



COMMONWEALTH of VIRGINIA
DEPARTMENT OF SOCIAL SERVICES
Office of the Commissioner

Margaret Ross Schultze
COMMISSIONER

December 18, 2017

MEMORANDUM

TO: The Honorable Terence R. McAuliffe
Governor of Virginia

The Honorable Thomas K. Norment, Jr.
Co-Chairman, Senate Finance Committee

The Honorable Emmett W. Hanger, Jr.
Co-Chairman, Senate Finance Committee

The Honorable Chris S. Jones
Chairman, House Appropriations Committee

Daniel Timberlake, Director
Department of Planning and Budget

FROM: Margaret Ross Schultze

SUBJECT: Quarterly Report on Implementation of House Bill 1570/Senate Bill 1168 (2015)

I am pleased to submit the Department of Social Services' quarterly report on implementation of House Bill 1570 and Senate Bill 1168 (2015), pursuant to Item 349 (E) of the 2017 Appropriation Act. If you have questions or need additional information, please contact me.

MRS:kc

Attachment

Quarterly Report on the Implementation of Chapter 758 of the 2015 Acts of Assembly

October 1, 2017- December 31, 2017

Report Mandate

The Department of Social Services shall provide a quarterly report on the implementation of Chapter 758 of the 2015 Acts of Assembly (House Bill 1570 / Senate Bill 1168) to the Director, Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees.

Background

Chapter 758 of the 2015 Acts of Assembly was a combination omnibus bill addressing multiple issues regarding child care health and safety. There are multiple requirements with varying implementation dates. Below is a description of the Department of Social Services' (DSS) implementation efforts this quarter.

Section 63.2-100 of the Code of Virginia (Code) changed the licensing threshold for family day homes, requiring licensure when there are five children in care, effective July 1, 2016. A corresponding change was made in § 63.2-1704 of the Code, allowing a family day home provider to be voluntarily registered when caring for four or fewer children, effective July 1, 2016. DSS Division of Licensing - Children's Programs continues to recruit for new licensing inspector positions due to these changes. This quarter, one position was filled in our Fairfax licensing office and one position was filled in the Northern licensing office.

Section 63.2-1701.1 of the Code requires local government to report to DSS semiannually contact information for child care business licenses for child day centers or family day homes. As of December 12, 2017, a total of 39 localities have submitted business license reports to DSS for the reporting period January 1 through June 30, 2017. A total of 24 localities have reported in SFY 2018. A total of 106 localities have reported since July 1, 2015.

Sections 63.2-1720.1 and 63.2-1721.1 of the Code require national fingerprint background checks for licensed child day centers and licensed family day homes, effective July 1, 2017. Six additional positions in the Office of Background Investigations (OBI) were filled this quarter. These positions will be utilized to screen the national fingerprint background checks. OBI continues to work with the Division of Information Systems to implement needed changes to the Background Information System. DSS is currently working with a vendor to implement the rollout of fingerprint checks, which is expected to begin in January, 2018. The Division of Licensing - Children's Programs has sent informational memos to providers on May 8, 2017; June 28, 2017; July 24, 2017; September 12, 2017; October 12, 2017; and December 8, 2017 that explain the fingerprint based background check requirements and the process that will need to be followed. After the memos have been emailed to providers, they are posted to the VDSS website. Additional memos are scheduled to be sent in the next two months further detailing information related to obtaining fingerprint based background checks.

Revisions made to § 63.2-1725 of the Code added a requirement that child day centers and family day homes that enter into a contract with DSS to provide child care services (subsidy child care providers) shall comply with federal law and regulations. Numerous activities are underway to develop and implement strategies in response to the federal law, including:

- The preservice health and safety training required by the Child Care and Development Block Grant Act and subsequent federal regulation was developed and implemented August 1, 2016 in Virginia. The 10-hour online course, “Virginia Preservice Training for Child Care Staff” is offered through Penn State’s Better Kid Care program for free at least until June 2018. As of November 30, 2017, 30,428 child care practitioners have completed the on-line training, with another 3,853 individuals in progress. This training is currently required for all child care program staff who work in a program that receives state child care subsidy funds.
- Modifications to information systems are in development for the Subsidy Program and the Division of Licensing Programs. Work continues on systems modifications related to current subsidy providers and tracking Subsidy Health and Safety Inspections.
- The Child Care and Development Block Grant Act requires States to collect and disseminate consumer and provider education information that is “user-friendly” to parents, providers and the general public concerning the diverse availability of child care services. Utilization of the child care website, www.childcareva.com, continues to grow. Since March 2016, the site has had 473,980 page views by 326,216 users. There have been 179,060 page views with 125,808 users since April 1, 2017.

DSS Division of Licensing - Children’s Programs began conducting subsidy health and safety inspections for licensed and unlicensed subsidy providers in the spring of 2017. Inspection processes are being improved as inspectors learn where providers have issues. Training is being developed to help providers understand the requirements. Training has been developed and will be piloted with inspectors and Licensing Administrators on 12/19/17.

Another requirement of the federal law is to post aggregate data regarding deaths and serious injuries of children in child care. Currently, all providers that are approved subsidy vendors are required to report all occurrences of serious injury or death of a child while under the provider’s supervision to DSS. DSS is requesting that all child care providers report any serious injuries or death of a child while under the center or provider’s supervision to the department, even if the program does not fall under a subsidy requirement. Providers began reporting serious injuries on November 14, 2017. An on-line reporting form is available on the DSS website for providers to use to make reports. Aggregate data will be posted on childcareva.com before the end of 2018.

Conclusion

DSS continues to work on implementation for Chapter 758 of the 2015 Acts of Assembly.