



# COMMONWEALTH of VIRGINIA

NELSON SMITH  
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](http://www.dbhds.virginia.gov)

September 1, 2022

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

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

RE: Item 311 R.1 of the 2022 Appropriations Act, FY 2022

Item 311 R.1 of the 2022 *Appropriation Act*, required the Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) to report on waiver slots that become available for reallocation. The language states:

*The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.*

Please find enclosed the report in accordance with Item 311 R.1. Staff at the department are available should you wish to discuss this request.

cc: Secretary John Littel  
Mike Tweedy  
Susan Massart



Virginia Department of  
Behavioral Health &  
Developmental Services

**Fiscal Year 2022  
DD Waiver Slots Allocation  
Report  
(Item 311.R.1 of the 2022 Appropriation Act)**

**August 12, 2022**

*DBHDS Vision: A Life of Possibilities for All Virginians*

**Item 311. R.1 DD Waiver Slots Allocation Report**

## **Preface**

Item 311 R.1. of the 2022 *Appropriation Act* requires the Department of Behavioral Health and Developmental Services (DBHDS) to report on the allocation of Developmental Disability waivers annually. The language reads:

*R.1. The Department of Behavioral Health and Developmental Services for each fiscal year shall report the number of waiver slots, by waiver, that becomes available for reallocation during the year. In addition, the department shall report on the allocation of emergency waiver slots and reserve slots, which shall include how many slots were allocated in the year and for which waiver. The information on reserve slots shall indicate for which waiver the reserve slot was used and the waiver from which the individual moved that was granted the slot. Furthermore, the report shall show the allocations by each Community Services Board from new waiver slots, emergency slots and reserve slots for the year. The department shall submit this report for the prior fiscal year, ending June 30, by September 1 of each year.*

# Item 311. R.1 DD Waiver Slots Allocation Report

## Table of Contents

Introduction .....	3
Newly Funded Waiver Slot Allocation .....	3
Reassigned Slots.....	4
Emergency Slots.....	5
Reserve Slots .....	7
Conclusion.....	10

# Introduction

This report covers the period of July 1, 2021 to June 30, 2022 and shows the allocation and distribution of waivers by type, region, and community services board (CSB).

## Newly Funded DD Waiver Slot Allocations

DBHDS allocates DD waiver slots to each of the CSBs according to the following rubric. When at least 40 new slots are funded by the General Assembly in either the Community Living (CL) or Family and Individual Supports (FIS) waivers, one slot will be allocated by DBHDS to each CSB. Additional slots, up to the total number of available slots for a given waiver, will be allocated by DBHDS to each CSB for individuals living within that CSB’s catchment area based upon the following factors and criteria:

1. The population within the specific CSB catchment area
2. The percentage of Medicaid eligible individuals in the catchment area
3. The percentage of individuals on the “Priority One” portion of the statewide DD waiver waiting list

If there are Building Independence (BI) waiver slots to be allocated, they are allocated by region. In FY 2022, there were no new Building Independence waiver slots funded.

Table One and Table Two detail the allocation of the slots.

<b>Table 1: FY 2021 Allocation of Building Independence Waiver Slots by Dev. Service Region</b>	<b>FY 2022 BI slots</b>
Central	0
Eastern	0
Northern	0
Southwestern	0
Western	0
<b>Total</b>	<b>0</b>

<b>Table 2: FY 2021 Allocation of Community Living and Family &amp; Individual Supports Waiver Slots by CSB</b>	<b>FY 2022 CL slots</b>	<b>FY 2022 FIS slots</b>
Alexandria Community Services Board	1	13
Alleghany Highlands Community Services Board	1	2
Arlington County Community Services Board	2	20
Blue Ridge Behavioral Healthcare	2	28
Chesapeake Integrated Behavioral Healthcare	2	22
Chesterfield Community Services Board	3	44
Colonial Behavioral Health	1	17
Crossroads Community Services Board	1	9
Cumberland Mountain Community Services Board	1	8
Danville-Pittsylvania Community Services	1	12

Dickenson County Behavioral Health Services	1	1
District 19 Community Services Board	1	17
Eastern Shore Community Services Board	1	4
Fairfax-Falls Church Community Services Board	11	139
Goochland-Powhatan Community Services	1	5
Hampton-Newport News Community Services Board	2	30
Hanover County Community Services Board	1	15
Harrisonburg-Rockingham Community Services Board	1	14
Henrico Area Mental Health and Developmental Services	3	37
Highlands Community Services	1	7
Horizon Behavioral Health	2	24
Loudoun County MH, SA and Developmental Services	4	46
Middle Peninsula-Northern Neck Community Services	1	15
Mount Rogers Community Services Board	1	10
New River Valley Community Services	2	20
Norfolk Community Services Board	2	24
Northwestern Community Services	1	24
Piedmont Community Services	1	13
Planning District One Behavioral Health Services	1	8
Portsmouth Department of Behavioral Healthcare	1	9
Prince William County Community Services Board	4	54
Rappahannock Area Community Services Board	3	44
Rappahannock-Rapidan Community Services Board	1	19
Region Ten Community Services Board	2	28
Richmond Behavioral Health Authority	2	21
Rockbridge Area Community Services	1	3
Southside Community Services Board	1	7
Valley Community Services Board	1	16
Virginia Beach Community Services Board	3	40
Western Tidewater Community Services Board	1	15
Extra Reserve Slot	1	1
<b>Total</b>	<b>75</b>	<b>884</b>

Regarding Table 2 above, it will be noted that 74 Community Living waiver slots were allocated, although there were 75 slots funded. Similarly, 884 Family and Individual Supports waiver slots were allocated although 885 were funded. That is due to the fact that the math in the algorithm used for allocation does not always lead to a clean distribution of all slots (it may lead to a fraction of a slot going to multiple CSBs, which is not possible). This year, as in some past years, the extra slots were utilized as reserve/emergency slots.

## Reassigned Slots

When a person leaves their DD waiver slot due to death, relocation out of state, loss of eligibility or declining further waiver services, that slot becomes available for reassignment by the local Waiver Slot Assignment Committee to another person in that CSB's jurisdiction.

Table Three breaks out the turnover by waiver.

<b>Table 3: Number of Existing Slots by Waiver Reassigned in FY22</b>	
<b>Waiver</b>	<b>Number of Slots Reassigned (Turn Over)</b> [May be multiple times per slot]
Building Independence	28
Family & Individual Supports	267
Community Living	159
<b>TOTAL</b>	<b>454</b>

## Emergency Slots

DBHDS maintains a pool of Community Living waiver slots that may be assigned to individuals deemed in an emergency status according to the following criteria:

1. Child protective services has substantiated abuse/neglect against the primary caregiver and has removed the individual from the home; or
2. Adult Protective Services has found that the individual needs and accepts protective services; or
3. Abuse/neglect has not been founded, but corroborating information from other sources (agencies) indicates that there is an inherent risk present and there are no other caregivers available to provide support services to the individual; or
4. Death of primary caregiver or lack of alternative caregiver coupled with the individual's inability to care for himself and endangerment to self or others without supports; or
5. An individual who transitioned from one of the DD Waivers to the Medicaid Works program chooses to resume DD Waiver services.

Requests for emergency slots are forwarded by the CSB to DBHDS to determine if the individual's situation meets the above criteria. Once the pool of emergency slots reaches a minimum of three slots, the next nonemergency waiver slot that becomes available at the CSB in receipt of an emergency slot shall be reallocated to the DBHDS emergency slot pool in order to ensure emergency slots remain to be assigned to future emergencies within the Commonwealth's fiscal year.

Table Four details the waivers and CSBs to which emergency slots were assigned each quarter.

<b>Table 4: Emergency Slots Assigned in FY22 by CSB</b>				
<b>Q FY</b>	<b>CSB</b>	<b>Community Living Waiver</b>	<b>Family and Individual Support Waiver</b>	<b>Total</b>
1Q FY22	ALEXANDRIA COMMUNITY SERV BD	1		1
1Q FY22	BLUE RIDGE CSB	1		1
1Q FY22	COLONIAL BEHAVIORAL HEALTH	1		1
1Q FY22	EASTERN SHORE CSB	1		1
1Q FY22	FAIRFAX-FALLS CHURCH CSB	3	1	4
1Q FY22	HARRISONBURG-ROCKINGHAM CSB	1		1
1Q FY22	HIGHLANDS CMNTY SVCS BOARD	1		1
1Q FY22	MIDDLE PENINSULA NORTHERN NECK CSB	1		1
1Q FY22	NORFOLK COMMUNITY SERVICES BOARD	1		1
1Q FY22	NORTHWESTERN COMMUNITY SVCS	2		2
1Q FY22	PRINCE WILLIAM COUNTY CSB	2		2
1Q FY22	RAPPAHANNOCK RAPIDAN CSB	3		3
1Q FY22	VALLEY CSB	1		1
2Q FY22	BLUE RIDGE CSB	2		2
2Q FY22	CHESAPEAKE INTERGRATED BEHAV HEALTHCARE	1		1
2Q FY22	CHESTERFIELD CSB	1		1
2Q FY22	DISTRICT 19 MEN HLTH SER	1		1
2Q FY22	EASTERN SHORE CSB	1		1
2Q FY22	FAIRFAX-FALLS CHURCH CSB	1	1	2
2Q FY22	GOOCHLAND POWHATAN MENTAL HLTH		1	1
2Q FY22	HAMPTON-NN CSB	2		2
2Q FY22	HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1		1
2Q FY22	LOUDOUN COUNTY CSB	2		2
2Q FY22	NEW RIVER VALLEY COMMUNITY SERVICES	1		1
2Q FY22	PRINCE WILLIAM COUNTY CSB	4		4
2Q FY22	REGION TEN CMMNTY SVCS BRD	1		1
2Q FY22	RICHMOND BHVRL HLTH AUTHORITY	2		2
3Q FY22	ARLINGTON MENTAL HEALTH		1	1
3Q FY22	FAIRFAX-FALLS CHURCH CSB	2	1	3
3Q FY22	HANOVER COUNTY COMMUNITY SERVICES	2		2
3Q FY22	LOUDOUN COUNTY CSB	1		1
3Q FY22	NORFOLK COMMUNITY SERVICES BOARD	1		1



3Q FY22	RAPPAHANNOCK AREA COMMUNITY SERVICES BRD		1	1
3Q FY22	REGION TEN CMMNTY SVCS BRD	1		1
4Q FY22	BLUE RIDGE CSB	1		1
4Q FY22	CHESTERFIELD CSB	1	1	2
4Q FY22	DICKENSON COUNTY BEHAVIORAL HEALTH SVCS	1		1
4Q FY22	DISTRICT 19 MEN HLTH SER	2		2
4Q FY22	FAIRFAX-FALLS CHURCH CSB	2	3	5
4Q FY22	HANOVER COUNTY COMMUNITY SERVICES	1		1
4Q FY22	HARRISONBURG-ROCKINGHAM CSB	2		2
4Q FY22	HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1	1	2
4Q FY22	LOUDOUN COUNTY CSB	1		1
4Q FY22	NORTHWESTERN COMMUNITY SVCS	2		2
4Q FY22	PRINCE WILLIAM COUNTY CSB	3	1	4
4Q FY22	REGION TEN CMMNTY SVCS BRD		1	1
<b>Total</b>		<b>63</b>	<b>13</b>	<b>76</b>

## Reserve Slots

Reserve slots may be used for transitioning an individual who, due to documented changes in his support needs or a preference for supports found in a waiver with a less comprehensive array of supports, requires or requests a move from the DD waiver in which he is presently enrolled into another of the DD waivers to access necessary services.

If there are insufficient reserve slots in a given waiver to accommodate the needs of individuals whose needs qualify them to move from their current waiver, the names of those individuals meeting the criteria will be kept on a chronological list until such time as a slot in that waiver is available.

The DD waivers' regulations include a requirement that CSBs make vacated "turn-over" slots available to individuals from that CSB who are waiting for a reserve slot in that waiver. The slot of the individual moving into the awaited reserve slot is then assigned by the usual means (Waiver Slot Assignment Committee) to a person on the waiting list. This greatly facilitates movement between the waivers when needed, which is a significant boon to individuals and their families in response to changing needs. There is currently a pool of reserve CL and FIS slots held by DBHDS in the event that a CSB does not have an available slot to which the person may transition.

Table Five details the movement of unique individuals between waivers and Table Six details the CSB at which each transfer occurred.

<b>Table 5: Total Reserve Slot Transitions in FY22 by Waiver</b>	
Transition from Building Independence to Family and Individual Supports	23
Transition from Building Independence to Community Living	9
Transition from Family and Individual Supports to Community Living	56
<b>TOTAL</b>	<b>88</b>

<b>Table 6: Reserve Slots Assigned in FY22 by CSB by Waiver</b>			
<b>CSB</b>	<b>BI to FIS</b>	<b>BI to CL</b>	<b>FIS to CL</b>
ALEXANDRIA COMMUNITY SERV BD	0	0	2
ALLEGHANY HIGHLANDS CSB	0	1	0
ARLINGTON MENTAL HEALTH	0	0	1
BLUE RIDGE CSB	0	1	2
CHESAPEAKE INTERGRATED BEHAV HEALTHCARE	0	0	5
CHESTERFIELD CSB	1	0	6
CITY OF VA BEACH CSB MHMRSAS	1	1	0
COLONIAL BEHAVIORAL HEALTH	0	0	0
CROSSROADS CSB	0	0	1
CUMBERLAND MNTL HLTH CTR	0	1	0
DANVILLE-PITTSYLVANIA COM SERV	1	1	3
DICKENSON COUNTY BEHAVIORAL HEALTH SVCS	0	0	0
DISTRICT 19 MEN HLTH SER	0	0	1
Eastern Shore CSB	0	0	0
FAIRFAX-FALLS CHURCH CSB	4	0	9
GOOCHLAND POWHATAN MENTAL HLTH	0	0	1
HAMPTON-NN CSB	2	1	1
HANOVER COUNTY COMMUNITY SERVICES	2	0	2
HARRISONBURG-ROCKINGHAM CSB	0	0	0
HENRICO AREA MENTAL HLTH & DEVLPMNTL SVC	1	0	3
HIGHLANDS CMNTY SVCS BOARD	0	1	3
HORIZON BEHAVIORAL HEALTH	0	0	1
LOUDOUN COUNTY CSB	1	0	1
MIDDLE PENINSULA NORTHERN NECK CSB	0	1	1
MOUNT ROGERS CSB	1	0	1
NEW RIVER VALLEY COMMUNITY SERVICES	0	0	0
NORFOLK COMMUNITY SERVICES BOARD	3	1	3

NORTHWESTERN COMMUNITY SVCS	1	0	0
PIEDMONT COMMUNITY SERVICES	0	0	1
PLANNING DISTRICT ONE CSB	0	0	0
PORTSMOUTH DEPT OF BEHAVIORAL	0	0	0
PRINCE WILLIAM COUNTY CSB	1	0	3
RAPPAHANNOCK AREA COMMUNITY SERVICES BRD	0	0	1
RAPPAHANNOCK RAPIDAN CSB	4	0	2
REGION TEN CMMNTY SVCS BRD	0	0	1
RICHMOND BHVRL HLTH AUTHORITY	0	0	1
ROCKBRIDGE AREA COMMUNITY SVS BOARD	0	0	0
SOUTHSIDE CSB	0	0	0
VALLEY CSB	0	0	0
WESTERN TIDEWATER COMMUNITY SERVICES BOA	0	0	0
<b>TOTALS</b>	<b>23</b>	<b>9</b>	<b>56</b>

## Conclusion

DBHDS continues to work with the CSBs and families of individuals in need of services to ensure that there is access to those DD waiver services most appropriate for the needs of individuals and their families. This includes the allocation of newly funded slots, reassignment of vacated slots, and the assignment of emergency or reserve slots to handle a crisis or make certain that the changing needs of those who currently occupy a slot are met. DBHDS also continues to work to confirm that the waivers funded to serve Virginians with developmental disabilities are being used as effectively as possible.