

**Title of Proposed Rule:** Changes to Rule as a Result of 2017 Legislation (12 CCR 2509-5)  
**CDHS Tracking #:** 17-06-15-05  
Office, Division, & Program: OCYF, DCW Phone: 303.866.2866  
Rule Author: Paige Rosemond E-Mail: paige.rosemond@state.co.us

**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.*

To be in compliance with legislation passed during the 2017 legislative session, the name of "Division of Youth Corrections" needs to be changed to "Division of Youth Services."

**State Board Authority for Rule:**

Code	Description
26-1-107, C.R.S. (2015)	State Board to promulgate rules
26-1-109, C.R.S. (2015)	State department rules to coordinate with federal programs
26-1-111, C.R.S. (2015)	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
26-1-111, C.R.S. (2015)	State department to promulgate rules for public assistance and welfare activities.
19-2-203(1)(a), C.R.S. (2017),	Division of Youth Corrections name changed by statute to Division of Youth Services

Does the rule incorporate material by reference?  Yes  No  
Does this rule repeat language found in statute?  Yes  No

If yes, please explain.

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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?*

County Departments of Human/Social Services

### 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 changes are strictly technical and change the name for the Division of Youth Corrections to the Division of Youth Services. Therefore, it will not have an impact on County Departments of Human/Social Services.

### 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)

The technical name change may have some fiscal impact to the Department to rebrand any marketing materials, but this impact will not be to the Division of Child Welfare.

County Fiscal Impact

There is no fiscal impact to county departments as these changes only impact the State's rebranding process.

Federal Fiscal Impact

There is no fiscal impact to the federal government as these changes only impact State level practice.

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

NA

### 4. Data Description

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

This name change was a result of legislative efforts to better reflect a continuum of services provided through, what was formally known as, the Division of Youth Corrections.

### 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..."***

Alternatives to this effort were discussed in the stakeholder and legislative committee meetings during the legislative process.

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**OVERVIEW OF PROPOSED RULE**

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

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

 **New**       **Revision**       **Technical Change**       **Repeal**

Rule section and Page #	Type of Change/Modification	Old Language	New Language or Response	Reason/Example/Best Practice	Public Comment None/Detail
7.402.1	Revision	A. Children and youth for whom the county department is assuming full or partial financial responsibility. 1. Children and youth in foster care, including those who are in independent living situations subsequent to being in foster care; 2. Youth committed to the Department of Human Services, Division of Youth Corrections, who are placed in a non-secure community based residential facility or in independent living situations;	A. Children and youth for whom the county department is assuming full or partial financial responsibility. 1. Children and youth in foster care, including those who are in independent living situations subsequent to being in foster care; 2. Youth committed to the Department of Human Services, Division of Youth <del>Corrections</del> SERVICES, who are placed in a non-secure community based residential facility or in independent living situations;	HB 17-1329 requires the modification to the name of DYC to DYS.	Yes, the public was included in stakeholder and legislative committee meetings during the legislative process.

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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):*

CDHS Legislative Liaison, DYC, DCW, Prime Sponsors – Representatives Pete Lee and Lois Landgraf and Senators Don Coram and Daniel Kagan, House Judiciary Committee, House Appropriations Committee, Senate State, Veterans, & Military Affairs Committee, and Senate Appropriations Committee.

**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:*

CDHS Policy Advisory Committee (PAC), Child Welfare Sub PAC, County Departments of Human/Social Services

**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	6/8/17		
What issues were raised?	None		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
If not presented, explain why.			

**PAC**

Have these rules been approved by PAC?

Yes  No

Date presented	6/8/17		
What issues were raised?	None		
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
If not presented, explain why.			

**Other Comments**

Comments were received from stakeholders on the proposed rules:

Yes  No

## (12 CCR 2509-5)

### 7.402.1 PROVISION OF SERVICES [Rev. eff. 12/1/12]

Subject to certain income and resource limitations, medical assistance through the Colorado Medicaid program must be provided to certain children and youth receiving child welfare services as follows:

- A. Children and youth for whom the county department is assuming full or partial financial responsibility.
  - 1. Children and youth in foster care, including those who are in independent living situations subsequent to being in foster care;
  - 2. Youth committed to the Department of Human Services, Division of Youth ~~Corrections~~ SERVICES, who are placed in a non-secure community based residential facility or in independent living situations;