



COMMONWEALTH of VIRGINIA

Scott Reiner, M.S.
Executive Director

OFFICE OF CHILDREN'S SERVICES *Administering the Children's Services Act*

Administrative Memorandum #23-09

To: CPMT Chairs
CSA Coordinators

CC: The Honorable John Littel, Secretary of Health and Human Resources
The Honorable Leah Mills, Deputy Secretary of Health and Human Resources
Dr. Samantha Hollins, Virginia Department of Education

From: Scott Reiner, Executive Director

A handwritten signature in blue ink that reads "Scott Reiner".

Date: September 8, 2023

Subject: Rate Setting for Private Day Special Education Programs

The revised state budget for FY2024, adopted by the General Assembly on September 6, 2023, has removed the requirement that the Office of Children's Services (OCS) implement statewide rate setting for private day special education (Item 285.B). Therefore, OCS Administrative Memorandum #23-06 (issued on July 24, 2023) is rescinded. Local CSA programs should negotiate rates with providers of private day special education in accordance with §2.2-5214 of the *Code of Virginia*, which states:

The rates paid for services purchased pursuant to this chapter shall be determined by competition of the market place and by a process sufficiently flexible to ensure that family assessment and planning teams and providers can meet the needs of individual children and families referred to them.

As previously instructed, CSA programs should use the Service Name Code 54 (Private Day School-Tier 1) in the Local Expenditure, Data, and Reimbursement System (LEDRS) for all in-state placements. Placements in private day programs outside of Virginia should use Service Name Code 72 (Private Day School (Out of State)).

OCS appreciates your cooperation and flexibility in implementing the Appropriation Act for FY2024 as approved by the General Assembly. Please be aware that final approval must come from the Governor. While it is not anticipated that this language in the state budget will change, the Governor's signature is the final required step in this process.

Please get in touch with my office, scott.reiner@csa.virginia.gov, if you require additional assistance.