

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue, creating a modern, layered effect.

# Commonwealth of Virginia Settlement Agreement Progress

# Financial Investment (State and Federal)

## 2012

- ▶ DBHDS DD Budget (including grants to localities) = \$23,430,892
- ▶ Training Center budget = \$250,150,926
- ▶ Waiver Services = app. \$561 million

## 2022

- ▶ DBHDS DD Budget (including GTL) = \$114,095,032
- ▶ Training Center budget = \$27,667,817
- ▶ 408% increased investment in grants to localities \*Community Based Services
- ▶ Waiver services: app. \$940 million (2020)
  - ▶ 167% increase in waiver service investment
- ▶ FY 23/24 additional: \$767,590,689
  - ▶ This will increase waiver service investment by 235% over 2012

# Waivers

2012

- ▶ **Waiver slots: 8,997**
- ▶ 3 waivers based on disability type
  - ▶ ID Waiver
  - ▶ DD Waiver
  - ▶ Day Support Waiver

2022

- ▶ **Waiver slots: 16,939**
  - ▶ Settlement Agreement required: 4,170
  - ▶ Virginia Created: 7,589
- ▶ Waiver based on level of need
  - ▶ Building Independence
  - ▶ Family Individual Support
  - ▶ Community Living
- ▶ New services created as part of waiver redesign
  - ▶ Community Engagement/Coaching
  - ▶ Workplace Assistance/Benefits Planning/Employment  
Community Transportation
  - ▶ Shared Living/Independent Living
- ▶ Focus on community inclusion/person centered planning
- ▶ Revised Waiver Regulations and Waiver Manual

# Training Centers

2012

- ▶ 5 training centers
- ▶ Census = 1,084

2022

- ▶ 1 training center
- ▶ Census = 69

# Crisis Services

2012

- ▶ Emergency Services
- ▶ Psychiatric Hospitals

2022

- ▶ REACH Program
  - ▶ 36 adult mobile crisis teams
    - ▶ Average response time ranges from 43-100 minutes
  - ▶ 36 children mobile crisis teams
    - ▶ Average response time ranges from 42-53 minutes
  - ▶ 5 Adult Crisis Therapeutic Homes
    - ▶ Each home has 6 beds
  - ▶ 2 Children Crisis Therapeutic Homes
    - ▶ Each home has 6 beds
  - ▶ 2 Adult Transition Homes
    - ▶ Each home has 6 beds
  - ▶ Out of home crisis prevention for children

# Crisis Services

## 2012

- ▶ Emergency Services
- ▶ Psychiatric Hospitals

## 2022

- ▶ Adult REACH Program (FY15 - FY22)
  - ▶ 14,551 referrals
  - ▶ 14,137 crisis calls
  - ▶ 4,273 mobile crisis sessions
  - ▶ 2,906 CTH admissions
- ▶ Children's REACH Program (FY16 - FY22)
  - ▶ 8,704 referrals
  - ▶ 6,292 crisis calls
  - ▶ 2,556 mobile crisis sessions
  - ▶ 299 CTH admissions (opened FY20)
- ▶ Psychiatric Hospitalizations
  - ▶ Median LOS from 23 days to low of 14 in FY20 (adults) and 7 (children)
  - ▶ FY22 Median LOS is 22 days for adults and 8 for children (increase due to the pandemic)
  - ▶ Percent of admissions of persons with DD from high of 10% (FY19) to low of 6% (FY21)

# Independent Housing

2012



2022

- ▶ Virginia has provided rental assistance to 1,229 individuals, which exceeds what we agreed to do
- ▶ 1,654 individuals living alone or with a roommate in their own home or apartment
- ▶ 8.6% of adults in the SA target population live in independent housing
- ▶ 100% of individuals living in independent housing remain there for 1 year or more.

# Independent Housing

2012



2022

- ▶ State Rental Assistance Program for individuals with DD: \$14.5 million in FY23
  - ▶ Up from \$7.8 million in FY20
- ▶ Housing Choice Vouchers: 227
- ▶ Other Virginia agencies that partner with DBHDS:
  - ▶ Virginia Housing
  - ▶ Virginia Department of Housing and Community Development (DHCD)
  - ▶ Virginia Department of Medical Assistance Services(DMAS)
  - ▶ Virginia Department for Aging and Rehabilitative Services (DARS)
  - ▶ Virginia Department of Social Services (DSS)
  - ▶ Virginia Department of Veteran Services (DVS)
  - ▶ Virginia Department of Health (VDH)



# Employment

## 2012

- ▶ 154 waiver authorizations for Individual Supported Employment.
- ▶ 617 waiver authorizations for Group Supported Employment
- ▶ 806 people in sheltered workshops
- ▶ No data on total number of people with developmental disabilities employed

## 2022

- ▶ 676 waiver authorizations for Individual Supported Employment (high of 975 pre-pandemic)
- ▶ 310 waiver authorizations for Group Supported Employment (high of 562 pre-pandemic)
- ▶ 71 people in sheltered workshops
- ▶ 20% of people with developmental disabilities employed (high of 24% pre-pandemic, which was ahead of the national average)
- ▶ 98% earn minimum wage or more

# Individual and Family Support Program

2012



2022



- ▶ Funding program - have distributed approximately \$25 million since 2012 to individuals and families (1,000+ families per year since 2013)
- ▶ Peer Mentoring Program
- ▶ IFSP Council
- ▶ Family to Family Program
- ▶ My Life My Community Website
- ▶ New regulatory action underway to redefine who is most at risk of institutionalization, to be more targeted with support, and incorporate stakeholder input to respond to community needs more effectively

# Quality Management System

## 2012

- ▶ Office of Licensing
- ▶ Office of Human Rights
- ▶ DMAS Quality Management Review

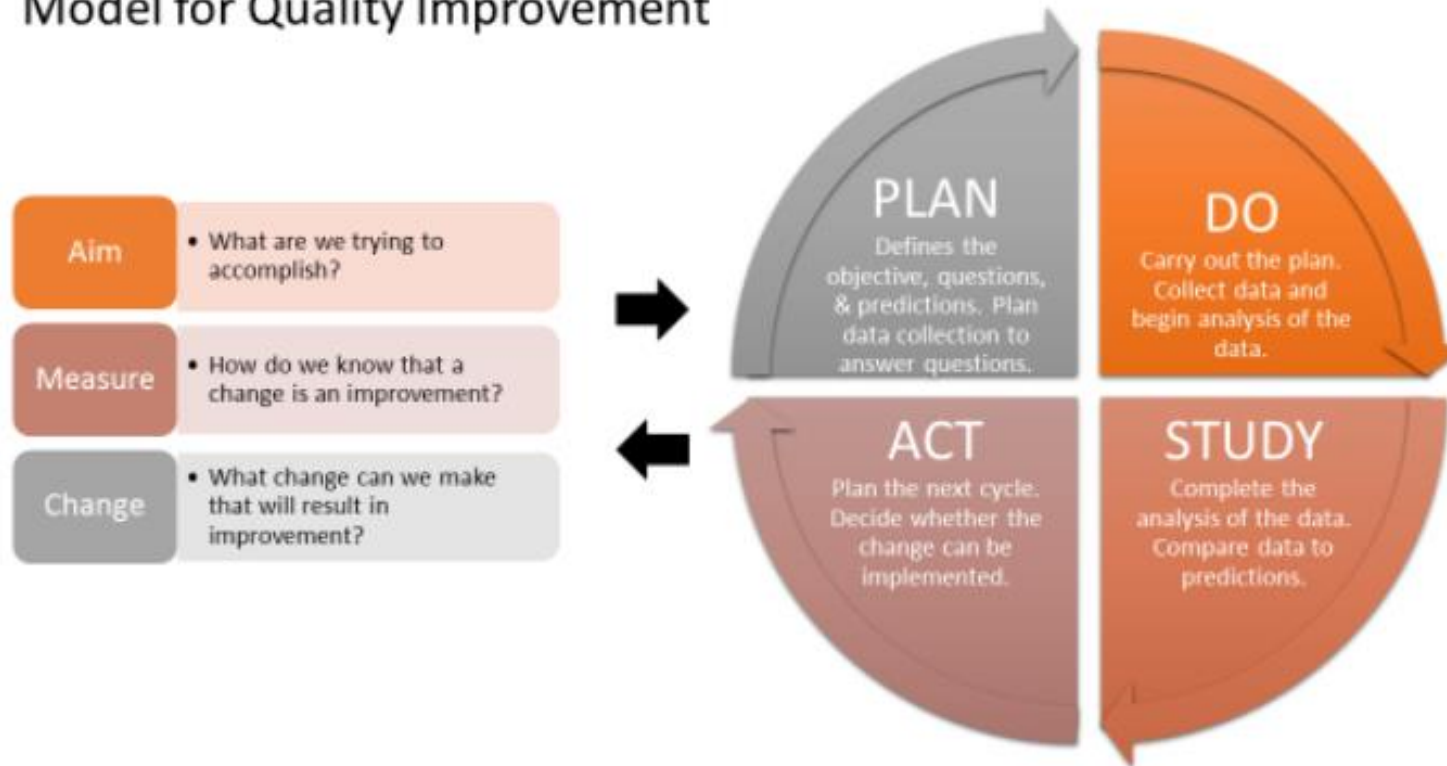
## 2022

- ▶ Office of Clinical Quality Management
- ▶ Office of Community Quality Improvement
- ▶ Quality Structure and Culture
  - ▶ Quality Improvement Committee
  - ▶ Quality Subcommittees
    - ▶ Risk Management
    - ▶ Key Performance Areas (3)
    - ▶ Case Management
    - ▶ Mortality Review Committee
    - ▶ 5 Regional Quality Councils
  - ▶ Quality Improvement Initiatives
- ▶ Quality Service Review process
- ▶ Licensing and Human Rights
- ▶ DMAS Quality Management Review

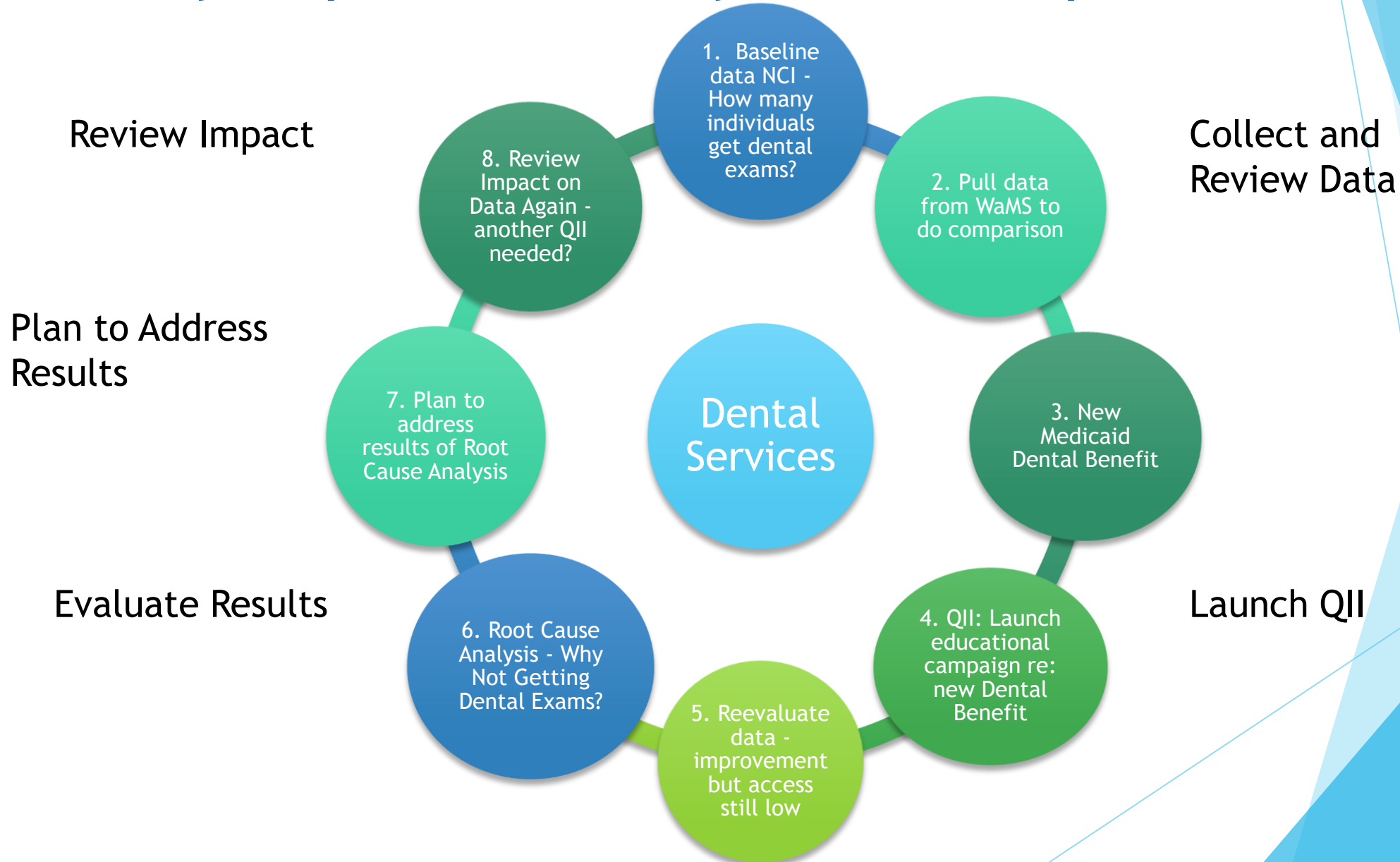
# Quality Improvement Cycle

- ▶ Quality Improvement efforts at DBHDS follow the **Plan Do Study Act** model.

## Model for Quality Improvement



# Quality Improvement Cycle - Example



# Data

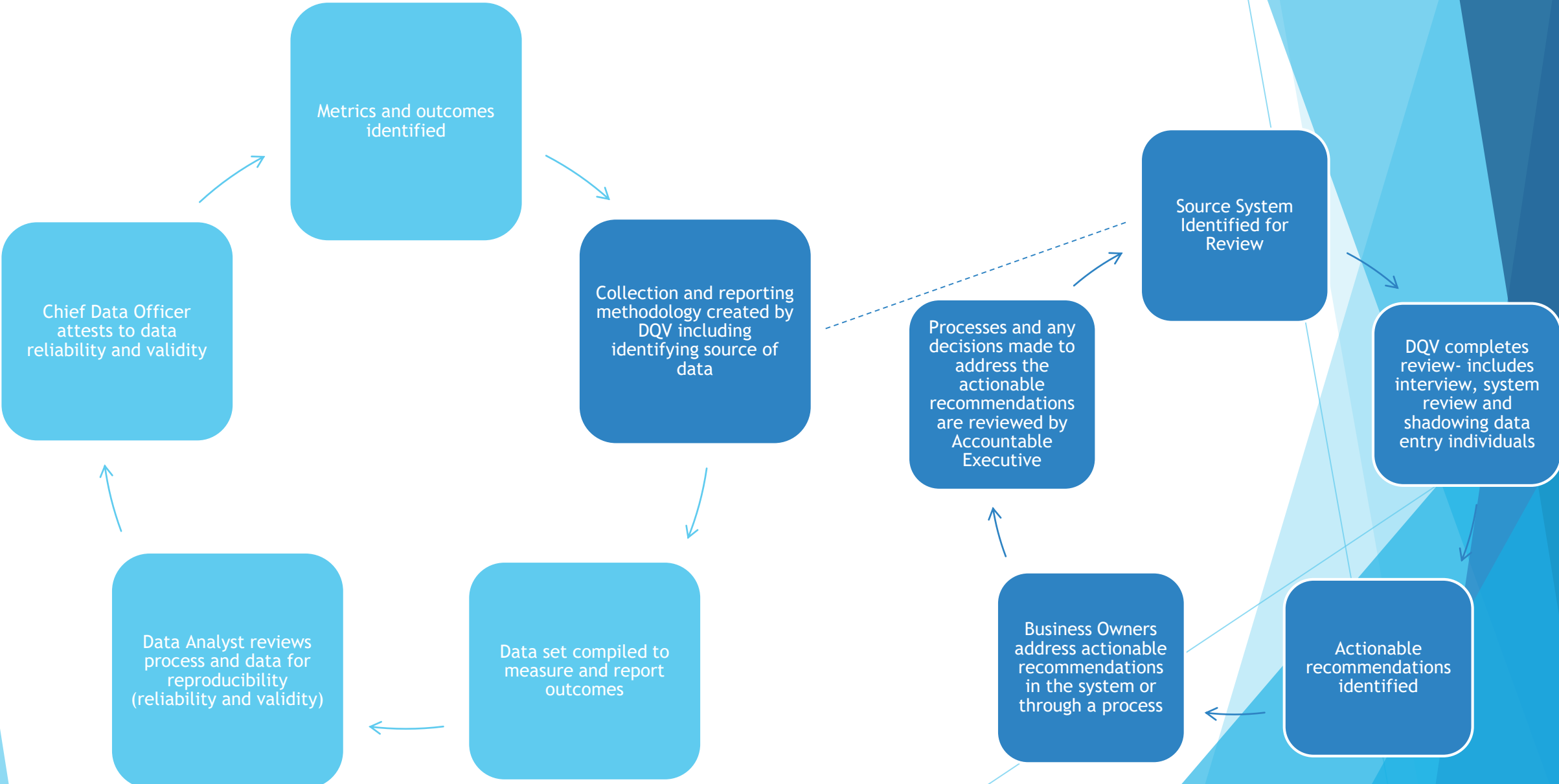
2012

- ▶ CCS3
- ▶ Information Technology Office

2022

- ▶ Established Office of Data Quality and Visualization
  - ▶ Produces Data Quality Monitoring Plan
  - ▶ Assesses threats to data validity and reliability
  - ▶ Makes actionable recommendations
- ▶ Created a Chief Data Officer Position
- ▶ Created a standardized process document and process for attesting to data reliability and validity

# Data Reliability and Validity for Reporting Compliance



# Risk Management System

2012

- ▶ DBHDS Office of Licensing
- ▶ DBHDS Office of Human Rights

2022

- ▶ Licensing
  - ▶ Special Investigation Unit (SIU)
    - ▶ There are 9 SIU investigators across the state.
    - ▶ Completes investigations of all DD deaths and all DD complaints reported to the Office of Licensing.
  - ▶ Incident Management Unit
    - ▶ Reviews more than 20,000 incidents a year reported by licensed providers.
    - ▶ Triage incidents to ensure protective measures are in place for safety and prompt risk mitigation.
    - ▶ Identifies Care Concerns Thresholds, incidents of potential Abuse/Neglect, and other trends and patterns based on incident review.



# Case Management

## 2012

- ▶ Targeted Case Management
  - ▶ Face-to-face meeting quarterly

## 2022

- ▶ Targeted Case Management
  - ▶ Face-to-face quarterly
- ▶ Enhanced Case Management
  - ▶ Face-to-face monthly, every other month in the home
- ▶ On Site Visit Tool
  - ▶ Assess change of status/ISP implemented appropriately
- ▶ Risk Awareness Tool
  - ▶ Assess common risks experienced by individuals with DD.
- ▶ Crisis Risk Assessment Tool
  - ▶ Assess need for crisis services
- ▶ Support Coordinator Quality Review
  - ▶ Ensure case managers are addressing individuals' needs related to choice, health, safety, and well-being.

# Licensing

- ▶ Amended licensing regulations to implement the Settlement Agreement and compliance indicators
- ▶ Trainings and Technical Assistance around Quality Improvement and Risk Management
- ▶ Staff tools for consistency in reviews
- ▶ Increased staffing

# Provider Development

- ▶ Gap Analysis - Provider Data Summary
  - ▶ Collect data from all sources related to services for individuals
  - ▶ Consolidated on a regional basis to identify gaps and needs across the Commonwealth
  - ▶ Provides tools and resources to providers for their strategic planning efforts
- ▶ Jump Start Funding - One-time dollars to incentivize the creation of most integrated services where gaps exist.
- ▶ Training and Technical Assistance - understanding and application of waiver requirements
- ▶ DSP Competencies - established standards for Direct Support Professionals (DSPs)
  - ▶ Basic - basic standard expected of DSPs to safely support individuals with DD
  - ▶ Advanced - more complex and focuses on medical, behavioral, and autism support needs
- ▶ Support Coordinator Manual and training

# Increase in Community Providers

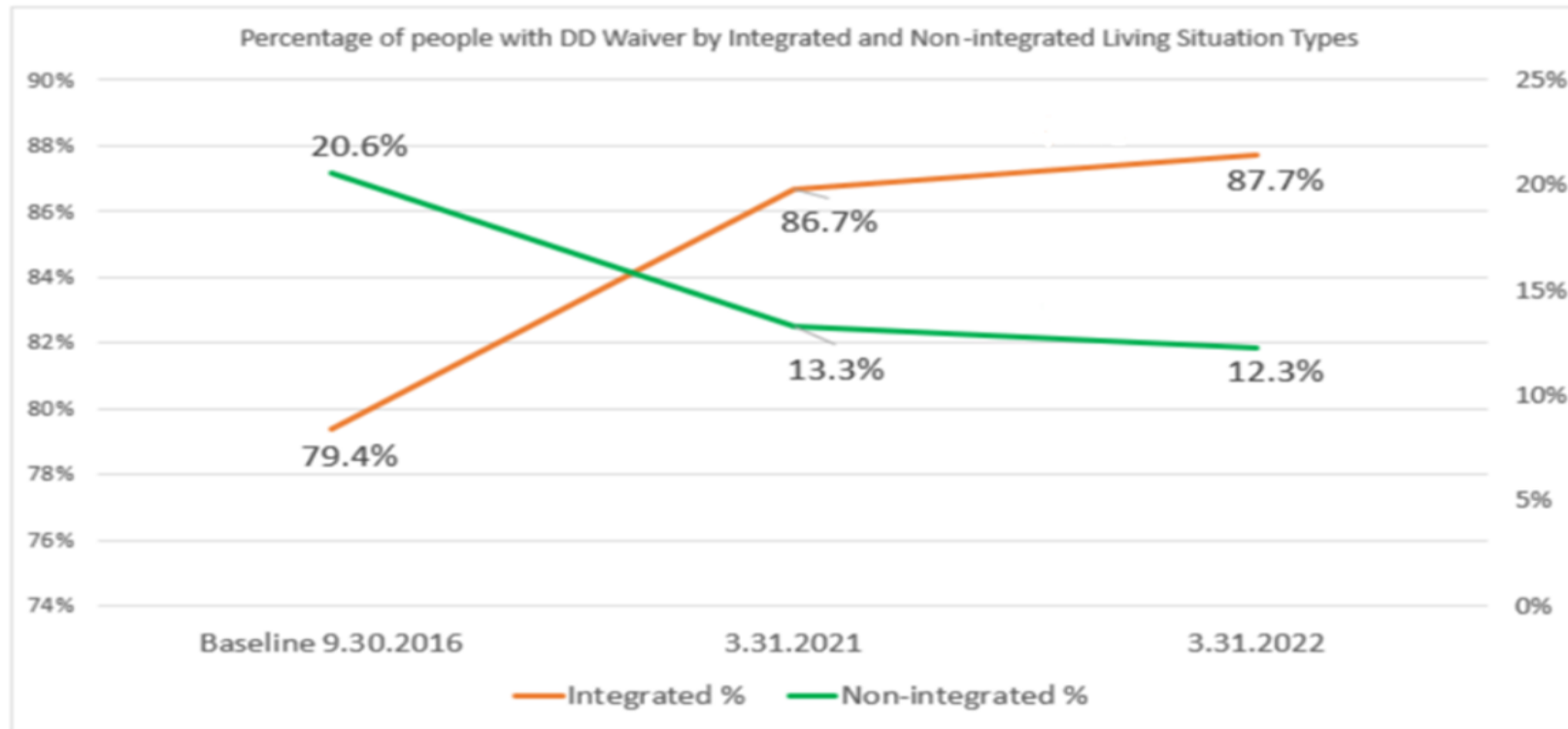
## 2012

- ▶ Licensed Providers: 744
  - ▶ Not all DD
- ▶ Licensed Services: 1,860
  - ▶ Not all DD
- ▶ Licensed Locations: 6,302
  - ▶ Not all DD

## 2022

- ▶ Licensed Providers: 1,359
  - ▶ 683 are DD
- ▶ Licensed Services: 3,558
  - ▶ 1,254 are DD
- ▶ Licensed Locations: 11,632 (not all DD)
  - ▶ 4,500 of these are DD group home and sponsored residential locations

# Outcomes - Most Integrated Settings



	Integrated #	Integrated %	Non-integrated #	Non-integrated %
Baseline 9.30.2016	9425	79.4%	2446	20.6%
3.31.2021	13292	86.7%	2044	13.3%
3.31.2022	13527	87.7%	1901	12.3%

# Office of Integrated Health and the Health Support Network

2012

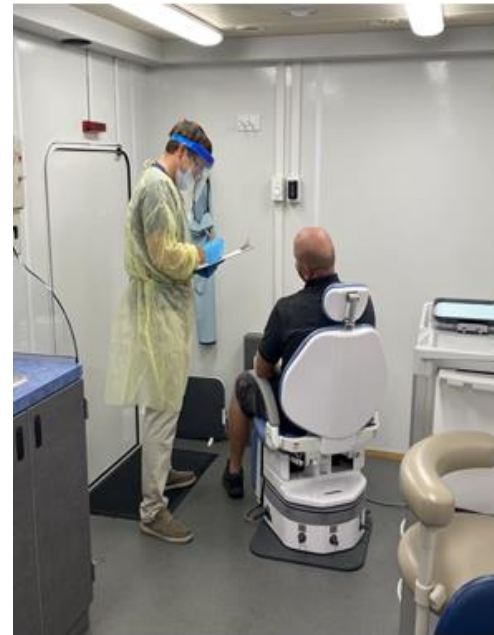


2022

- ▶ Created to provide services to meet the needs of former residents of Training Centers, nursing facilities, and ICFs.
- ▶ Three main programs:
  - ▶ Dental services
    - ▶ 3,159 since 2015
  - ▶ Mobile rehab engineering
    - ▶ 3,349 served in FY 22
    - ▶ 8,643 repairs completed FY22
  - ▶ Technical assistance for community providers
    - ▶ 914 care concerns reviewed in FY22
    - ▶ Monthly newsletters addressing current health and safety trends, behavioral support best practices and resources.
    - ▶ 14 Health and safety alerts in FY22 covering various topics, e.g., fall prevention, choking, medication management, bowel obstruction, pneumonia, fire exit planning
    - ▶ 46 meetings/trainings with 3,475 participants across trainings (not unique individuals) in FY22.

# Office of Integrated Health and the Health Support Network

## Mobile Dental Unit



# Sustaining System Change

## Administrative Changes at DBHDS

### 2012

- ▶ Developmental Services
  - ▶ Waiver Policy/Operations
  - ▶ Training and Technical Assistance
  - ▶ Service Authorization
- ▶ Office of Licensing
- ▶ Office of Human Rights

### 2022

- ▶ Developmental Services
  - ▶ Office of Integrated Health
  - ▶ Provider Development
  - ▶ Waiver Policy/Operations
  - ▶ Administrative Community Operations
  - ▶ Settlement Agreement
- ▶ Chief Clinical Officer
  - ▶ Data Quality and Visualization
  - ▶ Office of Clinical Quality Management
  - ▶ Office of Community Quality Improvement
  - ▶ Mortality Review
- ▶ Office of Licensing
  - ▶ Special Investigations Unit
  - ▶ Incident Management Unit
- ▶ Office of Human Rights
- ▶ Information Technology
  - ▶ Project Management
  - ▶ Chief Data Officer



# Sustaining System Change

## Administrative Changes - Staff

### 2012

- ▶ Quality Management = 0
- ▶ Office of Licensing = 33
- ▶ Office of Integrated Health = 0
- ▶ Data Staff = 0

### 2022

- ▶ New DBHDS staff positions created to support Settlement Agreement
  - ▶ Quality Management: 10 staff
  - ▶ Office of Licensing: 64 staff
    - ▶ Special Investigations Unit
    - ▶ Incident Management Unit (70% DD)
    - ▶ Corrective Action Plan Specialist (95% DD)
    - ▶ Quality Improvement Specialist
    - ▶ Licensing Specialists
  - ▶ Office of Integrated Health
    - ▶ Registered Nurse Care Consultants: 7
    - ▶ Dental team: 4
    - ▶ Mobile rehab engineering: 7
  - ▶ Data staff: 9 - 1 Chief Data Officer, 3 Data Analysts, 4 DQV staff, 1 Data Manager

# Sustaining System Change

## Transparency

### 2012

- ▶ Limited data
- ▶ Limited reports

### 2022

- ▶ 47 reports that range in frequency from quarterly - annually
- ▶ DOJ Document Library
  - ▶ Provision
  - ▶ Authority
  - ▶ Processes, Protocols, Standards
  - ▶ Guidelines, charters, and plans
  - ▶ Instruments and Tools
  - ▶ Training Materials
  - ▶ Reporting
- ▶ Waiver Management System

# Sustained Compliance

- Commonwealth previously achieved compliance with Sections IV and VI.D
- Court relieved the Commonwealth of those portions (34 provisions) by Order dated March 11, 2021.

# Sustained Compliance

As of Independent Reviewer's 20th Report to the Court, dated June 13, 2022, ECF No. 424, the Independent Reviewer has determined the Commonwealth to be in Sustained Compliance with an additional 45 provisions.

35 provisions in Section III and 10 in Section V.

# Provisions in Sustained Compliance

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III.C.1.a.i-ix

III.C.1.b.i-x

III.C.1.c.i-x

III.C.5.a

III.C.5.c

III.C.6.b.i.A

III.C.6.b.i.B

III.C.6.b.ii.C

III.C.6.b.ii.D

III.C.6.b.ii.E

III.C.6.b.ii.H

III.C.6.b.iii.A

III.C.6.b.iii.F

III.C.7.b.i

III.C.7.b.i.A

III.C.7.b.i.B.1.a

III.C.7.b.i.B.1.b

III.C.7.b.i.B.1.c

III.C.7.b.i.B.1.d

III.C.7.b.i.B.1.e

III.C.7.b.i.B.2.a

III.C.7.b.i.B.2.b

III.C.7.c

III.C.7.d

III.C.8.b

III.C.9

III.D.2

III.D.3

III.D.3.a

III.D.3.b.i-ii

III.D.4

III.D.7

III.E.1

III.E.2

III.E.3.a-d

V.C.2

V.C.3

V.D.5.a

V.F.1

V.F.3.a-f

V.F.6

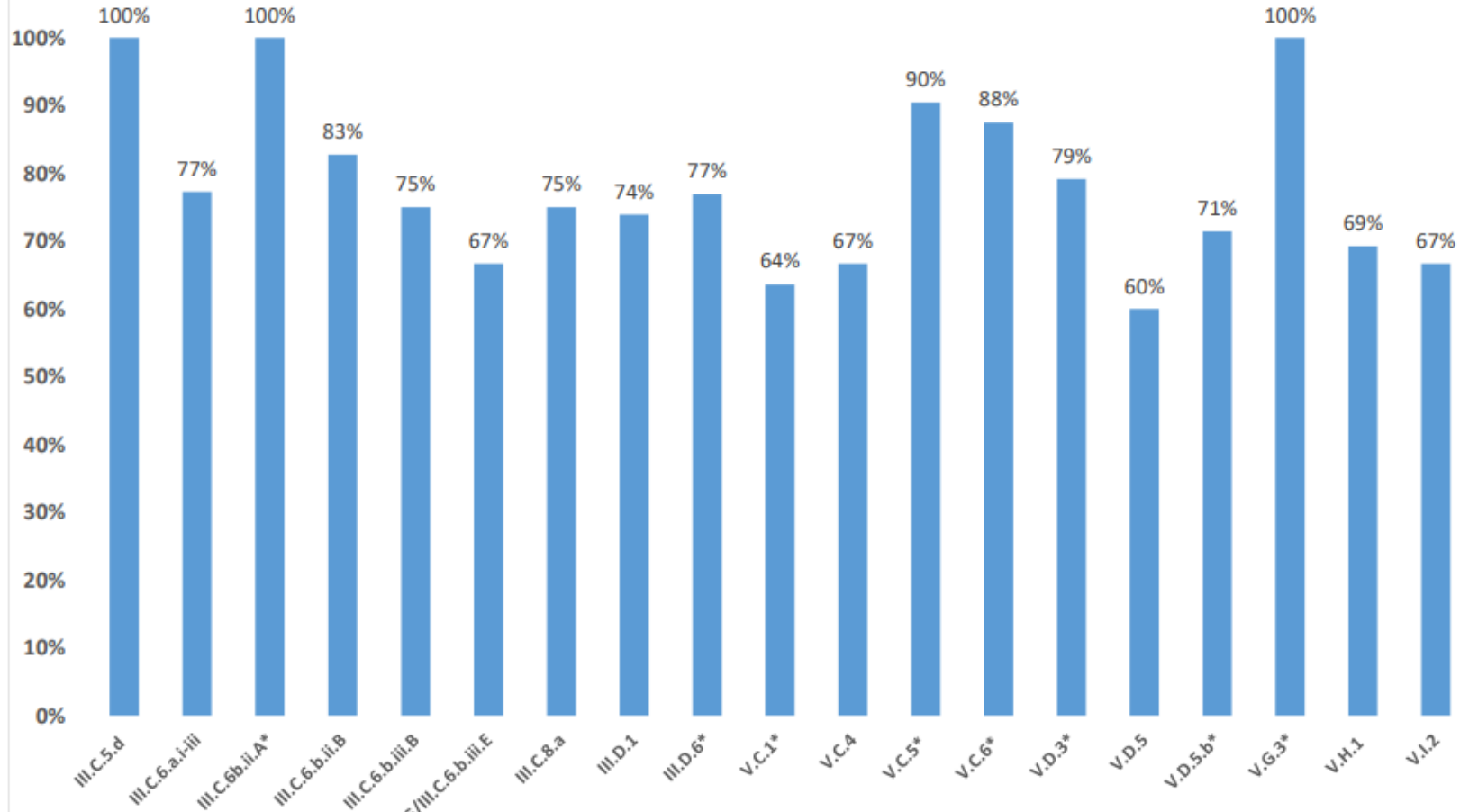
V.G.1

V.G.2.a-f

V.H.2

V.I.4

### Percentage of Notable Compliance Indicators met by Provision: August 2022



\* = provision contains at least 1 compliance indicator included in compliance percentage that are pending data validation

# What's Next

- ▶ The Commonwealth believes all processes needed to achieve compliance have been put into place.
- ▶ The Commonwealth is using those processes to drive continued quality improvement so metrics are met.
- ▶ Have developed specific workplans to address findings of Independent Reviewer's report. DBHDS Senior Leadership Team, which includes DBHDS Commissioner, meets every two weeks, to discuss implementation of workplans and address any identified barriers.
  - ▶ Will repeat this process after each report.

# What's Next

## Data

- ▶ Developed and implementing processes to ensure all data sets are valid and reliable
  - ▶ DBHDS developed a process document that ensures consistency across offices
  - ▶ DBHDS has implemented a process to:
    - ▶ Review the process documents for thoroughness
    - ▶ Have a data analyst to review the data for replicability
    - ▶ Have the Chief Data Officer review all the work and sign off on the reliability and validity of the data



# What's Next

## Complex Medical Needs

- ▶ Increased rates for Nursing on an average of 70% this Fiscal Year

Service Name	Location	Rates (as of 11/1/2018) (hourly)	Current Rates (as of July 1, 2021) (hourly)	2022 Recommended Rates (hourly)
Skilled nursing, RN	NOVA	\$45.12	\$58.80	\$92.44 \$93.92 (actual)
	ROS	\$37.16	\$47.28	\$82.67 \$85.08 (actual)
Skilled nursing, LPN	NOVA	\$39.12	\$43.88	\$75.65 \$73.84 (actual)
	ROS	\$32.20	\$36.36	\$64.32 \$63.12(actual)
Private duty nursing, RN	NOVA	\$36.88	\$48.64	\$75.97 \$81.64 (actual)
	ROS	\$30.36	\$38.48	\$66.73 \$71.28 (actual)
Private duty nursing, LPN	NOVA	\$31.96	\$35.28	\$59.33 \$63.44 (actual)
	ROS	\$26.36	\$28.68	\$49.44 \$52.40 (actual)

# What's Next

## Complex Medical Needs

- ▶ DMAS completed a review of claims data that will allow DBHDS to report nursing utilization 9 months earlier than previously reported.
- ▶ DBHDS provides training for skilled and private duty nursing services.
  - ▶ The purpose of the training is to ensure that nurses and support coordinators are aware of the nursing services under the waiver, what services are and are not billable, and the documentation providers need to submit so that requests for nursing services can be authorized.

# What's Next

## Complex Behavioral Needs

- ▶ Increased rates for Therapeutic Consultation on an average of 29% this FY
- ▶ On August, 3, DBHDS issued \$4 million RFP to increase residential homes for complex behavioral needs
- ▶ Created funding for behavioral supports for individuals who do not have waiver and experience crisis
- ▶ Updated regulations to clearly define requirements and increase quality
- ▶ Created best practice standards to ensure quality of behavior support plans
  - ▶ Created tool for assessing plans
  - ▶ Created training for behaviorists and case managers
  - ▶ Provide technical assistance and feedback on all plans
- ▶ To increase access, added language to CSB Performance Contract requiring Case Managers to contact multiple behaviorists if necessary.
- ▶ Created gap analysis and plan to address gaps in service provision

# What's Next Workforce

- ▶ Pandemic has exacerbated a workforce shortage
  - ▶ Nursing and Direct Support Professionals
- ▶ Workforce shortage impacts the Commonwealth's ability to achieve compliance with some of the metrics.
- ▶ Efforts to address workforce shortage
  - ▶ Review documentation requirements to ensure staff time is spent in the critical delivery of direct service
  - ▶ Review utilization of assistive technology, electronic home-based services and telehealth services to support staff where and when appropriate
  - ▶ Review roles and responsibilities and reimbursement
  - ▶ Bring together stakeholders to identify barriers to hiring as well as creative solutions

# What's Next

## Continuing to Increase Provider Capacity

- ▶ Continue gap analysis of service availability throughout the state and develop plans to address as indicated
  - ▶ Continue the completion of the provider data summary
  - ▶ Continue to present the provider data summary and share with providers
  - ▶ Office of Provider Development continues to work with providers to develop capacity throughout the state

# What's Next

## Quality Management and Improvement

- ▶ Maintain continuous quality improvement cycles affiliated with quality framework
  - ▶ Continue the work of the Offices of Clinical Quality Management and Community Quality Improvement
  - ▶ Maintain the Quality Improvement Committee and sub-committee structure.
  - ▶ Continue the review, revision, and implementation of Quality Improvement Initiatives to achieve compliance