

MINUTES  
State Board of Social Services  
December 18-19, 2002

Members Present

Debra Andrews  
Robert Spadaccini  
Carol Coryell  
Maggi Luca  
Jean Cobbs  
Julie Christopher  
Danny Brown  
Mamie Locke

Absent

Phillip Jones

The December meeting of the State Board of Social Services was held at the Ramada Inn 1776 in Williamsburg, Virginia.

Chairman Debra Andrews called the meeting to order at 9:00 a.m. Welcome and introductions were provided by Stephen Blythe, Eastern Regional Director, Earl Blythe, Director of York County Social Services, Peter Wallentisch, Director of Williamsburg Social Services and Donald Wiggins, Chairman of the Board of Supervisors.

Dr. William Murray, Office of the Governor, was introduced by Ray Goodwin. Mr. Goodwin also introduced Mr. Maurice Jones as the new Commissioner of the Department of Social Services.

Chairman Andrews and other Board members thanked Mr. Goodwin for his leadership, guidance, and appreciation for a job well-done during his time as Acting Commissioner. They welcomed Commissioner Jones and stated they look forward to working with him in the future.

Presentations

Mr. Spadaccini requested, and the Board agreed, to move items 4 and 10 following the public comment period to ensure comment was heard prior to the Board voting on these regulations.

BPRO Resolution

Karen Serum presented a Resolution to the Board requesting their consideration to acknowledge February 2003 as Eligibility Worker Appreciation Month (Resolution is part of the official Minutes housed in Central Office).

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Christopher) moved to approve the Resolution for adoption, acknowledging February 2003 as Eligibility Worker Appreciation Month, calling upon Virginians to join in acknowledging their public service and contributions. Motion carried with all in favor.**

Central Virginia Foodbank

Fay Lohr, Executive Director of the Central Virginia Foodbank and Byron Adkins, Director of Charles City Department of Social Services provided information to the members on the food program that the two departments have engaged in to provide food to needy people. This is a volunteer program that is labeled a “program of love” by Mr. Adkins.

Ms. Lohr provided a copy of the Foodbank Annual Report to members. She stated that as the Central Virginia Foodbank continues to grow in its mission, it is clear that strong partnerships is the key to meeting hunger needs in our communities.

It is the hope that other counties and cities will be interested in providing a program in their respective areas. It was also noted that 96 cents of every dollar collected goes directly to feeding people. Anyone interested in this program can call 804.521-2500 or visit [www.cvfb.org](http://www.cvfb.org) for further information.

Child Support Enforcement

Nick Young, Assistant Commissioner and Director of Child Support Enforcement and his assistant Phyllis Sisk were introduced. Mr. Young provided an overview of the division and its duties, to include locate, establishment of paternity and support orders, enforcement of support orders and collect and distribute support.

Mr. Young advised that the current caseload is 380,000 (one quarter of the child population) in Virginia. He also stated that 269 new cases are opened daily.

Mr. Young also provided an update on the Fatherhood Initiative Program. DCSE leads a multi-agency group developing a grant built on existing initiatives in Hampton/Newport News (HU/CARES & Parents Educating Parents).

Mr. Spadaccini confirmed with Mr. Young that each caseworker handles approximately 900 cases and that number continues to increase. Mr. Young advised that enhanced paternity work at the hospital and rebuilding an outdated system will be of great assistance in handling this large caseload.

Mr. Spadaccini and Ms. Cobbs thanked Mr. Young and his staff for their hard work.

Domestic Violence Inoculation Project

Maureen Savage advised this is a community education and violence prevention program. It is also a unified delivery system to coordinate direct services to children and families.

Ms. Christopher asked the percentage of children that are being directly abused and not just witnessing domestic violence. Ms. Savage will provide this information to Ms. Christopher.

Child Protective Services Fatality Report

Ms. Cathleen Newbank, Director of Family Services, advised there were 52 reports of child fatalities alleging child maltreatment for fiscal year July 1 to June 30, 2002, that were investigated by local departments of social services. Reports were founded for 28 children, a decrease from 31 founded fatalities in fiscal year 01.

She further reported that actions have been taken to better assess and monitor the problem of child maltreatment fatalities in Virginia to include the State Board approving a new Child Fatality Protocol, the State Child Fatality Review Team initiated a review of homicides by caretakers and began developing a uniform data collection tool for local/regional review teams, and the Piedmont Regional Child Fatality Team conducted training for law enforcement on investigation of fatalities involving child abuse or neglect.

A summary of goals and strategies for 2003 include reducing child maltreatment fatalities among infants and young children, reduce child abuse fatalities resulting from violent behavior, reduce child neglect fatalities from unintentional injuries, promote interagency partnerships to prevention of child fatalities and support local departments of social services experiencing a child fatality or critical situation.

It was noted that on page 10 of the report, that black children are more likely to die and cases are higher in the eastern and western areas of the state. Ms. Newbanks advised that proactive steps in social marketing are being taken. Mr. Spadaccini and other members requested that the Family Services Team be present at the February Board meeting to discuss these issues.

Hanover County DSS Deviation Request

Reverend Rufus Adkins was recognized as being a former member of this Board. Mr. Adkins congratulated the members on doing an outstanding job and welcomed the newest members. He spoke on behalf of the Chickahominy Baptist Association and their concerns on page 12 of the Hanover Deviation Request, noting that two separate grievance procedures are to be in place.

Ms. Donna Douglas, Director of Hanover Department of Social Services advised the two procedures are in place until the Board approves the department's deviation request. At that time, the Social Service grievance procedure will be replaced by the county procedure.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Mr. Brown), moved to approve Hanover county Department of Social Services' request to obtain local jurisdiction of personnel services for local social services employees. Motion carried with all in favor.**

Chesterfield County DSS Deviation Request

Sarah Snead, Director of Chesterfield Colonial Heights Department of Social Services requested the Board approve their request to obtain local jurisdiction of personnel services for local employees of social services.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Locke), moved to approve Chesterfield County Department of Social Services' request to obtain local jurisdiction of personnel services for local social service employees. Motion carried with all in favor.**

Legislative/Regulation Review

Mr. Richard Martin, Director of Legislative Services reported that the department has 87 regulations in place.

53 of the 87 are currently in process:

of those 87, 36 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) and two of the repeals will be effective within the next 30 days.

Of those 87, 14 are in the process of being amended

Of those 87, 3 are in the periodic review process

12 additional new regulations are in the process of being promulgated. That totals 99 regulations and proposed regulations.

There are currently 2 regulations currently in public comment:

22 VAC 40-220, Agency Placement Adoptions-Guiding Principles, proposed repeal. Public Comment ends on January 31, 2003.

22 VAC 40-770, Standards and Regulations for Agency Approved Providers, notice of intended regulatory action to amend. Public comment ends on January 2, 2002.

One amended regulation was published as final regulation on December 2, 2002.

22 VAC 40-705, Child Protective Services, final regulation to implement differential response. This regulation is effective January 1, 2002.

One amended regulation will be published as final regulation on December 30, 2002.

22 VAC 40-71, Standards and Regulations for Licensed Assisted Living Facilities. This regulation will be effective March 28, 2003.

It was noted that the Child Day Care Council has five actions currently in public comment. Of those actions, 22 VAC 15 20 and 30 parallels a similar pending regulation 22 VAC 40-80. The Board agreed they will involve the Council in the adoption of their regulation.

Personnel Policies for Local Departments of Social Services

Sally Blanchard, Director Senior for Human Resources, briefed the members on 22 VAC 40-675-10 entitled Personnel Policies for Local Departments of Social Services. This regulation will come before the Board in January 2003.

Mr. Martin requested that members retain a copy of this document as a reference for the January meeting.

Approval of Attorney Classification Specification

Mr. Martin asked the Board to defer this action until February as reporting requirements, part time employee issue, and rules of professional conduct were unclear and needed to be addressed.

**ON MOTION DULY MADE (Mr. Spadaccini) (no second needed to defer), moved to defer this action until the February 2003 meeting. Motion carried with all in favor.**

Local Non-Deviating Local Social Services Agencies with Salary Range Maximum(s) that exceed the State's Reimbursable Salary Range Maximum

The Board was asked to approve local salary range maximums with contingency for Caroline, Dinwiddie, Goochland, Greensville/Emporia, Hopewell, Northumberland, Surry, Accomack, Northampton, York/Poquoson, Clarke, Culpeper, Fluvanna, Frederick, Fredericksburg, Page, Warren, Bedford, Charlotte, Craig, Halifax, Mecklenburg, Prince Edward, Pittsylvania, Buchanan, Pulaski, Russell, Smyth, Tazewell, Washington, and Wythe. (See official copy of Minutes (housed at Central Office) for Class Titles.

**ON MOTION DULY MADE (Ms. Christopher) and seconded (Ms. Cobbs), moved to approve local salary range maximum(s) with contingency for the above referenced counties/cities with the understanding that any compensation paid in excess of the State's reimbursable salary range maximum shall be paid wholly from the funds of such county or city and any federal funds that are available and appropriate for use.. Motion carried with all in favor.**

22 VAC 40-700-10 Child Protective Services Central Registry Information-Final Adoption

This regulatory action conforms the definitions of founded and central registry in this regulation with those in 22 VAC 40-705-10.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Locke), moved to approve the final regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) and under the Administrative Process Act, this regulatory action will be effective 30 days after publication. Motion carried with all in favor.**

22 VAC 40-740-10 Adult Protective Services – Periodic Review

This action will complete the periodic review as required by Executive Order 21 (2002).

**ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Christopher), 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 21 and approve a notice of intended regulatory action to amend this regulation for publication in the Virginia Register. Motion carried with all in favor.**

22 VAC 40-780-10 Elimination of Financial Eligibility Criteria for Direct Social Services - Periodic Review

This action will complete the periodic review of this regulation as required by Executive Order 21 (2002).

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Christopher), 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 21 (2002). Motion carried with all in favor.**

22 VAC 40-110-10 Minimum Standards for Licensed Family Day Homes and  
22 VAC 40-111-10 Minimum Standards for Licensed Family Day Homes-Notice of Intended Regulatory Action

The Board was requested to withdraw the notice of intended regulation action package to repeal 22 VAC 40-110 and withdraw the notice of intended regulation action to establish 22 VAC 40-111-10.

**ON MOTION DULY MADE (Ms. Christopher) and seconded (Mr. Spadaccini), moved to withdraw the notice of intended regulation action package to repeal 22 VAC 40-110-10 and withdraw the notice of intended regulation action package to establish 22 VAC 40-111-10 entitled Minimum Standards for Licensed Family Day Homes that was published in the Virginia Register on April 22, 2002. Motion carried with all in favor.**

22 VAC 40-111-10 and 22 VAC 110-10 Minimum Standards for Licensed Family Day Homes-Notice of Intended Regulatory Action

Members were requested to approve the Notice of Intended Regulation Package to repeal 22 VAC 40-110 and notice of intended regulation action package to establish 22 VAC 40-111-10.

**ON MOTION DULY MADE (Ms. Christopher) and seconded (Mr. Brown), moved to approve the Notice of Intended Regulation Action package to repeal 22 VAC 40-110-10 and approve to establish 22 VAC 40-111-10 packages entitled Minimum Standards for Licensed Family Day Homes for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002). Motion carried with all in favor.**

Discussion:

Mr. Spadaccini asked how the number was derived for increasing training hours.

Ms. Doris Sherrod advised this number was derived from comments providers gave during the public comment period.

22 VAC 40-120-10 Minimum Standards for Licensed Family Day-Care Systems and 22 VAC 40-121-10 Minimum Standards for Licensed Family Day Systems-Notice of Intended Regulatory Action

Members were requested to withdraw the notice of intended regulation action to repeal 22 VAC 40-120 and withdraw the notice of intended regulation action to establish 22 VAC 40-121-10.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Locke), moved to withdraw the notice of intended regulation action package to repeal 22 VAC 40-120-10 and withdraw package to establish 22 VAC 40-121-10 entitled Minimum Standards for Licensed Family Day Systems that was published in the Virginia Register April 8, 2002. Motion carried with all in favor.**

22 VAC 40-121-10 and 22 VAC 40-120-10 Minimum Standards for Licensed Family Day Systems-Notice of Intended Regulatory Action

This action will begin the process to repeal the existing regulation and adopt replacement regulations. The new regulation will promulgate legislative changes from 1984 to present.

**ON MOTION DULY MADE (Ms. Christopher) and seconded (Mr. Spadaccini), moved to approve the Notice of Intended Regulation Action package to repeal 22 VAC 40-120-10 and approve the Notice of Intended Regulation Action package to establish 22 VAC 40-121-10 entitled Minimum Standards for Licensed Family Day Systems for publication in the Virginia Register subject to approval under the provisions of Executive Order 21 (2002). Motion carried with all in favor.**

22 VAC 40-680-10 Virginia Energy Assistance Program-Low Income Home Energy Assistance Program (LIHEAP)-Final Adoption

This action will amend the regulation to establish the cooling assistance component in the Virginia Energy Assistance Program.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Mr. Brown), moved to approve the final regulatory package for publication in the Virginia Register for 22 VAC 40-680-10 entitled Virginia Energy Assistance Program-Low Income Home Energy Assistance Program. Motion carried with all in favor.**



Discussion:

Mr. Spadaccini asked if the names of locals providing comment on page 4 were available. This information will be provided prior to the January meeting.

Mr. Spadaccini was concerned that funds were not proportioned to areas in greater need and questioned if they were transferable. Ms. Jean Sheil advised this is a federal block grant and has a 10 percent cap on administrative costs. 7 percent has to be provided to local agencies, 15 percent to Housing and Community Development and 3 percent to the state. She will provide a further update in January at the Board meeting.

Public Comment

**Deborah White** introduced herself as a member of the Child Day Care Council and represented Gail Johnson. The Council and Chair Johnson look forward to working with the Board and welcomed Julie Christopher as liaison between the Board and Council.

**Penny Coombs** asked the Board to delay passing the 86 page Treatment Foster Care Regulation as presented to the Board. There is much concern that these regulations are different from the 36 page regulation previously sent to the Board.

Concerns included that these regulations were intrusive and oppressive to providers.

**Reverend Rufus Adkins**

(Permission granted to speak in the morning prior to Hanover Deviation vote)

22 VAC 40-135-10 Treatment Foster Care Standards for Child Placing Agencies-  
Proposed New Regulation

This action will establish the regulatory authority for treatment foster care services in one consolidated regulation. Providers are currently regulated by two different sets of regulations, 22 VAC 40-130-10 and 12 VAC 30-130-900 through 12 VAC 30-130-1000.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Coryell), moved to approve the proposed regulatory package for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) and approve the fiscal impact analysis for distribution to local boards of social services. Motion carried with all in favor.**

Discussion

Connie Middleton, Licensing Programs advised there will be additional public comment period to hear from providers and anyone having an interest in this regulation. She felt sure any differences that providers might have could be ironed out during this time.

Mr. Spadaccini questioned whether there was Board representation on Ms. Middleton's Adhoc Committee. Ms. Middleton invited Board members to participate.

Mr. Spadaccini requested that a public hearing be held in conjunction with a Board meeting and recommended email or other notification be sent to all interested parties prior to the hearing.

Commissioner Comments

Commissioner Jones stated he was excited to meet the Board members and looked forward to working with them. He is still transitioning from the Governor's Office to Social Services.

He addressed the wording "Minimum Standards" listed on regulations and advised we should aspire to "best practice standards", therefore the wording of "minimum" will no longer be used.

Budget Challenges were addressed. He advised Social Services will have to do its share of cutbacks.

Commissioner Jones advised that a Performance Management System should be in place at state and local levels with the understanding that better services and products will be delivered to the client.

Recess—Members were invited to a reception at the Williamsburg Inn, hosted by York, Williamsburg and the Williamsburg Historic Foundation. A booklet of maps, and other interesting material was provided to each member.

**Thursday, December 19, 2002**  
**Reconvene at 9:00 a.m.**

Albemarle County DSS 2002 Customer Satisfaction Survey

Kathy Ralson, Director of Albemarle Department of Social Services and representatives from the Wessex Group provided a presentation to the Board on the 2002 Customer Satisfaction Survey.

Research objectives were to provide information on customer satisfaction in accordance with the department's overall strategic plan and quality caseload standards, establish benchmarks for future assessment and identify areas for possible improvement within the department's processes and operations.

A survey was designed and mailed to 3,642 ADCSS customers (2 mailings and reminder postcard). 1,032 completed surveys were returned to the Wessex Group (response rate of 28%).

Customer satisfaction is relatively high for many attributes, particularly those that reflect the quality of contact between customer and ACDSS staff (87 % for staff politeness and patience and courtesy).

Areas where customers are less satisfied frequently revolved around communication issues (returning telephone calls 74% and understanding personal needs 69%).

The agency is considering repeating this survey in 18-24 months to measure changes in customer satisfaction. The Board thanked Ms. Ralson for this presentation and congratulated her on this endeavor to better serve the client. She was asked to provide an update on future results should this survey be repeated.

#### VLSSE

Ben Owens, League President provided an update on the League, its mission and bylaws. Members were welcomed to join any of the League's subcommittees. Ms. Coryell asked if this would be a conflict of interest. Mr. Wilson will research this issue and advise members in January.

Mr. Owens advised the next VLSSE conference will be held in Virginia Beach in May. Invitation will be forthcoming.

The League will host a Legislative Reception January 29—Board members are invited.

Sam Bush, Director of Greenville/Emporia and officer of the League welcomed the Board to attend the League's legislative meetings held every Thursday in the Old City Hall-VACO room.

#### Minutes

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Locke) moved to approve the October 2002 minutes with one change—Ms. Christopher was listed as Ms. Cooper on page 1. Motion carried with all in favor.**

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Future Meetings

January 30- Central Office- 730 E. Broad Street

February 19-20 Hanover LDSS-Ashland

Unfinished Business

Budget-Ray Goodwin advised he will inform the Board as soon as anything is known on the Budget.

Staff/Client Ratios-There is a uniform individual service plan that staffing must be adequate to meet the needs of the client, so ratios are not used.

Mr. Spadaccini felt with the increase in the number of residents, it would be helpful to discuss ratios. Mr. Goodwin advised that the Board liaison, Maggi Luca could raise this question and give the department guidance in how the Board wants the department to move forward on this and other issues.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Coryell), moved to provide the Department and Board liaison guidance in exploring staffing ratio and training that are tied to regulation 22 VAC 40-71-10. Motion carried with all in favor.**

Healthy Families-Mr. Goodwin advised he had spoken with Julie Christopher and advised \$500,000 had been added to the budget for Healthy Families. He further reported the department is working with Prevent Child Abuse Virginia—they currently have 37 contracts and are trying to work toward a single one. He advised a meeting has already been set between the department and the PCAV Board that Ms. Christopher chairs.

New Business

Bylaws-Mr. Spadaccini stated that in the interest of public comment, the public comment period should be moved from 1:30 P.M. to a position on the agenda following the Call to Order. This would enable citizens to speak about an issue or regulation prior to the Board voting on it.

**ON MOTION DULY MADE (Mr. Spadaccini) and seconded (Ms. Coryell), moved to have Public Comment following Call to Order.**

Discussion:

Ms. Luca stated she thought the 1:30 P.M. time was to ensure citizens could come before the Board without having to spend the night to ensure they were on time to speak.

Mr. Goodwin advised that public comment was always first on the agenda. In previous years the Board used two committees to meet until noon and when they came together, public comment was the first item of discussion.

Ms. Coryell mentioned the many emails she received regarding the Foster Treatment Regulation and advised it would be beneficial to hear public comment prior to voting on the regulation.

Mr. Al Wilson advised Mr. Spadaccini had a good point, however, if a change to the Bylaws is to be made, it must be advertised on the agenda prior to a meeting.

Motion withdrawn...this item will appear on the January agenda for further discussion.

#### Subcommittee Reports

Ms. Coryell advised she had attended the CPS Out of Family Advisory Meeting and briefed the Board on upcoming projects being considered.

Mr. Brown provided the members with a copy of the Board's budget. He remarked on their conservative spending.

Stephen Blythe provided an update on issues related to Portsmouth DSS and articles recently found in the newspaper. This issue was discussed at great length.

Mr. Spadaccini questioned whether administrative reviews are being done. Mr. Goodwin advised they are. He is working with Mr. Jack Frazier on developing a protocol in keeping the Board informed on any problems/issues related to local agencies/directors.

#### Local Director Comments

None

#### Board Comments

Ms. Coryell thanked the local directors for the lovely reception. She also advised she is interested in discussing what is happening in Newport News and Portsmouth—add to January agenda.

Mr. Brown thanked the directors for a lovely reception and wished everyone Merry Christmas and Happy New Year.

Ms. Locke advised she wants to discuss the Foster Treatment emails in depth at the January meeting.

Mr. Spadaccini thanked Colonial Williamsburg, Earl Blythe and Peter Wallentisch and staff for the lovely reception. He thanked Mr. Martin for a copy of the Intranet site and asked if the Board could have access to this as it covered a wealth of information. Mr. Goodwin will advise at the January meeting.

Mr. Spadaccini said it was his understanding that FAMIS is coming back to local agencies and asked what measures the state is taking to assist with any backlog. Mr. Goodwin will discuss this at the January meeting.

Mr. Spadaccini thanked Albemarle DSS for their work on the Customer Satisfaction Survey and further conveyed his desire this might also be a presentation at a League Conference.

Thanks and appreciation to Mr. Goodwin for his success in increasing the local director and staff attendance at Board meetings.

Ms. Luca advised she is looking forward to gaining more knowledge about the departments and its functions.

Ms. Andrews thanked the local directors for the elegant reception. Thanks was also given to Pat Rengnerth for a job well done.

She thanked Mr. Goodwin for his guidance during his time as Acting Commissioner and commented she hoped the budget effects will be minimal.

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

Submitted by Pat Rengnerth  
Approved January 2003