

VIRGINIA LEAGUE OF SOCIAL SERVICES EXECUTIVES

Legislative Committee

Legislative and Public Policy Issues

VLSSE Legislative Agenda for the Virginia General Assembly 2014 Session

Adopted by the VLSSE Membership

November 7, 2013

SUPPORT

Comprehensive Services Act for At-Risk Children & Families

Proposal 1. Require CSA policies to align with the policy of the core agencies

Proposed Legislation

Amend current CSA law to require OCS to conduct an analysis of any impediments to existing core agency policies as part of the development of any new policy. Such new policies should be tested against pre-existing policies of CSA (such as the CSA State Executive Council (SEC) policy on Family Engagement) as well as any related, or affected, policies of the core agencies. Such amendments would be mostly about nuance and emphasis, as there is nothing in the code that precludes OCS from adopting this as a practice today. The law would need to be amended in two places as identified below:

2.2-2649. Office of Comprehensive Services for At-Risk Youth and Families established; powers and duties.

A. The Office of Comprehensive Services for At-Risk Youth and Families is hereby established to serve as the administrative entity of the Council and to ensure that the decisions of the council are implemented. The director shall be hired by and subject to the direction and supervision of the Council pursuant to § [2.2-2648](#).

B. The director of the Office of Comprehensive Services for At-Risk Youth and Families shall:

1. Develop and recommend to the state executive council, programs and fiscal policies that promote and support cooperation and collaboration in the provision of services to troubled and at-risk youths and their families at the state and local levels. ***Such policies shall be analyzed and aligned for consistency with other federal and state laws and policies governing the performance of those agency's duties prior to submission to the state executive council, and a report describing the impact on such other related policies shall be included.***

2. Develop and recommend to the Council state interagency policies governing the use, distribution and monitoring of moneys in the state pool of funds and the state trust fund;

AND

2.2-2648. State Executive Council for Comprehensive Services for At-Risk Youth and Families; membership; meetings; powers and duties.....

C. The Council shall be chaired by the Secretary of Health and Human Resources or a designated deputy who shall be responsible for convening the council. The Council shall meet, at a minimum, quarterly, to oversee the administration of this article and make such decisions as may be necessary to carry out its purposes. Legislative members shall receive compensation as provided in § [30-19.12](#) and nonlegislative citizen members shall receive compensation for their services as provided in §§ [2.2-2813](#) and [2.2-2825](#).

D. The Council shall have the following powers and duties:

1. Hire and supervise a director of the Office of Comprehensive Services for At-Risk Youth and Families;

2. Appoint the members of the state and local advisory team in accordance with the requirements of § [2.2-5201](#);

3. Provide for the establishment of interagency programmatic and fiscal policies developed by the Office of Comprehensive Services for At-Risk Youth and Families, which support the purposes of the Comprehensive Services Act (§ [2.2-5200](#) et seq.), through the promulgation of regulations by the participating state boards or by administrative action, as appropriate; ***notwithstanding any authority granted by this clause, the Council shall not consider or adopt policies that would inhibit executive branch agencies from complying with any other federal or state mandate in the performance of their duties***

4. Provide for a public participation process for programmatic and fiscal guidelines and dispute resolution procedures developed for administrative actions that support the purposes of the Comprehensive Services Act (§ [2.2-5200](#) et seq.). The public participation process shall include, at a minimum, 60 days of public comment and the distribution of these guidelines and procedures to all interested parties;

Proposal 2. Place the state Office of Comprehensive Services Under the Administrative Processes Act

Proposed Legislation

The Virginia League of Social Services Executives requests legislation that would add the state Office of Comprehensive Services Act and the CSA State Executive Council under the state Administrative Process Action (APA). This consistency with other regulatory and policy making entities would enhance stakeholder's preparedness and ability to provide input in a structured and meaningful way.

Proposal 3. Establish a Process Concerning the Denial of Funds

Virginia League of Social Services Executives requests an amendment to VA code section 2.2-2628 that provides for reasonable efforts by the state to give localities an opportunity to improve practice following audit findings, and that denial of funds be implemented in a rational, progressive fashion similar to that proposed for IV-E funding and other state and federal funding sources. An example of such amendment follows:

2.2-2628 State Executive Council for Comprehensive Services for At-Risk Youth and Families; membership; meetings; powers and duties

D. The Council shall have the following powers and duties:.....

Subdivision 20. Deny state funding to a locality, in accordance with subdivision 19, where the CPMT fails to provide services that comply with the Comprehensive Services Act (§ [2.2-5200](#) et seq.), any other state law or policy, or any federal law pertaining to the provision of any service funded in accordance with § [2.2-5211](#); **Add: *Except in the cases of apparent fraud, or intentional mismanagement, such denial of funds shall only be implemented following a process of corrective action and technical assistance. Further, the Council shall develop such procedures in collaboration with relevant stakeholders in order to be consistent with denial of funds procedures used for similar state and federal child serving programs administered by participating state agencies.***

Proposal 4. Creation of a New Funding Stream for Prevention/Diversion

Request for Legislative Budget Amendment

Establish a three year prevention/diversion pilot program that incorporates a robust evaluation component. VDSS could seek a few interested partners from among a sample of urban/ rural, large/small agencies. Program design and evaluation methodologies would be developed in the fourth quarter of FY14.

Eligibility Determination

Request for Legislative Budget Amendment

Social Services Funding for Eligibility Determination, Allocation of CHIPS funding to Local Social Service Agencies In Assuming FAMIS Program Operations

It is anticipated that sixty-three (63) new Benefit Program Specialists and six (6) supervisors will be needed to perform the program volume. Recognizing that the program is phased in through FY14 and then full time beginning in FY15, then adjusting the 6.3% annual increase for FY16, the increased cost of operations is as follows:

Fiscal Year	Total Cost	Federal Funds	State General Funds	Local Funds
First Year FY14	\$2,700,000	\$1,336,500	\$ 945,000	\$418,500
Second Year FY15	\$5,100,000	\$2,524,500	\$1,785,000	\$790,500
Third Year FY16	\$5,300,000	\$2,623,500	\$1,855,000	\$821,500

Chore & Companion Services

Request for Legislative Budget Amendment

Reinstate state funding for chore and companion services of \$2.0 million a fiscal year.

This amendment restores funding for adult chore and companion services and other purchased adult protective services that was reduced in Chapter 874 of the 2010 Virginia Acts of Assembly. These programs will experience a reduction of \$2.0 million from the general fund in fiscal year 2012. Without these additional funds Adult Protective Services (APS) can investigate complaints but has no funds to provide services. Chore and companion services are used to provide protective services at home to prevent or address abuse, neglect or exploitation, and keep elderly and disabled individuals in their homes. Previous cuts have coincided with significant increases in APS reports (17,140 last year, nearly a 10 percent increase over the previous year). Without home-based services, elderly and disabled individuals will be forced into institutional care at a much higher cost to the Commonwealth. Other purchased services are for emergency protective services including services to meet emergency needs for victims who have to escape dangerous situations.

Fiscal Year	Total Cost	State General Funds	Non-Federal Funds, FFP
First Year FY14	\$2,000,000	\$1,600,000	\$ 400,000
Second Year FY15	\$2,000,000	\$1,600,000	\$ 400,000
Third Year FY16	\$2,000,000	\$1,600,000	\$ 400,000

OPPOSE

Foster Care

The Department of Juvenile Justice (DJJ) is considering proposing legislation to address the custodial status of committed juveniles by amending the Code of Virginia to clarify that commitment to DJJ transfers physical custody and legal custody remains with the parent, guardian, custodian, agency, or institution in whom it was vested immediately prior to commitment.

For additional information contact

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