

The Accomack County Board of Social Services met at its facility on Tuesday, December 18, 2018, at 9:30 A.M. Present were Ms. Laura B. Gordy, Chairman; Ms. Reneta Major, Vice-Chairman; Mr. Robert Crockett; Mrs. Elsie B. Mackie; Mr. John Sparkman; Mr. Robert B. Martin; and Mrs. Vicki J. Weakley, Secretary. Also in attendance was Accomack County Administrator Mike Mason.

Ms. Gordy called the meeting to order. Mrs. Mackie gave the Invocation.

Ms. Gordy proceeded to **Item 3 – Approve Minutes of November 20, 2018**. On motion by Ms. Major, seconded by Mrs. Mackie, the Minutes of November 20, 2018 were approved as written. Mr. Crockett abstained as he was not present at the November 20, 2018 meeting. The motion carried.

Ms. Gordy continued to **Item 4 – Presentation by Fraud Investigator – Frances Bailey**. On behalf of the Board Ms. Gordy welcomed Mrs. Bailey to the Board meeting and stated she was looking forward to her presentation.

Mrs. Bailey stated she wanted to start with telling what she did instead of going directly to the report. She further stated a lot of things have changed with VaCMS since 2017. Mrs. Weakley stated the Board Members did not know what VaCMS was. Mrs. Bailey stated it is a system called VaCMS which was introduced to the DSS and it keeps track of our investigations, cases, and the amount of benefits clients receive. This system is trying to introduce paperless. Previously with the ADAPT system everything was paper files and keeping records that way. Previously everything with fraud was not scanned; however, now everything is scanned. We no longer hold files unless presented to the Commonwealth's Attorney for prosecution.

Mrs. Bailey further stated there are various ways she handles her investigations. She gets a referral from workers where they became aware of a client lying or they see a red flag. They inform Mrs. Bailey and she investigates the claims. We also have whistle blowers who contact the USDA and inform them a client has committed fraud. She also receives anonymous tips and she is always waiting for the phone to ring while she is performing other duties of her job.

We also have the AICC come to our office on a weekly basis. Mrs. Bailey stated she goes beyond her job to assist them as they request her to determine whether the client is verifying what they said relative to receiving benefits from our agency. She verifies whether they receive food stamps or other benefits; however, she goes the extra mile. When she verifies whether the client has food stamps, she also verifies whether the income reported by the client is what we are showing in our system. Sometimes the AICC does not correspond with us and the client will tell a fib. When that occurs, she picks up another case. Sometimes she gives herself a much larger caseload but those are not a priority so she puts them to the side and continues with her front ends and other investigations.

Mrs. Bailey further stated there are PARIS matches; i.e., the computer has an interface that automatically picks up when a client moves to another state like Delaware and tries to get benefits. If a benefit worker did not go beyond his/her job and verify certain information, the system will pick it up 5-6 months later that the client is also receiving benefits from another state. Then, Mrs. Bailey has to go back and do an investigation and put it in the system. Mrs. Bailey is the only worker at ACDSS who can remove PARIS matches. Sometimes a worker will get a PARIS match and they call to see if it is still correct. If it is, the benefit worker will take it to Mrs. Bailey to verify same. If it is still correct, Mrs. Bailey has to stop her caseload, pick up that investigation as it is a priority and has to be removed in a timely manner.

Mrs. Bailey stated she works closely with the benefit workers investigating TANF, SNAP, fuel and cooling assistance; however, she has not had much childcare. She has paper files to keep her organized while she is going. Everything has to go into VaCMS. Fraud is like double work; however, she has to have the paper file to get everything organized and documented. Then everything in the paper file has to be entered into VaCMS – it is very time consuming. VaCMS has a time system and it times out on you after a minute. It is time consuming too because everything is typed into Microsoft Word, then copied and pasted into VaCMS and hope it doesn't shut down before I hit submit. She sends out verifications which is also time consuming as you have to wait for the employer to get the information back to you. If they take a long time getting back to us, Mrs. Bailey can subpoena the employer and have Mrs. Weakley as Director sign off stating if the information is not provided, we can take it further. Fortunately, we do not have to take that action. I send out department letters and interviews we were not doing ADH hearings. Most of the time clients would come into the agency, admit what they did, waive their rights and were disqualified. Previously, if a client did not show up for an interview, he/she was not taken to a hearing. A hearing is like someone going for self-employment, a hearings officer will call us to hear both sides of the story and then they will come to an agreement to determine whether the evidence was convincing and if not, you disqualify the client. This was previously not being done and if a client did not show up, it sat there and claims were terminated. Mrs. Bailey has had training where she can send individuals to ADH hearings. She has one big case where the client has been disqualified. This is time consuming as you have to wait to hear from the hearings officer who can call and say "let's do this" and you could be working on another case; however, you have to drop that and work on the current case. This is definitely a deterrent. Mrs. Bailey further stated if a client does not come to sign a waiver, she goes the extra mile and goes on the road to make a home visit. She makes sure the scene is safe and she gets the waiver signed.

Front end investigations – Mrs. Bailey stated she did a lot of them. If you want to take it to the Commonwealth's Attorney you have to prove the case beyond a reasonable doubt. She further stated she picked up some investigations by reviewing her Claims Data Report. She noticed a client came to the agency and she had never been found so she was not sent to ADH. Mrs. Bailey stated she built the case and the client had been overpaid over \$2,000. Mrs. Bailey noticed she had an appointment for a renewal so Mrs. Bailey put a repayment agreement at the front desk and asked them to hand it to the client when she arrived at the window with her interim for benefits. The clerk handed it to the client and she said "what is this"? She was immediately sent back to Fraud Investigator Bailey who stated our previous Fraud Investigator Jack Thomas had been trying to get up with her since 2014 and never reached her. Mrs. Bailey IPV'd her. She is also closing cases that were never closed. Mrs. Weakley asked Mrs. Bailey to explain the definition of an IPV. Mrs. Bailey stated an IPV (Intentional Program Violation) is when a client intentionally commits fraud they are disqualified from receiving benefits. If first offense, they cannot get benefits for 12 months; second offense is 24 months; and the third offense permanent disqualification. However, they can get for household if there are children in the home or a spouse who does not work.

Mrs. Bailey further stated IHE (Intentional Household Error) – this is when a client does not know he or she has made a mistake and did not intentionally defraud the system. The down size of this is when you do claims and until we can prove it is an IPV, it is entered into the system as an IHE. This is a down size because an IHE claim only recoups 10% of the benefits back for the overpayment and if it is an IPV, it is 20% recoupment. We do not want to use IHE when they are actually an IPV.. This is like the government paying them back for something they did.

Mrs. Bailey stated the Board probably noticed on the VSMS Report that she has had disqualification savings. The numbers look large; i.e., sometimes \$15,000 or \$17,000 and the current month \$30,000. These are actual numbers and have to be put into the system. Suppose a client is getting \$700 in monthly benefits and she disqualified them. The benefits would drop \$50 as the client is out; however, there are residents in the household. Mrs. Bailey stated she had a case where she had to go all the way back to 2014 and upon her investigation she found the client owed over \$26,000 back to us. She was selling the Food Stamps for self-employment.

Mr. Crockett inquired what percentage on a dollar was being received by client for her Food Stamps. Mrs. Bailey stated she received \$643 per month and was selling \$600 of the benefits. The client admitted the fraud and signed a statement. Mrs. Bailey stated she has two cases being referred to the Commonwealth's Attorney and she would be meeting with him the second week of January 2019.

Mrs. Bailey further stated she has primary use to two data bases. One is EDRS which is an electronic database recording system which records when clients are disqualified. This goes through the USDA. It was a six week process and she basically had to get a clearance. Those have to be entered within a period of 30 days. She also has to stay in contact with the Home Office to be sure she stays in compliance. After she receives a referral for an investigation, she has to have the referral entered within five days. She has 90 days to complete the investigation; however, they want you to enter everything into the system as you do the investigation. If she disqualifies the client, she now has a button on VaCMS that we did not have before called EDRS Interface. She enters the client's information and it automatically goes into VaCMS. She also does secondary verifications for various agencies that call and say they have a client who said they were disqualified in Virginia; however, we need proof of that statement. She has to pull the electronic verification and fax it to them to prove the client is disqualified. The Home Office will send a bulk of 200-250 PARIS matches but she manages to get it done. You have to be organized and get it entered within the five day period. Mrs. Bailey just completed tax intercept. We ever had a claims data report. When Jack did claims he had to manually keep a claim for everyone involved. He went to the front office and spread it out. Now they have a claims data report. She sits down and goes through the report. She took 23 classes with the Department of Taxation in order to get access to the system. When she started the tax intercept the only thing associated with the client was the Tax ID number. They requested Social Security Numbers so she had to go into VaCMS to get everyone's social security number. Mrs. Bailey stated they give you a while to put it into the system prior to December 31st as a lot of people do the H&R quick income tax return in January. Going through the report she counted the first five pages. TANF claims have no deadlines for seven years and they have no time limit. However, SNAP has something different. If not paid in over three years and not turned over to Federal tax intercept, she has to determine whether they were TANF or SNAP claims as she did not want any appeals coming back to the agency. After reviewing the first five pages of the report there were over \$30,000 in TANF claims which had not been entered into tax intercept since 1997. She stated she had entered them into the system and she was sure a lot of people would be upset over it. She further stated she had given the Board information on the Federal tax intercept before she went out on maternity leave. She wanted the Board to be aware of the claims as they do not come through the financial department. When the Federal tax intercept goes through, it is our money – even though it does not come directly here, it is our money. She spoke with the Federal Tax

Intercept representative Barbara Mosley and she showed her how to pull a Federal tax intercept report. This enables her to show the Board the collections.

Mrs. Bailey stated the Virginia Department of Taxation will allow claims of \$10 or more to be entered into tax intercept. When a client is being recouped that means the client is not paying in cash because they are still eligible to get benefits so we are taking a percentage each month. If that is occurring she cannot do tax intercept as that could cause a great amount of trouble. She always has to be sure a client is not being recouped. Mrs. Bailey stated she knew a lot of people who play lottery numbers so we can collect lottery winnings by the State tax intercept. Also, there could be liable persons in the case. We had one case where a person was over 18 so they can pay back the money too. She can then enter that person into tax intercept. She will get emails notifying her they have a match and then she drafts a collection letter to be sent to the client. She gives the client 10 days to contest the claim and if the client does not contest the claim, she goes back into the Department of Taxation and certifies it. She has to keep track of these as well.

Mrs. Bailey has attended several PAVE (Public Assistance Investigators of Virginia). They teach you different ways to do reporting. She has also just joined UCWF (United Council of Welfare Fraud). They give you information if you attend their conference which enables you to become a certified investigator.

Mrs. Mackie stated she was with AICC and they appreciated what you do greatly. The money is donated and we do not have a lot so we don't want to give it away unnecessarily. We want to thank you for that.

Ms. Gordy inquired whether anyone else had a question. At that time Accomack County Administrator Mike Mason stated he had a curiosity question. The process you use for the State intercept program he assumed was like the process done by collection agencies. You went through the same type of training, the same access point and you probably go in and flag it as some type of recovery of previous benefits paid. For example, a treasurer's office would say there are delinquent taxes owed. Is that an accurate assessment? Mrs. Bailey stated with tax intercept she goes through the claims data report and determines who is delinquent. The computer might state a client is delinquent; however, the client is being recouped. This is like a collection department – a whole other area. At that time Mr. Crockett stated the purpose of his question was to see about the Treasurer's Office and delinquent taxes. Ms. Major laughed and said she knew where Mr. Mason was going with the question. Mr. Mason stated the County might want to take advantage of the information Mrs. Bailey had shared.

On behalf of the Board Ms. Gordy thanked Mrs. Bailey for the information she had provided.

Ms. Gordy continued to **Item 5 – Director's Report**. Mrs. Weakley stated she had attended a Truancy meeting; an Emergency CPMT (Community Policy and Management Team) meeting; a regular CPMT meeting; Eggs and Issues/Chamber of Commerce; meeting with Daniel Carey, Secretary of Health and Human Resources; HR Webinar on recruitment management system; and met with Senator Lynwood Lewis about issues we were concerned about on the Shore. Mrs. Weakley stated the Directors from Matthews County and Northampton Counties also attended. She further stated Senator Lewis seemed interested and hopefully he will be on our side when the next legislation comes up. She also had a Child and Family Services Review on November 18, 2018. Of the ten investigative cases they reviewed, they found no errors in seven of them. The remaining three cases – two had documentation issues and the final one

was a child had not been seen immediately. We are doing some training to correct that. The other case involved the client who we had a "no trespass notice" against. He was under the assumption if he could not come to our agency we were not allowed on his property and do a CPS investigation. Mr. Crockett stated that was convenient. Mrs. Weakley stated he was uncooperative; however, we have come to an agreement but it created some problems about the case being reviewed as we could not do the visit in a timely manner.

Mrs. Weakley stated they looked at 5 ongoing cases and one foster care case. The ongoing cases they reviewed – one had no errors and the others had documentation issues. We are working with staff to understand it is not only documenting but the system used called OASIS. If you don't click on certain boxes and then enter a visit, the computer might come back and say "you didn't." We are doing some mini trainings with workers to be sure they click all boxes.

Ms. Major inquired how we are doing with the Flex Dictate. She further inquired about whether it had to be uploaded in OASIS. Mrs. Weakley stated it is a new program the State put in place for workers to stay on top of their documentation. She further stated it does have to be uploaded in OASIS. When they are out in the field, they can dial a phone number say what they need to say; i.e., what they just did, who they talked with and the topics discussed. The call goes to another location and that person types it up and emails it back to the worker and the worker cuts and pastes the dictation. It has taken a while for the workers to get used to it but they seem to be enjoying it now. Ms. Major stated voice recognition is probably an issue. Mrs. Weakley stated we have had a few issues with that.

Mrs. Weakley stated we had one foster care case where there was a documentation issue because all of our children have to be filtered in OASIS as it has to be documented whether they have any American Indian heritage as the rules are different. The child was African American; however, the worker forgot to filter it through the American Indian heritage piece so we got dinged for that error. We are doing more individual work on the boxes and places that have to be checked. The reviewer was well pleased and stated she will be back in February 2019 to do it again.

Mrs. Weakley stated the next item on the agenda was **Item 6 – Media Reports stating "Devastating State Report Highlights Major Health and Safety Problems in Virginia's Foster Care System.** Mrs. Weakley sent the Board two articles pertaining to the above. Since the articles and agenda were sent to you, the State sent a full report and if anyone wanted a copy just let her know. She stated she had also sent a copy to Mr. Mason who stated he also thanked her for the two summaries she sent as well.

Mr. Crockett inquired how we stood on the situation. Mrs. Weakley gave each Board Member the summary. At this moment the Commissioner has called all directors to attend a meeting just outside of Richmond on Thursday, December 21, 2018, to discuss the report. She informed Ms. Gordy the Commissioner was supposed to send her an invitation too but she did not know whether it was sent. Mrs. Weakley stated the Commissioner is planning to get in touch with all county administrators and city managers and have a similar conversation.

Mrs. Weakley went over the report to show where we stand on the report. They were concerned that case workers in some agencies were not conducting their monthly visits and some children in foster care were not visited for several consecutive months. Another concern was not receiving required health

screenings. Child Welfare Supervisor Sylvia Stanley pulls what we call "safe measures" which is a program that pulls information out of our computer system and tells her any children that have not been visited in a certain month and then she goes to each worker to inquire when they planned to see the child. That doesn't happen in Accomack County. The required health screenings is more complicated. We have a child in the foster care case that was reviewed. The requirements are within 30 days of when a child comes into custody the child has to have a physical and dental examination. Mrs. Weakley stated that is not as easy as it sounds. Sometimes it is hard to get an appointment for the child to be seen. In our case the issue for us - and they are trying to clarify this with the State - the child had the physical and dental exams; however, the child went back home. Later the mother went back into the hospital and the child came back into our custody. We did not the physical and dental redone as we had recently done them; however, the State wanted them redone. We have had some issues with this but for the most part we are doing it unless there is some type of roadblock like the insurance company not wanting to pay for another exam.

Mr. Crockett inquired whether they had cited us for not having the second examinations. Mrs. Weakley stated they have not done so yet but our Regional Specialist is taking it to the State to see if they can work around that and ask what are the expectations for a situation of this type as there is no policy covering same. She will not cite us until she receives information from the State. Mr. Crockett further stated he thought he read in one of the press articles that all department of social services had been in violation. They did not look at every department; however, they are just making an assumption. Mr. Crockett stated it is a "blanket statement." He further stated JLARC, the investigative part of the General Assembly looks at all agencies to determine whether whether they are in compliance. Mrs. Weakley stated they have not looked at every agency. She had previously stated to the Board that regional people come to our agency to review our cases and she had not thought about it but the results do not go to the Central Office - she thought they did.

Mrs. Mackie stated when they started that it was to make sure we had done it correctly so when a review was done, it was reported. Ms. Gordy said it was interesting to see that kids had not had physical and dental checkups. Mrs. Mackie stated it is alarming.

Mrs. Weakley stated recruitment of foster parents is a real issue for us. We lose foster parents because we encourage them to adopt the children so there will be no more trauma to that child, but you cannot put more foster children in that home. You have to constantly be recruiting new foster parents to take their place. We will recruit a family and not receive any foster children for a period of time. The family will then all and say if you are not going to get any kids we are quitting. This continues to be an issue for us and sometimes we have to move the children off the Shore and we get dinged for moving children too far away.

Ms. Major stated it used to be because of the rate as far as money. Regular foster care homes recruited by the agency were paid at a lower rate than a therapeutic home. She stated she knew some that had moved from the agency to the therapeutic home as they would pay more money. She inquired whether that was occurring now and Mrs. Weakley stated it was not. She further stated we have VMAT which is a tool to evaluate each child coming into care and the evaluation has to be done a minimum of once a year but can be done more than that if the circumstances change with a particular child.

Mr. Crockett then asked Mrs. Weakley about the JLARC study and the issues that were pointed out in the study. He went on to ask other than the difficulty in

finding foster parents did anything else affect what we are doing; i.e., did any highlights, concerns or criticisms in the report point to us? Mrs. Weakley stated "for the most part no." Mr. Crockett then stated "I don't want the most part." Mrs. Weakley stated the only thing that jumped out to her was the recruitment of foster care workers. The reason for this is the salaries. Mrs. Weakley further stated if she did an advertisement for a benefits worker which does not require a degree, she would receive around 42 applicants; whereas, if she would put an advertisement out for a social worker there are times she would only get two applicants. Sometimes there might be fifteen; however, five would not have a degree so they could not be considered for the position and four or five would back out when they recognized the salary offered did not meet their current salary. Sometimes she would have to advertise the position two or three times before she could find someone capable to perform the duties for the position.

Mr. Crockett stated the two issues we had were recruitment of foster parents and recruitment of employees relative to foster care. He then asked "what are we doing to correct that?" Mrs. Weakley stated in terms of recruiting social workers, she was not sure what we could do. We put the advertisements in the newspaper and we keep them open for a period of time for people to see them. We spread the opening by word of mouth and even talk with other agencies. We have a worker who lives in Maryland. She further stated when she advertised for the CSA Coordinator position we had some good applicants; however, when they realized she could not pay the amount of money at the upper level, they backed out. We try to do what we can. We do not have the funds to be able to go as high as people are making in other positions.

Mr. Crockett then stated "Madam Chair, I would like Mrs. Weakley to do a Memo and brief the Board that the only areas in the JLARC report for us would be recruitment of foster parents and recruitment of employees that work in the foster care program. That would show the only two areas that the report would show issues with us."

Mr. Sparkman then stated "Madam Chair, is there any type of discretionary funds for this agency; i.e., if something comes up we could try to rectify the problems?" Mr. Crockett said the only issue is any funds that you look at for salaries are required to have a regular stream. Discretionary funds would be one funding that does not need a recurring revenue source. Mr. Crockett stated when you have salary parameters and qualifications are built in with it, your hands are tied.

Ms. Major asked "Madam Chair" if she could make one remark pertaining to the JLARC report. She stated everyone knew about the Rockbridge problem and that other agencies have done things. Rockbridge has changed the whole world of social services – from the top to the least. She looked at the JLARC report and maybe the State will check on a large, middle size or small agency and if they find anything, they automatically believe it applies to all departments of social services and everyone will be penalized.

Mr. Mason asked "Madam Chair" if he could make a remark. He stated one thing that struck him when he read through the JLARC recommendations and there would around 31 that came out of the review they seem to be leaning towards a maximum caseload for foster care case workers. They seem to highlight 15 a lot. He was interested in how that compares with our typical caseload. Mrs. Weakley stated she believes 15 is too high and she is hoping the new caseload study they are going to do will be reduced from that number. We currently have two foster care workers and one has a caseload of 8 and the other has 5. She thinks the max a worker should have would be between 8 and 10. Ms. Major inquired what size agencies were reviewed. Mrs. Weakley stated

she did not know. Mrs. Weakley wanted the Board to know the State found 6% of the children were with relatives and the National average is 32% and the average for ACDSS is 39%. We are well within reasonable limits. The State stated about 25% of children in adoptive homes and 8 of our 13 kids are in adoptive homes. We are higher than other agencies. We are doing an excellent job in getting children with families and adoptive homes. Our percentages are higher than what is shown in the study.

Mr. Crockett asked "Madam Chair" if he could make a remark. He wanted to piggyback on Ms. Major's comment about Rockbridge. Rockbridge opened up a lot of doors that should have been opened before. He further stated he blamed the Board of Directors and not the employees as the Board is there for oversight. That was the purpose of requesting Mrs. Weakley for a briefing. He stated when we are asked questions we need to be able to respond to those questions. Mrs. Weakley stated she wanted the Board to be aware of what is happening. She further stated when she read the 32 recommendations there appeared to be more State oversight. Mr. Crockett stated that is what is occurring.

Ms. Gordy thanked Mr. Mason for his presence at the meeting. Mr. Mason stated our situation with Rockbridge occurs with every corner of local government that requires an over-correction. On the financial side it was Petersburg. Whenever something like this occurs there is a ripple effect. Mr. Mason further stated if he were questioned by the press about anything, he felt like he had enough from the meeting to respond. Mr. Mason

Ms. Gordy proceeded to **Item 7 – Financial Statement – Administrative Office Manager Shirley Harmon**. Ms. Harmon stated for the month of November our Total Expenditures were \$298,589.37. Our Year-To-Date Total Local Adjustment was \$247,366.16 and our Total Local Balance to date is \$538,932.84. Mr. Crockett stated we were at 40% and on budget would have been 50% so we were in good shape.

On motion by Mr. Martin, seconded by Mrs. Mackie, the Board went into Closed Session for the purpose of discussing Consent to Adopt (Case #145-11026733, #145-12014250, #145-15000779 and #145-14001662; Employee Evaluation – Benefit Supervisor Michelle Hart; and Director's Consult (Procedure for Evaluation and New Template –Final), as permitted by the Code of Virginia, Section 2.2.3712.

On motion by Ms. Major, seconded by Mr. Crockett, the Board returned to Open Session (Mr. Martin – yes; Mrs. Mackie – yes; Ms. Major - yes; Mr. Crockett – yes; Mr. Sparkman – yes; and Ms. Gordy – yes).

On motion by Mr. Crockett, seconded by Ms. Major, the Board approved the following Consent to Adopt (Mr. Martin – yes; Mrs. Mackie – yes; Ms. Major – yes; Mr. Crockett – yes; Mr. Sparkman – yes; and Ms. Gordy – yes):

1. Consent to Adopt:
 - A. Case #145-11026733
 - B. Case #145-12014250
 - C. Case #145-15000779
 - D. Case #145-14001662

On motion by Ms. Major, seconded by Mr. Crockett, the Employee Evaluation for Benefit Supervisor Michelle Hart was approved. The motion carried.

Ms. Gordy stated our next meeting is scheduled for Tuesday, January 15, 2019, at 9:30 A.M.

Ms. Major asked "Madam Chair" if she could make a statement. She stated when Secretary Carey came to the Shore – and Ms. Major tried to get in touch with Ms. Gordy – Director of Social Services asked Ms. Major to speak on behalf of Accomack County Board of Supervisors Board and Accomack County Social Services Board. She did speak with the help of Mrs. Weakley to give her pointers. Director Carey sent a handwritten post card saying it was a pleasure meeting us. We had discussed assisted living and that there were no assisted living facilities on the Shore that our clients could afford. He stated he learned a lot and my comments did not fall on deaf ears and he appreciated the position and being able to improve the well-being of the people in our community. Ms. Major thought it was nice for him to send a post card and Mr. Sparkman stated handwritten at that – Mr. Crockett agreed.

On motion by Mr. Crockett, seconded by Mr. Martin, the meeting adjourned 11:45 A.M.

APPROVED: Laura B. Gordy

ATTEST: Vicki J. Weakley