*Welcome to LLA Reports, a podcast produced by the Louisiana Legislative Auditor’s office. This podcast is intended to be an oral representation of the written report it highlights and is primarily for the use of the Louisiana Legislature.*

This is Emily Dixon. I’m a senior manager for LLA’s Performance Audit Services. This episode of LLA Reports focuses on our new report titled “Abuse and Neglect in Home and Community-Based Services.”

This report provides the results of our evaluation of the Louisiana Department of Health’s – or LDH’s – activities related to abuse and neglect of individuals with intellectual and developmental disabilities who receive home and community-based services – or HCBS.

We found that LDH’s Health Standards Section – or HSS -- has an internal goal of conducting licensure surveys of HCBS providers once every three years to ensure they’re complying with regulations. Of the 546 providers that needed a licensure survey during fiscal years 2019 through 2023 to meet this goal, LDH did not survey 140, or 25.6 percent. In addition, 69 providers had no licensure surveys at all during this five-year period.

We found, too, that LDH conducted 1,979 surveys addressing 5,420 separate allegations of noncompliance. 2,194, or 40.5 percent, of those allegations were related to abuse or neglect.

In fiscal years 2022 and 2023, LDH completed 843, or 99.4 percent, of 848 complaint surveys within its required timelines, which was an improvement from the three previous fiscal years.

We also found that LDH faces numerous challenges in ensuring that critical incident reports are submitted as required. Multiple agencies have oversight responsibility for the health and safety of HCBS participants, which means appropriate and timely reporting is essential to ensure proper coordination of agency efforts.

We found as well that during fiscal years 2019 through 2023, LDH did not ensure that eight, or 22.2 percent, of 36 support coordination providers received all required annual monitoring reviews.

In addition, LDH has not established a process to review the monitoring efforts of local government entities to ensure that corrective actions taken by support coordination agencies are timely and sufficient.

We found that although HSS assessed $193,450 dollars in sanctions against HCBS providers during fiscal years 2019 through 2023, the maximum fine amounts allowed by law have not increased since 1997.

LDH’s Office for Citizens with Developmental Disabilities, which administers the HCBS program, also has not developed policies or processes for imposing adverse actions against support coordinators who fail to comply with regulations.

As a result of our report, we developed one matter for legislative consideration and nine recommendations.

We suggested the Legislature consider increasing HSS’ maximum fine amounts.

We recommended that LDH work to meet its internal goal of performing licensing surveys every three years, or revise its goal to better align with available staffing resources.

We also recommended thatLDH continue to focus on timely completion of surveys related to complaints and continue to perform data comparisons of Medicaid emergency room claims to Statewide Incident Management System reports, as recommended by the U.S. Department of Health and Human Services’ Office of the Inspector General.

We recommended as well thatLDH continue its efforts to train HCBS participants and providers to ensure critical incident reporting requirements are met.

In addition, we recommended that LDHperiodicallyassess local government entities’ support coordinator monitoring reviews to ensure all necessary support coordination agencies are being reviewed in accordance with policy.

We also recommended thatLDH establish a process to evaluate the timeliness of corrective action plans submitted by support coordination agencies when noncompliance is noted and incorporate support coordinator and participant interview results from annual monitoring reviews to guide decision making.

Additionally, we recommended thatLDH make data on providers’ deficiencies, complaints, and sanctions available to the public and develop an enforcement policy that outlines specific criteria for imposing adverse actions on support coordinators who do not comply with regulations.

As part of its response, which is included in the report as Appendix A, LDH agreed with seven of the recommendations and neither agreed nor disagreed with two of the recommendations.

*We hope you found this podcast informative, and that you’ll follow future episodes of LLA Reports.*

*This podcast was created as part of the audit report just discussed and is intended primarily for the use of the Louisiana Legislature. Both the full report and the podcast can be found on the LLA’s website at* [*www.lla.la.gov*](http://www.lla.la.gov)*.*

*Thank you for listening.*