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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 91 LCM-4

Date: January 10, 1991

Division: Adult Services

TO: Local District Commissioners

SUBJECT: Round II of the Protective Services for Adults (PSA) Case
Review Project

ATTACHMENTS: None

The purpose of this memorandum is to advise you of the changes that have been made to Round II of the Protective Services for Adults (PSA) case review project, which has been established to determine local district compliance with the PSA standards set forth in Part 457 of the Department's regulations.

On June 15, 1989 the Department issued a Local Commissioners Memorandum (89 LCM-97) which explained the process for Round II of the PSA case review project. As indicated in this memorandum, the responsibility for reviewing a district's PSA cases was shared between staff from the Department's Office of Audit and Quality Control (A&QC) and program staff from the Division of Adult Services (DAS). As discussed in 89 LCM-97, A&QC staff were responsible for reviewing the quantitative aspects of the standards, while program staff were responsible for reviewing the qualitative aspects of the standards, as well as approving the corrective action plans submitted by the districts and providing technical assistance to local staff. Under this arrangement case reviews were completed for 24 districts since September 1989.

Although workable, this division of responsibility did not result in the most efficient utilization of either A&QC or program staff. To address this issue, the case review process has been restructured. Under the restructured process, which will begin in the first quarter of 1991, A&QC staff will be responsible for reviewing both the quantitative and qualitative aspects of the PSA standards for the remaining 34 districts. To enable A&QC staff to expand their case review responsibilities, they were provided with substantial training on the various aspects of the PSA program.

Presented below is a summary of the various components of the restructured PSA case review project.

1. The responsibilities of A&QC and DAS staff - Under the restructured case review process, A&QC's regional offices will notify a local Commissioner that his/her district has been scheduled for a review. A&QC regional staff also will be responsible for conducting an entrance conference with the Commissioner and/or his/her designee. After the entrance conference is completed, A&QC staff will conduct the entire case review in the offices of the local district. The case review will consist of:
 - ° a review of a sample of opened PSA cases;
 - ° a review of the ten (10) most recent cases assessed for, but not opened as PSA;
 - ° interviews with 10 collateral contacts; and
 - ° completion of adult abuse survey forms.

After A&QC's findings are reviewed by DAS program staff, A&QC staff will schedule an exit conference with the district to discuss the case review. Both A&QC and DAS program staff will attend the exit conference.

After the exit conference, A&QC will prepare and send the draft case review report to the district, which will include the proposed amount, if any, of PSA reimbursement to be withheld from the district. A district will have 30 days to challenge the findings in the draft report. District challenges are to be sent to the appropriate A&QC regional office, which will provide a copy to the Division of Adult Services. DAS program staff will review the cases for which the findings are challenged and advise A&QC of their final determinations. A&QC staff then will prepare the final report to be sent to the district which will include the final amount, if any, of PSA reimbursement to be withheld. If a district disagrees with the Department's decision to withhold reimbursement based on the final case review findings, it has the right to request a fair hearing in accordance with Section 34-a.4 of the Social Services Law.

Local districts are required to submit corrective action plans to DAS which address the deficiencies identified by the case review. DAS staff are responsible for all follow-up activity with the districts in terms of the provision of technical assistance to local staff and the review, approval and monitoring of the implementation of corrective action plans.

2. Sample Selection - The sample of cases to be reviewed for each district as part of Round II of the case review are randomly selected from those cases which initially were opened for, or remained opened as PSA cases after the beginning of the calendar quarter following the approval of a district's corrective action plan for Round I of the case review. Therefore, a district will be held accountable for all PSA case activity which occurred subsequent to the beginning of the calendar quarter following the approval of its corrective action plan until the date the entrance conference is conducted by A&QC staff. The actual number of cases to be reviewed in each district will be determined by the size of its PSA caseload. A&QC's statistical consultant has assisted us in developing the sampling methodology for Round II of the case review to assure the validity of this process.

3. Sanctions Methodology - Districts which are determined to be out of compliance with one or more of the PSA standards are assessed fiscal sanctions for the period of time covered by the review. A district is determined to be out of compliance if less than 85% of the cases reviewed comply with the PSA standards. The sanctions methodology we have developed weights each case review standard based on its relative importance in terms of service delivery. Our weighted system assigns a certain number of points to each case review standard, with the total number of points equalling 100. In addition to weighting the PSA standards in terms of service delivery importance, the amount of reimbursement to be withheld from a district is determined by its degree of non-compliance with the standards. The full sanction amount is applied when 70% or less of a districts cases are in compliance with the applicable standard. If a district's compliance rate for a standard is between 70.1% and 77.5%, two thirds of the full sanction is applied. For a compliance rate between 77.6% and 84.9%, one third of the full sanction is applied. Therefore, sanctions will be imposed based upon the total weighted value of the standards and the degree to which the district is out of compliance with one or more of the standards. For example, if a district is determined to be out of compliance with four standards worth a total of 50 points, the Department would withhold 50% of the district's state reimbursement for the period of time covered by the review. However, once a district is able to demonstrate that it has implemented the necessary corrective actions to achieve compliance with the standards, the withheld reimbursement will be released.

The specific standards being reviewed and the points assigned to them are as follows:

<u>Standard</u>	<u>Points</u>
Timely Response to Referrals	15
Timely Completion of Services Plan	10
Appropriateness of Services Plan	10
Appropriateness of Eligibility Determinations	10
Monthly Visits to Clients	15
Timely Completion of Updated Services Plans	5
Service Plan Implementation	25
Progress Note Content (Substantive)	5
Progress Note Content (Technical)	<u>5</u>
Total	100

As indicated in Section 2 of this memorandum, during Round II, a district is held accountable for all PSA case activity which occurred subsequent to the beginning of the calendar quarter following the approval of its corrective action plan for Round I of the case review. Therefore, in some of the cases to be reviewed we will not be able to apply the standards which pertain to the timely response to referrals and the timely completion of the services plans. In these cases, the points assigned to these standards will be distributed among the remaining standards on a proportional basis.

A copy of the review form to be used by Department staff in determining compliance with each of these standards is available upon request.

If you or your staff have any questions about this memorandum, please contact your district's PSA program representative as follows:

Irvin Abelman, 1-800-342-3715, ext. 432-2980 or (212)804-1247
 Kathleen Crowe, 1-800-342-3715, ext. 432-2996
 Marsha Ross Meyers, 1-800-342-3715, ext. 432-2997
 Janet Morrissey, 1-800-342-3715, ext. 432-2864

Sincerely,

Judith Berek
 Deputy Commissioner