

Minutes
State Board of Social Services
VDSS- 7 N. 8th Street
Richmond, Virginia
February 18, 2004

Present

Julie Christopher, Vice Chair
Maggi Luca, Secretary
Danny Brown
William Mitchell

Absent

Jean Cobbs-Memorial Service for Husband
Phillip Jones-Work Related
Carol Coryell-Out of Country
Robert Spadaccini-Out of Country
Debra Andrews, Chair-Emergency in Family

Call to Order

The February 18, 2004 meeting of the VA State Board of Social Services was called to order at 9:00 a.m., Vice Chair Julie Christopher presiding. Ms. Christopher advised there was no quorum at the meeting; therefore, no action items could be moved on today.

Welcome & Introductions

William Mitchell was introduced as the newest Board member (replacing Senator Mamie Locke) and was sworn in by Deputy Secretary Judy Anderson. Mr. Mitchell serves as Assistant City Manager for Newport News.

Mr. Mitchell joins the Board with a wealth of experience in the management and delivery of municipal operations and service delivery. His current areas of specialization are Public Works, Public Transit, Parks, Recreation and Tourism, Libraries and Management Information Systems Technology. They also include Social Services, Health Services, Behavioral Health and Community Support Services. His duties encompass program development, establishment and coordination of program priorities, strategic planning, coordination of City agencies, community organizations and citizen groups. Within this diverse spectrum, he performs the functions of budget administration, personnel management and negotiation.

Members welcomed Mr. Mitchell to the Board and look forward to working with him.

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Awards of Appreciation

Senator Mamie Locke and Deputy Commissioner Ray Goodwin received engraved Revere Bowls as gifts of appreciation from the State Board of Social Services for their years of faithful and dedication service to the Board. Ms. Locke retired from the Board in December and Mr. Goodwin plans to retire from the Department in March. Both will be truly missed.

Regulatory Update

Richard Martin, Manager of the Office of Legislative and Regulatory Affairs advised that as of February 17, 2004, the Department of Social Services has 89 regulations in place. 47 of the 89 are currently in process.

Of those, 47, 37 are in the process of being repealed (28 of the repeals relate to old AFDC regulations that will be replaced by the new TANF regulation).

11 additional new regulations are in the process of being promulgated.

That totals 100 regulations and proposed regulations.

Mr. Martin advised there are five regulations currently in public comment:

22 VAC 40-80, General Procedures and Information for Licensure, public comment on proposed regulation ends March 26, 2004

22 VAC 40-141, Minimum Standards for Independent Foster Homes, public comment on proposed regulation ends March 26, 2004

22 VAC 40-293, Locality Groupings, public comment on proposed regulation ends March 26, 2004

22 VAC 40-740, Adult Protective Services, public comment on proposed regulation ends March 25, 2004

22 VAC 42-11 and 22 VAC 42-10, Standards for Interagency Regulation of Children's Residential Facilities, public comment on Notice of Intended Regulatory Action ends February 25, 2004

Mr. Martin advised the Office of Interdepartmental Regulation is now under his supervision within Legislative Affairs.

Ms. Christopher referred to a letter that members received regarding this regulation. Mr. Martin assured the Board that the regulation is still in the NOIRA stage, proposals have been introduced, but no changes had been made to this regulation.

Charlene Vincent, Office Coordinator for Interdepartmental Regulation will be present during public comment to answer any questions that may arise regarding this proposed regulation.

Mr. Martin stated that 22 VAC 40-191; Background Checks for Child Welfare Agencies, final amendments will become effective April 1, 2004

Presentations

Mr. Martin provided a briefing on the 28 Aid to Families with Dependent Children (AFDC) Regulations. He advised this would come before the Board at their next meeting for final repeal.

Mark Golden reviewed this regulation with members, advising the public will benefit from the repeal of the regulations because it will be easier to access all rules regarding TANF at one time in the new, comprehensive regulation rather than having to research many different regulations. The public will benefit by having easier access to the rules they are governed by. The Commonwealth will benefit because only regulation will contain the program rules for TANF. Less time will have to be used for review and maintenance of the regulation.

Terry Smith, Adult Services Program Manager highlighted Senate Bill 318 and House Bill 952, establishing enhanced protections for Virginia's vulnerable adult population and to develop best practices in Adult Protection Services (APS).

She advised that during the 2002 General Assembly, Senator Puller agreed to withdraw Senate Bill 454, which would have established a central registry for APS, with the proviso that the Department agree to a campaign to educate mandated reporters on their responsibilities under APS.

In that same session, Senator Bolling requested Secretary Jane Woods, that the Department examine underreporting of APS by mandated reporters. The culmination of this research was a legislative report issued by the Department in December 2002 entitled, Adult Protective Services: Identifying and Preventing Adult Abuse, Neglect and Exploitation.

A team that included approximately 45 persons and noted 17 recommendations for improved services, including the development of an adult fatality review team reviewed this report. The Committee members include Adult Services Subcommittee of the League of Social Service Executives; VA Alliance of Social Work Practitioners; VA Coalition for the Aging; VA Coalition for the Prevention of Elder Abuse; Alzheimer's Association; VA Center on Aging; VA Hospital and Healthcare Association; VA Association of Area Agencies on Aging and the VA Bankers Association; Lynchburg College, VA Commonwealth University, VA Tech; VA Against Domestic Violence; Blue Ridge Legal Services; VA Health Care Association; VA Association for Non-Profit Homes for the Aging; VCU Police Academy/Sheriff; and representatives from the clergy, state agencies within the Secretariat of Health and Human Resources, and local department of social services staff.

A summary of changes was reviewed with members. Implementation actions include developing adult fatality review team protocols in cooperation with Chief Medical Examiner; amend APS regulation; deliver training to mandated reporters; and notify employers of mandated reporters of their duty to inform staff that they are mandated reporters.

Ms. Smith provided members with a brochure entitled "What Mandated Reporters Need to Know" and a copy of the department's Long-Term Care and Prevention Services 2003 Program Report.

Child Abuse/Neglect Fatality Report

Rita Katzman, Program Manager for Child Protective Services (CPS) updated the members on the Fatality Report and reviewed strategies for the prevention of child abuse/neglect fatalities.

Ms. Katzman advised these strategies include sharing information with the Family Advocacy Program of the United States Armed Forces in CPS family assessment cases; train CPS workers on how to recognize and assess post-partum depression; develop and implement a Statewide Child Abuse and Neglect Prevention Plan; develop a pro-adoption community campaign; and build on the Governor's "took kit" for new families.

Mr. Brown advised he was interested in serving on the CPS Advisory Group with Ms. Katzman as this is an area of interest to him. Ms. Katzman welcomed him to join. This issue will be discussed with Chairman Andrews and if approved, Ms. Katzman will contact Mr. Brown.

Mr. Martin pointed out the value of meeting at the Home Office in Richmond where expert staff could come before the Board and do their own presentations.

Ms. Christopher questioned whether Ms. Katzman was aware of a case that was discussed at a previous meeting and Ms. Newbanks was following up on. Although she was not, the issue will be reviewed and discussed at the March meeting.

Children and Family Services Review

Linda Booth, Program Manager provided a handout an overview of Children and Family Services (copy to be kept with original minutes housed in the Home Office). The department is focused on improving child and family services throughout the Commonwealth. CFS review is providing an opportunity to assess Virginia's programs and identify areas for improvement. Program improvement could generate legislative, regulatory, budget and practice changes. All local departments of social service and stakeholders are partners with VDSS in planning improvements.

Ms. Christopher stated that as liaison to this committee, she is extremely impressed with the work being done by staff.

Permanency Planning for Children

Teresa Wolfe advised that permanency for children is the achievement of a lifetime family connection, a sense of belonging and a secure legal and social status for all children.

Permanency planning is a child welfare practice that has its basis in federal law; recognizes foster care is only a temporary solution for children removed from their birth family due to abuse or neglect and that every child has a right to a permanent family; promotes decision-making on the behalf of children that is decisive, timely, and meets the need of the child for permanence and connection to others; and emphasize the child's need and the child's sense of time.

Outcomes include preventing children from coming into foster care through in-home services; limits the time children spend in out-of-home care; decreases the deleterious effects of out-of-home care on children's psychological and emotional development and increases the effective and efficient use of child welfare funds.

Ms. Wolfe advised that social work and legal practice in child welfare has changed and continues to change to reflect the principles of permanency planning. Virginia law, regulations and policy increasingly reflect and support this change in practice.

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Commissioner Comments

Commissioner Maurice Jones welcomed Mr. Mitchell to the Board and stated he looked forward to working with him.

He also stated he knew of the Chair's family emergency and his thoughts were with her.

Mr. Jones advised the General Assembly continues in session and it was his hope that they pass the Senate version of APS. He commented that Ms. Smith and her group have worked very hard on this. Although there is still much work to be done, it is definitely a step in the correct direction. He advised the House version scaled back on the numbers of mandated reporters and fatality review team.

Commissioner Jones advised the Child Day Care Council public comment on their regulation closed on January 2. Over 3000 public comments were received. The Council plans to consider each and move forward with May as they completion date.

There is currently a resolution in the Senate that when the Council finishes their work, JLARC will review the final version and do a financial impact on the new proposals.

The House version indicates that the Council will do the work; but move the effective date to July 2005 on staff to student ration; education requirements; group size, etc.

Increasing the square footage in day care centers is gaining the most attention. He feels this will be changed in some way.

Workforce Development Issue will remain on the agenda. VIEW will be a consideration in what is proposed.

The Budget is still a large issue and the General Assembly is preparing to tackle this and tax reform.

Ms. Christopher inquired if funds for Healthy Families were safe. Commissioner Jones advised that this is general fund dollars and could not be considered secure.

Technology problems continue and prevent the department from doing its best job. Having 57 different systems with only a handful speaking to each other is a particular problem at the local level.

Commissioner Jones advised that key vacant positions within the agency are being reviewed.

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VLSSE Update

Ben Owen, President of the League invited the Board to their Spring Conference in Abingdon May 5-7, 2004.

Ms. Christopher commented that details were late in coming for the past conference and asked if these could be sent out earlier this year.

Mr. Owen welcomed Mr. Mitchell to the Board, stating he had known him for some time and knew he would be an asset to the Board.

Mr. Owen spoke of Workforce Development and advised the League is ready to assist in any way they can on this Bill.

He further advised that the League developed a spreadsheet showing would happen at the local level if \$1 million dollars was removed from their budget. This has the potential of being \$3-20 million dollars due to federal matches, etc.

Legislative Update

Mr. Martin provided a copy of his Legislative Report to members (copy attached to original Minutes housed in the Home Office).

Future Meeting Schedule

It was suggested that the next meeting date be March 10 since there was no quorum at this meeting. (Chairman Andrews in agreement.)

The April 14-15 meeting is scheduled in Prince William, Virginia.

Unfinished Business/Board Comments

Ms. Christopher advised she had heard some grumbling on the Board and asked members to read the CODE Book and review their job duties/descriptions. She advised that we need to remind ourselves of the job we have been given and the need to energize each other for the good of Virginia. She is concerned over the absence of members and the inability to accomplish the business of Virginia.

Ms. Luca asked how members are to better step up to the plate and perform their duties. Ms. Christopher advised that we could do that through a Mission Statement and Vision.

Mr. Martin stated that if the Board agrees to a Retreat, he would suggest a Strategic Planning Session and work through the CODE Book section by section.

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Ms. Luca asked that an organization chart be provided to Board members.

Members were requested to keep these meeting packets and bring them back to the March 10 meeting (Home Office site).

Ms. Christopher asked to see a copy of the original letter sent from the Director of an adult home (received at January meeting) and also the response from the Chair prior to mailing.

Rolling Agenda

Regulatory Process Review (March meeting)
Revised Version of Bylaws (March meeting)
Have copy of Department/Board Mission at March meeting

Public Comment

Mark Jaccard stated he tracked the work of the Board through their Minutes and congratulated them on the good job they are doing.

Mr. Jaccard advised he operates a residential facility in Winchester, has plans to open an Alumni Kids Home in three weeks, and is concerned over the impact of the proposed changes to the regulation.

He particularly mentioned his concern that the funding stream within CSA doesn't include his group as a stopgap. The proposed regulations move them into a category that will cause them to shut their doors. It is his facilities goal to offer children the same level of quality that children in private homes receive. He asked the Board to consider groups such as his when they are reviewing this regulation.

Mr. Jaccard will meet with Ms. Charlene Vincent to discuss this further at the end of public comment.

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Unable to approve for lack of quorum

Meeting adjourned at 1:40 p.m.

Submitted by Pat Rengnerth
Approved March 10, 2004