

Title of Proposed Rule: Extended Foster Care & Re-Entry (12 CCR 2509-3)

CDHS Tracking #: 21-04-28-03

Office, Division, & Program: _____ Rule Author: Trevor Williams

Phone: 303-866-4539

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RULEMAKING PACKET

Type of Rule: *(complete a and b, below)*

a. Board Executive Director

b. Regular Emergency

This package is submitted to State Board Administration as: *(check all that apply)*

AG Initial Review

Initial Board Reading

AG 2nd Review

Second Board Reading / Adoption

This package contains the following types of rules: *(check all that apply)*

Number

3 Amended Rules

5 New Rules

_____ Repealed Rules

_____ Reviewed Rules

What month is being requested for this rule to first go before the State Board?	October
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What date is being requested for this rule to be effective?	December 2021
Is this date legislatively required?	No

I hereby certify that I am aware of this rule-making and that any necessary consultation with the Executive Director's Office, Budget and Policy Unit, and Office of Information Technology has occurred.

Office Director Approval: _____ Date: _____

REVIEW TO BE COMPLETED BY STATE BOARD ADMINISTRATION

Comments:

Estimated 1st Board 10/8/2021 2nd Board 11/5/2021 Effective Date 12/30/2021
Dates: _____

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STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for new rule or rule change.

*Explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule. **1500 Char max***

These rules will implement HB 21-1094, which was signed into law on 6/25/2021 and requires the State Board of Human Services to promulgate rules for implementation. HB 21-1094 establishes the Foster Youth in Transition Program, a youth-driven and developmentally appropriate approach to extended foster care. This program further establishes a pathway for eligible youth to re-enter foster care between the ages of 18 and 21. HB 21-1094's extensive reforms require significant revision to the Colorado Code of Regulations, 12 CCR 2509 (Volume 7). These rules will ensure consistent statewide implementation and support counties in understanding what they are required to provide to youth who request services through the program.

An emergency rule-making (which waives the initial Administrative Procedure Act noticing requirements) is necessary:

- to comply with state/federal law and/or
- to preserve public health, safety and welfare

Justification for emergency:

State Board Authority for Rule:

Code	Description
26-1-107(5)(a), C.R.S. (2021)	State Board to promulgate rules
26-1-109(3), C.R.S. (2021)	State department rules to coordinate with federal programs
26-1-111(2)(a), C.R.S. (2021)	State department to promulgate rules for public assistance and welfare activities.

Program Authority for Rule: *Give federal and/or state citations and a summary of the language authorizing the rule-making function AND authority.*

Code	Description
19-7-315, C.R.S. (2021)	The state department shall promulgate rules for implementation, including but not limited to rules concerning eligibility determinations, administrative appeals of eligibility determinations, enrollment into the transition program, emancipation transition plans and roadmaps to success, and expedited procedures for securing temporary shelter for youth who are currently homeless or at imminent risk of homelessness.

Does the rule incorporate material by reference?

Yes

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

Some requirements of HB 21-1094 are specific and organizing the requirements into Volume 7 while maintaining the language from statute ensures the highest level of support to counties and fidelity to the law.

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REGULATORY ANALYSIS

1. List of groups impacted by this rule.

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

Current and former foster youth will experience the greatest benefit from these rules. Groups that will experience additional work requirements as a result of these rules include county departments. The Office of the Child's Representative and judicial partners are both impacted by HB 21-1094, but they are not directly impacted by these rules.

2. Describe the qualitative and quantitative impact.

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

The Division of Child Welfare estimates that approximately 59 youth per year will choose to reenter foster care as a result of HB 21-1094, which is implemented in part by these rules. These youth will constitute the new population served through the Foster Youth in Transition Program. However, the broader population of foster youth who reach the age of 18 while in care will also experience the benefits of these rules. Prior to HB 21-1094, there was little differentiation in statute or rule between minor children under age 18 and youth 18 to 21 who stayed in foster care, and as a result most youth exit and experience a cliff effect near their 18th birthdays. HB 21-1094 and these rules support the distinct developmental needs of emerging adults. Youth in foster care are not given the right to make informed choices while enjoying the types of support that a typical Colorado family provides to their own children transitioning to adulthood. By implementing HB 21-1094, these rules create the structure for a developmentally appropriate extended foster care system that respects the needs of 18- to 21-year-olds, while providing that crucial support.

Implementation of HB 21-1094 includes a workload impact for county departments, however this will be offset by an increase to the child welfare block appropriated through the general fund.

3. Fiscal Impact

*For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources. **Answer should NEVER be just "no impact" answer should include "no impact because..."***

State Fiscal Impact (Identify all state agencies with a fiscal impact, including any Colorado Benefits Management System (CBMS) change request costs required to implement this rule change)

There are no fiscal impacts directly resulting from these rules. Some changes to the Trails system will be required; however, those costs will be covered by existing federal funds. The Office of the Child's Representative will have a small fiscal impact from the legislation, not the rules, which is funded through an appropriation to their office for implementation of HB 21-1094.

County Fiscal Impact

There are no fiscal impacts directly resulting from these rules. The legislation, however, does create a fiscal impact to counties. Those costs will be covered by an appropriation made to the Child Welfare block for implementation of HB 21-1094.

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Federal Fiscal Impact

Revisions to these rules ensure Colorado has the structure to draw down federal funds to which the state is entitled for serving this population. Because these rules comply with requirements set forth in Title IV-E of the Social Security Act, the Division of Child Welfare anticipates that the majority of youth participating in the Foster Youth in Transition Program will be eligible for Federal IV-E financial participation.

Other Fiscal Impact (such as providers, local governments, etc.)

No impact to other providers, local governments, or other agencies is anticipated.

4. Data Description

List and explain any data, such as studies, federal announcements, or questionnaires, which were relied upon when developing this rule?

Colorado's foster care system, as it has traditionally existed, is leading to negative outcomes for many youth who have made the transition from foster care to adulthood. The National Youth in Transition Database Survey, a longitudinal study of youth involved with child welfare, has shown that at least 36% of former foster youth in Colorado have experienced homelessness, 21% have been incarcerated, and 29% become parents by age 21. National data shows it is likely the true rate of early parenthood is much higher. The Midwest Study of Adult Functioning of Former Foster Youth demonstrates that developmentally appropriate extended foster care is key to improving these outcomes. A growing body of evidence demonstrates that providing youth the opportunity to reenter a developmentally appropriate foster care system during that transition, if needed, also improves outcomes for these youth. HB 21-1094 was developed using this information, as well as feedback provided by youth advocates and runaway and homeless youth providers.

5. Alternatives to this Rule-making

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using another alternative. Answer should NEVER be just "no alternative" answer should include "no alternative because..."

There is no alternative because HB 21-1094 requires that rules be promulgated for implementation of the law.

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OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
7.203.4	Revision	<p>7.203.4 YOUNG ADULTS WHO HAVE LEFT FOSTER CARE</p> <p>Participation in the Chafee programs or other services that prepare youth for adulthood is voluntary but should be offered to young adults, ages eighteen (18) to twenty-one (21), and who are in need of continuing support and services toward becoming self-sufficient.</p>	<p>7.203.4 YOUNG ADULTS WHO HAVE LEFT FOSTER CARE CAREFOSTER YOUTH IN TRANSITION PROGRAM</p> <p>Participation in the Chafee programs or other services that prepare youth for adulthood is voluntary but should be offered to young adults, ages eighteen (18) to twenty-one (21), and who are in need of continuing support and services toward becoming self-sufficient. 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.</p>	This rule is the header and introduction to the Foster Youth in Transition Program. This section already existed, and covered this population and services.	HB 21-1094 Task Group
7.203.41	Revision	<p>7.203.41 Eligibility</p> <p>Young adults, ages eighteen (18) to twenty-one (21), are eligible to receive services to assist them as they continue the transition to adulthood. Services may include independent living assessment, case planning, transitional services, room and board, and other services as identified in the program's plan based on the individual needs and preferences of the youth adult (see Section 7.305).</p>	<p>7.203.41 Eligibility</p> <p>Young adults, ages eighteen (18) to twenty-one (21), are eligible to receive services to assist them as they continue the transition to adulthood. Services may include independent living assessment, case planning, transitional services, room and board, and other services as identified in the program's plan based on the individual needs and preferences of the youth adult (see Section 7.305). ELIGIBLE YOUTH INCLUDE YOUTH WHO:</p> <p>A. ARE AT LEAST EIGHTEEN BUT LESS THAN TWENTY-ONE YEARS OF AGE OR SUCH GREATER AGE OF FOSTER CARE ELIGIBILITY AS REQUIRED BY FEDERAL LAW;</p> <p>B. HAVE HAD PRIOR FOSTER CARE OR KINSHIP CARE INVOLVEMENT IN ONE OF THE FOLLOWING WAYS:</p> <p>1. THE YOUTH WAS IN FOSTER CARE, AS DEFINED IN 19-1-103 (51.3), C.R.S., ON OR AFTER THE YOUTH'S SIXTEENTH BIRTHDAY; OR</p> <p>2. THE YOUTH WAS IN NON-CERTIFIED KINSHIP CARE, AS DEFINED IN 19-1-103 (78.7), 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; AND</p> <p>C. ARE ENGAGED IN, OR INTENDS TO ENGAGE IN, AT LEAST ONE OF THE FOLLOWING, UNLESS AN</p>	This rule establishes program eligibility requirements for the Foster Youth in Transition Program as required by statute.	HB 21-1094 Task Group

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			<p>EXCEPTION APPLIES OR ARE WAIVED BY FEDERAL LAW:</p> <ol style="list-style-type: none">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; OR4. 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 <p>D. SEEK 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.</p>		
7.203.42	New Rule		<p>7.203.42 ELIGIBILITY DETERMINATIONS, APPEALS, AND NOTIFICATION UPON RECEIPT OF A REFERRAL FOR SERVICES THROUGH THE FOSTER YOUTH IN TRANSITION PROGRAM THE COUNTY SHALL:</p> <p>A. DETERMINE IF THE YOUTH IS ELIGIBLE FOR THE FOSTER YOUTH IN TRANSITION PROGRAM WITHIN THREE (3) BUSINESS DAYS:</p> <ol style="list-style-type: none">1. IF THE YOUTH IS ELIGIBLE<ol style="list-style-type: none">a. WITHIN THREE (3) BUSINESS DAYS OF REFERRAL, PROVIDE THE YOUTH:<ol style="list-style-type: none">i. NOTICE OF ELIGIBILITY;ii. A DESCRIPTION OF THE PROGRAM, INCLUDING THE VOLUNTARY NATURE, SERVICES AVAILABLE, AND ONGOING ELIGIBILITY REQUIREMENTS; ANDiii. A COPY OF THE VOLUNTARY SERVICES AGREEMENT.b. WITHIN THREE (3) BUSINESS DAYS OF A YOUTH OPTING INTO THE FOSTER YOUTH IN TRANSITION PROGRAM:<ol style="list-style-type: none">i. EXECUTE A VOLUNTARY SERVICES	This rule established the process county departments must follow to determine eligibility for the Foster Youth in Transition Program and includes notifications and appeals.	HB 21-1094 Task Group

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7.203.43	Revision	7.203.42 County Department Procedures or other service provider procedures A. The county department of social	7.203.423 County Department Procedures or other service provider procedures FOSTER YOUTH IN TRANSITION PROGRAM SERVICES AND PROCEDURES	These revisions ensure that this section of rule applies to the Foster Youth in Transition	HB 21-1094 Task Group

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		<p>services or other service provider shall document in the case file the transition services provided.</p> <p>B. The county department of social services shall complete the Roadmap to Success as a part of the Family Services Plan.</p> <p>C. Contact requirements shall be defined in consultation with the young adult with face-to-face contact occurring at least quarterly to determine appropriateness of services and continued need of the young adult.</p>	<p>A. The county department of social services or other service provider shall document in the case file the transition services provided.</p> <p>B. The county department of social services shall complete the Roadmap to Success as a part of the Family Services Plan.</p> <p>C. Contact requirements shall be defined in consultation with the young adult with face-to-face contact occurring at least quarterly to determine appropriateness of services and continued need of the young adult.</p>	<p>Program.</p>	
<p>7.203.43 (A)</p>	<p>New Rule</p>		<p>A. PROCEDURES</p> <p>1. WHEN A YOUTH ENTERS THE FOSTER YOUTH IN TRANSITION PROGRAM, THE PROGRAM AREA IS PROGRAM AREA 6.</p> <p>2. THE PARTICIPATING YOUTH SHALL HAVE A NEW CASE OPENED IN THE CHILD WELFARE INFORMATION SYSTEM AS FOLLOWS:</p> <p>a. THE NEW CASE SHALL BE OPENED EFFECTIVE EITHER:</p> <p>i. THE DAY THE YOUTH AND COUNTY EXECUTE THE VOLUNTARY SERVICES AGREEMENT IF A YOUTH IS REENTERING; OR</p> <p>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</p> <p>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</p> <p>c. FOR YOUTH ENTERING THE PROGRAM DIRECTLY FROM AN OPEN CASE UNDER PROGRAM AREA 4, 5, OR 6, THERE SHALL BE</p>	<p>This rule creates a set of standardized procedures for counties to follow in a Foster Youth in Transition Program case.</p>	<p>HB 21-1094 Task Group; revisions between first and second read to address county concerns</p>

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			<p>NO RESULTING INTERRUPTION IN CASE MANAGEMENT SERVICES, HOUSING, MEDICAID COVERAGE, OR IN FOSTER CARE MAINTENANCE PAYMENTS.</p> <p>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.</p> <p>4. WHEN THE YOUTH'S RESIDENCE HAS CHANGED AFTER JURISDICTION HAS BEEN ESTABLISHED, COUNTY DEPARTMENTS SHALL WORK COOPERATIVELY TO:</p> <p>a. ENSURE SERVICES ARE PROVIDED BY THE APPROPRIATE COUNTY;</p> <p>b. PETITIONS ARE FILED IN THE COURT OF THE APPROPRIATE COUNTY;</p> <p>c. TAKING INTO CONSIDERATION:</p> <p>i. WHICH COUNTY IS CURRENTLY WORKING WITH THE YOUTH;</p> <p>ii. THE COUNTY IN WHICH THE YOUTH SELF ATTESTS TO RESIDE;</p> <p>iii. INDICATIONS THE YOUTH INTENDS TO STAY IN THE SELF ATTESTED COUNTY;</p> <p>iv. ACCESS TO SERVICES, SUPPORTS, AND/OR RELATIONSHIPS THE YOUTH NEEDS IN ORDER TO SUCCESSFULLY TRANSITION TO ADULTHOOD; AND</p> <p>v. THE YOUTH'S PREFERENCE.</p>		
7.203.43 (B)	New Rule		<p>B. SERVICES</p> <p>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 YOUTH'S SUCCESSFUL TRANSITION TO ADULTHOOD.</p>	This rule outlines the services required by statute for youth who are participating in the Foster Youth in Transition Program.	HB 21-1094 Task Group

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7.203.43 (C)	New Rule		<p>C. COURT PROCEDURES WHEN YOUTH TRANSITION FROM A PROGRAM AREA 4 OR 5 CASE INTO THE FOSTER YOUTH IN TRANSITION PROGRAM</p> <p>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</p>	<p>This rule outlines the required activities when a youth transitions from a PA4 or PA5 case into the Foster Youth in Transition Program.</p>	HB 21-1094 Task Group

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			<p>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:</p> <ol style="list-style-type: none">1. 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.2. AT LEAST SEVEN (7) DAYS PRIOR TO THE TRANSITION HEARING THE COUNTY SHALL SUBMIT A REPORT TO THE COURT THAT INCLUDES:<ol style="list-style-type: none">a. A DESCRIPTION OF THE COUNTY'S REASONABLE EFFORTS TOWARD ACHIEVING THE YOUTH'S PERMANENCY GOALS AND A SUCCESSFUL TRANSITION TO ADULTHOOD;b. 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;c. 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;d. 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:<ol style="list-style-type: none">i. 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);ii. 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	
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Title of Proposed Rule: Extended Foster Care & Re-Entry (12 CCR 2509-3)

CDHS Tracking #: 21-04-28-03

Office, Division, & Program:

Rule Author: Trevor Williams

Phone: 303-866-4539

E-Mail:

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			SAME TIME AS THE REPORT DESCRIBED IN THIS SECTION. 3. PERMANENCY PLANNING REQUIREMENTS ARE DESCRIBED IN 7.304.54 (12 CCR 2509-4).		
7.204(B) (4)	New Rule		4. AN EMANCIPATION TRANSITION PLAN FOR ALL YOUTH WHO ARE ELIGIBLE DESCRIBED IN 7.305.2(F) (12 CCR 2509-04).	This new rule ensures that the requirement to complete an ETP is clear whenever one is required.	HB 21-1094 Task Group
7.204(C)	Technical Fix	The county department shall close a case in the state automated case management 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.	The county department shall close a case in the state automated case management system 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.	Corrects the name of this system.	
7.204(B)	Technical Fix	The county department shall close a case in the state automated case management 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.	The county department shall close a case in the state automated case management system 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.	Corrects the name of this system.	

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STAKEHOLDER COMMENT SUMMARY

Development

The following individuals and/or entities were included in the development of these proposed rules (such as other Program Areas, Legislative Liaison, and Sub-PAC):

The rules were developed through a Child Welfare SubPAC approved task group and included representation from urban and rural counties across the state, runaway and homeless youth providers, the Office of the Child's Representative, foster care providers, child placement agencies, and a youth advocacy group.

This Rule-Making Package

The following individuals and/or entities were contacted and informed that this rule-making was proposed for consideration by the State Board of Human Services:

County departments of human/social services, Office of the Child's Representative, Colorado Network to End Youth Homelessness, Rural Collaborative for Homeless Youth, Project Foster Power.

Other State Agencies

Are other State Agencies (such as HCPF or CDPHE) impacted by these rules? If so, have they been contacted and provided input on the proposed rules?

Yes No

If yes, who was contacted and what was their input?

Sub-PAC

Have these rules been reviewed by the appropriate Sub-PAC Committee?

Yes No

Name of Sub-PAC	Child Welfare		
Date presented	8/5/2021		
What issues were raised?	None		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	Unanimous		
If not presented, explain why.			

PAC

Have these rules been approved by PAC?

Yes No

Date presented	9/2/2021		
What issues were raised?	No		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
	Unanimous		
If not presented, explain why.			

Other Comments

Comments were received from stakeholders on the proposed rules:

Yes No

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If "yes" to any of the above questions, summarize and/or attach the feedback received, including requests made by the State Board of Human Services, by specifying the section and including the Department/Office/Division response. Provide proof of agreement or ongoing issues with a letter or public testimony by the stakeholder.

In addition to the rule drafting task group, the Child Protection Task Group (CPTG), and Child Welfare SubPAC, and Chafee Quarterly Meeting, five stakeholder feedback sessions were held. Additionally, the rule authors held one youth specific public feedback session hosted by Project Foster Power. The following feedback was received:

The Office of the Child's Representative recommended that additional language be added under 7.203.41(C) to ensure that rule accommodate changes should federal law require the waiver of the education and employment requirements. The Division of Child Welfare agrees and added that language to the above referenced section.

Both Larimer and Garfield counties had questions about the definition that is referenced for non-certified kin and wanted to know if it included non-certified kin for whom the county does not have custody and if the language should be expanded beyond the cite to the definition of 'non-certified kin'. After connecting with the subject matter expert for kinship care and the individual making the initial recommendation it was determined that the proposed language is the most appropriate and that additional clarification should be addressed through training, technical assistance, and guidance.

Youth who participated in the youth specific public feedback session asked that DCW add a provision to the appeals rules to ensure that the youth is given an opportunity to speak directly with the CDHS staff who is reviewing the appeal and provide the reasons they believe they are eligible for the program. DCW agrees with this recommendation and added the recommended language to 7.203.42(A)(3).

During the rule drafting sessions Denver asked the group to consider defining how a youth would 'opt-in' to the program in rule 7.203.42(A)(1)(b). The group discussed this issue and decided that adding the specific steps a youth must take or methods a youth must use to opt in would unnecessarily narrow a youth's ability to access the program and the ability for a county to support the youth's process of opting in or out of the program in a way that meets the youth's specific needs.

The rule drafting group discussed the rules requiring all of these cases to be opened as a new program area 6 case versus continuing with the previous case and only changing the youth's participation type. At the end of the conversation the entire rule drafting group was able to come to consensus on the approach taken in the proposed rules; open a new program area 6 case for all Foster Youth in Transition Program cases.

(12 CCR 2509-3)

7.203.4 YOUNG ADULTS WHO HAVE LEFT FOSTER CARE FOSTER YOUTH IN TRANSITION PROGRAM

~~Participation in the Chafee programs or other services that prepare youth for adulthood is voluntary but should be offered to young adults, ages eighteen (18) to twenty one (21). 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

~~Young adults, ages eighteen (18) to twenty one (21), are eligible to receive services to assist them as they continue the transition to adulthood. Services may include independent living assessment, case planning, transitional services, room and board, and other services as identified in the program's plan based on the individual needs and preferences of the youth adult (see Section 7.305).~~ ELIGIBLE YOUTH INCLUDE YOUTH WHO:

- A. ARE 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. HAVE HAD PRIOR FOSTER CARE OR KINSHIP CARE INVOLVEMENT IN ONE OF THE FOLLOWING WAYS:
 - 1. THE YOUTH WAS IN FOSTER CARE, AS DEFINED IN 19-1-103 (51.3), 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 (78.7), 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; AND
- 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. SEEK 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.

7.203.423 County Department Procedures or other service provider procedures FOSTER YOUTH IN TRANSITION PROGRAM SERVICES AND PROCEDURES

- ~~A. The county department of social services or other service provider shall document in the case file the transition services provided.~~
- ~~B. The county department of social services shall complete the Roadmap to Success as a part of the Family Services Plan.~~
- ~~C. Contact requirements shall be defined in consultation with the young adult with face-to-face contact occurring at least quarterly to determine appropriateness of services and continued need of the young adult.~~

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 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. TAKING INTO CONSIDERATION, 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; AND
 - v. THE YOUTH'S PREFERENCE.

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. IF A COUNTY DEPARTMENT HAS LEGAL AUTHORITY FOR PHYSICAL PLACEMENT THROUGH A VOLUNTARY SERVICES AGREEMENT PURSUANT TO 19-7-306, C.R.S.
 - a. THE PARTICIPATING YOUTH'S HOUSING IS 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 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.
 - d. IF A COUNTY DEPARTMENT DOES NOT HAVE LEGAL AUTHORITY FOR PHYSICAL PLACEMENT, SUCH AS WHEN A YOUTH IS NEARING EMANCIPATION AND ENTERING INTO THEIR NEXT HOUSING ARRANGEMENT, THE PARTICIPATING YOUTH MAY:
 - i. RESIDE ANYWHERE THAT THE PARTICIPATING YOUTH IS OTHERWISE ELIGIBLE TO RESIDE OR A LICENSED HOST FAMILY HOME, AS DEFINED IN SECTION 26-5.7-102 (3.5), C.R.S.; AND
 - ii. ACCESS ANY FINANCIAL SUPPORT FOR HOUSING THAT THE PARTICIPATING YOUTH IS OTHERWISE ELIGIBLE TO RECEIVE.
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

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:

1. 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.
2. AT LEAST SEVEN (7) DAYS PRIOR TO THE TRANSITION HEARING THE COUNTY SHALL SUBMIT A REPORT TO THE COURT THAT INCLUDES:
 - a. A DESCRIPTION OF THE COUNTY'S REASONABLE EFFORTS TOWARD ACHIEVING THE YOUTH'S PERMANENCY GOALS AND A SUCCESSFUL TRANSITION TO ADULTHOOD;
 - b. 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;

- c. 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;
- d. 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:
 - i. 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);
 - ii. 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.

- 3. PERMANENCY PLANNING REQUIREMENTS ARE DESCRIBED IN 7.304.54 (12 CCR 2509-4).

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 ~~state-automated case management system~~ 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 ~~state-automated case management system~~ 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.
