

**State Executive Council (SEC) Executive Committee Meeting
Richmond Room, 1604 Santa Rosa Road
Richmond, VA 23229
November 19, 2015**

Attending:

William A. (Bill) Hazel, Jr., M.D., Secretary of Health and Human Resources
The Honorable Richard “Dickie” Bell, Virginia House of Delegates
Margaret Schultze, Commissioner, Virginia Department of Social Services (VDSS)
Angela Valentine for Andrew Block, Director, Department of Juvenile Justice (DJJ)
Greg Peters, President and CEO, UMFS
Jeff Aaron, Director, Commonwealth Center for Children & Adolescents (CCCA)
Eric Reynolds, Assistant Attorney General, Office of the Attorney General
Scott Reiner, Interim Executive Director, Office of Children’s Services (OCS)
Marsha Mucha, Administrative Assistant (OCS)

Guests:

Janet Areson, Virginia Municipal League
Sue Rowland, Sue Rowland Consulting

Absent:

Karen Kimsey, Deputy Director, Department of Medical Assistance Services (DMAS)
The Honorable Robert “Rob” Coleman, Vice Mayor, City of Newport News

Call to Order

Secretary Hazel called the meeting to order at 10:00 a.m., welcomed everyone and asked for introductions. The minutes of the March 19, 2015 and April 20, 2015 meetings were reviewed and approved without objection.

Review of Recommendations from SEC Governance Workgroup and Proposed SEC Public Participation Policy

Mr. Reiner reported that the last meeting of the Workgroup was held on November 17. That Workgroup adopted seven recommendations which he reviewed for the members. He noted that the Workgroup recommended that the SEC remain a supervisory council, chaired by the Secretary of Health and Human Resources. They also recommended adding the chair of the State and Local Advisory Team (SLAT) as a voting member of the Council as well as adding a representative to the SEC who previously received services through CSA.

Mr. Reiner next presented a draft “Proposed Public Participation Policy” for the SEC which is based on the Administrative Process Act. The draft policy was developed as part of the recommendations from the Governance Workgroup that the SEC develop clear guidelines for public participation in its process of developing and adopting policy. The proposed guidelines will address specific time frames for various stages in the process, expectations for public notice and public comments, and expectations for consideration of fiscal impact on local government.

Members suggested that the draft policy be shared with those familiar with public participation policies within their agencies for suggestions and comments. Mr. Reynolds will also be reviewing the policy from

a legal perspective. Mr. Reiner will let stakeholders know that the SEC is interested in developing a Public Participation Policy. A Notice of Intent to develop the policy will be added to the December 3 SEC meeting agenda.

Budget Proposals

Mr. Reiner reported that an additional \$16.4M in general funds is being requested to address the expenditure growth in CSA. The number of children served has increased along with a marked increase in expenditures in special education private day placements.

Other budget requests include additional support for local CSA administrative costs as recommended by the SEC; increasing the MEL and funding to add two auditor positions in OCS; and collaborative planning with DJJ to increase use of protected funds to provide greater intervention with certain at-risk populations by supporting evidence-based interventions and removing the local match requirements on those funds.

Review and Approval of Reports to the General Assembly

Mr. Reiner presented five reports for consideration and approval:

- Impact of the Incentive Match Rate System
- Treatment Foster Care Services Under the CSA
- Special Education Services Under the CSA
- Regional and Statewide Training Regarding CSA
- Utilization of Residential Care Under the CSA

He noted that these reports are required by the Appropriation Act. Secretary Hazel stated that his office had reviewed and approved the reports for submission. The Committee approved submission of the reports without objection.

Mr. Reiner also presented a draft of the Progress Report on the Children's Services Act. This report is required biennially. He highlighted Exhibit 4 of the report indicating that the target of 50% had been met for the number of CSA children being served in community-based settings. Secretary Hazel also noted the number of areas cited in the report for leadership, collaboration and coordination across the Secretariats of Health and Human Resources, Education and Public Safety on practice issues for the delivery and assessment of children's services at the state level.

Mr. Reiner reported that goals and strategies for the FY16-FY18 biennial are to be included in the report. He presented three draft goals along with strategies for meeting each goal and asked that the majority of the SEC's December meeting be set aside to further develop this portion of the report.

SEC's Finance Committee

Mr. Reiner reported that several of the SEC's Finance Committee members are no longer serving on the Council and the Committee has not been actively working. He recommended reconstituting the Committee as a Finance/Audit Committee and expanding its activities to include a review of OCS audit findings and consultation to the OCS on actions in response to these findings. Members will be solicited to serve on the Committee.

Possible Revisions to the CHINS Guidelines

This agenda item was moved to the Closed Session.

Data Collection and Analysis Workgroup

Mr. Reiner reported that one of the recommendations from the report on Funding Educational Costs for Students Placed in Psychiatric or Residential Treatment Facilities for Non-Educational Reasons was development and implementation of a practical, short-term data collection project that would provide necessary information about the process of accessing residential treatment.

Mr. Reiner noted that a work group will need to be designated to define the scope and time frames for the data collection and analysis. Several Committee members offered suggestions as to who should serve on the work group.

Joint SEC/SLAT Meeting December 3, 2015

As noted above, Mr. Reiner asked that, after a brief business meeting, the majority of the meeting be dedicated to development of the goals and strategies for the SEC's FY16-FY18 Biennial Plan. He suggested three small groups, each staffed by an OCS staff member, to examine one of the goals and strategies under that goal. Those groups would then report back to the full SEC for consideration and adoption of the goals and strategies. Committee members were asked to send comments to Mr. Reiner.

Closed Session

A motion was made by Jeff Aaron, seconded by Greg Peters and carried that the SEC's Executive Committee convene in a closed meeting pursuant to Virginia Code § 2.2-3711(7) for the purpose of receiving legal advice regarding: 1) the SEC/OCS Dispute Resolution Process, 2) Electronic Meeting Participation Policy, and 3) CHINS Policy. The SEC Executive Committee requested that Eric Reynolds, legal counsel to the SEC, as well as Scott Reiner, OCS Interim Executive Director and Marsha Mucha, OCS Administrative Staff Assistant participate in the closed meeting.

Reconvene in Open Session

Before reconvening in open session, the members of the SEC's Executive Committee certified that, to the best of their knowledge that 1) only public business matters lawfully exempted from open meeting requirements pursuant to the exception in Virginia Code §2.2-3711(7) of the Virginia Freedom of Information Act and 2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

Status of OCS Executive Director Position

Scott Reiner's current agreement to serve as the Interim Executive Director of OCS expires at the end of December. Committee members discussed whether to extend that agreement or to begin the recruitment process for an executive director. Secretary Hazel stated that he would rather wait until after the upcoming legislative session before establishing a search committee and beginning the recruitment process. After further discussion, a motion was made by Margaret Schultze, seconded by Greg Peters and carried to extend Mr. Reiner's current agreement through June 30, 2016.

Adjournment

There being no further business, the meeting adjourned at 11:45 a.m.