



September 3, 2021

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Director Palmer and Chief Inspector General Miguel:

In accordance with section 20.055(8)(a), Florida Statutes, I am pleased to present the Office of Inspector General's Annual Report for Fiscal Year 2020-2021. The report summarizes the accomplishments of staff within the Investigations and Audit Sections during Fiscal Year 2020-2021.

We continue to remain committed to enhancing and promoting accountability, integrity, and efficiency and look forward to continuing to work with you and Agency for Persons with Disabilities staff in Fiscal Year 2021-2022.

Respectfully submitted,

Erin Romeiser
Inspector General

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INTRODUCTION

Section 20.055, Florida Statutes (F.S.), establishes an Office of Inspector General within each state agency to provide a central point for coordination of and responsibility for activities that promote accountability, integrity, and efficiency in government. Section 20.055, F.S., also outlines the specific duties of each Inspector General, including the duties and responsibilities for carrying out the auditing and investigative activities. Additionally, section 20.055, F.S., specifies that each Inspector General shall prepare an annual report no later than September 30 of each year, which summarizes the activities of the office during the prior fiscal year, and includes:

- A description of activities relating to the development, assessment, and validation of performance measures;
- A description of significant abuses and deficiencies relating to the administration of programs and operations of the agency disclosed by investigations, audits, reviews, or other activities during the reporting period;
- A description of the recommendations for corrective action made by the Inspector General during the reporting period with respect to significant problems, abuses, or deficiencies identified;
- The identification of each significant recommendation described in previous annual reports on which corrective action has not been completed; and,
- A summary of each audit and investigation completed during the reporting period.

This annual report is presented to the Executive Office of the Governor's Chief Inspector General and the Executive Director of the Agency for Persons with Disabilities (APD) to comply with statutory requirements and to provide APD staff and interested parties with information on the Office of Inspector General's progress in accomplishing its mission.

MISSION STATEMENT

The Office of Inspector General's mission is to promote integrity, efficiency, and accountability within APD through audits and investigations that support process improvement and detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses within the agency. The Office of Inspector General provides independent reviews, assessments, and investigations of agency programs, activities, and functions to assist APD in accomplishing its overall mission to support persons with developmental disabilities in living, learning, and working in their communities.

DUTIES AND RESPONSIBILITIES

In accordance with section 20.055(2), F.S., the Inspector General's duties and responsibilities include:

- Advising in the development of performance measures, standards, and procedures for the evaluation of state agency programs;
- Assessing the reliability and validity of the information provided by the state agency on performance measures and standards, and make recommendations for improvement, if necessary, before submission of such information pursuant to section 216.1827, F.S.;
- Reviewing the actions taken by the state agency to improve program performance and meet program standards and make recommendations for improvement, if necessary;
- Providing direction for, supervising, and coordinating audits, investigations, and management reviews relating to the programs and operations of the state agency, except that when the Inspector General does not possess the qualifications specified in subsection (4), the Director of Auditing shall conduct such audits;
- Conducting, supervising, or coordinating other activities carried out or financed by that state agency for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations;
- Keeping the agency head or, for state agencies under the jurisdiction of the Governor, the Chief Inspector General informed concerning fraud, abuses, and deficiencies relating to programs and operations administered or financed by the state agency, recommending corrective action concerning fraud, abuses, and deficiencies, and reporting on the progress made in implementing corrective action;
- Ensuring effective coordination and cooperation between the Florida Auditor General, federal auditors, and other governmental bodies with a view toward avoiding duplication;
- Reviewing, as appropriate, rules relating to the programs and operations of such state agency and making recommendations concerning their impact;
- Ensuring that an appropriate balance is maintained between audit, investigative, and other accountability services; and,
- Complying with the *General Principles and Standards for Offices of Inspector General* as published and revised by the Association of Inspectors General.

INDEPENDENCE

In accordance with section 20.055(3), F.S., the Inspector General shall be under the general supervision of the agency head for administrative purposes, shall report to the Chief Inspector General, and may hire and remove staff within the Office of Inspector General in consultation with the Chief Inspector General, but independently of APD. The organizational independence of the Inspector General helps to ensure that audits, investigations, and other activities are performed independently.

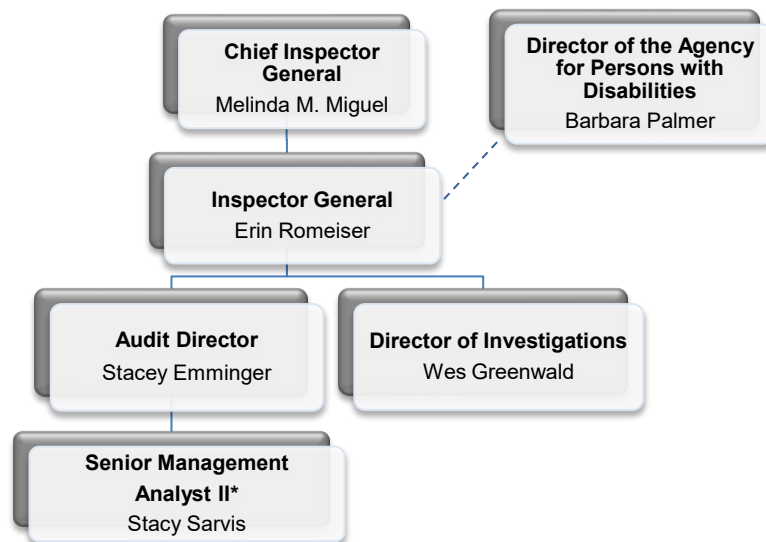
PROFESSIONAL STANDARDS AND CODE OF ETHICS

Pursuant to section 20.055(2)(j), F.S., the Office of Inspector General complies with the *General Principles and Standards for Offices of Inspector General* as published and revised by the Association of Inspectors General. Staff abide by the Florida Code of Ethics for Public Officers and Employees as codified in sections 112.311-112.326, F.S., the Executive Office of the Governor's Code of Ethics, and APD Operating Procedure 5- 0002 Code of Ethics. Internal audits are conducted in accordance with the *International Standards for the Professional Practice of Internal Auditing (Standards)* and the Code of Ethics published by the Institute of Internal Auditors, Inc.

OFFICE OF INSPECTOR GENERAL ORGANIZATION AND STAFFING

Office Organizational Chart

The Office of Inspector General consists of four professional positions within two sections: Investigations and Audit. The Office of Inspector General's organizational structure is shown below as of June 30, 2021:



*The Senior Management Analyst II position was vacant from November 2020 through the end of April 2021.

Staff Professional Certifications

Members of the Office of Inspector General staff hold the following professional certifications:

- *Certified Inspector General (1)*
- *Certified Inspector General Investigator (2)*
- *Certified Fraud Examiner (2)*
- *Certified Internal Auditor (1)*
- *Certified Inspector General Auditor (2)*
- *Florida Certified Contract Manager (1)*
- *Notary Public (2)*

Staff Professional Affiliations

In addition to maintaining professional certifications, Office of Inspector General personnel are active in professional organizations that support audits and investigations. This participation assists staff in maintaining a high level of proficiency in their profession and areas of certification. Members of the Office of Inspector General are affiliated with the following professional organizations:

- Association of Inspectors General
- The Institute of Internal Auditors, Inc.
- Information Systems Audit and Control Association
- Association of Certified Fraud Examiners

Staff Training

With regard to professional training, the Association of Inspectors General specifies that each staff person performing audits, investigations, evaluations, or reviews should receive at least 40 hours of continuing professional education every two years in areas that directly enhances the staff member's professional proficiency. Additionally, the *Standards* require that internal auditors must enhance their knowledge, skills, and other competencies through continuing professional development.

SUMMARY OF ACTIVITIES FOR FISCAL YEAR 2020-2021

Section 20.055(2)(i), F.S., requires each Inspector General to ensure that an appropriate balance is maintained between audit, investigative, and other accountability activities. The Inspector General achieves a balance of activities by monitoring the assignments of ongoing and completed investigative and audit activities on a daily basis. During the fiscal year, the Office of Inspector General completed the following activities:

Summary of Activities Opened by Type during Fiscal Year 2020-2021	Quantity
Investigative Activities	154 ¹
Audit Activities	49 ²
Other Types of Office of Inspector General Activities ³	4

Summary of Activities Closed by Type during Fiscal Year 2020-2021	Quantity
Investigative Activities	151
Audit Activities	46
Other Types of Office of Inspector General Activities	4

INVESTIGATIONS SECTION

Section 20.055, F.S., outlines the investigative duties and responsibilities for Offices of Inspectors General to include in pertinent part:

- Initiating, conducting, supervising, and coordinating investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government;
- Receiving complaints and coordinating all activities of the agency as required by the Whistle-blower’s Act pursuant to sections 112.3187- 112.31895, F.S.;
- Receiving and considering the complaints which do not meet the criteria for an investigation under the Whistle-blower’s Act and conducting, supervising, or coordinating such inquiries, investigations, or reviews as the Inspector General deems appropriate;
- Reporting expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the Inspector General has reasonable grounds to believe there has been a violation of criminal law;

¹ The Investigations Section opened 152 new cases in Fiscal Year 2020-2021; 2 cases were carried forward from the previous fiscal year, totaling 154 cases.

² The Audit Section opened one audit in Fiscal Year 2020-2021 that would result in three audit reports. Two audits were carried over from Fiscal Year 2019-2020 that resulted in four audit reports. Other audit activities include Management Reviews (3); Follow-up Audit Activities (2); External Audit Coordination (6); Oversight Activities (29); and Outreach, Education, and Management Support (2).

³ Other Office of Inspector General Activities include Reference Checks; Critical Incidents – Sexual Abuse; Computer Security Incident Response Team; and Anti-Fraud Activities.

- Conducting investigations and other inquiries free of actual or perceived impairment to the independence of the Inspector General or the Office of Inspector General. This shall include freedom from any interference with investigations and timely access to records and other sources of information;
- Submitting findings when applicable to the subject that is a specific entity contracting with the state or an individual substantially affected, who shall be advised in writing that they may submit a written response within 20 working days after receipt of the findings, and including the response and the Inspector General's rebuttal to the response, if any, with the final investigative report; and,
- Submitting in a timely fashion final reports on investigations conducted by the Inspector General to the agency head, except for whistle-blower's investigations, which shall be conducted and reported pursuant to section 112.3189, F.S.

Summary of Investigations Section Activities in Fiscal Year 2020-2021

The Investigations Section receives complaints and requests for assistance via telephone, letter, email, or in person. Each complaint or request for assistance is reviewed to determine if provisions of sections 112.3187-112.31895, F.S., (Whistle-blower's Act) are met. During Fiscal Year 2020-2021, the Investigations Section received, reviewed, and processed 154⁴ complaints or requests for assistance; 151 of the 154 complaints or requests for assistance were closed during the fiscal year. Of the 154 complaints or requests for assistance, 5 resulted in internal investigations; 53 were handled as preliminary inquiries; 88 were referred to management, law enforcement or other agencies; 5 were handled as public records requests; and 3 were handled as management assistance.

Investigative Activities Completed during Fiscal Year 2020-2021

Type of Investigative Activity	Quantity
Investigations	5
Preliminary Inquiries	53
Management Referrals	71
Referrals to Law Enforcement or Other Agencies	17
Public Records Request	5
Management Assistance	3
Total	154

⁴ The Investigations Section opened 152 new cases in Fiscal Year 2020-2021; 2 cases were carried forward from the previous fiscal year, totaling 154 cases.

Summary of Investigations Closed in Fiscal Year 2020-2021

- **Case Number 20-211 – Release Date: September 2020**
The Investigations Section initiated an investigation into allegations that an employee made statements in the workplace and posted information to social media pertaining to their personal opinions regarding race, religion, and politics that some employees found offensive. The allegation that the employee posted information to social media that some employees found offensive was confirmed; however, the employee's actions did not violate any agency policy, rule, or regulation. The allegation that the employee made statements in the workplace that some employees found offensive was supported.
- **Case Number 21-046 – Release Date: December 2020**
The Investigations Section initiated an investigation into an allegation that an employee made unwelcome comments and gestures and had unwelcome physical contact of a sexual nature with employees in the workplace. The allegation was supported.
- **Case Number 21-099 – Release Date: May 2021**
The Investigations Section initiated an investigation into an allegation that an employee visited inappropriate websites using his agency computer. The allegation was not supported.

Summary of Recommendations Related to Significant Abuses and Deficiencies Disclosed in Investigations During Fiscal Year 2020-2021

No significant abuses or significant deficiencies were identified by the Investigations Section.

Initial Accreditation

In June 2021, the Investigations Section was granted accredited status by the Commission for Florida Law Enforcement Accreditation, Inc. (Commission). The Investigations Section successfully complied with 38 mandatory standards pertaining to policies and procedures, management operations, and investigative practices during a comprehensive assessment by Commission assessors in April 2021 to earn accredited status. The Investigations Section's investigative function is accredited for a three-year period, after which the Commission will reassess the Investigations Section for continued compliance with applicable standards.

AUDIT SECTION

Section 20.055, F.S., outlines the auditing duties and responsibilities for Offices of Inspectors General to include reviewing and evaluating internal controls necessary to ensure the fiscal accountability of the state agency and conducting financial, compliance, electronic data processing, and performance audits of the agency and preparing audit reports of findings.

Audits are conducted in accordance with the *Standards*. All audit reports issued by internal audit staff shall include a statement that the audit was conducted pursuant to the appropriate standards.

In meeting the statutory duties and responsibilities outlined above, the Audit Section:



Conducts *Internal Audits* to ensure the effectiveness, efficiency, and economy of agency programs.



Provides *Management Assistance Services* to advise management on emerging issues and concerns.



Coordinates *External Audits* of engagements conducted by the Florida Auditor General, Office of Program Policy Analysis and Government Accountability, and other oversight units.



Conducts *Follow-ups* of findings and recommendations identified in both internal and external audits.



Assists management with *Performance Measures* by assessing the reliability and validity of the agency's information on performance measurement and standards.



Performs *Consultant Services* to partner with and assist management by providing advisory and related services aimed at adding value to the agency and improving the agency's governance, risk management, and control processes.

Summary of Audit Section Activities in Fiscal Year 2020-2021

During Fiscal Year 2020-2021, the Audit Section completed two internal audits which resulted in four published audit reports. The Audit Section also performed management reviews; follow-up audit activities; external audit coordination; oversight activities; and outreach, education, and management support. The table below provides a summary of the completed audit activities by type performed in Fiscal Year 2020-2021.

Audit Activities Completed during Fiscal Year 2020-2021

Type of Audit Activity	Number of Activities
Completed Internal Audit Reports	4
Management Reviews	3
Follow-up Audit Activities	2
External Audit Coordination	6
Oversight Activities	29
Outreach, Education, and Management Support	2
Total Audit Activities	46

Summary of Completed Internal Audits in Fiscal Year 2020-2021

190806-01 Audit of the Agency's Fuel and Maintenance Card Program – Release Date: August 2020

APD utilizes fuel and maintenance cards (WEX Cards) for purchasing fuel and other vehicle-related services or items required to maintain daily operation of fleet vehicles used for official state business. Based on our review, we noted concerns in the following areas: WEX Card inventory, access, and usage; policies and procedures; and segregation of duties.

We provided 10 recommendations to State Office management and facility management where internal controls could be improved if the recommendations are implemented.

Family Care Council (FCC) Audits

FCCs were created in 1993 through the implementation of section 393.502, F.S. The purpose of FCCs is to advise APD, develop a plan for the delivery of family support services within the local area, and monitor the implementation and effectiveness of services and support provided under the plan. There are 14 local FCCs and a Statewide

FCC. FCCs are located within each of APD's six regions and are organized within those regions by area. Council members serve on a voluntary basis without payment for their services but are reimbursed for per diem and travel expenses as provided in section 112.061, F.S. Section 393.502(9), F.S., requires an annual financial review of the FCC's expenditures.

190815-02.01 FCC Audit – Central Region (Area 7) – Release Date: March 2021

In Fiscal Year 2018-2019, APD allocated \$9,000 of General Revenue to the Area 7 FCC and their expenditures totaled \$4,222.28. A portion of the total was attributed to expenditures incurred in Fiscal Year 2017-2018 but paid in FY 2018-2019. The Area 7 FCC provided services to Brevard, Orange, Osceola, and Seminole counties. Based on our review, we noted concerns in the following areas: policies and procedures, legal documents, travel authorizations, and travel reimbursements.

We provided seven recommendations to State Office management and the Central Region Operations Manager where internal controls could be improved if the recommendations are implemented.

190815-02.03 FCC Audit – Central Region (Area 14) – Release Date: April 2021

In Fiscal Year 2018-2019, APD allocated \$9,000 of General Revenue to the Area 14 FCC. The Area 14 FCC provided services to Hardee, Highlands, and Polk counties. The Area 14 FCC did not incur any expenditures during that year. An evaluation of select controls could not be completed due to this scope limitation.

190815-02.02 FCC Audit – Central Region (Area 13) – Release Date: May 2021

In Fiscal Year 2018-2019, APD allocated \$9,000 of General Revenue to the Area 13 FCC and their expenditures totaled \$3,963.03. The Area 13 FCC provided services to Citrus, Hernando, Lake, Marion, and Sumter counties. Based on our review, we noted concerns in the following areas: questioned costs, travel authorizations, and travel reimbursements. We also included management comments regarding the items object code classification and travel reimbursement checklist.

We provided seven recommendations to State Office management and the Central Region Operations Manager where internal controls could be improved if the recommendations are implemented.

The Audit Section had one audit in progress at year end No. 201027-01-IA, FCC Audit – Northeast Region (Areas 3, 4, & 12). The audit is scheduled to be completed within Fiscal Year 2021-2022.

Management Reviews

200713-01-OA APD Long Range Program Plan and Performance Measures – Release Date: August 2020

In accordance with section 20.055, F.S., the Audit Section performed a review and validation of APD’s legislatively approved performance measures and related supporting documentation as reported in the APD’s Long-Range Program Plan. We determined that all seven performance measures were reliable, and six of the seven performance measures appeared to be valid.

We provided two recommendations to State Office management on the validity of a performance measure and on maintenance of supporting documentation.

200715-01-OA Internal Quality Assessment Review – Release Date: November 2020

In anticipation of an external quality assessment review, the Audit Director performed an internal quality assessment review to determine the efficiency and effectiveness of the internal audit activity and to evaluate the internal audit activity’s conformance with the *Standards* and the Code of Ethics. The results of the review were validated by an external party.

We provided eight recommendations to the Inspector General, if implemented, will ensure the internal audit activity generally conforms to all the *Standards* and the Code of Ethics and will strengthen the internal audit activity.

The Auditor General completed an external quality assessment review of the internal audit activity in May 2021. The Auditor General expressed an opinion that the quality assurance and improvement program related to the internal audit activity was adequately designed and complied with during the period July 2019 through June 2020 to provide reasonable assurance of conformance with the *Standards* and the Code of Ethics. Also, the Office of Inspector General generally complied with those provisions of section 20.055, F.S., governing the operation of State agencies’ offices of inspectors general internal audit activities.

201019-01 Client Data Management System (i-Connect)

During Fiscal Year 2020-2021, the Office of Inspector General participated in APD meetings for the i-Connect Implementation Project. The i-Connect system will provide APD with an integrated enterprise client data management system that will automate manual

processes and collect data at the client specific and provider specific level so analysis, tracking, reporting, fraud prevention, and quality improvement processes can be improved.

Follow-Up Audit Activities

201012-01-FUP Internal Audit Follow-ups – Completed June 2021

The Audit Section obtained a follow-up status report on the following internal audits:

- 90201-01, Audit of Selected Human Resources Functions and Personnel Records Management. APD management took corrective action to address the report findings and recommendations.
- 171227-01, Audit of Client Funds 2018: Capstone Adaptive Learning & Therapy Centers, Inc.; Horizons of Okaloosa, Inc (Arc of the Emerald Coast); Sterrett Group Home; and Children Are Our Future, Inc. Entity management at Capstone Adaptive Learning & Therapy Centers, Inc. and Horizons of Okaloosa, Inc (Arc of the Emerald Coast) took correction action to address the report findings and recommendations. Children Are Our Future, Inc. closed their group homes during our follow-up. Sterrett Group Home changed owners during our follow-up. Our office continues to work with management to address select report findings and recommendations.

200519-01-EA Status of Corrective Actions - Florida Auditor General Report No. 2020-170 – Completed July 2020

In a status update dated July 17, 2020, management stated that they addressed the following recommendation:

We again recommend that APD management take steps, including implementing adequate record retention controls, to ensure that continued stay reviews of ICF-IID beneficiaries are timely completed and appropriately documented in accordance with Federal regulations.

Management subsequently changed their response to partially corrected after the Auditor General performed subsequent compliance testing procedures.

External Audit Coordination

The Audit Section acted as APD's liaison on six audits, reviews, or information requests conducted by outside organizations. Three of these will carry over into Fiscal Year 2021-2022. The organizations included the Auditor General, the Florida Digital Service within the Florida Department of Management Services, and the U.S. Department of Labor. The

Audit Section's level of coordination activities varied per project. Activities typically include the following: being copied on correspondence, coordinating meetings, facilitating relevant communication, and coordinating APD's responses to audits, reviews, and information requests from these entities.

Oversight Activities

210423-01-OA Risk Assessment and Annual Work Plan (2020-2021) – Release Date: June 2021

In accordance with section 20.055, F.S., the Audit Section performed a periodic risk assessment and developed its annual and long-term audit plan based on the results of the assessment.

200724-01-OA Office of Inspector General Annual Report (2019-2020) – Release Date: September 2020

In accordance with section 20.055, F.S., the Office of Inspector General prepared an annual report summarizing the activities of the office during the preceding fiscal year.

200724-02-OA Legislative Budget Request Schedule IX: Major Audit Findings and Recommendations – Completed: July 2020

In accordance with Chapter 216, F.S., the Schedule IX should be completed by the Chief Internal Auditor to include major findings and recommendations from audit reports issued by either the Auditor General or the Chief Internal Auditor from the current fiscal year and the previous fiscal year.

Other oversight activities included:

- Internal/External Assistance - Assisted internal and external customers on 14 different topics.
- Chief Inspector General Support – Participated in or provided administrative support for three different topics: a risk readiness review workgroup and an APD risk readiness review, a cyber security survey, and review of House Bill 1079 (2021) regarding contract oversight.
- Catalog of State Financial Assistance Project Reviews – Reviewed APD's documentation related to four state projects.
- Internal Quality Assurance Review - As a part of the Audit Section's internal quality assurance program, the work papers of each audit were reviewed for compliance with the *Standards* and internal audit policies and procedures at the conclusion of each audit. All recommendations and issues noted were addressed at the time of

each quality assurance review.

- Internal Audit Process Improvements - Updated internal audit processes such as creating or updating templates to promote efficiency.
- Public Records Requests – Assisted with two public records requests received by the Office of Inspector General.
- FCC Expenditure Reviews – Performed cursory reviews of FCC expenditures to identify items that needed immediate follow-up.

Outreach, Education, and Management Support

For outreach and education, the Office of Inspector sent a message to all APD employees that included the top 20 worst passwords for 2020. The message included tips from APD's security team on password management. For management support, the internal audit section staff participated in various APD meetings throughout the year. Meeting topics included COVID-19, operational updates, and emergency operations. Additionally, the Audit Section participated in COVID-19 Accountability Workgroup calls held by the National Association of State Auditors. Information obtained from the meetings helped the Audit Section stay informed of current issues affecting APD and provided opportunities to offer informal recommendations.

Significant Outstanding Recommendations from Prior Annual Reports

171227-01 Audit of Client Funds 2018:

- Audit of Sterrett Group Home - Release Date: July 2018
171227-01.1 – Five recommendations remain open to improve accounting for and retaining supporting documentation for client's expenditures. Sterrett Group Home changed owners during Fiscal Year 2020-2021. Our office continues to work with management to address select findings and recommendations.

Summary of Recommendations Related to Significant Abuses and Deficiencies Disclosed in Internal Audits During Fiscal Year 2020-2021

- No significant abuses or significant deficiencies were identified by the Audit Section.

Other Office of Inspector General Activities

In addition to performing investigations and audits, the Office of Inspector General also performs the following services and activities:

Reference Checks

The Office of Inspector General performs personnel reference checks against Office of Inspector General case files at the request of the Office of Human Resources. In Fiscal Year 2020-2021, the Office of Inspector General performed 485 reference checks for re-hires, promotions, and other personnel actions.

Critical Incident – Sexual Abuse

The Office of Inspector General receives copies of Critical Incidents – Sexual Abuse in accordance with section 393.135, F.S. The Office of Inspector General monitors allegations within the incident reports by tracking and following up on the status and resolution of the incidents. During Fiscal Year 2020-2021, the Office of Inspector General monitored 34 Critical Incident – Sexual Abuse incidents.

Computer Security Incident Response Team

The Computer Security Incident Response Team responds to suspected computer security incidents by identifying and controlling incidents, notifying designated Computer Security Incident Response Team responders, and reporting findings to APD management. The Office of Inspector General is a core member of the Computer Security Incident Response Team for APD.

Anti-Fraud Activities

The Office of Inspector General is responsible for coordinating the APD's anti-fraud activities. The Office of Inspector General presents fraud deterrence information to internal and external audiences in an effort to identify or prevent significant violations of governing directives. Additionally, the Office of Inspector General is a member of and attends the Inter-Agency Medicaid Fraud and Abuse Meetings hosted by the Agency for Health Care Administration.



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