

## JLARC Study Topic Selection Subcommittee Meeting

## Minutes

July 10, 2017

AttendingJLARC Subcommittee Members:

Senator Thomas K. Norment (Chairman); Delegate Betsy B. Carr; Delegate M. Kirkland Cox, Delegate Chris Jones, Delegate R. Steven Landes, Senator Ryan McDougle, Senator Frank Ruff.

JLARC Staff:

Hal Greer, Director; Justin Brown, Senior Associate Director; Kimberly Sarte, Associate Director; Tracey Smith, Associate Director; Kate Agnelli; Lauren Axselle, Erik Beecroft, Sarah Berday-Sacks, Danielle Childress, Drew Dickinson, Kathy DuVall, Nick Galvin, Maria Garnett, Mark Gribbin, Paula Lambert, Jeff Lunardi, Liana Major, Bridget Marcek, Joe McMahan, Ellen Miller, Jordan Paschal, Ellie Rigsby, Nathan Skreslet, Christine Wolfe.

Others:

Joe Flores (Deputy Secretary of Health and Human Resources); David Von Moll (Comptroller, Department of Accounts); Dan Wolfe (VITA); Doug Gray (Virginia Association of Health Plans); Art Lipscomb (Virginia Professional Fire Fighters); Michael Jay (House Appropriations Committee); Sarah Herzog and Adam Rosatelli (Senate Finance Committee); Mike Woods (Troutman Saunders); Brittany West, Myles Louria (Hunton & Williams); Michael Martz (Richmond Times-Dispatch); Saraya Wintersmith (Virginia Public Radio); Heidi Abbott (Hunton & Williams).

The subcommittee meeting was called to order at 9:07 a.m. by Senator Norment, Chairman of the JLARC Study Topic Selection Subcommittee. Senator Norment introduced Hal Greer who introduced the members of the JLARC leadership team (Justin Brown, Tracey Smith, and Kimberly Sarte) then turned the meeting over to Justin Brown. Mr. Brown provided the subcommittee an overview of the materials provided, followed by an overview of the Department of Professional and Occupational Regulation (DPOR) draft study resolution. Delegate Cox stated that this is an important study topic and asked if it would include a review of other states. Mr. Brown said that this could be included as a part of the research activities for this study. Subsequently, Senator Norment requested a motion to approve the DPOR study resolution as presented. Delegate Jones made a motion, which was seconded by Delegate Landes and approved unanimously by the subcommittee members.

Mr. Brown then provided the subcommittee an overview of the Department of Elections draft study resolution. Senator Norment stated that he has been contacted by several members of the Senate regarding concerns that they have about this topic. He requested adding language in the resolved section of the resolution directing JLARC staff to examine the financial management and potential budgetary issues at the Department of Elections. Senator McDougle said that he has heard complaints about the Department of Elections from localities that purchase voting equipment. Mr. Brown explained that there are two line items in the budget for the Department of Elections, one of which is largely pass-through funding to localities. He further stated that this is something JLARC staff could look into as a part of this study. Senator Norment indicated that he is concerned about the management of funds at the Department of Elections. Delegate Jones stated that he recalled there being budget-related issues there in the past. Following the members' comments, Senator Norment requested a motion to approve the Department of Elections study resolution with the additional language mentioned above. Delegate Cox made a motion, which was seconded by Delegate Landes and approved unanimously by the subcommittee members.

Mr. Brown then directed the subcommittee's attention to the document with potential JLARC study topics and provided a brief overview of inmate health care costs. Delegate Jones asked how many studies can be added to JLARC staff's workload. Mr. Greer indicated that he would like to have a total of five studies approved that would be completed by the end of 2018. Delegate Landes asked if there will be capacity for study resolutions to be introduced through the 2018 General Assembly session. Senator McDougle said that JLARC should wait to conduct a study of the Department of Juvenile Justice (DJJ) because of the reforms currently taking place there. Senator Norment commented that it seems to be disruptive to approve too many study resolutions outside of the General Assembly session. Delegate Cox stated that this is a more thoughtful study topic selection process than what has been done in the past. Delegate Landes stated that if another priority arises during the General Assembly session, members will want to have some flexibility to have additional study resolutions introduced for consideration by the Joint Rules Committee. Mr. Greer indicated that Commission can always ask staff to reprioritize studies if additional studies need to be contemplated during the Session. Delegate Jones echoed Senator McDougle's thoughts to remove DJJ from the list of potential JLARC study topics, and the rest of the subcommittee members agreed with this action. Mr. Brown said that the staff will draft a study resolution on the inmate health care costs to be considered by the subcommittee at a future meeting.

Subsequently, Mr. Brown turned the meeting over to Tracey Smith who provided the subcommittee an overview of foster care, adoption, and CSA services as a potential study topic. Senator Ruff asked if there was a way to evaluate the effectiveness of services provided. Ms. Smith explained that there was some data available for the 2006 JLARC study of the CSA, and she hopes that the data collected has improved since then.

Following Ms. Smith's remarks, Mr. Greer provided the subcommittee with an overview of the Workers' Compensation Commission as another potential study topic. Senator Norment asked if there are any other states that are using a better workers'

compensation system. Senator McDougle said he is not sure whether a study of workers' compensation would be the best way to identify efficiencies or cost savings. Delegate Landes asked when JLARC last completed a study of the WCC. Mr. Greer stated that 1990 was the last time JLARC studied the WCC. Delegate Jones commented that there has been more of a focus on this topic in recent years.

Mr. Brown then asked the subcommittee members if they would like for JLARC staff to draft study resolutions on inmate health care costs; foster care, adoption, and CSA services; and the Workers' Compensation Commission. Delegate Landes asked if the full Commission would then need to approve these additional study resolutions. Mr. Brown explained that the subcommittee would review the study resolutions drafted by the staff and then determine whether or not to forward them to the full Commission for consideration. Senator McDougle made a motion to have JLARC staff draft study resolutions on the three topics discussed. Delegate Cox seconded the motion, which was approved unanimously by the subcommittee members.

Lastly, Mr. Brown directed the subcommittee's attention to the list of major agencies not reviewed by JLARC since 2000. Senator McDougle commented that he has heard a lot of complaints recently about the Department of Game and Inland Fisheries (DGIF). Mr. Brown stated that JLARC last studied DGIF in the mid-90s. Delegate Landes asked when JLARC last studied the Attorney General and Department of Law. Mr. Greer stated that JLARC has never conducted a full study of that agency. Delegate Jones mentioned that the Office of the Inspector General should also be included on the list of state agencies to consider for a future JLARC study. Senator Ruff commented that the Virginia Employment Commission currently matches Virginians with a low percentage of jobs available, so perhaps finding employment could be handled more effectively and efficiently by the private industry, and VEC could then use their resources to help deal with more targeted, complex occupations and employment challenges. Delegate Cox commented that the next step would be to prepare short scoping documents for the subcommittee to review and discuss in September. Mr. Greer stated that the subcommittee will meet again on September 11, 2017 before the full Commission meeting.

There being no further business, the subcommittee adjourned at 9:47 a.m.

Approved by: Hal E. Greer  
Hal E. Greer, Director

Date: 7/18/17

Prepared by: Paula C. Lambert  
Paula C. Lambert  
Manager, Fiscal and Administrative Services &  
Senior Legislative Analyst