

**STATE EXECUTIVE COUNCIL (SEC)  
FOR CHILDREN'S SERVICES  
5600 Cox Road  
James River/York River Rooms  
Glen Allen, VA 23060**

**Thursday, March 14, 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 Danny Avula, M.D., 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  
The Honorable Christopher Faraldi, Member, Lynchburg City Council  
The Honorable Margaret Angela Franklin, Prince William County Board of Supervisors (*virtually*)  
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  
Michelle Johnson, County Administrator, Charles City County  
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 (*virtually*)  
Anahita Renner, Parent Representative  
Nancy Robbins, Parent Representative  
Melvin Roy, Founder and CEO of Foster-U, Service Recipient Representative  
Ron Spears, CEO, Elk Hill, Private Provider Representative

**Other Staff Present:**

Mary Bell, Program Consultant, OCS  
Marsha Mucha, Administrative Staff Assistant, OCS  
Scott Reiner, Executive Director, OCS  
Kristi Schabo, Senior Policy and Planning Specialist, OCS  
Susan Whyte, Assistant Attorney General

**Members Absent:**

Bob Hicks for Karen Shelton, MD, Commissioner, Virginia Department of Health

### **Call to Order/Opening Remarks and Member Introductions**

Leah Mills, Deputy Secretary of Health and Human Resources, called the meeting to order at 9:35 a.m. She welcomed everyone on behalf of Secretary Littel. Introductions were made. Mrs. Mills noted that the Virginia General Assembly had just completed its 60-day session. The reconvened session is scheduled for April 17, 2024. Of particular importance to the Health and Human Resources Secretariat was the passage of kinship care legislation.

On a motion by Michelle Johnson, seconded by Natalie Handy, the SEC approved a request by Supervisor Palchik pursuant to §2.2.-3708.2 and SEC Policy 2.1.3 to participate virtually due to a family medical need.

On a motion by Jeff Lunardi, seconded by Kathryn Hayfield, the SEC approved a request by Supervisor Franklin pursuant to §2.2-3708.2 and SEC Policy 2.1.3 to participate virtually due to a work event.

### **Public Comment**

The following individual made public comment:

- Anna Gibson, Social Work interim at Piedmont Regional Education Program (*virtually*)

### **Approval of Minutes**

On a motion by Beth Coyne, seconded by Jeff Lunardi, the SEC approved the December 14, 2023 meeting minutes.

### **SEC Policy Review**

Kristi Schabo, OCS Senior Policy and Planning Specialist provided an update. Ms. Schabo reported that, at the SEC's December 14, 2023 meeting, the SEC approved the following three (3) revised draft policies for a 60-day public comment period:

- Policy 2.4 – Public Participation in Policy-Making Actions
- Policy 3.4 – Dispute Resolution Process
- Policy 4.2 – Payment for Services and Change of Legal Residence

The public comment period for all three revised draft policies ended on February 16, 2024 with no comments received on any of the revised draft policies. The revised draft policies were also reviewed by the Office of the Attorney General for legal authority and by the Virginia Association of Counties (VACO) and the Virginia Municipal League (VML) for input on fiscal impact to localities. No fiscal impact was noted on any of the three policies.

After further discussion, the revised draft policies were approved for adoption by the SEC as follows:

- Policy 2.4 – Public Participation in Policy-Making Actions, on a motion by Christopher Faraldi and seconded by Natalie Handy.
- Policy 3.4 – Dispute Resolution Process, on a motion by Christopher Faraldi and seconded by Melvin Roy.
- Policy 4.2 – Payment for Services and Change of Legal Residence, on a motion by Christopher Faraldi and seconded by Anahita Renner. Implementation of the revised policy will be delayed until July 1, 2024. A guidance document will be developed to accompany the policy and all stakeholders will be notified in advance of the implementation date.

Ms. Schabo also presented a Notice of Intent to Develop/Revise Policy for Policy 4.5.2 –Time Frames Regarding CSA Pool Fund Reimbursement. She provided background on the issue raised by the locality funding reimbursement appeals/waiver requests brought before the SEC at their December 14, 2023 meeting. Under current policy, the OCS Executive Director does not have the authority to make decisions in these instances.

The revised draft policy includes modifications to existing content that designate timeframes for final claims for reimbursement, the process for requesting final reimbursement submission waivers, and would allow the OCS Executive Director to grant or decline waiver requests.

The revised draft policy would also require localities to develop procedures related to regular reconciliation of local expenditures and pool fund distribution and the temporary unavailability of report preparers and/or fiscal agents.

Members discussed the revised draft policy, with a particular focus on D and E of 4.5.2.4. On a motion by Delegate Coyner, seconded by Nancy Robbins, the SEC approved the Notice of Intent to Develop/Revise Policy for Policy 4.5.2 for a 45-day public comment period. Christopher Faraldi voted no.

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

Mrs. Mills reported that the SEC received a request from the Commission on Youth (COY) to provide clarification on policies related to the limits of confidentiality during FAPT and CPMT meetings. Mr. Reiner provided background information on HB 2018 (Adams) from the 2023 General Assembly Session that would have allowed FAPTs and CPMTs to share information with local law enforcement or threat assessment teams established by local school boards if a FAPT or CPMT obtained information from which the team determined that a child posed a threat of violence or fiscal harm to himself or others. The legislation did not pass.

In the fall of 2023, Delegate Adams requested that the COY provide input on the bill and the underlying issues. The COY is requesting that the SEC provide clarification on policies related to the limits of confidentiality during FAPT and CPMT meetings and, in particular, clarification to determine specifically what is meant by “except as permitted by law” and what can be shared with local law enforcement or threat assessment teams as noted above.

Members discussed how to best respond to COY’s request. The SEC decided that more information is needed. Members would like to review current FAPT and CPMT confidentiality policies and additional information, such as statutes and other relevant policies. The SEC will review the additional information collected at its June 13, 2024 meeting.

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

Mills Jones, Acting SLAT Chair, provided the report. SLAT last met on February 1, 2024 and discussed the SEC’s Strategic Plan and how SLAT might assist the SEC in meeting the goals and metrics in the Plan.

At that meeting, a suggestion was made to add a young adult representative to SLAT to mirror the SEC's representative, perhaps exploring a collaboration with Virginia's Youth Advisory Council (VDH).

If SEC members have feedback and suggestions as to how SLAT might assist the SEC with implementing the SEC's Strategic Plan, please send that information to Mr. Jones or Mr. Reiner. The next SLAT meeting is May 2, 2024.

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

Mr. Reiner reported on the following items:

- General Assembly Session – There were no statutory changes for CSA. 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.
- CHINS/CSA Parental Agreement Workgroup – The workgroup has met three times with a wide representation of stakeholders participating. One more meeting is scheduled. The workgroup had developed a draft revision of policy 4.1.1. A new CHINS document will replace the current CHINS checklist. The workgroup has also drafted a revised model parental agreement and draft practice guidelines. The meetings are open to the public. The revised draft policy and other documents will be available for SEC review at the June SEC meeting.
- CSA Data and Outcomes (COI) Dashboard – Members received a document noting several changes to the Dashboard. Total average length of stay data, as well as additional information, have been added, as has an updated display for CANS outcomes.
- Time-to-Service Study – Members received a copy of the Time-to-Service Study. The study was conducted as a result of recommendations from the 2020 Report on CSA by the Joint Legislative Audit and Review Commission (JLARC). Individual CSA offices received a survey and data collection tool in order to determine the length of time from referral to CSA to service delivery (71 of 131 localities participated). Data was collected over a two-month period.

### **Member Remarks/Updates**

Members reported for their agencies and organizations on their legislative activities, projects, new programs, and other ongoing activities.

- Several members reported on their attendance at the CSA Conference in Roanoke. Members reported on how much they enjoyed the breakout sessions, how much they learned, and that the overall conference was excellent. They encouraged all members to make plans to attend this year's conference.
- Judge Logan and Mr. Reiner will be presenting at the upcoming Juvenile and Domestic Relations District Court Judges Conference, April 30 – May 1, 2024 in Newport News.
- VAISEF will hold their 2024 Spring Conference in Virginia Beach April 24, - April 26, 2024.

### **Closing Remarks and Adjournment**

There being no further business, the meeting adjourned at 12:35 p.m. The next meeting is scheduled for June 13, 2024, at 1604 Santa Rosa Rd.