



Overview

Senate Bill 19-178 strengthens Colorado's current adoption assistance program in three primary ways:

- **Brings Colorado's adoption assistance law into compliance with federal law and guidance.**
- **Ensures eligible children and youth being adopted from the child welfare system have equitable access to the program.**
- **Ensures adoptive families and county human services departments have consistent, accurate information and guidance about eligibility requirements and the services and benefits available under the program.**

Program History

Colorado's adoption assistance program has been in existence for more than 30 years. The program is designed to help children with significant physical and intellectual disorders, hereditary conditions, mental health needs and other circumstances get adopted out of the child welfare system. Without some form of assistance many families are unable to adopt and care for these children. The program requires county human services departments to meet with adoptive parents of eligible children to consider the child's needs and determine an appropriate service or benefit. Currently, Colorado law – which was enacted in 1973 – does not reflect multiple, substantial changes in federal law and guidance. A 16-month study by the Office of Colorado's Child Protection Ombudsman (CPO) found this break in statute has resulted in conflicting interpretations of requirements and inconsistent administration of the program across Colorado. As a result, children in different parts of the state have inequitable access to the program's services and benefits.

Stakeholder Process

Between June and October 2018, the CPO facilitated eight stakeholder meetings totaling more than 20 hours of discussion among nearly 30 stakeholders. This bill is the product of that stakeholder process that included representation from more than a dozen urban and rural county departments, the Colorado Department of Human Services, county attorneys, child placement agencies, family advocates and other statewide agencies and organizations.

Key Points

- **The bill does NOT expand eligibility for the program.** The bill incorporates all eligibility pathways required under federal law into Colorado law. None of the eligibility pathways are new.
- **The program already exists and is funded primarily by federal and state funds.** The program's funding structure changed following the passage of SB 18-254. Currently, 90 percent of funds for each subsidy are administered by CDHS through a line item at the state level. The remaining 10 percent of each subsidy is funded through county department funds.
- **The bill does NOT implement a standard rate for adoptive children, nor does it remove county department's discretion in determining an appropriate service or benefit.** Federal law requires an individual negotiation to determine a child's adoption assistance needs. This bill does NOT set a minimum rate. Instead it clarifies criteria that must and cannot be considered during negotiations.
- **The bill will require eligible children and youth and their adoptive parents receive equitable consideration for benefits and services authorized under the program. It will also ensure families and county departments receive consistent, accurate information and guidance about the program.** Currently, there is no central portal of information informing families of their rights under the program. This bill requires families be provided information about their rights and program benefits and services.