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# VIRGINIA STATE BUDGET

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2006 Special Session I

## Budget Bill - HB5002 (Chapter 3)

Bill Order » Office of Health and Human Resources » Item 337

Department of Social Services

Item 337	First Year - FY2007	Second Year - FY2008
<b>Adult Programs and Services (46800)</b>	<b>\$44,754,968</b>	<b>\$45,715,192</b>
Auxiliary Grants for the Aged, Blind, and Disabled (46801)	\$24,833,475	\$25,793,699
Adult Protective and Supportive Services (46802)	\$11,734,495	\$11,734,495
Domestic Violence Services (46803)	\$8,186,998	\$8,186,998
Fund Sources:		
General	\$25,216,897	\$26,177,121
Federal Trust	\$19,538,071	\$19,538,071

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Authority: Title 51.2, Chapter 1.1 and Title 63.2, Chapters 1 and 6, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A. 1. The Department of Social Services is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of \$1,010 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The Department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. The monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be \$70 per month the first year and \$70 per month the second year, unless modified as indicated below.

3. The Department of Social Services is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the Department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with an explanation of the reasons for the increase.

B. Out of this nongeneral fund appropriation, \$6,501,894 the first year and \$6,501,894 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Virginia Caregivers Grant Program.

D. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the Department to receive complaints of adult abuse and neglect.

E. Out of the amount for Financial Assistance for Individual and Family Services, \$125,000 from the general fund and \$1,062,500 from the federal TANF grant the first year and \$125,000 from the general fund and \$1,062,500 from the federal TANF grant the second year, shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

F. Out of this appropriation, \$650,000 the first year and \$650,000 the second year from the general fund shall be provided for services to victims of domestic violence pursuant to Chapter 375 of the Acts of the Assembly of 2004.

G. Out of this appropriation, \$75,000 from the general fund and \$400,000 from nongeneral funds the first year and \$75,000 from the general fund and \$400,000 from nongeneral funds the second year shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

H. Notwithstanding the emergency regulations set forth in 22 VAC 40-71-10 et seq. Standards and Regulations for Licensed Assisted Living Facilities, the Department of Social Services shall (i) define a department-approved course for managers of licensed facilities with 19 or fewer residents, pursuant to 22 VAC 40-71-60 L.3 e (4), as a course that does not exceed 40 hours and is available and accessible in multiple regions within the Commonwealth; (ii) reinstate an exception to the requirement that at least one staff member be awake and on duty during the night in buildings that house 19 or fewer residents provided that none of the residents require a staff member to be awake and on duty at night, pursuant to 22 VAC 40-71-130; and (iii) eliminate requirements set forth in the emergency regulations, pursuant to 22 VAC 40-71-485, guiding intervention for high risk behavior.