

Minutes
Commonwealth of Virginia
State Board of Social Services

Prince Edward County Government Center
111 S. South Street
Farmville, Virginia

December 10-11, 2008

Members Present

Trudy Brisendine, Brenda Hornsby, Michelle Larkin, Peppy Linden, Maggi Luca, Barbara Manuel, Danny Brown, and Bela Sood

Members Absent

Shirley Culpepper

CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Chairperson Trudy Brisendine.

Committees met from 9:05-10:00 a.m.

Children's Issues
Brenda Hornsby-Chair

Committee on Poverty Awareness
Peppy Linden-Co-chair

Announcements
Shirley Culpepper is recovering from an eye infection and will not be present at this meeting.

The Chair advised that Annis Brown (Danny's wife) is improving and should return home Thursday.

Ms. Rengnerth was welcomed back from medical leave.

The Commissioner's Roundtable will take place on Wednesday night from 6-7 p.m. in the Board of Supervisor's meeting room.

WELCOME AND INTRODUCTIONS

The Chair recognized Board members Danny Brown, Brenda Hornsby, Peppy Linden, Maggi Luca, Bela Sood, Michelle Larkin, and Barbara Manuel. DSS staff introduced included Commissioner Anthony Conyers, Margaret Schultze, Pat Rengnerth, Richard Martin, and Al Wilson; Special Assistant Attorney General.

Bucky Fore, Chairman of the Prince Edward County Board of Supervisors welcomed the Board to Farmville and provided an overview of the area.

REVIEW OF THE AGENDA

Richard Martin, Manager of the Office of Legislative and Regulatory Affairs reviewed the meeting agenda. The new format will include committee meeting information thus reducing the need for multiple legal notices Meeting minutes will contain a brief overview of items discussed in committee thus reducing the need for several sets of minutes (Committee chairs will provide Ms. Rengnerth with an overview).

By consensus, members agreed to move the Board of Nursing presentation after the Medication Aide presentation.

Mr. Martin advised he had included an acronym list in the Board packet at the request of Ms. Hornsby.

INFORMATION ITEMS

Status of Regulations

Mr. Martin reported on the status of regulations as of December 10, 2008 and provided a copy of this report that indicated the unit of responsibility; periodic review schedule; current location and status. Fifty-seven regulations are in place; 27 are in process, 17 repealed, six amended, four in periodic review, and nine new regulations for a total of 66 regulations and potential regulations. Copy attached to the official minutes housed in home office.

Overview of the Division of Training Management

Patrick Patrong, Director of the Division of Training Management spoke to the Board on Vision 2010, the Leadership Academy, the Knowledge Center and the need to provide training without additional funds.

Mr. Patrong advised that there is a \$10 registration fee for courses offered outside of the agency. There is no cost to locals for agency courses. There was much discussion from members on how training is meeting the needs of workers and concern that not all workers are receiving training prior to going into the field.

Mr. Patrong said that VCU delivers the training and VDSS divisional teams monitor the contents to ensure class content actually meets worker needs.

Commissioner Conyers advised that an employee is hired based on his knowledge, skills, and ability (KSA) to do the job. Once hired, the worker is required to have mandated CPS training and other courses to ensure he gains required skills. Most of this training is at the local level by senior staff.

Members were interested in viewing sample training. Mr. Patrong will provide this at a future meeting. Training is available through the knowledge Center. An employee can review this training prior to further training provided. Unfortunately, mandated training is not available on the site at this time.

Commissioner Conyers stated that although we are spending 40% less in training, there is more structure into it and we are much better off than in the past several years.

Ms. Linden verified that courses quality as continued education credits.

Conflict of Interest Form (COI) and Conflict of Interest Bi-Annual Refresher Training

Al Wilson, Senior Assistant Attorney General provided an update to members on the COI form and COI bi-annual refresher training which included important definitions, COI prohibited conduct, COI prohibited transactions, and COI prohibited contracts. Ms. Rengnerth will provide a certification of completion to members and DSS staff.

COMMENT PERIOD

Public Comment

Jason Watson from Brookneal spoke to the Board on the Casey Foundation and their need to reduce children in congregate care to the 18% national average. He said there is a need to nurture children and group homes can provide a "forever home" for children and families.

Group homes can work with biological families toward reunification. He cautioned Virginia against the sweeping changes made in other states that were not in the child's best interest.

Lisa Mathey from Ashburn spoke to the Board on the Foster Care Code of Ethics. Ms. Mathey is President of FACES. Ms. Mathey was joined by Bob Price and Patti Huber. Ms. Mathey said she was pleased to participate in the plan that Virginia used and applauded the efficiency of VDSS workers and stakeholders, acknowledging valuable assistance from Lyndell Lewis. There were concerns that wording in the Code had been changed by the Office of the Commissioner that took the focus off family, and requested it be reinstated. The group provided a handout to members indicating the changes and asked that Mr. Martin contact Kate Newbanks.

Reverend Kitty Smith from Farmville spoke to the members regarding Community Action Agency Hope. She advised her agency provides services to nine counties. She stated that the faith community is an untapped resource in her opinion. She requested the Board give serious thought to how this community can assist the departments of social services. Commissioner Conyers commented that we need and do make use of the faith community. Division Director Nickki Nicholau is leading this effort at VDSS.

Local Boards and Directors of Social Services

Eddie Harrison-Director of Russell County advised he supervises the Abingdon Training Program, an effort that fits programs to needs. He further stated that his agency does not send social workers into the field without proper training. He advised that smaller agencies share a social worker from time to time but no one works in the field untrained.

Heating/Cooling Concerns-not just seeing poor people apply. There has been a 17 percent increase in applications this year.

Substance Abuse-this continues to be a concern. Caseloads are exploding due to this problem. The Coalition continues its work on getting additional treatment and information out to the public on substance abuse.

In closing, Mr. Harrison thanked the faith-based initiatives and VDSS for their assistance in making local agency jobs easier, saying it takes a community to heal a problem.

Carl Ayers-Floyd County director echoed Mr. Harrison's remarks regarding social workers. He reiterated that field workers receive appropriate training.

He spoke to the Board on HB 1146-Licensure of Social Workers. He stated that a license is a step toward professionalism in the future, and does not mean protection. He further advised that increasing caseload numbers and high turnover also need consideration. The requested 3-year phase-in for social workers is not time enough, he feels the timeline should be 7-10 years. Schools of Social Work need time to come on board and there needs to be time to implement programs and staff to get their work done. Funding is also an issue.

Commissioner Conyers advised there is no evidence that having a social worker licensed will better protect children.

Local Directors acknowledged included Roma Morris, Kathy Pemberton, Dottie Newcomb, Betty Wells, Karen Blackwell, Beth Reavis, Martha Pullen, Eddie Harrison, Susan Clark, and Carl Ayers.

Virginia League of Social Services Executives' (VLSSE)

Susan Clark, First Vice President of the Virginia League of Social Service Executives spoke on the social worker licensure requirement. She advised the report from the Board of Social Work (HB 1146) 2006 addresses the Education and Training of Social Workers and the current exemption from the requirement of licensure and adequacy to protect the public.

The primary intent of this correspondence is to address the area of the exemption from the requirement of licensure soliciting support that the Board of Social Work continues the current exemption, which addresses public Social Work.

Currently, Social Workers in the local departments of social services are in a locally administered, state supervised environment. Social Workers in local departments of social services have a degree in Bachelors of Social Work or Masters of Social Work or related field with 2 years experience. In addition, Social Workers participate in mandated trainings to address quality delivery of services.

The Exemption Language in the report (page 33) needs further explanation

- a) Three year implementation period
 - Schools of Social Work lack faculty and capacity to address change.
 - The time off from work affects the ability of current staff to perform functions mandated in the department.
 - The coverage of the remaining caseload would be necessary.

 - Financial barriers exist to the state, locality and individually not only with the inherent cost of training but the salary that would be required.
 - Very few current employees are currently licensed.
 - Hiring staff in many rural agencies is very difficult due to the number of eligible applicants available at this time. Further, licensure would make hiring almost impossible.

- b) The language-affected agencies/organizations are eligible for licensure without additional education, expense and examination until the implementation date. This is extremely open to interpretation. Individuals may be hired by Department of Social Services to go elsewhere or is this the time-limited exemption?

The fact remains that at the end of the time limit, as positions are vacated, local agencies will need licensed individuals to hire across the Commonwealth.

Therefore, I recommend that the current exemption from the requirement of licensure for public social work continue. Ms. Clark requested the Board to adopt a Resolution in support of the current exemption.

Ms. Hornsby confirmed that about 50 percent of social workers are licensed and that the League took no official position on title protection.

Virginia Community Action Partnership (VACAP)

Jim Schuyler, Executive Director of VACAP, introduced the staff of HOPE Community Services, the regional community action agency that serves Farmville, and whose offices are located across the street from this meeting room. He reported that the level of activity, number of people seeking assistance and number of home foreclosures are all increasing throughout the community action network.

Mr. Schuyler thanked Commissioner Conyers and his staff for their assistance in working with community action agencies that provide varying levels of employment services in areas with One-Stop Employment Centers.

He said that he was hopeful regarding the Governor's Budget announcement later this month that community action agency funding would not be reduced for FY 2010. He is also optimistic that President-elect Obama's economic recovery legislation would include additional funding for Weatherization as part of a "green jobs" stimulus and would hopefully include additional federal Community Service Block Grant funds to help meet the increased need during this recession.

Members reviewed the report submitted on December 1 to Governor Kaine and the leadership of the General Assembly on VACAP's Earned Income Tax Credit Initiative funded by state appropriation.

Local Boards and Directors of Community Action Agencies

Comments and introductions provided during public forum.

Commissioner's Report

Commissioner Conyers advised the Budget should be available on December 17 and its contents are currently unknown.

Caseloads are rapidly increasing as shown in the food stamp applications last month of 6,000 requests. It will be difficult to sustain these increases and keep an acceptable error rate.

He stated that Governor Kaine plans a press release later this week praising the Council on Reform for improving permanency rates. It has been one year since Governor Kaine began an intensive effort to improve the delivery of child welfare and mental health services to the youth and families of Virginia.

Handouts to members included Introduction to Child Protective Service Uniform Training Plan-Multidisciplinary Teams, and 2008 Achievements. Copies of these handouts are located with the official minutes housed in the home office.

Committee Reports

Committee on Adult Issues: This committee did not meet since only one member was present.

Committee on Children's Issues: Ms. Hornsby, Chair reported the following:
Permanency Regulation: Betty Jo Zarris attended the committee meeting on behalf of the department. The Child Welfare Advisory Committee (CWAC) has a copy of the draft regulation for review at their upcoming meeting on December 19th.

The permanency workgroup will review recommendations of CWAC and have a final draft prepared by mid January with presentation at the Board during the February '09 meeting, emphasizing the urgency to meet this deadline. There was some discussion regarding unfunded mandates related to the regulation, particularly monthly visits.

She mentioned the need to strategize and be more creative as we move towards this objective. The Board as a whole will receive access to the current draft for review.

Foster Care Code of Ethics: There was very favorable committee response to the Code. However, there were concerns raised regarding the process of arriving at the final document. Although there is a legislative deadline for Code implementation by January 1, 2009, there was a recommendation to send the Code of Ethics back to the workgroup to ensure that all participants had an opportunity to provide input on final revisions. The Code should be ready for the Board to review during the February '09 meeting.

Final Adoption of CPS regulation: No concerns.

Resource, Foster Adoption Family Standards Regulation: This regulation was on VA Town Hall for Board review this month; however, it is not ready. Betty Jo Zarris shared that the workgroup for the permanency regulation will begin work on this regulation once the permanency regulation is completed. The goal is to have this regulation ready for the Board during the April '09 meeting.

Committee on Poverty Awareness: Ms. Linden thanked staff for their assistance. She reported there was an increase in Medicaid, TANF, Food Stamp, and fuel assistance benefits. This is causing a strain on already overworked eligibility workers. A twenty percent increase in child welfare was projected. She advised that there are many first-time applicants for benefits.

The Governor's Summit will take place in April '09. Between 70-75 key leaders within the public, private, and non-profit sectors are involved. This will be a legacy for Governor Kaine and prophecy for the Governor-elect.

Deputy Assistant Margaret Schultze spoke on the Summit Workgroup. A taskforce will form from the Summit. She reminded everyone that this is the Governor's

Summit and VDSS takes its lead from the Office of the Governor. Ms. Larkin will serve on the workgroup as Board representative.

“Be Alright when Money is Tight” was reviewed on the Governor’s website. There is a portal link to Virginia 211 with a forward to VDSS, to view services available and to apply for benefits. They discussed ways to promote this site. Ms. Schultze advised that Marianne McGhee is developing a flyer for local agencies use. She will research the option of using a public service announcement (PSA).

Mr. Schuyler advised a link to Virginia 211 was an option for his website, and Ms. Larkin advised it was already on United Way website.

Commonwealth.org is another good resource.

ACTION ITEMS

Approval of Orientation Minutes

ON MOTION DULY MADE (Ms. Manuel) and seconded (Ms. Larkin) moved to approve the Minutes from the October 7, 2008 meeting. Motion carried with all in favor.

Discussion: none

Approval of October 15-16, 2008 Minutes

ON MOTION DULY MADE (Ms. Luca) and seconded (Ms. Hornsby) moved to approve the Minutes from the October 15-16, 2008 meeting. Motion carried with all in favor except Ms. Linden abstaining.

Discussion: none

Foster Care Code of Ethics and Mutual Responsibilities

Betty Jo Zarris, Assistant Director of the Division of Family Services requested the Board to approve the policy for a written agreement to place foster children in a foster home or children’s residential facility that includes requirements for a Code of Ethics and mutual responsibilities for all parties to the agreement.

Discussion: Ms. Hornsby asked to have the document returned to the workgroup and have comments from FACES incorporated into it. FACES provided members with information.

Mr. Martin advised it is more appropriate to have the document referred back to the Commissioner rather than the workgroup.

ON MOTION DULY MADE (Ms. Hornsby) and seconded (Ms. Sood) moved to

Refer the Code of Ethics document to Commissioner Conyers for further consultation with the workgroup with the expectation to have it fully adopted in final form at the February 2009 meeting. Motion carried with all in favor.

22 VAC 40-705, Child Protective Services

Final Regulation

ON MOTION DULY MADE (Ms. Linden) and seconded (Ms. Hornsby) moved to approve the final regulatory package to amend 22 VAC 40-705, Child Protective Services for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006). Motion carried with all in favor.

Discussion: None

Increase Heating Equipment Maximum Benefit Levels in the Crisis Assistance Component of the Energy Assistance Program (EAP)

Tom Steinhauser, Director of Benefit Programs advised the current maximum benefit levels are \$1200 for heating equipment and \$500 for supplemental heating equipment. Because the federal funding source for the EAP, the Low-Income Home Energy Assistance Program (LIHEAP) block grant has not increased over the years, the DSS has continued to retain the current maximums, utilizing community resources to supplement the block grant funds when necessary. Due to a significant increase in this year's LIHEAP funding, the DSS is requesting approval to increase heating equipment maximum benefit levels. DSS requested approval for the current program year only.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Sood) moved for approving to raise the benefit level for heating equipment to \$1700 and \$800 for supplemental heating equipment for the current program year. Motion carried with all in favor.

Discussion: None

22 VAC 40-295, Temporary Assistance for Needy Families

Periodic Review and Retain

ON MOTION DULY MADE (Ms. Luca) 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.

Discussion: None

Classification and Compensation Plan for Local Departments of Social Services

The VDSS Division of Human Resource Management and a committee of local agency employees collaborated to update the current classification/compensation structures used by the local non-deviating departments of social services. Betty Wells, director in Halifax County co-chaired the committee with Rick Verilla, director of Campbell County.

VDSS approves and supports the new occupational pay scale with an implementation date of June 1, 2009. Titles will change; however, there will be no increase in salary unless local dollars are available.

ON MOTION DULY MADE (Ms. Sood) and seconded (Ms. Luca) moved to approve the compensation schedule, and occupational group descriptions that would allow implementation without additional funding. Motion carried with all in favor.

Discussion: None

Approve Revised Human Resources Manual for Local Departments of Social Services

Once the Board adopted the new Classification and Compensation Plan, it became necessary to amend the guidance document that governs local human resource policy.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Hornsby) moved to approve the amended Human Resource Manual for Local Departments of Social Services and that the revised manual become effective as of June 1, 2009. Motion carried with all in favor.

Discussion: None

22 VAC 40-670, Degree Requirements for Social Work/Social Work Supervisor Classification.

Fast Track Proposed Action

The proposed amendments update the classification series for social workers, a series that remained unchanged since the early 1980s.

ON MOTION DULY MADE (Ms. Larkin) and seconded (Ms. Luca) moved to approve the fast track proposed action to amend 22 VAC 40-670, Degree Requirements for Social Work/Social Work Supervisor Classification for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006). Further, the Board authorizes the regulatory coordinator to immediately file a Notice of Intended Regulatory action to initiate this action if, during executive review, it is deemed that this action is not appropriate for the fast track process. Motion carried with all in favor.

Discussion: None

**22 VAC 40-675, Personnel Policies for Local Departments of Social Services
Fast Track Proposed Action**

The proposed amendments allow for updates to the way jobs are described and compensated in local departments of social service; using up-to-date, acceptable methods. These changes are a result of a local compensation and classification study completed in 2007.

ON MOTION DULY MADE (Ms. Larkin) and seconded (Mr. Brown) moved to approve the fast track proposed action to amend 22 VAC 40-675, Personnel Policies for Local Departments of Social Services for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 36 (2006). Further, the Board authorizes the regulatory coordinator to immediately file a Notice of Intended Regulatory action to initiate this action if, during executive review, it is deemed that this action is not appropriate for the fast track process. Motion carried with all in favor.

Discussion: None

Recess 4:45 p.m.

Thursday, December 11, 2008

Reconvene at 9:05 a.m., Chairperson Trudy Brisendine presiding.

Board Member Comments

Ms. Linden stated it was fascinating to be in various areas of the state and remarked that due to budget cuts, it was necessary to have the next two meetings in Richmond. She expressed her excitement over the Governor's Summit that will define issues for the next administration.

Ms. Manuel thanked Roma Morris and her staff for the warm welcome, delicious breakfast and hospitality shown to members. She also thanked everyone for the informational presentations.

Ms. Hornsby thanked Prince Edward County for their hospitality. Regarding the next meetings in Richmond, *Ms. Hornsby* asked if the Board would consider going to visit surrounding counties such as Henrico, Hanover, Chesterfield, etc., so the Board could continue to hear about local programs and any concerns.

Ms. Larkin echoed other comments and said she appreciated the enthusiastic support received. She also commented on the new face of poverty and its new definition.

Ms. Luca agreed with *Ms. Hornsby* about visiting surrounding local agencies. She thanked Prince Edward County for their warm hospitality and accommodations. She said she is committed to the Poverty Summit; and how fortunate the timing was for the Governor, First Lady and the Commissioner to come together and build a legacy.

Ms. Luca asked that *Kathy Glazer* provide an overview of the classes given for day care providers and would like to see the statistics associated with the classes.

Ms. Luca commented on the media alerts that member receive and asked for follow up. It was reported that these are often suspicious cases and may not end up with resolution.

Ms. Sood agreed that this is an exciting phase for the Board with the Governor, First Lady, and the Commissioner with regard to the For Keeps work. She stated that working across different agencies that interface with the Board is very important. She closed in saying she appreciated the good work everyone is doing.

Ms. Brisendine advised she attended a Strategic Plan Meeting at VDSS, and the goals are on the website. She reported that the computer system is an ongoing project and that everyone is concerned about the economy; however, there is good information coming out of think tanks.

As the food stamp caseloads increase, it is indicative of the economy. Food banks and church food closets are distributing food and having a difficult time replenishing them.

She agreed with other Board members that it is important to visit different areas of the state to get a feel for what is going on.

INFORMATION ITEMS

Prince Edward County Department of Social Services Presentation/Tour

Roma Morris, Director provided an overview and tour of her agencies to the Board members and staff.

She advised her agency is a class 3 agency with 31 employees, and introduced staffs that were present.

Caseload coverage has increased due to the recession and she is worried that workers are busy taking intake applications from the time they walk into work until the time they leave the office and it will lead to burnout. She has devised different ways to keep the staff light-hearted during these tough times to include lunches, comp time, and having the employee of the month use the director's allotted parking spot.

She said that locals feel they are a part of the VDSS organization; this has not always been the case. State staffs have been very helpful to local needs.

Ms. Morris provided a visitor packet to members.

She thanked the Board for visiting Prince Edward County. The Board, in turn, thanked Ms. Morris for the wonderful tour and for her hospitality.

Registration of Medication Aides

Brenda Krohn and Jay Douglas from the Board of Nursing advised they were appreciative of the collaboration between their agency, VDSS and assisted living staff. Ms. Krohn advised this training is consistent with provisions of the law. Although this has been several years coming, there has been hesitancy to get on board to be registered. This is also an economic issue for people having to be registered. She reported that although 75-80 applications are coming in each day; not everyone would be registered by the 12/31/08 deadline.

Ms. Krohn advised that 3,154 applications have been received thus far, and 1,524 have been registered to date. The figure should be approximately 6,000. The testing schedule is from Monday through Saturday during the day and evening. There are currently 400 slots available.

To date, 1,236 people passed the test the first time taking it; 288 people failed to pass the first time but did the second time it was taken, and 300 people still haven't passed the test. A person can test three times without additional coursework required.

The cost associated with testing ranges from \$50-\$400. The Board has no control over the cost. The majority of people taking the test have rated it excellent to good. The Board received requests to revise the curriculum and will review this request in January.

Elaine Yeatts, regulatory coordinator for the Department of Health Professions, spoke to the Board about HB 1146. She advised this outlines regulatory actions in the first part and exemptions in the second. A draft report published on 12/5/2008 asked for a 30-day public comment. She reported the intent is to incorporate public comment into the report.

Comments from the VDSS Board as a whole or individually are welcomed. The Board did not provide a financial impact on HB 1146 since the Board was fulfilling a legislative request and not providing a recommendation.

In order to make a motion, Ms. Brisendine handed over Chair duties to Vice Chair Brenda Hornsby.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Sood) moved to request Department staff write a letter to the Board of Social Work stating they have reviewed the report and don't feel this is the appropriate time to support recommendations to the changes of the social worker title due to the current economic situation. Motion carried with all in favor except Ms. Linden voting nay (Mr. Brown absent for the vote).

(Following this motion, Chairperson Brisendine had the gavel returned to her.)

2009 Legislative Proposal Update

Mr. Martin shared a detailed update on the VDSS approved legislative proposals. This update is effective as of December 11, 2008. A copy of this document is attached to the official minutes housed the home office.

Mr. Martin provided nine legislative studies to Board members.

He mentioned the consolidation of local agencies with a population of 20,000 or less report and advised it will be on the website around December 15, and a copy mailed to members.

UNFINISHED BUSINESS

None

NEW BUSINESS

(BOARD OF NURSING REPORT MOVED UP ON AGENDA)

FUTURE MEETING SCHEDULE

February 18-19, 2009 Richmond Home Office

April 15-16, 2009 Richmond Home Office

Staff will contact Henrico County to ask if they would host a meeting in April or June.

CHAIRMAN'S COMMENTS

Ms. Brisendine thanked the Prince Edward County Department of Social Services for hosting this meeting and in particular Ms. Roma Morris for her special assistance, and to Commissioner Conyers for his support and all state staff who attended and presented.

Agenda items confirmed for the next meeting included a department overview by Finance, CSFR and CORE Group updates by Paul McWhinney and a Training Report from Kathy Glazer.

Adjournment

12:25 p.m.

Submitted by:
Pat Rengnerth
December 15, 2008