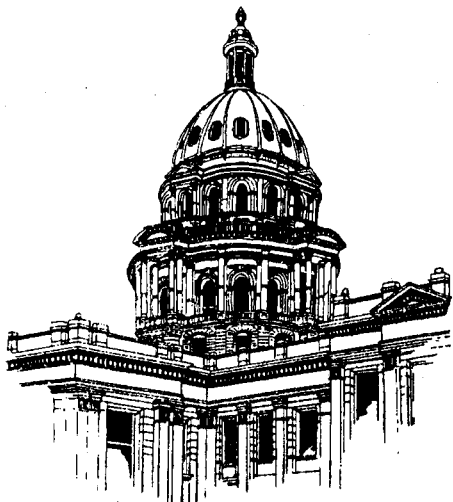


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Welfare Reform

Oversight

Committee

Report to the
COLORADO
GENERAL ASSEMBLY

Colorado Legislative Council
Research Publication No. 512
November 2002

RECOMMENDATIONS FOR 2003

WELFARE OVERSIGHT COMMITTEE

**Report to the
Colorado General Assembly**

**Research Publication No. 512
December 2002**

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ROOM 029 STATE CAPITOL
DENVER, COLORADO 80203-1784
E-mail: lcs.ga@state.co.us

303-866-3521 FAX: 303-866-3855 TDD: 303-866-3472

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December 2002

To Members of the Sixty-third General Assembly:

Submitted herewith is the final report of the Welfare Oversight Committee. This committee was created pursuant to Section 26-2-722, Colorado Revised Statutes. The purpose of the committee is to oversee the Colorado Works Program and its implementation by the counties.

At its meeting on October 15, 2002, the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2003 session was approved.

Respectfully submitted,

/s/ Representative Doug Dean
Chairman
Legislative Council

DD/JS/mm

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EXECUTIVE SUMMARY

Committee Charge

Pursuant to Section 26-2-722, Colorado Revised Statutes, the Legislative Welfare Oversight Committee (consisting of all members of the Senate Health, Environment, Children, and Families Committee and all members of the House Health, Environment, Welfare, and Institutions Committee) has the responsibility of overseeing the Colorado Works Program and its implementation by the counties. The report summarizes the aspects of the Works Program that have been considered during the 2002 interim and any legislation recommended by the committee.

Committee Activities

The committee held four meetings during the 2002 interim. Meetings focused on the current status of the Colorado Works Program and issues affecting low-income individuals and families in Colorado. The 1996 federal welfare reform law, Temporary Assistance to Needy Families (TANF), changed the focus of welfare to a work-first approach and granted states and counties flexibility in implementing programs according to their unique needs. Although TANF has been successful in reducing caseloads overall, there continues to be issues affecting low-income individuals and families who are seeking self-sufficiency.

The committee took testimony from representatives of the Department of Human Services and various stakeholders to gain their perspective on the Program and to identify possible approaches for helping low-income families achieve self-sufficiency across the state. The committee also heard from Berkeley Policy Associates, the organization providing an ongoing evaluation of the Colorado Works Program. One issue that garnered attention was the need for more child care services for low-income families. The impact of the downturn in Colorado's economy on low-income families was also discussed.

The committee heard from a national research organization and the National Conference of State Legislatures regarding the effects of alternative welfare policies and welfare trends and policy issues across the states. The committee was also provided information on alcohol and drug use among public assistance recipients and a grant program that is helping increase the participation of faith-based and community-based organizations in the state's workforce development system. In addition, two non-governmental organizations discussed their approaches in helping low-income individuals and families achieve self-sufficiency. The third meeting of the committee provided an update on the federal reauthorization of welfare reform.

Committee Recommendations

As a result of committee discussion and deliberation, the committee recommended 11 bills for consideration in the 2003 legislative session. Three of the recommended bills were approved by the Legislative Council.

Bill A — Substance Abuse Treatment for Persons Eligible for the Colorado Works Program who are Enrolled in Medicaid. This bill requires the Department of Health Care Policy and Financing to work with the Department of Human Services in applying for a federal Medicaid waiver to provide substance abuse treatment services to Medicaid populations who are eligible for the Colorado Works Program. The bill requires the State Auditor to submit a report five years after the implementation of the waiver analyzing the cost and savings to the state of providing alcohol and drug addiction counseling and treatment.

Bill B — Domestic Violence Extensions Under the Colorado Works Program. This bill makes a technical change to the Colorado Works statute to ensure that the usage of domestic violence extensions for persons who have reached the 60-month lifetime limit for receipt of TANF assistance is consistent with federal law.

Bill C — Changes to the Colorado Works Program as a Result of the Reauthorization by the United States Congress of Temporary Assistance for Needy Families. The purpose of this bill is to implement any changes to the Colorado Works Program that may be necessary if reauthorization of TANF is passed by the Congress during 2002 or 2003.

WELFARE OVERSIGHT COMMITTEE

Members of the Committee

Senator Rob Hernandez
Co-Chairman
Senator Jim Dyer
Senator Mary Ellen Epps
Senator John Evans
Senator Bob Hagedorn
Senator Deanna Hanna
Senator Doug Linkhart

Representative Lauri Clapp
Co-Chairman
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Representative Mark Cloer
Representative Bill Crane
Representative Pam Rhodes
Representative Andrew Romanoff
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Representative Debbie Stafford
Representative Lois Tochtrop
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Legislative Council Staff

Jason Schrock
Research Assistant

Whitney Gustin
Research Associate II

Janis Baron
Principal Fiscal Analyst

Office of Legislative Legal Services

Debbie Haskins
Senior Attorney

Michele Hanigsberg
Staff Attorney

STATUTORY AUTHORITY AND RESPONSIBILITIES

The passage of federal and state welfare reform legislation in 1996 and 1997 provided three significant changes: 1) it changed cash assistance for poor families with dependent children from an "entitlement" to a "block grant" subject to an annual appropriation process; 2) it created a "work-first" model of welfare reform in contrast to the previous Family Support Act model that emphasized education and training; and 3) it created definitive time limits, 24 cumulative months in which to find a job or be judged job-ready; and a 60-month lifetime limit in which assistance can be received.

The Colorado Works Program, effective July 1, 1997, replaced the former Aid to Families with Dependent Children (AFDC) and the JOBS Program. The Colorado Works Program provides the state the authority it needs to meet federal welfare reform requirements. The program also creates a work-first approach to reform that delegates most of the decision-making responsibility and authority for designing welfare reform in Colorado to the county level.

Pursuant to Section 26-2-722, C.R.S., the Legislative Welfare Oversight Committee has the responsibility to oversee the Colorado Works Program and its implementation by the counties.

The committee consists of the members of the House Health, Environment, Welfare, and Institutions Committee and the Senate Health, Environment, Children, and Families Committee. The statute directs the oversight committee to:

- submit an annual report;
- summarize the aspects of the Colorado Works Program that have been considered and propose any recommended legislative changes; and
- make recommendations concerning how to allocate any funds that the state receives as an illegitimacy bonus reward from the federal government. In making its recommendations on this issue, the committee shall consider how to make allocations based upon individual counties' success in reducing illegitimacy.

COMMITTEE ACTIVITIES

During the 2002 interim, the Welfare Oversight Committee heard testimony regarding the status of the Colorado Works Program and issues affecting low-income individuals and families. In addition, the committee heard about the effects of alternative welfare policies and welfare trends and policy issues across the states, as well as the status of the federal reauthorization of the Temporary Assistance to Needy Families (TANF) program. Three bills are recommended pertaining to the Colorado Works Program.

Background

The Colorado Works Program started July 1, 1997, as required by federal and state statute. The Welfare Oversight Committee has since met 15 times. Initially, the focus was on county implementation of welfare reform. Meetings also focused on the history of welfare reform in Colorado as well as the status of the Colorado Works Program. Testimony was taken from the Colorado Department of Human Services, county departments of social services, non-profit organizations, and other interested individuals.

Similarly, this year the committee received updates on the status of the Colorado Works Program and heard testimony from various stakeholders to gain their perspective on what issues were being encountered as the program continues its development. A focus of the testimony was the continuing need to assist Colorado Works clients become less dependent on public assistance and to address concerns about barriers to finding and maintaining employment. Two non-governmental organizations discussed their approaches for helping low-income families achieve self-sufficiency. One such organization partners with area employers to help their low-income employees meet basic needs and eliminate barriers to working, such as access to affordable housing and child care.

Status of the Colorado Works Program

The committee heard about the effects of the downturn in Colorado's economy on low-income families and the Colorado Works Program. In Colorado, the basic cash assistance caseload increased approximately 16 percent since October of 2000. The rising caseload and the program's responsibility for covering the cost of support services such as child care has caused an increase in expenditures statewide. Consequently, county reserves for the Colorado Works Program have declined and some counties have had to limit access to services. Testimony indicated that total county reserves have diminished from a high of \$84 million in 2000 to a low of \$14.7 million at the end of the 2002 state fiscal year. Seventeen counties currently do not have any money in their reserves.

Because the Colorado Works Program began in 1997, long-term clients in the Program may be approaching their five year limit for receiving TANF benefits. However, out of the

state's total TANF caseload, only a small number of clients have requested extensions to their benefits. In addition, state and county diversion programs which provide immediate one-time assistance to individuals and families in the form of payments or services have been effective in helping recipients achieve self-sufficiency.

Barriers to Self-Sufficiency

Testimony indicated that 85 percent of survey respondents in the evaluation of the Colorado Works Program conducted by Berkeley Policy Associates reported one or more barriers to work. Employment increases as the number of work barriers decreases. These barriers include substance abuse, domestic violence, lack of child care, lack of transportation, mental or physical health problems, and lack of education and work skills. Between 17 and 20 percent of the recipients who leave Colorado Works return within the first year, possibly due to some of these work barriers.

Substance abuse. According to a Colorado Alcohol and Drug Abuse Division survey of families receiving some type of public assistance, 14 percent of the respondents were identified as having substance abuse or dependence problems at some point in their lifetime and six percent during the past year. Further, only 27 percent of the survey respondents with a substance abuse problem reported receiving treatment in the prior year. Access to substance abuse counseling and treatment was noted as one of the Colorado Works Program challenges by the Berkeley Policy Associates evaluation. Currently, there are limited Medicaid benefits available for substance abuse treatment in Colorado.

Child care. Access to child care is one of the most serious issues facing low-income families. Testimony indicated that better access to child care results in increased work rates and benefits families who are trying to achieve self-sufficiency. Counties are required to provide child care assistance to Colorado Works clients trying to find work. However, some clients are having difficulty finding child care providers. In addition, low-income families who are transitioning off the Colorado Works Program are also having difficulty finding child care. The evaluation of the Colorado Works Program found that 41 percent of respondents stated that a lack of child care was a barrier to work. Further, due to a lack of funding, some counties have suspended enrollment and changed income eligibility levels for child care programs.

Three potential approaches that were identified to increase access to child care involve increasing the amount of money to the state match for child care funding to draw down more federal dollars, seeking alternative funding sources, and providing incentives for employers to offer a benefit that helps eligible employees pay the parental share of child care costs. Many grandparents and relatives assume the care of children of Colorado Works clients which may require financial and other assistance to help them in their caretaker role.

Education and work skills. Testimony on alternative welfare policies and issues across the states indicated that a mixture of education and work-oriented programs have the greatest impact on personal incomes. However, only a small number of Colorado Works

clients who lack a high school diploma are participating in basic education activities. The evaluation of the Colorado Works Program did find that occupational training programs are helping clients improve their earnings capacity.

Other issues. According to testimony, earned income tax credits and other financial incentives can have a positive impact on low-income individuals' and families' ability to obtain self-sufficiency. However, awareness and use of both the state and federal earned income tax credits is relatively low among Colorado Works clients.

The committee also heard testimony on other approaches for assisting low-income individuals and families obtain self-sufficiency. Programs for the promotion of marriage and for the use of community- and faith-based organizations will likely be debated as welfare reform continues. Testimony indicated that more study is needed to determine whether programs to promote marriage are effective. In addition, the committee was provided information on a federal grant program that is helping increase the participation of community- and faith-based organizations in the state's workforce development system.

Recommendations. As a result of the committee's discussions on substance abuse, Bill A requires the state to apply for a federal Medicaid waiver to provide substance abuse treatment services to Medicaid populations who are eligible for the Colorado Works Program. Bill B makes a technical change to ensure that the usage of domestic violence extensions for persons who have reached the 60-month lifetime limit for receipt of TANF assistance is consistent with federal law. Federal law allows Colorado to extend more than 20 percent of its TANF caseload beyond the limit of 60 months for clients who face domestic violence.

Federal Reauthorization of TANF

The committee was provided an update on the federal reauthorization of TANF. Testimony centered on the possible outcomes of the reauthorization debate and what the debate may mean for Colorado. For instance, increased work requirements being considered by Congress may require the state to find new ways to move more TANF recipients into work. At the end of September, Congress enacted a continuing resolution to extend welfare programs and funding until December 31st. Without this action, authorization and some of the funding for TANF would have expired on September 30th.

Some of the unresolved issues of the reauthorization debate include work participation rates and hours, defining activities that should be classified as work, child care funding issues, and programs for the promotion of marriage. If these issues are not resolved, Congress could extend TANF without making substantive changes to the program for another year or more. A multi-year extension of the TANF program would give Colorado and other states funding and programmatic certainty while extending the program for only one year could impact Colorado's ability to plan its programs.

Recommendation. Bill C would implement any changes to the Colorado Works Program that may be necessary if reauthorization of TANF is passed by Congress during 2002 or 2003.

SUMMARY OF RECOMMENDATIONS

As a result of the committee's activities, 11 bills were recommended to the Colorado General Assembly. The Legislative Council reviews each interim committee's recommendations and determines whether the bills fall within the charge of the interim committee. In the 2002 interim, Legislative Council approved three of the Welfare Oversight Committee's 11 recommended bills.

Bill A — Concerning Substance Abuse Treatment for Persons Eligible for the Colorado Works Program Who are Enrolled in Medicaid

This bill requires the Department of Health Care Policy and Financing to work with the Department of Human Services in applying for a federal Medicaid waiver to provide substance abuse treatment services to Medicaid populations who are eligible for the Colorado Works Program. Once enacted, the waiver cannot be implemented until it is approved by the Joint Budget Committee. In addition, the bill requires the State Auditor to submit a report five years after the implementation of the waiver analyzing the cost and savings to the state of providing alcohol and drug addiction counseling and treatment to this population.

Bill B — Concerning Domestic Violence Extensions Under the Colorado Works Program

Under federal law, states are allowed to provide a certain number of extensions to the 60-month lifetime limit for receipt of TANF assistance. This bill makes a technical change to the Colorado Works statute to ensure that the usage of domestic violence extensions for persons who have reached the 60-month lifetime limit for receipt of TANF assistance is consistent with federal law.

Bill C — Concerning Changes to the Colorado Works Program as a Result of the Reauthorization by the United States Congress of Temporary Assistance for Needy Families

The federal welfare reform debate was still ongoing as the 2002 Welfare Oversight Committee finished its work. The purpose of this bill is to implement any changes to the Colorado Works Program that may be necessary due to any new provisions or changes to the federal law if reauthorization of TANF is passed by the Congress during 2002 or 2003.

RESOURCE MATERIALS

The resource materials listed below were provided to the committee or developed by Legislative Council Staff during the course of the meetings. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303) 866-2055. For a limited time, the meeting summaries and materials developed by Legislative Council Staff are available on our web site at:

www.state.co.us/gov_dir/leg_dir/lcsstaff/2002/02interim.htm

<u>Meeting Summaries</u>	<u>Topics Discussed</u>
August 1, 2002	Status of the Colorado Works Program; effects of alternative welfare policies; an organization's approaches for assisting low-income families.
August 28, 2002	Substance abuse among families receiving public assistance; county perspective on Colorado Works; child care policy and funding.
September 12, 2002	Federal reauthorization of TANF and welfare reform issues; evaluation of the Colorado Works Program; an organization's approaches for assisting low-income families; grant for capacity building for faith-based and community-based organizations; advocate perspective on Colorado Works Program.
September 30, 2001	Discussion of proposed legislation.

Memoranda and Reports

A Drug and Alcohol Abuse Indicator Chart Book for Colorado, National Technical Center for Substance Abuse Needs Assessments, North Charles Research and Planning Group, prepared for the Alcohol and Drug Abuse Division, Colorado Department of Human Services, March 2001.

Alcohol and Drug Use and Abuse Among Selected Medicaid Recipients: Colorado 2001, Alcohol and Drug Abuse Division, Colorado Department of Human Services and Survey Research Unit Health Statistics Section, Colorado Department of Public Health and Environment, April 2002.

Evaluation of the Colorado Works Program, Berkeley Policy Associates, 1999-2001.

How Welfare and Work Policies Affect Children: A Synthesis of Research, Manpower Demonstration Research Corporation, March 2001.

How Welfare and Work Policies Affect Employment and Income: A Synthesis of Research, Manpower Demonstration Research Corporation, May 2001.

Moving People from Welfare to Work: Lessons from the National Evaluation of Welfare-to-Work Strategies, Manpower Demonstration Research Corporation, July 2002.

Bill A

HOUSE SPONSORSHIP

Romanoff and Boyd

SENATE SPONSORSHIP

Hanna and Linkhart

A BILL FOR AN ACT

CONCERNING SUBSTANCE ABUSE TREATMENT FOR PERSONS ELIGIBLE FOR THE
COLORADO WORKS PROGRAM WHO ARE ENROLLED IN MEDICAID.

Bill Summary

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

Welfare Oversight Committee. Requires the executive director of the department of health care policy and financing ("department"), in consultation with the department of human services, to apply for a federal waiver to provide comprehensive substance abuse treatment services to specific medicaid populations who are eligible for the Colorado works program. Specifies that the waiver shall not be implemented until the department receives approval by the joint budget committee of the general assembly.

Contains a reporting requirement.

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

SECTION 1. 26-4-302 (1), Colorado Revised Statutes, is amended

BY THE ADDITION OF A NEW PARAGRAPH to read:

26-4-302. Basic services for the categorically needy - optional services. (1) The following are services for which federal financial participation is available and which Colorado has selected to provide as optional services under the medical assistance program:

(u) FOR ANY PERSON WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER THIS ARTICLE PURSUANT TO SECTION 26-4-201 (1)(a), 26-4-201 (1)(b), 26-4-301 (1) (a), OR 26-4-301 (1) (o), ALCOHOL AND DRUG AND ADDICTION COUNSELING AND TREATMENT, INCLUDING OUTPATIENT AND RESIDENTIAL CARE.

SECTION 2. Part 4 of article 4 of title 26, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

26-4-424. Substance abuse treatment - federal waiver. (1) THE EXECUTIVE DIRECTOR OF THE STATE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF HUMAN SERVICES, SHALL APPLY FOR A FEDERAL WAIVER TO PROVIDE ALCOHOL AND DRUG AND ADDICTION COUNSELING AND TREATMENT, INCLUDING OUTPATIENT AND RESIDENTIAL CARE SERVICES, TO ANY PERSON WHO IS ELIGIBLE FOR MEDICAL ASSISTANCE UNDER THIS ARTICLE PURSUANT TO SECTION 26-4-201 (1) (a), 26-4-201 (1) (b), 26-4-301 (1) (a), OR

26-4-301 (1) (o), PURSUANT TO SECTION 26-4-302 (1) (u).

(2) THE PROVISIONS OF THE FEDERAL WAIVER SHALL NOT BE IMPLEMENTED UNTIL THE STATE DEPARTMENT RECEIVES APPROVAL BY THE JOINT BUDGET COMMITTEE OF THE GENERAL ASSEMBLY. ONCE THE STATE DEPARTMENT HAS RECEIVED APPROVAL BY THE JOINT BUDGET COMMITTEE, THE STATE DEPARTMENT SHALL IMPLEMENT THE WAIVER TO THE EXTENT AUTHORIZED BY THE FEDERAL GOVERNMENT.

(3) THE STATE AUDITOR SHALL SUBMIT A REPORT TO THE LEGISLATIVE AUDIT COMMITTEE FIVE YEARS AFTER THE IMPLEMENTATION OF THE WAIVER, AS PRESCRIBED IN THIS SECTION, ANALYZING THE COST AND SAVINGS TO THE MEDICAL ASSISTANCE PROGRAM AND OTHER PUBLIC ASSISTANCE PROGRAMS, AS DEFINED IN 26-2-103 (7), OF PROVIDING ALCOHOL AND DRUG ADDICTION COUNSELING AND TREATMENT PURSUANT TO SECTION 26-4-302 (1) (u).

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

DRAFT

Colorado Legislative Council Staff

STATE FISCAL IMPACT

Drafting Number: LLS 03-0096 Date: November 13, 2002
Prime Sponsor(s): Rep. Romanoff Bill Status: Welfare Oversight Committee
Sen. Hanna Fiscal Analyst: Teresa Wilson (303-866-4976)

TITLE: CONCERNING SUBSTANCE ABUSE TREATMENT FOR PERSONS ELIGIBLE FOR THE COLORADO WORKS PROGRAM WHO ARE ENROLLED IN MEDICAID.

Table with 3 columns: Fiscal Impact Summary, FY 2003/2004, FY 2004/2005. Rows include State Revenues, State Expenditures, FTE Position Change, Other State Impact, Effective Date, Appropriation Summary for FY 2003/2004, and Local Government Impact.

Summary of Legislation

This bill requires the executive director of the Department of Health Care Policy and Financing (DHCPF), in consultation with the Department of Human Services (DHS), to apply for a federal waiver to provide comprehensive substance abuse treatment services to specific Medicaid populations who are eligible for the Colorado Works Program (CWP).

State Expenditures

This bill will create a new program for which no resources are currently allocated.

Actual Expenditures. This bill is assessed as having a General Fund fiscal impact of \$22,249 in FY 2003-04. Section 24-4-424 of the bill requires the DHCPF to apply for a federal waiver to provide alcohol and drug addiction counseling and treatment, including outpatient and residential care services, to any person who is eligible for the CWP. The total cost is \$44,497 of which 50 percent is General Fund and 50 percent is federal funds.

Under the bill, the department would prepare a Medicaid 1115 Research and Demonstration Waiver. Pursuant to federal requirements, the waiver must be cost neutral over a five-year period. Therefore, the state cannot spend more on such services than it would have spent without them over this time frame. Contract services would be used to prepare the waiver using the equivalent of a General Professional IV for nine months. It is estimated that the waiver could be written and submitted by May 2004 with federal approval no sooner than December 2005.

Conditional Expenditures. Section 24-4-302 of the bill creates a new program predicated upon the approval of the Joint Budget Committee and federal approval of the DHCPF waiver request. Once federally approved, the DHCPF would request funding to implement the waiver through the annual budget process. Should the program be approved, implementation could begin in FY 2006-07 with total costs estimated at \$1,617,723 for eight months of the fiscal year. Full year costs in FY 2007-08 are estimated at \$2,411,243 of which 50 percent is General Fund and 50 percent is federal funds. General Fund and federal funds would be expended during the waiver's first three years in order to experience cost savings in medical services in subsequent years. Savings cannot be quantified at this time and are not anticipated until FY 2009-10.

The program costs shown in Table 1 are determined from the following factors:

- inflated actual costs per client from the DHS Alcohol and Drug Abuse Division (ADAD);
- a 1998 study conducted by ADAD that indicated 5.5 percent of Medicaid recipients had a substance abuse problem; and
- an estimate, determined from research of similar programs, that 27 percent of Medicaid eligible substance abusers will seek medical assistance.

Five years after program implementation the State Auditor is required to analyze the costs and savings to the Medicaid and other public assistance programs. These costs have not been quantified at this time. It is assumed that the report costs will be absorbed into the base operating budget of the State Auditor.

Table 1 - Estimated Costs of Substance Abuse Waiver Program

Cost Components	FY 2006-07	FY 2007-08
Personal Services & Operating Expenses	\$58,000	\$58,000
Programming Changes Medicaid Management Information System Colorado Benefits Management Program	\$132,000 \$16,000	
Client Services FY 2006-07 = 8 months of client services # of eligible clients = 1,036 out of 69,741 total eligible population Cost per Client = \$2,044 per year FY 2007-08 = 12 months of client services # of eligible clients = 1,079 out of 72,685 total eligible population Cost per Client = \$2,181 per year	\$1,411,723	\$2,353,299
Total - Substance Abuse Treatment Waiver Program	\$1,617,723	\$2,411,299
General Fund	775,862	1,205,650
Federal Funds	841,861	1,205,649
FTE	1.0	1.0

Local Government Impact

The local government impact is not known at this time. Local health care providers, such as Denver Health and Hospitals, may experience medical cost savings starting in FY 2009-10 after program implementation.

State Appropriations

At this time the fiscal note implies that the Department of Health Care Policy and Financing should receive an FY 2003-04 appropriation of \$44,497 of which \$22,249 is General Fund and \$22,248 is federal funds.

Departments Contacted

Health Care Policy and Financing Human Services State Auditor

Bill B

HOUSE SPONSORSHIP

Stafford and Romanoff

SENATE SPONSORSHIP

Hagedorn

A BILL FOR AN ACT

CONCERNING DOMESTIC VIOLENCE EXTENSIONS UNDER THE COLORADO
WORKS PROGRAM.

Bill Summary

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

Welfare Oversight Committee. Clarifies the treatment of domestic violence extensions under the Colorado works program for persons who have reached the 60-month lifetime limit for receipt of TANF assistance to be consistent with the federal law.

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

SECTION 1. 26-2-716 (5) (f), Colorado Revised Statutes, is amended to read:

26-2-716. County duties - appropriations - penalties - hardship extensions - domestic violence extensions - incentives.

(5) (f) The county department shall have thirty days after the receipt of a request for an extension to make a decision whether to grant or deny the extension. When granting the extension the county department shall send notice of such extension to participants. The county department shall send a denial notice to a participant who applies for but is denied a hardship extension due to lack of available extensions or for any other reason, which reason shall be included. The county department shall send a denial notice to a participant who applies for but is denied a domestic violence extension, which shall include the reason for the denial. ~~The number of domestic violence extensions that can be granted shall not be restricted by the twenty-percent numerical limit on hardship extensions, pursuant to federal law.~~ IF THE STATE EXCEEDS THE TWENTY-PERCENT NUMERICAL LIMIT ON THE NUMBER OF EXTENSIONS THAT MAY BE GRANTED UNDER THE FEDERAL LAW, THEN THE STATE DEPARTMENT SHALL DETERMINE HOW MANY OF THOSE DOMESTIC VIOLENCE EXTENSIONS QUALIFY AS DOMESTIC VIOLENCE WAIVERS GRANTED PURSUANT TO SECTION 26-2-708 (5) AND DEMONSTRATE TO THE FEDERAL GOVERNMENT THAT ITS FAILURE TO COMPLY WITH THE SIXTY-MONTH LIMIT WAS ATTRIBUTABLE TO FEDERALLY RECOGNIZED GOOD CAUSE DOMESTIC VIOLENCE WAIVERS IN ACCORDANCE WITH THE

CAUSE DOMESTIC VIOLENCE WAIVERS IN ACCORDANCE WITH THE
PROVISIONS OF 42 CFR 260, SUBPART B.

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

DRAFT

Bill B

Colorado Legislative Council Staff
NO FISCAL IMPACT

Drafting Number: LLS 03-0125
Prime Sponsor(s): Rep. Stafford
Sen. Hagedorn

Date: November 1, 2002
Bill Status: Welfare Oversight Committee
Fiscal Analyst: Janis Baron (303-866-3523)

TITLE: CONCERNING DOMESTIC VIOLENCE EXTENSIONS UNDER THE COLORADO WORKS PROGRAM.

Summary of Assessment

The bill provides clarifying language, consistent with federal law, on the treatment of domestic violence extensions under the Colorado Works Program for persons who have reached the 60-month lifetime limit to receive assistance.

The bill is assessed at having no fiscal impact. The bill clarifies language adopted in HB 02-1042. The bill is effective upon signature of the Governor.

Departments Contacted

Human Services

Bill C

HOUSE SPONSORSHIP

Clapp, Boyd, Crane, Romanoff, and Stafford

SENATE SPONSORSHIP

Evans, and Hagedorn

A BILL FOR AN ACT

CONCERNING CHANGES TO THE COLORADO WORKS PROGRAM AS A RESULT OF
THE REAUTHORIZATION BY THE UNITED STATES CONGRESS OF
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

Bill Summary

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

Welfare Oversight Committee. States that the purpose of the act is to implement any changes to the Colorado works program that are necessary in light of any reauthorization legislation for the block grants for temporary assistance for needy families ("TANF") that is or may be passed by the United States congress during 2002 or 2003. Amends definitions relating to the federal law.

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

SECTION 1. Legislative declaration. By the terms of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996", Public Law 104-193, the federal TANF law must be reauthorized

by October 1, 2002. The purpose of this act is to implement any changes to the Colorado works program contained in part 7 of article 2 of title 26, Colorado Revised Statutes, that are necessary in light of any reauthorization legislation that may be passed by the United States congress during 2002 or 2003.

SECTION 2. 26-2-703 (17) and (19), Colorado Revised Statutes, are amended to read:

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

(17) "Personal responsibility and work opportunity reconciliation act" or "federal law" means the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996", Public Law 104-193, OR ANY REAUTHORIZATION LAW PASSED TO REAUTHORIZE THE PROGRAM FOR FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

(19) "Temporary assistance for needy families" or "TANF" means the program of block grants from the federal government to the states to implement assistance programs pursuant to the provisions of the personal responsibility and work opportunity reconciliation act OR PURSUANT TO THE PROVISIONS OF ANY REAUTHORIZATION LEGISLATION PASSED BY THE UNITED STATES CONGRESS.

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

DRAFT

Bill C

Colorado Legislative Council Staff
NO FISCAL IMPACT

Drafting Number: LLS 03-0163

Date: November 1, 2002

Prime Sponsor(s): Rep. Clapp
Sen. Evans

Bill Status: Welfare Oversight Committee
Fiscal Analyst: Janis Baron (303-866-3523)

TITLE: CONCERNING CHANGES TO THE COLORADO WORKS PROGRAM AS A RESULT OF THE REAUTHORIZATION BY THE UNITED STATES CONGRESS OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

Summary of Assessment

The bill states that the purpose of the act is to implement any changes to the Colorado Works Program that would be necessary due to any reauthorization legislation passed by the U.S. Congress during 2002 or 2003.

The bill is assessed at having no state or local fiscal impact. P.L. 104-193, the federal Temporary Aid to Needy Families (TANF) law, must be reauthorized by October 1, 2002. This bill effectively anticipates future action by the federal government in reauthorizing TANF. The Department of Human Services indicates that Congress will take this issue up in 2003; federal funding for TANF is currently available through a continuing resolution. The fiscal note assumes that any substantive changes required as a result of federal reauthorization will be included in separate legislation. The bill is effective upon signature of the Governor.

Departments Contacted

Human Services