

Virginia Department of Behavioral Health and Developmental Services
Office of Management Services
Memorandum

TO: CSB Executive Directors

FROM: Chaye Neal-Jones

RE: CSB FY19-20 Performance Contract Amendment and Extension Agreement

DATE: June 30, 2020

Dear CSB Executive Directors,

Thank you for partnering with the Department to finalize the amendment and extension agreement referenced above. I cannot stress enough the necessity for the CSBs to work with the Department to meet the requirements as outlined in Exhibit M (DOJ SA Requirements). Compliance with the requirements is the only way that we will be able to meet the expectations of the DOJ to exit the settlement agreement in a timely manner. We all must work in partnership to resolve the concerns of the DOJ and comply with the requirements so that the Department and the CSBs can continue to provide better services to the community.

It is imperative that the CSBs reach out to the Department as soon as possible to address any technical assistance needs, questions, and concerns regarding the DOJ SA requirements. We will establish a DBHDS DOJ SA support email box and share this information with the CSB Executive Directors by 7/1/2020. All technical assistance will be handled through this email box to ensure the support needs are addressed accurately and in a timely manner. The CSBs can also reach out to Commissioner Land directly if they are not getting the support that they need.

The Department will be closely monitoring the CSBs for compliance with the DOJ SA requirement and status reports will be provided to the Commissioner on a regular basis. If it is determined that the CSBs are not working with the Department to meet these requirements the Commissioner will seek remedies currently existing in the performance contract to enforce compliance which may include withholding future payment disbursements.

Regarding the execution of this extension agreement. The extension agreement and any Exhibits D can be signed electronically. Both pages of the extension agreement and any Exhibits D must be emailed back to the performancecontractsupport@dbhds.virginia.gov email box. Please do not mail any signed documents to Central Office.

We are looking for the CSBs to have the signed extension agreement back to our office by **August 3, 2020**. We understand that there are some CSBs such as Policy-advisory and Administrative Policy CSBs that may have local government processes and procedures they must follow and we ask that these CSBs provide the extension agreement back to us as soon as they possibly can or contact OMS directly to address their specific needs.

Attached to this email you will find the following documents that need to be reviewed and executed:

1. **Amendment No. 1 FY19-20 Performance Contract:** The FY2019 and FY2020 performance contract term will be extended effective July 1, 2020 through December 31, 2020. The CSBs should complete the areas marked in red and obtain the necessary signatures. Electronic

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signatures are acceptable. The CSBs must scan and email the signed copy back to the Department through the performancecontractsupport@dbhds.virginia.gov email box. OMS (Office of Management Services) will have the Commissioner to sign and email a fully executed copy back to the CSBs. In addition, during this timeframe, the Department will be actively working internally and collaborating with the VACSB to determine next steps prior to the end of the extension period.

2. **Exhibit M Department of Justice Settlement Agreement Requirements:** This is a new exhibit for the DOJ SA. This information was included in the terms and conditions of the current FY 2019 and FY 2020 contract. The Department determined that it was necessary to have a stand alone exhibit that is inclusive of the existing requirements in the current contract and the new requirements established in January 2020. Nothing to sign or return, please keep for your records.
3. **FY 2021 Exhibit A Resources and Services:** This exhibit was revised by Finance and OMS to reflect any changes to the mental health, developmental, and substance use disorder services provided or contracted by the CSBs. This document is completed through CARS and reflects any changes made to services or funding for FY21. Nothing to sign or return, please keep for your records.
4. **Exhibit E Performance Contract Process:** This exhibit was revised by Finance and OMS to reflect the revised reporting schedule for FY2021 and FY2022. Nothing to sign or return, please keep for your records.
5. **Exhibit F Federal Grant Compliance Requirements:** This exhibit is titled in the current performance contract as *Exhibit F: Federal Compliances*. The Department determined that revisions to this exhibit was necessary to ensure compliance with the federal grant requirements and APA audit findings. Nothing to sign or return, please keep for your records.

All other terms and conditions of the FY 19-20 performance contract, Administrative Requirements, Partnership Agreement, and other applicable documents not amended through this extension remain in full force and effect during the extension period.

Revised Timeline for Execution of the FY19-20 Performance Contract Amendment and Extension by August 3rd

1. The VACSB Performance Contract Committee will be responsible for sharing the extension agreement, amended documents and this communication with the CSB Executive Directors. The CSBs will post for public comments, share with their boards and local government for review and approval.
2. Any questions from the CSBs regarding these documents **must** be submitted directly to the performancecontractsupport@dbhds.virginia.gov email box for response. OMS will provide a response within 48 hours.
3. The Department is looking to have the signed extension returned to our office by August 3, 2020. We understand that some CSBs may require additional time and we request these CSBs have the signed document back to us as soon as possible or contact OMS to discuss their specific needs.

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4. The extension agreement can be signed electronically and **both pages** must be scanned and emailed back to the Department using the performancecontractsupport@dbhds.virginia.gov email box. **Please do not mail any signed documents to Central Office.** OMS will obtain the Commissioner's signature and send a fully executed copy back to the CSBs.

5. The local match waiver process will not apply for this extended term for those CSBs that obtained a waiver for FY2020. We are extending the contract term, which extends the local match waivers that are currently in place from FY2020. If a CSB does not currently have a waiver and needs one now they must follow the normal waiver process.

The Department would like to thank you all for your service to the community and partnering with us as we work together through this crisis.