



COLORADO
Department of Human Services

**REPORT
ON
PROGRAM COMPLIANCE WITH
LAWFUL PRESENCE REQUIREMENTS**

State Fiscal Year 2014-2015

Summary of CDHS Services - SFY 2014-15

| Program | Office | Summary of Services Provided by CDHS | Statute | Implementation | Is the Department currently in compliance with HB-1023 |
|--------------------------|---|--|---|--|--|
| Aging and Adult Services | Office of Community Access and Independence | 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. | 26-3.1-101, C.R.S. | Adult Protective Services have been determined to be exempt as counties investigate at-risk adults without regard for legal immigrant status. | Not Applicable |
| Aging and Adult Services | Office of Community Access and Independence | Per the Older Americans Act (OAA) of 1965, Older Coloradoans Act (OCA), and State Funding for Senior Services (SFSS), the services are generally available to individuals who are age sixty 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. | 26-2-111(1); 26-11-100.1, et seq.; 26-11-205.5; 26-11.5-101, C.R.S., et. seq.; 34 CFR 1321 Older Americans Act | Not subject to the provisions of HB 06S-1023 per federal statute. | Not Applicable |
| Adult Financial | Office of Economic Security | 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 Section 26-2-111.8(3), C.R.S.: "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)." | 26-2-104; 26-2-108; 26-2-111(4); 26-2-119, C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |
| Adult Financial | Office of Economic Security | The Old Age Pension (OAP) program provides cash assistance, up to a maximum grant amount to eligible individuals age sixty and older. Established by Article 24 of the Colorado Constitution. | 26-2-104; 26-2-111(2); 26-2-111.5 ; 26-2-112 through 26-2-117, C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |
| Adult Financial | Office of Economic Security | Aid to the Blind/Supplemental Security Income-Colorado Supplement (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. | 26-2-104; 26-2-106(6); 26-2-110; 26-2-111(5), C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |

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| Adult Financial | Office of Economic Security | Aid to the Needy Disabled-State Only (AND-SO) is the only State assistance program that provides basic financial assistance to low-income persons eighteen to fifty-nine years of age. 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. | 26-2-104; 26-2-106(6); 26-2-110; 26-2-119, C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |
| Adult Financial | Office of Economic Security | The AND Burial Program is provided to individuals on the AND-SO Program who are eighteen to fifty-nine years of age, those who are on the AND/AB/SSI Program with Medicaid, and to children on the Medicaid Program. | 26-2-129, C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |
| Adult Financial | Office of Economic Security | The OAP Burial Program provides those on the Old Age Pension Program help with the cost of funeral/burial. | 26-2-129, C.R.S. | Rules existed prior to the legislation citing that only legal immigrants were eligible for assistance grants. Counties under general direction are now required to keep a copy of the documentation proving residency. | Yes |
| Alcohol & Drug Abuse | Office of Behavioral Health | Funding for All Contracted Substance Use Services in Colorado; Substance Abuse Detoxification, Treatment and Prevention Services | 27-80-105, C.R.S. | The Department sought clarification from the federal government regarding federally funded services (Block Grant) and received clarification on November 28, 2006, that federal regulations have priority over state law. Therefore, Block Grant funded services do not apply to HB 06S-1023. Enforcing the provisions of HB 06S-1009 are under the authority of the Department of Regulatory Agencies. The Office of Behavioral Health (OBH) substance abuse detoxification, treatment and prevention services are not subject to the provisions of HB 06S-1023 per federal law. No programs overseen by OBH that are wholly or partially funded by the Mental Health Services or Substance Abuse Prevention and Treatment Block Grant are subject to the provisions of HB 06S-1023 | Not Applicable |

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| Alcohol & Drug Abuse | Office of Behavioral Health | Short-Term Intensive Residential Remediation and Treatment (STIRRT). This program is a nine-month program that begins with two weeks of residential treatment with a minimum of 112 therapeutic hours over the two week residential stay and eight to nine months of continuing care services. It is designed specifically for the substance-abusing offender, either male or female; is at least eighteen years of age or older; has had at least one prior felony conviction; have had a positive urinalysis prior to admission; have been recommended to a level 4 treatment (enhanced treatment services). | 27-80-105, C.R.S. | STIRRT clients are subject to the provisions of HB 06S-1023. Agencies licensed and contracted by the Division have been given guidance to implement procedures to verify legal status at the time an individual applies for services. | Yes |
| Alcohol & Drug Abuse | Office of Behavioral Health | Case Management for Chronic Detoxification Clients | 27-80-105, C.R.S. | Not subject to the provisions of HB 06S-1023 per federal statute. No programs overseen by OBH that are wholly or partially funded by the Mental Health Services or Substance Abuse Prevention and Treatment Block Grant are subject to the provisions of HB 06S-1023. | Not Applicable |
| Women's Treatment | Office of Behavioral Health | High Risk Pregnant Women Treatment Services. Programs that have tailored their assessments, treatment plans, and service to the gender-specific needs of women have the opportunity to be designated as women's gender-specific treatment programs. Requirements to provide women's gender-specific treatment include groups and education aimed at dealing with relationships, parenting, women's health, treatment services delivered at times that are convenient for women with child-rearing responsibility or for women who work and take care of children. | 27-80-112, C.R.S. | Not subject to the provisions of HB 06S-1023 per federal statute. | Not Applicable |
| Alcohol & Drug Abuse | Office of Behavioral Health | Persistent Drunk Driver Programs. Support for programs that are intended to deter persistent drunk driving or intended to educate the public, with particular emphasis on the education of young drivers, regarding the dangers of persistent drunk driving. In recent years, the scope of the fund was expanded to include assisting indigent DUI offenders with the cost for required treatment or intervention services. | 42-3-303, C.R.S. | 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. The prevention and intervention services target to youth under the age of eighteen and directed to the public as a whole are not subject to the provisions. Agencies licensed and/or contracted by the Division have been given guidance to implement procedures to verify legal status at the time an individual applies for services. | Yes |

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| Alcohol & Drug Abuse | Office of Behavioral Health | <p>Law Enforcement Assistance Fund (LEAF) is state funds financed from DUI offenses for community substance abuse prevention programs and projects. Monies allocated to the Office of Behavioral Health Prevention are used to establish a statewide program for the prevention of driving after drinking, training of teachers, health professionals, and law enforcement in the dangers of driving after drinking, preparing and disseminating educational materials dealing with the effects of alcohol and other drugs on driving behavior, and preparing and disseminating education curriculum materials for use at all levels of school.</p> | 43-4-402(2)(a), C.R.S. | This program is not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Mental Health | Office of Behavioral Health | <p>SB07-097/HB07-1359. These are community-based mental health services for individuals with mental illness involved in local and state criminal justice systems. The Office of Behavioral Health funds eleven mental health service programs by Community Mental Health Centers (CMHC) for juvenile and adult offenders with mental health problems who are non-Medicaid eligible involved in the criminal justice system.</p> | 27-66-104(a), C.R.S.; 27-80-101, C.R.S. | 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. Some of the program funding is provided in conjunction with (Block Grant) dollars and therefore is not subject to the provisions of HB 06S-1023 per federal statute. Prevention services targeted to youth and communities as a whole are not subject to the provisions HB 06S-1023. Agencies licensed and/or contracted by the Division have been given guidance to implement procedures to verify legal status at the time an individual applies for services. | Yes |
| Problem Gambling | Office of Behavioral Health | <p>Gambling Addiction Counseling Services provides resources to support prevention, education, and counseling to Colorado residents with problem gambling issues. It also provides for counselor training specific to problem gambling in order to build a workforce able to deliver these services.</p> | 12-47.1-1601 (4)(a)(II)(a.5)(I), C.R.S. | 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 and entities contracted to provide services have been given guidance to implement procedures to verify legal status at the time an individual applies for service. | Yes |
| Alcohol & Drug Abuse | Office of Behavioral Health | <p>Rural Substance Abuse and Treatment - Prevention and treatment (including detoxification) services in rural communities.</p> | 27-80-117, C.R.S. | 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 and entities contracted to provide services have been given guidance to implement procedures to verify legal status at the time an individual applies for service. | Yes |

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| Co-occurring Behavioral Health Services | Office of Behavioral Health | Behavioral Health Services for Juveniles and Adults at risk of involvement in the Criminal Justice System - Mental Health and Substance Use Disorder Services through mental health centers and licensed substance use disorder treatment providers. | 27-69-101, C.R.S., et seq. | Contracts include HB 06S-1023 requirements. Community Programs conduct verification of HB 06S-1023 requirements on a sample of population charts. | Yes |
| Substance Use and Co-occurring Behavioral Health Services | Office of Behavioral Health | Jail Based Behavioral Health Services (JBBS). The JBBS program supports County Sheriffs in providing screening, assessment, and treatment for substance use disorders and co-occurring substance use and mental health disorders to people who need such services while they are in jails. In October 2011 (HB10-1352), OBH contractd with County Sheriffs' Departments to serve twenty-three counties to provide behavioral health and transition support services for offenders in jail. | 18-19-103(3.5)(b), (c), (4)(a), C.R.S. | Contracts include HB 06S-1023 requirements. Community Programs conduct verification of HB 06S-1023 requirements on a sample of population charts. | Yes |
| Behavioral Health - Federal Programs (Non-Block) | Office of Behavioral Health | Mental Health and Substance Use Disorder services funded through Federal discretionary grants (SAMHSA). | 27-80-105, C.R.S. | Not subject to the provisions of HB 06S-1023 per federal statute. | Not Applicable |
| Early Care and Learning/Child Care | Office of Early Childhood | Colorado Child Care Assistance Program (CCCAP). The program provides child care assistance to families that meet specific eligibility criteria and need child care services to support their efforts toward self-sufficiency. CCCAP is administered through county departments of social/human services under the direction of the Division of Early Care and Learning. Counties set eligibility for families, but must serve families that have income of 165% or less of the federal poverty guideline and my not serve famlies that have income of over 85% of the state median income. The funding sources for CCCAP are a mixture of federal, state, and county dollars and parent fees. The state must adhere to federal rules of the Child Care Development Fund (CCDF). | 26-2-801 , C.R.S., et seq. | Under CCCAP, child care assistance is considered a benefit to the child and therefore are not impacted by HB-1023. Qualified providers (non-licensed) of child care assistance have to prove lawful presence as a condition of receiving payment for services. | Yes |

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| Early Care and Learning/Child Care | Office of Early Childhood | <p>Child Care Licensing. The Colorado Department of Human Services promotes and encourages child care in environments that contribute to the safety, health, protection and well-being of children. To verify compliance with standards intended to ensure such an environment, the Department requires thorough and ongoing appraisals of child care facilities, persons working in the child care profession, and the nature of care provided. The Office of Early Childhood, Division of Early Care and Learning, is responsible for inspecting, licensing and monitoring child care facilities statewide. Licensing specialists review staffing ratios, health and safety risks, background check compliance, qualifications, and children's files. The Division is responsible for approximately 5,700 licensed child care centers and family child care homes.</p> | 26-6-107, C.R.S. | 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 |
| Early Care and Learning | Office of Early Childhood | <p>The School Readiness Quality Improvement Program (SRQIP) is designed to improve the school readiness of children five years of age or younger who are cared for at Early Learning programs that feed into public elementary schools that are rated as low-performing based on their school performance report. The program awards federal Child Care Development Funds annually to local Early Childhood Councils across the state.</p> | 26-6.5-106, C.R.S. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Early Care and Learning | Office of Early Childhood | <p>Race to the Top Early Learning Challenge (RTT-ELC) Grant is a federal program which aims to improve the quality of early learning and development and close the achievement gap for children with high needs. RTT-ELC grants focus on improving early learning and development programs for young children by supporting each state's efforts to increase the number and percentage of high needs children in each age group of infants, toddlers, and preschoolers who are enrolled in high-quality early learning programs; design and implement an integrated system of high-quality early learning programs and services; and ensure that any use of assessments conforms with the recommendations of the National Research Council's reports on early childhood.</p> | American Recovery and Reinvestment Act of 2009 (ARRA), Section 14005-6, Title XIV (Public Law 111-5) | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |

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| Early Care and Learning | Office of Early Childhood | <p>In 2007, Colorado H.B. 07-1062 authorized the creation of the Early Childhood Councils. The intent of the Councils as stated in the legislation is to "improve and sustain the availability, accessibility, capacity and quality of early childhood services for children and families throughout the state". According to the legislation, these Councils were established "for the purpose of developing and ultimately implementing a comprehensive system of early childhood services to ensure the school readiness of children five years of age or younger in the community."</p> | 26-6.5-101.5, 26-6.5-103, et seq., C.R.S. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Early Care and Learning | Office of Early Childhood | <p>The purpose of the Early Childhood Mental Health Specialist (ECMHS) program is to increase the availability of mental health services to young children, birth through five years of age, and provide consultation and coaching/training to families and early learning programs. The ECMHS program focuses on developing and strengthening the social emotional skills of young children through timely screening and assessment, increasing the parent and the early learning provider's ability to manage difficult behaviors and providing outreach and connecting families to other community resources.</p> | N/A | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Child Care | Office of Early Childhood | <p>The Quality Initiatives program actively collaborates with, and provides funding to, other programs that support the ongoing development of a sustainable early childhood system in Colorado; encouraging partnerships and investment across and between state-level and local partners in the four early childhood domains of health, mental health, family support and early care and education as found in the Colorado Early Childhood Framework. Broad, sustained involvement by a variety of stakeholders strengthens providers' ties to the community and heightens community and consumer awareness of the components of high quality early childhood practice.</p> | 63 FR 41658 through 41661 | The Health and Human Services (HHS) interpretation of the term "federal public benefit" published in the Federal Register on August 4, 1998 (63 FR 41658-41661) states that HHS programs meet the definition of "federal public benefits" and are not otherwise excluded. Therefore, non-exempted providers of such benefits must verify the citizenship and immigration status of applicants in order to deny federal public benefits to non-qualified aliens. | Yes |
| Child Care | Office of Early Childhood | <p>The purpose of the Colorado Children's Trust Fund (CCTF) is to prevent the abuse and neglect of Colorado's children. The Trust Fund is authorized in Colorado statute within the Children's Code (Title 19), article 3.5, sections 101 through 109. The statute determines the structure of the CCTF Board of Directors, the powers and duties of the directors, the source of funding for the CCTF and the structure for disbursement of those funds.</p> | Children's Code: Title 19, article 3.5, sections 101 through 109 | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |

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| Community and Family Support | Office of Early Childhood | Promoting Safe and Stable Families (PSSF) is a federal program whose purpose is to help prevent the unnecessary separation of children from their families, improve the quality of care and services to children and their families, and ensure permanency for children by reuniting them with their parents, by adoption or by another permanent living arrangement. States receive PSSF funding for services that address: family support, family preservation time-limited family reunification and adoption promotion and support. | Federal Public Law 107-33 | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Community and Family Support | Office of Early Childhood | The Colorado Nurse Home Visitor Program (NHVP) provides grants to public or private organizations in Colorado to provide health education and counseling services by specially trained nurse home visitors to first-time, low-income women beginning in pregnancy and up to the child's second birthday. Specific programs are implemented by local organizations receiving grants from the Nurse-Family Partnership program. | 24-76.5-101 exempts programs that provide prenatal care/health work, so NHVP is exempt from this provision. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Community and Family Support | Office of Early Childhood | Maternal, Infant, and Early Childhood Home Visiting Program (MIECHV) supports voluntary, evidence-based home visit services for at-risk pregnant women and parents with young children up to kindergarten entry. The Home Visiting Program builds upon decades of scientific research showing that home visits by a nurse, social worker, early childhood educator, or other trained professional during pregnancy and in the first years of life improve the lives of children and families by preventing child abuse and neglect, supporting positive parenting, improving maternal and child health, and promoting child development and school readiness. | 42 USC 711, Social Security Act, Title V, section 511, as added by section 2951 of the Patient Protection and Affordable Care Act of 2010 (P.L. 111-148) | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |

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| Division of Child Welfare | Office of Children, Youth and Families | <p>Child Welfare Services - Title IV-E . Title IV-E provides for the following services that are administered by the child welfare agency: services for children and families to prevent abuse and neglect; family preservation services; child protective services (intake, family assessment, investigation, and case management); in-home services; out-of-home placements; and adoption services.</p> | <p>26-5-101(3), C.R.S. IV-B, Title XX, General Fund or County Share funded</p> | <p>An agency or a political subdivision shall verify the lawful presence in the United States of each applicant eighteen years of age or older for federal public benefits or state or local public benefits by requiring the applicant to produce:</p> <ul style="list-style-type: none"> -- Birth Certificates -- Passports -- Certificate of U.S. Citizenship -- Certificate of Naturalization -- Certificate of Birth Abroad of U.S. Citizenship -- U.S. Citizen Identification Cards -- Written notice from TANF/FS workers who are required to verify citizenship | Yes |
| Division of Child Welfare | Office of Children, Youth and Families | <p>Title IV-E Waiver Demonstration Project. The Title IV-E Waiver Demonstration Project allows participant states to "waive" certain requirements of Titles IV-E and IV-B of the Social Security Act. By participating in this project, Colorado is allowed more flexibility in the use of federal funds to innovative efforts to improve outcomes for children and families involved with Child Welfare.</p> | <p>26-5-105.4, C.R.S.</p> | <p>Eligibility and citizenship are verified by an agency or a political subdivision for lawful presence in the United States of each applicant eighteen years of age or older for federal public benefits or state or local public benefits. The applicant is required to produce:</p> <ul style="list-style-type: none"> -- Birth Certificates -- Passports -- Certificate of U.S. Citizenship -- Certificate of Naturalization -- Certificate of Birth Abroad of U.S. Citizenship -- U.S. Citizen Identification Cards -- Written notice from TANF/FS workers who are required to verify citizenship | Yes |

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| Division of Child Welfare | Office of Children, Youth and Families | <p>Child Welfare Services - Certified Foster Parents. This program provides for reimbursement to child placement agencies and/or counties for: 1) maintenance payments that cover the costs of shelter, food, and clothing for eligible children and 2) foster care placement services and administrative costs related to foster care.</p> | <p>26-5-101(3), C.R.S. IV-B, Title XX, General Fund or County share funded</p> | <p>Child Welfare has provided 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 eighteen or older and their family members receiving benefits unrelated to safety of the Child Welfare client. In addition, these placement providers are required to sign an Affidavit of Lawful Presence.</p> | Yes |
| Division of Child Welfare | Office of Children, Youth and Families | <p>Child Welfare Services - Child Welfare Child Care. Child Welfare Child Care is a service to maintain children in their own homes or in the least restrictive out-of-home care when there are no other child care options available.</p> | <p>26-5-101(3), C.R.S. Child Welfare Services - IV-B, Title XX, General Fund or County Share funded</p> | <p>Eligibility and citizenship are verified by an agency or a political subdivision for lawful presence in the United States of each applicant eighteen years of age or older for federal public benefits or state or local public benefits. The applicant is required to produce: -- A valid Colorado driver's license or a Colorado identification card issued under article 2 of title 42, C.R.S., unless the applicant holds a license or card issued under part 5 of article 2 of title 42, C.R.S.; or -- A United States military card or a military dependent's identification card; or -- A United States Coast Guard Merchant Mariner card; -- A Native American tribal document; and -- Execute an affidavit stating that he or she is a United States citizen or legal permanent resident; or that he or she is otherwise lawfully present in the United States pursuant to federal law.</p> | Yes |

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| Division of Child Welfare | Office of Children, Youth and Families | Chafee Foster Care Independence Program. The John H. Chafee Foster Care Independence Program (CFCIP) offers assistance to help current and former foster care youths achieve self-sufficiency. Grants are offered to states and Tribes who submit a plan to assist youth in a wide variety of areas designed to support a successful transition to adulthood. | 26-5-101(3), C.R.S. Child Welfare Services - IV-B, Title XX, General Fund or County Share funded | Eligibility and citizenship are verified by county department staff in the local Chafee program using Trails. Youth who move from another state after the age of eighteen are verified by contacting the Independent Living Coordinator in the state of origin and verifying their eligibility according to the sending state's SACWIS records. Verification for Educational and Training vouchers is done by state staff using the same criteria and documentation in the Trails records. | Yes |
| Domestic Violence Program | Office of Children, Youth and Families | Domestic Violence Program enters into contracts with community-based nonprofits for the delivery of service to victims of domestic violence and their children. | 26-7.5-104(2), C.R.S. | Contracted domestic violence services are exempt from HB 06S-1023 because they are primarily crisis intervention, counseling and emergency shelter delivered by community based nonprofits. | Yes |
| Disability Determination Services | Office of Community Access and Independence | Disability Determination Services (DDS) is the State Agency that makes the disability decisions for Social Security. Individuals must have a disability expected to last one year or longer. The program provides benefits to children and adults who meet medical criteria to qualify for benefits under either the Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI) programs. | 42 USC 405(c)(2)(B)(ii), Sec. 221; 42 USC 421(a)(1), Sec. 221 | Verification of eligibility is a federal responsibility, done by the Social Security Administration prior to the claims receipt by DDS. | Not Applicable |

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| Persons With Intellectual or Developmental Disabilities | Office of Early Childhood | Early Intervention Services - 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. 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 with developmental delays or disabilities including, but not limited to, cognition, speech, communication, physical, motor, vision, hearing, social-emotional, and self-help skills. | 27-10.5-104, C.R.S. Federal Pub. Law 108-446 | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Persons With Intellectual or Developmental Disabilities | Office of Community Access and Independence | Regional Center HCBS Medicaid Waiver Services - State operated twenty-four hour residential and day program services for adults with intellectual and/or developmental disabilities. | 27-10.5-104; 27-10.5-301, C.R.S. | Program does not provide services to illegal immigrants. Individuals must meet eligibility criteria for Medicaid which is established by the Colorado Department of Health Care Policy and Financing (HCPF) and determined by the county departments of social/human services. | Yes |
| Persons With Intellectual or Developmental Disabilities | Office of Community Access and Independence | Regional Center ICF-IID Services - State operated twenty-four hour residential and day program services for adults with intellectual or developmental disabilities who have significant needs and for whom adequate services and supports are not available in the CCB community system to safely meet their needs. | 27-10.5-104; 27-10.5-301, C.R.S. | Program does not provide services to illegal immigrants. Individuals must meet eligibility criteria for Medicaid which is established by HCPF and determined by the county departments of social/human services. | Yes |
| Persons With Disabilities | Office of Community Access and Independence | Independent Living Program provides services to individuals with disabilities to live independently. | 26-8.1-107, C.R.S. | CDHS does not provide services to individuals. Contracts with the ten law specified Centers for Independent Living (CIL) are completed annually and the CILs provide the services to individuals. [Note: If an applicant is approved for Medicaid (through HCPF), he/she must comply with all rules and regulations.] | Not Applicable |

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| Persons With Disabilities | Office of Community Access and Independence | Older Individuals Who are Blind provides services to individuals with vision disabilities over the age of fifty-five to live independently. | | The Department does not provide services to individuals. Contracts with the eight vendors from an RFP process tri-annually and the vendor provide the services to individuals. [Note: If an applicant is approved for Medicaid (through HCPF), he/she must comply with all rules and regulations.] | Not Applicable |
| Division of Vocational Rehabilitation | Office of Community Access and Independence | Division of Vocational Rehabilitation (DVR) provides services to applicants and eligible individuals with disabilities to assist them in obtaining employment and becoming independent and self-sufficient. Services are provided directly by state-employed rehabilitation counselors and other state staff, as well as purchased from community vendors and partners. | 26-8-105, C.R.S. | DVR policy states that all applicants eighteen years of age and older shall provide a form of identification. The accepted forms of identification are based on state statutes, departmental policy and rules of the Department of Revenue. A copy of the produced identification shall be filed in the applicant's client record. In addition, each applicant (age eighteen and older) is required to execute an affidavit stating that he or she is either a United States citizen or legally permanent resident; or that he or she is otherwise lawfully present in the United States pursuant to federal law. For an applicant who has signed an affidavit stating that he or she is an alien lawfully present in the United States, verification of lawful presence shall be made through the Federal Systematic Alien Verification of Entitlement (SAVE) program operation by the United States Department of Homeland Security. Until such verification of lawful presence is made, the affidavit may be presumed to be proof of lawful presence. | Yes |

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| Division of Vocational Rehabilitation | Office of Community Access and Independence | <p>Supported Employment Program - The Division of Vocational Rehabilitation (DVR) provides services to applicants and eligible individuals with disabilities to assist them in obtaining employment and becoming independent and self-sufficient. Services are provided directly by state-employed rehabilitation counselors and other state staff, as well as purchased from community vendors and partners. The Supported Employment grant funds contracts with Colorado Mental Health Centers for the provision of job seeking and placement services to DVR clients. It also funds specific supported employment services that are part of the individualized plans for employment developed between DVR clients and rehabilitation counselors.</p> | 26-8-105, C.R.S. | <p>DVR policy states that all applicants eighteen years of age and older shall provide a form of identification. The accepted forms of identification are based on state statutes, departmental policy and rules of the Department of Revenue. A copy of the produced identification shall be filed in the applicant's client record. In addition, each applicant (age eighteen and older) is required to execute an affidavit stating that he or she is either a United States citizen or legally permanent resident; or that he or she is otherwise lawfully present in the United States pursuant to federal law. For an applicant who has signed an affidavit stating that he or she is an alien lawfully present in the United States, verification of lawful presence shall be made through the Federal Systematic Alien Verification of Entitlement (SAVE) program operation by the United States Department of Homeland Security. Until such verification of lawful presence is made, the affidavit may be presumed to be proof of lawful presence. This policy applies to all individuals receiving services from the supportive employment grant, as well</p> | Yes |

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| Division of Vocational Rehabilitation | Office of Community Access and Independence | <p>The Business Enterprise Program (BEP) provides services and business opportunities in vending and cafeteria operations for people that are blind or visually impaired. BEP provides these services to clients that are referred by the Division of Vocational Rehabilitation, Rehabilitation Counselors, who have already established lawful presence for these blind or visually impaired clients.</p> | 26-8.5-100.1, C.R.S., et seq. | <p>All applicants age eighteen and older shall provide a form of identification. The accepted forms of identification are based on state statutes, departmental policy and rules of the Department of Revenue. A copy of the produced identification shall be filed in the applicant's client record. In addition, each applicant (age 18 and older) is required to execute an official CDHS affidavit stating that he or she is either a United States citizen or legally permanent resident; or that he or she is otherwise lawfully present in the United States pursuant to federal law. For an applicant who has signed an affidavit stating that he or she is an alien lawfully present in the United States, verification of lawful presence shall be made through the Federal Systematic Alien Verification of Entitlement (SAVE) program operation by the United States Department of Homeland Security. Until such verification of lawful presence is made, the affidavit may be</p> | Yes |

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| Colorado Works | Office of Economic Security | <p>Colorado Works/TANF assistance includes cash assistance payments to eligible families. It is a cash assistance program designed to assist eligible families with very low incomes to attain economic security by promoting job preparation, work, and family stabilization. Federal TANF funds come to the state as a block grant and are distributed to counties via formula allocation. Colorado Works is operated in all counties by MOUs with the Department. Locally, programs are guided by individual sets of county policies that use program flexibility to design the most effective program for direct assistance as well as targeted assistance (Diversion) or by investing funds in a wide array of community initiatives supporting struggling families. In exchange for federal funds, Colorado must meet the Work Participation Rate (WPR), the primary performance measure. In Colorado, we are promoting employment outcomes in lieu of the process-oriented WPR. As such, the Division is actively developing and providing tools and other tactical support to counties to re-create their Colorado Works program as an employment program.</p> | 26-2-701 through 26-2-724, C.R.S. | <p>The State Board of Human Services promulgated rules effective August 1, 2006, to implement the requirements of HB 06S-1023. Colorado Works issued an agency letter to provide further guidance to the county departments. In addition, Colorado Works has provided technical assistance and direction to county departments through various venues. The Department has also trained contractors to ensure they provide services only to those lawfully present in the state.</p> | Yes |
| Food Assistance Programs/SNAP | Office of Economic Security | <p>The Supplemental Nutrition Assistance Program (SNAP) 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 (EBT) card, Colorado Quest card, in retail food outlets. SNAP is state supervised, county administered.</p> | CRS 26-2-301 through 26-2-306, C.R.S.; 7 USC 2011-2035 and Food Stamp Act, 7 USC (2016)(I)(1)(A) | <p>Not subject to the provisions of HB 06S-1023 per federal statute.</p> | Not Applicable |
| Food Distribution Program | Office of Economic Security | <p>Food Distribution Program - Emergency Food Assistance Program; Commodity Supplemental Food Program; Child and Adult Care Food Program; Summer Food Service Program; and the National School Lunch Program. The Food Distribution Program provides guidance and oversight on the distribution of USDA foods. The Unit works with food banks and advocacy groups to address food insecurity.</p> | 7 CFR 250; 26-1-121, C.R.S. | <p>Not subject to the provisions of HB 06S-1023 per federal statute.</p> | Not Applicable |

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| Low-Income Energy Assistance Program (LEAP) | Office of Economic Security | 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 and replace furnaces. LEAP is available 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 eligible household member, all household income is counted for eligibility purposes, but any members without documentation are not counted as household members. | 26-2-122, C.R.S.; Federal Energy Policy Act of 2005 | CDHS implemented an affidavit in both Spanish and English, LEAP 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 the law. | Yes |
| Colorado Refugee Services Program (CRSP) | Office of Economic Security | CRSP serves refugees, asylees, Cuban/Haitian entrants, victims of human trafficking, certain Amerasians, Special Immigrant Visa (SIVs) holders from Iraq and Afghanistan, and unaccompanied refugee minors. Through contractors, these clients are provided services such as: case management; employment placement; retention and training; health services (through medical providers) and appointment coordination; mental health; cultural adjustment; ESL and adult education, services to elderly clients; and assistance to youth in schools. All services provided are intended to promote self-sufficiency and intergration. Services are 100% federally funded. | 26-2-106; 26-2-108; 26-2-110; 26-2-119; 26-2-111; 26-2-111.5; 26-2-113 through 26-2-117; 26-2-129; 26-2-202; 26-2-205; 26-2-701 through 26-2-724, C.R.S. | Populations eligible for CRSP funded services (refugees, asylees, Cuban/Haitian entrants, victims of human trafficking, certain Amerasians, Special Immigrant Visa (SIVs) holders from Iraq and Afghanistan, and unaccompanied refugee minors) meet requirements of being lawfully present in the state. Contractors are required to obtain and document proof of lawful presense. | Yes |
| Child Support Services | Office of Economic Security | Child Support Services provides the following services: locating parents; establishing paternity, child support and medical support; enforcing child support and medical orders; modifying child support orders; and, collecting and distributing collections. It also works with other partners to provide referrals to services that help with employment, visitation, and other important family needs. The Division of Child Support Services is responsible for providing services to customers receiving public assistance benefits as well as non-public assistance customers. | 26-13-101, C.R.S., et seq.; 45 CFR 302.33 | A public benefit is not provided to customers, as all payments sent to customers are based on collections from another parent. There are no income requirements for the customers seeking child support services. These services do not require a lawful presence determination and, as such, do not fall subject to the requirements under HB 06S-1023. | Not Applicable |

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| Mental Health | Office of Behavioral Health | Community Mental Health Services to Non-Medicaid Eligibles (Indigent): Adults, children, adolescents and older adults with serious emotional disturbance or serious mental illness, are not subject to the provisions of HB 06S-1023. No programs overseen by OBH that are wholly or partially funded by the Mental Health Services or Substance Abuse Prevention and Treatment Block Grant are subject to the provisions of HB 06S-1023. In addition, programs for children and youth are also exempt. | 27-66-101, C.R.S., et seq.; 27-65-101, C.R.S. et seq.; 27-67-101, C.R.S., et seq. | Not subject to the provisions of HB 06S-1023 per federal statute. | Not Applicable |
| Mental Health | Office of Behavioral Health | Early Childhood Mental Health Services. Funds the placement of an early childhood specialist at each one of the seventeen publicly funded mental health centers as well as pay for supportive psychiatric services. The position is a combination of direct services, consultative services to families and early care and education providers, and cross-systems program development. The primary focus of direct services is non-Medicaid children and families. All staff are trained in the unique developmental issues of young children and housed at the mental health centers can work with other community agencies to develop and sustain appropriate programming for the mental health needs of young children. | 27-66-103, C.R.S. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Mental Health | Office of Behavioral Health | Assertive Community Treatment (ACT) is subject to HB 06S-1023. These clients could be either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status. | 27-65-101, C.R.S.; 27-66-201, C.R.S. | Contracts include HB 06S-1023 requirements. Community Programs conducts verification of HB 06S-1023 requirements on a sample of this population's charts. | Yes |
| Mental Health | Office of Behavioral Health | Alternatives to Inpatient Hospitalization CMHIP / CMHIFL / Ft. Logan Aftercare Program is subject to HB 06S-1023. These clients could be either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status. | 27-66-103, C.R.S. | Contracts include HB 06S-1023 requirements. Community Programs conducts verification of HB 06S-1023 requirements on a sample of this population's charts. | Yes |
| Mental Health | Office of Behavioral Health | Alternatives to Inpatient Hospitalization for Youth are services for clients who are either court-ordered, referred by the courts, involuntarily committed or admitted due to emergency status. | 27-66-103, C.R.S. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |

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| Mental Health | Office of Behavioral Health | (Former Goebel Lawsuit) Assertive Community Treatment Intensive Case Management (AIM) non-Medicaid eligible is an intensive and highly integrated approach for community mental health service delivery. ACT programs serve outpatients whose symptoms of mental illness result in serious functioning difficulties in several major areas of life, often including work, social relationships, residential independence, money management, and physical health and wellness. | 27-65-101, C.R.S.; 27-66-201, C.R.S. | Contracts include HB 06S-1023 requirements. Community Programs conducts verification of HB 06S-1023 requirements on a sample of this population's charts. | Yes |
| Mental Health | Office of Behavioral Health | Residential Treatment for Youth (HB 99-1116) allows families to access community, residential, and transitional treatment services for their child without requiring a dependency and neglect action, when there is no child abuse or neglect. | 27-67-101, C.R.S., et seq. | Not subject to the provision of HB 06S-1023 because services are for children/youth. | Not Applicable |
| Mental Health | Office of Behavioral 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. | 27-69-103, C.R.S. | Not subject to the provision of HB 06S-1023 because services are primarily targeted for children/youth. | Not Applicable |
| Mental Health | Office of Behavioral Health | Colorado Mental Health Institutes (CMHI) - Civil Patients (Ft. Logan). CMHI at Fort Logan opened in July 1961. The hospital is licensed for 94 adult inpatient beds. The statewide inpatient program for adult deaf/hearing impaired clients with mental issues is at Fort Logan. | 27-94-101, C.R.S. | 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 |

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| Mental Health | Office of Behavioral Health | Colorado Mental Health Institute at Pueblo (CMHIP) - Institute for Forensic Psychiatry - Forensic Patients. CMHIP serves clients in the civil mental health system. Civil adult clients are referred for admission by the state's Community Mental Health Centers, and CMHIP also serves the adolescent and geriatric population. In addition, CMHIP serves adults who are found not guilty by reason of insanity or incompetent to proceed (defendants unable to assist in their own defense). CMHIP also provides evaluations of competency to stand trial for individuals referred for evaluation by the state's courts. | 16-8-101, C.R.S.; 27-93-101, C.R.S. | 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 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. |
| Traumatic Brain Injury Program | Office of Community Access and Independence | Traumatic Brain Injury Program - Therapeutic and support services to children and adults with traumatic brain injuries. | 26-1-304, C.R.S. | Program does not provide services to illegal immigrants. Applicants are screened prior to receiving services. | Yes |
| Veterans Community Living Centers | Office of Community Access and Independence | Services: End-of-life/hospice services, short-term "respite care", long-term care, short-term rehabilitation, domiciliary cottages (similar to assisted living), and memory care services for honorably discharged veterans of the U.S. Armed Forces. | 26-12-104, C.R.S.; 38 USC 1710(a), (2), (3), (4), (5) | Not subject to the provisions of HB06S-1023 per federal statute. Program does not provide services to illegal immigrants. Acceptable verification is required at the time of application. | Not Applicable |
| Division of Youth Corrections | Office of Children, Youth and Families | CDHS Office of Behavioral Health: Federal grants are 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 |
| Division of Youth Corrections | Office of Children, Youth and Families | 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 protecting the constitutional and statutory rights of crime victims. Victims are notified of any movements and status changes of the identified perpetrator. | State Constitution and 24-4.1-301 through 24-4.1- 304, C.R.S. | Services required by Colorado Constitution. | Not Applicable |

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| Division of Youth Corrections | Office of Children, Youth and Families | <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> | 19-1-102 through 19-3-702, C.R.S. | The Department has made no procedural changes as existing law requires the Division to accept adjudicated youth regardless of their illegal immigrant status. | Yes |
| Division of Youth Corrections | Office of Children, Youth and Families | <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 9,399 youth through screening and/or in community-based detention programs. The average Length of Stay (LOS) in detention is thirteen days.</p> | 19-1-102 through 19-3-702, C.R.S. | 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 |