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SENATE JOINT RESOLUTION NO. 96
AMENDMENT IN THE NATURE OF A SUBSTITUTE
 (Proposed by the House Committee on Rules
 on March 1, 2006)

(Patron Prior to Substitute—Senator Hanger)

Establishing a joint subcommittee to study the cost effectiveness of the Comprehensive Services for At-Risk Youth and Families program and to collaborate with the Joint Legislative Audit and Review Commission regarding its evaluation of the administration of the Comprehensive Services Act. Report.

WHEREAS, the Comprehensive Services Act (CSA) was created in 1992 to establish a comprehensive system of services and funding through interagency planning and collaboration in order to better meet the needs of troubled and at-risk youths and their families; and

WHEREAS, concerns associated with the total general fund cost of the program (more than \$194 million in fiscal year 2001) and the average rate at which these costs have been increasing (approximately 10 percent per year) prompted the 2002 General Assembly to pass budget language directing the Secretary of Health and Human Resources to develop and implement a plan for improving services and containing costs in the treatment and care of children served through the CSA; and

WHEREAS, financial support provided by the Commonwealth and local governments for early intervention services for youths and their families and community services for troubled youths who have emotional or behavior problems continue to increase; and

WHEREAS, these program costs are often unpredictable and have dramatically increased each fiscal year making fiscal planning and budgeting a difficult process for local governments; and

WHEREAS, it is difficult to establish a standard regarding the actual effectiveness of these programs and expenditures; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That a joint subcommittee be established to study the cost effectiveness of the Comprehensive Services for At-Risk Youth and Families program and to collaborate with the Joint Legislative Audit and Review Commission regarding its evaluation of the administration of the Comprehensive Services Act. The joint subcommittee shall have a total membership of 11 members that shall consist of six legislative members, three nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: two members of the Senate to be appointed by the Senate Committee on Rules and four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; one nonlegislative citizen member to be appointed by the Senate Committee on Rules; and two nonlegislative citizen members to be appointed by the Speaker of the House of Delegates. The Commissioner of Social Services or his designee and the Director of the Department of Planning and Budget or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

The study shall be conducted in two phases. In the first phase of the study during the 2006 interim, the joint subcommittee and the Joint Legislative Audit and Review Commission shall conduct their respective studies. In conducting its study during the 2006 interim, the joint subcommittee shall review the administration of the Comprehensive Services Act by state and local governments, including projections of caseloads, service needs and costs, and quality of services provided, and make recommendations for improvement of program services and strategies for cost containment.

In conducting its study during the 2006 interim, the Joint Legislative Audit and Review Commission shall:

1. Evaluate the costs, quality, and reimbursement of children's residential services;
2. Examine the interdepartmental regulation of these facilities;
3. Assess the administration of the CSA by state and local governments, including the methodology for projecting caseloads and the costs and adequacy of funding to administer the program at the state and local levels;
4. Ascertain the total costs of CSA residential services for state and local governments and offer recommendations to improve services and contain costs. In conducting this evaluation, the Joint

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60 Legislative Audit and Review Commission shall examine the current practices of negotiating contracts
61 with residential service providers and identify and assess alternatives that may be more cost effective
62 than current contracting practices, including: (i) analyzing the costs and rates paid, whether the
63 Commonwealth and localities are receiving quality services for the funds expended, and whether group
64 homes and campus facility rates for the placement of CSA children are set rationally and cost
65 effectively; (ii) evaluating effective strategies for negotiating and reporting group homes and residential
66 facilities rates; and (iii) requiring a state agency or instrumentality, such as the Office of Comprehensive
67 Services, to negotiate statewide or regional contracts for residential treatment services funded from the
68 state pool for such services;

69 5. Consider whether residential facilities that provide "medically necessary" services should be
70 qualified Medicaid providers in order to receive payment from the state CSA funding pool as a means
71 of containing costs;

72 6. Determine the regulatory and fiscal steps that may be necessary to contain costs, procure quality
73 services, ensure accountability for services, and protect the health, safety, and welfare of children placed
74 in residential facilities, particularly children placed across jurisdictional lines when appropriate services
75 are not available in their communities;

76 7. Evaluate the quality and capacity of services available to and provided for CSA children and their
77 families;

78 8. Identify the impact of cross-jurisdictional placements on (i) CSA children without immediate
79 access to their families, communities, and support networks and (ii) local jurisdictions, including but not
80 limited to, services that are not reimbursed through CSA, such as law enforcement, fire protection,
81 mental health services, and education;

82 9. Determine whether CSA children receive appropriate care, case management, education,
83 supervision, and quality assurance by the funding jurisdiction, whether steps should be taken to increase
84 services in the home jurisdictions of such children, and identify barriers to serving CSA children in their
85 communities;

86 10. Evaluate the costs and benefits of requiring the local entity responsible for the placement of
87 children across jurisdictional lines, due to a lack of appropriate services and facilities in the home
88 locality, to initiate the development of community-based services, including group homes or other
89 services, to serve the needs of such children and their families and to stimulate the implementation of
90 community-based services;

91 11. Assess the regulatory structure and implementation of the Standards for Interdepartmental
92 Regulation of Children's Residential Facilities to determine whether the interdepartmental program
93 should be continued and whether returning the regulatory responsibility for residential facilities to the
94 relevant state agencies would increase accountability and ensure the safety, health, and welfare of the
95 children placed in residential facilities; and

96 12. Advise the joint subcommittee periodically concerning the status of its study and findings.

97 During the second phase of the study during the 2007 interim, the joint subcommittee and the Joint
98 Legislative Audit and Review Commission shall continue to work collaboratively to minimize
99 fragmentation and duplication of effort in their respective studies. The joint subcommittee shall continue
100 the examination of its objectives and develop appropriate recommendations in consultation with the Joint
101 Legislative Audit and Review Commission. The Joint Legislative Audit and Review Commission shall
102 brief the joint subcommittee concerning its findings and assist the joint subcommittee in developing its
103 recommendations relative to collective findings and assessments regarding the administration of the
104 Comprehensive Services Act and the cost effectiveness of the Comprehensive Services for At-Risk
105 Youth and Families program.

106 Administrative staff support shall be provided by the Office of the Clerk of the Senate. Legal,
107 research, policy analysis, and other services as requested by the joint subcommittee shall be provided by
108 the Division of Legislative Services. Technical assistance shall be provided by the Joint Legislative
109 Audit and Review Commission, Office of Comprehensive Services, and the Departments of Social
110 Services, Education, Juvenile Justice, and Mental Health, Mental Retardation and Substance Abuse
111 Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this
112 study, upon request.

113 The joint subcommittee shall be limited to four meetings for the 2006 interim and four meetings for
114 the 2007 interim, and the direct costs of this study shall not exceed \$7,700 for each year without
115 approval as set out in this resolution. Of this amount an estimated \$500 is allocated for speakers,
116 materials, and other resources. Approval for unbudgeted nonmember-related expenses shall require the
117 written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion
118 joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

119 No recommendation of the joint subcommittee shall be adopted if a majority of the Senate members
120 or a majority of the House members appointed to the joint subcommittee (i) vote against the
121 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the

122 joint subcommittee.

123 The joint subcommittee and the Joint Legislative Audit and Review Commission shall complete their
124 respective meetings for the first year by November 30, 2006, and for the second year by November 30,
125 2007, and the chairman of the joint subcommittee and the chairman of the Joint Legislative Audit and
126 Review Commission shall individually submit to the Division of Legislative Automated Systems an
127 executive summary of their findings and recommendations no later than the first day of the next Regular
128 Session of the General Assembly for each year. Each executive summary shall state whether the joint
129 subcommittee and the Joint Legislative Audit and Review Commission intend to submit to the General
130 Assembly and the Governor individual or joint reports of their findings and recommendations for
131 publication as a House or Senate document. The executive summaries and reports shall be submitted as
132 provided in the procedures of the Division of Legislative Automated Systems for the processing of
133 legislative documents and reports and shall be posted on the General Assembly's website.

134 Implementation of this resolution is subject to subsequent approval and certification by the Joint
135 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
136 delay the period for the conduct of the study, or authorize additional meetings during the 2006 or 2007
137 interim.

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