

DEPARTMENT OF HUMAN SERVICES

Social Services Rules

PROGRAM AREAS, CASE CONTACTS, AND ONGOING CASE REQUIREMENTS

12 CCR 2509-3

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

7.200 PROGRAM AREAS, CASE CONTACTS, AND ONGOING CASE REQUIREMENTS [Eff. 1/1/15]

7.200.1 PROGRAM AREA 3 - PROGRAM FOR PREVENTION AND INTERVENTION SERVICES FOR CHILDREN, YOUTH, AND FAMILIES AT RISK OF INVOLVEMENT WITH CHILD WELFARE [Eff. 1/1/15]

The Program Area 3 definition is located at 7.000.1, A (12 CCR 2509-1).

- A. Prevention services are voluntary and based on a human services professional decision regarding the family's need and on youth and family choice. Services may include:
1. Services that reduce risk and increase protective factors to decrease the likelihood of child abuse and neglect; or,
 2. Services provided when a child or youth is in conflict with his/her family members, community, or at risk for abuse or neglect and do not meet the definition of unsafe as found in Section 7.000.2, A (12 CCR 2509-1).
- Services cannot be provided when the child's circumstance meets the definition of unsafe as found in Section 7.000.2, A (12 CCR 2509-1).
- B. Intervention services are voluntary and based on a human services professional decision regarding the family's need and youth and family choice. Services may include:
1. Proactive efforts to intervene when the immediate health, safety or well-being of a child is not at-risk; or,
 2. Services provided after a referral has been screened out; or,
 3. Services provided when a case is assessed as not requiring child protection or youth in conflict services and the case is closed; or,
 4. Services provided when a child welfare case has been closed, the child is safe as defined in Section 7.000.2, A (12 CCR 2509-1), and additional supports would improve a family's protective factors and reduce the possibility of recurrence of abuse or neglect.

7.200.11 Eligibility Criteria [Eff. 1/1/15]

A. County Department

A county is eligible to provide Program Area 3 prevention and intervention services when the county has a state-approved service delivery plan. The service delivery plan shall be submitted as an addendum to the Core Services Plan and shall include the process for referral and assessment to the prevention and intervention service.

B. Families, Youth, and Children

Families, youth, and youth/children are eligible for prevention and intervention services if a child/youth is in conflict with his/her family members, in conflict with the community, or at risk of abuse or neglect and do not meet criteria for a child protection or youth in conflict case.

Families, youth, and children are eligible for prevention and intervention services if a human services professional has determined the family has a need for the service.

C. Community Agency or Another Division within the County Department

A community agency or another division within the county department is eligible to refer a family, youth, or child for prevention or intervention services, or to provide services to a family, youth, or child if so stated in the county's state-approved service delivery plan addendum to the Core Services Plan.

7.200.12 County Responsibilities [Rev. eff. 9/1/15]

The county department shall be responsible:

- A.** To deliver prevention and intervention services according to the state-approved service delivery plan that is an addendum to the Core Services Plan.
- B.** To ensure community agencies and/or other divisions within the county provide prevention and intervention services according to the state-approved service delivery plan.
- C.** To ensure community agencies and/or other division within the county department refer families, youth, and children to the prevention and intervention service according to the contract with the county Child Welfare Division.
- D.** To ensure community agencies and/or other divisions of human services offer prevention or intervention services according to the contract with the county department.
- E.** To ensure documentation in the approved state automated case management system of the names, age, ethnicity, gender, service provided, and the reason the service ended for families, youth, and children referred for or provided prevention and intervention services.
- F.** To ensure documentation in the approved state automated case management system of all required data elements of each funding source used for prevention and intervention services.
- G.** To follow the rules and requirements governing the specific funding stream the county elects to use to provide prevention and intervention services.
- H.** To follow the rules and regulations promulgated by the State Board of Human Services.

7.200.13 Funding Sources [Eff. 1/1/15]

Counties may use any available funding source to provide services under program area three, in accordance with the rules and requirements governing the specific funding stream utilized.

7.200.14 Referral [Eff. 1/1/15]

- A. The county department shall provide a referral and intake process wherein all persons have the opportunity to apply for services. In the referral and intake process, the assigned social service staff shall accept applications and screen referrals.
- B. A referral report shall be completed in all appropriate situations, and at a minimum must include:
 - 1. Demographic information.
 - 2. Referring source.
 - 3. Results of initial assessment.
 - 4. Dispositional decision.
- C. The county department, if requested, shall provide the referring source with an explanation of the action taken as a result of the referral.

7.200.15 Initial Functional Assessment [Eff. 1/1/15]

An initial assessment by the county department of social services staff shall include:

- A. The appropriateness of referral;
- B. Determining if the case is open in the agency;
- C. Awareness of agency and community resources and their current availability;
- D. Initial assessment of problem and service needs;
- E. Determining if another agency can better serve the client;
- F. Information about risk factors that can be used in making decisions about urgency of service delivery; and,
- G. Determining whether an emergency exists that meets the emergency assistance criteria in accordance with Section 7.601. 73 (12 CCR 2509-7).

7.201 Program Area 4 - Youth in Conflict

The Program Area 4 definition and target group information is located at Section 7.000.1, B (12 CCR 2509-1).

REFERRAL AND ASSESSMENT ACTIVITIES FOR PROGRAM AREA 4 ARE LOCATED IN SECTION 7.105, ET AL. (12 CCR 2509-2).

7.201.1 Provision of Ongoing Youth in Conflict Case Services

- A. Youth in Conflict services shall be based on the assessment completed in accordance with 12 CCR 2509-2; 7.105, and the conflict between the parent/caregiver and the child/youth. Services shall be offered that preserve the child/youth's permanency with their family, caregiver, kin and/or community whenever possible. If placement is required, the child/youth shall be placed in the least restrictive setting, consistent with the child/youth and family's assessed needs. When the child/youth cannot be safely returned to the family from whom they were removed, services shall be provided to achieve an alternative permanency plan that provides for the child/youth's safety and well-being in a timely manner.
- B. At the point of case opening, county departments shall ensure pertinent information regarding child/youth safety, permanency, and well-being are transferred to any newly assigned caseworker. This shall be accomplished through at least one of the following methods, based on the nature of the case and the capacity of the county department, and shall be documented in the state automated case management system:
 - 1. Family engagement or other equivalent review team meeting involving caseworkers and/or supervisors, family and community providers; or
 - 2. Staffing between caseworkers and/or supervisors.

7.202 PROGRAM AREA 5 - CHILDREN IN NEED OF PROTECTION [Eff. 1/1/15]

Program Area 5 definition and target group information is located at Section 7.000.1, C (12 CCR 2509-1). Intake information is located at Section 7.101, et.al. (12 CCR 2509-2).

Referral and assessment activities for Program Area 5 are located in Section 7.101, et al. (12 CCR 2509-2).

7.202.1 PROVISION OF ONGOING CHILD PROTECTION SERVICES (CPS)

- A. If a safety plan exists, the assigned caseworker and supervisor shall review it as the first step in ongoing services planning.
- B. Ongoing child protection services shall be based on the safety and risk issues identified in the safety assessment tool and plan, risk assessment tool, family social history and assessment summary in the Family Services Plan. Services shall be provided to protect the child(ren) or youth from further abuse or neglect through building parental capabilities and increasing parental involvement. This shall be accomplished in a manner that preserves the family when this can safely be done. When the family from whom the child(ren) or youth were removed cannot safely be preserved, services shall be provided that preserve the child(ren)'s or youth's continuity within the extended family and/or home community when feasible. The child(ren) or youth shall be placed in the least restrictive setting, consistent with the child(ren) or youth's and family's assessed needs. When the child(ren) or youth cannot safely return to the family from whom they were removed, services shall be provided to achieve an alternative permanent plan that provides for a child(ren)'s or youth's safety and well-being in a timely manner.
- C. At the point of case transfer, county departments shall assure pertinent information regarding child safety, permanency, and well-being are translated to the new assigned caseworker. This shall be accomplished through the following methods, based on the nature of the case and the workload ability of the county department:
 - 1. Decision-making meeting involving caseworkers and/or supervisors, family and community providers;

2. Staffing between caseworkers and/or supervisors;
 3. Written transfer summary; and/or,
 4. Documentation in the state automated case management system.
- D. The county department shall complete the safety assessment tool consistent with requirements outlined in Section 7.107.1 (12 CCR 2509-2).
- E. The county department shall complete the risk assessment tool consistent with requirements outline in Section 7.107.2 (12 CCR 2509-2).
- F. The county department shall complete monthly contacts according to requirements outlined in section 7.204.
- G. The county department shall provide courtesy supervision services when requested by another county or state when there is court jurisdiction and such services must continue in order to protect the child or youth. In cases where there is no court jurisdiction, the receiving county shall conduct an assessment to determine if services are needed in order to protect the child or youth. Services shall be provided if indicated. Other services include:
1. The requirement to utilize Interstate Compact on the Placement of Children (ICPC) procedures to obtain courtesy supervision shall not be used by a county to deny a request from another state to provide assessment of a child's safety.
 2. When there is court jurisdiction, ICPC procedures shall be followed by the sending state in order to obtain courtesy supervision of a case in Colorado.
 3. The contacts requirements in Section 7.204, shall apply to cases being provided courtesy supervision when there is court jurisdiction and also for voluntary cases for which it is determined that services are indicated.
- H. If a child protection service client for whom services are still needed moves to another county or state, the county or state of current residence should be notified within ten (10) days and provided with written appropriate, relevant information. Change in venue procedures as outlined in Section 7.304.4 (12 CCR 2509-4), shall be followed. If there is no court order for services, the receiving county shall provide outreach and assessment services up to sixty (60) calendar days. If during the sixty (60) calendar days period it is determined that further services are not indicated or the family is unwilling to accept services, the receiving county shall close the case.
- I. All Program Area 5 cases shall remain in that program area as long as the child or youth is at risk for abuse/neglect and the case plan is to reunify the family. Cases on appeal for termination of parent-child legal relationship shall remain in Program Area 5 until the termination is finalized.

7.202.2 ONGOING SERVICES FOR CASES OF MEDICAL NEGLECT OF INFANTS WITH DISABILITIES [Eff. 1/1/15]

The county department shall make available the following services:

A. Monitoring Court-Ordered Treatment

When either the court has ordered or the parent(s) have agreed upon a course of treatment, the county department shall monitor developments to ensure this treatment is provided. When there is a failure to provide treatment, the county department shall notify the court and immediately petition the court to take appropriate action.

B. Coordinating With Other Resources

The county department shall contact agencies that provide services to child(ren) with special needs, and help the parents with referrals to appropriate agencies that provide services for infants with similar disabilities and for their families. Referrals shall be made to agencies with financial resources for costs of medical and rehabilitative services. Information shall be provided regarding parental support groups and community educational resources. This information shall be made available, as is deemed appropriate under the circumstances, whether the county department has taken legal action or not.

7.203 PROGRAM AREA 6 - CHILDREN IN NEED OF SPECIALIZED SERVICES [Eff. 1/1/15]

The definition of Program Area 6 is located at Section 7.000.1, D (12 CCR 2509-1). Specific groups and target groups that are included within Program Area 6 are shown below.

7.203.1 CHILD WITH ADOPTION ASSISTANCE OR RELATIVE GUARDIANSHIP ASSISTANCE [Eff. 1/1/15]

Requirements for the Adoption Assistance Program and the Relative Guardianship Assistance Program were consolidated into their respective sections.

A. The Adoption Assistance Program is located in Section 7.306.4 (12 CCR 2509-4).

B. Relative Guardianship Assistance is located in Section 7.311 (12 CCR 2509-4).

7.203.2 CHILD WITH MEDICAID ONLY SERVICES [Eff. 1/1/15]

7.203.21 Target Groups [Eff. 1/1/15]

- A. Children in foster care who have been determined Title IV-E eligible and have moved into or out of Colorado.
- B. Children for who an adoption assistance agreement is in effect and who have moved into or out of Colorado. See Section 7.306.4 (12 CCR 2509-4) for details regarding children with adoption assistance.
- C. Children with a Title IV-E Relative Guardianship Assistance agreement with a payment in effect and who have moved into or outside of Colorado.
- D. Children eligible for Home and Community Based Services or Home Health Care Services as defined in Section 8.500 of the Department of Health Care Policy and Financing's Medical Assistance rules (10 CCR 2505-10). Children enrolled in the Home and Community Based-Developmentally Disabled Waiver Program administered through Community Centered Boards and the Department of Human Services, Developmental Disabilities.

7.203.22 Intake/Assessment [Eff. 1/1/15]

For children and youth moving to Colorado, the county department shall:

- A. Verify from the Interstate Compact on the Placement of Children (ICPC) request from the sending state that the child or youth is eligible for IV-E foster care from the state of origin.
- B. For adopted children and youth, include a copy of the Interstate Compact on Adoption and Medical Assistance (ICAMA) form and the adoption assistance agreement in the child's file or provide a copy of the Guardianship Assistance agreement.

- C. Enter information about the child or youth into the state automated case management system and verify that a Medicaid card has been sent to the foster care provider, the adoptive parent, or the guardian.
- D. Notify the foster care provider, the adoptive parent, or the guardian using the SS-4 Form that the child or youth is eligible for Medicaid only services from Colorado. In addition, advise the provider to notify the county department if foster care is stopped by the originating state or of any change of address. In the case of an adopted child or youth, or those with a guardian, advise the adoptive parent or guardian to notify the county department and the state of origin of any change of address.
- E. Verify annually from the state of origin that the child or youth is eligible for Medicaid.

7.203.23 Procedures for Children Eligible for Home and Community Based Services or Home Health Care Services [Eff. 1/1/15]

- A. The county department shall open a case Home and Community Based when an application for Home and Community Based Services (HCBS) or Home Health Care Services is completed. The county department shall provide services as required in Section 8.500 of the Department of Health Care Policy and Financing's Medical Assistance rules (10 CCR 2505-10) for children in Home and Community Based Services or Home Health Care Services Programs.
- B. The county department shall close the case on the state automated case management system no later than the end of the month following the month that the child begins to receive services from the case management agency unless the child remains eligible for services under Program Areas 4 or 5.

7.203.3 CHILDREN WHOSE DISPOSITION IS NO LONGER REUNIFICATION WITH FAMILY [Eff. 1/1/15]

The target group includes children for whom all efforts at reunification with the family are exhausted. The parent-child legal relationship may or may not be terminated.

7.203.31 Eligibility [Eff. 1/1/15]

- A. A child shall be eligible for services in this target group only if he/she has prior eligibility in another target group and has a permanent plan other than reunification.
- B. Children in this target group shall receive services as addressed in the placement services, relative guardianship, legal guardianship, relinquishment, independent living, and adoption sections of these rules. Contact requirements for these children shall be in accordance with Section 7.001.6 (12 CCR 2509-1). These contacts shall be documented in the state automated case management system.

7.203.32 County Department Procedures [Eff. 1/1/15]

- A. The county department shall document in the case file all efforts at reunification for the children in this target group.
- B. The county department shall ensure that the Family Services Plan contains a plan for permanent placement with a relative, adoption, relative guardianship or legal guardianship/permanent custody, or other planned permanent living arrangement, as appropriate (see Section 7.301.24, N; 12 CCR 2509-4).

- C. When the permanent plan is not adoption the county department shall document in the case file why adoption is not appropriate.

7.203.4 FOSTER YOUTH IN TRANSITION PROGRAM

The Foster Youth in Transition Program provides developmentally appropriate, voluntary services to eligible youth and shall be available to all eligible youth. Services shall be offered using a housing first strategy to provide housing solutions to participating youth who are experiencing, or are at imminent risk of, homelessness.

7.203.41 Eligibility

An eligible youth is an individual who:

- A. Is at least eighteen but less than twenty-one years of age or such greater age of foster care eligibility as required by federal law;
- B. Has a current dependency and neglect case pursuant to Article 3 of Title 19, C.R.S. or has had prior foster care or kinship care involvement in at least one of the following ways:
 - 1. The youth was in foster care, as defined in 19-1-103, C.R.S., on or after the youth's sixteenth birthday; or
 - 2. The youth was in non-certified kinship care, as defined in 19-1-103, C.R.S., on or after the youth's sixteenth birthday and was adjudicated dependent and neglected pursuant to Article 3 of Title 19, C.R.S.; or
 - 3. The youth turned eighteen years of age when the youth was a named child or youth in a dependency and neglect case open through Article 3 of Title 19, C.R.S.
- C. Are engaged in, or intends to engage in, at least one of the following, unless an exception applies or are waived by federal law:
 - 1. Completing secondary education or an educational program leading to an equivalent credential;
 - 2. Attending an institution that provides post secondary or vocational education;
 - 3. Working part- or full-time for at least eighty hours per month; or
 - 4. Participating in a program or activity designed to promote employment or remove barriers to employment.
 - 5. The requirement described in 7.203.41(C) does not apply to a youth who is incapable of engaging in any of the activities as a result of a medical condition that is supported by regularly updated documentation in the 90 day supervisory review; and
- D. Seeks to enter into a voluntary services agreement, or the youth has entered into and is substantially fulfilling the youth's obligations pursuant to a voluntary services agreement with the appropriate county department.

7.203.42 Eligibility determinations, appeals, and notifications upon receipt of a referral for services through the Foster Youth in Transition Program the county shall:

- A. Determine if the youth is eligible for the Foster Youth in Transition Program within three (3) business days;
 - 1. If the youth is eligible:
 - a. Within three (3) business days of referral, provide the youth:
 - i. Notice of eligibility;
 - ii. A description of the program, including the voluntary nature, services available, and ongoing eligibility requirements; and
 - iii. A copy of the voluntary services agreement.
 - b. Within three (3) business days of a youth opting into the Foster Youth in Transition Program:
 - i. Execute a voluntary services agreement in collaboration with the youth and provide them with a copy; and then
 - ii. Provide written notice to the office of the child's representative that the youth has entered into a voluntary services agreement in the Foster Youth in Transition Program.
 - c. When a youth enters into a voluntary services agreement, a case shall be opened through program area 6.
 - d. If an eligible youth does not opt in, the county shall close the referral within 30 days of receipt of the referral.
 - 2. If the county determines the youth is not eligible, the county shall notify the youth within three (3) business days of receiving the referral:
 - a. That they are not eligible and the reasons for that determination in developmentally appropriate language;
 - b. Contact information for the office of the child's representative; and
 - c. A written description of their right to appeal and contact information for the individual or unit assigned to hear appeals at the state department.
 - 3. The state department shall be authorized to hear eligibility appeals and make a final determination of eligibility based on information available in the comprehensive child welfare information system and juvenile court records within three (3) business days of receiving the request for appeal. The state department shall provide the youth and their counsel an opportunity to explain why they believe they are eligible for the program prior to making a final determination. Final determinations of eligibility made by the state department are final agency decisions and subject to judicial review. The state department shall make the appeal policy available to the public.

7.203.43 Foster Youth in Transition Program services and procedures

A. Procedures

1. When a youth enters the Foster Youth in Transition Program the program area is program area 6.
2. The participating youth shall have a new case opened in the child welfare information system as follows:
 - a. The new case shall be opened effective either:
 - i. The day the youth and county execute the voluntary services agreement if a youth is reentering; or
 - ii. The day the court terminates any existing custody order, in either a dependency and neglect case or a juvenile delinquency case, if the youth is transitioning from an open program area 4 or 5 child welfare case; and
 - b. Prior to opening a new case or creating a new client ID, the caseworker or supervisor shall complete a search in the comprehensive child welfare information system for any existing open cases or clients and ensure that only one program area 4 or 5 case is open that includes the youth as participating as a child; and
 - c. For youth entering the program directly from an open case under program area 4, 5, or 6, there shall be no resulting interruption in case management services, housing, Medicaid coverage, or in foster care maintenance payments.
3. The county department shall ensure the family services plan contains an updated roadmap to success as described in 7.305.2 (12 CCR 2509-04). The family services plan in Foster Youth in Transition Program cases does not require treatment plan or visitation sections for the youth's parents or caregivers. Updates to the family services plan shall be entered into the comprehensive child welfare information system within sixty (60) days of the youth entering into a voluntary services agreement. The youth shall be provided a copy of the family services plan.
4. When a youth is entering the Foster Youth in Transition Program directly from another Program Area 4, 5, or 6 case, the youth shall be given the option to continue with the county who is currently serving the youth, or transition to the county in which the youth self-attests to residing in at the time the youth enters the foster youth in transition program.
5. When the youth's residence has changed after jurisdiction has been established, county departments shall work cooperatively to:
 - a. Ensure services are provided by the appropriate county;
 - b. Petitions are filed in the court of the appropriate county;
 - c. Take into consideration the youth's preference. If the youth does not have a preference, then the county shall consider the following, in no particular order or prioritization:

- i. Which county is currently working with the youth;
- ii. The county in which the youth self-attests to reside;
- iii. Indications the youth intends to stay in the self- attested county;
- iv. Access to services, supports, and/or relationships the youth needs in order to successfully transition to adulthood.

B. Services

Each county department shall offer, at a minimum, the following services and supports to participating youth in the transition program. All services shall be provided by the county in a manner that is consistent with the youth's developmental needs, culture, and supports the youths successful transition to adulthood.

- 1. Assistance with enrolling in the appropriate category of Medicaid for which the participating youth is eligible;
- 2. Assistance with securing safe, affordable, and stable housing in the following ways:
 - a. The participating youth's living expenses are fully or partially funded through foster care maintenance payments, in addition to any other housing assistance the youth is eligible to receive. Any expectations for the youth to contribute to the youth's own expenses must be based upon the youth's ability to pay.
 - b. With the participating youth's consent, the participating youth's housing may be in any placement approved by the county department or the court for which the participating youth is otherwise eligible, including a licensed host family home, as defined in Section 26-5.7-102 (3.5), C.R.S. or a supervised independent living placement, and that is the least restrictive option to meet the participating youth's needs; or
 - c. If the participating youth needs placement in a qualified residential treatment program, then such placement must follow all relevant procedures pursuant to section 19-1-115, C.R.S., concerning the placement of a child or youth in a qualified residential treatment program.
- 3. Case management services, including the development of a case plan with a roadmap to success for the participating youth, as well as assistance in the following areas, as appropriate, and with the agreement of the participating youth:
 - a. Provision of appropriate community resources and public benefits to assist the participating youth in the transition to adulthood as documented by the roadmap to success;
 - b. Obtaining employment or other financial support and enhancing financial literacy;
 - c. Obtaining a driver's license or other government-issued identification card;
- 4. Upon request, and if services are available, support the youth with complying with any juvenile or criminal justice system requirements which may include referrals to assist with expunging the participating youth's court records, as appropriate, pursuant to section 19-1-306, C.R.S.;

5. Pursuing educational goals and applying for financial aid, if necessary;
 6. Upon request, and if services are available, referral to services for obtaining the necessary state court findings and applying for special immigrant juvenile status pursuant to federal law, as applicable, or applying for other immigration relief for which the participating youth may be qualified;
 7. Obtaining copies of health and education records;
 8. Maintaining and building relationships with individuals who are important to the participating youth, including searching for individuals with whom the participating youth has lost contact. These services may be offered using family search and engagement as described in 7.304.52 (12 CCR 2509-04); and
 9. Accessing information about maternal and paternal relatives, including any siblings.
- C. Court procedures when youth transition from a Program Area 4 or 5 case into the Foster Youth in Transition Program
1. For a youth approaching their 18th birthday who is currently in foster care, or who is in non-certified kinship care and there is an open dependency and neglect case, the county shall partner with the youth to support the youth in making informed decisions about what the youth needs to emancipate successfully and whether to enter the Foster Youth in Transition Program. The county shall partner with the youth in preparing for the transition hearing described below:
 - a. The county shall request that a transition hearing be held within 35 days of the youth's 18th birthday pursuant to 19-3-705, C.R.S.
 - b. At least seven (7) days prior to the transition hearing the county shall submit a report to the court that includes:
 - i. A description of the county's reasonable efforts toward achieving the youth's permanency goals and a successful transition to adulthood;
 - ii. An affirmation that the county has provided the youth with all of the records and documents the youth needs to successfully transition to adulthood, including the documents required by 7.305.5, written information concerning the youth's family history, and contact information for siblings if available and appropriate;
 - iii. an affirmation that the county has informed the youth, in a developmentally appropriate manner, of the benefits and options available to the youth by the Foster Youth in Transition Program as described in 7.203.4 (12 CCR 2509-3) and the voluntary nature of the program;
 - iv. A statement of whether the youth has made a preliminary decision whether to emancipate or to enter into the Foster Youth in Transition Program and either or both of the following:
 - A. If it is anticipated that the youth will choose to emancipate, the report must include a copy of the youth's emancipation transition plan as described in 7.305.2(F);

- B. If it is anticipated that the youth will choose to enter the Foster Youth in Transition Program, the county shall file a petition pursuant to 19-7-307 at the same time as the report described in this section.
- D. Permanency planning requirements described in 7.304.54 (12 CCR 2509-4) are required in all Foster Youth in Transition cases.

7.204 CASE CONTACT REQUIREMENTS

The primary purposes for case contacts shall be to assure child safety and well-being and move the case toward achieving identified treatment goals and permanency regardless of the reason the case is open.

For Program Areas 4, 5, and 6, and in cases in which child(ren)/youth remain in the home or are placed out of the home, the county department shall have face-to-face and telephone contact with the child(ren)/youth, parents, and relevant collateral contacts as often as needed to assure the safety, permanency and well-being of the child(ren)/youth while maintaining at least the minimum expectations outlined below.

A face-to-face contact is defined as an in-person contact for the purpose of observation, conversation, intervention or interview about substantive case issues, such as safety, risk and needs assessment, family service planning that may help to reduce future risk of abuse and neglect and to promote case progress and permanency.

If the governor declares a disaster and/or emergency, video conferencing technology may be used if, due to the emergency or disaster, the worker could not or should not make contact. This should be documented in the case management system and only done under limited circumstances related to the disaster and/or emergency declaration.

- A. Child(ren)/youth:
 - 1. Frequency: a face-to-face contact is required every month with child(ren)/youth in program areas 4, 5, and 6 in both in-home and out-of-home cases. When child(ren)/youth are designated as runaways, they are still included in the population of child(ren)/youth for whom the case contact requirements apply.
 - 2. Additional requirements: a portion of every face-to-face contact with the child(ren)/youth shall occur outside the presence of the provider/caregiver. At least every other month, contact shall occur where the child(ren)/youth resides and shall include visual assessment of the child(ren)/youth's living environment.
 - 3. Additional requirements for out-of-home: two face-to-face visits with the child(ren)/youth shall occur in the first 30-days following an out-of-home placement. At least one of the visits shall occur where the child(ren)/youth reside.
 - 4. Documentation:
 - a. The caseworker completing the visit shall record all contacts in the Comprehensive Child Welfare Information System(CCWIS).
 - b. If the caseworker is unable to make direct contact, contact may be made by an out-of-county caseworker identified as a secondary/visitation caseworker.

- c. If the child(ren)/youth is residing out of state, contact may be made by an out-of-state (ICPC) caseworker. Monthly visits are required even if the receiving state ordinarily conducts less than monthly visits for children in that state.
- 5. Who can make contact:
 - a. The primary caseworker, that caseworker's supervisor, or the designated visitation caseworker or that caseworker's supervisor must make contact.
 - b. The caseworker who visits the child(ren)/youth must have working knowledge of the case.
 - c. The designated visitation caseworker is an individual assigned responsibility for visiting the child(ren)/youth. The visitation caseworker may be a caseworker employed by the county department or another county department; a caseworker or contract caseworker in another state; or a professional within the state who meets the qualifications listed at section 7.602 and training listed at section 7.603 (12 CCR 2509).
 - d. The designated visitation caseworker must not have specific supervision responsibilities for the private placement facility where the child(ren)/youth is placed, nor shall the visitation caseworker be an employee of the placement facility where the child(ren)/youth is placed. The name and role of the visitation caseworker assigned responsibility for visiting the child(ren)/youth shall be recorded in the assigned screen of the CCWIS and must be updated if there is a change in the visitation caseworker. There must be only one designated visitation caseworker for a child(ren)/youth at any one time.
 - e. If the governor declares a disaster and/or emergency and if neither the caseworker, designated visitation worker, or supervisor are able to make face-to-face contact, another county caseworker may make contact. If, due to the emergency or disaster, the caseworker could not or should not make contact, even through video conferencing, if allowed, this should be documented in the CCWIS and only done under limited circumstances related to the disaster and/or emergency declaration.
- 6. Interstate compact on the placement of child(ren)/youth (ICPC): for cases governed by the ICPC, the assigned or contracted caseworker in the state where the child(ren)/youth is placed may be the designated visitation caseworker. A written quarterly report on the contact must be requested by the Colorado caseworker or custodial agency. The Colorado caseworker or custodial agency assigned to the case shall document the designated visitation caseworker's visits in the comprehensive child welfare information system (CCWIS).
- 7. Other groups:
 - a. Finalized subsidized adoption services: contact must occur every three (3) years through face-to-face, real-time video resources, telephone, electronic mail or mail.

B. Parent(s)/guardian(s):

For program areas 4, 5, and 6 in both in-home and out of home cases, the primary purposes for contacts with parent(s)/guardian(s) are to assess the ability of the parent(s) to provide safely for the child(ren)/youth and make progress toward family service plan goals. There are no minimum contact expectations if a youth is participating in the foster youth in transition program.

1. Frequency: a face-to-face contact is required every calendar month with parent(s)/guardian(s) of the child(ren)/youth.
2. Exceptions: the exceptions to calendar month face-to-face contact with parents are as follows:
 - a. When the parent/guardian, as determined by the county, does not reside in the state;
 - b. When the parent/guardian is currently incarcerated and sentenced to incarceration for two or more years during the life of the case. Monthly face-to-face contact shall resume once a parent is released to a community setting or a parent's remaining time to be served falls below two years;
 - c. When the parent/guardian's whereabouts are not known despite efforts to locate the parent/guardian. Such efforts must be documented monthly in the CCWIS;
 - d. The parent indicated and it is documented in the CCWIS that they do not want to be involved in the child(ren)/youth's life and the worker's face-to-face contact with the parent/guardian is not in the child(ren)/youth's best interest as determined by the court;
 - e. Termination of parental rights/relinquishment is ordered.
 - f. If the court determines no further engagement is necessary, then continued monthly efforts to contact and document are no longer required. These orders must be entered at a minimum in the next 90-day review.
3. Engagement: monthly engagement must occur with all parents/guardians regardless of ability or requirement to have face-to-face contact, unless termination of parental rights has occurred, regardless of the status of appeal. This may include monthly efforts to engage through telephone calls, letters, or electronic communication.
4. Documentation: all case contacts with parent(s)/guardian(s) by the county department must be recorded in the CCWIS, and must reflect how the purpose of the visit was accomplished.
 - a. Unable to complete: if the minimum case contacts are not able to be completed by the county in any given month, the county shall document those reasons in the CCWIS including the case circumstances, why the contact is not possible, and how the county department will monitor progress. If the court determines no further engagement is necessary then continued monthly efforts to contact and document is no longer required.

5. Who can make contact:
 - a. Contacts must be completed by someone who has working knowledge of the case and is employed or contracted with a county department of human/social services, or a service provider contracted through a county department of human/social services who has full responsibility for case planning and case management (for example, fully or partially privatized child welfare systems where full case management responsibilities are delegated to contract agencies).
 - b. If the parent(s)/guardian(s) reside on tribal land, the county department of human/social services shall coordinate and collaborate with the tribal agency to determine how contact with parent(s)/guardian(s) will occur.

C. Intended permanent caregiver(s):

The primary purposes for contacts with intended permanent caregiver(s) are to assess the ability of the intended permanent caregiver(s) to provide safely for the child(ren)/youth and make progress toward family service plan goals. The intended permanent caregiver(s) is determined and documented by the county department of human/social services in the CCWIS.

1. Frequency: a face-to-face contact is required every calendar month with intended permanent caregiver(s) of the child(ren)/youth.
2. Exception: calendar month face-to-face contact is not required with the intended permanent caregiver(s) when the intended permanent caregiver(s) resides out of the state.
3. Engagement: monthly engagement must occur with all intended permanent caregiver(s) regardless of ability or requirement to have face-to-face contact. This may include monthly efforts to engage through telephone calls, letters, or electronic communication.
4. Documentation: all case contacts with intended permanent caregiver(s) by the county department must be recorded in the CCWIS, and must reflect how the purpose of the visit was accomplished.
 - a. Unable to complete: if the minimum case contacts are not able to be completed by the county in any given month, the county shall document those reasons in the CCWIS including the case circumstances, why the direct contact is not possible, and how the county department will monitor progress.
5. Who can make contact:
 - a. Contacts must be completed by someone who has working knowledge of the case and is employed or contracted with a county department of human/social services, or a service provider contracted through a county department of human/social services who has full responsibility for case planning and case management (for example, fully or partially privatized child welfare systems where full case management responsibilities are delegated to contract agencies).
 - b. If the intended permanent caregiver(s) reside on tribal land, the county department of human/social services shall coordinate and collaborate with the tribal agency to determine how contact with intended permanent caregiver(s) will occur.

7.205 CASE CLOSURE [Eff. 1/1/15]

When there is no court jurisdiction and at least one of the following are met, services shall be terminated and the case shall be closed.

A.

1. Specific program eligibility criteria are not met.
2. Client no longer needs the service.
3. Client has died.
4. Services are completed.
5. The child reaches his/her 21st birthday.

B. The worker shall document the following in the case record:

1. Reason(s) for case closure.
2. A summary of services provided, which includes progress made toward stated goals.
3. A safety assessment at case closure for all program area 4 and 5 cases.
4. An emancipation transition plan for all youth who are eligible described in 7.305.2(F) (12 CCR 2509-04).

C. The county department shall close a case in the comprehensive child welfare information system no later than ninety (90) days after the last direct client contact. The county department shall assure the case is closed in the automated system as prescribed by the State.

D. The county department shall close a case in the comprehensive child welfare information system if there has been no direct client contact with the child and parents for ninety (90) calendar days despite the repeated efforts of the county department to maintain contact.

E. Exceptions to the ninety (90) calendar day limit may be necessary in cases where the county department has custody of the child. In such cases the county department shall document efforts to terminate county custody or document why such efforts are not in the best interest of the child.

Editor's Notes

History

Rules 7.202.62 A-F eff. 09/01/2007.

Rules 7.202.3-4; 7.202.51-52; 7.202.54-57 emer. rules eff. 08/01/2008.

Rules 7.202.3-4; 7.202.51-52; 7.202.54-57 eff. 10/01/2008.

Rule 7.202.55 eff. 11/01/2008.

Rules 7.202.3-4, 7.202.5, 7.202.53-54, 7.202.62 emer. rules eff. 11/07/2008.

Rules 7.202.3-4, 7.202.5, 7.202.53-54, 7.202.62 eff. 01/01/2009.

Rule 7.202.52 emer. rule eff. 01/01/2009.

Rules 7.202.52, 7.203.2-7.203.32 eff. 02/01/2009

Rules 7.203.1-4 eff. 02/01/2010.
Rules 7.202.61-62 eff. 06/01/2010.
Rules 7.202.4, 7.202.51.C, 7.202.57 D emer. rules eff. 12/03/2010.
Rules 7.200.1, 7.202.4, 7.202.51 C, 7.202.57 D, 7.202.604-607, 7.202.608 E eff. 03/02/2011.
Rules 7.203.2, 7.203.31-32 eff 04/01/2012.
Rules 7.202.4 E, 7.202.4 G eff. 07/01/2012.
Rules 7.202.75-7.202.8 emer. rules eff. 07/13/2012.
Rules 7.203.31, 7.203.42 emer. rules eff. 09/07/2012.
Rules 7.202.75-7.202.8 eff. 10/01/2012.
Rules 7.203.31, 7.203.42 eff. 12/01/2012.
Rules 7.202.1-7.202.532, 7.202.534-7.202.71, 7.202.72, 7.202.74-7.202.75 eff. 03/02/2013.
Rule 7.200.3 eff. 08/01/2013.
Rules 7.200-7.200.13 eff. 01/01/2014.
Entire rule eff. 01/01/2015.
Rule 7.200.12 eff. 09/01/2015.
Rules 7.201.1 D-E eff. 10/01/2016.
Rule 7.200.15 G eff. 12/01/2017.
Rule 7.205 B.3 eff. 12/01/2018.
Rules 7.201, 7.201.1, 7.204 D-E eff. 03/15/2019.
Rule 7.202.1 F eff. 04/01/2019.
Rules 7.202.1 F, 7.204, 7.204 B emer. rules eff. 05/08/2020.
Rules 7.202.1 F, 7.204, 7.204 B eff. 08/01/2020.
Rules 7.203.4, 7.203.41, 7.203.42 eff. 12/01/2020.
Rules 7.203.4, 7.203.41, 7.203.42, 7.203.43, 7.205 eff. 12/30/2021.
Rules 7.202.1 F, 7.204 eff. 04/30/2022.
Rules 7.203.41, 7.203.43 A.2.b, 7.203.43 A.4-5, 7.203.43 B.2, 7.203.43 D eff. 01/30/2023.