

PREFACE

This manual is an orientation to Colorado Department of Human Services (CDHS). It also contains a description of the responsibilities of county boards of social services and county department directors. It was prepared by staff of the Field Administration and the Organizational Development Divisions of the Office of Performance Improvement as an aid to anyone interested in learning how human services are delivered to citizens in Colorado. For ease of reference, we have divided the manual into the following sections:

OVERVIEW	How CDHS functions within state government and interacts with the federal government, local agencies, and the Legislature.
PROGRAMS	How programs are structured and services are delivered to consumers including CDHS administrative functions and mission support.
FUNDING	Funding mechanisms.
GOVERNING BOARDS COMMISSIONERS	The role county commissioners play in delivering services locally.
AGENCY DIRECTORS	The statutory roles and responsibilities of county directors of county departments of social services.
APPENDICES	Useful reference materials.

The Office of Performance Improvement is indebted to the CDHS managers and staff who wrote, critiqued, and edited the descriptions of the CDHS programs and administrative services contained herein. We hope you find this manual useful and informative.

CDHS OVERVIEW

- A. Background**
- B. Functions**
- C. Strategic Intent**
- D. Organizational Chart**
- E. Structure**
- F. Information Sharing**
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- H. Appeals**

OVERVIEW

A. CDHS Background

The Colorado Department of Human Services (CDHS) is one of 20 state departments serving the public in Colorado. CDHS was created in law on July 1, 1994, to manage, administer, oversee, and deliver human services to Colorado citizens. The reorganization combined the former Departments of Social Services and Institutions, and included the Alcohol and Drug Abuse Division from the Department of Health. At that time, the Medicaid program, formerly administered by the Department of Social Services, was combined with various other health planning functions from the Department of Health to form the new Department of Health Care Policy and Financing.

B. CDHS Functions

CDHS Funds Services – The Department receives and distributes federal dollars appropriated to Colorado for human services programs. As the receiving fiscal agency, the Department must account for these dollars to the federal government and assure that federal money is expended according to federal regulations and fiscal policy. These funds are variously matched with state dollars appropriated by the legislature according to program requirements and distributed to local providers through allocations, contracts, grants, or as pass through funds. For most programs, local agencies match the state and federal money with local funds.

CDHS Promulgates Rules – The Department develops the rules for the administration of all programs and services funded by the Department. Federal regulations and state laws are implemented through rules, as are program and administrative requirements.

The State Board of Human Services must enact all rules (an agency statement of general applicability and future effect implementing, interpreting or declaring law or policy or setting forth the procedures or practice requirements of any agency) through a public hearing process. The Board is statutorily empowered to adopt rules, hold hearings relating to the formulation and revision of the policies of the Colorado Department of Human Services, and advise the Executive Director on any matter that the Executive Director may bring before the Board. (Section 26-1-107 CRS) The State Board consists of nine (9) members appointed by the Governor, with the consent of the Senate. Three (3) members shall be appointed from persons who are serving as County Commissioners. Whenever a County Commissioner ceases to hold the office of county commissioner, a vacancy occurs and the governor must fill the vacancy with another person serving at the time as a county commissioner. The State Board shall act only by resolution adopted at a duly called meeting of the State Board. The Board shall

adopt rules governing (1) Program Scope and Content, (2) Requirements, obligations and rights of clients, recipients, vendors, providers and other persons affected by actor of the State Department, (3) Hold hearings related to the formulation and revision of policies of the state department, and (4) Advise the executive director as to any matters that the executive director may bring before the state board. In general, the Board's role is to adopt rules to fill in the details of broad program and policies set forth in statutes. The Board must decide the specifics of how statute should be implemented or enforced. The Board must occasionally attempt to harmonize apparent conflicts in the statutes. State statutes explicitly require the Department to comply with federal requirements. Frequently the Board must amend rules to come into compliance with changes in federal law or regulation. When a change is made in either federal law or regulation, the Board usually has no discretion and must conform to these changes. However, if the federal government makes a change in a less formal way, such as by memo, letter or "state manual," the Board can legitimately question whether or not to comply with the new "federal requirement". No rule shall be adopted unless: (1) It is needed. (2) It is authorized by statute, (3) It is clear and simply stated, (4) It does not conflict with other provisions of the law, and (5) The duplication or overlapping of rules is explained. Although the rules adopted may not conflict with state and federal law, the Board has substantial discretion to determine the specifics of how general statutes are to be implemented. State Board rules have the force of law according to the Colorado Administrative Procedures Act and are found in the Colorado Code of Regulations. These rules are grouped according to services and programs and published in Staff Manuals and the Colorado Code of Regulations as follows:

Volume 2 – County Personnel and Merit System	9 CCR 2502-1
Volume 3 – Income Maintenance	9 CCR 2503-1
Volume 4 – Food Stamps	10 CCR 2506-1
Volume 5 – Finance	11 CCR 2508-1
Volume 6 – Child Support	9 CCR 2504-1
Volume 7 – Social Services	12 CCR 2509
Volume 9 – Rehabilitation Services	12 CCR 2513-1
Volume 10 – Services for the Aging	12 CCR 2510-1
Volume 11 – Veterans Affairs	12 CCR 2511-1
Volume 12 – Special Projects	12 CCR 2512-2
Volume 13 – Donated Foods	12 CCR 2514-1
Alcohol and Drug Abuse – Counselors	6 CCR 1008-3
Alcohol and Drug Abuse – Treatment	6 CCR 1008-1
Developmental Disabilities Services	2 CCR 503-1
DHS, Division of Youth Corrections	2 CCR 504-1
Mental Health Services	2 CCR 501-1
Mental Health Services	2 CCR 502-2
Child Mental Health Treatment Act	2 CCR 502-3

CDHS Enforces Rules – The Department enforces the rules that are promulgated by the Colorado Board of Human Services. Enforcement occurs after discovery of rule violations through fiscal or program monitoring. The local agency is given the opportunity to correct the violation through a Corrective Action Process and come into compliance with the rule. If the local agency refuses or is unable to comply with the rule, the State can impose a fiscal sanction or invoke an administrative or legal process until the agency is able to come into compliance.

CDHS Develops Programs – CDHS program staff develop programs in response to federal regulations, state statute and perceived customer needs. These programs are the basis for the funding of local providers who provide services within the program parameters. Staff must acquire and maintain program expertise that enables them to perform this function. Part of their job is to develop best practice guidelines for programs and services.

CDHS Provides Training and Technical Assistance – The Department provides training and technical assistance to service providers to increase their capacity to serve the customers effectively. When a new program or service is developed, there is a need to provide training to implement the program or service and assure consistency. It is important to share the latest best practice with providers.

CDHS Manages Complaints and Appeals – State staff receive and process complaints from Colorado citizens about state and local agency staff. A formal system is in place to assure that complaints are addressed promptly. CDHS also coordinates client appeals with Administrative Hearing Officers and has ‘Final Agency Action’ on these appeals.

CDHS Provides Direct Services – State staff also provide direct services to Colorado residents. The services include vocational rehabilitation services at 28 offices; long-term care at five state-owned veterans nursing homes; mental health services at two mental health institutes; services to juvenile offenders at ten youth corrections facilities; and services to persons with developmental disabilities at three regional centers. The mental health services and services to persons with developmental disabilities at the state facilities are part of the continuum of services for this population. Regional centers serve the most medically fragile and behaviorally impaired. The other services in the continuum are community-based services provided by local agencies.

Local Agencies Provide Services – Other services to Colorado residents are provided by local governmental or non-profit provider agencies through grants, contracts, or direct payments. Governmental agencies are those directed by a city, county, or councils of government. They include county departments of social services, Area Agencies on Aging and Options for Long-Term Care/Single Entry Point Agencies. There are slightly more than 7,500 county or state employees dedicated to providing a variety of services. The provider network includes 58 county or district offices of social services that function as agents of

the state and are funded by a combination of local, state, and federal dollars. The county departments are governed by the elected Board of County Commissioners which appoint the county DSS director. The nonprofit agencies are independent 501 (c) 3 entities governed by appointed board members.

CDHS contracts with 17 Community Mental Health Centers to provide services to Coloradoans through a 'capitated' managed care model and with 20 Community Centered Boards to provide services to persons with developmental disabilities through a modified managed care model. Substance abuse treatment services are delivered by local provider agencies through 'Managed Service Organizations' (MSOs) that contract with CDHS to provide services to clients in each designated catchment area. Substance abuse prevention services are provided by local agencies through individual contracts.

Options for Long-term Care services are provided by local agencies, some public and some private, who contract with the Department of Health Care Policy and Financing and with CDHS to provide services to residents in their own homes with the purpose of preventing or postponing nursing home care. This program is financed with Medicaid funding through a federal waiver.

Services for seniors, funded by the federal Older Americans Act, are provided through grants to designated Area Agencies on Aging (AAAs). AAAs can be affiliated with governmental entities like county government and councils of government, or can be operated by non-profit boards. The AAAs either provide services directly or sub-grant the funds to provider agencies in their designated region.

CDHS provides funding for other human service programs such as domestic violence treatment and prevention through individual providers who apply for and receive grants. Part of the role of the Department is to manage these grants.

C. CDHS Strategic Intent

The strategic intent of CDHS is expressed through the Department's vision, mission, organizational goals, and guiding principles. They are:

Vision: The Colorado Department of Human Services, the nation's leader in helping individuals, families, and communities be safe and independent.

Mission: Our mission is to design and deliver quality human services that improve the safety and independence of the people of Colorado.

Organizational Goals:

Public Value and Stakeholder Goals

1. Account for the responsible use of public dollars by maximizing efficient use of resources.
2. Reduce costs to the State by reducing the need for future CDHS services.
3. Ensure community safety.
4. Develop effective working relationships with human services system and community partners.

Client and Customer Goals

5. Enhance client safety, independence, functioning, health, and well-being.
6. Promote stability and permanency in living situations for children and adults.
7. Promote self-sufficiency and provide financial assistance for children, adults, and families.
8. Assure that services satisfy the needs of diverse client and customer groups and are culturally sensitive.

Internal Process Goals

9. Improve the access to, range, and amount of CDHS services available to clients and customers.
10. Implement speedy and accurate processes for eligibility, placement, treatment, licensing, and certification decisions.
11. Ensure speedy and accurate processing of information pertaining to financial resources, physical assets, client status, and program performance.
12. Effectively design and deliver services within CDHS and to the Department's human services system and community partners.

Organizational Capacity Goals

13. Recruit, develop and retain a prepared, motivated and diverse workforce.
14. Establish an up-to-date information technology and physical plant infrastructure that supports program missions.
15. Increase staff understanding of CDHS priorities, processes, and achievements through effective internal communication.
16. Increase staff knowledge and use of customer service, process improvement, and performance management tools.

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Guiding Principles: To realize our vision, mission, and organizational goals, we are committed to the principles of:

1. Demonstrating leadership that encourages internal teamwork, external partnerships, open communication, and mutual trust.
2. Identifying the critical needs of our customers, devoting our resources to meeting those needs, and being accountable for the outcomes of our services.
3. Focusing on results, quality, and continuous improvement, and on using state-of-the-art technology to be more efficient and effective.
4. Delivering comprehensive services through the establishment and use of effective partnerships among public and private entities.
5. Exhibiting high levels of integrity and fairness, and expressing respect for individuals and our cultural diversity.
6. Offering opportunities for challenging, rewarding, results-oriented work in an environment that respects, values, and recognizes the contributions of department staff.

D. CDHS Organizational Chart

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E. CDHS Structure

The Colorado Department of Human Services has been structured by the Executive Director and CDHS's Executive Management Team to efficiently accomplish the Department's strategic intent. This structure was designed by the Executive Director and managers and approved by the Governor's Office for implementation on January 1, 2000. Further refinements were made in 2001 and 2002. The Legislature passed a statute in 2002 which transferred Veterans Affairs from CDHS to the Department of Military and Veterans Affairs.

The Department was reorganized to bring service units together that have common customers, products, and services and to help improve relationships with the Department's external customers. The Executive Director also wanted to send a clear signal about the people, culture, and competencies that are needed to achieve the vision.

In Colorado, CDHS serves basically two separate populations based on their age and presenting problems. It serves children, youth and families and it serves adults and seniors over age 60. The reorganization created a new cluster of adult program services and a cluster of services for children, youth and families. The purpose of the clusters is to provide for increased integration in delivering quality human services and to address cross-cutting issues in service delivery and policy development. The department is grouped into an Administrative, Adult Services, Children, Youth and Families, and Information Technology Services clusters.

In order to assure that cooperation and coordination within the clusters occur, the Office and Division managers operate as a team on issues that affects more than one unit. The Executive Director appointed a team leader to direct and facilitate this process. The team is expected to formulate sound policy that cuts across disciplines to serve clients more effectively. The better direction CDHS provides to local agencies, the better services they will be able to offer to communities and citizens.

The **Administrative Services cluster** includes the Office of Operations, the Office of Financial Services, and the Office of Performance Improvement. Information Technology Services remains as a separate organizational unit and continues its priority to provide state-of-the-art technology to the department so all programs and staff can be more efficient and effective.

The Office of Performance Improvement (OPI) was created by Mrs. Hammons to further the department's vision to become the nation's leader in helping individuals, families, and communities be safe and independent through an internal and external focus on outcomes. She combined the former Office of Human Resources with the former Office of Public Affairs, Policy Analysis, and Quality Assurance. This change was made effective August 1, 2000. The Office

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is comprised of the Community Development Team, The Organizational Capacity Team and The Program Fiscal Accountability Team. OPI's charge is to provide support and leadership in improving the performance of the human services system, with the focus on customers and recipients of services, stakeholders, employees, operations and systems, and communications. There is a diversity initiative in the Human Resources Team that will target its efforts on helping to build a department with a high level of integrity, fairness and respect for individuals and cultures.

The **Adult Services cluster** contains the Office of Adult and Veterans Services that includes Aging and Adult Services and Veterans and State Nursing Homes. This unit highlights the need to focus attention on delivering quality services to the elderly, veterans, and to those in need of nursing home care. Also included in this cluster are the Office for Rehabilitation and Disability, the Office of Behavioral Health and Housing, and the Office of Self-Sufficiency.

The **cluster serving Children, Youth and Families** includes the Division of Youth Corrections, Division of Child Welfare, Division of Child Care and a new unit called the Children's Health and Rehabilitation Team/. The unit has program specialists from Mental Health Services, Developmental Disabilities Services and from the Alcohol and Drug Abuse Division, formerly with the Office of Health and Rehabilitation. There is a close liaison between this unit and the corresponding unit in the *Adult Services Cluster*.

F. Information Sharing

It is the policy of CDHS to fully disclose information and records generated and maintained through any of its divisions, agencies, facilities and offices. All records, reports, and other documents generated in the course of official departmental business and considered final by the Executive Director, shall be made available to the public upon request. Only those documents specified as privileged by the Open Records Law (CRS 24-72-201 & 202) are exempted from disclosure.

In general, aggregate statistical data that does not identify a specific client can be obtained without the client's consent. Otherwise personal identifying information can only be shared with the written consent of the person affected or a legally authorized representative.

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G. Complaints

CDHS has a Consumer Relations section that is part of the Community Development Team of the Office of Performance Improvement where consumers, clients, and the public may complain about services or treatment by CDHS or provider employees. These complaints are processed through this central office and may be referred to the programs or service providers for a formal written response. This section functions as part of the Governor's Advocacy Office, which provides citizens with a single point of access for registering complaints, obtaining consumer information, and making inquiries about state funded programs.

H. Appeals

Many of the CDHS programs have provisions by law or regulation for client appeals of official actions that reduce, deny or otherwise affect their financial benefits or legal status. CDHS programs with appeal functions include: all social services and public assistance programs; child care licensees; persons listed on the Central Registry for Child Protection; state and federal tax intercepts for child support; Alcohol and Drug Abuse Division counselor certification actions; and disputes involving clients and providers of Developmental Disabilities and Mental Health Services.

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PROGRAMS

CDHS Administrative Functions

CDHS Adult Services

CDHS Children, Youth and Family Services

Department of Health Care Policy and Financing

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CDHS Administrative Functions

A. Office of Operations

- 1. Division of Facilities Management**
- 2. Procurement Division**
- 3. Division of Accounting**

B. Office of Financial Services

C. Office of Performance Improvement

- 1. Community Development Team**
- 2. Organizational Capacity Team**
- 3. Program Fiscal Accountability Team**

D. Office of Information Technology Services

- 1. Applications Systems Support**
- 2. Customer and Administrative Services**

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CDHS ADMINISTRATIVE FUNCTIONS

A. Office of Operations

1. Division of Facilities Management

The **Division of Facilities Management** is responsible for providing a full array of facilities maintenance services to all CDHS agencies and offices statewide. These services include the maintenance of buildings and grounds, custodial, laundry/linen services, capital construction budgeting and contract management, utilities management, fleet management and the management of the leasing programs. These services are available statewide, however, the agencies that consume the most services are the state-operated and state-owned residential treatment programs such as the Mental Health Institutes, Regional Centers for persons with Developmental Disabilities, Division of Youth Corrections facilities, and Veterans Nursing Home programs.

Federal/State Statutory and Other Authority: Sections 24-30-1304 through 24-30-1305, 7 C.R.S.; Sections 24-30-1401 through 1405 C.R.S. (by delegation from GSS/State Buildings Program); Sections 24-82-601 through 602 (7) C.R.S.; Section 24-102-302 C.R.S.

2. Procurement Division

The **Procurement Division** consists of two main units; (1) Purchasing and Materials Management which is responsible for providing purchasing and materials management services and (2) Contract Management which processes and tracks all Department contracts. The Purchasing Unit's duties include processing all purchasing requests and conducting all competitive bidding and request for proposal processes. The Materials Management Unit is responsible for providing warehouse and distribution services for all Department programs that house direct care clients. Duties include the ordering and inventory control of food and non-food items and storing and distribution of these items to the various program locations statewide. The Contract Management Unit is responsible for overall processing and administration of the Department's business contracts that includes contracts for personal services, equipment, and real estate leases.

Federal/State Statutory and Other Authority: Section 20-1-120, 7 C.R.S.; Title 19, 6; Titles 26 and 27, 8; Sections 24-30-1304 & 1305, 7 C.R.S. and Sections 24-82-601 & 602, 7 C.R.S.; Sections 24-17-101 through 104, C.R.S.; Sections 27-12-101 to 109, C.R.S.; Section 24-102-302 C.R.S.; The Single Audit Act of 1984 (P.L. 98-502), The Single Audit Act Amendment of 1996, OMB Circular A-21, A-87, A-102, A-110, A-122, A-128, and A-133.

3. Division of Accounting

The mission of the **Division of Accounting** is to provide financial services to help the customers and staff of the Department of Human Services to achieve and maintain positive outcomes through quality services that:

- Accomplish effectively and efficiently the fiscal and accounting functions related to the diverse programs within the Department of Human Services; and,
- Provide fiscal support related to sources and uses of funds to program and budget management; and provide timely and accurate financial data and reports in compliance with generally accepted accounting principles, the Governmental Accounting Standards Board, federal regulations, state fiscal rules and internal accounting controls.

Services Provided:

The Division of Accounting is responsible for delivering financial information and accounting services that provide the following services to its customers:

- Making payments to clients, staff, providers and other vendors and recording the corresponding expenditures.
- Billing clients, Medicaid, Medicare, and other responsible parties for client care; recording the corresponding revenue, receivables and cash receipting.
- Providing financial information to management and budget and serving as a resource to program administrators for policy, budget and planning for the future.
- Managing automated systems that record financial transactions, data, bills, payments, payroll, timekeeping and other required as well as ad hoc reports.
- Recording Federal expenditures and revenue for over one hundred grants and providing financial reports to the Federal government and other grantors.
- Accounting for the State's assets by recording in the fixed asset system and monitoring the inventory process.

- Providing payments to the county departments of social services, recording and reporting their expenditures in the State's accounting system.
- Allocating costs for the purpose of providing information, determining charges for services, assigning indirect costs and capturing revenue.
- Ensuring audit compliance and coordination with auditors from the State and federal governments.
- Ensuring that State systems capture the financial information needed for county reimbursements and claiming federal funds.
- Reconciling all of the systems data to insure complete and accurate information.
- Establishing fiscal internal controls and policy directions.
- Maintaining budgetary accounting and allocations.
- Establishing and operating district accounting offices to provide accounting services as close to the agencies as possible.

Over the next few years, Accounting anticipates that electronic payments will increase dramatically. Because the vendor is provided a quick payment and the CDHS cardholders' requirements are being met, we anticipate the use to triple in three years. In addition, the Division anticipates an increase in electronic payments to large utilities companies in the future.

Customer Requirements:

Customer	Requirements
CDHS Programs	To provide for payment of program obligations to clients, vendors and employees and to furnish financial information to meet program requirements.
State Controller's Office	To provide supporting documentation for DHS payment requests and to meet General Accounting Principals.
State Auditors Office	To provide supporting documentation for all DHS payments, matching funds and program financing requirements.
Counties	To provide reimbursement for the State and Federal share of county administrative cost and facilitate electronic payment of client benefits.
Federal Programs	To provide supporting documentation for program expenditures, program financial reporting requirements and Federal, State and County share of program costs.
Colorado Citizens	To provide financial management, financial information and payment processing under the law for the benefit of all Colorado citizens.

Accounting Federal/State Statutory and Other Authority: Section 24-1-120, 7 C.R.S., Title 19, 6; Titles 26 and 27, 8; Sections 24-17-101 through 103, C.R.S.; Sections 27-12-101 to 109, C.R.S.; Section 24-30-202 through 204, C.R.S; 24-75-109 C.R.S; 24-75-202 through 204, C.R.S.; 24-16-106, C.R.S.; OMB Circular A-21, A-87, A-102, A-110, A-122, A-128 and A-133.

Total Office Funding: FY 2000-01 = \$34,340,078

Telephone Number: (303)-866-2423

B. Office of Financial Services

Program Description: The Office of Financial Services consists of three functional units: the Budget Office, Grants Management, and Strategic Planning.

The **Budget Office** is responsible for the development, implementation, execution, and monitoring of the Department's \$1.7 billion budget. In cooperation with all offices within the Department, the Budget Office identifies and develops new budget issues by recognizing the policy implications and resource requirements of those issues. This office prepares and submits the Department's annual budget to the Office of State Planning and Budgeting (OSPB) for approval, and to the Joint Budget Committee (JBC) for funding by the legislature. The Budget Office then monitors the approved appropriation and takes corrective action as appropriate.

The office is also responsible for **Grants Management**. All requests for grant funding are processed through this office. In addition to approving grant applications the Office verifies any matching fund or maintenance-of-effort requirement. Grants are also review by the OSPB to ensure consistency with current administrative policy.

The Office of Financial Services also prepares the Department's annual Strategic Plan. **Strategic Planning** is a key component of the Department's annual budget process. The plan sets the priorities and strategic objectives for the current budget request, and serves as a management tool to gauge performance. The strategic planning process is also integrated into the budget cycle to ensure that annual budget initiatives are consistent with the Department's long-range strategic intent and vision.

Services Provided: Financial Services is a support office that provides information and analysis needed to make informed budgetary decisions.

Funding: FY 2001 = \$925,000, 12 FTE

Telephone Number: (303) 866-5083

C. Office of Performance Improvement

Mission Statement:

The mission of the Office of Performance Improvement is to support the Colorado Department of Human Services' vision of becoming the nation's leader in helping individuals, families, and communities be safe and independent.

The mission will be accomplished by maintaining strong relationships with our internal customers and external program partners and stakeholders; by providing staff resources and technical assistance to help internal customers and external program partners achieve their program objectives; by emphasizing an orientation toward business results, program quality improvement, fiscal responsibility and operational efficiency; by delivering workforce development products and services that ensure staff competencies and a work environment that values and recognizes the contributions of a diverse staff; and by encouraging timely and relevant communication that fosters internal teamwork, external partnerships, and a performance improvement focus.

Office Description:

The Office is responsible for all functions involving agencies, organizations, boards, commissions, and advocacy and constituent groups external to CDHS that are involved directly or indirectly in human services, as well as for providing personnel, risk management, organizational development, staff development and training, equal employment opportunity, and other services to the Department. Assuring that programs are responsible for maintaining quality performance, are fiscally responsible, ensure operational efficiency and are accountable for identified outcomes are functions that apply to both internal and external customers. The Office strives to provide exemplary service and guidance to our internal and external customers to support the achievement of these goals.

The Office is comprised of the Community Development, Organizational Capacity and Program Fiscal Accountability Teams.

1. Community Development Team

The ***Boards and Commissions Division*** contains several specific, independent units and programs, including the following:

The **State Board of Human Services Administrator** provides administrative support to the Board and ensures that agency rules and policies submitted to and adopted by the Board are promulgated in accordance with applicable State law, or federal law or regulations, and

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are consistent with the Department's mission and vision statement. The statutory basis for the State Board of Human Services is found in Section 26-1-107 of the Colorado Revised Statutes.

The **Juvenile Parole Board Administrator** and staff are responsible for providing statutorily mandated clerical and administrative support to the Board. The statutory basis for the Parole Board is found in section 19-2-206 (6) of the Colorado Revised Statutes.

The **Colorado Developmental Disabilities Planning Council** is comprised of 24 members appointed by the Governor, 51% of which are persons with or are family members of persons with disabilities. The Council functions as a Type 1 transfer agency, as defined by Colorado law. The Council is mandated by the federal Developmental Disabilities Act of 1970 and is charged with independently overseeing and assuring coordination of programs serving individuals with disabilities and for funding and implementing projects which may impact or promote systemic changes. The Executive Director and the professional and clerical staff are employees of CDHS and support the Council in carrying out its statutory powers and duties. The Council's staff is part of the Boards and Commissions Division of the Office of Performance Improvement.

Legal Services provides coordination, monitoring and approval of expenditures for legal services and state level administrative fair hearings provided to the Department by the Department of Law (Attorney General) and the Division of Administrative Hearings, Department of Personnel/General Support Services. Additionally, the unit provides in-house review and analysis of legal issues before making a referral to the Attorney General's Office for legal opinion or representation. The statutory basis for the Legal Services program is found in sections 24-31-101 and 206 and 24-30-1001 to 1002 of the Colorado Revised Statutes.

The **Appeals Section** (commonly known as the **Office of Appeals**) is the Executive Director's designee for reviewing initial decisions and entering final agency actions in all appeals, whether from state or county agencies or by applicants or recipients of services. This includes all social services and public assistance programs, child care licensees, subjects listed in the Central Registry for Child Protection, state and federal income tax intercepts initiated to recoup assistance payments, Alcohol and Drug Abuse Division counselor certification actions, and disputes involving clients and providers of Developmental Disability and Mental Health Services. The statutory basis for the Office of Appeals is in 19-3-313, 24-4-105, 26-1-106, 26-6-108, and 27-10.5-107 of the Colorado Revised Statutes.

The **Consumer Relations Program** functions as part of the Governor's Advocacy Office, which provides citizens with a single point of access for registering complaints, obtaining consumer information, and making inquiries about the Department of Human Services and its programs. The authority for the Consumer Relations program is found within Executive Order D 10 00 93, which created the Governor's Advocate Corp.

The **Legislative Liaison** is the Department's designated lobbyist who oversees and coordinates all external and internal activities related to the development and promotion of the Department's legislative agenda. The liaison also represents the Department's position on legislative matters impacting departmental operations or programs. The statutory basis for the Legislative Liaison is found in Section 24-6-303.5 of the Colorado Revised Statutes.

The **County Commissioner Liaison** is the Department's designated representative with Colorado Counties, Inc. and coordinates all activities related to the Department's interface with Colorado Counties, Inc. The liaison also represents the Department's position on county and local policy matters that impact the implementation of or outcomes of departmental operations or programs.

The **Field Administration Division** is responsible for the oversight of county departments of social services and area agencies on aging, as well as for interfacing with other locally based program partners and contractors. Functions include biannual assessments/reviews; corrective action monitoring; establishing and maintaining statewide geographic linkages to facilitate policy communications; providing state and local interagency mediation and problem solving services; providing technical assistance and training to county directors and commissioners; facilitating coherent 360 degree communications; and supporting fully integrated human service delivery systems statewide.

The **Communications Division** is headed by the "Public Information Officer," who is the Department's designated contact with the media. The Division also provides for the development and implementation of communication systems that facilitate public access to departmental information, including the Department's Homepage, Annual Report, and newsletters.

2. Organizational Capacity Team

The **Personnel Division** provides a full range of personnel services to CDHS managers, supervisors, and employees such as recruitment and selection services to applicants seeking CDHS jobs. Services include the creation and job evaluation of CDHS positions; the recruitment and examination of job applicants; and the creation of eligible lists for hiring/promotional decisions. The Personnel Division provides consultation services to appointing authorities and employees regarding personnel system rules, employee performance, employer/employee relations, and in matters pertaining to employee discipline and employer/employee disputes. The division creates and maintains the official personnel records for positions and employees and creates and maintains automated and manual data systems to track and monitor services. The Personnel Division maintains links with payroll and benefits staff to ensure proper and timely compensation of CDHS employees.

The **Benefits and Risk Management Division** is responsible for a broad range of related program areas, including:

- All Employee Benefits
- Safety
- Injury Prevention
- Worker's Compensation
- Liability Insurance and Risk Control
- American's with Disabilities Act compliance
- Employee Substance Abuse policy and programs
- Criminal Background Investigations and Verifications

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The division develops policies, procedures, supports services and training related to the major programs listed above as well as the variety of sub-programs that exist. Staff are available to assist employees in obtaining all appropriate entitlements and are available to internal and external managers, Appointing Authorities, supervisors and decision makers regarding the expectations of CDHS policies and related state and federal mandates. In addition, staff provides support and/or representation in program related situations such as, but not limited to, litigation, entitlement disputes, audits, and compliance surveys.

There is a new unit in the Benefits and Risk Management Division called **Employment Affairs**. The major programs within this unit are (1) State ADA Coordinator, (2) Employee Civil Rights Coordinator, (3) Background Investigations, and (4) Substance Abuse Coordinator.

The **Staff and Organizational Development Division** provides a variety of training programs and services to CDHS employees and the county employees who deliver direct services. This is accomplished by working with managers and employees to assess their training and development needs and designing courses and interventions that meet those needs. Three training centers are located throughout the state that provide group and individual program, computer, human relations, workplace, mental and physical health training.

The Diversity Initiative is a part of this division. Through this initiative, employees are provided information regarding the departmental policies on valuing diversity. Staff Development courses are available for performance management, computer skills, continuous quality improvement, new employee orientation, supervisory training, customer service, preventing workplace violence, mediation, cultural diversity, preventing sexual harassment, and team building. County training includes providing the core curriculum for all Child Welfare caseworkers, sexual abuse interviewing skills, legal preparation for caseworkers, ethics, and liability, foster parent core training, supervision skills, and a variety of specialized courses. Organizational development services include climate surveys and interventions to improve employee morale and productivity. Other services include providing skilled staff for meeting facilitation.

The purpose of the **Performance Management Division** is to provide a support function to CDHS managers to help them in achieving their program objectives by assisting in strategy implementation and execution. The intent is not to bureaucratically count departmental activities and outcomes or to serve in a traditional audit or program compliance function, but to help CDHS become more of a 'measurement-managed' organization. The major activities of the Performance Management Unit will include:

- Operationalization of the Balanced Scorecard: A first step in the process of becoming more measurement managed is to develop a Balanced Scorecard for the Department as a whole. Two major benefits of the Balanced Scorecard are an increased emphasis on measurement issues and an enhanced ability to communicate the organization's "story" to both internal and external audiences.
- Technical assistance: Providing technical assistance will entail working with Division and Office managers and their management teams in using the Balanced Scorecard concept to refine and/or identify the objectives needed to help them achieve their unit's missions. This will involve the following: 1) Providing training and technical assistance in the form of consulting where needed to develop efficient ways of measuring progress in achieving their objectives; and, 2) Providing technical assistance on assessing customer/ stakeholder/program partner satisfaction, and ensuring consistency in assessment approaches across program areas.
- Communication and reporting: A central role of the Division will be providing a communication and reporting mechanism regarding performance results to the Executive Director, the Executive Management Team, the program areas, and external audiences. This information can be used to target improvement opportunities, identify possible policy implications, and share best practices across the department.
- Integrated, strategic issue analysis: The Performance Management Division is also will provide a more integrated, strategic analysis of issues that cross the boundaries of CDHS organizational units (Offices, Divisions, and Clusters). This will involve: 1) Providing an internally developed, organization-wide capability for insightful and timely analysis of key issues and identification of significant trends that impact the strategic direction of the department; and, 2) providing an independent, "third-party" perspective for the Executive Director of performance management and measurement issues.

The four person unit will collectively have the following skills:

- **Performance Measurement specialists**: Knowledge of organizational development, the balanced scorecard, performance measurement, survey design, and basic data analysis. These specialists will essentially function as internal consultants on measurement issues, and by extension will become involved in performance improvement projects.
- **Statistics / research specialists**: Knowledge of experimental design, and high-level statistical analysis techniques.

Performance Management and Measurement

Organizational Effectiveness In The Public Sector

There is continued pressure on public organizations to get a higher return on their investments and improve productivity. The level of expectation of government by citizens has changed. Government's customers and stakeholders (elected officials, other government agencies, business, the public) have raised the bar. They expect far more in terms of quality, value, speed, service, and cost. The fact is that Americans want the services that government is providing (in some cases even more services) without paying more taxes. In this environment, state and local governments not only need to perform at a higher standard, but also must be able to measure and communicate that performance to the public.

The key metric for government (or nonprofit) performance, therefore, is not financial in nature, but rather mission effectiveness. But mission effectiveness is not a definite and static thing. Usually, an agency has a rather broad general mission, which incorporates many specific sub-missions or departmental missions within it. At any given time, some departmental missions may be more important than others for the needs of the organization.

“Measurement is the first step that leads to control and eventually to improvement. If you cannot measure something, you cannot understand it. If you cannot understand it, you cannot control it. If you cannot control it, you cannot improve it.”

H. James Harrington

Benefits of Measurement

Performance Measurement and Management (PMM) systems have to do three things to facilitate the execution, implementation, and deployment of business strategies:

1. Signal what to measure.
2. Determine appropriate ways to measure it.
3. Fix accountability for performance on these measures.

Measurement is the language that gives clarity to vague concepts, and makes the communication and implementation of strategy much easier. Measurement is the currency of accountability. Performance measurement in government is clearly becoming more widespread. It must be admitted up front that performance measurement is not easy. Many organizations do not systematically track and measure their performance. Many others engage in measurement but do not do it well. If done correctly, performance measurement has a number of benefits:

- Provides focus for major areas of organizational activities and programs.
- Provides decision-makers with a scorecard to evaluate organizational success.
- Provides decision-makers with a mechanism to align and allocate resources.
- Directs attention to areas that need improvement by providing feedback.
- Provides a way to communicate the organizations' accomplishments, efficiencies, and effectiveness to organizational stakeholders.

Difficulties With Performance Management And Measurement

Performance measurement is not easy. It is not easy in the private sector where there is a collection of well-established, and frequently used financial ratio measures. It is even more difficult in government. Below are listed some major reasons why performance measurement is especially difficult in government.

- Often there is no specific agency or unit goal to shoot for.
- There is no performance metric universally recognized as effective for non-financial performance.
- Some criteria are quantitative and objective; others are qualitative and subjective.
- Many metrics require extra time and energy to develop and track.
- If you have never used a chosen metric before, there will be no baseline.
- Some criteria require contributions from people who may not be subject to your control or authority.
- Making a choice and sticking with it long enough to learn something requires patience.
- Combining different metrics to be able to make sense of the numbers, and therefore be able to make a judgment about overall program, unit, or organizational effectiveness, is not easy.
- Many indicators are “activity” counts that do not really measure performance.
- It is not obvious whether the appropriate measure should be an absolute number, a change number, or a percentage change number.
- People can always “cheat” and game the system.
- Employees often react negatively and resist the implementation of PMM system.
- Performance measures are often a hodgepodge collection.
- The baseline against which performance should be measured is often unclear.
- Many of the performance measurement reports are difficult to understand and interpret.

Revised June 2002

Recommendations For Realizing The Benefits Of Performance Management And Measurement (PMM) Systems

At the end of the day, the most effective PMM systems that will drive behavior need to be simple enough to focus attention on key elements and be fair enough so that people believe they can affect the measures.

- Choose an organizing framework for integrating and communicating the organization's approach to measurement:
- CDHS has made a commitment to the Balanced Scorecard as the framework, model, and system that the department will use.
- Use the measurement system appropriately
- Using any measurement system as a method to reward and punish managers and units is not a good approach. The measurement system should be used as a management tool to improve effectiveness. Developing and implementing a performance measurement system (such as the Balanced Scorecard Matrix) often engenders employee and managerial resistance because of their fears that it will be used in a punitive fashion.
- Determine how you will use the performance measures. Select measures to achieve specific purposes. To motivate, promote, use, and celebrate just a few performance measures. To evaluate and learn, use multiple and diverse measures. To evaluate, learn, and promote, pick an intelligent baseline upon which to compare performance.
- Avoid excessive administrative complexity
- Performance measurement is not a panacea or magic bullet. Authors in this area often encounter examples of destructive behavior engendered by badly designed or poorly supported measurement systems.
- Keep the measurement simple and global during the first year of development and implementation. This promotes understanding and reduces resistance.
- Treat performance measurement as an ongoing process, not as an event.
- Collect performance data at least quarterly, not just annually. Collecting data annually makes it very difficult to learn what went right and what went wrong.
- Be prepared to learn and change both the measures and how you use them to improve performance.

3. Program Fiscal Accountability Team

The **Food Stamp Quality Assurance Division** is responsible for performing the federally mandated food stamp quality control function, including the operation of the federal data collection and reporting system. The Division conducts monthly quality control reviews of food stamp eligibility and allotment determinations. The review findings are used to calculate the state's payment error rate; provide a timely and continuous flow of review finding information to assist in state/county corrective action efforts, and the development of payment accuracy strategies; and establish the state's eligibility for enhanced funding or liability for payment error rates that exceed the national tolerance. The statutory basis for Food Stamp Quality Control is found in U.S.C. section 2025, 7 C. F. R. 275.10.

The **Administrative Review Division** functions as Colorado's Administrative Review process for all children/youth in out-of-home placement and as the state's identifiable quality assurance system for the delivery of Child Welfare services. The unit has the responsibility of monitoring the diverse and flexible delivery of services to clients and their families through the individual county departments of social services and the Division of Youth Corrections' regions to assure efficient, effective, quality service delivery that meets Federal requirements, Child Welfare Settlement Agreement requirements, and the state directives of measuring progress towards the outcomes of safety, permanency and well-being for children.

The Goals of the unit are:

- 1.) to ensure compliance with State and federal laws, specifically Title IV-B and IV-E of the Social Security Act.,
- 2.) to assure that out-of-home placement criteria are met,
- 3.) to review the level of care for the child,
- 4.) to assist in moving the child to a safe permanent environment and
- 5.) to assure maximization of Federal Title IV-E revenue claims and to assist counties in identifying and pursuing other revenue streams, such as Social Security Income, private insurance, Social Security Disability, and Victim Advocacy Funds. These goals are accomplished through on-site, face-to-face, specific case reviews supplemented by extensive record review performed every six months on all children currently placed out of their own homes. The reviews include communication with caseworkers, family, service providers, Guardians Ad Litem, and others involved in out-of-home placement cases. In addition, this unit is charged with monitoring Child Welfare Settlement Agreement (CWSA) compliance for both children placed out-of-home through county departments and children remaining home and receiving child welfare services, as well as providing ongoing oversight and technical assistance to county departments of social services as they come

into and maintain compliance with terms of the Child Welfare Settlement Agreement.

The **Field Audits Division** provides an external audit function for CDHS that independently verifies fiscal information. The primary responsibility of the unit is to ensure that those organizations receiving federal and state financial assistance have spent the funds in accordance with applicable laws and regulations. The unit promotes sound financial management through the use of internal controls. This function includes a sub-recipient monitoring component that meets federal mandates. Other services include technical assistance such as accounting support, training, and consultation. The customer base includes clients within and outside CDHS, such as nonprofit organizations, county departments of social services, CPA firms, boards of governmental and non-governmental entities, and CDHS program divisions. Field Audits also provides protection for CDHS against fraud, abuse, and federal sanctions.

Funding: FY 2000-01 = \$548,416

Telephone Number: (303) 866-7324

Federal/State Statutory and Other Authority: 19-1-103 (V) (5), 19-1-115 (4) (c); 19-2-906.5 (2) (a, b & c) 19-2-906.5 (3) (a, b,& c) 19-3-502 (c), 19-3-701 (2) (c), and 19-3-702 (6)(a, b, & c) of the Colorado Revised Statutes; PL 96-272, Section 475(5)(b)(c)(e), (6) Adoption and Safe Families Act Section 471 (a)(22) and 45 CFR 1357.15(u).

The **Internal Auditor** provides the department with independent and documented assessments of compliance with management directives. The function assesses both fiscal and program information. Additionally, the internal auditor coordinates audits by external agencies and tracks the corrective actions generated by these audits.

Federal/State Statutory and Other Authority:

Colorado Constitution, Article XII, Section 13 (1); 26-1-120; 24-50-104; 24-50-127; and 24-50-60 C.R.S.; HB 99-1233 (background checks), Civil Action Number 94-M-1417; D0006 96 Creating A Customer Service Culture In Colorado Government; Diversity Plan For Employment Of State Personnel; D0010-96 Workplace Violence, Staff Manual Volume 7 and the Child Welfare Settlement Agreement 94-M-1417; 24-30-1501 C.R.S.; Risk Management Act; 8-40-101 C.R.S.; Executive Order DO 138-80 - Safety in the Workplace, Executive Order DO 138-98 - Safety in the Workplace; Executive Order DO 010-96 - Violence in the Workplace; Executive Order DO 122-89 - Worker's Comp; Long Bill Footnote requirement – Injury prevention; OSHA 1910 - General duty clause to provide a safe work environment; Civil Rights Act of 1964; Age Discrimination in Employment Act of 1967, as amended, American with Disabilities Act of 1990; Civil Rights Act of 1991; 24-50-101 C.R.S.; and 24-40-141 C.R.S. et seq.

Telephone Number: (303) 866-4700

D. Office Of Information Technology Services

Mission Statement: The mission of the Office of Information Technology Services is to support the mission and business goals of CDHS through effective leadership and management of quality information systems and technology for use as effective operational and management tools.

1. Applications Systems Support

Application System Support provides development, enhancement, and maintenance of the Department's automated systems. The Department's primary automated systems are summarized below:

CDHS Program	System	Data/Function
Alcohol & Drug Abuse Division (ADAD)	Drug/Alcohol Coordinated Data System (DACODS)	Clients receiving substance abuse treatments through managed service organizations
ADAD	Alcohol/Drug Driving Safety Coordinated Data System (ADDSCODS)	Persons convicted of drinking and driving who are subsequently evaluated for treatment/education programs
ADAD	Discharge/Referral Summary	Clients who received court ordered education or treatment due to conviction for drug or alcohol driving.
ADAD	Prevention/Intervention Coordinated Data System (PICODS)	State funded prevention programs
ADAD	Integrated Substance Abuse Management System (ISAMS)	Proposed management information system for ADAD programs, sharing infrastructure with CYF and CBMS.
Division of Child Welfare	Central Registry for Child Protection (CRCP)	Confirmed reports of child abuse and neglect. It will be replaced by CYF.
Colorado Child Care Assistance Program (CCCAP)	Child Care Automated Tracking System (CHATS)	Child care subsidy programs: Low-Income, Colorado Works (TANF), Special Circumstance Child Care and Employment First.
Child Welfare	Settlement Agreement Management System (SAMS)	Sample case reviews every 12 months and six-month administrative reviews of children placed out of the home
Child Welfare	Medicaid Eligibility for Children in Foster Care (FCS-100)	Child welfare clients who are eligible for Medicaid benefits. Will be replaced by CBMS.

CDHS Program	System	Data/Function
Mental Health Services	Colorado Client Assessment Record (CCAR)	A module in HIMS which manages contracts and agreements with Community Mental Health Centers, Clinics, MHASAs and State Institutes.
Colorado Works	Colorado Automated Case Tracking Information System (CACTIS)	Participant tracking and case management. It interfaces with COIN, CHATS, and ACSES. It will be replaced by CBMS.
Food Stamp Program	Colorado Automated Food Stamps System (CAFSS)	Eligibility determination, EBT and claims collection, and disqualification and accountability processes.
Food Stamps, TANF, AND, Aid to the Blind, OAP, LEAP, Child Care, and Child Welfare	Colorado Electronic Benefits Transfer Service (CO-EBTS)	A contractor-operated benefit delivery service. Clients use a debit-type card to access cash benefits at ATMs or food stamp and cash benefits at food retailers. It also makes payments by electronic funds transfer.
Developmental Disabilities Services, Community Centered Boards and regional centers.	Community Contract Management System (CCMS)	Creates billings submitted to DDS and to Medicaid. As DDS changes to a modified managed care system, CCMS will change data collection and reporting from fee for service payment to a managed care utilization review.
CDHS	Financial Information System (FIS)	Warehouses data from the Colorado Financial Reporting System (COFRS) and can report and query.
Division of Youth Corrections	Client Data System	Tracks client and management information on juveniles in DYC.

CDHS Program	System	Data/Function
Food Stamp Employment and Training (FSE&T)	Employment First system	Supports employment and training services for food stamp recipients who are determined “work ready.”
CDHS Direct Service Agencies: Mental Health Institutes, DYC, DD, and Regional Centers	Health Information Management System (HIMS)	Compiles and tracks patient admissions, billing and accounts receivable, medical records, pharmacy and laboratory activity, nutrition and dietary data, scheduling, client banking, and treatment planning.
Low-Income Energy Assistance Program (LEAP)	The LEAP system	Determines eligibility, calculates benefits, facilitates payments, tracks benefits, and compliance.
Area Agencies on Aging and Aging and Adult Services	National Aging Program Information System (NAPIS)	Collect, manage and transmit client data related to services provided as part of the Older Americans Act (OAA).
CDHS	Personal Services Budget System (PSBUD)	Salary data from the EMPL system.
Quality Assurance staff	Quality Assurance System	Samples public assistance cases from COIN and CAFSS for field reviews.
Refugee Services Program	Refugee Information Management System (RIMS)	Client data collection, tracking and reporting.
CDHS employees	Kronos	Time keeping system.
Vocational Rehabilitation	Vocational Information and Planning system	Data on employment and vocational planning for people with disabilities, facilitates eligibility determinations, payments for services, and planning.
CDHS and counties	County Financial Management System (CFMS)	Tracks budgets and cost allocations, reporting expenditures by program and by county to manage welfare reform.
CDHS and HCP&F	Colorado Benefits Management System (CBMS)	An integrated client management system under development.

CDHS Program	System	Data/Function
Child Support Enforcement	Automated Child Support Enforcement System (ACSES)	Includes: Case Management, Financial Management, Enforcement and the Family Support Registry (FSR).
CDHS	Client Oriented Information Network (COIN)	Determines eligibility for Medicaid and welfare services and issues benefits. Subsystems: TANF, Aging and Adult Services, Payroll, Eligibility, Colorado Accounts Receivable System (CARS), Single Purpose Application (SPA), and Medical Authorization Cards.
CDHS	Client Index project	Access to comprehensive client information across CDHS systems.
Child Welfare DYC	Children, Youth and Families Automation Project (CYF) Colorado Trails	Case management, case tracking, court reporting, case information sharing, automated desktop procedures, and facility and placement tracking.
CDHS	System Architect	A CARE tool that assists in application development by supporting various modeling techniques.

2. Customer and Administrative Services

The **Data, Systems, Scheduling and Operations Support** section provides uniform technical features and characteristics that ensure all organizations will be able to share information and integrate services. Examples include:

- Assigning all security, including defining rights, access, and setting up passwords on the LANs, the Division of Youth Correction Client Data System, the Health Information Management System, and UNIX or Windows NT servers.
- Adding and maintaining all Internet email for over 5,000 state and county users.
- Facilitating the Disaster Recovery Process for both the mainframe applications and those running on the Department's own systems to enable the department to become operational as quickly as possible after a natural or other disaster.

The **Help Desk** provides support with custom applications, microcomputer applications, hardware and security for staff within the Department of Human Services and within all of the county departments of social services.

The **Local Area Network, Microcomputer, and Office Automation Support** function provides statewide computer-related support to approximately 3,300 employees of the CDHS, located in 29 sites throughout the state.

The **Telecommunications and Hardware Support** function supports the Department's voice and telecommunication networks and computer hardware. This includes administration of the operations, technical support, and maintenance of telecommunications network infrastructures including the 3270 System Network Architecture (SNA) telecommunications network which provides statewide connectivity for Department staff and all of the county departments of social services.

Federal/State Statutory and Other Authority: 24-1-120, 7 C.R.S.; Title 19, (6); Titles 26 and 27, (8) C.R.S.

Total Funding: FY 2000-2001 = \$ 39,250,649

Telephone Number: (303) 866-4431

CDHS Adult Services

A. Office of Adult & Veterans Services

- 1. Division of Aging and Adult Services**
- 2. Division of State and Veterans Nursing Homes**

B. Office of Self-Sufficiency

- 1. Division of Colorado Works**
- 2. Division of Disability Determination Services**
- 3. Division of Refugee Services**
- 4. Division of Food Assistance**
- 5. Division of Child Support Enforcement**

C. Office for Rehabilitation & Disabilities Services

- 1. Regional Centers**
- 2. Developmental Disabilities Services**

D. Office of Behavioral Health & Housing

- 1. Mental Health Services**
- 2. Alcohol and Drug Abuse Division**
- 3. Mental Health Institutes**
- 4. Division of Vocational Rehabilitation**
- 5. Supportive Housing and Homeless Programs**

Revised June 2002

ADULT SERVICES

A. Office of Adult and Veterans Services

Mission Statement: The overall mission of the Office of Adult and Veterans Services is to provide programs and services to adults in Colorado including veterans and their families, people with disabilities, residents of state and veterans nursing homes, and older adults. These programs and services are designed and delivered to our customers to: enhance their quality of life, provide choices, maximize personal independence, safety and health, and to help them obtain federal and state financial benefits.

1. Division of Aging and Adult Services

Aging and Adult Services is a set of human service programs in support of independent living, self-sufficiency, safety and dignity goals on behalf of adults age 18 and over who are elderly, have disabilities or functional impairments or are otherwise at-risk. Client needs relate to meeting daily living costs to achieve economic security and/or to allow them to live independently, safely and with dignity in their own homes or alternative living situations. Aging and Adult Services programs include cash, medical, rental and long term care assistance, employment services, and a variety of community based supportive services.

Specific Programs:

The following services are provided through the **local Department of Social Services**. This list of programs is not exhaustive and there are other sub-programs, projects, and pilots that are not listed here.

The **Old Age Pension (OAP) Basic Grant and Health and Medical Care Program** provides basic retirement income and 'State Only' (SO) modified medical health or Medicaid coverage for low-income persons over the age of 60. The Old Age Pension (OAP) Program is authorized through Article 24 of the Colorado Constitution, and the following sections of the Colorado Revised Statutes: 26-2-104, 26-2-111 (2), 26-2-111.5, and 26-2-113 through 26-2-117. The Old Age Pension is an entitlement program.

The **Aid to the Needy Disabled-Supplemental Security Income-Colorado Supplement (AND-SSI-CS) Program** provides financial and Medicaid assistance for disabled Supplemental Security Income (SSI) recipients. The Aid to the Needy Disabled-Supplemental Security Income-Colorado Supplement Program (AND-SSI-CS) is required by Title XVI of the Social Security Act and 26-2-104, 26-2-108, and 26-2-119 of the Colorado Statutes. AND-SSI-CS is an entitlement program.

The **Aid to the Needy Disabled Burial Program** provides burial benefits to individuals on AND – SO or individuals on Medicaid between the ages of 18 and 59 if their estate cannot cover the cost of a funeral/burial. The statutory basis for contributing state dollars toward the AND Burial program is found in section 26-2-129 of the Colorado Revised Statutes. This is not an entitlement program.

The **Aid to the Needy Disabled-State Only (AND-SO) Program** is a state option program that provides a small financial payment to people waiting for SSI eligibility who are disabled for six months but less than 12 months and who meet specific eligibility criteria. The Aid to the Needy Disabled-State Only (AND-SO) Program is authorized by 26-2-104, 26-2-106 (6), and 26-2-110 of the Colorado Statutes. This is not an entitlement program.

The **Aid to the Blind/Supplemental Security Income/Colorado Supplement (AB/SSI/CS) Program** is a program available to individuals of any age who meet specific eligibility criteria and who receive less than the maximum SSI grant. Aid to the Blind-Supplemental Security Income-Colorado Supplement (AB-SSI-CS) Program is required by Title XVI of the federal Social Security Act and sections 26-2-104, 26-2-106 (5), and 26-2-120 of the Colorado Revised Statutes.

The **Home Care Allowance Program** provides a monthly payment of up to \$396 per month to AND or OAP recipients who need to hire home care help to meet basic needs due to a disability. This program is funded primarily by state general fund.

The **Adult Foster Care Program** is a program that provides a maximum of \$730 per month to AND & OAP clients who can not live alone, require supervision, but do not require the degree of assistance offered at a nursing home.

The **Adult Protection Program** provides intervention with or on behalf of at-risk adults age 18 and over to correct or alleviate situations in which actual or imminent danger of abuse, neglect, or exploitation exists. The program uses available support systems to provide continuing safety from incidents of abuse, neglect or exploitation. Statutory basis: Title XX of the Social Security Act, as well as 26-3.1-101 et. seq. of the Colorado Revised Statutes.

The following services are provided through **the Area Agencies on Aging**.

Program Descriptions:

Area Agencies on Aging are federally enacted by the Older Americans Act of 1965 as Amended; 45 CFR 1321; State enacted by the Older Coloradans Act (CRS 26-11-100 et seq.); and governed by the Colorado Code of Register, 12 CCR 2510-1 and 26-2-111 (1) (b) (4) & (5), 26-11.5-101 et. seq., of the Colorado Revised Statutes. The Older Americans Act is a state optional, non-entitlement set of programs. An amendment to the Older Americans Act in 1973 required the establishment of sub-state area agencies on aging to serve as local focal points for aging services. In Colorado, 16 AAAs currently allocate funds, deliver services and develop community resources for elderly people.

The **Senior Community Services Employment Program** promotes and fosters useful part-time employment in community services activity for unemployed, low-income persons aged 55 and older.

The **Nutrition Services Program for the Elderly** provides meals to persons aged 60 and over in either a congregate setting or in their own home to assure a nutritionally balanced diet.

The **Transportation Services Program for the Elderly** provides transportation to persons aged 60 and over for medical appointments, grocery shopping, to get to meal sites, etc.

The **In-home Services Program for Frail Elderly** provides a variety of services to persons who are aged 60 and over who are in need of assistance with daily activities of living primarily because of functional impairments.

The **Disease Prevention and Health Promotion Services Program** provides health risk assessments, routine health screening, nutrition counseling and educational services, and health promotion programs. Additionally, some services address physical fitness, home injury control, medication management screening and education, information regarding diagnosis, prevention, treatment and rehabilitation of age-related diseases and chronic disabling conditions.

The **Long Term Care Ombudsman Program** provided services on behalf of persons aged 60 and over who reside in long-term care facilities. Ombudsmen identify, investigate and resolve complaints filed by long term care residents, as well as act as advocates on behalf of residents.

The **Legal Assistance Developer Program** provides legal services on behalf of people aged 60 and over. Local legal service providers assist older adults in resolving legal problems and advocate for the rights of older persons.

The **National Family Caregivers Program** provides services to the Caregiver rather than the frail elderly who normally receives services under the Older Americans Act. The program provides information, access to services, respite care, counseling, and supplemental services.

Other Community Based Services for Older Adults:

Program Descriptions:

The **Elder Abuse Prevention Program** provides education, training and public awareness activities to prevent incidents of abuse, exploitation, and neglect of at-risk adults.

The **Operation Restore Trust** project provides education and outreach services to beneficiaries of Medicaid and Medicare as well as local providers about ways to combat health care waste, fraud, and abuse.

The **Medicare+Choice Program** provides education and information services and emphasizes outreach to minority and older persons and persons with disabilities regarding changes in the Balanced Budget Act concerning managed care choices in the Medicare Program.

Information and Referral Programs provide information to the customers of the Aging and Adult Services Division.

Funding: FY 2000-01 = \$103,798,511

Telephone Number: (303) 866-2668

2. Division of State and Veterans Nursing Homes

The **Division of State and Veterans Nursing Homes** oversees six state nursing homes located in Aurora, Florence, Homelake, Rifle, Walsenburg, and Trinidad. The facilities range in age from Homelake in Monte Vista originally built in the 1880's to Aurora, just completed and opened in the Summer of 2003. by state law the nursing facilities are responsible for their own revenue generation and are deemed and operated as enterprises.

Revised June 2002

Current Nursing Homes:

1. The Colorado State Veterans Center at Homelake is a 60 bed skilled facility which opened in 1990. The center also operates a 46 bed domiciliary (assisted living) program. The original veterans center opened in 1890 as a Soldiers and Sailors Home for veterans of the Civil War.
2. The Colorado State Veterans Nursing Home at Florence, is a 120 bed skilled facility offering a Special Care Unit for dementia related patients. The facility opened in 1976.
3. The Colorado State Veterans Nursing home at Rifle is a 100 bed skilled facility. The home also has a Special Care Unit and opened in 1987.
4. The Trinidad State Nursing Home is a 182 bed skilled nursing and intermediate care facility. The home has been in operation since 1957 and offers an outstanding rehabilitation program.
5. The Colorado State Nursing Home at Walsenburg is a 120 bed facility which opened in April of 1993. This facility also provides a special care unit for residents with dementia.

Federal/State Statutory and Other Authority: B38 U.S.C. 1710 and 38 U.S.C. 1741; Sections 26-12-101 through 120, C.R.S. and 26-12-203 C.R.S.; Footnote 122, FY.

Funding: FY 2000-01 = \$1,509,564*

Telephone Number: 303-866-2259

* The Division of State Nursing Homes is operated as an enterprise program and is therefore exempt from the provisions of Article X, Section 20 of the State Constitution. Consistent with this enterprise status, all of the operating costs for the nursing homes and their state level expenses that are not covered by federal funds are paid for by the residents of the facilities.

This Page deleted since it covered the Office of Veteran's Affairs

B. Office of Self-Sufficiency

Mission Statement: The Mission of the Office of Self Sufficiency is to assist families and individuals to transition from welfare dependency and poverty to economic opportunity and independence.

1. Division of Colorado Works

The **Colorado Works Program** provides 'Temporary Assistance to Needy Families' (TANF) services, which assist eligible families to move toward self-sufficiency. The program replaces AFDC and is administered by the county departments of social services. Services include but are not limited to: cash payments, employment assistance, training, child care, and other support services. An individual Responsibility Contract (IRC) lists the steps that each separate client will be responsible for to develop his or her own self-sufficiency. Families may be given the opportunity for one-time assistance to divert them from the cash assistance program.

Under Colorado Works, the **Emergency Assistance Fund** provides emergency assistance to legal immigrants who meet eligibility criteria for public assistance except for their citizen status. This may include housing, food, short-term cash assistance, and clothing and social services for children.

TANF Funds, Fraud, Investigations and Recoveries

Authority is found in:

Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, Title I, Section 402(a)(1)(6), SB 97-120.

Colorado State Plan For Temporary Assistance For Needy Families (TANF)
Effective October 1, 1999

Overpayments/underpayments:

All overpayments are promptly established as account receivables. County must deduct the recovery of overpayments from current benefits at an amount of no more than 10% of the benefit and not less than 5% of the benefit each month. Any cash assistance not for the current month is used to offset recoveries. For overpayments to non-active cases the county shall establish a repayment plan with the family which shall include at least the minimum set above. For underpayments the county shall correct any underpayments by the month following the identification of such underpayments.

Fraud and Abuse:

Colorado uses both pre-eligibility and regular fraud investigations to limit the amount of fraud and abuse in the program. All questionable cases will be referred to fraud investigators to certify the correctness of the information. Cases in which a person is shown to have willfully given false or misleading information which was designed to or did in fact result in that party receiving benefits for which they were not eligible are given an administrative hearing and if found to have committed an intentional program violation disqualified from the program in accordance with the section on sanctions. All persons found to have committed intentional program violation are tracked through the automated system to assure penalties are correctly applied. Persons may also be charged in state court with criminal charges for welfare fraud.

Colorado enforces standards and procedures to ensure against program fraud and abuse, nepotism, conflicts of interest among individuals responsible for the administration and supervision of the State program, kickbacks, and the misuse of political patronage.

See Program Manual Volume III 3.500, Intentional Program Violations.

Recovery of Colorado Works Program Overpayments; Volume III 3.811

Agencies must use pre-eligibility and regular fraud investigations to limit fraud and abuse. Agencies must establish and maintain standards and procedures to ensure against program fraud and abuse, including standards and procedures concerning nepotism, conflicts of interest among individuals responsible for the administration and supervision of the program, kickbacks, and the use of political patronage.

These standards and procedures will be submitted to the Office of Self-Sufficiency, Colorado Works Fraud Administrator. These standards and procedures will be reviewed and monitored for compliance with the State Plan.

Contact Person: John Roybal
Telephone: 303-866-5476
e-mail john.roybal@state.co.us

Federal/State Statutory and Other Authority: Articles 1, 2, 3 and 5 of Title 26, 8, CRS.; Sections 8-1-107 (2), 8-40-202, 14-6-109(2), 14-10-115, 14-14-104, 14-14-106, 14-14-110, 25.5-1-202, 30-11-107, 39-22-521, CRS.; SB 97-120; PL 104 - 193. Sections 26-2-103, 26-2,11, 26-2-111.8, 26-2-137, 8 CRS.; (SB 97-171); Personal Responsibility and Work Opportunity Reconciliation Act (PL 104-193)

Telephone Number: (303) 866-2054

2. Division of Disability Determination Services

Disability Determination Services (DDS) adjudicates the physical and mental aspects of disability claims filed by Colorado citizens applying for federal disability benefits under title II, Social Security Disability Insurance (SSDI), and Title XVI, Supplemental Security Income (SSI) of the Social Security act. The act provides that the Social Security Administration (SSA) will promulgate the rules and procedures of disability determination, and fund at 100%, the operation of their partner in this process, the DDS. SSA makes the income, resource, and technical decisions associated with the claim. Claims are generally submitted statewide to SSA District Offices and sent to the centrally located DDS. Once the DDS makes its medically based decision, the claim is returned to the SSA office of origin for final disposition.

The SSDI is an insurance program providing benefits to disabled workers. The basic purpose of SSI is to ensure a minimum level of income to people who are aged, blind or disabled, and who otherwise have limited income and resources.

Federal/State Statutory and Other Authority: Social Security Act, Sections 205, 1102, 1106 and 1601-1634; Title 20: Parts 400-401 and 416, C.F.R; and SB 99-215 (Long Bill) page 90.

Telephone Number: (303) 752-5757

3. Division of Refugee Services

The Division of Refugee Services, **Colorado Refugee Services Program, (CRSP)** objective is to enable refugees and asylees to achieve and/or maintain self-sufficiency and to ensure their effective resettlement in Colorado. The program is 100% federally funded and has existed since 1979.

Services include:

- State coordination and funding of public and private agency services to refugees and asylees.
- Participation in and leadership to the Colorado Refugee Network Council, which consists of agencies that service refugees as a significant population.
- Cash assistance based on need until employed (up through month eight of U.S. arrival). This is provided by private resettlement agencies under CRSP contracts.

- Health and Mental Health Screening and Assessment.
- Refugee Medical Assistance (RMA) up to 200% of poverty for 8 months, if not eligible for Medicaid. If refugees reside in the Denver metro area (Jefferson, Adams, Arapahoe, Denver, Douglas) refugee eligibility for Refugee Medical Assistance, Medicaid, and Food Stamps is determined by Denver County Department of Human Services, under an agreement with CRSP.
- English as a Second Language (ESL) classes.
- Comprehensive employment services including job counseling, job development, placement and referrals, job upgrades, short-term vocational training, and driver's education needed to obtain or maintain employment.
- Comprehensive case management, coordination of health and mental health services, service coordination with mainstream social service agencies, i.e. child care, Child Health Plan, vocational rehabilitation, child protection, domestic violence services, SSI, AND, OAP, etc.
- Verification of client immigration status through the SAVE (Systematic Alien Verification for Entitlement) system for all 63 county human services agencies.

Federal/State Statutory and Other Authority: Sections 26-1-109(1)(2)(a)(3); 26-1-111(1)(2)(a),(d),(g),(h),(i); and 26-2-104(1)(a), C.R.S.; Chapter 2 of Title IV of Immigration and Nationality Act, added by section 311(a)(2) of the Refugee Act of 1980 (PL 96-212) and amended by the Refugee Assistance Amendments of 1982 (PL 97-363) and the Refugee Assistance Extension Act of 1986 (PL 99-605). 8 U.S.C. 1522 45 CFR Part 400. Executive Order D0012 94; and the State of Colorado Plan for Refugee Services

Telephone Number: (303) 863-8216

4. Division of Food Assistance

The **Food Assistance Programs Division** encompasses a variety of sub-programs designed to provide benefits to low income households. Benefits include food, heating, and telephone assistance as well as electronic distribution of payments and job training. The following programs are included in the Division:

- Food Stamp Program (FSP)
- Food Stamp Job Search Program (Employment First)
- Tax Off-set Program
- Colorado Electronic Benefit Transfer Service (CO/EBTS)

- Food Distribution Program (FDP)
- Low-income Energy Assistance Program (LEAP)
- Low-income Telephone Assistance Program (LITAP)

The Food Stamp Program operates under an agreement with the United States Department of Agriculture (USDA) - Food and Nutrition Service (FNS) and is administered by county department of social services.

The Food Stamp Program is authorized by the federal Food Stamp Act of 1977 and is periodically re-authorized to provide low-income households with additional resources, that can be used to help acquire food products at authorized food retailers. Food Stamp benefits are 100% federally financed. Costs to administer the program are 50% federal and 50% state shared.

In Colorado, the Office of Self-Sufficiency, Food Stamp Program Section has the responsibility for promulgating regulations from federal statutes and regulations. It also is responsible for program supervision, monitoring and evaluation, training, automation, accountability, quality control, and reporting. County departments administer the FS Program. The county determines client eligibility; handles claims collections, conducts fraud investigations, provides customer service and client access and employment/work functions. The Colorado Employment First Program handles the Employment and training activities for non-public assistance cases within the Food Stamp Program.

The Food Stamp Program serves both public assistance households and non-public assistance households. Public assistance households include those receiving TANF (Colorado Works), Old Age Pension, S.S.I., and Aid to the Needy Disabled. Non-public assistance households are all others that are eligible due to low income and few resources/assets.

Applicant households must apply for benefits utilizing a standard state-authorized application. Benefits for approved households with few assets or income must be provided within 7 days of application and households under normal processing must have benefits within 30 days of application. To qualify for food stamps, the household must meet both gross income and net income guidelines, must fall below an assets ceiling (\$2,000 non-elderly/disabled, \$3,000 elderly/disabled) and certain other non-financial criteria. The county offices enter application information into the Colorado Automated Food Stamp System (CAFSS), which determines benefit amount and authorizes the actual issuance of benefits to the Colorado Electronic Benefit Transfer System (CO/EBT). The offices must provide for processing of applications (eligibility determination and re-determination) as well as for the other Food Stamp Program Activities.

The Food Stamp Program also handles the automated State Tax Refund Intercept Program (STRIP) and the Federal Treasury Offset Program (FTOP). The STRIP Program is a collection method for all public assistance programs that have delinquent debts for overpaid benefits. The FTOP collects form all types of federal payments for delinquent Food Stamp Program debts.

Federal/State Statutory and Other Authority: Federal: Food Stamp Act of 1977, as Amended 7 USC 2011-2035 7 CFR 273 – 278 State: 26-1-107 C.R.S.; 26-1-109 C.R.S.; 26-1-111 C.R.S.; 26-2-301 C.R.S.; 26-2-306 C.R.S.; 10 CCR 2506.1

The **Colorado Electronic Benefits Transfer Service (CO/EBTS)** is a state administered and contractor operated benefit delivery service which allows clients to use a debit-type card to access their cash benefits through Automated Teller Machines (ATM) or their food stamp benefits and cash benefits through Point of Sale terminals at food retailers. CDHS transmits client and provider payments to the state's contractor for Automated Clearing House (ACH) direct deposit to individual bank accounts. The program is administered by CDHS and includes contract monitoring and compliance; transmission of payment files; coordination with federal, state, and local government agencies, retailers, bankers, clients and providers; and state and local training.

Federal/State Statutory and Other Authority: Public Law 100-237-CO/EBTS is federally mandated with state statutes. It is a non-entitlement program. Sections 26-1-102 and 26-1-111, 8 C.R.S.

The **Food Distribution Program (FDP)** provides for the administration, operation and distribution of USDA commodity foods to eligible recipient agencies to enhance and maintain the nutrition of the respective populations served. Food Distribution Programs include the National School Lunch Program, Child and Adult Care Food Program, Nutrition Program for the Elderly, charitable institutions, soup kitchens, penal institutions, Summer Camp Program, Summer Food Service Program, Commodity Supplemental Food Program, Emergency Food Assistance Program, and mass feeding for disaster situations. Program staff are responsible for administration of the program operations; coordination and contract management of state contracted distributors; state and local agencies training; management evaluation reviews; and coordination with federal, state, local and private sector agencies.

The FDP is an optional program with Federal Regulations. The Commodity Supplemental Food Program and the Emergency Food Assistance Program are entitlement programs. The remaining programs are non-entitlement.

The **Low Income Energy Assistance Program (LEAP)** provides cash assistance to help low-income households meet the high cost of winter home heating from November 1 through April 30. County departments of social services process applications to determine eligibility. The CDHS LEAP office manages the eligibility and payment processing system; funds distribution; training of county staff; monitors the program by conducting management evaluation reviews; and coordinates with federal, state, utility companies and private sector agencies.

Federal/State Statutory and Other Authority: Low Income Energy Assistance Act of 1981 (Title XXVI of PL 97-35, the Omnibus Budget Reconciliation Act of 1981), as amended by Title VI of the Human Services Reauthorization Act of 1984 (PL 98-558) 45 CFP 96.85. LEAP is a federally mandated entitlement program. Sections 40-3.4-101 through 111, 11 C.R.S.

The **Low Income Telephone Assistance Program (LITAP)** provides monthly discounts on local telephone service for individuals who are elderly or have a disability and meet low-income criteria. The appropriation to CDHS for administration is funded by a telephone surcharge on telephone bills. The telephone companies collect the funds.

Federal/State Statutory and Other Authority: Federal (7 U.S.C. 2011 - 2035), State (C.F.R. 26-2-301 - 26-2-306). CO EBTS: 26-1-122(2) and 26-2-104, 8 C.R.S. ; Federal Food Stamp Act, 7 USC (2016)(I)(1)(A). CO/EBTS is federally mandated with state statutes. It is a non-entitlement program. Sections 26-1-102 and 26-1-111, 8 C.R.S.; Public Law 100-237. The FDP is an optional program with Federal Regulations. The Commodity Supplemental Food Program and the Emergency Food Assistance Program are entitlement programs. The remaining programs are non-entitlement. Low Income Energy Assistance Act of 1981 (Title XXVI of PL 97-35, the Omnibus Budget Reconciliation Act of 1981), as amended by Title VI of the Human Services Reauthorization Act of 1984 (PL98-558) 45 CFP 96.85. LEAP is a federally mandated, with state statutes, entitlement program. Sections 40-3.4-101 through 111, 11 C.R.S. LITAP is an optional, entitlement program with state statutes.

Telephone Number: (303) 866-2535

5. Division of Child Support Enforcement

The **Child Support Enforcement** (CSE) Program seeks to ensure that all children receive financial and medical support from each parent. This is accomplished by county CSE units locating each parent, establishing paternity and support obligations, and enforcing these obligations. The Division of Child Support Enforcement supervises the administration and operation of all county CSE units; develops and maintains the Automated Child Support Enforcement System (ACSES); conducts payment processing for approximately \$200,000,000 annually; distributes child support to approximately 100,000 families; operates an interstate Central Registry for processing interstate child support cases; and operates centralized, automated enforcement functions including electronic intercept of federal and state income tax refunds as well as unemployment compensation benefits, the attachment of workers' compensation benefits for child support obligations, new hire reporting, and reporting past due child support obligations to credit reporting agencies.

Federal/State Statutory and Other Authority: Sections 14-5-101 through 14-7-105; 14-10-106, 14-10-107 C.R.S.; Sections 14-10-112 through 14-10-122 C.R.S.; Sections 14-14-101 through 14-14-113 C.R.S.; Sections 19-4-101 through 19-4-129 C.R.S.; Sections 19-6-101 through 19-6-106 C.R.S.; Sections 26-13-101 through 26-13.5-115 C.R.S.; Title IV-D of the Social Security Act

Telephone Number: (720) 947-5050

Office of Self-Sufficiency Total Funding FY 2000-2001 \$ 273,182,429

Telephone Number: (303) 866-3904

C. Office for Rehabilitation and Disabilities Services

Mission Statement: The Mission of the Office for Rehabilitation and Disabilities Services is to provide quality human services to the people of Colorado through the work of state employees.

Program Description:

1. Developmental Disabilities Services

Mission Statement: The mission of the Developmental Disabilities Services is to join with others to offer the necessary supports with which all people with developmental disabilities have their rightful chance to:

- Be included in Colorado community life.
- Make increasingly responsible choices.
- Exert greater control over their life circumstances.
- Establish and maintain relationships and a sense of belonging.
- Develop and exercise their competencies and talents.
- Experience personal security and self-respect.

Program Description:

Persons with a developmental disability are those who have a “disability that is manifested before the person reaches twenty-two years of age, which constitutes a substantial disability to the affected individual, and is attributable to mental retardation or related conditions which include cerebral palsy, epilepsy, autism, or other neurological conditions when such conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation”. (Section 27-10.5-102 CRS). For children under five years of age, eligibility is based on determination of either a developmental delay or factors putting the child at risk of having a developmental disability. Most adults with developmental disabilities have mental retardation (97.7%), are extremely vulnerable to abuse, neglect, mistreatment and exploitation, and have substantial long-term needs for assistance with normal day-to-day activities of life.

DDS services are administered under the Office for Rehabilitation and Disabilities Services of the Colorado Department of Human Services (CDHS). The State provides leadership for the direction, funding, and operation of services to persons with developmental disabilities within Colorado. These functions are performed in concert with service providers, advocacy groups, and consumers and their families. The State contracts with Community Centered Boards (CCBs) to deliver community-based services to persons with developmental disabilities. CCBs are private non-profit organizations designated in Sections 27-10.5-102 (3)

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and 105, 8 C.R.S. (1998) as the single entry point into the long-term service and support system for persons with developmental disabilities. There are 20 CCBs designated annually by DDS. Each has a non-overlapping geographic service region of one to ten counties serving from 70 to 1,400 individuals each. CCBs are responsible for intake, eligibility determination, service plan development, arrangement for services, delivery of services (either directly and/or through purchase), monitoring, and many other functions. Regional Centers (RCs) are state-operated facilities that serve individuals with developmental disabilities who have more intensive needs.

There are three RCs and they are administered under the Office for Rehabilitation and Disabilities Services. All eligible persons are provided case management/service coordination which includes eligibility determination; planning, locating and facilitating access to services; coordinating and reviewing all aspects of needed services, supports, and resources in cooperation with the person with a developmental disability, the person's family as appropriate, and involved agencies; and monitoring and evaluation of all services and supports. Services for persons with developmental disabilities are offered under three major sub-programs which are listed in order of priority (highest to least high) in terms of the relative vulnerability of persons receiving services:

Comprehensive Services for Adults - Comprehensive services for adults are utilized to meet the needs of individuals with developmental disabilities who cannot live safely without substantial supports and supervision and for whom only limited outside supports are available. The people currently receiving these services have no other appropriate available options. Comprehensive Services include group (4-8 persons) and individualized (3 or fewer) residential services with access to 24-hour supervision, employment, or other day and transportation services.

Support Services for Adults - These services aim at augmenting already available supports for adults who either can live independently with limited supports or who, if they need extensive support, are principally supported from other sources, such as their family. The level of support and supervision provided through the department varies based on the individual's need and the availability of supports from other sources to assist the individual and his/her family.

Children and Family Support Services – Children and Family Support Services are administered by Children's Health and Rehabilitation Services under the Office of Health and Rehabilitation Services. These flexible services provide children with special needs the types of support that will minimize the long-term effects of their disabilities, avoid or delay out-of-home placement, and preserve families.

Children's Extensive Support (CES) - This Medicaid waiver program has resources for 182 children with significant medical and/or behavioral needs. These children have the highest level of need and require 20-24 hour line-of-sight supervision in order to prevent death or serious injury due to a medical condition or severe behavior problems.

Children's Medical Waiver (CMW) - This Medicaid waiver program provides access to regular Medicaid State Plan benefits by waiving the deeming of parental income for up to 200 children who otherwise would be ineligible for Medicaid due to parental income but meet the developmental disability eligibility criteria and the level of care screen for hospital or nursing facility placement.

Early Intervention Services (EI) - Early Intervention services provide infants and toddlers, birth through age two, and their families with services and supports to enhance child development in the areas of cognition, speech, communication, physical, motor, vision, hearing, social-emotional development, and self-help skills; parent- child interaction; and early identification, screening and assessment services.

Family Support Services (FSSP) – The Family Support Services Program is a high-impact, low-cost program for persons with developmental disabilities and their families to assist families with costs beyond those normally experienced by other families, and to avoid or delay costly out-of-home placements. Examples of FSSP services and supports include medical/dental expenses not funded by Medicaid or other insurance, respite care, special equipment, clothing or diets, home or vehicle modification, therapies, family counseling and homemaker services.

Federal/State Statutory and Other Authority: Sections 27-10.5-101 through 601, C.R.S.; and Sections 26-4-621 through 631 and 26-4-651 through 661, C.R.S.

Funding: FY 2000-01 = \$240,276,196

Telephone Number: (303) 866-7454

2. Regional Centers

Mission Statements: The Mission of the Grand Junction Regional Center, and of the Wheat Ridge Regional Center, is to support people with developmental disabilities by promoting growth, participation, contribution, and capabilities. The Mission of the Pueblo Regional Center is to provide quality specialized services and supports to individuals with developmental disabilities by promoting growth, participation, contributions, and capabilities.

Program Description:

- The Office of Direct Services operates three Regional Centers for persons with developmental disabilities, one in Grand Junction (GJRC), one in Pueblo (PRC), and one in Wheat Ridge (WRRC). As of June 30, 1999, the Centers were serving 435 persons. Of this number, 131 lived on-campus and 304 lived in 45 homes within the local communities. People are referred to the Regional Centers through Community Centered Board programs, Mental Health Institutes, and Department of Corrections facilities. The centers provide active treatment programs including residential services, day program and work therapy services, and medical care based on individual assessments and habilitation plans. These active treatment programs result in increased independence and inclusion in the community.

The Centers serve four different populations:

- **Individuals who pose significant safety risks to others.** This population includes individuals who have been convicted, determined incompetent to proceed with their defense, or referred as significant safety risks by the Community Centered Boards or Mental Health Institutes. These persons need a secure, secluded setting including locked houses, and/or door and window alarms, increased staff supervision and training, and other security support systems.
- **Individuals who need back-up/safety net services from the Centers.** This population includes individuals who experience a medical, behavioral or psychiatric crises that require more intensive assessment, treatment and/or stabilization than can be provided in their regular service setting; individuals whose private provider stops delivering services and another placement is not readily available; and high needs individuals whose primary care giver(s) need a brief respite period due to illness, surgery, or vacation periods and no other alternative relief placement is available.

- **Individuals who have extremely high needs requiring very specialized professional support services.** This population includes individuals with complex medical issues, such as uncontrolled seizures, contractors, feeding tubes, tracheotomies, and complex oxygen support; individuals with difficult behavioral challenges, such as those with severe self-injurious behaviors, aggression, property destruction, and suicidal tendencies; and dually diagnosed individuals with both a developmental disability and a psychiatric diagnosis, such as schizophrenia or bipolar disorder.
- **Individuals who have been identified as those that can be served in the community centered board system with available daily rates.** This population includes individuals with medical and/or behavioral challenges that are less severe and less frequent who have, by level of need assessment, been assessed as able to be served by the community centered board system. This segment of the Regional Center's population has been gradually decreasing through de-institutionalization efforts.

Statutory Basis: Sections 27-10.5-101 through 503; 27-12-101 through 109; and 26-4-621 through 631, C.R.S.

Funding: FY 2000-01 = \$36,700,000

Office Telephone Number: (303) 866-2248

Revised June 2002

D. Office of Behavioral Health and Housing

1. Mental Health Services

Mission Statement: To provide the necessary services and supports to achieve the rehabilitation, maintenance, and promotion of mental health for individuals with mental illness who are the highest priority for the public mental health system in Colorado.

Program Description:

Service Delivery System: - Mental Health Services supports community based mental health treatment by purchasing services through contracts with eight Mental Health Assessment and Service Agencies (MHASAs), 17 community mental health centers (CMHCs), and six specialty clinics. Colorado's public mental health system is comprised of the Colorado Mental Health Institutes and the community-based mental health programs overseen by Colorado Mental Health Services (MHS). Community programs provide the majority of the services delivered in the public mental health system. MHASAs manage the delivery of mental health services to the Medicaid population; CMHCs plan and provide services to individuals who are not Medicaid eligible; and the clinics serve special populations such as members of ethnic/linguistic minority groups. Both CMHCs and MHASAs are responsible for serving individuals in defined geographic service areas. MHS provides leadership and oversight for the community mental health system.

Services – A full array of services is needed to support persons with mental illnesses. MHASAs and CMHCs are required to provide all of the core services defined in the current state standards, including assessment, case management/service coordination, inpatient treatment, public education, day treatment, home bases/family support services, residential support services, interagency consultation, residential, vocational/rehabilitative services, clinical treatment, and 24-hour emergency services. The specialty clinics provide all core services except residential, vocational, and emergency services.

Mental Health Priority Populations – It is estimated that there are approximately 150,000 individuals in Colorado who meet the criteria for inclusion in MHS priority populations. In 1981, the Colorado General Assembly, in an advisory statement, expressed the intent that the highest priority for state-appropriated funds allocated to the mental health system should be used “principally to contract for services for the seriously, critically or chronically (persistently) mentally ill.” At present, individuals who are defined as “most in need” of services, and are thus the first priority for Colorado's public mental health system are:

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- Children and Adolescents with Serious Emotional Disturbances (SED): youth ages 0-17 who have emotional or mental health problems so serious that their ability to function is significantly impaired and, as a result, their ability to stay in their natural homes may be in jeopardy.
- Adults (ages 18-59) and Older Adults (ages 60 and older) with Serious and Persistent Mental Illness (SPMI): persons who have a mental illness which seriously impairs their ability to be self-sufficient, and who have been persistently ill for over a year or have been hospitalized for intensive mental health treatment.
- Adults and Older Adults with Serious Mental Illness (SMI): persons who are diagnosed with serious mental illness, such as schizophrenia or severe affective disorders but who may not meet the definition of “persistent” because of the duration of their illness, the intensity of treatment they have received formerly, or the level of their dysfunction.

In addition to state general fund, Medicaid, and federal funds, community mental health centers/clinics receive funding support from local and private sources, fees and insurance. Although only very limited state funds are available for services to non-priority populations, MHS still has the responsibility to monitor the quality of care for all community mental health services.

Due to the entitlement nature of the Medicaid program, all Medicaid eligible persons receive the necessary mental health services, regardless of the severity of their illness. A Medicaid eligible individual is defined as a low-income adult or child who is determined to be eligible for Medicaid coverage through membership in one of the following groups: Temporary Aid to Needy Families (TANF), Aid to the Needy Disabled (AND), Aid to the Blind (AB), Older Adult Programs (OAP), and Foster Care (children in out-of-home placement in the child welfare system). There are approximately 250,000 Medicaid “covered lives” in Colorado. The community mental health system served 79,288 individuals during FY 1999, of which 44,135 were non-Medicaid.

Mental health services for these individuals are now provided through the **Colorado Mental Health Capitation and Managed Care Program**. These managed care contractors, Mental Health Assessment and Service Agencies (MHASAs), are the newest component to Colorado’s public mental health service system. They are comprised of one or more CMHCs, either independently or in

partnership with other CMHCs and/or private, for-profit agencies. At present, there are eight MHASAs responsible for implementing Medicaid mental health capitation and case management programs through contracts with MHS. Each MHASA is responsible for managing the delivery of mental health services to Medicaid-eligible individuals in its assigned geographic service area.

Federal/State Statutory and Other Authority: Sections 27-1-101 through 27-15-105, 8 C.R.S.

Funding: FY 2000-01 = \$183,196,801

Telephone Number: (303) 866-7401

2. Alcohol And Drug Abuse Division

Mission Statement: The mission of the Alcohol and Drug Abuse Division (ADAD) is to develop, support and advocate comprehensive services to reduce alcohol, tobacco and other drug abuse and to promote healthy individuals, families and communities.

Program Description:

Treatment and Quality Improvement Section Responsibilities:

The **Division's Treatment and Quality Improvement Section** supports the mission by carrying out the following responsibilities:

- Monitoring federal block grant-funded contracts with 4 managed service organizations (MSOs) that subcontract with 34 treatment providers in 7 geographic areas of Colorado for alcohol and other drug treatment services with emphasis on the following specific populations, listed in priority order.

Pregnant women including injecting drug users and substance abusers;
Injecting drug users;
Women with dependent children;
Drug dependent persons at risk for HIV/AIDS;
Drug dependent persons at risk for Tuberculosis;
Recipients of Aid to Needy Disabled (AND) due to alcohol and/or other drug addiction;

Families and children referred by child welfare agencies;
Minors (age 17 or under) including those referred by school-based
substance abuse programs, Senate Bill 94 providers and Juvenile
Treatment Alternatives for Safer Communities (TASC);
Substance abusing adults referred by criminal justice systems;
Clients having co-occurring psychiatric and substance abuse
disorders; and
Indigent Driving Under the Influence (DUI) offenders.

- Formulating and maintaining alcohol and other drug treatment licensing standards, authorized by the Board of Human Services and used in licensing and monitoring 280 treatment providers (including the 34 MSO providers), operating 500 treatment sites throughout Colorado. Approximately 87,000 treatment admissions per year provide a range of treatment modalities of varying intensities, settings and lengths-of-stay, including the following:

Residential non-hospital (social model) detoxification;
Intensive residential treatment;
Therapeutic communities;
Outpatient treatment;
Intensive outpatient treatment;
Medically managed detoxification (residential and outpatient);
Opiate replacement treatment (e.g. methadone maintenance);
DUI education and treatment; and,
Transitional residential treatment (e.g. halfway house).

- Investigating complaints and critical incidents involving licensed treatment providers and medical practitioners.
- Partnering with federal, state, county and local agencies such as criminal justice, mental health, child welfare, adult social services, health, law enforcement, education, developmental disabilities, vocational rehabilitation and advocacy groups to collaboratively design, initiate and maintain additional treatment resources.
- Managing the statewide involuntary commitment process that includes making treatment recommendations, arranging placements and monitoring progress for persons who are legally committed to the Division by the court because they pose a danger or are incapacitated due to the abuse of alcohol or other drugs.

- Licensing and registering researchers, analytical laboratories and substance abuse treatment programs using controlled substances for research, chemical analysis, and treatment.
- Maintaining a central registry of all clients enrolled in opiate replacement treatment programs to lower the risk for multiple enrollments and diversion of controlled substances.
- Developing and expanding specialized substance abuse services for women, pregnant women, and women with dependent children to address the unique needs of women, promote the implementation of essential ancillary services and ensure that treatment services are accessible to these groups.

Special Connections – a partnership between ADAD and Medicaid to provide specialized services to substance abusing pregnant women.
Specialized Women’s Services – providing specialized services for substance abusing women with dependent children or pregnant women not eligible for Medicaid. Twenty-five (25) percent of available funding for specialized women’s services must be used for ancillary services such as child care, transportation, medical support, and pediatric supplies.

Prevention Services: Prevention programs provide young persons, families, and communities with the skills and resources to avoid problems related to substance abuse, and maintain healthy, productive lifestyles.

- Prevention is a complex process and not a singular strategy. Wide ranges of factors contribute to substance use, misuse, and abuse. The prevention of substance abuse is based on the understanding that there are risk and protective factors that vary among individuals, age groups, ethnic and racial groups, genders, and communities. Prevention is the art and science of tailoring a set of activities to effectively promote healthy lifestyles by enhancing protective factors and to avert and preclude negative lifestyles by reducing risk factors. Prevention is both individual intensive, designed to work with individuals and groups of individuals, as well as environmental, or community focused. Effective prevention envisions healthy individuals functioning within health environments.

- ADAD recognizes that, to be effective, prevention must occur along a multifaceted continuum of strategies. No one strategy should be implemented in isolation. ADAD contracts with a variety of agencies, both private non-profit and units of local government, across the state to provide prevention services, which include these federally mandated strategies:
 - Information Dissemination - Provides awareness and knowledge of the nature and extent of alcohol, tobacco and other drug use, abuse and addiction and their effects on individuals, families and communities. Uses one-way communication.
 - Alternatives - Provides the opportunity for participation in education, recreation and work-oriented substance free activities to meet the physical, emotional, social and spiritual needs of the individual, family and community.
 - Community-Based Process - (Community Development). Enables groups, neighborhoods or communities to enhance their ability to plan and implement prevention, intervention or treatment activities, policies and programs.
 - Education - Involves a structured, formal curriculum that measures cognitive achievement and makes use of learner objectives and evaluation in order to effect critical life and social skills. Uses two-way communication.
 - Problem Identification and Referral - Aims to identify and refer those individuals who have indulged in illegal/age-inappropriate use of tobacco or alcohol or those who have indulged in first use of illegal drugs, in order to assess whether their behavior can be reversed through education. (This strategy does not include any activity designed to determine if a person is in need of treatment)
 - Environmental - Establishes or changes written and unwritten community standards, codes and attitudes, thereby influencing incidence and prevalence of the abuse of alcohol, tobacco and other drugs.

The federal block grant mandates that at least 20% of the block grant funds be used for primary prevention programs for individuals who do not require alcohol or other drug abuse treatment. Programs that apply for these funds, using the state's procurement BIDS system, must meet criteria including a community-wide needs assessment, analysis of risk factors and protective factors and gaps analysis. A portion of the block grant is allocated to programs primarily using the Alternatives Strategy and targeting youth with numerous risk factors and few protective factors. Other portions of the block grant fund programs focus on developing family strengths, on developing community strengths, or on

preventing specific problems from developing, such as Fetal Alcohol Syndrome or prescription drug abuse. Other initiatives funded by the block grant include the Parenting Resource Center (PRC), the Prevention Information Center (PIC), the Regional Prevention Center (RPC) project, and the Prevention Evaluation Project (PEP). ADAD sponsors one annual conference, usually attended by 400-600 individuals, and sponsors the Prevention Generalist training, attended by over 100 Colorado prevention providers yearly (as well as prevention providers from other states).

- ADAD also receives other federal funds which provide additional services in Colorado. These funds include state Incentive Grant dollars (C-KID) projects; the College Binge Drinking Grant; the University of Washington Diffusion [of Prevention] Study (National Institute of Drug Abuse dollars) as well as dollars earmarked to provide the Regional Alcohol and Drug Abuse Resources (R.A.D.A.R.) program.
- ADAD receives state General Fund dollars which are blended with additional federal block grant dollars and subcontracted to the Division of Youth Corrections to provide comprehensive alcohol, tobacco and other drug screening, assessment, and referral services for committed youth statewide. ADAD also receives State Law Enforcement Assistance Funds (L.E.A.F.) to prevent drunk driving.
- ADAD Prevention contracts receive oversight from prevention staff who are also available to provide technical assistance and to assist with collaboration efforts. The majority of these efforts are handled on a local level by the Regional Prevention Specialists assigned to the area. ADAD Prevention staff collaborate on the state level with The Department of Public Health and the Environment, Public Safety, Education, Local Affairs and Transportation. Staff occasionally collaborate on the local level with school systems, law enforcement, courts and juvenile diversion, social services, mental health, and private, non-profit agencies that serve at-risk populations.

Federal/State Statutory and Other Authority: 25-1-202, 304, 306 C.R.S.

Funding: FY 2000-01 = \$34,018,947

Telephone Number: (303) 866-7480

3. Hospital Services

The Colorado Mental Health Institute at Pueblo (CMHIP) and the Colorado Mental Health Institute at Fort Logan (CMHIFL) provide inpatient hospitalization for seriously mentally ill citizens of Colorado. These institutions are major components of the Office of Behavioral Health and Housing. This office works closely with the Office for Rehabilitation and Disability Services in providing policy direction and program monitoring, assuring that the Institutes function as part of the integrated public mental health system.

The Colorado Mental Health Institute at Pueblo

Mission Statement: The mission of Colorado Mental Health Institute in Pueblo is to provide quality mental health care to the people of Colorado.

CMHIP was established in 1879. It provides inpatient psychiatric services for mentally ill persons in the southern and western regions of Colorado and certain patients from the north central and northeastern areas of the State. The State Institute for Forensic Psychiatry and an acute care General Hospital, also located at CMHIP, receive referrals Statewide. Additionally, CMHIP operates a licensed Residential Treatment Center to provide comprehensive residential treatment for children and adolescents with serious psychiatric and behavioral problems.

Major Treatment Programs:

- **Adult Psychiatric Services** – Serves adults with 123 total beds, including the 30-bed psychiatric substance abuse Circle Program at which is focused on individuals with dual diagnoses of mental illness and substance abuse.
- **Child and Adolescent Treatment Services** –Serves adolescents between 12 and 17 years of age with 30 total beds.
- **Geriatric Treatment Services** - Has a bed capacity of 60 beds and provides short-term assessment and treatment of mental disorders for patients 60 years and older.
- **Institute for Forensic Psychiatry** – This unit has a capacity of 278 beds. It is the only psychiatric treatment unit in Colorado for the treatment of the mentally disordered adult criminal offenders.

- **General Hospital Services** – This service has a capacity of 20 beds at CMHIP. It provides acute medical and surgical inpatient treatment and same-day surgeries for all clients referred from within the Colorado Department of Human Services and the Department of Corrections.

The Colorado Mental Health Institute at Fort Logan

Mission Statement: The Mission of the Colorado Mental Health Institute at Fort Logan is to provide highest quality mental health services to persons of all ages with complex, serious, and persistent mental illness within available resources.

CMHIFL was established and licensed as a State psychiatric hospital in 1961. It is charged with providing psychiatric treatment services to residents of the Denver metropolitan area, as well as some patients from the north central and northeastern areas of the State. Additionally, CMHIFL operates a licensed Residential Treatment Center for children and adolescents with serious psychiatric and behavioral problems.

Major Treatment Programs:

- **Adult Psychiatric Services** - Serves adults with 137 total beds with a diagnoses of mental illnesses. The adult psychiatric services available include one residential treatment team for each 16 patients.
- **Child and Adolescent Treatment Services** – Provides a 16 bed children’s unit that serves children up to age 12 from the entire state. Provides 22 adolescent beds for Denver and the north central and northeastern area of the state.
- **Geriatric Treatment Services** - Has a capacity of 25 beds and provides short-term assessment and treatment of mental disorders for patients 60 years and older.
- **Residential Treatment Center Services**- Housed in one twenty-bed cottage at CMHIFL, provides for treatment of male and female older children and adolescents up to age 21 with serious psychiatric and behavioral problems which interfere with their ability to adjust to community living.
- **Deaf Services** - Assists community mental health agencies in evaluation and treatment for mentally ill persons, statewide, which are hearing impaired.

Statutory Basis: : Articles 9, 10, 13, and 15 of Title 27 and Article 8 of Title 16, C.R.S.

Funding: FY 2000-01 = \$78,900,000

Office Telephone Number: (303) 866-2248

4. Division of Vocational Rehabilitation

Mission Statement: The Division of Vocational Rehabilitation assists people, whose disabilities result in barriers to employment or independent living, attain or maintain employment and live independently.

Program Description:

The Division of Vocational Rehabilitation (DVR) assists people whose disabilities result in barriers to employment or independent living attain or maintain employment and live independently. DVR programs associated with employment are: Rehabilitation Programs, Establishment Grants, the Business Enterprise Program, and BEP/Program Operated Stands and Leasehold Improvements. The remaining programs emphasize independent living: Independent Living Grants, Rehabilitation Teaching Program, Appointment of Legal Interpreters, and Aid to Blind Treatment.

Programs receiving federal funds are operated within a federal allotment and the program is considered eligibility-based rather than an "entitlement" program.

Through the two Rehabilitation Programs, the DVR helps people with disabilities gain or maintain quality employment thereby fostering economic independence and career growth.

The School to Work Alliance Program (SWAP) was developed through collaborative agreements between the public schools, the Division of Vocational Rehabilitation, and local businesses to provide counseling and guidance, job development, on-the-job training and job-site support to assist young people with disabilities to become employed and self sufficient.

The DVR awards Establishment Grants to local community agencies for a period up to a four-year duration. The purpose of this program is to develop and establish new services or a new sequence of services to address specific local unmet service needs in the community for people with disabilities. Under-served populations with severe developmental disabilities, severe mental illness or multiple disabilities are served by Establishment Grants. All persons served through the grants must also be enrolled in the vocational rehabilitation program.

Employment for People with Disabilities. The Division provides employment training and job placement services for eligible people with disabilities. Customers receive assistance at one of 27 field offices. The Federal Rehabilitation Act criteria include the following requirements: the applicant must have a physical or mental disability; the disability must prevent the person from obtaining employment; and the person must need assistance to become employed. After eligibility is determined, a vocational rehabilitation counselor and the customer develop an employment plan. The plan explains the employment goal, the services necessary, the obligations of DVR and the customer to reach the goal, and the responsibilities for paying for services.

The DVR establishes priorities for the employment program based on the vulnerability of customers. Vulnerability is defined by the severity of a customer's disability and by the customer's need for services to become employed. Rehabilitation counselors classify a customer's functional limitations as "most severe," "severe," or "not severe."

The Rehabilitation Teaching Program provides comprehensive personal adjustment counseling, specialized skill training and independent living services to persons who are blind or visually impaired to assist them in achieving maximum independence. Any individual whose vision interferes with independent functioning is eligible. Most customers in this program are older blind people.

The Appointment of Legal Interpreters for the Hearing Impaired Program provides funds for interpreters for people with hearing impairments involved in legal proceedings. If a court requires a legal interpreter, an agency arranges for and provides interpreter services and bills the DVR.

The Aid to the Blind Treatment Program provides eye treatment services to either restore vision or prevent further loss of vision. Eye treatment services are provided to those individuals who are not eligible to receive assistance under any other existing program and who do not have substantial private resources to obtain such services.

The Colorado Independent Living Core Services (ILC) program provides funding, via contracts, to ten Independent Living Centers (ILCs) that provide core independent living services. DVR defines persons who are eligible for ILC services as any individual with a significant disability who requires independent living services.

The Older Blind Contracts Program is based on a formula grant. The federal government awarded the DVR a federal discretionary grant under Title VII, Chapter II, for independent living services to persons age 55 or older and who are blind or visually impaired.

The Business Enterprise Program (BEP) is a designated state licensing agency responsible for the administration of the Federal Randolph-Sheppard Vending Facility Program. The federal act applies to food service facilities located on specified federal properties (i.e. the Denver Federal Center). The state law applies to the State of Colorado buildings and facilities (i.e. state government buildings located along Sherman Street in downtown Denver). The federal and state laws give priority to blind individuals to operate and manage food and vending services in these federal and state government office buildings and facilities.

Federal/State Statutory and Other Authority: 29 USC 701 to 752, (Rehabilitation Act of 1973, as amended, by the Workforce Investment Act of 1998), 26-8-101 C.R.S.

Funding: \$34,844,756

Telephone Number: (303) 620-4156

5. Supportive Housing And Homeless Programs

Mission Statement: Supportive Housing and Homeless Programs' (SHHP) mission is to develop and provide resources and housing services that facilitate self-sufficiency, stability, and safety for the homeless and persons with special needs in Colorado.

Program Description:

SHHP is the housing agency for the Colorado Department of Human Services. It provides housing programs and services to agencies and special needs consumers in Colorado. Programs assist persons with disabilities, those who are homeless, and TANF eligible families, with rental and home ownership assistance and other services. SHHP administers 2300 Section 8 rental assistance vouchers through more than 60 community human service providers across the state. Programs provide Section 8 rental assistance; Single Room Mod Rehab subsidized rental units; and programs for homeless veterans and homeless persons with mental illness and substance abuse. Homeless coordination, technical assistance, computerized information and referral assistance, and a shelter outline are provided to hundreds of homeless providers. A Welfare to Work rental assistance program is offered to 160 TANF eligible families and a pilot home ownership program is offered to Section 8 participants who wish to transition from rental assistance to home ownership.

On 2/28/01 the State Department officially adopted the Departmental Housing and Homeless Policy, the purpose of which is to create a structure that will ensure cross-program coordination, integration and direction as a means to meet the Department's mission to design and deliver quality services to improve the safety and independence of the people of Colorado. The supportive housing and homeless policy is intended to raise the awareness of program managers that housing and homeless services are critical components of the overall service delivery package and must be more comprehensively planned and coordinated to better serve the consumer and maximize current resources. The Department, through its various divisions, will maximize and coordinate affordable supportive housing and homeless resources for its consumers including; veterans, homeless persons, older Americans, refugees, families and individuals on public assistance, emancipated youth and persons with disabilities.

Federal/State Statutory and Other Authority: U.S. Housing Act of 1937, as amended; C.F.R. 882 and 887; Sections 26- -105 and 27-1-103 (11) (B) C.R.S.

Funding: FY 2000-01 = \$9.5 million

Telephone Number: 303-866-7362

Office of Children, Youth and Families

A. Children' Health and Rehabilitation Team

- 1. Children's Mental Health**
- 2. Children's Alcohol & Drug Abuse**
- 3. Children's Developmental Disabilities**

B. Division of Child Care

- 1. Licensing Unit**
- 2. Colorado Child Care Assistance Program**
- 3. Child Care Grants**

C. Division of Child Welfare

D. Division of Youth Corrections

Revised June 2002

OFFICE OF CHILDREN, YOUTH AND FAMILIES

A. Children's Health and Rehabilitation Team

Mission Statement: We ensure that the well-being of children, youth and their families is a priority.

This Unit was established in January 2000 as part of the Department of Human Services' reorganization. It consists of children's mental health, developmental disabilities, and alcohol and drug abuse. Most of the services are provided through contracts by community-based organizations. Specific programs include:

Program Description:

1. Children's Mental Health

Children's mental health is responsible for oversight and monitoring of the following components:

- Community mental health centers which provide services to youth
- Residential Treatment Centers for youth
- House Bill 99-1116 which allows voluntary placement of youth with mental health issues into Residential Treatment Centers
- The Cornerstone Project is a five year, federally funded demonstration pilot in 4 counties. The purpose is to provide integrated, intensive, family and community centered mental health services to youth with serious emotional disturbances. The Detention Pilot is located in two sites. The intent is to divert youth from further contact with the juvenile justice system.

2. Children's Alcohol and Drug Abuse

- Prevention contracts in 23 communities target youth at risk of alcohol and drug abuse. Services are based on research proven models and include intensive community and family involvement.
- Contract monitoring of Managed Service Organizations that provide community based treatment services for youth.
- Licensing of sites and programs that provide substance abuse treatment.

Telephone Number: 303-866-7406

3. Children's Developmental Disabilities

The components listed below strive to keep children in their homes and communities. Through contracts, 20 Community Centered Boards provide statewide services including:

- Early Intervention for children 0 to 3 years old. In coordination with the Part C program (which is administered through the Department of Education) this program provides services such as therapies, activities to stimulate physical, cognitive and socio-economic development, and respite care. In State Fiscal Year 2000 2,580 children received services.
- Family Support Services provide resources to families to keep their children at home while providing the necessary supports. Services include respite care, professional services, medical/dental assistance, transportation, assistive technology, and home modifications. In State Fiscal Year 2000 4,014 children received services.
- Children's Extensive Support services are based on a Medicaid waiver to enable children with severe developmental disabilities to access Medicaid services. In State Fiscal Year 2000 156 children received services.

B. Division of Child Care

Mission Statement: We improve people's lives by supporting quality child care.

Program Description:

The Department of Human Services is the State's lead agency in planning and implementing public child care policy. Through the Division of Child Care, the Department is responsible for licensing of child care facilities, managing child care assistance (subsidy) programs for low-income families, and serving as the lead in implementing federal child care programs. The overall goal of the Division is to promote a robust program that promotes quality, accessible, and affordable child care services for Colorado families.

The Division accomplishes this goal in three primary ways.

1. Licensing Unit

Colorado's child care licensing laws give the Division responsibility for licensing and monitoring approximately 9,000 child care facilities of all types. These include child (day) care homes and centers, pre-school and school-age child care programs, summer camps, residential child care facilities, and child placement agencies. In addition, the licensing program is responsible for enforcement when providers are reported by consumers and the community for operating a child care home or facility without a license. The Division secures provider and

consumer input statewide each year to evaluate and revise regulations and procedures as needed to create the most consumer friendly system that is possible. The Division provides technical assistance to child care providers, establishes educational and experience requirements for directors of centers and evaluates credentials to determine if requirements are being met. In addition, the Licensing Appeals Board reviews provider requests for changes to licensing regulations. The Division makes licensing files available to the public.

2. Colorado Child Care Assistance Program

The Division establishes policy and procedures, trains county department staff, and supervises implementation of the Colorado Child Care Assistance Program (CCAP). The program provides financial assistance to low-income families that are working or in training, transitioning off welfare or need child care to avoid seeking public assistance. This child care subsidy program is administered through county departments of social services through performance contracts with county boards of commissioners as established through Colorado's Welfare Reform legislation (SB 97-120). In addition, the Division conducts studies of child care provider rates for counties to use as a reference for establishing the amount of subsidies that may be offered to eligible consumers.

3. Child Care Grants

Under the federal Child Care and Development Block Fund (Personal Responsibility and Work Opportunity Reconciliation Act of 1996 PL 104-193) and other federal child care resources made available to Colorado, the Division provides grants and contracts to local communities and organizations to expand and enhance child care services. Grants and contracts are awarded to partially offset the costs of start-up or improvements of child care facilities; to create training materials and programs for child care provider staff; to offer incentives to improve the quality of child care provider programs; to provide information and referral services so that members of a community will know where they can get licensed child care; and to provide technical assistance to prospective providers to increase the number of providers in communities.

Statutory Basis: State: Title 26, Part 8, 8 C.R.S. (1998) Federal: 45 CFR Parts 255-257 and Parts 98-99; Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended (PL 104-193)

Division of Child Care Total Funding: FY 2000-01 = \$78,900,000

Telephone Number: (303) 866-5948

C. Division of Child Welfare

Mission Statement: The Division of Child Welfare Services provides leadership, program development and implementation, quality assurance, training and oversight to County Departments, and communities to ensure quality services focused on safety, permanency, and well-being for Colorado's children and families.

Program Description:

The Child Welfare Services allocated block provides the primary funding for County Departments of Social Services to provide child welfare services. Services that are provided through this block include Out-of-Home Placement - Medicaid Treatment; Subsidized Adoptions; Subsidized Adoption Case Services Payments; Child Welfare-related Child Care; Burials; and County Administration.

Family and Children's Programs serve children who are dependent and neglected or abused, delinquent or in conflict with their families or communities. Programs included are Core Services and Child Welfare Training. Core Services are provided through an approved county plan as alternatives to out-of-home care or in conjunction with out-of-home care, to either reduce the level of placement needed or to facilitate the child's move to a permanent family.

The Independent Living Program provides independent living resources to youth in out-of-home care, who are at least sixteen years of age and below twenty-one years of age to transition to independent living.

Promoting Safe and Stable Families Program (PASS) provides funding and technical assistance to selected neighborhoods, communities, counties, and/or regions to create, enhance and coordinate four service areas at the local level: family support networks on behalf of all families; family preservation programs; time-limited reunification services for families with children in out of home placement; and adoption promotion and support.

Expedited Permanency Planning for young children addresses the need for young children to achieve permanency as quickly as possible. The legislation requires expedited court hearings for children removed from their families who are under six years of age, and their older siblings, as the court deems appropriate. County departments are required to place the child in a permanent home within one year of the original removal.

The Child Abuse Grant program develops, implements and administers the Basic State Child Abuse Grant from the National Center on Child Abuse and Neglect (NCCAN), U.S. Department of Health and Human Services. The grant provides an array of services and projects to protect children.

The Central Registry for Child Protection Program (CRCP), also known as the Child Abuse Registry, is an information system mandated by State statute that tracks all confirmed incidents of child abuse and neglect in Colorado. Information is tracked by victim, perpetrator, and characteristics of the abuse and case outcome. The CRCP protects children by allowing for the screening of applicants who are seeking employment in positions of trust.

The Domestic Abuse Assistance Program (DAAP) funds community-based programs, operated primarily by non-governmental agencies, that serve battered women and their families. DAAP is funded through the check-off on Colorado income tax returns and the Federal Family Violence Prevention and Services Act. Local government entities also can receive DAAP funds.

The Denver Indian Center and the State of Colorado, through the CDHS, have a contractual relationship that allows the provision of general assistance kinds of services to American Indians in the metropolitan Denver area. The Denver Indian Center agrees to provide services to assist American Indians transitioning from reservation to life in the city. The Center helps individuals use community resources to obtain housing, employment, transportation, advocacy, referrals and to apply for social security benefits. The Center also works with the American Indian community to promote economic self-sufficiency and independent living, preserve family and community connections, and strengthen parenting skills in Native American families.

Federal/State Statutory and Other Authority:

Title 19 Article 3, 6 C.R.S. (1998); Title 26 Article 5, 8 C.R.S. (1998); Titles IV Parts B and E, and XX of the Social Security Act. Section 26-7.5-101 through 105, 8 C.R.S. (1998); PL 98-457; 42 U.S.C. 10401, et seq. as amended by PL 102-295, PL 103-322, and PL 104-235. Indian Center: Section 26-1-101 and 26-2-102, 8 CRS (1998) Sections 19-3-101 through 19-3-316 C.R.S. (1998); 42 USC 5101 et. seq.; 42 USC 5116 et. seq. Sections 19-3-313 and 19-1-120, 6 C.R.S., (1998)

Total Funding: FY 2000-2001 \$301,778,354

Telephone Number: (303) 866-4207

D. Division Of Youth Corrections

Mission Statement: The mission of the Division of Youth Corrections is to protect, restore, and improve public safety through a continuum of services and programs that:

- Effectively supervise juvenile offenders,
- Promote offender accountability to victims and communities, and
- Build skills and competencies of youth to become responsible citizens.

Program Description:

The Division of Youth Corrections (DYC) is responsible for the management and oversight of state-operated and privately contracted residential facilities, and for community alternative programs that serve and treat youth, ages 10-21 years, who have demonstrated delinquent behavior. Programs and services administered by or under contract with DYC serve over 10,000 youth throughout Colorado within intensive secure units, medium care units, secure detention, staff secure facilities and in non-secure community residential programs. In addition, DYC provides assessment and evaluation services for committed youth as well as nonresidential services to youth in community settings and youth on parole. DYC is also responsible for allocating funds (by formula) to each Colorado Judicial District in accordance with Senate Bill 91-94 to develop local alternatives to incarceration as a means of reducing reliance on costly residential placement. Local SB 91-94 programs serve about 10,000 youth per year.

Specific Programs:

Institutional Services for Committed Youth: After the 30-day assessment, youth are placed in a residential program based upon their treatment and security needs. The State operates 6 commitment facilities and contracts out 6 programs that operate in State owned buildings. Within the State operated system, there are several subprograms providing support services. These sub programs include food services, client personal care, medical and acute mental health services, client supervision, classification, facility management, educational and vocational services, case management, recreation services, and volunteers/spiritual programming. DYC also contracts with more than 40 contract facilities that range from large secure facilities to small community-based programs.

Secure and Non-Secure Detention Services: The State operates 8 detention centers that are dispersed throughout the State. In addition to the State-operated secure detention facilities, DYC contracts with the private sector to operate a state owned facility in southwest Colorado, and an additional 80 staff-secure

detention beds throughout the State. Detention facilities serve pre-adjudicated youth who are being held on a temporary basis awaiting court hearings or dispositions and youth who receive a short-term sentence, up to 45 days, as a condition of probation or due to contempt of juvenile court and municipal court orders.

Assessment Services: NYC is statutorily required to assess the needs of each committed youth within 30 days of commitment, and provides this residential-based function in State-operated detention facilities. Youth in assessment programs receive the same program services as youth in detention; however, for youth in assessment, the State, rather than the local school districts and community mental health center, provides educational and mental health services. The comprehensive assessment process includes the following: a risk classification to determine the placement security level required for a youth; a social history of the youth and the youth's family; a comprehensive educational and vocational assessment; a thorough physical and dental examination; a substance use/abuse assessment and a mental health screening and evaluation. This comprehensive assessment determines the placement of youth based upon a youth's risk to the community and the youth's treatment needs. Individualized treatment plans are then developed by case managers and treatment facilities based upon this assessment.

Parole Program Services: The Division's parole program services serve primarily youth on parole or in community placements. All programs provide in-home or other community-based services designed to help youth successfully reintegrate with their families and the community. All programs emphasize supervision and accountability of youth in coping with daily living situations in the home, school, and work environments. These services are an important component for youth with special needs that are not met in other programs.

SB 91-94 Programs: Senate Bill 91-94 alternative placement programs were developed largely in response to growing delinquent populations in the NYC system. Prior to the 1991 Legislative Session, NYC population projections indicated the need for approximately 500 additional secure placement beds. Discussions among the Executive Director of the former Department of Institutions, NYC staff, Legislators and Joint Budget Committee staff examined the use of local options and early intervention as a viable alternative to building expensive state facilities. These discussions culminated in the development of Senate Bill 91-94, which was introduced and adopted during the 1991 Legislative Session. The bill contained provisions that:

- Outlined a process for the development of criteria for placement of juveniles in secure state facilities;

- Specified that a formula should be developed for the allocation of resources to each county in the State for the development of local services to be used as alternatives to the placement of youth in State facilities;
- Authorized the establishment of pilot programs in local jurisdictions that would provide services for juveniles that would help relieve overcrowding in state operated facilities;
- Specified that guidelines should be established for the emergency release of juveniles from state facilities during periods of crisis overcrowding; and,
- Provided for the establishment of a Juvenile Services Fund that would distribute funds to local jurisdictions on or after July 1, 1993, based on a local juvenile services plan developed by each jurisdiction. Plans were to include, but not be limited to, such services as intervention, treatment, supervision, lodging, assessment, bonding programs and family services.

Funding: FY 2000-01 = \$113,051,208

Telephone Number: (303) 866-7980

Revised June 2002

Department of Health Care Policy and Financing

A. Office of the Executive Director

B. Office of Medical Assistance

- 1. Division of Health Care Programs**
- 2. Division of Health Care Systems**
- 3. Division of Managed Care**
- 4. Division of Long Term Care**

C. Office of Child Health Plan Plus

D. Office of Accounting and Purchasing

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

Mission Statement: To purchase cost-effective health care for qualified, low income Coloradans.

A. Office of the Executive Director:

The Customer Service Section responds to customer questions and complaints, develops and implements policies and procedures to enhance communication and education, collects customer information and directly assists the department's clients to access appropriate health care. It also monitors the contract for the Ombudsman for Managed Care.

The Policy Development Support Section analyzes policy issues and develops program initiatives to improve the delivery and cost-effectiveness of health care. This section responds to legislative initiatives and designs and implements pilot programs for Medicaid and other health care program innovations. This section currently administers the following projects:

The Integrated Care and Financing Project is designed as a capitated Medicare/Medicaid program focusing on addressing the issues of poor coordination between acute and long term care systems, cost shifting between Medicaid and Medicare, weak focus on preventive care, and the risk of poor health outcomes for clients. This program will show that combining acute and long-term care together in a managed care environment will facilitate rational, efficient and economical clinical approaches to care.

The Children's Comprehensive Care (CCC) Project is a voluntary collaboration between the Department, Child Health Plan Plus and Medicaid HMOs, that aims to improve care coordination, linkages with community-based organizations and child, parent and provider education programs for children with chronic conditions and special needs in managed care.

The Essential Community Provider (ECP) Grants Program is designed to increase access to care by directly supporting the provision of health care and implementing additional cost-effective options to improve access to services for low-income, medically indigent citizens.

B. Office of Medical Assistance

This Office is responsible for developing overall goals and objectives related to the service and delivery of Medicaid, Home Care Allowance, Adult Foster Care, Old Age Pension Health and Medical Fund, and the Indigent Care programs. These programs offer medical services to eligible recipients, including hospitalization, nursing facility care, prescription drugs and physician services to low-income elderly and disabled individuals, pregnant women, and low-income families with children. The Office is responsible for resolving conflicts among the state providers, counties, and recipients. It also ensures appropriate implementation of all federal, state, and departmental rules, regulations, and procedures. A number of citizen boards provide essential guidance and facilitate communications among program stakeholders. These boards include the Medical Services Board, the Medicaid Medical Advisory Committee, the Medicaid Advisory Committee for Persons with Disabilities, and the Poison Control Board.

The Office of Medical Assistance is divided into the following four divisions:

1. Division of Health Care Programs:

This Division monitors acute care programs, medical policy formation and interpretation, rule making, and provider relations. It also monitors portions of Medicaid-related activities of the Professional Review Organization (Colorado Foundation for Medical Care) and the Department of Public Health and Environment. The Office of Appeals is also included in this Division, responsible for reviewing client determinations made by Administrative Law Judges (Final Agency Action). This Division is comprised of the following three sections:

The Acute Care Benefits Section develops implements and communicates ambulatory and acute care policies for the Medicaid program; defines benefits for hospital, dental practitioner, laboratory, radiological, medical, durable medical equipment, and transportation services; and communicates program policies to other offices, providers, various publics, and the federal government through published bulletins, letters, formal and informal public forums, administrative rules, and federal state plans. The section also assess utilization growth within these programs and makes recommendations for addressing inappropriate utilization.

The Third Party Resources Section pursues alternate payment sources to avoid or recover Medicaid payments to assure that Medicaid is the “payer of last resort.” Third party cost avoidance and post-payment programs administered by this section include identifying non-Medicaid health care coverage of Medicaid

clients, the Medicare Buy-In Program, the health insurance buy-in program (HIBI), tort/casualty recovery, estate recovery, income trusts, transitional plus buy-in, Disability Work Incentive Buy-in and federally required recoveries, and establishing credits of Medicaid payments made to providers when another third party is identified as the primary payer. Third Party also administers the Ryan White Insurance Continuation Program.

The Quality Assurance Section provides quality assurance activities and utilization management programs as well as the detection and pursuit of fraudulent and abusive use of Medicaid resources. The Quality Assurance Section performs medical record reviews, client satisfaction surveys, provider investigations, data analysis, site reviews, and prior authorization, and then strives to improve care in areas indicated by these measurements. Report cards illustrating study results are provided to clients for assistance in choosing Medicaid health care programs. The Section manages the contract with the utilization review contractor (currently the Colorado Foundation for Medical Care) and the External Quality Review Organization. HMO's are closely monitored to ensure compliance with the Medicaid contract.

2. Division of Health Care Systems:

This Division is responsible for the management of the Medicaid Management Information Systems. It is responsible for determining Medicaid eligibility and ensuring the payment of claims. It manages administrative operations on behalf of clients, providers, government, and outside agencies. This Division is comprised of the following three sections:

The Eligibility Section facilitates and controls direct client access to Medicaid and other department health care programs. The section defines program eligibility and works with the Department of Human Services to facilitate client eligibility determination. Also, develops and distributes consumer information about how to use program benefits.

The Information Systems Section administers the Department's fiscal agent contract for health care claims processing which includes operation and development of the Medicaid Management Information System (MMIS). The section oversees the fiscal agent's performance in the following areas:

Operation, enhancement and maintenance of the automated claims processing system; Provider enrollment, training and communications; Claims resolution and reimbursement; Communications, coordination and problem resolution with program and financing co-operators including the Colorado Financial Reporting System (COFRS) and the Health Care Financing Administration (HCFA);

Manages the MMIS/client eligibility interface (COIN) to assure current eligibility information is available to the provider community and to claims processing; and maintains the Department's Decision Support System, which allows program managers to monitor and manage programs.

The Eligibility Systems Development Section is organized with one major purpose, that being to coordinate the development of the department's functionality in the Colorado Benefits Management System (CBMS). CBMS is to be the replacement system that integrates application and eligibility functions for all of the Department's medical assistance programs. The ESDS Section's staff works with the staff, contractors and Department of Human Services personnel, dispersed throughout a project team to provide direction, support, and monitoring of development and implementation activity.

3. Division of Managed Care

This division is responsible for the department's managed care, indigent care, pharmacy, and school based refinancing programs as well as rate setting for acute care services.

The Managed Care Contracting Section develops and monitors contracts for the following managed care programs:

Health Maintenance Organizations (HMOs) who are paid a fixed monthly amount to manage and deliver all necessary and covered health care services.

The Primary Care Physician (PCP) Program whereby Medicaid clients may select a physician, physician group, or health clinic who is then responsible for coordinating, managing and authorizing all health care services for the client and making referrals for specialty care.

The Program of All-Inclusive Care for the Elderly which is available to persons 65 years of age and older who require long-term care services. The program receives capitation payments from both Medicaid and Medicare and integrates community-based acute and long-term care services. Care may be received at home, in an inpatient or outpatient hospital setting and, when medically necessary, in a skilled nursing facility.

The Acute Care Rates Section develops implements and monitors reimbursement rates and methods for all acute and ambulatory services. Included are physician and clinic services, hospitals, dentists, federally qualified health centers, health maintenance organizations, school-based refinancing, hospice, disproportionate share hospital payments, family medicine, major teaching, adult day services, adult foster care, home care allowance,

transportation, and prescription drugs and drug rebate program, home health, family planning, durable medical equipment, laboratory and radiology, rural health clinics, ambulatory surgical centers, non-physician practitioners (psychologists, nurse practitioners, etc.), eyeglasses, private duty nursing, and prosthetics.

The Colorado Indigent Care Program and Poison Control Program are also part of the Division of Managed Care. The Colorado Indigent Care Program pays partial reimbursement to providers of clinic and inpatient hospital services for care rendered to Colorado residents who are not eligible for Medicaid but whose incomes are below 185% of the poverty level.

4. Division of Long Term Care:

This Division is responsible for policy formulation and interpretation, rate setting and monitoring of state-funded long term care programs. The Division is comprised of the following sections:

The Community Bases Long-Term Care Section administers the Community Health Programs, which are responsible for assuring the provision of safe, cost-effective, and high quality alternatives to institutional care for Medicaid eligible clients who need home care services. This section includes the following programs: Home and Community Based Services for the Elderly, Blind and Disabled (HCBS-EBD), Home and Community Based Services for Persons Living with AIDS (HCBS-PLWA), Home Health (HH), and Private Duty Nursing (PDN). This section also manages the Home Care Allowance and Adult Foster Care Programs, which provide state-funded home care services.

The Brain Injury Program was created in July 1995 to offer an intensive, cost-effective, community-based care alternative to individuals with traumatic brain injuries who would otherwise remain hospitalized. The program is focused on functional rehabilitation with the goal of returning individuals to more productive, independent lifestyles in the community and reducing the long-term social and economic impact of such injuries.

The Consumer-Directed Attendant Support Program is a pilot program which will provide vouchers to an estimated 150 Medicaid clients to allow them to employ, train and directly pay the personal care providers they choose for their care.

The Home Health Aide Pilot Project, a federal waiver program, is in the development stage. The project allows specially trained home health aides to perform certain delegated nursing functions both inside and outside of the home

environment. The program is intended to enhance access to community, vocational and educational environments for clients with disabilities.

The Long Term Care Rates Section develops, implements, and monitors institutional provider reimbursement rates and payment methodologies for care delivered to Medicaid-eligible residents in 200 total Colorado nursing facilities. The section responds to provider inquiries, handles provider appeals, represents the department in rate cases and reimbursement issues, conducts informal reconsiderations of rates, resolves payment and rate processing problems, manages the independent audit contracts, and promulgates reimbursement rules and regulations through the State Medical Services Board.

5. Quality Assurance Division

Program Integrity Unit

The Program Integrity Unit (PIU) of the Medicaid Quality Assurance division has the responsibility of ensuring that Medicaid services are provided in accordance with State and Federal regulation, rules, and mandates. The PIU is committed to fighting provider fraud and abuse by recovering overpayments for non-covered Medicaid services and referring cases to the Medicaid Fraud Control Unit for possible prosecution. The PIU conducts special studies, reviews provider records and Medicaid client records, conducts on-site surveys, and uses databases to identify, track, and trend provider billing patterns and aberrant provider activities. All of these efforts deter and detect fraud and abuse by Medicaid providers.

Everyone can do their part in this effort by reporting suspected incidences of provider fraud and abuse to the: Program Integrity Unit, 1575 Sherman Street, 5th Floor, Denver, Co. 80203. The enclosed referral form should be completed and sent to this address as soon as you become personally aware of an incident or the information is reported to you. If an "Interagency Referral Form" is not available at your work site, please call the Program Integrity Supervisor at 303-866-5879 so that these forms can be provided to you and your co-workers. The form has recently been revised and we encourage you to replace the old form with the one enclosed in your orientation packet.

All referrals to the PIU must represent suspected fraud and abuse by a Medicaid provider. Issues that relate to suspected fraud and abuse by a Medicaid client should be reported to the county in which the incident occurred. The PIU is not an investigative agency, per se. Therefore, it is important that the fraud and abuse referrals identify potential fraud and abuse incidences rather than someone's feeling, suspicion, presumption, or assumption. Please check your

facts carefully before making the decision to initiate a fraud and abuse referral. Gather as much information as possible about the alleged fraud and abuse incident and base all referrals on the facts, as they exist. You will need to clearly and accurately state those facts on your fraud and abuse referral form. The Program Integrity Unit evaluates each referral that they receive, but not all referrals become open cases for further action and review.

Contact the Program Integrity Unit at 303-866-5879 if you have questions or require clarification on the referral process or the Unit's functions.

Colorado's Medicaid Fraud Control Unit (MFCU), which is within the Attorney General's Office, is charged with the responsibility of detecting, investigating, auditing and prosecuting all types of Medicaid provider fraud and Medicaid facility patient abuse.¹ Except in certain rare circumstances, the MFCU does not investigate or prosecute fraud perpetrated by Medicaid recipients. One such circumstance is when a provider and a recipient conspire to commit Medicaid fraud. As part of its investigations the MFCU occasionally conducts undercover investigations that require the use of Medicaid ID cards issued by counties to MFCU investigators using pseudo names on the ID cards.

In addition to the traditional provider fraud, pursuant to 42 C.F.R. 1007.11, the MFCU is responsible for investigations "pertaining to fraud in the administration of the Medicaid program," which might involve state or county employees assigned to duties concerning the Medicaid program or who are paid in whole or in part with Medicaid funds.

The MFCU views recipient fraud as the responsibility of the county departments of social services and the local district attorney. Depending on arrangements between those entities, the investigation might be conducted by social services employees and referred to the D.A. for prosecution, the D.A.'s investigators might conduct the investigation, or the D.A. might contract with other agencies or individuals to conduct the investigation. In some instances prosecutors' offices have received federal grants to fund a prosecutor and an investigator to handle welfare fraud (which includes Medicaid fraud) cases; at times the prosecutor will have a police detective assigned to his or her office for that purpose.

¹ See 42 U.S.C. 1396b(q), the Social Security Act and 42 C.F.R. § 1007.1 et seq.

Any person who suspects Medicaid fraud (whether by a provider or a recipient) is required by Colorado statute to report to law enforcement. Section 18-8-115 C.R.S. states “[it] is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.” Moreover, “when acting in good faith, such corporation or person shall be immune from any civil liability for such reporting or disclosure.” Although many individuals fail to report as required because they draw their own conclusion that no fraud occurred, that conclusion is a legal one and should be left to law enforcement authorities.

Anyone with questions regarding Medicaid Fraud Control Unit authority or interest in a potential case is encouraged to contact the Unit at (303) 866-5431.

Medicaid Fraud & Abuse Interagency Referral Form

Program Integrity Unit
1575 Sherman St. 5th floor
Denver, CO. 80203
Phone: 303-866-5879

Please complete this form for suspected Medicaid provider fraud and abuse. Refer all Medicaid client fraud and abuse to the County Social Services in which the incident occurred. The Program Integrity Unit is not an “investigative agency” per se, and is not a clearinghouse for complaints against Medicaid providers.

1.) *Referring agent or person*

Name _____
Address _____
Phone # _____
E-mail address _____
Anonymous _____
Agency name, if applicable _____
County _____

2.) *Medicaid Provider/Facility committing alleged Fraud & Abuse*

Name _____
Address _____
Phone # _____
Facility/Provider type _____
(ex. home health, transportation, dental, OT/PT, mental health, vision, inpatient hospital, outpatient, HCBS, physician, psychologist, nurse midwife, ER, clinic, screening, diagnostic, medical equipment, supplies, rehab, nursing facility, etc.)

3.) *Medicaid Client involved in alleged Fraud & Abuse incident (if applicable)*

Name _____ **Age** _____
Address _____
Phone _____

4.) *Clearly state the specific fraud and abuse issue(s) related to this referral. Include location, time, date, actions, statements, and the Medicaid rule/regulation (when known) that this provider incident violates.*

C. Office of Child Health Plan Plus

The Office of CHP+ administers all aspects of the Children's Basic Health Plan, marketed as CHP+, a subsidized health insurance program for low-income children ages 0-18 with family incomes at or below 185% of the federal poverty level. CHP+ is Colorado's State Child Health Insurance Program, under Title XXI of the Social Security Act, and provides managed care coverage using a commercial model to over 25,000 children, as of September 2000.

The Department is responsible for implementing this program statewide using a managed care model and privatized administrative contracts for enrollment, eligibility, marketing, outreach, actuarial support, and provider payments. This office is responsible for the design and implementation of the health care benefits, a structurally sound reimbursement system, program quality assurance, contract management, implementation of all federal, state and departmental rules, regulations and procedures, and federal and state reporting and analysis.

A rule-making policy board provides a public forum for discussion of key policy issues, offers policy direction to the department, sets programmatic rules on a number of key areas, and reports regularly to the legislature on program impact and effectiveness.

This office is also responsible for licensing, monitoring and providing technical assistance to the state's Health Care Cooperative The Alliance. The Alliance offers small employers more economical health care coverage options and provides additional information on health plans to aid employee choice among multiple carriers.

D. Office of Accounting and Purchasing

The office, under the direction of the controller of the Department, is responsible for the management of the accounting functions of the department. Those functions include processing payments for all administrative functions, ensuring medical provider payments, receipting in all cash receipts and maintaining accounts receivable records, preparing the payroll for all employees, interfacing departmental accounting activities with the statewide Colorado Financial Reporting system (COFRS), and preparing departmental financial statements, federal financial reports, and management reports. This office is also responsible for maintaining fixed asset records and the related fiscal reporting, as well as all procurement and contract processing activities.

Also under the direction of the Department's controller is the Human Resources Office. This section performs the full range of human resources functions including job classification, recruitment, testing and selection.

The Information Technology Support Section operates the departmental local area network, and provides access to decision support and information system development.

Funding: \$2.2 Billion

Telephone Number: (303) 866-2993

FUNDING

Introduction

Federal Funding

State Funding

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- B. Fiscal Years
- C. County Contingency

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Transfers Between Allocations

County Funding

Accounting

- A. Colorado Financial Management System (CFMS)
- B. Electronic Benefits Transfer (EBT)
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Budgets

- A. Budgeting
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Audits

- A. Colorado Audit Law
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 - Single Audit Act Amendments of 1996
 - Office of Management & Budget (OMB) Circular A-133

FUNDING

Introduction to Funding

Funding for county social services programs is a complicated affair. Funding is provided by a mix of various Federal grants, State funds and County matching funds. Mainly the State receives the Federal grants and adds State funds then passes through this mix of Federal and State funds to the county.

Two major changes in how Federal and State governments fund human service programs have occurred. These changes have significantly changed the county commissioner and county director responsibilities toward providing public assistance and social services programs through the county departments.

Prior to February of 1997 the funding system was based almost exclusively upon a reimbursement system where the county department authorized and made expenditures, then reported these expenditures to the State Department of Human Services. The State Department of Human Services reimbursed the county a percentage of the county expenditure. The typical formula was 80% reimbursement for county social services expenditures. A principle was that the county department must first incur the expenditure before the Federal and State funds reimbursed the county expenditure.

The first major change occurred in February of 1997 when the State implemented Electronic Benefits Transfer (EBT). This removed the county from actually making a cash expenditure to a social services client or vendor. The county authorized the amount of the funds to be transferred directly from the State to the client or vendor. EBT reversed the flow of cash. The counties now paid their 20% matching share to the State instead of incurring the expenditure and being reimbursed 80%.

The second major change happened in July of 1997 when the "entitlement" program of Aid to Families with Dependent Children (AFDC) ended and was replaced by a new federal program called Temporary Assistance to Needy Families (TANF). By entitled we mean if a client came in the door of the county department and met the eligibility requirements for a program, they were "entitled" to the benefits of the program. The elimination of AFDC and its entitlement feature is also known as "welfare reform" or Personal Responsibility and Work Opportunity Reform Act (PRWORA).

The TANF program requires county departments of social services to work one on one with clients who would have qualified for AFDC and enter into a contract with each client. These contracts are known as an Individual Responsibility Contract (IRC) with time specific client activity that leads to gainful employment

or participation in a training program leading to gainful employment within two years.

Currently another major change is being piloted. This trend is toward the “managed care” or fixed allocation method of funding certain programs. The concept is simple; rather than having an unlimited reimbursement for unlimited expenditures made on behalf of clients entitled to services, the funding source, either the Federal or State government identifies a target population of people to be served, allocates a fixed number of dollars to provide the services, encourages creativity by the county social service departments and the direct service providers. This puts the local agency at risk of having to use its own local dollars to provide the services if the fixed allocation is exceeded before the clients are served. County departments do not have the flexibility to shift spending among the allocations to accommodate changing conditions under this managed care model.

Federal Funding

One of the largest federal agencies, the Department of Health and Human Services (HHS) is the principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves. Comprising 12 operating divisions, HHS' responsibilities include public health, biomedical research, Medicare and Medicaid, welfare, social services, and more. This federal agency provides the bulk of federal funding for the social/human services for the State of Colorado. In addition, the federal Department of Agriculture provides the funding for our food assistance (formerly food stamp) and our commodity distribution programs.

Federal funding comes in a variety of forms. A "federal domestic assistance program" may in practice be called a program, an activity, a service, a project, a process, or some other name, regardless of whether it is identified as a separate program by statute or regulation. It will be identified in terms of its legal authority, administering office, funding, purpose, benefits, and beneficiaries.

"Assistance" or "benefits" refers to the transfer of money, property, services, or anything of value, the principal purpose of which is to accomplish a public purpose of support or stimulation authorized by Federal statute. Assistance includes, but is not limited to grants, loans, loan guarantees, scholarships, mortgage loans, insurance, and other types of financial assistance, including cooperative agreements; property, technical assistance, counseling, statistical, and other expert information; and service activities of regulatory agencies. It does not include the provision of conventional public information services.

Currently, programs in the *Catalogue of Federal Domestic Assistance (CFDA)* are being classified into 15 types of assistance. Benefits and services of the

programs are provided through seven financial types of assistance and eight nonfinancial types of assistance. The following list defines the types of assistance which are available through the programs. Code letters below (A through O) which identify the type of assistance) will follow program titles in the Agency Index, Applicant Eligibility Index, the Functional Index, Deadlines Index, and in the list of added programs.

(A) Formula Grants	Allocations of money to States or their subdivisions in accordance with distribution formulas prescribed by law or administrative regulation, for activities of a continuing nature not confined to a specific project. Be certain to specify the formula under the Assistance Considerations section, and Formula and Matching Requirements section.
(B) Project Grants	The funding, for fixed or known periods, of specific projects. Project grants can include fellowships, scholarships, research grants, training grants, traineeships, experimental and demonstration grants, evaluation grants, planning grants, technical assistance grants, survey grants, and construction grants.
(C) Direct Payments for Specified Use	Financial assistance from the Federal government provided directly to individuals, private firms, and other private institutions do encourage or subsidize a particular activity by conditioning the receipt of the assistance on a particular performance by the recipient. This does not include solicited contracts for the procurement of goods and services for the Federal Government.
(D) Direct Payments with Unrestricted Use	Financial assistance from the Federal Government provided directly to beneficiaries who satisfy Federal eligibility requirements with no restrictions being imposed on the recipient as to how the money is spent. Included are payments under retirement, pension, and compensatory programs.
(E) Direct Loans	Financial assistance provided through the lending of federal monies for a specific period of time, with a reasonable expectation of repayment. Such loans may or may not require the payment of interest.
(F) Guaranteed/Insured Loans	Programs in which the Federal Government makes an arrangement to identify a lender against part or all of any defaults by those responsible for repayment of loans.

(G) Insurance	Financial assistance provided to assure reimbursement for losses sustained under specified conditions. Coverage may be provided directly by the Federal Government or through private carriers and may or may not involve the payment of premiums.
(H) Sale, Exchange, or Donation of Property and Goods	Programs which provide for the sale, exchange, or donation of federal real property, personal property, commodities, and other goods including land, buildings, equipment, food and drugs. This does not include the loan of, use of, or access to federal facilities or property.
(I) Use of Property, Facilities, and Equipment	Programs which provide for the loan of, use of, or access to federal facilities or property wherein the federally owned facilities or property do not remain in the possession of the recipient of the assistance.
(J) Provision of Specialized Services	Programs which provide federal personnel directly to perform certain tasks for the benefit of communities or individuals. These services may be performed in conjunction with nonfederal personnel, but they involve more than consultation, advice, or counseling.
(K) Advisory Services and Counseling	Programs which provide federal specialists to consult, advise, or counsel communities or individuals to include conferences, workshops, or personal contacts. This may involve the use of published information, but only in a secondary capacity.
(L) Dissemination of Technical Information	Programs which provide for the publication and distribution of information or data of a specialized or technical nature frequently through clearinghouses or libraries. This does not include conventional public information services designed for general public consumption.
(M) Training	Programs which provide instructional activities conducted directly by a federal agency for individuals not employed by the federal government.
(N) Investigation of Complaints	Federal administrative agency activities that are initiated in response to requests, either formal or informal, to examine or investigate claims of violations of federal statutes, policies, or procedure. The origination of such claims must come from outside the Federal Government.
(O) Federal Employment	Programs which reflect the government wide responsibilities of the Office of Personnel Management in the recruitment and hiring of federal civilian agency personnel.

A short list of milestones for the U.S. Department of Health and Human Services is as follows:

1798 The first Marine Hospital, a forerunner of today's Public Health Service, was established to care for seafarers.

1862 President Lincoln appointed a chemist, Charles M. Wetherill, to serve in the new Department of Agriculture. This was the beginning of the Bureau of Chemistry, forerunner to the Food and Drug Administration.

1887 The federal government opened a one-room laboratory on Staten Island for research on disease, thereby planting the seed that was to grow into the National Institutes of Health.

1906 Congress passed the first Food and Drug Act, authorizing the government to monitor the purity of foods and the safety of medicines, now a responsibility of HHS' Food and Drug Administration.

1912 President Theodore Roosevelt's first White House Conference urged creation of a Children's Bureau to combat exploitation of children.

1935 Congress passed the Social Security Act.

1939 Related federal activities in the fields of health, education, social insurance and human services were brought together under the new Federal Security Agency.

1946 The Communicable Disease Center was established, forerunner of the Centers for Disease Control and Prevention.

1953 The Cabinet-level Department of Health, Education and Welfare, was created under President Eisenhower, officially coming into existence April 11, 1953. In 1979, the Department of Education Organization Act was signed into law, providing for a separate Department of Education. HEW became the Department of Health and Human Services, officially arriving on May 4, 1980. Some highlights of HEW and HHS history include:

1955 Licensing of the Salk polio vaccine.

1961 First White House Conference on Aging.

1964 Release of the first Surgeon General's Report on Smoking and Health.

1965 The Medicare and Medicaid programs were created, making comprehensive health care available to millions of Americans. Also in 1965, the Older Americans Act created the nutritional and social programs run by HHS' Administration on Aging. In addition, the Head Start program was created in 1965.

1966 International Smallpox Eradication program established. Led by the U.S. Public Health Service, the worldwide eradication of smallpox was accomplished in 1977.

Also in 1966, the Community Health Center and Migrant Health Center programs were launched.

1970 Creation of the National Health Service Corps.

1975 Child Support Enforcement program established.

1977 Creation of the Health Care Financing Administration to manage Medicare and Medicaid separately from the Social Security Administration.

1980 Federal funding provided to states for foster care and adoption assistance.

1981 Identification of Acquired Immune Deficiency Syndrome, AIDS. In 1984, the HIV virus was identified by PHS and French scientists. In 1985, a blood test to detect HIV was licensed.

1988 Creation of the Job Opportunity and Basic Skills (JOBS) program and federal support for childcare initiated. Also in 1988, the McKinney Act was signed into law, providing health care to the homeless.

1989 Creation of the Agency for Health Care Policy and Research.

1990 Human Genome Project established.

Also in 1990, the Nutrition Labeling and Education Act was signed into law.

In addition, the Ryan White Comprehensive AIDS Resource Emergency (CARE) Act began in 1990 to provide support for communities to help people with AIDS.

1993 The Vaccines for Children Program is established, providing free immunizations to all children in low-income families.

1995 The Social Security Administration became an independent agency March 31, 1995.

1996 Enactment of welfare reform under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Also in 1996, regulations were published providing for FDA regulation of tobacco products to prevent use of tobacco by minors.

1997 The State Children's Health Insurance Program is established.

1998 The Initiative to Eliminate Racial and Ethnic Disparities in Health is launched. The initiative focuses on six key areas of health: infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV/AIDS, and immunizations.

1999 The Ticket to Work and Work Incentives Improvement Act of 1999 is signed, making it possible for millions of Americans with disabilities to join the workforce without fear of losing their Medicaid and Medicare coverage. It also modernizes the employment services system for people with disabilities. AIDS drops from the top 15 causes of death.

2000 Scientists complete the map of the human genome.

MAJOR FEDERAL PROGRAMS

Medicare, the nation's largest health insurance program, provides health insurance for 39 million Americans, including people age 65 and over, those who have permanent kidney failure and certain people with disabilities. For information on Medicare, visit the Web site at www.medicare.gov or call toll free, 1-800-MEDICARE (1-800-633-4227).

Medicaid is a jointly funded, Federal-State health insurance program for certain low-income and needy people. It covers approximately 36 million individuals including children, the aged, blind, and/or disabled, and people who are eligible to receive cash assistance payments. For information on Medicaid, visit the Web site at www.hcfa.gov/medicaid/medicaid.htm.

State Funding

A. County Allocations

County Administration Allocation: Funding for direct program staff, common supportive staff and general administration, including personal services, operating, travel, contractual services, capital outlay, leased space and psychological exams. For Adult Public Assistance, Adult Protective Services, Food Stamps and Medicaid Only. The allocation no longer specifies numbers of FTE or amounts for the categories included in the allocation. Each county will determine the spending mix of the allocation based upon the county's local needs and experience. County expenditures will be reimbursed on an 80% basis up to the total allocation. Any over-expenditure will be county only dollars or mitigated at state close-out. The appropriation is distributed to counties based on each county's pro-rated share of the allocation in the previous state fiscal year.

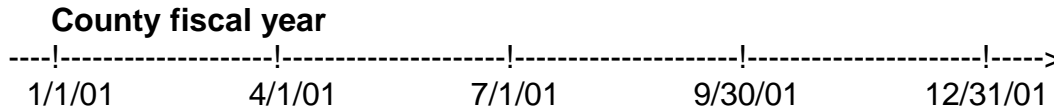
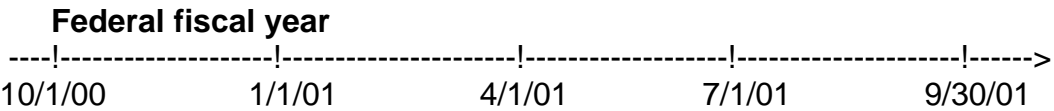
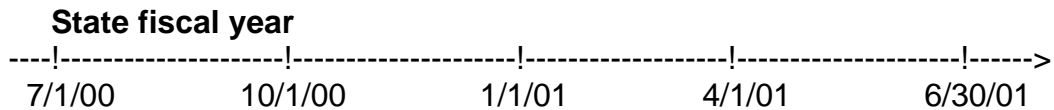
Colorado Works Program (TANF) Allocation: All cost for work activities under the Colorado Works Program such as personnel, contractual, skill training, employer reimbursements such as On the Job Training and support services are included in the allocation. Colorado Works replaces the AFDC JOBS and Emergency Assistance programs. County share of the expenditures is based on the Maintenance of Effort (MOE) concept, originally established by identifying county expenditures for the '93-94 base year but is now determined annually by the Colorado Works Allocation Committee as is the county allocation. A county may bid each year to spend more or less in their TANF programs. This bidding process is managed by the State so that Statewide the total expenditures and County MOEs are unchanged in total. For example if a county bids to lower their expenditures then another county(s) need to bid to raise their expenditures by the same amount. The MOE amount is the minimum amount the county must actually spend for the Colorado Works Program. There is a 15% State administrative limit which applies to the operation of the program applied by the Federal government. Unexpended balances of the county's allocation or reserve funds may be carried over into the next state fiscal year and are federal funds because the state and county share of the allocation will have been expended as MOE. Clients must meet performance requirements and be off of program benefits in two years, with certain exceptions. Clients are limited to five year lifetime benefits. Memorandum of understanding (MOU) between the county and the state must be signed each year.

Child Welfare Allocation: Funds Out-of-Home Placements, Subsidized Adoption, Residential Treatment Center (RTC) treatment costs, Children Habitation Residential Program (CHRP; Developmental Disabled), Case Services, Child Welfare related Child Care (special circumstance child care), Burials and the county administration portion of Child Welfare. Contains two lines; 80/20% funds and 100% funds. The 100% is for the additional FTE required by the ACLU Law Suit Settlement Agreement and the 80/20%

reimbursement is for all other costs. Over-expenditures attributable to administration and support functions are excluded from any close out relief but all other administration functions associated with line staff work and first line supervision are not excluded. Access to the state risk pool for mitigation of county over-expenditures is based upon caseload growth, unusual, high cost cases and demonstrated cost control efforts. There is flexibility among line items within the allocation. Child Welfare Block Allocations are determined either through agreement of the Child Welfare Allocations Committee and the State, or, if agreement cannot be reached, by the Joint Budget Committee of the Legislature. A county may use block funds for additional approved Core Services; however a county may not use Core Services funds to purchase or provide any services other than those approved in the annual county Core Services plan.

Colorado Child Care Assistance Program (CCCAP) Allocation: Funds for employment related direct child care payments; employment related child care included Low-Income and Colorado Works (TANF) families. Allocation consists of administration and direct care. Direct child care is direct payment to providers or families and administration includes all staff, operating and indirect costs to run the program. No carry-over from one year to the next and the county share is the annual maintenance of effort (MOE). Each county's allocation is determined by a formula factoring historical expenditures and the number of families whose incomes are under 185% of poverty.

B. Fiscal Years



C. County Contingency

The State has a county contingency fund which may supplement the county match for expenditures for public assistance. Basically, this contingency fund is a funding source for counties that have a higher than average welfare caseload and/or a lower than average valuation on their assessed property.

The following is from Section 6-1-126 CRS:

County contingency fund - creation.

(1) There is hereby created a county contingency fund which shall be expended to supplement county expenditures for public assistance, as provided in this section.

(2) Notwithstanding the provisions of section 26-1-125 (1), and subject to available appropriations, the state department of human services or the state department of health care policy and financing shall make an advancement, in addition to that provided in section 26-1-122, out of the county contingency fund to any county if moneys equivalent to those raised by a levy as determined pursuant to subsection (2.1) of this section on the property valued for assessment in the county are less than the sum of the county's obligations pursuant to section 26-1-122 and twenty percent of the amount expended for administrative costs and program costs of medical assistance.

(2.1) (a) If the total valuation for assessment of property in a county changes as of January 1, 1987, commencing on January 1, 1988, the mill levy used to determine eligibility for an advancement from the county contingency fund shall be changed from three mills to the number of mills determined by the following formula: Divide the total valuation for assessment for the calendar year two years preceding of those counties which were entitled to advancements from the county contingency fund for the fiscal year ending June 30 of the preceding year by the total valuation for assessment of those same counties for the preceding calendar year, multiply by three mills, and round the resulting figure to the nearest one-hundredth of a mill.

(b) For the calendar year beginning January 1, 1989, and for each calendar year thereafter, the mill levy used to determine eligibility for an advancement from the county contingency fund during such calendar year shall be changed to the number of mills determined by the following formula: Divide the total valuation for assessment for the calendar year two years preceding such calendar year of those counties which were entitled to advancements from the county contingency fund during all or part of said second preceding calendar year by the total valuation for assessment of those same counties for the first calendar year

preceding such calendar year, multiply the quotient by the number of mills used to determine eligibility for the preceding calendar year, and round the resulting figure to the nearest one-hundredth of a mill.

(3) Subject to available appropriations, the amount of the additional advancement for each county for each month commencing on or after July 1, 1975, shall be fifty percent of the difference between the following:

(a) The sum of the monthly amount of the county's obligations pursuant to section 26-1-122 and twenty percent of the monthly amount expended for administrative costs and program costs of medical assistance, minus;

(b) The moneys equivalent to those raised by a levy of the number of mills determined pursuant to paragraph (b) of subsection (2.1) of this section on the property valued for assessment in the county divided by twelve.

(4) In the event appropriations are insufficient to cover advancements provided for in this section, all advancements shall be prorated on the basis of total claims submitted in proportion to funds available. As funds are advanced, any adjustments shall be made from subsequent monthly payments for this purpose.

(5) Each county eligible for county contingency funds pursuant to this section shall only be responsible for an amount equal to the county's pro rata share of the general assembly's appropriation to the county contingency fund. If state and county appropriations are insufficient to meet the administrative and program costs of public assistance and the administrative costs of medical assistance and food stamps, then the executive director of the department of human services, the executive director of the department of health care policy and financing, and the state board of human services shall act pursuant to sections 26-1-121 (1) (c) and 26-1-122 (5) to reduce the rate of expenditure so that it matches the available funds.

Close out

Close out is the process the state goes through at the end of each state fiscal year, June 30, to use up all the federal dollars they have for the year. In the past, there have been excess dollars and the state distributes these to the counties that have overspent their allocations. Close out processes are program specific and can change from year to year. The conceptual approach individualized for each program is:

- Verify Final Program Allocation.
- Obtain Final County Expenditure Totals.

- Determine Each County's Over- or Under-Expenditure Levels.
- Perform Surplus Distribution Calculations.
- Move Remaining Deficits to TANF Transfer or to County Only.

Notification by Annual Budget Letter, Dear Director Letter, or Agency Letter is sent to the counties at the start of each State Fiscal Year (SFY), July 1, and through-out the year, with allocation formula details, forms, and due dates. Monthly Email CFMS Close out reports are sent to the counties. Contact your Field Administrator for coordination and questions.

Mitigation: Process of being awarded more dollars for your county Child Welfare allocation by a presentation to the Mitigation Committee to justify the request. It also applies to the Colorado Works TANF allocations. Mitigation funds come from holdouts at the state level of the county allocations. For Child Welfare, mitigation dollars are available only to the middle sized and small counties and are used to increase a county's allocation in the current fiscal year only if the qualifying criteria are met and funds are available. For the Colorado Works TANF allocation, mitigation is limited to small counties with less than .38% of the state total Colorado Works caseload. Mitigation is also limited to the reduction of a county's MOE and is not used to increase a county's allocation. Child Care has a set aside in the client benefit allocation to address contingencies.

Transfers Between Allocations

The allocations reflect an amount that each county has available to spend on the respective programs for the state fiscal year. When that is expended, unless mitigation or contingency provisions are available and apply to the county's situation, an over-expenditure of the allocation may only be resolved at closeout if policy that relates to that program permits and surplus funds are available.

However, provisions exist that allow the state and each county to transfer limited federal funds from the TANF grant to a county's Child Welfare and Child Care Allocations or to the Adult Protection Program. Under Federal and State law, up to **30%** of the federal portion of the TANF Grant can be transferred. Once transferred, the TANF funds assume the identity of the block grant into which they are transferred relative to all obligation and expenditure requirements.

Transfers can occur during closeout of the state fiscal year if a county has over-expended funds for the county's child welfare/CORE (Title XX) or child care allocations.

Transfers can also occur at any time during the state fiscal year if the county projects a need for more funds in child welfare or child care, and there are sufficient funds available in the county's Colorado Works Allocation or the county's reserve account. Total transfers must remain within the state's 30% maximum transfer authority annually.

Two conditions must exist before a TANF transfer into child care is considered. The child care direct services appropriation statewide must be projected to be overspent and the county's Colorado Works allocation is projected to be under spent. The transfer may be planned if the county department is projected to overspend its direct services child care allocation or the county wishes to provide child care services in addition to those covered by the allocation, such as capacity building and quality initiatives.

Two conditions must exist before a TANF transfer into child welfare is considered. The county's Colorado Works allocation must be projected to be under spent and the county's child welfare allocation is projected to be overspent. If these conditions exist, a county may authorize a transfer of up to **10%** of the county's projected unspent Colorado Works allocation to cover the county's child welfare services projected over-expenditure. Transferred funds may not be used for out-of-home placement expenditures, supplanting a required county match or supplanting county funds for a county-only program. There is no county match required to access the federal funds transferred.

County Funding

Section 26-1-122 CRS: "...the board of county commissioners in each county of this state shall annually appropriate as provided by law such funds as shall be necessary to defray the county department's twenty percent share of the overall cost of providing the assistance payments, food stamps (except the value of food stamp coupons), and social services activities delivered in the county, including the costs allocated to the administration of each, and shall include in the tax levy for such county the sum appropriated for that purpose. Such appropriation shall be based upon the county social services budget prepared by the county department pursuant to section 26-1-124, after taking into account state advancements provided for in this section.

County Property Tax and Mill Levy: Property tax assessed on county real property constitutes the vast majority of county revenue available to the county department. To determine the amount of property tax that must be raised each year, the Board of County Commissioners determine the amount of revenue needed by each department in county government in order to operate the department. A calculation is then made to determine the "Mill Levy," based upon that year's county-wide assessed valuation. A "Mill" is 1/1000th of a dollar. The mill levy for the department is calculated by determining the property tax required by the department divided by the county assessed valuation, multiplied by 1000. For example, a property tax of \$226,024 divided by an assessed valuation of \$79,676,541 equals .002837, multiplied by 1000 equals 2.837, for a mill levy of 2.84.

What is a mil?

\$1.00	\$.10	\$.01	\$.001
dollar	dime	penny	mil

1 mil equals \$.001

10 mils equals \$.01

100 mils equals \$.10

1000 mils equals \$1.00

A 3 mil tax on a \$100,000 property equals \$ 300.

Formula and Matching Requirements -- This section indicates the formula and matching requirements prescribed in the allocation of funds or maintenance of effort requirements. A formula may be based on population, per capita income, and other statistical factors. Applicants are informed whether there are any matching requirements to be met when participating in the cost of a project. In general, the matching share represents that portion of the project costs not borne by the Federal Government. Usually, a minimum percentage for matching share is prescribed by program legislation, and matching share requirements are included in the grant agreement. Attachment F of OMB Circular No. A-102 sets forth the criteria and procedures for the evaluation of matching share requirements which may be cash or in-kind contributions made by state and local governments or other agencies, institutions, private organizations, or individuals to satisfy matching requirements of federal grants or loans.

Cash contributions represent the grantees' cash outlay, including the outlay of money contributed to the grantee by other public agencies, institutions, private organizations, or individuals. When authorized by federal regulation, federal funds received from other grants may be considered as the grantees cash contribution.

In-kind contributions represent the value of non-cash contributions provided by the grantee, other public agencies and institutions, private organizations or individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the grant program. When authorized by Federal legislation, property purchased with Federal funds may be considered as grantees' in-kind contribution.

Maintenance of Effort (MOE) is a requirement contained in certain legislation, regulations, or administrative policies stating that a grantee must maintain a specified level of financial effort in a specific area in order to receive federal grant funds, and that the Federal grant funds may be used only to supplement, not supplant, the level of grantee funds. Programs that have maintenance of effort requirements and have total allocations over \$100 million (current FY) should have the following statement in this section: This program has maintenance of effort (MOE) requirements; see funding agency for further details.

Example: Staffing: Federal funds on a decreasing percentage basis over a period of 8 years 90 percent - 1st and 2nd years; 80 percent - 3rd year; 75 percent - 4th and 5th years; 70 percent - 6th, 7th and 8th years. Non-poverty areas are entitled to: 80 percent - 1st and 2nd years; 75 percent - 3rd year; 60 percent - 4th year; 45 percent - 5th year; 30 percent - 6th, 7th, and 8th years.

A. County Financial Management System (CFMS) Project

The County Financial Management System (CFMS) was implemented effective July 1, 1999. All functions related to county departments of social services expenditures, reimbursements for expenditures (Federal and State revenue) and allocations from the State are recorded in CFMS. This system is actually an ORACLE software product that maintains all the financial information as a data base management system.

Users of the system have the ability to access data on-line including the tracking of expenditures against State allocations. Hard copy data will no longer be necessary but all information in CFMS can be produced in hard copy report form.

Later stages of the development of CFMS will introduce budget building and other features required to meet the business needs of the department. CFMS does not replace a county accounting system. CFMS is a system for the counties and the State to have a common system for financial information.

The goals of the system are to: store all of the financial information relating to county social service departments, provide information that is readily available and accessible to all users; and directly link to other computer systems or use automated interfaces to move or receive data.

B. Electronic Benefit Transfer (EBT)

On February 1, 1997, the Colorado Department of Human Services (CDHS) started the implementation of electronic payment methods from CDHS directly to welfare clients and service providers. These electronic payments replaced the payment method of county warrants and significantly changed the cash flow between counties and the CDHS. Typically, a welfare payment is composed of a combination of federal, state, and local money. Previously, the county warrants were reimbursed by the CDHS with federal and state funds. Currently, with the EBT system, the counties pay their local share of these EBT payment authorizations to the CDHS.

Electronic Benefits Transfer (EBT) represents both debit cards and electronic funds transfer (EFT). Basically, assistance payments clients will receive a debit card and service providers receive an EFT or direct deposit into their bank account.

The conversion to EBT is a part of a nation-wide initiative to convert from a paper system to an electronic system. There are considerable savings to an electronic system as it costs the federal government \$.32 to process a check versus \$.02 to process an EFT transaction.

Electronic benefits transfer started over 12 years ago in Pennsylvania. Other states have brought up just food stamps. Colorado is the leader in implementing food stamps plus multiple cash assistance programs simultaneously.

Nationwide, EBT will be known under the service mark, "QUEST". QUEST was an existing electronic fund transfer network named QUEST. It was easier and cheaper to buy this service mark than to copyright a new service mark. This name is similar to "PLUS" and "CIRRUS." Colorado's EBT system will be nationally known as, "Colorado QUEST."

Colorado's QUEST system must comply with the National Automated Clearing House Association (NACHA) which is standardizing the operating rules of EBT systems to ensure proper transmission of data elements in the system. Citibank is the entity the State contracts with to provide development and administration of the EBT service.

EBT will not increase or decrease the county share required to support the various welfare programs. The local revenue generated by the county mill levy should remain the same. Colorado is unique because each county raises its own local share from ad valorem taxes.

Eligibility continues to be determined at the county level using the State automated systems. The County is still responsible for eligibility determination, setting the correct benefit level and maintaining case information. Counties still get COIN listings that summarize the amount each client is authorized.

A significant change in cash flow created a significant change in financial reporting. During the implementation phase of EBT, the counties were instructed to record only their local share of EBT authorizations as expenditures and not the total amount of the EBT authorization. They were instructed to disclose the total amount of the authorizations in a note to the financial statements or in an additional schedule.

Accounting practitioners and auditors questioned the appropriateness of recording only the counties' local share. A committee under the guidance of the Colorado Society of Certified Public Accountants was formed to study this issue and make a recommendation to the CDHS. The CDHS has accepted this recommendation as stated below.

Procedure:

This procedure is effective for financial statements ending December 31, 1999 and continues until specific professional guidance is available from the Governmental Accounting Standards Board (GASB).

The CDHS will accept the financial reporting of either: the counties' local share of EBT authorizations, or a 100% reporting of EBT authorizations in the financial statements. However, if a county elects to report only the local share in the financial statements, consistent disclosure of the 100% authorization amounts is required. This disclosure can be included in the notes to the financial statements or disclosed in an additional schedule called Required Supplemental Information (RSI). The format for footnote disclosure or RSI is the same and is as follows:

The following programs are paid via EBT:

- Temporary Assistance to Needy Families (TANF)
- Aid to the Blind (AB)
- Aid to the Needy Disabled (AND)
- Child Care
- Child Welfare
- Old Age Pension (OAP)
- Colorado Refuge Services Program (CRSP)
- LEAP Basic
- LEAP Crisis Intervention (CIP)
- Food Assistance (formerly Food Stamps)

The amount of Federal Financial Assistance to the county will remain the same. The county will still be responsible for creating a Schedule of Federal Financial Assistance for Food Stamps, CRSP, LEAP Basic, LEAP CIP, TANF, CWEST, and CHATS.

OAP, AND, and AB are State funded and do not receive Federal funding.

- **Budgets**

Budgeting will change per the changes in expenditures and earned revenue. However, the county requirement to fund the local share will not change.

C. Random Moment Sampling (RMS)

The purpose of RMS is to spread administrative costs such as salaries and overhead among various programs.

A private contractor, David M. Griffith, contacts the counties with two types of surveys. The services survey is performed by phone calls to report which program a services person is working on at that moment in time. The assistance

payments division (technicians) are required to fill out paperwork on their activity at a given moment in time.

The RMS process is performed to comply with the agreement with the Federal Government to identify cost to federal grants by county. RMS will distribute indirect (administrative) costs from the County Administration to Child Welfare, Colorado Works/TANF, Child Care, etc. Each month the state reports the RMS results to the County Financial Management System (CFMS) so that counties will see how costs are allocated. Allocated costs are a reflection of the workload reported by the county staff.

D. County Wide Cost Allocation

The purpose of an annual countywide cost allocation plan is to spread expenditures of county offices that provide support services to county offices that provide direct services. For instance, the county personnel office may provide support to the county social services department in the areas of: recruitment, testing, interviewing, and salary administration. Some of the cost of the county personnel office can be assigned to the social services department. Because the county social services department is partially funded by federal and state funds, the cost of the personnel office attributable to social services can be reimbursed with federal and state funds.

E. Maintenance Of Effort (MOE)

Maintenance Of (financial) Effort is a requirement that a grantee (state/county) must maintain a specified level of financial effort in a specific area in order to receive Federal grant funds. MOE replaces a previous cost reimbursement system. The local share for the programs of TANF and child Care is now set at a dollar amount and does not vary.

There is a Total MOE & County MOE. MOE only applies to two programs:
Colorado Works/TANF
Child Care

F. CBMS – Colorado Benefits Management System; See page 120.

Budgets

A. Budgeting

What is budgeting?

Budgeting is a process of forecasting expected expenditures and revenues which includes an accumulation of data on actual expenditures and actual revenues to arrive at a comprehensive plan for providing for expenditures and revenues needed to carry out the Department of Social Services objectives for the next fiscal year(s).

IMPORTANT ELEMENTS FOR COUNTY BUDGETS

1. Narrative (budget message; this should be done first)

The budget has two distinct aspects. One aspect is the setting of priorities such as: are there new programs, are existing services to be expanded, reduced, continued at the same level, or eliminated.

The second aspect of the budget is that it is a statement to your constituents of what will be done and how these goals will be achieved. It is a prediction and a statement of intentions. It should contain statistical information like: previous, current and projected case counts.

Although the budget is a yearly document, consideration should be given for long-range impacts. Ideally a budget should be presented with long-range financial plans in a time frame of anywhere from two to five years.

2. Process

1. Record prior year actual expenditures and actual revenues from last year,
2. Calculate year to date actual expenditures and revenues,
3. Project expenditures and revenues for the current year,
4. Estimate expenditures and revenues for next year (budget).
5. Estimate revenues for the next year.
6. Summarize
 - A. Appropriations (estimated expenditures)
 1. CDHS
 2. Other than CDHS programs
 - B. Working balance (should be 3 to 4 months of county share)
 - C. Estimated revenue

1. Fund balance
2. CDHS
3. Other sources of revenue

D. Amount required from property taxes (A plus B minus C)

E. Assessed valuation of county property

F. Mil levy (D divided by E)

The Budget Process is established by State statute. (Sections 26-I-124; 29-I-101 through 118 CRS are the relevant statutes.)

The proposed budget is to be submitted to the County Board of Social Services, no later than **October 15th** and to the Division of Field Audits no later than January 1 of each year.

Staff responsible for budget preparation must keep in mind that the fund balance of the County Social Services Fund, on December 31 of any given year, should contain a sufficient balance to satisfy cash flow requirements for three months. This will ensure sufficient local funding to carry counties from January to April when sufficient property taxes are received to meet local requirements.

When adopted, the Chairman of the Board documents that the budget is approved by entering "Approved, (Signature), (Date), Chairperson, Board of County Commissioners," on Schedule 4.I, "Computation of Amount to be Raised by Property Taxes."

When approved, a copy of the approved County Department of Social Services budget is to be sent to the Division of Field Audits, 4120 S. Julian Way, Denver, CO 80236.

Funding levels in Federal assistance programs change yearly. It is useful to review the appropriations over the past several years to try to project future funding levels (see Financial Information Section of the catalog program description).

However, it is safer to never anticipate that the income from the grant will be the sole support for the project. This consideration should be given to the overall budget requirements, and in particular, to budget line items most subject to inflationary pressures. Restraint is important in determining inflationary cost projections (avoid padding budget line items), but attempt to anticipate possible future increases.

Some vulnerable budget areas are: utilities, rental of buildings and equipment, salary increases, food, telephones, insurance, and transportation. Budget

adjustments are sometimes made after the grant award, but this can be a lengthy process. Be certain that implementation, continuation and phase-down costs can be met. Consider costs associated with leases, evaluation systems, hard/soft match requirements, audits, development, implementation and maintenance of information and accounting systems, and other long-term financial commitments.

A well-prepared budget justifies all expenses and is consistent with the proposal narrative. Some areas in need of an evaluation for consistency are: (1) the salaries in the proposal in relation to those of the applicant organization should be similar; (2) if new staff persons are being hired, additional space and equipment should be considered, as necessary; (3) if the budget calls for an equipment purchase, it should be the type allowed by the grantor agency; (4) if additional space is rented, the increase in insurance should be supported; (5) if an indirect cost rate applies to the proposal, the division between direct and indirect costs should not be in conflict, and the aggregate budget totals should refer directly to the approved formula; and (6) if matching costs are required, the contributions to the matching fund should be taken out of the budget unless otherwise specified in the application instructions.

B. Local Government Budget Law of Colorado

Section 29-1-101 CRS. Short title. This part 1 shall be known and may be cited as the "Local Government Budget Law of Colorado."

29-1-102. Definitions. As used in this part 1, unless the context otherwise requires:

(1) "Appropriation" means the authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.

(2) "Basis of budgetary accounting" means any one of the following methods of measurement of timing when revenue and other financing sources and expenditures and other financing uses are recognized for budget purposes:

(a) Cash basis (when cash is received and disbursed);

(b) Modified accrual basis (when revenue and other financing sources are due and available and when obligations or liabilities are incurred for expenditures and other financing uses, except for certain stated items such as, but not limited to, prepaids, inventories of consumable goods, and interest payable in a future fiscal year); or

(c) Encumbrance basis (the modified accrual basis, but including the recognition of encumbrances).

- (3) "Budget" means the complete estimated financial plan of the local government.
- (4) "Budget year" means the ensuing fiscal year.
- (5) "Certified" means a written statement by a member of the governing body or a person appointed by the governing body that the document being filed is a true and accurate copy of the action taken by the governing body.
- (6) "Division" means the division of local government in the department of local affairs.
- (7) "Encumbrance" means a commitment related to unperformed contracts for goods or services.
- (8) "Expenditure" means any use of financial resources of the local government consistent with its basis of accounting for budget purposes for the provision or acquisition of goods and services for operations, debt service, capital outlay, transfers, or other financial uses.
- (9) "Fiscal year" means the period commencing January 1 and ending December 31; except that "fiscal year" may mean the federal fiscal year for water conservancy districts which have contracts with the federal government.
- (10) "Fund" means a fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities or balances, and changes therein are recorded and segregated to carry on specific activities or to attain certain objectives in accordance with special regulations, restrictions, or limitations.
- (11) "Fund balance" means the balance of total resources available for subsequent years' budgets consistent with the basis of accounting elected for budget purposes.
- (12) "Governing body" means a board, council, or other elected or appointed body in which the legislative powers of the local government are vested.
- (13) "Local government" means any authority, county, municipality, city and county, district, or other political subdivision of the state of Colorado; any institution, department, agency, or authority of any of the foregoing; and any other entity, organization, or corporation formed by intergovernmental agreement or other contract between or among any of the foregoing. The office of the county public trustee shall be deemed an agency of the county for the purposes of this part 1. "Local government" does not include the Colorado postsecondary educational facilities authority, the university of Colorado hospital authority, the Colorado student obligation bond authority, the Colorado health facilities

authority, the Colorado housing and finance authority, the Colorado agricultural development authority, the Colorado sheep and wool authority, the Colorado beef council authority, the Colorado horse development board, the fire and police pension association, any public entity insurance or investment pool formed pursuant to state law, any county or municipal housing authority, any association of political subdivisions formed pursuant to section 29-1-401, or any home rule city or town, home rule city and county, cities and towns operating under a territorial charter, school district, or junior college district.

(14) "Object of expenditure" means the classification of fund data by character of expenditure. "Object of expenditure" includes, but is not limited to, personal services, purchased services, debt service, supplies, capital outlay, grants, and transfers.

(15) "Objection" means a written or oral protest filed by an elector of the local government.

(16) "Revenue" means all resources available to finance expenditures.

(17) "Spending agency", as designated by the local government, means any office, unit, department, board, commission, or institution which is responsible for any particular expenditures or revenues.

29-1-103. Budgets required. (1) Each local government shall adopt an annual budget. To the extent that the financial activities of any local government are fully reported in the budget or budgets of a parent local government or governments, a separate budget is not required. Such budget shall present a complete financial plan by fund and by spending agency within each fund for the budget year and shall set forth the following:

(a) All proposed expenditures for administration, operations, maintenance, debt service, and capital projects to be undertaken or executed by any spending agency during the budget year;

(b) Anticipated revenues for the budget year;

(c) Estimated beginning and ending fund balances;

(d) The corresponding actual figures for the prior fiscal year and estimated figures projected through the end of the current fiscal year, including disclosure of all beginning and ending fund balances, consistent with the basis of accounting used to prepare the budget;

(e) A written budget message describing the important features of the proposed budget, including a statement of the budgetary basis of

accounting used and a description of the services to be delivered during the budget year; and

(f) Explanatory schedules or statements classifying the expenditures by object and the revenues by source.

(2) No budget adopted pursuant to this section shall provide for expenditures in excess of available revenues and beginning fund balances.

(3) (a) The general assembly finds and declares that the use of lease-purchase agreements by local governments creates financial obligations of those governments and that the disclosure of such obligations is in the public interest and is a matter of statewide concern.

(b) In addition to the governmental entities included in the definition of "local government" in section 29-1-102, the provisions of this subsection (3) shall apply to every home rule city, home rule city and county, school district, and junior college district.

(c) As used in this subsection (3), "lease-purchase agreement" means any installment purchase agreement for the purchase of real or personal property which requires payments during more than one fiscal year or any agreement for the lease or rental of real or personal property which requires payments during more than one fiscal year and under which title to the property is transferred at the end of the term for nominal or no additional consideration.

(d) (l) The budget adopted by every local government shall separately set forth each of the following:

(A) The total amount to be expended during the ensuing fiscal year for payment obligations under all lease-purchase agreements involving real property;

(B) The total maximum payment liability of the local government under all lease-purchase agreements involving real property over the entire terms of such agreements, including all optional renewal terms;

(C) The total amount to be expended during the ensuing fiscal year for payment obligations under all lease-purchase agreements other than those involving real property;

(D) The total maximum payment liability of the local government under all lease-purchase agreements other than those involving real property over the entire terms of such agreements, including all optional renewal terms.

(II) Each budget required to be filed pursuant to section 29-1-113 shall include a supplemental schedule that contains the information described in this paragraph (d).

(e) (I) No local government shall enter into any lease-purchase agreement whose duration, including all optional renewal terms, exceeds the weighted average useful life of the assets being financed. In the case of a lease-purchase agreement involving both real property and other property, the lease-purchase agreement shall provide that the real property involved shall be amortized over a period not to exceed its weighted average useful life and the other property shall be separately amortized over a period not to exceed its weighted average useful life. This provision shall not prevent a local government from releasing property from a lease-purchase agreement pursuant to an amortization schedule reflecting the times when individual pieces of property have been amortized.

(II) Nothing contained in this paragraph (e) shall be construed to apply to any lease-purchase agreement entered into prior to April 9, 1990.

29-1-104. By whom budget prepared. The governing body of each local government shall designate or appoint a person to prepare the budget and submit the same to the governing body.

29-1-105. Budget estimates. On or before a date to be determined by the governing body of each local government, all spending agencies shall prepare and submit to the person appointed to prepare the budget estimates of their expenditure requirements and their estimated revenues for the budget year, and, in connection therewith, the spending agency shall submit the corresponding actual figures for the last completed fiscal year and the estimated figures projected through the end of the current fiscal year and an explanatory schedule or statement classifying the expenditures by object and the revenues by source. In addition to the other information required by this section, every office, department, board, commission, and other spending agency of any local government shall prepare and submit to the person appointed to prepare the budget the information required by section 29-1-103 (3) (d). No later than October 15 of each year, the person appointed to prepare the budget shall submit such budget to the governing body.

29-1-106. Notice of budget. (1) Upon receipt of the proposed budget, the governing body shall cause to be published a notice containing the following information:

(a) The date and time of the hearing at which the adoption of the proposed budget will be considered;

(b) A statement that the proposed budget is available for inspection by the public at a designated public office located within the boundaries of the local government, or, if no public office is located within such boundaries, the nearest public office where the budget is available; and

(c) A statement that any interested elector of the local government may file any objections to the proposed budget at any time prior to the final adoption of the budget by the governing body.

(2) If the governing body has submitted or intends to submit a request for increased property tax revenues to the division pursuant to section 29-1-302 (1), the amount of the increased property tax revenues resulting from such request shall be stated in such notice or in a subsequent notice in the manner provided in subsection (3) of this section.

(3) (a) For any local government whose proposed budget is more than fifty thousand dollars, the notice required by subsection (1) of this section shall be published one time in a newspaper having general circulation in the local government.

(b) Any local government whose proposed budget is fifty thousand dollars or less shall cause copies of the notice required by subsection (1) of this section to be posted in three public places within the jurisdiction of such local government in lieu of such publication.

29-1-107. Objections to budget. Any elector of the local government has the right to file or register his protest with the governing body prior to the time of the adoption of the budget

29-1-108. Adoption of budget - appropriations - failure to adopt.

(1) The governing body of the local government shall hold a hearing to consider the adoption of the proposed budget, at which time objections of the electors of the local government shall be considered. The governing body shall revise, alter, increase, or decrease the items as it deems necessary in view of the needs of the various spending agencies and the anticipated revenue of the local government. Adoption of the proposed budget shall be effective only upon an affirmative vote of a majority of the members of the governing body.

(2) Before the mill levy is certified pursuant to section 39-1-111 or 39-5-128, C.R.S., the governing body shall enact an ordinance or resolution adopting the budget and making appropriations for the budget year. The amounts appropriated shall not exceed the expenditures specified in the budget. Appropriations shall be made by fund or by spending agencies within a fund, as determined by the governing body. Changes to the adopted budget or

appropriation shall be made in accordance with the provisions of section 29-1-109.

(3) If the governing body fails to adopt a budget before certification of the mill levy as provided for in subsection (2) of this section, then ninety percent of the amounts appropriated in the current fiscal year for operation and maintenance expenses shall be deemed reappropriated for the purposes specified in such last appropriation ordinance or resolution.

(4) If the appropriations for the budget year have not been made by December 31 of the current fiscal year, then ninety percent of the amount appropriated in the current fiscal year for operation and maintenance expenses shall be deemed reappropriated for the budget year.

(5) Notwithstanding any other provision of law, the adoption of the budget, the appropriation of funds, and the certification of the mill levy shall be effective upon adoption.

(6) All unexpended appropriations, or unencumbered appropriations if the encumbrance basis of budgetary accounting is adopted, expire at the end of the fiscal year.

29-1-109. Changes to budget - transfers - supplemental appropriations.

(1) (a) If, after adopting the budget and making appropriations, the governing body of a local government deems it necessary, it may transfer appropriated moneys between funds or between spending agencies within a fund, as determined by the original appropriation level, in accordance with the procedures established in subsection (2) of this section.

(b) If, after adoption of the budget, the local government receives unanticipated revenues or revenues not assured at the time of the adoption of the budget from any source other than the local government's property tax mill levy, the governing body may authorize the expenditure of such funds by enacting a supplemental budget and appropriation.

(c) In the event that revenues are lower than anticipated in the adopted budget, the governing body may adopt a revised appropriation ordinance or resolution as provided in section 29-1-108.

(2) (a) Any transfer, supplemental appropriation, or revised appropriation made pursuant to this section shall be made only by ordinance or resolution which complies with the notice provisions of section 29-1-106.

(b) For transfers, such ordinance or resolution shall set forth in full the amounts to be transferred and shall be documented in detail in the minutes of the meeting of the governing body. A certified copy of such ordinance or resolution shall be transmitted immediately to the affected spending agencies and the officer or employee of the local government whose duty it is to draw warrants or orders for the payment of money and to keep the record of expenditures as required by section 29-1-114. A certified copy of such ordinance or resolution shall be filed with the division.

(c) For supplemental budgets and appropriations, such ordinance or resolution shall set forth in full the source and amount of such revenue, the purpose for which such revenues are being budgeted and appropriated, and the fund or spending agency which shall make such supplemental expenditure. A certified copy of such ordinance or resolution shall be filed with the division.

29-1-110. Expenditures not to exceed appropriation. (1) During the fiscal year, no officer, employee, or other spending agency shall expend or contract to expend any money, or incur any liability, or enter into any contract which, by its terms, involves the expenditures of money in excess of the amounts appropriated. Any contract, verbal or written, made in violation of this section shall be void, and no moneys belonging to a local government shall be paid on such contract.

(2) Multiple-year contracts may be entered into where allowed by law or if subject to annual appropriation.

29-1-111. Contingencies. In cases of emergency which could not have been reasonably foreseen at the time of adoption of the budget, the governing body may authorize the expenditure of funds in excess of the appropriation by ordinance or resolution duly adopted by a majority vote of such governing body at a public meeting. Such ordinance or resolution shall set forth the facts concerning such emergency and shall be documented in detail in the minutes of the meeting of such governing body at which such ordinance or resolution was adopted. A certified copy of such ordinance or resolution shall be filed with the division.

29-1-112. Payment for contingencies. In case of an emergency and the passage of an ordinance or resolution authorizing additional expenditures in excess of the appropriation as provided in section 29-1-111 and if there is money available for such excess expenditure in some other fund or spending agency which will not be needed for expenditures during the balance of the fiscal year, the governing body shall transfer the available money from such fund to the fund from which the excess expenditures are to be paid. If available money which can be so transferred is not sufficient to meet the authorized excess expenditure, then the governing body may obtain a temporary loan to provide for such excess

expenditures. The total amount of the temporary loan shall not exceed the amount which can be raised by a two-mill levy on the total assessed valuation of the taxable property within the limits of the local government of such governing body.

29-1-113. Filing of budget. (1) No later than thirty days following the beginning of the fiscal year of the budget adopted pursuant to section 29-1-108, the governing body shall cause a certified copy of such budget, including the budget message, to be filed in the office of the division. Copies of such budget and of ordinances or resolutions authorizing expenditures or the transfer of funds shall be filed with the officer or employee of the local government whose duty it is to disburse moneys or issue orders for the payment of money.

(2) Notwithstanding the provisions of section 29-1-102 (13), budgets shall be filed with the division by home rule cities, cities and counties, and towns and cities operating under a territorial charter for the purpose of information and research.

(3) If the governing body of a local government fails to file a certified copy of the budget with the division as required by this section, the division, after notice to the affected local government, may notify any county treasurer holding moneys of the local government generated pursuant to the taxing authority of such local government and authorize the county treasurer to prohibit release of any such moneys until the local government complies with the provisions of this section.

29-1-114. Record of expenditures. The officer or employee of the local government whose duty it is to disburse moneys or issue orders for the payment of money shall keep in his office a record showing the amounts authorized by the appropriation and the expenditures drawn against the same and also a record of the transfer of moneys from one fund to another and of any authorized additional expenditures as provided in section 29-1-111. Such record shall be kept so that it will show at all times the unexpended balance in each of the appropriated funds or spending agencies. Such officer or employee shall report on such record as may be required by the governing body. No such officer or employee shall disburse any moneys or issue orders for the payment of money in excess of the amount available as shown by said record or report.

29-1-115. Violation is malfeasance - removal. Any member of the governing body of any local government or any officer, employee, or agent of any spending agency who knowingly or willfully fails to perform any of the duties imposed upon him by this part 1 or who knowingly and willfully violates any of its provisions is guilty of malfeasance in office, and, upon conviction thereof, the court shall enter judgment that such officer so convicted shall be removed from office. Any elector of the local government may file an affidavit regarding suspected malfeasance with the district attorney, who shall investigate the allegations and prosecute the violation if sufficient cause is found. It is the duty of the court rendering any such

judgment to cause immediate notice of such removal to be given to the proper officer of the local government so that the vacancy thus caused may be filled.

C. County Budget Process

The budget is your department's overall planning document. It is built by determining what the needs of the department are to accomplish its objectives. Depending upon the revenue available, the department's objectives may be expanded or reduced from the prior year's experience. The rationale used in developing the budget is included in the narrative budget message that is available to the department's staff, community budgetary oversight groups, the Board of County Commissioners, and the citizens of the County.

The county budget period is the calendar year, January 1 through December 31. Although the present discussion concerns county budgeting, it is also important to know that the State's budget period is July 1 through June 30, and the Federal budget period is October 1 through September 30.

The budget is comprised of two sections: Expenditures and Revenues. Each section must be intertwined and coordinated with the other. The expenditure section must be supported by revenue sufficient to pay for expected outlays. The revenue section must equal (no more, no less) planned expenditures/use of the revenues. In some counties, the planned use of revenue may include a planned revenue excess at the end of the budget year to be used to support the next year's expenditures or to provide the department with a designated contingency fund. Under no circumstances should a budget reflect expenditures exceeding revenue.

The expenditure section of the budget is straightforward: that is, an expenditure is made when an authorized county warrant (check) is issued. An expenditure exists in the month in which the warrant is issued. Expenditures authorized by the county for EBT program payments are not considered direct county expenditures. The county share of the expenditure is taken in CFMS by the state and that constitutes the actual county expenditure.

The revenue section is complicated because revenue consists of federal, state, and county dollars, each with unique characteristics. Strictly speaking, most federal and state dollars are not revenues because they come to the department only as reimbursement to an expenditure that the department made. If the department made no expenditure, no federal or state dollars would come to the department. County revenue dollars and certain payments made by the state [e.g.: excess IV-E distribution] are true revenues. Federal revenue comes to the department in two main ways: as partial reimbursement and by a pass-through method. Federal funds received by the department as pass-through do not include any state funds, but they almost always require some local county revenue match. These funds come to the department in only a few programs, and the percent of reimbursement varies. (See Attachment 1 to ABA-00-6-I: State Fiscal Year 2000-2001 Preliminary Allocation and County Budget Letter).

Federal revenue coming to the department as a portion of program reimbursement is not identified as federal revenue but is included as a portion of what is called State Revenue or State Grants. Your budget does not separately list federal dollars in the computation of state grants that reimburse expenditures. Your accounting section may later determine the amount received for reasons not associated with the creation of your budget.

State revenue available to the department is technically called “state grants” because these funds are available (earned) only as reimbursement to expenditures: i.e.: if a department of social services has no expenditures, then it would receive no state grants’ revenue. The amount of state revenue that the department may obtain against a department expenditure is dependent on one or both of two factors:

1] The type of expenditure. Reimbursement rates vary across different programs (see ABA-00-6-1)

2] The State Allocation to the department. For certain budget lines, the state assigns a maximum amount of total expenditure for which the state will reimburse at the particular program rate. This maximum amount is called a state allocation. County department expenditures made in excess of the allocation limit may not receive state reimbursement. Agency Letter ABA-00-6-1 details those lines that are allocated.

County revenue available to the department is appropriated by the County Commissioners and is composed of:

- 1] Delinquent property taxes
- 2] Specific ownership taxes
- 3] Penalties and interest on delinquent taxes
- 4] Non-property taxes (sales/use)
- 5] Other government revenue
- 6] CSE Incentives and IV-E and/or parental fee distributions
- 7] Property taxes.

Property taxes assessed on county real property constitute the vast majority of county revenue available to the department. The Board of County Commissioners determines how much property tax will be assessed in the county each year and a proportion of the assessed property taxes which will be made available to the department as revenue in the department’s budget. Boards generally go through the following process: The Board determines the amount of property taxes that each department in the general county government needs to operate. A calculation is then made to determine a “mill levy”. The Board determined mill levy is then transmitted to the County Assessor who uses the mill levy figure to assess property owners how much property tax they will be required to pay. The mill levy is a county-wide constant and is applied to

property of varying value, i.e.: property with higher assessed value pays more dollars in property tax.

The mill levy for the department is calculated as follows: Property tax required divided by county assessed valuation multiplied by 1000.

Example:

$$\begin{array}{rcl} \$ 226,024 & \text{Property tax required} & \\ \$ 79,676,541 & \text{Assessed Valuation} & = .002837 \\ \\ .002837 & \times 1000 & = 2.84 \text{ mill levy} \end{array}$$

A mill is 1/1000th of a dollar.

The budgeting process, planning a year's business and forecasting the expected expenditures and revenues underpinning that plan, is a process of proceeding from an accumulation of data on actual expenditures/revenues to the creation of a document that details the financial requirements to meet the plan's objectives. This process can be broken down into tasks:

- 1] Record **prior year** actual [net] expenditures and authorizations. This information is transferred from your department's books/ CFMS directly to the budget form.
- 2] Calculate **current year-to-date actual** [net] expenditures and authorizations. This information is again available through your department's books/ CFMS or through budget control reports.
- 3] Calculate projected net expenditures and authorizations for the **full current fiscal year**. Check program trend-lines and also use historical data to determine if there is a seasonal variation to particular lines (e.g.: Child Care, LEAP). Will there be provider rate increases or merit pay increases with which to contend? Are you confronting lump sum payments for accumulated annual leave or retirement? Are there changes in the array of insurance premiums paid by your department?
- 4] Calculate Revenues (actual plus projected) for the **full current year**. Any program line's projected expenditure (authorization) multiplied by the reimbursement rate [modified if necessary by the allocation limit] will give expected revenues or help determine county participation in EBT lines. Total actual expenditures minus state grants equals the amount of county dollars required to meet the budget limits. In the EBT world, this translates to: the expected net program line expenditure made on behalf of your county times (1.00 - the reimbursement rate) [modified if necessary by the allocation limit] equals the county share and the appropriation found in the county department's budget. For administration, the net expenditures equal the appropriation; because the total amount is expended by county warrant which when multiplied

times the particular reimbursement rate equals the state grants. For administration, appropriation minus state grants equals county funds required.

5] Calculate projected net expenditures for **the upcoming budget year**. Starting with historical data, account for expected changes such as economic trend, alteration in production methods in the county, statutory requirements that may have passed during the previous legislative session.

6] As with current year projections, calculate the revenues that will be driven by your forecasted expenditures.

7] Calculated working balance plus all other appropriations usually comprise the total financial requirements for the department for the year. Deduct the funds already available [Prior Year Surplus, State Grants, and other revenue] to determine the base funds required from property taxes. This figure may be adjusted slightly by other requirements such as provision for unpaid taxes. The final figure is then used in the mill levy calculation.

And to end with the beginning, the first step is to have a plan with objectives for your department to meet. This is detailed in your budget narrative that explains the assumptions that you have used in calculating the necessary financial requirements for your department. Your commissioners and the citizens of your county will be much more supportive of a department that has clear direction as identified in its strategic financial document as opposed to one whose plan is a fill in the blank way of meeting the minimum requirement of Colorado's budget law[†].

In addition to normal reimbursement, counties whose valuation has fluctuated to a point that their 20% share cannot be met without exceeding a specific statewide mill levy threshold, are eligible for county contingency payments. These payments are made monthly and may be adjusted back at close-out, depending on the county's year-end position in relation to the threshold. The payments represent 50% of those reimbursable expenditure that are driven in excess of the mill levy threshold. The threshold is determined by the following formula:

For Fiscal Year 2000

Tv98 = total valuation for all contingency counties in 1998

Tv99 = total valuation for all '98 contingency counties in 1999

Mth99 = Threshold for 1999

Mth00 = Threshold for 2000

$$(Tv98 \div Tv99) \times Mth99 = Mth00$$

This formula may be found in CRS 26-1-126

† Budget law drives the requirement to list prior year, current year-to-date, current year projected, and estimated budget year.

‡ Calculation of county share of expenditure does not work in the Works/ TANF or Child Care lines as county share is a pre-determined amount known as “Maintenance of Effort”. This figure represents the county’s share of “Historical Levels of Spending” as defined by the federal government in the PRWORA Welfare Reform legislation. It is equal to or less than **20%**. For more detail, please refer to ABA-00-6-I.

Funding in social services budgets follows the approaches that are reflected in your budgets. For the purpose of this discussion, the reference to State funds refers to State payments made to or on behalf of counties. These payments may include federal dollars.

Most administrative costs are paid to your employees by county warrant with the state reimbursing your expenditures. There has been an advance made to your county to avoid cash flow problems and expenditures are reimbursed and adjusted to insure maintaining an appropriate advance balance. Most county fund participation rates are 20% with state match at 80% although there are exceptions in Child Welfare [One CW admin. line is 80/20 while another is matched 100% by state funds]. Child Support Enforcement is 66/34 [county match 34%].

Many program expenditures are premised on a 20% county fund participation; however they are handled by adjusting the county 20 % participation because there is no county warrant issued. Instead, the county department authorizes a benefit payment which is made through the electronic benefits system; thereby avoiding the county warrant process. Some programs such as Old Age Pension, are 100% state funded. Food Stamp payments, a program of the U.S. Department of Agriculture, is 100% federally funded. Medicaid payments are 100% State – Federal.

Child Care Assistance and The TANF [Temporary Assistance to Needy Families] require a ‘Maintenance of Effort’ (MOE) county fund participation. These MOE requirements are in federal Welfare Reform law. Whereas, these programs used to be 80/20 funded, the county MOE share is now less than 20%.

Four areas of your budget are allocated to counties by the State. These are: 1] Child Care 2] Child Welfare 3] TANF [Colorado Works] 4] County Administration. County funds participation varies from the bell-weather 80/20 rate to 0 % for such lines as Residential Treatment Centers [Child Welfare]. Any expenditures which exceed the allocated amount may fall to the county to pay in total. There are a series of complicated steps that occur at ‘Close-Out’ of State Fiscal Year which may reduce or eliminate a county’s vulnerability to such an occurrence. The

State fiscal year extends from July 1st to June 30th as opposed to the county's January 1st to December 31st.

There are other funds sources for counties that include refunds [SSI payments, parental fees for foster care] incentive payments [child support incentives, excess parental fee Incentives, IV-E revenue generation payments] and managed care savings.

If you have questions of the State Department on any of these matters, your Field Administrator can give you much greater detail. Feel free to contact Field Administration at 303-866-3901 so that an appointment can be made at your convenience.

Audits

A. Colorado Audit Law

There are basically two audit requirements. One audit requirement is found at Colorado Revised Statutes Section 29-1-601 CRS. In general it states that an audit is to be performed annually by a certified public accountant licensed to practice in Colorado. This audit should encompass all funds and activities of the county.

B. Federal Audit Law

The second audit requirement comes from the Federal government when a county receives more than \$300,000 in federal awards in a year. The Federal law is titled, "The Single Audit Act Amendments of 1996, Public Law 104-156."

The document that implements and further defines this law is the Office of Management & Budget (OMB) Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations, revised June 24, 1997." Counties that expend less than \$300,000 a year in Federal awards are exempt from federal audit requirements for that year, except as noted in Circular No. A-133. These requirements pertain to awards made within the respective county fiscal year -- not the federal fiscal year (from October 1st through September 30th).

Federal award means federal financial assistance and federal cost-reimbursed contracts that non-federal entities receive directly from a federal awarding agency or indirectly from a pass-through entity. Most federal awards/assistance for human services programs comes to counties as a pass-through from the State of Colorado.

"Assistance" or "benefits" refers to the transfer of money, property, services, or anything of value, the principal purpose of which is to accomplish a public

purpose of support or stimulation authorized by federal statute. Assistance includes, but is not limited to grants, loans, loan guarantees, scholarships, mortgage loans, insurance, and other types of financial assistance, including cooperative agreements, property, technical assistance, counseling, statistical, and other expert information and service activities of regulatory agencies. It does not include the provision of conventional public information services.

A "Federal domestic assistance program" may in practice be called a program, an activity, a service, a project, a process, or some other name, regardless of whether it is identified as a separate program by statute or regulation. It will be identified in terms of its legal authority, administering office, funding, purpose, benefits, and beneficiaries.

Please see the Appendix for copies of: "The Single Audit Act Amendments of 1996", Public Law 104-156, and Office of Management & Budget (OMB) Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations," revised June 24, 1997.

Useful Resources

Office of Management & Budget (OMB) Circular A-87, Cost Principles for State and Local and Indian Tribal Governments
Excerpts from the Catalogue of Federal Domestic Assistance (CFDA)
State Fiscal Year 2000-2001 Preliminary Allocations and County Budget Letter
Single Audit Act Amendments of 1996
Office of Management & Budget (OMB) Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations
Report of Expenditures Made Under Title XX of the Social Security Act

Office of Management and Budget, home page
<http://www.whitehouse.gov/omb/>

<http://www.whitehouse.gov/omb/sitemap4.html>

Office of Management and Budget (OMB) Circular A-133, "Compliance Supplement", March 2000
http://www.whitehouse.gov/omb/circulars/a133_compliance/00/00toc.html

Office of Management and Budget (OMB) Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments."
<http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>

"Catalogue of Federal Domestic Assistance"
<http://www.cfda.gov/>

“County Budget Letter – SFY 2001 Allocations”, agency letter ABA-006-I, June 21, 2000

[http://www.cdhs.state.co.us/pls/cdhs/agency_letters\\$.startup](http://www.cdhs.state.co.us/pls/cdhs/agency_letters$.startup)

Where can I obtain information about Social Security?

The Social Security Administration, a former operating component of HHS, became an independent federal agency on March 31, 1995. For more information, please contact SSA at www.ssa.gov.

Where can I find information on HHS grants and other Federal grant programs?

HHS is the largest grant-making agency in the federal government, providing some 60,000 grants per year. The HHS Web site, GrantsNet (www.hhs.gov/grantsnet) is a tool for finding and exchanging information about HHS and selected other Federal grant programs.

Where can I find information on programs that are available to help meet the needs of children and families?

The HHS Administration for Children and Families administers several programs to promote the economic and social well being of families, children, individuals, and communities. ACF also administers the Office of Child Support and Enforcement. For a list of these programs, visit the ACF Web site at www.acf.gov. You may also visit www.hhs.gov/families for state and local government information about children and families.

CBMS – Colorado Benefits Management System: an integrated, statewide information management (computer) system which will simplify and centralize client interaction and information exchange with county department staff. With the new system will, in some counties, come the need to physically re-arrange offices and interview areas; in all counties will come the need to teach the new system to Income Maintenance staff and others. Client status regarding Adult Protection, Food Assistance and Employment First, Children’s Basic Health Plan, will be determined immediately upon entering client eligibility information into the system, with a comprehensive Client Fiscal History report to assist with eligibility determination. The system will streamline and simplify the eligibility process, maximize access to public assistance and medical benefits, provide legislators and administrators with increased and easier access to information, build the foundation for other client based systems, and improve customer service. Spring of 2004 is the final implementation target.

Revised June 2002

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GOVERNING BOARDS

COLORADO'S HUMAN SERVICE DELIVERY SYSTEM

As mentioned in the Overview, Colorado is one of 13 states that have a state-supervised/county-administered service delivery system. That means that County Boards of Commissioners, acting in their capacity as the County Board of Social Services, have the primary authority and responsibility to fund (county share), staff, and administer social service programs. The Board carries out its responsibility through an appointed director and staff who actually provide the services

Both the Colorado Constitution and Colorado Statute have clearly defined counties as political subdivisions of the state with only such powers as the state delegates to them, except in the Colorado Works program. The statute delegates certain authority and responsibilities to the counties to administer this program. Counties are agents of the State, created for the convenient administration of state government.

Statute has defined certain roles and functions, such as publishing forms which counties must use, or requiring reports from time to time, that give narrow focus to the relationship; however, the two overriding statutory issues which bear on the relationship in the Human Services arena are:

26-1-111 The State Department shall “.....provide services to county governments including the organization and supervision of county departments for the effective administration of public assistance and welfare functions *as set out in the rules of the executive director and the rules of the state board.*” [emphasis added]

26-1-122 (3) (b) and (4) (b) “...if the county departments are administered in accordance with the policies and rules of the State Department for the administration of the county departments, eighty percent of the costs of administering assistance payments, food stamps, and social services in the county departments shall be advanced to the county by the state treasurer....”

Additionally, case law speaks to “County Board bound the State Board’s rules. Pursuant to statute, County Boards of Social Services act as agents of the State Board, and are bound by the rules promulgated by the State Board.” Board of County Commissioners v. Merit System Council. 622 P2d 1093 (Colo. App. 1982)

Clearly the intent is that the county departments function for the convenient administration of the state government and that the state should provide service to them in order to best achieve the goals of state government. Further, the state should advance 80 percent of the cost for administration and programs.

A. States with County Administered Systems [circa 2000]

California	North Carolina
Colorado	North Dakota
Maryland	Ohio
Minnesota	Pennsylvania [CW]
New York	Virginia
New Jersey [Pub. Asst. only]	Wisconsin
Some Montana Counties	

B. Brief History of the Development of Social Services in Colorado

- Before statehood, the territory's county governments were charged by various legislative provisions with the responsibility of providing relief to poor persons who either had no relatives in the territory or whose relatives could or would not support them.... These provisions continued in force upon the admission of Colorado into the Union.
- The State first assumed various responsibilities for public assistance programs in response to the economic environment created by the Great Depression. In 1933, the General Assembly created a state relief committee and declared that providing the necessities of life was a "State, County, City and Town purpose."
- In 1935, in response to passage by the Federal Congress of the Social Security Act, the General Assembly enacted the Welfare Organization Act of 1936... This act created state and county welfare departments and established a pattern of joint state and county funding responsibility together with general state control over public assistance programs, including federally assisted programs.
- The present version of the Social Services Code retains much of the structure of the first announced by its depression era predecessors.

KEY STATUTES DEFINING STATE/COUNTY RELATIONSHIPS

A. Summary of Key State Department of Human Services Statutes

1. The Colorado Department of Human Services is charged with the administration or supervision of all the social services, public assistance and welfare activities of the State ...(26-1-111). The State Board of Human Services promulgates rules and regulations which are binding upon the counties governing fiscal and personnel administration for the county

- departments and prescribe the scope and content of programs administered by county departments...(26-1-107).
2. The State Department will provide services to county governments, including the organization and supervision of county departments for the effective administration of public assistance and welfare activities...(26-1-111 (2) (d)).
 3. CDHS has the authority to terminate state funding to a county when that county has been documented for non-compliance with State Department rules and regulations. ...(26-1-109 (4) (b)).
 4. CDHS shall provide, through rules and regulations, safeguards concerning confidentiality of information of individuals and families served ...(26-1-114).
 5. CDHS shall advance or reimburse a county department 80 percent of the costs for program and administrative costs of assistance payments and social services in accordance with State Department policies, rules and regulations ...in no event shall the state department authorize expenditures greater than the annual appropriation by the General Assembly for the State's share ...(26-1-122 (3) (b)).
 6. CDHS maintains a fund, known as the County Contingency Fund, from which it makes additional reimbursement to counties whose public assistance expenditures exceed the sum that can be raised by a formula outlined in statute (26-1-126).

B. Summary of Key County Board of Social Services Statutes

1. The County Board of Social Services shall consist of the County Board of Commissioners, or in the case of a district department, a District Board of County Commissioners ...(26-1-116).
2. The Board shall appoint a director of the county department of social services ...(26-1-117 (1)).
3. Adopt an annual budget for the county department of social services ...(26-1-122 (1) (a)).
4. Prior to adoption such budget shall be submitted by the County board to the State Department for review (26-1-124).
5. Establish a social services mill levy to provide funds needed by the county department of social services to carry out its duties and responsibilities...(26-1-125).
6. Appropriate funds to the county department of social services to carry out its functions ...(26-1-122 (1) (a)).
7. Administer the Social Services Fund, i.e., oversee the fund and sign payroll and warrants of the county department of social services to carry out its function ...(26-1-123 (1) (3) (a)).
8. Each county shall provide for a merit system for the selection, retention, and promotion of employees of county departments that complies with federal standards for a merit system of personnel management as a condition of receiving federal funds (26-1-120).
9. The Board of County Commissioners in each county of the state shall annually appropriate sufficient funds to administer the Colorado Works

Program and meet their Maintenance of Effort (MOE) as required by the federal government. Each Board will adopt official written policies for implementing aspects of the Colorado Works Program that counties have the statutory authority and flexibility to determine. ...(26-2-716).

10. Each county must establish a conflict resolution process for resolving grievances against the county departments concerning responses to reports of child abuse and neglect and the staff performance of duties in this area (19-3-211).

C. Summary of Key County Social Services Department Statutes

1. There shall be established in each county, a county department of social services which shall consist of a County Board, a county director, and such additional employees as necessary for the efficient performance of public assistance and social services ...(26-1-115 (1)).
2. The county director, with the approval of the County Board, shall appoint such staff as may be necessary as determined by the appropriate state department rules to administer public assistance and welfare, medical assistance and child welfare activities within his or her county. Such staff shall be appointed and shall serve in accordance with a merit system for the selection, retention, and promotion of county department employees. The salaries shall be affixed by the county commissioners ...(26-1-119).
3. The county departments shall serve as agents of the State Department and shall be charged with the administration of public assistance and welfare in accordance with the rules and regulations of the State Department ...(26-1-118 (1)).
4. The county departments shall make an assistance award to or on behalf of eligible applicants to be paid at least monthly from funds appropriated and pursuant to the rules and regulations of the State Department ...(26-2-108 (1) (c) (d)).
5. The county department is responsible for provision of social services as prescribed by State Department rules and regulations ...(26-2-108 (2)).
6. The county department is responsible for determining eligibility for benefits under the Colorado Medical Assistance Act for recipients residing in that county. . . (26-4-107 (1)).
7. County departments shall keep such records and account in relation to the costs of administering assistance payments, the costs of administering food assistance, and the costs of administering social services as the State Department shall prescribe by rules and regulations. All administrative costs shall be allocated, under the rules of the State Department, to either performance of assistance payments functions, or the performance of social services functions (26-1-122 (3) (a)).

RULES VS PRACTICE IN SOCIAL SERVICES PROGRAMS

The County Board of Social Services must follow Colorado Statute in the performance of its duties. In addition, any rule that is approved by the Colorado State Board of Human Services has the force of law and must be carried out by the Board of Social Services. The law and rule dictate what must be done. All rules appear in one of the State Department's staff manuals. In Colorado, all of the rules are promulgated according to the Administrative Procedures Act, and reviewed by the Legislative Legal Services Committee for conformity with state statute. They are then published in the Colorado Code of Regulations (CCR) with assigned nomenclature consistent with the Colorado Revised Statutes. Each county attorney and county department of social services should maintain at least one copy of the CCR for reference.

Practice requires a choice by the decision maker on how to accomplish what must be done by rule. In any practice, there is more than one way for managers, administrators and staff to achieve the desired goal. "Good Practice" is the desired course of action recommended by experts who have the practical experience, knowledge, and training to have demonstrated good judgment in making decisions on how to implement the rule. Since the State Department is charged with administrative supervision of all social service programs, state program specialists also set practice standards. In a state-supervised/county-administered system, the county departments have a choice on how to design practice.

HANDLING OF PERSONNEL

On January 1, 2001, the former Colorado Merit System governing personnel practices in county departments of social services was abolished. Each county now operates under a county personnel system that meets federal requirements for a merit system for the selection, retention, and promotions of employees of the county department as a condition of receiving federal funds. The Board of Social Services has specific responsibilities to address the following:

A. The County Board Appoints County Director

The County Board appoints, evaluates, and monitors the county social services director who is charged with the executive and administrative duties and responsibilities of the county department. The county director shall serve as the secretary to the Board (26-1-117). The director, with the approval of the Board, shall appoint staff to carry out the responsibilities of the county department (26-1-119). The necessary qualifications and salary level of the director's position is determined by the Board. Field Administrators serving the county can, and often do, assist the Board in the recruitment, selection and training of a new director.

B. The County Board Develops Merit Personnel System

The County Board is responsible for developing a merit system for the selection, retention, and promotion of employees of the county departments that meets federal criteria (26-1-120):

1. The recruitment, selection, and advancement of employees shall be on the basis of relative abilities, knowledge, and skills;
2. The system shall provide equitable and adequate compensation;
3. The employees shall be trained as needed to assure high quality performance;
4. The system shall provide for retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected;
5. The system shall assure fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, religious creed, age, or disability and with proper regard for the privacy and constitutional rights of such persons or citizens. This fair treatment principle shall include compliance with all federal equal opportunity and nondiscrimination laws; and,
6. The system shall assure that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the results of an election or a nomination for office.

Most counties elected to create one personnel system for all county employees that meets the federal criteria. Several counties operate a separate personnel system for their county department of social services.

C. Personnel Administrative Requirements:

- Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et. seq.
- The Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.
- The Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 et. seq.
- The Fair Labor Standards Act of 1938, 29 U.S.C. 201 et seq.
- Equal Pay Act of 1963, 29 U.S.C. 206 et. seq.
- Family Medical Leave Act of 1993, 29 U.S.C. 2611 et. seq.
- The Americans With Disabilities Act of 1990, 42 U.S.C. 12101 et. seq.
- Standards for a Merit System of Personnel Administration. Title 5, C.F.R., 900.601 et. seq.
- Immigration Reform and Control Act of 1986, Title 8, C.F.R. 274 et. seq.

- Conflict of Interest Colorado Revised Statute 18-8-308
- Public Records Act, Colorado Revised Statute 24-72-101 et. seq.
- Inspection of Records Colorado Revised Statute 24-72-201 et. seq.

D. Conflict of Interest

County Board members and the county's Director of Social Services should be aware of, and avoid, situations or decisions that are, or can be perceived as, a conflict of interest. The County Board should develop policies and procedures for themselves that address the conflict. They should also adopt similar policies for the county director and social services staff that pertain to their job duties and responsibilities. The first obligation for a Board member, director or employee involved in a potential conflict is to reveal the conflict so it can be addressed. The second obligation is to remove oneself from a decision-making role that would produce the conflict.

A conflict of interest includes situations where friends, relatives, family members, or political allies seek benefits, employment, or special consideration from the county department of social services. Other conflicts include situations where a Board member, the director, or an employee can personally or financially benefit from a Board transaction or department decision pertaining to social service business. Remember, that even the appearance of impropriety to the public can be construed as a conflict. Board members or a county director involved in a potential conflict should seek legal advice and guidance from the county attorney. The county director should identify and address any conflicts involving county department staff.

E. Dealing with Fraud and Embezzlement

Since social services programs have cash and monetary benefits that are based on eligibility requirements, clients sometimes misrepresent their income, resources, or assets in order to receive benefits they are not entitled to. Sometimes, they make mistakes that result in overpayments. In either case, the department of social services has an obligation to pursue collection and/or prosecution.

- *Reporting Fraud* – Colorado law provides that it is the duty of every “person who has reasonable grounds to believe a crime has been committed to report the suspected crime promptly to law enforcement authorities.” The person who makes such a report in good faith is immune from liability for making the report. (18-8-115). There is no penalty for failing to report such knowledge.
- *Location and Prosecution* - The law provides that “all local governments shall cooperate in the location and prosecution of any person who has fraudulently obtained public assistance.”

- *Client Confession* - If a client confesses to a staff person during an interview, the same principles apply. There is a duty to report, but no penalty for failure to report. The confession by the client would not be confidential, and the staff person could be required to testify in court if there was criminal prosecution.
- *Fraud Investigator* – Many county departments of social services hire a fraud investigator to check out fraudulent situations or those where an error has resulted in an overpayment. The Fraud Investigator can assist the district attorneys office in preparing for criminal prosecution. Many times, clients will agree to voluntarily pay back the benefits received, if there is no criminal prosecution. This would have to be approved by the district attorney.
- *Employee Embezzlement* – If a staff member is suspected of a crime, there is a duty to report the crime to law enforcement, but no penalty if the crime is not reported. Under State fiscal rules, State employees have a duty to report theft and embezzlement, and failure to do so can lead to disciplinary action. Counties should adopt similar policies for their employees. This becomes more difficult if the employees alleged illegal activity takes place away from work and does not directly involve job duties. Counties should have a policy that disciplines county employees for illegal activities away from work.
- *Medicaid Fraud* – Health Care Policy and Financing, which administers the Colorado Medical Assistance program has a Program Integrity Unit that has the responsibility of ensuring that Medicaid services are provided in accordance with State and federal rules, regulations and mandates. This unit is committed to fighting provider fraud and abuse by recovering overpayments of non-covered Medicaid services and referring cases to the Medicaid Fraud Control Unit attached to the Attorney General's Office. The Fraud Control Unit is charged with the responsibility of detecting, investigating, auditing and prosecuting all types of Medicaid provider fraud and facility patient abuse. Pursuit of client fraud is the responsibility of the county department and district attorney's office.

LIABILITY ISSUES FOR COUNTY DIRECTOR AND BOARD

The County Board and director incur a certain amount of liability in operating a county department because of the social and legal issues involved in providing social services to county citizens. The best protection against lawsuits for the board and the director is for the board to appoint a competent, well-qualified director who will perform the job duties and responsibilities in accordance with the State Board of Human Service's rules and Colorado Statute. There are three broad areas that afford protection for Boards and directors: director's statutory duties as an agent of the state; legal counsel for any civil suits; and errors and omissions insurance. In addition, if the director knows state law and federal regulation and follows them, there will be protection. We suggest that the board also adopt policies to protect the agency from liability.

A. Statutory Duties as an Agent of the State

The law itself provides county directors protection because specific activities and duties are prescribed in the director's performance of duties. In CRS 26-1-118, the duties of the county director are spelled out:

- The director serves as an agent of the State Department of Human Services in the administration of human services programs as long as they are administered in accordance with State Department rules.
- Serves as an officer or agent of the court when appointed by a court of competent jurisdiction and shall perform under the supervision of the court in any social service matters before the court. This is particularly important in adult and child protection, juvenile actions and adoptions. When acting on the orders of the court, directors have considerable protection.
- The director is authorized by statute to receive children into foster placement as long as it is done in writing and on forms prescribed by the state department. This protects directors from charges of unlawfully seizing children as long as they and their staff follow the laws for assuming custody of children.
- The director is required to report fraudulent activities to the District Attorney. The director serves as the agency appointing authority and shall appoint such staff as necessary for the administration of human services in his or her county (CRS 26-1-119). The director also has the responsibility for approving any employee action, including promotions, demotions, disciplinary actions and termination. Although a disgruntled employee may file a lawsuit against the appointing authority, he or she would have to prove that the director went beyond his or her statutory duties or acted without cause.
- The director is governed by rules of confidentiality that are spelled out in CRS 26-1-114, and dictate the protection of client information and the conditions under which information can be released.
- In matters pertaining to the performance of duties in child protection, the director is immune from any liability, civil or criminal, or termination of employment as stated in CRS 19-3-309, unless a court of competent jurisdiction determines that the director's behavior was willful, wanton, or malicious. The acts are presumed to be carried out in good faith.
- The county director is the chief budget officer of the county department as prescribed in CRS 26-1-124. The director will prepare the budget and submit it to the county board for approval. Even if the director does not prepare the budget, he or she is clearly responsible for its contents. The director authorizes all agency expenditures and should be bonded as a protection. The County Board is the official governing body for social services and as such is ultimately responsible for what happens in the department. It hires and fires the director and is accountable for this person's actions. See CRS 26-1-116.

B. Legal Counsel in Civil Suits

Despite the statutory protection for directors, anyone in America can be sued for actions taken, or for a failure to take an action. It does not happen often, but it certainly can happen at any time when a director carries out statutory duties, even when performed according to statute and state rules. There are several ways to deal with lawsuits:

- The County Department attorney can represent the director as long as the litigious event occurred while the director was on duty or acting in his or her official duty as county director. This could be paid for out of the county department budget or out of county government funds.
- Often, the County Board is sued along with the County Director. The county attorney hired by the County Board of Social Services could represent the Board and the county director. There is a board/employee relationship in this case. The interests of the board can best be served by protecting the interest of the director. Funds could come from the County General Fund or the Social Services fund.
- The county could negotiate a contract with a specialist to represent both the Board and the director. These issues could be spelled out in an employment contract.
- Colorado Counties Incorporated (CCI) has property and casualty insurance coverage and contracts with law firms to represent counties.
- Sometimes, the State is also named in the same lawsuit with the county and is represented by the Attorney General's Office. The Attorney General can elect to have a Deputy Attorney General represent a state employee, or contract with a private firm that specializes in tort law. In either case, the AG does not purport to represent the county department or the County Board, despite law that defines the county as an agent of the state. However, the county can join the State in the addressing the issue, or the county can wait for the state to resolve the issue which can set a precedent for the county.

C. Errors and Omissions Insurance

It is often prudent for the County Board to purchase errors and omissions in insurance that protects the director from losses should a lawsuit occur. This can be handled in several ways:

- The director could be covered in a general liability policy purchased by the County Commissioners. This could be negotiated in an employment contract. The director could purchase his or her own policy for self and staff out of county administration funds.
- The director could purchase a liability policy from a professional organization like the National Association of Social Workers based on the personal credentials of the director.
- Most policies have an exclusion clause that renders the coverage void if the director is found by the court to have acted with willful, wanton, or malicious behavior.

D. Knowledge of the Statutes and Federal Regulations

The board can minimize liability by ensuring that the following Colorado statutes and federal laws are adhered to:

- Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et. seq.
- The Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.
- The Age Discrimination in Employment Act of 1967, 29 U.S.C. 621 et. seq.
- The Fair Labor Standards Act of 1938, 29 U.S.C. 201 et seq.
- Equal Pay Act of 1963, 29 U.S.C. 206 et. seq.
- Family Medical Leave Act of 1993, 29 U.S.C. 2611 et. seq.
- The Americans With Disabilities Act of 1990, 42 U.S.C. 12101 et. seq.
- Standards for a Merit System of Personnel Administration. Title 5, C.F.R., 900.601 et. seq.
- Immigration Reform and Control Act of 1986, Title 8, C.F.R. 274 et. seq.
- Conflict of Interest Colorado Revised Statute 18-8-308
- Public Records Act, Colorado Revised Statute 24-72-101 et. seq.
- Inspection of Records Colorado Revised Statute 24-72-201 et. seq.

E. Adopt Personnel Policies

The Board should also consider limiting liability by adopting policies that address the following:

- Conflict of Interest (employee)
- Conflict of Interest (commissioners)
- Employee Conduct
- Hiring of Relatives
- Outside Compensation
- Outside Employment
- Sexual Harassment or Other Harassment
- Substance Abuse
- Grievance Procedure
- Corrective and Disciplinary Action
- Violence in the Workplace
- Duty to Report

STATE/COUNTY COMMUNICATIONS

Since county departments of social services are agents of the state and supervised by CDHS, communications between the two entities is vitally important. Rules, policy, policy interpretation, practice, financial information, forms, data, and many types of information must be shared routinely, and as needed. Communications occurs in several ways:

1. **Department Rules** – Rules formally adopted by the Executive Director or the State Board of Human Services in accordance with the Administrative Procedures Act are distributed to county staff by Transmittal Letter. The Transmittal Letter cover page contains the statement of basis and purpose for the rule being transmitted, as well as specific instructions for removal and replacement of existing pages of the staff manual being revised. The Department does not provide new or replacement copies of the complete Staff Manual Volumes. Complete copies must be purchased from the Public Records Corporation, 717 Seventeenth Street, Suite 1620, Denver, CO 80202, 303-222-3200. Although these Transmittal Letters serve as the Department's official distribution system for rules, they are *not* the agency's official published version of CDHS rules. The official rules are those published in the Colorado Code of Regulations (CCR). Agencies can purchase CCR Manuals from the Public Records Corporation.
2. **Agency Letters** – Agency Letters are a formal written way to transmit program specific policy clarification, procedural information, requests for action or information, data system information, and general information of interest to county staff, providers, or other designated agencies. Agency Letters are identified by a program area numeric identifier and are sequentially numbered by year, month and type of agency letter ("I" for Information Only; "A" for Action Required; and "P" for Procedure). There is also a program alphabetic identifier for the program that initiated the letter (CW for Child Welfare, etc.). Agency Letters are reviewed and signed by respective CDHS managers prior to distribution to insure accuracy and program coordination.
3. **Letters and Memorandums** – Some formal communication occurs through the mailing of letters addressed to county directors for county specific issues, or statewide issues that pertain to all counties. These letters either provide important information or request a specific action on the part of the county director or staff. Program staff also sends out memorandums to county directors and county staff providing program information. These could also request specific action from the county.

4. **Meetings and Telecommunications**– A great deal of business is conducted through meetings. Face to face meetings can be used successfully to convey information, obtain feedback on policy and practice, develop relationships and make decisions about policy and practice issues when the right participants are present. Since face to face meetings are costly in terms of time and travel, strong consideration should be given to using telephone and televideo conferences whenever feasible. CDHS now has eight sites that are free to users, except for the long distance charges. There are many other sites in more remote areas of Colorado that can be used to connect with the department's system.
5. **Email and Internet Websites** – Every county department has computers that are connected to CDHS. The Novell GroupWise e-mail system is available through Colorado Trails (CDHS's automated child welfare information system). E-mail communication is quick, efficient and timely. Internet e-mail is also available and is easy to use. CDHS also now posts rules, agency letters, and program and practice information on our website (www.cdhs.state.co.us). These documents are easily downloaded from the Internet.

TRAINING AND STAFF DEVELOPMENT

Staff cannot perform to their maximum potential without good training on the theory and practice of their job. Since county departments hire and supervise staff, they have the primary responsibility for coordinating the training them. Mandatory program training is established, developed and generally presented by CDHS or a contractor, but the county department must provide the time and resources for the training. CDHS has a number of trainers who work with contractors to develop training modules for new caseworkers, new eligibility technicians, and ongoing assistance payments and social services staff. Training can occur in face-to-face sessions, through interactive teleconferences or by computer based training.

It is generally considered good practice for each county department to build a strong staff development program. This helps staff to increase their skills, prepare for promotions and increase their responsibilities. As staff learn more specialized skills, they become more valuable to the agency and maintain a better attitude about the work they perform. Money for training and staff development is an investment in human resources and a productive future.

CDHS Sponsored Training

To assist the county departments in meeting the below-defined training requirements, the Colorado Department of Human Services offers all of the required courses plus a host of specialized training. Except for computer based training, the new worker and the new supervisor core series, county departments are not required to send workers, supervisors, foster parents or kinship care providers to the state offered training. While CDHS offers many training opportunities, the county DHS may provide the training themselves or contract with any training provider.

NEWLY HIRED SOCIAL CASEWORKERS

The county department shall ensure that newly hired social caseworkers who work with children, youth and families complete the following required training:

- Complete the 40 hours of Computer Based Training (CBT) before accepting their first case. The CBT is updated annually and sent to each county department on a CD ROM.
- Core 1 - "Family-Centered Child Welfare," must be completed within three months of hire date.
- Core 2 - "Case Planning and Family-Centered Casework," must begin by the sixth month of hire and be completed by the eighth month of hire.
- Core 3 – "The Effects of Abuse and Neglect of Child Development," must begin by the sixth month of hire and be completed by the eighth month of hire.
- Core 4 – "Separation, Placement and Reunification in Child Welfare," must be completed within twelve months of hire.
- Legal training on the court processes and testifying must be completed within twelve months of hire.
- Sixty hours of structured on-the-job training, conducted by social services supervisors. The on-the-job training must begin within one month of the date of hire and be completed within four months from the date of hire.

NEWLY HIRED OR PROMOTED SOCIAL SERVICES SUPERVISORS

The county department shall ensure that newly hired or promoted social services supervisors, who have responsibility for supervising social caseworkers who work with children, youth and families, complete the supervisory training that is required by CDHS. This training includes, Administrative Supervision,

Consultation and Supervision, Supportive Supervision, and Educational Supervision. These courses must be completed within six month of hire or promotion.

FOSTER PARENT AND KINSHIP CARE PROVIDERS

- Foster Parents must complete twelve hours of pre-certification training before receiving a child(ren) in their home.
- Kinship Care Providers and Child Specific Placements must complete twelve hours of pre-certification training within 60 days of receiving a child(ren) in their home.

ONGOING TRAINING REQUIREMENTS

- All experienced social caseworkers that work with children, youth and families complete at least six hours of ongoing in-service training per year.
- Foster Parents and Kinship Care providers are required to complete twenty hours of ongoing training annually. The ongoing training need not be traditional classroom training.

The training courses provided by the Colorado Department of Human Services are listed and described in the CDHS training schedule that is mailed out every six months. Training is provided at no cost for employees of the County Departments of Human /Social Services. You may also access this training information on the web at:

<http://www.cdhs.state.co.us/cyf/cwelfare/ScheduleFrame.html> .

CONFIDENTIALITY ISSUES

A. General Guidelines

Since the director serves as chief executive officer of the county department and the Board oversees the operation, they have access to a lot of private, confidential information about county citizens. With this in mind, it may be helpful to review the two fundamental principles that govern access to and release of this information. The first principle is the *“right to know.”* Certain designated agency personnel have the legal right to access and share private information in the conduct of their business. This right is conveyed by federal regulation, state law or by rule. To serve the clients effectively, the staff must be able to use this private information to provide, or make referral for, the services the client has applied for or is receiving. The second principle is the *“need to know.”* Even

though a party has the 'right to know' by strict definition within statute, this doesn't automatically give them legal access to the information. There must also be a 'need to know.' In other words, a caseworker within an agency may have a right to know certain confidential client information by virtue of their position, but unless the caseworker is assigned responsibility for that particular client, there is not a "need to know" the information. Likewise, the county director has the right to know, but shouldn't review anyone's private information unless there is a specific reason to do so.

A third principle governing review and release of information pertains to the source of the information. *Information about a client must always be obtained directly from the source that generated the information.* If the county staff needs information about a client in order to provide services, the staff should obtain the information directly from the client. That way, the client has an opportunity to weigh the issues before revealing information so the right to privacy is protected. Likewise, if there is confidential information in the case record about a client generated by a third party, such as a physician or a therapist, any third party who has both a right to know and a need to know the information must obtain the information directly from the physician or therapist, not from the agency's case record, even if the third party has a release of confidential information signed by the client.

B. Client Specific Information is Considered Confidential

Client specific information secured by the county department is, in general, deemed confidential by both federal regulations and Colorado Statutes. The Board or county Director may share client information only when the person of interest, or a legally authorized representative, has consented in writing to the disclosure. Given the nature of the information that may be disclosed, obtaining informed consent is always the preferred method of sharing information. Informed consent contains specific information that indicates to the client the nature of the disclosure. These elements include:

- The name of the person who is the subject of the disclosure;
- The name of the agency providing the information;
- The name of the agency receiving the information;
- The purpose of the disclosure;
- The type(s) of information to be disclosed;
- The duration of the consent or the circumstances under which the consent expires;
- The ability to revoke consent to the extent that it has not been relied upon;
- The date when the consent was signed; and
- The signature of the person in interest, or other person legally authorized to sign on the person's behalf.

The information disclosed can only be used for purposes directly connected with the administration of public assistance, social services and welfare activities. The State Department, by rule, allows certain specific exceptions to this general

principle and the law specifically requires the sharing of information with other authorized agencies when matters of child protection are at issue. In general, however, release of client specific information is permitted only under tightly controlled circumstances. Prior to any possible release of client specific information to or by the Board of Social Services, the Board should request the director and county attorney to advise them on the lawfulness of such release.

Regardless of what authority is invoked to release information, only information that is directly related to the legitimate stated purpose of the disclosure should be released. There must be a legitimate "need to know" the information that is requested and the person seeking the information must be authorized by the agency to ask. It is the responsibility of each party involved in the release to ensure that only the relevant information is shared. The County Board should not seek or obtain confidential information without a specific stated purpose directly related to their role as a Board member. Even when a client asks a Board member to intervene on their behalf with the county department, the Board should make it a practice to obtain a written release whenever possible.

C. Case and Budget Data is considered Public Information

General information not identified with any individual is not confidential and may be released to the community: This includes:

1. Number of recipients;
2. Statistical data obtained from studies;
3. Social data obtained from studies, reports or surveys;
4. Expenditures by categories of assistance;
5. Expenditures for administration;
6. Salaries for categories of paid employees;
7. Sum of all department expenditures;
8. County department budget.

KEY SOCIAL SERVICE PROGRAMS

The new Director and Board of Social Services needs to have a basic understanding of the programs and services provided by the county department to eligible clients. All of the programs are listed in the chart at the end of the Director's section. The chart has the important information about services, funding and whether the program is mandated or optional. The following are programs that have a high profile, potential for liability or risk of over expenditure. These are the programs that can make the newspaper, generate complaints, and have the most potential to dramatically affect the county budget.

Child Protection Program - This is a mandated program that must be administered 24 hours per day. The department has the legal responsibility for assessing the need for protective services to children who are abused or neglected by their caretaker. The department must

take steps to provide protection to them in the home or by placing them in a safe environment through court action. This service requires highly trained, skilled workers with veteran supervisors or consultants. Unhappy parents or relatives generate many of the complaints. The Board and Director should know the level of competence and experience of the staff and the leadership provided by supervisors and administration. They should also review the relationship with schools, professionals and law enforcement in the county. Are there memos of understanding that spell out mutual roles and responsibilities between DSS and other agencies, particularly law enforcement? Is there a child protection team that functions in accordance with all legal requirements? How does the team function on a practical level? Does it have the necessary membership and expertise to do a good job? What is the department's relationship with the court? The new director should examine the agency philosophy about legal intervention and compare data with like-sized counties.

Permanency Planning -Colorado values the expedited permanency planning for young children who cannot live with their birth parents. It is the county department's responsibility to facilitate permanency planning with relatives or adoptive parents in a timely way through the courts. The Board and/or new Director should review the philosophy of the county in regard to permanency planning. How many children are involved in expedited permanency planning? Are all legal mandates being met? How many subsidized adoption cases does the county have? What are the expenditures? What efforts are being made by staff to involve relatives and grandparents in placement? Are there components in the Colorado Works program that support this effort?

Adult Protection-This program is designed to protect adults from abuse, exploitation and neglect, including self-neglect. In general, counties have traditionally under staffed this function. The Board and/or new Director should review the caseload and staff assigned. More particularly, they should analyze the types and numbers of cases. Are there enough staff assigned to do a good job? Is there a functioning Adult Protection Team? If so, who sits on it and how well does it function? What is the role of community agencies and law enforcement in reporting and responding to adult protection issues? Does the department assume guardianships and conservatorships for clients, or do other community agencies and families assume this role? What about access to legal services?

Child Care-This is the program that licenses and funds child care for working parents, children who need special services, or parents who need respite care. There is a correlation between a successful Colorado Works program that has many parents in a work activity and the number of child care slots available in the community. The County Board and/or new Director should determine who licenses child care facilities in the county. Does the county do it, or is it done by CDHS? How many licensed group facilities, family child care homes, and relative care homes are in the county? Is this adequate to meet the need? If not, the department needs to determine ways to increase the number and quality. Are there sufficient funds to pay for the placements in the child care block grant? How much

money did the agency transfer from the TANF block grant? If there is not enough money for child care, strong consideration should be given to the transfer of TANF funds to the Child Care Block grant. It is important to understand the concept of Maintenance of Effort here and in the TANF block grant.

Colorado Works—“Welfare reform” of the old Aid to Families with Dependent Children's (AFDC) program into the Temporary Assistance to Needy Families (TANF) program occurring in 1997 is the single most significant welfare reform in the last forty years. The program shifted to a work-first emphasis with a lifetime limit of 5 years of cash assistance per family. Responsibility for becoming self-sufficient was placed squarely on the shoulders of the client through the development and signing of an Individual Responsibility Contract (IRC). If the client fails to meet the terms of the contract, he or she is subject to a fiscal sanction/termination of services. In Colorado, administration of the program was delegated to the counties including control of the program design and policies governing the program. In addition, funds to pay for program costs and administration was block-granted to the county. This program offers maximum flexibility with an opportunity for creative options. The Board is responsible for signing a Memorandum of Understanding with CDHS and approving the local plan and required policies.

The Board and/or new Director should review the county Colorado Works plan and policies. Make sure everyone understands the concepts of block grant, reserve funds, transfer policies and Maintenance of Effort (MOE). The MOE is the amount of county funds, as determined by a formula, required to be expended before state or federal funds can be spent. Review the county's one-parent and two-parent work participation rates. The state must meet or exceed the federally established rate to avoid a fiscal penalty. There is wide latitude in the administration of this program and it should be designed to give clients various skills and work opportunities. It is a good idea to review the local attitudes and philosophy towards work and disabilities. The Board and/or new Director can also benefit from reviewing other county plans and policies.

Child Support Enforcement -This program is designed to collect child support payments from absent parents in households receiving TANF assistance and from other non-TANF households in the community on behalf of the providing parent. Since this program assures that absent parents pay all or part of their children's maintenance costs, it is an important one for county departments. Collections from paying parents offset program costs and increase the department's fund balance. The Board and/or new Director should review the performance of this program to be sure it is effective and generating maximum support for the children.

County Allocations— Eighty percent funding of programs, staff, and services is provided by the state through an allocation process. In the case of child welfare services, TANF, and child care, it is a block grant. The child welfare block grant pays for out of home placement expenses, subsidized adoption, and core services. The Director and Board should

review all of the expenditures for the block grants. If there is an over expenditure, the county may have to pay for it using county dollars in excess of the 20 percent raised by the mill levy. What mechanism is used to control expenditures? What other funding options exist?

The CDHS **County Commissioner Liaison** serves as a direct point of contact between County Commissioners and the Executive Management of the State Department of Human Services on issues of mutual concern or interest. In addition, the position serves as the Department's liaison to Colorado Counties, Inc. (CCI). As County Commissioners have questions about human service programs or their responsibilities with regard to those programs, they are encouraged to contact the County Commissioner Liaison, John Bernhart, at phone # 303866-3985, fax # 303-866-4214, or by email to: john.bernhart@state.co.us.

FIELD ADMINISTRATION DIVISION

The Field Administration Division of the Office of Performance Improvement is the official liaison between the Executive Management of the Colorado Department of Human Services and the local agencies that administer the programs that are supervised and funded by CDHS. They work directly with county departments of social services and area agencies on aging. Upon request, they also provide facilitation and mediation services to their primary customers when involved in a dispute with other community providers, such as Mental Health agencies, Community Centered Boards, and Substance Abuse providers. The Division's focus is to facilitate good working relationships among community agency providers that results in seamless services for clients and avoids service gaps and costly duplication. Since the Field Administrators work regularly in the community, they are in a position to know the issues, the key players and the local politics. This is also helpful when they provide management consultation to their customers.

A. Role and Responsibilities

The Field Administrators meet with agencies in their assigned geographic regions and provide the following services as needed:

- Management and program consultation to assist the Director and Board of Social Services to implement state policy and operate an effective administration;
- Technical assistance to the director and staff that focuses on performance indicators, results and outcomes. This gives the director, staff and the Board data that can be used to measure program effectiveness and benefits to the recipients of services;

- Technical assistance to solve identified problems within the agency, with the community, the Board, other agencies, or with state staff. This includes the provision of facilitation and mediation services in conflict resolution. Communication of CDHS values, policy, information and program issues to local agencies and Boards through various mediums is also provided. Field Administrators also convey feedback to CDHS Executive Managers from local agencies on the effect of CDHS policy on local operations;
- Orientation of County Boards of Social Services regarding CDHS and their role in the delivery of services;
- Assist County Boards to recruit and select new county directors; and
- Orient and train new directors appointed by the Board to assure that they have the body of knowledge necessary for administration of the county departments during the first year in office.

B. Structure and Organization

The State is divided into nine geographic regions with one Field Administrator (FA) assigned to serve each region. It is the responsibility of the field administrator to become knowledgeable about each agency in his/her region and to develop tools and resources that help with the operational issues that confront these agencies. Each Field Administrator serves as a liaison to either the administration, adult services, or children, youth and families clusters so that a greater level of specific program knowledge will be readily available to the unit and through the unit to the counties/regions.

Field Administration operates within the Office of Performance Improvement under the direction of the County Commissioner Liaison. Refer to Appendices for specific assignments and the district map.

Revised June 2002

COUNTY COMMISSIONERS

Overview Of A Governing Board Role

County Board Oversight Function

- A. County Board of Social Services Mandated**
- B. Board Elects Chair and Records Minutes**
- C. Regular Board Meetings Recommended**

County Board Sets Policy For County DSS

- A. Board Adopts County Budget as Planning Document**
- B. Personnel Policies**
- C. Colorado Works Program**
- D. Citizens Review Panel**

Fiscal Responsibilities

- A. Appropriates Funds**
- B. State Reviews County Budget**
- C. Board Reviews Finances**

Relationship With County Director

Dealing With Media, Public, Clients, And Complaints

- A. Client Complaints**
- B. Public Information**

COMMISSIONERS

OVERVIEW OF A GOVERNING BOARD ROLE

Governing boards, whether private nonprofit or governmental, have the same basic areas of responsibilities. At a minimum, they must address the following:

- The Board determines the organization's vision, purpose and mission. In the case of County Boards of Social Services, the purpose and mission is primarily determined by state statute and CDHS;
- The Board sets policies and adopts plans for the agency's operations, including personnel plans;
- The Board approves the budget, establishes fiscal policies, including personnel compensation and monitors the expenditures and revenues;
- Board provides adequate resources for the agency's operation, including office space and operating funds; and,
- Recruits, hires, evaluates, rewards, or terminates, if necessary, the executive director of the agency.

The local agencies that provide service to eligible citizens are private nonprofit or governmental entities. The board members are either elected or appointed. If the agency is a 501 (c) (3) agency, the board must act according to the approved by-laws and policy. If it is a governmental agency, the board must act according to state statute, CDHS policy and board policy. In either case, the board assumes fiscal and legal responsibility for the agency's operation and signs contracts or grants with CDHS and other funding sources.

COUNTY BOARD OVERSIGHT FUNCTION

County Board of Social Services Mandated -- According to state statute (26-1-115) There shall be established in each county of the state, a county department of social services which shall consist of a County Board of Social Services, a County Director of Social Services, and additional employees as may be necessary for the efficient performance of public assistance and welfare activities, including but not limited to assistance payments, food stamps, and social services. The counties may form one or more counties into a district or operate all or part of another's county's duties through a contract or memorandum of understanding.

Board Elects Chair and Records Minutes -- When the Board oversees county department business, it must convene as the Board of Social Services, (not the Board of County Commissioners), elect a Board chair and record official minutes of business conducted. Other county business is conducted as the Board of County Commissioners. The meetings of the County Board of Social Services

are public just like those of the Board of Commissioners, unless the County Board votes to go into executive session to consider legal or personnel matters. If they do, they must reconvene as the Board of Social Services and report out any decisions made in the executive session before the meeting is officially adjourned. The Board may require the county director to act as secretary to the Board to keep Board minutes. Regardless of who acts as secretary, the Board is required to keep official minutes of each Board meeting.

Regular Board Meetings Recommended – Colorado statute does not require that the Board of Social Services meet regularly. It does require the Board to adopt an annual budget and to approve the monthly warrants and payrolls. CDHS recommends that the Board meet monthly with the county director to monitor caseload and financial data and to oversee agency operations. This is essential to effectively monitor the county department's performance and the director's performance.

COUNTY BOARD SETS POLICY FOR COUNTY DSS

As mentioned earlier, the County Board must implement state statute, State Board of Human Services' rules, and CDHS policy. Much authority has been delegated to the Board to determine how to implement state policy. This is particularly true of Colorado Works. Here are the primary programs and types of policies determined by the Board:

Board Adopts County Budget as Planning Document– The annual budget is the most important planning document the Board deals with since it sets program and service priorities through funding decisions that set the level of county participation. Even for mandated programs, the Board still has discretion about how to staff and support these functions. State statute (30-17-101 thru 108) also provides for a discretionary financial assistance program for the poor who reside in the county that is totally funded and controlled by the County Board of Social Services. (This is generally referred to as the General Assistance fund.) The Board determines standards and guidelines used in funding decisions.

Personnel Policies – Since January 2001, the Board has the authority and responsibility to establish a personnel system for the county department that is based on the federal merit principles covered in the introductory section of this manual. The Board sets the salary work hours, leave, medical, and retirement benefits and determines the amount and frequency of salary increases as long as the system is administered according to the merit principles. Except for the caseworker series, the Board also sets job descriptions and minimum job requirements. Colorado requires that caseworkers have at least a bachelor's degree in human behavior or social work in order to provide child welfare services.

Since the county director serves at the pleasure of the Board and was outside of the Colorado Merit System when it was abolished, the Board can set the director's requirements and compensation. Some Boards choose to contract with the director while others treat the director as a county department head within the county personnel system.

Colorado Works Program – The Colorado Legislature in 1997 delegated responsibility and authority for implementing the federal Welfare Reform legislation to counties. CDHS still establishes the rules, passes on federal funds, provides technical assistance and monitors the program results, but the spending authority for the TANF funds is delegated to the counties through allocated block grants. The county is responsible for choosing the program components not already mandated by state policy that will best work for their client population and fits with the Board's philosophy. The Board must sign an annual Memorandum of Understanding with CDHS, which authorizes the County to operate the program. In addition, the Board approves the county annual plan and program policies that implement the plan, including a client appeal processes.

Citizen's Review Panel – Each County Board is responsible for appointing a Citizen's Review Panel to hear complaints about the behavior and treatment of child welfare clients by the county department's staff. The law was enacted to give the complainant an independent forum in which to review "the conduct of an employee of a county department of social services in performing his/her duties under Article 3 of the Children's Code." The Board sets policy on the membership and operation of the panel.

FISCAL RESPONSIBILITIES

The Board approves the budget, establishes fiscal policies, including setting the personnel compensation plan, and monitors expenditures and revenues:

Appropriates Funds – The Board is required to annually appropriate the funds necessary to defray the costs of the provision of social services to county citizens. **In general, this is about 20 percent of the costs of the services provided.** The primary source of county funds comes from the mill levy of property taxes in the county. The Board has the authority to levy this tax for social services and other county programs. The Board must appropriate sufficient funds to cover the Maintenance of Effort (MOE) required in the TANF and child care block grants.

State Reviews County Budget – before the Board adopts the annual social services budget, it shall be submitted by the County Board to CDHS for review (26-1-124). The budget is first submitted to the Field Administration Division for review. The review shall include an assessment as to whether the budget includes adequate funding for the county's

Maintenance of Effort for the Colorado Works and child care programs. Any errors in the budget will also be identified.

Board Reviews Finances – County Boards are responsible to review the county director’s monthly summary of expenditures and warrants written plus a monthly summary of benefit authorizations (Vol. 5.101.32). It is good practice to meet monthly with the county director to review caseloads, the monthly expenditures and program results. This is an opportunity for the Board and the director to communicate policy, important issues, and recent developments and trends.

RELATIONSHIP WITH COUNTY DIRECTOR

Selection of a county director is one of the most important decisions the County Board of Social Services has to make. The Board’s motivation for hiring an executive director is to have an expert help with managing the organization and provide the skills and support necessary to achieve the county department’s mission, goals and objectives in serving eligible recipients. A strong, highly skilled director provides the following essential functions:

Planning – The director provides sound fiscal planning through development of the annual budget. The director is key in helping staff work together to accomplish goals and achieve program objectives. The director communicates the vision, purpose, strategies and timelines for achieving program outcomes.

Organizing – The director is responsible for determining the human and other resources necessary to accomplish the agency’s plans, projects, and services’ goals. He or she should also try to fit staff in the right positions for the agency and for their personal growth and satisfaction.

Leadership – The director inspires, motivates, and leads staff to reach their potential in performing their jobs. He or she coordinates a variety of tasks in a complex organization that requires cooperation and teamwork. The director knows the staff and what intrinsic and extrinsic rewards motivate them. As a leader, the director offers them opportunities to fulfill their career plans.

Decision-Making – The director decides a lot of issues and must consider complex and sometimes contradictory alternatives before reaching a decision. The process requires weighing the possible consequences and risks and making the best possible decision with the information available. Good decision-makers analyze the data and then monitor the effect their

decisions have on staff, the Board, the community. They learn to make decisions within a consistent framework.

Supervision – The director must also supervise subordinates who either perform the line tasks or supervise those who do. The director needs to provide regular supervisory sessions based on good performance plans and periodic evaluations. Good supervision assures consistency, quality and accountability.

Delegation – A good director knows how to delegate tasks to staff that are not essential for the director to perform and retain those tasks that only a director can fulfill. One, who is effective at delegation, knows what tasks to assign, but also delegates the authority necessary to perform that task.

Evaluation – The director monitors the staff performance to be sure that the desired results are achieved. In order to improve the quality and quantity of work produced; this performance data is essential to make the necessary improvements.

DEALING WITH MEDIA, PUBLIC, CLIENTS, AND COMPLAINTS

The programs administered by the county department of social services are critical to the citizens of the county, but are often misunderstood or not supported by the general population. There is often confusion or lack of knowledge about eligibility criteria for assistance payments programs and distrust of the power and authority of the county in matters pertaining to child custody, child support, and adult and child protection. There is also concern about the public funding required to finance these public services. Consequently, the Board receives a variety of complaints and requests for information from the media, public, clients, community agencies, and county employees. The Board must anticipate these requests and complaints and have policies and procedures in place to deal with them effectively. Here are some major issues to consider:

Client Complaints – It is good practice to clarify with the county director how client complaints will be handled. The policy should insure that a thorough and timely explanation of the rules, actions taken, and any deficiencies in the process are provided. A complainant is usually angry about staff treatment or a denial or reduction of services. Many times, they are angry about the intrusion of the agency in their personal life. The most effective response to a complaint is to listen with respect, ask for clarification when necessary so the issue is clear, and then get back to the complainant quickly with an accurate and honest answer. The Board can answer the complainant directly from information supplied by the director or staff, or the Board can have the director contact the client. If the

complainant is still upset after the response, he or she should be directed to the next appropriate level or be told that the County Board has the final say on the issue. Remember, if it is a child welfare complaint about staff behavior or staff treatment, it is referred to your Citizens Review Panel first.

Public Information – The County Board and the county department director and staff are accountable to the public for policy, practices and expenditures. The news media will often request information about an event or public information pertaining to the department. The County Board should have a proactive media policy to deal with these requests.

COUNTY DIRECTORS

Role of County Department of Social Services' Director

A. Colorado's Social Services Delivery System

B. Necessary Knowledge and Skills of County Director

C. Responsibilities

D. Relationships

E. Liability Issues

DIRECTORS

A. COLORADO'S SOCIAL SERVICES DELIVERY SYSTEM

The public social services system in Colorado is a county administered, state supervised system. CDHS program and administrative personnel carry out mandated state supervision of county department programs. The agency director should know the CDHS staff they will have contact with most often and develop a clear line of communication. "County Administered" means that each county or district has the responsibility to administer the Social Services programs that are mandated by federal and state law, as well as additional programs that an individual county may want to administer, such as County General Assistance and County Diversion. (Specific Federal/State programs are explained in sections III and IV of this manual under "Program Descriptions"). The county department serves as an agent or arm of the state, per Section 26-1-118 [1] CRS.

The County Commissioners, sitting as the County Board of Social Services, appoints the County Social Service / Human Service Director. The county director, working within the county personnel system, is the appointing authority for the agency (Section 26-1-119 CRS) and provides an adequate number of appropriate staff to carry out the mandated programs. Child welfare positions must follow CDHS specified qualifications.

1. Necessary Knowledge and Skills of County Director:

1. The County Director should have a certain knowledge base of the following or be able, within a short time period, to acquire such knowledge to enable him/her to carry out the responsibilities of the position. The following list is not inclusive:
 - A thorough knowledge of the organization, structure, funding and functions of both state and local governments, including budget and finance, with particular reference to their implications on the county level.
 - Thorough knowledge of Colorado's social services' laws and regulations.
 - Knowledge and familiarity with management practices and procedures, budgeting and financial management, public administration and personnel management.
 - General knowledge of current social and economic problems and their impact on individuals and families.
 - Knowledge of programs of other state agencies that might benefit the county department and/or the individuals and families that it serves.

2. Necessary Skills include:

- The skill to work with people, including consumers, citizens, other professional agencies, and staff.
- The skill to exercise good judgment in decision making, problem solving, planning, directing and monitoring the work of the agency.
- The skill to provide effective leadership in the development and administration of a county department of social services.
- The skill to effectively communicate verbally and in writing. This includes working with the media in presenting a positive image of the agency to the community.
- Proficiency in or knowledge of computer operation and systems within the county/state.
- Skills in supervision. According to the size of county and how the department is organized, these skills may differ.

The County Social Services/Human Services Director has many responsibilities that are either required or considered to be best practice. These include, but are not limited to:

C. Responsibilities:

Statutory Requirements:

- The Director is responsible for developing the annual budget (calendar year) which is submitted to the County Commissioners and CDHS for approval (CRS 26-1-124).
- The Director has the fiduciary responsibility of monitoring the budget during the year, report its status to the County Board at regular intervals and to see that the agency remains fiscally sound (Vol. V, 5.101.32).

Best Practice:

- The Director articulates to the Commissioners and the public the mission, vision, goals, and objectives of the department.
- The Director will work with and coordinate with the County board in policy making, in community interpretation, and will bring to the Board any and all matters on which it is appropriate for the Director to seek the Board's advice or directive or to inform the Board of issues that may come to their attention from the public.

- The Director will demonstrate leadership to his/her staff, the community and the County Board.
- The Director will maintain good public relations and interpret the social services programs to the community in order to foster cooperation with other agencies, officials and citizens in planning for community services.
- The Director is responsible for orienting County Commissioners to social service programs and issues and keeping them informed because of their ultimate responsibility for the administration of the department. This includes having regular meetings at which programs are explained, budget status is reviewed, caseload reports and trends and other information pertinent to the department and its personnel is discussed.
- The Director is responsible for administering a sound personnel program, determining personnel requirements and is responsible for the appointment of staff with the approval of the County Board in compliance with county personnel rules.
- The Director is responsible for establishing and maintaining sound supervisory practices, including ongoing and periodic performance planning and evaluation.
- The Director will evaluate, organize and administer a formalized, comprehensive and effective staff development program, including in-service training and appropriate use of their educational resources.
- The Director will cooperate with representative of CDHS in the operation and development of the county social services programs and to prepare and submit required reports to CDHS.
- The Director is usually responsible for administering contracts that the agency may have with outside sources such as attorneys, Child Placement Agencies (rate setting), child care contracts, Colorado Works contracts, etc.
- The Director needs to be aware of the political climate of the county, as well as other issues which might affect their programs, and be prepared to react appropriately.
- The Director leads in the development of resources to meet program or local needs. The agency may find needs that are not being met and develop resources to cover these needs either as an agency or in collaboration with other human service agencies.

- The Director is responsible for the agency's public and media relations. It is a good idea to establish an agency policy regarding who is to speak for the agency to the media and how public relations are to be handled to present the agency in a positive light and give factual information while maintaining confidential that information that by law cannot be shared. The Director's responsibility for following confidentiality requirements, including sharing of information, is important. Confidentiality and sharing of information and the Common Consent Form are covered elsewhere in this manual.
- The Director is responsible for assuring that all staff are appropriately trained.

D. Relationships:

It is important that the County DSS/DHS Director establish effective working relationships. The following are some areas where establishing good relationships is important:

- A key relationship is with your County Commissioners. The Commissioners are responsible for the over-all administration of the County Department of Social/Human Services. This relationship is one of employer-employee.
- An effective working relationship with staff is important for the smooth functioning of the agency.
- It is important to develop a positive relationship with agency consumers and be aware of their issues and needs.
- A good working relationship with local law enforcement agencies is necessary in conducting appropriate services, especially in the areas of Child or Adult Protection.
- A good relationship should be established with other human service agencies such as schools, Mental Health, Community Centered Boards, Alcohol and Drug Abuse providers, Area Agencies on Aging and encouraging staff to do the same so that coordination and cooperation may be established in providing better services to consumers.
- A working relationship should be established with District or Family Courts. (The county attorney is a good source for guidance on developing

relationships with the courts.)

- A Working relationship with key CDHS staff is important to obtain information, policy interpretation, and to provide feedback. County Directors and/or staff are often invited to be members of State program work groups or committees to provide local agency input and ideas.
- Effective working relationships with all county officials are also important. This may mean that it would not be prudent to openly favor one candidate for county political office over another. It is also important to have a good relationship with the county attorney/contract attorney assigned to your agency.
- Relationships with directors of other county DSS/DHS departments, especially those within the same geographic region, will be very helpful and necessary in working on regional issues and assisting each other with the provision of certain services such as providing foster homes or conducting child protection investigations in situations where a conflict of interest might be perceived. Regionally, counties may work together for the provision of a variety of services. These may include such services as Options for Long Term Care; Mental Health services through an area Medicaid contract with a regional Mental Health center; Child Welfare CORE services; Child Support Enforcement and others. Collegial relationships with other directors may also be used as a sounding board over issues of mutual interest or to provide information.
- The director may want to consider membership in the County Social Services Director's Association (CSSDA) which provides an opportunity for directors statewide to share information, thoughts on issues, and provide CDHS with input on program issues and legislation.
- It is desirable to know community groups/organizations as well as key people from the private business sector who may be helpful in assisting the agency in providing services to its consumers. It may also be beneficial for the director and staff to become members of groups where they can promote a positive image of the agency and secure assistance from that group for agency needs.

Hints for New Directors

The following are some of the things that a new county director should assess and become aware of as quickly as possible in order to get started in the right direction:

1. Determine what state programs their county has.
2. Ascertain how much money their county has for each program.
3. Know what their county share of the money is for each state program.
4. Find out what other special grants or other programs their county may have that are from other sources besides the state.
5. Read and be aware of the Department's Staff Manuals.
6. Read and be aware of the annual Agency budget letter which should have the final allocations for their county in it.
7. Read and be aware of other allocation letters for programs that are not listed in the budget letter mentioned above.
8. Be aware of the main points of circular OMB A-87 and OSB A-133.
9. Be aware of the Single Audit Act of 1996 to know what major points county auditors may look for when they audit their county.
10. Two CFMS reports that may be useful to directors in managing the state allocations are the County Allocation/MOE report and the County Expenditures by Source report. The Social Services accounting staff can get these reports and help the director read and understand them.
11. Get a basic understanding of what the term MOE (Maintenance of Effort) means. Also know that it is a set dollar amount for TANF/Colorado Works and Child Care.
12. Be aware of the reimbursement percentage that the state gives the county for the various programs they have.
13. Be aware of what state programs need a county plan that has to be submitted to the proper state program administrators. It is the county directors responsibility to prepare and submit these plans. Core Services, IV-D Child Support, Employment First (if the county chooses to participate) and TANF are a few examples. The county plans are required in order to be reimbursed by the state for program expenditures.
14. Make the Social Services accountant/bookkeeper part of your management team and your advisor in helping manage the state

allocations received by the county.

15. Work with your staff as a team.

Sample Policy Statements for County Agencies

EMPLOYEE CONDUCT

Each county employee shall at all times use best judgment in performing assigned tasks. Negative behavior that affects a person's ability to implement the mission of the department or image in the community, and when acting as a representative of the county department in public will be subject to corrective or disciplinary action, including termination.

OUTSIDE COMPENSATION

County employees shall accept no compensation, gift, payment of expense, reward, gratuity, or anything of value from any source except the department of social services for any matter or proceeding connected with or related to the duties of such employee, unless otherwise provided for by law.

This provision does not preclude:

- A. Receipt of awards for meritorious public contribution given by a non-profit organization; or
- B. Receipt of honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of the appointing authority, or on their own time (including on personal/annual leave status) for which the department does not compensate them and which are not prohibited by these rules.

OUTSIDE EMPLOYMENT

Employment with a county department shall be the principal vocation of full-time county employees. Outside employment shall not be prohibited but shall be subject to the following conditions:

- A. The outside employment may not interfere with the efficient performance of one's duties.
- B. The outside job may not conflict with the interests of the department, the county involved, or the State of Colorado.
- C. The outside employment may not be the type that would reasonably give rise to criticism or suspicion of conflicting interests or duties; and
- D. The outside employment must have the prior approval of the appointing authority. Such approval may be revoked at any time at the discretion of the appointing authority.

CONFLICT OF INTEREST

County employees are not to engage in any activity, which may be perceived as detrimental to the discharge of assigned duties and responsibilities. Employees shall disclose such conflicts to their supervisor, and take appropriate steps to eliminate conflicts when they arise. No county department employee shall accept fees, compensation, gifts, payment of expenses, or any other item of monetary value under circumstances in which the acceptance could result in:

- A. An undertaking to give preferential treatment to any person;
- B. Impeding governmental efficiency or economy;
- C. Any loss of complete independence or impartiality;
- D. The making of governmental decisions outside official channels;
- E. The reasonable inference that any of the above have happened or might happen; or
- F. Any adverse effect on the confidence of the public in the integrity of the government of the State of Colorado or its county departments.

Failure to make required disclosures or resolve conflicts of interest satisfactorily can result in discipline, up to and including termination of employment.

HIRING OF RELATIVES AND OTHER INDIVIDUALS SHARING THE SAME HOUSEHOLD

Employment of immediate family members or individuals sharing the same household may inhibit the ability to make objective decisions in the direct line of supervision. For this purpose, immediate family member is spouse, children, parents, grandparents, sisters, brothers, in-laws, uncles, aunts, nephews, nieces and cousins. This lack of objectivity can cause serious conflicts involving favoritism and employee morale. In consideration of these factors, it is the county's policy that no county employee shall make or participate in the making of personnel decisions or recommendations related to appointment, retention, promotion, performance evaluations, salary, leaves of absence, position assignments, termination or other employment conditions which affect a member of his or her immediate family or with whom one shares the same household. In cases where a conflict or the potential for conflict arises, even if no supervisory relationship is involved, the parties may be separated by reassignment or, if reassignment is not possible, one of the parties will be asked to resign. In no event will any relative of an employee receive preferential treatment for employment or advancement because of a family or other close relationship.

SUBSTANCE ABUSE

The following policy applies to alcohol or alcoholic beverages, as well as other controlled substances, specifically including illegal drugs as defined by either state or federal law or the misuse of prescription drugs. County policy prohibits the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or controlled substances during county time or on county premises or

other work sites where employees may be assigned. Further prohibited is the use, sale, possession, distribution, dispensation, manufacture or transfer of either alcohol or other controlled substances during non-working time to the extent such use impairs an employee's ability to perform his/her job or where such use, sale, possession, distribution, manufacture, or transfer affects the reputation of the county to the general public or threatens the county's integrity. Excluded are prescribed drugs when used in the manner, combination and quantity intended, unless job performance could be affected. Employees who must use medically prescribed or over-the-counter drugs which may adversely affect their abilities to perform work in a safe and productive manner must notify their supervisor or other management official prior to starting work or entering county facilities or work sites. The supervisor or manager, after proper inquiry, will decide if the employee can remain at work and what work restrictions, if any, are deemed necessary. Employees may be required to use accrued leave or take leave without pay.

No employee may report for work, or go to, or remain on duty while under the influence or impaired by alcohol or any drug or controlled substance, except as provided for prescription drugs and legally available medicines. If an employee reports for work, goes to, or remains on duty while under such influence, disciplinary actions up to and including dismissal may be imposed.

If any employee is seen possessing or consuming illegal drugs or alcohol while on duty, or gives management reasonable suspicion based upon specific facts and reasonable inferences drawn from those facts that the employee is affected by the use of drugs or alcohol to the extent that job performance is impaired, or to the degree it may result in jeopardizing the safety and well-being of the individual, other employees, the public, or County, the County may require the employee to submit to an appropriate test for alcohol or drug use. Refusal to submit to such a test is grounds for termination. A positive result to a drug or alcohol test may result in either the employee being required to enter a treatment program at their own expense and/or termination of their employment. In any event, no employee would be allowed to return to work until a negative test result equivalent to the ZERO tolerance level is obtained.

County vehicles, as well as private vehicles, parked on premises or work sites constitute locations included with this prohibition. At no time shall a county vehicle be operated while an employee is under the influence of drugs or alcohol. As a condition of employment, employees must agree to report to the County any criminal alcohol or drug conviction. Such report must be made within five (5) days of the date of conviction. Any employee who is convicted under a criminal alcohol or drug statute for a violation occurring in the workplace or who pleads guilty or *no lo contendere* to such charges must notify the County within five (5) days of such conviction or plea. Failure to do so will result in disciplinary action, including termination from employment for a first offense. Employees convicted or pleading guilty or *no lo contendere* to such an alcohol or drug related violations

are subjected to termination and/or mandatory attendance and successful completion of an alcohol or drug abuse assistance or similar program as a condition of continued employment.

ANTI-HARASSMENT

The County complies with federal and state equal employment opportunity laws and strives to keep the workplace free from all forms of harassment, including sexual harassment. Any form of discrimination or harassment whether verbal, non-verbal, or physical, is unacceptable and will not be tolerated, whether it occurs in the workplace or at outside work sponsored activities.

Employees of the County shall be cautioned to consider their behavior and comments from the perspective of anyone who may be offended by them. Some behavior, which is appropriate in a social setting, may not be appropriate in the workplace.

Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, terminations, working conditions, compensation, benefits, and other terms and conditions of employment.

Sexual harassment is defined by the Equal Employment Opportunity Commission as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

COMPLAINT PROCEDURE

Employees who have been subject to prohibited discrimination or harassment should immediately report the incident to their supervisor, department Director, elected official, County Administrator or Personnel Department. Failure to promptly notify the county hinders the county from taking effective action.

If the complaint involves a Department Director, County Administrator, or elected official, who is the employee's immediate supervisor, or if the employee is for some reason uncomfortable complaining to them, the complaint shall be filed directly with the county's personnel administrator/human resource head.

All complaints will be handled in a timely manner and actions taken internally to investigate and resolve the complaints. Investigations shall be conducted

confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. The investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge.

All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be taken immediately. If the validity of the complaint cannot be determined, immediate and appropriate action is taken to assure that all parties are re-acquainted with this harassment policy.

Every employee is encouraged to raise any questions or concerns regarding this policy with their supervisor, County Director, Personnel Department or County Administrator. It is the county's policy to encourage the reporting of all perceived incidents of discrimination or harassment, regardless of the position of the alleged offender. The county will take all steps that are necessary to enforce its policy.

APPENDICES

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