

**STATE EXECUTIVE COUNCIL (SEC)
FOR CHILDREN'S SERVICES
1604 Santa Rosa Road
Richmond/Henrico Rooms
Richmond, VA 23229**

Thursday, September 12, 2024

SEC Members Present:

Leah Mills, Deputy Secretary of Health and Human Resources for The Honorable Janet Kelly,
Secretary of Health and Human Resources (*SEC Chair*)
Carl Ayers for James Williams, Commissioner, Virginia Department of Social Services
The Honorable Carrie Coyner, Member, Virginia House of Delegates
Nicole Gore for Nelson Smith, Commissioner, Virginia Department of Behavioral Health and
Developmental Services
Natalie Handy, VP of Government Affairs & Advocacy, Health Connect America, Private
Provider Representative
Kathryn Hayfield, Commissioner, Department for Aging and Rehabilitative Services
Samantha Hollins, Ph.D. for Lisa Coons, Superintendent of Public Instruction, Virginia Department of
Education
Mills Jones, Chair, State and Local Advisory Team (SLAT)
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
Jeff Lunardi for Cheryl Roberts, Director, Department of Medical Assistance Services
Andrea McMahon for Amy Floriano, Director, Department of Juvenile Justice
The Honorable Dalia Palchik, Member, Fairfax County Board of Supervisors (*virtually*)
Anahita Renner, Parent Representative
Nancy Robbins, Parent Representative
Ron Spears, CEO, Elk Hill, Private Provider Representative

Other Staff Present:

Stephanie Bacote, Program Audit Manager, OCS
Morgan Barry, Associate Attorney General
Mary Bell, Program Consultant, OCS
Rachel Friedman, Program Auditor, OCS
Marsha Mucha, Administrative Staff Assistant, OCS
Scott Reiner, Executive Director, OCS
Kristi Schabo, Senior Policy and Planning Specialist, OCS

Members Absent:

Susan Fischer Davis, MD for Karen Shelton, MD, Commissioner, Virginia Department of Health
The Honorable Christopher Faraldi, Member, Lynchburg City Council
The Honorable Margaret Angela Franklin, Prince William County Board of Supervisors
Michelle Johnson, County Administrator, Charles City County
Melvin Roy, Founder and CEO of Foster-U, Service Recipient Representative

Call to Order/Opening Remarks

Leah Mills, Deputy Secretary of Health and Human Resources, called the meeting to order at 9:40 a.m. and welcomed everyone. Introductions were made.

On a motion by Delegate Coyner, seconded by Anahita Renner, the SEC approved a request by Supervisor Palchik pursuant to §2.2.-3708.2 and SEC Policy 2.1.3 to participate virtually due to a personal medical need.

Mrs. Mills provided several updates from the Secretary's Office. Janet Kelly has been appointed Secretary of Health and Human Resources, and former Secretary John Littel has been appointed Governor Youngkin's Chief of Staff. James Williams, who served as Chief Deputy in the Secretary's Office, has been appointed Commissioner of the Virginia Department of Social Services (VDSS).

Mrs. Mills also reported that the Secretary of the Commonwealth's Office is working on SEC appointments. Persons interested in serving on the SEC can apply through the Secretary of the Commonwealth's Office.

Public Comment

There were no public comments.

Approval of Minutes

On a motion by Carl Ayers, seconded by Ron Spears, the SEC approved the June 13, 2024 meeting minutes.

SEC Policy Review

Policy 4.5.2 –Time Frames Regarding CSA Pool Fund Reimbursement

Kristi Schabo reported that, at the SEC's June 13, 2024 meeting, the SEC approved draft policy 4.5.2 for a 60-day public comment period which ended August 16, 2024. One public comment was received. The Attorney General's Office reviewed the draft policy and confirmed that the SEC has statutory authority for the proposed policy-making action. The Virginia Association of Counties (VACo) and the Virginia Municipal League (VML) commented that the proposed policy should have no fiscal impact on local governments.

After further discussion, on a motion by Kathryn Hayfield, seconded by Jeff Lunardi, the SEC approved Policy 4.5.2 with an effective date of October 1, 2024.

Repeal of Policy 4.3 – “Carve-out” of Allocation for Development of New/Expanded Services (Adopted April 30, 2013)

Ms. Schabo reported that, at its June 13, 2024 meeting, the SEC approved a Notice of Intent to Develop/Revise Policy 4.3 for dissemination during a 45-day public comment period. No comments were received during the period.

Ms. Schabo further reported that if the SEC approves today, the next steps would be to disseminate policy 4.3 for a 60-day public comment period, intending to take final action on the policy at the SEC's December 12, 2024 meeting.

After further discussion, on a motion by Carl Ayers, seconded by Delegate Coyner, the SEC approved Policy 4.3 for a 60-day public comment period.

Policy 4.5.3 – Administrative Funds

Ms. Schabo presented a Notice of Intent to Develop/Revise Policy for Policy 4.5.3 and a copy of the revised draft policy. Ms. Schabo reviewed the draft changes and reported that the proposed changes to the existing policy align the policy with a new administrative funding process utilized by OCS that is more streamlined and accessible by localities.

After further discussion, on a motion by Anahita Renner, seconded by Mills Jones, the SEC approved the Notice of Intent to Develop/Revise Policy and revised draft policy 4.5.3 for a 45-day public comment period.

Repeal of Policy 4.4.2 – Medicaid Funded Services

Ms. Schabo presented a Notice of Intent to Develop/Revise Policy for policy 4.4.2 along with a copy of the policy. Ms. Schabo noted that policy 4.4.2 is a verbatim restatement of language that has been included in the Appropriation Act since 2009.

After further discussion on a motion by Natalie Handy, seconded by Nancy Robins, the SEC approved the Notice of Intent to Develop/Revise Policy and Policy 4.4.2 for a 45-day public comment period.

State and Local Advisory Team (SLAT) Report

Mills Jones, SLAT Chair, provided the report. SLAT last met on August 1, 2024. At that meeting, two discussion topics were initiated by the local DSS representative to SLAT. Those topics were raining on the Child and Adolescent Needs and Strength (CANS) assessment and the issue of shared accountability for funding services.

- Mr. Jones further reported that the discussion at the SLAT meeting focused on the need for additional CANS training and support at the local level and also the need for CANS Super User Training. The LDSS representative reported that localities are not fully utilizing CANS for service planning.

During the discussion, Mr. Reiner noted that OCS staff members Carol Wilson and Anna Antell provide training on CANS and service planning upon request. Localities should contact OCS if they would like training in their locality.

- SLAT also discussed shared fiscal responsibility, especially between local dollars, Title IV-E reimbursements, and the CSA pool fund. Localities may have to fund services that local budgets are not prepared to absorb when Title IV-E and CSA are unable to pay (i.e., when a childcare facility is provisionally licensed).

During the discussion, Mr. Reiner reported that a Title IV-E Shared Fiscal Accountability and Management Plan was developed between VDSS, local DSS departments, and OCS. Other discussions focused on the backlog in DOE childcare licensing and provisionally licensed childcare, which is not reimbursable under Title IV-E and/or CSA. VDSS is working with DOE to address the backlog.

After further discussion, Mr. Jones asked Amy Swift, a SLAT member and the local DSS representative to SLAT, to provide clarification and/or additional comments on these issues as discussed at SLAT. Ms. Swift noted that localities need robust and ongoing training in CANS. Also, localities may have to fund services that local budgets are not prepared to absorb when Title IV-E and CSA are unable to pay (i.e., when a childcare facility is provisionally licensed).

- Mr. Jones and Kristi Schabo have begun a review of the SLAT bylaws.
- SLAT has formed two workgroups to focus on areas of the SEC's Strategic Plan. A SLAT workgroup will develop a model strategic plan template for localities to build their strategic plans. SLAT will also convene a workgroup to create a model CSA intake form.

SEC Strategic Plan – Progress Report

Mr. Reiner provided a status report on the SEC's 2024 – 2025 Strategic Plan. He highlighted completed and ongoing activities toward meeting metrics in policy and oversight, leadership and collective action, and empowering families and communities.

During the presentation, Mr. Reiner asked SEC members to consider how the SEC might acknowledge areas of local excellence and best practices as one of the metrics under Item 1.3 of Policy and Oversight.

OCS Executive Director's Report

Mr. Reiner reported on the following items:

- OCS Staffing – OCS is fully staffed. Rachel Friedman has joined OCS as a Program Auditor.
- CSA FY2024 Closing - Localities are reminded that all 2024 pool fund reimbursement requests must be submitted by the end of the day, September 30, 2024.
- CSA FY2024 Expenditures – CSA expenditures are expected to be up 13 percent from FY2023 to \$59M. During FY2024, CSA has seen an increase of 2.5 percent in the number of children and families served. The largest area of growth in CSA expenditures has been in private day special education and foster care - congregate care and group homes.

Mr. Reiner will have final numbers and legislative reports available at the SEC's December 12, 2024 meeting.

- Annual CSA Conference – Final preparations are underway for the 13th Annual CSA Conference, October 16 – 17, 2024, at the Hotel Roanoke and Conference Center. Beth Macy, author of *Dopesick*, will be the keynote speaker.
- Update on Policy 4.1.1 Eligibility as a Child in Need of Services (CHINS) – As discussed at the SEC's June 13, 2024 meeting, the SEC agreed that a legislative change would be necessary to add CHINS to CSA eligibility. The change is needed because changes made to the VDSS definition of foster care placement only pertains to foster care cases under the VDSS's purview. Because of this

change, the CSA's ability to serve CHINS through community-based services to prevent foster care placements no longer exists. Mr. Reiner further reported that a legislative proposal has been drafted and is under review in the Governor's Office.

Also discussed, the revised draft policy does not include language concerning discharge planning from residential treatment facilities. Mr. Reiner shared with the membership language from §2.2-5208 of the Code of Virginia, which addresses this issue.

Member Remarks/Updates

Members reported for their agencies and organizations on their projects, new programs, other ongoing activities and workforce issues. Members continue to work within their agencies and advocate through their associations for improvements to services and service delivery for Virginia's children, youth, and families.

- September is Kinship Care Awareness Month.
- The Commission on Youth Advisory Group on the Review of Virginia's Special Education Dispute Resolution System will meet on September 18, 2024, and the Advisory Group on the Use and Impact of Relief of Custody on Care and Support of Youth will meet on October 8, 2024.
- The Central Virginia Partnership on Youth will host a training and resource day in Chesterfield on September 20, 2024.
- The VCOPPA Symposium will be held in Richmond on November 12 and 13, 2024.

Closing Remarks and Adjournment

There being no further business, the meeting adjourned at 1:00 p.m. on a motion by Anahita Renner, seconded by Mills Jones, and approved by the SEC. The next meeting is scheduled for December 12, 2024, at 1604 Santa Rosa Road in Richmond.