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HOUSE BILL 25-1097

BY REPRESENTATIVE(S) Gilchrist and Froelich, Camacho, Rutinel, Stewart R., Bacon, Bird, Boesenecker, Brown, Duran, Garcia, Hamrick, Jackson, Lieder, Lindsay, Lukens, Sirota, Stewart K., Story, Zokaie, Bradley, Joseph, Ricks, McCluskie;
also SENATOR(S) Michaelson Jenet and Daugherty, Amabile, Cutter, Exum, Gonzales J., Jodeh, Kipp, Snyder, Winter F., Coleman.

CONCERNING MEASURES TO SUPPORT CHILDREN IN OUT-OF-HOME
PLACEMENTS IN FAMILY-BASED SETTINGS THROUGH THE CREATION OF
PLACEMENT TRANSITION PLANS.

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

SECTION 1. In Colorado Revised Statutes, **add** 19-3-213.5 as follows:

19-3-213.5. Placement transition plans - out-of-home placements in family-based settings - training - rules - definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "INDIVIDUALIZED PLACEMENT TRANSITION PLAN" MEANS A PLAN DEVELOPED PURSUANT TO SUBSECTION (2)(a) OF THIS SECTION TO PREVENT

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

CHILDREN IN PLACEMENTS IN FOSTER CARE HOMES, KINSHIP FOSTER CARE HOMES, OR NON-CERTIFIED KINSHIP CARE HOMES FROM EXPERIENCING UNNECESSARY OR ABRUPT PLACEMENT CHANGES AFTER A DECISION HAS BEEN MADE BY THE COUNTY DEPARTMENT, BY THE COURT, OR BY AGREEMENT BETWEEN PARTIES FOR A CHANGE OF PLACEMENT.

(b) "PLACEMENT" MEANS PLACEMENT IN A FOSTER CARE HOME OR A KINSHIP FOSTER CARE HOME, AS BOTH ARE DEFINED IN SECTION 26-6-903, OR A NON-CERTIFIED KINSHIP CARE HOME.

(c) "PROVIDER" MEANS A FOSTER CARE PARENT OR A RELATIVE OR KIN WHO PROVIDES KINSHIP FOSTER CARE AND WHO IS CERTIFIED TO OPERATE A KINSHIP FOSTER CARE HOME PURSUANT TO SECTION 26-6-910. "PROVIDER" ALSO INCLUDES A RELATIVE OR KIN WHO PROVIDES NON-CERTIFIED KINSHIP CARE, AS DEFINED IN SECTION 26-6-903, TO A CHILD.

(2) (a) (I) BEGINNING JULY 1, 2026, ABSENT AN EMERGENCY PLACEMENT CHANGE, A COUNTY DEPARTMENT CHILD WELFARE CASEWORKER SHALL CREATE AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN FOR A CHILD ANY TIME THE CHILD IS MOVED FROM ONE PLACEMENT IN A FOSTER CARE HOME, KINSHIP FOSTER CARE HOME, OR NON-CERTIFIED KINSHIP CARE HOME TO ANOTHER OR IS MOVED FROM ANY PLACEMENT BACK TO THE CHILD'S HOME. AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN MUST PRIORITIZE THE MENTAL, EMOTIONAL, AND PHYSICAL NEEDS OF THE CHILD WHILE CONSIDERING THE NEEDS OF THE PARENTS, CURRENT PROVIDERS, AND FUTURE PROVIDERS, AS THE NEEDS OF THE PARENTS, CURRENT PROVIDERS, AND FUTURE PROVIDERS RELATE TO THE CARE OF THE CHILD. THE COUNTY DEPARTMENT CHILD WELFARE CASEWORKER SHALL DOCUMENT THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN IN THE STATE AUTOMATED CASE MANAGEMENT SYSTEM.

(II) WHEN A COUNTY DEPARTMENT CHILD WELFARE CASEWORKER DEVELOPS THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN, THE COUNTY DEPARTMENT CHILD WELFARE CASEWORKER MUST SOLICIT THE INPUT OF THE PARTIES TO THE CASE, CURRENT AND FUTURE PROVIDERS, AND THE CHILD, IF IT IS APPROPRIATE TO THE CHILD'S AGE OR DEVELOPMENTAL LEVEL. INPUT FROM THE PARTIES OR PROVIDERS MAY BE SOLICITED AND CONSIDERED DURING A MEETING, BUT A MEETING IS NOT REQUIRED. A PARTY OR PROVIDER MAY CHOOSE NOT TO PROVIDE INPUT ON THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN.

(III) IF A SIBLING GROUP IS MOVED FROM A PLACEMENT TOGETHER, THE COUNTY DEPARTMENT CHILD WELFARE CASEWORKER MAY DEVELOP ONE INDIVIDUALIZED PLACEMENT TRANSITION PLAN FOR THE SIBLING GROUP AS LONG AS THE PLAN TAKES INTO ACCOUNT THE INDIVIDUALIZED NEEDS OF EACH CHILD.

(IV) THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN MUST NOT BE USED TO SLOW DOWN THE RETURN OF A CHILD TO THE CHILD'S HOME. THE COURT MAY ORDER A SPECIFIC DATE FOR COMPLETION OF THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN TO ENSURE THAT AN AGREED UPON OR COURT-ORDERED CHANGE IN PLACEMENT IS NOT DELAYED DUE TO THE REQUIREMENT TO COMPLETE AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN.

(b) A COUNTY DEPARTMENT'S INDIVIDUALIZED PLACEMENT TRANSITION PLAN CREATED PURSUANT TO SUBSECTION (2)(a)(I) OF THIS SECTION DOES NOT OVERRIDE A COURT ORDER FOR THE PLACEMENT OF A CHILD. THE COURT MAY ORDER AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN FOR A CHILD WHO IS MOVED TO A NEW PLACEMENT AS A RESULT OF THE COURT'S ORDER.

(c) ABSENT AN EMERGENCY PLACEMENT CHANGE, THE COUNTY DEPARTMENT CHILD WELFARE CASEWORKER SHALL NOTIFY THE CHILD, CURRENT PROVIDER, AND FUTURE PROVIDER AT LEAST FORTY-EIGHT HOURS BEFORE THE CHILD IS MOVED TO A NEW PLACEMENT.

(3) AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN MUST INCLUDE, BUT NOT BE LIMITED TO:

(a) PRE-TRANSITION LOGISTICS TO ADEQUATELY PREPARE FOR THE CHILD'S NEW PLACEMENT, WHICH INCLUDE:

(I) IDENTIFYING INDIVIDUALS RESPONSIBLE FOR EACH ELEMENT OF THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN;

(II) DETERMINING THE TIME FRAMES FOR THE IMPENDING PLACEMENT CHANGE;

(III) IDENTIFYING OPPORTUNITIES THE CHILD MAY HAVE TO MAINTAIN CONTACT WITH THE CURRENT PROVIDER WITH PRIMARY

CONSIDERATION TO THE MENTAL, EMOTIONAL, AND PHYSICAL NEEDS OF THE CHILD AND TAKING INTO CONSIDERATION THE PREFERENCES OF THE CHILD AND THE FUTURE PROVIDER;

(IV) DETERMINING, WHEN APPLICABLE, HOW A CHILD WILL MAINTAIN CONNECTIONS WITH SIBLINGS WHEN SIBLINGS ARE NOT PLACED TOGETHER, AS SET FORTH IN SECTION 19-7-204;

(V) ENSURING THE CHILD HAS THEIR BELONGINGS AND CURRENT MEDICATIONS, THAT THE CHILD'S BELONGINGS ARE CAREFULLY PACKED IN APPROPRIATE LUGGAGE TO AVOID DAMAGE, AND THAT THERE IS TRANSPORTATION OF THE CHILD'S BELONGINGS TO THE PLACEMENT, AS DESCRIBED IN SECTION 19-7-101;

(VI) PROVIDING THE CHILD'S RECORDS AND INFORMATION, AS DESCRIBED IN SECTION 19-3-210.5 (1)(i), TO THE FUTURE PROVIDER, SUBJECT TO ANY PRIVILEGE OR CONFIDENTIALITY STANDARD RECOGNIZED OR GOVERNED BY STATE OR FEDERAL LAW;

(VII) SHARING INFORMATION BETWEEN THE CURRENT PROVIDER AND THE FUTURE PROVIDER UPON THE CONSENT OF BOTH PROVIDERS AND THE CHILD;

(VIII) IDENTIFYING WHETHER THE CHILD'S CURRENT HEALTH CARE AND MENTAL HEALTH SERVICES WILL CONTINUE OR TRANSITION TO NEW PROVIDERS;

(IX) COMMUNICATING THE INDIVIDUALIZED PLACEMENT TRANSITION PLAN WITH THE CHILD IN AN AGE-APPROPRIATE MANNER; AND

(X) SUPPORTING A CHILD WHO IS FOUND TO BE AN INDIAN CHILD TO MAINTAIN OR DEVELOP CONNECTIONS WITH THE CHILD'S TRIBE PURSUANT TO THE FEDERAL "INDIAN CHILD WELFARE ACT OF 1978", 25 U.S.C. SEC. 1901, ET SEQ.

(b) A PLAN FOR PRE-TRANSITION AND POST-TRANSITION COMMUNICATIONS BETWEEN INDIVIDUALS WHO HAVE RELEVANT INFORMATION FOR THE TRANSITION. THE PRE-TRANSITION AND POST-TRANSITION COMMUNICATIONS MUST BE CHILD-CENTERED, TRAUMA-INFORMED, AND IN COMPLIANCE WITH THE RIGHTS OF CHILDREN

AND YOUTH IN FOSTER CARE, AS DESCRIBED IN SECTION 19-7-101.

(c) A TIMELINE TO TRANSITION THE CHILD TO A NEW PLACEMENT, WHICH MUST INCLUDE:

(I) IDENTIFYING OPPORTUNITIES FOR THE CHILD TO VISIT OR CONTACT THE FUTURE PROVIDER PRIOR TO THE TRANSITION; AND

(II) IDENTIFYING OPPORTUNITIES PRIOR TO THE TRANSITION FOR THE CHILD TO SPEND TIME WITH CONNECTIONS THAT MAY BE LOST;

(d) A PLAN TO PHYSICALLY MOVE THE CHILD TO THE NEW PLACEMENT, WHICH MUST INCLUDE:

(I) MOVING THE CHILD TO THE NEW PLACEMENT BY SOMEONE KNOWN TO THE CHILD, TO THE EXTENT PRACTICABLE; AND

(II) NOTIFYING THE PREVIOUS PROVIDER THAT THE CHILD ARRIVED SAFELY TO THE NEW PLACEMENT;

(e) A FRAMEWORK FOR A COUNTY DEPARTMENT CHILD WELFARE CASEWORKER'S POST-TRANSITION COMMUNICATIONS, WHICH MUST INCLUDE:

(I) PROVIDING A STATUS UPDATE ON THE CHILD TO THE PREVIOUS PROVIDER, UNLESS THERE IS A SAFETY CONCERN IN PROVIDING A STATUS UPDATE TO THE PREVIOUS PROVIDER, A PARTY OBJECTS TO SHARING CONFIDENTIAL INFORMATION, OR A COURT ORDER PROHIBITS THE RELEASE OF INFORMATION TO THE PREVIOUS PROVIDER; AND

(II) COMMUNICATING WITH THE CURRENT PROVIDER AND PREVIOUS PROVIDER, IF REQUESTED BY THE PREVIOUS PROVIDER PRIOR TO THE TRANSITION, TO DETERMINE HOW THE TRANSITION WENT AND IF THE CURRENT PROVIDER OR PREVIOUS PROVIDER NEEDS ANY SUPPORT.

(4) (a) THE DEPARTMENT, WITHIN EXISTING RESOURCES, SHALL CREATE A TRAINING ON THE IMPORTANCE OF PLACEMENT TRANSITION PLANS THAT IS RECORDED AND MADE AVAILABLE ON A TRAINING SYSTEM THAT CAN BE ACCESSED STATEWIDE. THE TRAINING MUST FOCUS ON PLACEMENT TRANSITION PLANS AND ON INDIVIDUALS WHO HAVE LIVED EXPERIENCE WITH PLACEMENT TRANSITIONS, INCLUDING AN EMPHASIS ON INDIVIDUALS WHO

EXPERIENCED PLACEMENT TRANSITIONS.

(b) (I) NEW COUNTY DEPARTMENT CHILD WELFARE CASEWORKERS MUST COMPLETE THE TRAINING DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION WITHIN THE FIRST YEAR OF EMPLOYMENT AS A COUNTY DEPARTMENT CHILD WELFARE CASEWORKER.

(II) ALL COUNTY DEPARTMENT CHILD WELFARE CASEWORKERS MAY COMPLETE THE TRAINING DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION EVERY THREE YEARS.

(c) A PROVIDER MAY COMPLETE THE TRAINING ON PLACEMENT TRANSITION PLANS DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION AND MAY RECEIVE SUPPORT FROM THE DEPARTMENT OR THE COUNTY DEPARTMENT PURSUANT TO SECTION 19-3-210.5 (1)(c) TO IMPROVE THE PROVIDER'S SKILLS IN TRANSITIONING A CHILD IN THE PROVIDER'S CARE FROM ONE PLACEMENT TO ANOTHER.

(5) THIS SECTION DOES NOT ALTER STATE LAW CRITERIA THAT DETERMINES PLACEMENT CHANGES FOR A CHILD OR THAT RETURNS A CHILD TO A PARENT'S CUSTODY.

(6) THE DEPARTMENT MAY ADOPT RULES FOR PURPOSES OF THIS SECTION.

SECTION 2. In Colorado Revised Statutes, 19-3-213, **amend** (1) introductory portion and (1)(a) as follows:

19-3-213. Placement criteria. (1) In ~~any~~ A case in which the county department recommends placement out of the home for a child or in which a child is in out-of-home placement, the court, the guardian ad litem, the county department, ~~any~~ A CASA volunteer, and other parties shall consider the best interests of the child and shall comply with the following placement criteria:

(a) Prior to the change of placement of a child, the county department shall, to the extent possible, notify the guardian ad litem or counsel for youth, ~~any~~ A CASA volunteer, and other parties. If ~~any~~ A party disagrees with the change of placement, the party may seek an emergency hearing concerning the appropriate placement for a THE child. In an

emergency, the county department may proceed to make the change of placement prior to ~~any~~ A requested hearing AND IS EXEMPT FROM CREATING AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN, AS DESCRIBED IN SECTION 19-3-213.5 (2)(a). ABSENT AN EMERGENCY PLACEMENT CHANGE, PRIOR TO THE CHANGE OF PLACEMENT OF A CHILD, THE COUNTY DEPARTMENT SHALL CREATE AN INDIVIDUALIZED PLACEMENT TRANSITION PLAN, AS DESCRIBED IN SECTION 19-3-213.5 (2)(a).

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO