

Minutes
State Board of Social Services Meeting
VDSS- 730 East Broad Street-Richmond
January 31, 2002

Present: Debra Andrews
Shirley Rogers
Holly Korte
Robert Spadaccini
Rufus Adkins
Carol Ann Coryell
Jean Cobbs
Shelley Sabo

Absent: Phillip Jones

The meeting was called to order on January 31, 2002, Vice Chair Debra Andrews presiding. Congratulations were offered to Mr. Ray C. Goodwin for being named Acting Commissioner of Social Services.

Jane Clements, Central Regional Director welcomed members to Richmond. Commissioner Goodwin recognized and welcomed Jane Woods- Secretary of HHR, Wayne Turnage-Deputy Secretary HHR, Frank Ferguson-Deputy Attorney General, Siran Falders, Allen Wilson, and Cameron O'Brien.

Glen Butler, Deputy Director of Richmond DSS welcomed members to the City of Richmond.

Child Support Enforcement

At the request of Mr. Spadaccini, Nick Young, Director of Child Support Enforcement provided information on two Inspector General Reports. Mr. Young advised the DHHS (Department of Health and Human Service) reports are helpful in rechecking our system but do not affect Virginia.

One report showed that DHHS is not conducting matches to the NDNH (National Directory of New Hires); therefore, withholdings are not issued to DHHS employees.

It was also stated that Virginia has processed NDNH data since 1997; has initiated automated income withholdings from in-state new hires in 1999; and initiated automated income withholdings from NDNH in 2000. Mr. Young thanked Connie White for her assistance in this area.

Mr. Young further stated that 45% of child support payments are being made through direct deposit—with 15,000 people signing up following the “anthrax scare”.

Members complimented Mr. Young and the staff of the Division of Child Support Enforcement on doing an excellent job.

Child Protecting Services

22 VAC 40-705-10—Briefing

Kathleen Eubanks, Director of Service Programs, provided a briefing to members on technical and substantive changes to this regulation.

Handouts Provided:

Proposed Language: 22 VAC 40-705-10—Collection of information ~~evidence~~.

- C. All information collected must be entered in the state automated system and maintained according to 63.1-248.5:1 for unfounded investigations or family assessments or according to 22 VAC 40-700-30 for founded investigations. The automated record entered in the statewide automation system is the official record. When documentation is not available in electronic form, it must be maintained in the hard copy portion of the record. Any hard copy information, including photographs and recordings, shall be noted as an addendum to the official record.

Child Fatality Protocol for Reporting to the Board:

Proposed Language:

F. The local department shall report to the following when the death of a child is involved:

1. When abuse and/or neglect is suspected in any case involving the death of a child. The local department shall report the case immediately to the regional medical examiner pursuant to 63.1-248.6 E 9 of the Code of Virginia.
2. When abuse and/or neglect is suspected in any case involving the death of a child, the local department shall report the case immediately to the attorney for the Commonwealth and the local law-enforcement agency pursuant to 62.1-248.6 ~~E-5~~
3. F of the Code of Virginia.
4. The local department shall contact the Department immediately upon receiving a complaint involving the death of a child and at the conclusion of the investigation.
5. The Department shall report on all child fatalities to the State Board in a manner consistent with Department policy and procedures approved by the Board.

Rationale for addition of the underline statement:

- This can be the basis of a written protocol between the Department and the Board to define the particulars of what will be reported to the Board and the time frames or other conditions agreed upon. The Department will actively pursue Board involvement in the development of these policies and procedures.
- It would not be appropriate to be more detailed in regulation, because such details need to be amenable to change with a change in circumstances.
- The purpose of regulation is to provide a base for guidance documents, such as policy, which can have the weight of law for the parties concerned but do not take so long to change when all parties agree change is needed.

Discussion:

Mr. Adkins asked if this information had been given to the Board CPS subcommittee.

Mr. Goodwin advised it had not, as this draft addresses concerns of the Board Chairman.

Mr. Adkins requested this regulation to be sent to members with their information packets (if not sooner) to ensure members have enough time for a thorough review.

Mr. Spadaccini expressed concerns over the OASIS system including the instability the localities experienced when inputting information and questioned if the "system" was the best repository of the official record especially in light of the challenges that the local agencies were experiencing when entering data. Ms. Newbanks advised this is a challenge but the department is required by federal law to have the system as the official record. She further advised a new version will be out in March and that the DRS (Differential Response System) is already on the system.

Reverend Adkins requested that the VLSSE be included in any updates to the system.

Ms. Newbanks advised she and project managers are continuing to work with local directors and regional staff on OASIS. She advised there are some problems but many positives aspects to the system.

Legislative Review

Richard Martin provided members a copy of (1) legislative meetings as of 1-30-02; (2) information on Senate Meetings and standing committees; and (3) a copy legislation of concern to the department.

Regulation Review

Mr. Martin provided members with a copy of the status of Regulations as of 1-30-02. He advised the department has 89 regulations in place. Of these, 31 regulations are in the repeal process, 18 are in the amendment process, and 9 are in the periodic review process. An additional 9 new regulations will bring the total to 98.

Presentation to the House Appropriations Subcommittee on HHR

Ray Goodwin, Acting Commissioner advised the Department of Social Services was asked to respond to items in the proposed budget for the 2003-2004 biennium and how budget reductions included in Governor Warner's amendments might be accomplished. The following information was requested: Identify which programs will be affected by the budget cuts and whether there will be any discretionary money after the cuts (2) describe budget sub-programs and identify them as being "mandatory" or "optional", and (3) provide a list of programs funded by TANF and a brief description of each.

Acting Commissioner Goodwin advised consolidation of local agencies was not addressed. Reductions will be spread out across all activities and not just at the local level. He further stated that state employees would not be getting raises. He will keep the Board abreast of further developments. A copy of this report is filed with the official Board Minutes.

22 VAC 40-41-10

Neighborhood Assistance Tax Credit Program—Final Adoption

The Neighborhood Assistance Program regulations describe how non-profit organizations can qualify to become a NAP (Neighborhood Assistance Project). This would make those organizations eligible for an allocation of tax credits to be used to attract donations. The regulations also describe how tax credits are allocated among the NAP projects and how donations are valued. These amendments to the regulations reflect changes to the controlling Virginia Code statute over the past several years. There was no public comment received.

ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Rogers) moved to approve the final regulatory package for publication in the Virginia Register. Motion carried with all in favor.

Mr. Adkins congratulated Mr. Martin on the outstanding job he was doing in keeping the Board informed on what regulations and legislation is of Board interest.

Minutes
Page 5
January 31, 2002

Child Day Care Council Update

Kim Hulcher addressed the Board on behalf of the Child Day Care Council. She asked for Board assistance in getting regulations moved forward. She also advised she was pleased to receive a copy of the status of regulations as this information was not available to the Council.

Public Comment

None

Minutes

ON MOTION DULY MADE (Ms. Korte) and seconded (Ms. Rogers) moved to approve the December Board Minutes as submitted. Motion carried with all in favor. Mr. Spadaccini abstained from voting, as he was not present at the December meeting.

Future Meeting Schedule

February 20-21, 2002	Central Region (Theatre Row Building)
April 17-18	Northern Region (Wayside Inn-Frederick County)
June 19-20	Piedmont Region (TBA)
August 14-15	Eastern Region (Chincoteague)
October 16-17	Western Region (TBA)
December 18-19	Central Region (TBA)

Old Business

Reverend Adkins mentioned concerns that the department logo and mission statement had been changed without Board knowledge/approval, as had been the case in previous years.

Mr. Spadaccini felt that although the Board may have been engaged in past discussion, it would not be bound by regulation or requirement to do so in the future.

Commissioner Goodwin stated Ms. Pam Pardue is currently reviewing this document and plans to build on it to produce a strategic plan for the department. Mr. Goodwin will keep the department informed and ensure they are a part of the final document.

New Business

Mr. Adkins advised the department is not complying with Volume I A-Personnel Policy. He has requested that HR Director Sally Blanchard come before the Board in February to discuss his concerns.

Minutes
Page 6
January 31, 2002

Mr. Adkins provided Mr. Goodwin with a letter prepared by local departments regarding their concerns with Vol. I A. Mr. Goodwin will review this document and report his findings in February.

Mr. Adkins advised he plans to attend a Personnel Meeting between the department and the League in February. He will speak as a citizen and not a board member.

Subcommittee Reports
None

Life in the Eastern Region Report

Jane Maddrey, Richard Sterrett, and Rusty Jordan were on hand to answer Board member questions on the booklet provided to them in October.

Discussion:

Mr. Spadaccini had some questions regarding numbers of people employed in the region (p.2 chart). Mr. Jordan advised the numbers differ because there are additional people coming into the area to work and also people that leave the area to find work.

Members thanked the Eastern Region for undertaking this very informative project and felt public officials may also want to review this information. Mr. Sterrett advised this information had been sent to public officials.

Ms. Maddrey asked that Virginians be mindful of children's needs. Well-trained and equipped staff is very important. Information sharing with the Board is beneficial to all.

VLSSE Recommendations

Walter Credle provided a draft copy of recommendations from the Virginia League of Social Services Executives.

Employment Issues

Goal: To maintain the workforce connection of families with children in Virginia
Expand health care coverage and childcare available to the working families with children in Virginia.

- Expand health care coverage and childcare available to the working poor in Virginia, including those who just lost their jobs and are seeking work.

- In order to encourage a continue workforce connection; eliminate the current rule that prohibits localities from giving preference in the use of limited daycare dollars to previous TANF recipients. (This is a state option under the flexibility given states in the 1996 TANF Act.)
- Ensure that all Federal funds available under TANF are drawn down by the state (and done timely so that no funds must be turned back by the state).
- Allow selected TANF services to be provided to at-risk former recipients in order to ensure that they can maintain their workforce connection. (This is a state option under the flexibility given states in the 1996 TANF Act.)
- Continue to transfer funds, up to the maximum amount allowable, from TANF to other federal programs serving working poor families and children with childcare a priority use. (This is a state option under the flexibility given states in eh 1996 TANF Act.)
- So that TANF recipients have a means of transportation to get to work, amend the state's TANF eligibility guidelines so that a family with one motor vehicle does not have it counted as an asset in calculating resources regardless of value. (This is a state option under the flexibility given states in the 1996 TANF Act.)
- Encourage saving by TANF recipients by eliminating the current limits on the amount and the purpose of those savings created while a recipient. (This is a state option under the flexibility given states in the 1996 TANF Act.)
- Add education and training to the definition of workforce participation so that these are allowed independent of, rather than only in addition to, active employment. (This is a state option under the flexibility given states in the 1996 TANF Act.)
- Amend the current rule to permit former TANF recipients to apply for an extension after eligibility has expired. The present rule permits recipients to apply for an extension only during a period before TANF eligibility ends. Therefore prohibiting an extension necessitated by unforeseen circumstances occurring after the 60-day period is over. (This is a state option under the flexibility given states in the 1996 TANF Act.)

Family Stability for the Working Poor

Goal: To make childcare, health care, and other services critical to stabilizing the at-risk family available to the working poor.

- Apply for a federal waiver to de-link Title IV-E from welfare income eligibility in order to offer prevention services to more families and children and to maximize the federal dollars available to the state for foster care.
- Adopt regulations that support kinship care, in order to foster and preserve permanent homes for TANF children living with relatives instead of their parents.
- Continue using the TANF definition allowing subsidized guardianship for eligible General Relief children.
- Appropriate childcare dollars in two-year periods to allow localities sufficient lead-time to ensure quality and ongoing services availability.
- Make transitional Medicaid (or other health care coverage) available to the adults and children in working poor families.

Commissioner Comments

Ray Goodwin advised he had been asked to serve as Acting Commissioner and accepted. He stated that he has the greatest admiration for Secretary Woods and looks forward to working with this administration.

He further stated the department has many things to be proud of and also acknowledges its shortcomings. He plans to identify and handle statutory mandates and critical issues first and then deal with cuts.

He mentioned the success of EBT and the Food Stamp Error Rate, further stating these are successes to build on.

The reauthorization of TANF was mentioned. The Commissioner plans to keep an ongoing dialogue with the Board as Welfare Reform in Virginia is redefined.

He advised members that he plans to attend all State Board meetings unless something happens beyond his control.

Minutes
Page 9
January 31, 2002

Board Member Comments

All members congratulated Ray Goodwin on being named Acting Commissioner. They also thanked the VLSSE for the lovely reception hosted on Wednesday evening.

With no further business, and *ON MOTION DULY MADE (Mr. Adkins) and seconded (Mr. Spadaccini) moved to adjourn the meeting. Motion carried with all in favor.*

Submitted by Pat Rengnerth
Approved by Board of Social Services
February 2002