

Health and Human Resources

Presentation to House Appropriations

Secretary of Health and Human Resources

Dr. Bill Hazel

January 18, 2012



Topics to Cover

- Eligibility Systems Modernization Project(s)
- DBHDS Trust Fund, Strengthening Community Capacity, and Efforts to Transition Individuals from State Training Centers to the Community
- Virginia's Sexually Violent Predator Program and Virginia Center for Behavioral Rehabilitation

Information Technology Initiatives

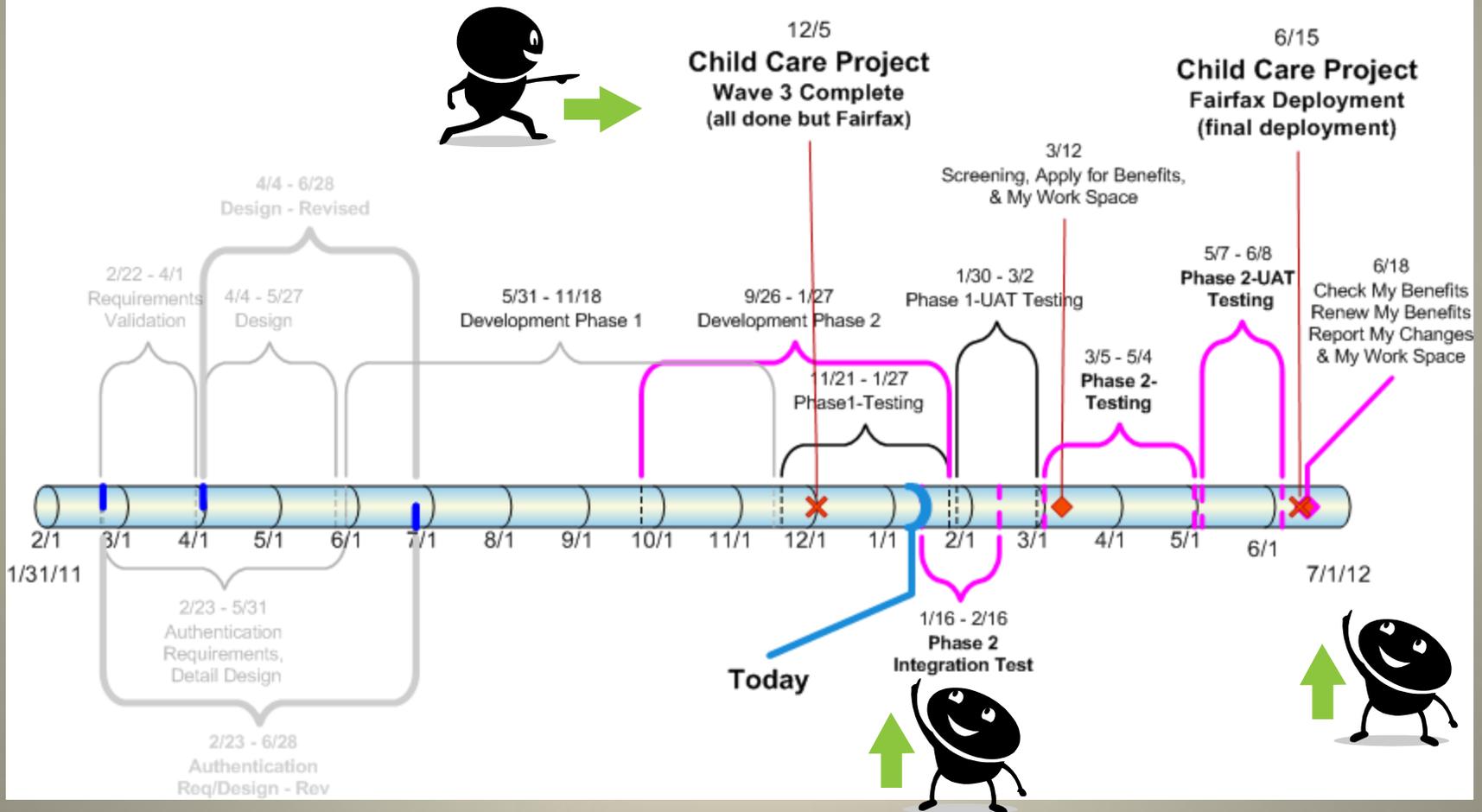
Health and Human Resources Strategic Priorities

Enterprise Application Re-Engineering

- DSS Eligibility Systems Modernization
 - TANF, Child Care, SNAP, and Energy Assistance
- Medicaid Information Technology Architecture (MITA) Project - Transform the Medicaid Management Information Systems (MMIS) into an enterprise-wide backbone architecture capable of supporting
 - Health Information Technology (HIT), Electronic Health Records, Personal Health Record, Health Information Exchange, and Enterprise Data Management.

Department of Social Services

DSS Customer Portal and Child Care Projects

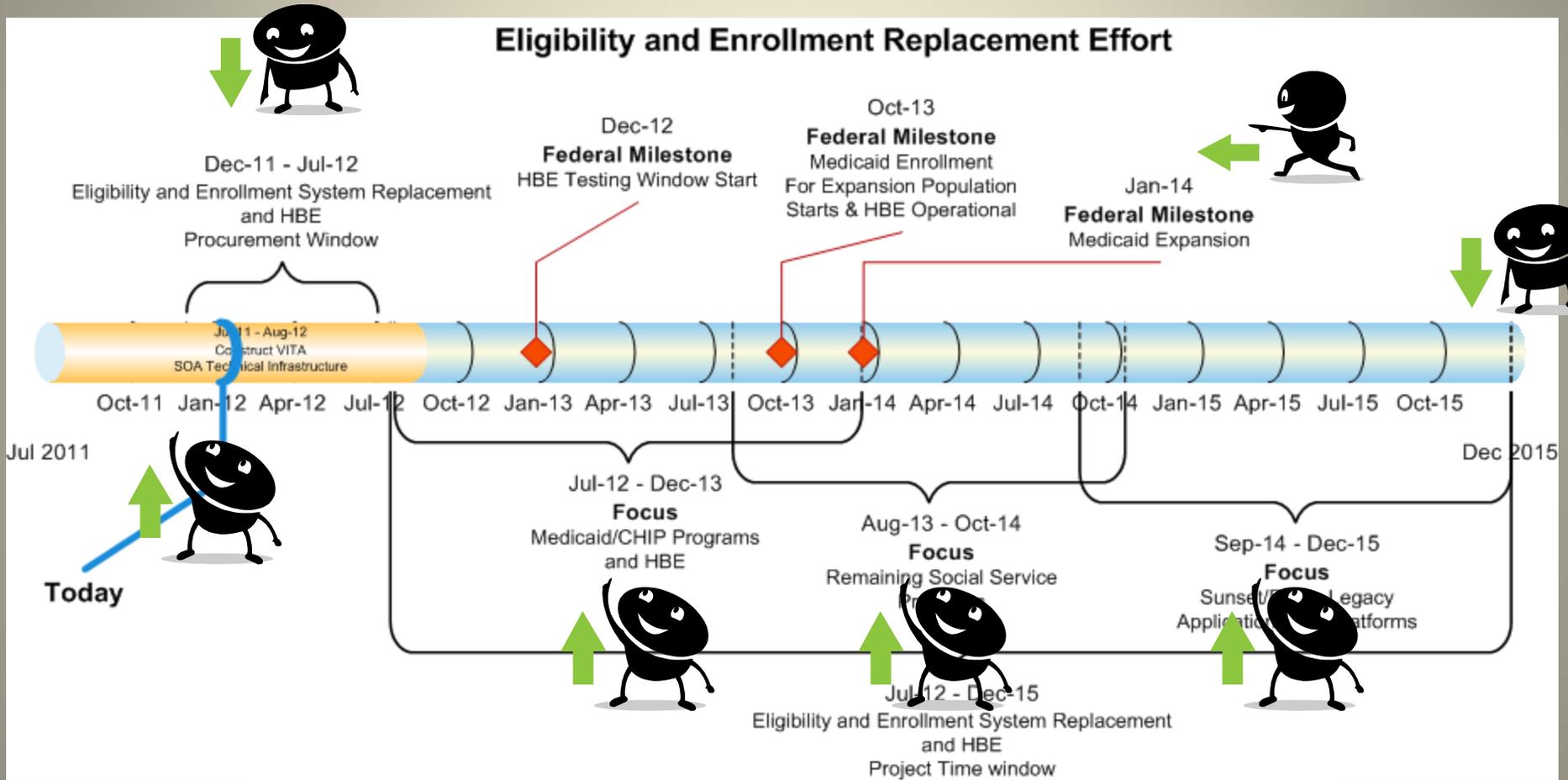


Eligibility Systems – DSS

- \$12.4 million in state funds with total cost to complete the DSS eligibility systems modernization project is approximately \$69 million.
 - The availability of the enhanced match rate for Medicaid eligibility systems development and the temporary amendment of federal cost allocation practices provides Virginia an opportunity to replace obsolete public assistance eligibility systems at an approximate cost share of 80% federal and 20% state.
 - Medicaid Eligibility, TANF, Child Care, SNAP, and Energy Assistance

Eligibility System Replacement

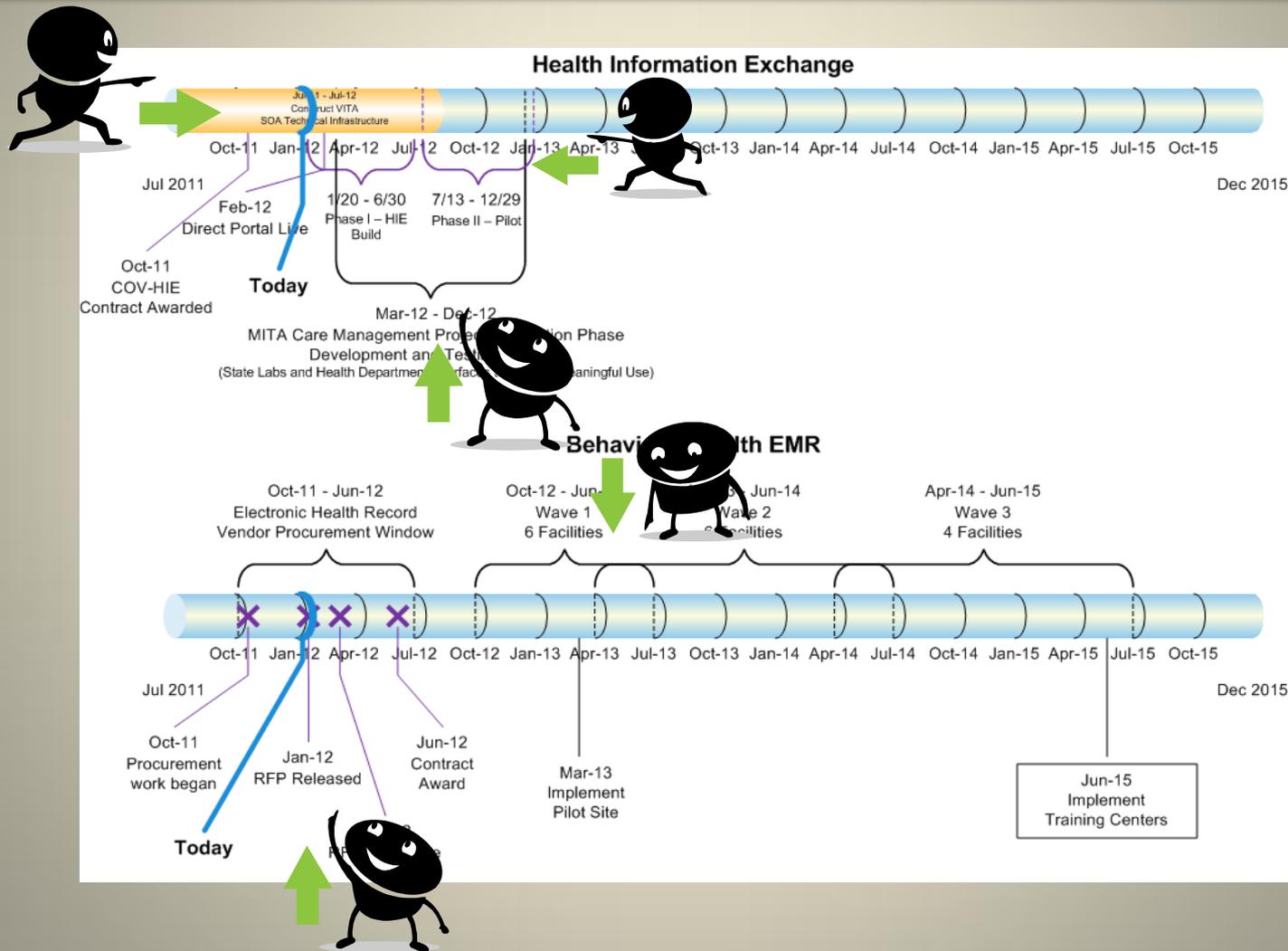
Eligibility and Enrollment Replacement Effort



Electronic Health Records - DBHDS

- \$6.3 million over the biennium in general funds and includes \$20.5 million in special funds, coming from Medicaid funds from the training centers and Medicare incentive payments for the behavioral health facilities for the implementation of federally-mandated electronic health records in state facilities
 - DBHDS operates 16 facilities across Virginia and plans to implement a third of the facilities in 2013, another third in 2014 and the final third in 2015.
 - VITA anticipates release of the Request for Proposal for this project as January 23, 2012.

Health Information Exchange (HIE)



DBHDS Trust Fund, Efforts to Transition Individuals to the Community, and DOJ Overview

DBHDS Trust Fund and Efforts to Transition Individuals to the Community

- The intent of the Trust Fund, as passed by the General Assembly and signed by the Governor, is to begin transitioning individuals that wish to live in the community from training centers. The intent exists with or without a DOJ settlement agreement.
- DBHDS has identified 60 individuals, 40 at Southside Virginia Training Center and 20 at Central Virginia Training Center that could safely move to the community by June 30, 2012. These individuals have either approval or expressed interest from their family members or authorized representatives.

DBHDS Trust Fund and Efforts to Transition Individuals to the Community

- DBHDS and Training Center staff are working closely with these families to ensure that the individuals and their loved ones are comfortable with the plan developed for care.
- DBHDS launched this effort in November. Since that time, eight individuals from SVTC have moved out and there are another six individuals moving out this month. Four individuals have transitioned out of CVTC and one more person will move this month. DBHDS staff meets daily and weekly with various staff, families, and CSBs involved.

DOJ Findings

Department of Justice – Civil Rights Division

Investigation of the Central Virginia Training Center and the Commonwealth of Virginia's compliance with Title II of the Americans with Disabilities Act as interpreted by *Olmstead v. L.C.*

- Failure in providing services in the most integrated and appropriate setting
- Failure to develop a sufficient quantity of community-based alternatives, particularly for individuals with complex needs
- Flawed discharge planning process at training centers
- Places individuals in the community at-risk of unnecessary institutionalization

DOJ Negotiation Process

Virginia Team

Lead Counsel-Office of the Attorney General

Deputy Secretaries-OSHHR

Deputy Commissioner/Director-DMAS, DBHDS

Deputy Director-Department of Planning and Budget

Technical Support

Counselor and Senior Advisor to the Governor

Staff/Leadership – OSHHR, DPB, DMAS, DBHDS,

Consult

Governor McDonnell

Chief of Staff

Secretary of Health and Human Resources

Secretary of Finance

Counselor and Senior Advisor to the Governor

DOJ Negotiation Topics

- Target Population,
- Waiver Services,
- Non-Waiver Services to Prevent Institutionalization,
- Choice and Type of Residential Placement,
- Quality Management/Risk Management
- Form of Agreement

Behavioral Health and Developmental Services Trust Fund (§37.2-319)

- Funds to be used to facilitate transition of individuals with intellectual disabilities from state training centers to community-based services and to provide community services for: individuals with mental illness, substance use, and intellectual disabilities.
- Public Hearings in each Training Center Region (Summer 2011)
 - CVTC (Region 1) – one hearing
 - NVTC (Region 2) – one hearing
 - SWVTC (Region 3) – one hearings
 - SVTC (Region 4) – one hearing
 - SEVTC (Region 5) – one hearing
 - Individuals living at training centers
 - Family members
 - CSBs
 - Private providers
 - Other interested parties

Approved Trust Fund Expenditures – 12/31/11

Item	Total Funds	Notes
Trust Fund Coordinator	\$80,000	1 position
Community Integration Manager	\$100,000	2 positions; estimated cost per position \$100,000* (Trust Funds are being matched with federal Medicaid dollars)
START Coordinator	\$100,000	1 position; estimated cost per position \$100,000*
Facility Operations Manager	\$50,000	1 position; estimated cost per position \$100,000* (Trust Funds are being matched with federal Medicaid dollars)
60 ID Waiver Slots (FY12)	\$1,880,040	Includes 60 ID waiver slots; waiver start-up costs (one time); and, case management (one time).
TOTAL APPROVED EXPENSES FROM TRUST FUND	\$2,210,040	
<p>*Estimated cost includes salary, benefits, travel, computer, and other related expenses</p> <p>**Hiring of positions is in various stages of recruitment. Three additional Community Integration Managers are being hired and funded by SGF (not Trust Fund).</p> <p>Note: Adjustments for actual costs will be made at the end of the fiscal year.</p>		

Sexually Violent Predators
and the
Virginia Center for
Behavioral Rehabilitation
(VCBR)

Civil Commitments of Sexually Violent Predators

Conditional Release

Entity	2006 (calendar year)	2011 (calendar year)
Department of Corrections (DOC)	3 conditional release plans ordered	51 conditional release plans ordered
Virginia Center for Behavioral Rehabilitation (VCBR)	0 persons granted SVP conditional release	16 persons granted SVP conditional release

Since 2003, a total of 85 persons have been granted SVP conditional release from DOC to VCBR. Of these:

- 27 have been released from VCBR
- 3 have passed away while on release
- 15 have been revoked and returned either to jail or VCBR

Civil Commitments of Sexually Violent Predators

- As of today, 288 men have been committed to the VCBR. Of these:
 - Fifteen men are incarcerated in other settings due to committing new crimes while at the facility.
 - 273 reside in house at the facility.
 - The current forecast model predicts that between FY 2013 and FY 2017, this monthly rate will average between 4.2 and 5.00 men per month.
 - Based on the present forecast, and with the implementation of the JLARC recommendations, we expect to reach the new capacity of 450 by December 2014.

Civil Commitments of Sexually Violent Predators

- **SB314:** During the summer of 2011, the Department of Corrections, the Department of Behavioral Health and Developmental Services, and the Attorney General's Office began work on a revision of those Code sections addressed in SB314. The resulting proposed legislation is consistent with recommendations made by JLARC in its VCBR/SVP study, referenced below.

Civil Commitments of Sexually Violent Predators

- As offered, this bill accomplishes four things:
 - It allows more flexibility and yet more accuracy in the review of individuals screened for eligibility into the program by removing from the code the mandatory use of a specific actuarial sex offender risk screening instrument and score with an evidence-based best practice screening protocol.
 - This bill will increase the likelihood that persons admitted to VCBR are the most at risk for sexual recidivism.
 - It conforms the screening of unrestorably incompetent to stand trial (URIST) defendants to the procedures currently used with all other individuals considered for the SVP program.
 - This bill will ensure that more appropriate referrals are made, reducing the number of SVP evaluations conducted each year.

Civil Commitments of Sexually Violent Predators

- **JLARC recommendations:** The Department of Corrections, the Office of the Attorney General, and DBHDS are generally in agreement with the recommendations made in the JLARC study. Even before the full JLARC report was released, DBHDS began implementing its recommendations. We anticipate that the following specific recommendations may reduce the admission rate to VCBR.
 - (#6) Developing a quality improvement model focused data collection addressing inter-rater reliability. This should improve the accuracy of final opinions both for or against SVP civil commitment.

Civil Commitments of Sexually Violent Predators

- (#10) Developing guidance for requesting second opinion evaluations. This will standardize the conditions under which second opinion evaluations are requested.
- (#13) Increase the number of SVP individuals released to conditional release.
 - The OSVP has placed a staff member at the VCBR one day per week to work with residents approaching conditional release to assist them in finding appropriate housing.
 - The OSVP continues to work with attorneys and other community resources to develop housing resources.

Civil Commitments of Sexually Violent Predators

- The Sexually Violent Predator Act has a definitive role in public safety yet must be met with fiscal responsibility. If passed, the majority of these recommendations along with the proposed legislative changes and proposed protocols will serve as a significant improvement which shall bring the Commonwealth in line with evidenced based best practices.

Civil Commitments of Sexually Violent Predators

- **PPEA:** This past fall, the Department received two PPEA proposals for taking over operations or managing VCBR. In response,
- The Department prepared and released to the two potential vendors a Request for Services (RFS) with detailed criteria on January 4, 2012.
- The proposers have up to 60 days to respond to the criteria with a revised proposal.
- The Commonwealth will decide to accept or reject the proposals after final discussion and review.

Civil Commitments of Sexually Violent Predators

- **Double bunking:** Anticipating exceeding the 300 bed design census at VCBR, last year the Legislature mandated that the Department begin preparing to double bunk at least half of its presently available rooms. Since July 1, 2010, the VCBR, working with the DGS, has moved forward with converting 150 rooms for double occupancy. Currently,
 - 56 rooms (as of January 5, 2012) were fully converted to double occupancy and ready for residents.
 - The remaining 94 rooms are well on the way toward full conversion.
 - Since we have not yet reached the 300 capacity, no rooms have two occupants at this time.
 - Additionally, food service expansion is underway at the facility and is scheduled to come on line in fall 2013.

Questions/Response