2004 Special Session I

Budget Bill - HB5001 (Chapter 4)

Department of Social Services

Item 354	First Year - FY2005	Second Year - FY2006
Administrative and Support Services (47900)	**$46,918,606**	**$46,923,490**
General Management and Direction (47901)	$2,220,118	$2,225,002
Computer Services (47902)	$27,246,939	$27,246,939
Accounting and Budgeting Services (47903)	$4,859,593	$4,859,593
Personnel Services (47914)	$1,891,754	$1,891,754
Planning and Evaluation Services (47916)	$1,159,256	$1,159,256
Procurement and Distribution Services (47918)	$2,186,835	$2,186,835
Public Information Services (47919)	$2,017,466	$2,017,466
Financial and Operational Audits (47929)	$5,336,645	$5,336,645
Fund Sources:		
General	$21,605,472	$21,610,356
Special	$2,812,033	$2,812,033
Federal Trust	$22,501,101	$22,501,101

Authority: Title 63.1, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended; P.L. 105-89; P.L. 105-178, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A.1. To provide adequate oversight of the implementation of automated systems, and to ensure coordination with local social services agencies, the Department of Social Services shall maintain a Local Information Technology Planning Committee. The Committee shall include one representative each from the Virginia Information Technologies Agency, the Department of Social Services, the Department of Medical Assistance Services, and the Joint Legislative Audit and Review Commission, and at least five local social services personnel to be selected by the Virginia League of Social Service Executives. The Committee shall provide advice to the Commissioner on all computer and telecommunications systems operated by the Department in support of programs administered by local social services agencies.

2.a. The Department of Social Services shall own hardware and database management software purchased with funds appropriated to it. The Virginia Information Technologies Agency may charge the Department of Social Services for operations and maintenance of such equipment and products but may not include any portion of the purchase price in the calculation of such charges. The Virginia Information Technologies Agency may not use or sell the excess capacity resulting from these purchases, except pursuant to a Memorandum of Understanding (MOU) between the Departments of Planning and Budget, the Department of Social Services and the Virginia

Information Technologies Agency. Any such MOU must provide for appropriate reimbursement to the general fund and any federal grant contributions for the purchases.

b. Recovery of the federal share of the cost of computer equipment in years following the Department's original purchase with general fund appropriation shall be deposited as revenue of the general fund in reimbursement for general fund expenditures made in prior years.

B. As a condition of the appropriation for this Item, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for food stamp recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.

C. The Department of Social Services, in collaboration with the Office of Comprehensive Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Comprehensive Services Act teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

D. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

E. It is the intent of the General Assembly that the Commissioner of the Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

F. As a condition of this appropriation, the Department of Social Services shall, to the extent permitted by federal law, implement semi-annual reporting in the food stamp program. Households subject to semi-annual reporting shall have 12-month certification periods; however, if a household subject to semi-annual reporting includes (i) able-bodied adults without dependents who are subject to the food stamp time limit, (ii) homeless persons, or (iii) migrants, it may be assigned to a shorter certification period. Households not included in semi-annual reporting shall have certification periods based on guidelines from federal regulations.

G. As a condition of this appropriation, the Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the food stamp program.

H. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is provided for the Virginia Caregivers Grant Program.

I.1. The Commissioner of Social Services, in consultation with the Virginia League of Social Services Executives and local departments of social services, shall develop a plan to implement and finance federally required foster care services improvements in localities through a Child and Family Services Review Performance Improvement Plan.

2. The initial plan and subsequent status reports on its implementation shall be reported to the Governor and the

Chairmen of the House Appropriations and Senate Finance Committees by January 1 of each year.

J. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for federal food stamps and ensure that they have access to benefits under the food stamp program. To the extent permitted by federal law, the Department shall administer the food stamp program in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of food stamp receipt on their immigration sponsors and status.

K. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the Department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the Department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.