

Title of Proposed Rule: Administering Funds and Standards for Domestic Violence Advocacy Services

CDHS Tracking #: 18-02-22-01

Office, Division, & Program:
OCYF, DVP

Rule Author:
Brooke Ely-Milen

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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.

As part of an internal rule review process, the Domestic Violence Program (DVP) is ensuring that rules clarify requirements, reflect current best practices in the domestic violence field, and align with new federal rules.

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
26-7.5-104 (2), C.R.S (2017)	State department shall establish and enforce rules for all domestic abuse programs established pursuant to this article

Does the rule incorporate material by reference?

Yes

No

Does this rule repeat language found in statute?

Yes

No

If yes, please explain.

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

a. Board Executive Director

b. Regular Emergency

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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?

Two groups are impacted by these rules:

DVP-funded community-based domestic violence advocacy organizations that receive funding from DVP and provide services to survivors of domestic violence and their families will be impacted.

Survivors of domestic violence and their families who receive domestic violence 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?

DVP currently funds 45 community-based organizations that provide domestic violence services. There are minimal burdens on these organizations, such as resources and personnel needed to comply with monitoring requirements. However, DVP funding offsets the minimal burden. There are no anticipated short-term or long-term consequences of these rules.

Survivors of domestic violence and their families who receive services from these organizations will benefit from these rules because they will have assurances that services meet minimum standards and there is a level of consistency among the organizations. There are no anticipated burdens or adverse impacts to survivors. During the period of October 1, 2016 – September 30, 2017, 22,625 adult and child survivors of domestic violence received services from DVP-funded programs.

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)

None

County Fiscal Impact

None

Federal Fiscal Impact

None

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

None

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4. Data Description

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

DVP administers funding from the federal Family Violence Prevention and Services Act and reviewed 45 CFR Part 1370.

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..."

DVP utilizes a statement of work in each contract and monitors to ensure compliance with the contract and rules. DVP also provides funded programs with an Administrative Guide and a Data Reporting Requirement Guide with additional requirements for the contract.

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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
12.200.2 (new number)	Definitions needed	None	Add definitions of several terms relevant to the DVP rules.	The terms were previously undefined and new definitions will ensure the intent of the rules is clear.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.200.3 (new number)	Conflict of interest	An Advisory Committee will be established to provide feedback regarding the DVP's direction, which may include establishing priorities for making awards for funding.	Remove wording regarding establishing priorities for making awards for funding.	The Advisory Committee membership consists of at least two representatives from DVP-funded organizations. It is a conflict of interest for them to establish priorities for awards for funding. Awards for funding must be made through the state procurement code. DVP maintains a funding committee that establishes the priorities for funding awards.	The DVP Advisory Committee discussed this conflict of interest at their retreat in September 2017. No concerns were noted at the retreat.
12.200.4 (new number)	Repeated procurement code	The rules listed the requirements of the announcement for funding.	Remove announcement criteria	DVP abides by the requirements in the state procurement code.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.200.4 (original number)	Repeated language in statute	Repeated 26-7.5-104, authorizing CDHS to enter into contracts and requiring contractors to comply with rules	Delete entire section	Not necessary to repeat statute; compliance with rule can be attained with contracts	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.200.5 (original number)	Clarifications needed	Used term action plan Strict process to request a timeline extension Timelines could potentially be extended indefinitely by Advisory Committee	Replace action plan with "report" Informal process to request a timeline extension Compliance must be attained in six months Advisory Committee can only hear appeals of restrictions placed on funding	Simplifies and clarifies the process	Feedback from a DVP-funded program received 4/11/18 as noted on page 10.

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Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
12.200.6 (original number)	Modifications requested by DVP staff	Rule requires DVP staff to bring all complaints to the Advisory Committee.	Advisory Committee shall advise DVP staff how to proceed with reviewing complaints and shall hear complaints pertaining only to violations of rule.	Not all complaints rise to the level of a potential rule violation. It is not a good use of the Advisory Committee's resources to review complaints that are not related to rule violations. DVP staff can screen complaints and resolve non-rule violations through other means.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.200.7 (original number)	Concerns raised regarding definition of critical incident	Critical incidents included legal actions and death notifications.	Critical incidents are limited to issues that impact a funded program's ability to comply with DVP requirements.	Changes are better aligned with appropriate role for DVP as a funding agency	Changes received from a former Advisory Committee member in September 2017.
12.201 (original number)	Title change to reflect intent	Programmatic and Administrative Rules for Funded Entities	Operations and Administrative Rules	The term "programmatic" was misleading – rules did not apply to services for clients	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.1 (original number)	Title change to reflect intent and clarify that these are operation rules	Provided definitions.	Remove definitions and relocated to definitions section in 12.200	More efficient to put all definitions in one section.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.2 (original number)	Confidentiality requirements	Prescriptive policy requirements	Clarify record keeping requirements and written policies needed.	Aligns with federal and state confidentiality requirements.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.3 (original number)	Clarifications need for data requirements	Establishes data and reporting requirements	Remove section	Data management is better handled through RFP and contracting	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.3 (new number)	Clarifications need for fiscal requirements	References CFR	Remove reference to outdated CFR	Compliance with federal financial management requirements can be obtained via contracting	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.

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Rule section Number	Issue	Old Language	New Language or Response	Reason / Example / Best Practice	Public Comment No / Detail
12.201.3, B., 1. And 2.	Clarifications need for fiscal requirements	Establishes thresholds for when a fund program must submit an audit	Establish a revised threshold	Revised language aligns with original intent and will not have to be updated.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.5 (new number)	Clarifications need for general operations and administrative requirements	Establishes minimum requirements for general operations and administration	Clarify that written policies must be approved according to their internal approval policies Remove reference to insurance requirement Clarify that fire safety inspections are only required for residential facilities operated by a funded program	Ensure that the board of directors or other governing body has oversight of safe operations Insurance can be required through contracting It is burdensome to require fire safety inspections for all locations where advocacy is provided due to mobile advocates and co-located staff programs may have more than 20 sites in a given month	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.6	Clarifications need for personnel requirements	Establishes minimum requirements for personnel and volunteers	Removes references to volunteers and establishes specific requirements for personnel records.	Ensure that organizations maintain separate policies for paid employees and volunteers, as certain policies such legal employment rights only apply to paid employees. Ensure that funded programs are maintaining personnel records that can be verified.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.201.7	Clarifications need for volunteer requirements	New section	New section	See above	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.202.1	Clarifications need for purpose of victim advocacy requirements	New section	New section	Aligns with 12.201	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.202.2 (new number)	Clarifications need for crisis Response Services Requirements	Outdated references	Updated references to statute	Correct errors and omissions	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.

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12.202.3 (new number)	Clarifications need for advocacy Requirements	Omitted certain federal requirements and requirement of programs to inform clients of their rights when accessing services	Clarify federal requirements Require programs to inform clients of their rights	Best practices and federal requirements and ensure that these requirements apply to both residential and nonresidential services	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.202.4 (new number)	Clarifications need for residential advocacy requirements	Certain requirements that apply only to programs with residential services	Services for underserved populations applied only to residential services	Ensure that underserved populations are served appropriately in residential and non-residential services.	All proposed changes in the first draft were reviewed by the Rules Review Task Group and sent to all stakeholders for comment. Specific changes are noted throughout.
12.202.5 (new number)	Clarifications need for advocacy services for children and youth	Requirements only applied to programs that served children	Require all residential programs to have certain requirements for children and youth Clarify requirements for teen advocacy	Ensure that minors are served with best practices	Feedback from a DVP funded program received 4/11/18 as noted on page 10.

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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):

DVP worked with our Advisory Committee and a Rules Review Task Group to obtain stakeholder feedback and input.

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:

DVP contacted all of the programs that currently receive funding from DVP.

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			
Date presented			
What issues were raised?			
Vote Count	<i>For</i>	<i>Against</i>	<i>Abstain</i>
If not presented, explain why.	Per communication from Chantalle Hanschu on 3/7/18, DVP rules should go directly to PAC instead of going through any sub-PAC because DVP does not have an official sub-PAC.		

PAC

Have these rules been approved by PAC?

Yes No

Date presented	4/5/18		
What issues were raised?			
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.

Comments	DVP Response
General Comment: "Looks good to us, and changes make sense. Thanks for doing this."	DVP appreciates the feedback.
General Comment: "Overall, I feel like in the expanse of my career I have observed funders become more and more involved in micromanaging how local Board of Directors and programs should run our programs. I understand that there are certain guidelines that are dictated by the feds, but I also see local controls being eroded each time rule changes come about. For programs with small staffs these constant shifts and endless documents and continuing changes are daunting. Although, DVP is one of the grantors that provides funding for administration the percentages aren't enough to cover the amount of staff time that it takes to keep up with all the reporting and all the changes and etc. It makes it difficult to separate the percentages of administration, direct service, fundraising, community outreach and training staff and volunteers. It creates stress in a stressful environment. I have always believed that our priorities should be direct service for all victims, but the rules and the bureaucracy have increased to the point where we are told that is still a priority but is it really? I feel like it would be arrogant of me to say that I would understand how to administer a program in Boulder or Denver, but I do know what my community expects from our agency and I feel like local program control is being placed behind the rules from funders."	DVP recognizes these concerns and is always looking for ways to reduce the administrative burden on the DVP-funded programs, regardless of their size or location. For example, DVP created the CAFÉ database, which can automate reporting not only to DVP, but also to other funders that support domestic violence advocacy services. DVP requires an on-site visit once every four years for most programs, which means the burden of showing compliance with these rules is not an ongoing effort. DVP has determined that site visits once every four years are consistent with practices in other states and align with the DVP contract awards, which are re-bid once every four years.
Re: 12.200.5 "Has there been discussion of adding an appeals section? I think it may be useful- there are a couple of places in the rules that mention it but there isn't a spot that I can see where it outlines the entire process. Also, having timelines for both the appealing program and DVP response may be useful."	DVP-funded programs may appeal decisions regarding restrictions placed upon funding. These appeals are made to the DVP Advisory Committee and must be made within 30 days of notification of restriction. DVP will issue a written decision regarding the outcome of the appeal within 60 days.
Re: 12.200.6, "Does there need to be more clarification as to how the complaints will be handled?"	DVP is proposing a revision to this rule to clarify that the Advisory Committee will advise DVP regarding the complaint process and may hear complaints that rise to the level of a rule violation. Additional clarification regarding the complaint process is available on the DVP website as well as the DVP Administrative Guide.
Re: 12.200.7, "What happens if attorneys are involved and they prevent such information [critical incident] from being shared? If a client, employ yee, volunteer, or BOD have an attorney, they may request that such information is not released."	DVP is proposing a revision to clarify that reporting of critical incidents is limited to activities that impact the funded program's ability to comply with the contract. For example, a funded program would be expected to report that there is an interim executive director at the organization to ensure that DVP is aware who is responsible for complying with the contract, but the program does not have to disclose why previous staff may have left the organization.
Re: 12.200.7, "I still am not in agreement with this requirement. Is there another entity that is requiring DVP to request this information? No other funder requires this. Again, I have concerns about sharing information about an employee, board, volunteer, client, etc. that they may not want shared."	See notes above. DVP is the only funder of domestic violence advocacy programs that is required by state statute to establish standards that pertain to these programs. No other state agency has this type of quasi-regulatory authority. DVP believes it is the best interest of limited funding resources that this requirement, among others, continue to ensure that resources are allocated to programs that comply with these minimal standards.

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Comments	DVP Response
Re: 12.201.2, "Should we also add a statement regarding mandatory reporting for elder abuse and at-risk adults?"	No. Domestic violence advocates are not required to report abuse toward elderly or at-risk adults. This rule aligns with current state statute.
Re: 12.201.5, "It still feels like overkill in terms of all you require to see and mandate – especially when it comes to NPO [nonprofit organization] best practices versus DV-service related compliance. FVPSA [Family Violence Prevention and Services Act] requirement should lead and DVP should not be in the business of assessing our Boards nor our NPO practices."	See notes above. DVP believes NPO best practices are well-suited for standards for domestic violence advocacy organizations to ensure organizations that receive funding are well-positioned to fulfill their missions and excel as stewards of public resources."
Re: 12.201.5, "General Operations and Administrative Requirements says "Adds language to clarify that these documents must be approved by a governing body." – it is unclear what documents are being referenced but in general it is not best practice for operating and administrative policies to be approved by a governing body. A board of directors for a large non-profit should provide guidance and approval around strategic matter not day to day operations. You should add that the Board may delegate these approvals to staff which is norm in large well run non-profits."	DVP agrees – in part. DVP funded programs vary considerably in size, scope and resources, and most are not what would be considered a "large" nonprofit. Therefore, DVP thinks it is appropriate to include language that any written policies must be approved according to the funded program's internal policy approval process.
Re: 12.201.7, A., 6, "what is the reasoning behind a program being required to report reasons for not hiring someone due to a felony etc.? Shouldn't the programs Board of Directors be the overseers of reasons of employing someone or not employing them and shouldn't those reasons be kept confidential within the programs files?"	This is not a reporting requirement. DVP is proposing to require programs to adopt a policy declaring under what conditions they would exclude someone from hire within the organization. It is entirely up to the program to determine those conditions. DVP will not require programs to report when someone is hired or not hired within an organization.
Re: 12.202.3, "[working with county child protection officials] would this not apply to children receiving services in non-residential programs as well? For example, children receiving therapy?"	Yes – it should apply. DVP is proposing changes to rule that align this requirement as applicable to the entire program services, not just residential services.
Re: 12.202.3, "[locked storage of medication] we moved away from [staff] dispensing medication a few years ago. Highly recommend all programs do this."	DVP agrees and will continue this rule to monitor programs to ensure compliance.
Re: 12.202.3, "[safety protocols] with client turnover in shelter, I am concerned that programs would have to be doing safety drill weekly to ensure that all clients participate in drills or is this more directed for staff so they know what to do in the event of an emergency?"	This rule does not establish the frequency with which a program would be required to conduct a safety drill. Safety protocols should be accessible to advocates and clients and the program would determine how often to conduct them given the size and scope of the program.
Re: 12.202.4, "[children and youth services] I am not sure all programs have the staff or financial resources to make this happen on a regular basis."	The rules pertaining to children and youth advocacy only apply to programs that have these services and recreational opportunities can be provided if it is feasible for the program to do so.
Re: 12.202.5, "I completely support the spirit of this rule, which is to ensure that children are receiving quality services and having their needs addressed while in shelter. The expectation behind this rule is that residential programs should operate in a manner to have these conversations (when age appropriate) with a child instead of their caregiver. The word "ensure" does not clearly communicate that a parent could opt out of this. I am requesting that DVP consider modifying language to clearly communicate the following: A) support parents "opting in" to shelter staff engaging in conversations with their child(ren), and, B) support programs in conducting assessments through conversations with the primary caregiver who can consent to services on behalf of their children."	DVP appreciates these concerns and has proposed modifications to the revisions to include language that advocates will offer to provide children and youth with a voluntary intake and assessment.

(12 CCR 2512-2)

12.200 DOMESTIC VIOLENCE PROGRAM (DVP)

12.200.1 Purpose [Rev. eff. 5/1/13]

These rules set forth policies concerned with administering funding to support the provision of a statewide network of services to reduce the incidence of domestic violence in Colorado.

12.200.2 DEFINITIONS

FOR THE PURPOSES OF THESE RULES, THE FOLLOWING DEFINITIONS ARE USED:

- A. "BEHAVIORAL HEALTH CONDITIONS" ARE DEFINED ILLNESS SUCH AS MENTAL HEALTH ~~CONCERNS~~ DISORDERS OR ALCOHOL OR SUBSTANCE MISUSE ~~BEHAVIORS~~ DISORDERS THAT DOMESTIC VIOLENCE VICTIMS MAY EXHIBIT.
- B. "CLIENT" ~~IS DEFINED AS~~ MEANS A VICTIM OF DOMESTIC VIOLENCE WHO REQUESTS AND RECEIVES SERVICES FROM A ~~DOMESTIC VIOLENCE VICTIM ADVOCATE FUNDED PROGRAM.~~ CLIENTS MAY BE ADULTS OR MINOR CHILDREN.
- C. "DOMESTIC VIOLENCE ADVOCACY" ~~IS DEFINED~~ MEANS ACTIVITIES PERFORMED BY INDIVIDUALS ~~TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S.,~~ WHO WORK FOR OR VOLUNTEER FOR AN ORGANIZATION OR A PROGRAM WITH A MISSION TO RESPOND TO AND/OR PREVENT DOMESTIC VIOLENCE. DOMESTIC VIOLENCE ADVOCACY ACTIVITIES MAY BE PROVIDED BY INDIVIDUALS TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S. AS WELL AS OTHER PROFESSIONALS. DOMESTIC VIOLENCE ADVOCACY IS CONDUCTED IN PARTNERSHIP WITH VICTIMS OF DOMESTIC VIOLENCE AND MAY INCLUDE BUT IS NOT LIMITED TO PROVIDING INFORMATION ABOUT VICTIM RIGHTS, PRESENTING AN ARRAY OF OPTIONS VICTIMS MAY TAKE TO INCREASE THEIR SAFETY, ENGAGING WITH THE VICTIM TO CREATE A SAFETY PLAN, INCREASING VICTIMS' KNOWLEDGE OF AND ACCESS TO AVAILABLE COMMUNITY RESOURCES, ACTING IN AN EMPATHETIC MANNER THAT ENCOURAGES VICTIMS TO SELF-DETERMINE STRATEGIES THAT LEAD TO ENHANCED WELL-BEING, ~~AND~~ SUPPORTING VICTIMS INFORMAL AND FORMAL SOCIAL SUPPORT SYSTEMS AND, ~~-~~ ~~DOMESTIC VIOLENCE ADVOCACY MAY ALSO INCLUDE ACTIVITIES SUCH AS PROVIDING COMMUNITY EDUCATION OR PREVENTION. DOMESTIC VIOLENCE ADVOCACY DOES NOT INCLUDE ACTIVITIES PERFORMED ON BEHALF OF OR WITH PERPETRATORS OR OFFENDERS OF DOMESTIC VIOLENCE.~~
- D. "DOMESTIC VIOLENCE VICTIM ADVOCATE" ~~IS DEFINED~~ MEANS AS AN EMPLOYEE OR VOLUNTEER, ~~TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S.,~~ WHO WORKS OR VOLUNTEERS FOR AN ORGANIZATION OR A PROGRAM WITH A MISSION TO RESPOND TO AND/OR PREVENT DOMESTIC VIOLENCE. ADVOCATES ~~SHALL~~ MAY RECEIVE SPECIALIZED TRAINING TO BE KNOWLEDGEABLE ABOUT THE DYNAMICS OF DOMESTIC VIOLENCE, HOW DOMESTIC VIOLENCE IMPACTS VICTIMS, HOW TO ENGAGE WITH VICTIMS IN SAFETY PLANNING, ~~AND~~ HOW TO OFFER EMOTIONAL SUPPORT, INFORMATION AND REFERRALS, AND HOW TO PROVIDE CRISIS INTERVENTION, VICTIMS' RIGHTS INFORMATION, AND OTHER ASSISTANCE TO VICTIMS AND THEIR DEPENDENTS. ADVOCATES MAY ALSO PROVIDE COMMUNITY EDUCATION OR ENGAGE IN ACTIVITIES AIMED AT PREVENTING DOMESTIC VIOLENCE. ~~AS DEFINED IN THESE RULES,~~ ADVOCATES DO NOT PROVIDE SERVICES TO PERPETRATORS OR OFFENDERS OF DOMESTIC VIOLENCE. ADVOCATES MAY PROVIDE CONFIDENTIAL SERVICES IN ACCORDANCE WITH SECTION 13-90-107, C.R.S., LEGAL SERVICES, OR SERVICES TO ADDRESS VICTIMS' BEHAVIORAL HEALTH CONDITIONS IF THEY ARE QUALIFIED TO DO SO.

- E. "DOMESTIC VIOLENCE" IS AS DEFINED IN SECTION 18-6-800.3, C.R.S. AND ALSO INCLUDES NON-CRIMINAL ACTS THAT COMPRISE A PATTERN OF ABUSIVE BEHAVIOR IN A CURRENT OR FORMER INTIMATE RELATIONSHIP, MARRIAGE, SAME-SEX PARTNERSHIP, OR A DATING RELATIONSHIP. THESE BEHAVIORS MAY INCLUDE BUT ARE NOT LIMITED TO PHYSICAL VIOLENCE, INTIMIDATION, CONTROL, COERCION, SEXUAL COERCION, EMOTIONAL MANIPULATION, ECONOMIC ABUSE, OR OTHER PSYCHOLOGICAL TACTICS THAT MAY HARM A PERSON.
- F. "DOMESTIC VIOLENCE VICTIM" IS DEFINED AS MEANS AN INDIVIDUAL WHO EXPERIENCES DOMESTIC VIOLENCE OR DOMESTIC ABUSE AS DEFINED IN 26-7.5-102, C.R.S..
- G. "FUNDED PROGRAM" IS DEFINED AS MEANS AN ORGANIZATION THAT RECEIVES FUNDING FROM THE COLORADO DEPARTMENT OF HUMAN SERVICES, DOMESTIC VIOLENCE PROGRAM.
- H. "NON-RESIDENTIAL DOMESTIC VIOLENCE ADVOCACY SERVICES" IS DEFINED AS MEANS DOMESTIC VIOLENCE ADVOCACY SERVICES AS DEFINED ABOVE FOR CLIENTS WHO DO NOT RESIDE IN A RESIDENTIAL FACILITY OR OTHERWISE RECEIVE RESIDENTIAL SERVICES. AN ARRAY OF ADVOCACY OR OTHER SUPPORTIVE SERVICES AVAILABLE TO VICTIMS OF DOMESTIC VIOLENCE. THESE SERVICES ARE PROVIDED BY ADVOCATES TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S. WHO ARE EMPLOYED BY AN ORGANIZATION OR A PROGRAM WITH A MISSION TO RESPOND TO AND/OR PREVENT DOMESTIC VIOLENCE.
- I. "PERSONALLY IDENTIFYING CLIENT INFORMATION" IS MEANS DATA OR INFORMATION COLLECTED BY A DVP FUNDED PROGRAM ABOUT A CLIENT RECEIVING DOMESTIC VIOLENCE ADVOCACY INCLUDING, BUT NOT LIMITED TO CLIENT NAME, A HOME OR PHYSICAL ADDRESS, INFORMATION REGARDING THE CLIENT'S WHEREABOUTS OR LOCATION, CONTACT INFORMATION SUCH AS A POST OFFICE BOX OR EMAIL ADDRESS, A SOCIAL SECURITY NUMBER, DRIVER LICENSE NUMBER, PASSPORT NUMBER, DATE OF BIRTH OR AGE, GENDER EXPRESSION OR IDENTITY, RACIAL OR ETHNIC BACKGROUND, RELIGIOUS AFFILIATION, OR DISABILITY. NON-AGGREGATED PERSONALLY IDENTIFYING CLIENT INFORMATION SHALL NOT BE SHARED BY A DVP FUNDED PROGRAM WITH AN EXTERNAL PARTY WITHOUT THE EXPRESS WRITTEN CONSENT OF THE CLIENT.
- J. "RESIDENTIAL FACILITY" IS DEFINED AS MEANS A LOCATION SUCH AS A SHELTER, HOUSE, OR TRANSITIONAL HOUSING SITE WHERE A DOMESTIC VIOLENCE VICTIM RECEIVES TEMPORARY HOUSING AND ADVOCACY SERVICES. AND AN ORGANIZATION OR A PROGRAM WITH A MISSION TO RESPOND TO AND/OR PREVENT DOMESTIC VIOLENCE OWNS OR LEASES THE LOCATION, OPERATES THE FACILITY, AND IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP. A "RESIDENTIAL FACILITY" MAY INCLUDE COMMUNAL-STYLE LIVING QUARTERS, OR INDIVIDUAL APARTMENTS OR UNITS FOR RESIDENTS.
- K. "RESIDENTIAL SERVICES" IS DEFINED AS MEANS DOMESTIC VIOLENCE ADVOCACY SERVICES AS DEFINED ABOVE FOR CLIENTS RESIDING IN AN ARRAY OF ADVOCACY OR OTHER SUPPORTIVE SERVICES AVAILABLE TO VICTIMS OF DOMESTIC VIOLENCE AT A RESIDENTIAL FACILITY OR AT A MOTEL, HOTEL, OR OTHER LOCATION LODGING PAID FOR BY A FUNDED PROGRAM. THESE SERVICES ARE PROVIDED BY ADVOCATES TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S. WHO ARE EMPLOYED BY AN ORGANIZATION OR A PROGRAM WITH A MISSION TO RESPOND TO AND/OR PREVENT DOMESTIC VIOLENCE.

12.200.23 Domestic Violence Program (DVP) Advisory Committee [~~Rev. eff. 1/1/16~~]

An Advisory Committee will be established to provide feedback regarding the DVP's direction, ~~which may include establishing priorities for making awards for funding.~~ The Advisory Committee's roles, responsibilities, and membership shall be determined by the Committee and, at a minimum, shall consist of:

- A. Individuals who are knowledgeable in the field of domestic violence;
- B. Individuals who are knowledgeable in nonprofit management and/or grant making;
- C. Individuals representing community-based programs and government agencies;
- D. At least one representative from the Colorado Coalition Against Domestic Violence; and,
- E. At least two representatives for programs that receive funding from DVP.

12.200.3.4 ~~Announcements of Availability of Funding~~ [~~Rev. eff. 1/1/16~~]

The DVP will announce availability of funding and solicit responses as required by the State Procurement Code (24-101-101, C.R.S., et seq.). ~~The announcement must include, at a minimum:~~

- ~~A. Established criteria for making funding award determinations;~~
- ~~B. A process used to notify applicants of the outcome of their application;~~
- ~~C. A procedure available to applicants to protest the outcome of their application; and,~~
- ~~D. Other requirements as required by state or federal law.~~

12.200.3 ~~Contracts~~ [~~Rev. Eff. 1/1/16~~]

- ~~A. Per Section 26-7.5-104, C.R.S., the Colorado Department of Human Services may enter into contracts or agreements for services with any entity eligible for funding that fulfills the requirements of the application.~~
- ~~B. All entities awarded a contract shall agree to all terms and conditions of the contract, up to and including compliance with the rules as set forth in Section 12.201 and 12.202.~~

12.200.5 Funded Program Monitoring and Compliance [~~Rev. eff. 1/1/16~~]

- A. Funded programs shall comply and cooperate with monitoring, which may include on-site visits, financial desk reviews, quality assurance reviews, or REVIEWS FOR COMPLIANCE WITH other federal or state requirements.
- B. ~~DVP may take one or more of the following actions where the funded program is found to be non-compliant with one or more of the DVP rules in Sections 12.201 and 12.202 or the terms of the DVP contract for funding:~~
 - ~~1. Develop an action plan with steps and timelines for the funded program to achieve compliance;~~
 - ~~2. Temporarily restrict access to funding until compliance issues are remedied; or,~~
 - ~~3. Deny further funding including current contract obligations if compliance is not reached, the action plan fails, or DVP receives evidence of wrongdoing; or,~~

4. ~~Extend timelines for full compliance if all of the following conditions exist:~~
- a. ~~The authorized official of the funded program submits a written request to extend the timeline for compliance to DVP;~~
 - b. ~~The request describes or lists the minimum rule for which the extended timeline is requested and the reason why the funded program is unable to comply with the current timeline;~~
 - c. ~~The funded program documents an alternative means of compliance, temporary substitution to indicate its intent to comply with the rule, and/or a clear, detailed plan for full eventual compliance with the rule within one year; and,~~
 - d. ~~DVP reviews the request for an extension with the Advisory Committee and receives a recommendation to grant the extension if it does not jeopardize the safety or health of clients, does not have a detrimental effect on the provision of services to clients, and the original timeline presents a clear financial or otherwise undue burden on the funded program.~~

~~5. If full compliance is not attained within one year, DVP may cancel the contract.~~

B. DVP SHALL PROVIDE FUNDED PROGRAMS WITH NOTICE OF ALL PLANNED MONITORING EFFORTS. MONITORING MAY OCCUR AT REGULAR INTERVALS OR AT RANDOM PERIODS IF DVP IS AWARE OF PROGRAMMATIC OR OPERATIONAL CHANGES AT A FUNDED PROGRAM THAT MAY IMPACT COMPLIANCE.

C. UPON CONCLUSION OF A MONITORING EFFORT, DVP WILL PROVIDE FUNDED PROGRAMS WITH A WRITTEN REPORT CONTAINING THE FOLLOWING ITEMS:

- 1. THE AREAS DVP REVIEWED DURING THE MONITORING ACTIVITY;
- 2. RECOMMENDATIONS FOR THE FUNDED PROGRAM TO MAKE IMPROVEMENTS TO PROGRAMMATIC SERVICES OR OPERATIONS;
- 3. AREAS OF NON-COMPLIANCE WITH DVP RULES, THE CONTRACT FOR FUNDING, OR OTHER STATE OR FEDERAL REQUIREMENTS; AND,
- 4. A TIMELINE FOR ATTAINING COMPLIANCE WITH AREAS OF NON-COMPLIANCE.

D. FUNDED PROGRAMS MAY REQUEST AN EXTENSION OF THE TIMELINE FOR ATTAINING COMPLIANCE.

E. IF A FUNDED PROGRAM IS NOT ABLE TO ATTAIN FULL COMPLIANCE WITHIN 180 DAYS OF THE DATE THE REPORT WAS ISSUED, DVP MAY TEMPORARILY RESTRICT ACCESS TO CONTRACT FUNDING UNTIL FULL COMPLIANCE IS ATTAINED.

F. IF A FUNDED PROGRAM IS NOT ABLE TO ATTAIN FULL COMPLIANCE WITHIN 365 DAYS OF THE DATE THE REPORT WAS ISSUED, DVP MAY CANCEL THE CONTRACT.

~~G.G. A funded program may appeal decisions regarding action plans, restrictions placed upon funding, or denial of further funding:~~

- 1. For the purposes of these rules, an appeal is defined as an action that a funded program may take if the funded program disagrees with ~~the terms of the action plan~~ THE DECISION TO RESTRICT ACCESS TO CONTRACT FUNDING.

2. ~~A funded program shall claim one or more of the following circumstances to be considered for an appeal:~~
 - a. ~~The timeline is unreasonable.~~
 - b. ~~Discriminatory or unethical behavior occurred in the development of the action plan.~~
 - c. ~~Compliance cannot be reasonably obtained or efforts will cause undue harm.~~
- 3.2. All appeals shall be made in writing within thirty (30) business days of issuance of ~~plan or~~ notification of funding restrictions ~~or denials of further funding~~ to the DVP Advisory Committee.
- 4.3. The Advisory Committee shall review the appeal and provide the DVP with a recommended course of action.
- 5.4. DVP shall issue a written decision to the program within sixty (60) days of receipt of appeal.
- 6.5. The written DVP decision shall be the final agency decision.

12.200.6 ~~Complaints [Rev. eff. 1/1/16]~~

The DVP Advisory Committee SHALL ADVISE DVP REGARDING HOW TO PROCEED WITH REVIEWING ~~COMPLIANTS COMPLAINTS~~ AND shall hear and record complaints from concerned citizens, victims or survivors of domestic violence, clients of funded programs, employees or volunteers of funded programs, ~~and other concerned parties regarding services provided or denied at funded programs,~~ REGARDING potential violations of rules in SectionS 12.201 AND 12.202., ~~or other matters pertaining to the operation of a DVP-funded program.~~

12.200.7 ~~Critical Incident Reporting [Rev. eff. 1/1/16]~~

Funded programs ~~must~~ SHALL inform DVP of critical incidents impacting the funded program PROGRAM'S ABILITY TO MEET CONTRACTUAL OBLIGATIONS, COMPLY WITH DVP RULES, PROVIDE SAFE SERVICES FOR VICTIMS, MAINTAIN SAFE OPERATIONS OF THE PROGRAM, OR SUSTAIN PRUDENT FINANCIAL STEWARDSHIP OF RESOURCES. ~~including, but not limited to:~~

- A. ~~Civil or criminal legal action taken against or on behalf of the funded program, employees, board members, volunteers, or other individuals associated with the operation or governance of the organization or program related to the performance of official duties such as embezzlement of funds; and,~~
- B. ~~Death of an employee, board member, volunteer, client, or other individual associated with the operation or governance of the organization or program that occurred during the performance of official duties or during the provision of services at a residential or non-residential service site.~~

12.201 ~~Programmatic OPERATIONS and Administrative Rules for Funded Entities PROGRAMS~~

12.201.1 ~~Purpose of Programmatic OPERATIONS and Administrative Rules [Rev. eff. 1/1/16]~~

These rules, in accordance with Section 26-7.5-104, C.R.S., shall serve as minimum OPERATIONS AND ADMINISTRATIVE requirements for PROGRAMS FUNDED WHOLLY OR IN PART BY DVP. ~~delivery of free and confidential services to primary and secondary victims of domestic violence to also include community services as well as procedures for operations for programs receiving DVP funding. Domestic Violence ABUSE Programs, as defined in Section 26-7.5-103, C.R.S., that currently do not receive DVP funding should use these rules to begin the process of establishing programs. Programs that currently~~

receive DVP funding shall adhere to these rules to maintain funding from the DVP. ALL POLICIES SHALL BE WRITTEN AND APPROVED ACCORDING TO THE FUNDED PROGRAM'S INTERNAL POLICY APPROVAL PROCESS.

12.201.2 Confidentiality Requirements [Rev. eff. 1/1/16]

All programs funded wholly or in part by DVP shall HAVE THE FOLLOWING WRITTEN OPERATIONS AND ADMINISTRATIVE POLICIES, WHICH ARE APPROVED BY THE FUNDED PROGRAM'S BOARD OF DIRECTORS OR OTHER GOVERNING BODY, IN PLACE TO ENSURE PROTECTION OF CONFIDENTIAL CLIENT COMMUNICATIONS: ~~adhere to the following in the delivery of domestic violence services:~~

- A. ~~Ensure~~ TRAINING FOR employees and volunteers ~~servng as advocates~~ WHO PROVIDE ADVOCACY OR HAVE ACCESS TO PERSONALLY IDENTIFYING CLIENT INFORMATION TO receive fifteen (15) or more hours of domestic violence-related training, per Section 13-90-107, C.R.S., prior to PROVIDING ADVOCACY OR HAVING ACCESS TO PERSONALLY IDENTIFYING CLIENT INFORMATION ~~engaging in the provision of direct services to primary and secondary domestic violence victims.~~

- ~~B. Require employees and volunteers trained in accordance with Section 12.201.3, A, above, to assert a claim to privileged communications with primary and secondary domestic violence victims unless the victim has waived the privilege.~~

- C.B. ~~Maintain~~ PROTECTING confidential CLIENT ADVOCACY communications to minimally include MAINTENANCE AND DESTRUCTION OF, AND ACCESS TO THE FOLLOWING RECORDS BY INDIVIDUALS QUALIFIED PER SECTION 12.201.2, A, ABOVE UNLESS A FUNDED PROGRAM HAS RECEIVED EXPRESS WRITTEN CONSENT OF THE CLIENT TO RELEASE NON-AGGREGATED PERSONALLY IDENTIFYING INFORMATION TO A THIRD PARTY:
 - 1. Client and case file records;
 - 2. ELECTRONIC Data collection systems;
 - 3. ~~Client meeting notes;~~ ELECTRONIC CLIENT COMMUNICATIONS SUCH AS E-EMAIL AND TEXT MESSAGES;
 - 4. Communication logs ADVOCATES USE TO COMMUNICATE AMONG EACH OTHER;
 - 5. Advocacy or counseling MEETING notes;
 - 6. CLIENT communications through an interpreter or translator; or,
 - 7. Any other documents or materials produced by the program containing personally identifying client information.

- ~~D. Develop and maintain a written policy regarding confidential communications to minimally include:~~
 - 1. ~~Use of voluntary, specific, written, dated, time-limited releases of information to include informed consent;~~
 - 2. ~~Client record keeping policies and procedures including document retention and destruction policies;~~
 - 3. ~~Clients' rights to access their individual written case file records;~~
 - 4. ~~Employee and volunteer access to client files on a strict need-to-know basis only within prescribed professional standards;~~

5. ~~Employee, volunteer, and board of directors, advisory board or other governing body confidentiality agreements;~~
 6. ~~Protocol and procedures for responding to subpoenas for testimony and/or access to client files;~~
 7. ~~Notifications of exceptions to confidentiality as prescribed by statute to minimally include reporting of known or suspected child maltreatment; and,~~
 8. ~~Notifications of confidentiality parameters for employees or volunteers acting within other professional standards such as licensed social workers or licensed or unlicensed counselors.~~
- C. RESPONDING TO SUBPOENAS DIRECTING AN EMPLOYEE OR VOLUNTEER TO TESTIFY OR DIRECTING ACCESS TO CONFIDENTIAL CLIENT COMMUNICATIONS IN B, ABOVE.
- D. MAKING MANDATORY REPORTS OF KNOWN OR SUSPECTED CHILD MALTREATMENT IN ACCORDANCE WITH STATUTE.
- E. RESPONDING TO THE FOLLOWING CIRCUMSTANCES WITHIN THE CONFINES OF CONFIDENTIAL CLIENT COMMUNICATIONS:
1. CLIENT REQUEST FOR RELEASE OF INFORMATION TO A THIRD PARTY;
 2. CLIENT MEDICAL EMERGENCIES WHEN THE CLIENT IS UNABLE TO GIVE CONSENT FOR SUMMONING EMERGENCY MEDICAL SERVICES;
 3. SITUATION WHERE A CLIENT IS DETERMINED TO POSE A DANGER TO SELF OR OTHERS;
 4. KNOWN OR SUSPECTED CLIENT CRIMINAL ACTIVITY OR BEHAVIOR;
 5. LAW ENFORCEMENT REQUEST FOR RESIDENTIAL FACILITY ACCESS TO SERVE A WARRANT OR SUBPOENA ON A CLIENT; AND,
 6. WORKING WITH COUNTY AND COURT OFFICIALS, SUCH AS A GUARDIAN AD LITEM, WHEN A FAMILY IS INVOLVED WITH CHILD PROTECTION OR CUSTODY MATTERS;
- F. ESTABLISHING A SEPARATE SET OF CONFIDENTIALITY, MANDATORY REPORTING, AND DUTY TO WARN PARAMETERS FOR EMPLOYEES OR VOLUNTEERS ACTING WITHIN OTHER PROFESSIONAL STANDARDS SUCH AS ATTORNEYS, LICENSED SOCIAL WORKERS OR LICENSED OR UNLICENSED COUNSELORS, AND PARAMETERS FOR REQUIRED DISCLOSURES OF SUCH OBLIGATIONS TO CLIENTS.

12.201.3 REPORTING REQUIREMENTS

ALL PROGRAMS FUNDED WHOLLY OR IN PART BY DVP SHALL SUBMIT REGULAR REPORTS TO DVP PER CONTRACT REQUIREMENTS TO MINIMALLY INCLUDE BUT NOT BE LIMITED TO FEDERALLY REQUIRED DATA AND DATA REQUIRED BY SECTION 26-7.5-104 (2) (B), C.R.S.

12.201.3 ~~Statistical Data Collection and Record Keeping Requirements [Rev. eff. 1/1/16]~~

~~All programs funded wholly or in part by DVP shall adhere to the following in the delivery of domestic violence services:~~

- A. ~~Maintain individual client case records for a minimum of three years, per CDHS contract requirements, or until successful resolution of monitoring, as outlined in Section 12.200.5., for all adults and children who received domestic violence services to include verification of:

 - 1. ~~Demographic information necessary for data reporting;~~
 - 2. ~~Services provided or offered to clients;~~
 - 3. ~~Documentation of safety planning made available to the client; and,~~
 - 4. ~~Referrals to other services provided to clients.~~~~
- B. ~~Submit reports using the DVP statistical reporting tool(s) and forms according to the schedule set forth by DVP; and,~~
- C. ~~Maintain a written document retention and destruction policy stating that all records and reports will be kept for a minimum of three (3) years after the end of the grant period or until the successful resolution of monitoring as outlined in Section 12.200.5.~~

12.201.4 Fiscal Requirements [Rev. eff. 1/1/16]

- A. ALL ~~Funded~~ programs FUNDED WHOLLY OR IN PART BY DVP shall demonstrate sound fiscal management as evidenced by written fiscal policies and procedures in accordance with generally accepted accounting principles, approved and reviewed by the board of directors, advisory board or other governing body that demonstrate sound fiscal controls and sufficient assurances to protect against theft or embezzlement. ~~in accordance with terms set forth in the DVP contract for funding and the electronic Code of Federal Regulations, Title 2, Subtitle A, Chapter II, Part 200. No later editions or amendments are incorporated. These regulations may be reviewed during regular business hours at the Colorado Department of Human Services, Domestic Violence Program, 1575 Sherman Street, Denver, Colorado; or at a state publications library.~~
- B. Funded programs shall submit an annual independent financial audit or review to DVP within three hundred sixty five (365) days of the funded program's fiscal year end.
 - 1. ~~An annual independent audit is encouraged for all funded programs and is required for any program receiving or more in DVP funds.~~
 - 2. ~~An annual independent financial review is required for any FUNDED program receiving less than \$60,000.00 in DVP funds.~~
- C. ~~Funded programs shall make fiscal documentation available to the state as requested to minimally include requirements in Section 12.201.4, A and B, and back-up documentation for contracted expenditures.~~

12.201.5 Board of Directors, Advisory Board, or Governing Body Requirements [Rev. eff. 1/1/16]

- A. Funded programs' boards of directors, advisory board, or other governing bodies such as a Tribal Council shall ensure that the funded program exercises sound ethical and legal governance and financial management.
- B. Governing bodies shall make every effort to recruit and maintain membership that reflects the racial, ethnic, economic, and social composition of the community or region to be served, including former clients of the program and/or persons who have experienced domestic violence.
- C. For funded Tribes, the Tribal Council may serve as the governing body.

12.201.6 GENERAL OPERATIONS AND Administrative Requirements [Rev. eff. 1/1/16]

ALL ~~Funded~~ programs FUNDED WHOLLY OR IN PART BY DVP shall HAVE THE FOLLOWING IN PLACE TO demonstrate SOUND administrative capacity ~~through the following to minimally include:~~

- A. Written ~~BOARD OF DIRECTORS OR OTHER GOVERNING BODY APPROVED~~ plan, approved pertaining to disaster management to minimally include assurances to maintain emergency services in the event of a public health emergency or natural or environmental disasters;
- B. Written ~~BOARD OF DIRECTORS OR OTHER GOVERNING BODY APPROVED~~ safety policies and procedures to minimize risk to clients, employees, volunteers, and property, to minimally include responses to potential breaches of safety at each service location;
- C. Written ~~BOARD OF DIRECTORS OR OTHER GOVERNING BODY APPROVED~~ policy regarding participation in lobbying, political activity, and public demonstrations that states these activities may not be paid for with DVP funding;
- ~~D. Procurement of general liability and automobile insurance as required by the DVP contract for funding;~~
- E.D. Satisfactory fire safety inspection report completed annually by the local fire authority for all ~~locations where employees and volunteers provide services to clients that~~ RESIDENTIAL SHELTER FACILITIES OPERATED BY THE FUNDED PROGRAM THAT conforms to the fire safety standards as determined by each city, town, municipality, county or special district;
- F.E. Documentation of a certificate of occupancy in accordance with local zoning, if applicable; AND,
- G.F. Water safety inspection documentation if water at residential facility is not from a public water source.

12.201.7 Personnel and Volunteer Requirements ~~[Rev. eff. 1/1/16]~~

ALL ~~Funded~~ programs FUNDED WHOLLY OR IN PART BY DVP shall have the following duties and responsibilities related to personnel and volunteer requirements:

- A. Written personnel policies ~~approved by the board of directors, advisory board, or other governing body~~ to minimally include:
 - 1. Ethics policy regarding employee-client relationships and professional conduct;
 - 2. Equal employment opportunity hiring policy;
 - 3. Whistleblower policy;
 - 4. Harassment-FREE WORKPLACE policy;
 - 5. Employee grievance policy;
 - 6. Criminal BACKGROUND CHECK POLICY ~~and TRAILS background check policy~~ TO MINIMALLY INCLUDE, BUT NOT BE LIMITED TO COMPLETION OF A CRIMINAL HISTORY BACKGROUND CHECK AND NOTIFICATIONS OF CONVICTIONS THAT EXCLUDE CANDIDATES FROM HIRE;
 - 7. POLICY FOR COMPLIANCE WITH SECTION 27-90-111 C.R.S., IF THE EXECUTIVE DIRECTOR OF THE COLORADO DEPARTMENT OF HUMAN SERVICES, OR DESIGNEE, DESIGNATES THE FUNDED PROGRAM'S CONTRACT AS A CONTRACT THAT INVOLVES DIRECT CONTACT WITH VULNERABLE PERSONS;

- ~~7. CHILD ABUSE REGISTRY BACKGROUND CHECK POLICY FOR PERSONNEL WHO HAVE CONTACT WITH MINORS;~~
 - 8. Drug-free workplace; and,
 - 9. Annual performance reviews of employees.
- B. Written job descriptions for employees funded wholly or in part by DVP to minimally include assurances that staff serving as licensed or unlicensed counselors or social workers maintain appropriate licensure as required by law, and/or registration with the Colorado Department of Regulatory Agencies;
- ~~C. Written volunteer policies to minimally include oversight of volunteer activities;~~
- ~~D. Ensure adequate employee or volunteer coverage during hours of operation to minimally include staffing during business hours and staffing of the twenty-four (24) hour crisis line as appropriate by trained personnel;~~
- E.C. Current, accurate, and complete personnel records for all employees TO MINIMALLY INCLUDE THE FOLLOWING DOCUMENTATION: ~~and volunteers.~~
- 1. COMPLETION OF 15 HOURS OF DOMESTIC VIOLENCE-SPECIFIC TRAINING IN ACCORDANCE WITH 13-90-107 PRIOR TO PROVIDING ADVOCACY OR HAVING ACCESS TO PERSONALLY IDENTIFYING CLIENT INFORMATION;
 - 2. VERIFICATION OF LEGAL STATUS TO BE ELIGIBLE TO WORK IN THE UNITED STATES;
 - 3. RESUME OR APPLICATION OF EMPLOYMENT;
 - 4. COMPLETION OF PERFORMANCE REVIEWS BY DIRECT SUPERVISOR;
 - 5. CURRENT WAGE RATE AND BENEFITS;
 - 6. CURRENT, VALID DRIVER'S LICENSE AND PROOF OF INSURANCE IF USING A PERSONAL OR FUNDED PROGRAM-OWNED VEHICLE TO CONDUCT BUSINESS; AND,
 - 7. COMPLETED CRIMINAL HISTORY BACKGROUND CHECK PRIOR TO EMPLOYMENT START DATE.
 - ~~8. COMPLETED CHILD ABUSE REGISTRY BACKGROUND CHECK IF HAVING CONTACT WITH MINORS PRIOR TO EMPLOYMENT START DATE.~~

12.201.8 VOLUNTEER REQUIREMENTS

PROGRAMS FUNDED WHOLLY OR IN PART BY DVP SHALL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES RELATED TO VOLUNTEER REQUIREMENTS:

- A. ~~WRITTEN VOLUNTEER POLICIES APPROVED BY THE BOARD OF DIRECTORS, ADVISORY BOARD, OR OTHER GOVERNING BODY TO MINIMALLY INCLUDE:~~
- 1. ETHICS POLICY REGARDING VOLUNTEER-CLIENT RELATIONSHIPS AND PROFESSIONAL CONDUCT;
 - 2. WHISTLEBLOWER POLICY;
 - 3. HARASSMENT-FREE VOLUNTEER ENVIRONMENT POLICY;

4. VOLUNTEER GRIEVANCE POLICY;
 5. CRIMINAL BACKGROUND CHECK POLICY TO MINIMALLY INCLUDE, BUT NOT BE LIMITED TO COMPLETION OF A CRIMINAL HISTORY BACKGROUND CHECK AND NOTIFICATIONS OF CONVICTIONS THAT EXCLUDE CANDIDATES FROM VOLUNTEER SERVICE;
 6. ~~CHILD ABUSE REGISTRY BACKGROUND CHECK POLICY FOR VOLUNTEER WHO HAVE CONTACT WITH MINORS;~~
 6. DRUG-FREE VOLUNTEER WORK ENVIRONMENT; AND,
 7. REVIEWS OF VOLUNTEER PERFORMANCE.
- B. WRITTEN VOLUNTEER JOB DESCRIPTIONS.
- C. CURRENT, ACCURATE, AND COMPLETE RECORDS FOR ALL VOLUNTEERS TO MINIMALLY INCLUDE THE FOLLOWING DOCUMENTATION:
1. COMPLETION OF 15 HOURS OF DOMESTIC VIOLENCE-SPECIFIC TRAINING IN ACCORDANCE WITH 13-90-107 PRIOR TO PROVIDING ADVOCACY OR HAVING ACCESS TO PERSONALLY IDENTIFYING CLIENT INFORMATION;
 3. RESUME OR APPLICATION TO VOLUNTEER;
 4. COMPLETION OF PERFORMANCE REVIEWS BY DIRECT SUPERVISOR;
 6. CURRENT, VALID DRIVER'S LICENSE AND PROOF OF INSURANCE IF USING A PERSONAL OR FUNDED PROGRAM-OWNED VEHICLE TO CONDUCT BUSINESS; AND,
 7. COMPLETED CRIMINAL BACKGROUND CHECK PRIOR TO VOLUNTEER START DATE.
 8. ~~COMPLETED CHILD ABUSE REGISTRY BACKGROUND CHECK IF HAVING CONTACT WITH MINORS PRIOR TO VOLUNTEER START DATE.~~

12.201.9 Community Services REQUIREMENTS (Eff. 1/1/16)

Funded programs shall make every effort to provide or make available the following services to the community:

- A. Community education to inform the service region of the availability of domestic violence services;
- B. Awareness and education to make known the impact of domestic violence;
- C. Prevention activities to reduce the incidence of domestic violence;
- D. Training and technical assistance to offer subject-matter expertise; and,
- E. Collaborative or cooperative efforts to increase coordination and avoid duplication of services.

12.202 DOMESTIC VIOLENCE Victim Advocacy Services REQUIREMENTS

12.202.1 PURPOSE OF DOMESTIC VIOLENCE VICTIM ADVOCACY SERVICES REQUIREMENTS

THESE RULES, IN ACCORDANCE WITH SECTION 26-7.5-104, C.R.S., SHALL SERVE AS MINIMUM DOMESTIC VIOLENCE VICTIM ADVOCACY SERVICES REQUIREMENTS FOR PROGRAMS FUNDED WHOLLY OR IN PART BY DVP. DOMESTIC VIOLENCE ABUSE PROGRAMS, AS DEFINED IN SECTION 26-7.5-103, C.R.S., THAT CURRENTLY DO NOT RECEIVE DVP FUNDING SHOULD USE THESE RULES TO BEGIN THE PROCESS OF ESTABLISHING PROGRAMS. PROGRAMS THAT CURRENTLY RECEIVE DVP FUNDING SHALL ADHERE TO THESE RULES TO MAINTAIN FUNDING FROM THE DVP. ALL POLICIES SHALL BE WRITTEN AND APPROVED ACCORDING TO THE FUNDED PROGRAM'S INTERNAL POLICY APPROVAL PROCESS.

12.202.4.2 Crisis Response Services REQUIREMENTS [~~Rev. eff. 1/1/16~~]

All programs funded wholly or in part by DVP shall offer and provide free and confidential emergency and crisis response services to primary and secondary victims of domestic violence on a continuous basis by employees and volunteers trained in accordance with ~~Section 12-201.8~~ SECTION 13-90-107, C.R.S., which shall minimally include one or more of the following:

- A. Operation of a crisis telephone number accessible to the local community twenty-four (24) hours per day, seven days per week. The crisis line shall be accessible to all callers, including those:
 - 1. Using a "blocked line" where their phone number reads on caller ID as "Unavailable";
 - 2. With limited spoken English language proficiency through the provision of interpreters or other communication method; and,
 - 3. Who are deaf, hard of hearing, or deaf blind and use a third party telecommunication relay service (such as an IP relay service or a video relay service, teletypewriter (TTY) device) per the requirements of the Americans with Disabilities Act (ADA).
- B. Availability of employees or volunteers trained in accordance with ~~Section 12-201.2~~ SECTION 13-90-107, C.R.S. who are able to respond to emergency crisis situations twenty-four (24) hours per day, seven days per week; or,
- C. Coordination of ~~4 or 2~~ A AND B, above, through a formal memorandum of understanding with a DVP-funded program in good standing serving the same region that operates its own crisis response services as outlined in A and B, above.

12.202.2.3 ~~Non-Residential~~ DOMESTIC VIOLENCE Victim Advocacy Services REQUIREMENTS [~~Eff. 1/1/16~~]

- A. ~~ALL Funded programs FUNDED WHOLLY OR IN PART BY DVP shall provide or make available advocacy, support groups, information and referrals, safety planning, and other supportive services to primary and secondary victims of domestic violence ADVOCACY in the following manner: Funded programs shall provide services funded wholly or in part by DVP:~~
 - 1. By trained employees and volunteers in accordance with Section 13-90-107, C.R.S.;
 - 2. Free of charge to primary and secondary victims;
 - 3. Without income qualifications placed on receipt of services;
 - 4. Without requirements that primary and secondary victims attend a religious activity or instruction as a prerequisite to receive services;
 - 5. WITHOUT REQUIREMENTS FOR VICTIMS TO SHOW PROOF OF RESIDENCY IN COLORADO OR THE UNITED STATES;

6. WITHOUT REQUIREMENTS FOR VICTIMS TO SUBMIT TO CRIMINAL BACKGROUND CHECKS, CREDIT CHECKS, ~~OR~~ DRUG TESTING, OR A RELEASE OF INFORMATION AS A CONDITION OF SERVICES;
 - ~~5.7.~~ On a voluntary basis without any conditions including, but not limited to, placement in residential services; and,
 - ~~6.8.~~ Following an intake and assessment of needs and risk SAFETY ~~whenever feasible;~~ AND,
 9. WITH PROVISIONS OF REFERRALS WHEN REQUESTED SERVICES ARE NOT AVAILABLE OR ARE DENIED BY THE FUNDED PROGRAM.
- B. ALL PROGRAMS FUNDED WHOLLY OR IN PART BY DVP SHALL ESTABLISH A WRITTEN DOCUMENT OUTLINING THE RIGHTS AFFORDED TO CLIENTS WHO REQUEST SERVICES. WRITTEN RIGHTS SHALL MINIMALLY INCLUDE THE FOLLOWING NOTICES:
1. IDENTIFICATION OF CRITERIA FOR ELIGIBILITY OF DOMESTIC VIOLENCE VICTIM ADVOCACY SERVICES;
 2. SERVICE ACCOMMODATIONS FOR THE FOLLOWING VICTIMS:
 - a. THOSE WHO ARE DEAF OR HARD OF HEARING OR HAVE LIMITED ENGLISH PROFICIENCY; AND,
 - b. DISABILITIES INCLUDING BEHAVIORAL HEALTH CONDITIONS.
 3. AVAILABILITY OF FREE, VOLUNTARY SERVICES TO BE PROVIDED WITHOUT CONDITION OR PREREQUISITES INCLUDING NON-PROSELYTIZATION;
 4. PROGRAM ADHERENCE TO CONFIDENTIAL COMMUNICATIONS INCLUDING LEGAL EXCEPTION TO CONFIDENTIALITY OF MANDATORY REPORTING OF KNOWN OR SUSPECTED CHILD MALTREATMENT;
 5. OPPORTUNITY TO PROVIDE FEEDBACK REGARDING EXPERIENCE WITH PROVISION OF OR DENIAL OF SERVICES AT THE FUNDED PROGRAM;
 6. PROCEDURE TO FILE A GRIEVANCE OR COMPLAINT TO MINIMALLY INCLUDE THE FUNDED PROGRAM'S INTERNAL GRIEVANCE OR COMPLAINT POLICY AND PROCEDURE, AND THE RIGHT TO COMPLAIN TO DVP AND OTHER APPLICABLE REGULATING AGENCIES REGARDING SERVICES PROVIDED OR DENIED; AND,
 7. ABILITY TO REQUEST ACCESS TO OWN CLIENT FILE OR RECORD INCLUDING ELECTRONIC DOCUMENTATION SERVICES PROVIDED.
- B.C. ALL ~~Funded~~ programs FUNDED WHOLLY OR IN PART BY DVP shall establish written policies or procedures regarding:
- ~~1. Client opportunity to provide feedback regarding their experience with services at the funded program;~~
 - 2.1. Identification of ~~who is eligible for~~ CRITERIA FOR ELIGIBILITY OF DOMESTIC VIOLENCE ADVOCACY services;
 - ~~3. Referrals when requested services are not available or denied by the funded program;~~

- 4.2. Language accessibility plan to minimally include the use of interpreters, translators, bilingual employees, and/or written materials to provide services to clients who are deaf or hard of hearing and those with limited English proficiency;
 - 5.3. SERVICE ACCOMMODATION PLANS ~~Nondiscrimination~~ to minimally include nondiscrimination on the basis of CLIENTS' age, disability, BEHAVIORAL HEALTH CONDITIONS, sex, sexual orientation, race, color, national origin, religion, ethnicity, or gender IDENTITY OR EXPRESSION AS WELL AS ACCOMPANYING PROTOCOLS TO ENSURE A WELCOMING ENVIRONMENT;
 - ~~6. Access to services or referrals for clients with disabilities, substance abuse addiction, or mental illness; and,~~
 - ~~7. Grievance policies and procedures granting clients the right to complain to DVP and other applicable regulating agencies regarding services provided or denied.~~
- C. ~~Funded programs shall make every effort to provide the following and establish written policies or procedures regarding:~~
- 4.4. Transportation of clients BY EMPLOYEES OR VOLUNTEERS OF THE FUNDED PROGRAM, IF AN AVAILABLE SERVICE; ~~including use of a release when transporting clients and use of appropriate insurance; and,~~
 - 2.5. Child care by ~~staff~~ EMPLOYEES or volunteers of the funded program, IF AN AVAILABLE SERVICE, while parent is on-site for a maximum of three hours.
- D. PROGRAMS FUNDED WHOLLY OR IN PART BY DVP SHALL ENSURE FULL COMPLIANCE WITH THE REQUIREMENTS OF THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES, 45 CFR PART 1370 (~~EFFECTIVE JANUARY 3, 2017~~). IF A FUNDED PROGRAM WISHES TO PROVIDE SEX SEGREGATED OR SEX-SPECIFIC PROGRAMMING, THEY SHALL SUBMIT A WRITTEN PLAN TO BE APPROVED BY DVP, WHICH OUTLINES THE FOLLOWING:
- 1. WHY THE SEX SEGREGATED OR SEX-SPECIFIC PROGRAMMING IS NECESSARY FOR THE ESSENTIAL SAFE OPERATIONS OF THE PROGRAM OR SERVICE;
 - 2. HOW THEY WILL PROVIDE COMPARABLE SERVICES TO INDIVIDUALS WHO CANNOT PARTICIPATE IN THE SEX SEGREGATED OR SEX-SPECIFIC PROGRAMMING OR SERVICE; AND,
 - 3. AN ANALYSIS OF RESEARCH-SUPPORTED BEST PRACTICES THAT JUSTIFY THE NEED FOR THE SEX SEGREGATED OR SEX-SPECIFIC PROGRAMMING OR SERVICE.

12.202.3.4 Residential DOMESTIC VIOLENCE Victim Advocacy Services REQUIREMENTS [Rev. eff. 1/1/16]

~~Residential services are defined as those provided while providing temporary, short or long-term overnight accommodations to primary and secondary victims of domestic violence at a facility maintained, operated, and/or paid for by a DVP-funded program such as a shelter, safehome, transitional housing unit, or motel or hotel.~~

- A. In addition to the requirements in Sections 12.202.1 and 12.202.2, ~~funded~~ ALL programs FUNDED WHOLLY OR IN PART BY DVP THAT offering residential DOMESTIC VIOLENCE ADVOCACY programs SERVICES shall:
- 1. Notify DVP of intent to open a new OR RELOCATE A residential facility to include documentation of compliance with this section;

2. NOTIFY DVP OF THE PERMANENT OR TEMPORARY CLOSURE OF A RESIDENTIAL FACILITY;
- 2.3. Screen for appropriate access to a FOR residential facility SERVICES based on the victim's need for safe, temporary accommodations and/OR fit for communal living;
- 3.4. OFFER TO develop a safety plan to minimally include the victim's safe contact with formal and informal support systems while in shelter RECEIVING RESIDENTIAL SERVICES;
- 4.5. Encourage but not mandate participation in supportive services, advocacy, or counseling as a condition of residency-RECEIVING RESIDENTIAL SERVICES;
- 5.6. Maintain quality living conditions to address normal wear and tear to the RESIDENTIAL facility, equipment, and furnishings; and,
- 6.7. Maintain safe living conditions OF THE RESIDENTIAL FACILITY to minimally include:
 - a. Locking doors and windows;
 - b. Appropriate lighting;
 - c. Mechanisms or devices for contacting emergency assistance; and,
 - d. Compliance with applicable fire and safety codes.

~~B. Funded programs shall provide services for the following:~~

- ~~1. Victims with physical disabilities;~~
- ~~2. Children of any age of the adult victim, including male teenagers;~~
- ~~3. Adult victims and their adult children with a developmental or physical disability for whom the adult victim is the primary caretaker;~~
- ~~4. Gay, lesbian, bisexual, and transgender victims;~~
- ~~5. Victims with mental illness;~~
- ~~6. Victims with substance abuse addiction; and,~~
- ~~7. Primary and secondary male victims of domestic violence.~~

~~C. If a funded program is not able to provide services for an individual identifying as a member of a group listed in Section 12.202.3, B, or anyone who otherwise meets established admissions criteria as set forth in Section 12.202.3, F, 1, they must document one or more of the following:~~

- ~~1. Providing the service poses a significant difficulty or expense that drains the financial resources of the funded program.~~
- ~~2. Providing the service poses a significant risk to the safety of the employees or volunteers, general operations of the program, or other clients.~~

~~D.B. Funded ALL Programs FUNDED WHOLLY OR IN PART BY DVP shall have minimal RESIDENTIAL SERVICES staffing by trained employees or volunteers TRAINED IN ACCORDANCE WITH SECTION 13-90-107, C.R.S., to include:~~

1. An adequate number of employees or volunteers to ensure the health and safety of residential ~~program~~ SERVICES clients INCLUDING THOSE AT A RESIDENTIAL FACILITY OR STAYING IN OTHER ACCOMMODATIONS SUCH AS A MOTEL;
2. Residential ~~program~~ SERVICES intake availability twenty-four (24) hours per day;
3. Twenty-four (24) hour access for residential ~~program~~ SERVICES clients to trained employees or volunteers to offer safety planning, advocacy services, support, or assistance, consistent with residents' schedules and needs in-person whenever feasible; and,
4. If not providing in-person twenty-four (24) hour staffing AT A RESIDENTIAL FACILITY, a DVP-approved written plan to respond to residential program clients' needs to minimally include employee or volunteer coverage and how clients can access emergency services in the event employees or volunteers are not physically present.

E.C. ~~Funded~~ ALL Programs FUNDED WHOLLY OR IN PART BY DVP THAT OFFER RESIDENTIAL SERVICES shall have the following:

1. Separate bedrooms for each family, whenever feasible;
2. Private space for bathing and personal hygiene needs;
3. Space or rooms designated for quiet time, whenever feasible;
4. Free food, clothing, toiletries, hygiene products, and other basic needs whenever feasible;
5. Unrestricted functioning telephone access for the purposes of reaching emergency assistance, securing resources, and maintaining social support;
6. Laundry facilities;
7. ~~Assistance with facilitating access to emergency shelter~~ ASSISTANCE WITH FACILITATING ACCESS TO EMERGENCY SHELTER FOR RESIDENTIAL SERVICES for victims with service animals ~~pets, or other domesticated animals, whenever feasible;~~
8. ASSISTANCE WITH FACILITATING ACCESS TO SAFE HOUSING ACCOMMODATIONS FOR VICTIMS WITH PETS OR OTHER DOMESTICATED ANIMALS;
- ~~8.9.~~ 9. Marked and posted evacuation routes and exits, posting of fire extinguisher locations, and documentation of performance of regular fire drills; and,
- ~~9.10.~~ 10. Functioning heating, cooling, and ventilation systems.

F.D. ~~Funded~~ Programs FUNDED WHOLLY OR IN PART BY DVP THAT OFFER RESIDENTIAL SERVICES shall have the following written policies and procedures to minimally include:

1. Admission AND ELIGIBILITY criteria FOR RESIDENTIAL SERVICES including provisions for referrals when unable to accommodate an individual or family;
2. Expectations of residential client conduct while receiving services;
3. Residents' voluntary provision of housekeeping, food preparation, or other chores;
4. Residents' voluntary participation in supportive services such as support groups;

5. Established involuntary exit criteria for residents;
 - ~~6. Response or protocol to the following circumstances within parameters of confidential communications:

 - A. ~~Medical emergencies;~~
 - B. ~~Situation where client is a danger to self or others;~~
 - C. ~~Known or suspected criminal activity or behavior;~~
 - D. ~~Law enforcement access to shelter to serve a warrant or subpoena; and,~~
 - E. ~~Working with county child protection officials when a child receiving residential services is the subject of a child maltreatment assessment.~~~~
- 7.6. PROVISION OF locked storage of personal valuables and legally prescribed medication to minimally include:
 - A. Granting residents unrestricted access to personal valuables and prescribed medication; and,
 - B. Employees or volunteers refraining from POSSESSING OR dispensing medication to residents unless they are licensed to do so as a health care professional.
 - 8.7. CLIENT USE OF legal substances including tobacco products, alcohol, and marijuana WHILE ON THE RESIDENTIAL FACILITY PROPERTY;
 - 9.8. Safety protocol and procedures to minimally include a response to safety threats, availability of a First Aid kit, and documentation of performance of regular safety drills; AND,
 - 10.9. Universal precautions for infectious disease;
 11. ~~Resident conflict management; and,~~
 12. ~~Child care policies including child care that may be provided by staff or volunteers or by another shelter resident within state of Colorado pursuant to child care licensing rules in Sections 7.700, et seq. (12 CCR 2509-8).~~

12.202.4.5 DOMESTIC VIOLENCE Victim Advocacy Services for Children and Youth REQUIREMENTS [Eff. 1/1/16]

- A. ALL PROGRAMS FUNDED WHOLLY OR IN PART BY DVP THAT HAVE RESIDENTIAL DOMESTIC VIOLENCE VICTIM ADVOCACY SERVICES SHALL HAVE WRITTEN POLICIES AND PROCEDURES THAT ENSURE THE FOLLOWING:
 1. EMPLOYEES AND VOLUNTEERS RECEIVE TRAINING SPECIFIC TO THE DYNAMICS OF THE IMPACT OF DOMESTIC VIOLENCE ON CHILDREN AND YOUTH;
 - ~~2. EMPLOYEES AND VOLUNTEERS THAT HAVE CONTACT WITH CHILDREN AND YOUTH COMPLETE A CHILD ABUSE REGISTRY BACKGROUND CHECK;~~
 2. TRAINED ADVOCATES OFFER TO CONDUCT A VOLUNTARY INTAKE AND ASSESSMENT OF CHILDREN AND YOUTH'S NEEDS INDEPENDENT FROM THAT OF THE PARENT'S;

3. TRAINED ADVOCATES INFORM CHILDREN AND YOUTH OF THEIR RIGHT TO CONFIDENTIAL COMMUNICATIONS AND LEGAL EXCEPTIONS TO CONFIDENTIALITY INCLUDING MANDATORY REPORTING OF KNOWN OR SUSPECTED CHILD MALTREATMENT;
 4. ACCOMMODATE ANY DEPENDENT ADULT CHILDREN WHO HAVE A DEVELOPMENTAL OR PHYSICAL DISABILITY FOR WHOM THE ADULT VICTIM IS THE PRIMARY CARETAKER;
 5. ACCOMMODATE TEENAGE CHILDREN REGARDLESS OF GENDER TOGETHER WITH THEIR VICTIM PARENT; AND,
 6. PROVIDE ACCESS TO INDOOR AND OUTDOOR PLAY SPACES AND RECREATIONAL OPPORTUNITIES IF FEASIBLE.
- B. ALL PROGRAMS FUNDED WHOLLY OR IN PART BY DVP THAT OFFER NON-RESIDENTIAL DOMESTIC VIOLENCE VICTIM ADVOCACY TO CHILDREN AND YOUTH SHALL HAVE WRITTEN POLICIES AND PROCEDURES THAT ENSURE THE FOLLOWING:
1. EMPLOYEES AND VOLUNTEERS RECEIVE TRAINING SPECIFIC TO THE DYNAMICS OF THE IMPACT OF DOMESTIC VIOLENCE ON CHILDREN AND YOUTH;
 - ~~2. EMPLOYEES AND VOLUNTEERS THAT HAVE CONTACT WITH CHILDREN AND YOUTH COMPLETE A CHILD ABUSE REGISTRY BACKGROUND CHECK;~~
 2. TRAINED ADVOCATES OFFER TO CONDUCT A VOLUNTARY INTAKE AND ASSESSMENT OF CHILDREN AND YOUTH'S NEEDS INDEPENDENT FROM THAT OF THE PARENT'S; AND,
 3. TRAINED ADVOCATES INFORM CHILDREN AND YOUTH OF THEIR RIGHT TO CONFIDENTIAL COMMUNICATIONS AND LEGAL EXCEPTIONS TO CONFIDENTIALITY INCLUDING MANDATORY REPORTING OF KNOWN OR SUSPECTED CHILD MALTREATMENT.
- C. ALL PROGRAMS FUNDED WHOLLY OR IN PART BY DVP THAT OFFER DOMESTIC VIOLENCE VICTIM ADVOCACY FOR TEENS AND YOUTH IMPACTED BY VIOLENCE IN A DATING OR INTIMATE RELATIONSHIP SHALL HAVE WRITTEN POLICIES AND PROCEDURES THAT ENSURE THE FOLLOWING:
1. EMPLOYEES AND VOLUNTEERS RECEIVE TRAINING SPECIFIC TO THE DYNAMICS OF DOMESTIC VIOLENCE THAT OCCURS WITHIN A YOUTH OR TEEN'S DATING OR INTIMATE RELATIONSHIP;
 - ~~2. EMPLOYEES AND VOLUNTEERS THAT HAVE CONTACT WITH CHILDREN AND YOUTH COMPLETE A CHILD ABUSE REGISTRY BACKGROUND CHECK;~~
 3. TRAINED ADVOCATES CONDUCT A VOLUNTARY INTAKE AND ASSESSMENT OF TEENS AND YOUTH'S NEEDS REGARDING SAFETY AND COMMUNITY RESOURCES;
 4. TRAINED ADVOCATES INFORM YOUTH AND TEENS OF THEIR RIGHT TO CONFIDENTIAL COMMUNICATIONS AND LEGAL EXCEPTIONS TO CONFIDENTIALITY INCLUDING MANDATORY REPORTING OF KNOWN OR SUSPECTED CHILD MALTREATMENT; AND,
 5. A WRITTEN POLICY THAT ESTABLISHES THE AGE OF CONSENT FOR WHICH THE FUNDED PROGRAM MAY PROVIDE DOMESTIC VIOLENCE ADVOCACY SERVICES TO A MINOR WITHOUT PARENTAL PERMISSION.

A. ~~Funded programs shall make every effort to make available developmentally appropriate services for children and youth exposed to domestic violence or youth experiencing intimate partner violence to minimally include:~~

- ~~1. Advocacy;~~
- ~~2. Individual and group counseling;~~
- ~~3. Information and referrals;~~
- ~~4. Safety planning; and,~~
- ~~5. Other supportive services.~~

B. ~~If providing these services, funded programs shall:~~

- ~~1. Have employees or volunteers specifically trained to work with children and youth;~~
- ~~2. Conduct intake and assessment of children's and youth's needs independent of parents' needs;~~
- ~~3. Make referrals appropriate to children's needs.~~

C. ~~If providing residential services for children and youth, funded programs shall have the following whenever feasible:~~

- ~~1. Indoor and outdoor play spaces; and,~~
- ~~2. Recreational opportunities.~~

