

House Bill 10-1226
Rep. Kefalas/Sen. Spence
House Health and Human Services Committee
February 22, 2010

Short Title: Differential Response to Child Abuse

Legislative Intent and Purpose: HB 10-1226 would add statutory language to allow county child protective services in five pilot counties to use an alternative response for cases that meet the legal definition of child abuse and neglect, but are determined to be low or moderate in severity. The statutory change would allow agencies to not make a determination of maltreatment or identify a person responsible for abuse or neglect. This legislation seeks authority to administer this pilot for four years in five counties: Arapahoe, Larimer, Jefferson, Fremont and Garfield. Colorado State University Social Work Research Center, in cooperation with an independent research firm, Westat, would monitor and evaluate the program. All 64 counties were given the opportunity to participate in this grant application, and these five were selected through an RFP process.

The purpose of the pilot is to promote child safety through early engagement with families in the child protection process.

Fiscal Impact: The Colorado Department of Human Services was one of three nationally chosen recipients of a \$1.8 million research grant to develop and implement the pilot project, which includes extensive caseworker training, project evaluation, services to families, and administration. No General Funds will be used in the administration of this project. This grant also includes technical assistance and resources from the National Quality Improvement Center on Differential Response (QIC-DR).

History: With guidance from the U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau, the American Humane Association has completed a nationwide survey of evaluation and practice of differential response in child welfare. This is part of the QIC-DR. Preliminary results from other states include:

- Efficacy in restoring and/or maintaining child safety;
- Increased family and caseworker satisfaction and engagement with the process;
and
- Decreased recidivism.

The purpose of the QIC-DR is to evaluate practice in other venues by replicating the model.

The following matrix shows a side-by-side comparison of the current system and the proposed differential response pilot:

Current System	Proposed Differential Response Pilot
<ul style="list-style-type: none"> • One response track to reports of child maltreatment, regardless of severity • Investigation in all cases • Purpose of investigation is to make a determination as to whether abuse or neglect has occurred and to identify a PRAN (person responsible for abuse or neglect) for entry into TRAILS (Child Welfare and DYC data system) • Investigative focus on fact-finding • Could result in court involvement in the delivery of services • Can be perceived by families as unnecessarily adversarial, particularly in low and moderate risk cases 	<ul style="list-style-type: none"> • Dual response track that allows for a Family Assessment Response (FAR) in cases of low or moderate risk • Investigation response still utilized in high risk cases (i.e. Sexual abuse or serious bodily injury) • FAR does not include determination of maltreatment or identification of a PRAN in TRAILS • FAR focuses on safety through early family engagement • Voluntary front end services to facilitate early family treatment; court involved cases are not eligible for FAR • FAR does not involve a law enforcement presence unless determined necessary for worker safety • Flexibility to switch to an investigation if risk is determined high through the course of the FAR.

Future Fiscal Analysis: Over the long-term, Differential Response has been cost-effective in national studies. However, there are short-term start-up and conversion costs, specifically associated with Colorado TRAILS, staff training, and evaluation. These costs are covered through the grant.