

State Executive Council for Children's Services

Executive Committee

February 18, 2016
10:00 AM - 11:30 AM
Office of Children's Services

AGENDA

1. Review/Approval of November 2015 Meeting Minutes
2. Status Reports:
 - Legislation – HB 369
 - Budget and Budget Amendments
 - Public Comment of SEC Electronic Participation Policy
 - YTD expenditure status
3. Proposed SEC Public Participation Policy
 - Public Comment on Intent to Develop an SEC Public Participation Policy
4. SEC Finance and Audit Committee Update
5. CSA Outcomes and SEC Outcome Committee Update
 - Outcomes Dashboard
 - Outcomes Report
6. Commission on Youth Request re: Special Education Wraparound Funds
 - SLAT involvement
7. CSA Training Update
 - New CSA Coordinator Academy – March 8 – 10
 - 5th Annual CSA Conference – April 26 – 28
 - Draft FY2017 OCS Training Plan
8. OCS Update
 - Program Consultant vacancy
 - Part-time eLearning developer
 - Part-time IT security policy analyst

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**State Executive Council (SEC) Executive Committee Meeting
Richmond Room, 1604 Santa Rosa Road
Richmond, VA 23229
November 19, 2015**

Attending:

William A. (Bill) Hazel, Jr., M.D., Secretary of Health and Human Resources
The Honorable Richard "Dickie" Bell, Virginia House of Delegates
Margaret Schultze, Commissioner, Virginia Department of Social Services (VDSS)
Angela Valentine for Andrew Block, Director, Department of Juvenile Justice (DJJ)
Greg Peters, President and CEO, UMFS
Jeff Aaron, Director, Commonwealth Center for Children & Adolescents (CCCA)
Eric Reynolds, Assistant Attorney General, Office of the Attorney General
Scott Reiner, Interim Executive Director, Office of Children's Services (OCS)
Marsha Mucha, Administrative Assistant (OCS)

Guests:

Janet Areson, Virginia Municipal League
Sue Rowland, Sue Rowland Consulting

Absent:

Karen Kimsey, Deputy Director, Department of Medical Assistance Services (DMAS)
The Honorable Robert "Rob" Coleman, Vice Mayor, City of Newport News

Call to Order

Secretary Hazel called the meeting to order at 10:00 a.m., welcomed everyone and asked for introductions. The minutes of the March 19, 2015 and April 20, 2015 meetings were reviewed and approved without objection.

Review of Recommendations from SEC Governance Workgroup and Proposed SEC Public Participation Policy

Mr. Reiner reported that the last meeting of the Workgroup was held on November 17. That Workgroup adopted seven recommendations which he reviewed for the members. He noted that the Workgroup recommended that the SEC remain a supervisory council, chaired by the Secretary of Health and Human Resources. They also recommended adding the chair of the State and Local Advisory Team (SLAT) as a voting member of the Council as well as adding a representative to the SEC who previously received services through CSA.

Mr. Reiner next presented a draft "Proposed Public Participation Policy" for the SEC which is based on the Administrative Process Act. The draft policy was developed as part of the recommendations from the Governance Workgroup that the SEC develop clear guidelines for public participation in its process of developing and adopting policy. The proposed guidelines will address specific time frames for various stages in the process, expectations for public notice and public comments, and expectations for consideration of fiscal impact on local government.

Members suggested that the draft policy be shared with those familiar with public participation policies within their agencies for suggestions and comments. Mr. Reynolds will also be reviewing the policy from

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a legal perspective. Mr. Reiner will let stakeholders know that the SEC is interested in developing a Public Participation Policy. A Notice of Intent to develop the policy will be added to the December 3 SEC meeting agenda.

Budget Proposals

Mr. Reiner reported that an additional \$16.4M in general funds is being requested to address the expenditure growth in CSA. The number of children served has increased along with a marked increase in expenditures in special education private day placements.

Other budget requests include additional support for local CSA administrative costs as recommended by the SEC; increasing the MEL and funding to add two auditor positions in OCS; and collaborative planning with DJJ to increase use of protected funds to provide greater intervention with certain at-risk populations by supporting evidence-based interventions and removing the local match requirements on those funds.

Review and Approval of Reports to the General Assembly

Mr. Reiner presented five reports for consideration and approval:

- Impact of the Incentive Match Rate System
- Treatment Foster Care Services Under the CSA
- Special Education Services Under the CSA
- Regional and Statewide Training Regarding CSA
- Utilization of Residential Care Under the CSA

He noted that these reports are required by the Appropriation Act. Secretary Hazel stated that his office had reviewed and approved the reports for submission. The Committee approved submission of the reports without objection.

Mr. Reiner also presented a draft of the Progress Report on the Children's Services Act. This report is required biennially. He highlighted Exhibit 4 of the report indicating that the target of 50% had been met for the number of CSA children being served in community-based settings. Secretary Hazel also noted the number of areas cited in the report for leadership, collaboration and coordination across the Secretariats of Health and Human Resources, Education and Public Safety on practice issues for the delivery and assessment of children's services at the state level.

Mr. Reiner reported that goals and strategies for the FY16-FY18 biennial are to be included in the report. He presented three draft goals along with strategies for meeting each goal and asked that the majority of the SEC's December meeting be set aside to further develop this portion of the report.

SEC's Finance Committee

Mr. Reiner reported that several of the SEC's Finance Committee members are no longer serving on the Council and the Committee has not been actively working. He recommended reconstituting the Committee as a Finance/Audit Committee and expanding its activities to include a review of OCS audit findings and consultation to the OCS on actions in response to these findings. Members will be solicited to serve on the Committee.

Possible Revisions to the CHINS Guidelines

This agenda item was moved to the Closed Session.

Data Collection and Analysis Workgroup

Mr. Reiner reported that one of the recommendations from the report on Funding Educational Costs for Students Placed in Psychiatric or Residential Treatment Facilities for Non-Educational Reasons was development and implementation of a practical, short-term data collection project that would provide necessary information about the process of accessing residential treatment.

Mr. Reiner noted that a work group will need to be designated to define the scope and time frames for the data collection and analysis. Several Committee members offered suggestions as to who should serve on the work group.

Joint SEC/SLAT Meeting December 3, 2015

As noted above, Mr. Reiner asked that, after a brief business meeting, the majority of the meeting be dedicated to development of the goals and strategies for the SEC's FY16-FY18 Biennial Plan. He suggested three small groups, each staffed by an OCS staff member, to examine one of the goals and strategies under that goal. Those groups would then report back to the full SEC for consideration and adoption of the goals and strategies. Committee members were asked to send comments to Mr. Reiner.

Closed Session

A motion was made by Jeff Aaron, seconded by Greg Peters and carried that the SEC's Executive Committee convene in a closed meeting pursuant to Virginia Code § 2.2-3711(7) for the purpose of receiving legal advice regarding: 1) the SEC/OCS Dispute Resolution Process, 2) Electronic Meeting Participation Policy, and 3) CHINS Policy. The SEC Executive Committee requested that Eric Reynolds, legal counsel to the SEC, as well as Scott Reiner, OCS Interim Executive Director and Marsha Mucha, OCS Administrative Staff Assistant participate in the closed meeting.

Reconvene in Open Session

Before reconvening in open session, the members of the SEC's Executive Committee certified that, to the best of their knowledge that 1) only public business matters lawfully exempted from open meeting requirements pursuant to the exception in Virginia Code §2.2-3711(7) of the Virginia Freedom of Information Act and 2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting.

Status of OCS Executive Director Position

Scott Reiner's current agreement to serve as the Interim Executive Director of OCS expires at the end of December. Committee members discussed whether to extend that agreement or to begin the recruitment process for an executive director. Secretary Hazel stated that he would rather wait until after the upcoming legislative session before establishing a search committee and beginning the recruitment process. After further discussion, a motion was made by Margaret Schultze, seconded by Greg Peters and carried to extend Mr. Reiner's current agreement through June 30, 2016.

Adjournment

There being no further business, the meeting adjourned at 11:45 a.m.

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HOUSE BILL NO. 369

Offered January 13, 2016

Prefiled January 5, 2016

A BILL to amend and reenact §§ 2.2-2648 and 2.2-5201 of the Code of Virginia, relating to State Executive Council for Children's Services; state and local advisory team; membership.

Patron—Bell, R. P.

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2648 and 2.2-5201 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-2648. State Executive Council for Children's Services; membership; meetings; powers and duties.

A. The State Executive Council for Children's Services (the Council) is established as a supervisory council, within the meaning of § 2.2-2100, in the executive branch of state government.

B. The Council shall consist of one member of the House of Delegates to be appointed by the Speaker of the House and one member of the Senate to be appointed by the Senate Committee on Rules; the Commissioners of Health, of Behavioral Health and Developmental Services, and of Social Services; the Superintendent of Public Instruction; the Executive Secretary of the Virginia Supreme Court; the Director of the Department of Juvenile Justice; the Director of the Department of Medical Assistance Services; a juvenile and domestic relations district court judge, to be appointed by the Governor and serve as an ex officio nonvoting member; *the chairman of the state and local advisory team established in § 2.2-5201*; five local government representatives chosen from members of a county board of supervisors or a city council and a county administrator or city manager, to be appointed by the Governor; two private provider representatives from facilities that maintain membership in an association of providers for children's or family services and receives funding as authorized by the Children's Services Act (§ 2.2-5200 et seq.), to be appointed by the Governor, who may appoint from nominees recommended by the Virginia Coalition of Private Provider Associations; *a representative who has previously received services through the Children's Services Act, to be appointed by the Governor with recommendations from entities including the Departments of Education and Social Services and the Virginia Chapter of the National Alliance on Mental Illness*; and two parent representatives. The parent representatives shall be appointed by the Governor for a term not to exceed three years and neither shall be an employee of any public or private program that serves children and families. The Governor's appointments shall be for a term not to exceed three years and shall be limited to no more than two consecutive terms, beginning with appointments after July 1, 2009. Legislative members and ex officio members of the Council shall serve terms coincident with their terms of office. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. Legislative members shall not be included for the purposes of constituting a quorum.

C. The Council shall be chaired by the Secretary of Health and Human Resources or a designated deputy who shall be responsible for convening the council. The Council shall meet, at a minimum, quarterly, to oversee the administration of this article and make such decisions as may be necessary to carry out its purposes. Legislative members shall receive compensation as provided in § 30-19.12 and nonlegislative citizen members shall receive compensation for their services as provided in §§ 2.2-2813 and 2.2-2825.

D. The Council shall have the following powers and duties:

1. Hire and supervise a director of the Office of Children's Services;

2. Appoint the members of the state and local advisory team in accordance with the requirements of § 2.2-5201;

3. 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;

4. Provide for a public participation process for programmatic and fiscal guidelines and dispute resolution procedures developed for administrative actions that support the purposes of the Children's Services Act (§ 2.2-5200 et seq.). The public participation process shall include, at a minimum, 60 days of public comment and the distribution of these guidelines and procedures to all interested parties;

5. Oversee the administration of and consult with the Virginia Municipal League and the Virginia

- 59 Association of Counties about state policies governing the use, distribution and monitoring of moneys in
60 the state pool of funds and the state trust fund;
- 61 6. Provide for the administration of necessary functions that support the work of the Office of
62 Children's Services;
- 63 7. Review and take appropriate action on issues brought before it by the Office of Children's
64 Services, Community Policy and Management Teams (CPMTs), local governments, providers and
65 parents;
- 66 8. Advise the Governor and appropriate Cabinet Secretaries on proposed policy and operational
67 changes that facilitate interagency service development and implementation, communication and
68 cooperation;
- 69 9. Provide administrative support and fiscal incentives for the establishment and operation of local
70 comprehensive service systems;
- 71 10. Oversee coordination of early intervention programs to promote comprehensive, coordinated
72 service delivery, local interagency program management, and co-location of programs and services in
73 communities. Early intervention programs include state programs under the administrative control of the
74 state executive council member agencies;
- 75 11. Oversee the development and implementation of a mandatory uniform assessment instrument and
76 process to be used by all localities to identify levels of risk of Children's Services Act (CSA) youth;
- 77 12. Oversee the development and implementation of uniform guidelines to include initial intake and
78 screening assessment, development and implementation of a plan of care, service monitoring and
79 periodic follow-up, and the formal review of the status of the youth and the family;
- 80 13. Oversee the development and implementation of uniform guidelines for documentation for
81 CSA-funded services;
- 82 14. Review and approve a request by a CPMT to establish a collaborative, multidisciplinary team
83 process for referral and reviews of children and families pursuant to § 2.2-5209;
- 84 15. Oversee the development and implementation of mandatory uniform guidelines for utilization
85 management; each locality receiving funds for activities under the Children's Services Act shall have a
86 locally determined utilization management plan following the guidelines or use of a process approved by
87 the Council for utilization management, covering all CSA-funded services;
- 88 16. Oversee the development and implementation of uniform data collection standards and the
89 collection of data, utilizing a secure electronic client-specific database for CSA-funded services, which
90 shall include, but not be limited to, the following client specific information: (i) children served,
91 including those placed out of state; (ii) individual characteristics of youths and families being served;
92 (iii) types of services provided; (iv) service utilization including length of stay; (v) service expenditures;
93 (vi) provider identification number for specific facilities and programs identified by the state in which
94 the child receives services; (vii) a data field indicating the circumstances under which the child ends
95 each service; and (viii) a data field indicating the circumstances under which the child exits the
96 Children's Services Act program. All client-specific information shall remain confidential and only
97 non-identifying aggregate demographic, service, and expenditure information shall be made available to
98 the public;
- 99 17. Oversee the development and implementation of a uniform set of performance measures for
100 evaluating the Children's Services Act program, including, but not limited to, the number of youths
101 served in their homes, schools and communities. Performance measures shall be based on information:
102 (i) collected in the client-specific database referenced in subdivision 16, (ii) from the mandatory uniform
103 assessment instrument referenced in subdivision 11, and (iii) from available and appropriate client
104 outcome data that is not prohibited from being shared under federal law and is routinely collected by the
105 state child-serving agencies that serve on the Council. If provided client-specific information, state child
106 serving agencies shall report available and appropriate outcome data in clause (iii) to the Office of
107 Children's Services. Outcome data submitted to the Office of Children's Services shall be used solely for
108 the administration of the Children's Services Act program. Applicable client outcome data shall include,
109 but not be limited to: (a) permanency outcomes by the Virginia Department of Social Services, (b)
110 recidivism outcomes by the Virginia Department of Juvenile Justice, and (c) educational outcomes by
111 the Virginia Department of Education. All client-specific information shall remain confidential and only
112 non-identifying aggregate outcome information shall be made available to the public;
- 113 18. Oversee the development and distribution of management reports that provide information to the
114 public and CPMTs to help evaluate child and family outcomes and public and private provider
115 performance in the provision of services to children and families through the Children's Services Act
116 program. Management reports shall include total expenditures on children served through the Children's
117 Services Act program as reported to the Office of Children's Services by state child-serving agencies on
118 the Council and shall include, but not be limited to: (i) client-specific payments for inpatient and
119 outpatient mental health services, treatment foster care services and residential services made through the
120 Medicaid program and reported by the Virginia Department of Medical Assistance Services and (ii)

121 client-specific payments made through the Title IV-E foster care program reported by the Virginia
 122 Department of Social Services. The Office of Children's Services shall provide client-specific
 123 information to the state agencies for the sole purpose of the administration of the Children's Services
 124 Act program. All client-specific information shall remain confidential and only non-identifying aggregate
 125 demographic, service, expenditure, and outcome information shall be made available to the public;

126 19. Establish and oversee the operation of an informal review and negotiation process with the
 127 Director of the Office of Children's Services and a formal dispute resolution procedure before the State
 128 Executive Council, which include formal notice and an appeals process, should the Director or Council
 129 find, upon a formal written finding, that a CPMT failed to comply with any provision of this Act.
 130 "Formal notice" means the Director or Council provides a letter of notification, which communicates the
 131 Director's or the Council's finding, explains the effect of the finding, and describes the appeal process, to
 132 the chief administrative officer of the local government with a copy to the chair of the CPMT. The
 133 dispute resolution procedure shall also include provisions for remediation by the CPMT that shall
 134 include a plan of correction recommended by the Council and submitted to the CPMT. If the Council
 135 denies reimbursement from the state pool of funds, the Council and the locality shall develop a plan of
 136 repayment;

137 20. Deny state funding to a locality, in accordance with subdivision 19, where the CPMT fails to
 138 provide services that comply with the Children's Services Act (§ 2.2-5200 et seq.), any other state law or
 139 policy, or any federal law pertaining to the provision of any service funded in accordance with
 140 § 2.2-5211;

141 21. Biennially publish and disseminate to members of the General Assembly and community policy
 142 and management teams a state progress report on comprehensive services to children, youth and families
 143 and a plan for such services for the next succeeding biennium. The state plan shall:

144 a. Provide a fiscal profile of current and previous years' federal and state expenditures for a
 145 comprehensive service system for children, youth and families;

146 b. Incorporate information and recommendations from local comprehensive service systems with
 147 responsibility for planning and delivering services to children, youth and families;

148 c. Identify and establish goals for comprehensive services and the estimated costs of implementing
 149 these goals, report progress toward previously identified goals and establish priorities for the coming
 150 biennium;

151 d. Report and analyze expenditures associated with children who do not receive pool funding and
 152 have emotional and behavioral problems;

153 e. Identify funding streams used to purchase services in addition to pooled, Medicaid, and Title IV-E
 154 funding; and

155 f. Include such other information or recommendations as may be necessary and appropriate for the
 156 improvement and coordinated development of the state's comprehensive services system; and

157 22. Oversee the development and implementation of mandatory uniform guidelines for intensive care
 158 coordination services for children who are at risk of entering, or are placed in, residential care through
 159 the Children's Services Act program. The guidelines shall: (i) take into account differences among
 160 localities, (ii) specify children and circumstances appropriate for intensive care coordination services,
 161 (iii) define intensive care coordination services, and (iv) distinguish intensive care coordination services
 162 from the regular case management services provided within the normal scope of responsibility for the
 163 child-serving agencies, including the community services board, the local school division, local social
 164 services agency, court service unit, and Department of Juvenile Justice. Such guidelines shall address:
 165 (a) identifying the strengths and needs of the child and his family through conducting or reviewing
 166 comprehensive assessments including, but not limited to, information gathered through the mandatory
 167 uniform assessment instrument; (b) identifying specific services and supports necessary to meet the
 168 identified needs of the child and his family, building upon the identified strengths; (c) implementing a
 169 plan for returning the youth to his home, relative's home, family-like setting, or community at the
 170 earliest appropriate time that addresses his needs, including identification of public or private
 171 community-based services to support the youth and his family during transition to community-based
 172 care; and (d) implementing a plan for regular monitoring and utilization review of the services and
 173 residential placement for the child to determine whether the services and placement continue to provide
 174 the most appropriate and effective services for the child and his family.

175 **§ 2.2-5201. State and local advisory team; appointment; membership.**

176 The state and local advisory team is established to better serve the needs of troubled and at-risk
 177 youths and their families by advising the Council *and* by managing cooperative efforts at the state level
 178 and providing support to community efforts. The team shall be appointed by and be responsible to the
 179 Council. The team shall include one representative from each of the following state agencies: the
 180 Department of Health, *the* Department of Juvenile Justice, *the* Department of Social Services, *the*
 181 Department of Behavioral Health and Developmental Services, the Department of Medical Assistance

182 Services, and the Department of Education. The team shall also include a parent representative who is
183 not an employee of any public or private program ~~which~~ *that* serves children and families and who has
184 a child who has received services that are within the purview of the Children's Services Act; a
185 representative of a private organization or association of providers for children's or family services; a
186 local Children's Services Act coordinator or program manager; a juvenile and domestic relations district
187 court judge; *a representative who has previously received services through the Children's Services Act,*
188 *appointed with recommendations from entities including the Departments of Education and Social*
189 *Services and the Virginia Chapter of the National Alliance on Mental Illness;* and one member from
190 each of five different geographical areas of the Commonwealth who is representative of one of the
191 different participants of community policy and management teams pursuant to § 2.2-5205. The nonstate
192 agency members shall serve staggered terms of not more than three years, such terms to be determined
193 by the Council.

194 The team shall annually elect a chairman from among the local government representatives who shall
195 be responsible for convening the team. The team shall develop and adopt bylaws to govern its
196 operations that shall be subject to approval by the Council. Any person serving on such team who does
197 not represent a public agency shall file a statement of economic interests as set out in § 2.2-3117 of the
198 State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq.). Persons representing public
199 agencies shall file such statements if required to do so pursuant to the State and Local Government
200 Conflict of Interests Act.

**Summary of Member Budget Amendment Requests Related to the CSA
2016 Session (House Bill 30, Senate Bill 30)**

Remove Local Match Requirements for Residential Placements and Certain Foster Care Services – \$28,526,197

Item 285 #3s – Senator Barker
Item 285 #3h – Delegate Heretick

- Eliminates the local Medicaid match on residential placements and treatment foster care case management

Fund Educational Costs for Students Placed in Psychiatric or Residential Treatment Facilities - \$10,729,929

Item 285 #2s – Senator Vogel
Item 285 #6s – Senator Hangar
Item 285 #7s – Senator Favola
Item 285 #2h – Delegate Peace

- Provides 100% general funds to cover the cost of educational services for Medicaid members placed in psychiatric or residential facilities outside the CSA process

Increase Funds for CSA Local Administration - \$1,149,465

Item 285 #1s – Senator Vogel
Item 285 #5s – Senator Favola
Item 285 #1h – Delegate Peace
Item 284 #4h – Delegate Hester

- Increase general fund allocation to support local CSA administrative costs.

Workgroup to Increase Use of Non-Mandated CSA Funds – Language Only

Item 285 #8s – Senator Barker

- Directs the SEC to convene a work group to make recommendations to increase the use of CSA non-mandated funds for those involved in the juvenile justice system and/or long-term school suspension/expulsion.

Non-Educational Placements in Day or Residential Facilities – Language Only

Item 132 #3h – Delegate Peace

- Directs DOE to work with the SEC to ensure that CSA funding is sufficient to pay for education services of students placed in psychiatric or residential treatment facilities to meet their IEPs or due to non-educational reasons as approved through Medicaid by July 1, 2017.

Interagency Workgroup for Special Education – Language Only

Item 132 #1h

- Directs DOE to convene a workgroup to assess barriers to serving students with disabilities in the local public schools and make recommendations to the Commission on Youth.

Summary of CSA Budget Items in the Governor’s Introduced Budget 2016 Session (House Bill 29/Senate Bill 29 – Caboose Bill) (House Bill 30/Senate Bill 30)

Caboose Bill

Item 279 – \$18,082,051

- This is to cover state share of CSA expenditures for FY2016 that resulted from increased expenses.

FY16 – FY 18 Biennium

Item 285 – \$18,082,051

- This is to cover state share of anticipated CSA expenditures that are projected due to increased expenses.

**State Executive Council for Children's Services
Finance and Audit Committee**

**Committee Charter
Approved January 27, 2016**

The Finance and Audit Committee of the State Executive Council (SEC) for Children's Services will be responsible for the following activities:

1. Periodic review of programmatic expenditures of the Children's Services Act (CSA).
2. Report to the SEC on selected categories of and/or overall program expenditures for the purposes of awareness and possible policy consideration.
3. Recommendations to the SEC regarding budget requests to be submitted to the Department of Planning and Budget in accordance with the annual executive branch budget process.
4. Review and make recommendations to the Office of Children's Services (OCS) on the annual CSA Audit Plan.
5. Review and make recommendations to the OCS concerning actions in response to individual audit findings, including denial of funds and other corrective actions
6. Make policy recommendations to the SEC concerning development of consistent criteria for denial of funds determinations.
7. Consider and make recommendations to the OCS and the SEC on other matters related to the fiscal and audit functions of the CSA.

**State Executive Council for Children's Services
Outcomes Committee**

**Committee Charter
Approved January 29, 2016**

The Outcomes Committee of the State Executive Council (SEC) for Children's Services will be responsible for the following activities:

1. Identify and recommend to the SEC a meaningful set of specific state and local-level performance and outcome indicators for CSA
2. Assist the Office of Comprehensive Services and the SEC to establish an understandable method of determining and disseminating performance/outcome metrics on a locality level including graphic displays such as dashboards, maps, etc.
3. Develop strategies to engage stakeholders to embrace an "outcomes-oriented" quality improvement culture within CSA

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CSA POOL REIMBURSEMENT REQUEST REPORT COMPARISON (FY13 -FY16)

Today's Date: February 11, 2016 Net Total Expenditures as of February 11, 2016 of each Fiscal Year.
 Net Total Expenditures include all reports with a status of 1 or greater (All non-pended reports)

EXPENDITURE DESCRIPTION	NET TOTAL EXPENDS FY13	NET TOTAL EXPENDS FY14	NET TOTAL EXPENDS FY15	NET TOTAL EXPENDS FY16	\$ CHG	% CHG
NUMBER OF REPORTS	754	756	783	780	-3	
1. MANDATED SERVICES / RESIDENTIAL / CONGREGATE CARE						
1a. Foster Care - IV-E children in Licensed Residential Congregate Care ; pool expenditures for costs not covered by IV-E (i.e., non room-and-board)	1,441,933	1,011,186	1,404,020	1,273,740	-130,280	-9.3%
1b. Foster Care - all others in Licensed Residential Congregate Care	9,867,917	7,404,055	8,303,047	7,689,598	-613,449	-7.4%
1c. Residential Congregate Care - CSA Parental Agreements ; DSS Noncustodial Agreements	3,068,738	3,256,290	3,781,568	4,143,192	361,624	9.6%
1d. Non-Mandated Services/Residential/Congregate	497,321	278,009	497,496	386,612	-110,884	-22.3%
P1. 4. Educational Services - Congregate Care	14,744,174	13,503,244	15,528,736	15,626,133	97,397	0.6%
- School Referred Residential - Non-Educational Services	0	0	0	0	0	0%
2. OTHER MANDATED SERVICES						
2a. Therapeutic (Treatment) Foster Care - IV-E	9,993,568	10,164,578	11,771,497	11,420,582	-350,915	-3.0%
2a.1 Therapeutic (Treatment) Foster Care	21,736,657	19,527,930	18,442,206	16,434,433	-2,007,774	-10.9%
2a.2 Therapeutic (Treatment) Foster Care - CSA Parental Agreements ; DSS Noncustodial Agreements	462,679	267,854	210,700	284,640	73,940	35.1%

2b.	Specialized Foster Care – IV-E ; Community Based Services	499,428	569,295	760,813	413,634	-347,179	-45.6%
2b.1	Specialized Foster Care	2,130,348	1,842,148	1,964,993	1,391,222	-573,771	-29.2%
2c.	Family Foster Care – IV-E ; Community Based Services	422,558	338,528	433,014	744,877	311,864	72.0%
2d.	Family Foster Care Maintenance only	2,044,534	1,586,242	1,792,376	1,226,627	-565,749	-31.6%
2e.	Family Foster Care – Children receiving maintenance and basic activities payments; independent living Stipend/Arrangements	4,740,421	4,435,834	4,219,596	6,038,433	1,818,837	43.1%
2f.	Community - Based Services	11,341,276	12,265,864	13,309,066	13,329,386	20,319	0.2%
2f.1	Community Transition Services – Direct Family Services to Residential to Community	674,422	805,177	609,073	799,614	190,540	31.3%
2g.	Alternative Day Placement/ SPED Private Day	36,016,223	40,003,980	46,027,780	49,283,586	3,255,806	7.1%
2h.	Services in the Public School	738,111	609,681	673,625	675,734	2,110	0.3%
2i.	Psychiatric Hospitals/Crisis Stabilization Units	67,389	-12,637	69,347	96,699	27,352	39.4%
PI2. 4.	Non-Mandated Services/Community-Based	1,268,749	1,160,701	1,776,497	1,401,677	-374,820	-21.1%
5.	GRAND TOTALS:	121,756,445	119,017,962	131,575,450	132,660,418	1,084,968	0.8%

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**FINAL REPORT OF THE
VIRGINIA COMMISSION ON YOUTH**

**The Use of Federal, State, and
Local Funds for Private
Educational Placements of
Students with Disabilities -
Year Two
(HJR 196, 2014)**

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



HOUSE DOCUMENT NO. 14

**COMMONWEALTH OF VIRGINIA
RICHMOND
2015**

III. Executive Summary

During the 2014 General Assembly Session, Delegate Les R. Adams introduced House Joint Resolution 196, directing the Commission on Youth to:

- i. examine the use of Comprehensive Services Act for At-Risk Youth and Families (CSA) and Medicaid funds for private day and private residential special education placements;
- ii. gather local and statewide data on the extent to which youth are placed in settings that are segregated from nondisabled students;
- iii. determine the feasibility and cost-effectiveness of more integrated alternatives to provide special education services to students including, but not limited to, those students with intellectual and developmental disabilities currently in segregated settings in the Commonwealth; and
- iv. consider any other matters as it deems appropriate to meet the objectives of this study.

The legislation required the Commission on Youth to complete its meetings for the first year by November 30, 2014, and the second year by November 30, 2015. The Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. A copy of the legislation is included as Appendix A.

During the first year of the study, an update on the study activities and identified issues were reported at the Commission's December 2, 2014 meeting. An update on the study activities and draft recommendations for the second year of the study was reported at the Commission's September 8 and October 20 meetings. At the October 20 meeting, the Commission on Youth approved the following recommendations:

THERE ARE CHALLENGES WITH USING CHILDREN SERVICES ACT (CSA) WRAP-AROUND SERVICES TO MAINTAIN THE LEAST RESTRICTIVE ENVIRONMENT (LRE).¹

Recommendation

Request the State Executive Council (SEC) revisit existing policy restrictions and budgetary constraints with CSA state pool funds for wrap around services for students with disabilities. This review will include whether the community match rate could be utilized, existing parental co-payment policies for additional services not included in the individualized education program (IEP), and the prohibition on using funds for non-educational services provided by school employees, and make recommendations to improve both utilization and access to these funds to the Commission on Youth by the 2017 General Assembly Session.

¹ The 2015 General Assembly enacted legislation (SB 850, Favola) to change the name of the Virginia Comprehensive Services Act for At-Risk Youth and Families to the Children's Services Act (CSA) to better reflect the goals of CSA.

VIRGINIA'S EXISTING SPECIAL EDUCATION STATE FUNDING STRUCTURE DOES NOT ADEQUATELY MEET THE NEEDS AND INCREASING NUMBERS OF HARD-TO-SERVE, SPECIAL EDUCATION STUDENTS.

Recommendation

1. Request the Virginia Department of Education (VDOE) include in its analysis of regional special education programs other states' funding formulas and policies identified during the course of their study that may be employed in the Commonwealth. VDOE shall also determine the efficacy of Virginia's regional special education programs and assess whether provisions are needed to revise these programs and if these programs should be expanded to other regions of the Commonwealth. VDOE shall report findings and recommendations to the Commission on Youth prior to the 2016 General Assembly Session.

THE UTILIZATION AND COSTS OF PRIVATE PLACEMENTS FOR SPECIAL EDUCATION STUDENTS IN VIRGINIA HAVE INCREASED SIGNIFICANTLY.

Recommendations

1. Introduce a budget amendment for VDOE to convene an interagency workgroup to assess the barriers to serving students with disabilities in their local public schools. The workgroup shall assess existing policies and funding formulas including school division's program requirements, localities' composite indices, local CSA match rate allocations, local CSA rate setting practices, the impact of caps on support positions, policies for transitioning students back to the public school, and funding for local educational programming based on models which are collaborative and create savings for both local and state government while providing youth an educational option within their communities. Membership shall include a balance of local and state representative, all impacted state agencies, local education agency (LEA) representatives, local CSA representatives, local government officials, local special education administrators, stakeholder organizations, parent representatives, the Arc of Virginia, the Coalition for Students with Disabilities, and members of the Virginia General Assembly. The workgroup shall make recommendations to the Virginia Commission on Youth prior to the 2017 General Assembly Session.
2. Request the Office of Children's Services (OCS) collaborate with VDOE and include a track in their annual conference on best practices and effective strategies for serving children with disabilities in the least restrictive environments and increase knowledge and understanding on working with students with disabilities, and their parents, as well as improving coordination between schools and CSA.
3. Request the OCS include in its annual training plan strategies best practices and effective strategies for serving children with disabilities in the least restrictive environment and increase knowledge and understanding on working with students with disabilities, and their parents, as well as improving coordination between schools and CSA.

VIRGINIA'S REGIONAL SPECIAL EDUCATION PROGRAMS ALLOW SELECT SCHOOL DIVISIONS TO SERVE STUDENTS IN AN ADDITIONAL OPTION IN THE CONTINUUM OF PLACEMENTS BUT THE EXISTING STRUCTURE NEEDS TO BE RE-EVALUATED.

The Recommendation adopted for the Finding – *Virginia's existing special education state funding structure does not adequately meet the needs and increasing numbers of hard-to-serve, special education students* – addressed the issues set forth in this Finding.

THERE IS NO AVAILABLE DATA ABOUT THE EFFECTIVENESS OF CSA-FUNDED PRIVATE DAY AND RESIDENTIAL PROGRAMS.

Recommendations

1. Request VDOE work with private providers including the Virginia Association of Independent Specialized Education Facilities, the Virginia Council for Private Education, the Virginia Association of Independent Schools, the Southern Association of Colleges and Schools, the Virginia Coalition of Private Provider Associations, the Virginia Association of Community Services Boards, local school divisions, stakeholder groups, and parent representatives to identify and define outcome measures to assess students' progress such as assessment scores, attendance, graduation rates, transition statistics, and return to the students' home schools.
2. Request VDOE establish a procedure requiring all assessment scores for private day students tagged as 'Special Situation' be included in the student's "home" school scores.
3. Request OCS to report annually on Child and Adolescent Needs and Strengths (CANS) assessment tool and CANVaS (the online version of CANS) scores that measure educational outcomes by service placement name and type for all students being served in CSA-funded educational placements.

VIRGINIA'S PARENT CONSENT PROVISIONS EXCEED FEDERAL REGULATIONS AND MAY HINDER SERVING STUDENTS WITH DISABILITIES IN THE LEAST RESTRICTIVE ENVIRONMENT.

Recommendations

1. Request VDOE include in the development of the statewide model IEP, an ongoing planning process that facilitates returning students with disabilities served in private placements to the public school setting. The IEP will establish an ongoing process that should commence when a student with a disability is first placed in a private day or residential school. This process should involve the parents, home school officials, CSA officials, the child's teachers, and other involved stakeholders. VDOE shall also include in its guidance to schools best practices for transitioning students from private residential and private day schools such as employing gradual transition strategies and utilization of available community-based programs. VDOE will investigate the feasibility of incorporating in the statewide model IEP Medicaid billing for services provided to eligible IEP students.



TRAINING PLAN Fiscal Year 2017

*Developed in accordance with Chapter 665 (Appropriation Act), Item 279, Section B.6
Submitted for Approval by the State Executive Council June 18, 2016*

The mission of the Children's Services Act (CSA) is to create a collaborative system of services and funding that is child-centered, family-focused and community-based when addressing the strengths and needs of troubled and at-risk youth and their families in the Commonwealth. One important mechanism for achieving this mission is through development and implementation of a robust training plan. The Code of Virginia requires that the Office of Children's Services (OCS) "provide for training and technical assistance to localities in the provision of efficient and effective services that are responsive to the strengths and needs of troubled and at-risk youths and their families." In accordance with provisions of the biennial Appropriation Act, the Office of Children's Services presents an annual training plan to the State Executive Council for approval. This document outlines the OCS FY2017 Training Plan for the period of July 1, 2016 – June 30, 2017.¹ The list of training topics is intended to be broad and inclusive. Specific training activities will be planned and implemented in response to stakeholder requests and needs, important system-wide initiatives, and within the resources available.

I. GOALS

A. TO INCREASE KNOWLEDGE, SKILLS, AND COMPETENCIES OF INDIVIDUALS HOLDING CSA SPECIFIC ROLES AND RESPONSIBILITIES TO ENSURE EFFECTIVE IMPLEMENTATION OF THE CSA.

Objectives:

- To enhance effectiveness and positive outcomes for youth and families by ensuring that the core requirements of CSA and the principles of a system of care are known to individuals who serve key roles within the structures of CSA.
- To assure that basic competencies in CSA practice are applied to local operations.
- To enhance the levels of knowledge and skills of core members of local CSA team members.
- To support, encourage and motivate key CSA participants to realize the mission and vision of the CSA and the system of care through collaboration and excellence in practice.

Target Audiences:

- CSA Coordinators; CPMT members; FAPT members; Fiscal Agents; Utilization Review Specialists; External Auditors.

Possible Topics:

- CSA Mission and Vision/CSA as a System of Care
- Building effective multi-disciplinary teams/collaboration
- Overview and prioritization of local CSA Coordinator responsibilities (§2.2-2649)
- Provision of effective and efficient services (§2.2-2649)

¹ Where appropriate, specific statutory requirements addressed through this training plan are indicated.

- Use of data and data analytics to assess service patterns and improve outcomes
- Understanding High Fidelity Wraparound and Intensive Care Coordination
- Utilization Management and Utilization Review (*Appropriation Act*)
- Controlling costs and utilizing alternative funding streams and revenues (*Appropriation Act*)
 - Blending & Braiding Funds – Developing a Fiscal Plan
 - Accessing the full array of Medicaid services (*Appropriation Act, with DMAS*)
- Use of state pool funds: eligibility and decision points
- FAPT determination of CHINS: parental agreements and foster care prevention
- Understanding mission, purpose, and outcomes of child-serving agencies
 - Foster care services and the CSA (*Appropriation Act, with DSS*)
 - Requirements regarding IDEA and the use of CSA funds for special education services (*Appropriation Act, with DOE*)
- Guidelines for Therapeutic Foster Care and negotiating contracts with TFC providers (*Appropriation Act*)
- Building community services/public-private partnerships (*Appropriation Act*)
- CSA program audits: compliance monitoring and program improvement; self-assessment process
- Navigating cross-jurisdictional issues: Fostering Connections; transfers; out-of state placement
- Administrative and fiscal issues: Local statutory responsibilities (*Appropriation Act*)
- Financial and data reporting requirements of CSA (supplemental funding requests, pool fund reimbursement, data set, and client based expenditures; understanding service categories, match rates)
- Engaging families, empowering client/family voice and choice
- Contracting: regional contracts, negotiating terms, performance-based contracts
- Audits of local CSA programs

Primary implementation methods:

- CSA Annual Conference
- New CSA Coordinator Academy
- On-line and Webinar training
- Information developed and disseminated through the CSA website

B. TO INCREASE KNOWLEDGE, SKILLS, AND COMPETENCIES OF CHILD SERVING ENTITIES TO MAXIMIZE USE OF CSA PROCESSES AND FUNDING TO EFFECTIVELY SERVE YOUTH AND FAMILIES.

Objective:

- To ensure that the key partners in the CSA gain specific and targeted knowledge and competencies to incorporate CSA into their primary areas of professional responsibility.

Target Audiences:

- Executive managers, supervisors, and direct service staff in local departments of social services, court service units, community services boards, and school divisions; state level managers in child-serving agencies; juvenile and domestic relations court judges; guardians ad litem; LDSS attorneys; elected and appointed local government officials; private service providers.

Topics:

- Foster care services and the CSA (*Appropriation Act, with DSS*)

- Requirements regarding IDEA and the use of CSA funds for special education services (*Appropriation Act, with DOE*)
 - Best practices and effective strategies for serving children with educational disabilities in the least restrictive environment (per request of the Commission on Youth)
- Vision and mission of CSA
- Accessing CSA funded services
- CANS certification and Super Users training
- Using CANS for service planning

Primary Implementation Methods:

- Stakeholder venues/conferences
- Locality-specific training events
- Virtual learning (on-line) opportunities developed and disseminated in conjunction with partner agencies

Supporting Activities:

- Coordinate with local CSA programs and stakeholder organizations to plan and deliver topical CSA training within agency-specific conferences and training sessions.
- Work with the State and Local Advisory Team (SLAT), the State Executive Council (SEC), selected partner agencies, and other affiliated organizations (e.g., VML/VACO, VCOPPA, VLSSE/VDSS) to identify “recommended” and “mandatory” CSA-related training to be incorporated into agency training requirements and plans.

C. TO ENHANCE CSA OUTCOMES FOR YOUTH, FAMILIES AND COMMUNITIES BY ADOPTION OF EFFECTIVE, EVIDENCE-BASED PRACTICES.

Objectives:

- To provide opportunities for CSA stakeholders to learn about and develop competencies in effective, evidence-based models pertaining to the service needs of the CSA population.

Target Audiences:

- All CSA stakeholders

Topics:

- Best practices and evidence-based practices related to the CSA (*Appropriation Act*)
 - Introduction to Systems of Care
 - Intensive Care Coordination / High Fidelity Wraparound (HFW)
 - Facilitator training
 - Family and youth support partner training
 - Local coaching and clinical supervisors training
 - Trauma-informed services within an overall System of Care (in collaboration with DSS and DBHDS)
 - Use of the CANS as an outcomes management tool
 - Family engagement – families and youth as partners
 - Evidence-based/evidence-informed practices in children’s services

Primary implementation methods:

- CSA Annual Conference

- Collaborative training efforts with partner agencies
- On-line and Webinar training
- Information developed and disseminated through the CSA website

II. TRAINING AND TECHNICAL ASSISTANCE METHODOLOGIES

A. DELIVER OCS SPONSORED TRAINING OPPORTUNITIES

Activities:

- Conduct Annual CSA Conference
- Conduct Pre-conference CSA Coordinator session at annual CSA Conference
- Conduct New CSA Coordinator Academy

B. DELIVER CSA RELATED TRAINING WITHIN STAKEHOLDER VENUES/CONFERENCES

Projected Activities:

- In collaboration with sponsoring entities, conduct training in a variety of venues. Examples include, but are not limited to:
 - Dept. of Education: Aspiring Leaders of Special Education Academy
 - Dept. of Education: New Directors of Special Education Academy
 - Dept. of Social Services: New Local Directors Learning Experience
 - VA League of Social Service Executives training events
 - VA Association of Counties meetings
 - VA Coalition of Private Provider Organizations Critical Issues Symposium
 - VA Association of Independent Special Education Facilities: Annual Conference
 - Office of Executive Secretary of the Supreme Court: Court Improvement Program training events
 - Office of Executive Secretary of the Supreme Court: Mandatory JDR Judges Conference
- Through collaboration with stakeholder agencies and organizations, identify and schedule venues.
- Through collaboration with stakeholder agencies and organizations, the State and Local Advisory Team (SLAT), and the SLAT Training Workgroup, identify training needs and appropriate training venues/opportunities.

C. DELIVER TARGETED, HIGH-QUALITY TECHNICAL ASSISTANCE

Objective:

- To respond to stakeholder identified needs for information that will enhance the effectiveness of CSA activities, minimize and/or respond to audit findings, and support overall system of care implementation

Activities:

- Maintain the "OCS Help Desk" on the CSA website to facilitate prompt, accurate and consistent responses to requests for specific guidance
- Provide targeted on-site training and technical assistance to meet needs identified by OCS, localities, and/or regions
- Provide targeted assistance to facilitate CPMT corrective action/program improvement activities
- Provide on-site and remote technical assistance on frequently asked questions/common issues
- Provide information through the Resource Library of the CSA website (FAQ's, Fact Sheets)

D. DEVELOP AND OFFER VIRTUAL LEARNING OPPORTUNITIES

Objective:

- Maximize participation and accessibility of CSA-related training through an array of delivery platforms and designing training to meet diverse learning styles and venues

Activities:

- Maintain training site for CANS certification
- Administer the CSA Knowledge Center (KC) to include user account management for local users
- Plan and deliver webinars on "hot topics" (e.g., new policy guidelines), best practices, common focal issues raised by CSA stakeholders
- Develop and implement on-line and other distance learning programs to include:
 - Educational opportunities through the Knowledge Center
 - Ongoing availability of archived training materials from the annual conferences, webinars, and other sources
 - Use of the CSA website to make available materials from national and other sources of best-practices information

E. PROMOTE AVAILABILITY OF LIVE AND VIRTUAL TRAINING OPPORTUNITIES

Objective:

- Build participation levels and ensure that various stakeholders are aware of relevant training opportunities provided by both OCS and partner agencies

Activities:

- Maintain the on-line Training Calendar which provides information about upcoming training events and information on how to enroll in those events
- Support the work of the SLAT Training Committee to collect, provide to OCS and disseminate information on upcoming training events
- OCS will utilize various communication mechanisms (CSA listserv, CSA website, e-mail lists) to inform stakeholders of relevant upcoming training events

III. EVALUATION

Objective:

- To provide accountability and continuous quality improvement for OCS training activities

Activities:

- Identify and assess measurable objectives for all CSA training activities
- Design course outlines, content, materials, activities, methods of instruction, and evaluation criteria for CSA training activities that reflect the principles of adult learning and best practices in instructional design
- Collect and report information regarding participants (e.g., number, primary professional affiliation) at major CSA training events

- Collect and summarize evaluations of OCS training activities and utilize feedback to refine and improve training activities
- Provide quarterly reports to the State Executive Council summarizing OCS training activities
- Complete and submit an annual report to the General Assembly regarding OCS training activities

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