

Minutes
VA State Board of Social Services
February 15-16, 2006

VA Dept. of Social Services
7 North 8th Street
Richmond, VA 23219

Members Present

Julie Christopher, Chair
Danny Brown, Vice Chair
Trudy Brisendine
Peppy Linden
Maggi Luca
Bela Sood
Marilyn Rigby

Members Absent

Nettie Simon-Owens
William Mitchell

Wednesday, February 15, 2006

The meeting was called to order at 9:00 a.m., Chairman Julie Christopher presiding.

Welcome and Introductions

Jane Clements, Operations Director, Division of Quality Management and Paul McWhinney, Director of Richmond City Social Services welcomed the Board. Mr. McWhinney shared the city's Vision and Strategic Plan with the Board.

Members welcomed Honorable Marilyn Tavenner, Secretary of Health and Human Resources to the Board meeting. Secretary Tavenner advised she looked forward to working with the Board and stood ready to help them in meeting their goals to better assist citizens of the Commonwealth.

Local directors were recognized and thanked for their attendance to the meeting.

Regulation Status Report

Richard Martin advised that as of February 15, the department has 62 regulations in place. 30 of the 62 are currently in process:

- Of those 62, 18 are in the process of being repealed
- Of those 62, 11 are in the process of being amended
- Of those 62, 1 is currently in periodic review
- 11 additional new regulations are in the process of being promulgated

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That totals 73 regulations and proposed regulations, 41 of which are currently active.

Public comment was recently completed on the following regulations:

22 VAC 40-20, Food Stamp Program- Income Conversion Method, Notice of Intended Regulatory Action to Repeal

22 VAC 40-540, Allowance of Telephone Costs in the food Stamp Program, Notice of Intended Regulatory Action to Repeal

22 VAC 40-600, Food Stamp Program- Administrative Disqualification Hearings, Notice of Intended Regulatory Action to Repeal

22 VAC 40-601, Food Stamp Program, Notice of Intended Regulatory Action to Establish

Public Comment ending January 16:

22 VAC 40-400, Funding Limitations for the Refugee Resettlement Program, Periodic Review

Legislative Update

Mr. Martin reviewed legislation of concern to the Department of Social Services. A copy of this presentation is attached to the official Minutes housed in the home office.

Committee Meetings

The Adult Committee reviewed proposed regulation 22 VAC 40-771, Adult Services Approved Providers and 22 VAC 40-770, Standards and Regulations for Agency Approved Providers. They also reviewed 22 VAC 40-740, Adult Protective Services-final regulation.

The Children Committee reviewed proposed regulation 22 VAC 201-10 Permanency Services: Prevention Foster Care Adoption Independent Living and proposed regulation 22 VAC 40-211, Resource, Foster and Adoptive Family Home Approved Standards.

Public Comment

Linda Nisbet, Director of Montgomery Department of Social Services spoke to the Board on subsidized adoption regulations.

Ann Hess, Board Chairman of Montgomery County Department of Social Services spoke to the Board on funding for local agencies.

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Donna Douglas, Director of Hanover Department of Social Services spoke to the Board on behalf of the VLSSE regarding regulation 22 VAC 40-211. A copy of this public comment is attached to the official Minutes housed in the home office.

VLSSE Comments

Ben Owen, President of the VLSSE thanked Ms. Douglas for her earlier comments on behalf of the League.

He advised the League is opposed to House Bill 656.

He stated the League did not carefully examine the fiscal impact of 22 VAC 40-201-10 (agenda item 9). He also advised that two changes were made to 22 VAC 40-211 (agenda item 11) after locals had reviewed the regulation.

Local directors were encouraged to provide input on regulations.

He advised the League wants Human Resources to do a Class Comp Study as job descriptions at the local level are in need of updating. The League is currently having dialogue with the Commissioner as to why state HR should provide the study.

Commissioner's Comments

Commissioner Conyers introduced J. R. Simpkins, Chief Financial Officer and Marianne McGhee, Public Information Officer to the Board. Both come to the department with a wealth of experience and knowledge.

Commissioner Conyers advised that regulations are back on track for public comment and thanked Secretary Tavenner for her assistance in this area.

He advised that Governor Kaine launched VA 211 last Friday. This system will provide citizens with information on services available in Virginia. Public Relations will conduct an awareness program to Virginians.

Commissioner Conyers spoke to previous public comment regarding adoption subsidy and stated the law is clear—the agency must provide adoption subsidy up to the amount appropriated by the General Assembly. This program is funded by the General Assembly and resources are based on that funding.

He advised the Strategic Plan Steering Committee met last week. He advised they are looking at someone who will look at future needs; mentioning systems to provide data are not available.

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He thanked members for their kind remarks on his reappointment as Commissioner to the department and looks forward to continuing their work together.

ACTION ITEMS

Eligibility Worker Appreciation Month Resolution

Arlene Hamilton, First Vice President of BPRO presented the Resolution to the Board and asked for their approval to recognize the month of February 2006 as Eligibility Worker Appreciation Month.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Luca) moved to approve February 2006 as Eligibility Worker Appreciation Month, calling upon Virginians to join in acknowledging their public service and contributions. Motion carried with all in favor.

Social Work Month Resolution

Connie Mays, President of VASWP presented the Resolution to the Board and asked for their approval to recognize the month of March 2006 as Social Work Month.

ON MOTION DULY MADE (Ms. Luca) and seconded (Ms. Brisendine) moved to approve March 2006 as Social Work Month, calling upon Virginians to join in acknowledging their service and contributions. Motion carried with all in favor.

Locality Grouping Change-Stafford and Spotsylvania Counties

William Tignor, Consultant to both counties provided members with justification to change the counties from Group 1 to Group 3, requesting Board approval.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Brisendine) moved to approve both Stafford and Spotsylvania Counties to move from a Group 1 to Group 3 Locality. Motion carried with all in favor.

Bedford DSS Deviation Request

Leighton Lankford, Director of Bedford Department of Social Services reviewed his agency request to deviate from the State Classification and Compensation Plan.

ON MOTION DULY MADE (Ms. Luca) and seconded (Ms. Rigby) moved to approve Bedford Department of Social Services to deviate from the State Classification and Compensation Plan. Motion carried with all in favor.

Montgomery County DSS Request to follow local jurisdiction-wide Personnel Plan

Ann Hess, Montgomery County DSS Board Chairman reviewed the Montgomery Department of Social Services request to follow the local jurisdiction-wide Personnel Plan and requested Board approval.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Rigby) moved to approve Montgomery County DSS to follow Montgomery County local jurisdiction-wide Personnel Plan. Motion carried with all in favor.

22 VAC 40-130, Minimum Standards for Licensed Child Placing Agencies

Mr. Martin explained that issues were raised by the Department of Planning and Budget during the executive review and involved content beyond the stated scope of the published Notice of Intended Regulatory Action. A considered response will need to involve research of these additional issues and solicitation of input from a broad array of stakeholders. In light of this development, members were asked to withdraw the action that was published in the Virginia Register.

ON MOTION DULY MADE (Ms. Linden) and seconded (Ms. Rigby) moved to approve withdrawal of 22 VAC 40-130, Minimum Standards for Licensed Child Placing Agencies as published February 7, 2005 in the Virginia Register. Motion carried with all in favor.

22 VAC 40-41-10 et seq. Neighborhood Assistance Program – Proposed New Regulation

The Board was advised that proposed amendments will ensure the availability of tax credits and their equitable distribution among approved organizations. Amendments are also being proposed to ensure fairness in the valuation of certain donated items and to improve the process for determining eligibility of organizations applying to participate in the Neighborhood Assistance Program.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Mr. Brown) moved to approve the proposed regulatory package to amend 22 VAC 40-41, Neighborhood Assistance Tax Credit Program for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002), and to approve the fiscal impact analysis for distribution to local boards of social services. Motion carried with all in favor.

House Bill 32

Chairman Christopher, on behalf of the Board, reviewed a Resolution to be sent to Senate Rehabilitation and Social Services Committee members advising them that the State Board of Social Services opposes passage of House Bill 32 by the 2006 Session of the General Assembly.

ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Brisendine) moved to approve the Resolution to be sent to the Senate Rehabilitation and Social Services Committee members advising them that the State Board opposes passage of House Bill 32 by the 2006 Session of the General Assembly. A copy is to be provided to the Child Day Care Council as well. Motion carried with all in favor. The letter will be sent out today.

22 VAC 40-201-10 et seq., Permanency Services – Prevention, Foster Care Adoption and Independent Living – Proposed Regulation

This new regulation will establish one set of rules encompassing the full range of permanency services provided Virginia's children and families.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Sood) moved to approve the proposed regulatory packages for 22 VAC 40-201; 40-200-10; 22 VAC 40-210-10; 22 VAC 40-240-10; 22 VAC 40-250-10; 22 VAC 260-10; 22 VAC 280-10; and 22 VAC 800-10 for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) and to approve the fiscal impact analysis of this action for distribution to local boards of social services. Motion carried with all in favor.

22 VAC 40-211, Resource, Foster and Adoptive Family Home Approval Standards – Proposed New Regulation

This new regulation will ensure compliance with changes to federal and state laws and regulations regarding resource, foster and adoptive family homes. The regulations will also create consistency between providers approved by local departments of social services and licensed child placing agencies.

ON MOTION DULY MADE (Ms. Brisendine) and seconded (Ms. Sood) moved to approve the proposed regulatory package to establish 22 VAC 40-211, Resource, Foster and Adoptive Family Home Approval Standards for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) and approve the fiscal impact analysis for distribution to local boards of social services. Motion carried with all in favor.

22 VAC 40-771, Adult Services Approved Providers and 22 VAC 40-770, Standards and Regulations for Agency Approved Providers – Proposed New Regulation

This action establishes a new regulation and repeals regulation 22 VAC 40-770. The new regulation addresses standards and procedures for providers of services to adults contracted through local departments of social services.

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ON MOTION DULY MADE (Ms. Brisendine) and seconded (Mr. Brown) moved to approve the proposed regulatory package to establish 22 VAC 40-771, Adult Services Approved Providers and repeal 22 VAC 40-770, Standards and Regulations for Agency Approved Providers for publication in the Virginia Register subject to approval under the provisions of Executive Order Number 21 (2002) and approve the fiscal impact analysis for distribution to local boards of social services. Motion carried with all in favor.

22 VAC 40-740, Adult Protective Services – Final Adoption

This action will amend the regulation to conform to legislation approved by the 2004 General Assembly.

ON MOTION DULY MADE (Ms. Linden) and seconded (Ms. Rigby) moved to approve the final regulatory package to amend 22 VAC 40-740, Adult Protective Services, for publication in the Virginia Register subject to approval under the provisions of Executive Order 21 (2002) of the Administration Process Act. Motion carried with all in favor.

Recess

Poverty Committee Meeting 4:30-6:00 P.M.

Thursday, February 16, 2006

Meeting resumed at 9:00 a.m.; Julie Christopher presiding.

Department of Mental Health, Mental Retardation and Substance Abuse Services

Commissioner James Reinhard, M.D. provided an overview of the Department. He shared his desire for both agencies to continue collaboration and review services they provide to citizens in need. Ms. Sood stated this is an opportunity to build richer community supports and look at prevention, earlier intervention and emergency services. Commissioner Conyers and Chairman Christopher were invited to attend the next MHMRSAS Board meeting.

Memorial Child Guidance Clinic

Mark Hierholzer, Executive Director of Memorial Child Guidance Clinic provided members with an overview of ChildSavers of Richmond. A copy of this presentation is attached to the official Minutes housed in the home office.

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Joint Legislative Audit and Review Commission of the Virginia General Assembly

Nathalie Molliet-Ribet, Paula Lambert and Elisabeth Thomson provided members with information on self-sufficiency among social services clients in Virginia and tax credit opportunities for low-income Virginia families. Copies of both presentations are attached to the official Minutes housed in the home office.

Virginia Public Guardian and Conservator Program (VPGCP)

Christina Delzingaro, Chair of the Governor's Public Guardianship Advisory Board provided information on the Virginia Public Guardian and Conservatory Program. A copy of this presentation is attached to the official Minutes housed in the home office.

Goochland Department of Social Services

Elizabeth Middleton, Director of Goochland Department of Social Services provided members with an overview of the agency, their goals and strategies. A copy of their customer service satisfaction survey and presentation is attached to the official Minutes housed in the home office.

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ON MOTION DULY MADE (Ms. Luca) and seconded (Ms. Brisendine) moved to approve Minutes of the previous meeting as presented. Motion carried with all in favor.

Committee Reports

Poverty Committee- Ms. Brisendine provided an overview of the previous day's meeting. She shared a slide show produced by Kathy Ralston, Director of Albemarle County Department of Social Services. The next meeting of this committee will be held on Wednesday, April 19 following recess of the Board meeting. A copy of meeting summary notes from December was provided to members and is attached to the official Minutes housed in the home office.

Mr. Martin advised the Assistant Living Facility regulation will hopefully be in public comment prior to the next Board meeting. He stated there will be three public hearings to be held in the New River Valley; Fredericksburg; and Williamsburg areas. Carolynne Stevens and Chairman Christopher will set the meeting dates and advise the Board. Dates in May will be reviewed.

Mr. Martin asked the Board for approval to make technical, non-substantive changes to regulations that are necessary for executive review approval.

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ON MOTION DULY MADE (Mr. Brown) and seconded (Ms. Linden) moved to authorize the Board's regulatory coordinator to make technical, non-substantive changes to regulations that are necessary for executive review approval. The changes will be made only with the concurrence of the Board's counsel. Motion carried with all in favor.

Mr. Martin advised he will keep the Board informed when any changes become necessary.

Members thanked department staff for their continued assistance.

Meeting adjourned at 12:20 p.m.

Respectfully submitted by Pat Rengnerth
Approved April 2006