

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

REVISED

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

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; 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.

SENATE
Amended 2nd Reading
April 29, 2014

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) "EARLY CHILDHOOD COUNCIL" MEANS AN EARLY CHILDHOOD
22 COUNCIL ESTABLISHED PURSUANT TO PART 1 OF ARTICLE 6.5 OF THIS
23 TITLE.

24 (4) "HEAD START PROGRAM" MEANS A PROGRAM OPERATED BY A
25 LOCAL PUBLIC OR PRIVATE NONPROFIT AGENCY DESIGNATED BY THE
26 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES TO OPERATE A
27 HEAD START PROGRAM UNDER THE PROVISIONS OF TITLE V OF THE

1 FEDERAL "ECONOMIC OPPORTUNITY ACT OF 1964", AS AMENDED.

2 (5) "HIGH-QUALITY EARLY CHILDHOOD PROGRAM" MEANS A
3 PROGRAM THAT IS OPERATED BY A PROVIDER WITH A FISCAL AGREEMENT
4 THROUGH CCCAP AND THAT IS IN THE TOP THREE LEVELS OF THE STATE'S
5 QUALITY RATING AND IMPROVEMENT SYSTEM, IS ACCREDITED BY A STATE
6 DEPARTMENT-APPROVED ACCREDITING BODY, OR IS AN EARLY HEAD
7 START OR HEAD START PROGRAM THAT MEETS FEDERAL STANDARDS.

8 (6) "PARTICIPANT" MEANS A PARTICIPANT, AS DEFINED IN SECTION
9 26-2-703 (15), IN THE COLORADO WORKS PROGRAM.

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

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

18 (9) "TIERED REIMBURSEMENT" MEANS A PAY STRUCTURE THAT
19 REFLECTS AN INCREASED RATE OF REIMBURSEMENT FOR HIGH-QUALITY
20 EARLY CHILDHOOD PROGRAMS THAT RECEIVE CCCAP MONEYS.

21 (10) "WORKS PROGRAM" MEANS THE COLORADO WORKS PROGRAM
22 ESTABLISHED PURSUANT TO PART 7 OF THIS ARTICLE.

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

25 **26-2-803. Provider rates - opt out - rules.** (1) (a) THE STATE
26 DEPARTMENT SHALL ESTABLISH PROVIDER RATES FOR EACH COUNTY
27 EVERY OTHER YEAR.

1 (b) ON OR BEFORE JULY 1, 2016, THE STATE-ESTABLISHED
2 PROVIDER REIMBURSEMENT RATES FOR EACH COUNTY MUST INCLUDE A
3 SYSTEM OF TIERED REIMBURSEMENT FOR PROVIDERS THAT ENROLL
4 CHILDREN PARTICIPATING IN CCCAP.

5 (c) ON OR BEFORE JULY 1, 2016, THE STATE BOARD SHALL
6 PROMULGATE RULES RELATED TO THE STRUCTURE OF TIERED
7 REIMBURSEMENT.

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

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

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

25 (g) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE
26 DEPARTMENT, AS INFORMED BY THE EARLY CHILDHOOD LEADERSHIP
27 COMMISSION CREATED IN SECTION 26-6.2-103, DIRECTORS OF COUNTY

1 HUMAN AND SOCIAL SERVICE DEPARTMENTS, AND COMMISSIONERS, SHALL
2 CONTRACT WITH AN INDEPENDENT RESEARCH ORGANIZATION TO CONDUCT
3 A STUDY TO EXAMINE PRIVATE PAYMENT TUITION RATES AND HOW THOSE
4 COMPARE TO CCCAP RATES SET BY THE STATE AND THE COUNTIES AND
5 WHETHER THOSE RATES ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL
6 ACCESS. THE RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS
7 TO ACHIEVE THE FEDERAL REQUIREMENT OF EQUAL ACCESS AND ALSO
8 EXAMINE REASONS AS TO WHY LICENSED CHILD CARE FACILITIES CHOOSE
9 TO LIMIT OR DENY ACCESS TO CCCAP-SUBSIDIZED FAMILIES, INCLUDING
10 BUT NOT LIMITED TO REIMBURSEMENT AND PAYMENT POLICIES. THE
11 RESEARCH ORGANIZATION SHALL MAKE RECOMMENDATIONS THAT WOULD
12 ENCOURAGE MORE CHILD CARE PROVIDERS TO ACCEPT
13 CCCAP-SUBSIDIZED FAMILIES. ■ ■

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

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

22 **26-2-804. Funding - allocation - maintenance of effort.**

23 (1) Subject to available appropriations, a county's block grant for ~~the~~
24 ~~Colorado child care assistance program~~ CCCAP for state fiscal year
25 1997-98 shall be determined by the state department and ~~shall~~ be based
26 upon not less than one hundred percent of the state and federal moneys
27 that the county received in state fiscal year 1996-97 to administer and

1 implement JOBS-related child care and ~~the Colorado child care assistance~~
2 ~~program~~ CCCAP, including the administrative costs related to such
3 programs. The state department shall consider factors that include, but are
4 not limited to the following:

5 (a) Historical expenditures on ~~the Colorado child care assistance~~
6 ~~program~~ CCCAP;

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

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

1 act for the state fiscal year 1996-97 for employment-related child care.

2 **SECTION 5.** In Colorado Revised Statutes, **repeal 26-2-805 (1)**
3 **(e) (I.5), as added by House Bill 14-1022.**

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

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

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

1 ASSISTANCE FOR A PERIOD OF SIX MONTHS; EXCEPT THAT IN NO EVENT
2 SHALL CHILD CARE ASSISTANCE BE PROVIDED IF THE INCOME EXCEEDS THE
3 MAXIMUM LEVEL FOR ELIGIBILITY FOR SERVICES SET BY FEDERAL LAW FOR
4 A FAMILY OF THE SAME SIZE. DURING THE SIX-MONTH PERIOD THE COUNTY
5 SHALL WORK WITH THE PARTICIPANT, PERSON, OR FAMILY TO PROVIDE A
6 GRADUAL TRANSITION OFF CHILD CARE ASSISTANCE PROVIDED PURSUANT
7 TO THIS SUBSECTION (2).

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

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

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

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

27 (c) AT THE COUNTY'S DISCRETION, A FAMILY THAT TRANSITIONS

1 OFF THE WORKS PROGRAM, IS ELIGIBLE FOR CCCAP, AND RESIDES IN A
2 COUNTY THAT HAS FAMILIES ON ITS WAITING LIST MAY BE ADDED TO THE
3 WAITING LIST OR BE PROVIDED CHILD CARE ASSISTANCE WITHOUT FIRST
4 BEING ADDED TO THE WAITING LIST.

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

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

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

26 (IV) PURSUANT TO RULES PROMULGATED BY THE STATE BOARD
27 AND UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT

1 THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
2 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
3 ARE CAPABLE OF ACCOMMODATING THIS SUBPARAGRAPH (IV), INCOME
4 RECEIVED DURING THE PAST THIRTY DAYS MUST BE USED IN DETERMINING
5 THE COPAYMENT, UNLESS ON A CASE-BY-CASE BASIS THE PRIOR
6 THIRTY-DAY PERIOD DOES NOT PROVIDE AN ACCURATE INDICATION OF
7 ANTICIPATED INCOME, IN WHICH CASE A COUNTY CAN REQUIRE EVIDENCE
8 OF UP TO TWELVE OF THE MOST RECENT MONTHS OF INCOME. A FAMILY
9 MAY ALSO PROVIDE EVIDENCE OF UP TO TWELVE OF THE MOST RECENT
10 MONTHS OF INCOME IF IT CHOOSES TO DO SO IF SUCH EVIDENCE MORE
11 ACCURATELY REFLECTS AN ABILITY TO AFFORD THE REQUIRED FAMILY
12 COPAYMENT.

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

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

25 (5) (a) ON AND AFTER JULY 1, 2014, A COUNTY MAY REQUIRE A
26 PERSON WHO RECEIVES CHILD CARE ASSISTANCE PURSUANT TO THIS
27 SECTION AND WHO IS NOT OTHERWISE A PARTICIPANT TO APPLY, PURSUANT

1 TO SECTION 26-13-106 (2), FOR CHILD SUPPORT ESTABLISHMENT,
2 MODIFICATION, AND ENFORCEMENT SERVICES RELATED TO ANY SUPPORT
3 OWED BY OBLIGORS TO THEIR CHILDREN AND TO COOPERATE WITH THE
4 DELEGATE CHILD SUPPORT ENFORCEMENT UNIT TO RECEIVE THESE
5 SERVICES; EXCEPT THAT A PERSON SHALL NOT BE REQUIRED TO SUBMIT A
6 WRITTEN APPLICATION FOR CHILD SUPPORT ESTABLISHMENT,
7 MODIFICATION, AND ENFORCEMENT SERVICES IF THE PERSON SHOWS GOOD
8 CAUSE TO THE COUNTY IMPLEMENTING THE COLORADO CHILD CARE
9 ASSISTANCE PROGRAM FOR NOT RECEIVING THESE SERVICES.

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

19 (6) FOR A FAMILY WITH A CHILD WHO IS ENROLLED IN CCCAP, A
20 COUNTY SHALL SET THE INCOME LEVEL AT WHICH THE COUNTY MAY DENY
21 THE FAMILY ACCORDING TO THE PARAMETERS DEFINED IN RULES
22 PROMULGATED BY THE STATE BOARD. IN THE RULES, THE STATE BOARD
23 SHALL ENSURE THAT IF A COUNTY SETS THE INCOME LEVEL AT WHICH THE
24 COUNTY CHOOSES TO INITIALLY PROVIDE CCCAP AT OR BELOW ONE
25 HUNDRED AND EIGHTY-FIVE PERCENT OF THE FEDERAL POVERTY LEVEL,
26 THEN THAT COUNTY MUST SET THE INCOME LEVEL AT WHICH THE COUNTY
27 MAY DENY THE FAMILY HIGHER THAN THE INCOME LEVEL AT WHICH THE

1 COUNTY CHOOSES TO INITIALLY PROVIDE CHILD CARE ASSISTANCE FOR
2 THAT COUNTY AND AT A LEVEL NOT TO EXCEED EIGHTY-FIVE PERCENT OF
3 THE STATE MEDIAN INCOME FOR A FAMILY OF THE SAME SIZE. THIS
4 SUBSECTION (6) GOES INTO EFFECT UPON NOTIFICATION TO COUNTIES BY
5 THE STATE DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE
6 MANAGEMENT SYSTEMS, INCLUDING THE COLORADO CHILD CARE
7 AUTOMATED TRACKING SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS
8 SUBSECTION (6).

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

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

21 (c) [Formerly 26-2-805 (1) (e) (I.5), as added by House Bill
22 14-1022.] TO THE EXTENT PRACTICABLE, THE DURATION OF THE CHILD
23 CARE AUTHORIZATION NOTICE, AS DEFINED BY RULE OF THE STATE BOARD,
24 FOR A CHILD WHO IS ENROLLED IN CCCAP MUST BE THE SAME AS THE
25 CHILD CARE ASSISTANCE ELIGIBILITY PERIOD FOR THE CHILD'S FAMILY;
26 EXCEPT THAT, UNDER SPECIFIC, LIMITED CIRCUMSTANCES DESCRIBED BY
27 RULE OF THE STATE BOARD, INCLUDING BUT NOT LIMITED TO JOB-SEARCH

1 PERIODS, THE DURATION OF THE AUTHORIZATION NOTICE MAY BE LESS
2 THAN THE FAMILY'S FULL PERIOD OF ELIGIBILITY. A COUNTY MAY REDUCE
3 THE NUMBER OF FAMILIES SERVED PURSUANT TO THIS PART 8 IF
4 NECESSARY TO ENSURE THAT THE COUNTY, IN IMPLEMENTING THE
5 PROVISIONS OF THIS PARAGRAPH (c), DOES NOT EXCEED THE AMOUNT OF
6 THE COUNTY BLOCK GRANT FOR CCCAP ALLOCATED TO THE COUNTY
7 PURSUANT TO SECTION 26-2-804 FOR THE APPLICABLE FISCAL YEAR.

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

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

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

26 (I) TAKING MATERNITY LEAVE; OR

27 (II) BEING A SEPARATED SPOUSE OR PARENT UNDER A VALIDLY

1 ISSUED TEMPORARY ORDER FOR PARENTAL RESPONSIBILITIES OR CHILD
2 CUSTODY WHERE THE OTHER SPOUSE OR PARENT HAS DISQUALIFYING
3 FINANCIAL RESOURCES.

4 (g) 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 (g), A PARENT WITH
8 A CHILD ENROLLED IN CCCAP WHO LOSES EMPLOYMENT WHILE
9 PARTICIPATING IN THE PROGRAM MUST REMAIN ELIGIBLE FOR CCCAP FOR
10 AT LEAST SIXTY DAYS WITHIN A TWELVE-MONTH PERIOD IF HE OR SHE IS
11 ACTIVELY SEARCHING FOR EMPLOYMENT AND HE OR SHE CONTINUES TO
12 MEET ALL OTHER CCCAP ELIGIBILITY CRITERIA.

13 (h) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT TO
14 RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF
15 THIS PART 8, AND 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 PARAGRAPH (h), A
19 PARENT WHO IS NOT EMPLOYED IS ELIGIBLE FOR CCCAP FOR SIXTY DAYS
20 WITHIN A TWELVE-MONTH PERIOD IF HE OR SHE IS ACTIVELY SEARCHING
21 FOR EMPLOYMENT AND MEETS ALL OTHER CCCAP ELIGIBILITY CRITERIA.

22 (i) SUBJECT TO AVAILABLE APPROPRIATIONS AND PURSUANT TO
23 RULES PROMULGATED BY THE STATE BOARD FOR THE IMPLEMENTATION OF
24 THIS PART 8, AND UPON NOTIFICATION TO COUNTIES BY THE STATE
25 DEPARTMENT THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT
26 SYSTEMS, INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING
27 SYSTEM, ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (i), A

1 PARENT WHO IS ENROLLED IN A POSTSECONDARY EDUCATION PROGRAM OR
2 A WORKFORCE TRAINING PROGRAM IS ELIGIBLE FOR CCCAP FOR AT LEAST
3 ANY TWO YEARS OF THE POSTSECONDARY EDUCATION OR WORKFORCE
4 TRAINING PROGRAM, PROVIDED ALL OTHER CCCAP ELIGIBILITY
5 REQUIREMENTS ARE MET DURING THOSE TWO YEARS. A COUNTY MAY GIVE
6 PRIORITY FOR SERVICES TO A WORKING FAMILY OVER A FAMILY ENROLLED
7 IN POSTSECONDARY EDUCATION OR WORKFORCE TRAINING.

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

21 (8) PURSUANT TO RULES PROMULGATED BY THE STATE BOARD
22 AND UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT THAT
23 THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
24 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
25 ARE CAPABLE OF ACCOMMODATING THIS SUBSECTION (8), INCOME
26 RECEIVED DURING THE PAST THIRTY DAYS MUST BE USED IN DETERMINING
27 ELIGIBILITY UNLESS, ON A CASE-BY-CASE BASIS, THE PRIOR THIRTY-DAY

1 PERIOD DOES NOT PROVIDE AN ACCURATE INDICATION OF ANTICIPATED
2 INCOME, IN WHICH CASE A COUNTY CAN REQUIRE EVIDENCE OF UP TO
3 TWELVE OF THE MOST RECENT MONTHS OF INCOME. A FAMILY MAY ALSO
4 PROVIDE EVIDENCE OF UP TO TWELVE OF THE MOST RECENT MONTHS OF
5 INCOME IF IT CHOOSES TO DO SO IF SUCH EVIDENCE MORE ACCURATELY
6 REFLECTS A FAMILY'S CURRENT INCOME LEVEL.

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

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

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

1 (12) EACH COUNTY:

2 (a) UPON NOTIFICATION TO COUNTIES BY THE STATE DEPARTMENT
3 THAT THE RELEVANT HUMAN SERVICES CASE MANAGEMENT SYSTEMS,
4 INCLUDING THE COLORADO CHILD CARE AUTOMATED TRACKING SYSTEM,
5 ARE CAPABLE OF ACCOMMODATING THIS PARAGRAPH (a), AND PURSUANT
6 TO RULES PROMULGATED BY THE STATE BOARD, IN ADDITION TO REGULAR
7 DAILY PROVIDER REIMBURSEMENT RATES, SHALL REIMBURSE PROVIDERS
8 ACCORDING TO THE FOLLOWING SCHEDULE:

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

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

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

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

1 (c) SHALL POST ELIGIBILITY, AUTHORIZATION, AND
2 ADMINISTRATION POLICIES AND PROCEDURES SO THEY ARE EASILY
3 ACCESSIBLE AND READABLE TO A LAYPERSON. THE POLICIES MUST BE SENT
4 TO THE STATE DEPARTMENT FOR COMPILATION.

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

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

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

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

1 **26-2-805.5. Exemptions - requirements.** (1) Notwithstanding
2 any provision of section 26-2-805 to the contrary, an exempt family child
3 care home provider, as defined in section 26-6-102 (3.7), ~~shall not be~~ IS
4 NOT eligible to receive child care assistance moneys through ~~the Colorado~~
5 ~~child care assistance program~~ CCCAP if he or she fails to meet the
6 criteria established in section 26-6-120.

7 (2) As a prerequisite to entering into a valid ~~Colorado child care~~
8 ~~assistance program~~ CCCAP contract with a county office or to being a
9 party to any other payment agreement for the provision of care for a child
10 whose care is funded in whole or in part with moneys received on the
11 child's behalf from publicly funded state child care assistance programs,
12 an exempt family child care home provider shall sign an attestation that
13 affirms he or she, and any qualified adult residing in the exempt family
14 child care home, has not been determined to be insane or mentally
15 incompetent by a court of competent jurisdiction and a court has not
16 entered, pursuant to part 3 or 4 of article 14 of title 15, C.R.S., or section
17 27-65-109 (4) or 27-65-127, C.R.S., an order specifically finding that the
18 mental incompetency or insanity is of such a degree that the provider
19 cannot safely operate an exempt family child care home.

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

22 **26-2-809. Colorado child care assistance program - reporting**
23 **requirements.** (1) ON OR BEFORE DECEMBER 1, 2016, AND ON OR BEFORE
24 DECEMBER 1 EACH YEAR THEREAFTER, THE STATE DEPARTMENT SHALL
25 PREPARE A REPORT ON CCCAP. THE STATE DEPARTMENT SHALL PROVIDE
26 THE REPORT TO THE PUBLIC HEALTH CARE AND HUMAN SERVICES
27 COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE HEALTH AND

1 HUMAN SERVICES COMMITTEE OF THE SENATE, OR ANY SUCCESSOR
2 COMMITTEES. THE REPORT MUST INCLUDE, AT A MINIMUM, THE
3 FOLLOWING INFORMATION RELATED TO BENCHMARKS OF SUCCESS FOR
4 CCCAP:

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

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

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

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

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

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

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

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

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

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

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

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

12 **SECTION 10. Appropriation.** (1) In addition to any other
13 appropriation, there is hereby appropriated to the department of human
14 services, for the fiscal year beginning July 1, 2014, the sum of
15 \$9,922,744, or so much thereof as may be necessary, to be allocated for
16 the implementation of this act as follows:

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

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

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

24 (d) \$130,448, comprised of \$31,100 from the general fund, \$4,189
25 from the old age pension fund created in section 1 of article XXIV of the
26 state constitution, \$44,529 from reappropriated funds received from the
27 department of health care policy and financing out of the appropriation

1 made in subsection (2) of this section, and \$50,630 from federal funds,
2 for modifications to the Colorado benefits management system; and

3 (e) \$40,612, comprised of \$12,184 from the general fund, \$2,843
4 from the family support registry fund created in section 26-13-115.5 (1),
5 Colorado Revised Statutes, and \$25,585 federal funds, for modifications
6 to the automated child support enforcement system.

7 (2) In addition to any other appropriation, there is hereby
8 appropriated, to the department of health care policy and financing, for
9 the fiscal year beginning July 1, 2014, the sum of \$44,529, or so much
10 thereof as may be necessary, for allocation to department of human
11 services medicaid-funded programs, office of information technology
12 services-medicaid funding, Colorado benefits management system, for
13 system modifications related to the implementation of this act. Of said
14 sum, \$21,813 is from the general fund, \$115 is from the old age pension
15 health and medical care fund pursuant to section 7 (c) of article XXIV of
16 the state constitution, \$276 is from the children's basic health plan trust
17 fund created in section 25.5-8-105 (1), Colorado Revised Statutes, and
18 \$22,325 is from federal funds.

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

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