

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 2.1-51.14, 2.1-746, 2.1-747, 2.1-748, 2.1-752, 2.1-759, 2.1-759.1, and 9-6.25:3 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.1-746.1, relating to the Comprehensive Services Act for At-Risk Youth and Families.

[H 1510]

Approved

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-51.14, 2.1-746, 2.1-747, 2.1-748, 2.1-752, 2.1-759, 2.1-759.1, and 9-6.25:3 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 2.1-746.1 as follows:

§ 2.1-51.14. Subject to supervision by Governor; powers and duties.

A. The Secretary of Health and Human Resources shall be subject to direction and supervision by the Governor. The agencies assigned to the Secretary shall:

1. Exercise their respective powers and duties in accordance with the general policy established by the Governor or by the Secretary acting on behalf of the Governor;

2. Provide such assistance to the Governor or the Secretary as may be required; and

3. Forward all reports to the Governor through the Secretary.

B. Unless the Governor expressly reserves such power to himself, the Secretary is empowered to:

1. Resolve administrative, jurisdictional, operational, program, or policy conflicts between agencies or officials assigned;

2. Direct the formulation of a comprehensive program budget for the functional area identified in § 2.1-398 encompassing the services of agencies assigned for consideration by the Governor;

3. Hold agency heads accountable for their administrative, fiscal and program actions in the conduct of the respective powers and duties of the agencies;

4. Direct the development of goals, objectives, policies and plans that are necessary to the effective and efficient operation of government;

5. Sign documents on behalf of the Governor which originate with agencies assigned to the Secretary;

6. Employ such personnel and to contract for such consulting services as may be required to perform the powers and duties conferred upon the Secretary by statute or executive order; and

7. Coordinate the work of state agencies to implement the long-term care policy of the Commonwealth; and

8. *Serve as the lead Secretary for the Comprehensive Services Act for At-Risk Youth and Families, working with the Secretary of Education and the Secretary of Public Safety to facilitate interagency service development and implementation, communication and cooperation.*

§ 2.1-746. State Executive Council for Comprehensive Services for At-Risk Youth and Families; members; duties.

The members of the state executive council shall be the Commissioners of Health, of Mental Health, Mental Retardation and Substance Abuse Services and of Social Services; the Superintendent of Public Instruction; the Executive Secretary of the Virginia Supreme Court; the Director of the Department of Juvenile Justice; *the Director of the Department of Medical Assistance Services; an elected or appointed local official* ~~two local government representatives to include a member of a county board of supervisors or a city council and a county administrator or city manager,~~ to be appointed by the Governor; a private provider representative as a ~~nonvoting, ex officio member~~ *from a facility that maintains membership in an association of providers for children's or family services and receives funding as authorized by this chapter,* to be appointed by the Governor, who may appoint from nominees recommended by the Virginia Coalition of Private Provider Associations; and a parent representative. The parent representative shall be appointed by the Governor for a term not to exceed three years and shall not be an employee of any public or private program which serves children and families. The council shall annually elect a chairman who shall be responsible for convening the council. The council shall meet, at a minimum, ~~semiannually~~ *quarterly*, to oversee the administration of this chapter and make such decisions as may be necessary to carry out its purposes.

The state executive council shall:

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 ~~management~~ *and local advisory* team in accordance with the

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requirements of § 2.1-747;

2. 3. Provide for the establishment of interagency programmatic and fiscal policies developed by the state management team Office of Comprehensive Services for At-Risk Youth and Families, which support the purposes of this chapter, through the promulgation of regulations by the participating state boards or by administrative action, as appropriate;

3. 4. Provide for a public participation process for programmatic and fiscal guidelines developed for administrative actions which support the purposes of this chapter. Such public participation process shall include, at a minimum, sixty days of public comment, and the distribution of these guidelines;

4. 5. Oversee the administration of state interagency policies governing the use, distribution and monitoring of moneys in the state pool of funds and the state trust fund;

5. 6. Provide for the administration of necessary interagency functions which support the work of the state management team Office of Comprehensive Services for At-Risk Youth and Families;

6. 7. Review and take appropriate action on issues brought before it by the state management team Office of Comprehensive Services for At-Risk Youth and Families;

7. 8. Advise the Governor and appropriate Cabinet Secretaries on proposed policy and operational changes which facilitate interagency service development and implementation, communication and cooperation;

8. 9. Provide administrative support and fiscal incentives for the establishment and operation of local comprehensive service systems;

9. 10. Oversee coordination of early intervention programs to promote comprehensive, coordinated service delivery, local interagency program management, and co-location of programs and services in communities. Early intervention programs include state programs under the administrative control of the state executive council member agencies;

10. 11. Oversee the development and implementation of a mandatory uniform assessment instrument and process to be used by all localities to identify levels of risk of Comprehensive Services Act (CSA) youth;

11. 12. Oversee the development and implementation of uniform guidelines to include initial intake and screening assessment, development and implementation of a plan of care, service monitoring and periodic follow-up, and the formal review of the status of the youth and the family;

12. 13. Oversee the development and implementation of uniform guidelines for documentation for CSA-funded services;

13. 14. Oversee the development and implementation of mandatory uniform guidelines for utilization management; each locality receiving funds for activities under the Comprehensive Services Act shall have a locally determined utilization management plan following the guidelines or use of a process approved by the State Executive Council for utilization management, covering all CSA-funded services;

14. 15. Oversee the development, implementation, and collection of uniform data collection standards, and the development of outcome measures; including, but not limited to, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by a uniform assessment instrument for CSA-funded services;

15. 16. Oversee the establishment of a dispute resolution procedure, which includes a notice and an appeals process, should the State Executive Council find, upon a formal finding, that a Community Policy and Management Team (CPMT) failed to comply with any provision of this Act, and the procedure shall also include provisions for remediation by the CPMT;

16. 17. Have the authority to deny state funding to a CPMT that fails to comply with the provisions of this Act, in accordance with subdivision 15 16; and

17. 18. Biennially publish and disseminate to members of the General Assembly and community policy and management teams a state progress report on comprehensive services to children, youth and families and a plan for such services for the next succeeding biennium. The state plan shall:

a. Provide a fiscal profile of current and previous years' federal and state expenditures for a comprehensive service system for children, youth and families;

b. Incorporate information and recommendations from local comprehensive service systems with responsibility for planning and delivering services to children, youth and families;

c. Identify and establish goals for comprehensive services and the estimated costs of implementing these goals, report progress toward previously identified goals and establish priorities for the coming biennium; and

d. Include such other information or recommendations as may be necessary and appropriate for the improvement and coordinated development of the state's comprehensive services system.

§ 2.1-746.1. 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 state executive 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 state executive council pursuant to § 2.1-746.

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

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;

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

3. Develop and provide for the consistent oversight for program administration and compliance with state policies and procedures;

4. Provide for training and technical assistance to localities in the provision of efficient and effective services that are responsive to the strengths and needs of troubled and at-risk youths and their families;

5. Serve as liaison to the participating state agencies that administratively support the Office and that provide other necessary services; and

6. Hire appropriate staff as approved by the state executive council.

§ 2.1-747. State ~~management~~ and local advisory team; appointment; membership.

The state ~~management~~ and local advisory team is hereby established to better serve the needs of troubled and at-risk youths and their families by ~~advising the state executive council on~~ managing cooperative efforts at the state level and providing support to community efforts. The team shall be appointed by and be responsible to the state executive council set out in § 2.1-746. The team shall include one representative from each of the following state agencies: the Department of Health, Department of Juvenile Justice, Department of Social Services, Department of Mental Health, Mental Retardation and Substance Abuse Services, and the Department of Education. The team shall also include a parent representative who is not an employee of any public or private program which serves children and families; a representative of a private organization or association of providers for children's or family services; a local *Comprehensive Services Act* coordinator or program manager; a family court judge; and one member from each of five different geographical areas of the Commonwealth and who ~~serves on, and~~ is representative of the different participants of, community policy and management teams. The nonstate agency members shall serve staggered terms of not more than three years, such terms to be determined by the state executive council.

The team shall annually elect a chairman who shall be responsible for convening the team. The team shall develop and adopt bylaws to govern its operations which shall be subject to approval by the state executive council. Any person serving on such team who does not represent a public agency shall file a statement of economic interests as set out in § 2.1-639.15 of the State and Local Government Conflict of Interests Act (§ 2.1-639.1 et seq.). Persons representing public agencies shall file such statements if required to do so pursuant to the State and Local Government Conflict of Interests Act.

§ 2.1-748. State ~~management~~ and local advisory team; powers and duties.

The state ~~management~~ and local advisory team is authorized to:

1. ~~Develop and recommend to~~ Advise the state executive council interagency ~~on state~~ program and fiscal policies which 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;

2. ~~Develop and recommend to~~ Advise the state executive council ~~on state interagency fiscal policies governing the use, distribution and monitoring of moneys in the state pool of funds and the state trust fund 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;~~

3. ~~Provide for~~ Advise state agencies and localities on training and technical assistance at the state level and to localities in necessary for the provision of efficient and effective services that are responsive to the strengths and needs of troubled and at-risk youths and their families; and

4. ~~Serve as liaison to the participating state agencies which administratively support the team and which provide other necessary services by serving as fiscal agent, designing and administering the interagency tracking and evaluation system, and providing training and technical assistance~~ Advise the state executive council on the impacts of proposed policies, regulations and guidelines.

§ 2.1-752. Community policy and management teams; powers and duties.

The community policy and management team shall manage the cooperative effort in each community to better serve the needs of troubled and at-risk youths and their families and to maximize the use of state and community resources. Every such team shall:

1. Develop interagency policies and procedures to govern the provision of services to children and families in its community;

2. Develop interagency fiscal policies governing access to the state pool of funds by the eligible

populations including immediate access to funds for emergency services and shelter care;

3. Establish policies to assess the ability of parents or legal guardians to contribute financially to the cost of services to be provided and, when not specifically prohibited by federal or state law or regulation, provide for appropriate parental or legal guardian financial contribution, utilizing a standard sliding fee scale based upon ability to pay;

4. Coordinate long-range, community-wide planning which ensures the development of resources and services needed by children and families in its community including consultation on the development of a community-based system of services established under § 16.1-309.3;

5. Establish policies governing referrals and reviews of children and families to the family assessment and planning teams and a process to review the teams' recommendations and requests for funding;

6. Establish quality assurance and accountability procedures for program utilization and funds management;

7. Establish procedures for obtaining bids on the development of new services;

8. Manage funds in the interagency budget allocated to the community from the state pool of funds, the trust fund, and any other source;

9. Authorize and monitor the expenditure of funds by each family assessment and planning team;

10. Have authority to submit grant proposals which benefit its community to the state trust fund and to enter into contracts for the provision or operation of services upon approval of the participating governing bodies;

11. Serve as its community's liaison to the ~~state management team~~ *Office of Comprehensive Services for At-Risk Youth and Families*, reporting on its programmatic and fiscal operations and on its recommendations for improving the service system, including consideration of realignment of geographical boundaries for providing human services;

12. Collect and provide uniform data to the State Executive Council on, but not limited to, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by a uniform assessment instrument for CSA-funded services; and

13. Have the power to administer funds pursuant to § 16.1-309.3.

§ 2.1-759. State trust fund.

A. Effective January 1, 1993, there is established a state trust fund with funds appropriated by the General Assembly. The purposes of this fund are to develop:

1. Early intervention services for young children and their families, which are defined to include: prevention efforts for individuals who are at-risk for developing problems based on biological, psychological or social/environmental factors.

2. Community services for troubled youths who have emotional or behavior problems, or both, and who can appropriately and effectively be served in the home or community, or both, and their families.

The fund shall consist of moneys from the state general fund, federal grants, and private foundations.

B. Proposals for requesting these funds shall be made by community policy and management teams to the ~~state management team~~ *Office of Comprehensive Services for At-Risk Youth and Families*. The ~~state management team~~ *Office* shall make recommendations on the proposals it receives to the state executive council, which shall award the grants to the community teams in accordance with the policies developed under the authority of § 2.1-748 of this chapter.

§ 2.1-759.1. Rates for purchase of services; service fee directory.

The rates paid for services purchased pursuant to this chapter shall be determined by competition of the market place and by a process sufficiently flexible to ensure that family assessment and planning teams and providers can meet the needs of individual children and families referred to them. To ensure that family assessment and planning teams are informed about the availability of programs and the rates charged for such programs, the state executive council shall oversee the development of and approve a service fee directory which shall list the services offered and the rates charged by any entity, public or private, which offers specialized services for at-risk youth or families. The state executive council shall designate ~~one state agency~~ *the Office of Comprehensive Services for At-Risk Youth and Families* to coordinate the establishment, maintenance and other activities regarding the service fee directory.

§ 9-6.25:3. Supervisory boards, commissions, and councils.

There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the following supervisory boards, commissions, and councils:

Alcoholic Beverage Control Board

Board for Branch Pilots

Board of Commissioners, Virginia Port Authority

Board of Game and Inland Fisheries

Board of Regents, Gunston Hall Plantation

240	Board of Regents, James Monroe Memorial Law Office and Library
241	Board of Trustees, Chippokes Plantation Farm Foundation
242	Board of Trustees, Frontier Culture Museum of Virginia
243	Board of Trustees, Jamestown-Yorktown Foundation
244	Board of Trustees, the Science Museum of Virginia
245	Board of Trustees, Virginia Museum of Fine Arts
246	Board of Trustees, Virginia Retirement System
247	Board of Trustees, Virginia Veterans Care Center
248	Board of Trustees, Virginia War Memorial Foundation
249	Board of Visitors, Christopher Newport University
250	Board of Visitors, George Mason University
251	Board of Visitors, James Madison University
252	Board of Visitors, Longwood College
253	Board of Visitors, Mary Washington College
254	Board of Visitors, Norfolk State University
255	Board of Visitors, Old Dominion University
256	Board of Visitors, Radford University
257	Board of Visitors, The College of William and Mary in Virginia
258	Board of Visitors, University of Virginia
259	Board of Visitors, Virginia Commonwealth University
260	Board of Visitors, Virginia Military Institute
261	Board of Visitors, Virginia Polytechnic Institute and State University
262	Board of Visitors, Virginia State University
263	Charitable Gaming Commission
264	Commonwealth's Attorneys' Services Council
265	Compensation Board
266	Governing Board, Virginia College Building Authority
267	Governing Board, Virginia Public School Authority
268	Motor Vehicle Dealer Board
269	State Board for Community Colleges, Virginia Community College System
270	State Board of Education
271	State Certified Seed Board
272	State Council of Higher Education for Virginia
273	<i>State Executive Council for Comprehensive Services for At-Risk Youth and Families</i>
274	Virginia Agricultural Council
275	Virginia Bright Flue-Cured Tobacco Board
276	Virginia Board for People with Disabilities
277	Virginia Cattle Industry Board
278	Virginia Corn Board
279	Virginia Cotton Board
280	Virginia Dark-Fired Tobacco Board
281	Virginia Egg Board
282	Virginia Horse Industry Board
283	Virginia Marine Products Board
284	Virginia Peanut Board
285	Virginia Pork Industry Board
286	Virginia Soybean Board
287	Virginia State Apple Board
288	Virginia Sweet Potato Board.