

STATE OF COLORADO



Colorado Department of Human Services

people who help people

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Bill Ritter, Jr.
Governor

Karen L. Beye
Executive Director

August 1, 2008

The Honorable Representative Paul Weissmann, Chair
House State, Veterans, & Military Affairs Committee
200 East 14th Avenue
Denver, CO 80203

Dear Representative Weissmann:

During the SFY2005-06 Special Session the legislature passed HB06S-1023. The bill requires each state agency or political subdivision to verify the lawful presence in the United States of each person 18 years of age or older who applies for public benefits, as defined in federal law. The bill also requires the each agency to submit an annual report to the legislature with respect to compliance with legislation. Specifically:

(9) IT SHALL BE UNLAWFUL FOR AN AGENCY OR A POLITICAL SUBDIVISION OF THIS STATE TO PROVIDE A FEDERAL PUBLIC BENEFIT OR A STATE OR LOCAL PUBLIC BENEFIT IN VIOLATION OF THIS SECTION. EACH STATE AGENCY OR DEPARTMENT THAT ADMINISTERS A PROGRAM THAT PROVIDES STATE OR LOCAL PUBLIC BENEFITS SHALL PROVIDE AN ANNUAL REPORT WITH RESPECT TO ITS COMPLIANCE WITH THIS SECTION TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES.

Please find attached the Department's report that summarizes compliance and implementation efforts. The report also clarifies the prevailing statute with regards to each program area. Please note that this report documents compliance for both SFY2006-07 and SFY2007-08.

If you or your staff needs additional information regarding this report, please feel free to contact Reginald Jefferson at (303) 866-5083.

Sincerely,


Karen L. Beye
Executive Director

cc: Reginald Jefferson, CDHS
Stephanie Villafuerte, Governor's Deputy Chief of Staff

Summary of CDHS Services

Program	Summary of Services Provided by CDHS	Statute	Implementation	Is the Department currently in compliance with HB-1023
Aging & Adult Services	The Adult Protective Services (APS) Program intervenes on behalf of at-risk adults to correct or alleviate situations in which actual or imminent danger of mistreatment or self-neglect exists under Title XX of the Social Security Act as well as state statute. County administration funding, authorized for the program, is funded through Title XX Social Services Block Grant and State General Funds.	CRS 26-3.1-101	Adult Protective Services have been determined to be exempt as counties investigate at-risk adults without regard for legal immigrant status.	Not Applicable
Aging & Adult Services	Per the Older Americans Act of 1965 - 45 CFR 1321 (OAA) , Older Coloradans Act (OCA) , and State Funding for Senior Services (SFSS) , the services are generally available to individuals who are age 60 or over including those who are homebound, frail, isolated, or have difficulty with some aspects of daily living. Programs target low-income, minority, and rural individuals with supportive services; senior centers; nutrition services; in-home services, disease prevention and health promotion services. The State Unit on Aging administers the federal OAA Title V Senior Community Service Employment Program (SCSEP), and the Title VII Vulnerable Elder Rights Protection Programs via contracts for services.	OAA CRS 26-11-2.55 et seq.; Colorado Code of Register, 12 CCR 2510-1, CRS 26-2-111 (1) (b) (4); OAC CRS 26-11-205.5; LTC Ombudsman CRS 26-11.5 -101, et. seq.	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Aging & Adult Services	Aid to the Needy Disabled /Supplemental Security Income-Colorado Supplement (AND/SSI-CS) Federal Title XVI of the Social Security Act).These are grant assistance programs, but at 26-2-111.8(3) " A legal immigrant may receive benefits under the old age pension, the aid to the needy disabled and the aid to the blind programs if such legal immigrant meets the eligibility criteria, including the sponsor responsibility policies in section 36-2-137-(2).	CRS 26-2-104 , 26-2-108, 26-2-119	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes
Aging & Adult Services	The Old Age Pension (OAP) program provides cash assistance, up to a maximum grant amount to eligible individuals age 60 and older. Established by Article 24 - CO Constitution.	CRS: 26-2-104; 26-2-111 (2); 26-2-111.5 ; 26-2-113 - 117	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes
Aging & Adult Services	Aid to the Blind/Supplemental Security Income-Colorado Supplement (AB/SSI-CS) AB/SSI-CS supplements income up to the current Colorado standard of need to meet monthly living expenses for persons aged 0 to 59 who meet eligibility requirements.	CRS 26-2-104, 26-2-106 (6), 26-2-110	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes
Aging & Adult Services	Aid to the Needy Disabled-State Only (AND-SO) is the only State assistance program that provides basic financial assistance to low-income persons ages 18 to 59. Individuals must have a disability expected to last six months or longer and also apply for SSI disability (deemed "interim assistance" as benefits are distributed pending an eligibility decision for federally funded benefits.	CRS 26-2-104, 26-2-106 (6), 26-2-110	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes
Aging & Adult Services	The AND Burial Program is provided to individuals on the AND-SO Program who are 18 to 59, those who are on the AND/AB/SSI Program with Medicaid, and to children on the Medicaid Program.	CRS 26-2-129	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes
Aging & Adult Services	The OAP Burial Program provides those on the Old Age Pension Program help with the cost of funeral/burial.	CRS 26-2-129	Rules existed prior to the legislation citing that only legal immigrants were eligibly for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency.	Yes

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Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Substance abuse detoxification services is <u>not</u> subject to the provisions of HB 06S-1023. No programs overseen by ADAD that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 25-1-305	The Department sought clarification from the federal government regarding federally funded services (Block Grant) and received clarification on Nov 28, 2006 that federal regulations have priority over state law. Therefore, Block Grant funded services do Not apply to HB06S-1023. Enforcing the provisions of HB 06S-1009 are under the authority of the Department of Regulatory Agencies.	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Substance abuse treatment services is <u>not</u> subject to the provisions of HB 06S-1023. No programs overseen by ADAD that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 25-1-305	Not subject to the provisions of HB 06S-1023 per federal statute. See above	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Case Management for Chronic Detoxification Clients is <u>not</u> subject to the provisions of HB 06S-1023. No programs overseen by ADAD that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	None	Not subject to the provisions of HB 06S-1023 per federal statute. See above	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) High Risk Pregnant Women is <u>not</u> subject to the provisions of HB 06S-1023. No programs overseen by ADAD that are wholly or partially funded by federal dollars, in this case Medicaid, are subject to the provisions of HB 06S-1023.	CRS 25.5-5-312	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Substance abuse prevention services is <u>not</u> subject to the provisions of HB 06S-1023. No programs overseen by ADAD that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 25-1-304	The Department sought clarification from the federal government regarding federally funded services (Block Grant) and received clarification on Nov 28, 2006 that federal regulations have priority over state law. Therefore, Block Grant funded services do Not apply to HB06S-1023.	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Persistent Drunk Driver Programs	CRS 42-4-1301	The program may have some areas that are subject to the provisions of HB 06S-1023 to the extent that applicants are eighteen years of age or older. Agencies licensed by Division have been given guidance to implement procedures to verify legal status at the time an individual applies for services. Some of the program funding is provided through (Block Grant) dollars and therefore is Not subject to the provisions of HB 06S-1023 per federal statute.	Yes
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) Law Enforcement Assistance Fund Contracts is <u>not</u> subject to HB 06S-1023 because funds are targeted to youth and communities as a whole.	CRS 25-1-1101	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Alcohol & Drug Abuse	Alcohol and Drug Abuse Division (ADAD) (SB07-097/HB 07/1359)	CRS 25-36-101,	The program may have some areas that are subject to the provisions of HB 06S-1023 to the extent that applicants are eighteen years of age or older. Agencies licensed by Division have been given guidance to implement procedures to verify legal status at the time an individual applies for services. Some of the program funding is provided through (Block Grant) dollars and therefore is Not subject to the provisions of HB 06S-1023 per federal statute.	Yes
Child Care	Colorado Child Care Assistance Program	CRS 26-2-8	Under the CCAP program the services are considered to be provided to the child and therefore are Not impacted HB-1023.	Not Applicable
Child Care	Child Care Licensing		Licensing is affected as the license is considered a benefit. The Department implemented procedures to obtain the required documentation prior to issuing a license.	Yes

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Child Welfare	Child Welfare Services - IV-B, Title XX, GF or County Share funded	CRS 26-5-101 (3)	Child Welfare has implemented H.B. 06S-1023 by providing an agency letter requiring county departments to assure the lawful presence in the United States for county certified foster home parents and applicants, county certified adoptive home parents and applicants, and any Child Welfare client age 18 or older and their family members receiving benefits unrelated to safety of the Child Welfare client. H.B. 06S-1009 does Not apply to Child Welfare since licensing functions are Not performed in the Child Welfare Division. Child Welfare Services to families and children under the age of 18 are exempted from H.B. 06S-1023 as a result of federal requirements. The Division has Not encountered any problems in implementing the bill.	Yes. The Division of Child Welfare is currently in compliance with this legislation. Some County Departments of Human/Social Services report difficulty meeting the service needs of children whose parents are in the country illegally.
Colorado Works	Colorado Works/TANF assistance includes cash assistance payments to eligible families	CRS 26-2-7	The State board of Human Services promulgated rules effective 8/1/06 to implement the requirement of HB 06S-1023. Colorado Works issued an agency letter to provide further guidance to the county offices. In addition, Colorado Works has provided technical assistance and direction to county departments through various venues. No major issues implementing.	Yes
Persons With Developmental Disabilities.	Adult Comprehensive Services State Funded program - 24-hour residential and day program for adults with developmental disabilities living outside of the family home.	CRS 27-10.5 (104)	The program is subject to the provisions of HB 06S-1023. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes
Persons With Developmental Disabilities.	Adult Supported Living Services State Funded program - Limited support services for adults with developmental disabilities for continuing to live at home or at the family home, delaying or preventing the need for more costly out of home placements.	CRS 27-10.5 (104)	The program is subject to the provisions of HB 06S-1023. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes
Persons With Developmental Disabilities.	Early Intervention Services - Education, training, and assistance in child development, parent education, therapies, and other activities for infants and toddlers and their families, which are designed to meet the developmental needs of infants and toddlers including, but Not limited to, cognition, speech, communication, physical, motor, vision, hearing, social-emotional, and self-help skills	CRS 27-10.5 (104)	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Persons With Developmental Disabilities.	Early Childhood Connections - an annual federal grant under Part C of the Individuals with Disabilities Education Act (IDEA) that is used to develop a statewide system of services and supports for families who have infants or toddlers, from birth through two years of age, with developmental disabilities or developmental delays.	Federal P.L. 108-446	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Persons With Developmental Disabilities.	Family Support Services - A limited support service program to provide financial and other support to families of children with developmental disabilities living in the family home and either delay or prevent the need for more costly out of home placements.	CRS 27-10.5 (404)	The program is subject to the provisions of HB 06S-1023 to the extent that applicants are eighteen years of age or older. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes
Persons With Developmental Disabilities.	Family Support Loan Fund - A limited support service program to provide low interest rate loans to families with family members with developmental disabilities living in the family home. Loans are for a maximum of five years, \$8,000.	CRS 27-10.5 (502)	The program is subject to the provisions of HB 06S-1023 to the extent that applicants are eighteen years of age or older. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes

Summary of CDHS Services

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Persons With Developmental Disabilities.	Adult Comprehensive Services Medicaid Waiver program - 24-hour residential and day program for adults with developmental disabilities living outside of the family home	CRS 27-10.5 (104); 25-5-6-4	The program is subject to the provisions of HB 06S-1023. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes, however Note that 26-4-6 has been repealed and replaced by 25.5-6-4.
Persons With Developmental Disabilities.	Adult Supported Living Services Medicaid Waiver program - Limited support services for adults with developmental disabilities for continuing to live at home or at the family home, delaying or preventing the need for more costly out of home placements.	CRS 27-10.5 (104) 25-5-6-4)	The program is subject to the provisions of HB 06S-1023. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes, however Note that 26-4-6 has been repealed and replaced by 25.5-6-4.
Persons With Developmental Disabilities.	Children's Extensive Support Services Medicaid Waiver program - Limited support services for children with developmental disabilities for continuing to live at home or at the family home, delaying or preventing the need for more costly out of home placements.	CRS 27-10.5 (404)	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Persons With Developmental Disabilities.	Regional Center ICF/MR - State operated 24-hour residential and day program for adults with developmental disabilities who have very significant needs and for whom adequate services and supports are Not available in the CCB community system to safely meet their needs.	CRS 27-10.5 (301)	The program is subject to the provisions of HB 06S-1023. Program has implemented procedures to verify legal resident status at the time an individual applies for services.	Yes
Food Assistance Programs	The Food Stamp Program is with the United States Department of Agriculture (USDA) and Food and Nutrition Service (FNS). It provides benefits for eligible, low-income households, which can be used to obtain food items with the Electronic Benefits Transfer card, Colorado Quest card, in retail food outlets. The Food Stamp Program is state supervised, county administered. Federal 7 U.S.C. 2011-2035 and Federal Food Stamp Act, 7 USC (2016)(1)(1)(A);	CRS 26-2-301 through 26-2-306	Not subject to the provisions of HB 06S-1023 per federal statute.	Yes
Low Income Energy Assistance Program (LEAP)	LEAP provides cash assistance to help low-income households meet the high costs of winter heating from November 1 through April 30. LEAP also provides assistance to repair/replace furnaces and to replace broken windows. Open only to U.S. citizens or legal aliens for emergency as well as non-emergency situations. LEAP serves households, Not individual clients. When children are the only family eligible, all household income is counted for eligibility purposes, but any illegals are Not counted as household members. Federal citations: Low Income Energy Act of 1981, Human Services Reauthorization Act of 1984;	CRS 26-2-122	HCPF and CDHS implemented an Affidavit in both Spanish and English, LEAP Program designed an information sheet that was sent out with each application giving applicants instructions on what is required. Training Manuals have been updated and LEAP rules were updated to accommodate new law. (Problems)-County/Client learning curve and increased cost to low-income clients to obtain services.	Yes
Mental Health	Colorado Mental Health Institutes - Civil Patients	CRS 27-10-101	The Community Mental Health Centers are the primary referral source for civil admissions to the Institutes. The Centers have implemented procedures to verify client legal resident status. In addition, the Institutes review patient legal status at the time of admission. Many civil patients are admitted under emergency orders and therefore are Not be subject to HB 06S-1023 as the Bill exempts programs or services "necessary for the protection of life or safety" from verification of lawful presence.	Yes.
Mental Health	Colorado Mental Health Institute at Pueblo - Institute for Forensic Psychiatry - Forensic Patients	CRS 16-8	The Institutes review patient legal status at the time of admission. Forensic patients are referred by the courts based on public safety and the need to protect the individual and are therefore Not be subject to HB 06S-1023 as the Bill exempts programs or services "necessary for the protection of life or safety" from verification of lawful presence.	Yes.

Summary of CDHS Services

Program	Summary of Services Provided by CDHS	Statute	Implementation	Is the Department currently in compliance with HB-1023
Mental Health	Colorado Mental Health Institutes - Adolescent and Child Inpatient Hospitalization and Therapeutic Residential Child Care Facility Treatment Services	CRS 26-1-132, 27-10.3	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	Colorado Mental Health Institute at Pueblo - General Hospital		Assumes medical services provided to DOC Inmates are Not subject to the provisions of HB06S-1023 because it is assumed DOC inmates will be served regardless of legal status.	Not Applicable
Mental Health	Colorado Mental Health Institutes Medical Services to DOC Inmates is Not subject to the provisions of HB06S-1023 because it is assumed DOC inmates will be served regardless of legal status.		Anticipate serving DOC inmates regardless of legal status.	
Mental Health	Colorado Mental Health Institutes Residential Treatment Services for Adolescents is Not subject to the provision is HB 06S-1023 because services are for children/youth.	CRS 26-1-132, 27-10.3	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Children with Serious Emotional Disturbance, Aged 0-12 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023. In addition, programs for children and youth are also exempt.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Children with less than Serious Emotional Disturbance, Aged 0-12 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023. In addition, programs for children and youth are also exempt.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adolescents with Serious Emotional Disturbance, Aged 13-17 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023. In addition, programs for children and youth are also exempt.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adolescents with less than Serious Emotional Disturbance, Aged 13-17 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023. In addition, programs for children and youth are also exempt.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adults with Serious and Persistent Mental Illness, Aged 18-64 Federal - Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable

Summary of CDHS Services

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Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adults with Serious Mental Illness, Aged 18-64 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adults with less than Serious Mental Illness, Aged 18-64 Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Older Adults with Serious and Persistent Mental Illness, Aged 64 and older Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Older Adults with Serious Mental Illness, Aged 64 and older Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Older Adults with less than Serious Mental Illness, Aged 64 and older Federal - 42 U S C 300x, et seq. is Not subject to the provisions of HB 06S-1023. No programs overseen by DMH that are wholly or partially funded by the Block Grant are subject to the provisions of HB 06S-1023.	CRS 27-1-201, et seq.; 27-10-101, et seq.; 27-10.3-101, et seq.; 16-8-201, et seq.;	Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Mental Health	Early Childhood Mental Health Services is Not subject to HB 06S-1023 because services are for children.	None	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	Assertive Community Treatment is subject to HB 06S-1023. However, we are still awaiting AG's opinion on some definitions. These clients are either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status.	None	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes
Mental Health	Alternatives to Inpatient Hospitalization CMHIP is subject to HB 06S-1023. However, we are still awaiting AG's opinion on some definitions. These clients are either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status.	None	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes
Mental Health	Alternatives to Inpatient Hospitalization CMHFL is subject to HB 06S-1023. However, we are still awaiting AG's opinion on some definitions. These clients are either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status.	None	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes
Mental Health	Alternatives to Ft. Logan Aftercare Program is subject to HB 06S-1023. However, we are still awaiting AG's opinion on some definitions. These clients are either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status.	None	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes

Summary of CDHS Services

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Mental Health	Enhanced MH Pilot for Detained Youth is Not subject to HB 06S-1023 because services are for children.	None	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	Alternatives to Inpatient Hospitalization for Youth is Not subject to HB 06S-1023 because services are for children.	None	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	(Former Goebel Lawsuit) Assertive Community Treatment Intensive Case Management (AIM) non-Medicaid eligible is subject to HB 06S-1023. These clients are required by the lawsuit to be served.	None	Awaiting AG's opinion on which clients are subject to this legislation. Estimated costs are unknown at this time. Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes
Mental Health	Residential Treatment for Youth (HB 99-1116) is Not subject to HB 06S-1023 because services are for children.	CRS 27-10.3-104	Not subject to the provision of HB 06S-1023 because services are for children/youth.	Not Applicable
Mental Health	Mental Health Services for Adult and Juvenile Offenders who are Non-Medicaid eligible(SB07-097/HB 07/1359) Juveniles under the age of 18 are Not subject to HB 06S-1023, however adults are subject to HB 06S-1023.	CRS 27-1-204 (5.5),	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Not Applicable
Mental Health	Mental Health Services for Families of Discharged Veterans (SB07-146) Juveniles under the age of 18 are Not subject to HB 06S-1023, however adults are subject to HB 06S-1023.	CRS 27-1-304	Contracts include HB 06S-1023 requirements. Program Quality Unit conducts verification of HB 06S-1023 requirements on a sample of this population's charts.	Yes
Mental Health	Integrated System of Care Family Advocacy Demonstration Programs for Mental Health Juvenile Justice Populations (HB 07-1057) Provides strengths, needs and cultural assessments; navigation and support services, behavioral health and juvenile justice system education, and crisis response services.	CRS 26-22-103	Not subject to the provision of HB 06S-1023 because services are primarily targeted for children/youth.	Not Applicable
Supportive Housing and Homeless Program	Supportive Housing and Homeless Program - Dept. of Housing and Urban Development's Housing Choice Voucher Program	None	Program does not provide services to illegal immigrants. Acceptable verification is required at the time of application.	Yes
Supportive Housing and Homeless Program	Supportive Housing and Homeless Program - Dept. of Housing and Urban Development's Shelter Plus Care Program	None	Program does not provide services to illegal immigrants. Acceptable verification is required at the time of application.	Yes
Vocational Rehabilitation	Traumatic Brain Injury Program - Therapeutic and Support Services to Children and Adults with Traumatic Brain Injuries	26-1-304	Program does not provide services to illegal immigrants. Applicants are screened prior to receiving services.	Yes
Youth Corrections	Alcohol and Drug Abuse Division (ADAD) Federal Grants is not subject to HB 06S-1023 because federal requirements govern these funds.		Not subject to the provisions of HB 06S-1023 per federal statute.	Not Applicable
Youth Corrections	Victims Services: In 1992, the Constitution was amended to include specific rights for victims of crime. With the Victim Rights Act in 1993, state and local criminal justice agencies were responsible for see protecting the constitutional and statutory rights of crime victims. Victims are Notified of any movements and status changes of the identified perpetrator.	State Constitution & CRS 24 4.1 301-304	Services required by Colorado Constitution. Unable to estimate if any illegal immigrants received services.	Not Applicable

Summary of CDHS Services

Program	Summary of Services Provided by CDHS	Statute	Implementation	Is the Department currently in compliance with HB-1023
Youth Corrections	<p>Commitment and Parole Services. The Division of Youth Corrections provides both detention and commitment services to a very limited number of youth who are illegal immigrants. When law enforcement and the courts determine that a youth requires secure detention prior to court proceedings, the Division is required to provide those services pending action by the courts. Similarly, when district attorneys charge illegal immigrant youth with certain offenses, and the courts adjudicate those cases, finding that a commitment to the Division is appropriate, the Division is required by law to accept those youth. The Division makes notification to the federal Immigration and Customs Enforcement (ICE) agency, identifying any youth who is an illegal immigrant in the DYC system; however, if the ICE agency does not remove the youth from the DYC system, then DYC is required to carry out the sentence that the courts impose.</p>	CRS 19-1-102 - 19-3-702	The Department has made no procedural changes as existing law requires the Division to accept adjudicated youth regardless of their illegal immigrant status.	Yes
Youth Corrections	<p>Detention & Detention Services for Detained Youth (includes SB94/Detention MH, State Detention facilities) Detention residential services serve pre-adjudicated youth being held on a temporary basis awaiting court hearing or disposition and sentenced youth serving a short-term sentence as a condition of probation or because of contempt of juvenile court and municipal court orders. The State's 22 judicial districts also serve approximately 12,453 youth through screening and/or in community-based detention programs. The average Length of Stay (LOS) in detention is 13 days.</p>	CRS 19-1-102 - 19-3-702	Youth committing criminal acts will be detained by local law enforcement regardless of illegal immigrant status. Local law enforcement official or the local SB 94 coordinators will work to determine citizenship of youth in detention.	Yes