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HOUSE BILL NO. 621

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on January 31, 2002)

(Patron Prior to Substitute— Delegate Morgan)

A *BILL to amend and reenact §§ 2.2-2648 and 2.2-2649 of the Code of Virginia, relating to the Comprehensive Services for At-Risk Youth and Families.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2648 and 2.2-2649 of the Code of Virginia are amended and reenacted as follows:

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

A. The State Executive Council for Comprehensive Services for At-Risk Youth and Families (the "Council") is established as a supervisory council, within the meaning of § 2.2-2100, in the executive branch of state government.

B. The Council shall consist of 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; 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 from a facility that maintains membership in an association of providers for children's or family services and receives funding as authorized by the Comprehensive Services Act (§ 2.2-5200 et seq.), 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 that serves children and families.

C. The Council shall annually elect a chairman 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.

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;

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 Act (§ 2.2-5200 et seq.). The public participation process shall include, at a minimum, sixty days of public comment, and the distribution of these guidelines *and procedures to all interested parties*;

5. Oversee the administration of *and consult with the Virginia Municipal League and the Virginia Association of Counties* about state policies governing the use, distribution and monitoring of moneys in the state pool of funds and the state trust fund;

6. Provide for the administration of necessary functions that support the work of the Office of Comprehensive Services for At-Risk Youth and Families;

7. Review and take appropriate action on issues brought before it by the Office of Comprehensive Services for At-Risk Youth and Families, *Community Policy and Management Teams (CPMTs), local governments, providers and parents*;

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

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

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

60 state executive council member agencies;

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

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

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

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

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

78 16. ~~Oversee the establishment of a~~ *Establish and oversee the operation of an informal review and*
79 *negotiation process with the Director of the Office of Comprehensive Services and a formal dispute*
80 *resolution procedure before the State Executive Council, which includes a include formal notice and an*
81 *appeals process, should the Director or Council find, upon a formal written finding, that a Community*
82 *Policy and Management Team (CPMT) failed to comply with any provision of this Act; and the*
83 *"Formal notice" means the Director or Council provides a letter of notification, which communicates the*
84 *Director's or the Council's finding, explains the effect of the finding, and describes the appeal process,*
85 *to the chief administrative officer of the local government with a copy to the chair of the CPMT. The*
86 *dispute resolution procedure shall also include provisions for remediation by the CPMT that shall*
87 *include a plan of correction recommended by the Council and submitted to the CPMT. If the Council*
88 *denies reimbursement from the state pool of funds, the Council and the locality shall develop a plan of*
89 *repayment;*

90 17. Deny state funding to a locality where the CPMT ~~that~~ fails to provide services that comply with
91 the provisions of the Comprehensive Services Act (§ 2.2-5200 et seq.), in accordance with subdivision
92 16; and

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

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

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

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

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

105 § 2.2-2649. Office of Comprehensive Services for At-Risk Youth and Families established; powers
106 and duties.

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

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

112 1. Develop and recommend to the state executive council programs and fiscal policies that promote
113 and support cooperation and collaboration in the provision of services to troubled and at-risk youths and
114 their families at the state and local levels;

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

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

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

121 5. Serve as liaison to the participating state agencies that administratively support the Office and that

122 provide other necessary services; ~~and~~
123 6. *Provide an informal review and negotiation process pursuant to subdivision 16 of subsection D of*
124 *§ 2.2-2648.*
125 7. *Implement, in collaboration with participating state agencies, policies, guidelines and procedures*
126 *adopted by the State Executive Council;*
127 8. *Consult regularly with the Virginia Municipal League and the Virginia Association of Counties*
128 *about implementation and operation of the Comprehensive Services Act (2.2-5200 et seq.);*
129 69. Hire appropriate staff as approved by the Council; *and*
130 10. *Perform such other duties as may be assigned by the State Executive Council.*