

APPENDIX FOUR

Senate Bill 16-077 "Concerning a Collaborative Multi-Agency Approach to Increasing Competitive Integrated Employment Opportunities for Persons with Disabilities and, in Connection Therewith, Advancing an Employment First Policy"

NOTE: The governor signed this measure on 6/10/2016.



SENATE BILL 16-077

BY SENATOR(S) Kefalas, Aguilar, Carroll, Crowder, Donovan, Garcia, Guzman, Heath, Hill, Hodge, Johnston, Jones, Kerr, Lambert, Martinez Humenik, Merrifield, Newell, Steadman, Todd, Cadman; also REPRESENTATIVE(S) Ginal and Primavera, Arndt, Buckner, Court, Danielson, Esgar, Fields, Garnett, Hamner, Kagan, Lontine, Melton, Mitsch Bush, Moreno, Pettersen, Priola, Rosenthal, Ryden, Salazar, Williams, Winter, Young, Hullinghorst.

CONCERNING A COLLABORATIVE MULTI-AGENCY APPROACH TO INCREASING COMPETITIVE INTEGRATED EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH DISABILITIES, AND, IN CONNECTION THEREWITH, ADVANCING AN EMPLOYMENT FIRST POLICY.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) The value of meaningful work has significance and importance to all working-age individuals, including persons with disabilities, which includes veterans with service-connected disabilities;

(b) Eighty-five percent of adults with intellectual and

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

developmental disabilities are either unemployed or underemployed due to many employment barriers and disincentives, despite their ability, desire, and willingness to work in the community;

(c) Public policy designed to increase competitive integrated employment for persons with disabilities must address these barriers by promoting best practices relating to youth transitions; employer engagement; service system enhancements, including the adoption of employment first policies; and training and supports for persons with disabilities and those delivering services and support;

(d) The adoption of employment first policies is consistent with the "Workforce Innovation and Opportunity Act" (WIOA); the Centers for Medicare and Medicaid Services' final federal rule setting forth requirements for home- and community-based services; and the United States Supreme Court's decision in *Olmstead v. L.C.* that requires that persons with disabilities receive services in the most integrated setting appropriate to the person's needs;

(e) Free-market principles can guide employers to use innovative methods for employing persons with disabilities; and

(f) Nothing in this act requires any employer to give hiring preferences to persons with disabilities; rather the intent is to strengthen supports and relationships for employers to hire persons with disabilities.

(2) Therefore, the general assembly declares that developing and implementing employment first policies will benefit persons with disabilities and the state of Colorado by increasing:

(a) The number of people entering the workforce who contribute to Colorado's tax base;

(b) The self-worth and dignity of people with disabilities who are gainfully employed working alongside people without disabilities;

(c) Opportunities to do meaningful and gainful work, thereby lessening dependence on Medicaid and other public assistance;

(d) Opportunities for postsecondary education, including college

and vocational training; and

(e) The effectiveness of the service systems currently serving people with disabilities who are seeking meaningful employment.

SECTION 2. In Colorado Revised Statutes, add part 3 to article 84 of title 8 as follows:

**PART 3
EMPLOYMENT FIRST FOR
PERSONS WITH DISABILITIES**

8-84-301. Definitions. AS USED IN THIS PART 3, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "AGENCY PARTNERS" MEANS THE DEPARTMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HIGHER EDUCATION, AND THE DEPARTMENT OF HUMAN SERVICES.

(2) "CAREER DEVELOPMENT PLANNING" MEANS A PERSON-CENTERED PROCESS THAT IDENTIFIES THE INDIVIDUAL'S EMPLOYMENT GOALS AND OBJECTIVES; THE SERVICES AND SUPPORTS NEEDED TO ACHIEVE THOSE GOALS AND OBJECTIVES; THE PERSONS, AGENCIES, AND PROVIDERS ASSIGNED TO ASSIST THE INDIVIDUAL IN ATTAINING THE GOALS; AND THE OBSTACLES FACED BY THE INDIVIDUAL WORKING IN COMPETITIVE INTEGRATED EMPLOYMENT. CAREER DEVELOPMENT PLANNING REFLECTS A PRESUMPTION THAT ALL PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN A COMPETITIVE INTEGRATED EMPLOYMENT SETTING.

(3) "COMPETITIVE INTEGRATED EMPLOYMENT" MEANS WORK PAID DIRECTLY BY EMPLOYERS AT THE GREATER OF THE STATE OR FEDERAL MINIMUM WAGE OR PREVAILING WAGE WITH COMMENSURATE BENEFITS, OCCURRING IN A TYPICAL WORK SETTING WHERE THE EMPLOYEE WITH A DISABILITY INTERACTS OR HAS THE OPPORTUNITY TO INTERACT CONTINUOUSLY WITH COWORKERS WITHOUT DISABILITIES, NOT INCLUDING SUPERVISORY PERSONNEL OR INDIVIDUALS WHO ARE PROVIDING SERVICES TO THE EMPLOYEE WITH A DISABILITY, AND THE EMPLOYEE WITH A DISABILITY HAS AN OPPORTUNITY FOR ADVANCEMENT OR JOB MOBILITY,

AND IS ENGAGED, PREFERABLY, IN FULL-TIME WORK.

(4) "DISCOVERY PROCESS" MEANS A PROCESS TO DISCOVER ALREADY-EXISTING INFORMATION ABOUT A JOB SEEKER THAT IS BASED ON INFORMATION OBTAINED FROM A PERSON'S ENTIRE LIFE AND NOT FROM SHORT INSTANCES OF JOB PERFORMANCE. THE INFORMATION IS GATHERED FROM THE JOB SEEKER AND OTHERS TO DETERMINE THE JOB SEEKER'S INTERESTS, SKILLS, AND PREFERENCES RELATED TO POTENTIAL EMPLOYMENT THAT GUIDE THE DEVELOPMENT OF A CUSTOMIZED JOB.

(5) "EMPLOYMENT FIRST" MEANS A FRAMEWORK FOR CHANGE IN THE PROVISION OF SERVICES THAT IS CENTERED ON THE PREMISE THAT ALL PERSONS, INCLUDING PERSONS WITH SIGNIFICANT DISABILITIES, ARE CAPABLE OF FULL PARTICIPATION IN COMPETITIVE INTEGRATED EMPLOYMENT AND COMMUNITY LIFE. UNDER THIS FRAMEWORK, IN PROVIDING PUBLICLY FUNDED SERVICES, EMPLOYMENT IN THE GENERAL WORKFORCE IS THE FIRST AND PREFERRED OUTCOME FOR ALL WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF DISABILITY. PUBLICLY FUNDED AGENCIES AND SYSTEMS ALIGN POLICIES, SERVICE DELIVERY PRACTICES, FUNDING, AND REIMBURSEMENT STRUCTURES IN ORDER TO ACHIEVE COMPETITIVE INTEGRATED EMPLOYMENT.

(6) "EMPLOYMENT FIRST ADVISORY PARTNERSHIP" OR "PARTNERSHIP" MEANS THE PARTNERSHIP DESCRIBED IN SECTION 8-84-303.

(7) "PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES" HAS THE SAME MEANING AS "PERSON WITH AN INTELLECTUAL AND DEVELOPMENTAL DISABILITY" AS SET FORTH IN SECTION 25.5-10-202, C.R.S.

(8) "STATE EMPLOYMENT LEADERSHIP NETWORK" MEANS THE JOINT PARTNERSHIP BETWEEN THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF DEVELOPMENTAL DISABILITIES SERVICES AND THE INSTITUTE FOR COMMUNITY INCLUSION AT THE UNIVERSITY OF MASSACHUSETTS BOSTON OR ANOTHER SIMILAR ORGANIZATION THAT FACILITATES COLLABORATION WITH OTHER STATES TO SHARE EFFECTIVE SOLUTIONS TO INCREASE EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES.

8-84-302. Duties of the department. (1) PURSUANT TO ITS STATUTORY AUTHORITY AND AVAILABLE APPROPRIATIONS, THE

DEPARTMENT SHALL:

(a) REVIEW AND MAKE RECOMMENDATIONS FOR AMENDMENTS, IF NECESSARY, TO COLORADO'S COMBINED PLAN FOR EXECUTION OF WORKFORCE DEVELOPMENT ACTIVITIES DEVELOPED IN ACCORDANCE WITH THE FEDERAL "WORKFORCE INNOVATION AND OPPORTUNITY ACT", PUB. L. 113-128, AS AMENDED, TO ENSURE THAT PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES ARE SUPPORTED IN ACHIEVING EMPLOYMENT;

(b) DEVELOP PRACTICES THAT REFLECT A PRESUMPTION THAT ALL PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO, AND ENSURE THAT OPTIONS FOR COMPETITIVE INTEGRATED EMPLOYMENT WITH APPROPRIATE SUPPORTS ARE EXPLORED BEFORE CONSIDERATION OF SEGREGATED ACTIVITIES;

(c) PROMOTE YOUTH TRANSITIONS THAT FOCUS ON PUBLIC-PRIVATE COLLABORATION, AND EMPLOYER ENGAGEMENT THAT EMPHASIZES FREE-MARKET SOLUTIONS;

(d) PROVIDE DEPARTMENT INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION 8-84-303 IN CARRYING OUT ITS DUTIES; AND

(e) PRESENT THE REPORTS AND RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303 (7).

8-84-303. Employment first advisory partnership - memorandum of understanding - reporting - repeal. (1) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP IS HEREBY ESTABLISHED AS A PARTNERSHIP OF EXISTING ENTITIES INCLUDING THE STATE REHABILITATION COUNCIL, ESTABLISHED BY THE DEPARTMENT, THE STATE WORK FORCE DEVELOPMENT COUNCIL, CREATED IN ARTICLE 46.3 OF TITLE 24, C.R.S., AND THE EMPLOYMENT FIRST STATE LEADERSHIP MENTORING PROGRAM CORE STATE ADVISORY GROUP, ESTABLISHED BY THE DEPARTMENT. THE PARTNERSHIP SHALL ALSO CONSULT WITH THE STATE LEADERSHIP EMPLOYMENT NETWORK FOR BEST PRACTICES IN DEVELOPING EMPLOYMENT

FIRST POLICIES AND INCREASING COMPETITIVE INTEGRATED EMPLOYMENT FOR PERSONS WITH DISABILITIES. THE STATE REHABILITATION COUNCIL SHALL SERVE AS THE LEAD AGENCY TO COORDINATE CROSS-DEPARTMENTAL AND INTER-AGENCY COLLABORATION WITHIN THE DEPARTMENT AND AMONG THE AGENCY PARTNERS AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND AGENCY PARTNERS RELATING TO EMPLOYMENT FIRST POLICIES.

(2) ON OR BEFORE DECEMBER 30, 2016, EACH AGENCY PARTNER SHALL IDENTIFY THE STAFF MEMBER OR MEMBERS WITHIN THE AGENCY CHARGED WITH PROVIDING AGENCY INPUT AND ASSISTANCE RELATING TO THE MEMORANDUM OF UNDERSTANDING PURSUANT TO SUBSECTION (3) OF THIS SECTION AND THE DUTIES OF THE PARTNERSHIP SET FORTH IN SECTION 8-84-304.

(3) ON OR BEFORE JANUARY 30, 2017, THE STATE REHABILITATION COUNCIL SHALL CONVENE A MEETING OR MEETINGS OF THE PARTNERSHIP AND AGENCY PARTNERS TO DEVELOP A MEMORANDUM OF UNDERSTANDING FOR THE PARTNERSHIP RELATING TO THE DUTIES OF THE PARTNERSHIP SET FORTH IN SECTION 8-84-304. AT A MINIMUM, THE MEMORANDUM OF UNDERSTANDING SHALL INCLUDE THE RESPONSIBILITIES OF EACH MEMBER OF THE PARTNERSHIP AND EACH AGENCY PARTNER AND A PLAN FOR COMPLETING THE WORK OF THE PARTNERSHIP, INCLUDING TIME FRAMES.

(4) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT, THROUGH THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP, EMPLOYMENT FIRST POLICIES ARE CONSIDERED AND RECOMMENDED THAT REFLECT NOT ONLY THE PERSPECTIVE OF THE AGENCY PARTNERS BUT ALSO PERSONS WITH DISABILITIES, ADVOCATES, SERVICE PROVIDERS, EMPLOYERS, AND MEMBERS OF THE COMMUNITY. THEREFORE, UNLESS PROVIDED THROUGH THE MEMBERSHIP OF THE PARTNERSHIP, THE PARTNERSHIP SHALL SEEK STAKEHOLDER PARTICIPATION FROM, AT A MINIMUM:

(a) REPRESENTATIVES OF A NATIONAL ASSOCIATION OF PERSONS SUPPORTING THE IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES;

(b) ADVOCATES FOR PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

(c) PERSONS WITH DISABILITIES WHO HAVE SECURED OR ARE

SEEKING COMPETITIVE INTEGRATED EMPLOYMENT; AND

(d) MEMBERS OF THE COMMUNITY WHO ARE NOT CONNECTED TO ANY SERVICE AGENCY.

(5) AT ITS DISCRETION, THE PARTNERSHIP MAY FORM SUBGROUPS COMPRISED OF MEMBERS AND STAKEHOLDERS TO CONSIDER SPECIFIC ISSUES RELATING TO THE STRATEGIC PLAN AND THE RECOMMENDATIONS OF THE PARTNERSHIP.

(6) THE PARTNERSHIP SHALL MEET AS OFTEN AS NECESSARY TO COMPLETE ITS DUTIES BUT SHALL MEET AT LEAST ONCE EVERY QUARTER.

(7) (a) THE AGENCY PARTNERS SHALL PRESENT THE INITIAL REPORT OF THE STRATEGIC PLAN AND RECOMMENDATIONS DEVELOPED PURSUANT TO SECTION 8-84-304 TO THE LEGISLATIVE COMMITTEES OF REFERENCE FOR THE AGENCY PARTNERS AS PART OF EACH AGENCY'S ANNUAL PRESENTATION MADE PURSUANT TO SECTION 2-7-103, C.R.S., DURING THE INTERIM BETWEEN NOVEMBER 1, 2017, AND THE START OF THE 2018 REGULAR LEGISLATIVE SESSION. THEREAFTER, EACH AGENCY PARTNER SHALL INFORM THE LEGISLATIVE COMMITTEE OF REFERENCE OF REVISIONS TO THE STRATEGIC PLAN AND THE IMPLEMENTATION OF EMPLOYMENT FIRST POLICIES AS PART OF THE AGENCY'S ANNUAL PRESENTATION MADE PURSUANT TO SECTION 2-7-103, C.R.S.

(b) AFTER THE PRESENTATION OF THE INITIAL REPORT OF THE STRATEGIC PLAN, THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP SHALL CONTINUE TO MEET, AS NECESSARY, TO WORK ON THE DUTIES SET FORTH IN SECTION 8-84-304; TO CONSIDER REVISIONS TO THE PLAN; AND TO PROVIDE ADVICE AND EXPERTISE RELATING TO THE SUBSEQUENT IMPLEMENTATION OF THE PLAN.

(8) (a) THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2021.

(b) PRIOR TO REPEAL OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP, THE DEPARTMENT OF REGULATORY AGENCIES SHALL CONDUCT A SUNSET REVIEW PURSUANT TO THE PROVISIONS OF SECTION 2-3-1203, C.R.S.

8-84-304. Duties of the employment first advisory partnership

- **strategic plan.** (1) (a) AFTER CONSIDERING THE DUTIES SET FORTH IN SUBSECTION (2) OF THIS SECTION, THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP SHALL DEVELOP A STRATEGIC PLAN TO EXPAND COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES THROUGH EMPLOYMENT FIRST POLICIES AND PRACTICES. THE STRATEGIC PLAN MUST INCLUDE RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE RELEVANT POLICY-MAKING BOARDS CONCERNING ANY CHANGES TO STATE STATUTES OR RULES NECESSARY TO IMPLEMENT THE STRATEGIC PLAN, ALONG WITH A FISCAL ANALYSIS OF IMPLEMENTATION COSTS, WHERE PRACTICABLE.

(b) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP SHALL PREPARE AN INITIAL REPORT OF THE STRATEGIC PLAN NO LATER THAN NOVEMBER 1, 2017, AND SHALL REVISE THE STRATEGIC PLAN AS THE PARTNERSHIP CONSIDERS ADDITIONAL ISSUES DESCRIBED IN SUBSECTION (2) OF THIS SECTION.

(2) IN DEVELOPING THE STRATEGIC PLAN TO EXPAND COMPETITIVE INTEGRATED EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES THROUGH EMPLOYMENT FIRST POLICIES AND PRACTICES, AND IN FORMULATING THE RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP, THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP SHALL:

(a) MAKE RECOMMENDATIONS TO ENSURE THAT, IN PROVIDING PUBLICLY FUNDED SERVICES, COMPETITIVE INTEGRATED EMPLOYMENT IS THE PRIMARY OBJECTIVE AND PREFERRED OUTCOME FOR ALL WORKING-AGE PERSONS WITH DISABILITIES, REGARDLESS OF THE LEVEL OF DISABILITY;

(b) IDENTIFY THE BARRIERS TO COMPETITIVE INTEGRATED EMPLOYMENT FOR PERSONS WITH DISABILITIES, INCLUDING POLICY, PROCEDURAL, FINANCIAL, EDUCATIONAL, TRANSPORTATION, SERVICE DELIVERY, AND OTHER BARRIERS;

(c) IDENTIFY UNNECESSARY, INEFFICIENT, OR CONFLICTING AGENCY RULES AND REGULATIONS THAT MAKE IT MORE DIFFICULT FOR EMPLOYERS TO HIRE PERSONS WITH DISABILITIES;

(d) IDENTIFY TRAINING AND KNOWLEDGE GAPS AMONG AGENCY STAFF, AGENCY VENDORS, AND INDIVIDUALS WITH DISABILITIES AND THEIR

FAMILIES, THAT MAY CREATE OBSTACLES AND PERCEIVED OBSTACLES FOR PERSONS WITH DISABILITIES, INCLUDING SIGNIFICANT DISABILITIES, FROM PARTICIPATING IN COMPETITIVE INTEGRATED EMPLOYMENT;

(e) IDENTIFY THE DATA AVAILABLE AND THE GAPS IN DATA COLLECTION THAT PROHIBIT THE MEASUREMENT OF COLORADO'S PROGRESS TOWARDS COMPLIANCE WITH THE UNITED STATES SUPREME COURT'S DECISION IN *OLMSTEAD V. L.C.*; AND

(f) MAKE RECOMMENDATIONS RELATING TO PRE-VOCATIONAL SERVICES TO ENSURE THAT, IN COMPLIANCE WITH FEDERAL LAW, THE SERVICES ARE TIME LIMITED AND REASONABLY LEAD TO COMPETITIVE INTEGRATED EMPLOYMENT. THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP'S CONSIDERATION SHALL INCLUDE THE AVERAGE TIME CURRENTLY SPENT IN PRE-EMPLOYMENT SERVICES BY PERSONS THROUGH THE HOME- AND COMMUNITY-BASED SERVICES INTELLECTUAL AND DEVELOPMENTAL DISABILITIES WAIVER COMBINED WITH THE TIME PREVIOUSLY SPENT IN SHELTERED WORKSHOPS.

(3) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP MAY CONSIDER EMPLOYMENT FIRST ISSUES AND MAKE RECOMMENDATIONS ON ISSUES THAT ARE NOT DESCRIBED IN SUBSECTION (2) OF THIS SECTION, WHICH ISSUES MAY INCLUDE CAREER DEVELOPMENT PLANNING AND DISCOVERY PROCESS. THE PARTNERSHIP MAY ALSO PRIORITIZE ITS WORK ON THE ISSUES, INCLUDING DECIDING NOT TO PURSUE AN ISSUE, IN ORDER TO ACHIEVE AN EFFICIENT USE OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP'S TIME AND RESOURCES.

SECTION 3. In Colorado Revised Statutes, 2-3-1203, add (3) (hh.5) (II) as follows:

2-3-1203. Sunset review of advisory committees. (3) The following dates are the dates on which the statutory authorization for the designated advisory committee is scheduled for repeal:

(hh.5) September 1, 2021:

(II) THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP IN THE DEPARTMENT OF LABOR AND EMPLOYMENT DESCRIBED IN SECTION 8-84-303, C.R.S.;

SECTION 4. In Colorado Revised Statutes, 25.5-10-202, add (5.5) as follows:

25.5-10-202. Definitions. As used in this article, unless the context otherwise requires:

(5.5) "COMPETITIVE INTEGRATED EMPLOYMENT" HAS THE SAME MEANING AS SET FORTH IN SECTION 8-84-301, C.R.S.

SECTION 5. In Colorado Revised Statutes, 25.5-10-204, amend (1) (e) and (1) (f); and add (1) (g) as follows:

25.5-10-204. Duties of the executive director - state board rules.
(1) In order to implement the provisions of this article, the executive director shall, subject to available appropriations, carry out the following duties:

(e) Implement the provision of home- and community-based services to eligible persons with intellectual and developmental disabilities and pursue other medicaid-funded services determined by the state department to be appropriate for persons with intellectual and developmental disabilities, pursuant to part 4 of article 6 of this title and subject to available appropriations; ~~and~~

(f) Promote effective coordination with agencies serving persons with intellectual and developmental disabilities in order to improve continuity of services and supports for persons facing life transitions from toddler to preschool, school to adult life, and work to retirement; AND

(g) FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY:

(I) DEVELOPING PRACTICES THAT REFLECT A PRESUMPTION THAT ALL PERSONS WITH DISABILITIES ARE CAPABLE OF WORKING IN COMPETITIVE INTEGRATED EMPLOYMENT IF THEY CHOOSE TO DO SO, AND ENSURING THAT OPTIONS FOR COMPETITIVE INTEGRATED EMPLOYMENT WITH APPROPRIATE SUPPORTS ARE EXPLORED BEFORE CONSIDERATION OF SEGREGATED ACTIVITIES;

(II) PROVIDING STATE DEPARTMENT INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION

8-84-303, C.R.S., IN CARRYING OUT ITS DUTIES;

(III) ESTABLISHING ANNUAL REPORTING OF THE NUMBER OF INDIVIDUALS EMPLOYED, NUMBER OF INDIVIDUALS EMPLOYED IN COMPETITIVE INTEGRATED EMPLOYMENT, WAGES PER HOUR EARNED, AND HOURS WORKED PER WEEK FOR INDIVIDUALS SERVED BY THE DIVISION;

(IV) MAINTAINING COLORADO'S MEMBERSHIP IN THE STATE EMPLOYMENT LEADERSHIP NETWORK THAT WAS FOUNDED AS A JOINT PARTNERSHIP BETWEEN THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF DEVELOPMENTAL DISABILITIES SERVICES AND THE INSTITUTE FOR COMMUNITY INCLUSION AT THE UNIVERSITY OF MASSACHUSETTS BOSTON OR ANOTHER SIMILAR ORGANIZATION THAT FACILITATES COLLABORATION WITH OTHER STATES TO SHARE EFFECTIVE SOLUTIONS TO INCREASE EMPLOYMENT OUTCOMES FOR PERSONS WITH DISABILITIES; AND

(V) PRESENTING THE REPORTS AND RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE STATE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303 (7), C.R.S.

SECTION 6. In Colorado Revised Statutes, 22-2-112, add (1) (s) as follows:

22-2-112. Commissioner - duties. (1) Subject to the supervision of the state board, the commissioner has the following duties:

(s) TO FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY:

(I) PROVIDING INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION 8-84-303, C.R.S., IN CARRYING OUT ITS DUTIES; AND

(II) PRESENTING THE REPORTS AND RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303 (7), C.R.S.

SECTION 7. In Colorado Revised Statutes, add 23-1-109.8 as follows:

23-1-109.8. Duties and powers of the commission with regard to employment first policies. (1) THE COMMISSION SHALL FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY PROVIDING DEPARTMENT INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP DESCRIBED IN SECTION 8-84-303, C.R.S., IN CARRYING OUT ITS DUTIES.

(2) THE DEPARTMENT SHALL PRESENT THE REPORTS AND RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303 (7), C.R.S.

SECTION 8. In Colorado Revised Statutes, 27-10.5-103, amend (1) (b) and (1) (c); and add (1) (d) as follows:

27-10.5-103. Duties of the executive director - rules. (1) In order to implement the provisions of this article, the executive director shall carry out the following duties, subject to available appropriations:

(b) Conduct appropriate part C child find activities as described in section 27-10.5-704. Part C child find activities conducted by the department shall include, but need not be limited to, case management, referral, transitions, and public education outreach and awareness of early intervention services; ~~and~~

(c) Operate regional centers pursuant to part 3 of this article; AND

(d) FACILITATE EMPLOYMENT FIRST POLICIES AND PRACTICES BY:

(I) PROVIDING DEPARTMENT INPUT AND ASSISTANCE TO THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP ESTABLISHED IN PART 3 OF ARTICLE 84 OF TITLE 8, C.R.S., IN CARRYING OUT ITS DUTIES; AND

(II) PRESENTING THE REPORTS AND RECOMMENDATIONS OF THE EMPLOYMENT FIRST ADVISORY PARTNERSHIP TO THE DEPARTMENT'S LEGISLATIVE COMMITTEE OF REFERENCE PURSUANT TO SECTION 8-84-303 (7), C.R.S.

SECTION 9. Effective date. This act takes effect July 1, 2016.

SECTION 10. Safety clause. The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO