

STATE EXECUTIVE COUNCIL (SEC)
COMPREHENSIVE SERVICES ACT FOR AT RISK YOUTH AND FAMILIES
Richmond/Henrico Rooms
1604 Santa Rosa Road
Richmond, VA
Thursday, December 18, 2014

SEC Members Present:

The Honorable William A. (Bill) Hazel, Jr., M.D., Secretary of Health and Human Resources
The Honorable Jennifer Wexton, Member, Senate of Virginia
Michael Farley, CEO, Elk Hill
The Honorable Richard "Dickie" Bell, Member, Virginia House of Delegates
John Eisenberg for Steven Staples, Ed.D., Superintendent of Public Instruction, Virginia Department of Education
The Honorable Patricia O'Bannon, Member, Henrico County Board of Supervisors
Janice Schar, Parent Representative
Joseph Paxton, County Administrator, Rockingham County, Virginia
Debra Ferguson, Ph.D., Commissioner, Department of Behavioral Health and Developmental Services
Lelia Hopper for Karl Hade, Executive Secretary of the Supreme Court of Virginia
Margaret Schultze, Commissioner, Virginia Department of Social Services
Bob Hicks for Dr. Marissa Levine, Commissioner, Virginia Department of Health
Greg Peters, President and CEO, UMFS
The Honorable Anita Filson, Juvenile and Domestic Relations District Court Judge, 25th Judicial District
The Honorable Catherine Hudgins, Member, Fairfax County Board of Supervisors
Jeanette Troyer, Parent Representative
The Honorable Robert "Rob" Coleman, Vice-Mayor, City of Newport News
Cindi Jones, Director, Department of Medical Assistance Services

SEC Members Absent:

Mary Bunting, City Manager, Hampton, Virginia
Andrew Block, Director, Department of Juvenile Justice

Other Staff/SLAT Members Present:

Pam Kestner, Special Advisor on Families, Children and Poverty, Health & Human Resources
Eric Reynolds, Assistant Attorney General, Office of the Attorney General
Ron Belay, Chair, State and Local Advisory Team
Susan Cumbia Clare, Executive Director, Office of Comprehensive Services (OCS)
Scott Reiner, Assistant Director, OCS
Carol Wilson, Program Consultant, OCS
Marsha Mucha, Administrative Staff Assistant, OCS

Call to Order and Approval of Minutes

Secretary Hazel called the meeting to order at 9:30 a.m. A quorum was present.

The minutes of the September 18, 2014 meeting were approved without objection.

Taskforce Report on Non-CSA Parental Placements into Residential Treatment Programs
Secretary Hazel explained that, if there were no objections, the Taskforce recommendations would be reviewed first with public comment to follow. He noted that there had been a great deal of discussion swirling around the topic and he reminded those in attendance of the facts in evidence and the need to find a solution to this problem.

Secretary Hazel also reiterated that the SEC was not taking action on the Taskforce recommendations or proposed policy at today's meeting but, rather would be deciding whether or not to disseminate the proposed policy for a 60-day public comment period.

The recommendations were presented to the SEC's Executive Committee and that Committee endorsed moving forward with the presentation at today's meeting. At its December 5 meeting, the State and Local Advisory Team (SLAT) discussed the estimated local fiscal impact. Mr. Belay, SLAT Chairman, provided members with an analysis of that estimated local fiscal impact.

Lelia Hopper, a member of the Taskforce, presented the recommendations and provided background on the existing issue and the appointment of the Taskforce. She reported that the Taskforce appointed by the SEC at its September 2014 meeting met on October 30, 2014. Members of the Taskforce included: SEC members, Joe Paxton, Michael Farley, Mary Bunting and Lelia Hopper. Also serving on the Taskforce were Paul McWhinney (VDSS) and Karen Kimsey (DMAS). Melanie Bond, Chesapeake CSA Coordinator and Brad Burdette, Director of the Appomattox DSS Office served as advisors to the Taskforce. Susan Clare, Executive Director and Scott Reiner, Assistant Director from OCS facilitated the meeting.

Ms. Hopper walked members and guests through the process proposed by the Taskforce as well as additional Taskforce recommendations. The Taskforce recommends a proposed policy effective date of July 1, 2015 for all non-CSA Level C RTF admissions and re-admissions occurring July 1, 2015 or later. The Taskforce also recommends establishing a workgroup to develop guidelines for implementation of the proposed policies should the SEC accept the recommendations of the Taskforce.

The SEC reviewed and considered each of the five paragraphs of the proposed policy. A motion was made by John Eisenberg, seconded by Greg Peters and carried to strike paragraph five from the proposed policy which allowed for the local school division to provide education within the private facility. Further discussion concerned whether or not parental responsibilities should be included in the policy and if the timeline included in the policy allowed for an orderly transition from residential treatment services to community-based services should that be FAPT's determination.

Public Comments

Public comments were received on the above topic from:

- Bill Elwood representing the Virginia Coalition of Private Provider Associations (VCOPPA) and the Virginia Association of Independent Specialized Education Facilities (VAISEF)

- Amy Woolard representing Voices for Virginia's Children (VOICES)
- Catherine Pemberton representing the Virginia League of Social Services Executives (VLSSE)
- Michael Asip representing the Virginia Council of Administrators of Special Education (VCASE)
- Doug Bilski representing the Chesterfield County Community Services Board (CSB)
- Tracy Gordon representing Prince William County
- Jennifer Faison representing the Virginia Association of Community Services Boards (VACSB)
- Jim Gillespie representing the Fairfax – Falls Church CSA
- Janet Areson representing the Virginia Municipal League (VML)
- Sue Rowland representing Roanoke County
- Beau Blevins representing the Virginia Association of Counties (VACo)

Action Taken

A motion was made by Joe Paxton and seconded by Catherine Hudgins to move forward with establishment of an SEC workgroup as recommended by the Taskforce and described in Attachment B. The workgroup would consider a policy implementation date and address areas of concern around the timeframes for:

- FAPT review of cases and development of an IFSP for the youth within 14 days of the CSB receipt of referral from FAPT
- Locality responsibility for the RTF placement beginning day 15 post admission through the date of discharge when the IFSP is implemented

The Workgroup would report at the SEC's April 2015 meeting. The SEC would then decide concerning dissemination of the proposed policy for a 60-day public comment period.

Discussion of the motion addressed the potential delay in implementation of policy. Lelia Hopper asked whether or not the SEC should set a proposed policy implementation date of July 1, 2016 or not specify a date to the Workgroup. After additional discussion, members voted not to specify an implementation date but leave that consideration to the Workgroup. The original motion carried.

Adjournment

There being no further business the meeting was adjourned at 12:05 p.m.