

Minutes
VA State Board of Social Services
June 14-15, 2006

Accomack Dept. of Social Services
Accomac, Virginia 23301

Members Present

Danny Brown, Vice Chair
Trudy Brisendine
Marilyn Rigby
Nettie Simon-Owens
William Mitchell
Bela Sood (Wednesday only)

Members Absent

Peppy Linden
Margaret Luca

Wednesday, June 14, 2006

The meeting was called to order at 9:00 a.m., Vice Chair Danny Brown presiding.

Welcome and Introductions

Stephen Blythe, Eastern Operations Director, welcomed the Board to the eastern region and recognized local directors.

Mary Parker, Director of Accomack Department of Social Services welcomed the Board. Mr. Steve Minor, County Administrator, was introduced and welcomed members to Accomac.

Regrets from Donald Hart, Chairman of the Accomack Board of Social Services were sent that he was unable to attend this meeting. Mr. Nathaniel Williams, Vice Chair of the local Board was recognized.

Regulation Status Report

Richard Martin reported that as of June 13, the department has 62 regulations in place. 28 of the 62 are currently in process:

- Of those 62, 18 are in the process of being repealed
- Of those 62, 9 are in the process of being amended
- Of those 62, 1 is currently in periodic review
- 11 additional new regulations are in the process of being promulgated

That totals 73 regulations and proposed regulations, 39 of which are currently active. There are no regulations currently in public comment.

Regulations currently pending:	
Department and Budget	None
Secretary of Health & Human Resources	14 (actually four actions)
Governor	13 (11 separate actions)

Fast-track actions to repeal 22 VAC 40-330, Collections of Overpayments in the Refugee Other Assistance Program, and 22 VAC 40-340, Protective Payments in the Refugee Other Assistance Program will be published in the Virginia Register on July 10, 2006, and public comment will end on September 8, 2006.

The Notice of Intended Regulatory Action to repeal 22 VAC 40-810, Fees for Court Services Provided by local departments of Social Services will be published in The Virginia Register on July 10, 2006. Public comment will end on August 9, 2006.

(A copy of the Status of Regulation Report is attached to the Official Minutes housed in the Home Office.)

Legislative Update

Mr. Martin provided members with a Federal Legislation and Regulatory Tracking Report dated June 12, 2006. Members found this to be a very informative report. This will be provided to members on a regular basis.

Children's Committee Breakout Meeting to discuss the following:

- 22 VAC 40-191 Background Checks for Child Welfare Agencies
- 22 VAC 40-90 Regulation for Criminal Record checks for Assisted Living Facilities and Adult Day Care Centers
- 22 VAC 42-11 Standards for Interdepartmental Regulation of Children's Residential Facilities

Adult Committee Breakout Meeting

- 22 VAC 40-35 Virginia Independence Program
- 22 VAC 40-601 Food Stamp Program

Statewide Child Abuse Prevention Plan and Healthy Families Program

Rita Katzman, Manager, Child Protective Services, introduced Betty Wade Coyle, Chair of the Governor's Advisory Board on Child Abuse and Neglect and Johanna Schuchert, Director of Prevent Child Abuse Virginia.

A presentation was provided to members on the work of these organizations. Members were also provided a copy of the 2003 Report of the Governor's Advisory Board on Child Abuse and Neglect; a copy of the Blue Ribbon 5-year Plan to Prevent Child Abuse and Neglect in Virginia; Executive Summary and Statewide Evaluation Report on Healthy Families Virginia; and news article from the Virginian Pilot dated June 8, 2006 entitled "Protective services gets little thanks for its thankless work". (A copy of these brochures and information is attached to the Official Minutes housed in the Home Office.)

Public Comment

None

ACTION ITEMS

Request for Fredericksburg LDSS to Deviate from State Class/Comp Schedule

The Division of Human Resource Management reviewed this Plan and recommended the request be approved.

ON MOTION DULY MADE (Ms. Simon-Owens) and seconded (Ms. Rigby) moved to approve Fredericksburg Department of Social Services to deviate from the state Compensation and Classification Plan. Motion carried with all in favor.

Isle of Wight FASTFORWARD Project

At the April State Board meeting, members approved Isle of Wight DSS to pilot its FASTFORWARD Initiative. Administrative procedures and tools for managing employee performance and pay during the pilot were provided for review and approval.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Rigby) moved to approve the administrative procedures and tools for managing employee performance and pay during the FASTFORWARD Project for Isle of Wight Department of Social Services. Motion carried with all in favor.

22 VAC 40-35

Virginia Independence Program

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Simon-Owens) moved to recommend approval of emergency regulation 22 VAC 40-35 entitled Virginia Independence Program and approve publication of a Notice of Intended Regulatory Action in the Virginia Register subject to approval under the provisions of Executive Order Number 21, 2002. Motion carried with all in favor.

22 VAC 42-10

Standards for Interdepartmental Regulation of Children's Residential Facilities

Ms. Bela Sood, member of the State Board of Social Services, disclosed that she is a member of the VTCC (Virginia Treatment Center), which is affected by the transaction. Mr. Al Wilson, Assistant Attorney General, advised that Ms. Sood is allowed to vote on this action since this transaction doesn't solely benefit her/VTCC. Ms. Sood signed a Transactional Disclosure Statement that she is able to participate in this transaction fairly, objectively, and in the public interest.

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Brisendine) moved to recommend approval of emergency regulation 22 VAC 42-10 entitled Standards for Interdepartmental Regulation of Children's Residential Facilities for publication in the Virginia Register subject to approval under the provisions of Executive Order 21 (2002). Motion carried with all in favor.

22 VAC 40-601-10

Food Stamp Program

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Simon-Owens) moved to recommend approval of the proposed regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) for 22 VAC 40-601, Food Stamp Program; 22 VAC 40-20, Food Stamp Program-Income Conversion Method; 22 VAC 40-540, Allowance of Telephone Costs in the Food Stamp Program; 22 VAC40-600, Food Stamp Program-Administrative Disqualification Hearings and approve the fiscal impact analysis of this action for distribution to local boards of social services. Motion carried with all in favor.

22 VAC 40-90

Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Brisendine) moved to recommend approval of the exempt final regulatory package 22 VAC 40-90 entitled Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers, for publication in the Virginia Register subject to approval under the provisions of Executive Order 21 (2002) and the Administrative Process Act. Motion carried with all in favor.

22 VAC 40-191

Background Checks for Child Welfare Agencies

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Brisendine) moved to recommend approval of the exempt final regulatory package 22 VAC 40-191 entitled Background Checks for Child Welfare Agencies, for publication in the Virginia Register subject to approval under the provisions of Executive Order 21 (2002) and the Administrative Process Act. Motion carried with all in favor.

22 VAC 40-221

Interstate Compact on the Placement of Children

Members were advised that since the Notice of Intended Regulatory Action was filed for this regulation, a number of issues have been raised that could impact its content. The department has had an independent review of the Interstate Compact on the Placement of Children Office and is in the process of implementing changes to that office, including the development of new policy and procedures.

Discussions with representatives of the Office of the Executive Secretary of the Virginia Supreme Court have alerted the department to some concerns they have after reviewing a draft of the proposed regulation. In addition, the 200 General Assembly passed legislation that will impact procedures for certain children from other states who are placed in foster care homes in Virginia. Given the likelihood for major changes to the proposed regulation currently under development by the department, it would be prudent for the department to meet with additional stakeholders and identify and address as many issues as possible prior to developing a regulation.

Members were requested to withdraw the regulation.

ON MOTION DULY MADE (Ms. Simon-Owens) and seconded (Ms. Brisendine) moved to withdraw the action to establish 22 VAC 40-221, Interstate Compact on the Placement of Children, that was published in the Virginia Register on November 14, 2005. Motion carried with all in favor.

22 VAC 40-400

Funding Limitation for the Refugee Resettlement Program

This action will complete the periodic review of this regulation as required by 2.2-4017 and Executive Order 21 (2002). The department recommends this regulation be retained without change.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Simon-Owens) moved to approve the Periodic Review report for submission to the Department of Planning and Budget and the Secretary of Health and Human Resources as required by provisions of Executive Order Number 21 (2002). Motion carried with all in favor.

Commissioner's Comments

Commissioner Anthony Conyers advised that Dr. Clarence Cuffee, City Manager of Chesapeake passed on Tuesday. He recognized Dr. Cuffee as a former social worker and real Virginian gentleman.

Mr. Conyers stated that we don't regulate in a vacuum. Change in regulations and approaches are made because the environment we work in changes. This often times mean that regulations must be more complicated to ensure they respond to and meet life and environment changes.

Commissioner Conyers advised that the Poverty Committee of this Board is important to department functions and hopes the committee will continue in the future.

He stated that personnel information (names/salaries, etc.) will not be sent out in the future as it violates confidentiality laws.

Mr. Conyers advised the department is working on 2007 legislative proposals.

He advised that the department had signed a IVE Pre-placement Agreement with the federal government (liability of 100-300 million dollars). Commissioner Conyers advised that local agencies will be held "harmless". He thanked J. R. Simpkins and others that have assisted in rebuilding partnerships with the feds.

Mr. Conyers advised that DMV had legislation approved that will charge \$1.50 for each query now made by social service agencies. This issue is currently being discussed. It may be necessary to pursue legislation on this issue if discussions fail to work out.

Commissioner Conyers spoke on Child Care Funding, advising that Virginia wasn't allocated enough funds to match federal dollars. Pass through funds will no longer be available because the funds will now be going to other mandated programs.

Regarding the Budget, Commissioner Conyers advised the Governor is committed to keeping operations and services going.

He advised that interviews for the Director of Benefit Programs are being scheduled.

He advised that Dottie Wells has been named Director of Strategy Management and Research.

There will be a Strategic Plan Retreat scheduled soon. Maggi Luca serves as Board Liaison.

Announcements prior to Recess

There will be a Poverty Committee meeting at 4:00 p.m.
Accomack DSS will host a reception today at 5:30 p.m. at Ker Place.

Thursday, June 15, 2006

Meeting reconvened at 9:00 a.m., Danny Brown, Vice Chair presiding.

Poverty Committee Meeting Update

Al Wilson provided members a letter regarding Poverty Committee Recommendations from the previous meeting. He advised the tabled motion was rather general and appears to fall within the State Board's advisory authority. Any specific outreach action taken by the State Board or the Poverty Committee would need to be evaluated to determine if it falls within the statutory authority.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Simon-Owens) moved to withdraw the motion made at the April 2006 Board meeting and submit another motion. Motion carried with all in favor.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Simon-Owens) moved that the State Board of Social Services, in recognition of its role in responding to the issues of poverty affecting children and families, will advise and support the Department of Social Services with its efforts to raise public awareness, develop strategies, expand partnerships, and ameliorate the effects of poverty in Virginia. Motion carried with all in favor.

VLSSE Comments

On behalf of the League, Ben Owen recognized students from Hanover that raised funds to help Hanover foster care children.

Mr. Owen advised that Sarah Snead, Director of Chesterfield/Colonial Heights DSS has been elected Chair of the VLSSE. Although Ms. Snead will attend meetings when available, Mr. Owen will continue to serve as liaison to the Board.

He advised the League Fall Conference will be held at the Crowne Plaza in Richmond November 1-3, 2006. He will forward information to Ms. Rengnerth for distribution to Board members.

Mr. Owen advised the League has concerns regarding statewide implementation of Structured Decision Making without addressing fiscal impact.

Members of the Board, in turn, thanked Mr. Owen for sharing his knowledge and the good working relationship forged between the Board and League. Mr. Owen also stated it had been a rewarding experience to work with the past and present Boards.

Agency Overview

Mary Parker provided an overview of the departments within her agency and the exceptional work they do. Members were invited to tour the agency and speak with staff.

Copies of local census stats were provided to the Board and spoke of issues being faced when having to do social work through an interpreter. It would be helpful if there was a clearinghouse of information that would assist agencies on how to deal with specific issues.

She thanked the Board for coming to the county and welcomed them back in the future.

Minutes

ON MOTION DULY MADE (Ms. Simon-Owens) and seconded (Ms. Rigby) moved to approve the April 2006 minutes as presented. Motion carried with all in favor.

Unfinished Business

Election of Officers

On behalf of the Nominating Committee (William Mitchell, Marilyn Rigby, and Maggi Luca), Ms. Rigby advised that the following members were recommended:

Danny Brown	Chair
Nettie Simon-Owens	Vice Chair
Peppy Linden	Secretary

ON RECOMMENDATION FROM THE COMMITTEE (Ms. Rigby) moved to approve the slate as presented. Motion carried with all in favor.

Congratulations were offered to Danny Brown –Chair; Nettie Simon-Owens-Vice Chair, and Peppy Linden-Secretary.

Future Meeting Schedule

August 16-17	Alexandria Dept. of Social Services
October 18-19	Radford University
December 13-14	Petersburg Dept. of Social Services

Committee Reports

Poverty Committee

Trudy Brisendine reported on this earlier in the meeting.

Child Welfare Meeting

Ms. Brisendine advised she had attended this meeting. The PIP was discussed. She stated PIP revisions were accepted by the feds and they remain on track.

Board Member Comments

Ms. Simon-Owens thanked Ms. Parker and her staff for their hospitality and for the gift bags. Appreciation was offered to Ms. Rengnerth, Mr. Martin, and Mr. Wilson for the work they do for the Board. She thanked Mr. Brown for the good job he does and congratulated him on becoming Chair. She thanked members for their recommendation that she be Vice Chair and promised to do the best job she can for the Board and citizens of Virginia.

Ms. Rigby thanked Ms. Parker and staff for all their hospitality; friendship; and sharing. She congratulated the new leadership. Appreciation was offered to Mr. Martin, Ms. Rengnerth, and Mr. Wilson for the work they do. She thanked Mr. Brown for his leadership.

Ms. Brisendine reiterated remarks made by other members; thanking Ms. Parker for her hospitality. She thanked Mr. Martin for providing the new federal report as it is very helpful. She congratulated the new officers.

Mr. Mitchell congratulated Mr. Brown, Ms. Simon-Owens and Ms. Linden. He thanked Ms. Parker for her hospitality and to her agency for doing a yeoman's job in the area. He also thanked staff for their hard work.

Mr. Brown thanked Ms. Parker and staff mentioning this is a model department. He thanked Ms. Rengnerth, Mr. Martin and Mr. Wilson for making his job easier. He advised he appreciated the League and their work. Mr. Brown thanked members for electing him Chair; stating it is a pleasure and honor to work with the members.

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Adjournment

ON MOTION DULY MADE (Ms. Simon-Owens) and seconded (Ms. Rigby) moved to adjourn the meeting. Motion carried with all in favor.

Respectfully submitted by Pat Rengnerth
Approved August 2006