

Health and Human Resources Update: Department of Justice Investigation

*Deputy Secretary of Health and Human Resources
Keith Hare
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DOJ Findings

Department of Justice – Civil Rights Division
Investigation of the Central Virginia Training Center and the
Commonwealth of Virginia's compliance with Title II of the
Americans with Disabilities Act as interpreted by *Olmstead v. L.C.*

- Failure in providing services in the most integrated and appropriate setting
- Failure to develop a sufficient quantity of community-based alternatives, particularly for individuals with complex needs
- Flawed discharge planning process at training centers
- Places individuals in the community at-risk of unnecessary institutionalization

DOJ Negotiation Process

Virginia Team

Lead Counsel–Office of the Attorney General

Deputy Secretaries–OSHHR

Deputy Commissioner/Director–DMAS, DBHDS

Deputy Director–Department of Planning and Budget

Technical Support

Counselor and Senior Advisor to the Governor

Staff/Leadership – OSHHR, DPB, DMAS, DBHDS,

Consult

Governor McDonnell

Chief of Staff

Secretary of Health and Human Resources

Secretary of Finance

Counselor and Senior Advisor to the Governor

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DOJ Negotiation Process

- **Divided settlement negotiation into topics**
- **Meeting every other week**
 - Phone or Face to Face
- **Lead Attorneys in frequent communication**
 - Sharing draft negotiation documents
 - Providing data/feedback
 - Working to provide follow-up information requested via meetings

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