

HB1390\_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB18-1390 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and  
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, 19-1-125, amend  
4 (1) as follows:

5 **19-1-125. Family stabilization services - voluntary out-of-home**  
6 **placement - delegation of certain powers by parent or guardian -**  
7 **rules.** (1) It is the intent of the general assembly to assist in the provision  
8 of appropriate and necessary short-term services to help stabilize families  
9 that are at risk of having their children placed in out-of-home placement  
10 when those families voluntarily request such services. It is further the  
11 intent of the general assembly that county departments provide for family  
12 stabilization services through contracts with private or nonprofit  
13 organizations or entities whenever possible, INCLUDING THOSE SPECIFIED  
14 IN SECTION 19-1-125.5.

15 **SECTION 2.** In Colorado Revised Statutes, add 19-1-125.5 as  
16 follows:

17 **19-1-125.5. Voluntary delegation of certain powers by parent**  
18 **or legal guardian - authorization agreements - oversight by substitute**  
19 **care organizations - licensure - reporting requirements - legislative**  
20 **declaration - rules - definitions.** (1) (a) THE GENERAL ASSEMBLY  
21 DECLARES THAT COLORADO CAN STRENGTHEN AND PRESERVE FAMILIES  
22 BY PROVIDING A VOLUNTARY, SAFE OPTION FOR INTERESTED, FIT PARENTS  
23 IN CRISIS WHO DO NOT DEMONSTRATE A RISK TO THE HEALTH AND SAFETY  
24 OF THEIR CHILDREN. BY CREATING A NETWORK OF VOLUNTEER FAMILIES  
25 WHO HAVE BEEN EXTENSIVELY SCREENED AND TRAINED, THIS  
26 ALTERNATIVE CAN PROVIDE A SAFE, TEMPORARY HOME FOR CHILDREN  
27 WHILE A PARENT IN CRISIS GETS HELP AND SUPPORT, ALLOWING THE  
28 PARENT OR PARENTS TO MAINTAIN FULL CUSTODY OF THEIR CHILDREN  
29 DURING THAT TIME.

30 (b) THE GENERAL ASSEMBLY FURTHER DECLARES THAT ITS INTENT  
31 IS TO MINIMIZE THE TIME PARENTS AND THEIR CHILDREN ARE SEPARATED.

32 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
33 REQUIRES:

34 (a) "AUTHORIZATION AGREEMENT" MEANS AN AGREEMENT  
35 ENTERED INTO BETWEEN A PARENT AND CERTIFIED FAMILY CAREGIVER  
36 PURSUANT TO SUBSECTION (3) OF THIS SECTION.

37 (b) "CERTIFIED FAMILY CAREGIVER" MEANS A PERSON OR PERSONS  
38 APPROVED BY A SUBSTITUTE CARE ORGANIZATION TO PROVIDE  
39 TEMPORARY CARE FOR A CHILD THROUGH AN AUTHORIZATION AGREEMENT  
40 ENTERED INTO PURSUANT TO THIS SECTION.

41 (c) "CHILD" MEANS A PERSON UNDER EIGHTEEN YEARS OF AGE;

1 EXCEPT THAT "CHILD" DOES NOT INCLUDE AN EMANCIPATED MINOR AS  
2 DEFINED IN SECTION 23-7-102 (3).

3 (d) "COUNTY DEPARTMENT" MEANS A COUNTY DEPARTMENT OF  
4 HUMAN OR SOCIAL SERVICES.

5 (e) (I) "PARENT" MEANS EITHER A NATURAL PARENT OF A CHILD,  
6 AS MAY BE ESTABLISHED PURSUANT TO ARTICLE 4 OF THIS TITLE 19, OR A  
7 PARENT BY ADOPTION. "PARENT" INCLUDES A NATURAL PARENT HAVING  
8 SOLE OR JOINT CUSTODY, REGARDLESS OF WHETHER THE PARENT IS  
9 DESIGNATED AS THE PRIMARY RESIDENTIAL CUSTODIAN, A PARENT  
10 ALLOCATED PARENTAL RESPONSIBILITIES WITH RESPECT TO A CHILD, OR AN  
11 ADOPTIVE PARENT.

12 (II) FOR THE PURPOSES OF THIS SECTION, "PARENT" DOES NOT  
13 INCLUDE A PERSON WHOSE PARENTAL RIGHTS HAVE BEEN TERMINATED  
14 PURSUANT TO THE PROVISIONS OF THIS TITLE 19 OR THE PARENT OF AN  
15 EMANCIPATED MINOR.

16 (f) "STATE DEPARTMENT" MEANS THE STATE DEPARTMENT OF  
17 HUMAN SERVICES.

18 (g) "SUBSTITUTE CARE ORGANIZATION" MEANS A TAX-EXEMPT  
19 CHARITABLE OR SOCIAL WELFARE ORGANIZATION OPERATING UNDER THE  
20 PROVISIONS OF SECTION 501(c)(3) OR 501(c)(4) OF TITLE 26 OF THE  
21 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND THAT  
22 IS CERTIFIED PURSUANT TO THIS SECTION AND MEETS ALL PROGRAM  
23 REQUIREMENTS TO ASSIST A PARENT OR LEGAL GUARDIAN OF A CHILD  
24 WITH THE PROCESS OF ENTERING INTO AN AUTHORIZATION AGREEMENT  
25 PURSUANT TO THIS SECTION, INCLUDING IDENTIFYING AN APPROPRIATE  
26 PLACEMENT FOR EACH CHILD SUBJECT TO THE AGREEMENT AND PROVIDING  
27 SERVICES AND RESOURCES TO SUPPORT THE CHILD, PARENTS, AND OTHER  
28 PERSONS AUTHORIZED TO PROVIDE TEMPORARY CARE OF THE CHILD  
29 PURSUANT TO THE AUTHORIZATION AGREEMENT.

30 (3) (a) (I) EXCEPT AS PROVIDED FOR IN SUBSECTION (3)(a)(II) OF  
31 THIS SECTION, A PARENT MAY VOLUNTARILY ENTER INTO AN  
32 AUTHORIZATION AGREEMENT WITH A CERTIFIED FAMILY CAREGIVER IF  
33 SUCH AUTHORIZATION AGREEMENT IS ENTERED INTO WITH THE  
34 ASSISTANCE OF A SUBSTITUTE CARE ORGANIZATION PURSUANT TO THIS  
35 SECTION. AN AUTHORIZATION AGREEMENT ENTERED INTO PURSUANT TO  
36 THIS SECTION MUST COMPLY WITH THE PROVISIONS ESTABLISHED IN  
37 SECTION 15-14-105 (2) FOR A CUSTODIAL POWER OF ATTORNEY. THE  
38 AUTHORIZATION AGREEMENT MUST NOT BE VALID FOR LONGER THAN SIX  
39 MONTHS, WITH AN OPTION TO RENEW THE AGREEMENT, UNLESS A PARENT  
40 IS DEPLOYED BY OR CALLED TO ACTIVE DUTY IN THE UNITED STATES  
41 MILITARY, IN WHICH CASE THE AUTHORIZATION AGREEMENT IS VALID FOR  
42 THE LENGTH OF THE DEPLOYMENT PLUS THIRTY DAYS.

43 (II) THIS SECTION DOES NOT APPLY TO A PARENT OR PARENTS

1 WHOSE PARENTAL RIGHTS HAVE BEEN TERMINATED FOR ANY CHILD. THIS  
2 SECTION DOES NOT APPLY TO ANY PARENT WHO IS NAMED AS A  
3 RESPONDENT IN AN OPEN DEPENDENCY AND NEGLECT CASE.

4 (b) AN AUTHORIZATION AGREEMENT ENTERED INTO PURSUANT TO  
5 THIS SECTION DOES NOT CONSTITUTE ABANDONMENT OR CHILD ABUSE OR  
6 NEGLECT, AND IT MAY NOT INDEPENDENTLY ADVERSELY AFFECT THE  
7 PARENT'S RIGHTS WITH RESPECT TO THE CHILD.

8 (c) A CHILD PLACED IN A FAMILY THROUGH AN AUTHORIZATION  
9 AGREEMENT IS NOT IN FOSTER CARE AND IS NOT CONSIDERED IN THE  
10 CUSTODY OF A COUNTY DEPARTMENT OR THE STATE DEPARTMENT. A  
11 CERTIFIED FAMILY CAREGIVER WITH WHOM A CHILD IS PLACED PURSUANT  
12 TO AN AUTHORIZATION AGREEMENT IS NOT CONSIDERED TO BE PROVIDING  
13 A FOSTER PLACEMENT AND IS NOT SUBJECT TO STATE LAWS AND RULES  
14 GOVERNING FOSTER CARE AND OUT-OF-HOME PLACEMENTS.

15 (4) A CERTIFIED FAMILY CAREGIVER WHO HAS ENTERED INTO AN  
16 AUTHORIZATION AGREEMENT MAY PERFORM ACTS IN REGARD TO THE  
17 CHILD AS OUTLINED IN THE AUTHORIZATION AGREEMENT. A CERTIFIED  
18 FAMILY CAREGIVER WHO HAS ENTERED INTO AN AUTHORIZATION  
19 AGREEMENT SHALL ACT AS A MANDATORY REPORTER OF CHILD ABUSE OR  
20 NEGLECT PURSUANT TO SECTION 19-3-304 AND SHALL UNDERGO TRAINING  
21 AS A MANDATORY REPORTER. AN AUTHORIZATION AGREEMENT MAY BE  
22 REVOKED AT ANY TIME BY A CUSTODIAL PARENT. IN THE CASE OF JOINT  
23 CUSTODY, EVERY REASONABLE EFFORT MUST BE MADE TO GAIN THE  
24 PERMISSION OF BOTH CUSTODIAL PARENTS.

25 (5) THE STATE DEPARTMENT SHALL LICENSE ANY ORGANIZATION  
26 THAT WISHES TO SERVE AS A SUBSTITUTE CARE ORGANIZATION PRIOR TO  
27 THE DATE AT WHICH THE ORGANIZATION BEGINS PROVIDING SERVICES TO  
28 FAMILIES PURSUANT TO THIS SECTION. THE LICENSING REQUIREMENTS FOR  
29 A SUBSTITUTE CARE ORGANIZATION MUST BE SET FORTH IN RULES  
30 PROMULGATED BY THE STATE DEPARTMENT PURSUANT TO SUBSECTION (6)  
31 OF THIS SECTION.

32 (6) (a) ON OR BEFORE JUNE 1, 2018, THE STATE DEPARTMENT  
33 SHALL CONVENE A WORKING GROUP TO ASSIST WITH RECOMMENDATIONS  
34 FOR RULES RELATED TO LICENSING SUBSTITUTE CARE ORGANIZATIONS AS  
35 SET FORTH IN SUBSECTION (6)(b) OF THIS SECTION. THE WORKING GROUP  
36 MUST INCLUDE, AT A MINIMUM, REPRESENTATIVES FROM THE STATE  
37 DEPARTMENT, THE CHILD WELFARE COMMUNITY, NONPROFIT  
38 ORGANIZATIONS THAT ARE INTERESTED IN APPLYING FOR A LICENSE,  
39 COUNTY DEPARTMENTS, THE COURT APPOINTED SPECIAL ADVOCATE  
40 PROGRAM, LICENSED CHILD PLACEMENT AGENCIES, THE OFFICE OF THE  
41 CHILD'S REPRESENTATIVE, AND THE OFFICE OF THE RESPONDENT PARENTS'  
42 COUNSEL.

43 (b) ON OR BEFORE AUGUST 15, 2018, THE STATE DEPARTMENT

1 SHALL PROMULGATE RULES FOR LICENSURE OF SUBSTITUTE CARE  
2 ORGANIZATIONS, BASED ON THE RECOMMENDATIONS OF THE WORKING  
3 GROUP. THE RULES MUST INCLUDE, AT A MINIMUM, REQUIREMENTS FOR  
4 INTERESTED NONPROFITS TO PROVIDE THE FOLLOWING INFORMATION TO  
5 THE STATE DEPARTMENT IN ORDER TO BE LICENSED:

6 (I) THE ORGANIZATION'S NAME AND ADDRESS;

7 (II) THE NAMES AND ADDRESSES OF THE OFFICERS AND BOARD OF  
8 DIRECTORS OR OTHER GOVERNING BODY OF THE ORGANIZATION;

9 (III) THE NAME OF THE PERSON IN CHARGE OF THE  
10 ORGANIZATION'S DAILY OPERATIONS, TOGETHER WITH THE RESULTS OF A  
11 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK AND A CHILD  
12 ABUSE AND NEGLECT BACKGROUND CHECK ON THE TRAILS SYSTEM, AS  
13 DEFINED IN SECTION 16-20.5-102 (10). THE SUBSTITUTE CARE  
14 ORGANIZATION SHALL PAY THE COSTS ASSOCIATED WITH THE  
15 FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK TO THE  
16 COLORADO BUREAU OF INVESTIGATION; AND

17 (IV) THE NAMES AND QUALIFICATIONS OF THE ORGANIZATION'S  
18 STAFF MEMBERS WHO WILL BE PROVIDING SERVICES PURSUANT TO THIS  
19 SECTION, TOGETHER WITH THE RESULTS OF A FINGERPRINT-BASED  
20 CRIMINAL HISTORY RECORD CHECK AND A CHILD ABUSE AND NEGLECT  
21 BACKGROUND CHECK ON THE TRAILS SYSTEM, AS DEFINED IN SECTION  
22 16-20.5-102 (10). THE SUBSTITUTE CARE ORGANIZATION SHALL PAY THE  
23 COSTS ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY  
24 RECORD CHECK TO THE COLORADO BUREAU OF INVESTIGATION.

25 (c) THE RULES FOR LICENSURE PROMULGATED BY THE STATE  
26 DEPARTMENT ON OR BEFORE AUGUST 15, 2018, MUST ALSO REQUIRE THAT  
27 AN INTERESTED NONPROFIT ORGANIZATION SHALL:

28 (I) CONDUCT A FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
29 CHECK ON EACH ADULT IN THE CERTIFIED FAMILY CAREGIVER'S  
30 HOUSEHOLD, AS WELL AS A CHILD ABUSE AND NEGLECT BACKGROUND  
31 CHECK ON THE TRAILS SYSTEM, AS DEFINED IN SECTION 16-20.5-102  
32 (10). THE SUBSTITUTE CARE ORGANIZATION SHALL PAY THE COSTS  
33 ASSOCIATED WITH THE FINGERPRINT-BASED CRIMINAL HISTORY RECORD  
34 CHECK TO THE COLORADO BUREAU OF INVESTIGATION.

35 (II) PRIOR TO THE PLACEMENT OF A CHILD, CONDUCT A HOME  
36 STUDY OF THE CERTIFIED FAMILY CAREGIVER'S HOME TO ENSURE THAT  
37 SUCH HOME IS A SAFE AND NURTURING ENVIRONMENT FOR A CHILD;

38 (III) TRAIN ALL CERTIFIED FAMILY CAREGIVERS ON:

39 (A) THE RIGHTS, DUTIES, AND LIMITATIONS REGARDING PROVIDING  
40 TEMPORARY CARE FOR A CHILD UNDER A CONTRACT FOR CARE  
41 AUTHORIZED PURSUANT TO THIS SECTION;

42 (B) THE LAWS AND PROCESSES APPLICABLE TO MANDATORY  
43 REPORTERS OF CHILD ABUSE AND NEGLECT;

- 1 (C) AN OVERVIEW OF PROGRAM PROCESSES, INCLUDING INTAKE  
2 AND WORKING WITH THIRD-PARTY SERVICE PROVIDERS, SUCH AS SCHOOLS  
3 AND MEDICAL PROFESSIONALS;
- 4 (D) GENERAL SAFETY REQUIREMENTS, INCLUDING SUDDEN INFANT  
5 DEATH SYNDROME, SUPERVISION, AND WATER AND POOL SAFETY;
- 6 (E) APPROPRIATE AND CONSTRUCTIVE DISCIPLINARY PRACTICES,  
7 INCLUDING PROHIBITION OF PHYSICAL PUNISHMENT AND ANY DISCIPLINE  
8 THAT IS SEVERE, HUMILIATING, FRIGHTENING, OR ASSOCIATED WITH FOOD,  
9 REST, OR TOILETING;
- 10 (F) ABUSE AND MALTREATMENT REPORTING REQUIREMENTS,  
11 INCLUDING PROPER COOPERATION WITH THE STATE DEPARTMENT;
- 12 (G) CONFIDENTIALITY; AND
- 13 (H) BUILDING A HEALTHY RELATIONSHIP WITH THE CHILD'S  
14 BIOLOGICAL AND ADOPTIVE FAMILY;
- 15 (IV) PROVIDE ONGOING SUPERVISION OF EACH PLACEMENT OF A  
16 CHILD WITH A CERTIFIED FAMILY CAREGIVER WHO HAS BEEN APPROVED BY  
17 THE SUBSTITUTE CARE ORGANIZATION WHILE THE AUTHORIZATION  
18 AGREEMENT IS IN EFFECT, AND MAINTAIN IN THE CHILD'S RECORD A  
19 RECORD OF EACH SUPERVISORY VISIT CONDUCTED;
- 20 (V) MAINTAIN RECORDS ON EACH CERTIFIED FAMILY CAREGIVER  
21 WHO HAS BEEN APPROVED BY THE SUBSTITUTE CARE ORGANIZATION. THE  
22 RECORDS MUST INCLUDE:
- 23 (A) THE NAME, ADDRESS, TELEPHONE NUMBER, E-MAIL ADDRESS,  
24 AND ANY OTHER CONTACT INFORMATION FOR THE CERTIFIED FAMILY  
25 CAREGIVER;
- 26 (B) THE RESULTS OF A FINGERPRINT-BASED CRIMINAL HISTORY  
27 RECORD CHECK AND A CHILD ABUSE AND NEGLECT BACKGROUND CHECK  
28 ON THE TRAILS SYSTEM, AS DEFINED IN SECTION 16-20.5-102 (10), THAT  
29 WERE CONDUCTED ON THE CERTIFIED FAMILY CAREGIVER AND EACH  
30 ADULT MEMBER IN THE HOUSEHOLD;
- 31 (C) PROOF OF THE HOME STUDY CONDUCTED ON THE CERTIFIED  
32 FAMILY CAREGIVER'S HOME, ALONG WITH THE NAME, CONTACT  
33 INFORMATION, AND QUALIFICATIONS OF THE INDIVIDUAL WHO COMPLETED  
34 THE HOME STUDY; AND
- 35 (D) PROOF THAT THE CERTIFIED FAMILY CAREGIVER COMPLETED  
36 THE REQUIRED TRAINING OUTLINED IN THIS SECTION PRIOR TO APPROVAL  
37 BY THE SUBSTITUTE CARE ORGANIZATION.
- 38 (VI) MAINTAIN RECORDS ON EACH CHILD SERVED BY THE  
39 SUBSTITUTE CARE ORGANIZATION. THE RECORDS MUST INCLUDE:
- 40 (A) THE NAME AND AGE OF THE CHILD;
- 41 (B) THE NAME, ADDRESS, TELEPHONE NUMBER, E-MAIL ADDRESS,  
42 AND ANY OTHER CONTACT INFORMATION FOR THE CHILD'S PARENT OR  
43 PARENTS;

1 (C) THE NAME, ADDRESS, TELEPHONE NUMBER, E-MAIL ADDRESS,  
2 AND ANY OTHER CONTACT INFORMATION FOR THE CHILD'S CERTIFIED  
3 FAMILY CAREGIVER;

4 (D) A COPY OF THE AUTHORIZATION AGREEMENT FOR THE CARE OF  
5 THE CHILD, AS EXECUTED PURSUANT TO THIS SECTION; AND

6 (E) DOCUMENTATION OF EACH SUPERVISORY VISIT CONDUCTED BY  
7 THE SUBSTITUTE CARE ORGANIZATION WHILE THE CHILD IS IN THE  
8 CUSTODY OF THE CERTIFIED FAMILY CAREGIVER.

9 (d) AN ORGANIZATION THAT IS LICENSED WITH THE STATE  
10 DEPARTMENT AS A SUBSTITUTE CARE ORGANIZATION PURSUANT TO THIS  
11 SUBSECTION (6) DOES NOT ALSO NEED TO BE LICENSED AS A CHILD  
12 PLACEMENT AGENCY UNLESS THE ORGANIZATION IS ALREADY LICENSED  
13 AS SUCH OR WISHES TO PROVIDE ADDITIONAL SERVICES THAT REQUIRE  
14 SUCH LICENSING.

15 (7) A SUBSTITUTE CARE ORGANIZATION SHALL ANNUALLY PROVIDE  
16 THE FOLLOWING INFORMATION TO THE STATE DEPARTMENT RELATING TO  
17 AUTHORIZATION AGREEMENTS ENTERED INTO UNDER ITS SUPERVISION  
18 PURSUANT TO THIS SECTION:

19 (a) THE TOTAL NUMBER OF FAMILIES AND CHILDREN SUPPORTED;

20 (b) THE AVERAGE AGE OF CHILDREN SUPPORTED;

21 (c) THE AVERAGE LENGTH OF STAY;

22 (d) THE TEN MOST COMMON REASONS PARENTS ENTERED INTO AN  
23 AUTHORIZATION AGREEMENT;

24 (e) A SUMMARY OF OUTCOMES FOR FAMILIES AND CHILDREN  
25 SUPPORTED; AND

26 (f) ANY CHANGES TO THE LICENSING INFORMATION PROVIDED TO  
27 THE STATE DEPARTMENT PURSUANT TO SUBSECTIONS (5) AND (6) OF THIS  
28 SECTION.

29 (8) A SUBSTITUTE CARE ORGANIZATION SHALL MAINTAIN RECORDS  
30 FOR ALL CHILDREN AND FAMILIES SERVED, AS WELL AS ON CERTIFIED  
31 FAMILY CAREGIVERS APPROVED. THE RECORDS MUST BE MAINTAINED FOR  
32 NOT LESS THAN FIVE YEARS AFTER THE CHILD SERVED ATTAINS EIGHTEEN  
33 YEARS OF AGE. SUCH RECORDS MAY BE MAINTAINED ELECTRONICALLY. A  
34 SUBSTITUTE CARE ORGANIZATION SHALL ALSO MAKE THE RECORDS  
35 AVAILABLE TO THE PARENT OR LEGAL GUARDIAN WHO EXECUTED THE  
36 AUTHORIZATION AGREEMENT FOR THE CARE OF HIS OR HER CHILD; THE  
37 CHILD PROTECTION OMBUDSMAN; AND TO ANY LOCAL, STATE, OR FEDERAL  
38 LAW ENFORCEMENT OR CHILD WELFARE AUTHORITY CONDUCTING AN  
39 INVESTIGATION INVOLVING THE CHILD, THE CHILD'S PARENT OR LEGAL  
40 GUARDIAN, OR THE CERTIFIED FAMILY CAREGIVER.

41 **SECTION 3.** In Colorado Revised Statutes, amend 15-14-105 as  
42 follows:

43 **15-14-105. Delegation of power by parent or guardian -**

1 **custodial power of attorney.** (1) A parent or guardian of a minor or  
2 incapacitated person, by a power of attorney, may delegate to another  
3 person, for a period not exceeding twelve months, any power regarding  
4 care, custody, or property of the minor or ward, except the power to  
5 consent to marriage or adoption.

6 (2) (a) A PARENT OF A MINOR CHILD MAY CREATE A CUSTODIAL  
7 POWER OF ATTORNEY THAT, EXCEPT AS PROVIDED IN SUBSECTION (2)(b)  
8 OF THIS SECTION, GRANTS TO ANOTHER PERSON THE PARENT'S LEGAL  
9 RIGHTS AND RESPONSIBILITIES REGARDING THE CARE, PHYSICAL CUSTODY,  
10 AND CONTROL OF THE MINOR CHILD, INCLUDING BUT NOT LIMITED TO THE  
11 RIGHT TO:

12 (I) ENROLL THE MINOR CHILD IN SCHOOL;

13 (II) OBTAIN FROM THE MINOR CHILD'S SCHOOL ANY EDUCATIONAL  
14 AND BEHAVIORAL INFORMATION ABOUT THE MINOR CHILD;

15 (III) CONSENT TO ALL SCHOOL-RELATED MATTERS REGARDING THE  
16 MINOR CHILD;

17 (IV) CONSENT TO MEDICAL, PSYCHOLOGICAL, OR DENTAL  
18 TREATMENT FOR THE MINOR CHILD; OR

19 (V) EXERCISE ANY OTHER RIGHT HELD BY THE PARENT, EXCEPT AS  
20 PROVIDED IN SUBSECTION (2)(b) OF THIS SECTION.

21 (b) THE CUSTODIAL POWER OF ATTORNEY MAY NOT GRANT  
22 AUTHORITY TO CONSENT TO THE MARRIAGE OR ADOPTION OF THE MINOR  
23 CHILD OR TO CHANGE THE MINOR CHILD'S RELIGIOUS AFFILIATION.

24 (c) THE CUSTODIAL POWER OF ATTORNEY DOES NOT AFFECT THE  
25 RIGHTS OF THE PARENT OF THE MINOR CHILD IN ANY PROCEEDING  
26 CONCERNING PHYSICAL CUSTODY OF THE MINOR CHILD OR THE  
27 ALLOCATION OF PARENTAL RIGHTS AND RESPONSIBILITIES FOR THE CARE  
28 OF THE MINOR CHILD.

29 (d) THE CUSTODIAL POWER OF ATTORNEY IS ONLY AVAILABLE TO  
30 A PARENT FOR SIX MONTHS, UNLESS ANOTHER REVOCABLE POWER OF  
31 ATTORNEY IS CREATED PURSUANT TO THIS SUBSECTION (2).

32 (e) THE CUSTODIAL POWER OF ATTORNEY IS REVOCABLE AT ANY  
33 TIME AND, UPON REVOCATION, IF THE MINOR CHILD OR CHILDREN WHO ARE  
34 THE SUBJECT OF THE CUSTODIAL POWER OF ATTORNEY ARE NOT IN THE  
35 CARE, PHYSICAL CUSTODY, AND CONTROL OF THE PARENT, THE MINOR  
36 CHILD OR CHILDREN MUST BE IMMEDIATELY RETURNED TO THE CARE,  
37 PHYSICAL CUSTODY, AND CONTROL OF THE PARENT.

38 **SECTION 4.** In Colorado Revised Statutes, 19-3-304, **amend**  
39 (2)(ll) and (2)(mm); and **add** (2)(nn) as follows:

40 **19-3-304. Persons required to report child abuse or neglect.**

41 (2) Persons required to report such abuse or neglect or circumstances or  
42 conditions include any:

43 (ll) Officials or employees of county departments of health,

1 human services, or social services; and  
2 (mm) Naturopathic doctor registered under article 37.3 of title 12;  
3 AND  
4 (nn) PERSON, OTHER THAN THE PARENT, WHO HAS ENTERED INTO  
5 AN AUTHORIZATION AGREEMENT FOR CARE AND RESPONSIBILITY OF A  
6 CHILD PURSUANT TO SECTION 19-1-125.5.  
7 **SECTION 5. Safety clause.** The general assembly hereby finds,  
8 determines, and declares that this act is necessary for the immediate  
9 preservation of the public peace, health, and safety."

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