



# COMMONWEALTH of VIRGINIA

JAMES W. STEWART, III  
COMMISSIONER

DEPARTMENT OF  
BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES

Post Office Box 1797  
Richmond, Virginia 23218-1797

Telephone (804) 786-3921  
Fax (804) 371-6638  
www.dbhds.virginia.gov

September 27, 2012

Dear Individuals Residing in Training Centers and Their Authorized Representatives:

In January 2012, I wrote to notify you that the Commonwealth of Virginia had reached a settlement agreement with the U.S. Department of Justice (DOJ) regarding its investigation of Virginia's system of services for individuals with developmental disabilities. On August 23, 2012, United States District Court Judge John A. Gibney, Jr. approved and entered a revised settlement agreement as an Order of the Court. Consistent with Virginia's plan to provide services in the most integrated and appropriate setting, the settlement agreement includes the creation of new Medicaid waiver slots for individuals transitioning from training centers to the community. The settlement agreement also states that while an individual or his authorized representative may choose to continue receiving services in a state-operated training center, the Commonwealth is not prevented from closing its training centers and, if needed, transferring residents who wish to receive services in a training center from one training center to another. The Order approving the settlement agreement, and the agreement itself, may be reviewed at: [www.dbhds.virginia.gov/settlement/approval.pdf](http://www.dbhds.virginia.gov/settlement/approval.pdf).

The final settlement agreement approved by the Court does not change Virginia's plans to downsize one and close four training centers over the next eight years. As such, training center and community services board staff will be working closely with each individual and authorized representative to help choose the best setting to meet each individual's wants and needs. I want to assure you again, that the health, safety, and well-being of individuals leaving the training centers is of paramount importance to the Commonwealth, and we will work very closely with you and your family as you adjust to your new home.

The following is the schedule for training center closures:

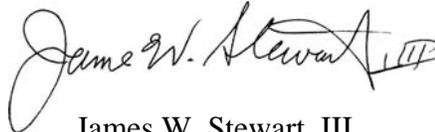
Fiscal Year	Training Center
June 30, 2014	Southside Virginia Training Center (SVTC) Closes
June 30, 2015	Northern Virginia Training Center (NVTC) Closes
June 30, 2018	Southwestern Virginia Training Center (SWVTC) Closes
June 30, 2020	Central Virginia Training Center (CVTC) Closes

Both the training centers and the community services boards will be contacting each individual and his or her family to schedule a pre-move planning meeting and to identify a targeted move date. I encourage you, your authorized representative and any other loved ones you choose to participate in the discharge planning process in order to fully understand the community options that are available or may be established to meet your needs.

Virginia Code § 37.2-837(A)(3) states that no resident of a training center shall be discharged if the resident or his authorized representative chooses to continue receiving services in a training center. Thus, no one will be discharged from a training center without the consent of his or her authorized representative. However, it is important to remember that neither federal nor state law guarantees that a training center resident will continue to receive services at the training center where he or she currently resides. Therefore, if after all attempts to engage an individual and his or her authorized representative in discharge planning are not successful, and a community home is not chosen, individuals residing in a training center that is scheduled for closure will be transferred to another state-operated training center within three months prior to the training center closure date. The location of transfer will be determined by the Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) in accordance with Virginia Code § 37.2-840.

We appreciate your patience as we work together to ensure that the needs of each individual living in a training center are fully met and that the transition process is as smooth as possible for everyone involved. You may continue to find information about the settlement agreement on our DBHDS Web site at: [www.dbhds.virginia.gov/settlement.htm](http://www.dbhds.virginia.gov/settlement.htm). This site is updated periodically as new information becomes available. In the very near future you will receive a letter from Heidi Dix, DBHDS Assistant Commissioner for Developmental Services, providing more details about the planning and discharge process specific to your training center.

Sincerely,



James W. Stewart, III

- c: William A. Hazel, Jr. M.D., Secretary of Health and Human Resources
- Olivia J. Garland, Ph.D., DBHDS Deputy Commissioner
- Heidi R. Dix, DBHDS Assistant Commissioner for Developmental Services
- Training Center Directors
- Community Services Board (CSB) Executive Directors