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HOUSE JOINT RESOLUTION NO. 29

Offered January 10, 2018

Prefiled December 29, 2017

Directing the Joint Legislative Audit and Review Commission to study the administration of the Children's Services Act. Report.

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Referred to Committee on Rules

WHEREAS, the Children's Services Act (§ 2.2-5200 et seq. of the Code of Virginia), originally known as the Comprehensive Services Act, was established in 1992 as a comprehensive system of services and funding through interagency planning and collaboration at the state and local levels in an effort to better meet the needs of at-risk youth and their families; and

WHEREAS, since its creation, the Children's Services Act has undergone numerous changes regarding its administration, covered services, and funding sources; and

WHEREAS, in recent years, significant issues have arisen regarding the provision of special education services, authorization of Medicaid-funded services, and implementation of certain community-based services; and

WHEREAS, the critical needs of at-risk youth and their families continue to rise in the Commonwealth, which has resulted in an increased demand for the financial and human resources needed to meet such needs both at the state and local levels; and

WHEREAS, the aforementioned issues and increasing demands have led to several task forces, work groups, and other entities studying various aspects of the Children's Services Act, including a study on private school special education placements by the Joint Subcommittee for Health and Human Resources Oversight; these studies have revealed a need for a more thorough and comprehensive review of the Children's Services Act and the resources necessary to ensure its future success; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission be directed to study the administration of the Children's Services Act.

In conducting its study, the Joint Legislative Audit and Review Commission (JLARC) shall (i) evaluate the extent, quality, costs, and reimbursement of services provided to at-risk youth and their families under the Children's Services Act, including children's residential services, private school special education services, and community-based services; (ii) assess the administration of the Children's Services Act at the state and local levels, including the methodology used to project caseloads and the costs and adequacy of funding to administer necessary services; (iii) analyze the coordination and implementation of the authorization of Medicaid-funded services through state behavioral health administrators, managed care organizations, and local governments and determine whether placement decisions are being timely made; (iv) assess the processes used to determine placements for private school special education services and make recommendations to improve such processes in an effort to ensure that appropriate decisions are made and that adequate coordination is maintained between state and local decision makers; (v) identify methods to provide and fund education services for all children in residential facilities who are placed through the Children's Services Act or through a Medicaid-funded residential placement; (vi) identify and recommend regulatory and fiscal measures that may be necessary to contain costs, procure quality services, ensure accountability for services provided, and protect the health, safety, and welfare of children receiving services under the Children's Services Act, particularly children placed across jurisdictional lines due to a lack of appropriate services in the community in which they reside; (vii) analyze the impact of cross-jurisdictional placements on (a) children, including their lack of immediate access to their family, community, and support network, and (b) localities, including any impact on services that are not reimbursed through the Children's Services Act, such as law enforcement, fire protection, mental health services, and education; (viii) determine whether children are receiving appropriate care, case management, education, supervision, and quality assurance in the jurisdiction in which they reside and, if not, identify barriers to serving children in their home jurisdiction and determine whether steps should be taken to increase services in certain localities throughout the Commonwealth; (ix) determine which evidence-based outcome measures should be used to measure the quality and cost-effectiveness of services provided under the Children's Services Act; and (x) assess the current administration, structure, and funding sources of the Children's Services Act and recommend changes that can be made to improve its administration, structure, and funding and promote its future success.

Technical assistance shall be provided to the Joint Legislative Audit and Review Commission by the

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59 State Executive Council for Children's Services and the Office of Children's Services. All agencies of
60 the Commonwealth shall provide assistance to JLARC for this study, upon request.
61 The Joint Legislative Audit and Review Commission shall complete its meetings by November 30,
62 2018, and the chairman shall submit to the Division of Legislative Automated Systems an executive
63 summary of its findings and recommendations no later than the first day of the 2019 Regular Session of
64 the General Assembly. The executive summary shall state whether JLARC intends to submit to the
65 General Assembly and the Governor a report of its findings and recommendations for publication as a
66 House or Senate document. The executive summary and report shall be submitted as provided in the
67 procedures of the Division of Legislative Automated Systems for the processing of legislative documents
68 and reports and shall be posted on the General Assembly's website.