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# VIRGINIA STATE BUDGET

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2016 Session

## Budget Bill - HB29 (Enrolled)

Bill Order » Office of Health and Human Resources » Item 342

Department of Social Services

| Item 342  | First Year - FY2015 | Second Year - FY2016                            |
|---|---------------------|---|
| <b>Regulation of Public Facilities and Services (56100)</b> | <b>\$16,378,167</b> | <b><del>\$33,602,272</del><br/>\$25,460,980</b> |
| Regulation of Adult and Child Welfare Facilities (56101)    | \$14,506,540        | <del>\$31,730,645</del><br>\$23,173,304         |
| Interdepartmental Licensure and Certification (56106)       | \$1,871,627         | <del>\$1,871,627</del><br>\$2,287,676           |
| Fund Sources:   |                     |   |
| General   | \$4,031,782         | <del>\$4,031,782</del><br>\$3,831,782           |
| Special   | \$1,869,187         | <del>\$1,869,187</del><br>\$2,274,446           |
| Federal Trust   | \$10,477,198        | <del>\$27,701,303</del><br>\$19,354,752         |

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Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § [63.2-1700](#), Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in licensing offices so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all child care facilities receive, at a minimum, the two visits per year mandated by § [63.2-1706](#), Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child and adult care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.

E. Out of this appropriation, \$17,224,105 from the federal Child Care and Development Fund (CCDF) and 79 positions the second year are provided to handle the workload associated with licensing, inspecting and monitoring family day homes, pursuant to legislation passed during the 2015 Regular Session of the General Assembly. On July 1, 2015, the Director of the Department of Planning and Budget (DPB) shall unallot \$12,918,078

of this appropriation. At such time as the department demonstrates a sufficient increase in family day home licensure, inspection and monitoring activity to necessitate additional staff, the Director of DPB may allot additional resources. The Department of Social Services shall provide a quarterly report on the implementation of House Bill 1570 / Senate Bill 1168 to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees.

F. The Department of Social Services shall work with localities that currently inspect child day care centers and family day homes to minimize duplication and overlap of inspections pursuant to the implementation of House Bill 1570 / Senate Bill 1168, passed during the 2015 Regular Session.”

*G. No child day center, family day home, or family day system licensed in accordance with Chapter 17, Title 63.2; child day center exempt from licensure pursuant to § 63.2-1716; registered family day home; family day home approved by a family day system; or any child day center or family day home that enters into a contract with the Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant shall employ; continue to employ; or permit to serve as a volunteer who will be alone with, in control of, or supervising children any person who has an offense as defined in § 63.2-1719. All employees and volunteers shall undergo the following background check by July 1, 2017 and every 5 years thereafter, as required by the federal Child Care and Development Block Grant Act of 2014 (CCDBG).*