

Colorado State Foster Parent Association
Public Policy Report

February, 2005
(Submitted by Adoree Blair)

The General Session began January 12. Since that time, numerous bills have been introduced. At the time of this writing (January 23) the following are bills affecting families and children in Colorado that have been placed into the legislative process:

House Bills:

HB 1012 by Stengel/Grossman – Gives the Judiciary authority to create rules about when the courts can order human services agencies to file a D&N petition.

HB 1015 by Romanoff/Johnson – Adds substance abuse treatment to the State Plan of Medical Assistance, with a provision that if costs increase, the plan will be repealed.

HB 1025 by Stafford/Hagedorn – Adds any pregnant woman to eligibility for prenatal medical services under Medicaid.

HB 1034 by Stafford/Windels – Requires that there be a competency evaluation for juveniles with mental illness who have committed crimes, and that such competency be tested before sentencing. Requires that the court make a finding about whether the juvenile can be healed, and if the juvenile cannot, requires that a plan be developed for such juvenile.

HB 1037 by Harvey – Increases the number of children eligible for Medicaid insurance after adoption, even if not IV-E eligible.

HB 1084 by King/Keller – Requires the state department of Human Services, working with Residential Treatment Centers, to set rates for such residential treatment, and that all monitoring of treatment be consistent across all agencies.

HB 1086 by Plant/Tapia – Reinstates Medicaid benefits for legal immigrants.

JB 1093 by Solano/Schaeffer – Requires criminal history background checks by all potential adoptive parent candidates.

HB 1141 by Harvey – Includes positive tests at birth for a class 1 or 2 controlled substance as a definition of child abuse or neglect.

HB 1170 by Schulties – Provides notice to possible birth fathers before a baby is born and gives the father time to file for inclusion in the child's life, or forfeit the right to parent the child if such child is relinquished by the birth mother.

HB 1173 by Harvey – Requires that a relative petitioning for custody of a child requests such custody no later than 20 days following a motion for termination of parents' rights. Requires that the adoption of a child by a step-parent or other relative follow no sooner than 6 months following that petition, and says that the court may order open adoption proceedings if the court decides that such proceedings are in the child's best interests.

HB 1174 by Stafford/Grossman – **this is our bill.** Enhances the ability of a child to be placed with a relative upfront in a case, specifies considerations a court should consider before a child is moved, and before a child is placed for permanency. It requires relatives to come forward within 20 days of a filing of termination of parents' rights in order to be considered as a permanency option for the child.

HB 1175 by Hodge/Takis – requires that when a child is placed with a relative or other person as an emergency following removal by the department and/or police, that the person with whom the child is placed have a criminal background check done before the child is placed there. Further requires that such person, when the criminal check is negative, have his or her fingerprints taken within 72 hours of the placement, and that such fingerprint results be shared with counties or police if there is a problem with the check, so the child can be immediately removed.

HB 1198 by Stafford – Adds to the Objectives of Child Welfare in The Children's Code two things: 1- Community-based services and 2- Children being placed in foster homes within their community. This is the "Family to Family" bill, very simple.

HB 1227 by Frangas- (this is also the CPA Network's bill) – This bill re-works the language that defines a Child Placement Agency, clarifies that Child Placement Agencies can do foreign adoptions, clarifies that any child placed for foster care in a Child Placement Agency is deemed a foster child until the child is reunified with his family or the final decree of adoption; permits CPAs to scan adoption records to be sent to the state licensing unit.

HB 1280 by Stafford – This bill puts into place a large review team that reviews every child death in Colorado including those suspicious or confirmed for child abuse/neglect. This team then brings to the policy-makers ways to prevent further deaths through policy change or other means. These teams have reduced child deaths in other states and are very successful.

HB 1287 by Coleman – This bill changes the confidentiality of adoption records for both adult adoptees and some birth family members of adult adoptees.

Senate Bills:

SB 85 by Tochtrop – Adds Juvenile probation and parole officers and special court advocates to the list of those mandatory reporters of child abuse and neglect.

SB 22 by Johnson/Boyd – Creates a list of preferred Medicaid drugs to keep costs down. Has a piece about fitting in other needed drugs if they are not on the list. There is some worry about this bill from advocates for chronically medically challenged individuals.

SB 30 by Shaffer – Requires court districts to put together family-friendly courts that provide child care and other assistance to families involved in the court system, including transferring children between parents for visitation.

SB 87 by Shaffer – Authorizes the state health department to keep data about childhood immunizations, contact parents when immunizations are due, and use the data to protect families and children when there is disease outbreak.

SB 164 by Jones and Garcia – provides for parental notification when children who are legally able to drop out of school, do so. Also provides some educational alternative information for studies who are at risk of dropping out.

Please call or email me with questions at 303 798 3881 or adoree1@msn.com

Please keep track of the bills and their progress and committee hearings by going to <http://www.leg.state.co.us/> and clicking on particular bills.

You can become an advocate for or against the bills. Each bill has two committee hearings, at least, and floor hearings, before it passes. You can have input at any of these junctures.

You can find your legislators by going to Project Vote Smart <http://www.vote-smart.org/> on the web and submitting your address. Your legislators want to hear from you!