OFFICIAL STATE CABINET AGENCY RESPONSE TO THE PERFORMANCE AUDIT ON INITIATIVE 1163: LONG-TERM CARE WORKER CERTIFICATION REQUIREMENTS – DECEMBER 17, 2014

This coordinated management response to the State Auditor's Office (SAO) performance audit report received on December 1, 2014, is provided by the Office of Financial Management, Department of Health (DOH), and Department of Social and Health Services (DSHS).

SAO PERFORMANCE AUDIT OBJECTIVES:

The SAO objectives were designed to assess whether DOH and DSHS are working to improve certification completion rates and ensure that uncertified workers do not work with clients. The audit was designed to answer these questions:

1. Have certification completion rates among home care aide applicants improved since early 2012? If so, what factors contributed to the increase?

2. Does DSHS have sufficient controls in place to keep uncertified workers in adult family homes from working with clients?

SAO Finding 1: Several certification improvements have been made to the program since early 2012. Completion rates have increased — as have the number of applicants. However, additional improvements are needed to increase both the timely completion rate and the overall rate. The Executive Workgroup continues to seek ways to help applicants gain certification.

SAO Finding 2: We found most workers meet I-1163 requirements and that monitoring is reasonable given program capacity.

SAO Recommendation 1: To ensure long-term care workers meet I-1163 requirements, we recommend the following:

> The Department of Health and the Department of Social and Health Services (should) continue to work to identify barriers that are keeping workers from applying for, or not completing, the certification process.

STATE RESPONSE:

The agencies, which have long recognized the need for qualified long-term caregivers, agree with the recommendation and will continue to work together closely and with other interested parties to identify and reduce barriers to certification.

Action Steps and Time Frame

- The agencies will continue to work together and with other interested parties. *Ongoing.*

SAO Recommendation 2: We recommend the Department of Social and Health Services send written notification to all adult family home providers reminding them of their responsibility to ensure their workers meet I-1163 requirements. The letter should also reiterate that the nursing assistant registered certification does not satisfy I-1163 requirements.

STATE RESPONSE:

DSHS concurs with the State Auditor's Office audit finding that most workers meet the I-1163 requirements. DSHS has taken numerous actions to educate DSHS staff and remind providers of the I-1163 requirements. These include:

- Sending out a management bulletin in September 2014 to DSHS staff with training grids outlining the long-term care training and home care aide certification requirements. The grids were designed as a tool to assist Residential Care Services (RCS) field staff to make compliance determinations during licensing inspections and complaint investigations.

- Sending out management bulletins and provider letters in March and May of 2013 informing both providers and staff about the I-1163 requirements.

Action Steps and Time Frame

- DSHS has drafted a letter to adult family homes reminding them of the training and certification requirements. The letter includes a reminder that the nursing assistant-registered certification does not meet the exemption requirements. This letter is in its final stage of review and is expected to be sent out to all adult family home providers by December 31, 2014.

SAO Recommendations 3-5: We recommend the Department of Social and Health Services:

- Immediately follow-up on the one caregiver who is still employed as a long-term care worker and has not obtained the required certification.
- During the next inspection, review the qualifications of all caregivers in the homes that employed the other nine uncertified workers in September 2013.
- Follow-up with the adult family homes that did not respond to our audit request to ensure all their workers meet I-1163 requirements.

STATE RESPONSE:

DSHS concurs with the State Auditor's Office that the first line of responsibility for ensuring that only properly certified caregivers work directly with clients is the caregiver's employer.

DSHS takes it very seriously when it learns of an unqualified caregiver. When inspectors find a worker who fails to obtain a certification within the statutory deadline, DSHS issues a citation to the provider. If negative or potentially negative problems are linked to the failure to obtain the training or certification, inspectors recommend enforcement actions.

Action Steps and Time Frame

- DSHS immediately called the complaint resolution unit hotline with the information on the one caregiver who had not obtained the required certification. DSHS sent an investigator to the adult family home and found that while the caregiver completed certified nursing assistant training, the caregiver did not have documentation verifying caregiver mental health or dementia training. The provider was cited and the caregiver was terminated. *Completed.*

- DSHS has called the complaint resolution unit hotline with the information on the other nine uncertified workers, and investigators will be sent to the home before the next inspection. If investigations find that the training and certification requirements are not met, DSHS will cite the providers and then follow up to ensure compliance. *Completed.*

- DSHS is following up with adult family homes that did not respond to the audit request. DSHS will investigate the reason for the lack of response and validate to ensure that long-term care training and certification requirements were met for staff in the home. *Completed by March 2015.*