

**STATE EXECUTIVE COUNCIL (SEC)
FOR CHILDREN'S SERVICES
1604 Santa Rosa Road
Richmond/Henrico Rooms
Richmond, VA
Thursday, March 9, 2023**

SEC Members Present:

Leah Mills, Deputy Secretary of Health and Human Resources for The Honorable John Littel,
Secretary of Health and Human Resources (*SEC Chair*)
Carl Ayers for Danny Avula, M.D., Commissioner, Virginia Department of Social Services
The Honorable Carrie Coyner, Member, Virginia House of Delegates
The Honorable Christopher Faraldi, Member, Lynchburg City Council
Adrienne Fegans for Cheryl Roberts, Director, Department of Medical Assistance Services
The Honorable Willie Greene, Mayor, City of Galax
Natalie Handy, VP of Government Affairs & Advocacy, Health Connect America
Dale Holden for Amy Floriano, Director, Department of Juvenile Justice
Samantha Hollins, Ph.D. for the , Superintendent of Public Instruction, Virginia Department of
Education
Michelle Johnson, County Administrator, Charles City County
Sandra Karison for Karl Hade, Executive Secretary of the Supreme Court of Virginia
The Honorable Chad Logan, Judge, 26th Judicial District, Juvenile and Domestic Relations
District Court
The Honorable T. Montgomery "Monty" Mason, Member, Senate of Virginia
The Honorable Dalia Palchik, Member, Fairfax County Board of Supervisors
Anahita Renner, Parent Representative
Ron Spears, CEO, Elk Hill
Rebecca Vinroot, Chair, State and Local Advisory Team (SLAT)

Other Staff Present:

Mary Bell, Program Consultant, OCS
Marsha Mucha, Administrative Staff Assistant, OCS
Scott Reiner, Executive Director, OCS
Kristi Schabo, Senior Policy and Planning Specialist, OCS
Susan Whyte, Assistant Attorney General (*virtually*)

Call to Order/Opening Remarks

Leah Mills, Deputy Secretary of Health and Human Resources, called the meeting to order at 9:34 a.m. She welcomed everyone on behalf of Secretary Littel. Mrs. Mills reminded members that a decision was made at the December 2022 meeting to extend today's meeting. The intent of the extended meeting is to allow further dialogue and discussion around strategic planning, member updates, etc.

Approval of Minutes

The minutes of the December 8, 2022, meeting were approved on a motion by Carl Ayers, seconded by Willie Greene, and carried.

Public Comment

Bill Elwood, Executive Director of the Virginia Coalition of Private Provider Associations (VCOPPA) expressed concerns regarding implementation of private day rate setting effective July 1, 2023. He noted that this is not the best course of action. An alternative solution is needed.

Dr. Ethan Long, President and CEO of the Virginia Institute of Autism echoed Mr. Elwood's concerns. He noted that as the CEO of a private day school, he is very worried about rate setting.

State and Local Advisory Team (SLAT) Report

Rebecca Vinroot, SLAT Chair, provided the update. She reported that SLAT last met on February 2, 2023.

Mrs. Vinroot reported that, at their February 2023 meeting, SLAT discussed the three-tiered match rate system. SLAT discussed whether localities are penalized (higher match rate for residential) if they don't utilize community-based services. (Preliminary research shows no impact). SLAT plans to delve deeper into the match rates at its next meeting. After additional analysis, SLAT will develop recommendations to report to the SEC.

SLAT also discussed the Time-to-Service Study being conducted by the Office of Children's Services. This was a recommendation from the JLARC report issued several years ago. A survey and data collection tool was disseminated to each of the individual CSA offices to determine the length of time from referral to CSA to initiation of service delivery. In conjunction with the study, SLAT discussed the burden placed on CSA offices to collect and report the data. Consensus will hopefully show that the burden is not a barrier to collecting the data.

SLAT is also in the process of developing a FAPT Retreat Resource Manual, which was one of the recommendations from the CSA Local Competencies Workgroup. The Resource Manual will include ideas and suggestions for FAPT-specific trainings and activities.

Discussion following Mrs. Vinroot's report focused on the tiered match rates and consideration of options. Mr. Reiner noted that any changes to the current structure would have to be dealt with through the state budget.

SEC Policy Manual

Mr. Reiner provided a summation of the information presented at the December 2022 SEC meeting concerning the project. OCS Senior Policy and Planning Specialist, Kristi Schabo is leading the project. She is working with a small group of CSA Coordinators. Five policies have been identified that meet the criteria of being duplicative of the Code of Virginia. These policies were also vetted by the Attorney General's Office. Members agreed to vote on each policy individually:

- 2.1.1 (purpose) and 2.1.2 restates §2.2-2648 (membership). Keep 2.1.3 (electronic participation meetings). The SEC voted to rescind 2.1.1 and 2.1.2 on a motion by Dalia Palchik, seconded by Anahita Renner and carried.
- 2.2.1 (OCS) and 2.2.2 (support to localities) restates §2.2-2649. The SEC voted to rescind 2.2.1 and 2.2.2 on a motion by Carl Ayers, seconded by Monty Mason and carried.
- 2.3 (SLAT) – The SEC voted to rescind 2.3 on a motion by Chris Faraldi, seconded by Monty Mason and carried.
- 3.1 (CPMT) – The SEC voted to rescind 3.1 on a motion by Monty Mason, seconded by Nelson Smith and carried.
- 4.4.1 (reimbursement and children placed outside community and across jurisdictions). The SEC voted to rescind 4.4.1 on a motion by Carl Ayers, seconded by Natalie Handy and carried.

CSA Continuous Quality Improvement (CQI) Dashboard

Carrie Thompson, OCS Research Analyst, Senior gave a presentation/live demonstration of the CQI dashboard. Ms. Thompson provided background on the development of the CQI tool at the SEC's direction. She showed members how to navigate the dashboard, noting that the dashboard is updated once a month (mid-month).

During discussion, suggestions were made to display the dashboard in a more prominent place on the CSA website. Members had questions about using the data and its capabilities. Mr. Reiner offered to provide private tutorials to members upon request. Questions can also be forwarded to OCS for incorporation into trainings.

CSA Service Gap Survey

Mr. Reiner presented information on the CSA Service Gap Survey and barriers to services. He noted that members received a copy of the results of the FY2021 and FY2022 CSA Service Gap Survey with their meeting materials. Mr. Reiner provided background information about the Survey and noted that a full Survey is conducted in odd years, with updates provided in even years. This year's Survey will be distributed to localities for completion beginning April 1, 2023.

Members discussed ways in which the Survey could be used more effectively as a planning tool and to address identified barriers to service provision.

OCS Executive Director's Report

Mr. Reiner reported on the following items:

- *General Assembly Update Re: CSA* - Mr. Reiner reported that the following bills have passed both the House and Senate.
 - **HB 1945** (*Durant*) – Eliminates required reporting by CPMTs to DBHDS regarding children for whom acute psychiatric or psychiatric residential treatment admissions cannot be found.
 - **SB 1513** (*Mason*) – Adds the Commissioner of the Department of Aging and Rehabilitative Services (DARS) to the SEC and a DARS representative to the SLAT.

HB 2018 (*L. Adams*) – Passed the House but was left in the Senate Rehabilitation and Social Services Committee. This bill would have allowed FAPTs and CPMTs to share information with local law enforcement or threat assessment teams established by local school boards if a FAPT or CPMT obtained information from which the team determined that a child posed a threat of violence or physical harm to himself or others. (Under current law, all information about specific children and families obtained by FAPT and CPMT members must be kept confidential.)

- **Appropriations Act** - Amendments have been reported from both the House Appropriations and Senate Finance and Appropriations Committees to eliminate the requirement to implement rate setting for private day special education on July 1, 2023.

The amendments were adopted by both chambers and are now pending further action on the state budget by the General Assembly and the Governor.

- *Program Enhancement Plans developed through intensive technical assistance* – Members received three (3) Program Enhancement Plans for their information. These plans were developed as part of the intensive technical assistance work by CSA Program Consultant, Courtney Sexton. She has also begun working with other localities that have asked for additional enhanced technical assistance.
- *Follow up on intervention related to audit findings* – Mr. Reiner updated members on OCS’s actions regarding a locality’s audit findings as previously discussed with the SEC. As reported at the December SEC meeting, he reported that he had met with representatives of the locality in October 2022. During the meeting, representatives of the locality and OCS had come to an agreement that if the locality met certain goals within the next 90 days, there would be no suspension of CSA funding to the locality. The due date for the satisfactory completion of the enumerated actions was January 25, 2023 (90 days).

Based on a further review after the 90-day period, utilization review activities have not been satisfactorily completed, and CSA reimbursements were suspended effective March 1, 2023. Once the OCS receives documentation demonstrating 90 days of satisfactory utilization review activities, all suspended funds will be released.

- *Fiscal Impact Analysis Report and Rate-Setting for Private Day Special Education* – Members received a copy of the Executive Summary and Recommendations on the transfer of funding for private special education day schools and residential facilities from CSA to the Virginia Department of Education (VDOE). The Final Report does not recommend the transfer of CSA private day special education funds to VDOE at this time.

During its last session, the General Assembly delayed the implementation of rate setting to July 1, 2023. Beginning with the 2022-2023 school year, OCS began conducting a fiscal impact analysis using the new tiered rate structure model. That data collection recently ended and members received a copy of the report outlining the results of the data analysis.

That analysis shows that the average daily rate per child would increase approximately 12% if rate setting is implemented. Approximately 75% of individual private day schools would experience an average daily rate increase and approximately 25% would experience an average daily rate decrease. The fiscal impact is primarily driven by the proposed tiered rates for children receiving 1:1 support.

As reported earlier, absence of adoption of a state budget by the General Assembly and Governor, implementation of the model/tiered rate structure will begin July 1, 2023.

SEC Strategic Plan

Mr. Reiner reported that the Code of Virginia and the Appropriation Act require the SEC to biennially publish and disseminate a progress report on services for children, youth and families and a plan for such services for the ensuing biennium. Members received a copy of the last Report (December 2021) and a copy of the current Strategic Plan.

Mr. Reiner further reported that a progress report will be due in December 2023 along with a strategic plan for the upcoming biennium. He asked members to begin considering what process they would like to utilize to develop a new plan.

Members stated that they liked the current presentation of the Strategic Plan. After further discussion, members decided to devote much of their June 2023 meeting to development of the Strategic Plan. A draft would be presented at the September 2023 meeting, with final approval at the December 2023 meeting.

Updates of Relevance to CSA and Services to Children

Members reported on legislative activities, upcoming conferences/trainings, and the status of ongoing projects.

- As the federal public health emergency for COVID-19 comes to an end, Medicaid will be returning to its normal enrollment processes. Virginia will have 12 months to make sure those currently enrolled in Medicaid are still eligible. This will be a huge undertaking for both VDSS and DMAS.
- On March 2, 2023, VDSS announced the suspension of the Qualified Residential Treatment Program (QRTP) designation for congregate care placements of youth in foster care.

Members continue to work within their agencies and advocate through their associations for improvements to services and service delivery for the children, youth and families of Virginia. Mr. Reiner thanked Mr. Spears for Elk Hill's assistance to the Safe and Sound Task Force. Mr. Spears will celebrate his 39th anniversary with Elk Hill this year.

Closing Remarks and Adjournment

There being no further business, the meeting adjourned at 3:00 p.m. The next meeting is scheduled for June 8, 2023.