

## Minutes

### Commonwealth of Virginia State Board of Social Services

December 12-13, 2012

Henrico Training Center  
7701 E. Parham Road  
Richmond, VA 23294

Wednesday, December 12, 2012  
9:00 a.m.

**Attending:** Mr. Robert Spadaccini, Sr. (Chair), Mr. Willie Greene (Vice Chair), Ms. Trudy Brisendine, Mr. Thomas Atwood, Ms. Deborah White, Dr. Bela Sood, Ms. Heidi Metcalf-Little, Mr. Ray Johnson, Mr. Allen Wilson, Mr. William Henderson

**Absent:** Dr. Jack Knapp

#### **Meeting called to order at 9:00 a.m. - Mr. Spadaccini, Chair**

Mr. Spadaccini introduced new Board member Deborah White and welcomed Board members. Ms. Treina Owen was also introduced as the new Board liaison. Members of the board gave their individual introductions and background information as requested by the Chair.

#### **Welcome and Introductions –**

##### **Ms. Jane Crawley, Henrico Deputy County Manager**

Ms. Crawley welcomed the Board and provided a brief overview of her background, a description of the county of Henrico, and distributed a Henrico county coaster to Board members.

#### **Review of Agenda – Ms. Karin Clark, Regulatory Coordinator**

Ms. Karin Clark provided an overview of the meeting agenda for the day, which included brief descriptions of the upcoming presentations. Mr. Spadaccini noted that letters of assurance were not available for action items 4-6 and suggested that they be removed from the agenda by consensus. Mr. Wilson discussed why actions items 4-6 were unable to be presented: Action item 4 is a periodic review for which the agency initially recommended retaining with no change. Mr. Wilson identified the need for an amendment and is continuing to review. Action 5 is a fast track, for which the agency recommended repeal as part of the Governor's regulatory reform initiative. Mr. Wilson noted that the regulation must be retained, and requires amendments. Action 6 is the proposed Assisted Living Facility regulation and Mr. Wilson identified necessary edits during his review. He noted that it is a large document and resources were unavailable to devote time to his review due to another project. Board agreed to remove items by consensus.

## **INFORMATION ITEMS**

#### **Comments from Commissioner of Social Service – Mr. Martin Brown**

Deputy Commissioner Paul McWhinney presented comments on behalf of the Commissioner, who was attending a meeting in Oklahoma. Mr. McWhinney discussed a statistical chart. Statistics displayed adoption cases have increased. The decrease in family services' numbers was reviewed. Ms. Brisendine commended Mr. McWhinney on the achievement of reducing the social services programs' numbers. Mr. McWhinney commented on research showing that there was a five-year plan put into place for permanency for older children in foster care. The benchmark chart will be sent to Board members. Mr. McWhinney also discussed efforts to address child fatalities, including the use of SDM (standard decision making).

In his review of the agency organizational chart, Mr. McWhinney noted that with the retirement of Mr. Nathaniel Young, Mr. Craig Burshem will be the new Deputy Commissioner/Director of Division of Child Support

Enforcement. A brief bio of Mr. Burslem was read. He also indicated that the position of Division of Family Services director is currently vacant, with the resignation of Jack Leddon.

Mr. McWhinney noted there is a heavy focus on subsidy in regards to early childhood. Currently, they are working with a new system of early childhood protective factors and for strengthening families. Faith-based organizations are going to be asked to help with focusing on these initiatives. Families that are falling apart would benefit from the strengthening families initiatives. Mr. Atwood noted that it is good to have a holistic focus on strengthening families, as opposed to a piece-meal approach. Mr. Spadaccini asked about regulations related to strengthening families. Deputy Commissioner Margaret Schultze stated there are no specific regulations. Protective factors of parenting and best practices will be embedded into state plans and policies already in place so they will be reimbursable by the federal government. Mr. McWhinney added that family strengthening is being considered as the proposed child day center regulation is being developed. Mr. Spadaccini stated that this will be discussed at the retreat on December 13, 2012, as something the Board wants to look at over the next year.

Mr. McWhinney will be working with local directors on a regular basis and indicated that Ms. Dottie Wells would be giving an update on the Enterprise Delivery System Program (EDSP). There were lessons learned from implementing the customer portal including that dedicated staff are needed in preparation of health care reform. He introduced David Eggbert, the new Chief Technology Officer. Mr. Eggbert will be overseeing the agency's systems modernization effort.

Mr. Greene asked about standard turnover in agency staff. Mr. McWhinney addressed the vacancies on the organization chart provided to the Board. Mr. Spadaccini inquired if the agency has a succession plan in place and would like confirmation if the agency is doing so. Ms. Donna Douglas commented that in the Spring there will be a strategic planning event with succession planning included. Human Resources is currently collecting data about the current workforce. The current strategic plan, budget, and definition of the plan is available for public view on the Department of Planning and Budget website, as Virginia Performs. Plans have been discussed to create a new system to visit and update the strategic plan yearly. The goal is to have a repeatable, sustainable process to be revisited annually. Mr. Spadaccini inquired about a Board liaison for strategic planning and if there is an opportunity for the Board to participate, please let him know.

**Enterprise Delivery System Program - Ms. Dottie Wells, Director, Enterprise Delivery System Program Office, Ms. Deborah Vaughan, Business Program Director, and Mr. Kevin Platea, Technical Program Director**

Ms. Dottie Wells provided a brief bio and presented information regarding EDSP. With regards to succession planning, she stated that Ms. Deborah Vaughan and Mr. Kevin Platea are examples of the successors she has in place. The EDSP, as described in Ms. Wells' presentation, is a joint business and IT effort focused on modernization opportunities, improving information sharing, and increasing efficiency and effectiveness across the Virginia Social Services System (VSSS).

Mr. Spadaccini commented on using a master customer identification number in place of the various customer identification numbers that are currently assigned to customers with various services in the VSSS. Ms. Wells stated that the systems (ADAPT, APEX, etc.) issue customer identification numbers automatically. The goal is to have one master customer identification number generator across the board.

Mr. Platea provided a brief bio and information regarding technology and automation. He also provided information regarding CommonHelp, partnering with VITA and methods of applying for assistance using a mobile device and library and home internet services. Mr. Spadaccini commented on the use of technology increasing and inquired if measures have been made for workload on the employees. There are alerts to remind employees they have work in their inbox. Ms. Little inquired if there were any statistics on applying for services using a Smartphone and internet services vs. applying at a local office. Mr. Platea commented that there are no statistics from a Smartphone or iPhone. There is a way to spot check to cross reference if one person applies for various benefits. It matches on first name, last name, address and date of birth, and the various systems are checked. There are checks and balances for matching criteria; workers are then engaged to ensure customer authentication. CommonHelp has links and videos, Virginia 211 is also available for referrals, if customers need assistance. The screening tool informs the customer if they are eligible for other

services. Statistics show that numbers have increased based on soft-launching without a public announcement. As of December 6, 2012, 40,000 applications have been completed online. Information regarding those that applied online was taken from the business intelligence center, which will be discussed in a future presentation.

Ms. Deborah Vaughan provided a brief bio and information regarding three future projects to support Patient Protection and Affordable Care Act (PPACA), the Modified Adjust Gross Income (MAGI) project, Program Migration project, and the Conversion project. Ms. Vaughan commented this will help in error rates and timeliness because it will be immediate enrollment and cross checking across the board. The following are implementation dates for the three future projects:

- MAGI Project: Implementation date: October 2013
- Program Migration Project: Implementation date: December 2015
- Conversion Project: Implementation start: April 2014

### **Regulation of Assisted Living Facilities – Mr. Allen Wilson, Sr. Assistant Attorney General**

Board asked Mr. Wilson to clarify their responsibility related to regulation of adult facilities, in comparison to regulation by other agencies. He provided a definition of an assisted living facility, which includes two levels: residential and assisted living. Residential is for adults needing minimal assistance with activities of daily living (ADL), while assisted living is for adults requiring moderate assistance with ADL. Auxiliary Grant is a public assistance program that is a monetary supplement to Social Security Disability, for which the General Assembly sets the amount by the Appropriation Act. The State Board of Social Services doesn't have authority over the Auxiliary Grant rate. There is a Auxiliary Grant proposed increase of \$11 per month and \$1 for monthly personal allowance.

### **Resolution for Nathaniel Young**

A resolution was read by Ms. Brisendine for Mr. Young. Mr. Young, who recently retired, was commended for his service. Mr. Young provided comments. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Dr. Sood). Motion approved with all in favor.

### **PUBLIC COMMENT PERIOD**

Mr. Dominique Pervall, Virginia Adult Care. He feels adult care facilities are underpaid and will be asking for reconsideration on the General Assembly's current classification as an assisted living facility. Mr. Pervall stated that the adult care facilities are operating outside of their scope of work, that facilities such as his are "social" facilities, as opposed to "medical." Mr. Spadaccini indicated he has heard the concerns and that he and the Board previously sent a letter to the General Assembly in support of raising the Auxiliary Grant rate. He also noted that the Board has no control on the classification of Mr. Pervall's facility.

Mr. Shawn Rozier, Henrico County Department of Social Services. Mr. Rozier stated his concerns on APS regulations. He would like to ask if the Board for some flexibility for local departments to make decisions regarding services to adults, without formal acknowledgement of the perpetrator. Adults have the right of self determination in civil situations, not criminal.

Comment from local boards and directors of community action agencies – None.

Comment from VA League of Social Services Executives - Mr. Carl Ayers, President  
Provided an explanation of the organization and what occurs in local agencies. He discussed acceptable levels of risk of putting children back in the community and relayed his concern about budget cuts as of January 2013.

Comment from the Virginia Community Action Partnership - Mr. Jim Schuyler  
Thirty-one non-profit, private, and public community action agencies receive federal funding through VDSS. Mr. Schuyler was recently asked to participate in a panel for the Governor's housing project in Roanoke for community development. Mr. Schuyler discussed the Responsible Rides program and sustainability. Six agencies went to training on advanced measurable outcomes and how to measure work that is done. The six

community action agencies that participated in the George Mason University Center for Social Entrepreneurship workshop on measurable outcomes were:

- Arlington Department of Community Planning, Housing and Development
- Lynchburg Community Action Group
- People Incorporated of Virginia
- Quin Rivers
- The STOP Organization of Hampton Roads
- Virginia Community Action Re-Entry System (Virginia CARES)

Performance standards are to be developed and implemented July 2013 target.

Community action agencies provide free tax preparation as grant recipients from the Intuit foundation and wishes to reach out to those that aren't knowledgeable of their qualifications of free tax preparation. Mr. Schuyler will send out the presentation for changes of faces of poverty to the Board members. Mr. Spadaccini said the board looks forward to getting out to the local agencies and will make it a policy to recognize the local agencies that are visited.

### **Resolution for Henrico County Department of Social Services**

The Henrico county resolution was read by Ms. Metcalf Little. **ON MOTION DUALY MADE** (Ms. Johnson), seconded (Ms. Brisendine). Motion approved with all in favor.

### **Human Services in Henrico- Ms. Jane Crawley**

Ms. Crawley provided a brief bio, description of her responsibilities and how she is working with various departments and community partners on strengthening families. Ms. Crawley also discussed an issue dealing with crimes committed by residents of Virginia group homes in Henrico County, with placements being made from outside of Virginia. Ms. Crawley stated that VDSS should have input on whether those placed into the group homes are a good fit, based on their backgrounds and needs. She believes that the Division of Licensing and the Interstate Compact Unit should be communicating more effectively. Ms. Crawley sent a letter to Commissioner Brown, expressing the concern. Mr. McWhinney indicated a review of the interstate compact process would be done. Ms. Crawley requested that the Board amend regulations that govern accepting children into group homes from out of state into Virginia group homes. Mr. Wilson stated there may be a way to address the matter from regulatory standpoint and it could be addressed at a later date. Mr. Henderson suggested a classification system of placing children into group homes, dependent upon their pending or past criminal charges. Ms. Brisendine posed a question about juvenile justice's responsibility to approve where the child is placed, while Dr. Sood suggested that mental health should be involved and provide mental evaluations. Mr. Spadaccini closed the discussion, asking that any applicable regulations be brought before the Board, once Commissioner Brown receives the letter from Ms. Crawley and the agency has discussed with Mr. Wilson. This topic will be deferred to a later meeting date.

### **Highlights from Henrico DSS – Ms. Cynthia Steinhauser, Director of Henrico County Department of Social Services**

Ms. Steinhauser welcomed the Board and provided history of Henrico County. The county's 400<sup>th</sup> anniversary was in 2011. She stated that the Henrico Department of Social Services has staff, case load, and funding issues. Since 2008, caseload has grown 200%. Henrico was the first to be a pilot project for CommonHelp.

Ms. Steinhauser introduced her staff, and individual overviews were presented by her staff on eligibility, finance, and services for adults, children and families.

Mr. Spadaccini thanked the Henrico DSS staff on behalf of the Board for all the work they do every day.

In closing for the day, Mr. Spadaccini gave Board questions to ponder for the December 13 retreat:

1. Why did each Board member apply to their position;
2. What actions would each Board member like to see happen; and
3. What regulation would each Board member like to focus on for the upcoming year.

Board recessed at 3:55 p.m.

## **PUBLIC HEARING- Proposed 22VAC40-745, Assessment in Assisted Living Facilities**

The Public Hearing began at 4:00 p.m. Public Hearing on 22VAC40-745, Assessment in Assisted Living Facilities.

Comments from the Public – Ms. Tawana Bryant and Mr. Domonique Pervall, VACRA

Ms. Bryant commented on not receiving enough funding from the Auxiliary Grant and requests the Board to look at the Uniform Assessment Instrument (UAI). She posed a question of whether the UAI can be used to determine eligibility for Medicaid and the Auxiliary Grant. She also stated this will eliminate paper processing of additional information.

Mr. Pervall stated that he did not sign up to speak, but at the request of Mr. Spadaccini, provided clarification on his request to separate assisted living facilities from residential care facilities.

Ms. Bryant raised a concern about the release of information to the public about Board meetings and difficulty locating information on the Regulatory Town Hall. She asked if there is an alert system. Mr. Spadaccini commented that by Code, there are certain timeframes in when the agenda and other regulatory information is posted. Ms. Bryant was referred to Ms. Clark in order to get on a list of interested parties.

Public Hearing closed at 4:40 p.m.

Commonwealth of Virginia  
State Board of Social Services

December 12-13, 2012

Central Regional Office  
1604 Santa Rosa Road  
Richmond, VA 23229

Thursday, December 13, 2012  
9:00 a.m.

**Board reconvened at 9:00 a.m.**

**Attending:** Mr. Robert Spadaccini, Sr. (Chair), Mr. Willie Greene (Vice Chair), Ms. Trudy Brisendine, Mr. Thomas Atwood, Ms. Deborah White, Dr. Bela Sood, Mr. Ray Johnson, Mr. Allen Wilson, Mr. William Henderson, Commissioner Mr. Martin Brown

**Absent:** Ms. Heidi Metcalf-Little, Mr. Jack Knapp

**Temporary Assistance for Needy Families (TANF)** – Mr. Tom Steinhauser, Director, Division of Benefit Programs. Mr. Steinhauser presented information to the Board regarding TANF. A copy of Mr. Steinhauser's presentation is available from VDSS.

**Resource, Foster and Adoptive Homes** – Ms. Em Parente. Ms. Parente presented an overview of the resource, foster and adoptive home regulation and the NOIRA that was previously approved. A copy of Ms. Parente's presentation is available from VDSS.

**Child Development** - Dr. Robin Foster, M.D. and Dr. Bela Sood, M.D.  
Dr. Foster provided a brief bio and a presentation regarding child abuse and neglect from a medical perspective. Dr. Foster will provide demographic information for Board members, and her presentation will also be sent to the Board.

Dr. Sood provided a presentation to the Board on the science of early brain development. Her presentation will be sent to the Board.

**Regulatory Update-** Ms. Karin Clark.  
Ms. Clark provided a Regulatory Status Report to the Board.

**ACTION ITEMS**

1. Approve October 2012 minutes. **ON MOTION DUALY MADE** (Mr. Atwood), seconded (Ms. Brisendine), moved to approve the October 2012 minutes as amended. Motion approved with all in favor.
2. Spotsylvania DSS request for deviation jurisdiction-wide. **ON MOTION DUALY MADE** (Ms. Brisendine), seconded (Mr. Johnson), moved to approve the Spotsylvania DSS request for deviation jurisdiction-wide. Motion approved with all in favor.
3. 22 VAC 40-12, Public Participation Guidelines - Periodic Review Report. Motion to retain regulation with no change. **ON MOTION DUALY MADE** (Brisendine), seconded (Dr. Sood). Motion approved with all in favor.
4. 22 VAC 40-295, TANF Periodic Review – Removed from agenda by consensus.

5. 22 VAC 40-690 Child Care Provider Scholarship Program – Fast Track – Removed from agenda by consensus.
6. 22 VAC 40-72, Standards for Licensed Assisted Living Facilities – Proposed – Removed from agenda by consensus.
7. Election of Board Secretary – In light of Ms. Larkin not being reappointed to the Board for a new term, Board nominated and elected Ms. Metcalf-Little as the new Board Secretary. **ON MOTION DUALY MADE** (Mr. Johnson), seconded (Ms. Brisendine), motion approved with all in favor.
8. Board member comments:
  - a. Mr. Henderson- thanked Ms. Clark for all of her assistance and the Board's assistance.
  - b. Ms. White- Looking forward to working with the Board and looking forward to orientation and training.
  - c. Mr. Johnson- the work that is done is critical and the Board has an opportunity to make a difference; continue efforts for better living. Presentations this morning show that VDSS is heading in the right direction in the strengthening families approach. Demographic data will be helpful to guide regulatory work.
  - d. Dr. Sood- thanked the Board for the opportunity to present and wished everyone a great holiday season.
  - e. Ms. Brisendine- thanked Commissioner Brown, Ms. Owen, Ms. Clark, and Mr. Wilson. Presentations were excellent. She would like Erik Beecroft to come to next meeting. Thanked Mr. Steinhauer for his presentation. Lastly, requested J.R. Simpson present at next meeting regarding budget.
  - f. Mr. Atwood- welcomed Ms. White and Ms. Owen. Provided comments on the report the Commissioner provided about the poverty rates before/after marriage. Pleased about Virginia's strong work requirement and helping citizens become self-sufficient.
  - g. Mr. Greene- great meeting, one of the best. Would like to do something to address Ms. Crawley's concerns regarding group homes. Dr. Sood's presentation was great. Welcomed new members and thanked Ms. Owen and Ms. Clark.
  - h. Mr. Spadaccini- thanked Henrico County for hosting and their presentation. Wished all a Merry Christmas and Happy New Year.

## Retreat

**The Retreat convened at 2:00 p.m. – Mr. Spadaccini**

### **Board Roles and Responsibilities – Mr. Spadaccini and Mr. Wilson**

Mr. Wilson reviewed the Board's primary statutory responsibilities, including that the Board shall act as an advisory to the Commissioner. The roles and responsibilities are listed in appendix A of the bylaws.

### **Regulatory Process Refresher – Ms. Clark**

Ms. Clark presented to the Board and provided handouts regarding the regulatory process.

### **Board Operations – Mr. Spadaccini**

Mr. Spadaccini discussed attendance and the importance of attendance when it comes to needing a quorum.

### **Commissioner's Comments – Mr. Brown.**

Commissioner Brown discussed the agency's partnership with Board, and his concern for ensuring that staff resources are used wisely. He asks that the Board to maintain focus on fulfilling their statutory duties, and not on issues that are outside of their regulatory purview. Commissioner wants the Board to be presented with relevant information that will facilitate their regulatory role.

## **Priorities of the Board for 2013 – Mr. Spadaccini**

Secretary Hazel is having a retreat regarding the strategic plan on December 18, 2012, to lay out his vision for the last year of the administration. There are four primary priorities and two secondary priorities.

### **Priorities:**

- CommonHelp portal (EHHR) (possibly expand it to WIC, and other applications)
- Strengthening Families Initiative with a special emphasis to father involvement and adoption
- Continuous Quality Improvement (working towards obtaining an award)
- Title IV E

### **Secondary Priorities:**

- Supporting Governor's homelessness efforts
- Prison re-entry

## **Retreat Questions to the Board – Mr. Spadaccini**

### **What interested members to accept their appointment to the Board?**

- Mr. Spadaccini- a passion for service to Virginia's most vulnerable and wanting to become a positive impact.
- Mr. Henderson- felt it was honorable to be able to serve Virginians. Wanted to give something back.
- Ms. White- honored to serve.
- Mr. Johnson- honored to serve and use experience with local area community action agencies.
- Dr. Sood- felt that her professional mental health experience is an asset to the Board and she has, in turn, gained a wealth of knowledge regarding the government side of the Board.
- Ms. Brisendine- wanted to give back to the community and utilize her background in a positive way.
- Mr. Atwood- wants to serve and apply his knowledge and background.
- Mr. Greene- felt all of his experience tied in with helping people and wants to apply that to the Board.

### **What would members like to see come about from the Board?**

- Mr. Greene- wants to make sure those needing help get help and those who abuse the system stop.
- Mr. Atwood- permanency for children; become involved in promoting great systems of foster and adoptive parent recruiting, training, and retention; promote safe, stable, intact two-parent households.
- Ms. Brisendine- wants to make the Board more accessible to local agencies around the state and seen as a partner.
- Mr. Spadaccini- would like to help more people in need and protect those that can't protect themselves. Ensure the best regulations are in place that protect the people. Focus on doing the most good.
- Dr. Sood- evidence is what speaks for each situation. Go about looking at regulations from evidence, not advocacy. Recognizing permanency and family environment.
- Mr. Johnson- Wants to be able to see if what he does will be able to help someone.
- Ms. White- hopes her background will help her be a resource to help a child.
- Mr. Henderson- hopes his presence will help the team be successful.

### **What regulation would members like to focus on for 2013?**

- Mr. Henderson- focus on regulations that help reduce fraud, waste, and abuse and make penalties stronger for making false claims on applications.
- Ms. White- child care regulations.
- Mr. Johnson- reducing poverty, strengthening families, prevention.
- Dr. Sood- child fatality and CPS issues.
- Mr. Spadaccini- Child Protective Services regulations and seeing a correlation in the CPS numbers with the hospital reports.
- Ms. Brisendine- child fatality, Child Protective Services regulations, assisted living facilities
- Mr. Atwood- foster care, permanency, the at-risk of aging out population, resource family recruitment training and retention.
- Mr. Greene- Child Protective Services issues, child care regulations and strengthening families.

Mr. Spadaccini commented that he would work with Ms. Clark and Ms. Owen for the list of priorities and give to the Board. Regulations could be researched and pulled out for review. See listing attached.

**Open dialogue - None**

**Meeting adjourned at 4:10 p.m.**