



STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES
DEPARTMENT OF DEVELOPMENTAL SERVICES

July 22, 2016

Ms. Jackie Garner
Consortium Administrator
Consortium for Medicaid and Children's Health Operations Centers
For Medicare and Medicaid Services
233 North Michigan Avenue, Suite 600
Chicago, IL 60601

Dear Ms. Garner:

The Connecticut Department of Social Services (DSS), the dedicated state agency for the administration of the Medicaid program, and the Connecticut Department of Developmental Services (DDS), have collaboratively discussed the outcome and recommendations cited in the audit report issued by the Department of Health and Human Services (DHHS) Office of Inspector General (OIG) Audit Number A-01-14-00002. Both DSS and DDS are committed to ensuring that there are safeguards in place to protect the health and safety of the waiver beneficiaries of the Connecticut Medicaid program. DSS and DDS acknowledge that immediate actions need to be taken (and are being taken) to improve the incident reporting management system within DDS. In response, both agencies have already taken proactive measures to address, in both the short- and long-term, the outcomes of the audit and the four recommendations made by the OIG at the conclusion of the audit report as follows:

1) **“Work with DDS to develop and provide training for staff of DDS and group homes on how to identify and report critical incidents and reasonable suspicions of abuse or neglect.”**

- DDS has revised the statewide abuse/neglect training curriculum which includes examples of reportable abuse/neglect of beneficiaries.
- DDS is pursuing the development of video in-service training pertinent to abuse/neglect reporting and investigation using the DDS Production Studio resources, with corresponding checks and balances to ensure compliance with video training modules. Anticipated projects will include training pertaining to revisions made to the DDS Incident Reporting Procedure(s) and abuse/neglect reporting and investigation. Direct, in person informational sessions will also be scheduled in conjunction with video training modules.
- The DDS Division of Investigations (DOI) provides statewide training on at least a quarterly basis to DDS providers and to DDS funded private providers using a standardized curriculum for conducting comprehensive investigations into allegations of abuse and neglect of individuals receiving services funded by DDS. The DDS DOI has scripted a mock interview of a staff person accused of abuse and neglect to illustrate the appropriate manner by which to conduct such an interview. The DDS DOI staff trainers have acted out the mock interview in the last two new investigator training sessions that were held April 5-7, 2016 and June 28-30, 2016 for public and private providers. The mock interview exercise has proven to be an effective training tool and was well received by training participants. The next step will be recording the interview with the assistance of the DDS Production Studio for use at future trainings provided by the

DDS DOI, so that staff will have access to best practices for comprehensive investigation at all times, not just during statewide trainings.

- DSS and DDS are reviewing options to address the OIG audit conclusion that staff at Connecticut hospitals, as mandatory reporters, failed to report allegations of abuse and neglect to either OPA or to DDS. Further discussions with the Connecticut Department of Public Health and the Connecticut Hospital Association (CHA) are warranted. DSS has committed to reaching out to the CHA as a starting point.

2) **“Work with DDS to develop a data-exchange agreement and related analytical procedures to ensure DDS access to the Medicaid claims data contained in Connecticut’s MMIS to detect unreported and unrecorded critical incidents.”**

- DDS and DSS continue to have regular ongoing meetings to address this recommendation. We are currently finalizing a data-exchange agreement or Memorandum of Understanding (MOU). DDS and DSS currently have an MOU for data-exchange and are in the process of revising the MOU to address the need for DDS to obtain Medicaid claims data pertinent to beneficiaries enrolled in waiver services.
- The DDS IT Director is currently working with the DSS IT Department to evaluate the software and system requirements for DDS to be able to securely access Medicaid claims data contained in Connecticut’s MMIS.
- On June 27th and June 28th, 2016, DSS provided identified DDS personnel with training pertinent to accessing data warehouse information. Participants were given the opportunity during the training to explore various types of queries or requests for information that are available once DDS gains access to such an exchange of information. The steps needed in a query to detect hospital visits and related care and treatments provided to beneficiaries were explored. Participants, while at the training, successfully accessed targeted beneficiary data. A second training pertinent to accessing data warehouse information will be provided by DSS to additional DDS personnel on August 10th and August 11th, 2016.
- DDS is in the process of reassigning dedicated DDS staff to review and conduct trend analysis of Medicaid claims data obtained from DSS.

3) **“Work with DDS to update DDS policies and procedures to clearly define and provide examples of potential abuse and neglect that must be reported.”**


- In order to manage and reduce the risk of Critical and Non-Critical incidents, DDS continues to have a system in place for reporting and monitoring incidents that involve individuals served by DDS. DDS Procedure I.D.PR.009, “Incident Reporting,” is the procedure which governs incident reporting management. Although this procedure was in place at the time of the OIG audit, the procedure is currently under revision by DDS to address the OIG audit outcome and recommendations. DDS has completed drafts for a Critical Incident Reporting Procedure and a Non-Critical Incident Reporting Procedure. The current operating version of this procedure has both incident types combined together. By separating the incident types in the DDS procedures, and having a clearer, yet expanded, definition of Critical Incidents, DDS will be able to obtain valuable information for determining if an allegation of abuse or neglect exists, with the goal of near real time reporting of an incident. The main change to the definition of a Critical Incident, based on the results of the OIG audit, is the addition of Urgent Medical Care Visits to qualify, not only hospital admissions, as the procedure is currently written.

- The implementation of these two proposed incident reporting procedures is occurring in conjunction with DDS developing and operationalizing an automated system for incident reporting. DDS is currently working with the Office of Policy and Management (OPM) and DSS to develop an automated incident reporting system with appropriate IT infrastructure. OPM has established it as a priority for DDS within the Integrated Eligibility Program Management Organization (IEPMO) Steering Committee, of which the DDS Commissioner and the DDS Chief of Staff are members. We are working within this framework to create a non-duplicative automative system that can interface with other systems across agencies, as needed. With an automated system that is rule based, there will be far less human error associated with making a determination as to whether or not an incident rises to the level of critical and if such an incident should be reported as a potential abuse/neglect allegation, in comparison to what exists now with DDS' current paper based incident reporting system.
 - DDS will continue to revise applicable abuse/neglect reporting and investigation policies and procedures to address the OIG audit findings. DDS will ensure that the abuse/neglect procedural definitions are consistent with the DDS Abuse/Neglect Registry statutory definitions and that the updated definitions are included in the applicable staff training curricula.
- 4) **“Coordinate with DDS and OPA to ensure that any potential cases of abuse or neglect that are identified as a result of new analytical procedures are investigated as needed.”**
- In February 2016, DDS and the State Office of Protection and Advocacy (OPA) finalized and signed an updated MOU outlining the process by which abuse/neglect allegations concerning individuals with intellectual disabilities and individuals receiving funded services from the DDS Division of Autism Spectrum are reported and investigated.
 - DDS and OPA continue to meet quarterly to discuss any issues of concern, including the outcome of the OIG audit and any high profile matters requiring further analysis. The next quarterly meeting between DDS and OPA is scheduled for August 12, 2016. In addition, the DDS Director of Investigations and the OPA Abuse Investigation Program Director meet on a monthly basis to discuss day to day operational concerns requiring attention. As DDS revises policies and procedures relevant to incident reporting and abuse/neglect reporting and investigation, DDS will ensure that OPA has the opportunity to collaborate with DDS to ensure such revisions are consistent with Connecticut General Statutes applicable to the OPA investigatory requirements. (It should be noted that OPA is scheduled to be privatized by July 2017.) However, the OPA Abuse Investigation Division will be moved to the Connecticut Department of Rehabilitation Services. As that transition date approaches, DDS and the Department of Rehabilitation Services will review the current MOU and execute a revised MOU to reflect any and all necessary revisions and change.

Thank you for the opportunity for us to respond to the outcome of the OIG audit and to provide an update on our progress thus far with addressing the recommendations made at the conclusion of the OIG audit report. DDS has initiated meetings with key state and federal stakeholders to ensure a collaborative compliance with the expectations of the OIG. DSS and DDS will continue to work together to improve the incident management system within DDS to ensure the health and well-being of all Medicaid beneficiaries, focusing on increased education, training, hospital claims analysis, as well as the implementation of an

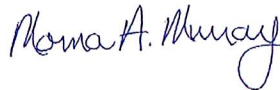
automated incident reporting system. We will also continue our work with the OPA, as well as other Connecticut state agencies, to improve the mandatory reporting of allegations of abuse and neglect for such beneficiaries.

Sincerely,



Roderick L. Bremby
Commissioner
CT Department of Social Services

Sincerely,



Morna A. Murray, J.D.
Commissioner
CT Department Developmental Services

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