

**Plan for Review of Relevant DBHDS (MHMRSAS), DMAS, VDH and VDSS Regulations and Policies for
Inclusion of Person-Centered Practices and Self-Directed Supports ~UPDATED February 12, 2010**

Regulation or Policy	TITLE or Reference	Agency	Public Comment Period		Training Needs/Updates
			Begin Date	End Date	
Policy	MFP Appendix to DMAS Policy Manual	DMAS	6/4/08	Completed 6/4/08	Appendix is on MFP website
Regulation 12 VAC 35-180	Regulations to Assure the Protection of Participants in Human Research	DMHMRSAS	6/5/08	Completed 6/10/08	None
Policy 1021	Core Services	DMHMRSAS	6/22/08	Completed 6/30/08	None
Policy 4010	Local Matching Requirements for Community Services Boards	DMHMRSAS	6/22/08	Completed 6/30/08	None
Policy 4018	Community Services Board Performance Contracts	DMHMRSAS	6/22/08	Completed 6/30/08	None
Regulation 12 VAC 35-105	Rules and Regulations for the Licensing of Providers of Mental Health, Mental Retardation, Substance Abuse, the Individual and Family Disabilities Support Waiver, & Brain Injury Services	DMHMRSAS	Completed 4/08; Submitted 9/08 for Executive Branch review.		None
Regulation 12 VAC 35-200	Regulations for Respite and Emergency Care Admissions to Mental Retardation Facilities	DMHMRSAS	Review completed 2/08. Submitted for Executive Branch Review 9/14/07 & again 1/12/09. Secretary review completed on 3/31/09 -reg. approved .		None
Regulation 22 VAC 40-444 22 VAC 40-411	General Relief Program. [NOTE: This new proposed regulation would combine existing regulations as follows:] 22 VAC 40-410; Entitlement Date in the General Relief Program 22 VAC 40-570; General Relief Program-Locality Options 22 VAC 40-630; Disability Advocacy Project 22 VAC 40-640; General Relief Program - Deeming Income from Alien Sponsors	VDSS	4/16/08 (State Social Svs. Board approved action to establish regulation) 7/20/09	8/19/09	Julie met with Richard Martin (DSS Regulatory Coordinator) on 2/25/09. Workgroup met with Bernadette Anderson on 3/24. Followed up by sending PCP materials and specific suggestions for changes to the GR regulations. STAGE: FINAL
Regulation 22 VAC 40-25	Auxiliary Grants Program	VDSS	7/08	Date TBD	Proposed stage of regulation approved by SBSS. Start date of 60-day public comment period TBA.

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Regulation 12 VAC 30-40	Medicaid Eligibility Conditions and Requirements	DMAS	2/2/09	3/4/09	Content of this regulation unclear. Molly following up to determine.
Regulation 12 VAC 30-30	Medicaid Buy-In	DMAS	11/08	3/10/09	No comments were submitted by work group members
Regulation 22 VAC 40-111	Standards for Licensed Family Day Homes	DSS	2/2/09	4/3/09	No comments were submitted by work group members
Regulation 22 VAC 40-204 22 VAC 40-211	New Regulation combining foster care, adoption and independent living regulations Establish Resource, Foster and Adoptive Family Home Standards for Local Departments of Social Services	VDSS	3/09 8/3/09	Later in 2009 9/2/09	Julie met with Richard Martin (DSS Regulatory Coordinator) on 2/25/09. Workgroup met with Phyl Parrish on 3/24 to share PCP materials and specific recommendations. Work group will send formal comments during comment period later this year. Paige is following up with BJ Zarris and VISSTA to determine if workgroup can present PCP materials at VISSTA staff meeting. STAGE: Final
Regulation 12 VAC 30 - 120	Money Follows the Person Final Regulation	DMAS	3/2/09	5/1/09	
Policy	Adult Services Manual (Chapters A, B, C, D and E) http://www.dss.virginia.gov/family/as/manual.cgi	VDSS	3/09	7/09	Done.
Regulation 12 VAC 5-381	Home Care Organization Regulations	VDH	5/25/09	Fall 2009 (TBD)	STAGE (May/June 2009): NOIRA. Proposed revisions due in Fall 2009. Feedback on hold until then.
Policy	CPS, Foster Care and Benefit Programs Manuals http://www.dss.virginia.gov/ click the links at the left ("children" and "financial assistance")	VDSS	3/09	TBD	CPS--Rita Katzman FC—Therese Wolf <u>Benefit Programs Contacts:</u> Energy Assistance-Andrea Gregg; Food stamps (SNAP)-Rose Mastracco

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					TANF-Marc Golden
Regulation 12 VAC 30-20-210	State Method on Cost effectiveness of employer-based group health plans [HIPPA modifications]	DMAS	6/8/09	7/8/09	Workgroup sent suggestions to Brian McCormick, 7/8.
Regulation 12 VAC 30-10-560	Estate Recovery Update [Liens and Recoveries, under State Plan Title XIX]	DMAS	6/8/09	7/22/09	Feedback provided via e-mail to Kathy Colley.
Regulation 12-VAC-35-46	Regulations for Providers of Mental Health, Mental Retardation, Substance Abuse & Brain Injury Residential Services for Children	DBHDS (DMHMRSAS)	6/8/09	7/22/09	Stage: Fast Track L. Redmond called Leslie Anderson (O. Licensing) on 7/13 re: workgroup initiative. No written feedback was given, based on group decision. Follow-up is indicated w/ L. Anderson & Lester Saltzberg, Director (D. Traver)
Regulation 12 VAC 30-30	Medicaid Works, Medicaid Buy-In Program	DMAS	6/22/09	7/22/09	Stage: Final Feedback sent by e-mail to Jack Quigley, 7/22/09
Regulation 12 VAC 30-50-226,-420, & -430	Community Mental Health Services Prior Authorization	DMAS	7/6/09 Approvals completed 6/17/09.	8/5/09	STAGE: Emergency/Fast Track. Feedback deferred.
Regulation 12 VAC 30-50-130	Skilled Nursing facility services, EPSDT, School Health Services, & Family planning. [Prior Authorization: Intensive In-Home Services]	DMAS	6/8/09	8/7/09	Feedback provided, 8/7/09, to Brian McCormick
Policy	Medicaid Eligibility Manuals	VDSS	TBD	TBD	Stephanie Sivert, Medicaid Program Manager
Regulation 12 VAC 35-190	Regulations Establishing Procedures for Voluntarily Admitting Persons Who are Mentally Retarded to State Mental Retardation Facilities	DBHDS (formerly DMHMRSAS)	Public Comment period: 7/20 – 8/19/09 Completed 2/07. Submitted 12/17/07 for Exec. Branch review. Submitted 4/13/09 for certification. DPB review done, 5/1/09; OAG review done, 5/5/09; Sec. HHR review done, 6/26/09.		STAGE: FINAL

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Regulation	Omnibus Waiver Regulations	DMAS	TBD	TBD	M. Hoffstetler to identify
Regulation 12 VAC 30-120-1660 thru 1660	Alzheimer's Assisted Living Waiver Update	DMAS	Fall 2009	TBD	STAGE: NOIRA, 6/6-7/8/09 Proposed revisions due in early Fall. Feedback on hold until then.
Regulation 12 VAC 35-200	Regulations for Respite and Emergency Care Admission to Mental Retardation Facilities	DBHDS (DMHMRSAS)	8/17/09	9/16/09	STAGE: FINAL No comment planned
Policy	UAI Training Manual http://www.dss.virginia.gov/family/as/uai_manual.cgi	VDSS	9/09	10/09	P. McCleary distributed copies of Manual to Wkgroup. Meeting was held to provide feedback at DSS on 9/16/09
Regulation 12 VAC 30-120	Waivered Services: Technology Assisted Waiver (Tech Waiver) Update	DMAS	9/14/09	10/14/09	STAGE: NOIRA Feedback pending later publication of revision.
Regulation 22 VAC 40-131	Minimum Standards for Licensed Private Child-Placing Agencies	DSS	9/14/09	10/14/09	STAGE: NOIRA Feedback pending later publication of revision.
Regulation 12 VAC 35-115	Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services	DBHDS	8/31/09 – 9/30/09 – By client petition.		STAGE: NOIRA DBHDS contacted by L. Redmond. Comments to be presented to State DBHDS Board on 12/8; & full public comment follows if Board adopts any changes.
Regulation - TBD	Home Health	VDH	1/10	TBD	
Policy	Assisted Living Facility Manual http://www.dss.virginia.gov/family/as/aps.cgi	VDSS	3/09 10/28/09	11/9/09	Sent by P. McCleary for Work-group review.
Regulation - 12 VAC 30-120	Waivered Services: Elderly or Disabled with Consumer Direction (EDCD) Waiver	DMAS	10/26/09	11/25/09	STAGE: NOIRA Feedback pending later publication of revision.
Regulation 12 VAC 30-40	Eligibility Conditions & Requirements: Coverage of Legal Immigrant Children	DMAS	11/9/09	12/09/09	STAGE: Fast-Track

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Regulation 22 VAC 40-160	Fee Requirements for Processing Applications for Licensed Programs	DSS	11/9/09	12/09/09	STAGE: NOIRA
Regulation 12 VAC 30-50	Coverage & Reimbursement of Early Intervention Services under Part C of IDEA	DMAS	11/23/09	12/23/09	STAGE: Emergency/NOIRA
Regulation 12 VAC 30-120	Waivered Services: Mental Retardation/ Intellectual Disability Waiver Changes	DMAS	11/23/09	12/23/09	STAGE: Emergency/NOIRA
Regulation 12 VAC 35-220	Certification Requirements for Early Intervention Professionals & Specialists	DBHDS	11/23/09	12/23/09	STAGE: Emergency/NOIRA
Regulation 12 VAC 5-66	Regulations Governing Durable Do Not Resuscitate (DNR) Orders	VDH	12/21/09	2/19/10	Contact: Michael Berg, Compliance Officer (864-7615)
Regulation 12VAC30-120-360	MCO Rural Exception, Medallion II [Waivered Services]	DMAS	1/18/10	3/3/10	STAGE: Emergency/NOIRA Contact: Brian McCormick, Regulatory Supervisor (371-8856)
Regulation 22-VAC-40-25	Auxiliary Grants Program (Amended)	DSS	2/15/10	4/16/10	STAGE: PROPOSED Contact: Paige McCleary
Regulation 12 VAC 5-381-10	Rules and Regulations for the Licensure of Home Care Organizations	VDH	Late Spring 2010		Nov. 2009 – Planning Stage Planning workgroup formed by VDH for initial feedback. L. Redmond attended 11/3 meeting. Contacts: Carrie Eddy & Gregg Stolcis
Regulation 22 VAC 40-72	Standards for Licensed Assisted Living Facilities	VDSS	7/1/10	12/31/10	Licensing—Leslie Knachel Lynn Williams
Regulation 22 VAC 40-680	Virginia Energy Assistance Program - Low Income Home Energy Assistance Program (LIHEAP)	VDSS	12/10	6/30/11	Andrea Gregg
Regulation 22 VAC 40-740	Adult Protective Services	VDSS	9/10	2/28/11	P. McCleary to identify
Regulation 22 VAC 40-601	Food Stamp Program	VDSS	1/11	7/31/11	Rose Painter
Regulation 22 VAC 40-60	Standards and Regulations for Licensed Adult Day Care Centers	VDSS	1/11	7/31/11	Leslie Knachel
Regulation	Nursing Facilities	VDH	1/11	TBD	

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Regulation 22 VAC 40-771	Adult Services Approved Providers	VDSS	Spring 2011	10/31/11	P. McCleary to identify
Regulation 12 VAC 30-120	Programs of All Inclusive Care (PACE)	DMAS	6/30/11?	TBD	
Regulation 12 VAC 35-210	Regulations to Govern Temporary Leave From State Mental Health and Mental Retardation Facilities	DBHDS	7/11	TBD	
Regulation 12 VAC 35-115	Rules and Regulations to Assure the Rights of Individuals Receiving Services from Providers of Mental Health, Mental Retardation and Substance Abuse Services	DBHDS	9/11	TBD	
Regulation 22 VAC 40-685	Virginia Energy Assistance Program - Home Energy Assistance Program	VDSS	7/11	12/31/11	Andrea Gregg
Regulation 22 VAC-40-60	Standards and Regulations for Licensed Adult Day Care Centers	VDSS	7/11	12/31/11	Leslie Knachel
Regulation 22 VAC-40-705	Child Protective Services	VDSS	Sept. 2012 (effective 3/4/09)	TBD	Rita Katzman To be reviewed again 9/1/12

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DBHDS Policies for Review (to be added in accordance with review schedule requested from agency)

Policy 1013 (SYS) 86-19 Facility and Community Alcohol and Other Drug Services www.dmhmrzas.virginia.gov/documents/adm-SBPolicies1013.PDF

Policy 1023 (SYS) 89-1 Services Accessibility for Cultural and Ethnic Minorities www.dmhmrzas.virginia.gov/documents/adm-SBPolicies1023.PDF

Policy 1025 (SYS) 89-3 Services Accessibility for Persons With Physical or Sensory Disabilities www.dmhmrzas.virginia.gov/documents/adm-SBPolicies1025.PDF

Policy 4026 (CSB) 87-1 Transitional Services for Adolescents & Young Adults with Mental Disabilities

www.dmhmrzas.virginia.gov/documents/adm-SBPolicies4026.PDF

Policy 4037 (CSB) 91-2 Early Intervention Program for Infants and Toddlers with Disabilities and Their Families

www.dmhmrzas.virginia.gov/documents/adm-SBPolicies4037.PDF

Policy 4023 (CSB) 86-24 Residential Services www.dmhmrzas.virginia.gov/documents/adm-SBPolicies4023.PDF