



COMMONWEALTH of VIRGINIA

STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

DRAFT MEETING AGENDA

Wednesday, April 22, 2015

Eastern State Hospital

4601 Ironbound Rd, Williamsburg, VA 23188

(Event Schedule for April 21-22, Tuesday Tour Information and Directions, [pages 27-28](#))

Committee Meetings

9:15 a.m. – 9:50 a.m.

| | | |
|-----------------------|--|---------------------|
| 9:15 a.m. – 9:50 a.m. | Policy Development & Evaluation | Cavey Center |
| 9:15 a.m. – 9:50 a.m. | Planning & Budget | Room 102 |

REGULAR SESSION AGENDA

10:00 a.m.

Cavey Center

| | | | | |
|-----------|-------|--|---|------------|
| 1. | 10:00 | Call to Order and Introductions Approval of April 22, 2015 Agenda ➤ <i>Action Required</i> Approval of Draft Minutes Regular Meeting, December 5, 2014 ➤ <i>Action Required</i> | Dr. Ananda Pandurangi <i>Chair</i> | 1-5 |
| 2. | 10:05 | Public Comment (<i>3 minute limit per speaker</i>) | | |
| 3. | 10:15 | Eastern State Hospital Welcome | Frank Gallagher <i>ESH Director</i> | |
| 4. | 10:25 | Commissioner’s Report | Debra Ferguson, Ph.D. <i>Commissioner</i> | |
| 5. | 11:55 | Budget Update | Don Darr <i>Assistant Commissioner, Finance, Administration & Technology</i> | 6 |
| 6. | 12:10 | Lunch: Break and Collect Lunch | | |

| | | | | |
|------------|-------|---|---|------------------------------|
| 7. | 12:35 | Update on Three DBHDS Bills During General Assembly Session | Will Frank <i>Director, Legislative Affairs</i> | 7 |
| 8. | 12:45 | Regulatory Actions: A. General Update – Matrix | Dee Keenan <i>Assistant Commissioner Quality Management & Development</i> | 8-9 |
| 9. | 1:05 | Committee Reports A. Policy Development & Evaluation B. Planning & Budget | Holly Mortlock <i>Director, Policy</i> Will Frank <i>Director, Legislative Affairs</i> | 10 11 |
| 10. | 1:20 | Update on the Virginia Association of Community Services Boards | Jennifer Faison <i>Executive Director</i> VACSB | |
| 11. | 1:30 | Miscellaneous A. Board Liaison Reports B. Consideration of Bylaws Amendment C. ID Badges/Other Administration | Meghan McGuire <i>Assistant Commissioner for Policy & Public Affairs</i> | 12-18 19-25 |
| 12. | 1:50 | Next Meeting Information | Will Frank <i>Director, Legislative Affairs</i> | 26 |
| 13. | 2:00 | Tour of Eastern State Hospital Adult Mental Health Treatment Center | | |

STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

DRAFT MEETING MINUTES

December 5, 2014

Department of Behavioral Health and Developmental Services

1220 Bank Street

Richmond, VA 23219

Friday, December 5

REGULAR MEETING

Members Present

Ananda Pandurangi, MD, **Chair**; Bonnie Neighbour, **Vice Chair**;
Thomas J. Kirkup; Sandra Price-Stroble; Col. (Ret.) Anthony Soltys;
Gretta Doering; Paula N. Mitchell; Sandra A. Hermann; The Hon.
Amelia Ross-Hammond, Ph.D.

Staff Present

Debra Ferguson, PhD, Commissioner (by phone)
Cleopatra Booker, Mental Health Facility Operations Specialist
Don Darr, Assistant Commissioner, Finance and Administration
Will Frank, Legislative Affairs Director
Paul Gilding, Community Contracting Director
Marion Greenfield, Director, Quality and Risk Management
Dee Keenan, Assistant Commissioner, Quality Management &
Development
Meghan McGuire, Assistant Commissioner for Policy & Public Affairs
Holly Mortlock, Policy Director
Randy Sherrod, Director, Internal Audit
Dawn Traver, Director, Waiver Operations
Allyson Tysinger, Senior Assistant Attorney General/Chief, OAG

**Call to Order and
Introductions**

At 10:05 a.m. Chairman Ananda Pandurangi called the meeting to order
and called for introductions of those present.

Public Comment

The Chair called for public comments. No public comments were
offered.

**Approval of
Agenda**

The Board unanimously adopted the December 5, 2014 meeting agenda.

**Approval of Draft
Minutes**

The Board reviewed the draft minutes of the October 9, 2014 and made
two amendments. The minutes were approved.

**Commissioner's
Report**

Commissioner Ferguson called into the Board meeting by phone to
deliver her report. The report focused on an update on the
Transformation Team process and on the recent DBHDS report to the
General Assembly on Virginia's Emergency Evaluator Qualifications,
Training and Oversight. The Commissioner then opened the rest of the

period to respond to questions from the Board.

Budget Update

Don Darr, Assistant Commissioner, Finance and Administration, provided an update on DBHDS budget submissions and responded to questions from Board members.

Regulatory Actions

Don Darr, Assistant Commissioner, Finance and Administration, provided background budgetary information and Dee Keenan, Assistant Commissioner, Quality Management & Development, provided details surrounding proposed emergency regulations regarding licensing fees. Following discussion, the Board voted to approve a motion to amend 12 VAC 35-105 by adding a new section, 12 VAC 35-105-45, as presented by DBHDS staff as an emergency regulation and to issue a Notice of Intended Regulatory Action to promulgate a replacement regulation. The motion carried by a vote of 8-0, with one abstention.

In addition, Marion Greenfield Director, Quality and Risk Management, provided a general update on the status of current regulatory action, including human rights and Part C regulations. In addition, Ms. Greenfield provided information on the timeframe of the regulatory process.

Waiver Redesign Update

Dawn Traver, Director of Waiver Operations, provided an update on the Waiver Redesign process.

Lunch Break

The Board took a 10 minute break for lunch and reconvened.

Internal Control Procedures

Randy Sherrod, Director, Internal Audit presented on fraud prevention through strong internal controls at DBHDS.

Update on the Virginia Acute Psychiatric & CSB Bed Registry

Cleopatra Booker, Mental Health Facility Operations Specialist, presented an update on the Virginia Acute Psychiatric and CSB Bed Registry.

Committee Reports

Will Frank, Legislative Affairs Director, presented an update on the 9 a.m. Planning & Budget Committee meeting and Holly Mortlock, Policy Director, presented an update on the 9 a.m. Policy Committee meeting.

Annual Executive Summary

Will Frank, Legislative Affairs Director, reviewed the annual executive summary, due to the Governor and General Assembly on the first day of the upcoming legislative session. Mr. Frank will provide an update electronically to Board members and will gather edits. A final version will be approved by the Chair.

Liaison Assignments & Liaison Reports

Meghan McGuire, Assistant Commissioner for Policy & Public Affairs, updated the Board on liaison assignments. Board members presented

reports of their Board activity since the October Board meeting.

**Next Meeting
Information**

The Board approved the meeting schedule for 2015 with the possibility of holding a touring meeting in the community the night before each Board meeting: April 22 in Williamsburg, July 15-16 (Retreat) in Richmond, October 8, location TBD, December 8, Richmond.

Adjournment

Having no further business to discuss the meeting adjourned at 2:30 p.m.

State Board Budget Report

As of March 31, 2015

| <u>Expenditure Codes/Definitions</u> | <u>Budget</u> | <u>Actual</u> | <u>Balance</u> |
|--------------------------------------|---------------|---------------|----------------|
| 12240 Workshop/Conferences | 1,500 | 475 | 1,025 |
| 12640 Food Services | 2,000 | 840 | 1,160 |
| 12820 Travel-Personal Vehicle | 6,000 | 1,639 | 4,361 |
| 12850 Travel-Subsistence &Lodging | 6,000 | 776 | 5,224 |
| 12880 Travel- Meals | 3,600 | 540 | 3,060 |
| 13120 Office Supplies | 395 | 0 | 395 |
| 14130 Premiums | <u>100</u> | <u>0</u> | <u>100</u> |
| Total | 19,595 | 4,270 | 15,325 |

DBHDS Agency Legislation

HB 2118 Acute psychiatric bed registry; frequency of updating.

Introduced by: Delegate Cline and Delegate Hope

Summary as Introduced:

Acute psychiatric bed registry; frequency of updating. Requires state facilities, community services boards, behavioral health authorities, and private inpatient psychiatric service providers to update information included in the acute psychiatric bed registry whenever there is a change in bed availability for the facility, board, authority, or provider or, if no change in bed availability has occurred, at least once daily. This bill is identical to **SB 1265**.

SB 1052 Developmental disabilities; definition.

Introduced by: Senator Hanger

Summary as Introduced:

Developmental disabilities; definition. Defines "developmental disability" as a severe, chronic disability of an individual that (i) is attributable to a mental or physical impairment, or a combination of mental and physical impairments, other than a sole diagnosis of mental illness; (ii) is manifested before the individual reaches 22 years of age; (iii) is likely to continue indefinitely; (iv) results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency; and (v) reflects the individual's need for a combination and sequence of special interdisciplinary or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

SB 1114 Emergency custody order; temporary detention for testing, observation, and treatment.

Introduced by: Senator Barker

Summary as Introduced:

Temporary detention for testing, observation, and treatment of person who is the subject of an emergency custody order. Provides that a court or magistrate may issue an order for temporary detention for medical testing, observation, and treatment for a person who is also the subject of an emergency custody order for evaluation and treatment of mental illness. Upon completion of any required testing, observation, or treatment, the hospital emergency room or other appropriate facility in which the person is temporarily detained shall notify the nearest community services board, and a designee of the community services board shall complete the evaluation as soon as is practicable but prior to the expiration of the order for temporary detention for testing, observation, or treatment.

REGULATORY STATUS REPORT: APRIL 2015 (REVISED 4/15/15)

| Board STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES | | | | | | |
|---|---|---|---|--|---------------|-----------------------|
| VAC CITATION | CHAPTER TITLE (FULL TITLE) | REGULATIONS IN PROCESS | | | LAST ACTIVITY | LAST PERIODIC REVIEW* |
| | | PURPOSE | STAGE | STATUS | | |
| <u>12 VAC 35-105</u> | Licensing-Adult (Rules and Regulations for Licensing Facilities and Providers of Mental Health, Mental Retardation and Substance Abuse Services) | In accordance with the CMS Final Rule and the Settlement Agreement: clarifications to requirements for the health, safety, care and treatment for adults who receive services from providers of residential services. | <i>Not yet filed: Emergency/NOIRA (Permanent)</i> | <i>Draft under development</i> | 11/7/2011 | 5/3/2013 |
| <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 | Proposed | <ul style="list-style-type: none"> Secretary of Health and Human Resources review in progress. <p>[Note “exempt” action by OAG: minor nonsubstantive correction of incomplete or inaccurate legal citations complete 10/8/2014.]</p> <p>[Note - New: Ongoing public notice in the Virginia Register regarding variances to these regulations.]</p> | 9/8/2014 | 12/19/2011 |
| <u>12 VAC 35-230</u> | IFSP (Operation of the Individual and Family Support Program) | To provide changes to the current administrative process to receive funds through the IFS Grant Program for Individuals on the Waitlist for ID and DD Waiver Services. | <i>Not yet filed</i> | <i>Development of draft under consideration by Division of Developmental Services</i> | 12/2/2013 | |
| (# TBA) | NEW: Victim Compensation (Virginia Eugenic Sterilization Fund) | <i>To implement the provisions of the Virginia Eugenic Sterilization Act</i> | <i>Not yet filed: Emergency</i> | <i>Draft under development. [The 2015 General Assembly approved Item #307. T.1-7., the Virginia Eugenic Sterilization Act: compensation to individuals involuntarily sterilized.]</i> | | |

Continued -

| VAC CITATION | CHAPTER TITLE (FULL TITLE) | REGULATIONS IN PROCESS | | | LAST ACTIVITY | LAST PERIODIC REVIEW* |
|-------------------------------|--|---|------------------------------|--|---------------|-----------------------|
| | | PURPOSE | STAGE | STATUS | | |
| 12 VAC 35-225 | Part C (Requirements for Virginia's Early Intervention System) | To ensure that a system of appropriate early intervention services are available to all eligible infants and toddlers with disabilities | Emergency/ NOIRA (Permanent) | Emergency Stage complete. This regulation became effective on 12/15/2014 and expires on 6/14/2016. [NOTE Hearings: In compliance with the grant application process requirements for federal funding of early intervention services under 34 CFR§303.208(b), hearings were held to receive comment on The Emergency Regulations Requirements for Virginia Early Intervention System. The proposed changes to 12 VAC35-225 are intended to ensure that the state remains in compliance with federal mandates: http://register.dls.virginia.gov/details.aspx?id=4755 .] | 12/29/2014 | |

*Shows the last time the Periodic Review feature on Town Hall was used for this regulation. A comprehensive periodic review may also have been included during other standard regulatory actions.

STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

**Policy and Evaluation Committee
DRAFT MINUTES**

DECEMBER 5, 2014
DBHDS CENTRAL OFFICE, 9:30 A.M.
RICHMOND, VIRGINIA

I. Call to Order

Ms. Neighbour called the meeting to order at 9:35 a.m.

II. Welcome and Introductions

Members proceeded with introductions and DBHDS staff, Will Frank, Director of Legislative Affairs and Holly Mortlock, Director of Policy.

III. Adoption of Minutes, June 20, 2014

A motion was made and seconded and the minutes were adopted.

IV. Review and Discussion

Staff Recommendation: *Consider changing the policy review schedule to align board reviews with current policy initiatives of DBHDS and stakeholder groups.*

The committee was receptive to this idea to make the review of policies more flexible, and timely, but asked that the schedule be continued, so that policies are reviewed no longer than every 6 years.

A motion was made to adopt this new approach and seconded. The motion passed.

Staff Recommendation: *Review the Mission and Vision Statement and update to reflect the DBHDS 2014 Mission and Vision Statement.*

The Committee agreed to begin review process for the Mission and Vision Statement.

A motion was made and seconded, the motion passed. Review will begin at the July 2015 meeting.

V. Next Meeting: April 22, 2015, Williamsburg

VI. Adjournment

There being no further business, the committee adjourned at 10:00 a.m.

DRAFT MINUTES
STATE BOARD OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES
Planning and Budget Committee

December 5, 2014
Richmond, Virginia

Members Present: Dr. Ananda Pandurangi, Thomas Kirkup, Sandra Price-Stroble, and Amelia Ross-Hammond
Members Absent: None
Staff Present: Will Frank
Call to Order: The meeting was called to order at 8:30 a.m.

The Chair called the meeting to order and Will Frank, the new DBHDS Director of Legislative Affairs and committee staff introduced himself.

Comprehensive State Plan 2015

Will Frank presented to the committee the 2015 schedule for the Comprehensive Plan. The committee agreed to the following schedule:

| | |
|---------------|---|
| April 2015 | Committee discussion of Services System Utilization Characteristics and Trends and critical issues facing the services system |
| July 2015 | Committee discussion of plan development activities |
| October 2015 | Committee discussion and decision regarding the approach for obtaining public comment on the draft plan |
| November 2015 | Committee convenes or participates in a webinar or regional public hearings |
| December 2015 | Committee discussion of revisions based on public comment. |

DBHDS staff will need to contact the Office of the Attorney General to inquire about how to handle the public comment.

The Committee asked that at future meetings they receive presentations on the budget (in July), grants, and requirements in the performance contract.

Adjourn: The Planning and Budget Committee meeting was adjourned at 9:30 a.m.

State Board Member Liaison Assignments (**updated March 2015 - DRAFT**)

CSBs have organized into the following substate regions. The first table lists the regions, the CSBs and state facilities in those regions, and the regional chair and proposes Board members to serve as the Board’s liaisons to these regions.

| Table 1: Regional CSB Organizations | | | | |
|--|---|---|--|-----------------------------|
| Region | CSBs | State Facilities | Regional Chairperson | Board Member |
| Gretta Doering for NVMHI and NVTC | | | | |
| Northwestern Virginia Association of CSBs | Northwestern Community Services Loudoun CSB Prince William CSB | Northern Virginia Mental Health Institute Northern Virginia Training Center | Mr. Brian D. Duncan Rappahannock-Rapidan CSB Executive Director Phone: 540-825-3100 bduncan@rrcsb.org | Gretta Doering |
| Sandra Price-Stroble for WSH and CCCA | | | | |
| Northwestern Virginia Association of CSBs | Rockbridge Area Community Services Valley CSB Harrisonburg-Rockingham CSB Region Ten CSB | Western State Hospital (WSH) Commonwealth Center for Children & Adolescents (CCCA) | Mr. Brian D. Duncan Rappahannock-Rapidan CSB Executive Director Phone: 540-825-3100 bduncan@rrcsb.org | Sandra Price-Stroble |
| Paula Mitchell for Catawba and SVMHI | | | | |
| Southern Virginia Behavioral Health | Danville-Pittsylvania Community Services Piedmont Community Services | Southern Virginia Mental Health Institute (SVMHI) | James F. Bebeau, Temporary Chairperson Danville-Pittsylvania Community Services Executive Director Phone: (434) 799-0456 | Paula Mitchell |

| Table 1: Regional CSB Organizations | | | | |
|--|---|---|---|-------------------------|
| Region | CSBs | State Facilities | Regional Chairperson | Board Member |
| Consortium | | | jbebeau@dpcs.org | |
| PPR 3 and 7 Catawba Region | Allegheny Highlands Blue Ridge | Catawba Hospital | Ingrid Barber Alleghany Highlands CSB Executive Director Phone: (540) 965-2135 ibarber@ahcsb.org | |
| Tom Kirkup for assistance with CVTC, PGH and VCBR | | | | |
| (4 CSBs) (HPR 1 and 4) | Hanover CSB Henrico CSB Rappahannock Area CSB Rappahannock-Rapidan CSB | Piedmont Geriatric Hospital (PGH) Virginia Center for Behavioral Rehabilitation (VCBR) Central Virginia Training Center (CVTC) | Mr. F. Will Rogers, Chairperson Crossroads CSB P.O. Box 248 Farmville, VA 23901-0248 Phone Number: (434) 392-7049 FAX Number: (434) 392-9221 wroger@crossroadscsb.org | Tom Kirkup |
| Bonnie Neighbour for CVTC, PGH and VCBR | | | | |
| (4 CSBs) (HPR 1, 4 and 6) | Central Virginia Community Services Crossroads CSB Southside CSB | Piedmont Geriatric Hospital (PGH) Virginia Center for Behavioral Rehabilitation (VCBR) | Mr. F. Will Rogers, Chairperson Crossroads CSB P.O. Box 248 Farmville, VA 23901-0248 Phone Number: (434) 392-7049 FAX Number: (434) 392-9221 wroger@crossroadscsb.org | Bonnie Neighbour |

| Table 1: Regional CSB Organizations | | | | |
|--|---|---|---|--------------------------|
| Region | CSBs | State Facilities | Regional Chairperson | Board Member |
| | | Central Virginia Training Center (CVTC) | | |
| Ananda K. Pandurangi for HDMC and CSH | | | | |
| HPR 4 Consortium (4 CSBs) (HPR 4) | Chesterfield CSB Goochland-Powhatan CSB District 19 Richmond Behavioral Health Authority | Hiram Davis Medical Center (HDMC) Central State Hospital (CSH) | Mr. F. Will Rogers, Chairperson Crossroads CSB P.O. Box 248 Farmville, VA 23901-0248 Phone Number: (434) 392-7049 FAX Number: (434) 392-9221 wroger@crossroadscsb.org | Ananda Pandurangi |
| Tony Soltys for ESH | | | | |
| Eastern Virginia Community Services Council (4 + 1 CSBs) (HPR 5) | Colonial Services Board Hampton-Newport News CSB Middle Peninsula-Northern Neck CSB | Eastern State Hospital (ESH) | Mr. Joseph J. Scislowicz Chesapeake CSB Executive Director Phone: (757) 547-9334 jscislowicz@chesapeake.net | Tony Soltys |

| Table 1: Regional CSB Organizations | | | | |
|--|---|---|--|----------------------------|
| Region | CSBs | State Facilities | Regional Chairperson | Board Member |
| Sandy Hermann for SEVTC | | | | |
| Eastern Virginia Community Services Council | Chesapeake CSB Eastern Shore CSB Portsmouth CSB Virginia Beach CSB Western Tidewater CSB Norfolk CSB | Southeastern Virginia Training Center (SEVTC) | Mr. Joseph J. Scislowicz Chesapeake CSB Executive Director Phone: (757) 547-9334 jscislowciz@chesapeake.net | Sandy Hermann |
| Amelia Ross-Hammond for SEVTC | | | | |
| Eastern Virginia Community Services Council | Chesapeake CSB Eastern Shore CSB Portsmouth CSB Virginia Beach CSB Western Tidewater CSB Norfolk CSB | Southeastern Virginia Training Center (SEVTC) | Mr. Joseph J. Scislowicz Chesapeake CSB Executive Director Phone: (757) 547-9334 jscislowciz@chesapeake.net | Amelia Ross-Hammond |
| NOT COVERED | | | | |
| Northern Virginia Regional Management Group (5 CSBs) (HPR 2) | Alexandria CSB Arlington County CSB Fairfax-Falls Church CSB Loudoun County CSB Prince William County CSB | | Mr. Tom Geib, Chairperson Prince William County CSB Phone: 703-792-7800 tgeib@pwcgov.org | VACANT |
| NOT COVERED for SWVMHI and SWVTC | | | | |

| | | | | |
|--|--|---|---|----------------------|
| <p>Executive Directors' Forum (6 CSBs) (HPR 3)</p> | <p>Cumberland Mountain CSB Dickenson County Behavioral Health Services Highlands CSB Mount Rogers CSB New River Valley Community Services Planning District One Behavioral Health Services</p> | <p>Southwestern Virginia Mental Health Institute Southwestern Virginia Training Center (SWVTC)</p> | <p>Lisa Moore, Chairperson Mt. Rogers CSB Phone: 276-223-3200 LisaM@mrcsb.state.va.us</p> | <p>VACANT</p> |
|--|--|---|---|----------------------|

Liaison Report of Anthony Soltys January 2015- March 2015

Areas of Responsibility: Hampton/Newport News CSB, Norfolk CSB, Colonial Behavioral Health, Middle Peninsula-Northern Neck CSB, share Eastern Shore CSB and Eastern State Hospital. Also have HPR Region V in my area.

- 1. January, February March and April 2015. I attended the HPR Region V Leadership team meetings.*
- 2. Hampton/Newport News Board Meeting 18 December 2014*
- 3. Hampton Drug Court Docket Advisory Committee and Weekly Docket. I support attendance of the Veterans attending the Docket*
- 4. Little Heroes at Home/Celebration of the Military Child.*
- 5. Hampton VA.MC/Community Mental Health Fair Development*
- 6. Virginia Department Veterans Services Commissioner Town Hall, 4 March.*
- 7. Virginia Wounded Warrior Program Meeting, 11 March.*

Comments:

1. HPR V Regional Planning Meetings:

- Issue of CSB maintaining custody during ECO continues needing to be readdressed as soon as possible.
- Difficulty in recruitment of ES personnel to meet needs for evaluations of ECOs.
- The “Dashboard”, as currently required, has a tendency to create confusing misinformation.
- Exceptional rate needs to be defined.
- How will the “Final Rule” effect those that we currently serve?

2. Hampton/Newport News CSB Board Meeting.

- Correctional Based Treatment Center Proposal
- Continuing evaluations for GAP Program.
- Definitions of the DBHDS Dashboard are in need of clarifications.
- Potential Impact of Waiver Redesign
- Discussed the GA Regional Budget Hearings and need to provide input.

3. Hampton Drug Court Docket Advisory Committee:

- Currently 7 individuals enrolled into the program. Others are being evaluated regarding ability to enter the program.
- An advisory committee has been created and will have quarterly meetings.
- The Docket is being conducted every week on Tuesday.
- Advisory Committee has been expanded and met in March
- VTCPI Training will be conducted in Hampton on 15-17 April by Justice for Vets.

4. Little Heroes at Home/Celebration of the Military Child

- The Military Newspapers of Virginia and the Hampton Military Affairs Committee held a 3rd Annual celebration honoring children of those who have served our Nation
- Over 5000 children and their family members attended this activity on 4 April at the Hampton Roads Convention Center
- Governor McAuliffe signed a proclamation signifying this event and date

5. Hampton VAMC.

- HVAMC requested assistance in the development of an annual Mental Health Fair. This year's Fair will be held on 14 May at the Kroc Center in Norfolk, VA
- Site has been reserved, tables for 50 vendors are available, presenters have been contacted and scheduled.
- The focus of this year's Fair will be "Bridging the Gap: Connecting Veterans to Care".
- Provides an educational program to allow for both the VA and the Community to learn of services available to veterans and their families.
- The program will consist of Mental Health First Aid, a panel and Chief Consultant for Mental Health Services, Office of the VA, Harold Kudler

6. Virginia Department Veterans Services Commissioner Town Hall,

- Commissioner Newby met with VWWP, CSB personnel and me on 4 March seeking information on how we may improve services to Veterans and their families
- A Veterans' outpatient clinic was introduced and further information will be submitted to Commissioner Newby on how this may be further improved.

7. DVS Virginia Wounded Warrior Program

- Program has been reestablished as Virginia Military and Veterans Coordinating Committee
- March meeting's focus was on Suicide and suicide prevention. Updates were provided by the VDOH and VISN6 MH.
- VWWP rebranded as VVFS (Virginia Veteran and Family Support) with 1 October as start date
- Other discussions were related to reduction of homelessness, opportunities for employment, use of peer support specialists, PATH program and web sites for veteran and family services.
- I presented information regarding the Hampton VAMC/Community MH Fair on 14 May to be held in Norfolk.

Respectfully submitted,

Anthony W. Soltys, COL (Ret)
Member, DBHDS Board and liaison to Veterans Services

State Board of Behavioral Health and Developmental Services

Bylaws

Article 1 - Name

The name of this body shall be the State Board of Behavioral Health and Developmental Services, hereinafter referred to as the Board.

Article 2 - Authority

Section 37.2-200 of the Code of Virginia establishes the Board as a policy board, within the meaning of § 2.2-2100 of the Code of Virginia, in the executive branch of government.

Article 3 - Members

- a. Composition of the Board, Qualifications, Appointment, and Term of Office of Members -** The composition of the Board and qualifications, appointment, and term of office of Board members shall be as provided in § 37.2-200 of the Code of Virginia.
- b. Orientation of New Members -** All new members appointed to the Board shall receive an orientation that includes information about the roles and responsibilities of the Board; the committee structure and bylaws of the Board; the roles and responsibilities of the Department of Behavioral Health and Developmental Services, hereinafter referred to as the Department, state hospitals and training centers operated by the Department, hereinafter referred to as state facilities, and community services boards and behavioral health authorities; Title 37.2 of the Code of Virginia, which governs the operations of the Board and Department and the provision of mental health, mental retardation (developmental), and substance abuse services in Virginia; the Virginia Freedom of Information Act; and the State and Local Government Conflict of Interests Act.

Article 4 - Officers and Staff Support Provided to the Board

- a. Officers of the Board -**The officers of the Board shall be the Chair and the Vice Chair. Officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Board.
- b. Nominating and Election Procedure -** The Board Chair shall appoint a Nominating Committee of three members at the spring regular meeting each year. Each year the Committee shall offer its slate of candidates at the first regular meeting following the beginning of the state fiscal year. Before the election, additional nominations from the floor shall be permitted. Officers shall be elected by the Board from among its membership at its first regular meeting following the beginning of the state fiscal year and shall serve for a period of one year. Officers shall be eligible for re-election.
- c. Chair -** The Chair shall be the presiding officer at all Board meetings, shall appoint the members of all standing and special committees, and shall be an ex-officio member of all standing committees. In any votes of the Board, the Chair shall vote last. Upon request of the Board, the

Chair shall act as its representative.

The Chair shall perform any additional duties imposed on the office by an act of the General Assembly or direction of the Board. The Chair shall work with the Commissioner of the Department or his designee to determine the types of Board meetings, agendas, reports, communications, and involvement that will enable Board members to carry out their powers, duties, and responsibilities.

The Chair may:

- Appoint members to serve on various task forces, committees, and other bodies on which representation of the Board is required or would be beneficial;
- Direct the Policy Development and Evaluation Committee to develop drafts of proposed policies and circulate those drafts for field review on behalf of the Board; and
- Assign other duties or responsibilities to standing committees.

The Chair shall notify the Board and the Department of these actions, which the Board shall review and, where appropriate, approve at its next regular meeting.

The Chair, pursuant to § 37.2-200 of the Code of Virginia, 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.

- d. Vice Chair** - In the absence of the Chair at any meeting or in the event of the Chair's disability or of a vacancy in that office, all of the powers and duties of the Chair shall be vested in the Vice Chair. The Vice Chair also shall perform other duties imposed on him or her by the Board or the Chair.
- e. Secretary** - Section 37.2-200 of the Code of Virginia authorizes the Board to employ a secretary to assist in its administrative duties, including maintenance of minutes and records. The Secretary shall be selected by the full Board in consultation with the Commissioner or his designee, but the Secretary shall not be a member of the Board. The compensation of the Secretary shall be fixed by the Board within the specific limits of the appropriation made therefore by the General Assembly, and the compensation shall be subject to the provisions of Chapter 29 (§2.2-2905 et seq.) of Title 2.2 of the Code of Virginia. The Secretary shall perform the duties required by the Board and the Commissioner or his designee.

The Secretary shall be a member of the Department's staff and shall report to the Commissioner or his designee; however, the Secretary shall be responsible to the Board. The Secretary shall be supervised in his daily responsibilities by the Commissioner or his designee. The Board and the Commissioner or his designee shall evaluate the performance of the Secretary annually.

- f. Department Liaison to the Board** - The Commissioner shall designate a staff member to serve as the Department's liaison to the Board. The liaison shall coordinate the activities of the Board; provide primary administrative, policy, and technical support to the Board; and orient new Board members.

Article 5 - Meetings

- a. **Regular Meetings** - In accordance with § 37.2-200 of the Code of Virginia, the Board shall meet quarterly and at such other times as it deems proper. The Board at its first regular meeting following the beginning of the state fiscal year shall adopt an annual meeting schedule. Other regular meetings of the Board shall be held at the call of the Chair or whenever a majority of the members so request; however, when possible, no meetings will be scheduled during January or February.
- b. **Special Meetings** - The Chair, the Vice Chair in the event of the Chair's disability or of a vacancy in that office, or any three members of the Board may call special or emergency meetings of the Board at the dates, times, and places specified in the call for these meetings.
- c. **Biennial Planning Meeting** - The Board shall hold a biennial planning meeting in the summer of the year in which the biennial budget is developed.
- d. **Notice of Meetings and Public Hearings on Proposed Regulations**
 - (1) Notice of the date, time, and place of all regular Board meetings and all committee meetings shall be announced in advance by posting the notice electronically on the Commonwealth Calendar, as required by § 2.2-3707 of the Code of Virginia, and by written notice to Board members at least three days in advance of the date of the meeting.
 - (2) Any notices of Board meetings shall state that public comments will be received at the beginning of the meeting.
 - (3) A notice of the date, time, and place of all special or emergency meetings shall be posted electronically on the Commonwealth Calendar, as required by § 2.2-3707 of the Code of Virginia.
 - (4) When the Board determines that a public hearing on a proposed regulatory action is appropriate, the notice of the hearing shall be posted in accordance with the requirements of the Board's Public Participation Guidelines 12 VAC-35-12-100.
- e. **Quorum** - Five members shall constitute a quorum, as specified in § 37.2-200 of the Code of Virginia. The Board shall not conduct business without a quorum.
- f. **Attendance** - Each member shall be responsible for attending all Board meetings. Members shall notify the Chair or his designee of any anticipated absence. If a member fails to notify the Chair or his designee more than twice during a fiscal year that he is unable to attend a meeting, the Chair shall notify the member of his non-compliance with this provision of the bylaws. With the approval of the Board, the Chair may notify the Governor and request that the Governor remove that member and appoint a new member to fill the vacancy, as authorized by § 37.2-200 of the Code of Virginia.
- g. **Conduct of Business** - All meetings shall be conducted in accordance with the rules contained in the current edition of Robert's Rules of Order Newly Revised, except as otherwise stated in these bylaws.

- h. **Public Comment** - The agenda for each meeting of the Board shall indicate that public comment will be received at the beginning of the meeting. Public comment will be subject to the time limitations deemed appropriate by the Chair.
- i. **Minutes** - Minutes shall be recorded at all regular and special or emergency Board meetings, as required by § 2.2-3707 of the Code of Virginia. The draft minutes shall be posted electronically on the Commonwealth Calendar as soon as possible but no later than 10 working days after the conclusion of the meeting. Final approved meeting minutes shall be posted within three working days of final approval of the minutes.
- j. **Electronic Meetings – Members may participate through electronic communication means from a remote location that is not open to the public in the event of an emergency or personal matter, or temporary or permanent disability or other medical condition, or when a member is more than 60 miles from the primary meeting location. The electronic communication must be properly noticed and meet FOIA requirements, including that a quorum must be physically assembled at the primary or central meeting location and that the public body make arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.**

Article 6 - Powers and Duties of the Board

Statutory Powers and Duties - The Board shall have the following powers and duties, as authorized by § 37.2-203 of the Code of Virginia:

- (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.

Prior to the adoption, amendment, or repeal of any regulation regarding substance abuse services, the Board shall, in addition to the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia), present the proposed regulation to the Substance Abuse

Services Council, established pursuant to § 2.2-2696 of the Code of Virginia, at least 30 days prior to the Board's action for the Council's review and comment.

- a. **Appointments by the Board** -The Board shall appoint members of the State Human Rights Committee, pursuant to § 37.2-204 of the Code of Virginia, and the Prevention Promotion Advisory Council according to their respective bylaws. The Board may appoint other committees as it deems necessary or appropriate.

Article 7 - Committees

- a. **Standing Committees** - The committee structure of the Board reflects the statutory duties of the Board. The standing committees of the Board shall be the:

- Policy Development and Evaluation Committee,
- Planning and Budget Committee, and
- Grant Review Committee.

Standing committees shall report at each regular meeting of the Board, unless there has been no meeting or no action to report. The Board Chair shall appoint standing committee chairs, unless they are designated otherwise in these bylaws.

(1) Policy Development and Evaluation Committee

- a. **Composition** - The Policy Development and Evaluation Committee shall consist of the Vice Chair and at least two other Board members appointed by the Board Chair. The Board Vice Chair shall chair the Policy Development and Evaluation Committee.
- b. **Powers and Duties** - The Committee shall draft and coordinate field reviews of draft revised or proposed new policies, compile and present summaries of comments received during field reviews, and report its recommendations and revised or proposed new policies to the Board, which shall take action thereon as it deems appropriate. The Committee shall maintain a Review Schedule of all existing policies on behalf of the Board. At the scheduled review time, any such policy will be circulated to State Board members, CSBs, Department facilities and central office, advocacy groups and stakeholders for comment.

The Committee shall report its findings to the Board regarding its assessment of the effects of Board policies and the status of the Department, state facilities, community services boards, and behavioral health authorities in adhering to those policies Board action, may include making recommendations to the Department or the Secretary of Health and Human Resources.

- c. **Staff Support** - The Department shall designate and provide staff to support the activities of the Policy Development and Evaluation Committee. Final policies will be maintained in a publicly accessible compilation on the Department's web site in the standard format for Board policies.

(2) Planning and Budget Committee

- a. **Composition** - The Planning and Budget Committee shall consist of the Board Chair and at least two other Board members appointed by the Chair. The Board Chair shall chair the

Planning and Budget Committee.

- b. **Powers and Duties** - The Planning and Budget Committee shall participate in the identification of services and support needs, critical issues, strategic responses, and resource requirements to be included in long-range plans; work with the Department to obtain, review, and respond to public comments on draft plans; and monitor Department progress in implementing long-range programs and plans. The committee also shall provide updates on its planning activities to the full Board.

The Planning and Budget committee also shall work with the Department to assure that the agency's budget priorities and submission packages reflect State Board policies and shall, through the Board's biennial planning retreat, review and comment on major funding issues affecting the behavioral health and developmental services system, in accordance with procedures established in POLICY 2010 (ADM ST BD) 10-1.

- c. **Staff Support** - The Department shall designate and provide staff to support the activities of the Planning and Budget Committee.

(3) Grant Review Committee

- a. **Composition** – The Grant Review Committee shall consist of two members appointed by the Chair.
- b. **Powers and Duties** – The Grant Review Committee, acting on behalf of the full board to fulfill its duty to review and comment on all applications for federal funds and to enable the Department to respond to federal grant solicitations expeditiously, shall review all requests for federal funds before they are submitted to the soliciting federal agency.
- c. **Staff Support** – The Department shall designate and provide staff to support the activities of the Grant Review Committee.

- b. **Special Committees** - Special committees may be established at any time by action of the full Board or the Chair, acting on behalf of the Board. The Board Chair shall appoint special committee chairs. The Chair shall appoint members of any special committees and may appoint individuals who are not Board members to serve on these committees including individuals receiving services, family members, and other individuals as appropriate. When a special committee is established, its mission and the time within which it shall complete the task or accomplish the purpose for which it was created shall be specified.

Article 8 - Liaison Assignments

The Board shall ensure that programs to educate Virginians about and elicit public support for the activities of the Department, state facilities, community services boards, and behavioral health authorities are initiated by the Department pursuant to § 37.2-203 of the Code of Virginia.

The Board seeks to further the integration and coordination of services to individuals receiving services and to support, encourage, and build close working partnerships among community services boards and behavioral health authorities, state facilities, and the Department. The Board also seeks to enhance its knowledge and understanding of the wide diversity of community and state facility services across the state and to develop and maintain connections with various entities

involved in the public behavioral health and developmental services system. The Chair, in consultation with Department staff, may develop a list for each board member of agencies and organizations, including state facilities, the Virginia Association of Community Services Boards, regional community services board associations, the State Human Rights Committee, and the Prevention Promotion Advisory Council, with which the Board wishes to liaise.

The Chair shall appoint members of the Board to serve as liaisons with these agencies and organizations, recognizing the time constraints of members and that each member may fulfill Board liaison responsibilities in different ways. A Board member liaison shall serve as a channel for information between the Board and the agency or organization and enhance the Board's knowledge about and understanding of the agency or organization and the entire services system. Board member liaisons shall report successes, issues, and concerns to the Board at its regular meetings and to appropriate Department staff. Board member liaisons shall confer or meet regularly with groups to which they are assigned and report to the full Board as necessary.

Article 9 - Board Evaluation, Bylaws Amendments and Reviews, and Procedural Irregularities

- a. Board Evaluation** - The Board shall conduct an evaluation of its performance during the Board's biennial planning meeting with the process and outcomes noted in the minutes of that meeting and included as part of the Board's Annual Executive Summary for that year.
- b. Amendments** - These bylaws may be amended at any regular or special meeting of the Board by an affirmative vote of at least five members of the Board, provided members were given the amendments in a special notice at least 30 days prior to the action.
- c. Bylaws Review** - The Board shall review its bylaws every four years in the fall of the first year of the new Governor's term and amend them as necessary. Bylaws shall be signed and dated to indicate the last amendment date.
- d. Procedural Irregularities** - Failure to observe procedural provisions of the bylaws does not affect the validity of Board actions.

Article 10 - Conflicts

These bylaws shall not diminish or circumscribe the Board's statutory authority, duties, or powers, and any conflict between provisions in these bylaws and the Code of Virginia shall be resolved in favor of the statute.

Article 11 - Effective Date

These bylaws are effective on the 22 day of April, 2015 and until subsequently revised.

2015 Meeting Schedule

1. **Wednesday, April 22** – Williamsburg
2. **Wednesday, July 15 – Thursday, July 16** – Retreat in Richmond
3. **Thursday, October 22** – One Day Meeting, Location TBD
4. **Thursday, December 8** – One Day Meeting, Richmond

EVENT SCHEDULE

Tuesday, April 21 – Wednesday, April 22, 2015

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| Tuesday, April 21 | <u>TOUR AND BUSINESS DINNER</u> |
| <u>5:00 p.m.</u> | Board Members will Meet at Colonial CSB 473 McLaws Circle, Williamsburg, VA 23185 (Directions Below) Parking available in front of building Parking: Parking is available in front of the building. Signs will be posted directing board members to the conference room. Presentation and Tour Business Dinner |
| <u>7:00 p.m.</u> | Adjournment Board Members Staying Overnight Drive to the Hilton Garden Inn (Directions Below) |

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| Wed., April 22 | <u>REGULAR BOARD MEETING SCHEDULE</u> |
| <u>9:00-9:15 a.m.</u> | Board Members will Meet at Eastern State Hospital 1624 Richmond Road, Williamsburg, VA 23185 (Directions and Parking Below) |
| <u>9:15 a.m.</u> | Concurrent Committee Meetings (see top of Agenda, p.1 for rooms) |
| <u>10:00 a.m.</u> | Regular Meeting at 10:00 a.m. – 2:00 p.m. |
| <u>2:00 p.m.</u> | Tour of Eastern State Hospital’s Adult Mental Health Treatment Center |

DIRECTIONS

Tuesday, April 21, 2015

Directions to Colonial Behavioral Health
473 McLaws Circle, Williamsburg, VA 23185
Parking available in front of building

From 64W (Richmond, Charlottesville, NOVA)

- Take 64 East to Exit 242A, VA-199W Williamsburg/Jamestown
- Take the US 60 Exit toward Williamsburg/Bush Gardens
- Turn right onto US 60 East
- Turn right onto McLaws Circle
- Turn left to stay on McLaws Circle
- Destination will be on the right.
- 473 McLaws Circle, Williamsburg, VA 23185

From 64E (Norfolk, Virginia Beach)

- Take 64 West to 242A, VA-199W Williamsburg/Jamestown
- Take the US 60 Exit toward Williamsburg/Bush Gardens
- Turn right onto US 60 East
- Turn right onto McLaws Circle
- Turn left to stay on McLaws Circle
- Destination will be on the right.
- 473 McLaws Circle, Williamsburg, VA 23185

Directions from Colonial Behavioral Health to Hilton Garden Inn
1624 Richmond Road, Williamsburg, VA 23185

- Follow McLaws Circle to first cross street
 - Turn right to stay on McLaws Circle
 - Turn left onto US-60 West
 - Slight right onto Page Street
 - Continue onto Capitol Landing Road
 - Turn left onto US-60W/Bypass Road
 - Slight right onto Richmond Road
 - Destination will be on left.
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Wednesday, April 22, 2015

Regular Board Meeting at 10:00 a.m.; Committees at 9:00 a.m.
Eastern State Hospital
4601 Ironbound Rd, Williamsburg, VA 23188

Directions from Hilton Garden Inn to Eastern State Hospital

- Turn right onto Richmond Road
- Turn right onto State Rte 615/Ironbound Road (First Light)
- Continue straight onto VA-322W (Through intersection onto Eastern State Hospital Grounds)
- Take immediate right onto Foster Road
- Turn left at first road and go to the second building on the left, the Hancock Geriatric Treatment Center.
- Parking lot is on the right
- Follow signs to the Cavey Center, Main Assembly Room