



September 18, 2023

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Director Hatch 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 2022-2023. The report summarizes the accomplishments of staff within the Investigations and Audit Sections during Fiscal Year 2022-2023.

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 2023-2024.

Respectfully submitted,

Erin Romeiser

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 audits, reviews, assessments, and investigations of agency programs, activities, and functions to assist APD in accomplishing its overall mission to support individuals with unique abilities and their families in living, learning and working within their communities by creating multiple pathways to possibilities.

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, 2023:



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 (1)*
- *Certified Internal Auditor (1)*
- *Certified Information Systems 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 2022-2023

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 2022-2023	Quantity
Investigative Activities	155 ¹
Audit Activities	45 ²
Other Types of Office of Inspector General Activities ³	4

Summary of Activities Closed by Type during Fiscal Year 2022-2023	Quantity
Investigative Activities	154
Audit Activities	44
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 154 new cases in Fiscal Year 2022-2023; 1 case was carried forward from the previous fiscal year, totaling 155 cases. The review of Critical Incidents is counted as an Investigative Activity.

² The Audit Section opened two audits in Fiscal Year 2022-2023. Two audits were carried over from Fiscal Year 2021-2022 that resulted in three audit reports. Other audit activities include Management Reviews (2); Follow-up Audit Activities (2); External Audit Coordination (2); Oversight Activities (33); and Outreach, Education, and Management Support (1).

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 2022-2023

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 2022-2023, the Investigations Section received, reviewed, and processed 155⁴ complaints or requests for assistance; 154 of the 155 complaints or requests for assistance were closed during the fiscal year. Of the 155 complaints or requests for assistance, 3 resulted in internal investigations; 2 were handled as preliminary inquiries; 114 were referred to management, law enforcement and other agencies; 1 was handled as a public records request; 1 was handled as a management assistance; and 34 critical incidents were reviewed.

Investigative Activities Completed during Fiscal Year 2022-2023

Type of Investigative Activity	Quantity
Investigations	2
Preliminary Inquiries	2
Management Referrals	86
Referrals to Law Enforcement and Other Agencies	28
Public Records Request	1
Management Assistance	1
Review of Critical Incidents	34
Total	154

⁴ The Investigations Section opened 154 new cases in Fiscal Year 2022-2023; 1 case was carried forward from the previous fiscal year, totaling 155 cases.

Summary of Investigations Closed in Fiscal Year 2022-2023

- Case Number 23-005
The Investigations Section initiated an investigation into an allegation that an employee used unnecessary force against a resident. The allegation was not supported.
- Case Number 23-071
The Investigations Section initiated an investigation into an allegation that three employees failed to comply with Florida election laws when they hand-delivered residents' vote-by-mail ballots to the ballot box. The allegation was supported.

Summary of Recommendations Related to Significant Abuses and Deficiencies Disclosed in Investigations During Fiscal Year 2022-2023

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

Accreditation

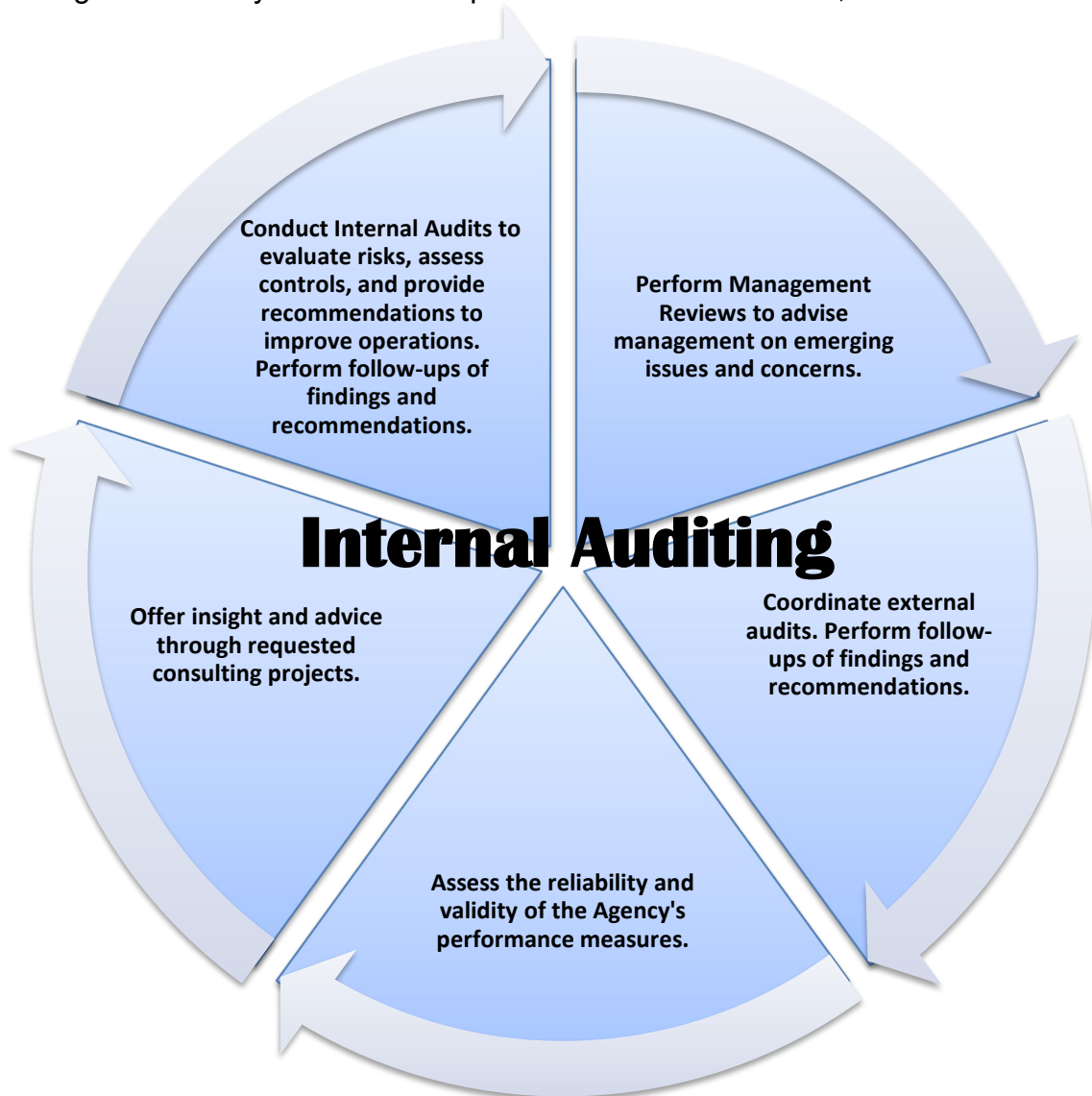
On October 31, 2007, the Chief Inspector General, along with the Commission for Florida Law Enforcement Accreditation, Inc. (Commission) initiated an accreditation program for Florida Offices of Inspectors General. The program was the first of its kind in the nation for agency Offices of Inspectors General. The Investigations Section obtained initial accreditation in June 2021 and remains in compliance with the standards set forth by the Commission. The Investigations Section submits an annual report regarding compliance with the standards to the Commission and will be assessed by Commission assessors every three years to confirm continued compliance with applicable Commission 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 can:



Summary of Audit Section Activities in Fiscal Year 2022-2023

During Fiscal Year 2022-2023, the Audit Section completed 4 internal audits. The Audit Section also performed management reviews; follow-up audit activities; external audit coordination; oversight activities; outreach, education, and management support; and activities related to the quality assurance and improvement program. The table below provides a summary of the completed audit activities by type performed in Fiscal Year 2022-2023.

Audit Activities Completed during Fiscal Year 2022-2023

Type of Audit Activity	Number of Activities
Completed Internal Audit Reports	4
Management Reviews	2
Follow-up Audit Activities	2
External Audit Coordination	2
Oversight Activities	33
Outreach, Education, and Management Support	1
Total Audit Activities	44

Summary of Completed Internal Audits in Fiscal Year 2022-2023

220531-01-IA, FCC Audit, Family Care Council of Florida (FCCF) – Release Date: February 2023

We evaluated the FCCF’s governance process that relates to carrying out the function specified in section 393.502(7)(d), F.S., to meet and share information with other local Family Care Councils (FCCs), and to determine whether the FCCF complied with applicable expenditure requirements. Based on our review, we noted concerns in the following area: Unauthorized expenditures.

We provided three recommendations to APD to improve internal controls.

220810-01-IA, Arc of Florida Contract Audit – Release Date: May 2023

In August 2022, at the request of the APD Director, the OIG performed an audit of the dental program activities as specified in contract ACX74. In Fiscal Year 2021-2022, APD contracted with the Arc of Florida, Inc. for dental services which included maintenance and enhancement of the dental program, application processing, dental care coordination, and

non-emergency medical transportation. Based on our review, we noted concerns in the following areas: Contract monitoring, billing discrepancies, provider records, protected health information, training, and background screenings.

We provided nine recommendations to APD to improve contract administration and monitoring activities.

201027-01-IA.01, FCC Audit, Northeast Region (Area 4) – Release Date: June 2023

Pursuant to 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. 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. Based on our review, we noted concerns in the following areas: Travel authorizations, travel reimbursements, legal documents, and object code classification.

We provided three recommendations to the Northeast Regional Operations Manager and one management comment to the State Office to improve internal controls.

201027-01-IA.02, FCC Audit, Northeast Region (Area 12) – Release Date: June 2023

Pursuant to 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. 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. Based on our review, we noted concerns for expenditure authorizations.

We provided two recommendations to the Northeast Regional Operations Manager to improve internal controls.

Management Reviews

**220713-01-MR APD Long Range Program Plan and Performance Measures –
Release Date: August 2022**

In accordance with section 20.055(2)(a/b), 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 valid, and that management took

corrective action to address prior year recommendations.

220711-01-MR Client Data Management System (i-Connect)

During Fiscal Year 2022-2023, the Office of Inspector General participated in several 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

220712-01-FUP Status of Corrective Actions - Florida Auditor General Report No. 2022-189 – Completed July 2022

In a status update dated July 26, 2022, APD management stated that they took some action to address the following recommendation and that the status was partially complete:

- We recommend that APD management take steps, including collaborating with the Florida Agency for Health Care Administration, to ensure that APD records evidence appropriate monitoring of, and follow-up regarding, quality improvement organization performance, and to promote the timely submission of accurate ICF-IID information to the quality improvement organization.

220913-01-FUP Internal Audit Follow-ups – Completed June 2023

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

- OIG No. 210819-01-IA, Contract Compliance Audit. APD management took corrective action to address one report finding and recommendation. The internal audit section will follow-up on the remaining findings and recommendations during the next scheduled audit in Fiscal Year 2024-25.

External Audit Coordination

The Audit Section acted as APD's liaison on two audits conducted by the Auditor General. One audit will carry over into Fiscal Year 2023-2024. 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 the entity.

Oversight Activities

230308-01-OA Risk Assessment and Annual Audit Plan (2023-2024) – Release Date: July 2023

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.

220727-01-OA Office of Inspector General Annual Report (2021-2022) – Release Date: September 2022

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.

220913-01-OA Legislative Budget Request Schedule IX: Major Audit Findings and Recommendations – Completed: September 2022

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 nine various topics.
- Catalog of State Financial Assistance Project Reviews – Reviewed APD’s documentation related to nine state projects.
- Chief Inspector General Support – Assisted on six requests from the Chief Inspector General’s office.
- Internal Audit Process Improvements - Updated internal audit processes such as creating or updating management review templates and the internal audit manual and charter.
- Processed two public records requests.

Outreach, Education, and Management Support

For management support, the internal audit section staff participated in various APD meetings throughout the year. Meeting topics included operational updates and emergency operations. Information obtained from the meetings helped the Audit Section stay informed

of current issues affecting APD and provided opportunities to offer informal recommendations.

Quality Assurance and Improvement Program

Throughout the year, the Audit Director reviewed audit staff working papers and provided comments and suggestions to improve the work product. The Audit Director obtained auditee feedback on completed audits and reported the results to the Inspector General. Additionally, the Audit Director initiated an internal quality assessment review.

Significant Outstanding Recommendations from Prior Annual Reports

- No significant outstanding recommendations were identified from prior annual reports.

Summary of Findings and Recommendations Related to Significant Abuses and Deficiencies Disclosed in Internal Audits During Fiscal Year 2022-2023

- OIG Report No. 220810-01-IA, Arc of Florida Contract Audit, Issued May 2023.

Finding: The Bureau of Contract Administration did not perform all required monitoring activities.

Recommendation: We recommend Contract Administration perform required contract monitoring in accordance with contract ACX74 and Contract Administration and Management Procedures. Additionally, we recommend Contract Administration obtain provider Single Audit reports prior to and after a contract start date to assess provider risk and to determine whether timely and appropriate corrective action has been taken with respect to audit findings and recommendations.

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 2022-2023, the Office of Inspector General performed 663 reference checks for re-hires, promotions, and other personnel actions.

Critical Incident – Sexual Abuse

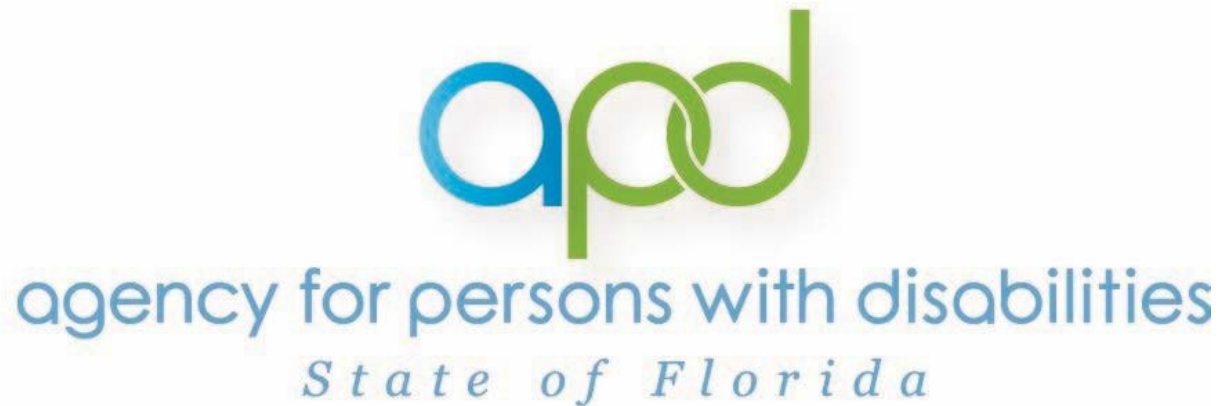
The Office of Inspector General receives copies of Critical Incidents – Sexual Abuse in accordance with section 393.135, F.S. The Office of Inspector General monitors allegations within the incident reports by tracking and following up on the status and resolution of the incidents. During Fiscal Year 2022-2023, 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.



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