



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.dbbds.virginia.gov

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RE: FY24-25 Community Services Board Performance Contract Amendments

Dear CSB Executive Directors and Chief Executive Officers,

The FY24-25 amended Community Services Performance Contract (PC) and supplemental documents, effective July 1 will be sent today through our DocuSign process for your execution. Please keep in mind CSBs must have their PC approved or renewed by the governing body of each city or county that established it and by the Department on or before September 30th order to continue receive state-controlled funds. The Department cannot provide any state-controlled funds after September 30th if the contract has not been signed. It is important for the smooth continuity of the process to have signed performance contracts returned to the Department as soon as practicable.

The performance contract is a transactional agreement between the Department and the Community Services Boards and Behavioral Health Authority community partners. Changes to this agreement may be made periodically to improve the business relationship, funding and delivery of program services for better alignment with the strategic initiatives of the Commonwealth. The Office of Enterprise Management Services (OEMS) would like to thank you all for working with us through this review process. OEMS continues its collaborative work with the VACSB Policy/Admin Committee chaired by Mark Chadwick. The members of the VACSB Policy/Admin Committee are elected as the decision-making body for PC administration by the Community Services Boards and the OMS serves as the PC administrator and liaison between the Department and the VACSB Policy/Admin Committee.

We started these conversations in July of last year and meet every other week for 2 hours to have some thoughtful conversations around needed and desired changes within the PC. Most of the work done by this group focused on the general terms and conditions of the PC and Exhibit B Continuous Quality Improvement (CQI). OEMS also worked internally with the various offices responsible for certain sections of the PC to address any required changes, revisions for clarity, and remove any outdated or redundant information from certain PC documents.

We have now finalized the PC for the FY 24-25 amendment cycle. We encourage you take the time to familiarize yourself with all these documents to understand what is required of the CSBs but we would like to bring your attention to certain changes for this review period.

AMENDMENTS - FY2024 and 2025 Community Services Performance Contract

Certain amendments provided below are in compliance with the FY24-25 Community Service Performance Contract (PC) required Code of Virginia and Budget amendment changes. The provisions of subsection C of §§ 37.2-508 and 37.2-608 of the Code of Virginia, as amended and

budget amendment Item 295#9c shall become effective July 1, 2024. Outlined here are the material changes to the PC for your review.

1. **Section 10 CSB Responsibilities**
 - a. **Section 10.A. - Resources and Services**- language added to specify conditions that must be met by CSB for the receipt of state-controlled funds by the Department
 - b. **Section 10.F.c. - Individual Satisfaction Survey** – language amended regarding satisfaction surveys participation and compliance by the CSB.
 - c. **Section 10.G.** – added language that requires CSB to work jointly with the Department to identify or develop mechanisms that will be employed by the CSB and the state hospitals to manage the utilization of state hospital beds.
2. **Section 13 Department Responsibilities**
 - a. **Section 13.A. - Program and Service Reviews** – language added as part of the Department’s responsibilities requiring the development and implementation of processes and procedures for oversight and monitoring of CSB compliance with PC
 - b. **Section 13.B.2.** – language added that requires the Department to work jointly with the CSB to identify or develop mechanisms that will be employed by the CSB and the state hospitals to manage the utilization of state hospital beds
 - c. **Section 13.D. – CSB Performance Dashboard**– language added that requires the Department to develop a mechanism to display CSB required data in a consistent, comparable format in collaboration with the CSB
 - d. **Section 13.P.2. - Individual Satisfaction Survey**- language added regarding satisfaction surveys participation and compliance by the Department
3. **Section 14 - Compliance and Remediation** – This section was revised under the advisement of the Office of Attorney General for compliance and alignment with the Code. The title of this section was revised, and the language was revised to ensure clear understanding and a process for the Department and the CSBs for disputes resolution, appeals process for noncompliance and substantial noncompliance of the performance contract. We would like to bring your attention to the following:
 - a. CSB must have their PC approved or renewed by the governing body of each city or county that established it and by the Department on or before September 30th of each year in order to continue receive state-controlled funds.
 - b. The CSB must also maintain substantial compliance with the PC to continue to receive state-controlled funds.
 - c. This section further outlines the dispute and remediation process that must be followed for non-compliance by CSB.
 - d. This section also outlines the ability of the Department through process of this section to contract with another CSB/BHA or a private nonprofit or for-profit organization or organizations to obtain services that were the subject of the terminated performance contract.
4. **Exhibit A: Resources and Services** – language added for compliance with the budget amendment stating any funding appropriated by the General Assembly to CSB for staff compensation shall only be used for staff compensation, and the CSB must report annually to DBHDS on any staff compensation actions taken during the prior fiscal year. See Budget Amendment
5. **Exhibit B: Continuous Quality Improvement (CQI) Process For Behavioral Health Performance Measures** – DBHDS and the CSBs mutually agreed to the revision to Section D. Peer and Family Support Services that removed requirements that were not reasonable for CSB compliance. These changes went through the process of review internally, Q&O, and DMC, and PC Review Committee.
6. **Exhibit E: Performance Contract Schedule and Process**- updated to provide the CSB specific due dates for Department required reporting submissions for CARS, CCS, local government

audits and Certified Public Accountant (CPA) audits for FY24-25. It also provides specific dates for disbursement of state and federal funds to the CSB

7. **Exhibit F: Federal Grant Requirements** – revised to reflect the current federal grants and their general and specific terms and conditions. These are required material changes that are not negotiable as a Subrecipient of federal funds. We encourage you to familiarize yourself with this information as a Subrecipient of federal funds
8. **Exhibit G: Master Program Services Requirements** – this exhibit has been revised to provide terms and conditions for certain programs services that a CSB may provide to reduce the amount of Exhibits D the Department and CSBs will have to review, process, and track. Keep in mind that this is not inclusive of all programs/services a CSB may provide, just those that it may have received on a regular basis for review and execution that have well established baseline requirements, with minimal to no changes, and/or part of ongoing baseline funding received from the Department. The following are key material changes:
 - a. **Section 12.8 – Housing Flexible Funding Program** – language was added to this section providing standard requirements managed by the Department’s Office of Community Housing. The program makes financial assistance available to adults with developmental disabilities to offset expenses that pose barriers to obtaining and maintaining independent housing. The source of funds is DV Rental Subsidies (922-900000000). The requirements for these funds have now been incorporated into this version of the PC. This change only impacts a select few CSBs that receive these funds.
 - b. **Section 13.1 - Mental Health Crisis Response and Child Psychiatry Funding – Regional Program Services Children’s Residential Crisis Stabilization Units (CRCSU)**
 - i. **Section 13.1.1.b.2** – this section was amended as licensing regulations and DMAS manuals have been reviewed and consulted and neither require this process. Requiring a physician’s order, signature, or a medical screening result in unnecessary delays to the admission process. Additionally, looking to decrease the number of youth that arrive at the Emergency Department (ED) of a hospital seeking mental health services and requiring a medical clearance would not achieve this goal.
 - ii. **Section 13.1.1.b.4.ii.** – language was amended to allow DBHDS to see denials to a CSU for medical purposes limited to very rare occasions and wanted to provide a couple of resources available to ensure consistency across CSUs.
 - iii. **Section 13.1.1.b.9-** language added to be very clear with the CSUs that if a continued stay request is denied by Medicaid, but the unit believes the youth is still appropriate per their program description, then they should continue to serve the youth according to their program standards and not discharge them just because of the denial.
 - iv. **Section 13.1.A.** – language amended to increase the utilization expectation to the targeted 75%. Due to the ongoing statewide challenges with youth and adolescents accessing the appropriate crisis services, sometimes resulting in lengthy stays in the Emergency Department setting, it is necessary to target the appropriate use of less restrictive alternatives to hospitalizations such as a crisis stabilization unit. This is an increase from the 65% currently listed in the Exhibit G document. This utilization rate is consistent with the expectation of Adult Residential Crisis Stabilization Units.
9. **Exhibit M: Department of Justice Settlement Agreement Requirements (DOJ)** – amended as required for DOJ compliance. These are required material changes that are not negotiable.
 - a. Section 4.a. – amended regarding the use of the On-Site Visit Tool
 - b. Section 18.a. and 18.e.- amended to add training requirements and due date for completion of training
 - c. Section 39 – section added providing Support Coordination Training Requirements

The Department would like to thank you all for your service to the community and working with us. All your hard work and dedication to both your communities and our community services system is much valued and appreciated.

If you need help or have questions, please email performancecontractsupport@dbhds.virginia.gov or contact our technical assistance number at 804-225-4242.

Thank you,

Chaye Neal-Jones

Chaye Neal-Jones

Director

Office of Management Services