Commonwealth of Virginia
State Board of Social Services

Department of Social Services
Central Regional Office
1604 Santa Rosa Road
Richmond, Virginia 23229

June 18, 2014

Attending: Mr. Robert Spadaccini, Sr. (Chair), Mr. Willie Greene (Vice Chair), Dr. Danny Avula, Ms. Sheila Coppage, Mr. William Henderson, Mr. Darrell Jordan, Dr. Jack Knapp, Ms. Heidi Metcalf-Little, Ms. Josie Webster

Absent: Mr. Thomas Atwood (Secretary), Dr. Rev. Ray Johnson

Also in Attendance: Ms. Margaret Ross Schultze (Commissioner), Mr. Allen Wilson (Sr. Assistant Attorney General)

Meeting called to order at 9:01 A.M. – Mr. Robert Spadaccini, Sr.

Welcome and Introductions – Mr. Robert Spadaccini, Sr.
Mr. Spadaccini welcomed Board Members, newest Board Member, Sheila Coppage and new permanent Board Liaison Sheila Lemon. He thanked Alicia Graham, who supported the State Board for the past year. Mr. Spadaccini also recognized Paul Oswell, Central Regional Director, and thanked the Central Region for hosting the meeting.

Regional Welcome – Mr. Paul Oswell, Central Regional Director
Mr. Paul Oswell discussed Central regional operations and meeting the needs of customers. Mr. Oswell welcomed Carl Ayers to the Virginia Department of Social Services as the new Director of Family Services.

Review of Agenda – Ms. Karin Clark, Regulatory Coordinator
Ms. Clark reviewed the meeting agenda. Mr. Wilson explained that he continues to work with staff on Action Item Seven, and that it was not yet ready for Board action. Mr. Spadaccini, with consensus of the Board, removed the action item from the agenda.

Comments from the Commissioner - Margaret Ross Schultze, Commissioner

1. Agency Organizational Changes
   Commissioner Schultze announced Carl Ayers as the new Director of the Division of Family Services, his first day will be July 10th. The Commissioner also thanked Deputy Commissioner

Paul McWhinney for serving in the dual capacity for the past year. Mr. Jack Frazier is now the permanent Deputy Commissioner for Operations, effective April 24th. Finally, on April 18th, Governor Mc Auliffe appointed J.R Simpson as Chief Deputy Commissioner for the Department of Social Services.

2. CPS Hotline

   On May 21, the Department implemented the new CPS/APS State Hotline phone system upgrade, including a virtual call center program through Verizon. The new Hotline can change greetings, provide the public with more information for reporting, and allows staff to see callers in the queue and how long they've been waiting. The new phone system will allow the Department to better asses staffing ratios and meet the need for tracking call volumes, wait times and call center productivity.

3. Safe Sleep

   The Department is in the final stages of implementing a dedicated site on the public webpage for safe sleep. This will provide a link to the State Child Fatality Team report of safe sleep and will also have links to four videos.

4. Three Branch Institute

   Commissioner Schultze provided background on Three Branch Institute, a national institute focused on the well being of children in foster care relative to health, behavioral health and education. There is a challenge regarding the education component involving access to data, which the Department continues to explore.

5. Update on Three Department Focus areas

   Eligibility Systems Modernization –

   Local processing of MAGI Medicaid applications continues to move in a forward direction statewide. The statewide percentage of processed applications received was 88%, up one percent from the previous week; the volume of pending applications stood at 27, 301, down from 28,923; and applications older than 45 days went from 10,856 down to 9,597 in the previous week.

   Child Support –

   Craig Burshem, Director of the Division of Child Support Enforcement, is working with non-custodial parents and custodial parents relative to co-parenting agreements and reasonable orders to pay arrearages. The Family Strong Program was able to assist a father in obtaining a full time job where he could pay his arrearages monthly. The Family Strong Program will only work with individuals who are 100% committed to cooperating. Mr. Burshem will be at the August Board meeting to explain the Family Strong Program in further detail.

Permanency for Children in Foster Care-
The budget was approved by both houses last Thursday, and the Commissioner was pleased to announce that fostering to 21 is in the budget. The Commissioner noted that Mr. Kamberis would discuss permanency in more detail later in the agenda.

6. SHHR Priorities
The Secretary of Health and Human Resources developed a list of priorities for the secretariat, oriented toward the Governor's goals of obtaining a 21st century economy, promoting innovation and good government and creating a healthy Virginia: The five items on the list are as follows: expanding access to health care; expanding access to mental health care; data analysis and performance management; meeting the requirements of the Department of Justice settlement and strengthening programs for Virginia's children.

Note: Mr. Spadaccini requested that the Department get back with Captain Walden in Hampton about a law enforcement training event in October.

Tidewater Region Child Fatality Review Team Report – Gail Heath, CPS Regional Consultant and Co-Chair, Betty Wade Coyle, Co-Chair
Ms. Heath greeted the Board and provided the history of the Tidewater Child Fatality Review. The team was established in 1994 with collaboration between the Children's Hospital of the Kings Daughter in Norfolk, and Prevent Child Abuse in Hampton Roads. In August 2014, the team will celebrate their 20th anniversary. Most recently the team reviewed 47 cases. There were 12 founded child deaths in Hampton Roads, in at least five of the deaths one of the abusers had a criminal record. Thirty-one of the cases the team reviewed this year were unfounded. Eighteen of the unfounded deaths were associated with unsafe sleeping environments. The safe sleep video has gone viral and is on the Department website at http://www.dss.virginia.gov/family/safe_sleep.cgi.

The team would like to enhance parental education in areas of child abuse/neglect, safe sleep, gun safety, water safety and child care safety. The team has provided training at least once a year. Ms. Heath and Ms. Coyle would also like to provide/expand trainings for social workers and the medical community in the future and also asks for more volunteer help.

Training for Local CPS Workers – Judy Gundy, MSW, Family Services Training Manager
Ms. Gundy discussed the foundation of CPS training. The Department has developed a competency-based training system for both supervisors and case workers, which is based on the idea that the work of child welfare staff is supported by a definable list of competencies that are fundamental and essential. It takes case workers about two years to get all the training they need to become skilled workers. Competencies are a statement of knowledge and skill required for workers to do a task effectively and represent best practice in child welfare. The other core pieces are fundamentals of child development, separation, loss, and secondary trauma. On-line courses are required to be completed

within the first three weeks of employment and prior to attending new worker training. Users must be registered in the Knowledge Center and there are seven modules.

Sex Trafficking Discussion – Robert C Spadaccini, Sr.
Mr. Spadaccini informed that the sex trafficking discussion came by way of a law enforcement symposium he attended. He inquired about who is responsible to step in with a sex trafficking situation involving children, because law enforcement is not equipped or trained to handle this. He noted that social services has more depth in providing assistance in these situations. Mr. Wilson made the Board aware of some of the legal issues with human trafficking, as it relates to current local department statutory authority. Law officials have the legal authority to take a child into custody but not placement authority. Regardless how the child comes into the trafficking situation, the parents still have legal rights. There are a myriad of issues still not addressed on how to deal with the children in these situations.

Mr. Frazier explained that the Department of Education was working on information to provide to educational professionals to identify children who may be victims of trafficking. In 2011, House Bill 2190 required the Department to develop a plan to provide services to victims of trafficking, which was done. However, legislation to implement was not successful. Mr. Kamberis indicated there is federal legislation that has passed one chamber, to look at making this a CPS function. Federal officials are coming to the child welfare advisory meeting July 18, to talk about implications of the federal legislation. Ms. Pemberton suggested having Courtney Gaskins from Youth for Tomorrow present at a future Board meeting. Mr. Spadaccini asked Mr. Frazier to provide a copy the human trafficking plan and asked Commissioner Schultze to convene a meeting with local departments and the Office of Attorney General to continue discussions.

Meeting recessed for lunch at 1:00 pm

COMMENT PERIOD

Comment from the Public

Shel Douglas – Director of Prince George DSS
Ms. Douglas greeted the Board and provided an overview of her agency. She expressed concerns about the increased amount of services being demanded and how they've doubled their service delivery since 2005. She also noted the travel time it takes for staff to get to different regions for trainings or meetings, sometimes four to five hours due to the location of the agencies in the far end of the boundaries. Ms Douglas respectfully requested that Commissioner Schultze look at re-evaluating the assignments of agencies within regions or look at relocating the regional offices to more central locations within the regional boundaries to lessen travel impact.

Steve Pearson – Virginia Trial Lawyers Association

Mr. Pearson represents the Trial Lawyers Association and talked about the proposed regulation dealing with liability insurance coverage for the assisted living facilities. A consumer can ask the facility if they have liability coverage but they are not required to discuss the amount. Mr. Pearson encouraged the Board to go beyond the proposed regulation and beyond the $500,000 limitations. Industry standards are one million dollars per occurrence and three million aggregate. The cost of the one million dollar policy is roughly the same as the $500,000 policy.

Dana Parsons – Virginia Association of Non-Profit Homes for the Aging (VANHA)

Ms. Parsons represents not-for-profit assisted living providers throughout the state. They support establishing an amount up to but not greater than the $500,000 and believe that a requirement for coverage higher than $500,000 aggregate can potentially be difficult for small assisted living providers to meet and may cause them to close. For these reasons, they asked that Board to approve the $500,000 minimum as proposed.

Judy Hackler – Virginia Assisted Living Facilities (VALA)

Ms. Hackler represents VALA and she thanked the Board for reaching out to the providers. Members represent facilities varying in size from six residents to 250 residents, more than a third of members receive the auxiliary grant. VALA encourages assisted living facilities to carry liability insurance, but they respect that this is a business decision best left to them to decide, knowing their financial resources. VALA does not support a minimum amount required for disclosure purposes to be higher than $500,000 aggregate. In the recent years, they have seen where assisted living facilities could not purchase a liability policy even if they wanted to and could not purchase one with higher limits because the cost of insurance. If there was a guarantee these rates will stay the same for five years, then they could support a higher level. Since they cannot guarantee these rates, VALA cannot support the higher level. VALA thinks the assisted living facilities, especially the smaller providers, could not purchase a liability policy of the higher amounts.

Beverly Soble – Virginia Health Care Association (VHCA)

Ms Soble is the Vice President of Regulatory Affairs for VHCA. They would like to support the regulation as discussed by VANHA and VALA. The higher amount will be excessive; the Board needs to consider all assisted living care facilities, especially the smaller ones. Ms Soble asked the Board to adopt the $500,000 recommendation.

Comment from Local Boards and Directors of Social Services

Ms. Catherine Pemberton, Director of Powhatan DSS, updated on the Medicaid applications received from the federal marketplace. They have received a total of 109 applications and reviewed 63, of which 30 were duplicates already on file. Sixteen individuals declared a disability, but the disability had not been approved by the Social Security Administration, two were residents of Chesterfield County, two were withdrawn by the applicants and 13 applications included persons already receiving Medicaid. Out of the 63 reviewed, her agency will not be able to do a lot with most of them. It is increasing the

workload, but not resulting in many approvals. Ms. Pemberton mentioned the Division of Child Support Enforcement and prisoner re-entry programs, and her visits to two adult correctional facilities. Offenders often ask questions about child support and she would like the programs to be expanded.

Comment from Board and Directors of Community Action Agencies – None

Comment from the Virginia League of Social Services Executive – Carl Ayers, President
Mr. Ayers addressed the Board and noted that this would be his last time presenting to the Board as President of the League. In regards to the number of applications coming in and the problems/changes with the system, agencies are now processing 88% of those applications and he believes by October 1st, they will get to 90% by working together with partners. Mr. Ayers informed that the League and Secretary Hazel have been meeting in reference to the VACMS and the Medicaid systems. Next Wednesday, there will be a similar meeting about adoption and permanency. The League would like to continue to have trafficking discussion, but knows General Assembly action and resources are needed. Ms. Pemberton, current League Vice-President, will take Mr. Ayers' place as President. In closing, Mr. Ayers thanked the Board for the willingness to listen to needs of the League and the support of local agencies.

Comment from the Virginia Community Action Partnership – Jim Schuyler, Director
Mr. Schuyler thanked the Board and retirees for the interest and support and requested that they continue to be supportive. Mr. Schuyler noted a conference held at VCU today in regards to the housing and education sectors and the relationships between housing policy, particularly for low income people, education policy, early childhood education and public education in general. The statistics for VCAP are good, state funding remained level at $500,000 since 2012. In the 2015 to 2016 budget, they had their first increase in the Community Services Block Grant since 2008, an increase from $500,000 to one million dollars. VACAP is very hopeful that there will be an upswing in funding. Finally, the Virginia Cash Campaign/EITC final report shows an increase of 7.5% in the amount of total federal returns.

Permanency Update – Alex Kamberis - Assistant Director, Division of Family Services
Mr. Kamberis updated the Board on VAdopts and permanency in general. Virginia consistently ranks the last or close to last in terms of children aging out in foster care. Virginia has the lowest number of children in foster care than any other state and a very low number in care that have been neglected or abused. The effort has been to focus on permanency. Virginia matched 141,000 children with families that are either adopting or moving towards adoption. This has been a successful venture, but there are still about 750 to 800 a number of children that have not been adopted. Adoption is one of the three permanency options in Virginia; the other two are transfer of custody to a relative or return to the parents. The two major ways children enter foster care are CHINS – Children in Need of Services, and for delinquency reasons. This varies widely across the state and is a major concern. The Department is working on adjusting the assessment tool for children coming into foster care and continues to focus on the longest waiting children with extreme recruitment and market segmentation.

Regulatory Update – Karin Clark

ACTION ITEMS

1. **Approve April 2014 minutes**
   On Motion Duly Made, (Mr. Henderson), second (Dr. Knapp), moved to approve the April 2014 meeting minutes, with all in favor.
2. **Resolution for Fauquier Department of Social Services**
   On Motion Duly Made, (Ms. Little), second (Dr. Avula), moved to approve the resolution for Fauquier Department of Social Services, with all in favor.
3. **Administrative / HR Manual for LDSS – Approve revisions to Chapter 4**
   On Motion Duly Made, (Dr. Knapp), second (Mr. Jordan), moved to approve the revisions to Chapter 4 of the Administrative/HR Manual for LDSS, with all in favor.
4. **Administrative / HR Manual for LDSS – Approve revisions to Chapter 8**
   On Motion Duly Made, (Mr. Henderson), second (Ms. Webster) moved to approve the revisions to Chapter 8 of the Administrative/HR Manual for LDSS, with all in favor.
5. **22VAC40-41, Neighborhood Assistance Tax Credit Program – Exempt**
   On Motion Duly Made, (Mr. Jordan), second (Ms. Little) moved to approve the exempt regulation, with all in favor.
6. **22VAC40-72, Standards for Licensed Assisted Living Facilities – Proposed**
   On Motion Duly Made, (Mr. Henderson), second (Dr. Knapp), moved to approve the proposed regulation, with all in favor.
7. **22VAC40-211, Resource, Foster and Adoptive Home Approval Standards – Proposed**
   Removed from agenda by consensus.
8. **22VAC40-661, Child Care Program – Exempt**
   On Motion Duly Made, (Mr. Henderson), second (Ms. Webster), moved to approve the exempt regulation, with all in favor.
9. **Reporting Certain Child Abuse and Neglect Cases (HB 405/SB 332, 2014 – Approve reporting form**
   On Motion Duly Made, (Mr. Jordan), second (Ms. Little), moved to approve the reporting form, with all in favor.

Recognition of Outgoing Members – Robert C. Spadaccini, Sr.
Reverend Johnson, Mr. Atwood, Ms. Little and Mr. Spadaccini will rotate off the Board, as their terms expire June 30, 2014. Mr. Spadaccini thanked Ms. Little for her passion and commitment to the Board and presented her with a revere bowl. Ms. Little then thanked Mr. Spadaccini for his leadership and dedication, and presented him with a revere bowl.

Election of Officers – Dr. Jack Knapp, Chair, Nominating Committee
Motion for Slate, Chair - Mr. Willie Greene, Vice Chair - Mr. William Henderson, and Secretary – Ms. Josie Webster. No additional nominations for officers were made, approved with all in favor.

Board Member Comments

Mr. Spadaccini explained that Mr. Atwood could not be present due to an emergency, but sent his written comments as follows: Please accept his gratitude. It has been an honor to serve with you all in the important work of promulgating regulations for the Virginia Department of Social Services. He is also grateful to Commissioner Schultze and her team, including Deputy Commissioner McWhinney, for their dedicated and professional leadership of the Department, and to Governor McDonnell for appointing him. He hopes to continue to be a service to the department. With all, best wishes – Tom Atwood, Former Secretary Virginia Board of Social Services.

Ms. Webster thanked the Board for her new office. She commended the collaborative nature of the Department with other organizations.

Dr. Avula is excited to hear about new directions in adoption and child safety. He thanked Ms. Little and Mr. Spadaccini for their services, and is sad to see them go.

Mr. Jordan thanked the Board for the adoption update, and thinks we can continue to be an example for other states. He thanked Mr. Spadaccini, Ms. Little and Mr. Atwood for their services, it was an honor to serve with them.

Ms. Coppage is excited to be on the Board, she is a social worker by heart, always wanted to be a part of policy, and believes being part of the Board will be her first step in getting closer to policy.

Mr. Henderson welcomed Ms. Coppage and will miss the outgoing members.

Ms. Little thanked the Board for the four years of great education, the privilege of acting on situations that have come before the Board, motivating her to build a healthy family, and being part of building healthy communities for children.

Dr. Knapp thanked Ms. Gundy for information on the CPS training. He also thanked whoever was responsible for the one day meetings and would like to continue to see them. Dr. Knapp congratulated Mr. Ayers on his new position, and he knows Ms. Pemberton will do a great job as League President. Finally, Dr. Knapp, on behalf of the Board, commended Mr. Spadaccini as Chair, and noted how hard it was to replace him because of his knowledge, contributions, leadership, background and expertise. Mr. Spadaccini will be greatly missed in the days ahead.

Chairs Comments

Mr. Spadaccini reflected on working with the Department for a very gratifying 20 years, having worked as an employee and served the Board for four terms under multiple administrations. It was an opportunity to reconnect with previous friends, make new ones and a privilege to work with some extraordinary individuals. He noted his work with the Board on Welfare Reform, minimizing the number

of regulations, strengthening partnerships with law enforcement and communities and expanding training opportunities. Although the Board wasn't successful in reducing the number of child fatalities, members must continue to be engaged in this area. If expanding Medicaid eligibility and adding an additional 430,000 plus new recipients, it will be critical for the Board and Department to address how this additional customer base will impact the work of the 120 local agency staff throughout the Commonwealth. A challenge for the remaining Board members will be to integrate the new members and engage them in the work of the Board.

Mr. Spadaccini congratulated the new Board officers and acknowledged that the amount of time spent away from members' families to attend meetings takes understanding and commitment. He thanked his wife for that understanding. Mr. Spadaccini thanked state staff and leadership that support the Board, and noted special thanks to Karin Clark for all of her work since the passing of Board Clerk and good friend Pat Rengnerth. Mr. Spadaccini ended his comments by thanking members for their service, partnership and friendship over the past four years. He wished everyone a safe and enjoyable summer and hoped paths would cross again in the future.

Meeting adjourned at 3:23 P.M.

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