

**STATE EXECUTIVE COUNCIL (SEC)
FOR CHILDREN'S SERVICES
1604 Santa Rosa Road
Richmond/Henrico Rooms
Richmond, VA
Thursday, December 8, 2022**

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 Danny Avula, M.D., Commissioner, Virginia Department of Social Services
The Honorable Carrie Coyner, Member, Virginia House of Delegates
The Honorable Christopher Faraldi, Member, Lynchburg City Council (*virtually*)
Adrienne Fegans for Cheryl Roberts, Director, Department of Medical Assistance Services
The Honorable Margaret Angela Franklin, Member, Prince William County Board of
Supervisors
Colin Greene, M.D., Commissioner, Virginia Department of Health
The Honorable Willie Greene, Mayor, City of Galax
Natalie Handy, CEO, Intercept Health
Ellen Harrison for Nelson Smith, Commissioner, Virginia Department of Behavioral Health and
Developmental Services
Dale Holden for Amy Floriano, Director, Department of Juvenile Justice
Samantha Hollins, Ph.D. for Jillian Balow, Superintendent of Public Instruction, Virginia Department
of Education
Michelle Johnson, County Administrator, Charles City County
Sandra Karison for Karl Hade, Executive Secretary of the Supreme Court of Virginia
The Honorable Chad Logan, Judge in the 26th Judicial District, Juvenile and Domestic Relations
District Court
The Honorable T. Montgomery "Monty" Mason, Member, Senate of Virginia
The Honorable Dalia Palchik, Member, Fairfax County Board of Supervisors
Anahita Renner, Parent Representative
Ron Spears, CEO, Elk Hill
Rebecca Vinroot, Chair, State and Local Advisory Team (SLAT)

Other Staff Present:

Stephanie Bacote, Program Audit Manager, OCS
Mary Bell, Program Consultant, OCS
Annette Larkin, Program Auditor, OCS
Marsha Mucha, Administrative Staff Assistant, OCS
Scott Reiner, Executive Director, OCS
Kristi Schabo, Senior Policy and Planning Specialist, OCS
Courtney Sexton, Program Consultant, OCS
A.J. Stepter, Program Auditor, OCS
Susan Whyte, Assistant Attorney General

Call to Order/Opening Remarks

Leah Mills, Deputy Secretary of Health and Human Resources, called the meeting to order at 9:40 a.m. She welcomed everyone on behalf of Secretary Littel who was not able to attend today's meeting but would be sharing a greeting and brief comments with the membership shortly.

A motion was made by Monty Mason, seconded by Sandra Karison, and carried to approve a request made by Councilman Faraldi (work) pursuant to §2.2-3708.2 and SEC Policy 2.1.3 to participate virtually from his office.

New members (Christopher Faraldi, Natalie Handy, Chad Logan and Anahita Renner) were welcomed to the SEC and introductions were made.

Secretary Littel connected virtually to the meeting and thanked members for the critical work the SEC does to support children and families in Virginia. He noted that there is a lot of work to do to address learning loss and the emotional/social skills lost to children as a result of the pandemic.

Approval of Minutes

The minutes of the September 8, 2022, meeting were approved on a motion by Dalia Palchik, seconded by Ellen Harrison, and carried. (*Christopher Faraldi abstained.*)

Public Comment

There were no public comments.

State and Local Advisory Team (SLAT) Report

Rebecca Vinroot, SLAT Chair, provided the update. She reported that SLAT last met on November 10, 2022. Mrs. Vinroot provided background information on SLAT's role and responsibilities as they relate to the SEC.

She reported that, at their November meeting, SLAT received and discussed the report prepared by Anna Antell, OCS Lead Program Consultant, on the *Recruitment and Retention of Parent Representatives on Community Policy and Management Teams and Family Assessment and Planning Teams and Best Practices for Elevating Parent Voices*. SLAT will continue discussions on ways to recruit and train parent representatives, as well as the use of CSA administrative funds to provide stipends to parent representatives.

SLAT also developed a guidance document for distribution to local CSA offices on the *Characteristics of a High-Functioning Family Assessment and Planning Team (FAPT)*. That document has been distributed by OCS. SLAT is also interested in reviewing the recommendations from the DOE/CSA workgroup on the transfer of special education funding from CSA to DOE.

SLAT's next meeting is scheduled for February 2, 2023.

SEC Policy Manual “Clean Up” Discussion

Mr. Reiner provided background information noting that, other than the Code of Virginia, the SEC policies are the only other binding guidance for the administration of CSA. He also explained that CSA is not under the purview of the Administrative Process Act but that CSA does have a process in place for public participation in the policy-making process.

Mr. Reiner reported that, in an effort to enhance uniformity and achieve regulatory reduction, OCS is proposing a comprehensive review of the CSA Policy Manual. The purpose of the review would be two-fold:

- To employ a uniform format throughout the policy manual
- To eliminate policies that only restate existing statutes from the Code.

OCS Senior Policy and Planning Specialist, Kristi Schabo would lead the project and work in conjunction with the Office of the Attorney General on the review.

During discussion, several suggestions were made (i.e., including statutes rather than hyperlinks in the actual policies and including a summary table with statutes/relevant policies). After additional discussion, it was decided to refer the project to SLAT for additional input. This item will be included on the SLAT agenda for their February 2023 meeting.

OCS Executive Director’s Report

Mr. Reiner reported on the following items:

- *Summary of FY2022 CSA utilization and expenditures* - Members received a copy of the summary report. For the fiscal year ending June 30, 2022, final expenditures were due from localities by September 30, 2022. Mr. Reiner noted that there was a slight drop in the number of children served in FY2022. CSA expenditures have been flat for the past three fiscal years, including expenditures for private day special education. After reviewing the summary report, Senator Mason asked Mr. Reiner to provide him with the final annual cost per child per service type for FY22.
- *Reports to the General Assembly* – Members received copies of five (5) reports that are due annually to the General Assembly. Mr. Reiner reported that, as required, these reports have been filed.

While briefly reviewing the reports, a lengthy discussion was held on the *Impact of Tiered Match Rates for CSA* report. Mr. Reiner reported that the intent of the tiered match rates, when first implemented, was to encourage reduced utilization of residential care and increase the number of children served in community-based settings.

Several members suggested that perhaps now is the time to review the current match rates. Members focused their discussion on service density and service needs by possibly developing a services density metric to identify where and what services are lacking. It was noted that this would be a huge undertaking that OCS could not accomplish alone. Members also suggested augmenting the Service Gap Survey and the data collected from localities through that report.

As a result of today's discussion and the issues and questions raised, this topic will be placed on the SEC agenda for the March 2023 meeting. This topic will also be included for further discussion at SLAT's February 2023 meeting.

- *DOE/CSA Workgroup on funding for private special education day schools and residential facilities* – Recommendations have just been released by the Secretaries of Education and Health and Human Resources concerning the transfer of funds for these services from CSA to DOE. The workgroup does not recommend a transfer at this time; however, work to improve oversight and quality of special education and support services is continuing. Members received copies of the report containing all recommendations.
- *Rate-Setting for Private Day Special Education and Fiscal Impact Analysis* – Mr. Reiner provided background information on the language from the 2019 Appropriation Act, and the two rate-setting studies and methodology developed by the Public Consulting Group through a contract with OCS.

Other activities related to rate setting have included virtual focus groups with providers and training and guidelines on the model/tiered rate structure. During its last session, the General Assembly delayed the implementation of rate setting to July 1, 2023. During the 2022-2023 school year, OCS has been conducting a fiscal impact analysis using the new tiered rate structure model. Over the next few weeks, data should be available to report on the proposed fiscal impact if rate setting is implemented.

Absence further direction from the General Assembly, implementation of the model/tiered rate structure will begin July 1, 2023.

- *Follow up on intervention related to audit findings* – Mr. Reiner updated members on OCS's actions regarding a locality's audit findings as discussed with the SEC at their September 2022 meeting. He reported that he had met with representatives of the locality. During the meeting, representatives of the locality and OCS had come to an agreement that, if the locality met certain goals within the next 90 days, there would be no suspension of CSA funding to the locality. So far, the locality has not met those goals.
- *Program Enhancement Plans developed through intensive technical assistance* – As required by the Code, members received copies of the December 2022 Enhanced Technical Assistance Report providing an update on activities. Members also received a copy of the detailed Program Enhancement Plan for Sussex County.

Mr. Reiner noted that seven additional localities have requested intensive technical assistance.

Closing Remarks and Adjournment

Due to time constraints, member updates were not shared. Due to the time necessary for discussion of agenda items, meeting times for 2023 will be extended and lunch will be provided.

There being no further business, the meeting adjourned at 12:05 p.m. The next meeting is scheduled for March 9, 2023.