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Report to the Colorado General Assembly

# COLORADO DEPARTMENT OF SOCIAL SERVICES



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 200

December, 1972

LEGISLATIVE COUNCIL  
OF THE  
COLORADO GENERAL ASSEMBLY

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John Fuhr, Speaker  
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Senator Majority  
Leader

\* \* \* \* \*

The Legislative Council, which is composed of six Senators, six Representatives, plus the Speaker of the House and the Majority Leader of the Senate, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

**COLORADO DEPARTMENT  
OF  
SOCIAL SERVICES**

**Legislative Council  
Report To The  
Colorado General Assembly**

**Research Publication No. 200  
December, 1972**

# COLORADO GENERAL ASSEMBLY

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## LEGISLATIVE COUNCIL

ROOM 46 STATE CAPITOL  
DENVER, COLORADO 80203

892-2285

AREA CODE 303

December 14, 1972

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REP. JOHN D. FUHR

REP. HAROLD L. McCORMICK

REP. HIRAM A. McNEIL

REP. PHILLIP MASSARI

REP. CLARENCE QUINLAN

To Members of the Forty-ninth Colorado General Assembly:

In accordance with House Joint Resolution No. 1033, passed by the First Regular Session of the Forty-eight General Assembly and Senate Joint Resolution No. 11 passed by the Second Regular Session of that General Assembly, the Legislative Council submits for your consideration the accompanying report pertaining to welfare in Colorado.

The Committee appointed by the Legislative Council reported its findings and recommendations to the Legislative Council on December 11, 1972, and the Council accepted the report at that time for transmission to the members of the Forty-ninth General Assembly.

Respectfully submitted,

/s/ Representative C. P. (Doc) Lamb  
Chairman

CPL/mp

# COLORADO GENERAL ASSEMBLY



## LEGISLATIVE COUNCIL

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December 1, 1972

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KAY MILLER  
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WALLACE PULLIAM  
*Research Associate*

Representative C. P. (Doc) Lamb  
Chairman  
Colorado Legislative Council  
Room 46, State Capitol  
Denver, Colorado 80203

Dear Mr. Chairman:

Your Committee appointed to study welfare in Colorado submits the accompanying report and recommendations.

The Committee's report indicates that there is a need for action by the General Assembly in several areas; it is hoped that such action will occur as soon as possible.

Respectfully submitted,

/s/ Representative Floyd Sack  
Chairman  
Committee on Welfare

FS/mp

## FOREWORD

House Joint Resolution No. 1033, 1971 Regular Session, directed the Legislative Council to study welfare in the State of Colorado. Senate Joint Resolution No. 11, 1972 Regular Session, gave the Committee additional instructions to investigate the work and training programs related to welfare and to determine the necessary facts regarding nursing home facilities for war veterans in the state. The membership appointed to carry out the assignments consisted of:

Rep. Floyd Sack  
Chairman  
Sen. Hugh Chance  
Vice Chairman  
Sen. Joe Calabrese  
Sen. Fay DeBerard  
Sen. Allen Dines  
Sen. Ben Klein  
Sen. Harry Locke

Sen. Ruth Stockton  
Sen. Carl Williams  
Rep. John Byerly  
Rep. Bill Chestnutt  
Rep. George Fentress  
Rep. Paul Hamilton  
Rep. Phil Massari  
Rep. Jerry Rose  
Rep. Ruben Valdez

The Committee retained a consultant in early 1972, to study state-county relationships in the administration of welfare. Kansas-Denver Associates, represented by Mr. Hugh R. Catherwood, was awarded the contract. The Carl S. Becker Company, represented by Mr. James L. Jensen, president, assisted Kansas-Denver Associates in fulfilling the contract. Both Mr. Catherwood and Mr. Jensen proved to be of invaluable assistance through consultation with the Committee on their study and performing initial bill drafting services on their recommendations. A Subcommittee was appointed to monitor the progress of the Consultant's study. The members of the Subcommittee were:

Rep. Floyd Sack

Sen. Allen Dines  
Sen. Carl Williams

Assistance was given to that Committee by Miss Charline Birkins, Director, Division of Public Welfare, Department of Social Services. In addition, valuable assistance was also extended to the Committee by Mr. Con Shea, Director, Department of Social Services, Mr. Pete Samac, Deputy Director of the Department of Social Services, and many other members of the Department. Mr. Albert Bevan, Director of Employment Services, Department of Labor and Employment, and Mr. Fred Kuhny,

Assistant WIN Coordinator, Department of Labor and Employment, assisted the Committee and staff on the WIN program. Bill drafting services were provided by Mrs. Becky Lennahan and Mr. Mike Risner of the Legislative Drafting Office.

Mr. Rich Levengood, Senior Analyst for the Legislative Council, had primary responsibility for the staff work and the preparation of this report, and was aided by Mr. Dennis Jakubowski, Senior Research Assistant.

December 1, 1972

Lyle C. Kyle  
Director

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## COMMITTEE FINDINGS AND RECOMMENDATIONS

Pursuant to House Joint Resolution No. 1033 (1971 Session), the Committee on Welfare submits the recommendations contained in this report for implementation by the 1972 Session of the General Assembly. In addition, Senate Joint Resolution No. 11 (1972 Session) gave the Committee the added instructions to: (1) investigate the work and funding programs related to welfare; and (2) determine the necessary facts regarding nursing home facilities for the counties in this state.

### Financial Relief for Counties

In 1971, the Committee on Welfare recommended that the state provide counties with additional financial relief in the area of welfare. The 1971 recommendation provided that county monies received in excess of 3.0 mills on total welfare programs in Colorado should be distributed on a state, federal, and county financial participation basis to be funded on an 80 percent state - 20 percent county basis.

But, H.B. No. 1025 (1972 Session) provided financial relief to counties on a 50-50 basis over 3.0 mills, and applied to only this fiscal year.

1972 Committee Recommendations. As set forth in Bill A, there are two recommendations to provide fiscal relief for counties. The estimated total cost to the state for fiscal year 1973-74 is approximately \$11.7 million.

(1) State takeover of social services. The Committee recommends the state assume 100 percent of the county costs of social services, including the complete state takeover of the administration of social services. The bill stipulates that the administration of social services shall be on a regional basis. Under this portion of the recommended bill, some 1,300 of the 2,400 county welfare employees would become state employees. The estimated savings to counties would be approximately \$6.6 million for fiscal year 1973-74. All

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For a discussion of the present and future total costs of government in the area of welfare, see Welfare in Colorado, Colorado Legislative Council, Research Publication No. 120, November 1972, pp. 43-50.

counties (excluding Hinsdale) would realize savings under this proposal.

(2) Eighty Percent State - Twenty Percent County Funding in excess of \$1.5 million. The R-1 counties receiving this service would in effect pay 2.0 mills in a gross to meet its share of the remaining net cost to be funded by 80 percent state service and 20 percent county service.

In order to determine the amount of additional aid to which an individual county is entitled under the 80-20 formula, the county's share of the total net cost and administrative costs related thereto to be used in the calculation plus the county's administrative costs for the Old Age Pension.

Total service to counties in 1973-74 is estimated at \$5.3 million for the 24 counties. This figure takes into account the estimated \$1.5 million service to counties that would be provided by the federal government if the recommendation of the R-1 counties in January, 1972 under the recommendation of the legislative R-1.

Individual County Potential Impact for Calendar 1972. Detailed 1972 county service data was not available prior to the time of the printing of this report. But to provide an idea of the fiscal impact of the recommendation of individual counties, the 1972 county budgets were used to estimate the potential savings for each of the 63 Colorado counties if the fall Commission recommendations had been in effect during calendar 1972. (See Table II)

Based on 1972 county budgets, 62 of the 63 Counties (Hinsdale County excepted) would have saved an estimated \$5.0 million with the state service at 80 percent of the county costs of social services (Table II). Twenty-four counties/parishes would have further potential of \$6.7 million had the 80 percent of cost at all that county welfare costs were eliminated of 2.0 mills (Table II).

County	Millage	County	Millage
Adams	1.5	Denver	1.5
Alamosa	1.5	El Paso	1.5
Archuleta	1.5	Garfield	1.5
Aspen	1.5	Huerfano	1.5
Boulder	1.5	Jefferson	1.5
Chaffee	1.5	Larimer	1.5
Clear Fork	1.5	Lincoln	1.5
Crowley	1.5	Logan	1.5
Delta	1.5	Mesa	1.5
Dolores	1.5	Monte Vista	1.5
Douglas	1.5	Niagara	1.5
Front Range	1.5	Ouray	1.5
Grand	1.5	Pueblo	1.5
Grand Junction	1.5	Rocky Mountain	1.5
Huerfano	1.5	Saguache	1.5
Jefferson	1.5	Seminole	1.5
Johns	1.5	Teller	1.5
Larimer	1.5	Weld	1.5
Lincoln	1.5		

Had the total package been in effect (Column (7)), benefits to Denver would have been \$4.6 million based on the 1972 budget. For the state's high - Adams County, at the other extreme, would have realized a savings of \$300. The fiscal impact in 13 other counties with large assistance payments of social services budgets is as follows: Arapahoe - (\$500,000); Boulder - (\$200,000); Broomfield - (\$200,000); El Paso - (\$1.8 million); Jefferson - (\$275,000); Larimer - (\$170,000); Las Animas - (\$240,000); Mesa - (\$275,000); Morgan - (\$175,000); Otero - (\$175,000); Pueblo - (\$1.4 million); and Weld - (\$200,000).



Table 1

UNIT STATES TO DENY -  
THE UNITED STATES OF AMERICA  
AND THE UNITED STATES OF AMERICA

1945	1946	1947	1948	1949	1950	1951	1952
1953	1954	1955	1956	1957	1958	1959	1960
1961	1962	1963	1964	1965	1966	1967	1968
1969	1970	1971	1972	1973	1974	1975	1976
1977	1978	1979	1980	1981	1982	1983	1984
1985	1986	1987	1988	1989	1990	1991	1992
1993	1994	1995	1996	1997	1998	1999	2000
2001	2002	2003	2004	2005	2006	2007	2008
2009	2010	2011	2012	2013	2014	2015	2016
2017	2018	2019	2020	2021	2022	2023	2024

Category	1972 County Approval - Social Security	1972 County Approval - Social Security	1972 County Admin. Asst. & Genl. Asst.	1972 County Expenses Produced by S.O. Bill	1972 County Admin. Asst. & Genl. Asst.	1972 County Admin. Asst. & Genl. Asst. in Excess of 3.0 Mill Equivalent	1972 Adm. Asst. & Genl. Asst. in Excess of 3.0 Mill Equivalent	Total 1972 Savings to County - Col. (2) + Col. (6)
...	10,066	10,066	39,014	75,977	19,612	29,690	19,066	19,066
...	27,152	27,152	29,094	78,462	30,363	42,816	42,816	42,816
...	192,723	192,723	109,203	103,000	103,000	76,128	76,128	76,128
...	89,006	89,006	272,004	132,524	103,000	84,348	84,348	84,348
...	49,900	49,900	252,445	126,777	158,268	134,536	134,536	134,536
...	288	288	23,800	17,287				
...	2,065	2,065	28,672	26,228				
...	5,988	5,988	21,128	20,000				
...	2,400	2,400	51,312	20,000				
...	34,024	34,024	148,276	102,000				
...	675,443	675,443	1,143,744	65,211	1,143,744	1,143,744	1,143,744	1,143,744
...	1,267	1,267	28,633	163,312				
...	23,207	23,207	182,774	89,424				
...	22,577	22,577	41,763	28,707				
...	3,828	3,828	21,268	2,214				
...	1,203	1,203	1,272					
...	1,183	1,183	28,263					
...	7,212	7,212	28,210					
...	1,706	1,706	11,268					
...	1,000	1,000	26,476					
...	13,187	13,187	45,441					
...	228,214	228,214	1,242,159					
...	1,000	1,000	1,000					
TOTAL	\$ 3,056,277	\$ 3,056,277	\$ 21,247,960	\$ 2,388,220	\$ 2,388,220	\$ 2,388,220	\$ 2,388,220	\$ 11,743,342

- 1/ SOURCE: 1974 Adams County Budget.
- 2/ SOURCE: Revisions from the State Department of Social Services for fiscal year.
- 3/ Column (4) of this column (4).
- 4/ According to the 1972 Budget, 1972 is expected to reflect a balance carried over from the previous year. There is no appropriation for social services at general assistance.

## Consultant Study of State-County Relationships in Administration of Welfare

During the course of the 1971 interim, the Committee became increasingly aware of the need for organizational changes in the Department of Social Services in order to improve the administration of welfare in Colorado, particularly as it affects state-county relationships. In general, state law has given the County Departments of Welfare the responsibility of administering welfare programs under state supervision. Some 2,400 county employees are in the county departments.

On the other hand, there are two line divisions in the Department of Social Services which are completely state administered. They are the Division of Rehabilitation and the Division of Aging.

The major responsibilities of the Department and counties are by far the largest expenditure both in terms of money expended and clients served. For example, for Fiscal Year 1973-74, the Department's budget request amounts to \$350 million. But only \$4.5 million of that amount or 1.4 percent is requested for the Division of Aging functions (Trinidad State Nursing Home and Colorado Veterans Center) and \$9.9 million or 2.5 percent of the total is requested for the Rehabilitation Division.

In addition, welfare expenditures with clientele served, it is estimated, will take form of either assistance payments or social services will be extended to an estimated 223,000 people in 1973-74.

This figure compares with the Trinidad State Nursing Home population of 1,000, the Colorado State Veterans Center at Montross of 120, and the 25 nursing care patients. The number of clients served under the various programs of the Division of Rehabilitation approximates 3,000 annually.

Partially due to the disparity in size in the dollar amounts expended, number of clients served, and the fact that welfare is a county and state governmental responsibility, the Rehabilitation and Aging functions do not involve the transfer of assets, administration, or personnel of public entities. It is noted that the state has the 1973 responsibility of the Department of Social Services that all its activities will be administered at service to the public. The Department of Social Services and the Department of Social Services have recognized one of the shortcomings in the

organizational structure of the State Department and considerable efforts in the past year have been made to correct these problems.

**Kansas State University.** At its last meeting in 1971, the Committee on Higher Education recommended that a study be initiated to examine state university administration, the supervision and administration of instruction, and the role of the State Board of Education. A \$15,000 contract for the study was awarded during the early part of 1972. The study was completed and the report is being examined by the Committee on Higher Education and the Board of Education. The study was conducted by the Committee on Higher Education and the Board of Education and the study was completed in October, 1971. The study was conducted by the Committee on Higher Education and the Board of Education and the study was completed in October, 1971. The study was conducted by the Committee on Higher Education and the Board of Education and the study was completed in October, 1971.

The Division of Management Services, Department of Administration, also completed a study of the Department in October, 1971, and may have recommendations which are in agreement with Kansas State University.

**Kansas State University.** There are six principal areas in which the Department is currently engaged. Briefly, these six areas are:

- (1) Define respective powers and jurisdiction of the State Board of Social Services and the Department in the administration and policy-making functions of the Department.
- (2) Create the position of Deputy Director of the Department to handle day-to-day administration.
- (3) Allow the Director to structurally reorganize the Department.
- (4) Increase the size of the Division of Field Operations.

<sup>1</sup> Proceedings of the Committee on Higher Education, April, 1971, Kansas State University.

<sup>2</sup> "State of Kansas Department of Administration Management Study," Kansas State University, Department of Management Services, December, 1971.

(1) Abolish the Merit System Council and turn this function over to the Department of Personnel, and

(2) Merge both the merit system payments and social services (AFP, reporting systems).

These changes would be followed by a major reorganization of the Department of Personnel, which would be the Department of Human Resources. The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system.

The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system. The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system.

The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system. The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system.

"Merit rules" would be restricted to government scope and content, requirements, obligations, and rights of clients, for citizens, workers, etc., affected by acts of the government, and such other matters of public policy. It may hold that the government is responsible for the actions of its employees, and that the government is responsible for the actions of its employees, and that the government is responsible for the actions of its employees.

(2) The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system. The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system.

Internal reorganization. BILL C would merge all the various divisions in the Department of Personnel, and would create a new Department of Human Resources. The Department of Human Resources would be responsible for the recruitment, selection, and placement of all federal employees, and would also be responsible for the development and implementation of the merit system.

The following six new line Divisions were proposed by the Department to streamline the administration of the Department and to meet certain Federal requirements discussed below:

- (1) Division of Income Maintenance;
- (2) Division of Services to the Aging;
- (3) Division of Social Services;
- (4) Division of Vocational Rehabilitation;
- (5) Division of Medical Services; and
- (6) Division of State Operations.

Due to HEW requirements promulgated in early 1972 and some requirements in the recently enacted H.R. 1 by Congress, "income maintenance" and "social services" must be totally separated administratively; hence, social services and income maintenance, which are now administered by the Welfare Division, would be in separate divisions under the proposed reorganization.

It should be stressed that the Committee recommendation pertaining to a complete state takeover of social services (Bill A) is in complete accord with both the federal separation requirement, the separation plan submitted to HEW pursuant to these requirements, and the recommendations to establish the separate divisions of income maintenance and social services.

The separation plan developed by the Department breaks down social service staff and assistance personnel staff as follows:

Social Services	1,320	FTE
Assistance Personnel	400	FTE
Supportive Staff		
Staff Common to both	600	FTE
	<u>2,320</u>	<u>FTE</u>

If the state were to take over social services to be administered as a unified entity, as Bill A requires, the 1,320 social service personnel would be transferred to the state and the remaining 1,000 would remain in the Department.

(4) **Field Operating Division.** Perhaps central to the recommendations is the creation of a Division of Field Operations. With the Committee's consultant and the Management Group Task Force acting as a body of facilitation, better coordination could be achieved by providing assistance with a central point both at the state and regional levels for assisting them in administering their programs.

One of the Department's goals is to facilitate better coordination of services furnished by the three existing line divisions.

There would be one person which would extend to the 12 state planning agencies. A planning agency is in no sense a new agency. The person would be selected on the basis of his or her knowledge, experience, and skill in the area of social services. Regional planning agencies would be established in Denver, Colorado Springs, and Pueblo.

The Committee's goal is to coordinate with this plan in that it provides for regional administration of social services.

(5) **Staff System.** The Committee's Consultant pointed out that the Department has in fact two personnel offices. The Department's Personnel Council and the State Board, both of which have staff functions for the Department. The Personnel Council, although a contractual agency, has a staff function. The State Board, which is a constitutional agency, also has a staff function. The Department has no staff function.

There would be one person to exist duplication of the staff functions. The Consultant recommended that the Department's Personnel Council and staff be transferred to the Department and transfer their entire functions to the Personnel Department.

One constitutional problem was raised and the Attorney General said that such extension of such jurisdiction to the Personnel Department by statute would violate Article III, Section 12 of the State Constitution. The Attorney General said that the Department could not extend its jurisdiction to the Personnel Department.

The Committee's Consultant said that the Department should be able to extend its jurisdiction to the Personnel Department by statute. The Department should be able to extend its jurisdiction to the Personnel Department by statute.

enter into a contractual agreement for any of the above mentioned tasks. It should be stressed that it is not a matter of cost limitation, but of necessity.

(6) ADP Reporting Systems. As reviewed in many detail in the SACB report, Kansas-Denver found fault in the RS-700 (assistance payment eligibility form) and the APCS 101 (social services report), both of which flow from the county to the state. In brief, the consultant recommended (1) improving the RS-700 system; (2) halt the APCS 101 system; and (3) retain an outside ADP consultant to examine DSS office ADP system. At the Subcommittee's request, the Department of Administration engaged an independent review of the APCS 101 system, and recommended that it be modified but not dropped.

The DSS is in the process now of modifying the system to accord with new HCS legislation and is making efforts to insure that there is adequate county coverage. The Department believes it will be more of a cost saving measure than at present. The Committee, therefore, concurs in the Department's recommendation at this time.

State Veterans Nursing Home

The Committee recommends the construction of a 120-bed veterans nursing home in Florence, Colorado, under the administration of the Department of Institutions. Under Public Law 88-450 (Title 38, § 5031-5037, U.S.C.), 50 percent of the funds for construction are to be provided by the federal government and 50 percent of construction costs are to be provided by the state. Total construction cost estimates vary between \$700,000 and \$2.4 million, with the state share ranging from \$350,000 to \$1.2 million. The Committee recommends that construction and equipment standards meet those of the Veterans Administration under P.L. 88-450. Funding for the annual operational costs would come from the state at a cost per eligible veteran. The Committee makes no recommendation on how the per diem operational cost should be determined, i.e., by assessing the value of the services provided or by other means. The per diem cost should be based on the average in private homes of \$13.25 per day, or the average of state operated veterans homes of approximately \$11.00 per diem. Based on information derived from state homes in 12 other states, the cost varies from \$12.00 per diem in Oklahoma to \$22.15 in Nebraska, with average cost at \$16.32 for these 12 homes.

Work and Training Programs

The Committee makes three recommendations in the area of developing job skills for welfare recipients or finding employment for recipients.



The Committee to... the following recommendations...

The Committee has the following recommendations... affecting some 100 welfare recipients.

It should be pointed out that the emphasis in WIN-Tai... direct job placements, on-the-job training, and public employment, indicates that there may be more need for... up-grading vocational skills, and Adult Basic Education.

...the Committee... the following...

- (1) ...

In 1971, the Senate Committee on Welfare recommended that the state take over the 21 percent county share of the state-subsidized and administered Homemaker program, that qualified recipients of AFDC could be used as a vehicle to cut down the Medicaid expenditures for nursing home.

In following the Committee's recommendation, the General Assembly recommended that the program be expanded from the then 110 FTE homemakers to 200 homemakers for 100 positions, to be 100 percent federally funded under the public service employment portion of the WIA program authorized by the Talage amendment in December, 1971.

Mr. Shea pointed out that the United States Department of Labor guidelines had been used in the efforts of the General Assembly by allowing the program to be hired under the DOL guidelines.

The Committee on Welfare reiterated its 1971 recommendation on the Homemaker program.

(2) Employment counselors. The General Assembly in 1972 also approved a 100 percent federally funded program for 17.2 FTE employment counselors from the Division of Employment, Department of Labor, to serve in local welfare offices for directing employment services to able-bodied welfare recipients.

As a supplement to the WIA program, the counselor was to become an essential part of the welfare program whereby an AFDC father, for example, could be directed to state job referrals. Both El Paso and Larimer approved such counselors in their welfare offices.

However, Employment Services funding for 17.2 counselors was not appropriated by Congress. The program was not instituted. The program was discussed in the report of the committee on the subject of the state's welfare program. The committee has the authority to recommend that the state and accomplish our objectives at the state and local level.

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1/ See Senate Committee on Welfare, 1971, p. 10, 11, 12.  
2/ 1972-73 Legislative Record, Colorado House Report No. 100, pp. 10, 11, 12.  
3/ Ibid., pp. 10 and 11.

In the 1979-80 Budget of DBS, some \$24,000 is requested for the purchase of five special equipment to serve the following purposes:

Description	Quantity	Estimated Cost
Special equipment	5	\$24,000

The Commission would like to have employment officials in the following areas:

Montreal, Quebec

*Malone*

Arrangements were made by the Committee and the DSS to have Jan Nilson, a former staff member of the Legislative Council, undertake the task of recodification. The task was complete by and large by early October, 1972, and was distributed to Committee members and other interested persons for review. 1/

The Committee did not have sufficient time to examine the recodification in any detail. It is recommended, however, that the recodification effort be taken up by the appropriate standing committees in the early part of the next session to assure that the policy decisions of the Legislature are included therein.

The Committee also recommends that Committee Bill 2 (powers and duties of State Council) and Bill 3 (reorganizing internal departmental reorganization) be incorporated in the recodification as introduced.

Other Matters Considered

1. Senator Dineen's letter. On June 20, 1972, Senator John Dineen submitted questions on the AFDC program to Representative [redacted] with the request that they be answered by the Department of Social Services. The answers were reviewed at a later meeting and in light of that presentation Senator Dineen submitted several additional and related questions.

A report has been issued by DSS containing the questions and answers and is available upon request either in the Department or in the Legislative Council Office. (See [redacted] Report AFDC 72-4.)

2. Utility allowances. In 1971, the Committee recommended that utility allowances be doubled for AFDC recipients during the winter months. The increased allowances were given in other welfare categories -- OAP, etc. In addition, therefore, recommends that persons in these categories be also given the greater utility allowance for the winter months.

1/ Legislative Council Bill Recodification, October 20, 1972.

2/ See Minutes of Council, No. 170, pp. 79-82.

2. Legislation on Government Loans and Grants. Three recommendations were set on the Government's 1972 legislative agenda and the Committee will continue to study them. These recommendations and their 1972 bill numbers are:

- a) A bill providing for the assignment of three Court Commissioners to the Department of Social Services (H.R. No. 1009).
- b) A bill amending certain non-competency provisions that require that a person be found to be incompetent to stand trial or to manage his or her property before he or she can be committed to a mental institution (H.R. No. 1010).
- c) A bill placing a state lien against unpaid child support payments and unpaid payments for services (H.R. No. 1011).

4. Domestic Violence. The Committee considered but did not recommend certain legislation which would make a stepparent liable for the support of stepchildren he has not legally adopted. Considerable research was done by the staff on this subject and is on file in the Legislative Council Office.

5. Legislation on Children. It is the Committee's belief that the child abuse legislation is important in the area of child welfare. Social services, particularly in the area of child abuse, accounts on the federal level. The Committee believes that the child abuse legislation and should be explored in 1973 and 1974. It is recommended that the General Assembly again consider a similar committee for the 1973-74 Session.

BILL A

A BILL FOR AN ACT

1 CONCERNING PUBLIC WELFARE, AND PROVIDING FOR THE ADMINISTRATION  
2 AND FINANCING OF PUBLIC ASSISTANCE AND SOCIAL SERVICES IN  
3 COLORADO.

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

5 SECTION 1. 16-2-1 (5), Colorado Revised Statutes 1963, is  
6 amended, and the said 16-2-1 is further amended BY THE ADDITION  
7 OF A NEW SUBSECTION, to read:

8 16-2-1. Definitions. (5) "Assistance" OR "PUBLIC  
9 ASSISTANCE" means aid in the form of money payments to or medical  
10 care payments in behalf of a blind person in need, as provided in  
11 this article.

12 (8) "Services" or "social services" means services provided  
13 to needy blind persons to help them attain or retain capability  
14 for self-support or self-care. "Services" or "social services"  
15 may include, but need not be limited to, information and referral  
16 services, protective services, services to enable blind persons  
17 to remain in or return to their homes or communities, services to  
18 meet health needs, homemaker services, self-support services,  
19 including vocational rehabilitation, and other services, as  
20 specified by the rules and regulations of the state board of  
21 social services.

1 SECTION 2. 16-2-3 (1) (f) and (h), Colorado Revised  
2 Statutes 1963, as amended, are amended, and the said 16-2-3 (1)  
3 is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

4 16-2-3. Duties of state department. (1) (f) Permit  
5 ophthalmologists, duly licensed to practice in this state and  
6 actively engaged in the treatment of diseases of the human eye,  
7 and optometrists, duly licensed to practice in this state, to  
8 examine applicants and recipients of ~~aid~~ ASSISTANCE OR SERVICES  
9 to the needy blind;

10 (h) Establish rules and regulations to provide medical care  
11 in behalf of recipients of ~~aid~~ ASSISTANCE OR SERVICES to the  
12 needy blind;

13 (i) Administer a program on a regional basis to provide  
14 such services to applicants, potential applicants, and recipients  
15 as are specified by the rules and regulations of the state board  
16 of social services.

17 SECTION 3. 16-2-4 (1) (b) and (d), Colorado Revised  
18 Statutes 1963, are amended to read:

19 16-2-4. Duties of the county departments. (1) (b)  
20 Administer the provisions of this article RELATING TO PUBLIC  
21 ASSISTANCE in the respective counties subject to the rules and  
22 regulations prescribed by the state department pursuant to the  
23 provisions of this article;

24 (d) Submit quarterly and annually to the board of county  
25 commissioners a budget containing an estimate and supporting data  
26 setting forth the amount of money needed to carry out the  
27 provisions of this article RELATING TO PUBLIC ASSISTANCE.

1 SECTION 4. 16-2-5 (2), Colorado Revised Statutes 1963, is  
2 amended to read:

3 16-2-5. Eligibility for assistance. (2) All individuals  
4 wishing to make application for ~~aid~~ ASSISTANCE to the blind shall  
5 have the opportunity to do so, and ~~aid~~ ASSISTANCE to the blind  
6 shall be furnished with reasonable promptness to all eligible  
7 individuals.

8 SECTION 5. 16-2-22, Colorado Revised Statutes 1963, is  
9 amended to read:

10 16-2-22. County appropriation. The board of county  
11 commissioners in each county in this state shall appropriate  
12 annually such sums as in its discretion and judgment may be  
13 needed to carry out the provisions of this article RELATING TO  
14 ASSISTANCE, including expenses of administration OF ASSISTANCE  
15 based upon a budget prepared by the county welfare department,  
16 after taking into account state aid. ~~and include in the tax levy~~  
17 ~~for such county the sums appropriated for that purpose.~~ Should  
18 the sum so appropriated, however, prove insufficient, additional  
19 sums shall be appropriated by the board of county commissioners.  
20 THE BOARD SHALL MAKE A COUNTY WELFARE LEVY AT A RATE SUFFICIENT  
21 IN ITS DISCRETION AND JUDGMENT TO RAISE THE FUNDS WHICH, TOGETHER  
22 WITH ANY OTHER MONEYS MADE AVAILABLE FOR THIS PURPOSE, ARE NEEDED  
23 TO CARRY OUT THE PROVISIONS OF THIS ARTICLE RELATING TO  
24 ASSISTANCE.

25 SECTION 6. 16-2-23, Colorado Revised Statutes 1963 (1969  
26 Supp.), is amended to read:

27 16-2-23. State reimbursement. The county department shall



1 keep such records and accounts in relation to assistance to the  
2 needy blind as the department of social services shall prescribe.  
3 The state shall reimburse each county or district department of  
4 public welfare to the extent ~~of eighty percent of the amount~~  
5 ~~expended for assistance, pursuant to the provisions of this~~  
6 ~~article.~~ PRESCRIBED BY SECTION 119-1-15, C.R.S. 1963.

7 SECTION 7. 16-2-26 (1) and (2), Colorado Revised Statutes  
8 1963, are amended to read:

9 16-2-26. Records confidential - penalty. (1) The  
10 rule-making power of the state department shall include the power  
11 to establish and enforce reasonable rules and regulations  
12 covering the custody, use, and preservation of the records,  
13 papers, files, and communications of the state and county  
14 departments. Wherever, under provisions of law, names and  
15 addresses of recipients of public assistance OR SOCIAL SERVICES  
16 are furnished to or held by another agency or department of  
17 government, such agency or department of government shall be  
18 required to adopt regulations necessary to prevent the  
19 publication of lists thereof, or their uses for purposes not  
20 directly connected with the administration of public assistance  
21 OR THE PROVISION OF SOCIAL SERVICES.

22 (2) It shall be unlawful, except for purposes directly  
23 connected with the administration of ~~blind~~ assistance OR THE  
24 PROVISION OF SERVICES TO THE NEEDY BLIND, and in accordance with  
25 the rules and regulations of the state department, for any  
26 persons to solicit, disclose, receive, OR make use of, or to  
27 authorize, knowingly permit, participate in, or acquiesce in the

1 use of, any lists of, ~~or~~ names of, or any information concerning  
2 persons applying for or receiving such ~~blind~~ assistance OR  
3 SERVICES, directly or indirectly derived from the records,  
4 papers, files, or communications of the state or county or  
5 subdivisions or agencies thereof, or acquired in the course of  
6 the performance of official duties.

7 SECTION 8. 16-2-29 (1), Colorado Revised Statutes 1963, is  
8 amended to read:

9 16-2-29. Blind aid fund. (1) There is hereby created and  
10 established, in and for each of the counties of the state, a  
11 blind aid fund, as a division of the county welfare fund, which  
12 shall consist of such funds and money as shall be allotted to  
13 each county for ~~blind aid benefit~~ purposes OF ASSISTANCE TO THE  
14 NEEDY BLIND from the funds and money appropriated to the use of  
15 the state department; such funds as are granted to the state of  
16 Colorado by the federal government for payments with respect to  
17 ~~aid or~~ assistance to needy blind individuals and allotted to each  
18 county by the state department; such funds and money as  
19 heretofore have been or which shall be appropriated by the board  
20 of county commissioners for ~~aid~~ ASSISTANCE to the needy blind;  
21 and such other funds and money as shall be available from time to  
22 time.

23 SECTION 9. 101-1-1, Colorado Revised Statutes 1963, as  
24 amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25 101-1-1. Definitions. (7) "Services" or "social services"  
26 means those services provided to aged persons in need to help  
27 them attain or retain capability for self-support or self-care.

1 "Services" or "social services" may include, but need not be  
2 limited to, information and referral services, protective  
3 services, services to enable aged persons to remain in or return  
4 to their homes or communities, services to meet health needs,  
5 homemaker services, self-support services, and other services, as  
6 specified by the rules and regulations of the state board of  
7 social services.

8 SECTION 10. 101-1-2, Colorado Revised Statutes 1963, is  
9 amended BY THE ADDITION OF A NEW SUBSECTION to read:

10 101-1-2. Duties of state department. (5) Administer a  
11 program on a regional basis to provide such services to aged  
12 persons in need as are specified by the rules and regulations of  
13 the state board of social services.

14 SECTION 11. 101-1-3 (1) and (3), Colorado Revised Statutes  
15 1963, are amended to read:

16 101-1-3. Duties of the county department. (1) Administer  
17 the provisions of this article RELATING TO PENSIONS in the  
18 respective counties subject to the rules and regulations  
19 prescribed by the state department pursuant to the provisions of  
20 this article;

21 (3) Submit quarterly and annually to the board of county  
22 commissioners a budget containing an estimate and supporting data  
23 setting forth the amount of money needed to carry out the  
24 provisions of this article RELATING TO PENSIONS.

25 SECTION 12. 101-1-18, Colorado Revised Statutes 1963, is  
26 amended to read:

27 101-1-18. County appropriations. The board of county

1 commissioners in each county in this state, after taking into  
2 account state aid, shall appropriate annually such sum as in its  
3 discretion and judgment may be needed for the administrative cost  
4 incurred IN GRANTING PENSIONS under this article, as part of the  
5 administrative expenses of the county welfare department, and  
6 ~~shall include in the tax levy for such county the sum~~  
7 ~~appropriated for that purpose as provided by law.~~ THE BOARD SHALL  
8 MAKE A COUNTY WELFARE LEVY AT A RATE SUFFICIENT IN ITS DISCRETION  
9 AND JUDGMENT TO RAISE THE FUNDS WHICH, TOGETHER WITH ANY OTHER  
10 MONEYS MADE AVAILABLE FOR THIS PURPOSE, ARE NEEDED FOR THE  
11 ADMINISTRATIVE COST INCURRED IN GRANTING PENSIONS UNDER THIS  
12 ARTICLE.

13 SECTION 13. 101-1-19, Colorado Revised Statutes 1963 (1969  
14 Supp.), is amended to read:

15 101-1-19. State reimbursement. The county department  
16 shall keep such records and accounts in relation to pensions as  
17 the department of social services shall prescribe. The state  
18 shall reimburse each county or public welfare district to the  
19 extent ~~of eighty percent of the amount expended for~~  
20 ~~administration.~~ PRESCRIBED BY SECTION 119-1-15, C.R.S. 1963.

21 SECTION 14. 101-1-22 (1) and (3), Colorado Revised Statutes  
22 1963, are amended to read:

23 101-1-22. Records confidential. (1) The rule-making power  
24 of the state department shall include the power to establish and  
25 enforce reasonable rules and regulations covering the custody,  
26 use, and preservation of the records, papers, files, and  
27 communications of the state and county departments. Wherever,

1 under provisions of law, names and addresses of recipients of  
2 ~~public assistance~~ OLD AGE PENSIONS OR SOCIAL SERVICES are  
3 furnished to or held by another agency or department of  
4 government, such agency or department of government shall be  
5 required to adopt regulations necessary to prevent the  
6 publication of lists thereof, or their uses for purposes not  
7 directly connected with the administration of ~~public assistance.~~  
8 OLD AGE PENSIONS OR THE PROVISION OF SOCIAL SERVICES TO AGED  
9 PERSONS IN NEED.

10 (3) It shall be unlawful, except for purposes directly  
11 connected with the administration of old age pensions, OR THE  
12 PROVISION OF SOCIAL SERVICES TO AGED PERSONS IN NEED, and in  
13 accordance with the rules and regulations of the state  
14 department, for any persons to solicit, disclose, receive, OR  
15 make use of, or to authorize, knowingly permit, participate in,  
16 or acquiesce in the use of, any list of, ~~or~~ names of, or any  
17 information concerning persons applying for or receiving such old  
18 age pension OR SERVICES, directly or indirectly derived from the  
19 records, papers, files, or communications of the state or county  
20 or subdivisions or agencies thereof or acquired in the course of  
21 the performance of official duties.

22 SECTION 15. 101-1-25 (1), Colorado Revised Statutes 1963,  
23 is amended to read:

24 101-1-25. Old age pension fund. (1) There is hereby  
25 created and established within the county welfare fund, in and  
26 for each of the counties of the state, an old age pension fund,  
27 as a division of the state old age pension fund, which shall

1 consist of such funds and moneys as shall be allocated to each  
2 county for aid PENSIONS to needy aged persons from the funds and  
3 money appropriated to the use of the state department; such funds  
4 as are granted to the state of Colorado by the federal government  
5 for aid PENSIONS to needy aged persons and allocated to the  
6 county by the state department; and such other funds and money as  
7 shall be made available from time to time.

8 SECTION 16. 119-1-1, Colorado Revised Statutes 1963, is  
9 amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to read:

10 119-1-1. Definitions. (7) "Assistance" or "public  
11 assistance" means aid in the form of money payments to or medical  
12 care payments on behalf of eligible needy persons pursuant to the  
13 provisions of this chapter.

14 (8) "Services" or "social services" means those services  
15 provided to needy persons to help them attain or retain  
16 capability for self-support or self-care. "Services" or "social  
17 services" may include, but need not be limited to, information  
18 and referral services, protective services, services to enable  
19 needy persons to remain in or return to their homes or  
20 communities, services to meet health needs, homemaker services,  
21 self-support services for the handicapped, day care services,  
22 child welfare services, and other services, as specified by the  
23 rules and regulations of the state board of social services.

24 SECTION 17. 119-1-5 (1) (b), Colorado Revised Statutes  
25 1963, is amended to read:

26 119-1-5. Grants-in-aid. (1) (b) To require as a condition  
27 for receiving grants-in-aid, that the county shall bear the

1 proportion of the total expense of furnishing ~~aid~~, ASSISTANCE, as  
2 is fixed by law relating to such assistance;

3 SECTION 18. 119-1-8 (2) (b), (c), (d), (h), and (j), (4)  
4 (a), and (6) (a), Colorado Revised Statutes 1963, as amended, are  
5 amended to read:

6 119-1-8. Activities of the state department - central  
7 registry, deserting parents. (2) (b) ~~Administer or~~ Supervise THE  
8 ADMINISTRATION OF all forms of public assistance including  
9 general home relief, outdoor and indoor care for persons in need,  
10 old age assistance, aid to dependent children, aid to the blind,  
11 aid to the needy disabled, and such other ~~welfare activities or~~  
12 ~~services~~ PUBLIC ASSISTANCE PROGRAMS as may be vested in it by  
13 law, AND ADMINISTER SUCH PROGRAMS ON A REGIONAL BASIS TO PROVIDE  
14 SOCIAL SERVICES TO NEEDY PERSONS AS MAY BE VESTED IN IT BY LAW;

15 (c) Administer ~~or supervise~~ all child welfare activities,  
16 and ~~to~~ cooperate with the children's bureau of the United States  
17 department of labor in establishing, extending, and strengthening  
18 child welfare services;

19 (d) ~~Provide services to~~ AID county governments ~~including~~ IN  
20 the organization and supervision of county welfare departments  
21 for the effective administration of ~~welfare~~ PUBLIC ASSISTANCE  
22 functions and the compilation of statistics and necessary  
23 information relative to public welfare problems throughout the  
24 state;

25 (h) Under rules and regulations prescribed by the state  
26 department, designate county departments to serve as agents in  
27 the performance of all ~~state welfare~~ PUBLIC ASSISTANCE activities

1 in the county; ~~and~~

2 (j) When required by federal statute or regulation as a  
3 condition for the receipt of federal participation in any state  
4 department ~~administered or~~ supervised assistance program, that  
5 specific forms of income to recipients and applicants, or other  
6 person whose income would otherwise be considered, be  
7 disregarded, such income shall be disregarded and the department  
8 shall adopt rules and regulations to effect such requirement.

9 (4) (a) There shall be established in the department a  
10 central registry of records showing, as far as is known, with  
11 respect to parents who have, or appear to have, abandoned  
12 children who are recipients of public assistance or ~~care~~, SOCIAL  
13 SERVICES, or are likely or liable to become in need thereof:

14 (6) (a) To assist state and county welfare departments to  
15 carry out their responsibilities, powers, and duties to enforce  
16 the liability of parents for the support of their minor children  
17 who are recipients of public assistance or ~~care~~, SOCIAL SERVICES,  
18 the department shall:

19 SECTION 19. 119-1-9, Colorado Revised Statutes 1963, is  
20 amended to read:

21 119-1-9. County departments. There shall be established  
22 in each county of the state a county department of public welfare  
23 which shall consist of a county board of public welfare, a county  
24 director of public welfare, and such additional employees as may  
25 be necessary for the efficient performance of ~~welfare services~~  
26 PUBLIC ASSISTANCE ACTIVITIES of the county. With the approval of  
27 the state department, two or more counties may unite and form a



1 district department of public welfare. All duties and  
2 responsibilities set forth in this article for county departments  
3 of public welfare shall also apply to district departments of  
4 public welfare.

5 SECTION 20. 119-1-13, Colorado Revised Statutes 1963, is  
6 amended to read:

7 119-1-13. Duties of the county department. The county  
8 department of public welfare shall be charged with the  
9 administration of all forms of public assistance in the county  
10 including ~~home relief, indoor and outdoor care~~ GENERAL ASSISTANCE  
11 for those in need, aid to dependent children, old age assistance,  
12 aid to the blind, ~~the care and treatment of dependent, and~~  
13 ~~handicapped children,~~ AID TO THE NEEDY DISABLED, and such other  
14 ~~welfare activities~~ PUBLIC ASSISTANCE PROGRAMS as may be delegated  
15 to it ~~by the state department of public welfare and approved by~~  
16 ~~the county board,~~ PURSUANT TO LAW. The county department shall  
17 also investigate and pass upon all applications for admission to  
18 and discharge from county institutions which provide care and  
19 treatment for indigents. If appointed by a court of competent  
20 jurisdiction, the director of public welfare shall perform under  
21 the supervision of such court the function of a probation officer  
22 or agent of the court in any welfare matters which may be before  
23 it.

24 SECTION 21. 119-1-14, Colorado Revised Statutes 1963, is  
25 amended to read:

26 119-1-14. County staff. The county director, with the  
27 approval of the county board, shall appoint such staff as may be

1 necessary to administer ~~welfare~~ PUBLIC ASSISTANCE activities  
2 within his county and to perform all other duties required of  
3 them. Such staff shall be appointed and shall serve in  
4 accordance with the merit system, established and maintained by  
5 the state department for the selection, retention, and promotion  
6 of employees of county departments of public welfare. The salary  
7 of the members of the staff shall be fixed by the county board in  
8 conformity with a salary schedule prescribed by the state  
9 department.

10 SECTION 22. 119-1-15 (1), Colorado Revised Statutes 1963,  
11 (1971 Supp.), is amended to read:

12 119-1-15. County appropriations - state payment -  
13 procedure. (1) The board of county commissioners in each county  
14 of this state shall annually appropriate as provided by law such  
15 funds as shall be needed to carry out the public assistance ~~and~~  
16 ~~social-services~~ activities of the county department, including  
17 the costs of administration OF PUBLIC ASSISTANCE, based upon the  
18 county welfare budget prepared by the county department pursuant  
19 to section 119-3-5, after taking into account state  
20 reimbursements provided for in this section. ~~and shall include~~  
21 ~~in the tax levy for such county the sums appropriated for this~~  
22 ~~purpose.~~ In the case of a district welfare department, each  
23 county forming a part of said district shall appropriate the  
24 funds necessary to defray the ~~welfare~~ COSTS OF PUBLIC ASSISTANCE  
25 activities of such individual county. EACH BOARD OF COUNTY  
26 COMMISSIONERS IN THIS STATE SHALL MAKE A COUNTY WELFARE LEVY AT A  
27 RATE SUFFICIENT IN ITS DISCRETION AND JUDGMENT TO RAISE THE FUNDS

1 WHICH, TOGETHER WITH ANY OTHER MONEYS MADE AVAILABLE FOR THIS  
2 PURPOSE, ARE NEEDED TO PAY THE COUNTY'S SHARE OF THE COSTS OF  
3 PUBLIC ASSISTANCE ACTIVITIES IN THAT COUNTY.

4 SECTION 23. 119-1-15 (2), Colorado Revised States 1963  
5 (1971 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to  
6 read:

7 119-1-15. County appropriations - state payment -  
8 procedure. (2) (a) (i) Pursuant to law and the policies and  
9 rules of the department, the state shall advance to or reimburse  
10 each county in the state at the rate of eighty percent of the  
11 amounts expended for public assistance to the needy blind under  
12 article 2 of chapter 16, C.R.S. 1963, the needy disabled under  
13 article 6 of this chapter, families with dependent children under  
14 article 9 of this chapter, and tuberculars under article 2 of  
15 this chapter, and at the rate of one hundred percent of the  
16 amounts expended by the county departments for old age pensions  
17 under chapter 101, C.R.S. 1963.

18 (ii) If the county departments are administered in  
19 accordance with the policies and rules of the department for the  
20 administration of county departments, the state shall also  
21 advance to or reimburse the counties at the rate of eighty  
22 percent of the administrative costs of the county departments  
23 which are attributable to the programs named in subparagraph (i)  
24 of this paragraph (a).

25 (b) The department of social services shall make an  
26 advancement or reimbursement, in addition to that provided for in  
27 paragraph (a) of this subsection (2), to any county if moneys

1 equivalent to those raised by a levy of three mills on the  
2 property valued for assessment in the county are less than the  
3 annual county expenditures for public welfare purposes. For  
4 purposes of this subsection (2), "county expenditures for public  
5 welfare purposes" means twenty percent of the total amount  
6 expended for public assistance in the county under article 2 of  
7 chapter 16, C.R.S. 1963, and under articles 2, 6, and 9 of this  
8 chapter; plus twenty percent of the administrative costs of the  
9 county department attributable to the programs under chapter 101,  
10 C.R.S. 1963, article 2 of chapter 16, C.R.S. 1963, and articles  
11 2, 6, and 9 of this chapter; plus one hundred percent of the  
12 amount expended by the county for general assistance under  
13 article 10 of chapter 36, C.R.S. 1963. The amount of the  
14 additional monthly advancement or monthly reimbursement for each  
15 county, commencing on or after July 1, 1973, shall be eighty  
16 percent of the difference between the following:

17 (ii) The monthly county expenditures for public welfare  
18 purposes, minus

19 (iii) The moneys equivalent to those raised by a levy of  
20 three mills on the property valued for assessment in the county  
21 divided by twelve.

22 (c) All advancements and reimbursements under this  
23 subsection (2) shall be made by the state treasurer from funds  
24 appropriated or made available for such purpose, upon  
25 authorization of the state department, but in no event shall the  
26 state department authorize expenditures greater than the annual  
27 appropriation by the general assembly for the state's share of

1 the cost of the public assistance activities named in paragraph  
2 (a) of this subsection (2), including the administrative costs of  
3 the named programs.

4 (d) For the purpose of this article, under rules of the  
5 department, administrative costs shall include: Salaries of the  
6 county director and employees of the county department engaged in  
7 the performance of public assistance activities; the county's  
8 payments on behalf of such employees for old age and survivors'  
9 insurance or pursuant to a county officers' and employees'  
10 retirement plan, and for any health insurance plan, if approved  
11 by the department; the necessary travel expenses of the county  
12 board and the administrative staff of the county department in  
13 the performance of their duties; necessary telephone and  
14 telegraph; necessary equipment and supplies; necessary payments  
15 for postage and printing, including the printing and preparation  
16 of county warrants required for the administration of the county  
17 department; and such other administrative costs as may be  
18 approved for reimbursement by the department; but reimbursement  
19 for office space, utilities, and fixtures may be made from state  
20 funds only if federal matching funds are available.

21 SECTION 24. 119-1-15 (3) and (4), Colorado Revised Statutes  
22 1963 (1971 Supp.), are amended to read:

23 119-1-15. County appropriations - state payment -  
24 procedure. (3) County departments shall keep such records and  
25 accounts in relation to public assistance ~~and social service~~  
26 activities as the department shall prescribe by rules and  
27 regulations. ~~The department shall reimburse or advance funds to~~

1 ~~each county to the extent provided by law for the amount expended~~  
2 ~~for public assistance pursuant to the applicable provisions of~~  
3 ~~law and the policies and rules of the department, except that~~  
4 ~~when a county department provides or purchases certain~~  
5 ~~specialized social services to public assistance applicants,~~  
6 ~~recipients, or others, to accomplish self support, self care, or~~  
7 ~~better family life, including but not limited to day care,~~  
8 ~~homemaker services, foster care, and services to mentally~~  
9 ~~retarded, in accordance with state department rules and~~  
10 ~~regulations, the state may reimburse or advance funds to such~~  
11 ~~county department at a rate in excess of eighty percent, within~~  
12 ~~available appropriations, but not to exceed the amount expended~~  
13 ~~by the county department for such services. Where funds are~~  
14 advanced, adjustment shall be made from subsequent monthly  
15 payments for those purposes. ~~The expenses of training personnel~~  
16 ~~to provide these services, as determined and approved by the~~  
17 ~~department, shall be paid from whatever state and federal funds~~  
18 ~~are available for such training purposes.~~

19 (4) If in any fiscal year the annual appropriation by the  
20 general assembly for the state's share, together with any federal  
21 funds available for the same purpose, are not sufficient to  
22 reimburse the counties for the portion of their costs, as  
23 provided in this section, then the said appropriation will be  
24 first prorated among the counties in such a manner that the  
25 several counties shall each be reimbursed an equal percentage of  
26 their respective administrative public assistance ~~and social~~  
27 ~~services~~ costs. The applicable matching federal funds will also

1 be prorated among the several counties, in accordance with the  
2 regulations accompanying such funds.

3 SECTION 25. 119-1-16, Colorado Revised Statutes 1963, is  
4 amended to read:

5 119-1-16. State appropriations. For carrying out the  
6 duties and obligations of the state department, for the  
7 performance of ~~welfare~~ THE PUBLIC ASSISTANCE AND SOCIAL services  
8 ~~of~~ ACTIVITIES IN the state, and for matching such federal funds  
9 as may be available for ~~welfare~~ PUBLIC ASSISTANCE AND SOCIAL  
10 services ACTIVITIES, the legislature shall make adequate  
11 appropriation for the various and separate activities of the  
12 state department.

13 SECTION 26. Article 1 of chapter 119, Colorado Revised  
14 Statutes 1963, as amended, is amended BY THE ADDITION OF THE  
15 FOLLOWING NEW SECTIONS to read:

16 119-1-18. Administrative districts. For purposes of  
17 administering the social services activities of the state and  
18 supervising the public assistance activities of the county  
19 departments, the department of social services shall establish  
20 public welfare districts which include all counties of the state.

21 119-1-19. County social services employees - transition  
22 period. (1) Persons employed by a county welfare department who  
23 were engaged immediately prior to July 1, 1973, in the  
24 performance of the social services functions of the county  
25 welfare department and who, in the opinion of the executive  
26 director of the department of social services, are necessary to  
27 the performance of the social services functions assumed by the

1 department on July 1, 1973, shall become employees of such  
2 department on such date in accordance with the provisions of  
3 section 26-1-36 (2), C.R.S. 1963.

4 (2) The department of social services may, subject to the  
5 rules of the state personnel board, grant leaves of absence with  
6 pay to the employees transferred to the state personnel system by  
7 subsection (1) of this section for training.

8 (3) (a) In recognition of the hardship inflicted on certain  
9 county welfare employees upon the transfer of their positions to  
10 the state service, past service benefits in the public employees'  
11 retirement association shall be purchased for each county welfare  
12 employee who, on July 1, 1973, meets all of the following  
13 conditions:

14 (b) Accepts employment in the state personnel system in the  
15 department of social services;

16 (c) Was a member of a county retirement plan under which he  
17 would be eligible for retirement not later than age sixty-eight,  
18 if his employment by the county had not been interrupted;

19 (d) Is sixty years of age or older and less than the normal  
20 retirement age under such county retirement plan;

21 (e) Has lost his retirement rights in the county retirement  
22 plan by leaving the county service;

23 (f) Has withdrawn the funds credited to his account with  
24 the county retirement fund and paid the full amount thereof,  
25 exclusive of any voluntary contributions to such county  
26 retirement plan, in to the public employees' retirement fund.

27 (4) (a) When an employee meets all the conditions in



1 subsection (3) of this section, the public employees' retirement  
2 association shall grant such employee prior service credits in  
3 the amount necessary to permit such employee, if he continues in  
4 the state service, to qualify for retirement benefits at age  
5 sixty-five or such greater age as he would first have been able  
6 to qualify under the county retirement plan; but such prior  
7 service credits shall not exceed five years of prior service, nor  
8 the number of months of service with which he was credited in the  
9 county retirement plan.

10 (b) The public employees' retirement association shall  
11 calculate the cost of granting such prior service credit to the  
12 employee, after giving credit for the amount paid by the  
13 employee, and shall bill the department of social services for  
14 such cost. In the event that the cost for an employee is less  
15 than the amount paid in by such employee pursuant to subsection  
16 (1) (f) of this section, the treasurer of the public employees'  
17 retirement fund shall instead refund the difference to the  
18 employee.

19 (c) The department of social services shall include the  
20 total of such billings in its appropriation request. The grant  
21 of prior service credits provided in paragraph (a) of this  
22 subsection (4) shall only be made if an appropriation therefor is  
23 made by the general assembly.

24 (5) For the purposes set forth in article 1 of chapter 111,  
25 C.R.S. 1963, the employees for whom prior service credit is  
26 granted under this section shall be considered to have been  
27 employees of the state for the period of such prior service.

1           (6) For twenty-four months commencing on July 1, 1973, each  
2 county shall provide to the department of social services the  
3 office space in use by the county welfare department immediately  
4 prior to such date for social services functions under the same  
5 terms and conditions as applied to its occupancy by the county  
6 welfare department. For the twenty-four months commencing on  
7 July 1, 1973, each county shall also provide to the department of  
8 social services, under the same terms and conditions as they were  
9 provided to the county welfare department, all services  
10 previously provided to the county welfare department for its  
11 social services functions, including but not limited to the  
12 functions of the county treasurer, attorney, and clerk and heat,  
13 lights, and telephone services. During this period the several  
14 counties may continue to apply to the department of social  
15 services for whatever state and federal reimbursement may be  
16 available for these expenses.

17           (7) As of July 1, 1973, the department of social services  
18 shall request each county to sell to the state all furniture,  
19 office equipment, and other chattels used by the county welfare  
20 department in performing social services functions for one  
21 dollar. Any county failing to comply with such request within a  
22 reasonable time thereafter shall continue to furnish the office  
23 space and services provided before July 1, 1973, notwithstanding  
24 the provisions of subsection (6) of this section, for sixty  
25 months commencing on July 1, 1973, and shall not be reimbursed  
26 for the expenses of such office space and services.

27           SECTION 27. 119-2-16, Colorado Revised Statutes, is amended

1 to read:

2 119-2-16. County appropriations. The board of COUNTY  
3 commissioners of each county shall appropriate such sum annually  
4 as may be needed to carry out the provisions of this article,  
5 including expenses of administration, the appropriation to be  
6 based upon a budget prepared by the county department and to take  
7 into account the possible receipt of applicable state and federal  
8 funds; ~~and shall make a levy sufficient to raise the sum so~~  
9 ~~appropriated; provided,~~ EXCEPT that if the sum so appropriated be  
10 exhausted before the end of the year for which it was  
11 appropriated the board of COUNTY commissioners shall appropriate  
12 such additional sums as may be necessary, and warrants drawn  
13 against such additional appropriations may be registered as  
14 provided by law. ~~and shall be paid by a levy made for that~~  
15 ~~purpose in the ensuing year.~~ THE BOARD SHALL MAKE A COUNTY  
16 WELFARE LEVY AT A RATE SUFFICIENT IN ITS DISCRETION AND JUDGMENT  
17 TO RAISE THE FUNDS WHICH, TOGETHER WITH ANY OTHER MONEYS MADE  
18 AVAILABLE FOR THIS PURPOSE, ARE NEEDED TO CARRY OUT THE  
19 PROVISIONS OF THIS ARTICLE.

20 SECTION 28. 119-2-17, Colorado Revised States 1963 (1967  
21 Supp.), is amended to read:

22 119-2-17. State reimbursement. The state shall reimburse  
23 each county department to the extent of ~~eighty percent of the~~  
24 ~~amount expended by the county department for assistance given~~  
25 ~~under the provisions of this article.~~ PRESCRIBED BY SECTION  
26 119-1-15.

27 SECTION 29. 119-3-3, Colorado Revised Statutes 1963 (1965

1 Supp.), is amended to read:

2 119-3-3. Welfare administration. (1) There shall be  
3 appropriated by the general assembly from the general fund for  
4 the administrative expenses of the state and the state's share of  
5 the administrative expenses of the county welfare departments  
6 INCURRED IN CONNECTION WITH PUBLIC ASSISTANCE ACTIVITIES as now  
7 provided by law, amounts sufficient for the proper and efficient  
8 performance of the duties imposed upon them by law, including a  
9 legal advisor appointed by the attorney general. The general  
10 assembly shall make two separate appropriations, one for the  
11 administrative expenses of the ~~state~~ department of ~~public welfare~~  
12 SOCIAL SERVICES, and another for the administrative expenses of  
13 the county departments of public welfare INCURRED IN CONNECTION  
14 WITH PUBLIC ASSISTANCE ACTIVITIES. The applicable matching  
15 federal funds shall be apportioned in accordance with the  
16 regulations accompanying such funds. Any unobligated and  
17 unexpended balances remaining at the end of each fiscal year  
18 shall be credited to the general fund.

19 (2) The county boards of public welfare, in accordance with  
20 the regulations of the state board of ~~public welfare~~, SOCIAL  
21 SERVICES, shall file requests for funds for ~~welfare~~ PUBLIC  
22 ASSISTANCE purposes. The state board shall determine the needs  
23 of each county for ~~welfare~~ PUBLIC ASSISTANCE purposes, taking  
24 into consideration available funds and all pertinent facts and  
25 circumstances, and shall certify by voucher to the state  
26 controller the amounts to be paid to each county. The amounts so  
27 certified shall be paid from the state treasury upon voucher of

1 the state board and warrant of the state controller, and shall be  
2 credited by the county treasurer to the county welfare fund in  
3 accordance with the law and the regulations of the state board.

4 SECTION 30. 119-3-4 (1), Colorado Revised Statutes 1963, is  
5 amended to read:

6 119-3-4. County public welfare fund. (1) A fund to be  
7 known as the county public welfare fund is hereby created and  
8 established in each of the counties of the state of Colorado.  
9 The county public welfare fund shall consist of all money  
10 allocated or allotted by the state department of ~~public welfare,~~  
11 SOCIAL SERVICES FOR PUBLIC ASSISTANCE ACTIVITIES, all money  
12 appropriated for public welfare activities by the board of county  
13 commissioners of the county, and such other funds as may be  
14 provided from time to time from other sources. The fund shall  
15 consist of all money available for PUBLIC ASSISTANCE ACTIVITIES,  
16 INCLUDING administration, ~~for~~ old age assistance or pensions, ~~for~~  
17 aid to dependent children, ~~for~~ aid to the blind, ~~for general~~  
18 ~~relief to indigent unemployed;~~ ~~for~~ AND aid to needy disabled; FOR  
19 GENERAL RELIEF TO INDIGENT UNEMPLOYED; for aid to indigent  
20 persons afflicted with tuberculosis; for county poor farms; for  
21 medical aid, hospitalization, AND institutional care for indigent  
22 persons; and all other money appropriated, allocated, granted,  
23 bequested, or provided by law for welfare activities within  
24 counties, to be expended for the assistance of indigent persons.

25 SECTION 31. 119-3-11 (1) and (3), Colorado Revised Statutes  
26 1963, are amended to read:

27 119-3-11. Rules and regulations regarding records. (1) The

1 rule-making power of the state department shall include the power  
2 to establish and enforce reasonable rules and regulations  
3 covering the custody, use, and preservation of the records,  
4 papers, files, and communications of the state and county  
5 departments. Wherever, under provisions of law, names and  
6 addresses of recipients of public assistance OR SOCIAL SERVICES  
7 are furnished to or held by another agency or department of  
8 government, such agency or department of government shall be  
9 required to adopt regulations necessary to prevent the  
10 publication of lists thereof or their uses for purposes not  
11 directly connected with the administration of public assistance  
12 OR SOCIAL SERVICES.

13 (3) It shall be unlawful, except for purposes directly  
14 connected with the administration of public assistance, OR SOCIAL  
15 SERVICES, and in accordance with the rules and regulations of the  
16 state department, for any person to solicit, disclose, OR make  
17 use of, or to authorize, knowingly permit, participate in, or  
18 acquiesce in the use of, any lists of, ~~or~~ names of, or any  
19 information concerning persons applying for or receiving PUBLIC  
20 assistance OR SOCIAL SERVICES, directly or indirectly derived  
21 from the records, papers, files, or communications of the state  
22 or county or subdivisions or agencies thereof, or acquired in the  
23 course of the performance of official duties.

24 SECTION 32. Article 3 of chapter 119, Colorado Revised  
25 Statutes 1963, as amended, is amended BY THE ADDITION OF A NEW  
26 SECTION to read:

27 119-3-13. Definitions. (1) As used in this article,

1 unless the context otherwise requires:

2 (2) "Public assistance" means aid in the form of money  
3 payments to or medical care payments on behalf of eligible needy  
4 persons pursuant to the provisions of this chapter.

5 (3) "Services" or "social services" means those services  
6 provided to needy persons to help them attain or retain  
7 capability for self-support or self-care. "Services" or "social  
8 services" may include, but need not be limited to, information  
9 and referral services, protective services, services to enable  
10 needy persons to remain in or return to their homes or  
11 communities, services to meet health needs, homemaker services,  
12 self-support services for the handicapped, day care services,  
13 child welfare services, and other services, as specified by the  
14 rules and regulations of the state board of social services.

15 SECTION 33. 119-6-2 (5), Colorado Revised Statutes 1963, is  
16 amended, and the said 119-6-2 is further amended BY THE ADDITION  
17 OF A NEW SUBSECTION, to read:

18 119-6-2. Definitions. (5) "Assistance" OR "PUBLIC  
19 ASSISTANCE" means aid in the form of money payments to or medical  
20 care ~~payment~~ PAYMENTS in behalf of a needy person who is  
21 permanently and totally disabled, ~~provided, that~~ BUT if the  
22 federal law shall provide for any other payments in behalf of  
23 recipients, the state department is authorized to make such  
24 payments.

25 (8) "Services" or "social services" means those services  
26 provided to needy disabled persons to help them attain or retain  
27 capability for self-support or self-care. "Services" or "social

1 services" may include, but need not be limited to, information  
2 and referral services, protective services, services to enable  
3 disabled persons to remain in or return to their homes or  
4 communities, services to meet health needs, homemaker services,  
5 self-support services including vocational rehabilitation, and  
6 other services, as specified by the rules and regulations of the  
7 state board of social services.

8 SECTION 34. 119-6-5 (2) and (4), Colorado Revised Statutes  
9 1963, are amended to read:

10 119-6-5. County departments - duties. (2) Shall administer  
11 the provisions of this article RELATING TO PUBLIC ASSISTANCE in  
12 the respective counties, subject to the rules and regulations  
13 prescribed by the state department pursuant to the provisions of  
14 section 119-6-25;

15 (4) Shall submit annually to the board of county  
16 commissioners a budget setting forth the amount of money required  
17 to carry out the provisions of this article RELATING TO PUBLIC  
18 ASSISTANCE and data supporting such estimate.

19 SECTION 35. 119-6-7, Colorado Revised Statutes 1963 (1969  
20 Supp.), is amended to read:

21 119-6-7. Other services. Applicants, potential  
22 applicants, and recipients of assistance under this article shall  
23 be provided with other services administered by the department of  
24 social services ~~and county departments~~ ON A REGIONAL BASIS which  
25 will assist them in achieving self-care and self-support, such  
26 services to be provided under rules and regulations of the state  
27 board.



1 SECTION 36. 119-6-21, Colorado Revised Statutes 1963, is  
2 amended to read:

3 119-6-21. Appropriation. The board of county  
4 commissioners in each county of this state shall annually  
5 appropriate such sums as in its judgment may be needed to carry  
6 out the provisions of this article RELATING TO ASSISTANCE,  
7 including costs of administration OF ASSISTANCE, based upon a  
8 budget prepared by the county department after taking into  
9 account state reimbursements provided for in section 119-6-22.  
10 ~~and shall include in the tax levy for such county the sums~~  
11 ~~appropriated for the purpose.~~ Should the sums so appropriated  
12 prove insufficient for the purpose, additional sums shall be  
13 provided by the board of county commissioners. THE BOARD SHALL  
14 MAKE A COUNTY WELFARE LEVY AT A RATE SUFFICIENT IN ITS DISCRETION  
15 AND JUDGMENT TO RAISE THE FUNDS WHICH, TOGETHER WITH ANY OTHER  
16 MONEYS MADE AVAILABLE FOR THIS PURPOSE, ARE NEEDED TO CARRY OUT  
17 THE PROVISIONS OF THIS ARTICLE RELATING TO ASSISTANCE.

18 SECTION 37. 119-6-22, Colorado Revised Statutes 1963 (1969  
19 Supp.), is amended to read:

20 119-6-22. State reimbursement. The county department  
21 shall keep such records and accounts in relation to aid  
22 ASSISTANCE to the needy disabled as the department of social  
23 services shall prescribe. The state shall reimburse each county  
24 or public welfare district to the extent ~~of eighty percent of the~~  
25 ~~amount expended for assistance, pursuant to the provisions of~~  
26 ~~this article.~~ PRESCRIBED BY SECTION 119-1-15. Whenever any  
27 county, by reason of an emergency or other temporary condition,

1 shall be unable to meet its necessary financial obligations for  
2 other public welfare purposes, and at the same time meet its  
3 requirements for aid ASSISTANCE to the needy disabled, the  
4 department of social services may, in its discretion, reimburse  
5 such county in excess of ~~eighty percent of the amount expended~~  
6 THE RATE PRESCRIBED BY SECTION 119-1-15 for aid ASSISTANCE to the  
7 disabled. The state board shall determine the amount of such  
8 excess reimbursement and the period of time during which such  
9 excess reimbursement shall be made. For such purpose, the  
10 department of social services may use not to exceed five percent  
11 of the amount allocated to it by the state for aid to the needy  
12 disabled.

13 SECTION 38. 119-6-25 (1) and (2), Colorado Revised Statutes  
14 1963, are amended to read:

15 119-6-25. Rules and regulations - records - confidential -  
16 penalty. (1) The rule-making power of the state department  
17 shall include the power to establish and enforce reasonable rules  
18 and regulations covering the custody, use, and preservation of  
19 the records, papers, communications, and files of the state and  
20 county departments. Whenever, under provisions of law, names and  
21 addresses of recipients of public assistance OR SOCIAL SERVICES  
22 are furnished to or held by another agency or department of  
23 government, such agency or department of government shall be  
24 required to adopt regulations necessary to prevent the  
25 publication of lists thereof or their uses for purposes not  
26 directly connected with the administration of public assistance  
27 OR SOCIAL SERVICES.

1 (2) It shall be unlawful, except for purposes directly  
2 connected with the administration of ~~aid~~ ASSISTANCE, OR THE  
3 PROVISION OF SERVICES to the needy disabled, and in accordance  
4 with the rules and regulations of the state department, for any  
5 person to solicit, disclose, receive, or make use of, or to  
6 authorize, knowingly permit, participate in, or acquiesce in the  
7 use of, any list of, ~~or~~ names of, or any information concerning,  
8 persons applying for or receiving ~~aid~~ ASSISTANCE OR THE PROVISION  
9 OF SERVICES to the needy disabled directly or indirectly derived  
10 from the records, papers, communications, or files of the state  
11 and county departments, or subdivisions or agencies thereof, or  
12 acquired in the course of the performance of official duties.

13 SECTION 39. 119-6-28 (1), Colorado Revised Statutes 1963,  
14 is amended to read:

15 119-6-28. Fund created. (1) There is hereby created and  
16 established, in and for each of the counties of the state, an aid  
17 to the needy disabled fund, as a division of the county welfare  
18 fund, to which shall be credited such moneys as shall be allotted  
19 to each county for ~~aid to the needy disabled~~ purposes OF  
20 ASSISTANCE TO THE NEEDY DISABLED from the moneys appropriated to  
21 the state department for such purposes; such moneys as are  
22 granted to the state of Colorado by the federal government ~~or~~ FOR  
23 payments ~~with respect to aid or~~ OF assistance to needy disabled  
24 persons and allotted to each county by the state department; such  
25 moneys as heretofore have been, and which hereafter shall be,  
26 appropriated by the board of county commissioners for ~~aid~~  
27 ASSISTANCE to the needy disabled; and such other moneys as shall

1 be available from time to time.

2 SECTION 40. 119-9-1 (5), Colorado Revised Statutes 1963  
3 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to  
4 read:

5 119-9-1. Definitions. (5) (a) "Assistance" or "public  
6 assistance" to families with dependent children means aid in the  
7 form of money payments with respect to, or medical care payments  
8 in behalf of, a dependent child with due consideration given to  
9 the relative or relatives with whom such child resides.

10 (b) "Services" or "social services" to families with  
11 dependent children means services to a family or any member  
12 thereof for the purpose of preserving, rehabilitating, reuniting,  
13 or strengthening the family and such other services as will  
14 assist members of a family to attain or retain capability for  
15 maximum self-support and personal independence, for which  
16 services federal aid to families with dependent children funds  
17 are available.

18 (c) "Assistance" or "services" includes such assistance or  
19 services furnished for or on behalf of a dependent child  
20 receiving foster care pursuant to regulations of the state board.

21 SECTION 41. 119-9-2 (1) (b), (e), and (f), Colorado Revised  
22 Statutes 1963 (1969 Supp.), are amended to read:

23 119-9-2. Duties of the department and the board. (1) (b)  
24 Supervise and control all activities in connection with the  
25 administration of assistance ~~or aid~~ to families with dependent  
26 children as performed by county departments;

27 (e) Cooperate with the federal department of health,

1 education, and welfare and other federal agencies in any  
2 reasonable manner as may be necessary to qualify for federal aid  
3 for assistance ~~or aid~~ AND SERVICES to families with dependent  
4 children in conformity with the provisions of this article,  
5 including the making of such reports in such forms and containing  
6 such information as any federal agency may from time to time  
7 require, and comply with such provisions as the state board may  
8 from time to time find necessary to assure the correctness and  
9 verification of the reports;

10 (f) Prepare a state plan or plans for such assistance ~~or aid~~  
11 AND SERVICES to families with dependent children as may be  
12 provided under the federal social security act;

13 SECTION 42. 119-9-3 (1) (b) and (d), Colorado Revised  
14 Statutes 1963 (1967 Supp.), are amended to read:

15 119-9-3. Duties of county departments. (1) (b) Administer  
16 the provisions of this article RELATING TO ASSISTANCE in the  
17 respective counties subject to the rules and regulations  
18 prescribed by the state department pursuant to the provisions of  
19 this article;

20 (d) Submit quarterly and annually to the board of county  
21 commissioners a budget containing an estimate and supporting data  
22 setting forth the amount of money needed to carry out the  
23 provisions of this article RELATING TO ASSISTANCE.

24 SECTION 43. 119-9-4 (1) (a) and (b), (3), and (4), Colorado  
25 Revised Statutes 1963 (1969 Supp.), are amended to read:

26 119-9-4. Eligibility for assistance or services to families  
27 with dependent children. (1) (a) Assistance ~~or aid~~ to families

1 with dependent children shall be given under this article to or  
2 on behalf of any dependent child who:

3 (b) ~~Has been~~ IS a resident of the state, ~~for one year~~  
4 ~~immediately preceding~~ NOT FOR A TEMPORARY PURPOSE, ON THE DATE OF  
5 the application for such assistance; ~~or aid~~; or was born within  
6 one year immediately preceding the application if the parent or  
7 other relatives with whom the child is living has the aforesaid  
8 residence;

9 (3) Within the limits of available appropriations AND ON A  
10 REGIONAL BASIS, THE DEPARTMENT MAY MAKE family services ~~may be~~  
11 ~~made~~ available to families or members of such families who are  
12 receiving ~~aid~~ ASSISTANCE under this article, or have received ~~aid~~  
13 ASSISTANCE under this article in the past, or who are likely to  
14 receive ~~aid~~ ASSISTANCE under this article in the future, for  
15 which services federal funds are available and in accordance with  
16 the requirements thereof.

17 (4) Notwithstanding any provision to the contrary, ~~aid~~  
18 ASSISTANCE may be granted under this article to any expectant  
19 mother on behalf of her unborn child, if eligibility for such ~~aid~~  
20 ASSISTANCE shall be established in all other particulars, and it  
21 shall appear that if said child were born at the time of making  
22 application it would be a dependent child.

23 SECTION 44. 119-9-5, Colorado Revised Statutes 1963 (1969  
24 Supp.), is amended to read:

25 119-9-5. Amount of assistance. The amount of assistance  
26 ~~or aid~~ to families with dependent children which shall be granted  
27 shall be on the basis of budgetary need as determined by the

1 county department, with due regard to any other resources and in  
2 accordance with rules and regulations made by the state board,  
3 which may include the use of tables, standards, and other  
4 criteria with respect to such determination of budgetary need.

5 SECTION 45. 119-9-6 (1), Colorado Revised Statutes 1963  
6 (1969 Supp.), is amended to read:

7 119-9-6. Application for assistance. (1) Application for  
8 assistance ~~or aid~~ under this article shall be made by the parent  
9 or other eligible relative with whom the dependent child is  
10 living to the county department of the county in which the  
11 dependent child resides. Such application shall be in writing or  
12 reduced to writing in the manner and upon the form prescribed by  
13 the department, shall contain the name, age, and residence of the  
14 child and such other information as may be required by the rules  
15 and regulations of the state board, and shall be verified by the  
16 signature of the applicant. One application may be made for  
17 several children of the same family if they reside with the same  
18 person.

19 SECTION 46. 119-9-7 (1) and (2), Colorado Revised Statutes  
20 1963 (1969 Supp.), are amended to read:

21 119-9-7. Verification. (1) Whenever a county department  
22 receives a notification of the dependency of a child or an  
23 application for assistance, ~~or aid~~, such county department shall  
24 make such investigation as is necessary in order to verify the  
25 basis for assistance ~~or aid~~ and shall make a record thereof.

26 (2) The verification and record shall include a visit to the  
27 home of the child and of the person who will have the custody of

1 the child during the time assistance ~~or aid~~ is granted.

2 SECTION 47. 119-9-8, Colorado Revised Statutes 1963 (1963  
3 Supp.), is amended to read:

4 119-9-8. Granting of assistance. Upon the completion of  
5 the verification and record, the county department shall decide  
6 whether the child is eligible for assistance ~~or aid~~ under the  
7 provisions of this article, and shall determine the amount of  
8 such assistance and the date upon which such assistance shall  
9 begin. It shall make an award which shall be binding upon the  
10 county, which award shall continue until modified or vacated.  
11 Upon its order, assistance shall be paid to or in behalf of the  
12 applicant from funds appropriated to it for such purpose.

13 SECTION 48. 119-9-12, Colorado Revised Statutes 1963 (1967  
14 Supp.), is amended to read:

15 119-9-12. County appropriation. The board of county  
16 commissioners in each county shall appropriate annually such sum  
17 as in its discretion and judgment may be needed to carry out the  
18 provisions of this article RELATING TO ASSISTANCE, including  
19 expenses of administration OF ASSISTANCE based upon a budget  
20 prepared by the county welfare department, after taking into  
21 account state and federal funds. ~~The board is to include in the~~  
22 ~~tax levy for such county the sum appropriated for that purpose.~~  
23 Should the sum so appropriated be expended or exhausted during  
24 the year and for the purpose for which it was appropriated,  
25 additional sums ~~may~~ SHALL be appropriated by the board of county  
26 commissioners. THE BOARD SHALL MAKE A COUNTY WELFARE LEVY AT A  
27 RATE SUFFICIENT IN ITS DISCRETION AND JUDGMENT TO RAISE THE FUNDS



1 WHICH, TOGETHER WITH ANY OTHER MONEYS MADE AVAILABLE FOR THIS  
2 PURPOSE, ARE NEEDED TO CARRY OUT THE PROVISIONS OF THIS ARTICLE  
3 RELATING TO ASSISTANCE.

4 SECTION 49. 119-9-13, Colorado Revised Statutes 1963 (1969  
5 Supp.), is amended to read:

6 119-9-13. State reimbursement. The county department  
7 shall keep such records and accounts in relation to ~~aid or~~  
8 ~~services~~ ASSISTANCE to families with dependent children as the  
9 department shall prescribe. The state shall reimburse each  
10 county or public welfare district to the extent of ~~eighty percent~~  
11 ~~of the amount expended for assistance or aid pursuant to the~~  
12 ~~provisions of this article.~~ PRESCRIBED BY SECTION 119-1-15.

13 Whenever any county, by reason of an emergency or other temporary  
14 condition, shall be unable to meet its necessary financial  
15 obligations for other public welfare purposes, and at the same  
16 time meet its requirements for ~~aid~~ ASSISTANCE to dependent  
17 children, the department may, in its discretion upon  
18 consideration of the conditions and the requirements of this  
19 article, reimburse such county in excess of ~~eighty percent of the~~  
20 ~~amount expended~~ THE RATE PRESCRIBED BY SECTION 119-1-15 for ~~aid~~  
21 ~~or services~~ ASSISTANCE to families with dependent children. The  
22 state board shall determine the amount of such excess  
23 reimbursement and the period of time during which such excess  
24 reimbursement shall be made. For such purpose, the department  
25 may use not to exceed five percent of the amount allocated to it  
26 by the state for aid to families with dependent children.

27 SECTION 50. 119-9-16 (1) and (2), Colorado Revised Statutes

1 1963 (1967 Supp.), are amended to read:

2 119-9-16. Use and preservation of records. (1) The  
3 rule-making power of the state department shall include the power  
4 to establish and enforce reasonable rules and regulations  
5 covering the custody, use, and preservation of the records,  
6 papers, files, and communications of the state and county  
7 departments. Wherever, under provisions of law, names and  
8 addresses of recipients of public assistance OR SOCIAL SERVICES  
9 are furnished to or held by another agency or department of  
10 government, such agency or department shall be required to adopt  
11 regulations necessary to prevent the publication of lists thereof  
12 or their uses for purposes not directly connected with the  
13 administration of public assistance OR SOCIAL SERVICES.

14 (2) It shall be unlawful, except for purposes directly  
15 connected with the administration of ~~aid~~ ASSISTANCE, OR THE  
16 PROVISION OF SERVICES to dependent children, ~~assistance,~~ and in  
17 accordance with the rules and regulations of the state  
18 department, for any ~~persons~~ PERSON to solicit, disclose, OR make  
19 use of, or to authorize, knowingly permit, participate in, or  
20 acquiesce in the use of, any lists of, ~~or~~ names of, or any  
21 information concerning persons applying for or receiving  
22 assistance OR SERVICES under this article, directly or indirectly  
23 derived from the records, papers, files, or communications of the  
24 state or county or subdivisions or agencies thereof, or acquired  
25 in the course of the performance of official duties.

26 SECTION 51. 119-9-19 (1) (a), (b), (c), and (d), Colorado  
27 Revised Statutes 1963 (1969 Supp.), are amended to read:

1           119-9-19. Aid to dependent children fund. (1) (a) There  
2 is hereby created and established, in and for each of the  
3 counties of the state, an aid ~~or services~~ to dependent children  
4 fund, as a division of the county public welfare fund, which  
5 shall consist of:

6           (b) Such funds and moneys as shall be allocated to each  
7 county for ~~aid or services~~ ASSISTANCE to families with dependent  
8 children from the fund and moneys appropriated to the use of the  
9 department;

10           (c) Such funds as are granted to the state by the federal  
11 government for ~~aid or services~~ ASSISTANCE to families with  
12 dependent children and allocated to the county by the department;

13           (d) Such funds and moneys as may be appropriated by the  
14 board of county commissioners for ~~aid or services~~ ASSISTANCE to  
15 families with dependent children; and

16           SECTION 52. 119-10-2 (4), Colorado Revised Statutes 1963,  
17 (1971 Supp.), is amended to read:

18           119-10-2. Duties of the state board. (4) The state board  
19 may adopt rules for the establishment of a program of social  
20 services to be administered by the department of social services  
21 ~~or by the county department of public welfare under the~~  
22 ~~supervision of the department of social services.~~ ON A REGIONAL  
23 BASIS. The program may include, but need not be limited to, the  
24 provision of child, adult, and medical services for those persons  
25 receiving public assistance, day care, homemaker services, foster  
26 care, services for mentally retarded, and all other forms of  
27 specialized social services to or on behalf of any individual

1 residing or present within the state of Colorado who is in need  
2 of such services and who makes request or for whom a request is  
3 made for the same in accordance with said rules and, where  
4 applicable, in accordance with the conditions accompanying  
5 available federal funds and state appropriations for such  
6 purpose. The state board of social services may adopt budgetary  
7 standards from which a graduated schedule of fees may be  
8 determined. Said fees shall be paid by individuals receiving  
9 social services who have the financial ability to pay in  
10 accordance with the schedule of fees established by the state  
11 board of social services.

12 SECTION 53. 119-13-2, Colorado Revised Statutes 1963, (1971  
13 Supp.), is amended to read:

14 119-13-2. Provision of child welfare services. The state  
15 board shall adopt rules and regulations to establish a program of  
16 child welfare services, administered by the department ~~or~~  
17 ~~supervised by the department and administered by the county~~  
18 ~~departments,~~ ON A REGIONAL BASIS, and, where applicable, in  
19 accordance with the conditions accompanying available federal  
20 funds for such purpose. Said rules and regulations shall include  
21 a fee schedule, based upon ability to pay, requiring those  
22 persons legally responsible for the child, who are financially  
23 able as determined by the state board, to pay for all or a  
24 portion of the services provided under this article. Upon  
25 appropriate request, and within available appropriations, child  
26 welfare services shall be provided any child residing or present  
27 in the state of Colorado who is in need of such services.

1 SECTION 54. 119-13-6 (1) and (2), Colorado Revised Statutes  
2 1963 (1969 Supp.), are amended to read:

3 119-13-6. Use and preservation of records. (1) Reasonable  
4 rules and regulations shall be established covering the custody,  
5 use, and preservation of the records, papers, files, and  
6 communications of the department and county departments.  
7 Wherever, under provisions of law, names and addresses of  
8 recipients of ~~public assistance~~ CHILD WELFARE SERVICES are  
9 furnished to or held by another agency or department of  
10 government, such agency or department shall be required to adopt  
11 regulations necessary to prevent the publication of lists thereof  
12 or their uses for purposes not directly connected with the  
13 ~~administration of public assistance.~~ PROVISION OF CHILD WELFARE  
14 SERVICES.

15 (2) It shall be unlawful, except for purposes directly  
16 connected with the administration of this article and aid to  
17 dependent children, and in accordance with the rules and  
18 regulations of the department, for any persons to solicit,  
19 disclose, OR make use of, or to authorize, knowingly permit,  
20 participate in, or acquiesce in the use of, any lists of, ~~or~~  
21 names of, or any information concerning, persons applying for or  
22 receiving ~~assistance~~ CHILD WELFARE SERVICES under this article,  
23 directly or indirectly derived from the records, papers, files,  
24 or communications of the state or county or subdivisions or  
25 agencies thereof or acquired in the course of the performance of  
26 official duties.

27 SECTION 55. Repeal. 119-3-6 (1), (3), and (4), 119-13-4,

1 and 119-13-5, Colorado Revised Statutes 1963, as amended, are  
2 repealed.

3 SECTION 56. Effective date. This act shall take effect  
4 July 1, 1973.

5 SECTION 57. Safety clause. The general assembly hereby  
6 finds, determines, and declares that this act is necessary for  
7 the immediate preservation of the public peace, health, and  
8 safety.

## BILL B

## A BILL FOR AN ACT

CONCERNING PUBLIC WELFARE, AND PROVIDING FOR THE ALLOCATION OF  
1 POWERS AND DUTIES BETWEEN THE STATE BOARD OF SOCIAL SERVICES  
2 AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF SOCIAL  
3 SERVICES.

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

5 SECTION 1. 101-1-7 (3), Colorado Revised Statutes 1963  
6 (1969 Supp.), is amended to read:

7 101-1-7. Amount of pension. (3) Any moneys remaining in the  
8 old age pension fund, after full payment of basic minimum awards  
9 and after establishment and maintenance of the stabilization fund  
10 in the amount of five million dollars, shall be transferred to a  
11 fund to be known as the health and medical care fund, which is  
12 hereby created. The state ~~board of social services,~~ DEPARTMENT,  
13 or such other agency as may be authorized by law to administer  
14 old age pensions, shall establish and promulgate rules and  
15 regulations for administration of a program to provide health and  
16 medical care to persons who qualify to receive old age pensions  
17 and who are not patients in an institution for tuberculosis or  
18 mental diseases; the costs of such program, not to exceed ten  
19 million dollars in any fiscal year, shall be defrayed from such  
20 health and medical care fund, but all moneys available, accrued

1 or accruing, received or receivable, in said health and medical  
2 care fund, in excess of ten million dollars in any fiscal year,  
3 shall be transferred to the general fund of the state to be used  
4 pursuant to law.

5 SECTION 2. 101-1-8 (2), Colorado Revised Statutes 1963  
6 (1969 Supp.), is amended to read:

7 101-1-8. Application for pensions. (2) The state board  
8 DEPARTMENT shall promulgate rules and regulations to simplify the  
9 application process in order that pensions are furnished to  
10 recipients as soon as possible. Adequate safeguards shall be  
11 established by the STATE department of ~~social services~~ to insure  
12 that only eligible persons receive pensions under this article.

13 SECTION 3. 101-1-9 (1), Colorado Revised Statutes 1963  
14 (1969 Supp.), is amended to read:

15 101-1-9. Verification of applications. (1) Whenever a  
16 county department receives an application for a pension, a record  
17 shall promptly be made of the circumstances of the applicant to  
18 verify the facts supporting the application and such other  
19 information as may be required by the rules of the state board  
20 DEPARTMENT.

21 SECTION 4. 101-1-10, Colorado Revised Statutes 1963 (1969  
22 Supp.), is amended to read:

23 101-1-10. Granting of pensions. Upon the completion of such  
24 verification and record the county department, under rules and  
25 regulations of the state board, DEPARTMENT, shall decide whether  
26 the applicant is eligible for a pension and determine the amount  
27 of such pension and the date upon which such pension shall begin.



1 In determining the amount of such pension, due account shall be  
2 taken of any income or property of the applicant and any support  
3 which he may receive from other sources. The county department  
4 shall make an award which shall be binding upon the county and be  
5 complied with by the county until such award is modified or  
6 vacated. The county department shall also notify the applicant  
7 of its decision in writing. Such pension shall be paid monthly  
8 to or on behalf of the applicant upon order of the county  
9 department from funds appropriated to the county department for  
10 this purpose. Payments to vendors for medical care in behalf of  
11 old age pension recipients, in accordance with the constitution  
12 of the state of Colorado and the provisions of this article,  
13 shall be made pursuant to rules and regulations of the state  
14 ~~board~~ DEPARTMENT.

15 SECTION 5. 101-1-14 (1), Colorado Revised Statutes 1963  
16 (1969 Supp.), is amended to read:

17 101-1-14. Reconsideration and change. (1) All pension  
18 grants shall be reconsidered by the county department as  
19 frequently and in the manner as may be required by the rules of  
20 the state ~~board~~ DEPARTMENT. After such further verification and  
21 record as the county department may deem necessary or the STATE  
22 department ~~of social services~~ may require, the amount of the  
23 pension may be reduced, increased, modified, or ~~may be~~ entirely  
24 withdrawn if the STATE department ~~of social services~~ or the  
25 county department finds the recipient's circumstances have  
26 altered sufficiently to warrant such action. The county  
27 department at any time may cancel and revoke pensions for cause,

1 and for cause it may suspend a pension for such period as it may  
2 deem proper. Whenever a pension is thus withdrawn, revoked,  
3 suspended, reduced, or modified or in any way changed, the county  
4 department shall at once report to the STATE department ~~of social~~  
5 ~~services~~ such decision. All such decisions shall be subject to  
6 review by the STATE department ~~of social services~~ as provided in  
7 section 101-1-13.

8 SECTION 6. 119-2-1 (1) (h), Colorado Revised Statutes 1963  
9 (1969 Supp.), is amended to read:

10 119-2-1. Definitions. (1) (h) "Rules and regulations"  
11 means the rules and regulations ~~made by the state board~~ OF THE  
12 DEPARTMENT of social services.

13 SECTION 7. 119-2-6 (2), Colorado Revised Statutes 1963  
14 (1969 Supp.), is amended to read:

15 119-2-6. Duties of the department. (2) Administer such  
16 rules and regulations ~~made by the state board of social services~~  
17 OF THE DEPARTMENT as are necessary or proper for carrying out the  
18 provisions, objects, and purposes of this article; and THE rules  
19 and regulations ~~so made and approved by the state board~~ OF THE  
20 DEPARTMENT shall be binding upon and complied with by the county  
21 departments and all persons affected thereby.

22 SECTION 8. 119-2-10, Colorado Revised Statutes 1963 (1969  
23 Supp.), is amended to read:

24 119-2-10. Applications for assistance. Applications for  
25 assistance shall be made to the county department of the county  
26 wherein the applicant resides and in the form prescribed by the  
27 rules and regulations of the ~~state board~~ DEPARTMENT.

1 SECTION 9. 119-2-11, Colorado Revised Statutes 1963 (1969  
2 Supp.), is amended to read:

3 119-2-11. Verification of eligibility. The ~~state board~~  
4 DEPARTMENT shall promulgate rules and regulations to simplify the  
5 application process in order that assistance may be furnished to  
6 recipients as soon as possible. Adequate safeguards shall be  
7 established by the department ~~of social services~~ to insure that  
8 only eligible persons receive assistance under this article.

9 SECTION 10. 119-3-3 (2), Colorado Revised Statutes 1963  
10 (1965 Supp.), is amended to read:

11 119-3-3. Welfare administration. (2) The county boards of  
12 public welfare, in accordance with the regulations of the ~~state~~  
13 ~~board of public welfare,~~ DEPARTMENT OF SOCIAL SERVICES, shall  
14 file requests for funds for welfare purposes. The ~~state board~~  
15 DEPARTMENT OF SOCIAL SERVICES shall determine the needs of each  
16 county for welfare purposes, taking into consideration available  
17 funds and all pertinent facts and circumstances and shall certify  
18 by voucher to the state controller the amounts to be paid to each  
19 county. The amounts so certified shall be paid from the state  
20 treasury upon voucher of the ~~state board~~ DEPARTMENT OF SOCIAL  
21 SERVICES and warrant of the state controller and shall be  
22 credited by the county treasurer to the county welfare fund in  
23 accordance with the law and the regulations of the ~~state board~~  
24 DEPARTMENT.

25 SECTION 11. 119-6-7, Colorado Revised Statutes 1963 (1969  
26 Supp.), is amended to read:

27 119-6-7. Other services. Applicants, potential applicants,

1 and recipients of assistance under this article shall be provided  
2 with other services administered by the STATE department of  
3 ~~social-services~~ and county departments which will assist them in  
4 achieving self-care and self-support, such services to be  
5 provided under rules and regulations of the state ~~board~~  
6 DEPARTMENT.

7 SECTION 12. 119-6-9 (2), Colorado Revised Statutes 1963  
8 (1969 Supp.), is amended to read:

9 119-6-9. Application. (2) Application for assistance under  
10 this article shall be made to the county department in the county  
11 in which the applicant resides. Such application shall be in  
12 writing or reduced to writing in the manner and upon the form  
13 prescribed by the STATE department, ~~of social-services~~, shall  
14 contain the name, age, and residence of the applicant and such  
15 other information as may be required by the rules and regulations  
16 of the state ~~board~~, DEPARTMENT, and shall be verified by the  
17 signature of the applicant. The state ~~board~~ DEPARTMENT shall  
18 promulgate rules and regulations to simplify the application  
19 process in order that assistance may be furnished to recipients  
20 as soon as possible. Adequate safeguards shall be established by  
21 the STATE department ~~of social-services~~ to insure that only  
22 eligible persons receive assistance under this article.

23 SECTION 13. 119-6-10 (1), Colorado Revised Statutes 1963  
24 (1969 Supp.), is amended to read:

25 119-6-10. Verification. (1) Whenever a county department  
26 shall receive an application for assistance under this article,  
27 it shall promptly make a record concerning the circumstances of

1 the applicant to verify the facts supporting the application and  
2 such other information as may be required by the rules and  
3 regulations of the state ~~board~~ DEPARTMENT.

4 SECTION 14. 119-6-11, Colorado Revised Statutes 1963 (1969  
5 Supp.), is amended to read:

6 119-6-11. Determination of disability. Determination of the  
7 existence of permanent and total disability shall be made by the  
8 department of social services after consideration of the factors  
9 under the provisions of section 119-6-3 and on the basis of  
10 medical examination or from medical and social data collected and  
11 verified by the county departments under rules and regulations of  
12 the state ~~board~~ DEPARTMENT.

13 SECTION 15. 119-6-13 (1), Colorado Revised Statutes 1963  
14 (1969 Supp.), is amended to read:

15 119-6-13. Amount of assistance. (1) The amount of  
16 assistance which any recipient shall receive shall be on the  
17 basis of budgetary need as determined by the county department,  
18 with due regard to any other income and resources of the  
19 recipient, and in accordance with the rules and regulations of  
20 the state ~~board,~~ DEPARTMENT, which may include the use of tables,  
21 standards, and other criteria with respect to such determination  
22 of budgetary need. In computing such budgetary need, due  
23 consideration shall, subject to available appropriations, be  
24 given to the special needs of the needy disabled recipient, and  
25 provisions shall be made for an essential person when a federal  
26 statute or regulation so authorizes and where additional federal  
27 moneys will be made available for such purposes. Medical care

1 payments in behalf of recipients may be provided under rules and  
2 regulations of the state ~~board~~ DEPARTMENT to nursing home and  
3 intermediate care facilities not covered by title XIX of the  
4 "Social Security Act" or the "Colorado Medical Assistance Act".

5 SECTION 16. 119-6-17, Colorado Revised Statutes 1963 (1969  
6 Supp.), is amended to read:

7 119-6-17. Reconsideration of payments. All assistance  
8 grants made under sections 119-6-12 and 119-6-13 ~~as amended,~~  
9 shall be reconsidered as frequently and in the manner as may be  
10 required by the rules of the state ~~board,~~ DEPARTMENT. After such  
11 further verification and record as the county department may deem  
12 necessary or the STATE department ~~of social services~~ may require,  
13 the amount of assistance may be changed, or assistance may be  
14 entirely withdrawn if the STATE department ~~of social services~~ or  
15 the county department finds that the recipient's circumstances  
16 have altered sufficiently to warrant such action. The county  
17 department may cancel and revoke assistance at any time for  
18 cause, and it may for cause suspend assistance for such period as  
19 it may deem proper. Whenever assistance is suspended, withdrawn,  
20 revoked, or changed in any way, the county department shall at  
21 once report such decision to the recipient and to the STATE  
22 department, ~~of social services,~~ setting forth the reason for such  
23 action. All such decisions shall be subject to review by the  
24 STATE department, ~~of social services,~~ as provided in section  
25 119-6-16.

26 SECTION 17. 119-9-1 (4) (b), Colorado Revised Statutes 1963  
27 (1971 Supp.), is amended to read:

1           119-9-1. Definitions. (4) (b) A needy child under the age  
2 of sixteen who has been deprived of parental support or care by  
3 reason of the death, continued absence from the home, OR the  
4 physical or mental incapacity of a parent or unemployment of his  
5 father, as determined under standards prescribed by the state  
6 ~~board~~ DEPARTMENT through rule and regulation, and who is living  
7 with his father, adoptive father, mother, adoptive mother,  
8 grandfather, grandfather-in-law, great grandfather, grandmother,  
9 grandmother-in-law, great grandmother, stepfather or stepmother  
10 (but not their parents), brother, brother of the half blood,  
11 brother-in-law, adoptive brother, sister, sister of the half  
12 blood, sister-in-law, adoptive sister, stepbrother, stepsister,  
13 uncle or aunt (of the whole or half blood), uncle-in-law,  
14 aunt-in-law, great uncle, great aunt, first cousin, niece, or  
15 nephew in a place of residence maintained by one or more of such  
16 relatives as his, her, or their own home, and whose relatives  
17 liable under the law for his support are not able to provide  
18 adequate care and support of such child without public assistance  
19 or aid to families with dependent children; or

20           SECTION 18. 119-9-2 (1) (c) and (3), Colorado Revised  
21 Statutes 1963 (1969 Supp.), are amended to read:

22           119-9-2. Duties of the department and the board. (1) (c)  
23 Carry out rules and regulations that are adopted to implement the  
24 provisions of this article, and take such action as may be  
25 necessary or desirable for carrying out the provisions of this  
26 article. All rules and regulations ~~made by the state board~~ OF  
27 THE DEPARTMENT shall be binding on the counties and shall be

1 complied with by the respective county departments;

2 (3) The ~~state-board~~ DEPARTMENT shall have the power to  
3 promulgate rules and regulations with respect to any of the  
4 provisions of this article.

5 SECTION 19. 119-9-5, Colorado Revised Statutes 1963 (1969  
6 Supp.), is amended to read:

7 119-9-5. Amount of assistance or aid. The amount of  
8 assistance or aid to families with dependent children which shall  
9 be granted shall be on the basis of budgetary need as determined  
10 by the county department, with due regard to any other resources  
11 and in accordance with rules and regulations ~~made by the state~~  
12 ~~board,~~ OF THE DEPARTMENT, which may include the use of tables,  
13 standards, and other criteria with respect to such determination  
14 of budgetary need.

15 SECTION 20. 119-9-6, Colorado Revised Statutes 1963 (1969  
16 Supp.), is amended to read:

17 119-9-6. Application for assistance or aid. (1) Application  
18 for assistance or aid under this article shall be made by the  
19 parent or other eligible relative with whom the dependent child  
20 is living to the county department of the county in which the  
21 dependent child resides. Such application shall be in writing or  
22 reduced to writing in the manner and upon the form prescribed by  
23 the department, shall contain the name, age, and residence of the  
24 child and such other information as may be required by the rules  
25 and regulations of the ~~state-board,~~ DEPARTMENT, and shall be  
26 verified by the signature of the applicant. One application may  
27 be made for several children of the same family if they reside



1 with the same person.

2 (2) The ~~state board~~ DEPARTMENT shall promulgate rules and  
3 regulations to simplify the application process in order that  
4 assistance may be furnished to recipients as soon as possible.  
5 Adequate safeguards shall be established by the department to  
6 insure that only eligible persons receive assistance under this  
7 article.

8 SECTION 21. 119-9-10 (1), Colorado Revised Statutes 1963  
9 (1969 Supp.), is amended to read:

10 119-9-10. Periodic reconsideration and changes. (1) All  
11 assistance and services granted under this article shall be  
12 reconsidered as frequently and in the manner as may be required  
13 by the rules of the ~~state board~~ DEPARTMENT. After such further  
14 verification and record as the county department may deem  
15 necessary or the department may require, the amount of assistance  
16 may be changed or assistance may be entirely withdrawn if the  
17 department or county departments find that the child's  
18 circumstances have changed sufficiently to warrant such action.

19 SECTION 22. 119-10-2 (1), Colorado Revised Statutes 1963  
20 (1969 Supp.), is REPEALED AND REENACTED, WITH AMENDMENTS, to  
21 read:

22 119-10-2. Duties of the state board and executive director  
23 rules. (1) (a) (i) The rules of the department of social  
24 services shall be of two types. "Executive director rules" are  
25 rules promulgated by the executive director of the department of  
26 social services governing matters of internal administration in  
27 the department of social services and the several county welfare

1 departments, including organization, staffing, records, reports,  
2 systems, procedures, fiscal and personnel administration, and the  
3 like, and such rules shall be solely the province of the  
4 executive director of the department of social services, subject  
5 to the direction of the governor. "Board rules" are rules  
6 promulgated by the state board of social services governing:

7 (ii) Program scope and content;

8 (iii) Requirements, obligations, and rights of clients,  
9 recipients, vendors, providers, and other persons affected by  
10 acts of the department of social services;

11 (iv) Such other matters as the state board of social  
12 services shall, at its discretion, hold to be matters of public  
13 policy.

14 (b) (i) The state board of social services shall:

15 (ii) Adopt board rules;

16 (iii) Hold hearings relating to the formulation and  
17 revision of such policies;

18 (iv) Hear appeals by recipients, clients, vendors, and  
19 providers from actions of the department of social services and  
20 make final decisions as to such appeals;

21 (v) Advise the executive director of the department of  
22 social services as to any matters that he, at his discretion, may  
23 bring before the state board of social services.

24 (c) Nothing in this section shall be construed to affect  
25 any specific statutory provision granting rule-making authority  
26 in relation to a specific program to the state board of social  
27 services or the executive director of the department of social

1 services.

2 SECTION 23. 119-10-2 (2), (4), and (5), Colorado Revised  
3 Statutes 1963, as amended, are amended to read:

4 119-10-2. Duties of the state board and executive director  
5 rules. (2) ~~The state board shall have the power, and it shall~~  
6 ~~be its duty, to fix minimum standards for service and personnel,~~  
7 ~~and to formulate salary schedules based upon training,~~  
8 ~~experience, and general ability of persons selected for positions~~  
9 ~~in the county departments of public welfare, all of which persons~~  
10 ~~shall be residents of the state of Colorado.~~ THE RULES AND  
11 REGULATIONS ISSUED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
12 SOCIAL SERVICES PURSUANT TO LAW SHALL NOT BE IN CONFLICT WITH  
13 BOARD RULES. THE RULES OF THE DEPARTMENT OF SOCIAL SERVICES  
14 SHALL BE BINDING UPON THE SEVERAL COUNTY DEPARTMENTS OF PUBLIC  
15 WELFARE. AT ANY PUBLIC HEARING RELATING TO A PROPOSED RULE  
16 MAKING, INTERESTED PERSONS SHALL HAVE THE RIGHT TO PRESENT THEIR  
17 DATA, VIEWS, OR ARGUMENTS ORALLY. THE RULES AND REGULATIONS OF  
18 THE STATE BOARD OF SOCIAL SERVICES LAWFULLY ADOPTED PRIOR TO THE  
19 EFFECTIVE DATE OF THIS SUBSECTION (2), AS AMENDED, SHALL CONTINUE  
20 TO BE EFFECTIVE UNTIL REVISED, AMENDED, REPEALED, OR NULLIFIED  
21 PURSUANT TO LAW.

22 (4) ~~The state board may adopt rules~~ THE RULES OF THE  
23 DEPARTMENT OF SOCIAL SERVICES MAY PROVIDE for the establishment  
24 of a program of social services to be administered by the  
25 department of social services or by the county department of  
26 public welfare under the supervision of the department of social  
27 services. The program may include, but need not be limited to,

1 the provision of child, adult, and medical services for those  
2 persons receiving public assistance, day care, homemaker  
3 services, foster care, services for mentally retarded, and all  
4 other forms of specialized social services to or on behalf of any  
5 individual residing or present within the state of Colorado who  
6 is in need of such services and who makes request or for whom a  
7 request is made for the same in accordance with said rules and,  
8 where applicable, in accordance with the conditions accompanying  
9 available federal funds and state appropriations for such  
10 purpose. ~~The state board of social services may adopt~~ RULES AND  
11 REGULATIONS MAY FIX budgetary standards from which a graduated  
12 schedule of fees may be determined. Said fees shall be paid by  
13 individuals receiving social services who have the financial  
14 ability to pay in accordance with the schedule of fees SO  
15 established. ~~by the state board of social services.~~

16 (5) ~~The state board of social services may adopt~~ rules and  
17 regulations OF THE DEPARTMENT OF SOCIAL SERVICES MAY FURTHER  
18 INCLUDE PROVISIONS to accommodate requirements of contracts  
19 entered into between the department of social services and the  
20 federal department of health, education, and welfare for studies  
21 of guaranteed annual income or other forms of income maintenance  
22 research projects; and for such purpose the requirements of this  
23 chapter as to eligibility for public assistance shall not apply  
24 for the term of and in accordance with the contract for such  
25 purpose. No program shall be initiated or carried out under the  
26 authorization contained in this subsection (5) in a manner which  
27 will increase the welfare burden upon any county or city and

1 county, and if conducted in the Denver area shall be conducted  
2 within an area no smaller than the Denver S.M.S.A. (standard  
3 metropolitan statistical area) as defined by the United States  
4 bureau of the census.

5 SECTION 24. 119-12-6 (2), Colorado Revised States 1963  
6 (1969 Supp.), is amended to read:

7 119-12-6. Other services and benefits. (2) The STATE  
8 department, ~~of social services,~~ pursuant to ITS rules and  
9 regulations, ~~of the state board,~~ shall have the authority to  
10 include in medical care benefits provided under this article  
11 reasonable amounts for the personal needs of any recipient  
12 receiving skilled nursing home services, if the recipient is not  
13 otherwise eligible for such amounts from other categories of  
14 public assistance; but such amounts for personal needs shall not  
15 exceed such amounts as are included for this purpose in benefits  
16 to recipients of the old age pension. Payments for funeral and  
17 burial expenses upon the death of a recipient may be provided  
18 under rules and regulations of the state ~~board~~ DEPARTMENT in the  
19 same manner as provided to recipients defined in section 119-12-3  
20 (10) (b).

21 SECTION 25. 119-12-7, Colorado Revised Statutes 1963 (1969  
22 Supp.), is amended to read:

23 119-12-7. Application - verification of eligibility. (1)  
24 Determination of eligibility for medical benefits shall be made  
25 by the county department in which the applicant resides. Any  
26 person at any time during a calendar month who is determined to  
27 be eligible pursuant to the requirements of this article shall be

1 eligible for benefits during all of the subsequent portion of  
2 said calendar month. Upon determination that any person is  
3 ineligible for medical benefits, the county department shall  
4 notify the applicant and the STATE department of ~~social services~~  
5 in writing of its decision and the reason therefor. Separate  
6 determination of eligibility and formal application for benefits  
7 under this article for persons eligible under section 119-12-3  
8 (10) (b) shall be made in accordance with the rules and  
9 regulations of the state ~~board~~ DEPARTMENT.

10 (2) The state ~~board~~ DEPARTMENT shall promulgate rules and  
11 regulations to simplify the processing of applications in order  
12 that medical benefits are furnished to recipients as soon as  
13 possible. Said rules may make provision for the payment of  
14 medical benefits for a period not to exceed seven days prior to  
15 the date of application in cases where the applicant was  
16 precluded from making such application prior to his need for said  
17 medical benefits. Adequate safeguards shall be established by  
18 the STATE department of ~~social services~~ to insure that only  
19 eligible persons receive benefits under this article.

20 SECTION 26. 119-12-11 (4), Colorado Revised Statutes 1963  
21 (1969 Supp.), is amended to read:

22 119-12-11. Vendors - payments - rules. (4) Any recipient  
23 receiving benefits under this article who receives any  
24 supplemental income, available for medical purposes under rules  
25 and regulations of the state ~~board~~, DEPARTMENT, shall apply such  
26 supplemental income to the cost of the benefits rendered, and the  
27 rules and regulations may require reports from vendors of other

1 payments received by them from or on behalf of recipients.

2 SECTION 27. 119-13-2, Colorado Revised Statutes 1963 (1971  
3 Supp.), is amended to read:

4 119-13-2. Provision of child welfare services. The ~~state~~  
5 ~~board~~ DEPARTMENT shall adopt rules and regulations to establish a  
6 program of child welfare services, administered by the department  
7 or supervised by the department and administered by the county  
8 departments, and, where applicable, in accordance with the  
9 conditions accompanying available federal funds for such purpose.  
10 Said rules and regulations shall include a fee schedule, based  
11 upon ability to pay, requiring those persons legally responsible  
12 for the child, who are financially able as determined by the  
13 ~~state board~~, DEPARTMENT, to pay for all or a portion of the  
14 services provided under this article. Upon appropriate request  
15 and within available appropriations, child welfare services shall  
16 be provided any child residing or present in the state of  
17 Colorado who is in need of such services.

18 SECTION 28. 119-14-2 (2), Colorado Revised Statutes 1963  
19 (1971 Supp.), is amended to read:

20 119-14-2. Purpose - provision of services - rules and  
21 regulations. (2) The ~~state board of social services~~ DEPARTMENT  
22 shall adopt rules and regulations for the administration of this  
23 article.

24 SECTION 29. 119-14-3 (2), Colorado Revised Statutes 1963  
25 (1971 Supp.), is amended to read:

26 119-14-3. Voluntary initiation of services. (2) Application  
27 for protective services under this article shall be made to the

1 county department in the county in which the applicant resides,  
2 and the application shall be transmitted promptly to the  
3 department. Such application shall be in writing or reduced to  
4 writing in the manner and upon the form prescribed by the  
5 department and shall contain the name, age, and residence of the  
6 applicant and such other information as may be required by the  
7 rules and regulations of the ~~state board of social services~~  
8 DEPARTMENT. The rules and regulations of the ~~state board of~~  
9 ~~social services~~ DEPARTMENT shall simplify the application process  
10 in order that protective services may be furnished as soon as  
11 possible. Adequate safeguards shall be established by the  
12 department to insure that only eligible persons receive  
13 protective services under this article. The department shall  
14 notify the applicant and the county department in writing of its  
15 decision concerning eligibility for protective services.

16 SECTION 30. Repeal. 119-3-7, Colorado Revised Statutes  
17 1963, is repealed.

18 SECTION 31. Safety clause. The general assembly hereby  
19 finds, determines, and declares that this act is necessary for  
20 the immediate preservation of the public peace, health, and  
21 safety.



BILL C

A BILL FOR AN ACT

1 CONCERNING THE INTERNAL ORGANIZATION OF THE DEPARTMENT OF SOCIAL  
2 SERVICES.

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

4 SECTION 1. 3-28-20 (3) and (4), Colorado Revised Statutes  
5 1963 (1969 Supp.), are amended to read:

6 3-28-20. Department of social services - creation. (3) (a)

7 The department of social services shall ~~consist-of-the--following~~  
8 ~~divisions:~~ EXERCISE THE POWERS AND PERFORM THE DUTIES AND  
9 FUNCTIONS OF THE FOLLOWING AGENCIES AS SPECIFIED:

10 (b) ~~Division-of-public-welfare;-the-head-of-which--shall--be~~  
11 ~~the-director-of-public-welfare:~~ Except with respect to the state  
12 board of public welfare, the state department of public welfare  
13 and the office of the director of the state department of public  
14 welfare, created by article 1 of chapter 119, C.R.S. 1963, as  
15 amended; and their powers, duties, and functions, are transferred  
16 by a type 2 transfer to the department of social services. ~~as-the~~  
17 ~~division-of-public-welfare:~~

18 (c) ~~Division-of-rehabilitation;-the-head-of-which--shall--be~~  
19 ~~the-director-of-rehabilitation:~~ The department of rehabilitation  
20 and the office of the director of the department of

1 rehabilitation, created by article 2 of chapter 146, C.R.S.  
2 1963, ~~as-amended~~; and their powers, duties, and functions, are  
3 transferred by a type 2 transfer to the department of social  
4 services. ~~as-the-division-of-rehabilitation,~~

5 (d) (i) ~~Division-of-services-for-the-aged,-the-head-of-which~~  
6 ~~shall-be-the-director-of-the-division-of-services-for-the-aged;~~  
7 ~~which-office-is-hereby-created;-The-director-of-the-Colorado~~  
8 ~~commission-on-the-aging-shall-also-be-the-director-of-the~~  
9 ~~division-of-services-for-the-aged;-The-division-and-the-director~~  
10 ~~shall-exercise-their-powers-and-perform-their-duties-and~~  
11 ~~functions-specified-by-law-under-the-department-of-social~~  
12 ~~services-and-the-executive-director-thereof,-as-if-the-same-were~~  
13 ~~transferred-to-the-department-by-a type-2 transfer.~~ The Colorado  
14 commission on the aging, and the office of director thereof,  
15 created by article 11 of chapter 119, C.R.S. 1963, and their  
16 powers, duties, and functions, are transferred by a type 2  
17 transfer to the department of social services. ~~as-a-part-of-the~~  
18 ~~division-of-services-for-the-aged;~~

19 (ii) The Trinidad state nursing home, created by article 2  
20 of chapter 133, C.R.S. 1963, ~~as-amended~~; and the Colorado state  
21 veterans center, created by article 1 of chapter 144, C.R.S.  
22 1963, ~~as-amended~~; are transferred by a type 2 transfer to the  
23 department of social services. ~~as-a-part-of-the-division-of~~  
24 ~~services-for-the-aged;~~

25 (iii) The powers, duties, and functions of the state board  
26 of control for state homes for the aged, created by article 1 of  
27 chapter 133, C.R.S. 1963, ~~as-amended~~; are transferred by a type

1 3 transfer to the department of social services, and said board  
2 of control for state homes for the aged is abolished.

3 (4) (a) The ~~division-of-public-welfare~~ DEPARTMENT OF SOCIAL  
4 SERVICES shall include the following:

5 (b) The merit system council, created by article 1 of  
6 chapter 119, C.R.S. 1963; ~~as--amended;~~ said council, and its  
7 powers, duties, and functions, are transferred by a type 2  
8 transfer to the department of social services. ~~and--allocated--to~~  
9 ~~the-division-of-public-welfare-as-a-section-thereof.~~

10 (c) The Colorado board of veterans affairs and the Colorado  
11 department of veterans affairs, created by article 6 of chapter  
12 144, C.R.S. 1963, ~~as--amended;~~ said board and department, and  
13 their powers, duties, and functions, are transferred by a type 2  
14 transfer to the department of social services, ~~and-allocated-to~~  
15 ~~the-division-of-public-welfare-as--a--section--thereof;~~ and the  
16 duties and functions of said board shall be as prescribed in  
17 sections 144-6-3 and 144-6-4, C.R.S. 1963. ~~as-amended.~~

18 (d) The powers, duties, and functions of the attorney  
19 general with respect to the administration of section 43-2-17,  
20 C.R.S. 1963, ~~as-amended;~~ regarding the state information agency  
21 under the "Uniform Reciprocal Enforcement of Support Act"; said  
22 powers, duties, and functions are transferred by a type 2  
23 transfer to the department of social services. ~~as-an-additional~~  
24 ~~function-of-the-division-of-public-welfare.~~

25 SECTION 2. 43-2-17 (1) (a), Colorado Revised Statutes 1963  
26 (1971 Supp.), is amended to read:

27 43-2-17. State information agency. (1) (a) The ~~division~~

1 ~~of public welfare~~ of the department of social services is  
2 designated as the state information agency under this article,  
3 and it shall:

4 SECTION 3. 119-1-2 (2), Colorado Revised Statutes 1963  
5 (1969 Supp.), is amended to read:

6 119-1-2. Construction of terms. (2) Whenever any law of  
7 this state refers to the state department of public welfare or to  
8 the director of said department, said law shall be construed as  
9 referring to the ~~division of public welfare~~ DEPARTMENT OF SOCIAL  
10 SERVICES or to the EXECUTIVE director of ~~public welfare~~; THE  
11 DEPARTMENT OF SOCIAL SERVICES, as the case may be. ~~WHENEVER ANY~~  
12 LAW OF THIS STATE REFERS TO THE DIVISION OF PUBLIC ASSISTANCE, OR  
13 TO THE DIVISION OF CHILDREN AND YOUTH, OR TO THE DIVISION OF  
14 TUBERCULOSIS, SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE  
15 DEPARTMENT OF SOCIAL SERVICES.

16 SECTION 4. Article 1 of chapter 119, Colorado Revised  
17 Statutes 1963, as amended, is amended BY THE ADDITION OF A NEW  
18 SECTION to read:

19 119-1-18. Internal organization of department. (1) The  
20 executive director of the department of social services shall  
21 establish such divisions, sections, and other units within the  
22 department as are necessary for the proper and efficient  
23 discharge of the powers, duties, and functions of the department.  
24 The executive director shall allocate the powers, duties, and  
25 functions previously assigned to statutorily created divisions or  
26 sections of the department of social services to the divisions,  
27 sections, and other units established pursuant to this section,

1 such allocation to take effect July 1, 1973.

2 (2) Each division, section, or other unit to which powers,  
3 duties, and functions of a statutorily created division or  
4 section are allocated pursuant to this section shall be the  
5 successor in every way with respect to such powers, duties, and  
6 functions of the division or section in which such powers,  
7 duties, and functions were vested prior to July 1, 1973. Each  
8 division, section, or other unit established pursuant to this  
9 section shall succeed to all property and records which were used  
10 for or pertain to the powers, duties, and functions allocated  
11 thereto.

12 SECTION 5. 119-2-6, Colorado Revised Statutes 1963, as  
13 amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

14 119-2-6. Duties of the department. (5) In its discretion  
15 and with the cooperation of local medical societies, conduct  
16 clinics in the diagnosis and treatment of tuberculosis in  
17 convenient places throughout the state.

18 SECTION 6. 119-2-7 (2), Colorado Revised Statutes 1963, is  
19 amended to read:

20 119-2-7. Duties of county departments. (2) Report to the  
21 state department at such times and in such manner as the state  
22 department may from time to time direct; keep such records and  
23 accounts with respect to this article and the carrying out of its  
24 provisions as the rules and regulations may require or the state  
25 department order; and make such special reports at such times and  
26 in such manner as the ~~director; -with-the-approval-of-the-state~~  
27 department may require.

1 SECTION 7. 119-2-9 (1) and (3), Colorado Revised Statutes  
2 1963, are amended to read:

3 119-2-9. Extent and manner of assistance. (1) Recipients  
4 shall be admitted to and treated in such sanitoriums, and therein  
5 or otherwise receive such treatment for tuberculosis, and be  
6 discharged, as the ~~director~~ DEPARTMENT in each case shall  
7 determine and in accordance with the rules and regulations which  
8 shall insure uniform and impartial handling of cases of  
9 substantially similar nature; ~~provided~~ EXCEPT that in selecting  
10 sanatoriums consideration shall be given to recipients' religious  
11 beliefs, places of residence, and consistent desires with  
12 reference to location.

13 (3) Recipients shall be admitted only to sanitoriums located  
14 in the state which have been approved as to equipment,  
15 management, and operation by the ~~director--and--state~~ department  
16 and which have on file with the ~~director~~ DEPARTMENT rate  
17 schedules whereunder assistance will be available to recipients.

18 SECTION 8. 119-11-1 (1), Colorado Revised Statutes 1963, as  
19 amended by section 17 of chapter 98, Session Laws of Colorado  
20 1972, is amended to read:

21 119-11-1. Commission created. (1) There is hereby  
22 created in the ~~divisien--ef--services--for--the--aged--ef--the~~  
23 department of social services the Colorado commission on the  
24 aging, referred to in this article as the "commission", which  
25 shall consist of eleven members appointed by the governor, with  
26 the consent of the senate. Two members shall be appointed from  
27 each congressional district of the state, one of whom shall be

1 from each major political party, and one shall be appointed from  
2 the state at large.

3 SECTION 9. 119-11-4, Colorado Revised Statutes 1963 (1969  
4 Supp.), is amended to read:

5 119-11-4. Director - staff. Pursuant to section 13 of  
6 article XII of the state constitution, the executive director of  
7 the department of social services shall appoint the director of  
8 the commission and such clerical and professional staff as may be  
9 necessary to carry out the purposes of this article. The  
10 director shall be the chief administrative officer for the  
11 commission and shall be a person who is professionally qualified  
12 to assume the responsibilities of the position. ~~He shall also be~~  
13 ~~the head of the division of services for the aged in the~~  
14 ~~department of social services.~~

15 SECTION 10. 119-12-3 (2), Colorado Revised Statutes 1963  
16 (1969 Supp.), is amended to read:

17 119-12-3. Definitions. (2) "State department" means the  
18 department of social services. ~~and "division" means the division~~  
19 ~~of public welfare, created by section 119-1-2, C.R.S., 1963.~~

20 SECTION 11. 119-12-8, Colorado Revised Statutes 1963 (1969  
21 Supp.), is amended to read:

22 119-12-8. Appeals - hearings. (1) If an application is not  
23 acted upon by the county department within a reasonable time  
24 after filing of the same, or if an application is denied, or if  
25 an award of medical benefits is revoked or modified, the  
26 applicant or recipient, as the case may be, may appeal to the  
27 ~~division~~ STATE DEPARTMENT in the manner and form prescribed by

1 the rules of the state department. Upon receipt of an appeal,  
2 the ~~division~~ STATE DEPARTMENT shall give the appellant and the  
3 county department an opportunity for a hearing. Upon its own  
4 motion, the ~~division~~ STATE DEPARTMENT may review any decision of  
5 a county department and may consider any application upon which a  
6 decision has not been made by the county department within a  
7 reasonable time.

8 (2) The ~~division~~ STATE DEPARTMENT may make such additional  
9 investigation as it may deem necessary and shall make such  
10 decision as to the granting of medical benefits as in its opinion  
11 is justifiable and in conformity with the provisions of this  
12 article. All decisions of the ~~division~~ STATE DEPARTMENT shall be  
13 binding upon the county department involved and shall be promptly  
14 complied with by such county department.

15 SECTION 12. 144-6-1 (2), Colorado Revised Statutes 1963  
16 (1969 Supp.), is amended to read:

17 144-6-1. Terminology. (2) Whenever any law of this state  
18 refers to the Colorado department of veterans affairs, said law  
19 shall be construed as referring to the ~~Colorado-veterans-affairs~~  
20 ~~section,~~ DEPARTMENT OF SOCIAL SERVICES.

21 SECTION 13. 144-6-2 (1) and (2), Colorado Revised Statutes  
22 1963, are amended to read:

23 144-6-2. Definitions. (1) The term "department" means the  
24 ~~Colorado~~ department of ~~veterans-affairs,~~ SOCIAL SERVICES.

25 (2) The ~~terms-"state-director"-or~~ TERM "director" means the  
26 EXECUTIVE director of ~~veterans-affairs,~~ THE DEPARTMENT OF SOCIAL  
27 SERVICES.



1 SECTION 14. 144-6-4 (1) and (2), Colorado Revised Statutes  
2 1963 (1969 Supp.), is amended to read:

3 144-6-4. Rules and regulations - duties. (1) The  
4 Colorado board of veterans affairs shall propose for adoption by  
5 the state board of social services such rules and regulations,  
6 not in conflict with this article or other laws, as it may deem  
7 necessary to govern the activities of the ~~Colorado-veterans~~  
8 ~~affairs--section--and--the--section--shall-be-vested-with-all-the~~  
9 ~~authority-to-administer~~ DEPARTMENT UNDER this article.

10 (2) The ~~Colorado-veterans-affairs-section~~ DEPARTMENT shall  
11 be responsible for the proper administration of this article.  
12 The board shall study the problems of veterans and based on such  
13 study shall propose for adoption by the state board of social  
14 services such program ~~or-programs~~ as it may deem advisable or  
15 necessary for veterans' assistance by the state of Colorado or  
16 political subdivisions thereof. The board shall prepare and  
17 transmit annually, in the form and manner prescribed by the  
18 controller pursuant to the provisions of section 3-3-17, C.R.S.  
19 1963, a report accounting to the governor and the general  
20 assembly for the efficient discharge of all responsibilities  
21 RELATING TO VETERANS' AFFAIRS assigned by law or directive to the  
22 ~~section~~ DEPARTMENT and the board. The board shall make a  
23 continuing study of any program put into effect and make A report  
24 as ~~above~~ provided IN THIS SUBSECTION (2) thereon. The board  
25 shall perform such other duties as may be assigned to it by law  
26 and shall on request advise and assist the governor and the  
27 general assembly or any committee thereof in regard to veterans'

1 matters.

2 SECTION 15. 144-6-7 (1) (a), Colorado Revised Statutes 1963  
3 (1969 Supp.), is amended to read:

4 144-6-7. Duties of department with respect to veterans  
5 affairs. (1) (a) The ~~section~~; DEPARTMENT, under the direction of  
6 the director and subject to the rules, regulations, and  
7 supervision of the state board of social services, shall perform  
8 the following duties and functions:

9 SECTION 16. 144-6-8, Colorado Revised Statutes 1963 (1969  
10 Supp.), is amended to read:

11 144-6-8. Employees. ~~Under the direction of the executive~~  
12 ~~director of the department of social services; the director;~~  
13 Pursuant to article XII, section 13, of the state constitution,  
14 ~~may employ~~ THERE MAY BE EMPLOYED such expert, technical, legal,  
15 clerical, and other employees as may be necessary to carry out  
16 the functions, powers, and duties of the ~~Colorado veterans~~  
17 ~~affairs section~~ DEPARTMENT IN REGARD TO VETERANS' AFFAIRS, and  
18 THE DEPARTMENT may rent such space within the state as is  
19 required FOR SUCH PURPOSES. ~~The office of the director, which~~  
20 ~~shall be the main office of the section; shall be located in the~~  
21 ~~city and county of Denver; in addition to the director and the~~  
22 ~~deputy director~~ Not more than ten persons shall be regularly  
23 employed by the ~~section in the office of the director~~ DEPARTMENT  
24 ON VETERANS' MATTERS in the city and county of Denver, and not  
25 more than ten persons shall be regularly employed by the ~~section~~  
26 DEPARTMENT for field service or in district offices WITH RESPECT  
27 TO VETERANS' MATTERS in other parts of Colorado. The office of

1 the director shall furnish the board with any requested  
2 secretarial, clerical, or other assistance or facilities, and one  
3 person, in addition to the number of persons above authorized,  
4 may be employed in the office of the director for such purposes.

5 SECTION 17. 144-6-10 (1), Colorado Revised Statutes 1963  
6 (1969 Supp.), is amended to read:

7 144-6-10. Assistance to county veterans' service officers.

8 (1) It shall be the duty of the director to provide  
9 satisfactory supervision, direction, and assistance to all county  
10 veterans' service officers and to provide such services and  
11 facilities to the county veterans' service officers as may be  
12 determined by him to be necessary. Out of any moneys  
13 appropriated by ~~this--article;--or--any--other--act~~ THE GENERAL  
14 ASSEMBLY to the ~~section~~; DEPARTMENT FOR VETERANS' AFFAIRS  
15 PURPOSES, the director is hereby authorized and directed to issue  
16 vouchers for the monthly payment to the general fund of each  
17 county, to be disbursed upon the authority of the county  
18 commissioners thereof, only for the purposes of this article and  
19 of sections 144-5-1 to 144-5-5, of an amount equal to the amount  
20 such county commissioners may have authorized to be disbursed out  
21 of other moneys in such county general fund for such purposes for  
22 that month, but in no event shall any such monthly payment exceed  
23 the sum of fifty dollars.

24 SECTION 18. 146-2-1 (2), Colorado Revised Statutes 1963  
25 (1969 Supp.), is amended to read:

26 146-2-1. Terminology. (2) Whenever any law of this state  
27 refers to the department of rehabilitation, said law shall be

1 construed as referring to the ~~division---of---rehabilitation,~~  
2 DEPARTMENT OF SOCIAL SERVICES. WHENEVER ANY LAW OF THIS STATE  
3 REFERS TO THE DIRECTOR OF THE DEPARTMENT OF REHABILITATION, SAID  
4 LAW SHALL BE CONSTRUED AS REFERRING TO THE EXECUTIVE DIRECTOR OF  
5 THE DEPARTMENT OF SOCIAL SERVICES.

6 SECTION 19. 146-2-6 (4) (a), Colorado Revised Statutes 1963  
7 (1969 Supp.), is amended to read:

8 146-2-6. Rehabilitation of handicapped. (4) (a)  
9 Vocational rehabilitation services as defined by the federal  
10 vocational rehabilitation act shall be provided directly or  
11 through public or private instrumentalities to or for the benefit  
12 of any handicapped individual: Who is residing in the state at  
13 the time of filing his application ~~thereof~~ THEREFOR and whose  
14 rehabilitation the ~~division~~ DEPARTMENT OF SOCIAL SERVICES  
15 determines after full investigation can be satisfactorily  
16 achieved; or who is eligible therefor under the terms of an  
17 agreement with another state or with the federal government.

18 SECTION 20. 146-2-7 (1), Colorado Revised Statutes 1963  
19 (1969 Supp.), is amended to read:

20 146-2-7. Cooperation with federal government. (1) The  
21 ~~division~~ DEPARTMENT OF SOCIAL SERVICES shall cooperate with the  
22 federal government in carrying out the purposes of any federal  
23 statutes pertaining to the purposes of this article, including  
24 the licensing of blind persons to operate vending stands on  
25 federal property, and is hereby authorized to adopt by rule and  
26 regulation such methods of administration as are authorized by  
27 the federal government for the proper and efficient operation of

1 such agreements and to comply with such conditions as may be  
2 necessary to secure the full benefits of such federal statutes.

3 SECTION 21. 146-2-8, Colorado Revised Statutes 1963, is  
4 amended to read:

5 146-2-8. Funds - custodian - transfer - disbursement.

6 The state treasurer is hereby designated as the custodian of all  
7 funds received from the federal government for the purposes of  
8 carrying out the provisions of this article. The state treasurer  
9 shall make disbursements from such funds and from all state funds  
10 available for such purposes upon certification by the department.  
11 All funds now or hereafter appropriated for or available to the  
12 division of vocational rehabilitation, the division of  
13 rehabilitation for the blind, and the services for the blind in  
14 the department of welfare, AND THE DIVISION OF REHABILITATION are  
15 hereby transferred and made available to the department. ~~created~~  
16 ~~in-section-146-2-1.~~

17 SECTION 22. Repeal. 119-1-2 (1), 119-1-7, 119-2-1 (1) (g)  
18 and (m), 119-2-4, 119-2-5, 144-6-1 (1), 144-6-6, 144-6-7 (2),  
19 146-2-1 (1), 146-2-2, and 146-2-9, Colorado Revised Statutes  
20 1963, as amended, are repealed.

21 SECTION 23. Effective date. This act shall take effect  
22 July 1, 1973.

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

STATE OF COLORADO

BILL D

A BILL FOR AN ACT

1 CONCERNING THE MERIT SYSTEM FOR EMPLOYEES OF THE COUNTY  
2 DEPARTMENTS OF PUBLIC WELFARE.

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

4 SECTION 1. 119-1-12, Colorado Revised Statutes 1963, is  
5 amended BY THE ADDITION OF A NEW SUBSECTION to read:

6 119-1-12. Merit system. (6) (a) The department of social  
7 services and the department of personnel may enter into an  
8 agreement for the transfer of all or any part of the  
9 administration of the merit system to the department of  
10 personnel. Said departments may include in any such agreement  
11 provisions for any or all of the following, and any other  
12 provisions which said departments determine to be necessary or  
13 desirable:

14 (b) The transfer of rule-making authority for the merit  
15 system to the state personnel board;

16 (c) The transfer of any other powers, duties, and functions  
17 of the state board of social services with respect to the merit  
18 system, or of the merit system council or the merit system  
19 supervisor, to the department of personnel and the allocation of  
20 such powers, duties, and functions between the state personnel  
21 board and the state personnel director in accordance with the

1 provisions of article XII, sections 13 and 14, of the state  
2 constitution;

3 (d) The granting of preference to disadvantaged persons in  
4 making appointments to positions in the merit system specifically  
5 designated for welfare aides;

6 (c) The establishment of geographic differentials such that  
7 pay rates for county welfare employees will be in accordance with  
8 rates of pay for comparable positions in the community, which may  
9 be conditioned upon the inclusion of geographic differentials in  
10 the pay plan for employees in the state personnel system.

11 SECTION 2. 3-28-20 (2), Colorado Revised Statutes 1963  
12 (1969 Supp.), is amended to read:

13 3-28-20. Department of social services - creation. (2) The  
14 state board of public welfare, created by article 1 of chapter  
15 119, C.R.S. 1963, ~~as--amended~~; and its powers, duties, and  
16 functions, are transferred by a type 1 transfer to the department  
17 of social services as the state board of social services. THE  
18 POWERS, DUTIES, AND FUNCTIONS OF THE MERIT SYSTEM COUNCIL,  
19 CREATED BY ARTICLE 1 OF CHAPTER 119, C.R.S. 1963, ARE TRANSFERRED  
20 BY A TYPE 3 TRANSFER TO THE STATE BOARD OF SOCIAL SERVICES, AND  
21 THE MERIT SYSTEM COUNCIL IS ABOLISHED.

22 SECTION 3. 119-1-12 (1), Colorado Revised Statutes 1963, is  
23 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

24 119-1-12. Merit system. (1) (a) There is hereby created  
25 the county welfare merit system, which shall be comprised of all  
26 employees of the several county departments of public welfare.

27 (b) The merit system council and the office of merit system

1 supervisor are abolished. The powers, duties, and functions of  
2 the merit system council are transferred to the state board of  
3 social services. The powers, duties, and functions of the merit  
4 system supervisor are transferred to the department of social  
5 services.

6 SECTION 4. 119-1-12 (4) (a) and (5) (h), Colorado Revised  
7 Statutes 1963, are amended to read:

8 119-1-12. Merit system. (4) (a) It shall be the duty of  
9 ~~the merit-system-council--within--the--scope--of--the--rules--and~~  
10 ~~regulations--of--the--state--department--of--public-welfare;~~ STATE  
11 BOARD OF SOCIAL SERVICES:

12 (5) (h) The right to appeal. Every applicant or employee  
13 shall be entitled to an appeal and a fair hearing had before the  
14 ~~merit-council~~ STATE BOARD OF SOCIAL SERVICES of the status of  
15 such applicant or employee in accordance with the rules and  
16 regulations of the ~~state~~ department of ~~public--welfare;~~ SOCIAL  
17 SERVICES;

18 SECTION 5. Repeal. 3-28-20 (4) (b) and 119-1-12 (2), (3),  
19 and (4) (d), Colorado Revised Statutes 1963, as amended, are  
20 repealed.

21 SECTION 6. Effective date. This act shall take effect July  
22 1, 1973.

23 SECTION 7. Safety clause. The general assembly hereby  
24 finds, determines, and declares that this act is necessary for  
25 the immediate preservation of the public peace, health, and  
26 safety.



**BILL E**

A BILL FOR AN ACT

1 CREATING THE COLORADO STATE VETERANS NURSING HOME, AND MAKING AN  
2 APPROPRIATION THEREFOR.

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

4 SECTION 1. Chapter 144, Colorado Revised Statutes 1963, as  
5 amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

6 ARTICLE 10

7 Colorado State Veterans Nursing Home

8 144-10-1. Nursing home established. There is hereby  
9 established a nursing home for veterans of service in the armed  
10 forces of the United States, their wives, widows, and mothers.  
11 The Colorado state veterans nursing home, referred to in this  
12 article as the "nursing home", shall be located at or near the  
13 city of Florence, Colorado. The nursing home shall have a  
14 capacity of not more than one hundred twenty beds and shall be  
15 designed and constructed so as to qualify for federal funding  
16 under the provisions of Federal Public Law 88-450, as from time  
17 to time amended. The nursing home shall be under the control and  
18 supervision of the executive director of the department of  
19 institutions.

20 144-10-2. Acceptance - construction - plans. The executive  
21 director of the department of institutions is hereby authorized

1 in the name and on behalf of the state to accept any gifts inter  
2 vivos of property that may be donated to the state by the city of  
3 Florence, Colorado, for the purpose of the nursing home. Upon  
4 acquiring such property the executive director shall have plans  
5 prepared for the construction of the nursing home. Plans,  
6 specifications, and bids for the construction of the nursing home  
7 shall be approved by the director of the division of public  
8 works.

9 144-10-3. Federal funds. Whenever a law, rule, or  
10 regulation pertaining to the veterans' administration or any  
11 other federal law permits the state to receive federal funds for  
12 the use and benefit of the nursing home, the executive director  
13 of the department of institutions may apply for and use such  
14 federal funds for the benefit of the nursing home.

15 SECTION 2. 3-28-18 (3), Colorado Revised Statutes 1963, as  
16 amended, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

17 3-28-18. Department of institutions - created. (3) (p)  
18 Colorado state veterans nursing home.

19 SECTION 3. Appropriation. There is hereby appropriated out  
20 of any moneys in the capital construction fund not otherwise  
21 appropriated, to the department of institutions for the Colorado  
22 state veterans nursing home, the sum of \_\_\_\_\_ dollars (\$  
23 ), or so much thereof as may be necessary, for the implementation  
24 of this act.

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

## CONSULTANT STUDY OF STATE-COUNTY RELATIONSHIPS IN WELFARE ADMINISTRATION

At the last regular meeting of the Welfare Committee in 1971, the Committee recommended that a consultant be retained to examine state-county relationships in the supervision and administration of welfare in Colorado. The firm of Kansas-Denver Associates was awarded a \$15,000 contract for the study. The Consultant's report was submitted to the Committee at its first regular meeting in June and is available for inspection in the Legislative Council Office. 1/

The Committee spent a considerable amount of time on the Consultant's recommendations, including the draft legislation deemed necessary to implement them.

Management Services Division Study of the Department of Social Services. It should be noted at this point that the Division of Management Services, Department of Administration, completed a management study of the DSS in October, 1971, 2/ and many of the recommendations of Management Services and Kansas-Denver Associates are in a substantial agreement.

### Kansas-Denver Associates Findings and Recommendations

There follows a discussion of the six principal areas in which recommendations were made by Kansas-Denver Associates, supplemented by the findings and recommendations of the Management Services Division. Briefly, these six areas are the following:

- (1) Powers and Jurisdiction of the State Board of Social Services;
- (2) Creation of the Position of Deputy Director;

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1/ "Preliminary Report of Findings: State Welfare Project", April, 1972, Carl S. Becker Co. and Kansas-Denver Associates.

2/ "State of Colorado Department of Social Services: Management Study," Department of Administration, Management Services Division, October 14, 1971.

- (3) Internal Reorganization of the Department of Social Services;
- (4) Establishment of a Field Operations Division in the Department of Social Services;
- (5) Welfare Personnel Administration; and
- (6) Automated Data Processing in the Department of Social Services.

After each recommendation, there is a description of the action taken, if any, to implement the recommendation, whether it was by the Committee in the form of recommended legislation or whether it was initiated by the Department. Items (3) and (4) above are intricately related and will be discussed simultaneously.

During the fall of 1971 and the winter months of 1972, the Department of Social Services was already making efforts in many of these areas and was in general agreement with the recommendations (1) through (5). <sup>1/</sup> Further, the Department's Budget requests for Fiscal Year 1973-74 is predicated on the assumption that DSS would be reorganized internally as recommended by the Consultant and discussed herein, including the establishment of a Division of Field Operations.

Consultant proposal. The following summary by Kansas-Denver was submitted to the Committee as the basis for the six recommended actions:

"The subject of the report is best described as a study of state-county relationships as to welfare administration. It relates to administrative machinery (not programs) and is designed to answer the question: How can the operation of the communications and monitoring machinery between the State Department of Social Services and the county welfare offices be improved?

"The report is based on a number of sources. Primary source is written comments obtained from county directors -- visits to six counties and talks with perhaps 15 more county directors, as well as committees of their association... Other sources were talks with a number of Denver officials of HEW,

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1/ Memorandum to Mr. Hugh Catherwood, Kansas-Denver Associates, from Peter Samac, Deputy Director, Department of Social Services, May 18, 1972.

officials of DSS (including especially the Deputy Director), as well as other state officials, and meetings with county commissioners. It is also based on prior knowledge of welfare systems from previous projects, as well as a careful review of the management study done by the Department of Administration." The major matters discussed in the report, together with the recommendations, are discussed in the following pages.

(1) Powers and Jurisdiction of the State Board of Social Services

"We recommend that the rule-making process, which is a vital channel of communications with the counties, be streamlined by giving the executive director power to issue the rules, subject to policy guidance by the board...."

Committee Action. In consultation with the Board of Social Services and the Department throughout the interim, it was agreed that the State Board's powers and functions should be rewritten in a manner that the Board would be a policy-making body, while leaving the day-to-day administration functions up to the Executive Director. It was pointed out by the Consultant in the report that too much time is presently being spent by the State Board in ruling on matters which relate solely to the internal administrative operation of the Department, considered an improper function of a policy-making body. Appropriate legislation, therefore, was drafted and adopted by the Committee to distinguish the respective functions.

Under Bill B, board rule-making power extends to program scope and content; requirements, obligations, and rights of clients, recipients, vendors, providers, and others affected by DSS; and other matters that the Board holds to be matters of public policy.

The rule-making power of the director would include those matters of internal administration in the State Department or the county welfare departments and include: organization, staffing, records, fiscal and personnel administration, etc.

(2) Create Position of Deputy Director in the Department of Social Services

The consultant recommended the "creation of a position of deputy director, to be fully and truly in charge as executive officer of all internal operations of the DSS, leaving the executive director free to deal with program planning,

relationships with HEW and coordination with other state agencies, and relations with the counties. This step has been taken, but we emphasize the necessity that the deputy be truly No. 2 in the DSS."

Departmental Action: A Deputy Director was appointed earlier in 1972. Until that time, the Director of the Welfare Division served as Acting Deputy Director; no official Deputy had ever been designated after the 1968 Reorganization. As a matter of necessity, it was estimated by Management Services, the Acting Director devoted 95 percent of her time to matters relating to welfare and five percent as Deputy Director.

Both Kansas-Denver and the Management Services Division deemed this situation administratively and organizationally ineffective since it meant that neither the Executive Director nor the Acting Deputy Director had sufficient time to devote to overall management and planning for the Department.

The Committee takes note of the fact that the newly-appointed Deputy Director actively participated in the meetings of the Welfare Committee and was found to be invaluable in its work.

(3) Internal Reorganization of the Department of Social Services and (4) Establishment of Field Operations Division

The Consultant recommended the "establishment of a clear-cut, rational plan of organization in the DSS, so that functions of the several divisions are firmly assigned, without ambiguity, and that responsibility is definitely assigned."

Moreover, as part of the overall administrative reorganization, there should be established "a field operations division to have full charge of carrying out the principal function of the DSS, supervision and direction of field forces, both county and state..."

Reorganization of the Department. The three line divisions in the Department -- Welfare, Rehabilitation, and Aging -- were created by law in the 1968 Reorganization of the Executive Department. Prior to reorganization, they were separate departments. In addition, certain components within the line divisions, when transferred to the new Department in 1968, were left intact in their new administrative locations. Examples of the latter are the Colorado Board of Veterans Affairs and the Colorado Department of Veterans Affairs which were both transferred to a specific section in the Division of Welfare in 1968 (Section 3-28-20 (4), C.R.S. 1963 (1969 Supp.)). Other sections in the Welfare Division were also created by

law, e.g., Merit System Council, and those functions relating to a state information agency under the "Uniform Reciprocal Enforcement of Support Act."

The Consultant recommended that the Department's internal organization should be left up to the Executive Director and the Governor, rather than have the line organization continue to be designated by law.

Further, the Management Report noted that there is a distinct lack of coordination in the Department because Rehabilitation and Aging both feel their functions are given secondary priority to welfare. Since the Acting Deputy Director and the Director of the Division of Welfare were the same person, this feeling was further bolstered. There also was no department-wide plan, due partially to the fact that the federal government requires the submission of individual "state program plans" in order to achieve federal matching funds for programs conducted by each of the three divisions.1/

The Committee's Bill C to abolish specific statutory references towards divisions and sections in DSS would allow the Director to organize as he sees fit, subject to the approval of the Governor.

In general, the new organizational framework proposed by DSS divides the Department into six line divisions and one staff division. The six line or operational divisions are as follows:

- (1) Division of Income Maintenance;
- (2) Division of Services to the Aging;
- (3) Division of Social Services;
- (4) Division of Vocational Rehabilitation;
- (5) Division of Medical Services; and
- (6) Division of Field Operations.

In addition, there would be some reshuffling of the several existing staff divisions into either the newly created Division of Specialized Staff Services or to administra-

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1/ Ibid., p. 27.

tive positions directly responsible to the Executive Director.

Regional Field Operations Division. One central feature of the plan would be to create a Division of Field Operations. Both Kansas-Denver Associates and the Management Study Task Force viewed a Field Operations Division as a way of facilitating state-county communications, by providing counties with a central point in the Department for assisting them in administering the Department of Social Services' programs.

Presently, the Department has nine regional field supervisors for the Welfare Division who are responsible for monitoring and assisting county offices in the administration of eligibility and assistance payments, social services, and administrative matters. But one of the criticisms of the present administrative setup is that effective communication between county departments and the state department is hampered by the fact that a county must go through five layers of departmental administration before reaching the Executive Director. (See heavy black line in Chart I.)

Further, the Kansas-Denver report notes that "since many matters dealt with by the field supervisors lie outside the Division of Welfare (such as personnel, staff manual, quality control, statistical reporting, and all fiscal matters, their counties requests must go upward through a long channel before they can even be passed horizontally to the cognizant staff division."

The Kansas-Denver report also noted that field supervisors have little influence or authority in the Department, are relatively junior in rank, receive little training, and cover too many counties. As a result, many county inquiries (estimated at more than one-half) bypass the field supervisors and go directly to the appropriate personnel on the state level. 1/

In an attempt to correct these problems, the reorganization plan submitted to the Governor contains six regional offices, as shown in Chart II.

Generally speaking, the new regional organization concept would have the effect of facilitating the coordination of services furnished by the existing Welfare, Rehabilitation and Aging divisions. Under the present field supervisors, welfare, by and large, is the only division affected, while

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1/ Kansas-Denver Associates, p. 9.



# CHART I -- PRESENT ORGANIZATION OF DEPARTMENT OF SOCIAL SERVICES

COLORADO DEPARTMENT OF SOCIAL SERVICES

FORM P P & D 1035 (9/71)  
ORGANIZATION CHART

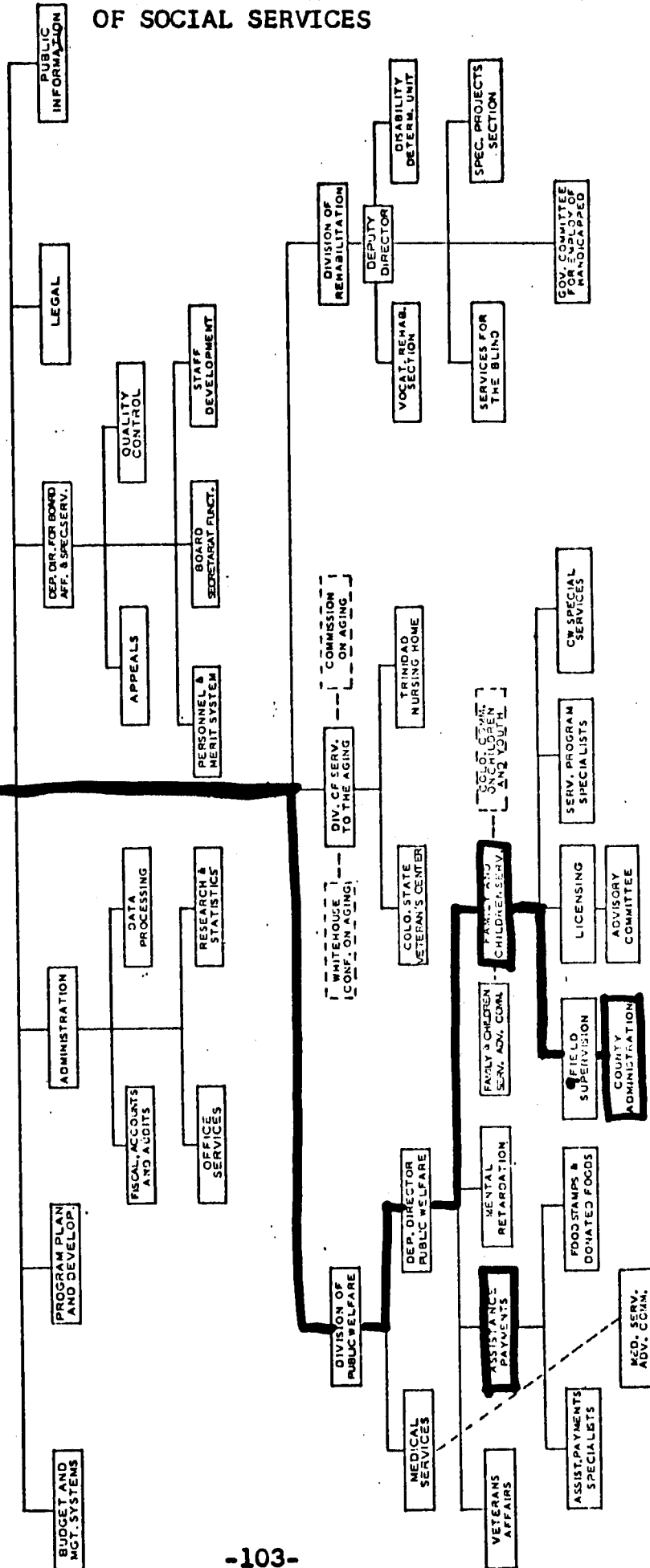
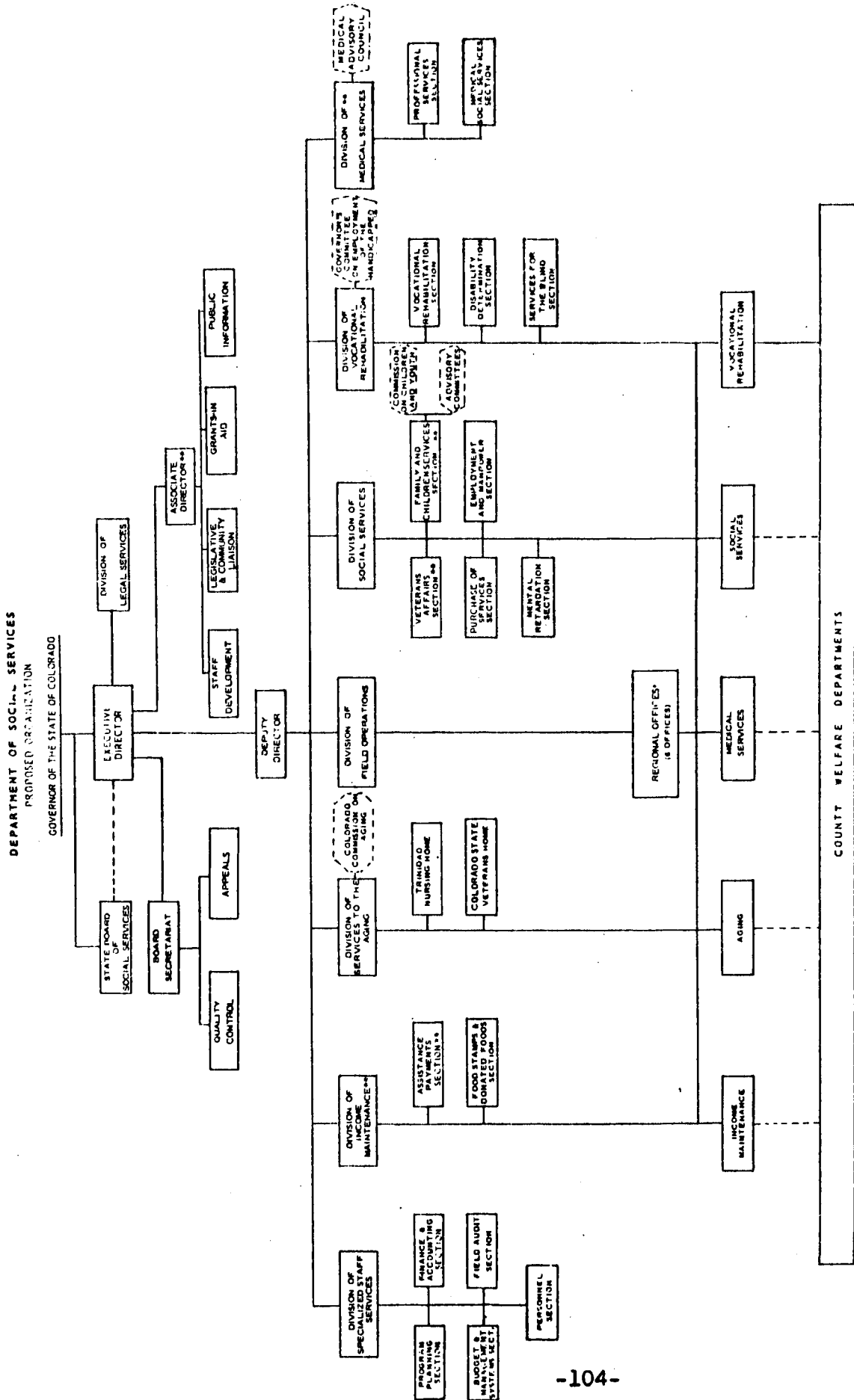


CHART II

PROPOSED ORGANIZATION OF DEPARTMENT OF SOCIAL SERVICES



\* EACH REGIONAL OFFICE WILL BE HEADED BY A REGIONAL COORDINATOR WHO WILL BE RESPONSIBLE FOR THE SUPERVISION AND COORDINATION OF THE FUNCTIONS ASSIGNED TO THE OFFICE AS SHOWN ABOVE.

\*\* THESE UNITS ARE PART OF THE PUBLIC WELFARE DIVISION CREATED BY STATE LAW, AND WHICH ARE ORGANIZED FOR ADMINISTRATIVE CONVENIENCE AS SHOWN.

SEPTEMBER 27, 1972

Aging and Rehabilitation on the local level, at least, operate separately from one another and from the Welfare Division's efforts. This situation points to the probable lack of coordination in the Department, both on the state and local levels.

The boundaries of the six regions (see Map I) would conform to the 12 state planning regions. That is, an effort was made not to put a planning region in more than one social services region. In choosing the configuration of a particular DSS region, the population and number of cases, recipients, and FTE social services staff was taken into account. These numbers are shown on Map I by region. The regional centers would be located at Greeley, Denver, Colorado Springs, Alamosa, and Grand Junction. The Regional Director would provide supervision over the other five regionally organized line functions shown in Chart II -- income maintenance (i.e., assistance payments); aging; social services; vocational rehabilitation; and medical services.

Medical Services, now under the Welfare Division, was split into a separate division since this function has in actuality very little to do with public assistance, except for the establishment of eligibility. Again, under the regional concept, medical services will be coordinated with the other functions of the Department.

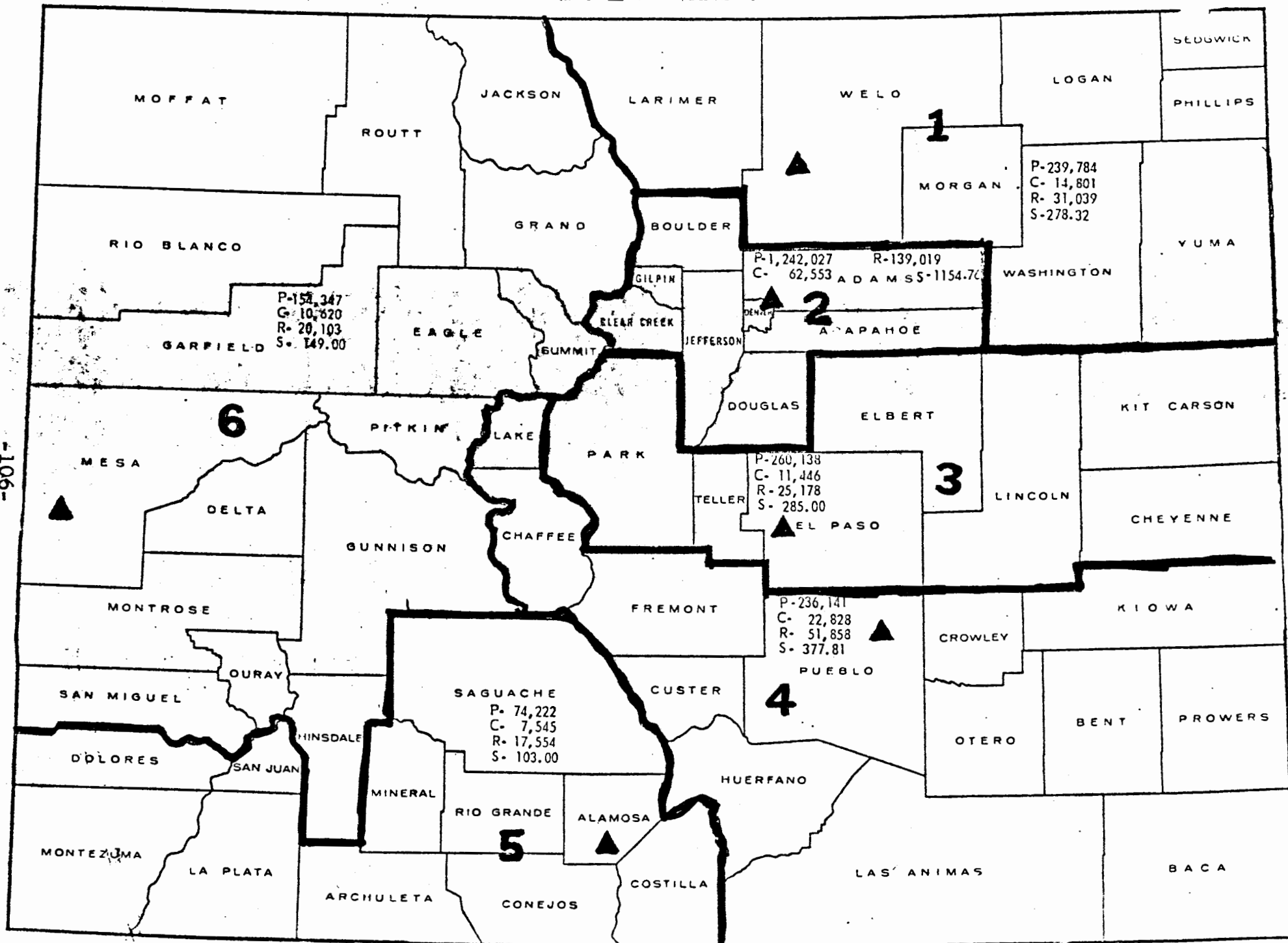
Separation of social services and assistance payments. Special note should be made of the splitting of social services and the assistance payments into two distinct divisions, functions currently under the administrative umbrella of the Welfare Division (See Chart I).

Why are these functions separated under the reorganization proposal? What are "social services" and "assistance payments" in welfare? How many county employees perform "social services" and, as a consequence, would potentially become state employees if the General Assembly were to pass the recommended county financial relief package (Bill A), wherein social services would be taken over completely by the state and administered on a regional basis?

1. Why social services and assistance payments are separated. In February 1972, HEW adopted an amendment to Title 45, Code of Federal Regulations, Sections 220 and 222, which requires the states to administratively separate social services and assistance payments by January 1, 1973. A Task Force composed of ten DSS employees was appointed and drew up the Separation Plan which was submitted to the HEW region-

# COLORADO

PROPOSED 8/31/72



-106-

MAP I -- REGIONAL FIELD OPERATIONS

al office in late September 1972. The Board of Social Services reviewed the plan on October 6, 1972. 1/

Separation of "social services" and "assistance payments" is defined by Title 45 CFR § 220.9, as follows:

"separation of services from assistance payments" means the administration and operation of services function independently from the administration and operation of the financial assistance function.

To the extent possible, separation must be made under a common administrator. Thus, on the state level, the Deputy Director will serve as the common administrator for the Division of Income Maintenance and the Division of Social Services. A similar administrative separation will be made at the regional level, with the Regional Director acting as the common administrator in each region.

Chart III contains the "Basic Pattern for a Separated Agency", and Charts IV, V, and VI show county organizational charts for different size counties with the lines of authority specified. Table II shows the breakdown of the staffing pattern for social services and assistance payments for each county.

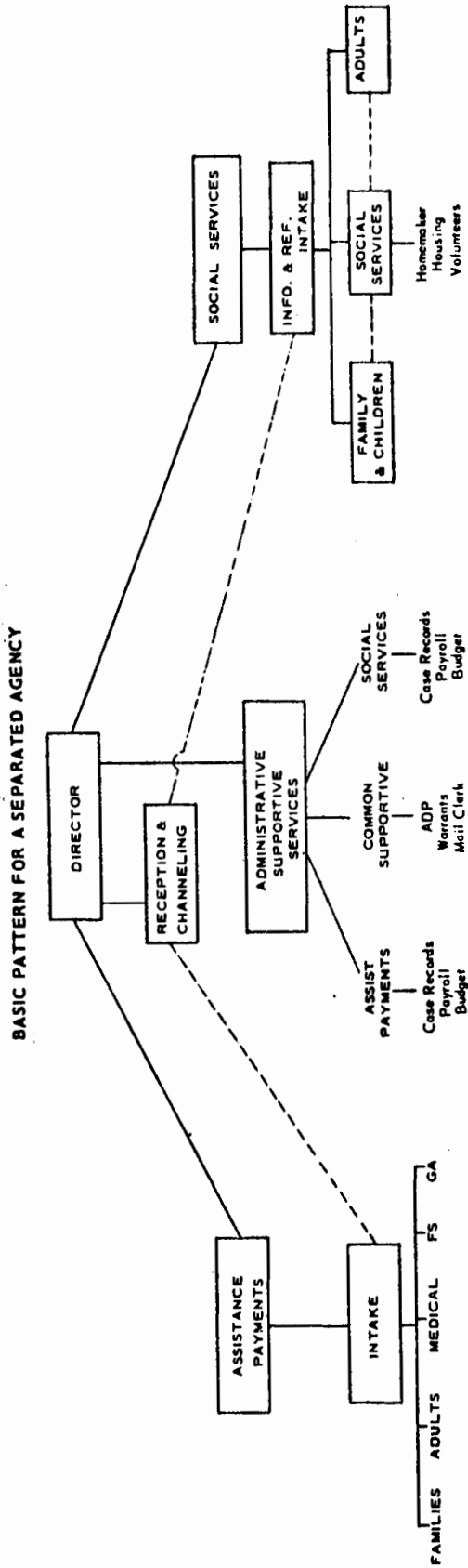
H.R. 1, recently signed into law by the President and amending many sections of the Social Security Act concerning welfare, calls for a complete federal financial takeover of the assistance payments portion of the adult welfare categories -- Aid to the Blind, Aid to Needy Disabled, and Old Age Pension. The bill contains a provision which would specifically not require separation of social services and assistance payments until January 1, 1974; 2/ thus, such separation could be postponed for the adult categories for another year. But since H.R. 1 made no mention of excluding AFDC from sepa-

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1/ "Plan For Separation of Social Services from Assistance Payments," Colorado Department of Social Services, January, 1973.

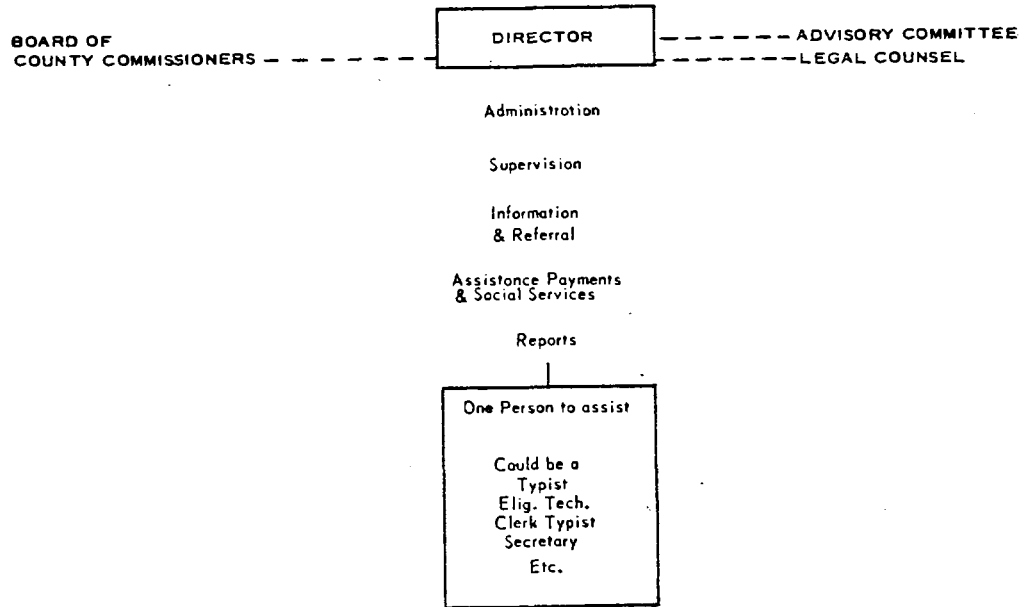
2/ Congressional Record, October 17, 1972, H. 10205; "H.R. 1: Summary of Social Security Amendments of 1972, as Approved by the Conferees," U.S. Senate Committee on Finance and House Ways and Means Committee, U.S. Government Printing Office, October 17, 1972, p. 29.

BASIC AGENCY PATTERN FOR SEPARATION OF SOCIAL SERVICES AND ASSISTANCE PAYMENTS



THERE MAY BE AN ASSISTANT DIRECTOR POSITION IN SOME LARGER COUNTRIES IN WHICH CASE HE WOULD BE POSITIONED UNDER THE DIRECTOR WITH DIRECT LINES TO A.P. AND S.S.

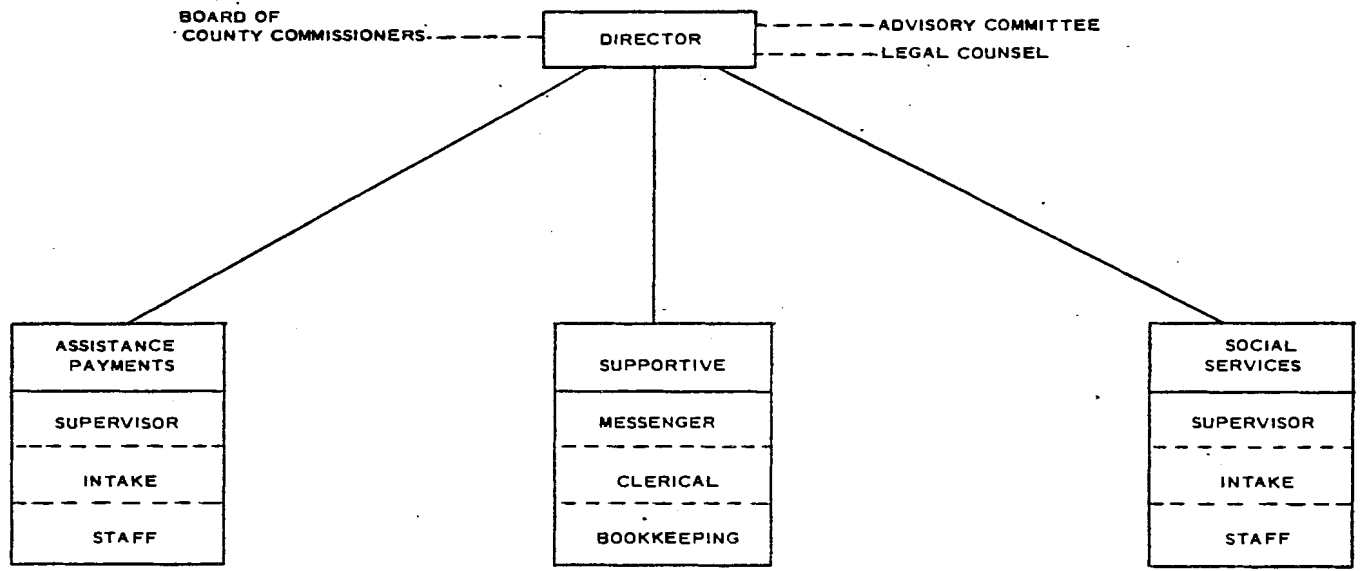
COUNTIES WITH STAFF OF 3 OR LESS



SMALL COUNTIES ORGANIZATION UNDER SEPARATION OF  
SOCIAL SERVICES AND ASSISTANCE PAYMENTS

CHART IV

MEDIUM SIZE COUNTIES

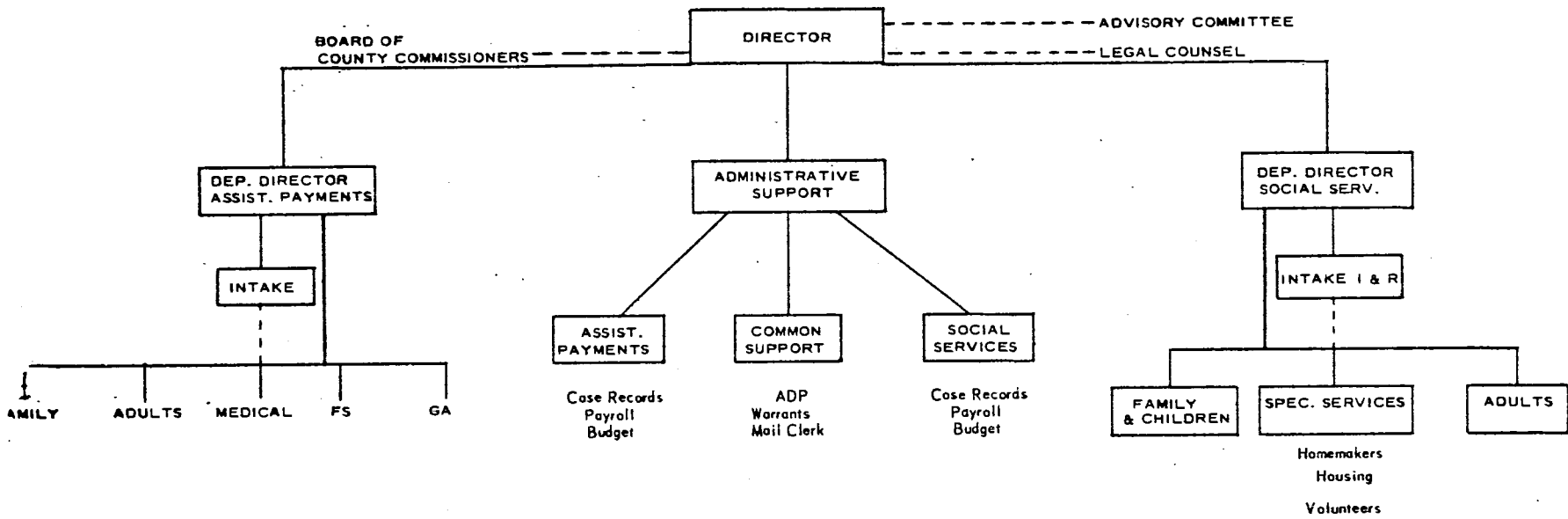


MEDIUM COUNTIES ORGANIZATION UNDER SEPARATION OF SOCIAL SERVICES AND ASSISTANCE PAYMENTS

CHART V



LARGER COUNTIES



LARGE COUNTIES ORGANIZATION UNDER SEPARATION OF SOCIAL SERVICES AND ASSISTANCE PAYMENTS

CHART VI

TABLE II  
COUNTY STAFFING UNDER SEPARATION OF  
SERVICES AND ASSISTANCE PAYMENTS

COUNTY	As of April 1972			As of Jan. 1, 1973		
	#FTE	Serv. FTE	A.P. FTE	#FTE	Serv FTE	A.P. FTE
1. Adams	157.5	108.49	49.01	158	103.40	54.60
2. Alamosa	8	5.74	2.26	9	4.90	4.10
3. Arapahoe	72	54.00	18.00	71	44.75	26.25
4. Archuleta	4	2.37	1.63	4	1.82	2.18
5. Baca	4	1.74	2.26	4	1.74	2.26
6. Bent	13.5	10.50	3.00	12.5	10.00	2.50
7. Boulder	90	71.48	18.52	85.5	62.10	23.40
8. Chaffee	8	6.00	2.00	9.75	6.24	3.51
9. *Cheyenne	2	0.30	1.70	2	0.40	1.60
10. Clear Creek	3.5	1.93	1.57	3.5	2.06	1.44
11. Conejos	16.5	7.59	8.91	17.5	8.75	8.75
12. Costilla	9	3.79	5.21	9	3.75	5.25
13. Crowley	6	2.48	3.52	8	2.95	5.05
14. *Custer	2	0.36	1.64	1.5	0.82	0.68
15. Delta	18	9.21	8.79	18	8.87	9.13
16. Denver	694	442.60	251.40	781	486.00	295.00
17. *Dolores	3	0.35	2.65	1.75	0.75	1.00
18. *Douglas	2	0.44	1.56	2	0.70	1.30
19. Eagle	4	2.49	1.51	4	3.10	0.90
20. *Elbert	2	0.72	1.28	2	0.67	1.33
21. El Paso	264	183.31	80.69	254	179.42	74.58
22. Fremont	28	15.42	12.58	28	17.40	10.60
23. Garfield	8.5	4.87	3.63	9	4.87	4.13
24. *Gilpin	4	1.74	2.26	2.5	1.57	0.93
25. *Grand	3	1.37	1.63	3	1.90	1.10
26. *Gunnison	2	0.74	1.26	2	0.80	1.20
27. Hinsdale						
28. Huerfano	24	16.91	7.09	24	12.92	11.08
29. *Jackson	1	0.65	0.35	0.75	0.15	0.60
30. Jefferson	110	87.14	22.86	109	80.88	28.12
31. *Kiowa	4	1.48	2.52	2	0.45	1.55
32. Kit Carson	7	4.37	2.63	7	4.67	2.33
33. Lake	5	1.52	3.48	6	2.60	3.40
34. La Plata	21	14.05	6.95	21	13.05	7.95
35. Larimer	111	77.94	33.06	109	75.52	33.48
36. Las Animas	42	27.66	14.34	43	26.15	16.85
37. Lincoln	5	4.00	1.00	4.75	2.20	2.55
38. Logan	16.5	13.00	3.50	16.5	12.25	4.25
39. Mesa	59	36.33	22.67	64	42.21	21.79
40. Mineral						
41. Moffat	9	5.11	3.89	8	4.87	3.13
42. Montezuma	15	7.84	7.16	17.5	9.74	7.76
43. Montrose	21.5	14.25	7.25	24.5	14.37	10.13
44. Morgan	49	34.44	14.56	49	33.25	15.75
45. Otero	39	27.13	11.87	36	22.60	13.40
46. *Ouray	2	0.77	1.23	1	0.40	0.60
47. Park	5	2.37	2.63	5	2.60	2.40
48. Phillips	5.5	3.24	2.26	5	2.87	2.13
49. *Pitkin	1.5	0.56	0.94	1.5	0.70	0.80
50. Prowers	21	13.17	7.83	24	16.05	7.95
51. Pueblo	184	128.39	55.61	179	112.80	66.20
52. *Rio Blanco	2	1.00	1.00	2	0.50	1.50
53. Rio Grande	13.5	6.67	6.83	16	7.85	8.15
54. Routt	8.5	6.24	2.26	7.75	4.50	3.25
55. Saguache	6	2.56	3.44	7	3.00	4.00
56. *San Juan	1	-	1.00	0.5	-	0.50
57. *San Miguel	2.75	1.12	1.63	1.95	0.85	1.10
58. Sedgwick	4	2.37	1.63	4	2.50	1.50
59. *Summit	1	0.37	0.63	1	0.37	0.63
60. *Teller	1	0.37	0.63	2	0.80	1.20
61. Washington	6.75	4.08	2.67	6.75	4.25	2.50
62. Weld	91	63.01	27.99	92	58.00	34.00
63. Yuma	9	5.22	3.78	9	5.87	3.13
Totals	2,333.0	1,555.36	777.64	2,409.95	1,541.52	868.43

ration, the directive of Title 45 CFR § 220.9 presumably must be implemented by January 1, 1973.

Since the plans for total separation of all programs was so far along by the time H.R. 1 passed, the Department and the State Board have elected to completely separate in all programs by January, 1973, as initially directed by HEW, rather than delay the effort for another year for the adult categories.

2. Definition of "social services" and "assistance payments". The state office Task Force, with the assistance of committees in the counties, prepared a list of functions for each of the following broad activities pursuant to the HEW directive -- "assistance payments activities," "social services activities," and the "supportive activities" common to both assistance payments and social services. The Plan contains the detailed breakdown of these three functions that was sent to HEW in the Separation Plan. But general definitions from the Separation Plan follow:

Broadly defined, "assistance payments" are:

. . . aid to a needy individual, who is eligible within statutory provisions, in the form of money payments for the purpose of meeting day-to-day on-going living costs and/or vendor payments for medical care made in his behalf.

The programs covered under assistance payments are:

- Aid to Families with Dependent Children
- Aid to Families with Dependent Children -- Unemployed Parents
- Old Age Pension
- Aid to the Blind
- Aid to the Needy Disabled
- Medical Assistance (Medicaid)
- Food Stamps
- Tuberculosis Assistance
- General Assistance (County Funded and Administered)
- Cuban Refugees

The detailed functions outlined in the Plan include the entire assistance payments process, from receiving application for basic maintenance and medical needs, determining eligibility, authorizing grants, redetermining eligibility, preparing reportorial forms required by law, etc.

"Social services" are defined as:

. . . those activities and all other supportive and coordinating efforts planned to help families and individuals to maintain or improve their capacities for self sufficiency, self support, independent functioning, and strengthening of family life; and to afford protection to children and adults whose well being may be threatened.

The services function includes an assessment and evaluation of client need for services and the authorization of payment to vendors, contractors or clients to achieve a social service objective.

It also includes those activities of the informational and statistical systems, personnel program, as well as quality control and fair hearings in relation to services. It includes activities involved in initiating or assisting in planning and developing resources that will lead to responsive community services.

The so-called "supportive activities", common to both social services and assistance payments, are also detailed in the plan, and are broadly defined as follows:

...management, statistical and clerical activities which are not an integral part of either the Assistance Payments or Social Services delivery system but are necessary in order to carry out the functions of these delivery systems. The supportive activities will be related either to Assistance Payments or Social Services except in those instances in which supportive functions common to both systems are necessary for efficiency need to be identified as Service or Assistance Payments related in each specific instance for cost accounting purposes.

3. Welfare employees affected. Table II contains a county-by-county breakdown of the total number of FTE county welfare employees engaged in welfare activities as of April, 1972, and the projected staffing by the January 1, 1973 target date for total separation. The Table also provides the total number in social services and the total employees for assistance payments for these dates.

Some counties are being asked to realign their staffs by January 1, 1973, to accord with the functional definitions outlined in the Separation Plan in order to effect full separation and accountability therefor. But in some counties with smaller staffs, populations and caseloads, HEW is being requested for special permission not to require separation of staff because it is not economically feasible to do so. Separate statistical reporting would be required, however. There are 17 counties in this category in the judgment of DSS and these are indicated by asterisks in Table II.

By January 1, 1973, there will be some 2,410 FTE Welfare employees throughout the state engaged in services and assistance payments. The Table does not show how many FTE employees are engaged in the supportive services for these two functions; but this is indicated later in the Separation Plan. Thus, the January 1, 1973 breakdowns are as follows:

Social Service	--	1,280 FTE
Assistance Payments	--	450 FTE
Supportive Staff	--	<u>680 FTE</u>
TOTAL		2,410 FTE

The 2,410 FTE is higher than the General Assembly's budgeted amount of 2,316 FTE for social workers and assistance workers for the 1972-73 Fiscal Year. The reasons why these figures do not accord, according to the Task Force, is that each county staff position was reviewed by the State Field Supervisor and the County Director to determine estimated staff needs and assignment of functions to effect separation. Thus, it was determined that some additional staff would ideally be necessary.

4. State and county staff and cost to state under Bill A. Based on the breakdown in the Separation Plan and the above figures, if the state were to assume 100 percent financing and administration of social services as provided in Bill A, the 1,280 FTE social services staff would become state employees. Remaining as county employees would be 450 assistance payments personnel.

The 680 support staff, engaged in efforts common to both programs, would by and large remain county employees since they mostly include the county director and his administrative and clerical staffs. However, expenditures for the 680 supportive staff would be apportioned between assistance payments (county-state-federal funds) and social services (state and federal funds).

Total estimated cost savings to the counties in the 1973-74 Fiscal Year under the social services portion amounts to \$6.6 million; and, for the assistance payments portion, the estimated savings is \$5.3 million, for a total of \$11.9 million. These figures include the \$1.5 million the counties are expected to save when the federal government takes over the adult categories, effective January, 1974.

(5) Problems of Personnel Administration

The Committee's Consultant pointed out that Welfare now has in fact two personnel offices. The Department of Social Services, through the Merit System Council and the State Board, performs pay, appeal, and record keeping functions for the 2,400 county welfare employees; but through contractual agreement, the Personnel Department provides recruitment, examination, referral services, classification, and wage surveys for the DSS.

According to the Committee's Consultant, there is unwarranted duplication of personnel services in the Department since there are "statutory provisions giving the State Board of Social Services the power to issue personnel rules (Section 119-16-2 (2)) and at the same time creating a Merit System Council to make personnel policy and to oversee the county welfare merit system.

It means that in practice one group of three citizen-advisors formulate a rule and a second group of citizen-advisors review their findings and act. Apparently, the same duplicate jurisdiction exists in the case of appeals against the actions of a director or the county commissioners. 1/

Other findings and recommendations of the Consultant included:

- 1) The contract with the personnel department, while utilizing the expertise of the latter,

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1/ Kansas-Denver Associates, p. 15. Also, for a discussion of the legal basis and origin of the Merit System Council, see Welfare in Colorado, Colorado Legislative Council Research Publication No. 170, November, 1971, pp. 63-74.

has created two personnel offices for county staffs, which creates delays.

- 2) Personnel programs for county officers are lacking.
- 3) Maintaining in a central personnel office a roster of positions and records about individual employees in all welfare offices in the state was of dubious merit. Instead, they should be kept in the county and periodically audited by the state to see if they are in conformity with personnel rules.
- 4) The use of the present system of optional pay plans appears to be a negation of the principle of like pay for like work. There should be a single pay plan; based on "a sound, comprehensive, and technically exact wage survey." Geographical differentials, if justified, should be based on such a survey also.

In order to correct these deficiencies, the Consultant recommended that the Merit System Council and staff should be abolished by repealing the act that created them and all county welfare employees be placed under the jurisdiction of the State Personnel Department.

County Commissioners Response. The Relief and Welfare Committee of the County Commissioners Association responded to the merit system proposals by recommending the creation of "county merit systems with pay based on prevailing wages for comparable work within the district concerned". 1/

In general, the Commissioners took issue with the recommendation that there should be a state-wide pay plan applicable to welfare employees on a uniform basis, since such a plan may prove to be unfair to county employees not working in welfare.

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1/ Letter to Representative Floyd Sack, Chairman, Committee on Welfare, June 23, 1972.

County Directors, however, generally supported the principle of "equal pay, equal work". 1/

At the same time, it is recognized by most that the Social Security Act and HEW rules does place some constraints on what a state or its political subdivisions can do with respect to the personnel system in the state. 2/

Regional pay plan. The Committee was advised that the State Personnel Department under H.B. No. 1045 (1972 Session) was required to conduct a regional wage and fringe benefit survey to be performed in late 1972 to the extent of available staff. The survey will be conducted on the basis of four regional centers -- Pueblo, Grand Junction, Greeley, and Denver -- to determine whether geographical differentials should apply to the state.

Personnel Department Options. The staff of the Personnel Department suggested several options to the Consultant's proposal:

(1) Expand the contract with the Personnel Department to divest DSS of all personnel functions now carried out -- the Merit System Council would remain intact and legislation would be unnecessary, but technical duality would be eliminated;

(2) Abolish the Merit System Council and bring county welfare employees into the State Personnel System pursuant to H.B. 1045 -- this option would be a logical result of complete state takeover;

(3) Create a separate central welfare personnel system for county employees, completely autonomous from both the Social Services Board and State Personnel Department; and

(4) Delete the merit function to each county or region, provided federal standards for the merit system can be met, although professional personnel systems in most counties are either in their infancy or non-existent. 3/

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1/ Committee on Welfare, Minutes of Meeting, June 23, 1972, p. 10.

2/ See, for example, 45 CFR § 70.1 et seq.

3/ Committee on Welfare, Minutes of Meeting, August 25, 1972.



Merit System Transfer. As recommended by Kansas-Denver Associates, a bill was reviewed by the Committee to abolish the Merit System Council and the position of Merit System Supervisor and transfer their powers and functions to the Personnel Department. Agreement was reached that geographical differences on pay rates would be established in accordance with rates of pay for comparable positions in the community. But the recommendation is conditional on whether such differentials are also included for the State Personnel System. 1/

Attorney General Opinion. Questions were raised concerning the constitutionality of transferring the administration of the Merit System to the State Personnel System without making welfare employees state employees. The constitutional problem raised pertained to whether the General Assembly can by statute confer upon the State Personnel Department jurisdiction over county employees since Article XII, Section 13 provides that the Personnel Department has jurisdiction over state employees, but county employees. 2/

An inquiry on this question was addressed to the Attorney General who rules in effect that such an extension of jurisdiction would be unconstitutional. (See Appendix A.)

However, in response to the question as to whether it would be possible to draft constitutional legislation which would allow transfer of such responsibility to the State Personnel Department, the Attorney General ruled as follows:

Article XII, Section 13 (5), Colorado Constitution, provides:

"Where authorized by law, any political subdivision of this state may contract with the state personnel board for personnel services."

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1/ Committee on Welfare, Minutes of Meeting, August 25, 1972, p. 15.

2/ Memorandum to Peter Samac, Deputy Director, Department of Social Services, From Willard Rogers, Jr., Deputy Director Legal Division, Department of Social Services, August 24, 1972; also, Memorandum to Mr. R. A. Wherry, State Personnel Director, from Mr. Laird Campbell, Chairman, State Board of Personnel.

In view of the foregoing provision the legislature might appropriately draft legislation authorizing the State Department of Public Welfare to contract with the State Personnel Department for the desired functions relating to the merit system for county welfare departments. (emphasis added)

In accordance with the above portion of the opinion, legislation was drafted and adopted by the Committee which abolished the Merit System Council and transferred their entire function to the State Board of Social Services. The draft legislation also authorizes the Department of Social Services and the Personnel Department to enter into a contractual agreement for the transfer of all or any part of the administration of the County Welfare Merit System to the State Personnel Department. The draft legislation does not make such a contract obligatory which would probably be in violation of the Attorney General's Opinion, but it does permit the DSS to contract for personnel services, an activity already being carried out but in absence of any specific statutory authority.

#### (6) ADP Reporting Systems

In examining the ADP systems of DSS, Kansas-Denver placed main emphasis on two reporting systems -- the RS 700 and the AFCS 101 -- that have been developed by the Department in response to federal guidelines on welfare reporting and accountability.

RS 700 Eligibility System for Assistance Payment. The RS 700-1 assistance payments application form and the RS 700-2 action form, according to the report, puts an applicant on the assistance rolls and changes his payments thereafter. It includes the budget requirements for each client. In the words of the report:

The forms are completed in the county offices by an eligibility technician.... Each day the completed forms are batched in the county office and mailed to the DSS in Denver, where they are individually reviewed for obvious errors or omissions and forwarded to Central Data Processing in the State Department of Administration.

The data bank in the computer makes up the master file of clients or recipients. A major

portion of state office utilization of this file, other than indicating redetermination dates, is made up in processing and authorizing medical assistance.

AFCS 101 System for Social Services. The AFCS Form 101 "is prepared in the county by the caseworker as a report of the kind of service being rendered individual clients, including the caseworkers activities and evaluations of the services given." The Consultant Report described the AFCS system:

The form is initiated by the caseworker after the initial visit to a service client. He fills in the data in the first three parts of the report... He also makes a professional decision as to the problem area and enters that code and then places the 101 form on file.

At the end of the quarter, the caseworker must submit a fresh 101 form for every case for which there has been a change or a service has been rendered (some changes are reported on new forms during the course of the quarter). Where a service has been rendered, the worker consults the case file or some informal record (or his memory), discusses some cases with his supervisor, and then looks up the appropriate codes, and posts them to the fourth part of the form. It is worth noting that, although certain combinations would undoubtedly be more used than others, the coding sheet offers the caseworker a choice of 6,232 code entries. He then signs and dates the form, files one, retains the second for any use the county may wish to make of it, and sends the original to the state department.

The department mail room staff sends the reports to a clerk in the research and statistics unit of the division of administration. She checks the forms for omissions and self-evident errors... From research and statistics, the forms are sent to the operations unit of the department of administration for keypunching. If the work load becomes excessive for that unit, some batches are sent out to a commercial firm.

The computer program includes the making of comparisons between new input from the 101 forms with data already submitted on form 700s. Form

101s that appear to contain errors are rejected and sent back to the ADP unit for the department and by them to the mail room for transmittal to the counties. In addition, the computer is programmed to produce copies of the previously-submitted 101 forms which are sent back to the counties at the beginning of the quarter for use in preparing the next reports (Called "turn-around forms").

Kansas-Denver Findings. In the words of the Consultant's report, "these two systems and the 17 other proposed ADP systems represent the largest and most difficult administrative problem facing the executive director of the state department and his staff assistants." The report continues:

"As indicated in the detailed descriptions of the two systems, neither of them is working properly. There is substantial evidence to indicate that the data banks (apparently containing over 100,000 names) are so full of inaccuracies as to be of doubtful value. No pilot runs were made for either system and both contain features that cause substantial extra work in the county offices -- we estimate very roughly that the 101 system is costing \$300,000 to \$400,000 a year in county staff time alone. We have serious reservations as to the validity of the input data for the 101 system. That system has now been operating for more than six months and only now are the output reports being planned -- which are not expected to be operational until October. Both systems operate on a batch basis and are plagued with the delays and errors inherent in such a system. Both systems have been plagued by too many changes during installation and county staff needs for management information have been given slight attention in designing either system. We have heard comments that the lack of pilot studies and more careful design was due to federal pressure but we are unable to identify the existence of such pressure -- in any case, we believe that the results now show that the department should simply have refused to proceed until workable systems had been designed, fully tested, and the information they were to produce fully evaluated.

"It is of interest that, during 1971, the Legislative Audit Committee reviewed the state data processing operations, "because of the apparent lack of data processing efficiency . . ." and because "data processing . . . was at a standstill or falling behind." The findings of the committee included the following:

- \*1) The State has not in the past and does not now have adequate 'in house' personnel to

plan, design, program, install, and maintain a data processing operation. Such an operation is necessary to provide for the efficient, economical, and managerial needs of State departments, divisions, and agencies.

- "2) The State has relied to an increasing degree on various management contract planners and designers without considering the effect of these projects in the total State picture.
- "3) The State and its consultants have seldom followed through to implement the system and to provide the necessary supervision to attain an acceptable operation.
- "4) The State presently does not have an 'in house' organization to review programs before they are put on the computer and to ascertain whether the existing programs should be retained on the computer based upon their usefulness.

"These comments apply with full force to the 700 and 101 system."

Kansas-Denver Recommendations. "We believe that the entire ADP program of the State Department should be brought under immediate top-level review. Such a review should, we suggest, include consideration of the following actions:

- "1) Bring to an immediate halt further development of any new systems involving the county departments. Should not the entire resources of the department staff... be devoted to perfecting the 700 and 101 systems?
- "2) Proceed to develop and expand the 700 system to eliminate the need for duplicate eligibility and assistance records in the state and county offices, using an on-line system such as has been set up in other states. Such a system probably should call for writing assistance checks in the state office.
- "3) Set up an advisory group representing the county welfare staffs to assist in the

improvement of the 700 system, to identify county capabilities and management information needs, and to help in de-bugging the present system. Such a group should be charged with responsibility that the modified system is in fact workable and meets county needs. They should also see to the training of county staffs in operating the 700 system as revised.

- "4) Relieve the county welfare staffs for the time being of the need for submitting any further 101 forms.
- "5) Transmit forms based on the HEW 115 report forms to all the county welfare departments with instructions to complete them for the month of May (the next reporting month). . . . this is a feasible course and would make Colorado one of the first states in Region VIII to submit the report.
- "6) Proceed to design, plan, and test a new 101 system in two or three counties, making due use of the research that has been done in El Paso, and Weld counties, Denver, and of the good features of the present 101 system. The input of the system should be carefully reviewed and emphasis should be placed on producing information from the system that would be of value to a county director and his staff. Once the system is designed, it should be tried on a manual basis as a pilot study.

"We are inclined to doubt that the state has the in-house capability to perform such a review, make the necessary decisions, and proceed to the actual development and installation of workable and viable 700 and 101 systems. The assignment is not one, we believe, for computer programmers or technicians alone -- it calls for a look at the forest and not the trees. The senior administrators in both the departments of social services and administration who could take such a look are fully occupied. We therefore recommend that the state seek assistance of professionals fully qualified in management information systems and in contemporary computer capability to chart the course to follow, plan the two systems, and see them installed and working." (emphasis in original)

In brief, Kansas-Denver had three basic recommendations:

- (1) Improve but do not discontinue the RS 700 system;
- (2) Relieve the counties immediately from continuing the AFCS 101 form processing and completely rework the system; and
- (3) Retain an outside ADP consultant to examine the department's entire ADP system.

Department of Social Services Initial Response. In a memorandum, dated May 18, 1972, from Mr. Samac to Mr. Catherwood, the following response was made to the Consultant's recommendations:

- (1) While we agree that there are operational difficulties in the ADP program, we cannot agree that the difficulties are of such magnitude to justify stopping the submission of Form 101 at this time. We strongly feel that as this system evolves, it will be modified and adjusted; but, the cost of stopping a system and restarting would be prohibitive fiscally.
- (2) The Department is working toward the concept of an on-line system as suggested in the report. It is significant to note the recommendation on page 21, in essence, questions the fragmented authority and responsibility in the ADP organization at this time. The Department is aware of this fragmentation, and is equally concerned.

Department of Administration Response. A Subcommittee comprised of Chairman Sack and Senators Dines and Williams conferred with Mr. Bernard Teets, Director of the Department of Administration, about the 101 system. At the Subcommittee request, Mr. Teets directed that a study of the 101 system be conducted by the Management Services Division. The written report is available in the Legislative Council Office. 1/ The report was also reviewed at one of the Committee meetings.

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1/ "Legislative Council Committee on Welfare: Study of Social Services AFCS 101 Reporting System," Department of Administration, Management Services Office, August, 1972.

A summary of the Management Report is as follows:

- 1) The 101 reporting system should be modified but not dropped since it contains valuable information for preparing required federal reports and the evaluation of county services programs at the State level. Other ADP projects not related to the 101 system should continue.
- 2) Additional HEW requirements under consideration will require substantial changes in the 101 system. These additional requirements include Program Financial Planning.
- 3) Modifications of the 101 system to meet new federal requirements should be conducted by the research systems personnel in the DSS. Outside consultants would be recommended in the event the DSS is unable to provide the needed resources.
- 4) There is need for improving the system so that county needs for management information can be met, a factor that was "given slight attention in designing the system." Three specific areas need attention in this regard: a) more meaningful activity codes on the form to describe what the caseworker does; b) activities reported must be related to the time required to accomplish them; and c) the reports must be returned to counties fast enough so the information is useable.
- 5) County input was "effective" for the design of the 101 intake form, but not for the 101 reports.
- 6) There was no pilot program to test the 101 program, but such testing should be used in future modifications occasioned by HEW requirements.

Department of Social Services latest response. In subsequent response to the Kansas-Denver recommendations, it was pointed out by Mr. Samac that the DSS is currently receiving consulting assistance from the federal government on the 101 system. Federal consultants recommend that DSS make minimum changes at this time due primarily to the fact that other ADP



programs are being promulgated by HEW, requiring modification of the 101 system and programs related to the 101, such as the Medical Management Information System, and reporting changes in assistance payments, social services, and rehabilitation. The 101 system with some modification can be used for the so-called "goal-oriented social services" (GOSS) concept that HEW is developing, and prototypes of the concept are being developed in Denver and El Paso Counties.

While recognizing that modifications in the 101 system are necessary, how the 101 system will be ultimately modified will depend on HEW requirements; therefore, for the present, there will be little change in the system. However, meetings have been held by the DSS with counties in an attempt to learn what management information they want and efforts are being devoted to meeting these needs. First reports will be issued in the near future.

In planning future changes for the RS 700 and AFCS 101 as well as other DSS systems, the problem is further complicated by the passage of H.R. 1. In a December 7, 1972 memorandum addressed to the Council staff, Mr. Samac spoke about this problem:

- (1) Policies and procedures for the takeover of payments in the adult categories by SSA [Social Security Administration] are yet unknown; this will affect our eligibility system, raise problems and questions regarding how supplemental payments will be handled....
- (2) In essence, the federal takeover of adult categories leave ADC to the state and counties -- for payment and services purposes.

AFCS 102 Reporting System. The Committee also requested the Consultant to report his findings and recommendations on the companion form AFCS 102 reporting system used by caseworkers which provides documentation of a client's acceptance or rejection of services offered by the Department of Social Services. The form was instituted in counties by DSS in July, 1971, pursuant to an HEW requirement that it be determined at the initial interview whether a prospective client accepts or rejects services. 1/ When the case is reevaluated each year,

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1/ Title 45 C.F.R. § 220.16 and 220.6.

the form also is used. In this manner each case can be classified as a service or nonservice case and statistics can be compiled accordingly.

In consultation with county directors and supervisors, the Consultant concluded that the 102 form serves no useful purpose and is not relevant to the client's needs. The form was found to be difficult to understand by the client and should be improved. It was suggested that the practice followed in another state could be followed -- mailing such a form to recipients (in five Utah Counties); simply giving the prospective service client a brochure from which to decide (Montana); or requiring workers to give clients an oral statement of service available (Wyoming). 1/

The Committee reviewed and adopted the report and the following recommendations which are hereby transmitted to the State Board of Social Services along with an expression of the Committee's general agreement with the Consultant's recommendations:

We believe that the principal forms to be included in a case record should all be designed as one package, to give a clear, comprehensive, and complete picture of the client's history, the services he needs and the services he has received, and the goals of the services being rendered. Piecemeal additions and changes in the standard package are undesirable.

In the present case, we recommend that a review be made of the forms involved in the entire intake process for service clients, including the tender of services, the identification of service needs and goals, and the preparation and recording of a service plan. We believe, furthermore, that such a systematic review would almost certainly eliminate the 102 form.

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1/ "Report on the Form AFCS 102 Offer of Services," Committee on Welfare, Kansas-Denver Associates, August 25, 1972.

## STATE VETERANS NURSING HOME

The Committee recommends the construction of a 120-bed veterans nursing home in Florence, Colorado, under the administration of the Department of Institutions. Under Public Law 88-450 (Title 38, § 5031-5037, U.S.C.), 50 percent of the funds for construction are to be provided by the federal government and 50 percent of construction costs are to be provided by the state. Total construction costs estimates vary between \$769,000 and \$2.4 million, with the state share ranging from \$385,000 to \$1.2 million. The Committee further recommends that construction and equipment standards meet those of the Veterans Administration under P. L. 88-450. Funding for the annual operational costs would come from the VA at \$5 per diem per eligible veteran. The Committee makes no recommendation on how the remaining operational costs should be met, i.e., by assessing the veteran, state appropriation, or other sources. The per diem cost could range from the state average in private homes of \$13.20 on the national average of state operated veterans homes of approximately \$17.00 per diem. Based on information derived from state homes in 12 other states, the cost varies from \$12.00 per diem in Oklahoma to \$22.19 in Nebraska, with average cost at \$16.32 for these 12 homes.

### Background of Study

Among the directives of S.J.R. No. 11 (1972 Session), the Committee on Welfare was charged with the responsibility of determining "the necessary facts regarding nursing home facilities for war veterans in this state." The resolution continues:

The United States Veterans Administration has been authorized by Congress in Public Law 88-450 to assist state governments to the extent of fifty percent of construction costs for state-operated nursing homes for war veterans up to a maximum number of one and one-half beds per one thousand war veteran population in the state. Colorado has an estimated two hundred forty thousand war veterans and, at the ratio of one and one-half beds per thousand, the state would have a quota of three hundred sixty such veterans' nursing home beds. But only thirty beds, located at the Colorado Veterans Center in Homelake, have been utilized. Furthermore, there appears to be considerable interest on the part of individuals and veterans' organizations to construct state nursing homes for war veterans, including a specific request for such an institution at Florence, Colorado. There also appears

~~to be a need to examine the feasibility, desir-~~  
ability, and costs of the State adding to its nursing home capacity for war veterans, the relationships with the private nursing home industry, the availability of professional staff, alternate means of financing, and the public interest in such programs.

The resolution resulted from efforts of various veterans groups from around the state, dating at least from 1971 and led principally by the Fremont County Veteran's Council. For a variety of reasons, including geography, availability of land, water, sewage, climate, etc., the latter group advocated that, in accordance with P. L. 88-450, a 300-bed veterans nursing home be located in Florence, Colorado, to meet the needs of veterans in the state.

The Committee on Welfare devoted parts of three meetings to the veterans nursing home question in an effort to glean the necessary facts for its final recommendation to construct a 120-bed home in Florence.

In addition to staff memoranda and hearing testimony from interested individuals, including representatives from various Colorado veterans organizations, the Committee also directed a series of questions to the Office of State Comprehensive Health Planning, which, along with Comprehensive Health's answers, were distributed to the Committee and are available in the Legislative Council Office. 1/ In addition, Mr. Harry Warren, Chief of State and Community Services Staff, Medical Administration Services, Veterans Administration, Washington, D. C., conferred with the Committee in an attempt to clear up some of the questions that had arisen during the course of the study.

### State Veterans Homes

There are currently 38 state operated homes for veterans ~~in the United States~~ which provide domiciliary, skilled nursing home, or hospital care to some 10,000 veterans. Under section 641 of Title 38, the Veterans Administration is authorized to grant the state a different per diem rate for each of the three levels of care provided. **The following schedule** breaks down the approximate number of veterans receiving care in state facilities along with the per diem rate the VA grants:

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1/ Legislative Council Staff Memorandum No. 26, November 16, 1972.

VA Per Diem Grants for Each  
Level of Care

<u>No. of State Homes</u>	<u>No. of Veterans</u>	<u>Level State Home Care</u>	<u>VA Per Diem Rate</u>
36	6,000	Domiciliary	\$3.50
28	3,000	Skilled Nurs- ing Home	\$5.00
8	1,000	Hospital	\$7.50

Colorado State Veterans Center. The Colorado State Veterans Center at Homelake is operated as an agency of the Department of Social Services, through the Division of Services for the Aging (Article 1, Chapter 144, C.R.S. 1963). It was activated in 1891 and its basic objective is to provide domiciliary, nursing, and medical care for aging and disabled war veterans, their wives, widows, and mothers. Currently, the Veterans Center provides domiciliary care for 130 veterans and nursing home care for another 25. Pursuant to Title 38, U.S. Code, the state receives \$3.50 per diem for each of the 130 domiciliary residents and \$5.00 per diem for each of the 30 nursing home residents.

State operated veterans nursing homes. In 1964, Congress enacted amendments to Title 38 in order to provide war veterans with what it believed to be "urgently needed nursing care facilities while reducing the cost to the United States of caring for such veteran." <sup>1/</sup>

According to testimony by Mr. Warren, who acts as the liaison between the Veterans Administration and the states having veterans homes, Congress, in enacting P.L. 88-450, recognized the future task before the United States in caring for its veteran population. In general, the nursing home legislation was primarily directed at taking care of the increasing number of veterans who would be attaining the age of 65 years. In 1964, for example, there were some two million such veterans in that age group nationally. By 1990, the figure is expected to rise to about seven million.

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<sup>1/</sup> 2 U.S. Cong. and Adm. News, 1964, pp. 2853-2854.

It should be noted that the data obtained by Comprehensive Health on Colorado's veterans population shows that there are now perhaps as many as 480 veterans over 65 in Colorado who may be in need of nursing home care; yet they do not qualify for Medicaid. It was not found out precisely how many veterans over 65 are now receiving such care.

Public Law 88-450. Public Law 88-450 may be broken down into three components:

(1) Nursing home facilities in VA hospitals. First, it authorizes the Veterans Administration to operate nursing home facilities as ancillaries of VA hospitals. There are some 166 VA hospitals in the United States, containing approximately 100,000 hospital beds. In 1964, Congress authorized 4,000 skilled nursing beds in VA hospitals, and, at present, there are some 6,500 such beds. There are no nursing beds in Colorado in VA hospitals, although, according to the survey by Comprehensive Health, the Denver VA has proposed the construction of a 60 bed wing.

(2) Transfers to private nursing homes. The second part of P.L. 88-450 authorizes the Veterans Administration to transfer from VA hospitals to private nursing homes meeting VA standards any veteran who has received maximum benefits in a VA hospital and requires protracted nursing home care to get him back into the community.

According to Mr. Warren's testimony, there are some 4,500 veterans in private nursing homes in the United States under this portion of P.L. 88-450. In Colorado, some 55 veterans now reside in 47 VA approved private or "contract" nursing homes.

The VA will pay the entire actual cost of such care for a period not exceeding six months, provided the cost does not exceed 40 percent of the cost of VA hospitalization. The six month limitation is waived in the case of veterans with service connected disabilities -- but reportedly not many veterans fit this category. Some efforts have been made in Congress to get a general waiver on the six month limitation. 1/

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1/ Testimony by Mr. Warren, Committee on Welfare, November 17, 1972.

(3) State operated veterans nursing home. Third, P.L. 88-450 authorized the VA to grant states assistance in constructing and in operating state operated veterans nursing homes. The VA will put up matching funds on a 50-50 basis for the construction of a nursing home that meets VA standards. The federal matching includes everything from the architect's fee, actual construction, and necessary equipment. It does not include supplies for the building, such as towels, soap, etc. At present, according to Mr. Warren, the national average construction cost per nursing home bed is \$15,500.

As previously outlined, the VA will reimburse a state at a rate of five dollars per day per eligible veteran as a further financial inducement. The difference between per diem cost and the VA share may be made up either by assessing the veteran himself from such sources as veterans pensions, social security, railroad retirement, insurance, etc.; state appropriations; or from any other sources paid on behalf of the veteran, such as the \$110 per month a disabled veteran may receive from the VA in the form of "Aid and Attendance". The operating cost, nationally, per state operated veterans homes, runs from \$12.00 to \$22.00 per diem, with the average at \$17.00 (compare Table IV, page 140).

In the last session of Congress, amendments were introduced to change the matching formula for construction to 65 percent federal - 35 percent state, and raise VA per diem reimbursement from \$5.00 to \$6.00. But the measure containing these amendments was subsequently vetoed by the President.

The VA operates some 80 nursing home facilities and considers 60 beds to be about the minimum size that should be constructed in terms of efficiency; anything smaller than that is considered inefficient.

According to Mr. Warren, the states of Florida, Connecticut, Maine, Nevada, and Alaska are currently considering construction of such homes for veterans. 1/

Veterans Administration position on P.L. 88-450. According to Mr. Warren's testimony, the VA does not have enough nursing home beds in its hospital system to take care of projected needs of veterans.

Secondly, Congress has placed limitations on the amount of moneys available for the contract nursing homes program in

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1/ Ibid.

P.L. 88-450. In addition, there is also the general six month limitation on length of stay.

Third, with respect to the state-run nursing homes, the VA has some \$13 million currently available to help states in construction of homes to be obtained on a first-come first-served basis. According to Mr. Warren, the VA encourages states to construct their own veteran nursing homes, due largely, to limitations placed on it in the other two portions of P.L. 88-450.

#### Construction and Operating Cost of 120 Bed Nursing Home in Florence, Colorado

The Veterans' Council of Fremont County for some time has proposed the construction of a 300 bed veterans nursing home to be located in Florence, Colorado, pursuant to the provisions of P.L. 88-450. The principal spokesman for the Veterans' Council has been Major Robert Moore, Vice Chairman of the Council.

According to testimony before the Committee by Major Moore and representatives of other veterans groups around the state, the Florence location would be ideal from the standpoint of climatic conditions as evidenced by the high percentage of senior citizens who reside in the locale as well as the many people who move to the area to retire.

The construction segment of P.L. 88-450 does not cover the cost of land. However, the Committee was informed by Major Dominic W. Carochi that the City of Florence has endorsed the proposal and will donate to the state as much of a 60 acre tract as is necessary for the facility. Clear title to the land would be given to the state.

Questions submitted to the State Office of Comprehensive Health Planning. In order to obtain more data on the proposal, a number of questions were submitted to the State Comprehensive Health Planning Office pertaining to the proposed Florence location. The questions submitted to Comprehensive Health and the responses are available in the Legislative Council Office. A summary follows:

- (1) Determine need. Will it be fully utilized?

Response: "Probably." It was calculated that approximately 480 veterans over 65 years of age in the state have too little income to provide their own care in a private nursing home, but too much money to qualify for Medicaid, i.e., there are 480 veterans having yearly incomes between



\$1,700, the Medicaid cut-off, and \$4,380, the minimum cost it would take to stay in a private home. But it was not possible to establish how many Colorado veterans are in fact in nursing homes; thus, the 480 represents only the number that qualify on the basis of income.

(2) Nursing home vacancies. How many are there? Why are additional beds being planned? Where are they located?

Response: There are approximately 2,000 vacant nursing home beds in Colorado and 3,800 more are now in the planning stage for construction. Comprehensive Health Planning furnished data showing the vacancy rate for each of the 12 planning regions.

(3) Veterans receiving such care. How many veterans discharged from the VA hospital receive nursing care?

Response: In the past year, the Denver VA Hospital has made a total of 249 placements, 167 of which went into contract nursing homes.

(4) VA hospital expansion. Does the VA plan to expand to accommodate patients requiring skilled nursing care?

Response: The Denver VA Hospital has proposed that a 60 bed extended care wing be added to the VA hospital. But it is at least five years before it would receive VA approval.

(5) Effects of various wars on need for nursing home. Is the demand for nursing home care expanding as a result of more World War II, Korean, and Viet Nam War veterans needing such care?

Response: Eighty-eight percent of nursing home beds are utilized by persons over 65. The majority of World War II veterans, constituting 40 percent of the veteran population, will reach age 65 in 15 to 20 years; Korean veterans will reach 65 in 30 years. The demand for veterans nursing beds will reach a peak in about 20 years.

(6) Location of veterans. Where are they now located?

Response: The following provides that information:

<u>Area</u>	<u>Number Veterans</u>	<u>Percent</u>
Colorado Springs Metro Area	27,150	9%
Denver Metro Area	190,887	60%

<u>Area</u>	<u>Number Veterans</u>	<u>Percent</u>
Pueblo Metro Area	17,013	5%
Other Urban	17,893	6%
Rural	<u>64,461</u>	<u>20%</u>
	<u>317,464</u>	<u>100%</u>

(7) Alternatives. What are some of the alternatives to building a State Veterans Nursing Home?

Response: The following alternatives were suggested:

- 1) Removal of the six-month limitation, which now exists, to allow veterans to receive care for as long as needed in a contract nursing home. This would require an amendment to P.L. 88-450.
- 2) Provide that the VA pay half the cost to purchase an existing nursing home, to be used as a State Veterans Nursing Home, or pay half the cost to add a wing, which would be used exclusively for veterans, to an existing nursing home. Also provide \$5.00 per day for veterans in these facilities.
- 3) Provide \$5.00 per day for veterans who are not able to pay the total cost of their nursing home care. The veteran and the State would provide the remaining cost of the nursing home care.

(8) Estimated cost of construction. What is the estimated average cost for construction of a nursing home facility?

Response: Comprehensive Health notes the following with respect to cost of construction:

The average cost per bed for the last six nursing homes built in the United States under the provision of P.L. 88-450 has been \$16,860 with a range of \$10,000 to \$20,000.per bed....

In 1971, 865 nursing care beds were built in the State of Colorado at a total cost of \$10,002,883 or \$11,563 per bed. These beds meet the State Health Department requirements for construction but do not necessarily meet the VA construction requirements.

The Veteran's Council of Fremont County engaged the architectural firm of Lusk and Wallace to establish an estimated cost for the proposed Veterans Nursing Home in Florence....

Using the data supplied from these three sources, Comprehensive Health prepared minimum, maximum, and average construction cost estimates. Table III presents a summary of the estimates. The state's 50 percent share is also included in each case.

TABLE III

Estimated Construction Costs for A  
120 Bed Veterans Nursing Home

	<u>Lusk and Wallace</u>	<u>Veterans Adminis- tration</u>	<u>Department of Health</u>
<u>Minimum</u>			
Total Cost Estimate	\$ 991,680	\$1,200,000	\$769,320
Cost per Bed	8,264	10,000	6,411
50% Cost to State	495,840	600,000	384,660
Cost per Bed	4,132	5,000	3,206
<u>Maximum</u>			
Total Cost Estimate	\$1,296,000	\$2,400,000	\$2,424,720
Cost per Bed	10,800	20,000	20,206
50% Cost to State	648,000	1,200,000	1,212,360
Cost per Bed	5,400	10,000	10,103
<u>Average</u>			
Total Cost Estimate	\$1,143,840	\$2,023,200	\$1,387,560
Cost per Bed	9,532	16,860	11,563
50% Cost to State	571,920	1,011,600	693,780
Cost per Bed	4,766	8,430	5,782

SOURCE: Comprehensive Health Planning

Comprehensive Health computed its figures on the cost of a 300 bed home, as originally proposed; in Table III, the Council staff extrapolated the figures to come up with the estimated cost of a 120 bed home.

Briefly, the "minimum" estimated per bed cost ranges from \$6,400 (Health Department) to \$10,000 (VA), while the "maximum" is \$20,000 for both the VA and the Department of Health. Lusk and Wallace has the lowest "average" per bed cost estimates at \$9,500.

Total estimated construction cost runs from a minimum of \$770,000 by the Department of Health to a maximum of \$2.4 million by both the Health Department and the VA. Again, the estimates of Lusk and Wallace by and large run considerably less, ranging from a minimum of \$500,000 to a maximum of \$650,000, with an average cost of \$570,000.

Total cost to the state under the 50-50 matching formula could run as low as \$385,000 (Health) to as much as \$1.2 million (VA).

(9) Other questions covered. Also provided in Comprehensive Health's answers were data on: the availability of medical and para-medical personnel in the Florence area since the VA requires 70 such personnel per 100 beds; possible local training programs to obtain staff; the effect of a state operated nursing homes on local nursing homes, since the personnel in the proposed home would be state employees and therefore under the Civil Service compensation schedules; whether the population of local nursing homes would be adversely affected; and whether the proposed home is too far away from the principal veteran population centers.

#### Cost of Operation

The ongoing cost of operation after the home has been built was a major concern to the Committee.

Assessing Veterans. As reviewed, under P.L. 88-450, the VA will reimburse the state at the rate of five dollars per day per eligible veteran, but in no event will the agency pay more than 50 percent of per diem care. Further, each veteran in a nursing home is eligible to receive \$110 per month in "Aid and Attendance". In addition, disabled veterans are entitled to pension benefits. In many cases, veterans residing in such homes also have other sources of income.

According to the VA, there is no provision at present and none is being contemplated that prohibits a state from

setting up a fee schedule to help pay the cost of veterans nursing home occupancy; the only general federal limitation is that the state "cannot make a profit" through assessments levied against the veteran himself and still receive the five dollar per diem rate from the VA.

The Committee made no recommendation with respect to whether it wished to assess an individual veteran for some of the per diem cost not covered by the five dollar reimbursement of the VA. In order to obtain a representative idea of the operational costs of veterans nursing homes, the Council staff prepared Table IV for Committee consideration. The data was derived from a survey conducted by the DSS in March, 1972 of the 28 state veterans nursing homes. Replies were received from 18, but only 12 could be readily put into tabular form.

Table IV shows that approximately one-half or 1,600 of a total of 3,000 beds in state homes in the United States were surveyed.

Column (3) indicates that only the states of Pennsylvania and Georgia do not assess veterans for nursing home costs. In all other states, a veteran is assessed in amounts ranging from \$1.41 in Washington to \$7.43 in Nebraska, for an average of \$4.34 for 10 homes. As column (4) shows, with the exception of Pennsylvania and Georgia, the \$110 per month "Aid and Attendance" allowance is collected by the state to help defray operational costs.

Total daily collection from all sources averages \$8.62 in all 12 states, ranging from \$5.00 in Georgia and Pennsylvania to \$12.43 in Nebraska.

The per diem costs range from \$12.00 in Oklahoma to \$22.19 in Nebraska, with an average of \$16.32. The average calculated here compares to the \$17.00 average mentioned by Mr. Warren in testimony before the Committee.

The deficit per bed (column (7)) ranges from \$2.00 in Oklahoma to \$16.00 in Georgia and the average is \$8.13. In all cases the deficit is made up by state appropriations.

TABLE IV  
DISTRIBUTION OF COST OF VETERANS NURSING HOME CARE IN UNITED STATES \*

(1) No. VA Sub- sidized beds	(2) Daily VA Subsidy	(3) Daily Average Amount pd. by patient	(4) Daily Attendance Aid & Collected in (3)?	(5) Total Daily Collection	(6) Average Daily Cost per Bed (skilled)	(7) Average Deficit Per Bed (5) minus (6) <sup>1/</sup>
State Located						
Oklahoma	\$ 5.00	\$ 5.00	Yes	\$ 10.00	\$ 12.00	\$ 2.00
Washington	5.00	1.41 <sup>3/</sup>	Yes	6.41	13.30 <sup>4/</sup>	6.89 <sup>4/</sup>
Iowa	5.00	5.95	Yes	10.95	14.16	3.21
Pennsylvania	5.00	None	None	5.00	14.98	9.98
New Hampshire	5.00	6.80	Yes	11.80	15.00	3.20
Missouri	5.00	3.88 <sup>2/</sup>	No	8.88 <sup>2/</sup>	15.08	6.20 <sup>2/</sup>
Vermont	5.00	3.98	Yes	8.98	17.15	8.17 <sup>2/</sup>
Massachusetts	5.00	1.52	Yes	6.52	17.94	11.42
South Dakota	5.00	2.50	Yes	7.50	18.31 <sup>2/</sup>	10.81
Wisconsin	5.00	4.93	Yes	9.93 <sup>2/</sup>	19.81	9.88 <sup>2/</sup>
Georgia	5.00	None	No	5.00	21.00	16.00
Nebraska	<u>5.00</u>	<u>7.43</u>	Yes	<u>12.43</u>	<u>22.19</u>	<u>9.76</u>
Totals	\$ 5.00	\$43.40	---	\$103.40	\$ 200.92	\$ 97.52
Averages per Day	--	\$ 4.34 (10 homes)	---	\$ 8.62	\$ 16.32	\$ 8.13

\* Source: Returned questionnaires submitted by Department of Social Services, March, 1972

<sup>1/</sup> Deficit made up through state appropriation.

<sup>2/</sup> Staff computation

<sup>3/</sup> In Washington, unless specifically waived, entrance in restricted to unmarried Vets with a maximum monthly income of \$140. If this provision is waived, the income in excess of \$140 goes to home to pay for medical needs not provided by home or VA. Exemptions on income maximum are applied to veterans with families to support

<sup>4/</sup> Aid and Attendance not included in calculation.



## The State of Colorado

### DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

104 STATE CAPITOL  
DENVER, COLORADO 80203

JOHN P. MOORE

DEPUTY ATTORNEY GENERAL

October 31, 1972

Representative Floyd Sack  
Chairman  
Committee on Welfare  
Legislative Council  
Room 46  
State Capitol  
Denver, Colorado 80203

Dear Representative Sack:

This is in response to your letter of September 25, 1972 regarding the constitutionality of certain proposed legislation concerning the merit system for county welfare employees.

QUESTION: Is the proposed bill to provide for the administration of the merit system for employees of the county departments of public welfare by the State Department of Personnel in violation of Article XII, Sections 13 and 14 of the Colorado Constitution?

CONCLUSION: Yes.

ANALYSIS: The Constitution is quite specific in defining the "personnel system of the state" and the duties and responsibilities of the "State Personnel Board," and "State Personnel Director."

"The personnel system of the state shall comprise all appointive public officers and employees of the state, except . . . (hereinafter certain specific exceptions are set forth)." Article XII, Section 13 (2)

"The state personnel board shall adopt, and may from time to time amend or repeal, rules to implement the provisions of this section and sections 13 and 15 of this article, as amended, and laws enacted pursuant thereto . . ." Article XII, Section 14 (3)

"There is hereby created the department of personnel, which shall be one of the principal departments of the executive department, the head of which shall be the state personnel director, which shall be appointed under qualifications established by law. The state personnel director shall be responsible for the administration of the personnel system of the state under the constitution and laws enacted pursuant thereto and the rules adopted thereunder by the state personnel board." (emphasis supplied) Article XII, Section 14 (4)

The Constitution is self-executing as regards the establishment of the State Personnel Board and the appointment, duties and incidents of office of members thereof. People v. Bradley (1919) 66 Colo. 186, 179 P.2d 871. A self-executing constitutional provision required no legislation to render it operative, and the legislature may neither abridge, extend or otherwise alter it. 16 C.J.S. Constitutional Law 48, at page 145.

While the Constitution does not appear to be self-executing as regards the qualifications and appointment of a State Personnel Director; nevertheless, the Constitution is specific in limiting his responsibilities, to "administration of the personnel system of the state," and the legislature may not enlarge thereon by statute or extend those responsibilities to cover administration of the county welfare merit system.

QUESTION: Would it be possible to draft legislation which would allow transfer of such responsibility to the State Personnel Department within the Constitution?

CONCLUSION: Yes.

ANALYSIS: Article XII, Section 13 (5), Colorado Constitution, provides:

"Where authorized by law, any political subdivision of this state may contract with the state personnel board for personnel services."

In view of the foregoing provision the legislature might appropriately draft legislation authorizing the State Department of Public Welfare to contract with the State Personnel Department for the desired functions relating to the merit system for county welfare departments.

Very truly yours,

DUKE W. DUNBAR

By 

JOHN P. MOORE

Deputy Attorney General



## APPENDIX B

### Work Incentive Program (WIN)

Hearing Before the U.S. Senate  
Committee on Finance  
June 27, 1972

**STATEMENT OF CON F. SHEA, EXECUTIVE DIRECTOR, COLORADO  
DEPARTMENT OF SOCIAL SERVICES; ACCOMPANIED BY GLENN  
BILLINGS, CHAIRMAN, RELIEF AND WELFARE COMMITTEE,  
COLORADO COUNTY COMMISSIONERS ASSOCIATION**

Mr. SHEA. Mr. Chairman, members of the committee, I am the executive director of the Colorado Department of Social Services, which is the State welfare agency. We have a State-supervised and county-administered welfare program in Colorado.

Accompanying me this morning is Mr. Glenn Billings, chairman of the Relief and Welfare Committee of the Colorado County Commissioners Association. He is one of our elected county commissioners in Colorado. If you want the local flavor, Mr. Billings will be available for that.

My testimony will relate what one State, namely Colorado, is attempting to do in administering the new WIN program under Public Law 92-223, the Talmadge amendments. I will be telling you some of the problems which we are having with Department of Labor guidelines, regulations, and requirements.

The Colorado Legislature, noting that at least one-third of the WIN expenditures under the Talmadge amendments must be spent on on-the-job training or public service employment, appropriated funds accordingly. In our State the general assembly appropriates Federal funds as well as State funds, so that the total budgets of the agencies are noted in the Appropriations Act.

The general assembly specified in the appropriation bill—House bill 1128—that of \$4.3 million appropriated for WIN, \$1.5 million, roughly one-third, shall be to employ 250 homemakers for the aged, to be recruited from aid to families with dependent children cases.

The remaining two-thirds of the appropriation, or \$2.8 million, is to go to salaries, operating, training, incentive payments, and supportive services, mainly transportation.

The Department of Labor guidelines—DOL-WIN Handbook Section 9352(3)(c)—now, after the fact, specify that for every one public service job, the 250 homemakers in this case, there must be two on-the-job training slots. Such a regulation would add nearly \$1.2 million to Colorado's WIN budget, and put it in a deficit position.

Furthermore, these DOL guidelines would limit Colorado to only 168 public service employment positions, and a further refinement would limit these to 25 percent in any one occupation, or 42.

Thus, the intent of the Colorado Legislature, approved by the Governor, for 250 homemakers for aged would be frustrated by the regulations, and only 42 homemakers would be allowed under the Labor Department guidelines. We believe the ratio of on-the-job training to public service employment, as propounded by Department

of Labor, is not based on anything in Public Law 92-223.

The cost-benefit relationships of the homemaker program are as follows, as Colorado propounded it. The cost of 250 homemakers is \$1,500,000, less savings in AFDC assistance costs by reducing AFDC rolls by 250 times \$2,820 per year, \$705,000, which leaves a balance of \$795,000. The savings in medicoid if each homemaker keeps five aged persons from nursing homes is \$3,225,000, which is a net savings to taxpayers of \$2,430,000. Nursing home cost at \$12 per day is \$360 a month or \$4,320 per year, less \$1,740 old age assistance is \$2,580 savings per person times 1,250 persons.

Another innovation of the Colorado Legislature, approved by the Governor, was to appropriate \$223,673, from employment service funds for 17.25 full-time equivalent employment counselors for assignment to county public welfare offices to assist in finding employment for AFDC and other welfare recipients who cannot be included in WIN training and employment.

An employment counselor placed in county welfare offices could decrease welfare rolls by placing the applicants and/or recipients of public welfare into meaningful employment. Many persons, men and women, apply for assistance as they cannot find jobs or do not know where to look. In these instances, they may be placed in jobs rather than on public assistance.

The employment counselor should be an essential part of the intake process and available to applicants as soon as it is known that they request job placement. For those persons on AFDC-U, he could be the person who reinforces the provisions whereby an AFDC-U father should be actively seeking employment by assisting him through job referrals.

The counselor, as has been the case in prior years, can be that person who receives from employers requests for workers while at the same time selling the concept of hiring AFDC and AFDC-U recipients to employers in the community.

The counselor should be accessible to caseworkers so that teenagers who drop out of school and mothers who want jobs could be placed, considering not only where they live but the distance to a job, and whether or not a child must be placed in a day care center.

The counselor should also work closely with eligibility technicians so that correct and prompt budgetary adjustments can be made based upon a recipient being employed.

The employment counselor should work closely with other members of the division of employment and all manpower programs as each program though devised for the disadvantaged, places emphasis on a particular age group, occupational area, and so forth. The counselor would therefore be gaining, sharing knowledge and selling recipients to other programs as well as to potential employees.

The point of all this discussion is that in the welfare agencies we have felt that oftentimes the employment service would tend to favor other groups such as unemployment compensation recipients or the other various groups that they are supposed to be placing in preference to welfare recipients.

Our Colorado Legislature has now directed our employment service that welfare recipients are also a high priority item. To bring this discussion around to the WIN Talmadge amendments, Mr. Chairman, we in the States plead that we be allowed to have the maximum flexibility within the Federal law to innovate and accomplish our objective at the State and local level.

APPENDIX II

Summary of Certification Actions  
 Taken by the State Health Facilities Advisory Council  
 (May, 1973 through December, 1976)

I. HOSPITALS - APPLICATIONS APPROVED

Capital Construction Projects - Approved

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
11-4-76	Mesa Memorial Hospital, Grand Junction	Construction of a new surgical suite and cen- tral supply	\$ 330,000
	The Memorial Hospital, Craig	Construction of a new pa- tient care wing; addition of 12 beds	961,400
9-2-76	Eisenhower Osteopathic Hospital, Colorado Springs	Replacement of a Patient Care Wing Expansion of Ancillary Services	3,450,000
8-5-76	Penrose Hospital, Colo- rado Springs	Remodeling of the Pedia- tric Unit	90,000
	Rocky Mountain Hospital Denver	Relocation of labor, de- livery and remodeling of surgical suit	800,000
7-1-76	Beth Israel Hospital Denver	Construction of a 42 bed skilled nursing addition	535,000
	The Children's Hospital Denver	Construction of a new patient care tower, re- modeling, etc.	9,640,427
6-3-76	Presbyterian Medical Center, Denver	Remodeling of the criti- cal care unit	53,294
	Lutheran Medical Center Wheatridge	Renovation of floors 3-A for rehabilitation ser- vices	120,679
5-6-76	Colorado General Hospital Denver	Establishment of a five- bed nursing unit for burn patients.	210,000
	The Memorial Hospital Craig	Remodeling and expansion of existing facility, an- cillary services, etc.	1,498,000
3-4-76	Penrose Hospital, Colo- rado Springs	Construction of surface parking facilities	649,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
	Beth Israel Hospital Denver	Construction of a hospital addition for relocation of radiology, central supply, and pharmacy	\$2,581,586
2-5-76	Swedish Medical Center Englewood	Establishment of an emergency outpatient facility in Douglas County	250,000
	Swedish Medical Center Englewood	Establishment of an emergency outpatient facility in Jefferson County	90,000
	Poudre Valley Memorial Hospital, Fort Collins	Expansion of outpatient facilities and services	4,567,000
1-6-76	National Jewish Hospital Denver	Replacement of pediatrics facility	3,100,000
12-4-75	Valley View Hospital Denver	Construction of an addition for relocation of ICU/CCU	565,000
	Valley View Hospital Denver	Construction of an addition for a new special procedures room	406,924
11-6-75	Raleigh Hills Hospital Inc., Denver	Establishment of a 40 bed hospital for treatment of alcoholism.	96,800
	Swedish Medical Center Englewood	Replacement of clinical laboratory system	412,000
10-2-75	St. Luke's Hospital Denver	Establishment of 25 bed inpatient alcoholic treatment program	145,000
	Beth Israel Hospital Denver	Relocation and enlargement of coronary care unit	258,675
9-4-75	St. Mary's Hospital Grand Junction	Remodeling of vacated areas in the facility	2,033,024
	Plateau Valley Hospital District - Collbran	Construction of an addition with 6 acute care beds, 15 nursing care beds, combined emergency OB and OR Suite	275,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
	Swedish Medical Center Englewood	Expansion of Pathology Department	\$ 200,000
	Presbyterian Medical Cen- ter - Denver	Construction of a two story addition for library and classroom space	103,000
7-31-75	Saint Joseph Hospital Denver	Construction of radiology facility	7,918,786
	Penrose Hospital, Colo- rado Springs	Remodeling of existing special procedures room	220,670
7-3-75	Lutheran Medical Center Wheatridge	Installation of smoke and fire barrier doors and walls	108,000
7-3-75	St. Joseph Hospital Denver	Construction of radiology facility; remodeling of vacated areas of hospital	7,918,786
6-5-75	Penrose Hospital, Colo- rado Springs	Expand special procedures room	339,930
5-1-75	Mesa Memorial Hospital Grand Junction	Construction of a new sur- gical suite	400,000
	Lower Valley Hospital Fruita	Construction of 92 addi- tional long term care beds; relocation of 20 hospital beds	1,469,735
4-3-75	Poudre Valley Memorial Hospital Fort Collins	Construction of a replace- ment laundry facility	400,000
	Aspen Valley Hospital Aspen	Construction of a re- placement 30 bed acute care facility - addition of 20 beds	5,700,000
1-30-75	Huerfano County Hospital District	Construction of 60 bed skilled nursing facility	1,200,000
1-2-75	Southwest Memorial Hos- pital, Cortez	Replacement of non-con- forming 62 bed acute care facility	3,000,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
0-31-74	Conejos County Hospital La Jara	Remodeling and expansion program; addition of 12 beds	\$1,140,000
	Boulder Memorial Hospital	Remodeling and enlargement of dieting department	306,400
9-5-74	Montrose Memorial Hospital, Montrose	Two-phase modernization and expansion program	2,920,300
8-1-74	Colorado State Hospital Fueblo	Remodeling of two wings for care of neurologically impaired	216,264
8-1-74	Routt County Memorial Hospital, Steamboat Springs	Modernization and expansion of outpatient services	775,000
	St. Joseph Hospital of the Plains, Cheyenne Wells	Replacement of non-conforming beds, expansion of outpatient services	200,000
6-27-74	Grand Junction Osteopathic Hospital, Grand Junction	Addition of 32 medical-surgical beds	500,000
5-2-74	Colorado Psychiatric Hospital	Relocation of inpatient service; reduction from 60 to 40 beds	310,000
4-4-74	Weld County General Hospital, Greeley	Relocate and expand emergency outpatient service	1,156,000
	Children's Hospital Association, Denver	Relocate and centralize infant intensive care service; add 15 beds	300,000
	St. Joseph Hospital Denver	Centralize and expand laboratory and radiology departments	750,000
3-7-76	Mount Airy Psychiatric Foundation, Denver	Replace existing non-conforming 52-bed facility with a new 48-bed facility	1,750,000
2-5-74	Mesa Memorial Hospital Grand Junction	Construct a new surgery suite, remodel old surgery suite	250,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
1-3-74	Loveland Memorial Hospital Loveland	Replace 49 nonconforming beds, add 31 additional beds	\$6,105,000
	St. Luke's Hospital Denver	Linear accelerator and construction	557,470
	St. Mary-Corwin Hospital Pueblo	Multi-phase modernization and expansion program	3,933,250
	Swedish Medical Center Englewood	36-bed neuro-trauma unit	419,000
<u>Purchase of Equipment - Approved (Hospitals)</u>			
10-7-76	Parkview Episcopal Hos- pital, Pueblo	Replacement of diagnostic radiology equipment	179,046
9-2-76	Colorado State Hospital Pueblo	Replacement of diagnostic radiology equipment	116,044
	St. Mary's Hospital Grand Junction	Establishment of a joint medical air ambulance service	11,427
	Penrose Hospital, Colo- rado Springs	Acquisition and installa- tion of an ACTA whole body scanner	500,000
8-5-74	St. Mary-Corwin Hospital Pueblo	Replacement of Diagnostic radiology equipment	223,651
	Colorado General Hospital Denver	Replacement of cardiac catheterization labora- tory equipment	10,000 construction; 135,600/yr lease
	Presbyterian Medical Center, Denver	Replacement of automated laboratory data system	126,540
7-1-76	Mercy Medical Center Durango	Replacement of diagnos- tic radiology equipment	174,036
6-3-76	General Rose Memorial Hospital, Denver	Leasing of monitor/tel- emetry equipment for various hospital depart- ments	103,515

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
	Valley View Hospital & Med. Center, Denver	Replacement of radiology equipment	\$ 112,632
3-4-76	General Rose Memorial Denver	Installation of a UNI/USE drug distribution system	162,815
	Weld County General Hospital, Greeley	Construction of a radiation therapy facility; acquisition of a 4 MEV linear accelerator	1,330,000
2-5-76	St. Mary's Hospital Grand Junction	Acquisition of a CAT whole body scanner	510,000
1-6-76	Porter Memorial Hospital Denver	Replacement of laboratory computer system	260,000
	Mercy Hospital Denver	Replacement of laboratory computer system	155,435
12-4-75	Mercy Hospital Denver	Acquisition of 2nd gamma camera	79,750
	St. Anthony Hospital Systems, Denver	Acquisition of a CAT whole body scanner	515,000
	Lutheran Medical Center Denver	Acquisition of a CAT whole body scanner	429,400
	General Rose Memorial Hospital, Denver	Acquisition of a CAT whole body scanner	555,000
11-6-75	Mercy Hospital Denver	Replacement of diagnostic radiology equipment	361,580
10-2-75	Penrose Hospital Colorado Springs	Acquisition of radiation therapy treatment simulator	113,600
10-2-75	Porter Memorial Hospital Denver	Acquisition of a CAT whole body scanner	455,000
9-4-75	Colorado General Hospital Denver	Acquisition of a CAT whole body scanner	450,000
	Porter Memorial Hospital Denver	Replacement of telephone system	328,000
	Parkview Episcopal Hospital, Pueblo	Acquisition of a CAT whole body scanner	380,000



<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
	St. Mary Corwin Hospital Pueblo	Acquisition of a CAT whole body scanner	\$ 411,175
7-31-75	Saint Joseph Hospital Denver	Acquisition of new radi- ology equipment	1,730,600
	Saint Joseph Hospital Denver	Acquisition of CAT whole body scanner	450,000
	St. Luke's Hospital Denver	Acquisition of CAT whole body scanner	355,000
	Presbyterian Medical Center, Denver	Acquisition of CAT whole body scanner	550,000
	Colorado General Hospital Denver	Replacement of diagnostic radiology equipment, room 2210	188,000
	Colorado General Hospital Denver	Replacement of diagnostic radiology equipment, room 2209	168,000
	Penrose Hospital, Colorado Springs	Remodeling of existing special procedures room	220,670
	Penrose Hospital, Colorado Springs	Replacement of G.E. curo- strator with a polytome U. unit	129,450
	Penrose Hospital, Colorado Springs	Replacement of diagnostic radiology equipment, room 2	143,634
7-31-75	Penrose Hospital, Colorado Springs	Replacement of diagno- stic radiology equipment, room 1	143,634
7-3-75	Mercy Medical Center Durango	Acquisition of gamma scintillation camera	87,000
	La Plata Community Hospi- tal, Durango	Acquisisition of diagno- stic radiology ultrasound equipment	40,080
6-5-75	Penrose Hospital Colorado Springs	Replace X-Ray equipment	163,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
1-30-75	Memorial Hospital Colorado Springs	Replacement of nuclear medicine equipment	\$ 77,910
	St. Anthony Hospital Systems, Denver	Replacement of diagnostic x-ray equipment - room 3	196,000
	St. Anthony Hospital Systems, Denver	Replacement of diagnostic x-ray equipment - room 4	252,480
1-2-75	General Rose Hospital Denver	Replacement of diagnostic radiology equipment - room 5	110,000
	General Rose Hospital Denver	Replacement of diagnostic radiology equipment - room 6	153,000
	General Rose Hospital Denver	Installation of a commer- cial laboratory computer	400,000
1-2-75	St. Joseph Hospital Denver	Acquisition of a SMAC computer-controlled lab- oratory analyzer	173,761
	St. Mary's Hospital Grand Junction	Establish an acute and chronic renal dialysis service	30,000
	St. Francis Hospital Colorado Springs	Acquisition of a picker gamma scintillation camera	84,455
	Montrose Memorial Hospi- tal, Montrose	Establishment of a nu- clear medicine department, acquisition of a used rectilinear scanner	27,000
12-7-74	Denver General Hospital Denver	Installation of a com- puterized axial tomogra- phic unit	435,000
10-31-74	Porter Memorial Hospital Denver	Replacement of laboratory clinical analyzer equip- ment	189,186
	St. Luke's Hospital Denver	Replacement of diagnos- tic radiology equipment	162,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
9-5-74	St. Joseph Hospital Denver	Acquisition of equipment for nuclear medicine department	\$ 140,000
8-1-74	Mercy Hospital Denver	Replacement of a diagnostic x-ray machine	110,000
6-27-74	St. Joseph Hospital Denver	Acquisition of 12 MEV linear accelerator	280,000
6-20-74	La Junta Medical Center La Junta	Establish a nuclear medicine department	95,000
	Colorado General Hospital, Denver	Replace a cobalt 60 unit with a 4 MEV linear accelerator	143,290
5-2-74	Presbyterian Medical Center, Denver	Acquisition of EMI scanner. Construction and remodeling of space for consolidation of services.	725,000
5-2-74	Colorado General Hospital Denver	Acquisition of 18 MEV linear accelerator	450,000
4-4-74	Penrose Cancer Hospital Colorado Springs	Acquisition of 4 MEV linear accelerator	225,000
4-7-74	Porter Memorial Hospital Denver	Consolidate existing CCU services at Porter and Swedish Hospitals into one unit at Porter	272,000
1-3-74	Swedish Medical Center Denver	EMI scanning unit	350,000
<u>Application Denied by Advisory Council but Later Approved by Board of Health</u>			
6-27-74	Porter Memorial Hospital Denver	3,000 Sq. Ft. of construction and 4 MEV linear accelerator for radiation therapy center	340,000

II. HOSPITALS - APPLICATIONS DENIED

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
12-2-76	Lower Valley Hospital & Nursing Home, Fruita	Addition of 32 nursing care beds	\$ 2,687,320
8-5-76	Prowers Medical Center Lamar	Construction of a 22 bed surgical wing, etc.	1,500,000
7-1-76	Eisenhower Osteopathic Hospital, Colorado Springs	Expansion and upgrading of ancillary facilities, addition of nine beds	3,450,000
	Mercy Hospital, Denver	Acquisition of a CAT whole body scanner	620,000
11-6-75	Rampart Comprehensive Health Care Plan of Colorado, Inc. Monument	Construction of a 25 bed acute care facility	1,725,000
1-30-75	Rampart Comprehensive Health Care Plan of Colorado, Inc. Monument	Construction of a 50 bed acute care hospital	2,703,000
9-5-74	Colorado Electronic Technical College, Inc. Manitou Springs	200 bed hospital and full service clinic	29,500,000
6-7-74	Prowers Medical Center Lamar	Establish a nuclear medicine department	85,977
1-3-74	Colorado Electronic Technical College (Hospital) Manitou Springs	60 bed general hospital	30,000,000

III. NURSING CARE FACILITIES -  
APPLICATIONS APPROVED

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
10-7-76	Colorado State Veterans Center - Homelake	Modifications for fire safety	\$ 100,934
9-2-76	Julia Temple Center Englewood, Co	Construction of a 38 bed Skilled Nursing Care Station	525,000
8-5-76	Southwest Teller County Hospital District - Cripple Creek	Construction of a replacement 60 bed IHCF facility, etc.	761,000
2-5-76	Professional Management Services, Cheyenne Wells	Construction of a 60 bed nursing care facility	675,000
	Horizons Nursing Home, Inc., Cory	Addition of 60 nursing care beds to an existing facility	638,716
	Estes Park Nursing Home Estes Park	Construction of a 60 bed nursing care facility	750,000
1-6-76	Valley Manor, Inc. Montrose	Addition of 14 nursing care beds	94,000
10-2-75	Silver State Nursing Home Castle Rock	Addition of 20 bed nursing care unit	200,000
9-4-75	Western Health Care Corp. Denver	Reopening of 208 bed nursing care facility	1,850,000
7-3-75	Baptist Home Association Denver	Replacement of 70 non-conforming nursing care beds	755,000
	Davis Institute for Care and Study of Aging Denver	Construction of facility for development of new concepts of care for the elderly	5,000,000
6-5-75	Sharmar Nursing Center Pueblo	Replace non-conforming 93 bed nursing care facility	900,000
5-1-75	Beverly Hills Manor Colorado Springs	Relocation of a proposed 120 bed nursing care facility	954,500
	Sterling Heights Nursing Home, Sterling	Remodeling of an 86 bed nursing home	350,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
5-1-75	Evergreen Nursing Home, Inc., Montrose	Replacement of non-conforming facility; addition of 30 beds	\$ 548,307
4-3-75	Gunnison Home Association, Inc., Gunnison	Construction of a new 48 bed nursing care facility	400,000
	Santa Fe Valley Corporation, La Junta Nursing Home, La Junta	Construction of a replacement 60 bed nursing care facility	480,000
	Vesta Bowden Nursing Home Aurora	Construction of a replacement 36 bed facility; addition of 34 beds for a total of 70	530,000
1-30-75	Harold Nursing Home Delta	Replacement of non-conforming facility; addition of 29 beds	480,000
1-2-75	Vista Grande Nursing Home Cortez	Addition of 18 skilled nursing beds	245,000
12-9-74	Terrace Gardens Nursing Center, Colorado Springs	Addition of 60 beds, home nursing services, etc.	360,000
10-31-74	Wheatridge Manor Nursing Home, Denver	Addition of 18 patient beds; ancillary service space.	108,000
9-5-74	Delbert M. Bjordahl Colorado Springs	New 120 bed nursing facility	954,500
8-1-74	Burlwood Manor Cripple Creek	New 60 bed intermediate care facility and community clinic to replace existing non-conforming facility	650,000
5-27-74	La Villa Grande Nursing Home, Grand Junction	120 bed facility -- 60 skilled care, 60 intermediate care	1,170,000
2-5-74	Resthaven Nursing Home Delta	Replace 30 non-conforming beds, add 10 additional beds	150,000

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
1-3-74	Manassa Development Corp.	60-bed nursing home	\$ 621,500
	McIver, James A. (N.H.)	120-bed nursing home	850,000
11-16-73	Del Vista Nursing Home Delta	Addition of 60 intermediate beds and 27 skilled nursing beds	933,000
	Four Seasons Nursing Center, Fort Collins	Addition of 60 skilled nursing beds	350,000
	Eventide of Longmont Longmont	Addition of 60 intermediate beds and 60 skilled nursing beds	700,000
	O'Leary Nursing Home Cheyenne Wells	Addition of 20 intermediate beds	225,000

IV. NURSING CARE FACILITIES  
APPLICATIONS DENIED

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditures</u>
12-2-76	Arkansas Manor Nursing Home, Denver	Addition of 42 nursing care beds and an activity room	\$ 265,100
6-5-75	Franklin Nursing Care Facility, Grand Junction	Replace non-conforming facility; add 32 beds for a total of 60	400,000
3-7-74	Colorado Nursing Home for Veterans Florence	Construct 120-bed nursing facility for Colorado veterans <u>1/</u>	1,300,000
11-16-73	Eben Ezer Lutheran Care Center, Brush	Addition of 28 skilled nursing beds	180,000
	David T. Watts Greeley	New facility of 120 skilled nursing beds	750,000

1/ Facility established under action of Colorado General Assembly, and was not subject to approval by the state advisory council.

<u>Date</u>	<u>Applicant</u>	<u>Proposal</u>	<u>Capital Expenditure</u>
11-16-73	Sheridan Manor Holyoke	Addition of 60 skilled nursing beds	\$ 300,000
1-3-74	Garnet Mesa Nursing Home, Delta	Replace 31 non-conforming beds, add 29 beds	440,000

Application Denied by Advisory Council but Later Approved by Board of Health

1-30-75	Rocky Mountain Methodist Homes, Inc., Boulder	Construction of a 120-bed nursing care facility	1,436,304
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V. OTHER FACILITIES - APPLICATIONS APPROVED

<u>Date</u>	<u>Applicant</u>	<u>Proposed</u>	<u>Capital Expenditures</u>
12-2-76	Saguache Comprehensive Health Clinic, Saguache	Extension and renovation of clinic facilities	\$ 224,485
9-2-76	Kaiser Foundation Health Plan, Denver	Land Purchase; construction of an outpatient clinic in East Denver	5,599,462
	Denver Department of Health & Hospitals Denver	Replacement of a neighbor- hood Health Station	322,000
	Kaiser Foundation Health Plan, Denver	Purchase & Remodeling a three-level medical Building in Westminster	2,324,000
8-5-76	Pueblo County Board of Commissioners, Avondale Health Center, Pueblo	Construction of replacement ambulatory care facility	157,143
	Rocky Mountain Kidney Center, Denver	Relocation and acquisition of 5 dialysis machines	45,000 35,000/y lease
7-1-76	Evergreen Emergency Medi- cal Care Center, Inc. Evergreen	Establishment of a 24-hour emergency medical facility	37,586



<u>Date</u>	<u>Applicant</u>	<u>Proposed</u>	<u>Capital Expenditures</u>
6-3-76	Midwestern Colorado Mental Health Center Montrose	Construction of a mental health center office building	\$ 163,428
2-5-76	Boulder Psychiatric Institute, Boulder	Conversion of a nursing home to a 50-bed psychiatric facility	275,000
2-4-75	Western Dialysis Center Denver	Establishment of a renal dialysis program	108,000
7-3-75	Eastside Neighborhood Health Center, Denver	Replacement of existing health care facility	2,918,000
1-5-75	Spanish Peaks Mental Health Center, Pueblo	Construction of facilities to relocate services	226,217
1-30-75	San Juan County Clinic Silverton	Construction of outpatient emergency clinic	140,000
10-3-74	Colorado Health Care Services, Inc. (Comprehensive care), Denver	Development of a health maintenance organization	538,933

VI. OTHER FACILITIES - APPLICATIONS DENIED

1-4-76	Rocky Mountain Kidney Center, Denver	Acquisition of 2 renal dialysis machines	\$ 10,000
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