

State Executive Council (SEC) for Children's Services

Notice of Intent to Develop/Revise Policy

Approved for Public Comment by the SEC: September 12, 2024

Public Comment Period Ends: 5:00 PM, November 1, 2024

Number and Name of Proposed/Revised Policy:

Policy 4.4.2 Medicaid Funded Services

Basis and Purpose of the Proposed/Revised Policy:

The authority for the SEC to develop a policy for public participation falls is provided for in [§2.2-2648.D.9](#) of the *Code of Virginia*, which states that the State Executive Council for Children's Services shall: *"Provide administrative support and fiscal incentives for the establishment and operation of local comprehensive service systems."*

The proposed repeal of Policy 4.4.2 removes a policy that restates Appropriation Act language ([2024 Appropriation Act, Chapter 2, Item 268.D](#)). Additionally, Executive Order 19 calls for a 25% reduction in regulatory requirements. In examining policies that are discretionary and not currently relevant, the SEC is fulfilling the requirements of the Executive Order and acting in the spirit of the guidance set forth by the Office of Regulatory Management.

Summary of the Proposed/Revised Policy:

Policy 4.4.2 states that Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Children's Services Act. Policy 4.4.2 goes on to state that Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child. Policy 4.4.2 is a verbatim restatement of language that has been included in the Appropriation Act since 2009.

Preliminary Fiscal Impact Analysis:

Repeal of this policy would have no fiscal impact, as its language has been included in the Appropriation Act since 2009.