



COMMONWEALTH OF VIRGINIA  
*Virginia Board for People with Disabilities*

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March 13, 2017

TO: Holly Mortlock  
Department Behavioral Health and Developmental Services (DBHDS)

FROM: Heidi L. Lawyer

A handwritten signature in blue ink, appearing to read "Heidi Lawyer".

RE: Comment on Policy 4038 (CSB) 94-1 Department and CSB Roles in Providing Services to Children Under the Children's Services Act (formerly the Comprehensive Services Act for At-Risk Youth and Families)

I am writing to provide public comment on behalf of the Virginia Board for People with Disabilities (VBPD) regarding State Board of Behavioral Health and Developmental Services Policy 4038 (CSB) 94-1, which is currently under review. The Board strongly supports the existing focus on families and community-based services contained in this policy. We specifically support the Children's Services Act practice model referenced in the first bullet point on page three of the policy and its focus on "believing that children do best when raised in families, and striving to achieve permanent family connections for all children."

The Board believes that this policy can be made stronger by including an additional bullet point referencing the provision of services to youth in the most integrated setting appropriate to their needs and preferences, consistent with the Americans with Disabilities Act (ADA), as interpreted in the Supreme Court's *Olmstead* decision. Specifically, we recommend the inclusion of the following language as an additional bullet point on page three of the policy:

- Recognize the rights of youth with disabilities to receive services and supports in the most integrated setting appropriate to their needs and preferences consistent with the Americans with Disabilities Act as interpreted by the Supreme Court in *Olmstead*.

This change would ensure that the State Board's policies are consistent with the ADA's integration mandate; and it would help protect the rights of children with disabilities who receive CSA funded services. It would also be consistent with ongoing study and work being conducted with respect to the CSA, for example, efforts ensure that to the maximum extent possible, children are educated in their home school divisions rather than private day schools or other more segregated options.

Thank you for the opportunity to participate in the review process for this policy, and we look forward to continuing to work with the Board as it updates and improves its policies to better service people with disabilities in Virginia.