



OFFICE OF THE STATE AUDITOR



September 1, 2021

KERRI L. HUNTER, CPA

STATE AUDITOR

STATUS REPORT – ADULT PROTECTIVE SERVICES

Members of the Legislative Audit Committee:

Attached is the status report from the Department of Human Services (Department) on the implementation of recommendations from our performance audit of the Department's Adult Protective Services program released in September 2020.

REVIEW OF DOCUMENTATION - As part of the status report process, we requested and reviewed the Department's supporting documentation for each recommendation. For example, we reviewed:

- Department research into improving the Colorado Adult Protective Services (CAPS) system check information that it provides employers, including its employer survey.
- Meeting minutes of the Adult Protective Services program's task group.
- The Department's revised appeals manual and process documents.
- New trainings provided to county caseworkers, including training attendance records.
- New guidance provided to counties on screening reports of mistreatment and documentation requirements for guardianships.
- Department analysis of trends from its compliance reviews of counties.

Based on our review, the supporting documentation substantiates the Department's reported implementation status.

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As an update, the Department does not plan to implement Recommendation 1, which asked it to improve the descriptive information about substantiated findings of mistreatment of at-risk adults that it provides to employers through CAPS checks. In September 2020, the Department partially agreed to this recommendation and stated in its report response that it would research the feasibility of fully implementing it.

In the Department's status report, it states that it conducted research, such as by meeting with stakeholders and surveying employers. Based on the Department's research, it concluded that it will not implement Recommendation 1 because providing employers more information through CAPS checks would increase the cost and timeliness of the checks, and most employers (68 percent) that responded to the Department's survey stated they already prohibit hiring people with substantiated findings of mistreatment, regardless of the details of the CAPS check.

We, however, note that the Department has identified a method to give employers more information without increasing CAPS check fees or timelines for providing results, county Adult Protective Services staff agreed that these changes could be implemented, and the Department's research found that 40 percent of employers would like additional information in CAPS checks. Since the Department does not plan to make any changes in this area, employers will continue to receive limited information about substantiated findings of mistreatment from CAPS checks, which could result in reducing the number of individuals hired to serve at-risk adults or the hiring of individuals who intentionally mistreated an at-risk adult to serve those adults.

The Department will present a summary of its status report at the September hearing and will be available to answer questions.



COLORADO
Department of Human Services

July 21, 2021

Kerri L. Hunter, CPA
State Auditor
Colorado Office of the State Auditor
1525 Sherman St., 7th Floor
Denver, CO 80203

Dear Auditor Hunter:

In response to your request, we have prepared the attached status report on the implementation status of audit recommendations contained in the Performance Audit of the Adult Protective Services program. The report provides a brief explanation of the actions taken by the Department to implement each recommendation.

All actions committed to by the Department to address the audit recommendations have been completed.

If you have any questions about this status report and our efforts to implement the audit recommendations, please contact Jeremy Hill at 303-866-2636 or Jeremy.Hill@state.co.us and Yolanda Webb at 303-866-4408 or Yolanda.Webb@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Michelle Barnes".

Michelle Barnes
Executive Director



AUDIT RECOMMENDATION STATUS REPORT

| | |
|-----------------------|---|
| AUDIT NAME | Adult Protective Services Performance Audit, May 2020 |
| AUDIT NUMBER | 1931P |
| AGENCY | Department of Human Services |
| DATE OF STATUS REPORT | July 21, 2021 |

SECTION I: SUMMARY

| REC. NUMBER | AGENCY'S RESPONSE FROM REPORT | ORIGINAL IMPLEMENTATION DATE | CURRENT IMPLEMENTATION STATUS |
|-------------|-------------------------------|------------------------------|-------------------------------|
| 1 | Partially Agree | June 2021 | Will Not Implement |
| 2A | Agree | December 2020 | Implemented |
| 2B | Agree | December 2020 | Implemented |
| 2C | Agree | March 2021 | Implemented |
| 2D | Agree | July 2020 | Implemented |
| 2E | Agree | July 2020 | Implemented |
| 2F | Disagree | N/A | |
| 2G | Partially Agree | December 2020 | Implemented |
| 3A | Agree | July 2020 | Implemented |
| 3B | Agree | August 2020 | Implemented |
| 3C | Agree | December 2020 | Implemented |
| 3D | Agree | August 2020 | Implemented |
| 3E | Agree | August 2020 | Implemented |
| 3F | Agree | December 2020 | Implemented |
| 4A | Agree | June 2021 | Implemented |
| 4B | Agree | August 2020 | Implemented |
| 4C | Agree | June 2021 | Implemented |
| 4D | Disagree | N/A | |
| 5A | Agree | June 2021 | Implemented |
| 5B | Agree | September 2020 | Implemented |
| 5C | Agree | December 2020 | Implemented |
| 5D | Agree | December 2020 | Implemented |
| 6A | Agree | June 2021 | Implemented |
| 6B | Agree | June 2021 | Implemented |

SECTION II: NARRATIVE DETAIL

RECOMMENDATION 1

The Department of Human Services (Department) should implement a policy and process to improve the descriptive information about substantiated findings of mistreatment of at-risk adults that is reported to employers through checks of the Colorado Adult Protective Services system (CAPS). This process could include providing employers that request a CAPS check with a brief finding summary that excludes confidential and protected information, allowing employers to request more information about the finding from the Department after a CAPS check, and/or developing and reporting to employers descriptive categories for findings of mistreatment that better reflect the range of incidents that occur including whether there was actual harm or intent, and the relationship of the perpetrator to the at-risk adult.

| CURRENT IMPLEMENTATION STATUS | Will Not Implement | CURRENT IMPLEMENTATION DATE | Will Not Implement |
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AGENCY UPDATE

In response to this recommendation from the Office of the State Auditor (OSA), the Department agreed to consider the merits of the recommended policy and process change by engaging in a thoughtful and methodical approach to assess the advantages and disadvantages, including the feasibility and cost, of providing descriptive information to employers as part of CAPS check results. To complete this assessment the Department performed the following:

- Division staff discussed potential ways to implement the OSA recommendation internally. Specifically, the team discussed four potential options and developed a comprehensive list of pros and cons for each option.*
- The Department discussed the OSA recommendation with county representatives at the APS Task Group meetings in November 2020, and February 2021. County representatives overall did not feel there was a need to make a change to the information provided on CAPS checks.*
- In October 2020, the Department conducted a satisfaction survey regarding the CAPS Check Unit (CCU) for employers required to request CAPS checks. We received 190 responses to the survey. In this survey the Department asked employers if they had a policy in place regarding the hiring of persons with a substantiated finding. 68% (115) of the respondents indicated that they would not hire someone with a substantiated finding on a CAPS check and 20% indicated that they might hire, contingent on set policies, such as there being more than five years since the finding was made and/or the severity level of harm to the at-risk adult due to the mistreatment. However, this survey was completed by too few of the registered CCU employers for the results to be generalized to the CCU employer population.*
- Because employers did not attend the meeting designed to gather employer feedback on the audit recommendation, the Department then sent another survey to employers via email in February 2021. This survey focused on the audit recommendation and employers' hiring policy, their perspective on the information provided in CAPS check results, and whether more information was needed. The number of responses received (291) was a statistically valid sample (95% confidence level/6.75% confidence interval) that allows the Department to generalize the results to all employers.*
- Because two of the three suggestions for providing more information noted in the final audit report involved providing employers a summary or explanation of the mistreatment that led to a finding, either with the results or upon request of the employer, the Department reached out to Arizona, one of the states noted in the audit report as providing such a summary. The Department received information from Arizona's APS program on their process, time frames for posting the summary information, and the costs associated with the process.*

Conclusion

- The majority of employers who responded to our survey (74%) currently do not hire substantiated perpetrators.*
- The vast majority of employers who responded to our survey who had received a positive match CAPS result indicated that the information provided was adequate to make a hiring decision (85%).*
- Of all employers who responded to the survey, only 40% indicated that more information would be beneficial in making hiring decisions.*

- County departments, which are also required to conduct CAPS checks for APS staff, did not feel that they needed additional information on CAPS results.
- The fiscal cost to employers required to request CAPS checks and time resources of the Department and Attorney General’s office needed to provide a descriptive summary, outweighs the benefits that would be gained as shown through the employer survey and cost analysis.
- Employers are unwilling to pay more (68%) or wait longer for a summary of the case (67%), which was the clearly preferred option of employers if additional information were provided (74%).
- Reducing costs for a summary of information by developing the summary only when there is a positive match during a CAPS check result or upon request of the employer would cause issues with APS confidentiality laws that could only be overcome with a statute change.
- Additional work for county departments, with little to no benefit to employers, affects the time available for caseworkers to provide direct support to APS clients.

Based on this research, analysis, and discussions about this recommended policy change with key stakeholders, the Department has concluded that the current information is adequate for employers to make hiring decisions. The analysis indicates that employers believe the current process is working and sufficient for them to make hiring decisions. Further, due process rights are afforded to all substantiated perpetrators, providing them an opportunity to appeal the finding. This right to appeal addresses the OSA’s concern for someone who may pose no or very low risk, as that process does allow the finding to be expunged and, therefore, not reportable on a CAPS check result.

RECOMMENDATION 2A

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Adult Protective Services Program (Program), with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: A. Instruct appeal reviewers on when it is appropriate and inappropriate to uphold county findings without pursuing settlement agreements, and how to document these decisions.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

As outlined in the Department’s response to Recommendation 2A, the Department enhanced the appeals manual to include better definitional clarity of what each of the factors is intended to consider, as well as examples of how the factors may inform decisions regarding the appropriateness of entering into settlement agreements. The appeals manual was also updated to include direction on how to document the decision regarding the appropriateness of settlements. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 2B

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: B. Instruct reviewers on how to consider the factors listed in rule and the appeals manual; how to weigh the factors when deciding appeals outcomes; and how to determine the conditions to include in an agreement, including the circumstances in which it is warranted to make an upheld finding unreportable in a CAPS check and the timeframes, if any, for making a finding unreportable.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

As outlined in the Department’s response to Recommendation 2B, the Department enhanced the appeals manual to include better definitional clarity of what each of the factors is intended to consider, the weight of each factor and how it informs any settlement decisions needs to be considered on a case by case basis, and examples of how they may inform decisions regarding expungement of records for purposes of a background check and any conditions and timeframes to include in the settlement terms. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 2C

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: C. Explore and identify settlement condition options for upheld appeals other than making mistreatment unreportable in a CAPS check, and implement options that are most feasible. This could include a process to identify conditions based on the unique circumstances of each appeal when negotiating settlements with the appellant.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

As outlined in the Department's response to Recommendation 2C, the Department updated the appeals manual to include guidelines on how and when to include conditions in settlement agreements. Settlement outcomes continue to inform the reportability of findings in background checks. The Department's existing process has been enhanced to include steps to afford all appellants the opportunity to provide conditions and information that may be relevant while negotiating settlements. As part of the existing process, the staff that process appeals for the Department are required to inform appellants of the appeal process during initial contact with the appellant or their legal representative. In addition to walking through the appeal process with appellants, staff is now required to incorporate a request for relevant conditional information from the appellant or their legal representative during initial contact. Any conditional information provided will be considered as part of the settlement negotiations and potentially for inclusion in settlement agreements. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 2D

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: D. Require appeal reviewers to document the rationale for their appeal decisions and the conditions they include in settlement agreements, including making a finding unreportable in a CAPS check.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

As outlined in the Department's response to Recommendation 2D, the Department enhanced the appeals manual to require appeal reviewers to document the underlying factors serving as the basis for appeal decisions and the conditions they include in settlement agreements, including making a finding unreportable in a CAPS check. Each appeal requires consideration of a set of factors unique to the circumstances of the incident of mistreatment, as well as factors unique to each appellant. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 2E

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: E. Enhance supervision to include supervisory review of documentation of appeal decisions and outcomes prior to finalizing the outcome with appellants to help ensure the appeal process is consistent across reviewers, compliant, and upholds statutory intent to protect at-risk adults.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department enhanced supervision to include a supervisory review of documentation of a targeted sample of appeal decisions and outcomes prior to finalizing the outcome with appellants to help ensure the appeal process is consistent across reviewers, compliant, and upholds statutory intent to protect at-risk adults. Individual,

supervisory, case consultation occurs on more complex appeals during bi-weekly meetings between the supervisor and the appeal reviewers. This process was enhanced to include targeted reviews, discussions, and approvals of the summary documentation of the relevant factors considered specific to the decision(s) for those appeals discussed during individual supervision. The Appeals Management System database was modified to allow the supervisor to make notes within the comments section that may include approval, edits to be made, etc. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 2F

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: F. Reconsider whether intent will be considered by Program staff and appeal reviewers when they are making a substantiated or upheld finding reportable in CAPS checks.

The Department disagreed with this audit recommendation.

RECOMMENDATION 2G

The Department of Human Services should improve its appeal process for perpetrators substantiated of mistreatment through the Program, with a goal of better protecting at-risk adults and making decisions transparent and consistent, by revising written rules and guidance to: G. If it is determined that intent will be considered when making substantiated or upheld findings reportable in CAPS checks, implement a standard method and guidance for determining intent and reporting the findings based on that determination.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

As outlined in the Department’s response to Recommendation 2G, the Department revised the appeals manual to define intent as the willful or unwillful nature of mistreatment as a factor for consideration and that intent may be considered when determining the reportability of the finding. This guidance is effectively and efficiently managed through the appeals manual and a revision of rules was not necessary.

RECOMMENDATION 3A

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: A. Requiring Department appeal reviewers to document why an appeal exceeds the required 120-day timeframe. This should include implementing written guidance for documenting requests for extensions from appellants and agreed-upon extensions.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department implemented written guidance for documenting requests for extensions from appellants and agreed upon extensions. The Department updated the appeals manual to include the expectation that the reason for the extension be documented in the comments field within the Appeals Management System database.

RECOMMENDATION 3B

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: B. Implementing written guidance to promote timely processing of appeals, including guidance for evaluating when a settlement agreement cannot be reached and a case should be forwarded to Administrative Courts.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department implemented written guidance to promote timely processing of appeals, including guidance for evaluating when a settlement agreement cannot be reached and an appeal should be forwarded to the Administrative Courts. The Department revised the appeals manual to include written guidance regarding the timeframe expectations and when it is evident that a settlement agreement cannot be reached.

RECOMMENDATION 3C

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: C. Implementing a process to verify that supervisory reviews work as intended to identify approaching due dates and missed deadlines for appeals, address the issues identified, and help ensure timely appeal resolutions.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department implemented a process to verify that supervisory reviews work as intended to identify approaching due dates and missed deadlines for appeals, address the issues identified, and help ensure timely appeal resolutions. Department management met monthly from June to November 2020 to review the report and to monitor timely completion of appeals and identify potential process improvements. Modifications were made to the appeals database and reporting mechanisms to enhance workload and supervisory management systems.

RECOMMENDATION 3D

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: D. Implementing a follow-up process and additional guidance and/or training for the counties with untimely notifications of findings and appeal rights, to help ensure that they send perpetrators notification letters within the required 10 days.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department developed and launched a new process for following up with counties that are routinely late in mailing the notification letter to substantiated perpetrators of mistreatment. The report is scheduled to run in the CAPS data system weekly for the prior week, and is auto-emailed by CAPS to the State APS policy team for review. This allows APS policy specialists to track counties that have a late notification to identify trends to be addressed individually with those counties. The APS policy specialists have identified two counties, to date, that had a trend of appearing on this report more than once and addressed the concern with the supervisor in those counties. Since that additional guidance and training, those counties have not appeared on the report.

RECOMMENDATION 3E

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: E. Revising the Department’s appeal notification letter so that it informs appellants of their right to request an extension of their appeal and to request case information.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department revised the appeal notification letter to include information regarding the right to request an extension of an appeal and to request case information related to the investigation under appeal. The revised letter was implemented in July 2020.

RECOMMENDATION 3F

The Department of Human Services should ensure that the appeal and notification processes for the Adult Protective Services Program follow statute and rules by: F. Implementing written instructions for appeal reviewers that

provide specific direction on the types of information that must be redacted from case information, and implementing a supervisory review of redactions prior to sending information to appellants.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department implemented written guidance for appeal reviewers that provides specific direction on the types of information that must be redacted from case information prior to sharing the information with appellants upon their request. This included the guidance provided by the Office of the Attorney General to identify federal and State confidentiality statutes that may relate to information contained in the Adult Protective Services case. A supervisory review process was implemented in order to ensure consistent understanding and application of the guidance. Since that time, in order to ensure HIPAA compliance, new guidance was issued in February 2021 directing that if an appellant requests the case file, the appeal must be sent to the Office of Administrative Courts in order to enter a protective order allowing the case file to be shared with the appellant.

RECOMMENDATION 4A

The Department of Human Services should improve processes for screening reports of alleged mistreatment and self-neglect of at-risk adults by: A. Providing periodic training to counties on screening reports, including the definitions of at-risk adult, mistreatment, and self-neglect, and the reasons for screening out reports and documenting the reasons.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department provided mandatory refresher training through the August and November 2020 Quarterly Training Meetings for all caseworkers and supervisors on intake and screening decisions, that included the definitions, screen out reasons, and documentation specified in the OSA's recommendation. Access to the CAPS system was revoked for any county workers who did not attend these trainings or listen to the recording of the training in the approximately three weeks following the training date. County workers were allowed to listen to the training later to regain their CAPS access.

RECOMMENDATION 4B

The Department of Human Services should improve processes for screening reports of alleged mistreatment and self-neglect of at-risk adults by: B. Programming CAPS to prevent counties from changing the report date in the system to an invalid or inappropriate date, reviewing report date changes in CAPS after the new programming is in place to ensure that CAPS is functioning as intended, and communicating to counties the allowable reasons to change report dates in CAPS and how to document the changes.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

CAPS was programmed with a new validation rule that stops users from saving a report with a Date Report Received that is more than five (5) days older than the date the report was created in CAPS. This programming change was communicated to counties in May 2020 through APS Weekly Update correspondence. If a report is being entered into CAPS that needs to be backdated more than five (5) days, a CAPS Support ticket is required, i.e., the counties must request the change be approved and made by state APS staff. In the year since the implementation of this validation rule, a couple of counties have had to place a support ticket to have the report date changed. The reason this was needed was because the county failed to enter the report timely in CAPS.

RECOMMENDATION 4C

The Department of Human Services should improve processes for screening reports of alleged mistreatment and self-neglect of at-risk adults by: C. Implementing reviews of screened out reports to ensure that screening decisions are appropriate.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

In September 2020, a workgroup convened involving county APS staff, State APS program staff, and the Administrative Review Division to begin developing the review instrument and instructions, as well as to further design the Screen-Out Review for APS process. The workgroup concluded in December 2020. The review instrument and instructions were presented to and finalized at the ARD Steering Committee in January 2021. Information Memo IM-QAQI-2021-0001 was distributed on March 9, 2021 to the county departments to notify them of the dates and confirm participation. The Screen-Out Review for APS was implemented June 2021.

RECOMMENDATION 4D

The Department of Human Services should improve processes for screening reports of alleged mistreatment and self-neglect of at-risk adults by: D. Revising rules and written guidance related to allowable reasons for screening out reports to ensure that they align with statutory intent to evaluate reports thoroughly and protect at-risk adults.

The Department disagreed with this audit recommendation.

RECOMMENDATION 5A

The Department of Human Services should improve county investigations of allegations of mistreatment or self-neglect of at-risk adults, which are conducted through the Program, by: A. Implementing processes to ensure that counties address the problems identified through desk and quality assurance reviews. This should include a performance improvement process and follow-up to help ensure county compliance.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department developed an APS Oversight Plan that outlines the steps that the state takes to support, train, and (when necessary) hold counties accountable for meeting APS statute and rule requirements. APS formalized the plan by issuing an Informational Memo with the APS Oversight Plan attached. Beginning in February 2021, once counties are reviewed by the Administrative Review Division (ARD), which happens annually for each county, the state APS staff will contact the county and work with the supervisor to develop the action plan. The action plan will address all factors identified during the ARD review as needing improvement (scoring less than 70%). The APS rules were updated to incorporate the APS Oversight Plan by reference. Rules were adopted by the State Board of Human Services and are effective as of June 30, 2021.

RECOMMENDATION 5B

The Department of Human Services should improve county investigations of allegations of mistreatment or self-neglect of at-risk adults, which are conducted through the Program, by: B. Continuing to compile data on statewide trends in deficiencies identified through quality assurance reviews, implementing a process to analyze the data regularly to identify common areas for improvement, and utilizing the information to develop additional guidance and training for counties and improve Program operations.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department enhanced the ability to compile and analyze data from quality assurance reviews to address problem areas quickly. This data is analyzed on a statewide and county level to inform the Policy team of areas of improvement for county-specific or multiple county trends. Issues are addressed with the counties through one or more of our many regular state-county communication channels, which include Quarterly Training Meetings

(statewide webinar), update reminders in our Weekly Update email (all APS staff receive these), and informal and formal targeted training with a specific county, supervisor, or caseworker, as needed.

RECOMMENDATION 5C

The Department of Human Services should improve county investigations of allegations of mistreatment or self-neglect of at-risk adults, which are conducted through the Program, by: C. Developing targeted training to address the problems identified in this audit and for the counties identified as noncompliant with statute, rules, and guidance.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department developed and provided guidance and required training for the areas identified in the audit during the November 2020 Quarterly Training Meeting. Users who did not attend the required training or listen to the training in the approximately three weeks following the training were deactivated from CAPS. County workers were allowed to listen to the training later to regain their CAPS access.

RECOMMENDATION 5D

The Department of Human Services should improve county investigations of allegations of mistreatment or self-neglect of at-risk adults, which are conducted through the Program, by: D. Clarifying in written guidance and training, the actions that would constitute “reasonable efforts” to conduct interviews with the adults and alleged perpetrators during investigations.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The Department developed and provided required training to clarify actions that would constitute “reasonable efforts” to conduct interviews with clients and alleged perpetrators during investigations. This training was presented at both the August 2020 and November 2020 Quarterly Training Meetings, which was mandatory for all current APS staff. Users who did not attend both required trainings or listen to the trainings in the approximately three weeks following each training were deactivated from CAPS. County workers were allowed to listen to the training later to regain their CAPS access. The training on reasonable efforts was also incorporated into the APS Training Academy curriculum for new APS workers beginning in October 2020. APS will continue to provide guidance on this annually through training, including Training Academy for new caseworkers and supervisors, and through refresher training during Quarterly Training Meetings.

RECOMMENDATION 6A

The Department of Human Services should ensure that the counties administering the Adult Protective Services Program follow statute and rules related to petitioning for guardianship of an at-risk adult by: A. Implementing written guidance and training for counties on the documentation that must be maintained in CAPS to demonstrate that county decisions to petition for guardianship and processes for obtaining guardianship comply with statute and rules.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

The guardianship documentation process was developed and moved to production in CAPS and is effective as of May 1, 2021 for all county-held guardianships and conservatorships initiated on or after that date. The documentation requirements are specific to the rules and are inclusive of county-held conservatorships. A self-guided training on the new process was required for all county supervisors and caseworkers. The few county workers who did not complete the training were deactivated from CAPS; they will be reactivated once they complete the training.

RECOMMENDATION 6B

The Department of Human Services should ensure that the counties administering the Adult Protective Services Program follow statute and rules related to petitioning for guardianship of an at-risk adult by: B. Implementing Department reviews of county guardianships for adult protective services cases to ensure that counties maintain required documentation in CAPS.

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| CURRENT IMPLEMENTATION STATUS | Implemented | CURRENT IMPLEMENTATION DATE | NA |
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AGENCY UPDATE

In September 2020, a workgroup convened involving county APS staff, State APS program staff, and the Administrative Review Division to begin developing the review instrument and instructions. The workgroup concluded in December 2020. The review instrument and instructions were presented to and finalized at the ARD Steering Committee in January 2021. Analysis of review numbers was conducted to determine how to best integrate these reviews into the existing review process and schedule. These reviews were implemented in June 2021.