

**Commonwealth of Virginia  
State Board of Social Services**

**February 20-21, 2013**

**Central Regional Office  
1604 Santa Rosa Road  
Richmond, VA 23229**

**Wednesday, February 20, 2013  
9:00 a.m.**

**Attending:** Mr. Robert Spadaccini, Sr. (Chair), Mr. Willie Greene (Vice Chair), Mr. William Henderson, Ms. Trudy Brisendine, Mr. Ray Johnson, Mr. Thomas Atwood, Dr. Jack Knapp, Ms. Lisa Robertson, Ms. Heidi Metcalf-Little, Dr. Bela Sood

**Absent:** Ms. Deborah White

**Also in Attendance:** Ms. Margaret Ross Schultze (Acting Commissioner), Mr. Allen Wilson (Sr. Assistant Attorney General)

**Meeting called to order at 9:00 a.m. - Mr. Spadaccini, Chair**

Mr. Spadaccini welcomed the Board and introduced Mrs. Lisa Robertson. He welcomed Dr. William H. Hazel, M.D, Secretary of Health and Human Resources.

Secretary Hazel welcomed the Board and introduced Ms. Margaret Ross Schultze as the Acting Commissioner of the Virginia Department of Social Service (VDSS). Secretary Hazel shared and discussed a handout on the APHSA Health and Human Services Maturity Model. Secretary Hazel stated that Medicaid will be expanding and Virginia is working with CMS for pilot programs. Mr. Spadaccini stated the Board has been focused on child fatalities and commented on the concern regarding children known to the system who die. A recommendation of eight additional hours of physician training was suggested to Dr. Diane Reynolds-Cane, Director, Virginia Department of Health Professions. Secretary Hazel commented that there are things that need to be done better. Opportunities for improvement include: staff training; being on one accord with outcomes; and having Regional Directors work with local administrators to decide on how to get the work done. Ms. Trudy Brisendine inquired about gun control and whether physicians should get involved. Secretary Hazel stated that physicians are responsible for a number of things, but on a medical side and wasn't sure if/how gun control related with the medical side. Mr. Thomas Atwood commented on major weaknesses in adoption and foster care in regards to adoption recruitment. Secretary Hazel and Acting Commissioner Schultze discussed budgeting dollars to recruit adoptive parents and funds for adopting troubled children. The goal is to get all of the children waiting for adoption, adopted. Mr. Atwood wants to encourage faith-based systems to get involved. Ms. Metcalf-Little commented that Colorado has a great adoption model. Secretary Hazel mentioned the Dave Thomas Foundation, error-free Title IV-E reviews, prisoner re-entry, homelessness, expense reporting, and state managed shelters as projects to focus on.

**Recognition of Ms. Michelle Larkin- Mr. Spadaccini, Chair**

Mr. Spadaccini presented Ms. Michelle Larkin a revere bowl on behalf of the Board. Ms. Larkin thanked the Board and introduced a student from VA State University whom she mentors, to display the importance of community involvement.

**Review of Agenda- Ms. Karin Clark, Regulatory Coordinator**

Ms. Clark provided an overview of the agenda for both days of the meeting. Mr. Spadaccini suggested removing action items 7 and 9 due to having no letters of assurance; by consent, the Board agreed to remove these items. Ms. Brisendine commented that Board members are welcome to attend the Child Fatality Committee meeting on February 21st.

### **Comments from Commissioner of Social Services- Ms. Margaret Ross Schultze, Acting Commissioner**

Acting Commissioner Schultze introduced new staff member Mr. Craig Burshem, Deputy Commissioner and Director of Child Support Enforcement. Mr. Burshem provided comments on his background. He stated that his goal is to represent the families of parents who are unable to pay their child support orders. Acting Commissioner Schultze will introduce Ms. Necole Simmonds, Director of Public Affairs, to the Board at a later date.

Acting Commissioner Schultze provided a legislative update. This was a short session, with sixty-five tracked bills, of which twenty-five relate to Family Services, seventeen to Benefit Programs, eleven to Licensing Programs, with the remaining bills relating to general administration. Fourteen agency bills were submitted by consideration, five were approved to go forward. The five bills approved were: HB 1640, HB 2045, HB 2117, HB 2191, and SB 1180/HB 2153.

### **Budget Update- Mr. J.R. Simpson, Chief Financial Officer**

Mr. Simpson provided information on the status of the budget and program initiatives. He commented on the budget reduction proposal and Auxiliary Grant under-spending. Speculation was offered by the Board and Mr. Simpson. Mr. Simpson will send the Board the JLARC report regarding Auxiliary Grant. Transportation and Medicaid expansion are the only items still up for contention; neither having direct impact on the DSS budget. Mr. Simpson commented on the new systems modernization project that will be implemented, stating that it is expected to reduce related VITA costs by one-half. Ms. Brisendine questioned the Medicaid expansion/FAMIS funds. Mr. Simpson stated that Mr. Tom Steinhauser would provide the information to the Board.

### **Child Protective Services Regulations (CPS)- Mr. Alex Kamberis, Acting Director, Division of Family Services**

Mr. Kamberis introduced Ms. Mary Walter, CPS Policy Advisor and presented regulations governing Child Protective Services to the Board. This presentation highlighted the four current regulations: 22VAC 40-700, 22VAC 40-720, 22VAC 40-730, and 22VAC 40-705.

### **Conflict of Interest Refresher- Mr. Allen Wilson, Sr. Assistant Attorney General**

Mr. Wilson provided the Board with background information, examples, and a review of definitions and other key provisions. Ms. Treina Owen was asked to locate the conflict of interest declaration form and send to Board. Mr. Greene questioned if it is a conflict of interest serving on local and state boards. Mr. Wilson stated it is not a conflict per se; it is a matter of the member having a personal interest in a transaction being considered. Mr. Atwood questioned whether a Board member could contract with VDSS. Mr. Wilson stated that the question would require legal advice.

### **Introduction of Regional Directors- Mr. Paul McWhinney, Deputy Commissioner**

Mr. McWhinney introduced the five regional directors: Mr. Steve Blythe, Tidewater; Ms. Vicki Johnson-Scott, Northern; Ms. Sue Reese, Piedmont; Mr. Tommy Castille, Western; and Mr. Paul Oswell, Central. Acting Commissioner Schultze commented that regional directors are critical resources for VDSS.

### **Public Comment-**

None

### **Comment from Local Boards and Directors-**

Ms. Catherine Pemberton of Powhatan commented on changes that will occur due to the 2013 General Assembly. A number of bills will change their jobs and affect their workload. Mr. Spadaccini asked for information on the VIEW program, particularly as it relates to substance abuse screening. Ms. Pemberton stated that referrals are made to community resources (community services boards, etc) after an assessment identifies barriers. Ms. Pemberton commented that the availability of treatment varies by locality.

**Comment from Community Action Agencies-**

None

**Comment from Virginia League of Social Services Executives- Mr. Carl Ayers, President**

Regarding substance abuse screening, Mr. Ayers discussed the various ways to assess, which may differ by locality and testing costs. Mr. Ayers explained the responsibility of the League for Ms. Robertson, indicating that it provides a local perspective(s) and important feedback to the Board, which helps the Board with decision making. A primary League focus is Medicaid expansion. This will impact the foster care population by extending Medicaid services to age 26. Mr. Ayers commented that the State must pass the Title IV-E secondary federal review in August 2013 and that it will highlight state and local financial responsibilities. Another League concern is the passage of House Bill 2045, relative to local impact. Mr. Ayers also noted that the Adult Protective Services regulation, with its due process provision, remains a concern of the League.

The League is working with Innovators for Success for strengthening families (23 agencies) and on changes to the system to ensure every child in foster care has a permanent family. Mr. Atwood asked for elaboration on adoption, custody and kinship care. Mr. Ayers, Mr. Wilson and staff offered clarification. Mr. Ayers stated that there will be continued partnerships and involvement of local directors. He is looking towards expanding partnerships as well. Mr. Spadaccini asked about healthcare reform performance, relative to the need for additional staff. Acting Commissioner Schultze stated that MAGI (Multiple Adjusted Gross Income) rules will, if not minimize the need for additional staff, help maintain the status quo.

**Comment from the Virginia Community Action Partnership-**

None

**Permanency Regulation- Mr. Kamberis**

Mr. Kamberis presented the Permanency regulation, including history, legal basis for revision to 22 VAC 40-201, and the VDSS's intent. Mr. Kamberis and Mr. McWhinney discussed adoption and kinship care, noting that family placement is always recommended, even if the family lives outside of Virginia. Shaken baby syndrome was also discussed.

**Board recessed at 2:28 p.m.**

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Thursday, February 21, 2013  
9:00 a.m.

**Board reconvened at 9:00 a.m.**

**Attending:** Mr. Robert Spadaccini, Sr. (Chair), Mr. Willie Greene (Vice Chair), Mr. Allen Wilson, Mr. William Henderson, Ms. Trudy Brisendine, Mr. Ray Johnson, Mr. Thomas Atwood, Dr. Jack Knapp, Ms. Lisa Robertson, Ms. Heidi Metcalf-Little, Dr. Bela Sood

**Absent:** Ms. Deborah White

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**Regulatory Update- Ms. Clark**

Ms. Clark provided a Regulatory Status Report to the Board.

**ACTION ITEMS**

1. Approve December 2012 minutes. **ON MOTION DUALY MADE** (Ms. Metcalf-Little), seconded (Mr. Johnson), moved to approve the December 2012 minutes as amended. Motion approved with all in favor.
2. Office Services Support Employee Appreciation Month Resolution. The Resolution was read by Ms. Metcalf-Little. **ON MOTION DUALY MADE** (Dr. Sood), seconded (Ms. Brisendine), moved to approve the Resolution. Motion approved with all in favor.
3. Social Work Month Resolution. The Resolution was read by Ms. Metcalf-Little and presented to Ms. Lorna Watkins by Mr. Spadaccini and Acting Commissioner Schultze. **ON MOTION DUALY MADE** (Dr. Knapp), seconded (Mr. Atwood), moved to approve the Resolution. Motion approved with all in favor.
4. Promotional Increase Percentage for Local Employees – Human Resources Manual for Local Departments of Social Services- Request for Approval. Ms. Amma Appiah addressed the Board regarding the promotional increase, which would give the same discretion for local employees as the state employees. **ON MOTION DUALY MADE** (Dr. Sood), seconded (Ms. Brisendine), moved to approve the request. Motion approved with all in favor.
5. Local Salary Range Maximums – Request for Approval. Ms. Lori Schamerhorn addressed the Board regarding local salary ranges for local social services departments to provide competitive salary offers. **ON MOTION DUALY MADE** (Mr. Atwood), seconded (Ms. Metcalf-Little), moved to approve the request. Motion approved with all in favor.
6. 22VAC40-100 Minimum Standards for Licensed Child Care Caring Institutions- Fast Track. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Dr. Knapp), moved to approve the request. Motion approved with all in favor.

7. 22VAC40-141, Minimum Standards for Independent Foster Homes- Periodic Review. Removed from agenda by consensus. Mr. Wilson commented that he will check with appropriate persons in his office, in order to have it ready for the April or June 2013 meeting.
8. 22VAC40-690- Child Care Provider Scholarship – Fast Track. Ms. Kathy Gillikin addressed the Board by providing an overview of the program. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Dr. Knapp), moved to approve the request. Motion approved with all in favor.
9. 22VAC40-470- Exemptions Applicable to Public Assistance Programs – Fast Track. Removed from agenda by consensus.
10. 22VAC40-201- Permanency Regulation – NOIRA. **ON MOTION DUALY MADE** (Mr. Atwood), seconded (Mr. Johnson), moved to approve the request. Motion approved with all in favor. Mr. Kamberis was asked to provide statistical information to the Board regarding the number of children ages of 14-15 years old in the category to be adopted.
11. 22VAC40-705- Child Protective Services – NOIRA. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Ms. Metcalf-Little), moved to approve the request. Motion approved with all in favor.
12. 22VAC40-72- Standards for Licensed Assisted Living Facilities – Proposed. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Dr. Sood), moved to approve the request. Motion approved with all in favor.
13. 22VAC40-730- Investigation of Child Abuse and Neglect in Out-of-Family Complaints – Final. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Mr. Greene), moved to approve the request. Motion approved with all in favor.

Mr. Spadaccini asked Mr. Wilson to inquire of his office on the status of legal advice so that the tabled actions may move forward.

#### **Chair's Comments- Mr. Spadaccini**

Mr. Spadaccini read a thank you card from Mr. Nick Young to the Board, in follow up to the Board's December 2012 recognition of his retirement.

#### **Child Fatality Committee Meeting Update- Ms. Brisendine**

Ms. Brisendine provided an update to the Board regarding the Child Fatality Committee meeting held on February 20<sup>th</sup>. Board members are to receive a video about safe sleeping, sent out by Ms. Mary Walter. Discussion held regarding where this video could be placed for public awareness. Ms. Brisendine and Dr. Sood suggested contact with Ms. Bonita Grifa, Virginia Early Childhood Mental Health Coordinator.

Ms. Brisendine stated the Board should express appreciation to the regional directors and fatality teams for their hard work. She provided handouts regarding upcoming conferences on child abuse and suggested the Board work with Acting Commissioner Schultze to see if costs are allowable for interested Board members. Lastly, Ms. Brisendine provided a document regarding founded and unfounded child fatalities statistics.

#### **Board Priorities- Mr. Spadaccini**

The Board reviewed the Board Priorities document derived from the December 2012 meeting and addressed regulations that met the priorities of each Board member. It was agreed that areas of focus will be the regulations on Permanency, Child Protective Services, Child Day Centers, Child Support, and Resource, Foster and Adoptive Parent approval standards.

#### **Board Comments-**

- Mr. Greene- Expressed appreciation for the Board's help.



- Dr. Knapp- Commended Ms. Lynne Williams, her staff and the Assisted Living Facilities for their work on the Assisted Living Facility proposed regulation. Very informative meeting.
- Mr. Johnson- Learned a lot and causes him to become reflective. Commented on statistics of adoption/foster care, child fatalities and public assistance rolls. Desires to be engaged and involved with VDSS on the Strengthening Families Initiative.
- Ms. Robertson- Stated the meeting was a learning opportunity and acknowledged the impact made by VDSS. She noted her community work in the area of early childhood education and felt a sense of partnership. Impact will be felt to strengthen the Commonwealth. Honored, delighted, and excited to be a part of the Board.
- Ms. Brisendine- Thanked the Board, Mr. Wilson, and the VDSS staff. Congratulated Acting Commissioner Schultze in her new role. Welcomed Ms. Robertson. Noted Dr. Sood's achievement in being invited to talk with Vice President Biden on mental health aspects with gun control. Lastly, she thanked Mr. Spadaccini for running an effective Board and meeting.
- Mr. Atwood- Welcomed Ms. Robertson. Commended VDSS on its great work. Congratulated Acting Commissioner Schultze in her new role. Extended invitation to the Board for an upcoming Family and Children's Trust Fund event in April in Arlington, VA. Stated that he continues to learn more about VDSS. Liked and agreed with Mr. Henderson's suggestion regarding meeting with regional directors.
- Ms. Metcalf-Little- Observed renewed enthusiasm amongst the Board. Noted receiving an email regarding a February 27 federal hearing on adoption and adoption incentive funds.
- Mr. Henderson- Commented on his Roanoke visit where he spoke with regional office staff. Suggested Board to visit their regional offices and local departments.
- Dr. Sood- Thanked VDSS staff on work and the Board. Acknowledged the wide scope of VDSS and commended on transformation.
- Mr. Spadaccini- Thanked the Central Regional Office for the meeting location. Wished Mr. Simpson a happy birthday. Would like VDSS to craft a resolution for the regional Child Fatality Review teams to present at the next meeting.

**Meeting adjourned at 11:30 a.m.**