

State Executive Council (SEC) for Children’s Services

Notice of Intent to Develop/Revise Policy

Approved for Public Comment by the SEC: March 14, 2024

Public Comment Period Ends: 5:00 PM, May 2, 2024

Number and Name of Proposed/Revised Policy:

Policy 4.5.2 – Time Frames Regarding CSA Pool Fund Reimbursement

Basis and Purpose of the Proposed/Revised Policy:

Section 2.2-2648.D.3 of the *Code of Virginia* requires the SEC to: “Provide for the establishment of interagency programmatic and fiscal policies developed by the Office of Children's Services, which support the purposes of the Children's Services Act (§ 2.2-5200 et seq.), through the promulgation of regulations by the participating state boards or by administrative action, as appropriate.”

Additionally, Section 2.2-2648.D.19 of the Code of Virginia requires the State Executive Council for Children's Services (SEC) to "Establish and oversee the operation of an informal review and negotiation process with the Director of the Office of Children's Services and a formal dispute resolution procedure before the State Executive Council, which include formal notice and an appeals process, should the Director or Council find, upon a formal written finding, that a CPMT failed to comply with any provision of this Act. ‘Formal notice’ means the Director or Council provides a letter of notification, which communicates the Director's or the Council's finding, explains the effect of the finding, and describes the appeal process to the chief administrative officer of the local government with a copy to the chair of the CPMT. The dispute resolution procedure shall also include provisions for remediation by the CPMT that shall include a plan of correction recommended by the Council and submitted to the CPMT. If the Council denies reimbursement from the state pool of funds, the Council and the locality shall develop a plan of repayment.”

The proposed changes to the existing policy 4.5.2 align the policy with the standard policy format adopted by the State Executive Council in September 2022 by adding sections 4.5.2.1 (Purpose), 4.5.2.2 (Authority), 4.5.2.3 (Definitions),

4.5.2.4(Pool Fund Reimbursements), and 4.5.2.5 (Policy Review), as well as footers to denote dates of Adoption, Effect, Revision, and page numbers.

The proposed changes include modifications to existing content that designate timeframes for final claims for reimbursement, the process for requesting final reimbursement submission waivers, and allow the OCS Executive Director to grant or decline waiver requests. The revised policy also requires localities to develop procedures related to regular reconciliation of local expenditures and pool fund distribution and the temporary unavailability of report preparers and/or fiscal agents.

Summary of the Proposed Policy:

Policy 4.5.2 provides guidance to local Children’s Services Act (CSA) programs regarding the fiscal process related to pool fund reimbursement.

Preliminary Fiscal Impact Analysis:

There is no anticipated fiscal impact of the revisions to this policy on either the Commonwealth or local governments.