

# Office of Health Facility Complaints

Update to 2018 Evaluation Report

January 2019

## Problems Identified

- **Ineffective Case Management System.** The Office of Health Facility Complaints (OHFC) in the Minnesota Department of Health (MDH) did not have an office-wide system that its supervisors could use to monitor the progress of cases or the workload of staff. Although OHFC received most allegation reports electronically, it printed those reports and conducted its work using paper case files.
- **Poor Management.** Over the past several years, OHFC experienced high staff turnover, and many of OHFC's internal policies were unwritten. In a survey, almost 60 percent of OHFC staff reported to OLA that they did not have confidence in OHFC senior leadership.
- **Missed Deadlines.** OHFC did not meet triage or investigation deadlines for a large share of its cases. For example, only 12 percent of the cases OHFC staff investigated in Fiscal Year 2017 were concluded within the 60-day timeframe required in state law. On average, it took OHFC nearly 140 calendar days to complete investigations.
- **Minimal Oversight of Certain Facilities that Serve Vulnerable Adults.** Through its investigations and periodic inspections, MDH verifies that *licensed* providers, such as nursing homes, meet certain standards. However, MDH does not have the same oversight of assisted living facilities that are merely *registered* with the department, even though vulnerable individuals may live in them.

## Changes Implemented

- **Office Management Improving.** MDH replaced OHFC senior leadership and has worked to improve staff training. OHFC staff also developed standardized, written protocols for its investigators and intake and triage staff, as well as other written policies and procedures. In addition, management has begun routinely auditing their work. The MDH Commissioner's Office has also been more involved with OHFC and its activities.

## Action Needed

- **Implement a New Case Management System.** Although MDH received responses to a Request for Information for an electronic case management system, it does not have available funding to acquire a new system at this time. However, in June 2018, OHFC implemented an electronic document management system to help screen allegations on a more timely basis.
- **Complete Investigations by Required Deadlines.** While OHFC has worked to streamline its workflow, it is still not completing investigations within the 60-day timeframe required in state law. MDH data for October 2018 show that it took OHFC more than 100 days on average to complete investigations.
- **Establish a Legislative Workgroup to Examine Oversight of Facilities that Serve Vulnerable Adults.** Regulatory protections for vulnerable adults vary based on the type of facility the individual lives in, not on the individual's vulnerability. A legislative work group could evaluate the state's regulatory framework to ensure it adequately protects all vulnerable adults. In the meantime, the MDH Commissioner convened workgroups to provide recommendations to the Legislature regarding policy reforms.