



FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD COMPLIANCE COMMITTEE VIRTUAL MEETING

Will be held electronically due to the COVID-19 pandemic

Bettina Lawton, Chair
April 21, 2021, 4:00 p.m.

Dial by your location to access live audio of the meeting:

| | |
|------------------------------------|-------------------------------|
| +1 301 715 8592 US (Washington DC) | +1 669 900 9128 US (San Jose) |
| +1 646 558 8656 US (New York) | +1 253 215 8782 US (Tacoma) |
| +1 312 626 6799 US (Chicago) | +1 346 248 7799 US (Houston) |

Meeting ID: 972 9062 3602 • Passcode: 807976

MEETING AGENDA

1. Meeting Called to Order Bettina Lawton
2. Roll Call and Audibility Bettina Lawton
3. Preliminary Motions Bettina Lawton
4. Matters of the Public
5. Amendments to the Meeting Agenda Bettina Lawton
6. Approval of Mar. 2021 Cmte Mtg Draft Minutes
7. Follow up items from last meeting Luann Healy
8. Updates Daniel Herr & Luann Healy
 - *ComplyTrack Reports*
 - *Electronic Health Record Update*
 - *CSB Serious Incident (Level III) Report*
9. Open Discussion

Closed Session: Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, as permitted by Virginia Code Section 2.2-3711(A)(8).

10. Adjourn

Fairfax-Falls Church Community Services Board
Compliance Committee Meeting Minutes
March 17, 2021

The Compliance Committee of the Fairfax-Falls Church Community Services Board met electronically due to the COVID-19 pandemic that has made it unsafe to physically assemble a quorum in one location or to have the public present. Access was made available via video and web conferencing platform to CSB Board members, CSB staff, and members of the public. The meeting notice, including participation instructions, was posted electronically and on the building in which the meeting is typically held. Additionally, attendees were offered an opportunity to register for public comment during the 30 minutes prior to the meeting being called to order.

The following Committee members were present: Bettina Lawton (Vienna), Board Chair; Jennifer Adeli (Great Falls); Sheila Coplan Jonas (Alexandria); and Garrett McGuire (Alexandria)

The following Committee members were absent:

The following staff were present: Daryl Washington, Luann Healy, Cindy Tianti, and Lyn Tomlinson

Guests: Geoff Griffith, Recovery Centers of America

1. Meeting Called to Order

Bettina Lawton, CSB Board Chair, called the meeting to order at 4:04 p.m.

2. Roll Call and Audibility

Ms. Lawton conducted a roll call with each CSB Board Member present, as identified above, to confirm that a quorum of CSB Board members was present and audible. Ms. Lawton passed the virtual gavel to CSB Board Vice Chair Garrett McGuire to make several motions required to begin the meeting.

- o A motion was offered confirming that each member's voice was audible to each other member of the CSB Board present; this motion was seconded by Garrett McGuire and passed unanimously.

3. Preliminary Motions

CSB Board Chair Bettina Lawton made a motion that the State of Emergency caused by the COVID-19 pandemic makes it unsafe for the CSB Board to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of this CSB Board and the physical presence of the public, cannot be implemented safely or practically.

A further motion was made that this Board may conduct this meeting electronically through a video and web conferencing platform, that may be accessed via Meeting ID: 98675439799 and Passcode 929233. Motions were seconded by Sheila Jonas and unanimously approved.

Ms. Lawton made a final motion that that all the matters addressed on today's agenda are statutorily required or necessary to continue operations and the

discharge of the CSB Board's lawful purposes, duties, and responsibilities. The motion was seconded by Garrett McGuire and unanimously passed.

4. Matters of the Public.

None were offered.

5. Amendments to the Meeting Agenda

The meeting agenda was provided for review. Acknowledging no recommendations were forthcoming, the meeting agenda was accepted as presented.

6. Review of Meeting Minutes

Meeting minutes of the February 19, 2020 Compliance Committee were provided for review and revision. As no recommendations were forthcoming, Sheila Jonas made a motion to approve the minutes as presented, which was seconded and approved with one abstention from Garrett McGuire.

7. Follow up items from the prior Compliance Committee Meeting

Daryl Washington, acknowledging that Luann Healy, Director of Office of Compliance and Risk Management) would provide updates to compliance trends and activities, including:

- In April 2020 DBHDS (Department of Behavioral Health and Developmental Services) requested that the CSB track positive COVID-19 tests. Results included:
- 361 positive tests with 15 related deaths reported to date.
- Individuals receiving DD (Developmental Disability) services have been predominantly impacted.
- The average age is 42.5 years of age.
- Clarification to Level I, II, and III incident definitions was provided:
 - Level I: *Level I serious incident" means a serious incident that occurs or originates during the provision of a service or on the premises of the provider and does not meet the definition of a Level II or Level III serious incident. Level I serious incidents do not result in significant harm to individuals but may include events that result in minor injuries that do not require medical attention or events that have the potential to cause serious injury, even when no injury occurs."*
 - Level II: *"Level II serious incident" means a serious incident that occurs or originates during the provision of a service or on the premises of the provider that results in a significant harm or threat to the health and safety of an individual that does not meet the definition of a Level III serious incident. "Level II serious incident" includes a significant harm or threat to the health or safety of others caused by an individual.*
 - Level III: *"Level III serious incident" means a serious incident whether or not the incident occurs while in the provision of a service or on the provider's premises and results in:*
 - *Any death of an individual;*
 - *A sexual assault of an individual;*
 - *A suicide attempt by an individual admitted for services, other than licensed emergency services, that results in a hospital admission.*

Note: Level I, II, and III definitions were added to further clarify definitions provided at this meeting.

8. Updates

ComplyTrack

- Board attention was directed to the compliance program update charts provided in the meeting materials. Highlights included:
 - Audit – a reminder was offered that tracked audits can be internal or external. Tracking definitions are *Green*-attention, no issues, *Yellow*-careful attention, potential issues, and *Red*-focused attention, immediate resolution. A further reminder was offered that new programs are monitored for 12 months. The tracking results will start as red and decrease in intensity as the programs develop and require less monitoring.
 - CAP (Corrective Action Plan) – primarily related to ongoing and new requirements related to the Department of Justice Settlement Agreement (DOJSA). DBHDS has established an incident management unit that is involved in reviews including human rights complaints, deaths, etc. that has increased the number of chart reviews and CAPs issued.
 - Education – the mandatory staff training in DMAS (Department of Medical Assistance) rules and regulations has been added to the online training catalog relieving OCRM (Office of Compliance and Risk Management) staff of the need to provide live training.
- *Electronic Healthcare Record Update*
 - Daryl Washington provided a brief update to changes to the Electronic Healthcare Record platform. It was noted that Credible, the current vendor has experienced some minor issues with limited downtime.
- *CSB Serious Incident Report – February 2021*
 - Luann Healy provided the Serious Incident Report for the last month.

Bettina Lawton inquired whether there any matters that required discussion in closed session. As no one raised any matters or need for a closed session and there being no further business to come before the Committee, the meeting was adjourned at 4:40 p.m.

Actions Taken –

- Minutes of the February 19, 2020 Compliance Committee meeting were reviewed and approved.

Date Approved

Clerk to the Board

Audit Report CSB Board

| ItemCustomId | Audit Start Date | Entity | Audit Scope | Audit Type | Sample Size | CSB Board Reporting | Audit Action Plan |
|--------------|------------------|-------------------------|-----------------|------------|-------------|------------------------|------------------------|
| 000320 | Jul 1, 2020 | Chantilly | New Program | Record | 13 | Standard business risk | Monitoring - 12 months |
| 000327 | Jul 6, 2020 | Pennino | Targeted Review | Record | 3 | Standard business risk | Monitoring - 12 months |
| 000329 | Jul 1, 2020 | Merrifield | Targeted Review | Record | 226 | Standard business risk | Monitoring - 12 months |
| 000331 | Jul 1, 2020 | Merrifield | New Program | Record | 20 | Standard business risk | Monitoring - 12 months |
| 000332 | Jul 1, 2020 | Chantilly | New Program | Record | 9 | Standard business risk | Monitoring - 12 months |
| 000333 | Jul 1, 2020 | Northwest Center Reston | New Program | Record | 20 | Standard business risk | Monitoring - 12 months |
| 000334 | Jul 1, 2020 | Gartlan | New Program | Record | 23 | Standard business risk | Monitoring - 12 months |
| 000335 | Jul 1, 2020 | Chantilly | New Program | Record | 11 | Standard business risk | Monitoring - 12 months |
| 000336 | Jul 1, 2020 | Chantilly | New Program | Record | 15 | Standard business risk | Monitoring - 12 months |
| 000337 | Jul 1, 2020 | Chantilly | New Program | Record | 11 | Standard business risk | Monitoring - 12 months |
| 000338 | Jul 1, 2020 | Chantilly | New Program | Record | 48 | Standard business risk | Monitoring - 12 months |
| 000346 | Jul 15, 2020 | Pennino | Targeted Review | Record | 13 | Standard business risk | Monitoring - 12 months |
| 000347 | Jul 30, 2020 | Merrifield | HIPAA Privacy | Record | 153 | Standard business risk | Corrective Action Plan |
| 000461 | Jul 1, 2020 | South County Center | Targeted Review | Record | 7 | Standard business risk | Monitoring - 12 months |

Audit Report CSB Board

| ItemCustomId | Audit Start Date | Entity | Audit Scope | Audit Type | Sample Size | CSB Board Reporting | Audit Action Plan |
|--------------|------------------|-------------------------|-----------------|------------|-------------|------------------------|------------------------|
| 000465 | Jul 1, 2020 | Garlan | Targeted Review | Record | 3 | Standard business risk | Monitoring - 12 months |
| 000471 | Jul 1, 2020 | Northwest Center Reston | Targeted Review | Record | 2 | Standard business risk | Monitoring - 12 months |
| 000474 | Jul 1, 2020 | Pennino | Targeted Review | Record | 3 | Standard business risk | Monitoring - 12 months |
| 000599 | Oct 1, 2020 | Pennino | Targeted Review | Record | 9 | Standard business risk | Monitoring - 12 months |
| 000604 | Oct 14, 2020 | Merrifield | Targeted Review | Record | 9 | Standard business risk | Monitoring - 12 months |
| 000634 | Jul 1, 2020 | Merrifield | Targeted Review | Record | 2 | Standard business risk | Monitoring - 12 months |
| 000636 | Jul 1, 2020 | Chantilly | Targeted Review | Record | 5 | Standard business risk | Monitoring - 12 months |
| 000784 | Dec 1, 2020 | Merrifield | Targeted Review | Record | 35 | Standard business risk | Monitoring - 12 months |
| 001569 | Jul 1, 2020 | South County Center | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001572 | Jul 1, 2020 | Chantilly | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001680 | Jul 1, 2020 | Chantilly | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001686 | Jul 1, 2020 | Merrifield | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001688 | Jul 1, 2020 | Northwest Center Reston | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001690 | Jul 1, 2020 | Merrifield | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |

Audit Report CSB Board

| ItemCustomId | Audit Start Date | Entity | Audit Scope | Audit Type | Sample Size | CSB Board Reporting | Audit Action Plan |
|--------------|------------------|-------------------------|-----------------------------------|------------------------|-------------|------------------------|---------------------------------|
| 001692 | Jul 1, 2020 | Northwest Center Reston | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001694 | Jul 1, 2020 | South County Center | Monitoring | Record | 2 | Standard business risk | Monitoring - 3 months |
| 001768 | Jan 6, 2021 | Pennino | DBHDS Desk Review (Annual Review) | Record | 2 | Standard business risk | Waiting On A Response |
| 001769 | Jan 6, 2021 | Pennino | DBHDS Desk Review (Annual Review) | Record | 2 | Standard business risk | Waiting On A Response |
| 001770 | Jan 6, 2021 | Pennino | DBHDS Desk Review (Annual Review) | Record | 2 | Standard business risk | Waiting On A Response |
| 001800 | Feb 18, 2021 | CSB agency wide | HIPAA Security | HIPAA Security Reports | 60 | Standard business risk | Monitoring - 3 months |
| 001847 | Aug 5, 2020 | Pennino | DBHDS Quality Review | Record | 7 | Standard business risk | Corrective Action Plan Received |
| 001848 | Aug 5, 2020 | Pennino | DBHDS Quality Review | Record | 176 | Standard business risk | Corrective Action Plan Received |
| 001849 | Feb 13, 2021 | Pennino | DBHDS Quality Review | Record | 4 | Standard business risk | Waiting On A Response |
| 001850 | Feb 13, 2021 | Pennino | DBHDS Quality Review | Record | 293 | Standard business risk | Waiting On A Response |

CAP Report for CSB Board

| ItemCustomId | Start Date | Entity | Reviewing Agency | Corrective Action (Narrative) | Date CAP Closed |
|--------------|--------------|-------------------------|------------------|---|-----------------|
| 000342 | Jul 13, 2020 | Merrifield | DBHDS | The corrective action plan has been approved by DBHDS. | Jul 27, 2020 |
| 000343 | Jul 13, 2020 | Gartlan | DBHDS | The corrective action plan has been approved by DBHDS. | Jul 27, 2020 |
| 000344 | Jul 13, 2020 | Merrifield | DBHDS | The corrective action plan has been approved by DBHDS. | Jul 27, 2020 |
| 000345 | Jul 21, 2020 | Chantilly | DBHDS | The corrective action plan was approved by DBHDS. | Aug 14, 2020 |
| 000364 | Aug 4, 2020 | Pennino | DBHDS | The Corrective Action Plan has been submitted to DBHDS for review and approval. | Sep 1, 2020 |
| 000380 | Aug 5, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS | Sep 4, 2020 |
| 000381 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Nov 18, 2020 |
| 000382 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been submitted to DBHDS for review and approval. | Nov 18, 2020 |
| 000383 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Nov 18, 2020 |
| 000384 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Nov 18, 2020 |
| 000385 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Nov 18, 2020 |
| 000386 | Aug 27, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Nov 18, 2020 |
| 000388 | Sep 8, 2020 | Northwest Center Reston | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Oct 2, 2020 |
| 000417 | Sep 18, 2020 | Gartlan | DBHDS | The corrective action plan has been rescinded by DBHDS. | Nov 20, 2020 |
| 000460 | Sep 18, | Merrifield | DBHDS | DBHDS Approved the CAP on 11-17-2020 and the approved CAP was received on 1-6-2021. | Jan 6, 2021 |

CAP Report for CSB Board

| ItemCustomId | Start Date | Entity | Reviewing Agency | Corrective Action (Narrative) | Date CAP Closed |
|--------------|--------------|---------|------------------|--|-----------------|
| | 2020 | | | | |
| 000593 | Oct 15, 2020 | Gartlan | DBHDS | The Corrective Action Plan has been approved by DBHDS effective 2-5-2021. | Feb 11, 2021 |
| 000673 | Nov 13, 2020 | Gartlan | DBHDS | The Corrective Action Plan has been rescinded by DBHDS. | Nov 20, 2020 |
| 000743 | Nov 24, 2020 | Gartlan | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Feb 11, 2021 |
| 000744 | Dec 8, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Dec 31, 2020 |
| 000745 | Oct 7, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Jan 7, 2021 |
| 000746 | Dec 10, 2020 | Pennino | DBHDS | The Corrective Action Plan was submitted to DBHDS for review and approval. | |
| 000786 | Dec 16, 2020 | Pennino | DBHDS | The Corrective Action Plan has been submitted to DBHDS for review and approval. This Corrective Action Plan was initially sent to me on 11-30-2020 by Lana Hurt for a review completed on 10-7-2020. | Mar 5, 2021 |
| 000924 | Dec 28, 2020 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Jan 25, 2021 |
| 001454 | Jan 22, 2021 | Pennino | DBHDS | The Corrective Action Plan has been submitted with a partial appeal to DBHDS for review. | |
| 001774 | Feb 27, 2021 | Pennino | DBHDS | The Corrective Action Plan was approved by DBHDS | Mar 12, 2021 |
| 001775 | Feb 27, 2021 | Pennino | DBHDS | The Corrective Action Plan has been approved by DBHDS. | Mar 12, 2021 |

Education Report CSB Board

| ItemCustomId | Start Date | Training Name | Duration | Entity | Number of Attendees | Method of Delivery | Training Type |
|--------------|--------------|------------------------------------|----------|-------------------------|---------------------|--------------------|---------------|
| 000322 | Jul 16, 2020 | DMAS Training | 3 | Merrifield | 2 | Webinar | Regulatory |
| 000323 | Jul 16, 2020 | DMAS Update and Refresher Training | 3 | Pennino | 0 | Webinar | Regulatory |
| 000377 | Aug 20, 2020 | DMAS Training | 3 | Northwest Center Reston | 2 | Webinar | Regulatory |
| 000378 | Aug 20, 2020 | DMAS Update and Refresher Training | 3 | Pennino | 0 | Webinar | Regulatory |
| 000410 | Sep 24, 2020 | DMAS Training | 3 | Merrifield | 8 | Webinar | Regulatory |
| 000411 | Sep 24, 2020 | DMAS Update and Refresher Training | 3 | Merrifield | 1 | Webinar | Regulatory |
| 000428 | Sep 11, 2020 | QA Tool Education | 2.4 | Merrifield | 10 | Webinar | Educational |
| 000596 | Oct 22, 2020 | DMAS Training | 3 | Gartlan | 5 | Webinar | Regulatory |
| 000597 | Oct 22, 2020 | DMAS Update and Refresher Training | 3 | Pennino | 0 | Webinar | Regulatory |
| 000667 | Nov 19, 2020 | DMAS Training | 3 | Merrifield | 2 | Webinar | Regulatory |
| 000668 | Nov 19, 2020 | DMAS Update and Refresher Training | 3 | Northwest Center Reston | 1 | Webinar | Regulatory |
| 000736 | Dec 10, 2020 | DMAS Training | 3 | Chantilly | 7 | Webinar | Regulatory |
| 000737 | Dec 10, 2020 | DMAS Update and Refresher Training | 3 | Merrifield | 1 | Webinar | Regulatory |
| 001696 | Jan 14, 2021 | SIR Training | 3 | Gartlan | 22 | Live Off-site | Educational |
| 001699 | Jan 27, 2021 | QA Tool Education | 1.5 | Northwest Center Reston | 6 | Live Off-site | Educational |
| 001700 | Jan 28, 2021 | DBHDS Licensure Education | 1.5 | Pennino | 18 | Live Off-site | Regulatory |
| 001776 | Mar 8, 2021 | DBHDS Licensure Education | 0.5 | Pennino | 38 | Live Off-site | Regulatory |
| 001845 | Apr 7, 2021 | SIR Training | 2 | Northwest Center Reston | 15 | Live Off-site | Regulatory |