



***COMMONWEALTH OF VIRGINIA***

**STATE MENTAL HEALTH,  
MENTAL RETARDATION  
AND  
SUBSTANCE ABUSE SERVICES BOARD**

**REGULAR BOARD MEETING**

***AGENDA***

**January 13, 2009**

**DMHMRSAS Central Office  
1220 Bank Street  
Richmond, VA 23219  
(804) 786-7945**

***(Directions on Back Cover)***

**STATE MENTAL HEALTH,  
MENTAL RETARDATION  
AND  
SUBSTANCE ABUSE SERVICES BOARD**  
Tuesday, January 13, 2009  
10:00 a.m.

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8:00 a.m. - Planning & Budget Committee Meeting  
9:00 a.m. - Policy Development & Evaluation Committee Meeting

**DRAFT AGENDA**

Regular Session

			<b>Page #</b>
I.	10:00	Call to Order	Dan Karnes, Chair
II.	10:05	Introductions	
III.	10:10	Approval of the January 13, 2009 Agenda	1-2
IV.	10:15	Approval of December 2, 2008 Minutes	3-10
V.	10:20	PUBLIC COMMENT (3 minute limit per speaker)	
VI.	10:30	Report of the Policy Development and Evaluation Committee	Wendy Brown, Office of Planning and Development 11-12
VII.	10:45	Report of the Planning & Budget Committee	Charline Davidson, Office of Planning and Development 13-14
VIII.	11:00	Commissioner's Report	James S. Reinhard, M.D., Commissioner
IX.	11:30	Staff Updates o Legislative Update	Ruth Anne Walker Office of Legislation
X.	11:45	Board Liaison Reports	State MHMRSAS Board Members
XI.	12:00	Presentation on Housing ( <i>Informational</i> )	Michael Shank Office of Mental Health Services
XII.	12:30	Presentation on Substance Abuse Disorders	Ken Batten Office of Substance Abuse
XIII.	1:00	VACSB Update	VACSB Chair/Staff

XIV. 1:15 Review of the FY09 Work Plan

State MHMRSAS Board Members

XV. 1:30 Other Business & Adjournment

Board Chair

MINUTES

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STATE MENAL HEALTH, MENTAL RETARDATION  
AND SUBSTANCE ABUSE SERVICES BOARD

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December 2, 2008

Goochland Powhatan CSB

Powhatan, VA

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**Members Present:** Daniel E. Karnes, Acting Chair/Vice Chair; Cheryl Ivey Green, Catherine M. Hudgins; Ruth G. Jarvis, Mary J. McQuown, Ananda K. Pandurangi, M.D. and Kathryn Smith.

**Staff:** Leslie Anderson, Director, Office of Licensing  
Wendy Brown, Policy Analyst, Office of Planning & Development  
Jewel Crosby, Executive Secretary, State MHMRSAS Board  
Charline Davidson, Director, Office of Planning & Development  
Paul Gilding, Director, Office of Community Contracting  
Susan Neal, Organizational Development Manager, Office of Human Resource Development  
James Reinhard, M.D., Commissioner, Office of the Commissioner  
India Sue Ridout, Assistant Human Resource Director/Workforce Development, Office of Human Resource Development  
Priscilla Scherger, Director, Office of Operations & Quality Improvement  
Ruth Anne Walker, Legislation Manager, Office of Legislation & Public Relations

**Others:** Susan Bergquist, Executive Director, Goochland Powhatan CSB  
Randy Camden, Director of Day Support & Prevention, Goochland Powhatan CSB  
Victoria Cochran, State Coordinator, Criminal Justice & Mental Health Initiatives  
Jennifer Faison, Public Policy Manager, VACSB  
Jane Hickey, Senior Assistant Attorney General Chief, Office of the Attorney General  
Kim Sprouse, Board Chair, Goochland Powhatan CSB  
Mark Stevens, Disability Rights Advocate, Virginia Office for Protection and Advocacy

**Call to Order** Daniel Karnes, Acting Chair, called the meeting to order at 10:04 a.m. and opened with introductions by those in attendance.

**Agenda:** *Upon a motion made by Catherine Hudgins and seconded by Kathryn Smith, the board unanimously approved the December 2, 2008 Agenda as presented. 7-Yes; 0-No.*

**Minutes:** *Upon a motion made by Ruth Jarvis and seconded by Catherine Hudgins, the board unanimously approved the Minutes from the October 7, 2008 meeting as written. 7-Yes; 0-No.*

**Public Comments:** There were no public comments.

**CSB Overview:** Susan Bergquist, Executive Director, welcomed the board to the Goochland Powhatan CSB and provided an overview on the scope of services provided by the CSB. Ms. Bergquist distributed copies of the CSB 2008 Annual Report to board members. She shared that the Goochland Powhatan CSB was formed in 1982 and their annual budget is around \$5 million. The CSB currently employ around 165-167 staff with 95-100 full-time and the remaining staff part-time. Ms. Bergquist stated that the CSB provides many services within Goochland and Powhatan as well as partner with other boards and the community. The CSB partners with Hanover County for in-home support services to consumers with intellectual disabilities. Ms. Bergquist reintroduced Kim Sprouse, Chair, Goochland Powhatan CSB and shared that they have a ten-member board appointed by the Goochland and Powhatan Board of Supervisors. Ms. Bergquist presented Board members with souvenir coffee mugs.

**Report of the Policy  
Development and  
Evaluation  
Committee:**

Wendy Brown reported on behalf of the committee. The committee met the morning of the regular board meeting at 9:00 a.m. at the Goochland Powhatan CSB. The committee discussed housekeeping issues and the Core Services Policy talked about at the previous meeting. The committee decided to recommend to the board to adopt Policy 1021 (SYS) 87-9 Core Services including the proposed revisions from the October 7 board agenda.

*Upon recommendation from the Policy Development and Evaluation Committee, the board unanimously adopted the revised Policy 1021(SYS) 87-9 Core Services 7-Yes; 0-No.*

The Policy Development and Evaluation committee also recommended that the State Board request the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services to conduct a review of CSB admission criteria and policies and reimbursement policies, procedures, and practices for emergency and case management services with a focus on any effects such policies, procedures, criteria, and practices might have on the ability of individuals who need these services to access them.

*Upon recommendation from the Policy Development and Evaluation Committee, the board unanimously approved the recommendation from the Committee to request the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services to conduct a review of CSB admission criteria, policies and reimbursement policies, procedures, and practices for emergency and case management services with a focus on any effects such policies, procedures, criteria, and practices might have on the ability of individuals who need these services to access them. 7-Yes; 0-No.*

**Adoption of Final Revisions to Regulations for Respite and Emergency Care Admission To Mental Retardation Facilities:**

The Department recommended that the Board adopt the final amended Regulations for Respite and Emergency Care Admissions to State Training Centers for promulgation. Upon adoption, the regulations will be forwarded for approval from the Executive Branch, which includes the Secretary and the Governor. The proposed regulations are published on the Virginia Register for a 30-day public comment period. The regulatory revisions become final following this review period.

*Upon a motion from Mary McQuown and seconded by Kay Smith, the board unanimously adopted the final amended 12 VAC 35-200-10 et seq. Regulations for Respite and Emergency Care Admissions to State Training Centers for promulgation. 7-Yes; 0-No.*

**Planning and Budget Committee:**

Charline Davidson reported on behalf of the committee. The committee met the morning of the regular board meeting at 8:00 a.m. at the Goochland Powhatan CSB. The discussion taken place was mostly on the overview of the budget reductions for FY09. Ms. Davidson publicly thanked Joy Yeh, Assistant Commissioner for Finance and Administration, for sharing how Central Office, CSBs, and state facilities are addressing the reductions. Ms. Davidson distributed handouts shared in the committee meeting noting the five percent reduction at the CSBs and the fifteen percent cuts at Central Office.

Kay Smith shared concerns from her liaison CSB and recapped the conversation from the last board meeting where she shared their concerns around the budgetary crisis. The CSBs expressed concerns that if they had additional flexibility with funding use, it would make matters easier for them. She shared that since the October meeting, she had attended a recent meeting with the Southside Behavioral Health Consortium where they expressed once again, that it would be easier with the current cuts to have flexibility in how they spend the funding they receive.

The committee recommended that the Board support revisions to the Department's budget language to give the Department and CSBs more flexibility in allocating state general funds to meet varying local needs and to eliminate outmoded reporting requirements. The Board asks that the Commissioner convey this support to the Secretary of Health and Human Resources and state budget officials, as appropriate.

*Upon a recommendation from the Planning and Budget Committee, the board unanimously voted to approve the recommendation to support revisions to the Department's budget language to give the Department and CSBs more flexibility in allocating state general funds to meet varying local needs and to eliminate outmoded reporting requirements. 7-Yes; 0-No.*

**Staff Updates**

**Legislative Updates:**

Ruth Anne Walker distributed copies of the board's draft Annual Executive Summary for review in preparation for it to be submitted to the Governor and General Assembly as part of the activity and work of the board. Upon Board review, Ms. Walker requested Board confirmation of the Acting Chair's approval to submit the draft Executive Summary and to include any actions taken at the December 2 meeting.

Ms. Walker provided status updates to the board on the department's name change and shared that the bill is currently being drafted. She shared that the bill would change the name of the department, board, Inspector General, revenue and trust funds. Ms. Walker credited Paul Gilding for his work on the draft.

Ms. Walker commended Jane Hickey, Office of the Attorney General on the work of the Commission on Mental Health Law Reform and shared copies of current carried over or referred bills. The document summarizes actions taken by the Commission at their meeting on October 30-31 regarding bills referred to the Commission by the General Assembly by letter or carried over from 2008. She indicated that the most significant "new" issue coming forward was a mental health advance directives bill. Ms. Walker planned to forward to the Board later in December information on all bills of significance, once filed.

**Board Liaison**

**Reports:**

**Mary McQuown** reported that she would be attending the Mental Health Planning Council on December 3 as well as a legislative breakfast at the Hampton/Newport News CSB on December 5.

**Kathryn Smith** reported that she attended the Southside Behavioral Health Consortium on November 26. She shared that the Martinsville-Henry County Mental Health Association had their annual meeting and Mary McQuown, Board Member, presented to the group.

Ms. Smith informed the board that she had been invited to numerous group homes holiday parties in her area. Ms. Smith shared that one of the group homes will have a live band at their party and invited her to share in a dance with the residents.

**Catherine Hudgins** reported that she would be attending a mental health legislative breakfast in Northern Virginia on Friday, December 5. She reported that she met with her local community drop-in center to hear and discuss concerns from the community on the current cuts. She shared that the group is feeling the impact throughout the community and everyone is very concerned.

**Ruth Jarvis** reported that she would be attending the legislative breakfast sponsored by the Hampton/Newport News CSB on December 5.

**Cheryl Ivey Green** reported that she would be meeting with the Prevention Promotion Advisory Council (PPAC) at their December meeting. The council is preparing recommendations to the state board on how they would like to work with the board in 2009.

**Dr. Ananda Pandurangi** reported that he had attended the meeting on the Commission of Mental Health Law Reform on October 30-31 held in Williamsburg.

*The meeting recessed for lunch at 11:30 a.m. and reconvened at 12:05 p.m.*

**Commissioner's Report:**

Dr. Reinhard updated board members on current activities within the Department, including budget reductions and its impact. Dr. Reinhard shared that he had met with the Governor and his policy staff, members of the House and Senate leadership, and legislative committee staff on November 24 to discuss plans for mental health budget reductions for 2010 with the General Assembly leadership. Dr. Reinhard shared that the Governor's FY09 cuts requested state agencies to provide a 5-10-15 percent reduction strategy. Dr. Reinhard shared that the FY09 cuts would be ongoing and that revenue shortfalls are projected to be over 2.5 billion for the biennium. Many of the cuts were a one-time reduction, however, ongoing.

Dr. Reinhard briefed the board regarding the state revenue forecast for FY10. He reported that the Governor has set aside targeted reductions for 2010 and includes state facilities, training centers and Medicaid. There is a projected \$1.5 billion revenue shortfall for FY10. The board was informed that the Governor would present his FY10 reductions to the General Assembly on December 17.



Dr. Reinhard stated that the capital bond money for the training centers is critical.

There is \$23 million in capital bond money targeted for Southeastern Virginia Training Center and \$43 million targeted for renovations replacing buildings at Central Virginia Training Center. This money is for life and safety code issues. Dr. Reinhard shared that community advocates have expressed concerns and questioned why the Department is investing in that amount of money in the training centers. The advocates questioned the flexibility of dollars and request that some of the dollars be used in community capacity for smaller group homes.

**Executive Session:**

Dan Karnes moved that the State Mental Health, Mental Retardation and Substance Abuse Services Board convene in a closed meeting pursuant to Virginia Code §2.2-3711(A)(1) to discuss the employment of the board's secretary and that the Board request the Commissioner and Jane Hickey from the Office of the Attorney General whose presence will aid in the Board's consideration of this matter, to participate in the closed meeting.

It was certified that the (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

***The Board unanimously supports the Commissioner's recommendation regarding the employment of the board secretary on condition that a specific person is assigned to provide services to the Board. 7-Yes; 0-No.***

**Licensing Regulations:**

Leslie Anderson provided an overview of proposed regulatory action to repeal the Board's existing licensing regulations for children's residential facilities, 12 VAC 35-4-10 et seq. and to adopt replacement regulations 12 VAC 35-46-10 et seq. This action was proposed to comply with legislation from the 2008 Virginia General Assembly, which eliminated the interdepartmental licensing of children's residential facilities. This regulatory action is planned for submission under the fast-track regulatory process which allows regulations be implemented on an expedited basis if they are deemed to be non-controversial.

***Upon a motion from Catherine Hudgins and seconded by Mary McQuown, the board unanimously adopted the proposed regulations 12 VAC 35-46-10 et seq. and replace and repeal existing regulations 12 VAC 35-45-10 et seq. under the fast-track process. 7-Yes; 0-No.***

**Recognition  
Of Service:**

Dan Karnes presented Victoria Cochran, former board chair, with a plaque commending Ms. Cochran for her service on the State Board. In the absence of former board member, Linda Bartlett, it was decided that her plaque would be mailed to her with a note acknowledging and thanking her for tenure on the board.

**Presentations:**

Victoria Cochran, State Coordinator for Criminal Justice and Mental Health Services presented an overview on mental health/criminal justice initiatives.

Ms. Cochran shared information on the establishment of the Mental Health/Criminal Justice Commission from the Governor's Executive Order 62. She shared information on goals and directions of the commission.

India Sue Ridout, Assistant Human Resource Director and Susan Neal, Organizational Development Manager presented an overview of Virginia's Workforce & Succession Planning as it relates to the Comprehensive State Plan goal under human resources management and development.

**VACSB Updates:**

Jennifer Faison, Public Policy Manager, reported on behalf of the VACSB. Ms. Faison provided comments on the status of mental health law reform, populations needing specialized services, Medicaid at the federal and state levels and the VACSB 2009-10 budget priorities. Ms. Faison distributed copies of the regional public hearings schedule and 2009-10 budget priorities. Ms. Faison announced the upcoming Legislative Conference to be held on January 20 -21 at the Omni Hotel in Richmond. She informed the board of the Mental Health Coalition rally scheduled for Monday, January 19 at 10:00 a.m. at St. Paul's Episcopal Church.

**Review of FY09  
Work Plan:**

RuthAnne Walker briefly shared updates to the FY09 Board Workplan, and asked for any additional changes. She informed the board that she would be coordinating legislator visits with board members in January based on their availability.

**Nominating  
Committee:**

Ruth Jarvis chaired the Nominating committee and the committee met to present the slate of officers for 2009. There being no additional nominees from the floor. The committee recommended Dan Karnes, Chair and Ruth Jarvis, Vice Chair:

*Upon the recommendation from the Nominating Committee, the board unanimously accepted the slate of officers as presented. The new officers will begin their roles effective at the January 2009. 7-Yes; 0-No.*

**Other Business  
& Adjournment:**

The next scheduled meeting of the State Board will be held on Tuesday, January 13, 2009 at DMHMRSAS Central Office, located at 1220 Bank Street, 13<sup>th</sup> floor, Richmond, VA. There being no further business, the board chair adjourned the meeting at 3:20 P.M.

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Daniel E. Karnes, Acting Chair/Vice Chair

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Jewel Crosby, Corresponding Secretary

## MINUTES

### STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD MEETING OF THE POLICY DEVELOPMENT AND EVALUATION COMMITTEE

December 2, 2008  
Goochland Powhatan Community Services Board  
Powhatan, Virginia

**Members Present:** Daniel E. Karnes, Chair; Mary J. McQuown; Anand K. Pandurangi;  
Ruth G. Jarvis

**Staff Present:** Wendy Brown, Paul Gilding

**Call to Order:** The meeting was called to order at 9:30 a.m.

#### **Policy 1021(SYS) Core Services**

The Committee continued its discussion of the revisions to the Core Services policy that were initially considered at the October meeting. At this meeting, staff had proposed general updates to this policy to reflect current references and terminology. In the course of the discussion, Dr. Pandurangi had expressed concerns that some individuals requesting services had been denied access and suggested that this policy be revised to include a statement that no one be denied core services by CSBs. Based on this consideration, the Committee had decided to postpone action on this policy until the December meeting.

Paul Gilding indicated that the intent of policy 1021 was to describe the core services that are required by the Code of Virginia and suggested that issue of service access would be more appropriately incorporated into another policy. The Committee discussed this and agreed that service access is an important issue but should not be addressed in Policy 1021. It was also the consensus of Committee that it should obtain more information about the extent of access problems and related issues before it developed policy on this topic. Mr. Gilding suggested that the Committee recommend that the Board adopt the update to policy 1021 as drafted, but also recommend further study of the problem of access to services. Based on this discussion the Committee decided to recommend that the Board adopt Policy 1021 as revised, but also decided to recommend that the Board formally request that the Inspector General conduct a review of CSB admission criteria, reimbursement policies, and practices for emergency and case management services, to determine what effects these policies, procedures, criteria, and practices might have on the ability of individuals who need services to access them. Once more information is available, the Committee intends to develop policy related to access to services.

#### **Status of Policy Reviews**

Wendy Brown distributed a list of current policies with their last review date and a list of policies that were previously identified for review by the Committee. Ms Brown proposed to initiate the review of the next group of policies on the list by distributing them for field review. The Committee agreed and asked Ms. Brown to send three current policies to the field for comment.

The committee meeting was adjourned at 10:05 am.

**DRAFT MINUTES**  
**STATE MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES BOARD**  
**PLANNING AND BUDGET COMMITTEE**

December 2, 2008  
Powhatan, Virginia

**Members Present:** Daniel E. Karnes, Catherine M. Hudgins, Kathryn A. Smith

**Absent:** Cheryl Ivey Green

**Staff Present:** Charline Davidson, Office of Planning and Development  
Joy Yeh, Division of Finance and Administration

**Call to Order:** The meeting was called to order at 8:18 a.m.

**Planning and Budget Committee Meeting Minutes 8/17/2008**

Committee members reviewed and approved the draft committee minutes.

**Update on DMHMRSAS Budget Reductions**

Joy Yeh described the Department's budget reduction plan for FY 2009. This plan included the following:

- **CSB Reductions:** CSBs received a \$12.4 million reduction to be spread across the mental health, intellectual disability, and substance abuse program areas. This ongoing reduction represents 5% of the CSB general fund base. Joy said that the Administration's intent was for the CSBs to cut from administration first. In October, the Commissioner sent a memorandum to the CSB executive directors that provided budget reduction funding information and guidance. This memorandum communicated language in the Governor's Budget Reduction Plan indicating that localities were to implement administrative efficiencies in order to prevent deeper cuts in direct service delivery. In this memorandum, the Commissioner reiterated the consensus of the Department and CSBs to preserve the crisis response of CSBs to the extent possible. In response to a member's question, Joy said that CSB reductions needed to maintain substance abuse maintenance of effort levels required for the federal substance abuse prevention and treatment block grant allocation. Kay Smith mentioned that she has been in touch with her liaison CSBs and these reductions will be difficult for them. The committee recognized that the Governor had requested budget 5%, 10%, and 15% reduction plans and, while the 5% reduction for CSBs was relatively low, reductions for FY 2010 could be worse.
- **State Facility Reductions:** State facilities received a \$22 million reduction, of which \$20 million was taken from accumulated one-time special fund account balances. Because the \$20 million reduction is ongoing, the facilities will be required to permanently absorb this reduction in FY 2010. The remaining \$2 million reduction will involve the consolidation of certain facility administrative functions. Joy said that the 16 facility human resources offices will be consolidated into seven regional offices. Several facility human resources directors have decided to take enhanced retirement under the Workforce Transition Act (WTA) and the remaining directors will apply for the seven regional positions. WTA provides severance package (two weeks per year of service for up to 18 years or approximately 9 months) that can be used to purchase an additional 5 to 6 years of service for their retirement benefit calculation.

- **Central Office Reductions:** The central office received a \$4.9 million or 15% reduction. Joy explained that each office was asked for a plan to absorb a 15% reduction. These plans provided the basis for the reduction plan, which included the following strategies:
  - Elimination of 10 unfilled positions included in the initial CO budget reduction plan;
  - Elimination of 29 additional positions, including 3 newly vacant positions, 2 retirements, 20 enhanced retirements, and 4 layoffs (state general fund balances will be used to cover severance costs required by the Workforce Transition Act);
  - Elimination of wage positions on or before June 30, 2009;
  - Reduction of funds allocated for jail diversion (10%), special hospitalization (15%), copiers, and ITS inventory; and
  - Reduction of funds targeted for contracts, use of one-time revenues, prepayments of items including rent and IT software, and savings from other non-personnel items.

Joy said that pre-payments from last year will allow the Department to retain most staff whose positions are targeted for elimination through the end of March 2009. This should give staff more time to find other positions.

Joy explained that these reductions were in addition to earlier reductions, including a 1.5% reduction on July 1 and the loss of 38 central office positions in 2002 which were never replaced. Committee members expressed concerns regarding employee morale, especially given the fact that the revenue shortfall for FY 2010 is projected to be much worse than FY 2009.

Kay Smith said her liaison CSBs have expressed an interest and desire for have more flexibility in how they allocate their reductions. She mentioned that some CSBs have drafted a resolution to this effect. Staff mentioned that the Central Office also was interested in providing this flexibility, particularly with respect to ear-marked funding in current budget language. Catherine Hudgins also expressed support for greater CSB flexibility and recognized the additional impact of local government shortfalls on services.

The Committee recommended that the full Board consider adoption of a motion supporting revisions to the Department's budget language to give the Department and CSBs more flexibility in allocating state general funds to meet varying local needs and asking that the Commissioner convey this support to the Secretary of Health and Human Resources and state budget officials.

**Adjourn:** The Planning and Budget Committee meeting was adjourned at 9:05 a.m.



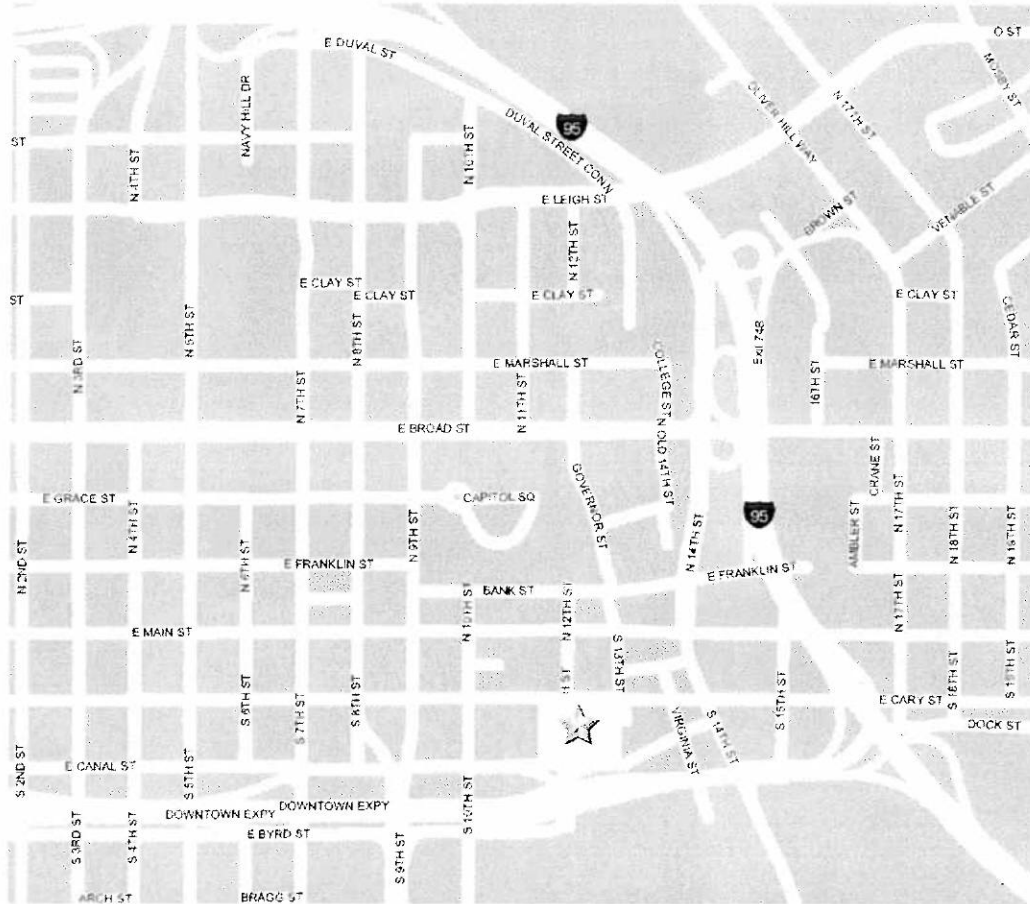
## Driving Directions

EAST- 64-West to Richmond to 95-South, take the Franklin Street exit, keep right onto Franklin Street, keep straight on Franklin to Bank Street.

WEST – 64-East to Richmond, take the Franklin Street exit, merge right onto Franklin Street, keep straight on Franklin to Bank Street.

NORTH – 95-South, take the Franklin Street exit, merge right onto Franklin Street, keep straight on Franklin to Bank Street. .

**DMHMRSAS - Central Office**  
**1220 Bank Street**  
**Richmond, Virginia 23219**  
**(804) 786-7945**



### **PUBLIC PARKING**

(Fees Imposed)

14 <sup>th</sup> & Cary Street	\$12/Day	\$3/Hr	Standard Parking (649-7275)
14 <sup>th</sup> & Main Street	\$5/Day		Parkway (339-3233)
15 <sup>th</sup> & Main Street	\$5/Day		Standard Parking (649-7275)
15 <sup>th</sup> & Cary Street	\$5/Day	\$1/Hr	Parkway (339-3233)
13 <sup>th</sup> & Main Street	\$15/Day	\$4/Hr	Standard Parking (649-7275)
1111 E. Main Street	\$15/Day	\$3/Hr	Central Parking (648-2155)