

**Commonwealth of Virginia  
State Board of Social Services**

**Department of Social Services  
Main Street Centre Building  
600 East Main Street  
Richmond, VA 23219**

**March 11, 2015**

**Attending:** Mr. Willie Greene, Sr. (Chair), Mr. William Henderson (Vice Chair), Dr. Danny Avula, Mrs. Joanne Webster (Secretary), Ms. Lou Ali, Ms. Sheila Coppage, Dr. Jack Knapp, Ms. Mona Malik, Mr. Clyde Santana, Mr. Kent Willis

**Absent:** Mr. Darrell Jordan, Jr.

**Also in Attendance:** Mrs. Margaret Ross Schultze (Commissioner), Mr. Allen Wilson (Sr. Assistant Attorney General).

**Meeting called to order at 9:03** – Mr. Willie Greene, Sr.

**Review of Agenda** – Mrs. Karin Clark, Regulatory Coordinator

**Comments from the Commissioner** – Margaret Ross Schultze

Commissioner Schultze followed up on public comment from the December meeting. Ms. Marie Parker spoke on an incident at the Chestnut Grove Assisted Living Facility involving her mother, who suffered a stroke while residing at the facility. Ms. Parker requested the Department implement a protocol for alert buttons. After investigation by a licensing consultant, no violations were cited and the complaint was not substantiated. At the time of the investigation, the alert button had been issued to another resident and it was not possible to determine if the resident had activated it. Mr. Steve Lambert, Associate Licensing Director, spoke with Ms. Parker on December 19, 2014. They discussed the possibility of amending the assisted living facility regulation to provide that, in the event of a resident death, prior to reissuing the alert pendent to another resident, any information on the pendent would be downloaded and become part of any investigation file.

**DSS Overview of 2015 General Assembly Session** –

The Department tracked a total of 80 bills: 39 house Bills, 38 Senate Bills and 3 joint resolutions. Relative to the bills the Department tracked, 21 related to child care, 18 to child welfare, 12 to child support and 11 to public assistance. There were only 23 bills tracked following the February 23 deadline for conclusion of committee action. The Department's focus was on child care, in light of the publicized deaths of Virginia children in unregulated care settings. There was a great deal of public comment

during committee meetings relative to the child care bills. There were two bills enrolled at the end of the session, House Bill 1570 and Senate Bill 1168, which are in the Governor's office awaiting action.

#### Development of Virginia's Child Care Plan –

The federal government requires states to develop a state child care plan to explain how federal child care dollars are spent. In the past, state plans were developed every two years. With the passage of federal Child Care and Development Block Grant in November 2014, states will now develop these plans every three years. There are new federal child care requirements including but not limited to: health and safety standards; provider training; child abuse reporting; fingerprint background checks; on site-inspections; inspector qualifications; group size limits and ratios; 12 month eligibility redetermination; job search period; homeless children and quality improvement. Some of these requirements have a delayed implementation. The new plan is due to the federal government by March 1, 2016.

Commissioner Schultze noted the number of studies and reports the Department will need to provide on the implementation of the new child care laws. She also noted that the foster care to 21 bill did not pass and the 2.1 billion dollar State budget did pass.

#### **Division of Community and Volunteer Services Overview-** Fran Inge, Director

Mrs. Inge introduced herself and gave a short bio. She thanked the Board for the invitation to speak and for all the things they do. Fran quoted the Urban Institute as follows: "Community structures are generally organized around three realms; the government, business, and nonprofit sector. Like a three legged stool, all three sectors must be present sturdy and working together to achieve balance and stability." The Division of Community and Volunteer Services consists of ten programs which are: 2-1-1 Virginia; AmeriCorps; Neighborhood Assistance Program; Local Domestic Violence Programs; Vaservice.org; Earned Income Tax Credit (EITC) in partnership with VACAP; Newcomer Services; Community Services Block Grant (CSBG); Family and Children's Trust Fund (FACT) and Subrecipient Monitoring. Most of these programs are 100% federally funded.

#### **Closed Meeting**

**On Motion Duly Made**, (Mr. Willis), second (Dr. Knapp), moved to go into a closed meeting for the purpose of consultation with legal counsel pertaining to actual or probable litigation concerning legal advice as permitted by §2.2-3711 (A) (7) of the Code of Virginia. The issue of discussion was Administrative/Human Resources Manual for LDSS – Revisions to pursuant to Executive Order 30 (2014). Attending the closed meeting were: Ms. Ali, Dr. Avula, Ms. Coppage, Mr. Greene, Mr. Henderson, Dr. Knapp, Ms. Malik, Mr. Santana, Mrs. Webster, Mr. Willis, Commissioner Schultze, Ms. Lemon, and Mr. Wilson. Motion approved with all in favor.

Mr. Greene reconvened the open portion of the meeting at the conclusion of the closed session. Mr. Willis certified that the closed meeting was conducted in conformity with Virginia law and that only public matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting. Members unanimously agreed by a roll call vote.

## **COMMENT PERIOD**

### ***Comment from the Public***

Sharon Veatch – Executive Director, Child Care Aware of Virginia

Ms. Veatch discussed the reauthorization the federal Child Care and Development Block Grant (CCDBG), enacted in November 2014, and the new requirements. She is hopeful the Board will review the new law and NOT look to meet each requirement with a checklist. Another concern is the child care legislation the General Assembly recently passed with the regard to background checks. She views it as weaker than the federal law. She is hopeful to work with the Department of Social Services to make recommendations to the Governor with regard to fixing the bill and working with the Board in support of children’s safety and healthy development.

Emily Griffey – Sr. Policy Analyst, Voices for Virginia’s Children

Ms. Griffey expressed her considerations to improve Virginia’s child care system, given the federal reauthorization of the CCDBG. Some policy changes related to CCDBG have already been tackled by the legislature, some of which may fall to the regulatory process and others will be up to the Department as it creates a State Plan with stakeholder input. The CCDBG reauthorization provides Virginia with an opportunity to outline a new vision for child care systems. We should take this opportunity to revisit our approach to providing high-quality child care very seriously. She hopes Virginia takes time to develop a visionary plan for Virginia that targets the neediest children and matches them with programs and providers striving and attaining the highest levels of quality.

### ***Comment from the VA League of Social Services Executives – Cathy Pemberton, President***

Ms. Pemberton introduced herself and gave a quick overview of the General Assembly and the bills having impact on local departments. She shared disappointment that legislation extending foster care to age 21 did not pass, as this bill was one of their priorities. Senate Bill 1095 did pass, which relates to prospective foster parents and barrier crimes, introduced by Senator McEachin. They are still having some challenges with the VaCMS system and are working on these issues.

### ***Child Fatality Update – Rita Katzman, Program Manager, Child Protective Services and Carl Ayers, Director, Division of Family Services***

Ms. Katzman presented an overview of child deaths in Virginia. Virginia is one of 43 states that uses the National Center for Child Death Review reporting tool. There were 109 child deaths reviewed by five regional child fatality review teams. A majority of the cases reviewed involved a child less than five years of age. The race of decedent children were 46% White, 42% African-American and 12% other; 52% were female and 48% male. Caregivers responsible for the child’s death (84%) were biological parents, with 59% being female, and primary caregivers were parents between the ages of 20 and 29. The most frequent act having directly caused a child’s death was an act of commission-child abuse (25% of cases that caused or probably caused the death). The most common act that contributed indirectly to the child’s death was an act of omission-poor or absent supervision (20% of cases that caused or probably

caused the death). For SFY 2014, there were 123 child death investigations: 39 were founded, five are on appeal, 67 were unfounded and 12 are still pending.

Mr. Ayers presented an overview on Improving Safety and Preventing Child Fatalities. This included:

- Commission to Eliminate Child Abuse and Neglect Fatalities
- Predictive Risk Modeling in Health Care and Justice
- State / County Predictive Risk Modeling Perspectives
- Application of Cross System Data Analytics

### **Regulatory Update – Karin Clark**

Dr. Knapp asked about the status of the child day center regulation. The Commissioner responded that the regulation would likely be pulled back and a NOIRA will be needed to start the process over.

### **ACTION ITEMS**

#### **1. Approve December 2014 Minutes**

Mona Malik's name was erroneously missing from the attending section, the correction will be made. *On Motion Duly Made* to approve as corrected, (Dr. Knapp), second (Ms. Ali), motion approved with all in favor.

#### **2. Resolution to Recognize March 2015 as Social Work Month**, read by Mr. Henderson in Mrs. Webster's absence. *On Motion Duly Made*, (Ms. Ali), second (Mr. Santana), motion approved with all in favor.

#### **3. Resolution to Recognize April 2015 as Office Services Support Appreciation Month**, read by Mr. Henderson in Mrs. Webster's absence. *On Motion Duly Made*, (Dr. Knapp), second (Mr. Santana), motion approved with all in favor.

### **Board Member Comments**

Ms. Coppage was delighted the budget and funding for eligibility workers passed, but disappointed that the foster care to 21 legislation did not pass. Overall, she believed it was a good meeting.

Mr. Willis observed the substantive agenda, commented on the child fatality information, and was encouraged by the bi-partisan actions of the 2015 session. He expressed appreciation for the advice and clarification Mr. Wilson provided.

Ms. Malik thanked Mr. Wilson for the clarification, expressed disappointment that the foster care to 21 legislation failed, and found the child fatality presentations informative.

Mr. Henderson recommended that members attend one Regional Child Fatality Review Team meeting if possible. He commented on an article stating that were 6.5 million, 112-year old or older Americans that still have active social security cards, and asked if there is some kind of self-auditing the state does to

verify these situations. He requested a presentation on the topic. The Commissioner responded there is a Fraud Unit in the state office and fraud workers in each local department. They are required to retrieve information from certain data systems to make sure information is accurate. Commissioner Schultze indicated that Tom Steinhauser would provide information at a future meeting. Mr. Henderson also appreciated Ms. Katzman's presentation and said she is asking the right questions.

Mr. Santana enjoyed the CVS presentation and the new programs they now have, and thought they were very educational.

Dr. Knapp commended Ms. Katzman's presentation and said her team does an outstanding job. He also appreciated having the Medical Examiner representative present to answer questions. The closed session was very informative.

Ms. Ali appreciated the update on the General Assembly and found Mr. Ayers' report on risk factors informative

Dr. Avula was thankful for the learning experience and was encouraged by Mr. Ayers' presentation. He noted his continued observation of the intertwinement between public health and social services.

#### **Chair Comments**

Mr. Greene enjoyed Mr. Ayers' presentation and felt good information had been conveyed overall. He asked that members feel free to ask questions. He looked forward to seeing everyone in April, at the Central Regional Office.

#### **Adjournment 3:29pm**