

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

**Department of Social Services
801 East Main Street
Richmond, Virginia 23219**

February 14, 2018

Attending: Dr. Danny Avula (Chair), Mr. Kent Willis (Vice Chair) Ms. Veronica Washington (Secretary), Ms. MaryAnn Boyd, Mr. William Boone, Mr. John Kines, Mr. Clyde Santana, Dr. Andrew Heck; Ms. Lou Ali, and Ms. Mona Malik.

Absent: Ms. Joan Brennan

Also in Attendance: Mr. Duke Storen (Commissioner) and Ms. Ellen Malenke (Assistant Attorney General).

Meeting called to order at 10:00am – Dr. Avula

Review of Agenda – Ms. Karin Clark, Regulatory Coordinator

Comments from the Commissioner – Mr. Duke Storen

Commissioner Storen thanked the Board chair and staff. He is looking forward to working with the Board. He commented on developments at the national and state-levels as related to the work of the agency, and on his goals for the Board and agency.

Use of Antipsychotic Medications in Assisted Living Facilities – Tara Ragland gave an overview of a study on use of antipsychotic medications in assisted living, conducted by the VCU School of Allied Health Professions-Gerontology. Handouts were provided.

April 2018 Family Services Regulatory Actions – Carl Ayers briefed on upcoming April 2018 regulatory actions. This included: 22VAC40-211 proposed action; 22VAC40-201 proposed and final actions; and 22VAC40-705 proposed action. Handouts were provided.

COMMENT PERIOD

Comment from the Public

Kim Hulcher – Virginia Child Care Association

Ms. Hulcher requested a thorough review of the public comments received on a child care-related proposed regulation. She addressed three provisions having the most significant impact: CPR and first aid, director qualifications, and injury reporting.

Jane Jones – Early Challenges Child Care

Ms. Jones shared her concerns regarding child care standards that are more stringent than required by the Child Care & Development Block Grant Act. She referenced fingerprint checks, CPR, payment practices and staff qualifications.

Comment from Local Boards and Directors of Social Services

Andy Crawford – Director of Bedford Department of Social Services

Mr. Crawford shared his agency experienced a lockdown due to an angry client and that it raised questions on what to do during a lockdown. His foster care caseload is continuing to grow and his agency is pleading for salary changes.

Suzanne Adcock – Director of Rockbridge Area Department of Social Services

Ms. Adcock shared she is departing Rockbridge DSS at the end of the month. She thanked the agency and staff for their support.

Comment from the Virginia League of Social Service Executives – Cathy Pemberton, President

Ms. Pemberton was pleased to hear Commissioner Storen’s remarks. The League has watched legislation closely and have reviewed 141 bills. She shared the League is concerned about the Rockbridge situation, and that consideration is being given to developing a risk assessment tool to prevent further recurrences. Ms. Pemberton introduced colleagues Pamela Little-Hill, Portsmouth Director; Ty Parr, Henrico County Director; and Vanessa Livingstone, Richmond County Director.

Update on Rockbridge Investigation – Ellen Malenke provided an update of the investigation and provided Board members with thumb drives containing copies of the investigation documents. She requested a closed session to further discuss the documents.

CLOSED MEETING

On Motion Duly Made, (Mr. Kines), second (Ms. Ali) moved to go into a closed meeting for the purpose of consultation with legal counsel pertaining to the correspondence and requests received by the Board concerning the Rockbridge local board of social services, pursuant to Virginia Code § 2.2-3711A.8. Attending the closed meeting were: Ms. Boyd, Mr. Kines, Mr. Santana, Dr. Avula, Mr. Willis, Mr. Boone, Ms. Washington, Ms. Malik, Ms. Ali, Commissioner Storen and Ellen Malenke. Motion approved with all in favor.

Dr. Avula reconvened the open portion of the session at the conclusion of the closed meeting. He certified that the closed meeting was held in conformity with Virginia law and that only public business matters as identified in the motion by which the closed meeting was convened were discussed. Members unanimously agreed with the certification of the closed meeting.

Dr. Avula suggested Board members discuss the next steps of the investigation. Board members discussed the revision of the timeline to conclude the investigation given the lengthy documents to review. Mr. Kines suggested the investigation committee meet after the Board meeting.

April 2018 Benefit Programs Regulatory Action – Toni Washington briefed an upcoming April 2018 regulatory action, 22VAC40-601 final regulation. Handouts were provided.

Regulatory Update – Karin Clark, Regulatory Coordinator

Ms. Clark provided the status update on 22VAC40-185 highlighted on page 2 of the Report and 22VAC40-661 highlighted on page 4.

ACTION ITEMS

1. **Approve December 2017 meeting minutes**
On Motion Duly Made, (Mr. Kines), second (Ms. Malik), motion approved with all in favor.
2. **Resolution to Recognize Office Services Support Appreciation Month**
On Motion Duly Made, (Mr. Boone), second (Ms. Boyd), motion approved with all in favor.
3. **22VAC40-910, General Provisions for Maintaining & Disclosing Confidential Information – Fast Track**
On Motion Duly Made, (Mr. Santana), second (Ms. Washington), motion approved with all in favor.

Board Member Requests for Future Information

Dr. Avula asked members for closing comments and suggestions for future meeting topics. Members provided reflective comments on the meeting in general. Dr. Avula indicated the June Board meeting would be in Lynchburg. Ms. Malik suggested continuing the working lunches during the Board meetings. Dr. Avula asked members to be responsive to communications from Moniko Coleman.

Meeting adjourned at 2:19pm.

State Board of Social Services Investigation Procedures - Ellen Malenke, John Kines, and Kent Willis met at the conclusion of the State Board meeting. The committee agreed to coordinate with the Rockbridge attorney to coordinate a date to meet in Rockbridge before the April Board meeting. Ellen will contact the attorney and Ms. Maini. The committee suggested having a court reporter at the meeting. Ellen and the committee will update the Board members once the meeting date is finalized.