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# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797  
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### Regular Meeting DRAFT MEETING MINUTES 9:30 a.m., Wednesday, December 7, 2022

*This meeting was held in person with a physical quorum present,  
with electronic or phone connection available. A recording of the meeting is available.*

<b>Members Present</b>	Elizabeth Hilscher, Chair; R. Blake Andis; Varun Choudhary; Rebecca Graser, Vice Chair; Kendall Lee; Moira Mazzi; and Christopher Olivo.
<b>Members Absent</b>	Sandra Price-Stroble.
<b>Staff Present</b>	<ul style="list-style-type: none"> <li>• Jae Benz, Director, Office of Licensing.</li> <li>• Ellen Harrison, Chief Deputy Commissioner.</li> <li>• Bill Howard, Acting Assistant Commissioner, Crisis Services.</li> <li>• Emily Lafon, Executive Budget Manager.</li> <li>• Madelyn Lent, Policy Manager.</li> <li>• Josie Mace, Legislative Affairs Manager.</li> <li>• Meghan McGuire, Deputy Commissioner, Policy and Public Affairs.</li> <li>• Dev Nair, Assistant Commissioner, Provider Management.</li> <li>• Heather Norton, Assistant Commissioner, Developmental Services.</li> <li>• Susan Puglisi, Regulatory Research Specialist.</li> <li>• Nelson Smith, Commissioner.</li> <li>• Ruth Anne Walker, Regulatory Affairs Director and State Board Liaison.</li> <li>• Michael Zohab, Grant Manager, Virginia State Opioid Response.</li> </ul>
<b>Guests Present</b>	<p>Invited guests:</p> <ul style="list-style-type: none"> <li>• Jennifer Faison, Executive Director, Virginia Association of Community Services Boards.</li> </ul> <p>Other Guests In Person:</p> <ul style="list-style-type: none"> <li>• John Littell, Secretary of Health and Human Resources (HHR).</li> </ul>

	<ul style="list-style-type: none"> <li>Leah Mills, Deputy Secretary, HHR.</li> </ul> <p>Other Guests Attending Electronically:</p> <ul style="list-style-type: none"> <li>Mark Hickman; Rebecca Neville.</li> </ul>
<b>Call to Order and Introductions</b>	At 9:32 a.m., Elizabeth Hilscher, Chair, called the meeting to order and welcomed those present. A quorum of seven members was physically present.
<b>Approval of Agenda</b>	<i>At 9:33 a.m. the State Board voted to adopt the December 7, 2022, agenda. On a motion by Christopher Olivo and a second by Moira Mazzi, the agenda was approved.</i>
<b>Approval of Draft Minutes</b>	<i>On a motion by Rebecca Graser and a second by Moira Mazzi, the September 28, 2022, minutes were approved as final.</i>
<b>Public Comment</b>	At 9:34 a.m., Ms. Hilscher stated a period for public comment was included on the draft agenda, but there were no citizens signed up to speak.
<b>Secretary of Health and Human Services</b>	<p>At 9:56 a.m., John Littel, Secretary of Health and Human Resources provided an overview of the Governor’s <a href="#">behavioral health care initiative</a>, called “Right Help, Right Now,” in advance of the Governor’s <a href="#">budget</a> announcement.</p> <p>Three members made comments: Dr. Choudhary regarding the benefits of telehealth; Dr. Lee regarding early intervention services; and Ms. Hilscher on being heartened by the Secretary’s comments about plans for the system but sadness at the lack of transformation over the past 15 years, including transition programs for students graduating out of the system and also, wondering how the Deeds commission fits with the Administration’s plans.</p> <p><i>At 10:46 a.m., Ms. Hilscher called for a five minute break.</i></p>
<b>Commissioner’s Report</b>	<p>At 10:52 a.m., Nelson Smith, Commissioner, updated the State Board on: the Prompt Placement Taskforce; the Behavioral Health System Redesign; the DBHDS strategic planning effort, North Star Plan; the Certified Community Behavioral Health Clinic (CCBHC) Grant; and STEP-VA.</p> <p>Ms. Graser asked about how many CSBs would be CCBHCs. Mr. Smith responded that all would be.</p>
<b>Regulatory Business</b>	<p>At 11:17 a.m., Ruth Anne Walker asked members to consider acting on the following:</p> <p><b>A. Exempt Action: Licensing Regulations, [12VAC35-105]: Mobile Medication Assisted Treatment (MAT).</b></p> <p>Jae Benz presented the action to the members. Sheriff Andis asked how the providers work with the communities to pick the physical location. Ms. Benz responded that it would be up to the provider, but the site does have to be specific. He also</p>

	<p>asked about the type of medication used. Ms. Benz stated it would be up to the individual; the regulations do not get into those specifics. Ms. Puglisi provided further clarifications.</p> <p><i>On a motion by Christopher Olivo and a second by Kendall Lee, the board unanimously approved initiation of the <a href="#">exempt action</a>.</i></p> <p><b>B. Fast Track Action: Certified Recovery Residences [12VAC35-260]</b>  Dr. Choudhary asked why certification was not mandatory. Mark Blackwell responded that it is due to the model for recovery residences.  <i>On a motion by Rebecca Graser and a second by Varun Choudhary, the board unanimously approved initiation of the <a href="#">fast track action</a>.</i></p> <p><b>C. Initiate Periodic Review: Peer Recovery Specialists [12 VAC 35-250].</b>  <i>On a motion by Varun Choudhary and a second by Kendall Lee, the board unanimously approved initiation of the <a href="#">periodic review</a>.</i></p> <p>Ms. Walker then provided a review of regulatory actions and drafts in process as listed in the matrix on page 59 of the packet.</p>
<p><b>Update: Community-based Crisis Services</b></p>	<p>At 11:27 a.m., Bill Howard, Acting Assistant Commissioner, Crisis Services, reported on the: Office of Crisis Services and Supports created July 2021; vision for the Crisis System Transformation; three required crisis system protocols; evaluation of existing crisis data; crisis system infrastructure by locality; 988 hotline buildout; and implementation schedule for the first five Marcus Alert programs. <i>The presentation is available upon request.</i></p> <p>Sheriff Andis asked about lack of funding to localities for 911 dispatchers taking the additional 988 calls. For example, in his locality, his office is answering up to 4,700 calls per month. Mr. Howard stated the department plans to put out guidance around Marcus Alert, but it is up to the localities to let the office know what is needed. DBHDS is trying to explore with DCJS ways to build up local capacity. Also, direct lines are planned for the regional locations to help take some of the burden off localities.</p>
<p><b>Update: SOR Grant (Opioid Crisis)</b></p>	<p>At 11:45 a.m., Michael Zohab, Grant Manager, Virginia State Opioid Response, provided an update on all grant-funded activities and programs including peer support efforts,</p>

	<p>substance use disorder treatment, cross-agency data collection, certification of recovery residences, training to prevent opioid overdoses, and collegiate recovery communities. <i>The presentation is available upon request.</i></p> <p>Sheriff Andis discussed local concerns regarding the opioid crisis.</p>
<p><b>Lunch: Break and Collect Lunch</b></p>	<p><i>At 12:09 p.m., Ms. Hilscher suspended the meeting for a lunch break, to reconvene at 12:30 p.m.</i></p>
<p><b>Board Member Spotlight</b></p>	<p>At 12:36 p.m., Dr. Choudhary shared that he lives in Glen Allen with his wife, two sons, and dog. He has been in Virginia since 1999, having trained at MCV. In 2003, he spent a year in New Haven, Connecticut. Beginning in 2004, he was in private practice for 10 years and that time included public sector work at the now-closed DBHDS Southside Virginia Training Center (SVTC).</p> <p>In 2006, he began doing telepsychiatry and became a large part of his work. He joined a company and helped it build its telehealth psychiatry section. In 2014, Dr. Choudhary moved into managed care as the Medical Director for Magellan of Virginia, which really gave him exposure to Virginia’s system of care. As the Behavioral Health Services Administrator for the Department of Medical Assistance Services (DMAS), he gained insight into the dichotomy between DMAS and DBHDS, particularly the siloed care system. This also sparked his interest in policy.</p> <p>Serving at the national level for Magellan as the Behavioral Health Chief Medical Officer, in 2019 he moved to Talkspace as he was interested to get back into the provider world from managed care.</p> <p>Dr. Choudhary loves to travel, with a family trip every year. He enjoys photography, scuba diving, reading, audiophile collecting of records, and spending time in his home theater.</p> <p>The reason he thinks it is important to serve on the State Board is service. While he works at the national level without a practice here, it keeps him connected to Virginia’s services. He became very aware of the gaps in the state system and wanted to remain a part of the work going into improving the system of care. The role of the State Board is vital in that members get to have a voice in how to improve the system and help those individuals that don’t have voice. He is grateful for his appointment.</p>

<p><b>Update: DD Services Across the Life Span</b></p>	<p>At 12:46 p.m., Heather Norton, Assistant Commissioner, Developmental Disabilities Division, used the department’s <a href="#">MyLifeMyCommunity</a> web site to demonstrate and explain service choices for individuals with developmental disabilities at different stages of life. <i>A recording is available upon request.</i></p>
<p><b>Update: Virginia Association of Community Services Boards</b></p>	<p>At 1:07 p.m., Jennifer Faison, Executive Director, VACSB, reported on the association’s perspective on the status of the services system, and its budget <a href="#">priorities</a> and session activities.</p>
<p><b>2023 General Assembly Legislative and Budget</b></p>	<p>At 1:30 p.m., Emily Lafon, Executive Budget Manager, and Josie Mace, Legislative Affairs Manager, provided information on preparations for the upcoming legislative session including budget themes and legislative topics.</p>
<p><b>Committee Reports</b></p>	<p>At 1:45 p.m., Ms. Graser and Josie Mace reported that the Policy and Evaluation Committee met that morning and heard background information on specific policies currently under review:</p> <p>Revisions</p> <ul style="list-style-type: none"> <li>• 1008(SYS)86-3 Services for Older Adults with Mental Illness, Mental Retardation, or Substance Use Disorders.</li> <li>• 1040(SYS)06-3 Consumer and Family Member Involvement and Participation.</li> </ul> <p>Background</p> <ul style="list-style-type: none"> <li>• 1043(SYS)08-1 Disaster Preparedness (Craig Camidge). The policy needs updates.</li> <li>• 1044(SYS)12-1 Employment First (Heather Norton). This is not just DD focused, but includes substance used disorder and serious mental illness.</li> </ul> <p>Ms. Mace said another meeting will be held in late February to get back on track with the review schedule.</p> <p>At 1:53 p.m., Ms. Hilscher reported on the discussion in the Planning and Budget Committee. A detailed presentation was received by Lisa Jobe-Shields on the CCBHCs. The planning chart of topics by meetings was reviewed, along with a typical schedule for meetings outside of Richmond. An update on regulatory reduction efforts was given. It was announced that Bylaws are due to be reviewed in 2023. A quarterly budget report was distributed to all members.</p>
<p><b>Miscellaneous</b></p>	<p>At 1:58 p.m., Ms. Hilscher opened the miscellaneous topics:</p> <ul style="list-style-type: none"> <li>• Annual Executive Summary: The draft was endorsed by the members.</li> </ul>

	<ul style="list-style-type: none"> <li>Liaison Updates: Sheriff Andis reached out to area contacts. Dr. Lee reported was invited to a virtual Crossroads CSB meet and greet.</li> </ul>
<b>Adjournment</b>	There being no other business, Ms. Hilscher adjourned the meeting at 2:02 p.m.

<b>2023 REGULAR MEETING SCHEDULE</b>	
March 29, 2023	DBHDS SWVMHI, Marion
July 11, 2023, afternoon July 12, 2023	DBHDS Central Office (Biennial Planning Meeting), Richmond DBHDS CSH, Petersburg
September 27, 2023	DBHDS PGH and VCBR, Burkeville
December ?, 2023	DBHDS Central Office, Richmond

STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

**Planning and Budget Committee**

**DRAFT MINUTES**

December 7, 2022

8:30 a.m. – 9:25 a.m.

DHBDS, 13TH FLOOR CONFERENCE ROOM,  
JEFFERSON BUILDING, 1220 BANK STREET, RICHMOND, VA 23219

*This meeting was held in person with a physical quorum present, with electronic or phone connection available. A recording of the meeting is available.*

**Members Present:** Elizabeth Hilscher, Board and Committee Chair; R. Blake Andis; Christopher Olivo.

**Members Absent:** None (one vacancy).

**Staff Present:** Susan Puglisi, Ruth Anne Walker.

**I. Call to Order**

A quorum being present, at 8:35 a.m., Elizabeth Hilscher, Chair, called the meeting to order.

**II. Welcome and Introductions**

At 8:31 a.m., Ms. Hilscher welcomed all present. She indicated that the meeting would need to end 15 minutes early to accommodate Secretary Littel's visit to the full board meeting.

**III. Adoption of Minutes, September 28, 2022**

*On a motion from Christopher Olivo and a second from Blake Andis the meeting minutes from September 28, 2022, were adopted unanimously.*

**IV. Standing Item:** *Identification of services and support needs, critical issues, strategic responses, and resource requirements to be included in long-range plans; work with the department to obtain, review, and respond to public comments on draft plans; and monitor department progress in implementing long-range programs and plans.*

*Ensure that the agency's budget priorities and submission packages reflect State Board policies and shall, through the Board's biennial planning retreat, review and comment on major funding issues affecting the behavioral health and developmental services system, in accordance with procedures established in POLICY 2010 (ADM ST BD) 10-1.*

**A. Certified Community Behavioral Health Clinics (CCBHCs)**

At 8:40 a.m., Lisa Jobe-Shields, Assistant Commissioner of Behavioral Health Services, gave a presentation on the purpose of the CCBHC model and Virginia's activities to align services to the model. *The presentation is available upon request.*

Ms. Jobe-Shields also spoke about the staff and position changes within the division.

**B. Review the priorities set at the Biennial Planning Meeting and topic areas for board meetings through July 2023.**

Ms. Walker reviewed the chart with the committee, and an example agenda from a past Board dinner when a meeting was held away from Richmond. She also mentioned that the Bylaws were due for review in 2023.

**V. Other Business**

**A. State Board Budget Quarterly Report. *Handout***

At 9:05 a.m., the board's quarterly budget report was reviewed.

**B. Regulatory Process Changes: ED1 and EO19.**

At 9:07 a.m., Ms. Walker updated members on the agency's activities to comply with the new regulatory requirements for all agencies set out under the Governor's [Executive Directive 1](#) and [Executive Order 19](#). Namely, updates on staff development on draft actions to eliminate or reduce 'low hanging fruit' of agency discretionary mandates, those requirements that would be most likely to be noncontroversial to remove. An ongoing concern is the ability of licensing specialists and human rights advocates to have to retrain when there are amendments to the regulations, particularly across multiple regulatory actions.

**VI. Next Steps:**

**A. Standing Item: Report Out**

Updates from committee planning activities would be reported out to the Board in the regular meeting.

**B. Next Meeting:**

The next meeting is scheduled for March 28, 2023.

**VII. Adjournment**

At 9:14 a.m., Ms. Hilscher adjourned the meeting.



STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

**Policy and Evaluation Committee**

**DRAFT MINUTES**

December 7, 2022

8:30 a.m. – 9:25 a.m.

DHBDS, Room 844, 8TH FLOOR

JEFFERSON BUILDING, 1220 BANK STREET, RICHMOND, VA 23219

*This meeting was held in person with a physical quorum present, with electronic or phone connection available. A recording of the meeting is available.*

**Members Present:** Varun Choudhary, Rebecca Graser, Kendall Lee, Moira Mazzi.

**Members Absent:** Sandra Price-Stroble.

**Staff:** Josie Mace, Legislative Manager and Committee Staff.  
Craig Camidge, Director, Enterprise Management Services.  
Heather Norton, Assistant Commissioner, Developmental Services.  
Madelyn Lent, Policy Manager.

**Guests:** None.

**I. Call to Order**

Rebecca Graser, Committee Chair and Board Vice Chair, called the committee meeting to order at 8:45 AM.

**II. Welcome and Introductions**

Ms. Graser welcomed all present, and the committee members introduced themselves.

**III. Review of 2022 Policy Review Plan and Presentation of Policies for Discussion**

**a. 1008(SYS)86-3 Services for Older Adults with Mental Illness, Mental Retardation, or Substance Use Disorders (Revisions)**

Revisions for this policy will be discussed at the next meeting of the committee.

**b. 1040(SYS)06-3 Consumer and Family Member Involvement and Participation (Revisions)**

Revisions for this policy will be discussed at the next meeting of the committee.

**c. 1043(SYS)08-1 Disaster Preparedness**

Craig Camidge presented background information on this policy to the committee. After committee discussion, Moira Mazzi motioned to move this policy to the revision phase. Kendall Lee seconded.

**d. 1044(SYS)12-1 Employment First**

Heather Norton presented background information on this policy to the committee. After committee discussion, Mr. Lee motioned to move this policy to the revision phase. Ms. Mazzi seconded.

**IV. Next Quarterly Meeting: March 2023**

**V. Other Business (10 min)**

Josie Mace alerted the committee that another committee meeting will be held in February to catch-up on the policy review schedule and discuss the revisions for policy 1008(SYS)86-3 and 1040(SYS)08-1. The date is TBD.

**VI. Adjournment**

Ms. Graser adjourned the meeting at 9:30 AM.