

2016 ANNUAL EXECUTIVE SUMMARY
of the Activity and Work of the
STATE BOARD of
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES



TO THE GOVERNOR AND GENERAL ASSEMBLY

February 16, 2017

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COMMONWEALTH of VIRGINIA
DEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
Post Office Box 1797

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February 16, 2017

The Honorable Terry R. McAuliffe
Governor of Virginia
Patrick Henry Building
P.O. Box 1475
Richmond, Virginia 23218

Dear Governor McAuliffe:

I am writing on behalf of the State Board of Behavioral Health and Developmental Services. The purpose of this letter is to provide a copy of the Annual Executive Summary submitted to the Governor and the General Assembly in accordance with subsection E of § 37.2-200 of the *Code of Virginia*.

The membership of the Board includes individuals who have received services, family members of people with disabilities, a local elected official, a psychiatrist and citizens at large. We feel it is important to make the case that, of all the demands presented each year for state support, the needs of Virginians with mental health or substance use disorders or intellectual or developmental disabilities and their families are particularly important and deserving of increased resources.

In 2016, the Board held its meetings at the Department of Behavioral Health and Developmental Services (DBHDS) Central Office and Region Ten Community Services Board in Charlottesville. During these meetings, the Board heard reports from DBHDS Interim Commissioner Dr. Jack Barber and presentations on the System Transformation, Excellence and Performance (STEP-VA) model to transform Virginia's mental health services, the Certified Community Behavioral Health Clinics (CCBHC) grant, Medicaid waiver redesign, the DOJ settlement agreement, behavioral health wellness, and peer certification. We were also fortunate enough to hear from Dr. Ron Manderscheid, Executive Director of the National Association of Community Behavioral Health and Developmental Disability Directors, on national trends in behavioral healthcare. The Board would like to thank Interim Commissioner Barber, DBHDS staff, the legislature, and your administration for your hard work to transform our system into one that provides access to quality services to all Virginians with behavioral health disorders and developmental services.

The Board's priorities for 2017 are:

1. Ensure all Virginians have timely access to appropriate and needed services by eliminating waiting lists, enhancing community based services, increasing access to providers by expanding provider coverage and telepsychiatry, and medication assisted treatment;
2. Expand housing assistance to support individuals in more integrated settings in the community;

3. Support efforts for Virginia to implement System Transformation, Excellence and Performance (STEP-VA), an innovative initiative to address Virginia's behavioral health needs, derived from the transformation recommendations and informed by critical lessons learned during the CCBHC grant;
4. Increase access to services for adolescents and young adults through transition services and child psychiatric services;
5. Promote education with regard to prevention and recovery through Mental Health First Aid, Peer Services, and self advocacy;
6. Reduce stigma of individuals with a behavioral health diagnosis or developmental disability through education and culturally competent outreach; and
7. Continue to develop adequate provider capacity for individuals with developmental disabilities.

The Board urges that behavioral health and developmental services priorities remain in the forefront of all those issues before the legislature in 2017. If there are helpful ways we might highlight the need for these services, we are eager to support such efforts.

Sincerely,



Paula Mitchell
Chair

Cc: The Honorable Thomas K. Norment
The Honorable William J. Howell
The Honorable William A. Hazel Jr., MD
Members, State Board of Behavioral Health and Developmental Services
Joe Flores
Jack Barber, M.D, Interim Commissioner, DBHDS

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Information about the Board can be found at this link:

<http://www.dbhds.virginia.gov/about-dbhds/boards-and-councils/stateboardofbhds>

INTRODUCTION

Board Membership

The State Board of Behavioral Health and Developmental Services is established by § 37.2-200 of the *Code of Virginia* as a policy board in the executive branch of Virginia government. Citizen board members are appointed by the Governor and subject to confirmation by the General Assembly. Terms are for four years each, except appointments to fill vacancies. Members may be reappointed; however, no member may serve more than two full four-year terms.

The Board held four meetings in 2016 to effectively address policy, regulatory, and systems change issues as follows:

- April 13, Richmond
- July 12-13, Richmond
- October 7, Charlottesville
- December 1, Richmond

Board membership consists of nine non-legislative citizen members. The Board is required to have individuals receiving services and family members, one elected local government official, one psychiatrist licensed to practice in Virginia, and four citizens at large. The current membership of the Board meets the statutory criteria and is constituted as follows:

- Paula N. Mitchell, Roanoke, Chair;
- Gretta Doering, Winchester, Vice-Chair;
- Jack Bruggeman, Vienna;
- Elizabeth Hilscher, Richmond;
- Calendria Jones, Richmond;
- Sandra Price-Stroble, Harrisonburg;
- Dr. James S. Reinhard, Blacksburg;
- The Hon. Amelia Ross-Hammond, Virginia Beach; and
- Jennifer Spangler, Midlothian.

The current Board membership consists of individuals who have been appointed as early as 2009, with the most recent appointments made in 2016.

Review of Statutory Authority

State Board of Behavioral Health and Developmental Services (§ 37.2-200).

- A. The State Board of Behavioral Health and Developmental Services is established as a policy board ...in the executive branch of government.
- D. ...The Board shall meet quarterly and at such other times as it deems proper. ...The meetings of the Board shall be held at the call of the chairman or whenever the majority of the members so request....
- E. The chairman of the Board shall submit to the Governor and the General Assembly an annual executive summary of the activity and work of the Board no later than the first day of each regular session of the General Assembly.

Classification of executive branch boards, commissions and councils (§2.2-2100).

"Policy" - A board, commission or council shall be classified as policy if it is specifically charged by statute to promulgate public policies or regulations. It may also be charged with adjudicating violations of those policies or regulations. Specific functions of the board, commission or council may include, but are not limited to, rate setting, distributing federal funds, and adjudicating regulatory or statutory violations, but each power shall be enumerated by law. Policy boards, commissions or councils are not responsible for supervising agencies or employing personnel. They may review and comment on agency budget requests.

Powers and duties of the Board (§ 37.2-203).

1. To develop and establish programmatic and fiscal policies governing the operation of state hospitals, training centers, community services boards, and behavioral health authorities;
2. To ensure the development of long-range programs and plans for mental health, developmental, and substance abuse services provided by the Department, community services boards, and behavioral health authorities;
3. To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Governor and on all applications for federal funds;
4. To monitor the activities of the Department and its effectiveness in implementing the policies of the Board;
5. To advise the Governor, Commissioner, and General Assembly on matters relating to mental health, developmental, and substance abuse services;
6. To adopt regulations that may be necessary to carry out the provisions of this title and other laws of the Commonwealth administered by the Commissioner or the Department;
7. To ensure the development of programs to educate citizens about and elicit public support for the activities of the Department, community services boards, and behavioral health authorities;
8. To ensure that the Department assumes the responsibility for providing for education and training of school-age individuals receiving services in state facilities, pursuant to § [37.2-312](#); and
9. To change the names of state facilities.

Additional Responsibilities (State Board of BHDS Bylaws Article 6 – Powers and duties of the Board).

The Board shall appoint members of the State Human Rights Committee pursuant to §37.2-204 of the Code of Virginia. The Board may appoint other advisory councils or committees, as it deems necessary or appropriate.

FY 2016 ACCOMPLISHMENTS

The Board utilizes a framework of five areas of statutory responsibility as an organizational structure for planning.

Area of Responsibility-A: Policy Development and Monitoring (Powers & Duties 1 & 4)

These duties are addressed by the Board's Policy Development and Evaluation Committee through the State Board Policy 2010 (ADM ST BD) 88-2 Policy Development and Evaluation. All Board policies are accessible online (<http://www.dbhds.virginia.gov/about-dbhds/boards-and-councils/stateboardofbhds>). See the list of current State Board policies with the last review date attached as Appendix A.

In 2016, the Board reviewed the following policies:

- 1015(SYS)86-22 – Services for Individuals with Co-occurring Disorders; Last review: 10/7/16
- 1021(SYS)87-9 – Core Services; Last review: 10/7/16
- 4010(CSB)83-6 – Local Match Requirements for Community Services Boards; Last review: 10/7/16
- 1036(SYS)05-3 – Vision Statement; Last review: 12/1/16

Area of Responsibility-B: Ensure the Development of Programs and Plans (Powers & Duties 2)

Section § 37.2-315 of the *Code of Virginia* directs the Department to produce and biennially update a comprehensive six year plan that identifies services and supports needs of individuals with mental health or substance use disorders or intellectual disability; proposes strategies to meet those needs; and defines resource requirements for behavioral health and developmental services. The Department completed the comprehensive six year plan on December 1, 2016 which included a six-year implementation plan for recommendations made by the four DBHDS Transformation Teams. The Board Planning and Budget Committee reviewed the plan at its November 30, 2016 meeting and planned to follow the plan's implementation.

Area of Responsibility-C: Review and Comment on All Budgets and Requests (Powers & Duties 3)

The Board Bylaws (*Article 7 – Committees, A.2.b. Planning and Budget Committee Powers and Duties*) states that the Planning and Budget Review Committee shall ensure development of long-range plans and budgets. In addition, the Board's Grant Review Committee exists specifically to review requests for

federal grant funds. The Board heard from Interim Commissioner Barber about agency budget submissions at its December meeting. The Board's priorities are included in the cover letter to this report.

Area of Responsibility-D: Adopt Regulations (Powers & Duties 6)

These duties are addressed by the full Board. See the list of regulatory actions in Appendix B Status and Pending Action on Board Regulations.

Area of Responsibility-E: Communication, Coordination and Collaboration (Powers & Duties 5,7,8,9 & Art.6 b)

These duties are addressed by the full Board. Within the DBHDS system, members of the Board attend meetings in different localities and serve as liaisons to regions. In order to address and fulfill its duties and responsibilities, the Board continued revision of current policies, and maintained internal mechanisms to ensure appropriate levels of engagement and information were in place for all areas of Board responsibility.

Board members maintained contact with and informed their area's respective legislators and local government officials of pressing issues and concerns. New assignments of liaison areas were reviewed as new board members were appointed. Members also have representation on the Prevention and Promotion Advisory Council (PPAC), State Human Rights Committee (SHRC), and Behavioral Health Planning Council.

SUMMARY AND NEXT STEPS

The Board will continue to work with staff and other interested individuals to identify relevant issues that it should address in policy in the future, in conjunction with ongoing review of all existing policies on a scheduled basis.

Appendix A: List of Current State Board Policies (January 2017)

Six Year Review Schedule

<u>Policy Number</u>	<u>Policy Name</u>	<u>Last Review Date</u>	<u>Next Scheduled Review Due</u>
#1000 (SYS) --- SYSTEM MISSION AND DIRECTION			
1004(SYS)83-7	Prevention Services	7/23/14	July 2020
1007(SYS)86-2	Behavioral Health and Developmental Services for Children and Adolescents and Their Families	12/8/09	UNDERWAY
1008(SYS)86-3	Services for Older Adults with Mental Illness, Mental Retardation, or Substance Use Disorders	7/23/2013	Summer 2019
1010(SYS)86-7	Board Role in the Development of the Department's Comprehensive State Plan for Mental Health, Mental Retardation and Substance Abuse Services	4/3/07	July 2020
1015(SYS)86-22	Services for Individuals with Co-occurring Disorders	10/7/16	Fall 2022
1016(SYS)86-23	Policy Goal of the Commonwealth for a Comprehensive, Community-Based System of Services	12/4/12	Fall 2018
1021(SYS)87-9	Core Services	10/7/16	Fall 2022
1023(SYS)89-1	Workforce Cultural and Linguistic Competency	6/3/08	July 2020
1028(SYS)90-1	Human Resource Development	4/27/11	Spring 2017
1030(SYS)90-3	Consistent Collection and Utilization of Data in State Facilities and Community Services Boards	4/9/2013	Spring 2019
1034(SYS)05-1	Partnership Agreement	12/4/12	Fall 2018
1035(SYS)05-2	Single Point of Entry and Case Management Services	7/23/13	Summer 2019
1036(SYS)05-3	Vision Statement	12/1/16	Fall 2022
1038(SYS)06-1	The Safety Net of Public Services	12/6/13	Fall 2019
1039(SYS)06-2	Availability of Minimum Core Services	7/23/2013	Summer 2019
1040(SYS)06-3	Consumer and Family Member Involvement and Participation	7/23/2013	Summer 2019
1041(SYS)06-4	Services for Individuals with Mental Illnesses, Mental Retardation, or Substance Use Disorders Who are at Imminent Risk of Becoming Involved with the Criminal Justice System	12/6/13	Fall 2019
1042(SYS)07-1	Primary Health Care	12/6/13	Fall 2019
1043(SYS)08-1	Disaster Preparedness	7/23/14	July 2020
1044(SYS)12-1	Employment First	12/4/12	Fall 2018

Table continued next page....

#2000 (ADM ST BD) --- ADMINISTRATION			
2012 (ADM ST BD) 10-1	Policy Review and Comment on BHDS Budget Priorities (6001(FIN)86-1)	9/14/10	UNDERWAY
2011(ADM)88-3	Naming of Buildings, Rooms and Other Areas at State Facilities	12/6/11	Fall 2017
#3000 (C O) --- CENTRAL OFFICE			
3000(CO)74-10	Department Employee Appointments to Community Services Boards	12/6/11	Fall 2017
#4000 (CSB) --- COMMUNITY SERVICES BOARDS/COMMUNITY PROGRAMS			
4010(CSB)83-6	Local Match Requirements for Community Services Boards	10/7/16	Fall 2022
4018(CSB)86-9	Community Services Board Performance Contracts *****Add to now.	10/7/08	UNDERWAY
4023(CSB)86-24	Housing Supports	9/14/10	UNDERWAY
4037(CSB)91-2	Early Intervention Services for Infants and Toddlers with Disabilities and Their Families	12/8/09	UNDERWAY
4038(CSB)94-1	Department and CSB Roles in Providing Services to Children Under the Comprehensive Services Act for At-Risk Youth and Families	12/8/09	UNDERWAY
#5000 (FAC) --- STATE MENTAL HEALTH AND MENTAL RETARDATION FACILITIES			
5006(FAC)86-29	Razing of Dilapidated Buildings	12/6/11	Fall 2017
5008(FAC)87-12	Accreditation/Certification	12/6/11	Fall 2017
5010(FAC)00-1	State Facility Uniform Clinical and Operational Policies and Procedures	9/14/10	Fall 2016
#6000 (FIN) --- FINANCIAL MANAGEMENT			
6005(FIN)94-2	Retention of Unspent State Funds by Community Services Boards	7/26/11	Summer 2017

Appendix B: 2016 Annual Regulatory Status Report (January 2017)

REGULATORY ACTIVITY: 2016 ACTION TAKEN

<div style="display: flex; align-items: center;"> <div style="background-color: #4a7ebb; color: white; padding: 2px 5px; font-weight: bold; margin-right: 5px;">Board</div> <div style="font-weight: bold;">STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES</div> </div>				
VAC CITATION	CHAPTER TITLE (FULL TITLE)	REGULATIONS IN PROCESS		
		PURPOSE	STAGE	STATUS
<u>12 VAC 35-115</u>	Human Rights (Regulations to Assure the Rights of Individuals Receiving Services from Providers Licensed, Funded, or Operated by the Department of Behavioral Health and Developmental Services)	To improve administrative and program efficiencies; simplify processes; clarify roles and functions; enhance the user friendliness of the regulations; and eliminate redundancies in statutory requirements	Final	<ul style="list-style-type: none"> 01/09/2017: Submitted to the Registrar for a final public comment period. The regulation will become effective on February 9, 2017.
<u>12VAC35-240</u>	VESC (Virginia Eugenic Sterilization Compensation)	To implement the provisions the Appropriation Act for claims for compensation by victims of the Virginia Eugenic Sterilization Act	Fast Track	<ul style="list-style-type: none"> 12/30/2016: DPB review in progress. <p>Permanent regulation must be in effect by May 18.</p>

Appendix C: 2017 Meeting Schedule

State Board of Behavioral Health and Developmental Services

2017 MEETING SCHEDULE

April 2017

July 2017

October 2017

December 2017