

## JLARC Study Topic Selection Subcommittee Meeting

## Minutes

September 11, 2017

AttendingJLARC Subcommittee Members:

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

JLARC Staff:

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

Others:

Jason Saunders (Department of Planning and Budget); Jason Powell (Senate Finance Committee Staff); Tony Maggio (House Appropriations Committee Staff); Ross Grogg (Kemper Consulting); Doug Gray (Virginia Association of Health Plans); Ann Marie Morgan, Saraya Wintersmith (Virginia Public Radio); Mike Woods (Troutman Saunders).

The subcommittee meeting was called to order at 9:05 a.m. by Senator Norment, Chairman of the JLARC Study Topic Selection Subcommittee. Senator Norment recognized Justin Brown, JLARC's Senior Associate Director, who introduced the other members of the JLARC leadership team (Hal Greer: Director, Tracey Smith: Associate Director, and Kimberly Sarte: Associate Director).

Mr. Brown then provided the subcommittee with a brief overview of the materials provided, followed by an overview of the draft study resolution on the rising costs of providing health care for state prison inmates. Senator Ruff asked if it would be possible to include regional jails in this study. Mr. Brown said that regional jails were excluded from the draft study resolution because they are in a different system from state prisons. Mr. Brown also noted that at the last study subcommittee meeting, it was agreed that JLARC would not review jails or mental health services more broadly at this time because of the ongoing work of the joint subcommittee on mental health services. Senator Ruff stated that he was contacted recently about the inmate that died, and he is aware that some jails are careful about what they do, but not all. Senator Howell said that this study should look into medication requirements for inmates—especially for those who are not in prison for a long

period of time—because it seems that prisons are required to provide expensive medications to inmates. Delegate Cox asked if JLARC staff could maintain an ongoing list that would include potential study issues with regional jails, including transportation and mental health issues experienced throughout the state. Mr. Greer stated that JLARC staff would continue to monitor the work that is being conducted by the joint subcommittee on mental health services in regional jails to see what is reported on this.

Mr. Brown then provided an overview of the draft study resolution on foster care and adoption services in Virginia. Senator Norment asked to what extent there is an issue with children being transferred to different localities. Mr. Brown asked Ms. Smith to address this question, and she confirmed that this has been an issue in Virginia.

There being no further questions from the subcommittee members, Senator Norment stated that the two study resolutions will be presented to the full Commission for approval.

Mr. Brown then directed the subcommittee's attention to the document with four potential JLARC study topics and provided a brief overview of the first topic: Office of the State Inspector General (OSIG). Delegate Landes asked if this study could include looking at the independence of the agency and how this is accomplished in other states. He stated that the original intent of the legislation was for OSIG to operate as an independent state agency. Senator Norment asked about the agency's personnel stability since it was created in 2012. Mr. Brown said that staffing levels have fluctuated over time, but he is not sure how this has impacted the agency. Delegate Jones said that there is also an issue of jurisdictional oversight that should be incorporated into the study of OSIG.

Subsequently, Ms. Smith provided the subcommittee with an overview of the second potential JLARC study topic: Virginia Employment Commission (VEC). Delegate Cox asked how many VEC employees are dedicated to matching employment opportunities for unemployed individuals. Ms. Smith said that VEC has more than 800 employees, including full-time and part-time staff, many of whom are located at VEC field offices throughout the state. She said this study would examine the allocation of VEC staff in more detail to determine how many staff are primarily responsible for matching employment opportunities. Senator Howell commented that she met with a constituent in her district last Friday regarding VEC benefits and conveyed concerns about VEC staff not being knowledgeable about the benefits they offer. She also indicated that the website is extremely difficult to navigate. Delegate Jones commented that policies on determining former employees' eligibility for unemployment insurance seem to favor the former employees instead of the employers, even though employers may have had clear reasons for dismissing the employee. Delegate Cox said that it would also be helpful to know how many of VEC's staff handle unemployment benefits. There being no further questions from the subcommittee on this topic, Senator Norment requested that a resolution be drafted on this study topic for the full Commission to consider at the next meeting.

Mr. Greer then provided the subcommittee with an overview of the third potential JLARC study topic: Office of the Attorney General (OAG) and Department of Law. Delegate Landes mentioned how recently the OAG has used extraordinary authority to adjust employees' salaries. He said there is no clear authority for the OAG to use appropriations in this way without General Assembly authorization. Delegate Landes asked

that this issue be included in a draft study resolution. Senator Norment stated that this study should include looking at how salary increases are handled, and suggested that if the AG were self-funded like the State Corporation Commission, their handling of salary increases might be different.

Mr. Greer then recognized Kimberly Sarte who provided the subcommittee with an overview of the fourth potential JLARC study topic: Department of Game and Inland Fisheries. The subcommittee did not have any questions for Ms. Sarte. Without objection from the subcommittee members, Senator Norment stated that a resolution may be drafted on this topic for the full Commission to consider at the next meeting.

Mr. Brown then stated that the full Commission does not need to weigh in on the four JLARC study topics presented to the subcommittee, and that staff will draft a resolution for each of the four potential study topics discussed. Delegate Landes asked if it would be appropriate for the subcommittee to review and consider any study resolutions that come through Joint Rules.

Mr. Greer said that the subcommittee may not need to meet again to review the drafted study resolutions, and that these could be reviewed and considered by the full Commission at the next meeting. Delegate Cox commented that this revised process works much better than members drafting resolutions during the General Assembly session. Mr. Brown asked the subcommittee members whether they have any preferences regarding the sequence of the JLARC studies. Delegate Jones asked how many of the four topics would be one-year versus two-year studies. Mr. Greer said that all of the studies would be completed in one year or less. Senator Howell asked if any of the JLARC staff specialize in certain areas of government, and if so, how this would impact the timing of project assignments. Mr. Greer explained that JLARC staff consider themselves to be generalists, but the leadership team determines staff assignments based, in part, on whether any of the staff have prior experience on a particular topic.

There being no further discussion or business to address, the JLARC study topic subcommittee adjourned at 9:44 a.m.

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

Date: 9/22/2017

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