

**BOARD OF HUMAN SERVICES  
MEETING MINUTES**

**February 20, 2013  
1:00 p.m.**

**BOARD MEMBERS PRESENT:**

Tiena Fletcher, Chair  
Monica Walters, Secretary  
Frank Auman, Vice Chair  
Randy Smith  
Jack Williams

**BOARD MEMBERS ABSENT:**

Lisa Alexander  
Sandra Smith  
Scott Johnson

Chairperson Tiena Fletcher called the Department of Human Services' (DHS) Board meeting to order at 1:30 p.m. on February 20, 2013.

### **APPROVAL OF MINUTES**

A motion was made and seconded that the minutes of the December 12, 2012 meeting be approved. There being no further discussion, the motion passed.

### **REPORT**

- Vote to Release for Initial Public Comment Proposed Rule on Credit Reports for Children Ages 16 and Over in Foster Care

Rachel King, DHS General Counsel, presented the following to the Board:

The Georgia Department of Human Services, Division of Family and Children Services (the Department) proposes the adoption of new rules authorizing the Department to obtain consumer reports (credit reports) for children in the custody of the Department, who have attained the age of 16 and to assist these youth in interpreting and resolving any inaccuracies. Adoption of these rules will permit the Department to comply with Section 106(b) of the federal Child and Family Services Improvement and Innovation Act (P. L. 112-34), Section 475(5)(I) of Title IV-E of the Social Security Act, 42 U.S.C.A. Section 675(5)(I) and to meet the requirements for the receipt of federal funds under Title IV-E of the Social Security Act. Copies of the proposed rules and a synopsis detailing the main features of the proposed rules were circulated earlier to all members of the Board.

### **PURPOSE FOR REVISING RULES**

O.C.G.A. Section 49-5-43 permits the Board of Human Services to adopt rules and regulations necessary to prevent conflict with federal law or the loss of federal funds as a result of Article 5 of Chapter 49 of the Official Code of Georgia Annotated. Section 106(b) of the federal Child and Family Services Improvement and Innovation Act (P. L. 112-34), Section 475(5)(I) of Title IV-E of the Social Security Act, 42 U.S.C.A. Section 675(5)(I) requires the Department, as a part of its IV-E State Plan meeting the requirements for federal funds under Title IV-E of the Social Security Act, to provide assurances that it will obtain consumer reports (credit reports) for each child in its custody, who has attained the age of 16, and that each such child will receive assistance in interpreting and resolving any inaccuracies in the report. The purpose of this rule is to assure that the Division of Family and Children Services is able to comply with this requirement and to authorize the Department to provide information in its child abuse and neglect records necessary to obtain such consumer reports from credit reporting agencies and to provide information necessary to correct inaccurate information in consumer credit reports.

## **RECOMMENDED MOTION**

Ms. King moved that the proposed Rules and Regulations Authorizing Consumer Reports for Foster Care Youth, be approved for initial release for public comment. A public hearing will be held at the Department on March 13, 2013 at 10:30 a.m. in the Board Room on the 29<sup>th</sup> floor of 2 Peachtree Street. The public comment period shall end on March 22, 2013. Based upon any oral or written comments, the Board will consider the proposed rule for final adoption at its regularly scheduled meeting on May 15, 2013.

The motion was made and approved that the proposed rule be released for public comment.

## **COMMISSIONER'S REPORT**

Commissioner Clyde L. Reese, III reported the following to the Board:

There has been discussion of amending the scheduled Board meetings from monthly to bi-monthly. Several regulatory bodies that were a part of the old Department of Human Resources, such as Public Health or Mental Health, are now separate agencies and no longer a part of DHS. Also, the regulation of most healthcare facilities went to the Department of Community Health. As a result, there are fewer issues for the Board to take a formal vote on. Commissioner Reese proposed moving the meetings to a bi-monthly schedule beginning this year. He read from the Board By-Laws, pointing out Article 6 Section 1, entitled Meetings. In the first sentence, the language has been changed to say the Board shall meet bi-monthly, and Atlanta has been scratched out (allowing meetings to be held outside of Atlanta in the future if feasible). He pointed out Article 10, Amendment to By-Laws Section where language states that by-laws can be amended in writing at any meeting of the Board by a two-thirds vote and provided the amendment is submitted in writing to the Board at the immediately preceding meeting. The Commissioner proposed that be deleted as well. The mechanism by which that will be done, since that language is a part of the current by-laws, is to hold a regularly scheduled meeting in March at which time the Board can vote. At that time, if approved, the next meeting will be May and from then will go to bi-monthly meetings.

The Governor has placed DHS's FY 2013 Amended and FY 2014 DHS Budget in the global budget for the state and the agency has presented the budgets before the House and Senate Appropriation Committees of the General Assembly. The Board will be given a full briefing on the budget at the May meeting.

There are a few legislative bills going through the General Assembly process that would affect DHS. An effort is underway with GBI to have more authority to prosecute elder abuse. There is a House Bill being deliberated that would move language from the elder abuse statutes expressly into the criminal code to give law enforcement a greater ability to prosecute elder abuse.

The Governor has asked DHS to be vigilant in working to prevent the use of TANF dollars in liquor stores, night clubs, casinos, strip clubs, gambling establishments, etc. There was a federal law passed in Congress last year (part of the middle class tax relief act) that would prohibit the use of TANF dollars in those types of establishments all across the country beginning in 2014. The Commissioner stated that because we want to be proactive, DHS has already began working on that internally.

Our Office of Inspector General has been working to get the word out, and our TANF policy unit within DFCS has changed its policies to provide sanctions for use of TANF dollars in these types of establishments. There have not been restrictions on the use of TANF dollars in the past so we are starting from the beginning, but progress has been made. There are 3 or 4 bills floating through the legislature that would in some ways mimic the federal law and in some ways ask us to do different things on this issue. So we are following those, and are certainly not opposed to them. This is a priority for DHS, whether legislation passes or not.

Through a new procurement, the DHS EBT vendor is transitioning from JP Morgan to Xerox. The food stamp money is on the EBT card along with TANF dollars, so this procurement would move to two cards -- one EBT card with food stamps remaining on it, and a separate branded debit card that would have TANF and child support money. We will see how to effectively limit the use of those TANF dollars for prohibited venues within the scope of the current procurement. If change is needed to allow technology to address this, we will notify the vendor. Updates will be made to the Board.

There is a bill on to create a State Alzheimer's Task Force. The incidents of Alzheimer's and dementia in the elderly are increasing along with the cost to the state, public, caregivers and medical costs as well. Georgia does not have a state Alzheimer's plan. This task force would be charged with writing a state plan for Georgia to deal with all the elements of Alzheimer's and dementia. Dr. James Bulot, Director of the Division of Aging, is slated in the bill to be the chairperson for the task force so it is moving along. The session will be over before May and at the May meeting the Board will be given a summary of what went on during the session.

Next, Commissioner Reese spoke of the integrated eligibility system project. The project would provide a new state of the art system for determining eligibility for Medicaid, TANF, food stamps, childcare subsidy, etc in all of the DFCS offices around the state. A reason for moving on this was the federal Affordable Care Act and the money the federal government was going to allow states to use to create new eligibility systems. Georgia made a decision to maintain an integrated system and will continue to monitor eligibility in all the DFCS offices around the state. DHS entered into a four month contract negotiation with Deloitte. DHS was not able to come to an agreement with Deloitte so we will move forward with this project on our own. It involves a lot of work for our current programmers for the SUCCESS system. We are entering into phase one of this project using the SUCCESS system as a foundation; this will become a platform to build a new eligibility system for the state. Phase one will be primarily focused on Medicaid. October 1, 2013 is the date the system can be tested and examined. There is a January 1, 2014 kick-off date for new categories of eligibility for

Medicaid. So the first phase would focus on getting ready for Medicaid. Phase Two will benefit DHS and also the Department of Public Health. By December 31, 2015 we want to have a new system that's state of the art web-based that will replace SUCCESS which is now the mainframe cobalt based system. The Commissioner is confident this can be done in-house so DHS will not be contracting with Deloitte.

At the May Board meeting the three program divisions will give an activity update; DFCS will report on progress with our new safety response system, where they are with our business operation plan which requires us to use technology to handle the increasing volume in our eligibility work. Aging Services will report on where they are with Adult Protective Services and what happened during the legislative session regarding elder abuse. Also, how we are planning to work with the Department of Community Health going forward in administering the Medicaid programs that we are involved in. There will probably be an update on Olmstead waivers in providing care in the community for people who are at risk of institutionalization. Child Support will talk about some of the activities they are working on. Included in the Board's handout is a newsletter from Child Support that's titled "The Problem Solving Express." Problem Solving Courts are programs that individual judges in different circuits around the state can initiate to help non-custodial parents get employment resources, get funds for educational resources, etc to help them be able to pay their child support as opposed to being incarcerated. One major strategic goal of DHS is to increase the number of these courts around the state. Renorta Heard, Director of Child Support Services, and her staff are doing an excellent job in expanding the use of these types of courts and educating judges on how this can help them as well. This newsletter is the first of what will be a quarterly newsletter that shows new circuits which have started. This is in line with the Governor's initiative on criminal justice reform -- so we are pleased to be a part of that.

An art contest for our kids in foster care was held several weeks ago. Sixteen entries were received from kids ranging from ages 5 to 18 years old. All entries were very unique and well done, so it was decided that everyone would be a winner. All of the artwork was enlarged and framed for hanging. All participants were invited to the Commissioner's office yesterday for presentations and breakfast was served. After breakfast, each participant assisted Commissioner Reese in hanging their individual artwork in the Commissioner's office and hallway. The day ended with lunch and a trip to the High Museum of Art. It was a fun day for all. Commissioner Reese encouraged everyone to take a look at the very impressive artwork.

### **CHAIRPERSON'S REPORT**

Chairperson Fletcher commended the Commissioner and staff for the idea of an art contest for the children. This allows them to be a part of the office and our state building.

There being no further business, the meeting adjourned at 1:55 p.m.

## **THE NEXT MEETING**

The next meeting of the Board of Human Services is scheduled for Wednesday, March 20, 2013 at Two Peachtree Street, N.W., Suite 29.250, Atlanta, Georgia 30303.

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**Monica Walters, Secretary**

**APPROVED:**

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**Tiena Fletcher, Chairperson**