

**AGENDA**  
**State Executive Council for Children's Services**  
**September 12, 2024**  
**9:30 AM**

1604 Santa Rosa Road  
Henrico, VA 23229  
Richmond/Henrico Rooms

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Note: This is an in-person meeting  
To accommodate interested members of the public, the meeting will be viewable at:

**Please join the meeting from your computer, tablet or smartphone.**

<https://meet.goto.com/707361437>

**You can also dial in using your phone.**

Access Code: 707-361-437  
United States: [+1 \(872\) 240-3412](tel:+18722403412)

- 9:30 Call to Order / Opening Remarks** – Honorable Leah Mills  
Deputy Secretary of Health and Human Resources
- Action Item:** Approval of Remote Participation per SEC Policy 2.1.3 and §2.2-3708.2, COV (if necessary)
- 9:40 Member Introductions**
- 9:45 Public Comment** (Five-minute limit per speaker)
- 10:00 Action Item:** Approval of June 2024 Minutes
- 10:05 SEC Policy Review** – Public comments on Policy 4.5.2
- Action Item:** Final approval of revised Policy 4.5.2
- 10:25 SEC Policy Review** – SEC Policy 4.3 – “Carve-Out” of Allocation for Development of New/Expanded Services
- Action Item:** Approve revised Policy 4.3 for the final 60-day public comment period
- 10:40 SEC Policy Review** – Policy 4.5.3 – Administrative Funds
- Action Item:** Approval of revised Policy 4.5.3 for the initial 45-day public comment period
- 10:55 SEC Policy Review** – Policy 4.4.2 – Medicaid Funded Services
- Action Item:** Approval of revised Policy 4.4.2 for the initial 45-day public comment period
- 11:10 State and Local Advisory Team (SLAT) Report** – Mills Jones, SLAT Chair

**11:25 SEC Strategic Plan – Progress Report – Scott Reiner**

**11:50 OCS Executive Director's Report – Scott Reiner**

**12:20 Member Remarks / Updates**

**Closing Remarks and Adjourn – Honorable Leah Mills**

**Remaining 2024 Meetings**

December 12

**2025 Meetings (Proposed)**

March 13

June 12

September 11

December 11

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

**Thursday, June 13, 2024**

**SEC Members Present:**

Leah Mills, Deputy Secretary of Health and Human Resources for The Honorable John Littel,  
Secretary of Health and Human Resources (*SEC Chair*)  
Carl Ayers for James Williams, Acting Commissioner, Virginia Department of Social Services  
Beth Coyne for Karl Hade, Executive Secretary of the Supreme Court of Virginia  
The Honorable Carrie Coyner, Member, Virginia House of Delegates  
Nicole Gore for Nelson Smith, Commissioner, Virginia Department of Behavioral Health and  
Developmental Services  
The Honorable Willie Greene, Mayor, City of Galax  
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, Acting Chair, State and Local Advisory Team (SLAT)  
The Honorable Chad Logan, Judge, 26<sup>th</sup> Judicial District, Juvenile and Domestic Relations  
District Court  
Jeff Lunardi for Cheryl Roberts, Director, Department of Medical Assistance Services  
Andrea McMahan for Amy Floriano, Director, Department of Juvenile Justice  
The Honorable Dalia Palchik, Member, Fairfax County Board of Supervisors  
Anahita Renner, Parent Representative  
Nancy Robbins, Parent Representative  
Ron Spears, CEO, Elk Hill, Private Provider Representative

**Other Staff Present:**

Morgan Barry, Associate Attorney General  
Mary Bell, Program Consultant, OCS  
Marsha Mucha, Administrative Staff Assistant, OCS  
Scott Reiner, Executive Director, OCS  
Courtney Sexton, Program Consultant, OCS  
Susan Whyte, Assistant Attorney General

**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 9:35 a.m. On behalf of Secretary Littel, she welcomed everyone and made introductions.

Mrs. Mills reported that Mr. Greene's term on the SEC would expire on June 30, 2024. She recognized Mr. Greene for his perfect attendance as a member of the SEC and highlighted his service to the Commonwealth and his local community of Galax over the years. On behalf of the SEC, she presented him with a certification of recognition.

### **Public Comment**

There were no public comments.

### **Approval of Minutes**

On a motion by Carl Ayers, seconded by Kathryn Hayfield, the SEC approved the March 14, 2024 meeting minutes.

### **SEC Policy Review**

#### *Policy 4.5.2 –Time Frames Regarding CSA Pool Fund Reimbursement*

Mr. Reiner reported that, at the SEC's March 14, 2024 meeting, the SEC approved disseminating A Notice of Intent to Develop/Revise Policy for SEC Policy 4.5.2 –Time Frames Regarding CSA Pool Fund Reimbursement for a 45-day public comment period. That comment period has ended, and Mr. Reiner reviewed the comments received during that 45-day public comment period.

Mr. Reiner further reported that if the SEC approves, the next steps would be to disseminate the draft revised policy for a 60-day public comment period, with the intent of final adoption of the revised policy at the SEC's September 12, 2024 meeting.

After further discussion, on a motion by Dalia Palchik, seconded by Natalie Handy, the SEC approved disseminating revised draft policy 4.5.2 for a 60-day public comment period to end August 16, 2024.

#### *Policy 4.1.1 – Eligibility as a Child in Need of Services (CHINS)*

Mr. Reiner presented a Notice of Intent to Develop/Revise Policy for Policy 4.1.1. If the SEC approves, the Notice will be disseminated for a 45-day public comment period. Mr. Reiner provided background information regarding eligibility as a CHINS. He reported that a stakeholder workgroup had developed the draft revised policy being presented today, along with a draft revised Documentation of Eligibility Form and Model CSA Parental Agreement. Revising the policy aligns it with current statutes and practices.

Mr. Reiner further reported that changes made to the VDSS definition of foster care placement only pertain to foster care cases under the VDSS's purview. Because of that change, the CSA's ability to serve CHINS through community-based services to prevent foster care placements no longer exists. To correct this issue, a statutory change to add CHINS to CSA eligibility would need to be made.

Members discussed whether or not to disseminate the notice of intent to revise the policy for a 45-day public comment period or to address the needed statutory change. After further discussion on a

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motion by Delegate Conyers, seconded by Dalia Palchik, the SEC agreed to address the statutory change. Delegate Conyers, Senator VanValkenburg, Carl Ayers, and Judge Logan will work on the project.

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

Mr. Reiner presented a Notice of Intent to Develop/Revise Policy for Policy 4.3. If the SEC approves, the Notice will be disseminated for a 45-day public comment period.

Mr. Reiner provided background information on the policy's intent when it was first adopted. The notice of intent is to repeal the policy that has never been utilized, as the required funds have not been appropriated to allow for the activities addressed in the policy.

After some discussion, on a motion by Dalia Palchik, seconded by Jeff Lunardi, the SEC approved disseminating the Notice of Intent to Develop/Revise Policy for a 45-day public comment period.

### **Presentation on Youth Mental Health and Safe and Sound**

Dr. Alexis Ablasca and Mira Signer presented on Governor Youngkin’s multifaceted approach to youth mental health and wellbeing.

### **Request from the Commission on Youth (FAPT Confidentiality)**

Mrs. Mills reported, as discussed at the SEC’s March 14, 2024 meeting that the SEC received a request from the Commission on Youth to clarify policies related to confidentiality limits during FAPT and CPMT meetings. She further noted that the SEC asked for a review of relevant information from the CSA User’s Manual at the March meeting.

### **Closed Meeting**

On a motion by Delegate Coyner, seconded by Senator VanValkenburg, the SEC agreed to go into a closed session to consult and seek legal counsel concerning the Commission on Youth's request.

### **Reconvene in an Open Meeting**

The SEC reconvened in open session on a motion by Carl Ayers, seconded by Dalia Palchik. It certified that, to the best of each member’s knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the State Executive Council.

On a motion by Delegate Conyers, seconded by Dalia Palchick, the SEC asked that Delegate Conyers, on the SEC’s behalf, speak with Senator Favola concerning the request from the Commission on Youth.

### **State and Local Advisory Team (SLAT) Report**

Mills Jones, Acting SLAT Chair, provided the report. SLAT last met on May 2, 2024, and received several updates, including the proposed/revised CHINS policy and the work of the Universal Referral Work Group of the Safe and Sound Task Force.

SLAT will form 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.

Mr. Jones also reported that SLAT held elections for Chair and Vice Chair for the upcoming fiscal year. Mr. Jones will serve as Chair, and Sabrina Gross (DOE) will serve as Vice Chair.

Mr. Jones presented new SLAT member nominations and reappointments to the SEC for approval. On a motion by Sam Hollins, seconded by Ron Spears, the SEC approved the new and reappointed members to SLAT.

### **FY2025 OCS Training Plan**

Mr. Reiner presented a draft of the OCS Training Plan for FY2025 for the SEC's consideration and approval. Mr. Reiner highlighted several aspects of the training plan. At the end of his presentation and discussion, on a motion by Willie Greene, seconded by Natalie Handy, the SEC approved the FY2025 OCS Training Plan as presented.

Mr. Reiner also presented the FY2024 OCS Training Progress Report, which included in-person and online training (through the OCS domain on the Virginia Learning Center).

### **OCS Executive Director's Report**

Mr. Reiner reported on the following items:

- SEC Strategic Plan – Members received a laminated copy of the SEC's Strategic Plan as adopted at the September 2023 SEC meeting.
- CSA Budget – The Governor's biennial budget for 2024-2026 included an increase in CSA funding of \$36 million in FY2024 and an additional \$12 million in FY2025. Mr. Reiner will have a breakdown of CSA expenditures available at the September 12, 2024 meeting.
- Family Guide Video – A CSA family guide video has been completed. A link to the video is available on the CSA website.
- Annual CSA Conference – This year's conference will be held October 16 – 17, 2024, at the Hotel Roanoke and Conference Center. Beth Macy, author of Dopesick, will be the keynote speaker.
- OCS Reports – Mr. Reiner noted that members received copies of two OCS reports. The first report was on the Enhanced Technical Assistance (ETA) Program by OCS Program Consultant Courtney Sexton. The second report was a Program Audit Activity Update by Stephanie Bacote, OCS Audit Program Manager.

### **Member Remarks/Updates**

Delegate Coyner reported that the Commission on Youth would be hosting listening sessions on special education dispute resolution.

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**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 Carl Ayers, and approved by the SEC. The next meeting is scheduled for September 12, 2024, at 1604 Santa Rosa Rd.

## SEC Policy 4.5.2

Whyte, Susan P. D. <SWhyte@oag.state.va.us>

Mon 7/29/2024 11:57 AM

To:Reiner, Scott (CSA) <Scott.Reiner@csa.virginia.gov>

 2 attachments (518 KB)

SEC Policy 4.5.2 Draft SEC 6-13-2024 (3).pdf; NOIDP 4.5.2 (3).pdf;

Hi Scott,

This email confirms that I have reviewed the attached policy in accordance with SEC Policy 2.4.7. In my opinion, the SEC has statutory authority for the proposed policy-making action.

Thanks,

Susan



**Susan P. D. Whyte | Assistant Attorney General**  
**Office of the Attorney General**

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**Public Comments and Responses – Proposed Revisions to State Executive Council for Children’s Services  
Policy 4.5.2 Time Frames Regarding CSA Pool Fund Reimbursement**

#	Commenter	Summary of Comments	OCS Response
1	Kenya Youngblood (Chesapeake CSA)	1. Shared that she has worked with the City Attorney's Office to ensure that there is verbiage in each vendor agreement regarding end-of-fiscal-year timelines associated with the submission of purchase orders, invoices, and supporting documentation. This, in combination with the efforts of fiscal staff who communicate regularly with providers regarding outstanding purchase orders, has ensured that all fiscal activities can be completed by the September 30 submission deadline. These procedures are supported by the locality’s policies and procedures.	1. Thank you for your input.

## **POLICY 4.5**

### **FISCAL PROCEDURES**

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#### **4.5.2 Time Frames Regarding CSA Pool Fund Reimbursement**

##### **4.5.2.1 Purpose**

*To provide guidance to local Children's Services Act (CSA) programs regarding the fiscal process related to pool fund reimbursement.*

##### **4.5.2.2 Authority**

- A. [2.2-2648.D.3](#) of the Code of Virginia requires the State Executive Council for Children's Services (SEC) to "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."
- B. Section [2.2-2648.D.19](#) of the Code of Virginia requires the State Executive Council for Children's Services (SEC) to "Establish and oversee the operation of an informal review and negotiation process with the Director of the Office of Children's Services and a formal dispute resolution procedure before the State Executive Council, which include formal notice and an appeals process, should the Director or Council find, upon a formal written finding, that a CPMT failed to comply with any provision of this Act. 'Formal notice' means the Director or Council provides a letter of notification, which communicates the Director's or the Council's finding, explains the effect of the finding, and describes the appeal process to the chief administrative officer of the local government with a copy to the chair of the CPMT. The dispute resolution procedure shall also include provisions for remediation by the CPMT, which shall include a plan of correction recommended by the Council and submitted to the CPMT. If the Council denies reimbursement from the state pool of funds, the Council and the locality shall develop a plan of repayment."

**Adopted:** June 30, 1995

**Effective:** June 30, 1995

**Revised:** 1996, 1997, 1998, 1999, 2000, 2009, 2012, 2024

### 4.5.2.3 Definitions

"Final Year-End Report" means the last request for reimbursement submitted by a locality to the OCS for the previous fiscal year.

"Fiscal Agent" means the individual designated by the locality as responsible for the final approval and submission of CSA financial documents to the Office of Children's Services.<sup>1</sup>

"Fiscal Year" means the period that begins on the first day of July through the last day of June of the succeeding year.

"Good Cause" means a substantial reason or legal justification for failing to appear, act, or respond to an action. The burden of establishing good cause rests on the locality requesting a waiver from the September 30 final year-end report.

- Good cause may include:
  - A state of emergency declared by the President, Governor, or appropriate local authority that results in the closure of local government offices on September 30 or that otherwise limits a locality's ability to submit reimbursement requests before the September 30 deadline.
  - A documented failure of local information technology systems that prevents the submission of reimbursement requests. Such failures occurring before September 30 should be communicated to the Office of Children's Services as soon as practicable upon discovery.
  - A failure of the OCS system of record for submitting reimbursement requests.
  - Instances where provider invoices to localities are delayed pending resolution of appeals of Medicaid denials of payment.
- Good cause does not include:
  - Failure to adopt, implement, and carry out local procedures to reconcile actual CSA reimbursements against expected reimbursements using local general ledgers, Pool Fund Distribution History, and the Pool Transaction History reports on the CSA website ([www.csa.virginia.gov](http://www.csa.virginia.gov)).
  - Failure of the local fiscal agent to approve reimbursements submitted by the local report preparer.
  - Failure to obtain and/or process invoices received from service providers for services provided through June 30 of the previous fiscal year. Fiscal years are divided into four quarters (July 1 - September 30; October 1 – December 31; January 1 – March 30; and April 1 – June 30).

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<sup>1</sup> The OCS information technology systems allow only a single individual to serve as the fiscal agent at any given time. Localities should contact OCS if the currently designated local CSA fiscal agent cannot complete approval of reimbursement requests. OCS will assist the locality in establishing an alternate fiscal agent.

*"Report Preparer" means the individual designated by the locality to process local CSA expenditures such that they may be submitted to the Fiscal Agent for approval and submission to the Office of Children's Services.<sup>2</sup>*

*"Waiver" means an extension of the time frame in which a locality may submit the final year-end report.*

#### **4.5.2.4 Pool Fund Reimbursements**

- A. *The Office of Children's Services will not accept final claims for reimbursements for prior year payments after September 30 of the next fiscal year.*
- B. *Localities may submit requests for reimbursement to the Office of Children's Services monthly but must report at least every quarter. A reimbursement report shall be generated and submitted for each calendar month, even if it indicates no expenditures were made during that month.*
- C. *A locality may request a waiver to the September 30 final year-end report requirement specified in 4.5.2.4.A. by:*
  - 1. *Submitting a written request to the OCS Executive Director before or after the September 30 cutoff date.*
  - 2. *The OCS Executive Director will grant or decline a waiver based on their determination that "good cause" exists.*
  - 3. *If a locality does not agree with the OCS Executive Director's determination of "good cause," they may request an appeal of the decision through the State Executive Council's dispute resolution policy (Policy 3.4).*
- D. *Localities shall adopt and implement procedures to reconcile actual CSA reimbursements against expected reimbursements using local general ledgers and the Pool Fund Distribution History, the Pool Transaction History, and other available reports on the CSA website ([www.csa.virginia.gov](http://www.csa.virginia.gov)).*
- E. *Localities shall adopt procedures to address position vacancies, including temporary unavailability, in the roles of Report Preparer and/or Fiscal Agent that impact the timely submission of the CSA reimbursement requests.*

#### **4.5.2.5 Policy Review**

*This policy will be subject to periodic review by the State Executive Council for Children's Services.*

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<sup>2</sup> Localities should contact OCS if the currently designated local CSA report preparer(s) is/are unable to prepare reimbursement requests. OCS will assist the locality in establishing additional report preparers.

- a) ~~Final claims for reimbursements for prior year payments will not be accepted after the first quarter of the next fiscal year. (Adopted June 30, 1995)~~
- b) ~~With the exception of the final year-end report referenced above, request for reimbursement of local pool expenditures must be submitted no later than thirty (30) days after the close of the quarter in which the expenditure was paid. Localities may continue to report as often as monthly, but must report at least every quarter. A report should be submitted at the end of the quarter even if it indicates no expenditures were made during that quarter. The state fiscal agent will be monitoring local compliance with this requirement and will advise local administrative officials if there is non-compliance. (Adopted June 30, 1995)~~
- c) ~~Effective for the quarter ending September 30, 1995, localities that have not submitted their Quarterly Services Utilization report will have their pool reimbursements held in abeyance until the quarterly report is submitted. A notice will be mailed to the local fiscal agent advising that the reimbursement request is considered incomplete until the past due statistical data is received. The quarterly report will be mailed to the same address as the fiscal reports beginning with the September 30 report due on or before October 15. The CSA Evaluation staff will be sending each locality a revised minimal report format including a submission timetable and at that time will again remind localities of the fiscal impact of not submitting the statistical data. (Adopted June 30, 1995)~~
- d) ~~Effective April 30, 1999 a locality may request a waiver to the September 30 final year-end report requirement, either by written request for an extension to the OCS prior to the September 30 cutoff date, or post September 30, only if local governments demonstrate mitigating circumstance beyond their control. (Adopted April 30, 1999)~~
- e) ~~Expenditures and Refunds are reported according to the following expenditure reporting categories:~~
- ~~● 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)~~
  - ~~● Foster Care — all others in Licensed Residential Congregate Care~~
  - ~~● Residential Congregate Care — CSA Parental Agreements ; DSS Noncustodial Agreements~~
  - ~~● Non-Mandated Services/Residential/Congregate~~
  - ~~● Educational Services — Congregate Care~~
  - ~~● Treatment Foster Care — IV-E~~
  - ~~● Treatment Foster Care~~
  - ~~● Treatment Foster Care — CSA Parental Agreements ; DSS Noncustodial Agreements~~
  - ~~● Specialized Foster Care — IV-E ; Community Based Services~~
  - ~~● Specialized Foster Care~~
  - ~~● Family Foster Care — IV-E ; Community Based Services~~
  - ~~● Family Foster Care Maintenance only~~
  - ~~● Family Foster Care — Children receiving maintenance and basic activities payments; independent living Stipend/Arrangements~~
  - ~~● Community — Based Services~~

**Adopted:** June 30, 1995

**Effective:** June 30, 1995

**Revised:** 1996, 1997, 1998, 1999, 2000, 2009, 2012, 2024

- ~~Community Transition Services — Direct Family Services to Transition from Residential to Community~~
  - ~~Special Education Private Day Placement~~
  - ~~Wraparound services for students with disabilities~~
  - ~~Psychiatric Hospitals/Crisis Stabilization Units~~
  - ~~Non-Mandated Services/Community Based~~
- (Adopted 1994, Revised 1995, 1996, 1997, 1998, 1999, 2000, 2009, 2012)*

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**Adopted:** June 30, 1995

**Effective:** June 30, 1995

**Revised:** 1996, 1997, 1998, 1999, 2000, 2009, 2012, 2024

~~f) Each Pool Fund Reimbursement Request requires certification of compliance with CSA requirements per the following: "The expenditures and refunds reported herein were incurred in accordance with provisions of the CSA, and have not been reported on a previous claim. Documentation is maintained to support the expenditure and refund amounts reported, and to demonstrate that each expenditure and refund was made on behalf of a specific child (or list of specific children) and complies with the CSA Manual, COV and Appropriation Act requirements including utilization management and FAPT criteria." (Adopted 1995, Revised 1999)~~

**Adopted:** June 30, 1995

**Effective:** June 30, 1995

**Revised:** 1996, 1997, 1998, 1999, 2000, 2009, 2012, 2024

**Public Comments and Responses – Proposed Revisions to State Executive Council for Children’s Services  
Policy 4.3 “Carve-Out” of Allocation for Development of New/Expanded Services**

#	Commenter	Public Comments	OCS Response
		No public comment was submitted regarding this policy.	



### ~~4.3 “CARVE-OUT” OF ALLOCATION FOR DEVELOPMENT OF NEW/EXPANDED SERVICES (ADOPTED APRIL 30, 2013)~~

~~In any 12-month period two or more localities may submit a proposal to allocate (‘carve-out’) a portion of their state and local pool fund allocations to defray one-time program start-up costs for new or expanded CSA services which are designed to meet the needs of children and families and to maintain children in their home community. The allocation shall not exceed, per jurisdiction, \$100,000 or 5% of their allocation in the fiscal year of application, whichever is smaller. Not more than \$2,000,000 in state general funds may be used for this purpose.~~

~~Programs for which these funds may be applied must be designed to:~~

- ~~(a) provide CSA services for which a demonstrated need exists in the locality, based on assessment using the Service Gap Survey distributed by the OCS and align with the goals of the Commonwealth; and~~
- ~~(b) become financially self-sustaining beyond the start-up phase. Services designed to be supported through “fee for service” arrangements may be considered financially self-sustaining.~~

~~The proposal for use of funds shall be submitted to and approved by the OCS and will include, but not be limited to:~~

- ~~(a) description of the service,~~
- ~~(b) support for the need,~~
- ~~(c) cost assessment,~~
- ~~(d) evaluation of public/private collaborations,~~
- ~~(e) information related to financial sustainability of the program, and~~
- ~~(f) expected outcomes and mechanism for providing program evaluation.~~

~~All fiscal accountability requirements of CSA shall be applicable to use of funds.~~

~~**Fiscal Impact:** Implementation of this policy has the potential fiscal impact of \$2,000,000. Implementation of the policy shall therefore be dependent upon appropriation of necessary funds.~~

# 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, October 31, 2024

### **Number and Name of Proposed/Revised Policy:**

Policy 4.5.3 – Administrative Funds

### **Basis and Purpose of the Proposed/Revised Policy:**

Section 2.2-2648.D.3 of the *Code of Virginia* requires the SEC to: “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.”

Section 2.2-2648.D.9 of the Code of Virginia also requires the State Executive Council for Children's Services (SEC) to " provide administrative support and fiscal incentives for the establishment and operation of local comprehensive service systems.”

Item 268.C.4. of the Appropriation Act directs that “... Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$2,560,000 the first year and \$2,560,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation.”

The proposed changes to the existing policy 4.5.3 align the policy with a new administrative funding process employed by the Office of Children’s Services that is more streamlined and accessible by localities.

The proposed changes include a step-by-step process for the submission of local administrative plan funding requests, which are required for local CSA programs to access their allocated administrative funding.

**Summary of the Proposed Policy:**

Policy 4.5.3 guides local Children's Services Act (CSA) programs regarding the processes related to accessing administrative funds from the Office of Children's Services (OCS).

**Preliminary Fiscal Impact Analysis:**

There is no anticipated fiscal impact of the revisions to this policy on either the Commonwealth or local governments.

## POLICY 4.5.3

### ADMINISTRATIVE FUNDS (~~ADOPTED 1994~~)

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#### 4.5.3.1 Purpose

To provide guidance to local Children's Services Act (CSA) programs about accessing administrative funds, as detailed in the Appropriation Act, from the Office of Children's Services (OCS).

#### 4.5.3.2 Authority

- A. Section [2.2-2648.D.3](#) of the Code of Virginia requires the State Executive Council to "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."
- B. Section [2.2-2648.D.9](#) of the Code of Virginia requires the State Executive Council to "provide administrative support and fiscal incentives for the establishment and operation of local comprehensive service systems."
- C. [Item 268, Paragraph C.2 of the Appropriation Act](#) states "All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Children's Services Act. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item."
- D. [Item 268, Paragraph C.4 of the Appropriation Act](#) states "...Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$2,560,000 the first year and \$2,560,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation."<sup>1</sup>

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<sup>1</sup> With the allocation of an additional \$500,000 per year for administrative funds in the FY2017-2018 Appropriation Act, the minimum amount for localities increased to \$13,405 (state share) the maximum to \$53,623.

### **4.5.3.3 Definitions**

*“Administrative budget plan” means the annual request for administrative funds submitted through the CSA local government reporting system (LEDRS)*

*“Administrative funds” mean funds appropriated by the General Assembly to support a locality’s non-direct services cost of implementing the Children’s Services Act (CSA). The Appropriation Act specifies the administrative funds available from the state general fund, defines the minimum and maximum amounts received by localities, and requires local matching funds.*

*“Fiscal Agent” means the individual designated by the locality as responsible for the final approval and submission of CSA financial documents to the Office of Children’s Services.*

*“Local Expenditure and Data Reimbursement System (LEDRS)” means the electronic system for integrated, required reporting for state CSA reimbursement and data collection by local governments.*

### **4.5.3.4 Administrative Funds**

To receive administrative funds, each locality ~~is required to~~ *must* appropriate a local match based on the match rate used in the pool formula. *Each locality shall receive a minimum of \$13,405 in state allocation. every locality shall receive the larger of \$12,500 or an amount equal to two percent of the fiscal year 1994 pool allocations. No locality shall receive more than \$50,000 inclusive of the state allocation and local match.*<sup>2</sup>

### **4.5.3.5 Administrative Budget Plan Funding Process**

~~Each year, the Community Policy and Management Team must submit to the State Fiscal Agent budget plans for using administrative funds (state and local combined).~~

~~Upon receipt of the Administrative Funds Budget Plan,~~ *After August 1<sup>st</sup> of each fiscal year, the State Fiscal Agent will process a single payment to the fiscal agent of the Community Policy and Management Team for the state’s share of the administrative allocation. The local government should use the following process to submit the administrative plan to the state fiscal agent by no later than June 15th of the fiscal year to ensure payment.*

- 1. On or about August 1, the Office of Children’s Services will send the local CSA Fiscal Agent an electronic communication stating that their annual Administrative Funds are now available for the fiscal year.*

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<sup>2</sup>

2. *Upon receipt of this email, the fiscal agent will:*
  - a. *Log into the Local Government Reporting portal on the CSA website ([www.csa.virginia.gov](http://www.csa.virginia.gov)).*
  - b. *Click on the “Fiscal Agent Module” button.*
  - c. *Click the “Approve & Submit” button under the OCS admin plan section.*
  - d. *Review the information and click the “Acknowledgment” check box. The Acknowledgement indicates that the Fiscal Agent certifies that these funds will be utilized for allowable personnel, non-personnel, and equipment costs for the operation of the local CSA program and that the locality will provide matching funds,*
  - e. *Click the “Approve & Submit” button.*
3. *Once these steps are complete, the administrative funds will be processed for payment via electronic fund transfer by the CSA Fiscal Agent, the Virginia Department of Education.*
4. *Payments for the current fiscal year will be initiated in October.*

~~If, during the course of the year, the Community Policy and Management Team elects to use its administrative funds in a manner other than proposed in the Budget Plan, it may do so without amending the plan, provided the funds are expended for administrative and coordinating expenses or direct services to eligible youth and families. The decision on specific use of administrative funds rests with the Community Policy and Management Team.~~

~~The local fiscal agent must account for CSA administrative expenditures such that they are clearly identifiable as CSA administrative expenditures.~~

#### **4.5.3.6 Policy Review**

*This policy will be subject to periodic review by the State Executive Council for Children’s Services.*

# 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, October 31, 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 268.5.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.



#### **~~4.4.2 Medicaid Funded Services~~**

~~“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. 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.”~~

~~*Statutory Authority: 2011 Appropriation Act, Chapter 890, Item 274 E.*~~

## 2024 – 2025 SEC Strategic Plan – Status as of 9/1/2024

### 1. Policy and Oversight

#### 1.1 **With input from the SLAT and other stakeholders, the SEC will complete a comprehensive review of the current CSA Policy Manual to allow for improved uniformity, flexibility, and alignment (internally and across partners).**

- 1.1.1 The SEC will systematically review the existing policy manual to ensure policies are uniform in format and aligned internally and with the policies and practices of CSA agency partners. (Policy Review/Update)
- Ongoing (Kristi Schabo)
- 1.1.2 The SEC will review current practices to ensure alignment with relevant policies. (Review Practice for Alignment)
- Ongoing (Kristi Schabo)

#### 1.2 **The SEC will establish a process for soliciting/generating ideas for new/ revised CSA policies and practices to enhance program effectiveness and efficiency.**

- 1.2.1 The SEC will work with stakeholders, including the SLAT, CSA Coordinator Network-Policy Committee, VACO, and VML, to develop a process for promoting policy revisions to enhance local CSA programs. (Policy Revision Process)
- TBD (Kristi Schabo, CSA Coordinators Policy Committee, VACo, VML)

#### 1.3. **The SEC will provide oversight of local CSA programs through the receipt of regular reports on local CSA program audits and technical assistance activities, highlighting both problematic (specific localities and activities) and positive aspects (areas of excellence and innovation).**

- 1.3.1 The SEC will receive electronic notification of the publication of audits and review quarterly and annual audit summary reports prepared by the Office of Children's Services and recommend actions as appropriate. (Audit Reporting)
- Ongoing – 1<sup>st</sup> Written Report - June 2024
- 1.3.2. The SEC will receive quarterly updates on technical assistance activities. (ETA Reporting)
- Ongoing – 1<sup>st</sup> Written Report - June 2024
- 1.3.3. The SEC will develop a process to acknowledge areas of local excellence and best practices. (Acknowledge Local Excellence)
- TBD

### 2. Leadership and Collective Action

#### 2.1 **The SEC, SLAT, and member entities will enhance the availability of and access to services for youth and families by supporting and championing statewide, cross-agency initiatives.**

- 2.1.1. The SEC and SLAT will support enhanced community capacity by supporting outcome-driven practices in localities. (Support outcome-driven practice through OCS / SLAT)
- Evidence-Based Program Bench Card completed
- 2.1.2. With the SLAT and OCS, the SEC will develop resources/tools to assist localities in implementing outcome-driven practices and decision-making. (Resources to assist localities through OCS / SLAT)
- Model Strategic Plan Template. (SLAT workgroup to convene week of September 12, 2024)
- 2.1.3. The SEC will receive updates from lead agencies to determine the most appropriate supportive actions from the SEC, the SLAT, and OCS. (Agency updates)
- Right Help, Right Now and Safe and Sound – June 2024

- 2.1.4. The SEC will receive annual updates on service needs assessments completed by participating agencies. (Service Needs updates)
  - 2025 Service Gap Survey – Spring 2025
  - DBHDS Substance Use Disorder Needs Assessment - TBD
- 2.1.5. The SEC and SLAT members should educate their respective agencies, highlighting policy issues and best practices. (Members educate their agencies/constituents)
  - Ongoing

### **3. Empowering Families and Communities**

#### **3.1 The SEC will support family engagement and a child-centered, family-focused, trauma-informed, and community-based system of care through:**

- **Training and coaching by OCS and SEC member agencies on youth and family engagement for local CSA teams and other system partners.**
- **Continuing OCS' role as a key training partner for evidence-based and outcomes-driven practices.**

- 3.1.1. The SEC, in collaboration with the SLAT, OCS, and other stakeholders, will develop tools for youth and families, such as a family guide brochure, model intake form, and family experience video, to build understanding about access to needed services.
  - Family Video – Complete Spring 2024
  - Family Guide Brochure – Complete June 2024
  - Model Intake Form – SLAT workgroup to convene week of September 23, 2024

#### **3.2 In collaboration with the SLAT and other partners, the SEC will work to increase parent participation at the state and local levels.**

- 3.2.1. The SEC and SLAT will explore the barriers and challenges to eliciting parent representation at the state and local levels and brainstorm ways to overcome these barriers. (Explore barriers)
  - TBD
- 3.2.2. In collaboration with the SLAT and OCS, the SEC will support parent representative empowerment by developing focused training opportunities for parent representatives on the CPMT and FAPT.
  - Complementary registrations provided for the 2024 Annual CSA Conference
  - Explore training opportunities with the Virginia Family Network (Anna Antell)
- 3.2.3. The SEC, in collaboration with the SLAT, OCS, and other stakeholders, will survey local CSA programs to determine how they evaluate family perceptions of and satisfaction with the CSA process.
  - Local survey complete and findings presented to the SLAT and SEC (9/2024)
- 3.2.4. The SEC, in collaboration with the SLAT, OCS, and other stakeholders, will develop and disseminate a model “Youth and Family Engagement Survey” and recommend practices for gathering youth and family input from local CSA programs.
  - Extract and distribute from the existing utilization review form (Anna Antell)
  - Recommend best practices for gathering input