

DOJ Implementation Update

Pursuant to
Code of Virginia §37.2-319 (HB2533/SB1486, 2011)
and Item 315.V.I. of the 2012 Appropriation Act

to the Governor and the Chairs of the Senate Finance and House Appropriations Committees

April 28, 2014 (for the period July I – December 31, 2013)



COMMONWEALTH of VIRGINIA

DEBRA FERGUSON, Ph.D. COMMISSIONER

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797 Richmond, Virginia 23218-1797 Telephone (804) 786-3921 Fax (804) 371-6638 www.dbhds.virginia.gov

April 28, 2014

The Honorable Terence R. McAuliffe Office of the Governor Patrick Henry Building, Third Floor Richmond, Virginia 23219

Dear Governor McAuliffe:

Pursuant to Code of Virginia §37.2-319 (HB2533/SB1486, 2011) and Item 315.V.1. of the 2012 *Appropriation Act*, enclosed is the second semi-annual report on Virginia's progress in meeting the milestones in the Settlement Agreement for the period of July 1, 2013 – December 31, 2013. This report also describes expenditures associated with the Agreement for FY12 and FY13. The next report is due on July 1, 2014.

If you have any questions, please feel free to contact me at (804) 786-3921.

Sincerely,

John J. Pezzoli

Chief Deputy Commissioner

Enc.

Cc: Hon. William A. Hazel Jr., M.D.

Suzanne Gore, Deputy Secretary, HHR

Jennifer Lee, M.D., Deputy Secretary, HHR

Connie Cochran, Assistant Commissioner, DBHDS

Peggy Balak, Settlement Agreement Executive Advisor

Cynthia B. Jones, Director, DMAS

Allyson K. Tysinger, Senior Assistant Attorney General, OAG



COMMONWEALTH of VIRGINIA

DEBRA FERGUSON, Ph.D. COMMISSIONER

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797 Richmond, Virginia 23218-1797 Telephone (804) 786-3921 Fax (804) 371-6638 www.dbhds.virginia.gov

April 28, 2014

The Honorable Charles J. Colgan, Co-Chair The Honorable Walter A. Stosch, Chair Senate Finance Committee 10th Floor, General Assembly Building 910 Capitol Street Richmond, VA 23219

Dear Senator Colgan and Senator Stosch:

Pursuant to Code of Virginia §37.2-319 (HB2533/SB1486, 2011) and Item 315.V.1. of the 2012 *Appropriation Act*, enclosed is the second semi-annual report on Virginia's progress in meeting the milestones in the Settlement Agreement for the period of July 1, 2013 – December 31, 2013. This report also describes expenditures associated with the Agreement for FY12 and FY13. The next report is due on July 1, 2014.

If you have any questions, please feel free to contact me at (804) 786-3921.

Sincerely,

John J. Pezzoli

Chief Deputy Commissioner

Enc.

Cc: Hon. Emmett W. Hanger, Jr.

Hon. William A. Hazel Jr., M.D.

Suzanne Gore, Deputy Secretary, HHR

Jennifer Lee, M.D., Deputy Secretary, HHR

Joe Flores, Legislative Analyst, Senate Finance Committee

Connie Cochran, Assistant Commissioner, DBHDS

Peggy Balak, Settlement Agreement Executive Advisor

Cynthia B. Jones, Director, DMAS

Allyson K. Tysinger, Senior Assistant Attorney General, OAG



COMMONWEALTH of VIRGINIA

DEBRA FERGUSON, Ph.D. COMMISSIONER

DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797 Richmond, Virginia 23218-1797 Telephone (804) 786-3921 Fax (804) 371-6638 www.dbhds.virginia.gov

April 28, 2014

The Honorable S. Chris Jones, Chair House Appropriations Committee General Assembly Building P.O. Box 406 Richmond, VA 23218

Dear Delegate Jones:

Pursuant to Code of Virginia §37.2-319 (HB2533/SB1486, 2011) and Item 315.V.1. of the 2012 *Appropriation Act*, enclosed is the second semi-annual report on Virginia's progress in meeting the milestones in the Settlement Agreement for the period of July 1, 2013 – December 31, 2013. This report also describes expenditures associated with the Agreement for FY12 and FY13. The next report is due on July 1, 2014.

If you have any questions, please feel free to contact me at (804) 786-3921.

Sincerely,

John P. Pezzoli

Chief Deputy Commissioner

Enc.

Cc: Hon Riley E. Ingram

Hon. William A. Hazel Jr., M.D.

Suzanne Gore, Deputy Secretary, HHR

Jennifer Lee, M.D., Deputy Secretary, HHR

Susan E. Massart, Legislative Fiscal Analyst, House Appropriations Committee

Connie Cochran, Assistant Commissioner, DBHDS

Peggy Balak, Settlement Agreement Executive Advisor

Cynthia B. Jones, Director, DMAS

Allyson K. Tysinger, Senior Assistant Attorney General, OAG

TABLE OF CONTENTS

I.	Executive Summary	iii
II.	Introduction	3
III.	Implementation Status Update	7
IV.	Future Milestones in the DOJ Settlement Agreement	25
v.	Expenditures	26
VI.	Appendices	
	a. Appendix A: Workgroups and Project Teams	28
	h Annendiy B: DBHDS Settlement Agreement Stakeholder Groups	39

DOJ Implementation Update for General Assembly April 28, 2014

I. Executive Summary

This report was developed to meet the requirements set forth in both *Virginia Code* § 37.2-319 (HB2533/SB1486, 2011) and Item 315.V.1 of the 2012 *Appropriation Act*. Specifically, Item 315.V.1. addresses the management of the general fund appropriation for the expansion of community-based services in accordance with the settlement agreement with the U.S. Department of Justice (DOJ), and states:

The Department of Behavioral Health and Developmental Services shall provide updates on July 1 and December 1 of each year to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees regarding expenditures and progress in meeting implementation targets established in the agreement.

The enactment clause associated with § 37.2-319 addresses the plan to transition individuals with an intellectual disability from state training centers to community-based settings, and states:

The Secretary shall submit reports on the development and implementation of the plan to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance on the first of July and December of each year beginning July 1, 2011.

This report addresses Virginia's progress in meeting the milestones in the settlement agreement for the period of July 1, 2013 – December 31, 2013, and describes expenditures associated with the agreement for FY 2012, FY 2013, and part of FY 2014.

Implementation Status Update

There were no specific milestones achieved in the settlement agreement during the period July 1, 2013 –December 31, 2013. The following activities were accomplished during this period:

A TOTAL OF 327 INDIVIDUALS MOVED FROM TRAINING CENTERS TO THE COMMUNITY
 BETWEEN NOVEMBER 2011 AND DECEMBER 31, 2013: The following reflects the current and historical census in all five training centers:

Name	Decad	e Prior to Se	ettlement	July 1, 2012	July 1, 2013	Dec 31, 2013
	Agreement			Census	Census	Census
	2000 2005 2010					
	Census	Census	Census			
CVTC	679	564	426	350	301	285
NVTC	189	182	170	153	135	115
SEVTC	194	192	143	106	84	81
SVTC	465	371	267	201	114	57
SWVTC	218	214	192	173	156	150
Total	1,745	1,523	1,198	983	790	688

- MY LIFE, MY COMMUNITY WAIVER STUDY BEGAN IN JULY 2013: The Department of Behavioral Health and Developmental Services (DBHDS) and the Department of Medical Assistance Services (DMAS) retained Human Services Research Institute (HSRI) in July 2013 to study the transformation of the Medicaid waivers currently supporting individuals with intellectual and developmental disabilities. The study will be conducted in two phases. The first phase, which concluded in December 2013, provides recommendations for how to transform Virginia's waivers to better support individuals. These recommendations were based on extensive input from over 1,000 stakeholders statewide. Phase 2 will examine waiver rates and make recommendations for Virginia's consideration during the summer of 2014. More information about the waiver study can be found at: http://www.dbhds.virginia.gov/MLMC.htm
- IMPLEMENTATION OF CASE MANAGEMENT REPORTING REQUIREMENTS: DBHDS published new case management reporting requirements in December 2013. In March 2013, community services boards (CSBs) began reporting on the type, frequency, and location of case management visits to individuals in the target population of the settlement agreement. Starting in March 2014, the settlement agreement requires reporting on quality of life issues such as: health and well being, community inclusion, choice and self determination, and stability for individuals receiving services under the settlement agreement. Five measures have been published as well as a protocol for collecting this information and submitting it to DBHDS. Data collection begins in March 2014.
- **RENTAL ASSISTANCE PILOT INITIATED:** In November 2013, a rental assistance pilot was initiated using one-time funding totaling \$800,000 for rental assistance. The pilot will provide rental assistance for approximately 20 individuals who currently reside in a congregate setting (e.g., an institution, group home and etc.) and wish to move to their own homes or apartments. The pilot will be conducted in partnership with the Virginia Beach CSB and the Fairfax-Falls Church CSB. The pilot will bridge the gap between 30% of an eligible individual's income and the Fair Market Rent for a unit which, on average, ranges from \$700- \$1,000 per month. The pilot will also evaluate and measure the cost efficiencies and quality of life improvements achieved over a three year period.

DOJ Implementation Update for General Assembly April 28, 2014

II. Introduction

This report was developed to meet the requirements set forth in both *Virginia Code* § 37.2-319 (HB2533/SB1486, 2011) and Item 315.V.1. of the 2012 *Appropriation Act*. Specifically, Item 315.V.1 addresses the management of the general fund appropriation for the expansion of community-based services in accordance with the settlement agreement with the U.S. Department of Justice (DOJ), and states:

The Department of Behavioral Health and Developmental Services shall provide updates on July 1 and December 1 of each year to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees regarding expenditures and progress in meeting implementation targets established in the agreement.

The enactment clause associated with §37.2-319 addresses the plan to transition individuals with intellectual disability from state training centers to community-based settings, and states:

The Secretary shall submit reports on the development and implementation of the plan to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance on the first of July and December of each year beginning July 1, 2011.

This report addresses Virginia's progress in meeting the milestones in the settlement agreement for the period of July 1, 2013 – December 31, 2013, and describes expenditures associated with the agreement for FY 2012 and FY 2013 and part of FY 2014.

Overview of the Settlement Agreement

This section provides a brief overview of the many elements of the Settlement Agreement. Items with parentheses indicate specific elements that tie to the expenditure table in Item 315.V.1. of the 2012 *Appropriation Act*. The full settlement agreement can be accessed online at http://www.dbhds.virginia.gov/settlement/FullAgreement.pdf.

<u>Serving Individuals in the Most Integrated Settings:</u>

The agreement is based on the following purpose, which was mutually agreed to by DOJ and Virginia:

"To prevent the unnecessary institutionalization of individuals with ID/DD and to provide them opportunities to live in the most integrated settings appropriate to their needs consistent with their informed choice, the Commonwealth shall develop and provide the community services described in this [Agreement]."

The language regarding integrated settings and informed choice is used throughout the agreement as a principle for implementation. DBHDS and partner agencies implementing the agreement for the Commonwealth must develop policies, guidelines, and regulations that reinforce these principles.

Target Population:

The target population of the agreement includes individuals with Intellectual Disability (ID) or Developmental Disabilities (DD) who meet any of the following additional criteria:

- 1. Currently reside at a training centers;
- 2. Meet the criteria for the ID Waiver or Individual and Family Developmental Disabilities Support Waiver (IFDDS) wait lists; or
- 3. Reside in a nursing home or Intermediate Care Facility (ICF).

Medicaid Waiver Slots (Facility Transition and Community Waiver Slots):

The Commonwealth will provide 4,170 waiver slots for the target population under the agreement. The waiver slots are available to several distinct populations as itemized in the agreement. Table 1 below shows the slots for each population for years FY 2012-FY 2016.

- **TRAINING CENTER RESIDENT SLOTS:** A minimum of 805 waiver slots will be provided from FY 2012 to FY2020 to transition individuals from training centers to community placements.
- **COMMUNITY ID WAIVER SLOTS:** A minimum of 2,915 waiver slots will be provided from FY 2012 to FY 2021 for individuals who are on the urgent ID waiver wait list. Twenty-five slots each in FY 2013, FY 2014, FY 2015, and FY 2016 are prioritized for youth with ID ages 22 and under who reside in nursing facilities or large ICFs.
- INDIVIDUAL AND FAMILY DEVELOPMENTAL DISABILITES SUPPORT (DD) WAIVER SLOTS: A minimum of 450 waiver slots will be provided from FY 2012 to FY 2021 for individuals on the DD waiver wait list. Fifteen slots each in FY 2013, FY 2014, FY 2015, and FY 2016 are prioritized for youth with DD ages 22 and under who reside in nursing facilities or large ICFs.

Fiscal Year	Training Center	Community ID	IFDDS Waiver
	Resident Slots	Waiver Slots	Slots
2012	60	275	150
2013	160	225	25
2014	160	225	25
2015	90	250	25
2016	85	275	25
Total (FY12-16)	555	1250	250

Family Supports (Individual and Family Supports Program):

The agreement requires implementation of an individual and family support program for individuals with ID/DD that the Commonwealth determines are most at risk of institutionalization. In FY 2013, 825 individuals were supported. In FY 2014 through FY 2021 a minimum of 1,000 individuals will be supported each year.

Family supports provide a minimal level of support to individuals who do not have alternative services through a waiver; typically these are individuals on the waiver wait lists. Family supports can include respite services, environmental modifications, dental services, professional consultative services, or other supports that enable individuals to remain in their own home or their family's home.

Crisis Services (Crisis Stabilization):

The agreement requires implementation of a statewide crisis system for individuals with ID/DD. DBHDS and five regional programs implemented the START (Systemic Therapeutic Assessment Respite

Treatment) system statewide to provide crisis services for adults with ID/DD. The system provides mobile crisis teams that are available 24 hours a day/ 7 days a week to support individuals experiencing crises and their families through in-home supports and community-based crisis services. It also provides crisis prevention and proactive planning to avoid potential crises.

Approximately 600 individuals were accepted into START Services in FY 2013, and an additional 100 in the first quarter of FY 2014. This represents a 15% increase in the Virginia START population between the end of FY 2013 and the end of the first quarter of FY 2014. Based on the rate of referral and the START services offered to date, it is reasonable to estimate that 700-1,000 people will be supported annually through crisis services statewide.

Statewide, mobile crisis teams responded to on-site crises, on average, within two hours in FY13. Additionally, five crisis stabilization programs were established as short-term alternatives to hospitalization for individuals in crisis. The last of these crisis stabilization units (CSUs), named Crisis Therapeutic Homes, opened in November 2013.

As of January 9, 2014, DBHDS' crisis services, previously known as the START program, will be known as REACH. The newly-named REACH program (Regional Educational Assessment Crisis Response and Habilitation) will provide regional flexibility and continue to build upon the key tenets of the START model already in place, allowing Virginia to maintain a statewide coordinated developmental disabilities crisis system.

DBHDS and the regional programs will continue to implement key elements of the START model which will be incorporated into REACH. The five regional programs will continue to meet the expectations as stated in the settlement agreement between the Commonwealth and the U.S. Department of Justice, and deliver the outcomes of providing crisis intervention, behavioral assessments and crisis prevention as required through their contractual agreements with DBHDS.

Employment:

The Commonwealth is required to provide individuals in the target population who are receiving services under the agreement with integrated day opportunities, including supported employment. Under the agreement, Virginia must establish a state employment first policy. Such a policy requires case managers and training center personal support teams to discuss employment in integrated work settings as the first and priority service option for individuals. If individuals choose this option, the Commonwealth must seek options to provide these supports to the individual. (The personal support team is a group consisting of the individual, the authorized representative, training center clinical professionals who have worked most closely with the individual, and the CSB case manager.)

The State Board of BHDS approved the Employment First Policy 1044 (SYS) in December 2013. This policy directs support coordinators and case managers to offer integrated employment opportunities as the first and preferred day activity for the people they serve. This policy is now covered by the CSB performance contract. The DBHDS Strategic Plan for Employment First was published and has been revised each year to reflect input from our Employment First Advisory Group and other stakeholders. In March 2013, targets were set for increasing the number of individuals who are engaged in individual supported employment by 20% each year. Progress towards these targets has been shared with the Employment First Advisory Group and the Independent Reviewer each quarter. As of December 2013, the Commonwealth is on schedule to meet this target by March 2014.

Community Living Options (Rental Assistance):

The Commonwealth is required to develop a plan to increase access to independent living options including individual homes or apartments. The plan must be developed under the direct supervision of a dedicated housing coordinator at DBHDS in concert with representatives from DMAS, the Virginia Board for People with Disabilities (VBPD), the Virginia Housing Development Authority (VHDA), the Department of Housing and Community Development (DHCD), and others. The plan must establish baseline information regarding the number of individuals who would choose independent living options and make recommendations to provide access to these settings. A one-time funding of \$800,000 was established to provide and administer rental assistance in accordance with settlement agreement. DBHDS has initiated Rental Choice VA, a pilot program in which the Virginia Beach CSB and the Fairfax-Falls Church CSB have been engaged to administer locally.

Discharge Planning and Transition from Training Centers:

The agreement requires changes to Virginia's discharge processes at each of its training centers. Every individual residing at a training center has a person-centered discharge plan based on the individual's strengths, preferences, and clinical needs. The plans document barriers to discharge and are completed by the individual's personal support team. The personal support team is a group consisting of the individual, the authorized representative, training center clinical professionals who have worked most closely with the individual, and the CSB case manager. All discharge plans are developed with the informed choice of the individual, and individuals and authorized representatives are offered a choice of community providers, prior to discharge, if available. Once an individual is discharged, post-move monitoring must occur to ensure the individual's health and safety during the critical time after discharge.

The agreement also calls for the establishment of community integration managers at each training center to oversee discharge processes and requires the creation of Regional Support Teams to review specific situations where barriers to discharge are identified. These teams and positions have been established.

Quality and Risk Management:

The settlement agreement requires several enhancements to Virginia's system of quality oversight and improvement:

- RISK MANAGEMENT: Virginia shall require that all training centers, CSBs, and other community
 providers of residential and day services implement risk management processes. Virginia must
 implement a real-time, web-based incident reporting system and reporting protocol to monitor
 and investigate serious incidents and deaths and establish a mortality review committee.
 Training must be offered to providers on how to reduce risks.
- **DATA:** Virginia must collect and analyze reliable data from many different sources to identify trends, patterns, and problems at the state, regional, and provider level and develop preventive or corrective actions. This data must be used to enhance training and outreach to providers. Data must be collected on safety and freedom from harm; physical, mental, and behavioral health; avoiding crises; stability; choice and self-determination; community inclusion; access to services; and provider capacity. DBHDS must also establish Regional Quality Councils to examine data at the regional level.
- **PROVIDERS:** All providers are required to develop and implement a quality improvement program and report key indicators from these programs to DBHDS. DBHDS must assess the adequacy of providers' quality improvement strategies.

- **CASE MANAGEMENT:** Case managers are required to meet with an individual on a regular basis and face-to-face every 30 days if they are in certain categories. At least one of these visits every other month must occur in the individual's place of residence. Individuals requiring enhanced case management visits include those who:
 - o Receive services from providers having conditional or provisional licenses;
 - Have more intensive behavioral or medical needs;
 - Have an interruption of service greater than 30 days;
 - Encounter the crisis system for a serious crisis or for multiple less serious crises in a three-month period;
 - O Have transitioned from a training center within the previous 12 months; or
 - O Reside in congregate settings with 5 or more individuals.

Virginia must also establish a case management training program.

- LICENSING: DBHDS will continue to conduct regular, unannounced licensing inspections of
 community providers. DBHDS will conduct more frequent licensure inspections of providers that
 serve individuals meeting the criteria for enhanced case management. DBHDS licensure
 processes assess the adequacy of the individualized supports and services provided to
 individuals receiving services under the agreement.
- **TRAINING:** Virginia has established a statewide core-competency-based training program for all staff that provide services under the agreement.
- QUALITY SERVICE REVIEWS: Virginia must use Quality Service Reviews (QSRs), which are faceto-face interviews with individuals receiving services, to evaluate the quality of services at the individual, provider, and statewide level.

Independent Reviewer:

The independent reviewer is required to provide reports to the court on Virginia's compliance with the settlement agreement twice per year. These reports are available at: http://www.dbhds.virginia.gov/Settlement.htm#Review

III. Implementation Status Update

Table 2 (below) shows the milestones in the agreement between March 6, 2012 and December 31, 2013 (the date by which compliance must be shown), and a brief description of Virginia's progress in implementation compared to the last update report on July 31, 2013. There were no specific milestone target dates during the period July 1, 2013 – December 31, 2013. The following activities were accomplished during this period:

A TOTAL OF 327 INDIVIDUALS MOVED FROM TRAINING CENTERS TO THE COMMUNITY
 BETWEEN NOVEMBER 2011 AND DECEMBER 31, 2013: The following reflects the current and historical census in all five training centers:

Name	Decade Prior to Settlement			July 1, 2012	Jul 1, 2013	Dec 31, 2013
	Agreement			Census	Census	Census
	2000 2005 2010					
	Census	Census	Census			
CVTC	679	564	426	350	301	285
NVTC	189	182	170	153	135	115

SEVTC	194	192	143	106	84	81
SVTC	465	371	267	201	114	57
SWVTC	218	214	192	173	156	150
Total	1,745	1,523	1,198	983	790	688

- MY LIFE, MY COMMUNITY WAIVER STUDY BEGAN IN JULY 2013: DBHDS and DMAS retained Human Services Research Institute (HSRI) in July 2013 to study the transformation of the Medicaid waivers currently supporting individuals with intellectual and developmental disabilities. The study will be conducted in two phases. The first phase, which concluded in December 2013, provides recommendations for how to transform Virginia's waivers to better support individuals. These recommendations were based on extensive input from over 1000 stakeholders statewide. Phase 2 will examine waiver rates and make recommendations for Virginia's consideration during the summer of 2014. More information about the waiver study can be found at: http://www.dbhds.virginia.gov/MLMC.htm.
- IMPLEMENTATION OF CASE MANAGEMENT REPORTING REQUIREMENTS: DBHDS published new case management reporting requirements in December 2013. In March 2013, CSBs began reporting on the type, frequency, and location of case management visits to individuals in the target population of the settlement agreement. Starting in March 2014, the settlement agreement requires reporting on quality of life issues such as: health and well being, community inclusion, choice and self determination, and stability for individuals receiving services under the settlement agreement. Five measures have been published as well as a protocol for collecting this information and submitting it to DBHDS. Data collection will begin in March 2014.

RENTAL ASSISTANCE PILOT INITIATED: In November 2013, a rental assistance pilot was initiated using one-time funding of \$800,000 for rental assistance. The pilot will provide rental assistance for approximately 20 individuals who currently reside in a congregate setting (e.g., an institution, group home and etc.) and wish to move to their own homes or apartments. The pilot will be conducted in partnership with the Virginia Beach CSB and the Fairfax-Falls Church CSB. The pilot will bridge the gap between 30% of an eligible individual's income and the Fair Market Rent for a unit; which on average ranges from \$700-\$1,000 per month. The pilot will also evaluate and measure the cost efficiencies and quality of life improvements achieved over a three year period.

Table 2: March 6, 2012 – December 31, 2013 Milestones in DOJ Settlement Agreement

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
III.C. Enhancement of Community Serv	ices			
Waiver Slots				
Waiver Slots C.1.a. The Commonwealth shall create a minimum of 805 slots to enable individuals in the target population in the Training Centers to transition to the community according to the following schedule: i. In FY 2012, 60 waiver slots ii. In FY 2013, 160 waiver slots In FY 2014, 160 waiver slots C.1.b. The Commonwealth shall create a minimum of 2,915 waiver slots to prevent the institutionalization of individuals with intellectual disabilities in the target population who are on the urgent wait list for a waiver i. In FY 2012, 275 waiver slots ii. In FY 2013, 225 waiver slots,	Annual	In November 2012, 60 waiver slots were established out of the DBHDS Trust Fund to move 40 individuals from SVTC and 20 individuals from NVTC to the community. Funding was also approved for one-time start-up funds and CSB case management for these 60 individuals. 60 individuals moved from training centers to the community during this period. DBHDS uses a CMS-approved slot allocation methodology to distribute community ID waiver slots to CSBs. The CSBs then distribute these slots to individuals on their urgent needs wait list. In June 2011, DBHDS notified CSBs of their slot allocation and the slots were distributed.	Slots distributed 158 individuals moved from the training centers to the community during this period. Slots distributed Workgroup formed to determine how to assist children residing in nursing facilities or community-based ICFs who may wish to move to the community.	Slots distributed 95 individuals moved from the training centers to the community during this period. Slots distributed Revised plan to assist children residing in nursing facilities or community-based ICFs who may wish to move to the community submitted to the Independent Reviewer on October 18, 2013. Engaged national technical
including 25 slots prioritized for individuals under 22 years of age residing in nursing homes and the largest ICFs In State FY 2014, 225 waiver slots, including 25 slots prioritized for individuals under 22 years of age residing in nursing homes and the largest ICFs				assistance to determine how to leverage the Preadmission Screening and Resident Review (PASRR) process to divert individuals from nursing facility admissions and identify current residents who may wish to transition to community placements.

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
C.1.c. The Commonwealth shall create a minimum of 450 waiver slots to prevent the institutionalization of individuals with developmental disabilities other than ID in the target population who are on the waitlist for a waiver i. In FY 2012, 150 waiver slots ii. In FY 2013, 25 waiver slots, including 15 slots prioritized for individuals under 22 years of age residing in nursing homes and the largest ICFs iii. In FY 2014, 25 waiver slots, including 15 slots prioritized for individuals under 22 years of age residing in nursing homes and the largest ICFs	Annual	DMAS uses a CMS-approved slot allocation methodology to distribute DD waiver slots to individuals on the DD waiver wait list. In July 2011, DMAS notified individuals on the DD waiver wait list that they had received a slot.	Slots distributed Workgroup formed to determine how to assist children residing in nursing facilities or community-based ICFs who may wish to move to the community.	Revised plan to assist children residing in nursing facilities or community-based ICFs who may wish to move to the community submitted to the Independent Reviewer on October 18, 2013. Engaged national technical assistance to determine how to leverage the PASRR process to divert individuals from nursing facility admissions and identify current residents who may wish to transition to community placements.
Individual and Family Support Program				
C.2.a. The Commonwealth shall create an individual and family support program for individuals with ID/DD whom the Commonwealth determines to be most at risk of institutionalization, according to the following schedule: a. In FY 2013, a minimum of 700 individuals supported b. In FY 2014, a minimum of 1,000 individuals supported	Annual	No activity, program to be established in FY13.	Program established in March 2013, over 825 individuals received funds.	Year two of program opened in September 2013. Over 1000 individuals received funds as of December 31.
Crisis Services				

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
C.6.b.i.B. By June 30, 2012, the Commonwealth shall train CSB Emergency Services personnel in each Health Planning Region ("Region") on the new crisis response system it is establishing, how to make referrals, and the resources that are available.	By June 30, 2012	DBHDS worked to implement the Systemic Therapeutic Assessment Respite and Treatment (START) program to provide crisis services to individuals with ID/DD in Virginia. At the state level, training and information was provided to the VACSB Emergency Services Council in January 2012 and May 2012. At the regional level, each region has been with CSB emergency services staff to introduce them to the START program and establish memorandum of understanding with each emergency services team in that region to coordinate referrals to the START program.	Region I 10% trained Region II 15% trained. Region III 50% trained. Region IV 10-20% trained Region V 30-50% trained.	Statewide: Training has occurred with all 40 CSBs, and remains ongoing through individual and group meetings.

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
C.6.b.ii.F. By June 30, 2012, the Commonwealth shall have at least one mobile crisis team in each region that shall respond to on-site crises within three hours.	By June 30, 2012	All five regional START programs are recruiting and hiring staff. Two regions will operate using a private provider, UCP/Easter Seals, and three regions will operate CSB programs. Regional START teams are providing some consultation to individuals and professionals in each region. Operations of mobile crisis teams will begin according to the schedule below with modified hours of operation. All programs will be fully operational with 24/7 support by January 2013. Region I (Central Virginia): October 2012 Region II (Northern Virginia): October 2012 Region III (Southwest Virginia): August 2012 Region IV (Greater Richmond/Petersburg Area): September 2012 Region V (Hampton Roads): October 2012	All Mobile Crisis Teams are in place and responding to crisis in Regions 3, 4, and 5. Regions 1 and 2 will be operating in December 2012. A reporting system is being implemented to track response time and other operational variables. The system is still being implemented at the regional level and data is not yet available. DBHDS will monitor data to measure response time. Data regarding response time will be available for the July 1, 2013 update.	Each Region has mobile crisis teams in place and fully operational. The average response time as of June 18, 2013 was one hour and 52 minutes with 46% of emergency responses within 2 hours. Data will continue to be collected on response times and the size and location of the additional mobile crisis teams will be developed accordingly. DBHDS received \$3.8M in START funding from the General Assembly for FY 14. These resources have been used to add staff to teams as needed to meet the 2 hour response time and 1 hour response time in FY 14. \$1.25M was also received for children's crisis services. This will address children in the target population. DBHDS is working to develop a plan to distribute these funds to the 5 regions by Spring of 2014.
C.6.b.ii.G. By June 30, 2013, the Commonwealth shall have at least two mobile crisis teams in each region that shall respond to on-site crises within two hours.	By June 30, 2013	Not applicable	See above	The 5 programs added staff to their teams as needed to meet the 2 hour response time.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
C.6.b.ii.H. By June 30, 2014, the Commonwealth shall have a sufficient number of mobile crisis teams in each region to respond on site to crises in urban areas within one hour, and in rural areas, within two hours, as measured by the average annual response time.	By June 30, 2014	Not applicable	See above	DBHDS will continue to evaluate that potential need during the second half of FY14.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 — June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
C.6.b.iii.F. By June 30, 2012, the Commonwealth shall develop one crisis stabilization program in each region.	By June 30, 2012	START crisis respite homes are under renovation or construction in each of the five regions. They will begin operations according to the schedule below, with full operations by January 2013. Region I (Central Virginia): October 1 Region III (Northern Virginia): January 1 Region IV (Greater Richmond/Petersburg Area): November 1 Region V (Hampton Roads): January 1 Regions have partnership agreements with each other so that those homes coming online earlier can admit individuals from other regions, when beds are available. This will ensure individuals receive some crisis respite supports while the homes are completed.	START crisis respite homes are under renovation or construction in all five regions. The Regions will begin operations according to the schedule below. Region I (Central Virginia): December 1, 2012 Region II (Northern Virginia): December 1 2012 Region III (Southwest Virginia): November 1, 2012 Region IV (Greater Richmond/Petersburg Area): March 1, 2013 Region V (Hampton Roads): June 30 2013 In Region V, the rehabilitation costs for the original house that was purchased for crisis stabilization were deemed prohibitive, and instead, following START specifications, they have designed and will build a new house. Regions have partnership agreements with each other, so that programs coming online earlier can admit individuals from other regions, when beds are available. Additionally, all regions will be providing In-home Crisis Services by December 31, 2012. This will ensure that individuals receive some crisis respite supports while the homes are being completed.	As of November 2013, all 5 Therapeutic Crisis Homes have opened and are providing crisis prevention and crisis stabilization services.

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
C.6.b.iii.G. By June 30, 2013, the Commonwealth shall develop an additional crisis stabilization program in each Region as determined necessary by the Commonwealth to meet the needs of the target population in that region.	By June 30, 2013			Based on the statewide usage of the START Therapeutic Homes, the Commonwealth determined that there was no need to develop additional crisis stabilization programs. Usage will continue to be monitored on a yearly basis.
C.7.b.i. Within 180 days of this Agreement, the Commonwealth shall develop, as part of its Employment First policy, an implementation plan to increase integrated day opportunities for individuals in the target population, including supported employment, community volunteer activities, community recreational opportunities, and other integrated day activities.	September 6, 2012	Not applicable	The DBHDS Strategic Plan for Employment First was published on November 8, 2012 and the targets required in this section were submitted on March 30, 2013. An interagency workgroup consisting of DBHDS, DARS, DMAS, DOE, DBVI, and VBPD was convened to address Strategic Plan goals related to interagency collaboration. The 2013 General Assembly approved language to permit DMAS to make changes to the waiver service Individual Supported Employment (ISE) description in order to align waiver ISE services with DARS ISE	DBHDS has worked with the State Employment Leadership Network (SELN) Advisory Group to update the DBHDS Strategic Plan for Employment First.

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
C.9the Commonwealth will provide to the General Assembly within one year of the effective date of this Agreement, a plan, developed in consultation with the Chairman of Virginia's House of Delegates Appropriations and Senate Finance Committees, to cease residential operations at four of the five training centers by the end of FY 2021.	March 6, 2013	The "Plan to Transform the System of Care for Individuals with Intellectual Disability in the Commonwealth of Virginia" (Report Document 86) was submitted on February 13, 2012.	The 2013 General Assembly passed Item 314.L. of the Appropriation Act requiring an update to the closure plan by August 23, 2013 in consultation with the chairman of the House Appropriations Committee and the Senate Finance Committee.	A plan was submitted to the chairman of the House Appropriations Committee and the Senate Finance Committee for consultation and review on October 2, 2013. No action has been taken.
D.3. Within 365 days of this Agreement, the Commonwealth shall develop a plan to increase access to independent living options such as individuals' own homes or apartments.	March 6, 2013	Not applicable	Interagency workgroup formed to draft plan, includes DBHDS, DMAS, VBPD, DARS, VHDA, DHCD, and others. "Virginia's Plan to Increase Independent Living Options" completed on March 6, 2013.	Interagency MOU signed during the summer of 2013.
D.4. Within 365 days of this Agreement, the Commonwealth shall establish and begin distributing, from a one-time fund of \$800,000 to provide and administer rental assistance in accordance with the recommendations described in the [Housing Plan].	March 6, 2013	No applicable	Rental assistance pilot, employing the \$800,000, was planned and developed by the Interagency team.	Agreements signed with Virginia Beach CSB and Fairfax CSB to administer the rental assistance pilot. Pilot was initiated November 2013. Early response to it has been challenging and the DBHDS and team members continue to monitor and make adjustments for its successful implementation.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
IV. By July 2012, the Commonwealth will have implemented Discharge and Transition Planning processes at all Training Centers consistent with the terms of this section, excluding other dates agreed upon, and listed separately in this section.	By June 30, 2012	Discharge process standardization began prior to completion of the settlement agreement. - All individuals residing at the training center have a discharge plan All training center staff involved with discharges have been trained All five Community Integration Managers have been hired (December 2011) Internal DBHDS guidelines finalized and issued to training centers - Regional meetings with CSBs to learn about process began in May 2012 and will conclude in July 2012 Information regarding barriers to discharge is collected and aggregated for training center, regional, and statewide analysis Post-move monitoring process in place - All discharge plans updated within 30 days of discharge Monthly reports to Central Office regarding individuals moved and types of placements. Other items that are under development include: - Development of training center education and training plan for Person-Centered Thinking (PCT), and terms of the agreement, discharge process, and community options Establishment of Regional Support Teams.	Regional Provider Forums regarding the discharge process were offered in each Region the weeks of September 24 and October 1, 2012. All new training center employees trained in PCT Virginia. All training center employees receive annual training each January. DBHDS Director of Community Integration and Discharges provided training to all key training center department heads regarding the settlement agreement during the reporting period. Regional Support Teams will be established in January 2013 to assist with training center discharges, transitions from nursing facilities and community ICFs, and those coming off the waiver wait lists.	Provider forums held with residential providers in March and employment/day support providers in May. These were providers interested in supporting individuals with the most complex needs. Exceptional rates were approved by the 2013 General Assembly to permit individuals with complex needs to receive additional support. These rates will enable DBHDS to more easily meet the discharge process requirements in the settlement agreement. DMAS and DBHDS have submitted a draft waiver amendment to the federal Centers for Medicare and Medicaid Services (CMS) for review. As of December 31, the Commonwealth had not received authority from CMS to move forward with the implementation of exceptional rate polices. Regional Support Teams established in January 2013. Teams are meeting monthly. 324 referrals have been made to the RSTs as of December, 2013. DBHDS, in partnership with The Arc of Virginia, Hope House Foundation, and VAULT, received a grant to establish an 8 month peer to peer education project.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
IV.B.8. For individuals admitted to a Training Center after the date this Agreement is signed by both parties, the Commonwealth shall ensure that a discharge plan is developed as described herein within 30 days of admission. For all individuals residing in a Training Center on the date that this Agreement is signed by both parties, the Commonwealth shall ensure that a discharge plan is developed as described herein within six months of the effective date of this Agreement.	By June 30, 2012	All individuals residing at training centers have a discharge plan.	All individuals residing in training centers have a discharge plan.	All individuals residing in training centers have a discharge plan.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
V.D.3. The Commonwealth shall begin collecting and analyzing reliable data about individuals receiving services under this Agreement selected from the following areas in FY 2012 and will ensure reliable data is collected and analyzed from each these areas by June 30, 2014. a. Safety and freedom from harm b. Physical, mental, and behavioral health and well being c. Avoiding crises d. Stability e. Choice and self-determination f. Community inclusion g. Access to services h. Provider capacity	Some data collected by June 30, 2013, additional measures in additional domains must be added by March 1, 2014	This section of the agreement requires Virginia to begin collection of some data in FY12 and to expand to include measures in each of the domains (a-h) by June 30, 2014. DBHDS collects data through its Office of Human Rights and the Office of Licensing regarding deaths, serious incidents, and allegations of abuse and neglect. DBHDS will be working with providers and CSBs to identify additional measures that will be collected by June 30, 2014 in each of the domains. DBHDS will also work with providers and CSBs to determine the most efficient methodology to collect this data and how it will provide regular reports on the measures to providers, CSBs, and the public.	A tracking process has been established for serious incidents and deaths specifying the status of the internal review process and the number of incidents in each category. A number of Project Teams have been established to address new licensure, human rights, risk management, and data analysis requirements in this area. Project Team activities will include working with providers and CSBs to identify additional measures that will be collected in each of the domains by June 30, 2014. DBHDS also will work with providers and CSBs to determine the most efficient methodology to collect this data and how it will provide regular reports on the measures to providers, CSBs, and the public.	Electronic reporting of serious incidents for all providers through CHRIS began June 1, 2013. The serious incident data is reported to the DBHDS Quality Improvement Committee. The mortality review committee reviews all unexplained and unexpected deaths. A series of safety alerts has been posted and sent to all licensed providers on choking/aspiration and bowel obstruction based on the work of these two committees. Other alerts that have been developed include alerts on psychotropic medication and when to access emergency treatment. Project Team 9 has developed five measures that address individuals' health and well being, stability, community inclusion and choice and self determination. CSB Case Managers are collecting the data starting January 1, 2014. Additional measures and data collection protocols are under development.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
V.E.2. Within 12 months of the effective date of this Agreement, the Commonwealth shall develop measures that CSBs and other community providers are required to report to DBHDS on a regular basis, either through their risk management/critical incident reporting requirements or through their QI programThe measures will be monitored and reviewed by the DBHDS quality improvement committee, with input from the Regional Quality Councils.	March 6, 2013		Plans for the implementation of the Regional Quality Councils are nearing completion. The first meeting which will be in HPR V is scheduled for August with the other 4 meetings to follow.	All 5 Regional Quality Councils are now operational and they have begun to review the data.

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 – June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
V.F.3. Within 12 months of the effective date of this Agreement, the individual's case manager shall meet with the individual face to face at least every 30 days, and at least one such visit every two months must be in the individual's place of resident, for any individuals who:	March 6, 2013		Measures including number, type, and, frequency of face to face case management visits were put into place by March 1, 2013. Work has been done by department staff to assist the CSBs with their data collection to ensure accurate data.	Data has been collected for the last 9 months and has been presented on the Health and Human Services Dashboard. The Quality Management staff has analyzed the data monthly and has worked with the individual CSBs to help them reach their
Receive services from providers having conditional or provisional licenses;			crisure decurate data.	targets.
b. Have more intensive behavioral or medical needs as defined by the Supports Intensity Scale ("SIS) category representing the highest level of risk to individuals;				
c. Have an interruption of service greater than 30 days;				
 d. Encounter the crisis system for a serious crisis or for multiple less serious crises within a three- month period; 				
e. Have transitioned from a Training Center within the previous 12 months; or				
f. Reside in congregate settings of 5 or more individuals.				

DOJ Milestone	Compliance Date	Summary of Activity (Mar 6, 2012 — June 30, 2012)	Summary of Activity (Jul 1, 2012 – June 30, 2013)	Summary of Activity (July 1, 2013 – Dec 31, 2013)
V.F.4. Within 12 months from the effective date of this Agreement, the Commonwealth shall establish a mechanism to collect reliable data from the case managers on the number, type, and frequency of case manager contacts with the individual.	March 6, 2013		See V.F.3	A "flag" has been added to the database that identifies individuals who require enhanced case management visits Up until now, the CSB Case managers have not had a mechanism to electronically identify and track the individuals meeting the criteria for ECM. This gives the CMs the ability to run reports on the ECM target population on their case loads. This goes into effect 1/1/2014 and will improve the quality of the data.
V.F.6. The Commonwealth shall develop a statewide corecompetency-based training curriculum for case managers within 12 months of the effective date of this Agreement.	March 6, 2013		The development of all seven modules has been completed and published. Many of the ID Case Managers have completed the training. DBBHDS continues to monitor the number of ID and DD case managers who complete the training.	Over 4,000 CSB staff has completed the case management curriculum. Approximately 50% of the DD case managers have completed the curriculum. DBHDS is working with DD Waiver officials to improve that number.

ontinue to rding those ered into the g Information
ered into the
g information
-
orking on
ts to aggregate
S for review.

DOJ Milestone	Compliance	Summary of Activity	Summary of Activity	Summary of Activity
	Date	(Mar 6, 2012 – June 30, 2012)	(Jul 1, 2012 – June 30, 2013)	(July 1, 2013 – Dec 31, 2013)
V.G.3. Within 12 months of the effective date of this Agreement, the Commonwealth shall ensure that the licensure process assesses the adequacy of the individualized supports and services provided to persons receiving services under this Agreement in each of the domains and that these data and assessments are reported to DBHDS.	March 6, 2013	See above	See above	See above

IV. Future Milestones in the DOJ Settlement Agreement and Stakeholder Involvement

Achieving the implementation of time sensitive milestones in the settlement agreement has not been the only focus of Virginia's efforts to advance the terms of the settlement agreement. DBHDS is working closely with many partner agencies and stakeholders to reach these goals and other long-term goals in the agreement.

Workgroups composed of CSBs, providers, advocacy organizations, peer-advocates, and other interested stakeholders have been formed for 22 project teams. Appendix A shows the different project teams. Please note that project teams 3, 7a, 12, and 13, were adjourned during this reporting period because those teams' missions and scope were met and implementation was completed or work had been absorbed into day-to-day operations.

DBHDS hosts a Settlement Agreement Stakeholder Group to share implementation activities to date and to listen to stakeholder input about implementation strengths and areas for improvement. The group meets quarterly and serves as a means to share information about implementation and discuss how Virginia will move forward with implementation in future years. Appendix B contains information about the group's membership. There is an opportunity for public comment at each meeting and materials are available at http://www.dbhds.virginia.gov/Settlement.htm.

Training Center Closures:

An outline of the plan to close four out of five of Virginia's training centers is provided in the Secretary of Health and Human Resources' report on the Trust Fund, "Plan to Transform the System of Care for Individuals with ID in the Commonwealth of Virginia," (Report Document No. 86), submitted to the General Assembly in February 2012 (available at http://www.dbhds.virginia.gov/Settlement.htm). At the direction of the 2009 General Assembly, SEVTC, with capacity to serve 75 individuals, will remain open to serve those with the most significant long-term medical and behavioral needs.

The 2013 General Assembly required in Item 314.L. of the *Appropriation Act* that the Commissioner of DBHDS provide a plan to close these training centers in consultation with the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, and stakeholders by August 23, 2013. The General Assembly also required in Item 314.O.1-4. That the commissioner of DBHDS provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan. The first report was due October 1, 2013.

These two reports (Item 314.L and Item 314.O) were published on January 10, 2014 and can be reviewed at:

- http://leg2.state.va.us/DLS/h&sdocs.nsf/5c7ff392dd0ce64d85256ec400674ecb/2424505fbeb13082 85257b590055ba7c?OpenDocument
- http://leg2.state.va.us/DLS/h&sdocs.nsf/5c7ff392dd0ce64d85256ec400674ecb/1ddf61102140dfb18
 5257bc6006443c7?OpenDocument

At the time of this report, DBHDS continues to project closures of SVTC in FY 2015, NVTC in FY 2016, SWVTC in FY 2018, and CVTC in FY 2020 as reported in Report Document No. 86.

V. Expenditures

Please see the table below and the explanation of the expenditures for this reporting period directly underneath the table in the "notes" section.

Table 5: Budget and Expenditures through December 31, 2013 (\$)	Actual FY 2012	Appropriation Act Budget FY 2013	Actual FY 2013	Appropriation Act & Carryforward Budget FY14	Actual FY 2014	Total Actual Expenses
Facility Transition Costs	-	11,309,540	8,049,024	19,534,660	7,201,862 (4)	15,250,886
Community ID and DD Waivers	125,755	19,615,150	17,436,345	27,642,275	13,752,719 ⁽⁴⁾	31,314,819
Program of Individual and Family Supports	-	2,400,000	1,652,238	3,800,000	2,246,221	3,898,459
Rental Subsidies	-	800,000	-	800,000	189,881	189,881
Crisis Stabilization (1)	-	7,818,289	7,765,570	12,231,711	5,916,653	13,682,223
Facility Closure Costs	-	2,749,885	2,749,885	8,397,855	1,093,665	3,843,550
Administration ⁽²⁾ DMAS Administration	168,724 -	1,313,682	1,339,634 -	1,807,338 787,038	903,385 Not Available	2,411,743
Quality Management ⁽³⁾	-	1,787,000	159,459	3,193,962	381,201	540,660
Independent Review	56,062	300,000	305,732	328,000	178,813	540,607
Bridge Funding	-		-	3,152,626	-	
Facility Savings	-	(5,846,989)	(5,571,989)	(19,364,535)	(9,682,268)	(15,254,257)
Total	350,541	42,246,557	33,885,899	62,310,930	22,182,131	56,418,571

⁽¹⁾ The General Assembly approved a budget amendment awarding \$3.8M to the adult crisis program and \$1.3M to the children's crisis program. DBHDS was permitted per Item 315.V.1. (2012 Appropriations Act) to transfer \$2.8M of Crisis Stabilization funds from FY14 to FY13.

⁽²⁾ Includes positions, operating costs for Licensure, trust fund coordinator, Developmental Services, Human Rights and ITS.

⁽³⁾ Includes licensing system, discharge monitoring and data warehouse.

⁽⁴⁾ State match for waiver slots for those transitioning from the Training Centers to the community and for those on the community waiting list. The match for the facility and community slots is transferred to DMAS at the end of the fiscal year. Until the transfer takes place, DBHDS populates the line items with estimated accrued expenses based on average costs generated by DMAS.

^{*} There are two minor expenses (Community Provider Training and Supportive Intensive Scale © online) totaling \$120,000 that are funded internally which are not displayed in the above table.

Appendix A: DOJ Project Teams (as of January 1, 2014)

DOJ Project Team 1 (Additional Waiver Slots)		
Team Member	Organization	
Lee Price (Lead)	DBHDS	
Sheryl Womeldorph	ILIFF	
Amanda Filtrin	Advocate	
Anne McDonnell	BIAV	
Beverly Soble	Virginia Health Care Association	
Becky Bowers-Lanier	BIAV, Consultant	
Anessa Brooke	Advocate	
Carolyn Turner	DARS	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Margaret Graham	VACSB	
Greg Preston	VACSB	
Michelle Guiziewicz	DBHDS	
Jackie Jackson	VACSB	
Jamie Liban	The ARC of Virginia, Executive Director	
Jim Gillespie	VACSB	
Jennifer Kurtz	DBHDS	
Mary Lynne Bailey	VHCA	
Maureen Hollowell	Endependence Center Inc., Center for Independent Living	
David Meadows	DBHDS	
Michelle Johnson	Henrico CSB	
Beverly Morgan	DBHDS	
Sam Pinero	Department of Medical Assistance Services (MFP)	
Karen Poe	DBHDS	
Ray Ratke	Lutheran Family Services	
Linda Redmond	VBPD	
Gail Rheinheimer	DBHDS Office of Developmental Services (MFP)	
Ramona Schaeffer	Department of Medical Assistance Services	
Barry Seaver	DBHDS	
Sharon Darby	Children's Hospital	
Cheri Stierer	DBHDS	
Tim Capoldo	VACSB	
Dawn Traver	DBHDS Office of Developmental Services	

Betty Vines	DBHDS	
Susan Ward	Virginia Hospital and Healthcare Association	
Eric Williams	DBHDS	
Judy Brown	Lake Taylor	
Andrea Coleman	DBHDS	
William Giermak	St. Mary's Hospital	
DOJ Pro	ject Team 2 (New Medicaid Waivers)	
Team Member	Organization	
Beverly Rollins (Lead)	DBHDS	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Lee Price	DBHDS Senior Policy Advisor	
Don Darr	DBHDS Office of Developmental Services, Finance	
Cheri Stierer	DBHDS Office of Developmental Services, Data Management	
Dawn Traver	DBHDS Office of Developmental Services, Waiver Policy Regulations	
DOJ Project Team 3 (Individual & Family Support		
Team Member	Organization	
Cindy Gwinn (Lead)	Community Resources Manager, DBHDS Office of Developmental Services	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Dawn Traver	DBHDS Office of Developmental Services	
Sam Pinero	Department of Medical Assistance Services	
DOJ Project	Team 4 (Crisis Intervention & Prevention)	
Team Member	Organization	
Bob Villa (Lead)	DBHDS Office of Developmental Services, START Manager	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
James Vann	Easter Seals START Director for Region I	
Philippe Kane	Easter Seals START Director for Region II	
Denise Hall	New River Valley Community Services, START Director for Region III	
Autumn Richardson	Richmond Behavioral Health Authority, START Director for Region IV	
Pam Little	Hampton-Newport News Community Services Board, START Director for Region V	
DOJ Project Team 5 (Employment First)		
	Organization	
Team Member	Organization .	
Team Member Adam Sass (Lead)	DBHDS Office of Developmental Services, Employment Coordinator	

Michael Shank	DBHDS Office of Mental Health Services	
DOJ Pr	oject Team 5 (SELN Advisory Group)	
Cheri Stierer	DBHDS	
Chris Lavach	The Choice Group	
Dana V. Yarbrough	Partners	
Dave Wilber	The Arc of the Peninsula	
Dawn Traver	DBHDS	
Don Conley	Arlington CSB	
Donna Bonessi	DARS	
Ed Turner	Turner and Associates	
Grant Revell	VCU	
Heather Norton	Chesterfield CSB	
Jack Brandt	VCU	
Jamie Liban	The Arc of Virginia	
Jim Gillespie	Rappahannock CSB	
John Santoski	The Arc of the Piedmont	
Karen Tefelski	VAACCSES	
Kathryn Hayfield	DARS	
Kevin Lafin	Fairfax CSB	
Lance Elwood	Career Supports	
Lisa Morgan	Service Source	
Lynne Talley	VBPD	
Marshall Henson	Linden Resources	
Michelle Howard-Herbein	Didlake	
Paul Atkinson, Jr.	Eggelston Services	
Phil Nussbaum	Chesterfield CSB	
Rob Froehlich	GWU	
Robin Metcalf	The Choice Group	
Samantha Hollins	DOE	
Sara Peterson	Autism Society of NOVA	
Shirley Lyons	Henrico CSB	
Susan Payne	DBVI	
Amy Thomas	Hanover CSB	
Wendy Gradison	PRS Inc.	
Janice McKenna	Danville/Pittsylvania CSB	
DOJ Project Team 6 (Independent Housing)		

Team Member	Organization		
Eric Leabough (Lead)	DBHDS, Housing Specialist		
Dr. Olivia Garland	DBHDS Deputy Commissioner		
Jim Stewart	DBHDS, Commissioner		
Bill Shelton	Department of Housing and Community Development, Director		
Susan Dewey	Virginia Housing Development Authority, Executive Director		
Jim Rothrock	Department for Aging and Rehabilitative Services, Commissioner		
Heidi Lawyer	Virginia Board for People with Disabilities, Executive Director		
Keith Hare	Office of the Secretary of Health and Human Resources, Deputy Secretary		
Matt Cobb	Office of the Secretary of Health and Human Resources, Deputy Secretary		
Heidi Dix	DBHDS Settlement Agreement Executive Advisor		
Shea Hollifield	Department of Housing and Community Development, Deputy Director of Housing		
Herb Hill	Virginia Housing Development Authority, Managing Director of Policy, Planning and Communications		
Bill Ernst	Department of Housing and Community Development, Policy Office Manager		
Teri Barker Morgan	Virginia Board for People with Disabilities, Program Manager		
Bruce DeSimone	Virginia Housing Development Authority, Community Housing Officer		
Barry Merchant	Virginia Housing Development Authority, Senior Policy Analyst		
Bill Fuller	Virginia Housing Development Authority, Senior Community Housing Officer		
Sam Pinero	Department of Medical Assistance Services, Program Manager		
Helen Leonard	Department of Medical Assistance Services, Management Lead		
Catherine Harrison	Director of Community Integration, Department for Aging and Rehabilitative Services		
Jeannie Cummins Eisenhour	Fairfax-Falls Church CSB, Housing Specialist		
Michelle Johnson	Henrico Area Mental Health and Developmental Services, Community Support Services Division Director		
Maureen Hollowell	Endependence Center (VA CIL), Director of Advocacy and Services		
Debbie Brinkley	Western Tidewater CSB DMC Representative		
Jamie Liban	The ARC of Virginia, Executive Director		
	DOJ Project Teams 7a – 7d		
Team Member	Organization		
Jae Benz (7a Lead – Discharge Process & Community Integration)	DBHDS Training Center Discharges and Community Integration, Director		

Gail Rheinheimer (7b Lead – Regional Support Teams)	DBHDS Office of Developmental Services	
Dawn Traver (7c Lead – Family Mentoring & Peer Programs)	DBHDS Office of Developmental Services	
Beverly Rollins (7d Lead – Provider Capacity Development)	Consultant	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Debra Smith	SVTC CIM	
Beverly Littlejohn	CVTC CIM	
Kelly Rinehimer	NVTC CIM	
Sarah Stansberry	SEVTC CIM	
Betty Vines	DBHDS Office of Developmental Services	
Michelle Laird	SWVTC CIM	
Angela Harvell	CIM	
Olivia Garland	DBHDS, Deputy Commissioner	
Les Saltzberg	DBHDS, Director of Licensing	
Keven Schock	DBHDS Office of Licensing, Associate Director	
Lee Price	DBHDS Office of Developmental Services, Director	
Margaret Walsh	DBHDS Office of Human Rights, Director	
Adam Sass	DBHDS Office of Developmental Services, START Coordinator	
Patricia Rivers	Consultant	
DOJ Project Tea	am 8 (Quality Improvement & Data Analysis)	
Team Member	Organization	
Paul Gilding (Lead)	DBHDS Office of Community Contracting, Director	
Kathy Drumwright	DBHDS Office of Quality Management and Development, Assistant Commissioner	
Jae Benz	DBHDS Office of Developmental Services Training Center, Operation Mgr.	
Debra Bernard	Henrico Area Mental Health and Developmental Services Quality Assurance Director and VACSB Quality Assurance Committee Chair	
Jim Bernat	Rappahannock-Rapidan CSB	
Debbie Brinkley	Western Tidewater CSB and VACSB DMC Executive Committee member	
Charline A. Davidson	DBHDS Office of Planning and Development, Director	
Adrienne H. Ferriss	DBHDS Office of Information Technology Services	
Jennifer G. Fidura	Virginia Network of Private Providers, Executive Director	
Dale Francis	New River Valley Community Services IT Director and VACSB DMC, Executive Committee member	

Paul R. Gilding	DBHDS Office of Community Contracting	
Marion Y. Greenfield	DBHDS Office of Clinical Quality and Risk Management, Director	
Cynthia J. Gwinn	DBHDS Office of Developmental Services, Community Resources Manager	
Michelle Johnson	Henrico Area Mental Health and Developmental Services Director of Developmental Services and VACSB Developmental Services Council Chairperson	
Rupinder Kaur	DBHDS Office of Developmental Services, Data Management Analyst	
Dee Keenan	DBHDS Division of Quality Management and Development (DQM&D) ,Case Management Coordinator	
Luciana Kelty	DBHDS Division of Quality Management and Development, Research Associate/Project Coordinator	
Eric S. Leabough	DBHDS Office of Developmental Services, Housing Specialist	
Demetrios N. Peratsakis	Western Tidewater CSB, Executive Director	
Les H. Saltzberg	DBHDS Office of Licensing, Director	
Russell S. Sarbora	DBHDS Chief Information Officer	
Adam H. Sass	DBHDS Office of Developmental Services Employment Coordinator	
Keven M. Schock	DBHDS Office of Licensing, Associate Director	
Beverly A. Thomas	DBHDS Office of Information Technology Services	
Robert J. Villa	DBHDS Office of Developmental Services-ID/DD Crisis Manager	
Margaret S. Walsh	DBHDS Office of Human Rights, Director	
Stella Stith	DBHDS Division of Quality Management and Development, Data Analyst	
Lacy T. Whitmore	Harrisonburg Rockingham CSB Executive Director and VACSB Administrative Policy and Technical Committee Chairperson	
	DOJ Project Team 9	
Team Member	Organization	
Dee Keenan (Lead)	DBHDS Office of Quality Management, Case Management Coordinator	
Kathy Drumwright	DBHDS Quality Management and Development, Assistant Commissioner	
Les Saltzberg	DBHDS Office of Licensing, Director	
Heather Norton	Chesterfield CSB	
Bonnie Neighbor	Vocal Virginia	
Debbie Brinkley	WTCSB/DMC Representative	
Sam Pinero	Department of Medical Assistance Services	
Steven King	Independent DD Case Manager	
Dawn Traver	DBHDS Office of Developmental Services	

Gail Rheinheimer	DBHDS Office of Developmental Services		
Michael Shank	DBHDS Office of Mental Health Services		
Paul Gilding	DBHDS Office of Community Contracting, Director		
Cheryl Johnson	DD Case Manager, ARC of NOVA		
Heather Rupe	New River Valley Community Services DMC Representative		
Kippy Cassell	Piedmont Community Services DMC Representative		
Susan Bergquest	Goochland CSB		
Sharon Taylor	Frontier Health, Private CM Provider		
DOJ Project Team 10 (Case Manager Training)			
Team Member	Organization		
Michael Shank (Lead)	DBHDS Office of Mental Health Services		
Kathy Drumwright	DBHDS Office of Quality Management & Development, Assistant Commissioner		
Gail Rheinheimer	DBHDS Office of Developmental Services		
Eric Williams	DBHDS Office of Developmental Services		
Heather Norton	Chesterfield CSB		
Ed Gonzalez	DBHDS Office of Licensing		
Maureen Hollowell	Endependence Center Inc., Center for Independent Living		
Sam Pinero	Department of Medical Assistance Services		
DOJ Projec	t Team 11 (Provider Risk Management)		
Team Member	Organization		
Marion Greenfield (Lead)	DBHDS Office of Clinical Quality and Risk Management, Director		
Kathy Drumwright (Reports to & Member of Mortality Review Committee)	DBHDS Office of Quality Management and Development, Assistant Commissioner		
Dr. Olivia Garland (Team Member & member of Mortality Review Committee)	DBHDS, Deputy Commissioner		
Debra Cought	NVTC		
Keven Schock	DBHDS Office of Licensing, Associate Director		
Margaret Walsh	DBHDS Office of Human Rights, Director		
Ann Bevan	Private Provider Rep		
Denise Dunn	DBHDS Office of Facility Investigations and Management		
Michelle Guzeiwicz	DBHDS		
Mary O'Hara	DBHDS Office of Quality and Risk Management		
Barbara Palmore	DBHDS		
Neysa Simmers	VCSB		

Dr. Jack Barber	DBHDS Medical Director
Jae Benz	DBHDS Training Center Discharges and Community Integration, Director
Heidi Dix	DBHDS Settlement Agreement Executive Advisor
Karen Moten	DBHDS Quality Management and Development, Data Analyst
Kent McDaniel	Henrico
Les Saltzberg	DBHDS Office of Licensing, Director
	DOJ Project Team 12 (Incident Reporting)
Team Member	Organization
Margaret Walsh (Lead)	DBHDS Office of Human Rights, Director
Kathy Drumwright	DBHDS Office of Quality Management and Development, Assistant Commissioner
Denise Dunn	DBHDS Office of Developmental Services
Marion Greenfield	DBHDS Office of Clinical Quality and Risk Management, Director
Kelly Fried	Chesterfield CSB Quality Assurance, Director
Sue Tatum	Chesterfield CSB, QA
Lisa Poe	Richmond Residential, Virginia Network of Private Providers, Executive Director
Debra Bernard	Henrico Area Mental Health and Developmental Services (HAMHDS) Quality Assurance Director (QA) and VACSB QA Committee Chair
Charline A. Davidson	DBHDS Office of Planning and Development, Director
Leslie Anderson	Fidura and Associates, Virginia Network of Private Providers
Paul R. Gilding	DBHDS Office of Community Contracting
Marion Y. Greenfield	DBHDS Office of Clinical Quality and Risk Management, Director
Dee Keenan	DBHDS Division of Quality Management and Development (DQM&D), Case Management Coordinator
Angela Harrison	DBHDS Office of Human Rights
Les H. Saltzberg	DBHDS Office of Licensing (OL, Director
Chanda Braggs	DBHDS Office of Licensing (OL), Associate Director
Stella Stith	DBHDS Office of Licensing (OL), Data Analyst
Lisa Blecker	Fairfax Falls Church CSB Quality Assurance, Director
Laura Schmidt	Fairfax Falls Church CSB, QA
Herbert Dumas	Fairfax Falls Church CSB, IT
Don Tyson	DBHDS Project Manager
Sue Tinsley	DBHDS Business Analyst
Stella Stith	DBHDS Quality Management and Development, Data Analyst

Dawn Traver	ver DBHDS Office of Developmental Services		
DOJ Project Team 13 (Mortality Review)			
Team Member	Organization		
Dr. Jack Barber (Lead)	DBHDS Medical Director		
Kathy Drumwright	DBHDS Office of Quality Management and Development, Assistant Commissioner		
Marion Greenfield	DBHDS Office of Clinical Quality and Risk Management, Director		
Heidi Dix	DBHDS Settlement Agreement Executive Advisor		
Kent McDaniel	Psychiatrist		
Karen Moten	DBHDS Quality Management and Development, Data Analyst		
Les Saltzberg	DBHDS Office of Licensing, Director		
	DOJ Project Team 14 (Licensing)		
Team Member	Organization		
Les Saltzberg (Lead)	DBHDS Office of Licensing, Director		
Kathy Drumwright	DBHDS Office of Quality Management and Development, Assistant Commissioner		
Keven Schock	DBHDS Office of Licensing, Associate Director		
Chanda Braggs	DBHDS Office of Licensing, Associate Director		
Beverly Thomas	DBHDS Office of Information Technology Services		
Margaret Walsh	DBHDS Office of Human Rights, Director		
Michelle Johnson	Henrico CSB		
David Meadows	Community Resource Consultant		
Natasha Fedyszyn	Private Provider		
Carla Keith	DBHDS Office of Licensing. Data Analyst		
Stella Stith	DBHDS Quality Management and Development, Data Analyst		
DOJ P	roject Team 15 (Quality Service Reviews)		
Team Member	Organization		
Charline Davidson (Lead)	DBHDS Office of Planning and Development		
Kathy Drumwright (Reports to)	DBHDS Office of Quality Management and Development, Assistant Commissioner		
Lee Price	DBHDS Senior Policy Advisor		
Dr. Olivia Garland	DBHDS, Deputy Commissioner		
Cheri Stierer	DBHDS Office of Developmental Services		
Deb Lochart	DBHDS Office of Human Rights		
Keven Schock	DBHDS Office of Licensing		
Dee Keenan	DBHDS Office of Quality Management and Development		

Michele Wittingham	Private Provider	
Jim Gillespie	Rappahannock Area CSB, VACSB ID Council	
Sam Pinero	Department of Medical Assistance Services	
Parthy Dinora	Partnership for People with Disabilities, Virginia Commonwealth University	
Heidi Dix	DBHDS Settlement Agreement Executive Advisor	
Beverly Rollins	Consultant	
Gail Rheinheimer	DBHDS Office of Developmental Services	
Linda Major	VACSB Data Management Committee,* Hampton-Newport News CSB	
Jamie Liban	Arc of Virginia, Executive Director	
Michele Whittingham	One Diversity, Private Provider	
Karen Moten	DBHDS Quality Management and Development, Data Analyst	
* Formerly Mike Forster	Harrisonburg-Rockingham CSB	
DOJ Project Team 16 (Facilities Closures)		
Team Member	Organization	
Dr. Olivia Garland (Lead/Chair)	DBHDS, Deputy Commissioner	
Heidi Dix	DBHDS Settlement Agreement Executive Advisor	
Neila Gunter	DBHDS Office of Human Resources Development and Management	
Vickie Montgomery	CSH	
Bob Kaufman	DBHDS Office of Clinical Quality and Risk Management, Director	
Joe Cronin	DBHDS Office of Architecture and Engineering	
Mickie Jones	DBHDS Office of Architecture and Engineering	
Marion Greenfield	DBHDS, Office of Clinical Quality and Risk Management, Director	
Sue Ridout	DBHDS	
* Additional Members	Different Support Services representatives from respective facilities to develop closure plans	
DOJ Project Team 17 (Provider Training)		
Team Member	Organization	
Gail Rheinheimer (Lead)	DBHDS Office of Developmental Services	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Carolyn Robinson	CVTC, Policy & Project Management Director	
Les Saltzberg	DBHDS, Office of Licensing, Director	
Jae Benz	DBHDS Training Center Discharges and Community Integration, Director	
Kathy Drumwright	DBHDS Quality Management and Development, Assistant Commissioner	

DOJ Project Team 18 (RCSC Coordination)		
Team Member	Organization	
Dale Woods (Lead)	DBHDS	
Dr. Olivia Garland	DBHDS Deputy Commissioner	
Jen Kurtz	SWVTC, Community Resource Consultant	
Karen Poe	NOVA, Community Resource Consultant	
Mark Diorio	NVTC, Director	
Barry Mayberry	MD	
Nancy Cottingham	Southern and Southwestern regions, Executive Director Horizon Behavioral Health	
Lynnie McCrobie	Middle Peninsula Northern Neck CSB, Director of Community Options	
Donna Knarr	Parent of Consumer and Mentor for Families of Individuals Leaving Training Centers, Individual Consumer	
John Knarr	NVTC, Director	
Jennifer Fidura	Fidura and Associates, Virginia Network of Private Providers Executive Director	
Heidi Dix	DBHDS Settlement Agreement Executive Advisor	
Olivia Garland	DBHDS, Deputy Commissioner	
Michele Laird	SWVTC CIM	
Kathy Drumwright	DBHDS Quality Management and Development, Assistant Commissioner	
Keven Schock	DBHDS Office of Licensing, Associate Director	
John Jackson	DBHDS	
DOJ Project Team 24 (Access and Availability of Services)		
Gail Rheinheimer (Lead)	DBHDS Office of Developmental Services	
Helen Leonard	DMAS	
Jennifer Kurtz	DBHDS	
Katie Roper	Virginia Easy Access	
Sam Pinero	Department of Medical Assistance Services	

Appendix B: DBHDS Settlement Agreement Stakeholder Group (December 2013)

Category	Appointee Name	Designee	
HOST AGENCY	HOST AGENCY		
DBHDS	Mr. James W. Stewart, III, Commissioner		
DBHDS	Dr. Olivia J. Garland, Ph.D., Deputy Commissioner		
DBHDS	Ms. Heidi R. Dix, Settlement Agreement Executive Advisor		
OTHER STATE AGENCIES			
DMAS	Ms. Karen Kimsey, Deputy Director for Complex Care		
DARS and CIAC	Ms. Catherine Harrison, Director, CIAC		
SERVICE RECIPIENTS			
Parent/Family of Individual	Ms. Betty Thompson		
Parent/Family of Individual	Ms. Vicki Beatty		
Parent/Family of Individual	Ms. Cathleen S. Lowery		
Parent/Family of Individual	Ms. Pat Bennett		
PROVIDERS/ASSOCIATIONS			
VNPP	Ms. Ann Bevan, President	Ms. Jennifer Fidura	
VACIL	Ms. Karen Michalski-Karney, Chair		
vaACCSES	Mr. Dave Wilber, President		
VACSB	Ms. Karen Grizzard, Chair		
CSB ID Director	Ms. Michelle Johnson, Henrico CSB		
CSB Executive Director	Ms. Lisa Moore, Mt. Rogers CSB		
DD Case Management	Ms. Josie Williams, Commonwealth Catholic Charities		
CSB Case Manager	Ms. Linda Wilson, Rappahannock Area CSB		
Non-Congregate Setting			
Provider	Mr. Peter Leddy, President	Ms. Lynne Seagle	
ADVOCACY/OTHER			
The Arc of Virginia	Mr. Glenn Slack, President	Ms. Jamie Liban	
Autism Org: Autism Society of			
Central Va.	Ms. Sandi Wiley, President	Ms. Bradford Hulcher	
State Human Rights			
Committee	Mr. Donald H. Lyons, Chair, SHRC		
VBPD	Mr. John Kelly, Chair	Ms. Heidi Lawyer	
Peer Advocate DD	Ms. Marisa Loais, Member, The Arc of Northern Virginia		
Peer Advocate ID	Ms. Katherine Olson, Voices of VA		