

74-9

OFFICIAL

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

Attachment 7.2-A

State of Colorado

METHODS OF ADMINISTRATION - CIVIL RIGHTS

TN 74-9

St. Colo Tr. 3/19/74 Incorp. 12/13/74 Effective 12/1/73

1. Current Colorado Statutes Concerning Civil Rights:

- CRS; 25-3-1 through 25-3-6 - Antidiscrimination Civil Rights Commission
 CRS; 69-7-1 through 69-7-7 - Fair Housing
 CRS; 80-21-1 through 80-21-8 - Equal Employment Opportunities

The Colorado State Board of Public Welfare at its meeting on February 5, 1965 authorized and directed the staff of the Colorado State Department of Public Welfare to prepare the following material concerned with Prohibition of Discrimination under requirements of the Federal Act.

2. Assurance of Compliance by other Agencies, Institutions, Etc.

The State Department has secured, or is in the process of securing, statements of compliance with the provisions of the Act from children's agencies, institutions, day care facilities, organizations, and other facilities from which services are purchased. Medical vendor organizations have been notified of the provisions of the Federal Act and they, in turn have notified their membership. Further, the Colorado State Department of Public Welfare has secured assurance of compliance, using Form HEW 441-A, from the Colorado Medical Service, Inc. and the Colorado Hospital Service, Inc. (Blue Cross - Blue Shield) concerning services purchased through such organizations. Copies of this form are submitted herewith. Statements of compliance are to be obtained from all other vendors or a statement will be included on all State and County vouchers for vendor services in which there is Federal financial participation, notifying vendors of State policy and that services can not be purchased if there is discrimination in regard to race, color, or national origin. Individual nursing homes are being required to assure compliance as part of a signed quarterly report of staffing pattern and services. Such assurance is that each nursing home does not discriminate in regard to race, color or national origin.

Other participants in public welfare programs, agencies, organizations, etc., providing any aid, care, services, or other benefits, are being notified of the provisions of the Act. The form of this latter notification is Form PA-40A, "Notice to the Public Concerning Prohibition of Discrimination." Particulars concerning this distribution are spelled out in appropriate manual material.

In the course of its auditing, quality control review, and other administrative contacts with children's agencies, institutions, day care facilities, organizations, and individual medical care facilities, the staff of the State Department will be alert to any indications of discrimination. When any discriminatory activities are found and the agency or organization persists in such activities after a warning, the State Department will terminate payment for services or otherwise discontinue use of the agency, organization or individual as a resource for public welfare applicants or recipients.

Members of the staff of county welfare departments are also directed to be alert to any instances of discrimination by agencies, individuals or organizations with which it is associated in the provision of aid, care, services, or other benefits to public welfare applicants or recipients.

Under direction of the State Department, county departments will secure such information as may be necessary concerning discriminatory practices or allegations and will promptly act as directed in assuring compliance with provisions of the Act. County departments will, as directed by the State Department,

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terminate payment and other services or otherwise discontinue use of the agency organization as a resource for public welfare applicants or recipients where discriminatory practices are found to exist.

Our procedural material also provides for annual notification (on the same basis as above) to those Agencies, institutions, etc., concerning provisions of the Act. In addition, the Colorado State Department of Public Welfare and/or the county departments will make annual reviews of the practices of these agencies to determine and assure that the agency or institution, etc., continues in compliance with provisions of the Act.

3. Dissemination of Information:

All applicants and recipients of public welfare, as provided in the various Staff Manuals cited below, are to be notified of the provisions of the Civil Rights Act. This is to be carried out by use of Form PA-40, "Notification to Individuals Concerning Prohibition of Discrimination." Particulars concerning dissemination of information by county departments are inserted in the Colorado State Department of Public Welfare Staff Manuals: Vol. IV; 4721, Vol. VII; 7021, and Vol. IX; 9101.

On the State level, all employees have been informed and instructed as to their obligations under the Act as well as State advisory boards, committees and other State consultative groups. Copies of all pertinent documents are available to the staff groups. Staff has been instructed as to the meaning and intent of the Act and their obligations in the continuing nature of compliance. All practices and policies are to be regularly reviewed to assure that no individual is being discriminated against because of race, color, or national origin.

Such interpretation and further discussion as may be necessary concerning both State and county staff will be carried out in district meetings of county staffs, by supervisory staff of the State Department, and by other administrative contacts between county and State personnel. All new staff members are to be informed of the Act's provisions in orientation sessions and there will be periodic discussion with all staff members. The county departments of public welfare have been directed to post this notification form in a prominent place in the county welfare department waiting rooms.

4. Complaints:

The procedure for reception and consideration of complaints is set forth in the Staff Manuals: Vol. IV; 4721, and in Vol. VII; 7021. Procedure for complaints is provided also on the notification form indicating that an aggrieved individual may file his complaint with the county or State Department of Public Welfare. The county department will make prompt investigation and corrective action will be promptly taken when discriminatory practices are found to exist. The individual is further notified that his complaint may also be filed with the appropriate Federal Agency.

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