
VIRGINIA STATE BUDGET

2016 Session

Budget Bill - HB29 (Chapter 732)

Bill Order » Office of Health and Human Resources » Item 339

Department of Social Services

Item 339	First Year - FY2015	Second Year - FY2016
Child Welfare Services (46900)	\$181,856,821	\$181,882,938 \$190,092,155
Foster Care Payments (46901)	\$40,473,220	\$40,515,548 \$47,812,184
Supplemental Child Welfare Activities (46902)	\$26,545,518	\$26,545,518
Adoption Subsidy Payments (46903)	\$114,838,083	\$114,821,872 \$115,734,453
Fund Sources:		
General	\$96,360,229	\$96,365,182 \$98,041,701
Special	\$325,030	\$325,030
Dedicated Special Revenue	\$235,265	\$235,265
Federal Trust	\$84,936,297	\$84,957,461 \$91,490,159

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in § [63.2-1502](#), Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.

E. Notwithstanding the provisions of §§ [63.2-1300](#) through [63.2-1303](#), Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements. This

restriction does not apply to existing adoption assistance agreements.

F.1. Out of this appropriation, \$1,500,000 the first year from federal funds and \$1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase the number of foster care children adopted.

2. Beginning October 1, 2013, the department shall provide a quarterly report, within 30 days of quarter end, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget.

G. Out of this appropriation, \$33,207,631 the first year and ~~\$33,985,779~~ \$34,774,377 the second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.

H. Out of this appropriation \$37,603,764 the first year and ~~\$38,835,831~~ \$40,488,144 the second year from the general fund and \$37,603,764 the first year and ~~\$38,835,831~~ \$40,488,144 the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.

I. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § [63.2-905.1](#) of the Code of Virginia.

J. Notwithstanding the provisions of § [63.2-1302](#), Code of Virginia, the Department of Social Services shall negotiate all adoption assistance agreements with both existing and prospective adoptive parents on behalf of local departments of social services. This provision shall not alter the legal responsibilities of the local departments of social services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the adoptive parents to appeal.

2. Out of this appropriation, \$358,246 the first year and \$342,414 the second year from the general fund and \$225,883 the first year and \$215,900 the second year from nongeneral funds shall be provided for five positions to execute these negotiations.

K. The Commissioner, Department of Social Services, shall report on all efforts undertaken by the agency to increase adoptions of children from foster care. The report shall include the number, ages and other appropriate demographic data of children in foster care who are eligible for adoption, available information on the number who have special needs, and barriers to adoption of children in foster care. In addition, the report shall include information on current efforts to help foster care children who age out of the system transition to adulthood and options to improve that transition. The report shall include current trends for this population as compared to the general population related to employment, secondary and post-secondary educational attainment, living arrangements, dependence on public assistance, early parenthood and family situations, health care access, and involvement with the criminal justice system to the extent data are available. Furthermore, the department shall analyze the adequacy of independent living services and other current efforts to assist foster care youth with the transition to independence and provide recommendations to modify the appropriate services and programs in order to improve outcomes for this population in their transition to adulthood. The department shall engage other appropriate state agencies and stakeholders as necessary to develop the report. The department shall submit the report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by November 1,

2015.

L.1. The Department of Social Services shall establish a pilot program to partner with Patrick Henry Family Services in Planning District 11 for the temporary placements of children in families in crisis. This pilot program would allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person, by a properly executed power of attorney, any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. This program would allow for an option of a one-time 90 day extension. Prior to the expiration of the 180 day period, if the child is unable to return to his home, then Patrick Henry Family Services shall contact the local department of social services and request an assessment of the child and an evaluation of services needed and to determine if a petition to assess the care and custody of the child should be filed in the local juvenile and domestic relations court. DSS shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in Virginia Administrative Code § 22 VAC 40-131 and § 22 VAC 40-191.

2. The Department of Social Services shall ensure that the pilot program organization shall meet the background check requirements described in Virginia Administrative Code § 22 VAC 40-191. The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint pursuant to Virginia Administrative Code § 22 VAC 40-131-90. In addition, the pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff pursuant to Virginia Administrative Code § 22 VAC 40-131-210 and § 22 VAC 40-131-150.

3. The Department of Social Services shall evaluate the pilot program and determine if this model of prevention is effective. A report of the evaluation findings and recommendations shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, and Commission on Youth by December 1, 2017.