



Public Input for Proposed Rule Changes – Definition of Developmental Disability

Two proposed rule changes affecting Colorado’s statutory definition of developmental disability are in progress.

The draft rule changes resulted from the efforts of two stakeholder teams. The Colorado Dept. of Human Services convened the first work group because of an emergency administrative rule in 2008 that revealed inconsistencies between state statute and how eligibility determinations were made. That group reported that Colorado’s existing statute sufficiently defined a developmental disability as an impairment that affected intellectual functioning OR adaptive behavior. Subsequently, a second group was convened and charged with drafting proposed rule changes.

Colorado law says that people may be eligible based on an intellectual quotient below 70 or an adaptive behavior score below 70; OR is the critical word. However, experience indicated that few people with IQ’s over 70 with adaptive behavior were below 70 were found eligible. We know that there are numbers of such people who, despite intelligence in near average or average range, do not possess adequate judgment to live safely without supervision. What we don’t know is how many there are. That uncertainty and the fact that the state has a long waiting list for services for people who have IQ’s below 70 has been a major deterrent to taking action on changing the state’s rules to ensure that they are consistent with state law.

You can find the proposed changes and information about the public comment process on the Division for Developmental Disabilities Web site at: www.cdhs.state.co.us/ddd. Go to the: What’s New Section. Or you can link to the documents here by [clicking here](#).

Public comment will be taken between April 15 and May 20. **It is very important that those who support the rule change be heard!** Comments can be made by mail, e-mail, fax, telephone or at one of three public hearings. Details are available on the Web site www.cdhs.state.co.us/ddd.