

## JLARC Study Topic Selection Subcommittee Meeting

September 10, 2018 – MINUTES

JLARC Members Present:

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

JLARC Staff Present:

Hal Greer, Director; Justin Brown, Senior Associate Director; Tracey Smith, Associate Director; Kimberly Sarte, Associate Director; Kate Agnelli, Lauren Axselle, Sarah Berday-Sacks, Jamie Bitz, Danielle Childress, Drew Dickinson, Kathy DuVall, Nick Galvin, Maria Garnett, Elizabeth Gibbs, Mark Gribbin, Lila Kelso, Paula Lambert, Jeff Lunardi, Joe McMahon, Ellen Miller, Ellie Rigsby, Nathan Skreslet, Brittany Utz, Nichelle Williams, Christine Wolfe.

The meeting was called to order at 9:04 a.m. by Senator Thomas K. Norment, Chairman. He stated the purpose of the meeting was for the subcommittee to receive information on potential study topics. Senator Norment then recognized Hal Greer, JLARC Director, who provided the Commission with a brief overview of the meeting agenda, then introduced Justin Brown who provided the Commission with a presentation on the potential study topics to be initiated in 2019 and completed in 2020. Mr. Brown also reviewed the four studies currently scheduled to begin in 2019. Mr. Brown then went into more detail regarding the proposed 2020 study topics. Senator Norment made a comment regarding the importance of JLARC staff being able to manage its workload throughout the year.

**Potential JLARC Study Topic #1: Presumptions for workers' compensation benefits**

Senator Howell inquired as to how recently JLARC has studied the Workers' Compensation Commission. Mr. Brown responded that JLARC has completed broad studies in the past that have included workers' compensation benefits, but a narrower study is being proposed on this topic. Senator Howell then asked if the study mandate should be expanded to include an update on what has been studied previously. Hal Greer stated that the last comprehensive JLARC study of workers' compensation was in 1990, but that the topic was touched on as part of the 2014 Line of Duty Act study.

Delegate Landes asked if this would be a one- or two-year study. Mr. Brown replied that it is scheduled to be a one-year study, but that it could be complicated and need additional staff depending on the scope of the study.

Delegate Landes asked if this would be a one- or two-year study. Mr. Brown replied that it is scheduled to be a one-year study, but that it would be a more complicated undertaking if the scope is broadened and could require a larger study team than it would under a narrower scope.

### **Potential JLARC Study Topic #2: Department of Small Business and Supplier Diversity (DSBSD)**

Senator Ruff asked if DSBSD's effectiveness can be compared to the federal program and whether the state program is helping or hindering small businesses' growth.

Delegate Landes said he was very interested in this study since it has not been reviewed in many years and that there has been a lot of discussion regarding this agency.

### **Potential JLARC Study Topic #3: Special Education**

Delegate Carr inquired as to when JLARC last studied special education. Mr. Brown replied that JLARC staff recently analyzed how much is being spent on special education, but that JLARC has not ever conducted a comprehensive study on this topic. Tracey Smith indicated that JLARC looked at special education as part of the CSA study in 2006 and as part of the autism study in 2009, but that JLARC has never done a comprehensive study focused solely on special education in Virginia. Both the CSA study and the autism study identified concerns with the delivery of special education services that would warrant a full study focused on special education.

### **Potential JLARC Study Topic #4: Department of Education central office operations and performance**

Delegate Landes asked when was the last time JLARC studied the Department of Education central office. Mr. Brown replied that JLARC has never done a study of this. He said that JLARC has completed many education studies over the years, but none specifically on the DOE's central office.

Delegate Landes then mentioned that JLARC staff will be presenting the annual SOQ spending report in December, and it would be helpful if the report also included information on how DOE's 330 staff positions are funded. He also asked if JLARC staff would be looking at federal funding since it is minimal for localities, and that it is interesting to see how much funding the state receives. Mr. Brown stated that the staff will look at how DOE's positions are funded.

Speaker Cox stated that there has been a lot of emphasis on the cap for support positions. In 2010-2011, they saw the number of support positions growing twice as fast as instructional positions. He continued by stating that there is conflict on the resources needed, so it would be helpful for them to have additional information about support staff, especially counselors and psychologists since this is such a hot topic. Mr. Brown replied that the 2015 K-12 education study looked at staffing rather extensively. He also said that the JLARC SOQ spending report will include a floor for staffing, as well as what the state requirements are

versus what the local school divisions add. Mr. Brown said that JLARC will also look into what information DOE has on staffing data.

### **Subcommittee approval for JLARC staff to draft study resolutions**

Mr. Brown then requested the subcommittee's approval or direction for JLARC staff to draft study resolutions and present them to the subcommittee at a later date. Senator Norment asked if the staff could absorb the four study topics presented, to which Mr. Brown replied, yes.

Speaker Cox asked if there is any priority within the list of other potential study topics presented on slide 10. Mr. Brown said they were not listed in any particular order, then Hal Greer stated that the DSBSD study may not be a large study that would take a full year to complete, so a fifth study would be feasible for JLARC staff to complete.

Senator Norment requested that the JLARC staff bring drafted study resolutions back to the subcommittee, which will then provide recommendations to the full Commission. Mr. Greer asked Senator Norment if he had a preference regarding the potential study topics. Senator Norment said he would like to see a study on the court system, and that he is surprised at the issues and disparities between the circuit court and general district court systems.

Delegate Landes asked when was the last time, if ever, JLARC looked at the four topics listed on slide 10 of the presentation. He agreed with Senator Norment that there have been a lot of questions regarding the court system, so it may be a good time to do a study on this. Delegate Landes also mentioned that he is surprised that there has never been a study on the Attorney Generals' office.

Speaker Cox also proposed drafting a resolution to study the court system. He said there has been some interest in this area, so it may be a good suggestion for a JLARC study. Senator Norment concurred with this comment.

### **Review and Oversight of Health and Human Resources Programs**

Tracey Smith then presented information regarding the review and oversight of health and human resources programs. She then asked if there were any particular topics of interest to the Commission.

Senator Howell asked if the staff would be looking at the workforce needed to implement Medicaid expansion. Ms. Smith indicated that one focus of the Medicaid expansion review would be looking at staffing, particularly within the local departments of social services. Senator Howell then asked if this would include looking at the doctors, nurses and psychiatrists. Ms. Smith replied yes and stated that JLARC staff would look at the availability of healthcare providers to accept new Medicaid patients. She said that right now, the staff is focusing on developing a work plan and process, which will allow them to manage the work flow. Ms. Smith stated that the proposed workflow process and topical priorities would be taken to the full Commission this fall, possibly in October.

Delegate Carr asked if the JLARC reviews on HHR programs will be done on a rotating basis. She also asked if the HHR oversight work will incorporate the work performed by the Speaker's commission on retirement and compensation. Ms. Smith replied that JLARC staff will be focusing on HHR study topics that are approved by the subcommittee, and explained that state employee compensation was addressed in the 2017 JLARC study.

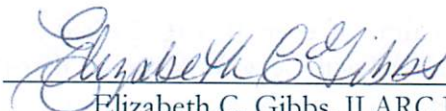
### Adjournment

Hal Greer asked the subcommittee members when they would like to schedule the next meeting to review draft study resolutions. Senator Norment stated that the subcommittee will meet again before the November Commission meeting.

There being no further business, the Subcommittee rose at 9:54 a.m.

Approved by:   
Hal E. Greer, JLARC Director

Date: 9/25/18

Prepared by:   
Elizabeth C. Gibbs, JLARC Business Manager