

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 26-0414.01 Chelsea Princell x4335

HOUSE BILL 26-1147

HOUSE SPONSORSHIP

Brown,

SENATE SPONSORSHIP

Cutter,

House Committees
Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROCESSES RELATED TO HOST HOMES FOR INDIVIDUALS**
102 **WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.**

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://leg.colorado.gov>.)

The bill requires the department of health care policy and financing (HCPF) to establish and the department of public health and environment (CDPHE) to utilize risk criteria to identify certain service agencies to survey.

The bill requires CDPHE to prioritize surveys at service agencies that have a higher risk rating based on the risk criteria established by

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HCPF.

The bill requires HCPF to establish a statewide database containing information about host homes and their associated service agencies. The database must be made available and accessible by host home providers, service agencies, and CDPHE and must be made available for viewing by the public.

The bill requires HCPF to make a complaint form publicly available on its website for use by the public and requires the website to allow a person to submit a complaint electronically.

The bill requires HCPF to establish a process for tracking the status of each complaint filed and any records associated with that complaint.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-1-139 as
3 follows:

4 **25-1-139. Use of risk criteria for conducting surveys of host**
5 **homes - rules - definitions.**

6 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
7 REQUIRES:

8 (a) "HOST HOME" HAS THE MEANING SET FORTH IN SECTION
9 25.5-6-414.

10 (b) "HOST HOME PROVIDER" HAS THE MEANING SET FORTH IN
11 SECTION 25.5-6-414.

12 (c) "SERVICE AGENCY" HAS THE MEANING SET FORTH IN SECTION
13 25.5-6-414.

14 (2) THE DEPARTMENT SHALL SURVEY SERVICE AGENCIES. THE
15 DEPARTMENT SHALL, IN CONSULTATION WITH THE DEPARTMENT OF
16 HEALTH CARE POLICY AND FINANCING, UTILIZE THE RISK CRITERIA
17 ESTABLISHED IN SECTION 25.5-6-414 TO DETERMINE HOW FREQUENTLY TO
18 SURVEY SERVICE AGENCIES.

19 (3) THE DEPARTMENT SHALL, IN CONSULTATION WITH THE

1 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND
2 STAKEHOLDERS, DETERMINE WHAT CONSTITUTES A HIGHER RISK RATING
3 AND A LOWER RISK RATING BASED ON THE HOST HOME RISK CRITERIA
4 DETAILED IN SECTION 25.5-6-414.

5 (4) THE DEPARTMENT SHALL PRIORITIZE CONDUCTING SURVEYS AT
6 SERVICE AGENCIES THAT HAVE A HIGHER RISK RATING BASED ON THE RISK
7 CRITERIA DETAILED IN SECTION 25.5-6-414. SERVICE AGENCIES WITH A
8 HIGHER RISK RATING MUST CONTINUE TO BE PRIORITIZED UNTIL THEY
9 MAINTAIN A LOWER RISK RATING FOR AT LEAST TWO CONSECUTIVE
10 SURVEY CYCLES.

11 (5) SERVICE AGENCIES WITH A LOWER RISK RATING MAY UNDERGO
12 LESS FREQUENT SURVEYS IN ORDER TO ACCOMMODATE THE DEPARTMENT
13 CONDUCTING MORE FREQUENT SURVEYS AT SERVICE AGENCIES WITH
14 HIGHER RISK RATINGS.

15 (6) THE DEPARTMENT SHALL, IN CONSULTATION WITH THE
16 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, REVIEW THE
17 SELECTION CRITERIA USED TO SELECT HOST HOMES FOR SITE VISITS
18 DURING SURVEYS TO ENSURE THAT A DIVERSE SAMPLE OF HOST HOMES IS
19 SELECTED.

20 **SECTION 2.** In Colorado Revised Statutes, **add** 25.5-6-414 as
21 follows:

22 **25.5-6-414. Host homes for persons with intellectual and**
23 **developmental disabilities - statewide database - risk criteria -**
24 **complaint process - rules - definitions.**

25 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (a) "HOST HOME" MEANS A PRIVATE RESIDENTIAL HOME THAT

1 HOUSES UP TO THREE PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL
2 DISABILITIES AND WHOSE OWNER OR RENTER PROVIDES RESIDENTIAL
3 SERVICES, AS DESCRIBED IN SECTION 25.5-10-206 (1)(e), TO THOSE
4 PERSONS AS AN INDEPENDENT CONTRACTOR OF A SERVICE AGENCY, AS
5 DEFINED IN SUBSECTION (1)(c) OF THIS SECTION.

6 (b) "HOST HOME PROVIDER" MEANS AN INDIVIDUAL OR ENTITY
7 THAT OPERATES A HOST HOME.

8 (c) "SERVICE AGENCY" MEANS AN ORGANIZATION APPROVED BY
9 THE STATE DEPARTMENT TO PROVIDE OVERSIGHT AND SUPPORT TO A HOST
10 HOME TO ENSURE THAT THE HOST HOME AND HOST HOME PROVIDER MEET
11 STATE STANDARDS FOR HEALTH, SAFETY, AND QUALITY OF CARE.

12 (2) (a) THE STATE DEPARTMENT SHALL ESTABLISH A STATEWIDE
13 DATABASE TO ENHANCE THE TRANSPARENCY OF COLORADO'S HOST HOME
14 NETWORK. THE PURPOSE OF THE STATEWIDE DATABASE IS TO PROVIDE
15 ACCURATE INFORMATION ABOUT HOST HOMES AND THEIR ASSOCIATED
16 SERVICE AGENCIES.

17 (b) THE DATABASE IS FOR USE BY THE STATE DEPARTMENT, THE
18 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HOST HOME
19 PROVIDERS, AND SERVICE AGENCIES, BUT MUST BE MADE AVAILABLE FOR
20 THE PUBLIC TO VIEW.

21 (c) THE DATABASE MUST INCLUDE THE FOLLOWING INFORMATION
22 FOR EACH HOST HOME:

23 (I) THE NAME AND CONTACT INFORMATION OF THE HOST HOME
24 PROVIDER;

25 (II) THE REGION OF THE STATE WHERE THE HOST HOME IS
26 LOCATED;

27 (III) THE NAME OF EACH SERVICE AGENCY THAT THE HOST HOME

1 IS CURRENTLY CONTRACTED WITH AND THE SERVICE AGENCY'S CONTACT
2 INFORMATION; AND

3 (IV) THE NAME OF EACH SERVICE AGENCY THAT THE HOST HOME
4 CONTRACTED WITH IN THE PREVIOUS FIVE YEARS AND EACH SERVICE
5 AGENCY'S CONTACT INFORMATION.

6 (d) BEGINNING JULY 1, 2026, AND QUARTERLY THEREAFTER, A
7 HOST HOME PROVIDER SHALL SUBMIT THE INFORMATION DETAILED IN
8 SUBSECTION (2)(c) OF THIS SECTION TO THE STATE DEPARTMENT.

9 (e) BEGINNING AUGUST 1, 2026, AND QUARTERLY THEREAFTER,
10 THE STATE DEPARTMENT SHALL UPDATE THE DATABASE TO ACCURATELY
11 REFLECT THE INFORMATION SUBMITTED BY A HOST HOME, AS REQUIRED BY
12 SUBSECTION (2)(d) OF THIS SECTION.

13 (3) THE STATE DEPARTMENT SHALL ADOPT RULES DETAILING HOST
14 HOME RISK CRITERIA FOR SERVICE AGENCY SURVEYS CONDUCTED
15 PURSUANT TO SECTION 25-1-139. AT A MINIMUM, THE RISK CRITERIA MUST
16 ACCOUNT FOR:

17 (a) THE LENGTH OF TIME A SERVICE AGENCY HAS BEEN OPERATING;

18 (b) A SERVICE AGENCY'S COMPLIANCE RECORD DURING PAST
19 SURVEYS, WITH AN EMPHASIS ON DEFICIENCIES IMPACTING HEALTH AND
20 SAFETY;

21 (c) COMPLAINTS MADE AGAINST A SERVICE AGENCY OR ITS HOST
22 HOME PROVIDERS; AND

23 (d) WHETHER A SERVICE AGENCY IS CONTRACTING WITH A HOST
24 HOME PROVIDER THAT WAS PREVIOUSLY TERMINATED BY ANOTHER
25 SERVICE AGENCY FOR HEALTH, SAFETY, OR WELFARE CONCERNS.

26 (4) (a) THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS
27 THAT AN AGGRIEVED PARTY BEING SERVED AT A HOST HOME, OR THE

1 AGGRIEVED PARTY'S LEGAL REPRESENTATIVE, MAY UTILIZE TO SUBMIT TO
2 THE STATE DEPARTMENT A COMPLAINT AGAINST A HOST HOME.

3 (b) THE STATE DEPARTMENT SHALL MAKE THE FOLLOWING
4 PUBLICLY AVAILABLE ON ITS WEBSITE:

5 (I) A COMPLAINT FORM FOR USE BY AN AGGRIEVED PARTY BEING
6 SERVED AT A HOST HOME, OR THE AGGRIEVED PARTY'S LEGAL
7 REPRESENTATIVE;

8 (II) A MECHANISM FOR THE AGGRIEVED PARTY, OR THE AGGRIEVED
9 PARTY'S LEGAL REPRESENTATIVE, TO SUBMIT A COMPLETED COMPLAINT
10 FORM; AND

11 (III) A STATEMENT THAT AN INDIVIDUAL CANNOT BE RETALIATED
12 AGAINST FOR SUBMITTING A COMPLAINT AGAINST A HOST HOME.

13 (c) THE STATE DEPARTMENT SHALL ESTABLISH A PROCESS TO
14 TRACK THE STATUS OF EACH COMPLAINT AND RECORDS RELATED TO EACH
15 COMPLAINT SUBMITTED AGAINST A HOST HOME.

16 (5) THE STATE DEPARTMENT MAY ADOPT RULES, AS NECESSARY,
17 TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

18 **SECTION 3. Safety clause.** The general assembly finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, or safety or for appropriations for
21 the support and maintenance of the departments of the state and state
22 institutions.