

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 14-0764.01 Jane Ritter x4342

HOUSE BILL 14-1317

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

Nicholson and Kefalas, Newell

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE COLORADO CHILD CARE**
102 **ASSISTANCE PROGRAM, AND, IN CONNECTION THEREWITH,**
103 **ALIGNING ELIGIBILITY AND AUTHORIZATION; ADDRESSING**
104 **AFFORDABILITY BY REDUCING COPAYMENTS; IMPROVING**
105 **PROVIDER REIMBURSEMENT RATES; INCREASING ACCESS TO**
106 **QUALITY CARE; [REDACTED] IMPROVING TECHNOLOGY,**
107 **INFRASTRUCTURE, AND ADMINISTRATION; AND MAKING AN**
108 **APPROPRIATION.**

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

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.*

HOUSE
3rd Reading Unamended
April 14, 2014

HOUSE
Amended 2nd Reading
April 10, 2014

applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills/summaries>.)

The bill makes several modifications to the Colorado child care assistance program (program), including:

- ! The state board of human services (board) must establish provider reimbursement rates for infant and toddler care at least at the 75th percentile of each county's local market rate for infant and toddler care;
- ! The state-established provider reimbursement rates must include a system of tiered reimbursement for providers that enroll children in the program;
- ! A county may petition the board to opt out of the state-established provider reimbursement rates;
- ! Subject to available appropriations, counties are directed to provide child care assistance to a person or family whose income is not more than 165% of the federal poverty level;
- ! The board must adopt new rules for determining the amount of copayment a participant in the program must pay. The rules must include a provision that for a family living at 100% of the federal poverty level, the copayment must be restricted to 1% of the family's gross annual income.
- ! The rules concerning participant copayment must also establish a tiered copayment schedule that increases the copayment gradually as the participant's income approaches self-sufficiency income levels. The participant's income should reflect an average of income over time to account for variations in wages, work schedules, or seasonal employment.
- ! A county shall set the exit income eligibility threshold at a level higher than the entry income eligibility level, at an income level needed for a family of the size receiving the child care assistance to achieve a self-sufficiency standard of living in that county, at a level not to exceed 85% of the state median income for a family of the same size, and in a manner so that a family does not lose child care assistance due to a modest increase in the parents' income above their entry income eligibility level;
- ! In current rule, a participant in the program who loses employment can remain in the program for only 30 days while actively searching for employment. The bill increases that time to at least 60 days, assuming all other eligibility criteria are met.
- ! The bill creates a new eligibility activity by allowing a

- parent who is not employed but who is either enrolled in a postsecondary or workforce training program to participate in the program for up to 2 years he or she is enrolled in the postsecondary or workforce training program;
- ! The bill makes it a statutory requirement that the hours for the provision of child care services through the program must not be directly linked to a participant's employment, education, or workforce training schedule;
 - ! The bill requires a county to allow for presumptive eligibility of a participant for at least 30 days while awaiting verification of an application to the program;
 - ! No more than one month of paystubs must be required when determining a family's income eligibility for the program;
 - ! Counties are given the authority to develop a voucher system for relative or unlicensed child care for families enrolled in the program;
 - ! Counties are given permission to use their program allocations to provide direct contracts or grants to early care and education providers for a county-determined number of program slots for a 12-month period to increase the supply and improve the quality and continuity of child care for infants and toddlers, children with disabilities, after-hours care, and children in underserved neighborhoods;
 - ! Counties are required to provide participants and child care providers with at least 45 days' notice prior to the effective date of any change in income eligibility levels;
 - ! Counties are required to post eligibility, authorization, and administration policies and procedures so they are easily accessible to a layperson;
 - ! Administrative changes in the bill include allowing a county to use eligibility determination information from other public assistance programs and systems to determine program eligibility, allowing a child care provider to accept a participant's program application and submit it to the county on behalf of the family seeking enrollment in the program, and requiring each county to maintain a current and accurate program waiting list;
 - ! Counties shall reimburse providers, separate from regular reimbursement rates, for no fewer than 5 days per month of child absences or holidays; and
 - ! The state department of human services is directed to prepare an annual report on the program.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 26-2-802 as
3 follows:

4 **26-2-802. Legislative declaration.** (1) The general assembly
5 hereby finds and declares that:

6 (a) The state's policies in connection with the provision of child
7 care assistance and the effective delivery of such assistance are critical to
8 the ultimate success of any welfare reform program;

9 (b) ~~The general assembly further finds that~~ Children in
10 low-income families who receive services through a child care assistance
11 program need and deserve the same access to a broad range of child care
12 providers as do children in families who do not need assistance;

13 (c) IT IS CRITICAL TO PROVIDE LOW- TO MODERATE-INCOME
14 FAMILIES WITH ACCESS TO HIGH-QUALITY, AFFORDABLE CHILD CARE THAT
15 FOSTERS HEALTHY CHILD DEVELOPMENT AND SCHOOL READINESS, WHILE
16 AT THE SAME TIME PROMOTES FAMILY SELF-SUFFICIENCY AND
17 ATTACHMENT TO THE WORKFORCE; AND

18 (d) INDIVIDUAL COUNTIES PLAY A VITAL ROLE IN ADMINISTERING
19 THE CHILD CARE ASSISTANCE PROGRAM AND HAVE LOCAL KNOWLEDGE OF
20 THEIR INDIVIDUAL COMMUNITY NEEDS. THEREFORE, A COUNTY THAT
21 MEETS OR EXCEEDS STATEWIDE ELIGIBILITY EXPECTATIONS ESTABLISHED
22 FOR THE COLORADO CHILD CARE ASSISTANCE PROGRAM SHOULD HAVE
23 GREATER FLEXIBILITY IN DETERMINING THE SPECIFICS OF HOW TO
24 IMPLEMENT AND OPERATE THE CHILD CARE ASSISTANCE PROGRAM IN THAT
25 COUNTY.

26 (2) Therefore, the general assembly hereby finds and declares that

1 it is in the best interests of the state to:

2 (a) Adopt the Colorado child care assistance program set forth in
3 this part 8;

4 (b) ~~The general assembly further finds and declares that it is in the~~
5 ~~best interests of the state to~~ Adopt consistent, statewide child care
6 provider reimbursement rates set at a floor of the seventy-fifth percentile
7 of each county's market rate ~~or the provider's rate, whichever is lower,~~ to
8 facilitate and increase access to high-quality child care for low-income
9 families.

10 **SECTION 2.** In Colorado Revised Statutes, **add** 26-2-802.5 as
11 follows:

12 **26-2-802.5. Definitions.** AS USED IN THIS PART 8, UNLESS THE
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "CHILD CARE ASSISTANCE PROGRAM" OR "CCCAP" MEANS THE
15 COLORADO CHILD CARE ASSISTANCE PROGRAM ESTABLISHED IN THIS PART
16 8.

17 (2) "EARLY CARE AND EDUCATION PROVIDER" MEANS A SCHOOL
18 DISTRICT OR PROVIDER THAT IS LICENSED PURSUANT TO PART 1 OF ARTICLE
19 6 OF THIS TITLE OR THAT PARTICIPATES IN THE COLORADO PRESCHOOL
20 PROGRAM PURSUANT TO ARTICLE 28 OF TITLE 22, C.R.S.

21 (3) "HEAD START PROGRAM" MEANS A PROGRAM OPERATED BY A
22 LOCAL PUBLIC OR PRIVATE NONPROFIT AGENCY DESIGNATED BY THE
23 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OPERATE A
24 HEAD START PROGRAM UNDER THE PROVISIONS OF TITLE V OF THE
25 FEDERAL "ECONOMIC OPPORTUNITY ACT OF 1964", AS AMENDED.

26 (4) "HIGH-QUALITY EARLY CHILDHOOD PROGRAM" MEANS A
27 PROGRAM THAT IS OPERATED BY A PROVIDER WITH A FISCAL AGREEMENT

1 THROUGH CCCAP AND THAT IS IN THE TOP THREE LEVELS OF THE STATE'S
2 QUALITY RATING AND IMPROVEMENT SYSTEM, IS ACCREDITED BY A STATE
3 DEPARTMENT-APPROVED ACCREDITING BODY, OR IS AN EARLY HEAD
4 START OR HEAD START PROGRAM THAT MEETS FEDERAL STANDARDS.

5 (5) "PARTICIPANT" MEANS A PARTICIPANT, AS DEFINED IN SECTION
6 26-2-703 (15), IN THE COLORADO WORKS PROGRAM.

7 (6) "PROVIDER" MEANS A CHILD CARE PROVIDER LICENSED
8 PURSUANT TO PART 1 OF ARTICLE 6 OF THIS TITLE THAT HAS A FISCAL
9 AGREEMENT WITH THE COUNTY TO PARTICIPATE IN THE CHILD CARE
10 ASSISTANCE PROGRAM.

11 (7) "REGULAR DAILY PROVIDER REIMBURSEMENT RATE" MEANS
12 THE BASE DAILY RATE PAID FOR CHILD CARE AND EXCLUDES ANY
13 ADDITIONAL PAYMENT FOR ABSENCES, HOLIDAYS, AND OTHER ADDITIONAL
14 FEES THAT ARE INCLUDED IN THE REIMBURSEMENT PAID TO PROVIDERS.

15 (8) "TIERED REIMBURSEMENT" MEANS A PAY STRUCTURE THAT
16 REFLECTS AN INCREASED RATE OF REIMBURSEMENT FOR HIGH-QUALITY
17 EARLY CHILDHOOD PROGRAMS THAT RECEIVE CCCAP MONEYS.

18 (9) "WORKS PROGRAM" MEANS THE COLORADO WORKS PROGRAM
19 ESTABLISHED PURSUANT TO PART 7 OF THIS ARTICLE.

20 **SECTION 3.** In Colorado Revised Statutes, **repeal and reenact,**
21 **with amendments,** 26-2-803 as follows:

22 **26-2-803. Provider rates - opt out - rules.** (1) (a) THE STATE
23 DEPARTMENT SHALL ESTABLISH PROVIDER RATES FOR EACH COUNTY
24 EVERY OTHER YEAR.

25 (b) ON OR BEFORE JULY 1, 2016, THE STATE-ESTABLISHED
26 PROVIDER REIMBURSEMENT RATES FOR EACH COUNTY MUST INCLUDE A
27 SYSTEM OF TIERED REIMBURSEMENT FOR PROVIDERS THAT ENROLL

1 CHILDREN PARTICIPATING IN CCCAP.

2 (c) ON OR BEFORE JULY 1, 2016, THE STATE BOARD SHALL
3 PROMULGATE RULES RELATED TO THE STRUCTURE OF TIERED
4 REIMBURSEMENT.

5 (d) AFTER NOTICE TO THE STATE DEPARTMENT, A COUNTY MAY
6 OPT OUT OF ADHERING TO THE STATE-ESTABLISHED PROVIDER RATES AND
7 NEGOTIATE ITS OWN RATES WITH PROVIDERS.

8 (e) ON OR BEFORE JULY 1, 2016, THE COUNTY-ESTABLISHED
9 PROVIDER REIMBURSEMENT RATES FOR EACH COUNTY MUST INCLUDE A
10 SYSTEM OF TIERED REIMBURSEMENT FOR PROVIDERS THAT ENROLL
11 CHILDREN PARTICIPATING IN CCCAP.

12 (f) A COUNTY THAT CHOOSES TO OPT OUT OF ADHERING TO THE
13 STATE-ESTABLISHED PROVIDER RATES SHALL CONSULT WITH ITS LOCAL
14 EARLY CHILDHOOD COUNCIL ESTABLISHED PURSUANT TO SECTION
15 26-6.5-103, ANY RELEVANT LOCAL CHILD CARE RESOURCE AND REFERRAL
16 AGENCY ESTABLISHED PURSUANT TO SECTION 26-6-116, AND CHILD CARE
17 PROVIDERS IN THE COUNTY WHO SERVE OR WANT TO SERVE CHILDREN
18 SUBSIDIZED THROUGH CCCAP AND SHALL PROVIDE OPPORTUNITIES FOR
19 THE EARLY CHILDHOOD COUNCIL, THE CHILD CARE RESOURCE AND
20 REFERRAL AGENCY, AND PROVIDERS TO INFORM AND PROVIDE COMMENT
21 ON COUNTY-ESTABLISHED RATES.

22 (g) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
23 DEPARTMENT, AS INFORMED BY THE EARLY CHILDHOOD LEADERSHIP
24 COMMISSION CREATED IN SECTION 26-6.2-103, DIRECTORS OF COUNTY
25 HUMAN AND SOCIAL SERVICE DEPARTMENTS, AND COMMISSIONERS, SHALL
26 CONTRACT WITH AN INDEPENDENT RESEARCH ORGANIZATION TO CONDUCT
27 A STUDY TO EXAMINE PRIVATE PAYMENT TUITION RATES AND HOW THOSE

1 COMPARE TO CCCAP RATES SET BY THE STATE AND THE COUNTIES AND
2 WHETHER THOSE RATES ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL
3 ACCESS. THE RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS
4 TO ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL ACCESS AND ALSO
5 EXAMINE REASONS AS TO WHY LICENSED CHILD CARE FACILITIES CHOOSE
6 TO LIMIT OR DENY ACCESS TO CCCAP-SUBSIDIZED FAMILIES, INCLUDING
7 BUT NOT LIMITED TO REIMBURSEMENT AND PAYMENT POLICIES. THE
8 RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS THAT WOULD
9 ENCOURAGE MORE CHILD CARE PROVIDERS TO ACCEPT
10 CCCAP-SUBSIDIZED FAMILIES. ■ ■

11 (h) SUBJECT TO AVAILABLE APPROPRIATIONS, COUNTIES MUST
12 WORK WITH THE STATE DEPARTMENT AND PROVIDERS TO ENHANCE EQUAL
13 ACCESS TO CHILD CARE FOR CCCAP-SUBSIDIZED FAMILIES BY INCREASING
14 REGULAR DAILY PROVIDER REIMBURSEMENT RATES. IF A COUNTY USES
15 TIERED REIMBURSEMENT, THE COUNTY'S RATE INCREASES MAY REFLECT
16 THAT TIERED REIMBURSEMENT STRUCTURE.

17 **SECTION 4.** In Colorado Revised Statutes, 26-2-804, **amend** (1)
18 introductory portion, (1) (a), (3), and (6) as follows:

19 **26-2-804. Funding - allocation - maintenance of effort.**

20 (1) Subject to available appropriations, a county's block grant for ~~the~~
21 ~~Colorado child care assistance program~~ CCCAP for state fiscal year
22 1997-98 shall be determined by the state department and ~~shall~~ be based
23 upon not less than one hundred percent of the state and federal moneys
24 that the county received in state fiscal year 1996-97 to administer and
25 implement JOBS-related child care and ~~the Colorado child care assistance~~
26 ~~program~~ CCCAP, including the administrative costs related to such
27 programs. The state department shall consider factors that include, but are

1 not limited to the following:

2 (a) Historical expenditures on ~~the Colorado child care assistance~~
3 ~~program~~ CCCAP;

4 (3) The moneys in a county block grant allocated to a county
5 pursuant to subsection (1) of this section may only be used for the
6 provision of child care services under rules promulgated by the state
7 ~~department~~ BOARD PURSUANT TO THIS PART 8.

8 (6) For state fiscal year 2005-06 and for each state fiscal year
9 thereafter, each county ~~shall be~~ IS required to meet a level of county
10 spending for ~~the Colorado child care assistance program~~ CCCAP that is
11 equal to the county's proportionate share of the total county funds set
12 forth in the annual general appropriation act for ~~the Colorado child care~~
13 ~~assistance program~~ CCCAP for that state fiscal year. The level of county
14 spending ~~shall be~~ IS known as the county's maintenance of effort for ~~the~~
15 ~~program~~ CCCAP for that state fiscal year. For any state fiscal year, the
16 state department is authorized to adjust a county's maintenance of effort,
17 reflected as a percentage of the total county funds set forth in the annual
18 general appropriation act for ~~the Colorado child care assistance program~~
19 CCCAP for that state fiscal year, so that the percentage equals the
20 county's proportionate share of the total state and federal funds
21 appropriated for ~~the Colorado child care assistance program~~ CCCAP for
22 that state fiscal year, reflected as a percentage. For any state fiscal year,
23 the sum of all counties' maintenance of effort ~~shall~~ MUST be equal to or
24 greater than the total county funds set forth in the general appropriation
25 act for the state fiscal year 1996-97 for employment-related child care.

26 **SECTION 5. In Colorado Revised Statutes, repeal 26-2-805 (1)**

27 **(e) (I.5), as added by House Bill 14-1022.**

1 **SECTION 6.** In Colorado Revised Statutes, **repeal and reenact,**
2 **with amendments,** 26-2-805 as follows:

3 **26-2-805. Services - eligibility - assistance provided - waiting**
4 **lists - rules.** (1) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT
5 TO RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION
6 OF THIS PART 8, A COUNTY SHALL PROVIDE CHILD CARE ASSISTANCE TO A
7 PARTICIPANT OR ANY PERSON OR FAMILY WHOSE INCOME IS NOT MORE
8 THAN ONE HUNDRED SIXTY-FIVE PERCENT OF THE FEDERAL POVERTY
9 LEVEL.

10 (2) THE COUNTY MAY PROVIDE CHILD CARE ASSISTANCE FOR ANY
11 OTHER FAMILY WHOSE INCOME DOES NOT EXCEED EIGHTY-FIVE PERCENT
12 OF THE STATE MEDIAN INCOME FOR A FAMILY OF THE SAME SIZE. UPON
13 NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT THE
14 RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING
15 THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM, ARE
16 CAPABLE OF ACCOMMODATING THIS SUBSECTION (2), AND FOR A
17 PARTICIPANT OR A PERSON OR FAMILY WHOSE INCOME RISES TO THE LEVEL
18 SET BY THE COUNTY AT WHICH THE COUNTY MAY DENY THE PARTICIPANT,
19 PERSON, OR FAMILY CHILD CARE ASSISTANCE, THE COUNTY SHALL
20 IMMEDIATELY NOTIFY THE FAMILY THAT IT IS NO LONGER ELIGIBLE FOR
21 CCCAP AND CONTINUE TO PROVIDE THE CURRENT CCCAP SUBSIDY TO
22 THAT FAMILY FOR NO LESS THAN NINETY DAYS WHILE THE FAMILY MAKES
23 APPROPRIATE ARRANGEMENTS FOR CHILD CARE. THE COUNTY IS
24 STRONGLY ENCOURAGED TO CONTINUE TO PROVIDE CHILD CARE
25 ASSISTANCE FOR A PERIOD OF SIX MONTHS; EXCEPT THAT IN NO EVENT
26 SHALL CHILD CARE ASSISTANCE BE PROVIDED IF THE INCOME EXCEEDS THE
27 MAXIMUM LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW FOR

1 A FAMILY OF THE SAME SIZE. DURING THE SIX-MONTH PERIOD THE COUNTY
2 SHALL WORK WITH THE PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A
3 GRADUAL TRANSITION OFF CHILD CARE ASSISTANCE PROVIDED PURSUANT
4 TO THIS SUBSECTION (2).

5 (3) (a) SUBJECT TO AVAILABLE APPROPRIATIONS, PURSUANT TO
6 RULES PROMULGATED BY THE STATE BOARD FOR IMPLEMENTATION OF THIS
7 PART 8, AND EXCEPT AS PROVIDED FOR IN PARAGRAPH (b) OF THIS
8 SUBSECTION (3), A COUNTY SHALL PROVIDE CHILD CARE ASSISTANCE FOR
9 A FAMILY TRANSITIONING OFF THE WORKS PROGRAM DUE TO EMPLOYMENT
10 OR JOB TRAINING WITHOUT REQUIRING THE FAMILY TO APPLY FOR
11 LOW-INCOME CHILD CARE BUT SHALL REDETERMINE THE FAMILY'S
12 ELIGIBILITY WITHIN SIX MONTHS AFTER THE TRANSITION.

13 (b) A FAMILY THAT TRANSITIONS OFF THE WORKS PROGRAM MUST
14 NOT BE AUTOMATICALLY TRANSITIONED TO CCCAP PURSUANT TO
15 PARAGRAPH (a) OF THIS SUBSECTION (3) IF EITHER OF THE FOLLOWING
16 CONDITIONS APPLY:

17 (I) THE FAMILY IS LEAVING THE WORKS PROGRAM DUE TO A
18 VIOLATION OF PROGRAM REQUIREMENTS AS DEFINED IN PART 7 OF THIS
19 ARTICLE, BY RULE OF THE STATE BOARD, OR BY POLICY OF A COUNTY
20 DEPARTMENT; OR

21 (II) THE FAMILY IS LEAVING THE WORKS PROGRAM DUE TO
22 EMPLOYMENT AND WILL BE AT AN INCOME LEVEL THAT EXCEEDS THE
23 COUNTY-ADOPTED INCOME ELIGIBILITY LIMIT FOR THE COUNTY'S CCCAP.

24 (c) AT THE COUNTY'S DISCRETION, A FAMILY THAT TRANSITIONS
25 OFF THE WORKS PROGRAM, IS ELIGIBLE FOR CCCAP, AND RESIDES IN A
26 COUNTY THAT HAS FAMILIES ON ITS WAITING LIST MAY BE ADDED TO THE
27 WAITING LIST OR BE PROVIDED CHILD CARE ASSISTANCE WITHOUT FIRST

1 BEING ADDED TO THE WAITING LIST.

2 (4) (a) (I) A RECIPIENT OF CHILD CARE ASSISTANCE THROUGH
3 CCCAP SHALL BE RESPONSIBLE FOR PAYING A PORTION OF HIS OR HER
4 CHILD CARE COSTS BASED UPON THE RECIPIENT'S INCOME AND THE
5 FORMULA DEVELOPED BY RULE OF THE STATE BOARD. ==

6 (II) AFTER PROMULGATION OF RULES BY THE STATE BOARD,
7 SUBJECT TO AVAILABLE APPROPRIATIONS, AND UPON NOTIFICATION TO
8 COUNTIES BY THE STATE DEPARTMENT THAT THE RELEVANT HUMAN
9 SERVICES CASE MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD
10 CARE AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING
11 THIS SUBPARAGRAPH (II), ON OR BEFORE JULY 1, 2016, THE FORMULA
12 MUST INCLUDE A TIERED REDUCED COPAYMENT STRUCTURE FOR CHILDREN
13 ATTENDING HIGH-QUALITY CARE.

14 (III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (II)
15 OF THIS PARAGRAPH (a), UPON NOTIFICATION TO COUNTIES BY THE STATE
16 DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT
17 SYSTEMS, INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING
18 SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS SUBPARAGRAPH (III),
19 FOR A FAMILY LIVING AT OR BELOW ONE HUNDRED PERCENT OF THE
20 FEDERAL POVERTY LEVEL, THE FAMILY COPAYMENT RESPONSIBILITY MUST
21 BE RESTRICTED TO NO MORE THAN ONE PERCENT OF THE FAMILY'S GROSS
22 MONTHLY INCOME AS DETERMINED BASED ON ONE MONTH OF INCOME.

23 (IV) PURSUANT TO RULES PROMULGATED BY THE STATE BOARD
24 AND UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT
25 THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
26 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
27 ARE CAPABLE OF ACCOMMODATING THIS SUBPARAGRAPH (IV), INCOME

1 RECEIVED DURING THE PAST THIRTY DAYS MUST BE USED IN DETERMINING
2 THE COPAYMENT, UNLESS ON A CASE-BY-CASE BASIS THE PRIOR THIRTY-
3 DAY PERIOD DOES NOT PROVIDE AN ACCURATE INDICATION OF
4 ANTICIPATED INCOME, IN WHICH CASE A COUNTY CAN REQUEST EVIDENCE
5 OF UP TO TWELVE OF THE MOST RECENT MONTHS OF INCOME. A FAMILY
6 MAY PROVIDE EVIDENCE OF UP TO TWELVE OF THE MOST RECENT MONTHS
7 OF INCOME IF IT CHOOSES TO DO SO IF SUCH EVIDENCE MORE ACCURATELY
8 REFLECTS AN ABILITY TO AFFORD THE REQUIRED FAMILY COPAYMENT.

9 (b) THE STATE BOARD SHALL ESTABLISH, AND PERIODICALLY
10 REVISE, BY RULE A COPAYMENT SCHEDULE SO THAT THE COPAYMENT
11 GRADUALLY INCREASES AS THE FAMILY INCOME APPROACHES
12 SELF-SUFFICIENCY INCOME LEVELS. THIS REVISED COPAYMENT SCHEDULE
13 SHOULD ALLOW FAMILIES TO RETAIN A PORTION OF ITS INCREASES IN
14 INCOME.

15 (c) A PARTICIPANT WHO IS EMPLOYED SHALL PAY A PORTION OF HIS
16 OR HER INCOME FOR CHILD CARE ASSISTANCE UNDER CCCAP. THE
17 PARTICIPANT'S REQUIRED COPAYMENT UNDER THE PROVISIONS OF THIS
18 PARAGRAPH (c) MUST BE DETERMINED BY A FORMULA ESTABLISHED BY
19 RULE OF THE STATE BOARD THAT TAKES INTO CONSIDERATION THE
20 FACTORS SET FORTH IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (4).

21 (5) (a) ON AND AFTER JULY 1, 2014, A COUNTY MAY REQUIRE A
22 PERSON WHO RECEIVES CHILD CARE ASSISTANCE PURSUANT TO THIS
23 SECTION AND WHO IS NOT OTHERWISE A PARTICIPANT TO APPLY, PURSUANT
24 TO SECTION 26-13-106 (2), FOR CHILD SUPPORT ESTABLISHMENT,
25 MODIFICATION, AND ENFORCEMENT SERVICES RELATED TO ANY SUPPORT
26 OWED BY OBLIGORS TO THEIR CHILDREN AND TO COOPERATE WITH THE
27 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT TO RECEIVE THESE

1 SERVICES; EXCEPT THAT A PERSON SHALL NOT BE REQUIRED TO SUBMIT A
2 WRITTEN APPLICATION FOR CHILD SUPPORT ESTABLISHMENT,
3 MODIFICATION, AND ENFORCEMENT SERVICES IF THE PERSON SHOWS GOOD
4 CAUSE TO THE COUNTY IMPLEMENTING THE COLORADO CHILD CARE
5 ASSISTANCE PROGRAM FOR NOT RECEIVING THESE SERVICES.

6 (b) THE STATE BOARD SHALL PROMULGATE RULES FOR THE
7 IMPLEMENTATION OF THIS SUBSECTION (5), INCLUDING BUT NOT LIMITED
8 TO RULES ESTABLISHING GOOD CAUSE FOR NOT RECEIVING THESE
9 SERVICES, AND RULES FOR THE IMPOSITION OF SANCTIONS UPON A PERSON
10 WHO FAILS, WITHOUT GOOD CAUSE AS DETERMINED BY THE COUNTY
11 IMPLEMENTING THE COLORADO CHILD CARE ASSISTANCE PROGRAM, TO
12 APPLY FOR CHILD SUPPORT ENFORCEMENT SERVICES OR TO COOPERATE
13 WITH THE DELEGATE CHILD SUPPORT ENFORCEMENT UNIT AS REQUIRED BY
14 THIS SUBSECTION (5).

15 (6) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN CCCAP, A
16 COUNTY SHALL SET THE INCOME LEVEL AT WHICH THE COUNTY MAY DENY
17 THE FAMILY ACCORDING TO THE PARAMETERS DEFINED IN RULES
18 PROMULGATED BY THE STATE BOARD. IN THE RULES, THE STATE BOARD
19 SHALL ENSURE THAT IF A COUNTY SETS THE INCOME LEVEL AT WHICH THE
20 COUNTY CHOOSES TO INITIALLY PROVIDE CCCAP AT OR BELOW ONE
21 HUNDRED AND EIGHTY-FIVE PERCENT OF THE FEDERAL POVERTY LEVEL,
22 THEN THAT COUNTY MUST SET THE INCOME LEVEL AT WHICH THE COUNTY
23 MAY DENY THE FAMILY HIGHER THAN THE INCOME LEVEL AT WHICH THE
24 COUNTY CHOOSES TO INITIALLY PROVIDE CHILD CARE ASSISTANCE FOR
25 THAT COUNTY AND AT A LEVEL NOT TO EXCEED EIGHTY-FIVE PERCENT OF
26 THE STATE MEDIAN INCOME FOR A FAMILY OF THE SAME SIZE. THIS
27 SUBSECTION (6) GOES INTO EFFECT UPON NOTIFICATION TO COUNTIES BY

1 THE STATE DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE
2 MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD CARE
3 AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS
4 SUBSECTION (6).

5 (7) (a) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN BOTH
6 CCCAP AND A HEAD START PROGRAM, THE FAMILY'S CCCAP ELIGIBILITY
7 REDETERMINATION MUST OCCUR NO SOONER THAN THE END OF THE LAST
8 MONTH OF THE CHILD'S FIRST FULL TWELVE-MONTH PROGRAM YEAR OF
9 ENROLLMENT IN THE HEAD START PROGRAM. CHILD CARE ASSISTANCE
10 PROGRAM ELIGIBILITY REDETERMINATION FOR A CHILD ENROLLED IN BOTH
11 PROGRAMS MUST OCCUR ONCE EVERY TWELVE MONTHS THEREAFTER.

12 (b) IF A COUNTY REDUCES ITS INCOME ELIGIBILITY REQUIREMENTS,
13 A CHILD ENROLLED IN CCCAP WHEN THE CHANGE IS IMPLEMENTED MUST
14 CONTINUE TO BE ENROLLED IN CCCAP UNTIL THE FAMILY'S NEXT
15 ELIGIBILITY REDETERMINATION OR FOR SIX MONTHS, WHICHEVER IS
16 LONGER.

17 (c) [Formerly 26-2-805 (1) (e) (I.5), as added by House Bill
18 14-1022.] TO THE EXTENT PRACTICABLE, THE DURATION OF THE CHILD
19 CARE AUTHORIZATION NOTICE, AS DEFINED BY RULE OF THE STATE BOARD,
20 FOR A CHILD WHO IS ENROLLED IN CCCAP MUST BE THE SAME AS THE
21 CHILD CARE ASSISTANCE ELIGIBILITY PERIOD FOR THE CHILD'S FAMILY;
22 EXCEPT THAT, UNDER SPECIFIC, LIMITED CIRCUMSTANCES DESCRIBED BY
23 RULE OF THE STATE BOARD, INCLUDING BUT NOT LIMITED TO JOB-SEARCH
24 PERIODS, THE DURATION OF THE AUTHORIZATION NOTICE MAY BE LESS
25 THAN THE FAMILY'S FULL PERIOD OF ELIGIBILITY. A COUNTY MAY REDUCE
26 THE NUMBER OF FAMILIES SERVED PURSUANT TO THIS PART 8 IF
27 NECESSARY TO ENSURE THAT THE COUNTY, IN IMPLEMENTING THE

1 PROVISIONS OF THIS PARAGRAPH (c), DOES NOT EXCEED THE AMOUNT OF
2 THE COUNTY BLOCK GRANT FOR CCCAP ALLOCATED TO THE COUNTY
3 PURSUANT TO SECTION 26-2-804 FOR THE APPLICABLE FISCAL YEAR.

4 (d) FOR A FAMILY WITH A CHILD WHO IS SOLELY ENROLLED IN
5 CCCAP OR DUALY ENROLLED WITH AN EARLY EDUCATION PROGRAM
6 OTHER THAN HEAD START OR EARLY HEAD START, THE FAMILY'S CCCAP
7 ELIGIBILITY REDETERMINATION MUST OCCUR ONCE EVERY TWELVE
8 MONTHS.

9 (e) NOTWITHSTANDING THE PROVISIONS OF SECTION 26-1-127 (2)
10 (a), A FAMILY THAT RECEIVES CHILD CARE ASSISTANCE PURSUANT TO THIS
11 PART 8 IS NOT REQUIRED TO REPORT INCOME OR ACTIVITY CHANGES
12 DURING THE TWELVE-MONTH ELIGIBILITY PERIOD; EXCEPT THAT, WITHIN
13 THE TWELVE-MONTH ELIGIBILITY PERIOD, A FAMILY IS REQUIRED TO
14 REPORT A CHANGE IN INCOME IF THE FAMILY'S INCOME EXCEEDS
15 EIGHTY-FIVE PERCENT OF THE STATE MEDIAN INCOME. IF A FAMILY NO
16 LONGER PARTICIPATES IN THE ACTIVITY UNDER WHICH IT WAS MADE
17 ELIGIBLE IN THE CHILD CARE CASE, THE FAMILY SHALL REPORT THAT
18 CHANGE WITHIN FOUR WEEKS FROM THE TIME IT CEASED PARTICIPATING
19 IN THE ELIGIBLE ACTIVITY.

20 (f) A PARENT MUST NOT BE DETERMINED INELIGIBLE TO RECEIVE
21 CHILD CARE ASSISTANCE PURSUANT TO THIS PART 8 AS A RESULT OF:

22 (I) TAKING MATERNITY LEAVE; OR

23 (II) BEING A SEPARATED SPOUSE OR PARENT UNDER A VALIDLY
24 ISSUED TEMPORARY ORDER FOR PARENTAL RESPONSIBILITIES OR CHILD
25 CUSTODY WHERE THE OTHER SPOUSE OR PARENT HAS DISQUALIFYING
26 FINANCIAL RESOURCES.

27 (g) UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT

1 THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
2 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
3 ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (g). A PARENT WITH
4 A CHILD ENROLLED IN CCCAP WHO LOSES EMPLOYMENT WHILE
5 PARTICIPATING IN THE PROGRAM MUST REMAIN ELIGIBLE FOR CCCAP FOR
6 AT LEAST SIXTY DAYS WITHIN A TWELVE-MONTH PERIOD IF HE OR SHE IS
7 ACTIVELY SEARCHING FOR EMPLOYMENT AND HE OR SHE CONTINUES TO
8 MEET ALL OTHER CCCAP ELIGIBILITY CRITERIA.

9 (h) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT TO
10 RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF
11 THIS PART 8, AND UPON NOTIFICATION TO COUNTIES BY THE STATE
12 DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT
13 SYSTEMS, INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING
14 SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (h). A
15 PARENT WHO IS NOT EMPLOYED IS ELIGIBLE FOR CCCAP FOR SIXTY DAYS
16 WITHIN A TWELVE-MONTH PERIOD IF HE OR SHE IS ACTIVELY SEARCHING
17 FOR EMPLOYMENT AND MEETS ALL OTHER CCCAP ELIGIBILITY CRITERIA.

18 (i) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT TO
19 RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF
20 THIS PART 8, AND UPON NOTIFICATION TO COUNTIES BY THE STATE
21 DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT
22 SYSTEMS, INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING
23 SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (i). A
24 PARENT WHO IS ENROLLED IN A POSTSECONDARY EDUCATION PROGRAM OR
25 A WORKFORCE TRAINING PROGRAM IS ELIGIBLE FOR CCCAP FOR AT LEAST
26 ANY TWO YEARS OF THE POSTSECONDARY EDUCATION OR WORKFORCE
27 TRAINING PROGRAM, PROVIDED ALL OTHER CCCAP ELIGIBILITY

1 REQUIREMENTS ARE MET DURING THOSE TWO YEARS. A COUNTY MAY GIVE
2 PRIORITY FOR SERVICES TO A WORKING FAMILY OVER A FAMILY ENROLLED
3 IN POSTSECONDARY EDUCATION OR WORKFORCE TRAINING.

4 (j) UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT
5 THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
6 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
7 ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (j), AND TO PROVIDE
8 CONTINUOUS CHILD CARE WITH THE LEAST DISRUPTION TO THE CHILD, THE
9 HOURS AUTHORIZED FOR THE PROVISION OF CHILD CARE THROUGH CCCAP
10 MUST INCLUDE AUTHORIZED HOURS FOR THE CHILD THAT PROMOTE
11 CONTINUOUS, CONSISTENT, AND REGULAR CARE AND MUST NOT BE LINKED
12 DIRECTLY TO A PARENT'S EMPLOYMENT, EDUCATION, OR WORKFORCE
13 TRAINING SCHEDULE. PURSUANT TO RULES PROMULGATED BY THE STATE
14 BOARD, THE NUMBER OF HOURS AUTHORIZED FOR CHILD CARE SHOULD BE
15 BASED ON THE NUMBER OF HOURS THE PARENT IS PARTICIPATING IN AN
16 ELIGIBLE ACTIVITY AND THE CHILD'S NEEDS FOR CARE.

17 (8) PURSUANT TO RULES PROMULGATED BY THE STATE BOARD
18 AND UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT
19 THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
20 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
21 ARE CAPABLE OF ACCOMMODATING THIS SUBSECTION (8), INCOME
22 RECEIVED DURING THE PAST THIRTY DAYS MUST BE USED IN DETERMINING
23 ELIGIBILITY UNLESS, ON A CASE-BY-CASE BASIS, THE PRIOR THIRTY-DAY
24 PERIOD DOES NOT PROVIDE AN ACCURATE INDICATION OF ANTICIPATED
25 INCOME, IN WHICH CASE A COUNTY CAN REQUEST EVIDENCE OF UP TO
26 TWELVE OF THE MOST RECENT MONTHS OF INCOME. A FAMILY MAY
27 PROVIDE EVIDENCE OF UP TO TWELVE OF THE MOST RECENT MONTHS OF

1 INCOME IF IT CHOOSES TO DO SO IF SUCH EVIDENCE MORE ACCURATELY
2 REFLECTS A FAMILY'S CURRENT INCOME LEVEL.

3 (9) A COUNTY HAS THE AUTHORITY TO DEVELOP A VOUCHER
4 SYSTEM FOR FAMILIES ENROLLED IN CCCAP THROUGH WHICH THEY CAN
5 SECURE RELATIVE OR UNLICENSED CHILD CARE.

6 (10) AN EARLY CARE AND EDUCATION PROVIDER OR COUNTY MAY
7 CONDUCT A PRE-ELIGIBILITY DETERMINATION FOR CHILD CARE
8 ASSISTANCE FOR A FAMILY TO FACILITATE THE DETERMINATION PROCESS.
9 THE EARLY CARE AND EDUCATION PROVIDER SHALL SUBMIT ITS
10 PRE-ELIGIBILITY DOCUMENTATION TO THE COUNTY FOR FINAL
11 DETERMINATION OF ELIGIBILITY FOR CHILD CARE ASSISTANCE. THE EARLY
12 CARE AND EDUCATION PROVIDER OR COUNTY MAY PROVIDE SERVICES TO
13 THE FAMILY PRIOR TO FINAL DETERMINATION OF ELIGIBILITY, AND THE
14 COUNTY SHALL REIMBURSE A PROVIDER FOR SUCH SERVICES ONLY IF THE
15 COUNTY DETERMINES THE FAMILY IS ELIGIBLE FOR SERVICES AND THERE
16 IS NO NEED TO PLACE THE FAMILY ON A WAITING LIST. IF THE FAMILY IS
17 FOUND INELIGIBLE FOR SERVICES, THE COUNTY SHALL NOT REIMBURSE THE
18 EARLY CARE AND EDUCATION PROVIDER FOR ANY SERVICES PROVIDED
19 DURING THE PERIOD BETWEEN ITS PRE-ELIGIBILITY DETERMINATION AND
20 THE COUNTY'S FINAL DETERMINATION OF ELIGIBILITY.

21 (11) A PROVIDER MAY ACCEPT A FAMILY'S CCCAP APPLICATION
22 AND SUBMIT IT TO THE COUNTY ON BEHALF OF A FAMILY SEEKING CHILD
23 CARE ASSISTANCE.

24 (12) EACH COUNTY:

25 (a) UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT
26 THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
27 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,

1 ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (a), AND PURSUANT
2 TO RULES PROMULGATED BY THE STATE BOARD, IN ADDITION TO REGULAR
3 DAILY PROVIDER REIMBURSEMENT RATES, SHALL REIMBURSE PROVIDERS
4 ACCORDING TO THE FOLLOWING SCHEDULE:

5 (I) FOR PROVIDERS IN THE FIRST LEVEL OF THE STATE
6 DEPARTMENT'S QUALITY RATING AND IMPROVEMENT SYSTEM, FOR NO
7 FEWER THAN SIX ABSENCES OR HOLIDAYS PER YEAR;

8 (II) FOR PROVIDERS IN THE SECOND LEVEL OF THE STATE
9 DEPARTMENT'S QUALITY RATING AND IMPROVEMENT SYSTEM, FOR NO
10 FEWER THAN TEN ABSENCES OR HOLIDAYS PER YEAR; AND

11 (III) FOR PROVIDERS IN THE TOP THREE LEVELS OF THE STATE
12 DEPARTMENT'S QUALITY RATING AND IMPROVEMENT SYSTEM, FOR NO
13 FEWER THAN FIFTEEN ABSENCES OR HOLIDAYS PER YEAR.

14 (b) SHALL MAINTAIN A CURRENT AND ACCURATE WAITING LIST OF
15 PARENTS WHO HAVE INQUIRED ABOUT SECURING A CCCAP SUBSIDY AND
16 ARE LIKELY TO BE ELIGIBLE FOR CCCAP BASED ON SELF-REPORTED
17 INCOME AND JOB, EDUCATION, OR WORKFORCE TRAINING ACTIVITY IF
18 FAMILIES ARE NOT ABLE TO BE SERVED AT THE TIME OF APPLICATION DUE
19 TO FUNDING CONCERNS. COUNTIES MAY ENROLL FAMILIES OFF WAITING
20 LISTS ACCORDING TO LOCAL PRIORITIES AND MAY REQUIRE AN APPLICANT
21 TO RESTATE HIS OR HER INTENTION TO BE KEPT ON THE WAITING LIST
22 EVERY SIX MONTHS IN ORDER TO MAINTAIN HIS OR HER PLACE ON THE
23 WAITING LIST.

24 (c) SHALL POST ELIGIBILITY, AUTHORIZATION, AND
25 ADMINISTRATION POLICIES AND PROCEDURES SO THEY ARE EASILY
26 ACCESSIBLE AND READABLE TO A LAYPERSON. THE POLICIES MUST BE SENT
27 TO THE STATE DEPARTMENT FOR COMPILATION.

1 (d) MAY USE ITS CCCAP ALLOCATION TO PROVIDE DIRECT
2 CONTRACTS OR GRANTS TO EARLY CARE AND EDUCATION PROVIDERS FOR
3 A COUNTY-DETERMINED NUMBER OF CCCAP SLOTS FOR A
4 TWELVE-MONTH PERIOD TO INCREASE THE SUPPLY AND IMPROVE THE
5 QUALITY OF CHILD CARE FOR INFANTS AND TODDLERS, CHILDREN WITH
6 DISABILITIES, AFTER-HOURS CARE, AND CHILDREN IN UNDERSERVED
7 NEIGHBORHOODS; AND

8 (e) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT TO
9 RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF
10 THIS PART 8, AND UPON NOTIFICATION TO COUNTIES BY THE STATE
11 DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT
12 SYSTEMS, INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING
13 SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (e), MUST
14 DETERMINE THAT A RECIPIENT OF BENEFITS FROM THE FOOD ASSISTANCE
15 PROGRAM ESTABLISHED IN PART 3 OF THIS ARTICLE IS ELIGIBLE FOR
16 CCCAP IF HE OR SHE MEETS ALL OTHER CCCAP ELIGIBILITY CRITERIA
17 AND MAY USE ELIGIBILITY DETERMINATION INFORMATION FROM OTHER
18 PUBLIC ASSISTANCE PROGRAMS AND SYSTEMS TO DETERMINE CCCAP
19 ELIGIBILITY.

20 (13) THE STATE BOARD SHALL PROMULGATE RULES FOR THE
21 IMPLEMENTATION OF THIS PART 8.

22 **SECTION 7.** In Colorado Revised Statutes, **amend** 26-2-805.5
23 as follows:

24 **26-2-805.5. Exemptions - requirements.** (1) Notwithstanding
25 any provision of section 26-2-805 to the contrary, an exempt family child
26 care home provider, as defined in section 26-6-102 (3.7), ~~shall not be~~ IS
27 NOT eligible to receive child care assistance moneys through the Colorado

1 ~~child care assistance program~~ CCCAP if he or she fails to meet the
2 criteria established in section 26-6-120.

3 (2) As a prerequisite to entering into a valid ~~Colorado child care~~
4 ~~assistance program~~ CCCAP contract with a county office or to being a
5 party to any other payment agreement for the provision of care for a child
6 whose care is funded in whole or in part with moneys received on the
7 child's behalf from publicly funded state child care assistance programs,
8 an exempt family child care home provider shall sign an attestation that
9 affirms he or she, and any qualified adult residing in the exempt family
10 child care home, has not been determined to be insane or mentally
11 incompetent by a court of competent jurisdiction and a court has not
12 entered, pursuant to part 3 or 4 of article 14 of title 15, C.R.S., or section
13 27-65-109 (4) or 27-65-127, C.R.S., an order specifically finding that the
14 mental incompetency or insanity is of such a degree that the provider
15 cannot safely operate an exempt family child care home.

16 **SECTION 8.** In Colorado Revised Statutes, **add** 26-2-809 as
17 follows:

18 **26-2-809. Colorado child care assistance program - reporting**
19 **requirements.** (1) ON OR BEFORE DECEMBER 1, 2016, AND ON OR BEFORE
20 DECEMBER 1 EACH YEAR THEREAFTER, THE STATE DEPARTMENT SHALL
21 PREPARE A REPORT ON CCCAP. THE STATE DEPARTMENT SHALL PROVIDE
22 THE REPORT TO THE PUBLIC HEALTH CARE AND HUMAN SERVICES
23 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND
24 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
25 COMMITTEES. THE REPORT MUST INCLUDE, AT A MINIMUM, THE
26 FOLLOWING INFORMATION RELATED TO BENCHMARKS OF SUCCESS FOR
27 CCCAP:

1 (a) THE NUMBER OF CHILDREN AND FAMILIES SERVED THROUGH
2 CCCAP STATEWIDE AND BY COUNTY;

3 (b) THE AVERAGE LENGTH OF TIME THAT PARENTS REMAIN IN THE
4 WORKFORCE WHILE RECEIVING CCCAP SUBSIDIES, EVEN WHEN THEIR
5 INCOME INCREASES;

6 (c) THE AVERAGE NUMBER OF MONTHS OF UNINTERRUPTED,
7 CONTINUOUS CARE FOR CHILDREN ENROLLED IN CCCAP;

8 (d) THE NUMBER AND PERCENT OF ALL CHILDREN ENROLLED IN
9 CCCAP WHO RECEIVE CARE AT EACH LEVEL OF THE STATE'S QUALITY AND
10 IMPROVEMENT RATING SYSTEM;

11 (e) THE AVERAGE LENGTH OF TIME A FAMILY IS AUTHORIZED FOR
12 A CCCAP SUBSIDY, DISAGGREGATED BY RECIPIENTS' ELIGIBLE ACTIVITIES,
13 SUCH AS JOB SEARCH, EMPLOYMENT, WORKFORCE TRAINING, AND
14 POSTSECONDARY EDUCATION;

15 (f) THE NUMBER OF FAMILIES ON EACH COUNTY'S WAIT LIST AS OF
16 NOVEMBER 1 OF EACH YEAR, AS WELL AS THE AVERAGE LENGTH OF TIME
17 EACH FAMILY REMAINS ON THE WAIT LIST IN EACH COUNTY;

18 (g) THE NUMBER OF FAMILIES AND CHILDREN STATEWIDE AND BY
19 COUNTY THAT EXIT CCCAP DUE TO THEIR FAMILY INCOMES EXCEEDING
20 THE ELIGIBILITY LIMITS;

21 (h) THE NUMBER OF FAMILIES AND CHILDREN STATEWIDE AND BY
22 COUNTY THAT REENTER CCCAP WITHIN TWO YEARS OF EXITING DUE TO
23 THEIR FAMILY INCOMES EXCEEDING THE ELIGIBILITY LIMITS; AND

24 (i) AN ESTIMATE OF UNMET NEED FOR CCCAP IN EACH COUNTY
25 AND THROUGHOUT THE STATE BASED ON ESTIMATES OF THE NUMBER OF
26 CHILDREN AND FAMILIES WHO ARE LIKELY TO BE ELIGIBLE FOR CCCAP IN
27 EACH COUNTY BUT WHO ARE NOT ENROLLED IN CCCAP.

1 **SECTION 9.** In Colorado Revised Statutes, 26-2-703, **amend** (4)
2 as follows:

3 **26-2-703. Definitions.** As used in this part 7, unless the context
4 otherwise requires:

5 (4) "Colorado child care assistance program" means the state
6 program of child care assistance implemented pursuant to the provisions
7 of part 8 of this article and rules of the state ~~department~~ BOARD.

8 **SECTION 10. Appropriation.** (1) In addition to any other
9 appropriation, there is hereby appropriated to the department of human
10 services, for the fiscal year beginning July 1, 2014, the sum of
11 \$9,922,744, or so much thereof as may be necessary, to be allocated for
12 the implementation of this act as follows:

13 (a) \$8,279,903 general fund for county Colorado child care
14 assistance program allocations;

15 (b) \$255,000 general fund for the division of early care and
16 learning to conduct a Colorado child care assistance program market rate
17 study;

18 (c) \$1,216,781 federal funds for modifications to the child care
19 automated tracking system;

20 (d) \$130,448, comprised of \$31,100 from the general fund, \$4,189
21 from the old age pension fund created in section 1 of article XXIV of the
22 state constitution, \$44,529 from reappropriated funds received from the
23 department of health care policy and financing out of the appropriation
24 made in subsection (2) of this section, and \$50,630 from federal funds,
25 for modifications to the Colorado benefits management system; and

26 (e) \$40,612, comprised of \$12,184 from the general fund, \$2,843
27 from the family support registry fund created in section 26-13-115.5 (1),

1 Colorado Revised Statutes, and \$25,585 federal funds, for modifications
2 to the automated child support enforcement system.

3 (2) In addition to any other appropriation, there is hereby
4 appropriated, to the department of health care policy and financing, for
5 the fiscal year beginning July 1, 2014, the sum of \$44,529, or so much
6 thereof as may be necessary, for allocation to department of human
7 services medicaid-funded programs, office of information technology
8 services-medicare funding, Colorado benefits management system, for
9 system modifications related to the implementation of this act. Of said
10 sum, \$21,813 is from the general fund, \$115 is from the old age pension
11 health and medical care fund pursuant to section 7 (c) of article XXIV of
12 the state constitution, \$276 is from the children's basic health plan trust
13 fund created in section 25.5-8-105 (1), Colorado Revised Statutes, and
14 \$22,325 is from federal funds.

15 (3) In addition to any other appropriation, there is hereby
16 appropriated to the governor - lieutenant governor - state planning and
17 budgeting, for the fiscal year beginning July 1, 2014, the sum of
18 \$1,387,841, or so much thereof as may be necessary, for allocation to the
19 office of information technology for the provision of services to the
20 department of human services related to the implementation of this act.
21 Said sum shall be from reappropriated funds received from the
22 department of human services out of the appropriations made in
23 subsection (1) of this section.

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