

**State Executive Council (SEC) Executive Committee Meeting
Office of Comprehensive Services Conference Room
1604 Santa Rosa Road, Suite 137
Richmond, VA 23229
November 20, 2014**

Attending:

William A. (Bill) Hazel, Jr., M.D., Secretary of Health and Human Resources
Margaret Schultze, Commissioner, Virginia Department of Social Services (VDSS)
Joe Paxton, Rockingham County Administrator
Karen Kimsey, Deputy Director, Department of Medical Assistance Services (DMAS)
Andrew Block, Director, Department of Juvenile Justice (DJJ)
Michael Farley, CEO, Elk Hill, Inc.
Eric Reynolds, Assistant Attorney General, Office of the Attorney General
Brandon Bull, Special Assistant to the Children's Cabinet
Susan Cumbia Clare, Executive Director, Office of Comprehensive Services (OCS)
Scott Reiner, Assistant Director (OCS)
Marsha Mucha, Administrative Assistant (OCS)

Guests: Janet Areson, Virginia Municipal League

Call to Order

Secretary Hazel called the meeting to order at 10:00 a.m. and welcomed everyone. The minutes of the August 21, 2014 meeting were reviewed and approved without objection.

Audit Update

Mrs. Clare presented a summary of the last two audit years (FY13 and FY14) to members. The total questioned costs identified amount to approximately \$1.2 million. More than \$336,000 has been recovered. OCS has chosen not to recover based on type of error, e.g. missing CANS. In some instances localities have voluntarily restored the funding while other localities have submitted quality improvement plans and continue to be monitored.

After discussion, members endorsed a review of the existing Denial of Funds policy. Members also endorsed establishing written policies and procedures to identify parameters for recovery of funds which would be implemented with the new audit cycle beginning July 1, 2015. OCS is also working on updating the CSA Policy Manual which, when completed, will provide clearer guidance regarding policy expectations. Secretary Hazel asked that DSS and DMAS assign staff to assist with updating the CSA Manual.

Progress Report – Foster Youth Committed to DJJ

Mr. Block reported that a presentation was made to the Children's Cabinet on the issue of legal custody for foster youth committed to DJJ. DSS and DJJ are working collaboratively and have agreed that DSS will consider youth as foster care prevention cases while committed to DJJ. One area that still needs to be addressed is funding for DSS administrative costs for these youth. OCS is working with DSS to ensure costs are not already reimbursed through Random Moment Sampling funding. DSS and DJJ have signed an MOU to conduct a data match to determine the number of youth that fall within this category.

Mr. Block further reported that DJJ is conducting an analysis of the DJJ system and has already determined that DJJ needs improvement in engaging families. DJJ will be working with DSS to potentially establish regional/local partnerships to assist in this regard. Mrs. Clare noted that family engagement is core to system of care and that other child serving agencies should be invited to participate in training initiatives.

Discussion of DJJ Presentation to SEC

Mr. Block reported that he has a conflict with the December SEC meeting date and will not be able to present. Members endorsed having DJJ staff make the presentation at the December meeting. The presentation will be similar to that made to the Children's Cabinet.

Recommendations – Residential Education

Mrs. Clare presented the recommendations from the taskforce appointed by the SEC to address the issue of lack of public funding for educational services for youth who have been placed outside of the CSA process into RTFs and for whom Medicaid funding is authorized. She provided background information on the process that led to the appointment of the taskforce.

Recommendations from the taskforce include a process by which, at the time of admission to either an acute care facility or a Level C RTF, the youth would be referred to the local CSB. The CSB would be responsible for referring the youth to FAPT. FAPT would review the case and develop an IFSP for the youth within 14 days of the CSB receipt of referral from the RTF.

Multiple options would be available to FAPT when reviewing a youth admitted to a level C RTF:

- FAPT may determine that the RFT placement, including its educational services, is necessary to meet the youth's needs.
- FAPT may determine the youth's needs may be met through community based services.
- FAPT may determine the RTF is necessary to meet the youth's needs, but that the school division can provide educational services to the student at the RTF.

If FAPT fails to meet and/or fails to develop an IFSP within 14 days of the receipt of notice by the CSB that the youth has been admitted to the RTF, the locality would assume responsibility for the RTF placement beginning on the first day of admission.

Parents would be asked to give consent to release confidential information regarding the youth to the local CSB and local FAPT. Parents would be informed of the need for local community review of services. Parents would also be informed of the potential development of a plan for alternative services and of their potential fiscal responsibility for educational services if the local community develops a plan for alternative services but the parent wishes to maintain the RTF placement. In reference to a parent's fiscal responsibility as outlined, Mr. Block recommended changing the date the parent would assume fiscal responsibility for educational costs from the first day of placement to the date of the FAPT decision.

Members discussed the recommendations and endorsed the first two options of the FAPT process to be presented at the December SEC meeting. The third option will be presented to the SEC but was not endorsed by the Executive Committee due to expressed concerns about implementing such an option.

Taskforce members will make a final review of the recommendations before they are presented to the SEC. Proposed policy and procedures would be disseminated for a 60-day public comment period with a proposed July 1, 2015 implementation date.

Review of General Assembly Reports

Mrs. Clare presented drafts of reports due to the General Assembly. She noted that the reports are formatted as they were last year. During discussion Mrs. Clare noted that future reports will present a more complete picture when CSA is able to use integrated data for reporting purposes rather than CSA expenditures only.

A footnote will be added to the "Special Education Services Funded Under the CSA" report to reflect that the costs presented in the "average cost per child per day by placement type" reflect CSA expenditures only and does not include Medicaid expenditures for treatment services. There was also discussion concerning dissemination of the reports. Reports are posted under "Legislative Reports" on the General Assembly website and are disseminated as required by the Appropriation Act and are also posted to the CSA website. For a wider general distribution, Mrs. Schultze offered the services of DSS.

Other Business

Dr. Hazel reported that each agency head will contract and sign an Executive Agreement with the Governor focusing on improving selected areas within their agencies. Members provided updates on the Children's Cabinet, challenging schools initiative and adoption.

A National Foster Care Conference will be held in Norfolk next June with Hampton demonstrating the conduct of a FAPT meeting.

Adjournment

There being no further business, the meeting adjourned at 11:30 a.m.