

Minutes
State Board of Social Services
Wayside Inn-Middleton
April 17-18, 2002

Attendees

Phillip Jones-Wednesday only
Debra Andrews
Rufus Adkins
Shirley Rogers
Carol Ann Coryell
Holly Korte
Robert Spadaccini
Jean Cobbs-left due to illness

Absent

Shelley Sabo-out of state commitment

The meeting was called to order on Wednesday, April 17, 2002, Chairman Jones presiding. Welcome and introductions were provided by Jack Frazier and Gwen Monroe. Members were invited to a reception at the home of Ms. Monroe.

Child Welfare Initiatives

Gwen Monroe provided each member with a copy of Reinventing Child Welfare Services and touched upon Adoption Services, Child Protection Services, and Foster Care Services. Members then watched a video entitled "The Eleventh Commandment". This was a very moving video. Video copies were requested by many of the Board members.

Review of 2002 Legislative Session

Richard Martin provided handouts and an overview of the 2002 Legislative Session.

Regulatory/Legislative Review

Mr. Martin advised as of April 16, the department has 89 regulations in place. Of the 89, 55 are in process

- Of those 89, 31 are in the process of being repealed (28 of the repeals related to old AFDC regulations that will be replaced by the new TANF regulation)
- Of those 89, 12 are in the process of being amended
- Of those 89, 12 are in the periodic review process
- 11 additional new regulations are in the process of being promulgated

That totals 100 regulations and proposed regulations.

Virginia Energy Assistance Program

The State Board of Social Services approved a notice of intended regulatory to amend 22 VAC 40-680-10, Virginia Energy Assistance Program, in order to establish the Home Energy Assistance Program on August 15, 2001. The Board approved emergency regulations for 22 VAC 40-680-10 to implement these provisions on October 16, 2001.

ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Korte) moved to withdraw the notice of intended regulatory action, approved on August 15, 2001, and the emergency action, approved on October 16, 2001, to amend 22 VAC 40-680-10 to establish the Home Energy Assistance Program. Motion carried with all in favor with one exception-Mr. Adkins opposed.

22 VAC 40-685-10

Home Energy Assistance Program-Emergency

This regulatory action will establish an emergency regulation to implement the provisions of Chapter 676, 2001 Acts of Assembly. They will establish the Home Energy Assistance Fund. The Board was asked to approve the emergency regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 24 (98).

22 VAC 40-685-10

Home Energy Assistance Program -NOIRA

This regulatory action will begin the process to establish a permanent regulation to implement the provisions of Chapter 676, 2001 Acts of Assembly. The Board was asked to approve the Notice of Intended Regulatory Action package for publication in the Virginia Register subject to approval under the provisions of Executive Order 25 (98).

A joint motion was offered.

ON MOTION DULY MADE (Mr. Adkins) and seconded (Ms. Coryell) moved to approve 22 VAC 40-685-10 –Emergency and NOIRA packages for publication in the Virginia Register. Motion carried with all in favor.

The Chair asked that all material relative to an individual regulation be sent to Board members prior to a meeting rather than disseminated during the meeting prior to a vote.

22 VAC 40-910-10

General Provisions for Maintaining and Disclosing Confidential Information of Public Assistance and Social Services Records-Emergency

This regulatory action will establish an emergency regulation to implement the provisions of Chapter 518, 2001 Acts of Assembly. It establishes provisions for maintaining and disclosing confidential public assistance and social services information.

ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Coryell) moved to approve the emergency regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive Order 24 (98). Motion carried with all in favor.

22 VAC 40-910-10

General Provisions for Maintaining and Disclosing Confidential Information of Public Assistance and Social Services Records -NOIRA

This regulatory action will begin the process to establish a permanent regulation to implement the provisions of chapter 518, 2001 Acts of Assembly. It establishes provisions for maintaining and disclosing confidential public assistance and social services information.

ON MOTION DULY MADE (Ms. Andrews) and seconded (Ms. Korte) moved to approve the Notice of Intended Regulation Action package for publication in the Virginia Register subject to approval under the provisions of Executive Order 25 (98). Motion carried with all in favor.

22 VAC 40-250-10

Agency Placement Adoptions-AREVA-Periodic Review

This action will complete the periodic review of this regulation as required by Executive Order 25 (98). The department recommends this regulation be amended.

22 VAC 40-260-10

Agency Placement Adoptions-Subsidy-Periodic Review

This action will complete the periodic review of this regulation as required by Executive Order 25 (98). The department recommends that this regulation be amended.

22 VAC 40-270-10

Agency Placement Adoptions-Appeals-Periodic Review

This action will complete the periodic review of this regulation as required by Executive Order 25 (98). The department recommends that this regulation be amended.

One motion was made to encompass the above three periodic reviews.

ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Korte) 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 25-(98) and approve the Notice of Intended Regulatory Action to amend regulation 22 VAC 40-250-10 for publication in the Virginia Register, to approve the periodic review report and Notice of Intended Regulatory Action to amend regulation 22 VAC 40-260-10, and approve the periodic review and Notice of Intended Regulatory Action to repeal 22 VAC 40-270-10 for publication in the Virginia Register subject to approval under the provisions of Executive Order 25 (98). Motion carried with all in favor.

Nominating Committee

Chairman Jones appointed Holly Korte, Debra Andrews, and Shirley Rogers to the nominating committee. Members were instructed to meet prior to the June meeting and submit a slate of officers for 2002-03.

CPS – OOF Committee Appointments

Irvin Beard, Administrator –City of Virginia Beach Public Schools.
Chauncy Strong, Lutheran Family Services.
Betty Munsey, foster parent and retired extension agent.

Ms. Rengnerth will provide future meeting and other pertinent information to these new members. Members were requested to submit a name that would represent juvenile facilities.

Mr. Spadaccini felt a member from the VA School Board Association may provide additional insight and be of benefit to the CPS Out of Family Committee as they are also housed in Charlottesville and convenient to the meeting site.

Public Comment

Gwen Monroe, Director of Frederick County stated her desire to partner with the State Board of Social Services and develop a relationship. She touched on the visit by member, Carol Coryell, and thanked her for taking the time to visit with local agencies.

Ms. Monroe also spoke of SB 219 and voiced her concerns with the criminal record check piece. She asked the Board to keep local agencies in the loop and ask questions when regulations are being developed—what is the affect on local agencies and children?

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Jan Selbo, Director of Fauquier County spoke of concerns with mounting caseloads – seem to be doubling every year. She also mentioned handicap services for the elderly under the Community Service Board. Her desire is to see other Board partnering with each other (Mental Health, Social Services, Medical Assistance etc.).

James Stephens, Vice Chair of the local Board in Warren County addressed senior citizen growth and insufficient funding. He previewed specific cases, highlighting the need for supportive services to ensure elderly can remain in their home.

Ms. Rogers asked Mr. Stephens to speak before the Board of Aging. She will handle the arrangements.

Child Fatality Protocol

Cathleen Newbanks advised April is Prevent Child Abuse Month. She reviewed the draft procedures on completed investigations, recommendations from the Attorney General's Task Force on Child Fatalities in Virginia, and both national and local fatality statistics.

Mr. Spadaccini asked that Ms. Newbanks provide an update at the August Board meeting.

An update on the OASIS system will also be provided in August. Mr. Adkins voiced his concern that social workers in local agencies are spending valuable time tied up with OASIS problems rather than providing care to children.

Ms. Newbanks advised she is working in field and regional offices addressing OASIS issues. Workers are providing feedback and problems are being resolved.

Ms. Newbanks advised there is a plan for a developmental relationship for ADAPT, APECS, and other systems to interface with OASIS.

In reviewing the local fatality reports, Chairman Jones and Mr. Spadaccini mentioned that substance abuse and paramour information be listed. Members were asked to review the format, submit their comments through Ms. Rengnerth to Ms. Newbanks. This item will be listed on the agenda for further discussion in June.

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Closed Meeting

ON MOTION DULY MADE (Mr. Adkins) and seconded (Mr. Spadaccini) moved to go into Closed Meeting for the purpose of consultation with legal counsel and/or briefings by staff members and attorneys pertaining to actual or probable litigation concerning child fatalities in Alexandria and Portsmouth as permitted by subsection (a) paragraph (7) of Section 2.2-3711 of the CODE of Virginia. Additional staff asked to remain in the meeting was Ray Goodwin, Jean Sheil, Cathleen Newbanks, and Jack Frazier. Motion carried with all in favor.

ON MOTION DULY MADE (Ms. Coryell) and seconded (Ms. Rogers) moved to come out of Closed Meeting back into the open meeting. Motion carried with all in favor.

Certificate of Closed Meeting

Whereas, the State Board of Social Services has convened a Closed Meeting on this date pursuant to an affirmative vote and in accordance with the provisions of the Freedom of Information Act; and

Whereas 2.2-3711 of the CODE of Virginia requires a certification by the State Board of Social Services that such Closed Meeting was conducted in conformity with Virginia law;

Now, Therefore, Be it Resolved that the State Board of Social Services hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the State Board of Social Services. All members signed affirmative.

April 18
9:00 reconvene

The meeting was reconvened by Vice Chair Debra Andrews.

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ON MOTION DULY MADE (Ms. Rogers) and seconded (Mr. Spadaccini) moved to approve the minutes from the February 2002 Board meeting. Motion carried with all in favor.

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Future Meetings

June 19-20, 2002	Clarksville, VA
August 14-15	Chincoteague, VA
October 16-17	Western Region TBA
December 18-19	Williamsburg

Old Business

Volume IA

Mr. Adkins stated he had been advised Vol. I A was now back in the hands of VDSS. He mentioned concerns regarding salary scale and job descriptions by local agency staff. Ms. Rengnerth was asked to review past minutes for the date when the Salary Benchmark Report was approved by this Board.

Energy Assistance Program

Mr. Adkins advised he had received this report; however, only dollar amounts were listed and not the number of people being served. He requested a copy of those statistics. Ms. Sheil advised she would send this information to Mr. Adkins.

Mr. Spadaccin noted that Energy Stats are being tracked at the National Level but not in Virginia. Mr. Goodwin will provide that information to Mr. Spadaccini.

Mr. Martin advised that additional tracking is required with the energy bill that just passed.

Committee Reports

Finance

Mr. Adkins asked that VDSS develop a plan of action for items listed in the APA Report. Mr. Goodwin will provide a list of these recommendations to members.

Child Support Enforcement

Mr. Spadaccini invited members to review the statistical reports. DCSE is doing very well. A copy of the report is included with the official Minutes.

Child Protective Services Out-of-Family

Ms. Korte asked Mr. Spadaccini to give this report, as she was unable to attend the last meeting.

Mr. Spadaccini advised this Committee is looking for guidance from the Board to what their next task should be. It was suggested the Committee review their areas of interest that were submitted in a report last year. The Board was invited to provide comments. This committee wants to be a partner and resource for the State Board.

Confidentiality Report

Al Wilson, Assistant Attorney General provided an update on Confidentiality as it relates to Board members.

An in-depth discussion on Conflict of Interest and Freedom of Information is on the agenda for June.

Regulation Process

Richard Martin provided handouts and reviewed the Guide to Virginia's Regulatory Process, the Town Hall, and a step-by-step guide to the regulatory process.

An electronic version of this report will be provided in June.

Commissioner Comments

Acting Commissioner Ray Goodwin

- The Board was briefed on regional meetings held across the state. Members were invited to comment on a vision for the department.
- Advised of challenges to be faced when the feds reauthorize Welfare Reform.
- Plans to have staff debriefing following each Board meeting.
- Information Systems are a priority. Mentioned Steering Committee chaired by program directors for accountability. Local agencies are still a critical piece of this.
- Statewide training for directors on OASIS is planned.
- Plans to improve service delivery for youth and adults—need for additional training.
- Need to redesign Welfare Reform and accountability
 - Board member requested to sit on Committee
 - error rate reduction
 - EBT implementation
- Plans to increase paternity establishment
- Plans to decrease child fatalities
- Plan to reengineer the APECS System
- Information Technology Investment Board meets weekly

Mr. Goodwin also mentioned the department Mission Statement and asked for comments as to the design and wording.

He further stated a Strategic Plan would be in place by July 1.

Board Comments

Reverend Adkins spoke of his visits to local agencies and shared frustrations that many are experiencing with CSA. He commented that CSA should be moved back under Mr. Goodwin. A more in-depth report was provided to each member.

Ms. Coryell spoke of visits to local agencies and also spoke of shared frustrations with CSA. She advised local staff felt there should be more flexibility in Vol. I A; shared the Colorado model for Day Care, lack of training, and advised of continued OASIS and LETS problems. A more in-depth report was provided to each member.

Ms. Coryell shared her interest in serving on the Child and Family Services Review Committee being established.

Mr. Spadaccini thanked Jack Frazier and the local directors for their hospitality. Mr. Spadaccini asked how involved the department is in HIPA. Mr. Goodwin advised there is early research as to whether the department should be involved. An update will be provided at a future meeting.

Ms. Rogers thanked the local directors for their hospitality. She stated she would welcome Mr. Goodwin's appointment as Commissioner.

Ms. Andrews echoed previous comments on hospitality.

ON MOTION DULY MADE (Ms. Rogers) and seconded (Mr. Spadaccini) moved to adjourn the meeting. Motion carried with all in favor.

Submitted by Pat Rengnerth
Approved by State Board of Social Services on June 20, 2002

