

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 16-1195.01 Esther van Mourik x4215

SENATE BILL 16-178

SENATE SPONSORSHIP

Lambert and Kefalas, Grantham, Steadman, Baumgardner

HOUSE SPONSORSHIP

Young and Brown, Hamner, Rankin, Vigil, Becker K., Esgar

Senate Committees

Appropriations

House Committees

Appropriations

101

CONCERNING THE GRAND JUNCTION REGIONAL CENTER CAMPUS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Joint Budget Committee. The bill requires the department of human services (department), within the parameters of certain guiding principles, to vacate the Grand Junction regional center campus and list the campus for sale no later than July 1, 2018, or earlier, if the department can transition each person receiving services at the Grand Junction regional center campus to nonregional center campus residences before that date.

The bill specifies that if the department cannot vacate the Grand

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
May 3, 2016

SENATE
3rd Reading Unamended
April 25, 2016

SENATE
Amended 2nd Reading
April 22, 2016

Junction regional center campus or list the campus for sale by July 1, 2018, the department must provide quarterly updates in writing to the joint budget committee and the capital development committee that set forth the projected timeline for vacating the campus and listing the campus for sale.

The bill requires the department, no later than December 10, 2016, to:

- ! Submit to the capital development committee a plan for the disposition of the Grand Junction regional center campus, including a plan to spend the proceeds of the sale; and
- ! Make any associated capital construction budget requests for capital construction, capital renewal, or controlled maintenance needs related to the transitioning of persons receiving services at the Grand Junction regional center campus, based on such person's choice, to nonregional center campus residences.

In order to formulate the plan and the budget requests, the department must create an advisory group that includes direct care staff of the campus, families of persons receiving services at the campus, and other stakeholders.

The bill creates the Grand Junction regional center campus transition cash fund for the department to use, subject to appropriation, for future costs related to adequate housing for each person receiving services on the Grand Junction regional center campus.

An existing statutory section prohibits the department from closing or selling, prior to May 16, 2016, any state-operated beds licensed pursuant to the home- and community-based services for persons with developmental disabilities waiver. The bill extends this date to May 30, 2017, in order to ensure that such closures or sales do not occur before the persons receiving services at the Grand Junction regional center campus are transitioned as required in the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add 27-10.5-312 as**
3 **follows:**

4 **27-10.5-312. Grand Junction regional center campus -**
5 **vacating the campus and listing it for sale - legislative declaration -**
6 **definition - repeal.** (1) THE GENERAL ASSEMBLY HEREBY FINDS AND
7 DECLARES THAT CERTAIN GUIDING PRINCIPLES SHOULD BE CONSIDERED BY

1 THE DEPARTMENT WHEN IT VACATES THE GRAND JUNCTION REGIONAL
2 CENTER CAMPUS AS REQUIRED IN SUBSECTION (3) OF THIS SECTION. THE
3 DEPARTMENT'S PROCESS AND PLAN MUST:

4 (a) EMPHASIZE PERSON-CENTERED SERVICES THAT SUPPORT THE
5 WELL-BEING AND CHOICE OF THE PERSON RECEIVING SERVICES AT THE
6 CAMPUS;

7 (b) INVOLVE THE MEANINGFUL ENGAGEMENT OF THE PARENTS OR
8 GUARDIANS OF THE PERSON RECEIVING SERVICES AT THE CAMPUS;

9 (c) FOSTER COMMUNITY INTEGRATION AND INVOLVEMENT;

10 (d) FIND A SOLUTION THAT IS PROGRAMMATICALLY AND FISCALLY
11 SUSTAINABLE;

12 (e) PRESERVE THE CAPACITY FOR THE SERVICES AND SUPPORT
13 PROVIDED BY THE REGIONAL CENTER IN GRAND JUNCTION AND MUST NOT
14 COMPROMISE THE CAPACITY FOR THE SERVICES AND SUPPORT PROVIDED
15 AT THE REGIONAL CENTERS IN PUEBLO AND WHEAT RIDGE;

16 (f) ENSURE THAT PERSONS RECEIVING SERVICES AT THE GRAND
17 JUNCTION REGIONAL CENTER CAMPUS ARE TRANSITIONED TO HOME-LIKE
18 SETTINGS THAT SERVE NO MORE THAN EIGHT PERSONS WITH
19 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES;

20 (g) RELOCATE DAY SERVICES AND SUPPORT FOR PERSONS WITH
21 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND USE THIS
22 OPPORTUNITY TO ENHANCE THE QUALITY OF DAY SERVICES AND SUPPORT
23 THAT ARE OFFERED AND INCREASE THE QUALITY OF THE EXPERIENCE THAT
24 PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES HAVE
25 WITH SUCH DAY SERVICES AND SUPPORT;

26 (h) ENSURE THE ONGOING SUCCESS AND SECURITY OF THE
27 REGIONAL CENTER'S STAFF MEMBERS IN GRAND JUNCTION;

5 (j) ENSURE THAT THE DIVISION OF FACILITY MANAGEMENT
6 EMPLOYEES WILL BE INCLUDED IN THE RELOCATION OF THE OFFICE AND
7 THE WORKSPACE;

8 (k) WORK WITH THE JOINT BUDGET COMMITTEE TO ENSURE THAT
9 THE DIVISION OF FACILITY MANAGEMENT'S RESOURCES BE REDIRECTED TO
10 MEET THE NEEDS OF THE EXISTING DEPARTMENT FACILITIES AND
11 OPERATIONS IN THE GRAND JUNCTION AREA THAT ARE NOT ON THE
12 CAMPUS;

13 (I) EXPLORE OPTIONS FOR THE FUTURE OF LAUNDRY SERVICES
14 CURRENTLY PROVIDED AT THE GRAND JUNCTION REGIONAL CENTER
15 CAMPUS; AND

16 (m) GIVE REASONABLE NOTICE TO ANY CURRENT TENANTS OF THE
17 GRAND JUNCTION REGIONAL CENTER CAMPUS, CONSISTENT WITH THE
18 TERMS OF THE LEASE, THAT THEIR LEASE AGREEMENTS ARE TERMINATING
19 AND WILL NOT BE EXTENDED.

25 (3) (a) NO LATER THAN JULY 1, 2018, OR AS SOON AS EACH PERSON
26 RECEIVING SERVICES ON THE EFFECTIVE DATE OF THIS PARAGRAPH (a) AT
27 THE GRAND JUNCTION REGIONAL CENTER CAMPUS IS TRANSITIONED TO

1 NONREGIONAL CENTER CAMPUS RESIDENCES, IF SUCH TRANSITION OCCURS
2 BEFORE JULY 1, 2018, THE DEPARTMENT SHALL VACATE THE GRAND
3 JUNCTION REGIONAL CENTER CAMPUS AND SHALL LIST THE CAMPUS FOR
4 SALE.

5 (b) IF THE DEPARTMENT CANNOT VACATE THE GRAND JUNCTION
6 REGIONAL CENTER CAMPUS OR LIST THE CAMPUS FOR SALE BY THE
7 DEADLINE SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3), THE
8 DEPARTMENT SHALL PROVIDE QUARTERLY UPDATES IN WRITING,
9 COMMENCING NO LATER THAN JUNE 1, 2018, TO THE JOINT BUDGET
10 COMMITTEE AND THE CAPITAL DEVELOPMENT COMMITTEE THAT SET
11 FORTH THE PROJECTED TIMELINE FOR VACATING THE CAMPUS AND LISTING
12 THE CAMPUS FOR SALE.

13 (c) (I) NO LATER THAN DECEMBER 10, 2016, THE DEPARTMENT
14 SHALL SUBMIT TO THE CAPITAL DEVELOPMENT COMMITTEE A PLAN FOR
15 THE DISPOSITION OF THE GRAND JUNCTION REGIONAL CENTER CAMPUS,
16 INCLUDING A PLAN TO SPEND THE PROCEEDS OF THE SALE, AND SHALL
17 MAKE ANY ASSOCIATED CAPITAL CONSTRUCTION BUDGET REQUESTS FOR
18 CAPITAL CONSTRUCTION, CAPITAL RENEWAL, OR CONTROLLED
19 MAINTENANCE NEEDS RELATED TO THE TRANSITIONING OF PERSONS
20 RECEIVING SERVICES AT THE GRAND JUNCTION REGIONAL CENTER
21 CAMPUS, BASED ON SUCH PERSON'S CHOICE, TO NONREGIONAL CENTER
22 CAMPUS RESIDENCES. ANY NEW FACILITY THAT IS CONSTRUCTED MUST BE
23 A HOME-LIKE SETTING THAT SERVES NO MORE THAN SIX PERSONS WITH
24 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

25 (II) THE DEPARTMENT SHALL CONVENE AN ADVISORY GROUP
26 COMPOSED OF NO MORE THAN SEVEN MEMBERS TO HELP THE DEPARTMENT
27 FORMULATE THE PLAN AND BUDGET REQUESTS PURSUANT TO THE

1 DEADLINE DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (c). THE
2 MEMBERS SHALL BE APPOINTED BY THE DEPARTMENT AND MUST INCLUDE
3 DIRECT CARE STAFF OF THE CAMPUS, FAMILIES OF PERSONS RECEIVING
4 SERVICES AT THE CAMPUS, AND OTHER STAKEHOLDERS. MEMBERS OF THE
5 ADVISORY GROUP ARE VOLUNTEERS AND ARE NOT ENTITLED TO
6 REIMBURSEMENT FOR ANY ACTUAL AND NECESSARY EXPENSES.
7 NOTWITHSTANDING SECTION 2-2-307, C.R.S., IF THE DEPARTMENT
8 APPOINTS A LEGISLATIVE MEMBER TO THE ADVISORY GROUP, SUCH
9 LEGISLATIVE MEMBER IS NOT ENTITLED TO PER DIEM COMPENSATION.

10 (4) THE GRAND JUNCTION REGIONAL CENTER CAMPUS TRANSITION
11 CASH FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS HEREBY
12 CREATED IN THE STATE TREASURY. THE FUND CONSISTS OF TWO MILLION
13 DOLLARS TRANSFERRED FROM THE INTELLECTUAL AND DEVELOPMENTAL
14 DISABILITIES SERVICES CASH FUND CREATED IN SECTION 25.5-10-207(1),
15 C.R.S., AND ANY OTHER MONEY THAT THE GENERAL ASSEMBLY MAY
16 APPROPRIATE OR TRANSFER TO THE FUND. THE STATE TREASURER SHALL
17 CREDIT ALL INTEREST AND INCOME DERIVED FROM THE DEPOSIT AND
18 INVESTMENT OF MONEY IN THE FUND TO THE FUND. THE STATE TREASURER
19 SHALL CREDIT ANY UNEXPENDED AND UNENCUMBERED MONEYS
20 REMAINING IN THE FUND AT THE END OF THE 2019-20 FISCAL YEAR TO THE
21 GENERAL FUND. SUBJECT TO APPROPRIATION BY THE GENERAL ASSEMBLY,
22 THE DEPARTMENT MAY EXPEND MONEY FROM THE FUND FOR FUTURE
23 COSTS RELATED TO ADEQUATE HOUSING FOR EACH PERSON RECEIVING
24 SERVICES, INCLUDING TRANSITION AND MOVING COSTS, ON THE EFFECTIVE
25 DATE OF THIS SUBSECTION (4) ON THE GRAND JUNCTION REGIONAL
26 CENTER CAMPUS.

27 (5) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2021.

1 **SECTION 2.** In Colorado Revised Statutes, **amend** 27-10.5-311
2 as follows:

3 **27-10.5-311. Regional centers - waiver beds - prohibition on**
4 **closure or sale - repeal.** (1) Prior to ~~May 16, 2016~~ MAY 30, 2017, the
5 department shall not close or sell any state-operated beds licensed
6 pursuant to the home- and community-based services for persons with
7 developmental disabilities waiver and shall maintain an adequate number
8 of beds at the regional centers for individuals who transitioned to the
9 community within the preceding six months, but who have been identified
10 by a community-centered board and the individual's legal guardian as
11 having had an unsuccessful transition. The department shall permit the
12 individual to return to a state-operated regional center bed pursuant to
13 section 27-10.5-110 and applicable federal law.

14 (2) This section is repealed, effective ~~July 1, 2016~~ JULY 1, 2017.

15 **SECTION 3. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.