

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

REREVISED

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

LLS NO. 15-0536.01 Brita Darling x2241

HOUSE BILL 15-1248

HOUSE SPONSORSHIP

Singer,

SENATE SPONSORSHIP

Hill,

House Committees

Public Health Care & Human Services
Appropriations

Senate Committees

Health & Human Services
Appropriations

A BILL FOR AN ACT

101 **CONCERNING LIMITED ACCESS BY PRIVATE CHILD PLACEMENT**
102 **AGENCIES TO RECORDS RELATING TO CHILD ABUSE OR NEGLECT**
103 **FOR PURPOSES OF ENSURING SAFE PLACEMENTS FOR FOSTER**
104 **CHILDREN, AND, IN CONNECTION THEREWITH, MAKING AN**
105 **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 applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill allows a designated person at each child placement agency, in accordance with certain conditions outlined in the bill, to

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
3rd Reading Unamended
April 27, 2015

SENATE
2nd Reading Unamended
April 24, 2015

HOUSE
3rd Reading Unamended
April 17, 2015

HOUSE
Amended 2nd Reading
April 16, 2015

access records and reports of child abuse or neglect for the purpose of screening current or prospective foster parents, any adult residing in the home of a current or prospective foster parent, and specialized group facilities. The department of human services shall monitor the child placement agencies' access to records and reports of child abuse and neglect to ensure compliance with statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-307, **add** (2) (v)
3 as follows:

4 **19-1-307. Dependency and neglect records and information -**
5 **access - fee - rules - records and reports fund - misuse of information**
6 **- penalty. (2) Records and reports - access to certain persons -**
7 **agencies.** Except as otherwise provided in section 19-1-303, only the
8 following persons or agencies shall be given access to child abuse or
9 neglect records and reports:

10 (v) A LICENSED CHILD PLACEMENT AGENCY, FOR THE PURPOSE OF
11 SCREENING PROSPECTIVE FOSTER PARENTS, ANY ADULT RESIDING IN THE
12 HOME OF THE PROSPECTIVE FOSTER PARENT, AND SPECIALIZED GROUP
13 FACILITIES, PURSUANT TO THE FOLLOWING CONDITIONS:

14 (I) ACCESS IS LIMITED TO INFORMATION CONCERNING A CURRENT
15 OR PROSPECTIVE FOSTER PARENT, AN ADULT RESIDING IN THE HOME OF
16 THE CURRENT OR PROSPECTIVE FOSTER PARENT, OR A SPECIALIZED GROUP
17 FACILITY AND INCLUDES ONLY THE FOLLOWING INFORMATION:

18 (A) WHETHER A REPORT OF CHILD ABUSE OR NEGLECT HAS BEEN
19 MADE REGARDING THE PERSON;

20 (B) THE GENERAL NATURE OF THE ALLEGED INCIDENT OF CHILD
21 ABUSE OR NEGLECT, INCLUDING THE CATEGORY OF THE ALLEGATION, AND
22 THE NAME AND RELATIONSHIP OF THE PERPETRATOR AND VICTIM;

1 (C) WHETHER THE REPORT OF CHILD ABUSE OR NEGLECT WAS
2 SCREENED FOR ASSESSMENT;

3 (D) THE OUTCOME OF THE INVESTIGATION INCLUDING THE
4 INVESTIGATOR'S SUMMARY OF THE REASON OR REASONS FOR HIS OR HER
5 FINDING OR CONCLUSIONS; AND

6 (E) CHILD CARE AND CHILD WELFARE LICENSING HISTORY;

7 (II) ACCESS IS LIMITED TO ONE PERSON AT EACH CHILD PLACEMENT
8 AGENCY, AS DESIGNATED BY THE AGENCY AND REPORTED TO THE STATE
9 DEPARTMENT OF HUMAN SERVICES; ■

10 (III) THE STATE DEPARTMENT OF HUMAN SERVICES SHALL
11 MONITOR A CHILD PLACEMENT AGENCY'S ACCESS TO THE RECORDS AND
12 REPORTS OF CHILD ABUSE OR NEGLECT TO ENSURE THAT THE CHILD
13 PLACEMENT AGENCY IS ACCESSING THE RECORDS AND REPORTS OF CHILD
14 ABUSE OR NEGLECT IN ACCORDANCE WITH THIS PARAGRAPH (v); AND

15 (IV) AN UNACCEPTED REFERRAL OR AN UNFOUNDED OR
16 INCONCLUSIVE ASSESSMENT PURSUANT TO SUBPARAGRAPH (I) OF THIS
17 PARAGRAPH (v) DOES NOT NECESSARILY REQUIRE THAT A CURRENT OR
18 PROSPECTIVE FOSTER PARENT BE DENIED PLACEMENT PURSUANT TO THIS
19 ARTICLE.

20 **SECTION 2. Appropriation.** (1) For the 2015-16 state fiscal
21 year, \$37,138 is appropriated to the department of human services. This
22 appropriation is from the general fund. To implement this act, the
23 department may use this appropriation as follows:

24 (a) \$20,538 for use by the division of child welfare for monitoring
25 Trails usage, which amount is based on an assumption that the division
26 will require an additional 0.4 FTE; and

27 (b) \$16,600 for use by the office of information technology

1 services for Colorado Trails.

2 **SECTION 3. Effective date.** This act takes effect July 1, 2015.

3 **SECTION 4. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety.