

DHS Oversight of Personal Care Assistance

Update to 2020 Evaluation Report

January 2021

Problems Identified

- **Concerns About Different Assessment Results.** For more than six years, DHS has allowed the use of two different assessment tools to identify need and determine eligibility for personal care assistance (PCA). DHS had not evaluated whether the use of two tools produced systematically different results, and some assessors we surveyed and interviewed expressed concerns about differences.
- **Some Initial Provider Enrollment Requirements Not Met.** Through its initial provider enrollment process, DHS generally ensured that most PCA agencies met requirements to provide services. DHS did not, however, require PCA agencies to submit all documentation required by state law for initial enrollment.
- **Unclear Monitoring Requirements.** Statutes require PCA agencies to keep employee and recipient files that include specific documents, such as records of supervisory visits. While statutes also require DHS to establish a process to monitor program integrity, they do not indicate how often or to what extent DHS should review all required documentation.
- **Untimely Action on Some Fraud Investigations.** DHS did not take timely action to fully investigate some cases in which the preliminary investigation identified issues with compliance. For example, as of November 2019, there were 317 open preliminary investigation cases that resulted in a recommendation to open a full investigation; they had been waiting for an investigator to be assigned an average of more than 270 days.

Changes Implemented

- **Improved Monitoring and Investigation.** DHS developed a method for reviewing billing for supervisory visits. The department also reports that it collaborates with the Medicaid Fraud Control Unit with regular meetings and open communication.

Action Needed

- **Promote Consistency in Assessments.** We recommended that DHS establish a firm timeline requiring all assessors to use one assessment tool and regularly consult with assessors to improve assessor training. DHS noted that the COVID-19 pandemic has had an impact on some activities and it will begin collecting feedback on training from assessors in 2021. The Legislature should require DHS to regularly evaluate the consistency of assessment results across assessors.
- **Clarify Monitoring Requirements.** The Legislature should clarify DHS's responsibilities for monitoring ongoing PCA documentation requirements.
- **Implement New Enrollment Processes.** DHS reported that it has developed processes to ensure providers meet enrollment requirements, including staff training and documentation for initial enrollment. The department should ensure that it implements and reviews these processes.
- **Create Plan for Timely Investigations.** While DHS has continued to develop policies and procedures that provide guidance to investigators to assist in improving efficiency, it should also create a plan for investigating suspected fraud and abuse cases in a more timely way.