

# County Fiscal Ruleset Revision

Presented by: Christine Torres

# Meeting Expectations

- Meeting Space
  - Zoom meeting - you have full control of your mic and video, please stay muted when not speaking.
- Questions:
  - Use Chat function for comments & questions in Zoom or raise hand during the presentation.

# Today's Agenda

- Meeting Purpose
- Goals
- Review Rulemaking Schedule
- Review the Fiscal rules 1.010.21-.22 and 1.010.24-.28
- Public Comment

# Meeting Purpose

Review the HPCF Executive Director County fiscal rules and ensure a robust stakeholder process that will provide Counties several opportunities to engage, including repurposing some of the monthly director calls to focus on rules

# Goals

Our goals for County fiscal rulemaking are:

- **Modernize County fiscal rules**
- **Align with other state agencies**
- **Reduce/streamline County workload/administrative processes**

# Rulemaking Schedule

## Fall 2024

- County Fiscal Rule Committee
- October County Director Monthly Call

## December 2024

- File Rule Notice
- Notice published in the register

## February 2025

- Adopt Rules

## April 1, 2025

- Rules effective

## November 2024

- Stakeholder Meetings
  - Advocate
  - County
  - Providers/ Hospitals

## January 2025

- Release Final Redlines
- Rule Hearing

## March 2025

- Notice Published in Register

# Countywide Cost Allocation Plan 1.010.21

1. Availability of Funds--Based on the availability of State and federal funds, a county's allowable indirect countywide costs shall be reimbursed.
2. Purpose of the Countywide Cost Allocation Plan--Counties shall prepare a countywide cost allocation plan that allocates indirect costs across the county operations relative to the benefit derived. Countywide cost allocation plans shall be used in determining rates, fees, or the cost of services provided, and by management in determining the cost effectiveness of a program or activity.

# Countywide Cost Allocation Plan 1.010.21

3. Countywide Cost Allocation Plan, Cost Principles--Certified countywide cost allocation plans must be prepared in accordance with the cost principles found in the Office of Management and Budget Uniform Guidance and the HHS Financial Guidance (2014), which is hereby incorporated by reference, or other cost principles as required by a specific grant.
4. Responsibility for the Countywide Cost Allocation Plan--Responsibility for preparation and submission of an indirect countywide cost allocation plan is with the county.
5. Submittal of the Countywide Cost Allocation Plan--An electronic copy of the countywide cost allocation plan that is provided to the Colorado Department of Human Services annually and due on June 30 of each year shall be provided to the State Department, Audits Section via electronic mail to [HCPF\\_Audit@state.co.us](mailto:HCPF_Audit@state.co.us).



# Audit by an Independent CPA

1.010.22

1. Audit by an Independent Certified Public Accountant--Each county shall annually have a financial and, if required by the Uniform Guidance and HHS Financial Guidance, a single audit made by a certified public accountant. An electronic copy of these audits shall be submitted to the State Department via electronic mail to [HCPF\\_Audit@state.co.us](mailto:HCPF_Audit@state.co.us). The report must be submitted no later than seven months following the end of the fiscal year. The county may request a 3month extension to September 30th by filing the request with the State of Colorado, Office of the State Auditor. The State Department may suspend reimbursements of expenditures until such time as the audit report is received.

# Conflict of Interest

1.010.24

1. Conflicts of Interest--No County Department employee shall accept fees, compensation, gifts, payment of expenses, or any other item of monetary value under circumstances in which the acceptance could result in:
  - a. Preferential Treatment--An undertaking to give preferential treatment to any person or business, or,
  - b. Impeding Efficiency or Economy--Impeding governmental efficiency or economy, or,
  - c. Loss of Independence or Impartiality--Any loss of complete independence or impartiality, or,
  - d. Decisions Made Outside Official Channels--The making of governmental decisions outside official channels, or,

# Conflict of Interest

1.010.24

1. Conflicts of Interest--No County Department employee shall accept fees, compensation, gifts, payment of expenses, or any other item of monetary value under circumstances in which the acceptance could result in:
  - e. Activity Detrimental to Duties and Responsibilities--County Department employees engaging in any activity that may be perceived as detrimental to the discharge of assigned duties and responsibilities, or,
  - f. Reasonable Inference of Conflict of Interest--The reasonable inference that any of the provisions in this subsection have happened or might happen, or,
  - g. Adverse Effect on Public Confidence--Any adverse effect on the confidence of the public in the integrity of the government of the State of Colorado or its County Department.

# Conflict of Interest

1.010.24

2. Personal Business Interests--County commissioners, County Department Directors, or any other County Department employees shall not perform an official act directly and substantially affecting an economic benefit for a business or other undertaking in which they either have a substantial financial interest or are engaged as counsel, consultant, representative, or agent.
3. Outside Employment--All outside employment of County Department employees shall have the prior written approval of their appointing authority. The outside employment shall not conflict with the interests of the County Department involved, the State of Colorado, or the federal government.

# Conflict of Interest

1.010.24

4. Private Business with People Inspected or Supervised by County Employees--County commissioners, County Boards, County Department Directors, or any other County Department employee shall not engage in a substantial financial transaction for their private business purpose with a person whom they inspect or supervise in the course of their official duties.
5. Employment within Six Months of Termination--County commissioners, County Boards, County Department Directors, or any other County Department employee shall not, within six months following the termination of their office or employment, take advantage, unavailable to others, of matters with which they were directly involved during their employment.

# Conflict of Interest

1.010.24

6. Voting or Attempting to Influence--Pursuant to Section 24-18-109, C.R.S., County commissioners, County Boards, County Department Directors, or any other County Department employee shall not vote and shall refrain from attempting to influence the decision of other members of the governing body in voting on matters in which they have a personal or private interest.

# Political Activity

1.010.25

1. Partisan Politics--Pursuant to the Hatch Act, 5 United State Code (USC) Chapter 15, Section 1502 (2020), which is hereby incorporated by reference, County Department employees whose salary is reimbursed partially or fully with federal funds shall not be candidates for partisan elective office.
2. Non-Partisan Politics--Activity with respect to the proposed adoption of constitutional amendments, the approval of matters specified in referendums, the proposed adoption of charter amendments, the approval of municipal ordinances, or with respect to other matters of a similar non-partisan character, shall not be deemed to be political activity.

# Confidentiality

1.010.26

1. Confidentiality of Financial Data--Pursuant to § 25.5-1-116, C.R.S., financial systems contain both public and confidential information; therefore access to financial data shall not be granted to anyone for general perusal of financial records. However, fiscal data, budgets, financial statements, and reports that do not identify social/human services recipients by name, number, or other identifying information are open records.



# Misappropriations

1.010.27

1. Employee Misappropriation--No County Department employee shall use County Department time, property, equipment, or supplies for private or any other use not in the pursuit of County Department business.
  - a. Reporting of Employee Theft or Embezzlement--Any suspected theft or embezzlement of federal, State, or local funds shall be immediately reported to at least one level of management above the party(s) suspected or to the County Board. In addition, suspected thefts or embezzlements shall be reported to the Audits Section of the State Department at 1570 Grant Street, Denver, CO 802031818 or submitted electronically to HCPF\_Audit@state.co.us. A theft or embezzlement of State and/or federal funds or assets totaling \$5,000.00 or more shall be reported in writing to the County Board and to the Audits Section of the State Department submitted electronically to HCPF\_Audit@state.co.us.

# U.S. Department of Health and Human Services 45 CFR Part 75 Uniform <sup>1.010.28</sup> Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards (HHS Financial Guidance)

1. Compliance with HHS Financial Guidance--The US Department of Health and Human Services has issued guidance pertaining to grant management. Counties shall comply with the applicable guidance and shall hold their subrecipients and vendors accountable for compliance.

# U.S. Department of Health and Human Services 45 CFR Part 75 Uniform <sup>1.010.28</sup> Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards (HHS Financial Guidance)

2. Applicable Cost Principles Flow Through on Federal Funds--The County Department shall comply with U.S Department of Health and Human Services, 45 CFR Part 75, Uniform Administrative Requirements, Cost Principles, and Audit Requirements, Appendix V - State/Local Governmentwide Central Service Cost Allocation Plans for HHS Awards. If the County Department passes through federal funds to a non-profit organization, that non-profit organization shall also comply with the federal guidance.

# U.S. Department of Health and Human Services 45 CFR Part 75 Uniform <sup>1.010.28</sup> Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards (HHS Financial Guidance)

3. Compliance with Individual Federal Awards--Individual federal awards may identify circumstances or dictate policy that is unique to the federal participation. In these instances, the federal award policy shall be followed in the administration and financing of that particular federal award.



# Public Comment



# Next Fiscal Ruleset Revision Meeting

<p>Oct 2, 2024 10:00-11:30</p>	<p>1.010.9- Internal Control 1.010.10- Bid System 1.010.11- Balance Sheet Accounts 1.010.12- Trust Accounts 1.010.13- Accounts Receivable</p>	<p>You are invited to a Zoom meeting. When: Oct 2, 2024 10:00 AM Mountain Time (US and Canada)</p> <p>Register in advance for this meeting:</p> <p><a href="https://us02web.zoom.us/join/register/tZckcumprzgpGdSXHPMr1xSFm-2gF6BPIAJd">https://us02web.zoom.us/join/register/tZckcumprzgpGdSXHPMr1xSFm-2gF6BPIAJd</a></p>
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# Contact Info

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To submit public comment please fill  
out this [google form](#)

# Thank you!