

Minutes
VA State Board of Social Services
June 20-21, 2007

Albemarle County Office Building
1600 5th Street –Suite A
Charlottesville, VA

Members Present

Danny Brown, Chair
Nettie Simon-Owens
Peppy Linden
Trudy Brisendine
Shirley E. Culpepper
Maggi Luca
Brenda Hornsby
Bela Sood (Wednesday only)

Members Absent

Marilyn Rigby – family illness

Call to Order

The meeting was called to order at 9:05 a.m., Chairman Danny Brown presiding. Mr. Brown announced that Ms. Rigby would not be in attendance due to illness.

He thanked Kathy Ralston, Director for hosting this meeting and offered a special thanks to the Albemarle DSS Advisory Board for hosting today's breakfast.

Welcome and Introductions

Jane Clements, Regional Director welcomed the Board to the Piedmont Region on behalf of Lee Patterson.

Claude Foster, Advisory Board Chairman and Ken Boyd, Board of Supervisor Chairman welcomed the State Board to Albemarle County. Bryant Elliott, Assistant County Executive was also recognized.

Local Directors were recognized and included Eddie Harrison, Roma Morris, Rick Verilla, Susan Muir, Buzz Cox, James Howard, and Betty Wells.

Ms. Ralston reminded the Board that the Albemarle Career Center is open all day and encouraged them to visit the on-site one-stop center.

Agenda Review

Richard Martin, Manager of the Office of Legislative and Regulatory Affairs reviewed the agenda.

Information Items

Regulation Status Report

Richard Martin advised there are a total of 67 regulations (18 of which are in a current active state). He reviewed the following regulations of concern: 22 VAC 40-72-Standards for Licensed Assisted Living Facilities; 22 VAC 40-110 Minimum Standards for Licensed Family Day Homes; 22 VAC 40-111-10-standards for Licensed Family Day Homes; 22 VAC 40-191-10-Background Checks for Child Welfare Agencies; 22 VAC 40-705-Child Protective Services; 22 VAC 40-740-10-Adult Protective Services; 22 VAC 40-880-10-Child Support Enforcement Program and 22 VAC 42-011-10-Standards for Interagency Regulation of Children's Residential Facilities. A copy of this report is attached to the official minutes housed at the home office.

Public Hearings have been scheduled for regulation 22 VAC 42-011-10 Standards for Interagency Regulation of Children's Residential Facilities in conjunction with the Departments of Juvenile Justice, Education, Medical Assistance Services, and Mental Health-Mental Retardation and Substance Abuse Services. The dates are July 9 in Roanoke; July 10 in Richmond, and July 11 in Virginia Beach. The hearings will begin at 6:30 p.m. Please see Ms. Rengnerth for further details if a member is available to attend a hearing in his/her area.

It was confirmed that these hearings will be conducted by Chief Operating Officers and Assistant Commissioners from the five agencies that jointly promulgate this regulation. State Board members from each agency have also been invited to attend. These hearings will be a "vehicle" to hear/receive comment from the public.

Ms. Simon-Owens requested that future regulatory reports reflect the reason a review was not done timely and when the Board can expect an update.

It was also requested that after a regulation has become effective that the department present a review of the financial impact associated with it.

Strategic Plan

Zandra Relaford, Strategy Management and Research Office provided an update of the department's Strategic Plan. She reviewed past accomplishments of the committee and advised they are currently updating and revising the Plan. She advised the "new" Plan is similar to the former one. It retains mission and similar goals, is built on a process that has worked, will result in some changes in objectives, will create new strategies and refined measures for the next five years and will be a part of an ongoing improvement process; not just a document.

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She advised Goal 4 will be expanded to include family input. Ms. Sood encouraged her to include someone on this steering committee that would provide family input. Ms. Simon-Owens agreed.

Mr. Brown thanked Ms. Luca for serving on this committee and advised she was no longer able to serve due to a scheduling conflict. Please contact Mr. Brown if you are interested in serving.

Child Welfare Program Improvement Plan/Child & Family Services Review (CFSR)

Lynette Isbell, Director of Family Services presented an update to Board members highlighting the components of the CFSR, program outcomes, results on national performance indicators and systemic factors. A copy of this presentation is attached to the official minutes housed in the home office.

Child Protective Services Differential Response System (DRS)

Rita Katzman, Manager of Child Protective Services and Dr. Renee Loeffler, Senior Program Director for Virginia Tech Institute for Policy and Governance presented an evaluation of DRS to the Board. She provided members with background information, findings in the 2007 Report to the General Assembly; services; screened out reports; and plans for this year's evaluation. A copy of this material is attached to the official minutes housed in the home office.

Ms. Katzman was requested to provide a Child Fatality Report and follow up on training issues at the Board's August meeting.

Comment Period

Public

Jim Schuyler, Executive Director of Virginia Community Action Partnership spoke to the Board on Community Action Partnerships. He highlighted the recent National Community Action Symposium on Poverty and Economic Security held in May; noting a significant increase in the number of governmental and other organizations setting timeframes and establishing goals to eliminate poverty. He highlighted the Earned Income Tax Initiative (EITC) for 2006 mentioning significant increases in activities at all levels and 70% increase in refunds. Members were provided with a brochure entitled *Market Wise*. A copy of this handout is attached to the official minutes housed in the home office.

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Virginia League of Social Service Executives

Susan Clark reviewed the League's Legislative agenda. A copy was provided to members with a copy attached to the official minutes housed in the home office.

Commissioner

Commissioner Conyers advised that issues important to the League are also important to the department. He stated that funding continues to be a concern; recognizing that training dollars are a significant challenge. Two years ago \$12 million dollars was spent on training; less than \$4 million dollars is available this year and is driven exclusively by availability of resources. He advised the department has been very successful over the past month talking to VCU setting forth a plan of action to ensure that mandatory and policy training will get done.

Commissioner Conyers spoke briefly on this funding issue, saying he believed we were lulled into letting our financial systems and our financial realities drive our public policy systems and our public policy realities. J. R. Simpson will speak further on this issue today.

Commissioner said we can make our position known and advocate for more funds, and continue to do creative thinking through the Poverty Committee and Project Discovery.

At the request of Ms. Luca, Commissioner Conyers highlighted the First Lady of Virginia's For Kids information gathering tour. He will request Mike Evans to speak more in-depth on this at the August meeting if it can be arranged.

Action Items

Approval of Minutes

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

Reimbursement Rates for Local Administration Costs

J. R. Simpson, Chief Financial Officer reviewed the Virginia Public Assistance cost Allocation Plan submitted to the U. S. Department of Health and Human Services, Division of Cost Allocation. Working with federal and local partners, the Division of Finance has rewritten Virginia's public assistance cost allocation plan (PACAP). The PACAP rewrite was required as a condition of settling over \$50 million in disallowed claims for federal reimbursement received by the department in 2005. The disallowances were for claims that dated as far back as the late 1990's. The rewritten Plan ensures Virginia receives every dime in federal reimbursement the Commonwealth is entitled to, but not a dime the Commonwealth is not entitled to have.

He advised they are in the process of hiring a third party to review their work to ensure they have met this mark. He further advised that as charges are found to be appropriate, amendments will be submitted.

ON MOTION DULY MADE (Ms. Linden) and seconded (Ms. Simon-Owen) moved for approval to implement the Virginia Public Assistance Cost Allocation Plan submitted to the U. S. Department of Health and Human Services, Division of Cost Allocation. Motion carried with all in favor.

22 VAC 40-35 Virginia Independence Program
Exempt Final Regulation

The regulatory action will implement changes required by chapter 568 of the 2007 Acts of Assembly. The changes are identical to the emergency regulation the Board approved on June 14, 2006.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Simon-Owen) moved to approve the exempt final regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive order 36 (2006) and the Administrative Process Act. This regulatory action will become effective upon the expiration of the emergency regulation on September 1, 2007. Motion carried with all in favor.

22 VAC 40-35 Virginia Independence Program
Notice of Intended Regulatory Action

The purpose of this planned regulatory action is to change Code of Virginia citations that changed as a result of recodification, change terms from Aid to Families with Dependent Children (AFDC) to the current Temporary Assistance for Needy Families (TANF), update the definitions, remove obsolete language concerning the receipt of federal waivers, remove references to the Virginia Targeted Jobs Grant Program, and address situations when an applicant for TANF names multiple possible putative fathers.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Mr. Culpepper) moved to approve the Notice of Intended Regulation Action package to amend 22 VAC 40-35, Virginia Independence Program for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

22 VAC 40-771 Adult Services Approved Providers

Final Adoption

This action will establish a new regulation and repeal the existing regulation. The new regulation governs adult service providers that are approved by local departments of social services, including out-of-home providers of adult day services and adult foster care; and in-home providers of chore, companion and homemaker services.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Hornsby) moved to approve the final regulatory package to establish 22 VAC 40-771, Adult Services Approved Providers for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006) and approve the final regulatory package to repeal 22 VAC 40-770, Standards and Regulations for Agency Approved Providers. Motion carried with all in favor.

22 VAC 40-211 Resource, Foster and Adoptive Family Home

Approval Standards

Notice of Intended Regulatory Action

The purpose of this proposed action is to adopt a new regulation specific to the approval requirements for resource, foster and adoptive family home providers approved by local departments of social services. The new regulation will ensure compliance with changes to federal and state laws and regulations.

Ms. Linden confirmed that background checks will have a cost attached to them. She was advised that effective July 1, 2007, the department will incur the cost and will not be charged to local agencies.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Sood) moved to approve the Notice of Intended Regulation Action package to establish 22 VAC 40-211, Resource Foster and Adoptive Family Home Approval Standards for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

22 VAC 40-11 Public Participation Guidelines

Periodic Review

This action will complete the periodic review of this regulation as required by Paragraph 2.2-4017 and Executive Order 36 (2006). It was confirmed no public comment was received on this.

ON MOTION DULY MADE (Ms. Luca) and seconded (Mr. Culpepper) 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 the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

22 VAC 40-680 Virginia Energy Assistance Program- Low Income Home Energy Assistance Program (LIHEAP)

Periodic Review

This action will complete the periodic review of this regulation as required by Paragraph 2.2-4017 and Executive Order 36 (2006). It was confirmed no public comment was received on this.

ON MOTION DULY MADE (Ms. Simon-Owens) and seconded (Ms. Brisendine) 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 the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

22 VAC 40-780 Elimination of Financial Eligibility for Direct Social Services

Periodic Review

This action will complete the periodic review of this regulation as required by Paragraph 2.2-4017 and Executive Order 36 (2006). It was confirmed no public comment was received on this.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Hornsby) 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 the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

22 VAC 40-111 Standards for Licensed Family Day Homes and 22 VAC 40-110 Minimum Standards for Licensed Family Day Homes

Withdraw Proposed Stage of Regulatory Action

Mr. Martin advised the proposed regulation has been under executive review since October 2003. Recently, the Office of the Secretary of Health and Human Resources requested the Board to reexamine the space requirements that were in the 2003 proposal. Additionally, there have been a number of statutory changes that have been adopted since 2003 that need to be incorporated into the new regulation.

He advised Licensing Programs staff is currently reviewing and researching changes to the proposed regulation and plan on reconvening the Family Day Home Standards Advisory Committee this summer to review a revised, proposed regulation and have it ready to bring back before the Board at the October meeting.

ON MOTION DULY MADE (Ms. Luca) and seconded (Mr. Culpepper) moved to withdraw the proposed action to establish 22 VAC 40-111, Standards for Licensed Family Day Homes; and to repeal the existing regulation: 22 VAC 40-110, Minimum Standards for Licensed Family Day Homes that was adopted on October 22, 2003. Motion carried with all in favor.

Implementation of Assisted Living Facility Regulation (ALF)

Richard Martin advised the ALF Regulation became effective 12/28/06.

38 DSS staff received training 11/06

859 providers received training 12/06

A Technical Assistance Document was uploaded to the VA Town Hall in 6/07. He advised there are 16 fewer ALFs on 5/1/07 compared to 5/1/06. A copy of the “top 10 violations” comparing the first quarter of 2007 to 2006 was shared with the Board. Copies of these reports are attached to the official minutes housed in the home office.

Ms. Linden asked for a report on which areas of Virginia these closures took place and what loss of beds it represents. Ms. Simon-Owens was interested in the cost of delivering the required training to providers and asked about the cost effectiveness of web-casting. She would also like to know the dollar amount involved that caused these providers to close up. Mr. Martin advised that licensing staff will attend the August meeting to discuss these questions.

Commissioner Conyers advised licensing staff will revisit specific parts of this regulation that caused the most conflict; i.e. generator purchase.

Recessed at 4:15 p.m.

Thursday, June 21

Reconvened at 9:00 a.m.

Mr. Brown thanked the Planning District DSS Directors for hosting today’s breakfast.

Announcement

Commissioner Conyers advised that Virginia’s mainframe computer had been broken for the past 18 hours but was now on line working. He will keep the Board updated as things develop in Richmond.

Action Items

Prince Edward County Classification and Compensation Deviation

The Division of Human Resource Management has thoroughly reviewed the Prince Edward County department of Social Services' request to deviate in classification and compensation and recommends that the request be approved.

ON MOTION DULY MADE (Ms. Simon-Owen) and seconded (Mr. Culpepper) moved to allow the Prince Edward County Department of Social Services to deviate from the State and follow the Classification and Compensation System for Prince Edward County to be approved effective July 1, 2007. Motion carried with all in favor.

Local Classification and Compensation Plan

The Virginia Department of Social Services' Division of Human Resource management and a committee of local agency employees chaired by Betty Wells, Director of Halifax County, have collaborated to update the current classification/compensation structures used by the local non-deviating, local departments of social services.

ON MOTION DULY MADE (Mr. Culpepper) and seconded (Ms. Luca) moved to approve the Classification and Compensation Schedule, Class Titles and Salary Grades, and Class Specifications to be effective July 1, 2008. Motion carried with all in favor.

Ms. Luca encouraged the Board to be as supportive as possible of this Plan.

Committee Reports

Nominating Committee and Election of Officers

The Committee Chair presented the following Slate with considerations to have the committee chosen in February next year (rather than April) and suggest that if a Board member is interested in holding a position they contact the committee advising of such.

Chair	Nettie Simon-Owens
Vice Chair	Gertrude (Trudy) Brisendine
Secretary	Peppy Linden

ON MOTION DULY MADE (Committee Chair Luca) moved to accept the Slate of Officers as presented. Motion carried with all in favor.

Chairman Brown congratulated the newly elected officers and pledged his support to them. (The meeting was turned over to Ms. Simon-Owens, current Vice Chair since Mr. Brown had to leave due to another meeting conflict).

Members thanked Mr. Brown for all his hard work as a member for the past five years and for his work this last year as Chair of the Board.

Poverty Committee Report

Trudy Brisendine, Committee Chair highlighted details of the meeting. Information on the Poverty Committee meetings, agenda and minutes can be found on the Virginia Town Hall website. Ms. Brisendine explained the Voices of Poverty web site (www.voicesofpoverty.org) which features pod casts providing 5 – 10 minute interviews with individuals in the Charlottesville area who are living in poverty. This site also has links to a variety of resources and to a United Way volunteer site. A packet of information about new poverty initiatives nationwide (compiled by Jim Schuyler, Executive Director of the Virginia Community Action Partnership) was distributed to Board and staff who were unable to attend the Poverty Committee meeting.

Albemarle County DSS Presentation

Kathy Ralston, Lynette Cary, and Kevin Waisleki and provided members with an overview of the agency and spoke specifically about the Knowledge Management System (KMS); its linkage to BPR and the Strategic Plan, emergency preparedness, and continuous quality improvement. A copy of this handout was provided to members and is attached to the official minutes housed in the home office.

Members acknowledged their appreciation of this presentation and their hopes it could be shared as a model to other local DSS agencies statewide.

Unfinished Business

Board Roles & Responsibilities

Members were asked for specific concerns regarding their roles and responsibilities. Some suggestions included using better marketing techniques to encourage public comment, and hear from local agencies within the meeting region focusing on innovative and successful efforts in their respective communities. It was also discussed holding future meetings in challenged areas so members can gain first-hand information on issues and add a “face” to statistics. These issues will be discussed at the Board Retreat that is to be scheduled within the next several months.

Commissioner Conyers offered to have the various departments within social services provide an overview and update of their respective areas at future Board meetings if members desired.

New Business

None

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Future Meeting Schedule

August 15-16, 2007	Norfolk
October 17-18, 2007	Russell County
December 12-13, 2007	Petersburg

Board Member Comments

Members thanked Kathy Ralston and her staff for hosting the Board's meeting and for the hospitality shown them during their stay. Commissioner Conyers, Richard Martin, Pat Rengnerth, Al Wilson and department staff were also thanked for their hard work.

Appreciation for a job well-done was offered to the outgoing Chairman Danny Brown.

Congratulations were offered to the new slate of officers: Nettie Simon-Owens (Chairman), Trudy Brisendine (Vice Chair), and Peppy Linden (Secretary).

Adjournment

There being no further business of the Board of Social Services, Vice Chair Nettie Simon-Owens adjourned the meeting at 12:30 p.m.

Respectfully submitted by Pat Rengnerth