

**Second Regular Session
Sixty-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 04-1232.01 Beth Braby

HOUSE BILL 04-1451

HOUSE SPONSORSHIP

Clapp

SENATE SPONSORSHIP

Reeves

House Committees

Health, Environment, Welfare, & Institutions

Senate Committees

Health, Environment, Welfare & Institutions

A BILL FOR AN ACT

101 **CONCERNING THE COLLABORATIVE MANAGEMENT OF MULTI-AGENCY**
102 **SERVICES PROVIDED TO CHILDREN.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes each county department of social services ("county department") and local representatives of the judicial districts, health departments, school districts, each community mental health center, and each mental health assessment and service agency to enter into a memorandum of understanding ("MOU") to promote a collaborative system of local-level interagency oversight and to establish individualized service and support teams to coordinate and manage the provision of services to children and families who would benefit from integrated

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
April 29, 2004

HOUSE
3rd Reading Unamended
April 26, 2004

HOUSE
Amended 2nd Reading
April 23, 2004

multi-agency services. Encourages these agencies to enter into MOUs by region, but allows flexibility. Recommends that the agencies seek input, support, and collaboration from key stakeholders in the private and non-profit sectors. Specifies minimum requirements of each MOU. Authorizes departments and agencies that provide oversight to the parties to the MOU to issue waivers of state rules necessary for effective implementation of the MOUs that would not compromise the safety of children.

On or before January 1, 2007, and by each January 1 thereafter, requires each interagency oversight group to provide a report to the executive director of each department or agency that is a party to any MOU entered into.

Requires specified executive directors, a director of a county department of social services, a director of a local mental health center, a superintendent of a school, and a member of the judiciary to meet at least annually with the governor to review the reports prepared by the interagency oversight groups to identify barriers encountered in collaborative management development or implementation or reinvestment of moneys and to discuss and effectuate solutions to these barriers.

Creates the performance-based collaborative management incentive cash fund ("fund") and requires the executive director of the department of human services to allocate the moneys in the fund to provide incentives to parties to an MOU who have agreed to performance-based collaborative management, who have met or exceeded performance measures specified by the state department human services, and who have successfully implemented elements of collaborative management as specified by the state board of human services. On and after July 1, 2005, transfers moneys in the performance incentive cash fund, the family stabilization services fund, and moneys received through civil docket fees to the fund. Repeals the integrated care management program.

Makes conforming amendments.

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

2 **SECTION 1.** Title 24, Colorado Revised Statutes, is amended

3 BY THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 1.9**

5 **Collaborative Management of Multi-agency Services**

6 **Provided to Children and Families**

1 **24-1.9-101. Legislative declaration.** (1) THE GENERAL
2 ASSEMBLY HEREBY FINDS THAT CHILDREN AND FAMILIES WHO RECEIVE
3 CHILD WELFARE SERVICES OFTEN BENEFIT FROM TREATMENT AND
4 SERVICES THAT INVOLVE MULTIPLE AGENCIES, DIVISIONS, UNITS, AND
5 SECTIONS OF DEPARTMENTS AT THE STATE AND COUNTY LEVEL.

6 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT THE
7 DEVELOPMENT OF A UNIFORM SYSTEM OF COLLABORATIVE MANAGEMENT
8 IS NECESSARY FOR AGENCIES AT THE STATE AND COUNTY LEVELS TO
9 EFFECTIVELY AND EFFICIENTLY COLLABORATE TO SHARE RESOURCES OR
10 TO MANAGE AND INTEGRATE THE TREATMENT AND SERVICES PROVIDED TO
11 CHILDREN AND FAMILIES WHO BENEFIT FROM MULTI-AGENCY SERVICES.

12 (3) (a) THE DEVELOPMENT OF A MORE UNIFORM SYSTEM OF
13 COLLABORATIVE MANAGEMENT THAT INCLUDES THE INPUT, EXPERTISE,
14 AND ACTIVE PARTICIPATION OF PARENT ADVOCACY OR FAMILY ADVOCACY
15 ORGANIZATIONS MAY REDUCE DUPLICATION AND ELIMINATE
16 FRAGMENTATION OF SERVICES; INCREASE THE QUALITY,
17 APPROPRIATENESS, AND EFFECTIVENESS OF SERVICES PROVIDED;
18 ENCOURAGE COST-SHARING AMONG SERVICE PROVIDERS; AND
19 ULTIMATELY LEAD TO BETTER OUTCOMES AND COST-REDUCTION FOR THE
20 SERVICES PROVIDED TO CHILDREN AND FAMILIES IN THE CHILD WELFARE
21 SYSTEM, INCLUDING THE FOSTER CARE SYSTEM, IN THE STATE OF
22 COLORADO.

23 (b) IN ADDITION, THE GENERAL FUND MONEYS SAVED THROUGH
24 UTILIZING A COLLABORATIVE APPROACH AND CONSOLIDATING VARIOUS
25 SOURCES OF AGENCY FUNDING WILL ALLOW FOR REINVESTMENT OF THESE
26 MONEYS BY THE AGENCIES PARTICIPATING IN THE SYSTEMS OF
27 COLLABORATIVE MANAGEMENT TO PROVIDE APPROPRIATE SUPPORT TO

1 CHILDREN AND FAMILIES WHO WOULD BENEFIT FROM COLLABORATIVE
2 MANAGEMENT OF TREATMENT AND SERVICES.

3 (4) THE GENERAL ASSEMBLY THEREFORE FINDS THAT BECAUSE A
4 COLLABORATIVE APPROACH MAY LEAD TO THE PROVISION OF MORE
5 APPROPRIATE AND EFFECTIVE DELIVERY OF SERVICES TO CHILDREN AND
6 FAMILIES AND MAY ULTIMATELY ALLOW THE AGENCIES PROVIDING
7 TREATMENT AND SERVICES TO PROVIDE APPROPRIATE SERVICES TO
8 CHILDREN AND FAMILIES WITHIN EXISTING CONSOLIDATED RESOURCES, IT
9 IS IN THE BEST INTERESTS OF THE STATE OF COLORADO TO ESTABLISH
10 SYSTEMS OF COLLABORATIVE MANAGEMENT OF MULTI-AGENCY SERVICES
11 PROVIDED TO CHILDREN AND FAMILIES.

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.** (1) (a) LOCAL REPRESENTATIVES OF EACH OF
16 THE AGENCIES SPECIFIED IN THIS PARAGRAPH (a) AND COUNTY
17 DEPARTMENTS OF SOCIAL SERVICES MAY ENTER INTO MEMORANDUMS OF
18 UNDERSTANDING THAT ARE DESIGNED TO PROMOTE A COLLABORATIVE
19 SYSTEM OF LOCAL-LEVEL INTERAGENCY OVERSIGHT GROUPS AND
20 INDIVIDUALIZED SERVICE AND SUPPORT TEAMS TO COORDINATE AND
21 MANAGE THE PROVISION OF SERVICES TO CHILDREN AND FAMILIES WHO
22 WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES. THE
23 MEMORANDUMS OF UNDERSTANDING ENTERED INTO PURSUANT TO THIS
24 SUBSECTION (1) SHALL BE BETWEEN INTERESTED COUNTY DEPARTMENTS
25 OF SOCIAL SERVICES AND LOCAL REPRESENTATIVES OF EACH OF THE
26 FOLLOWING AGENCIES:

27 (I) THE LOCAL JUDICIAL DISTRICTS, INCLUDING PROBATION

1 SERVICES;

2 (II) THE HEALTH DEPARTMENT, WHETHER A COUNTY, DISTRICT, OR
3 REGIONAL HEALTH DEPARTMENT;

4 (III) THE LOCAL SCHOOL DISTRICT OR SCHOOL DISTRICTS;

5 (IV) EACH COMMUNITY MENTAL HEALTH CENTER; AND

6 (V) EACH MENTAL HEALTH ASSESSMENT AND SERVICE AGENCY.

7 (b) THE GENERAL ASSEMBLY STRONGLY ENCOURAGES THE
8 AGENCIES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1) TO ENTER
9 INTO MEMORANDUMS OF UNDERSTANDING THAT ARE REGIONAL.

10 (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF THIS
11 SUBSECTION (1), THE AGENCIES SPECIFIED IN PARAGRAPH (a) OF THIS
12 SUBSECTION (1) MAY ENTER INTO MEMORANDUMS OF UNDERSTANDING
13 INVOLVING ONLY ONE OR MORE COUNTY DEPARTMENTS OF SOCIAL
14 SERVICES, NOT NECESSARILY BY REGION, AS MAY BE APPROPRIATE TO
15 ENSURE THE EFFECTIVENESS OF LOCAL-LEVEL INTERAGENCY OVERSIGHT
16 GROUPS AND INDIVIDUALIZED SERVICE AND SUPPORT TEAMS IN THE
17 COUNTY OR COUNTIES.

18 (d) IN DEVELOPING THE MEMORANDUMS OF UNDERSTANDING, THE
19 GENERAL ASSEMBLY STRONGLY ENCOURAGES THE PARTIES TO THE
20 MEMORANDUMS OF UNDERSTANDING SPECIFIED IN PARAGRAPH (a) OF THIS
21 SUBSECTION (1) TO SEEK INPUT, SUPPORT, AND COLLABORATION FROM KEY
22 STAKEHOLDERS IN THE PRIVATE AND NON-PROFIT SECTOR, AS WELL AS
23 PARENT ADVOCACY OR FAMILY ADVOCACY ORGANIZATIONS THAT
24 REPRESENT FAMILY MEMBERS OR CAREGIVERS OF CHILDREN WHO WOULD
25 BENEFIT FROM MULTI-AGENCY SERVICES.

26 (e) NOTHING SHALL PRECLUDE THE AGENCIES SPECIFIED IN
27 PARAGRAPH (a) OF THIS SUBSECTION (1) FROM INCLUDING PARTIES IN

1 ADDITION TO THE AGENCIES SPECIFIED IN PARAGRAPH (a) OF THIS
2 SUBSECTION (1) IN THE MEMORANDUMS OF UNDERSTANDING DEVELOPED
3 FOR PURPOSES OF THIS SECTION.

4 (2) (a) EACH MEMORANDUM OF UNDERSTANDING ENTERED INTO
5 SHALL INCLUDE, BUT IS NOT LIMITED TO, THE REQUIREMENTS SPECIFIED IN
6 PARAGRAPHS (b) TO (j) OF THIS SUBSECTION (2). ON OR BEFORE OCTOBER
7 1, 2004, UTILIZING MONEYS IN THE PERFORMANCE INCENTIVE CASH FUND
8 CREATED IN SECTION 26-5-105.5 (3.2) (a), C.R.S., THE STATE DEPARTMENT
9 OF HUMAN SERVICES, IN CONJUNCTION WITH THE JUDICIAL DEPARTMENT,
10 SHALL DEVELOP AND MAKE AVAILABLE TO THE PARTIES SPECIFIED IN
11 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION, A MODEL
12 MEMORANDUM OF UNDERSTANDING BASED ON THE REQUIREMENTS
13 SPECIFIED IN PARAGRAPHS (b) TO (j) OF THIS SUBSECTION (2).

14 (b) **Identification of services and funding sources.** THE
15 MEMORANDUM OF UNDERSTANDING SHALL SPECIFY THE LEGAL
16 RESPONSIBILITIES AND FUNDING SOURCES OF EACH PARTY TO THE
17 MEMORANDUM OF UNDERSTANDING SPECIFIED IN PARAGRAPH (a) OF
18 SUBSECTION (1) OF THIS SECTION AS THOSE RESPONSIBILITIES AND
19 FUNDING SOURCES RELATE TO CHILDREN AND FAMILIES WHO WOULD
20 BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES, INCLUDING THE
21 IDENTIFICATION OF THE SPECIFIC SERVICES THAT MAY BE PROVIDED.
22 SPECIFIC SERVICES THAT MAY BE PROVIDED MAY INCLUDE, BUT ARE NOT
23 LIMITED TO: PREVENTION, INTERVENTION, AND TREATMENT SERVICES;
24 FAMILY PRESERVATION SERVICES; FAMILY STABILIZATION SERVICES;
25 OUT-OF-HOME PLACEMENT SERVICES; SERVICES FOR CHILDREN AT
26 IMMINENT RISK OF OUT-OF-HOME PLACEMENT; PROBATION SERVICES;
27 SERVICES FOR CHILDREN WITH MENTAL ILLNESS; PUBLIC ASSISTANCE

1 SERVICES; MEDICAL ASSISTANCE SERVICES; CHILD WELFARE SERVICES;
2 AND ANY ADDITIONAL SERVICES WHICH THE PARTIES DEEM NECESSARY TO
3 IDENTIFY.

4 (c) **Definition of the population to be served.** THE
5 MEMORANDUM OF UNDERSTANDING SHALL INCLUDE A FUNCTIONAL
6 DEFINITION OF "CHILDREN AND FAMILIES WHO WOULD BENEFIT FROM
7 INTEGRATED MULTI-AGENCY SERVICES".

8 (d) **Creation of an oversight group.** THE MEMORANDUM OF
9 UNDERSTANDING SHALL CREATE A LOCAL-LEVEL INTERAGENCY
10 OVERSIGHT GROUP AND IDENTIFY THE OVERSIGHT GROUP'S MEMBERSHIP
11 REQUIREMENTS, PROCEDURES FOR SELECTION OF OFFICERS, PROCEDURES
12 FOR RESOLVING DISPUTES BY A MAJORITY VOTE OF THOSE MEMBERS
13 AUTHORIZED TO VOTE, AND PROCEDURES FOR ESTABLISHING ANY
14 NECESSARY SUBCOMMITTEES OF THE INTERAGENCY OVERSIGHT GROUP.
15 EACH INTERAGENCY OVERSIGHT GROUP SHALL INCLUDE A LOCAL
16 REPRESENTATIVE OF EACH PARTY TO THE MEMORANDUM OF
17 UNDERSTANDING SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
18 SECTION, EACH OF WHOM SHALL BE A VOTING MEMBER OF THE
19 INTERAGENCY OVERSIGHT GROUP. IN ADDITION, THE INTERAGENCY
20 OVERSIGHT GROUP MAY INCLUDE, BUT IS NOT LIMITED TO, THE FOLLOWING
21 ADVISORY NONVOTING MEMBERS:

22 (I) REPRESENTATIVES OF INTERESTED LOCAL PRIVATE SECTOR
23 ENTITIES; AND

24 (II) FAMILY MEMBERS OR CAREGIVERS OF CHILDREN WHO WOULD
25 BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES OR CURRENT OR
26 PREVIOUS CONSUMERS OF INTEGRATED MULTI-AGENCY SERVICES.

27 (e) **Establishment of collaborative management processes.** THE

1 MEMORANDUM OF UNDERSTANDING SHALL REQUIRE THE INTERAGENCY
2 OVERSIGHT GROUP TO ESTABLISH COLLABORATIVE MANAGEMENT
3 PROCESSES TO BE UTILIZED BY INDIVIDUALIZED SERVICE AND SUPPORT
4 TEAMS AUTHORIZED PURSUANT TO PARAGRAPH (f) OF THIS SUBSECTION (2)
5 WHEN PROVIDING SERVICES TO CHILDREN AND FAMILIES SERVED BY THE
6 PARTIES TO THE MEMORANDUM OF UNDERSTANDING. THE COLLABORATIVE
7 MANAGEMENT PROCESSES REQUIRED TO BE ESTABLISHED BY THE
8 INTERAGENCY OVERSIGHT GROUP SHALL ADDRESS RISK-SHARING,
9 RESOURCE-POOLING, PERFORMANCE EXPECTATIONS,
10 OUTCOME-MONITORING, AND STAFF-TRAINING, AND SHALL BE DESIGNED
11 TO DO THE FOLLOWING:

12 (I) REDUCE DUPLICATION AND ELIMINATE FRAGMENTATION OF
13 SERVICES PROVIDED TO CHILDREN OR FAMILIES WHO WOULD BENEFIT
14 FROM INTEGRATED MULTI-AGENCY SERVICES;

15 (II) INCREASE THE QUALITY, APPROPRIATENESS, AND
16 EFFECTIVENESS OF SERVICES DELIVERED TO CHILDREN OR FAMILIES WHO
17 WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES TO ACHIEVE
18 BETTER OUTCOMES FOR THESE CHILDREN AND FAMILIES; AND

19 (III) ENCOURAGE COST-SHARING AMONG SERVICE PROVIDERS.

20 (f) **Authorization to create individualized service and support**
21 **teams.** THE MEMORANDUM OF UNDERSTANDING SHALL INCLUDE
22 AUTHORIZATION FOR THE INTERAGENCY OVERSIGHT GROUP TO ESTABLISH
23 INDIVIDUALIZED SERVICE AND SUPPORT TEAMS TO DEVELOP A SERVICE AND
24 SUPPORT PLAN AND TO PROVIDE SERVICES TO CHILDREN AND FAMILIES
25 WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES.

26 (g) **Authorization to contribute resources and funding.** THE
27 MEMORANDUM OF UNDERSTANDING SHALL SPECIFY THAT EACH PARTY TO

1 THE MEMORANDUM OF UNDERSTANDING SPECIFIED IN PARAGRAPH (a) OF
2 SUBSECTION (1) OF THIS SECTION HAS THE AUTHORITY TO CONTRIBUTE
3 TIME, RESOURCES, AND FUNDING TO SOLVE PROBLEMS IDENTIFIED BY THE
4 LOCAL-LEVEL INTERAGENCY OVERSIGHT GROUP IN ORDER TO CREATE A
5 SEAMLESS, COLLABORATIVE SYSTEM OF DELIVERING MULTI-AGENCY
6 SERVICES TO CHILDREN AND FAMILIES, UPON APPROVAL BY THE HEAD OR
7 DIRECTOR OF EACH AGENCY OR DEPARTMENT SPECIFIED IN PARAGRAPH (a)
8 OF SUBSECTION (1) OF THIS SECTION.

9 (h) **Reinvestment of moneys saved to serve additional children**
10 **and families.** (I) THE MEMORANDUM OF UNDERSTANDING SHALL
11 REQUIRE THE INTERAGENCY OVERSIGHT GROUP TO CREATE A PROCEDURE,
12 SUBJECT TO APPROVAL BY THE HEAD OR DIRECTOR OF EACH AGENCY OR
13 DEPARTMENT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
14 SECTION, TO ALLOW ANY MONEYS RESULTING FROM WAIVERS GRANTED BY
15 THE FEDERAL GOVERNMENT AND ANY STATE GENERAL FUND SAVINGS
16 REALIZED AS A RESULT OF THE IMPLEMENTATION OF THE COLLABORATIVE
17 SYSTEM OF MANAGEMENT OF MULTI-AGENCY SERVICES PROVIDED TO
18 CHILDREN AND FAMILIES RELATED TO THE FUNDING SOURCES SPECIFIED BY
19 THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
20 PARAGRAPH (b) OF THIS SUBSECTION (2) TO BE REINVESTED BY THE
21 PARTIES TO THE MEMORANDUM OF UNDERSTANDING TO PROVIDE
22 APPROPRIATE SERVICES TO CHILDREN AND FAMILIES WHO WOULD BENEFIT
23 FROM INTEGRATED MULTI-AGENCY SERVICES, AS SUCH POPULATION IS
24 DEFINED BY THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
25 PARAGRAPH (c) OF THIS SUBSECTION (2).

26 (II) A COUNTY THAT HAS IMPLEMENTED A COLLABORATIVE
27 MANAGEMENT PROCESS FOR SERVICES TO CHILDREN AND FAMILIES, WHICH

1 SERVICES ARE NOT INCLUDED AS SERVICES TO BE PROVIDED TO CHILDREN
2 AND FAMILIES WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY
3 SERVICES IN THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
4 PARAGRAPH (b) OF THIS SUBSECTION (2), AND THAT UNDERSPENDS THE
5 GENERAL FUND PORTION OF ITS CAPPED OR TARGETED ALLOCATION MAY
6 USE THE GENERAL FUND PORTION OF ITS CAPPED OR TARGETED
7 ALLOCATION FOR PROVISION OF EXISTING SERVICES FOR SUCH CHILDREN
8 AND FAMILIES IN THE COUNTY.

9 (i) **Performance-based measures.** THE MEMORANDUM OF
10 UNDERSTANDING SHALL INCLUDE A PROVISION STATING WHETHER THE
11 PARTIES TO THE MEMORANDUM OF UNDERSTANDING WILL ATTEMPT TO
12 MEET PERFORMANCE MEASURES SPECIFIED BY THE DEPARTMENT OF HUMAN
13 SERVICES AND ELEMENTS OF COLLABORATIVE MANAGEMENT, AS DEFINED
14 BY RULE OF THE STATE BOARD OF HUMAN SERVICES. IF THE PARTIES TO
15 THE MEMORANDUM OF UNDERSTANDING AGREE TO ATTEMPT TO MEET THE
16 PERFORMANCE MEASURES AND ELEMENTS OF COLLABORATIVE
17 MANAGEMENT, THE MEMORANDUM OF UNDERSTANDING SHALL REQUIRE
18 THE INTERAGENCY OVERSIGHT GROUP TO CREATE A PROCEDURE, SUBJECT
19 TO THE APPROVAL OF THE HEAD OR DIRECTOR OF EACH AGENCY OR
20 DEPARTMENT SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS
21 SECTION, TO ALLOW ANY INCENTIVE MONEYS RECEIVED BY THE
22 DEPARTMENT OF HUMAN SERVICES AND ALLOCATED PURSUANT TO SECTION
23 24-1.9-104, TO BE REINVESTED BY THE PARTIES TO THE MEMORANDUM OF
24 UNDERSTANDING TO PROVIDE APPROPRIATE SERVICES TO CHILDREN AND
25 FAMILIES WHO WOULD BENEFIT FROM INTEGRATED MULTI-AGENCY
26 SERVICES, AS SUCH POPULATION IS DEFINED BY THE MEMORANDUM OF
27 UNDERSTANDING PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (2).

1 (j) **Confidentiality compliance.** THE MEMORANDUM OF
2 UNDERSTANDING SHALL INCLUDE A PROVISION SPECIFYING THAT STATE
3 AND FEDERAL LAW CONCERNING CONFIDENTIALITY SHALL BE FOLLOWED
4 AND THAT RECORDS USED OR DEVELOPED BY THE INTERAGENCY
5 OVERSIGHT GROUP OR ITS MEMBERS OR THE INDIVIDUALIZED SERVICE AND
6 SUPPORT TEAMS THAT RELATE TO A PARTICULAR PERSON ARE TO BE KEPT
7 CONFIDENTIAL AND MAY NOT BE RELEASED TO ANY OTHER PERSON OR
8 AGENCY EXCEPT AS PROVIDED BY LAW.

9 (3) EACH DEPARTMENT OR DIVISION, SECTION, UNIT, OR AGENCY
10 WITHIN A DEPARTMENT THAT IS A PARTY TO THE MEMORANDUM OF
11 UNDERSTANDING SHALL ENTER INTO THE MEMORANDUM OF
12 UNDERSTANDING AND ALL REVISIONS TO THE MEMORANDUM. REVISIONS
13 TO THE MEMORANDUM SHALL BE DEVELOPED AS NECESSARY TO REFLECT
14 DEPARTMENT REORGANIZATIONS OR STATUTORY CHANGES AFFECTING THE
15 DEPARTMENTS THAT ARE PARTIES TO THE MEMORANDUM.

16 (4) THE DEPARTMENTS AND AGENCIES THAT PROVIDE OVERSIGHT
17 TO THE PARTIES TO THE MEMORANDUM OF UNDERSTANDING SPECIFIED IN
18 PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION ARE AUTHORIZED TO
19 ISSUE WAIVERS OF ANY RULES TO WHICH THE DEPARTMENTS AND AGENCIES
20 ARE SUBJECT AND THAT WOULD PREVENT THE DEPARTMENTS FROM
21 EFFECTIVE IMPLEMENTATION OF THE MEMORANDUMS OF UNDERSTANDING,
22 HOWEVER, THE DEPARTMENTS AND AGENCIES ARE PROHIBITED FROM
23 WAIVING A RULE IN VIOLATION OF FEDERAL LAW OR THAT WOULD
24 COMPROMISE THE SAFETY OF A CHILD.

25 **24-1.9-103. Reports - executive director review.**

26 (1) COMMENCING JANUARY 1, 2007, AND ON OR BEFORE EACH JANUARY
27 1 THEREAFTER, EACH INTERAGENCY OVERSIGHT GROUP SHALL PROVIDE A

1 REPORT TO THE EXECUTIVE DIRECTOR OF EACH DEPARTMENT AND AGENCY
2 THAT IS A PARTY TO ANY MEMORANDUM OF UNDERSTANDING ENTERED
3 INTO THAT INCLUDES:

4 (a) THE NUMBER OF CHILDREN AND FAMILIES SERVED THROUGH
5 THE LOCAL-LEVEL INDIVIDUALIZED SERVICE AND SUPPORT TEAMS AND THE
6 OUTCOMES OF THE SERVICES PROVIDED, INCLUDING A DESCRIPTION OF ANY
7 REDUCTION IN DUPLICATION OR FRAGMENTATION OF SERVICES PROVIDED
8 AND A DESCRIPTION OF ANY SIGNIFICANT IMPROVEMENT IN OUTCOMES FOR
9 CHILDREN AND FAMILIES;

10 (b) A DESCRIPTION OF ESTIMATED COSTS OF IMPLEMENTING THE
11 COLLABORATIVE MANAGEMENT APPROACH AND ANY ESTIMATED
12 COST-SHIFTING OR COST-SAVINGS THAT MAY HAVE OCCURRED BY
13 COLLABORATIVELY MANAGING THE MULTI-AGENCY SERVICES PROVIDED
14 THROUGH THE INDIVIDUALIZED SERVICE AND SUPPORT TEAMS;

15 (c) AN ACCOUNTING OF MONEYS THAT WERE REINVESTED IN
16 ADDITIONAL SERVICES PROVIDED TO CHILDREN OR FAMILIES WHO WOULD
17 BENEFIT FROM INTEGRATED MULTI-AGENCY SERVICES DUE TO
18 COST-SAVINGS THAT MAY HAVE RESULTED OR DUE TO MEETING OR
19 EXCEEDING PERFORMANCE MEASURES SPECIFIED BY THE DEPARTMENT OF
20 HUMAN SERVICES AND ELEMENTS OF COLLABORATIVE MANAGEMENT
21 ESTABLISHED BY RULE OF THE STATE BOARD;

22 (d) A DESCRIPTION OF ANY IDENTIFIED BARRIERS TO THE ABILITY
23 OF THE STATE AND COUNTY TO PROVIDE EFFECTIVE SERVICES TO PERSONS
24 WHO RECEIVED MULTI-AGENCY SERVICES; AND

25 (e) ANY OTHER INFORMATION RELEVANT TO IMPROVING THE
26 DELIVERY OF SERVICES TO PERSONS WHO WOULD BENEFIT FROM
27 MULTI-AGENCY SERVICES.

1 (2) (a) UTILIZING THE REPORTS CREATED PURSUANT TO
2 SUBSECTION (1) OF THIS SECTION, THE PERSONS SPECIFIED IN PARAGRAPH
3 (b) OF THIS SUBSECTION (2) SHALL MEET AT LEAST ANNUALLY WITH THE
4 GOVERNOR, OR HIS OR HER DESIGNEE, TO REVIEW THE ACTIVITIES AND
5 PROGRESS OF COUNTIES AND AGENCIES ENGAGED IN COLLABORATIVE
6 MANAGEMENT OF MULTI-AGENCY SERVICES PROVIDED TO CHILDREN AND
7 FAMILIES. THE PURPOSE OF THE MEETING SHALL BE TO IDENTIFY BARRIERS
8 ENCOUNTERED IN COLLABORATIVE MANAGEMENT DEVELOPMENT OR
9 IMPLEMENTATION OR REINVESTMENT OF MONEYS AND TO DISCUSS AND
10 EFFECTUATE SOLUTIONS TO THESE BARRIERS TO ACHIEVE GREATER
11 EFFICIENCIES AND BETTER OUTCOMES FOR THE STATE, FOR LOCAL
12 COMMUNITIES, AND FOR PERSONS WHO WOULD BENEFIT FROM
13 MULTI-AGENCY SERVICES.

14 (b) THE FOLLOWING PERSONS OR THEIR DESIGNEES SHALL ATTEND
15 THE ANNUAL MEETING REQUIRED PURSUANT TO PARAGRAPH (a) OF THIS
16 SUBSECTION (2):

17 (I) THE COMMISSIONER OF EDUCATION;

18 (II) A SUPERINTENDENT OF A SCHOOL DISTRICT THAT HAS ENTERED
19 INTO A MEMORANDUM OF UNDERSTANDING AND HAS MET OR EXCEEDED
20 THE PERFORMANCE MEASURES SPECIFIED BY THE DEPARTMENT OF HUMAN
21 SERVICES AND THE ELEMENTS OF COLLABORATIVE MANAGEMENT
22 ESTABLISHED BY RULE OF THE STATE BOARD, AS SUCH SUPERINTENDENT IS
23 SELECTED BY THE COMMISSIONER OF EDUCATION;

24 (III) A DIRECTOR OF A COUNTY DEPARTMENT OF SOCIAL SERVICES
25 THAT HAS ENTERED INTO A MEMORANDUM OF UNDERSTANDING AND HAS
26 MET OR EXCEEDED THE PERFORMANCE MEASURES SPECIFIED BY THE
27 DEPARTMENT OF HUMAN SERVICES AND THE ELEMENTS OF COLLABORATIVE

1 MANAGEMENT ESTABLISHED BY RULE OF THE STATE BOARD, AS SUCH
2 DIRECTOR IS SELECTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
3 OF HUMAN SERVICES;

4 (IV) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HEALTH
5 CARE POLICY AND FINANCING;

6 (V) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
7 SERVICES;

8 (VI) A DIRECTOR OF A LOCAL MENTAL HEALTH CENTER THAT HAS
9 ENTERED INTO A MEMORANDUM OF UNDERSTANDING AND HAS MET OR
10 EXCEEDED THE PERFORMANCE MEASURES SPECIFIED BY THE DEPARTMENT
11 OF HUMAN SERVICES AND THE ELEMENTS OF COLLABORATIVE
12 MANAGEMENT ESTABLISHED BY RULE OF THE STATE BOARD, AS SUCH
13 DIRECTOR IS SELECTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT
14 OF HUMAN SERVICES;

15 (VII) A REPRESENTATIVE FROM A STATEWIDE PARENT ADVOCACY
16 OR FAMILY ADVOCACY ORGANIZATION WHO PARTICIPATED IN THE
17 DEVELOPMENT OF A MEMORANDUM OF UNDERSTANDING, AS SUCH
18 REPRESENTATIVE IS SELECTED BY A DIRECTOR OF A COUNTY DEPARTMENT
19 OF SOCIAL SERVICES CHOSEN BY THE STATE DEPARTMENT OF HUMAN
20 SERVICES.

21 (VIII) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC
22 HEALTH AND ENVIRONMENT; AND

23 (IX) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT.

24 **24-1.9-104. Cash fund - creation - grants, gifts, and donations.**

25 (1) ON JULY 1, 2005, THERE SHALL BE CREATED IN THE STATE TREASURY
26 THE PERFORMANCE-BASED COLLABORATIVE MANAGEMENT INCENTIVE
27 CASH FUND, WHICH SHALL BE REFERRED TO IN THIS SECTION AS THE

1 "FUND". THE MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL
2 APPROPRIATION BY THE GENERAL ASSEMBLY TO THE DEPARTMENT OF
3 HUMAN SERVICES FOR STATE FISCAL YEAR 2005-06 AND EACH FISCAL YEAR
4 THEREAFTER. ON JULY 1, 2006 THE STATE TREASURER SHALL TRANSFER
5 THE MONEYS IN THE PERFORMANCE INCENTIVE CASH FUND CREATED
6 PURSUANT TO SECTION 26-5-105.5 (3.2) (a), C.R.S., TO THE FUND. IN
7 ADDITION, ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER THE
8 MONEYS REMAINING IN THE FAMILY STABILIZATION SERVICES FUND
9 CREATED PURSUANT TO SECTION 19-1-125, C.R.S., TO THE FUND. THE
10 FUND SHALL ALSO CONSIST OF MONEYS RECEIVED FROM DOCKET FEES IN
11 CIVIL ACTIONS AS SPECIFIED IN SECTION 13-32-101 (1) (a), C.R.S.

12 (2) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN
13 SERVICES IS AUTHORIZED TO ACCEPT AND EXPEND ON BEHALF OF THE
14 STATE ANY GRANTS, GIFTS, OR DONATIONS FROM ANY PRIVATE OR PUBLIC
15 SOURCE FOR THE PURPOSES OF THIS SECTION. ALL PRIVATE AND PUBLIC
16 FUNDS RECEIVED THROUGH GRANTS, GIFTS, OR DONATIONS SHALL BE
17 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO
18 THE FUND IN ADDITION TO MONEYS CREDITED PURSUANT TO SUBSECTION
19 (1) OF THIS SECTION AND ANY MONEYS THAT MAY BE APPROPRIATED TO
20 THE FUND DIRECTLY BY THE GENERAL ASSEMBLY. ALL INVESTMENT
21 EARNINGS DERIVED FROM THE DEPOSIT AND INVESTMENT OF MONEYS IN
22 THE FUND SHALL REMAIN IN THE FUND AND SHALL NOT BE TRANSFERRED
23 OR REVERT TO THE GENERAL FUND OF THE STATE OR ANY OTHER FUND AT
24 THE END OF ANY FISCAL YEAR.

25 (3) (a) ON AND AFTER JULY 1, 2005, THE EXECUTIVE DIRECTOR OF
26 THE DEPARTMENT OF HUMAN SERVICES SHALL ALLOCATE THE MONEYS IN
27 THE FUND TO PROVIDE INCENTIVES TO PARTIES TO A MEMORANDUM OF

1 UNDERSTANDING WHO HAVE AGREED TO PERFORMANCE-BASED
2 COLLABORATIVE MANAGEMENT PURSUANT TO SECTION 24-1.9-102 (2) (i)
3 AND WHO HAVE SUCCESSFULLY IMPLEMENTED THE ELEMENTS OF
4 COLLABORATIVE MANAGEMENT SPECIFIED BY RULE OF THE STATE BOARD
5 AND ALSO MET OR EXCEEDED THE PERFORMANCE MEASURES SPECIFIED BY
6 THE DEPARTMENT OF HUMAN SERVICES. THE INCENTIVES SHALL BE USED
7 TO PROVIDE SERVICES TO CHILDREN AND FAMILIES WHO WOULD BENEFIT
8 FROM INTEGRATED MULTI-AGENCY SERVICES, AS SUCH POPULATION IS
9 DEFINED BY THE MEMORANDUM OF UNDERSTANDING PURSUANT TO
10 SECTION 24-1.9-102 (2) (c).

11 (b) FOR PURPOSES OF ALLOCATING INCENTIVE MONEYS IN THE
12 FUND PURSUANT TO THIS SUBSECTION (3), THE EXECUTIVE DIRECTOR OF
13 THE DEPARTMENT OF HUMAN SERVICES SHALL SUBMIT AN ACCOUNTING OF
14 MONEYS IN THE FUND AVAILABLE FOR INCENTIVES AND A PROPOSAL FOR
15 THE ALLOCATION OF INCENTIVE MONEYS TO THE STATE BOARD OF HUMAN
16 SERVICES FOR REVIEW AND APPROVAL PRIOR TO THE ALLOCATION OF THE
17 MONEYS. THE STATE BOARD OF HUMAN SERVICES SHALL APPROVE THE
18 PROPOSAL NOT LATER THAN THIRTY DAYS AFTER RECEIPT OF THE
19 PROPOSAL FROM THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
20 HUMAN SERVICES.

21 **SECTION 2.** 26-5-105.5 (3.2), Colorado Revised Statutes, is
22 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

23 **26-5-105.5. State department integrated care management**
24 **program - county performance agreements - authorized -**
25 **performance incentive cash fund created - repeal.** (3.2) (c) THIS
26 SUBSECTION (3.2) IS REPEALED, EFFECTIVE JULY 1, 2006, AND ON JULY 1,
27 2006, THE STATE TREASURER SHALL TRANSFER THE MONEYS IN THE

1 PERFORMANCE INCENTIVE CASH FUND TO THE PERFORMANCE-BASED
2 COLLABORATIVE MANAGEMENT INCENTIVE CASH FUND CREATED
3 PURSUANT TO SECTION 24-1.9-104, C.R.S.

4 **SECTION 3.** 19-1-125 (2), Colorado Revised Statutes, is
5 amended BY THE ADDITION OF THE FOLLOWING NEW
6 PARAGRAPHS to read:

7 **19-1-125. Family stabilization services - repeal.** (2) (d) (I) THIS
8 SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2006.

9 (II) ON JULY 1, 2006, THE STATE TREASURER SHALL TRANSFER ALL
10 OF THE MONEYS IN THE FAMILY STABILIZATION SERVICES FUND TO THE
11 PERFORMANCE-BASED COLLABORATIVE MANAGEMENT INCENTIVE CASH
12 FUND CREATED PURSUANT TO SECTION 24-1.9-104, C.R.S.

13 (III) ON JULY 1, 2005, THE MONEYS CREDITED BY THE STATE
14 TREASURER TO THE FAMILY STABILIZATION SERVICES FUND PURSUANT TO
15 PARAGRAPH (a) OF THIS SUBSECTION (2) WHICH ARE NOT TRANSMITTED TO
16 THE PERFORMANCE INCENTIVE CASH FUND PURSUANT TO PARAGRAPH (b)
17 OF THIS SUBSECTION (2) SHALL BE TRANSMITTED TO THE STATE TREASURER
18 FOR DEPOSIT IN THE PERFORMANCE-BASED COLLABORATIVE MANAGEMENT
19 INCENTIVE CASH FUND CREATED IN SECTION 24-1.9-104, C.R.S.

20 **SECTION 4.** 13-32-101 (1) (a), Colorado Revised Statutes, is
21 amended to read:

22 **13-32-101. Docket fees in civil actions - judicial stabilization**
23 **cash fund - support registry fund created.** (1) At the time of first
24 appearance in all civil actions and special proceedings in all courts of
25 record, except in the supreme court and the court of appeals, and except
26 in the probate proceedings in the district court or probate court of the city
27 and county of Denver, and except as provided in subsection (2) of this

1 section and in sections 13-32-103 and 13-32-104, there shall be paid in
2 advance the total docket fees, as follows:

3 (a) By the petitioner in a proceeding for dissolution of marriage,
4 legal separation, or declaration of invalidity of marriage and by the
5 petitioner in an action for a declaratory judgment concerning the status
6 of marriage, prior to July 1, 2003, a fee of ninety dollars, and, on or after
7 July 1, 2003, a fee of one hundred thirty dollars; fifteen dollars of such
8 fee shall be transmitted to the state treasurer for deposit in the Colorado
9 children's trust fund, created in section 19-3.5-106, C.R.S., and, for fiscal
10 years 2002-03 and 2003-04, the remainder shall be transmitted to the
11 state general fund. On and after July 1, 2004, BUT PRIOR TO JULY 1, 2006,
12 the remaining one hundred fifteen dollars of the fee shall be transmitted
13 to the state treasurer for deposit in the family stabilization services fund,
14 created in section 19-1-125, C.R.S.; AND, ON AND AFTER JULY 1, 2006,
15 THE REMAINING ONE HUNDRED FIFTEEN DOLLARS OF THE FEE SHALL BE
16 TRANSMITTED TO THE STATE TREASURER FOR DEPOSIT IN THE
17 PERFORMANCE-BASED COLLABORATIVE MANAGEMENT INCENTIVE CASH
18 FUND CREATED IN SECTION 24-1.9-104, C.R.S.; and, on and after March
19 18, 2003, the docket fee shall be increased by forty-five dollars, and the
20 additional revenue generated by such increase shall be transmitted to the
21 state treasurer for deposit in the judicial stabilization cash fund created
22 in subsection (1.5) of this section.



23
24
25 **SECTION 5. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.