORDABLE, AND LIVABLE COMMUNITIES;
- (V) HEALTH CARE;
- (VI) CHRONIC DISEASE PREVENTION AND MAINTENANCE;
- (VII) BEHAVIORAL HEALTH;
- (VIII) LIFELONG LEARNING;
- (IX) RETIREMENT SECURITY;
- (X) LEGISLATIVE AND LOCAL GOVERNMENT AFFAIRS;
- (XI) TRANSPORTATION;
- (XII) DISPARITIES AMONG OLDER COLORADANS;
- (XIII) ELDER RIGHTS; AND
- (XIV) INNOVATION AND TECHNOLOGY.

(b) EACH STANDING SUBCOMMITTEE MUST BE CHAIRED BY A MEMBER OF THE COMMISSION BUT MAY INCLUDE MEMBERSHIP BEYOND COMMISSION MEMBERS, INCLUDING MEMBERS OF THE GENERAL PUBLIC WHO VOLUNTEER TO PARTICIPATE IN A SPECIFIC SUBCOMMITTEE. NONCOMMISSION MEMBERS MAY BE CO-CHAIRS OR VICE-CHAIRS. THE MEMBERSHIP SELECTION PROCESS MAY BE DETERMINED IN THE COMMISSION BYLAWS.

SECTION 4. In Colorado Revised Statutes, **amend** 26-11-104 as follows:

26-11-104. Director - liaison and staff. (1) Pursuant to section 13 of article XII of the state constitution, the executive director shall appoint ~~the director of the commission and such clerical and professional staff as may be necessary to carry out the purposes of this article. The director of the commission shall be the chief administrative officer for the commission and shall be a person who is professionally qualified to assume the responsibilities of the position~~ A STATE DEPARTMENT LIAISON TO THE COMMISSION AND ADMINISTRATIVE STAFF AS NECESSARY TO CARRY OUT THE DUTIES OF THE POSITION. THE STATE DEPARTMENT LIAISON MUST BE PROFESSIONALLY QUALIFIED TO ASSUME THE RESPONSIBILITIES OF THE POSITION, BE THE PRIMARY CONTACT FOR THE COMMISSION, AND COORDINATE COMMISSION-RELATED DUTIES WITH THE STATE DEPARTMENT AND THE COMMISSION'S EXECUTIVE COMMITTEE DESCRIBED IN SECTION 26-11-102 (1).

(2) SUBJECT TO AVAILABLE APPROPRIATIONS, THE COMMISSION, IN COORDINATION WITH THE STATE DEPARTMENT, MAY CONTRACT WITH A THIRD-PARTY ORGANIZATION TO SERVE AS INDEPENDENT STAFF TO THE COMMISSION IN ORDER TO COORDINATE WITH THE STATE DEPARTMENT LIAISON AND THE LIAISON'S STAFF, PROVIDE ADMINISTRATIVE SUPPORT FOR THE COMMISSION'S PURPOSE AND DUTIES, AND CARRY OUT OTHER FUNCTIONS THE COMMISSION ASSIGNS.

(3) THE COMMISSION MAY SEEK, ACCEPT, AND EXPEND GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF THIS SECTION TO SUPPORT GENERAL OPERATIONS, SPECIAL PROJECTS, RESEARCH, AND STAFFING NEEDS.

SECTION 5. In Colorado Revised Statutes, **amend** 26-11-105 as follows:

26-11-105. Duties of commission - report. (1) The commission, through its ~~director~~ EXECUTIVE COMMITTEE DESCRIBED IN SECTION 26-11-102 (1); IN COORDINATION WITH THE STATE DEPARTMENT LIAISON TO THE COMMISSION, APPOINTED PURSUANT TO SECTION 26-11-104; AND IN COORDINATION WITH INDEPENDENT STAFF, CONTRACTED PURSUANT TO SECTION 26-11-104, shall carry out the following ~~purposes~~ DUTIES:

(a) SERVE AS THE PRINCIPAL ADVOCACY BODY IN THE STATE ON BEHALF OF OLDER COLORADANS, INCLUDING BUT NOT LIMITED TO PARTICIPATING AS AN ADVISOR IN THE DEVELOPMENT AND CONSIDERATION OF LEGISLATION, AND REGULATIONS MADE BY STATE AND FEDERAL DEPARTMENTS AND AGENCIES, RELATING TO PROGRAMS AND SERVICES THAT AFFECT OLDER COLORADANS;

(b) COORDINATE AND IMPLEMENT THE STRATEGIC ACTION PLAN ON AGING RECOMMENDATIONS, DEVELOPED PURSUANT TO SECTION 24-32-3406, AND ADDITIONAL RECOMMENDATIONS THE COMMISSION MAKES;

~~(a)~~(c) Conduct, and encourage other PRIVATE AND NONPROFIT organizations AND STATE, REGIONAL, AND LOCAL GOVERNMENT AGENCIES to ~~conduct, studies of the problems of the state's older people~~ CONDUCT RESEARCH AND ANALYSIS RELATED TO THE STATE'S AGING POPULATION;

~~(b)~~ (d) Assist governmental and private agencies to coordinate their efforts on behalf of ~~the aging and aged~~ OLDER COLORADANS in order that such efforts be effective and that duplication and waste of effort be eliminated;

~~(c)~~ (e) Promote and aid in the establishment of FEDERAL, STATE, REGIONAL, AND local POLICIES, programs, and services ~~for the aging and aged~~ THAT SUPPORT AND EMPOWER OLDER COLORADANS AND THEIR CAREGIVERS, WHO ARE EITHER PAID OR UNPAID. The commission shall assist governmental and private agencies by designing surveys that may be used ~~locally~~ AT THE LOCAL, REGIONAL, OR STATE LEVEL to determine needs of older people; by recommending the creation OR MODIFICATION of POLICIES, PROGRAMS, AND services TO MEET IDENTIFIED NEEDS; by collection and distribution of information on aging; and by assisting public and private organizations in all ways the commission may deem appropriate.

~~(d)~~ (f) Conduct promotional activities and programs of public education ~~on problems of the~~ RELEVANT TO aging;

~~(e)~~ (g) ~~Review existing programs for the aging and make recommendations to the governor and the general assembly for improvements in such programs;~~ REVIEW EXISTING POLICIES AND PROGRAMS ACROSS STATE AGENCIES, AND ON OR BEFORE SEPTEMBER 1, 2023, AND ON OR BEFORE SEPTEMBER 1 EACH YEAR THEREAFTER, DRAFT AN ANNUAL REPORT OF ISSUES AND RECOMMENDATIONS DEVELOPED BY THE COMMISSION THAT SUPPORT THE IMPLEMENTATION OF STRATEGIES IN ALIGNMENT WITH THE STRATEGIC ACTION PLAN ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406, THE LIFELONG COLORADO INITIATIVE CREATED PURSUANT TO SECTION 26-11-302, AND OTHER RECOMMENDATIONS THAT THE COMMISSION MAKES. THE COMMISSION SHALL SUBMIT THE ANNUAL REPORT TO THE GOVERNOR, EXECUTIVE DIRECTORS OF IMPACTED AGENCIES, AND THE GENERAL ASSEMBLY.

~~(f)~~ (h) ~~Advise and make recommendations to the state department and the state office on aging, created pursuant to part 2 of this article, on the problems of and programs and services for the aging and aged.~~ IDENTIFY AND MAKE RECOMMENDATIONS TO IMPACTED STATE AGENCIES ON ACUTE CONCERNS IMPACTING OLDER COLORADANS THAT ARISE DUE TO PUBLIC HEALTH EMERGENCIES, NATURAL DISASTERS, HISTORICAL DISPARITIES SUCH AS RACISM, OR OTHER ISSUES TIED DIRECTLY TO CURRENT EVENTS THAT REQUIRE IMMEDIATE PROBLEM SOLVING AND ADVOCACY;

~~(g)~~ (i) (I) ~~Study and make recommendations to ensure that people who are released from prison who are sixty-five years of age or older are able to access health insurance after release, including:~~

~~(A) Health insurance options that might be available, including medicare, medicaid, social security, the old age pension fund, or any other potential options for health-care insurance, and any eligibility criteria that may uniquely impact a formerly incarcerated population;~~

~~(B) Enrollment processes for each health insurance option and the cost for each option;~~

~~(C) Processes the department of corrections would need to have in place, both~~

~~prior to release and after release, to ensure people sixty-five years of age or older are able to enroll in affordable health insurance upon release;~~

~~(D) Potential challenges, gaps, or resources needed to ensure that inmates sixty-five years of age or older have health insurance upon release; and~~

~~(E) Any other recommendations relevant to improving health-care access for people sixty-five years of age or older after release from prison.~~

~~(H) On or before January 1, 2022, the commission shall provide a report with its findings and recommendations pursuant to this subsection (1)(g) to the judiciary and health and insurance committees of the house of representatives and the judiciary and health and human services committees of the senate, or any successor committees. The department of human services shall post the report on the Colorado commission on aging's website.~~

(i) CONTRIBUTE DIRECTLY TO ADDITIONAL AND ONGOING ANALYSIS AND IMPLEMENTATION OF THE STRATEGIC PLAN ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406 AND ALIGNED WITH THE LIFELONG COLORADO INITIATIVE ESTABLISHED IN PART 3 OF THIS ARTICLE 11; AND

(j) DEVELOP LEGISLATIVE AND ADMINISTRATIVE PROPOSALS IN COORDINATION WITH STATE DEPARTMENT LIAISONS AND LEGISLATIVE DESIGNEES AND COORDINATE ADVOCACY EFFORTS WITH APPROPRIATE COMMUNITY STAKEHOLDERS.

SECTION 6. In Colorado Revised Statutes, 26-11-201, **amend** (6) as follows:

26-11-201. Definitions. As used in this part 2, unless the context otherwise requires:

(6) "Greatest social need" means the need caused by noneconomic factors, ~~which include physical and mental disabilities, language barriers, and cultural or social isolation, including that caused by racial and ethnic status, which~~ AS ASSOCIATED WITH THE FEDERALLY PROTECTED CLASS STATUSES RECOGNIZED BY SECTION 504 OF THE FEDERAL "REHABILITATION ACT OF 1973", 29 U.S.C. SEC. 794, AS AMENDED; THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED; AND TITLE VII OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", 42 U.S.C. SEC. 2000e ET SEQ., AS AMENDED, THAT RESTRICT AN INDIVIDUAL'S ABILITY TO PERFORM NORMAL DAILY TASKS OR ~~which~~ THAT THREATEN ~~his~~ AN INDIVIDUAL'S CAPACITY TO LIVE INDEPENDENTLY.

SECTION 7. In Colorado Revised Statutes, **amend** 26-11-203 as follows:

26-11-203. Duties of the state office. (1) In addition to such other duties and functions as the executive director may allocate to the state office, the state office shall have the following duties and functions:

(a) TO BE THE LEADER CONCERNING AGING ISSUES ON BEHALF OF ALL OLDER COLORADANS WHILE ACTING IN COORDINATION WITH OTHER STATE DEPARTMENTS AND AGENCIES, AS APPROPRIATE;

(b) TO CARRY OUT A WIDE RANGE OF FUNCTIONS RELATED TO ADVOCACY, PLANNING, COORDINATION, INTERAGENCY COLLABORATION, INFORMATION SHARING, AND MONITORING AND EVALUATING TO DEVELOP AND ENHANCE A COMPREHENSIVE AND COORDINATED STATE- AND COMMUNITY-BASED SYSTEM TO ASSIST OLDER COLORADANS TO LEAD INDEPENDENT, MEANINGFUL, AND DIGNIFIED LIVES IN THE RESIDENTIAL SETTINGS OF THEIR OWN CHOICE;

~~(a)~~ (c) To develop and administer a state plan on aging, which includes input from area agencies on aging DEVELOPED IN ACCORDANCE WITH FEDERAL GUIDELINES, WITH ADDITIONAL CONTENT TO THE PLAN TO BE DETERMINED COLLABORATIVELY BETWEEN THE STATE OFFICE, THE COMMISSION, AND THE TECHNICAL ADVISORY COMMITTEE CONVENED IN THE STATE OFFICE PURSUANT TO SUBSECTION (1)(k) OF THIS SECTION. THE ADDITIONAL CONTENT TO THE PLAN REFLECTS THE COMPREHENSIVE IMPACTS AND PLANNING ASSOCIATED WITH COLORADO'S DEMOGRAPHICS.

~~(b)~~ (d) To establish a process that encourages local, regional, and statewide participation in the development stages of the state plan on aging, which shall be coordinated with the area agencies on aging, the commission established ~~under~~ PURSUANT TO part 1 of this ~~article~~ ARTICLE 11, and other persons or entities involved in programs for older persons;

~~(c)~~ (e) To assist public and nonprofit private agencies AND THE FOR-PROFIT SECTOR in planning and developing programs to facilitate a statewide network of comprehensive, coordinated services and opportunities for older ~~persons~~ COLORADANS, giving priority to those agencies, programs, services, and activities that support independent living, PREPARE COLORADANS FOR THEIR LATER YEARS, AND EMPOWER OLDER COLORADANS TO BE SELF-RELIANT AND INDEPENDENT, WHICH INCLUDES FOSTERING PUBLIC-PRIVATE PARTNERSHIPS WHEN APPROPRIATE;

~~(d)~~ (f) To study those aspects of the problems of aging necessary to accomplish the purpose of state policy through such activities as conducting research, computing statistics, ~~and~~ EVALUATING EMERGING TECHNOLOGIES AND INNOVATIONS, holding hearings, AND DRAFTING POLICY RECOMMENDATIONS;

~~(e)~~ (g) To maintain a clearinghouse of information related to the interests and needs of older ~~persons~~ COLORADANS and act as a referral service for the dissemination of ~~said~~ THE information;

~~(f)~~ (h) To assess the need for services to be provided to the older population within the state and determine the extent to which the state's service delivery system serves ~~said~~ THAT population, with particular emphasis on older ~~persons~~ COLORADANS with the greatest economic and social needs, AS WELL AS EMPOWERING OLDER COLORADANS TO PLAN FOR THE NEEDS OF INCREASED LIFE EXPECTANCY;

~~(g)~~ (i) To encourage and support the involvement of volunteers and seek ways to utilize the private sector to ~~assume greater responsibility in meeting the needs of older persons; and~~ CAPITALIZE ON THE OPPORTUNITIES TO SUPPORT OLDER COLORADANS AND THEIR FAMILIES;

~~(h)~~ (j) To designate area agencies on aging to assist the state office in carrying out its functions in specified geographic areas within the state;

(k) TO CONVENE AND COORDINATE A TECHNICAL ADVISORY COMMITTEE COMPRISED OF KEY STATE DEPARTMENT REPRESENTATIVES, INCLUDING BUT NOT LIMITED TO THE DEPARTMENT OF HUMAN SERVICES, DEPARTMENT OF LABOR AND EMPLOYMENT, DEPARTMENT OF HIGHER EDUCATION, DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AND DEPARTMENT OF LOCAL AFFAIRS TO DIRECT THE IMPLEMENTATION OF RECOMMENDATIONS AND STRATEGIES PROVIDED IN THE STRATEGIC ACTION PLAN ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406 AND RECOMMENDATIONS THE COMMISSION MAKES AS SET FORTH IN SECTION 26-11-105; AND

(l) TO COORDINATE WITH THE TECHNICAL ADVISORY COMMITTEE AND COMMISSION TO DEVELOP, MAINTAIN, AND MAKE PUBLICLY AVAILABLE ON THE STATE DEPARTMENT'S WEBSITE A COLLECTION OF AVAILABLE DATA SETS; METRICS SPECIFIC TO THE IMPLEMENTATION OF STRATEGIES IN ALIGNMENT WITH THE STRATEGIC ACTION PLAN ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406 AND THE LIFELONG COLORADO INITIATIVE CREATED PURSUANT TO SECTION 26-11-302; AND OTHER RECOMMENDATIONS THAT THE COMMISSION MAKES AS SET FORTH IN SECTION 26-11-105.

SECTION 8. In Colorado Revised Statutes, **add** part 3 to article 11 of title 26 as follows:

PART 3
LIFELONG COLORADO INITIATIVE

26-11-301. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "EXECUTIVE COMMITTEE" MEANS THE EXECUTIVE COMMITTEE ELECTED BY THE COMMISSION IN ACCORDANCE WITH SECTION 26-11-102.

(2) "LIFELONG COLORADO INITIATIVE" MEANS THE LIFELONG COLORADO INITIATIVE CREATED IN SECTION 26-11-302 TO LEAD THE DEVELOPMENT AND IMPLEMENTATION OF STATE, REGIONAL, AND LOCAL STRATEGIES THAT SUPPORT AGING AND ASSIST OLDER COLORADANS TO LEAD INDEPENDENT, MEANINGFUL, AND DIGNIFIED LIVES IN AGE-APPROPRIATE AND AFFORDABLE HOUSING WITHIN THEIR COMMUNITIES.

(3) "STATE OFFICE" MEANS THE STATE OFFICE ON AGING WITHIN THE DEPARTMENT OF HUMAN SERVICES CREATED IN SECTION 26-11-202.

(4) "STRATEGIC ACTION PLAN ON AGING" MEANS THE STRATEGIC ACTION PLAN ON AGING DEVELOPED PURSUANT TO SECTION 24-32-3406.

(5) "TECHNICAL ADVISORY COMMITTEE" MEANS THE TECHNICAL ADVISORY COMMITTEE CONVENEED IN THE STATE OFFICE PURSUANT TO SECTION 26-11-203.

26-11-302. Lifelong Colorado initiative - created - reporting. (1) THERE IS CREATED THE LIFELONG COLORADO INITIATIVE WITHIN THE STATE OFFICE. THE PURPOSE OF THE LIFELONG COLORADO INITIATIVE IS TO:

(a) REPRESENT STATE, REGIONAL, AND LOCAL STRATEGIES THAT SUPPORT AGING AND ASSIST OLDER COLORADANS TO LEAD INDEPENDENT, MEANINGFUL, AND DIGNIFIED LIVES IN THEIR OWN HOMES AND COMMUNITIES;

(b) REPRESENT THE CONTINUED GOALS, PRIORITIES, AND STRATEGIES ALIGNED WITH THE STRATEGIC ACTION PLAN ON AGING AND OTHER STRATEGIES DEVELOPED THROUGH ONGOING WORK IN THE PUBLIC, PRIVATE, AND NONPROFIT SECTORS THAT SUPPORT OLDER COLORADANS;

(c) LEAD THE DEVELOPMENT OF AGE-FRIENDLY, LIVABLE COMMUNITIES; AND

(d) ALIGN THE STATE DEPARTMENT'S POLICY DEVELOPMENT AND IMPLEMENTATION THROUGH A DEMOGRAPHIC LENS THAT SUPPORTS AGING ACROSS AN INDIVIDUAL'S LIFE.

(2) PURSUANT TO SECTION 26-11-203 (1)(k), THE STATE OFFICE SHALL CONVENE THE TECHNICAL ADVISORY COMMITTEE NO LATER THAN SEPTEMBER 1, 2022, AND MEET AT LEAST QUARTERLY. THE DUTIES OF THE TECHNICAL ADVISORY COMMITTEE INCLUDE, BUT ARE NOT LIMITED TO:

(a) IDENTIFYING STATE DEPARTMENT PRIORITIES THAT OVERLAP WITH THE GOALS AND STRATEGIES PROVIDED IN THE STRATEGIC ACTION PLAN ON AGING AND RECOMMENDATIONS THE COMMISSION MAKES AS SET FORTH IN SECTION 26-11-105;

(b) COORDINATING WITH RESPECTIVE STATE AGENCIES AND STAKEHOLDERS TO INITIATE POLICY DEVELOPMENT AND IMPLEMENTATION OF APPROPRIATE STRATEGIES;

(c) DEVELOPING TRACKABLE GOALS AND METRICS FOR STRATEGIES AND PROGRAMS AND REPORTING ON PROGRESS, WHICH MUST BE MADE PUBLICLY AVAILABLE PURSUANT TO SECTION 26-11-203 (1)(l); AND

(d) SUPPORTING THE STATE OFFICE AND COMMISSION WITH REPORTING REQUIREMENTS AND TRACKING IMPLEMENTATION AND PROGRESS OF THE GOALS AND STRATEGIES PROVIDED IN THE STRATEGIC ACTION PLAN ON AGING AND RECOMMENDATIONS THE COMMISSION MAKES AS SET FORTH IN SECTION 26-11-105.

(3) THE TECHNICAL ADVISORY COMMITTEE, IN COORDINATION WITH RESPECTIVE STATE AGENCIES AND THE COMMISSION, SHALL IDENTIFY APPROPRIATE POLICY STAFF WITHIN THE GOVERNOR'S OFFICE FOR ONGOING COORDINATION AND REPORTING NEEDS.

(4) THE STATE OFFICE, IN COLLABORATION WITH THE COMMISSION AND TECHNICAL ADVISORY COMMITTEE, SHALL COORDINATE WITH THE STATE DEPARTMENT TO INCLUDE IN ITS REPORT TO THE COMMITTEES OF REFERENCE, PURSUANT TO THE "SMART MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARING REQUIRED BY SECTION 2-7-203, INFORMATION FROM THE STATE OFFICE REGARDING THE PROGRESS AND

BARRIERS SPECIFIC TO THE IMPLEMENTATION OF THE STRATEGIC ACTION PLAN ON AGING.

(5) THE STATE OFFICE; THE TECHNICAL ADVISORY COMMITTEE; THE EXECUTIVE COMMITTEE; AND THE STATE DEPARTMENT LIAISON APPOINTED PURSUANT TO SECTION 26-11-104 SHALL MEET QUARTERLY TO ENSURE THAT THE PERSPECTIVES OF OLDER COLORADANS AND THE STATE'S PERSPECTIVE REMAIN ALIGNED TO COORDINATE PROGRESS IN THE DEVELOPMENT OF STATE PROGRAMS AND POLICY.

SECTION 9. In Colorado Revised Statutes, 26-11-205, **amend** (1) introductory portion as follows:

26-11-205. Area agency on aging advisory council. (1) Each area agency on aging, designated pursuant to section 26-11-203, ~~(1)(h)~~, shall designate an advisory council consisting of a representative body of laypersons and service providers ~~which~~ WHO represent the interests of older persons within the planning and service area. ~~Said~~ THE advisory council shall:

SECTION 10. In Colorado Revised Statutes, 26-11-205.7, **amend** (2) as follows:

26-11-205.7. Community long-term care study - older Coloradans study cash fund - strategic plan - authority to implement. (2) If the study conducted pursuant to ~~paragraph (a) of subsection (1)~~ SUBSECTION (1)(a) of this section concludes that increasing funding for community-based services as provided in the older Coloradans program would result in cost savings, by July 1, 2011, subject to the receipt of sufficient ~~moneys~~ MONEY pursuant to ~~paragraph (b) of subsection (1)~~ SUBSECTION (1)(b) of this section, the state department shall report to the members of the health and human services committees of the senate and house of representatives, or any successor committees, and to the members of the joint budget committee a long-term strategic implementation plan, developed in cooperation with the area agencies on aging designated pursuant to section 26-11-203, ~~(1)(h)~~; that identifies the expected needs for services and recommends potential funding sources.

SECTION 11. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Approved: March 24, 2022