



COMMONWEALTH of VIRGINIA

NELSON SMITH
COMMISSIONER

DEPARTMENT OF
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

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April 5, 2022

To: The Honorable Janet D. Howell, Chair, Senate Finance & Appropriations Committee
The Honorable Barry D. Knight, Chair, House Appropriations Committee

From: Nelson Smith, Commissioner, Department of Behavioral Health and Developmental Services

RE: Item 320.Z.2. of the 2020 Appropriations Act, Quarter 3

Dear Senator Howell and Delegate Knight,

Pursuant to Item 320.Z.2 of the 2020 Appropriations Act, enclosed is the FY2022 3rd Quarter accounting of the costs to operate and maintain each of the existing training centers.

Specifically, the language states:

"2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain any remaining training centers at a level of detail as determined by the joint subcommittee. The quarterly reports for the first, second and third quarter shall be due to the joint subcommittee 20 days after the close of the quarter. The fourth quarter report shall be due on August 15 of each year."

If you have any questions, please feel free to contact Cort Kirkley, Deputy Commissioner of Administration at (804)298-3215 or via email at cort.kirkley@dbhds.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Nelson Smith".

Nelson Smith
Commissioner
Department of Behavioral Health & Developmental Services

cc: Secretary John Littel
Mike Tweedy
Susan Massart

Background

In August 2008, DOJ initiated an investigation of Central Virginia Training Center (CVTC) pursuant to the Civil Rights of Institutionalized Persons Act (CRIPA). In April 2010, DOJ notified the Commonwealth that it was expanding its investigation to focus on Virginia's compliance with the Americans with Disabilities Act (ADA) and the U.S. Supreme Court Olmstead ruling. The Olmstead decision requires that individuals be served in the most integrated settings appropriate to meet their needs consistent with their choice. In February 2011, DOJ submitted a findings letter to Virginia, concluding that the Commonwealth fails to provide services to individuals with intellectual and developmental disabilities in the most integrated setting appropriate to their needs.

In March 2011, upon advice and counsel from the Office of the Attorney General, Virginia entered into negotiations with DOJ in an effort to reach a settlement without subjecting the Commonwealth to an extremely costly and lengthy court battle with the federal government. On January 26, 2012, Virginia and DOJ reached a settlement agreement. The agreement resolves DOJ's investigation of Virginia's training centers and community programs and the Commonwealth's compliance with the ADA and Olmstead with respect to individuals with intellectual and developmental disabilities.

As part of the DOJ Settlement Agreement, DBHDS was required to shutter its training centers. Southside Virginia Training Center (SVTC), Northern Virginia Training Center (NVTC), Southwestern Virginia Training Center (SWVTC), and Central Virginia Training Center (CVTC) have all closed. SWVTC and CVTC were the most recent to cease operations and there are still some non-personnel expenditures for both centers. The only remaining operational training center at this time is Southeastern Virginia Training Center (SEVTC) in Chesapeake.

DBHDS Summary of Training Center Expenditures for the Period Ending March 31, 2022

Description	CVTC 3/31/2021	CVTC 3/31/2022	SEVTC 3/31/2021	SEVTC 3/31/2022	NVTC 3/31/2021	NVTC 3/31/2022	SWVTC 3/31/2021	SWVTC 3/31/2022	Total 3/31/2021	Total 3/31/2022
Total Salaries	\$ 311,926	\$ 37,979	\$ 9,244,060	\$ 9,528,279	\$ -	\$ -	\$ -	\$ -	\$ 9,555,986	\$ 9,566,258
Benefit Costs	213,476	22,738	4,599,010	4,948,008	-	-	14,942	-	4,827,428	4,970,746
Retention Bonuses	74,546	4,600	9,435	1,752,383	-	-	-	-	83,981	1,756,983
WTA Severance Costs	732,839	23,966	-	-	-	-	2,204	-	735,043	23,966
All Other Personal Services Costs	71,775	7,596	1,329,451	1,494,678	-	-	-	-	1,401,226	1,502,274
Medical Services (Non-personal services)	-	-	83,635	102,532	-	-	-	-	83,635	102,532
Pharmacy Costs (Non-personal services)	-	-	4,592	352	-	-	-	-	4,592	352
Ancillary Services (Non-personal services)	-	-	207,539	171,149	-	-	-	-	207,539	171,149
Physical Plant Services (Non-personal Service)	1,251,840	974,812	211,584	250,605	-	-	-	211,515	1,463,424	1,436,932
Food Services (Non-personal Service)	-	-	238,395	227,835	-	-	-	-	238,395	227,835
All Other Non-personal Services	261,971	288,125	1,691,808	1,650,496	-	-	344,700	8,418	2,298,479	1,947,039
Total Expenditures	\$ 2,918,373	\$ 1,359,816	\$ 17,619,509	\$ 20,126,317	\$ -	\$ -	\$ 361,846	\$ 219,933	\$ 20,899,728	\$ 21,706,066

Notes:

1. Pharmacy expenditures consist of the purchase of pharmaceuticals during the course of the fiscal year. These expenditures keep pharmacy inventory flush and available for use at the training centers. Due to the inventory management aspect of pharmaceuticals, expenditure patterns can vary from period to period.
2. Physical Plant Services consists of the following: Transportation Services, Safety and Security, Buildings and Grounds Maintenance