



DISTRICT OF COLUMBIA
OFFICE OF THE INSPECTOR GENERAL

CHARLES J. WILLOUGHBY
INSPECTOR GENERAL

Inspections & Evaluations Division

Summary of Compliance Activities

February 2011

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Inspector General

Inspector General



February 18, 2011

The Honorable Mary M. Cheh
Chairperson
Committee on Government Operations and the Environment
Council of the District of Columbia
1350 Pennsylvania Ave., N.W.
Suite 108
Washington, D.C. 20005

Dear Councilmember Cheh:

I am writing to provide you with a summary of the Office of the Inspector General (OIG) Inspections and Evaluations Division's (I&E) work over the past 12 months to monitor agencies' compliance with recommendations presented to them in reports of inspection (ROI) and reports of special evaluation.

Background

The OIG monitors agencies' compliance with published recommendations to ensure a continued effort to mitigate deficient conditions noted in our reports and improve service delivery to District residents and others who have a vested interest in efficient and effective government operations.

Upon publication of a final ROI or report of special evaluation, the I&E inspection team sends the agency a *compliance form* (see Attachment 1) for each recommendation presented in the report. Agencies are instructed to use the forms to provide (1) a narrative regarding corrective actions the agency has taken, and (2) the name and contact information of the agency management official responsible for the corrective action(s). We ask agencies to furnish an initial response 60 days after the date of report publication; thereafter, I&E uses the contact information provided to send targeted requests for additional information, if needed, to the responsible manager.

In February 2010, I&E contacted District agencies inspected since 2006 that had not returned completed compliance forms. I&E established a point of contact at each agency, inquired about the status of their compliance efforts, and requested completed compliance forms. In some instances, I&E sent the agency another copy of the forms originally provided with the final ROI or report of special evaluation. I&E took this action to ensure that agencies were complying with the recommendations.

Methodology

To determine the status of an individual recommendation, I&E considered several sources of information. First, I&E reread the original ROI or report of special evaluation, paying particular attention to the specific conditions cited in the report and any comments provided by the head of the inspected agency following his/her review of the draft report. An agency's comments on the draft report often provide an indication of actions an agency expects to take to correct a condition cited in the report and/or comply with an OIG recommendation. I&E then assessed all materials (e.g., compliance forms, copies of policies and procedures implemented since completion of the inspection) submitted by the inspected agency.

In some instances, I&E "closed out" a recommendation based on the written comments¹ provided by the inspected agency following its review of the draft report. In other instances, I&E closed out a recommendation based on the information presented in the compliance form submitted by the agency. In a number of instances, I&E has not yet closed out a recommendation, even though the inspected agency's actions – as reported on the compliance form – appear to have either met the intent of the OIG's recommendation or mitigated/corrected the condition noted in the report. In these instances, I&E will request more information (e.g., a copy of a procedure that an agency reportedly has implemented) from an agency to verify agency action before closing out the recommendation. Finally, there are also instances where I&E has closed out a recommendation based on the agency's narrative and other information provided, but plans to contact the agency in the future to spot check continued compliance.

Summary of I&E Compliance Activities

From March 2010 to present, I&E received and analyzed over 300 compliance forms. Table 1 presents summary data. For any agency with one or more open recommendations, I have identified the open recommendation(s) and attached the corresponding report's table of contents to give additional context to the issues. (Attachments 2-8)

¹ Agency comments are published verbatim in the final report.

Table 1 – Current Status of I&E Recommendations

Inspected Agency (Report Number; Date of Publication)	Recommendations		
	Total	Closed	Open
Department on Disability Services (10-I-0037JM; 9/16/10)	18	9	9
Department of Real Estate Services (DRES) – Protective Services Police Department (10-I-0036AM; 5/14/10)	21	0	21 ²
Homeland Security & Emergency Management Agency (10-I-0035BN; 4/22/10)	5	4	1
Alcoholic Beverage Regulation Administration (10-I-0034LQ; 3/18/10)	8	8	0
Public Service Commission (10-I-0033DH; 2/2/10)	19	17	2
Department of Consumer & Regulatory Affairs – Part III: Building & Land Regulation (09-I-0032CR; 9/22/09)	46	39	7
Office of Administrative Hearings (09-I-0030FS; 9/08/09)	24	24	0
Department of Mental Health Educational Services (08-I-027CF; 11/3/08)	50	39	11
Department of Human Resources (07-I-026CF; 5/16/08)	47	26	21
State Education Office ³ (07-0022SEO; 7/2/07)	37	28	9
Office of Contracting and Procurement – Part II (07-0020PO; 2/22/07)	11	11	0
Office of Contracting and Procurement – Part I (06-0017PO; 8/23/06)	17	17	0
<u>Total</u>	<u>303</u>	222	81

² On December 21, 2010, the OIG requested an update from DRES on the status of its compliance forms. DRES indicated that it was working on a submission, but the OIG has not yet received any compliance forms.

³ Effective June 12, 2007, the State Education Office was renamed the Office of the State Superintendent of Education.

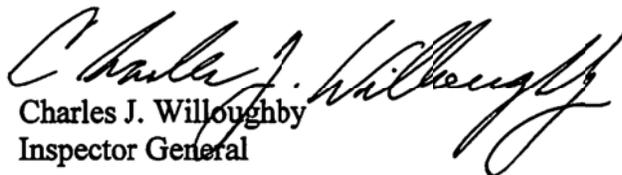
Ongoing Compliance Activity and Reporting

For the reports referenced in Table 1, I&E uses a spreadsheet to track the status of each recommendation and document subsequent communications with and planned compliance activities at the inspected agency.

Procedures are now in place to ensure consistent, periodic follow-up with inspected agencies. Upon publication of a report, I&E's compliance officer receives a copy of the report and the compliance forms that were sent to the inspected agency. Sixty days after publication, if the inspected agency has not submitted completed compliance forms or contacted the OIG regarding the status of their submission, I&E's Compliance Officer will contact the agency. Depending on available resources and priorities imposed by ongoing inspection projects, the Compliance Officer, in collaboration with I&E's Deputy Assistant Inspector General, will engage inspected agencies through various follow-up activities, such as requests for written updates and documentation, in-person interviews, and on-site observations, until all recommendations have been closed out.

At the end of this fiscal year (FY), I&E will send another letter that updates the status of the open recommendations referenced in this report and provide a summary of compliance activities pertaining to reports that I&E published during the course of FY 2011. In the interim, if you have any questions or require additional information, please contact me at (202) 727-2540.

Sincerely,



Charles J. Willoughby
Inspector General

CJW/ef

Attachments

cc: **See Distribution List**

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Attachment 1

Use this form to report actions on recommendations made by the Office of the Inspector General (OIG) following an inspection of your agency, program, or other matters. Read the OIG Inspection Report for details about OIG findings and recommendations. Include all information necessary to show compliance with the recommendation. *Fax and then mail* the completed form and any attachments to Office of the Inspector General, Attention: I&E Compliance Officer. The OIG fax number is 202/727.9903. The address is 717 14th Street, Northwest, Washington, D.C. 20005. Telephone: 202/727.2540.

INSPECTION OF: Department on Disability Services, Rehabilitation Services Administration

DATE OF REPORT PUBLICATION: September 16, 2010

OIG REPORT NUMBER: OIG No. 10-I-0037JM

Finding 3: **RSA has no caseload standards for its counselors.**

RECOMMENDATION:

- (1) That the D/DDS establish written caseload standards for counselors.

RESPONSE DUE TO THE OIG: December 14, 2010

AGENCY ACTION TAKEN (attach additional information as necessary):

RESPONSIBLE OFFICIAL:

Name: _____ **Title:** _____

Phone: _____ **Fax:** _____

Signature: _____ **Date:** _____

Attachment 2

Attachment 2 – Department on Disability Services (DDS)

This report of inspection (ROI) was published on September 16, 2010. On December 14, 2010, DDS submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information.

- That the Director of DDS (D/DDS) ensure that periodic audits are conducted to ensure information in hard copy case records matches client information in Rehabilitation Services Administration (RSA) databases.
- That the D/DDS develop and implement strategies aimed at improving employment outcomes rates, including a greater emphasis on and dedication of resources to employment outreach efforts with potential employers.
- That the D/DDS take steps to ensure counselors have increased involvement with clients and employers once their clients secure employment.
- That the D/DDS establish written caseload standards for counselors.
- That the D/DDS finalize detailed, goal-orientated Memoranda of Agreement and Memoranda of Understanding with the Court Services and Offender Supervision Agency, D.C. Public Schools (DCPS), Department of Mental Health, and the Income Maintenance Administration.
- That the D/DDS formalize and implement a written policy pertaining to the number of contacts between counselors and clients and develop supervisory mechanisms to monitor employees' compliance.
- That the D/DDS develop outreach initiatives designed to increase the number of providers available to conduct psychological assessments and employers able to provide services to RSA's clientele who have limited English proficiency.
- That the D/DDS develop and implement strategies with DCPS and other schools in the District to ensure that all students eligible for transition services are referred to RSA 2 years before the students' anticipated exit from secondary education.
- That the D/DDS finalize formal interagency agreements with the Office of the State Superintendent of Education, DCPS, and any other necessary entity pertaining to transition services.

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Attachment 3

Attachment 3 – **Homeland Security & Emergency Management Agency (HSEMA)**

This ROI was published on April 22, 2010. On September 21, 2010, HSEMA submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendation is still open. Before closing it out, the OIG will request and evaluate additional information.

- That the Director of HSEMA develop a process and provide sufficient resources to regularly aggregate and analyze the responses from all course evaluation surveys to gauge the effectiveness of its training efforts.

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Attachment 4

Attachment 4 – **Public Service Commission (PSC)**

This report of inspection was published on February 2, 2010. On July 23, 2010, PSC submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information.

- That the Chairperson of PSC (C/PSC) expeditiously complete a procedure to determine fines for Pipeline Safety Program Notices of Probable Violation (NOPVs), establish a standard timeframe for issuing NOPVs, and issue NOPVs timely.
- That the C/PSC ensure that PSC has adequate staffing to resolve informal consumer complaints timely, that the information in the consumer complaint database is current, and that company response times are monitored.

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Attachment 5

Attachment 5 – **Department of Consumer & Regulatory Affairs (DCRA) –
Part III: Building & Land Regulation**

This ROI was published on September 22, 2009. On January 8, 2010, DCRA submitted a compliance form for each recommendation. However, DCRA did not report any new actions on the compliance forms; DCRA merely restated the written comments it furnished in response to the draft report. I&E requested and received (on February 11, 2011) supplemental responses. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information.

- That the Director of DCRA (D/DCRA) ensure that all inspections for elevators and escalators, as well as other required types of inspections, are conducted as required by D.C. regulations.
- That the D/DCRA develop a written plan detailing actions DCRA will take to abate all outstanding inspections for each required area.
- That the D/DCRA determine what enforcement action should be taken regarding the Washington Metropolitan Area Transit Authority's operation of its elevators and escalators without a certificate of inspection as required by 12A DCMR § 3007.1.
- That the D/DCRA update the permit application on DCRA's website to reflect the consequences of false statements on applications and inform expeditors and other customers of DCRA's ethical standards.
- That the D/DCRA expeditiously finalize implementation of new Certificate of Occupancy policies, procedures, and processes, and educate employees and customers.
- That the D/DCRA ensure that the manlift operator examination is administered in writing, completed examinations are filed, and procedures about these examinations are issued.
- That the D/DCRA determine whether DCRA will finalize the Memorandum of Understanding with the District of Columbia Water and Sewer Authority [now D.C. Water] and assess its impact on DCRA's staffing resources.

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Attachment 6

Attachment 6 – Department of Mental Health (DMH) Educational Services

This report of inspection was published on November 3, 2008. On June 4, 2010, DMH submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information.

- That the Director of DMH (D/DMH) and D.C. Public Schools (DCPS) modify the School-Based Mental Health Program (SMHP) and Psychoeducational Services (PES) Memoranda of Understanding (MOUs) to meet the requirements set forth in DMH Policy Number 801.1 and to ensure that all affected DMH and DCPS personnel understand their obligations and responsibilities, and include the following details: responsibilities, roles, and functions of teachers, school counselors, and school administrators; infrastructure mechanisms for problem solving and communicating; evaluation and accountability requirements; and standards, quality indicators, and benchmarks.
- That the D/DMH move expeditiously to obtain all requisite criminal background checks for all of the SMHP clinicians.
- That the D/DMH develop and implement written policies and procedures that address safety during home visits and require reevaluation of policies and procedures should an incident related to safety occur during a home visit.
- That the D/DMH ensure that all employees who provide direct care to DMH consumers undergo required annual/biannual health screenings.
- That the D/DMH address the use of physical intervention in the MOU between DMH and DCPS.
- That the D/DMH develop a system to ensure that Policy Number 480.1A is applicable to all children and youths served by SMHP and require a Major Unusual Incident for any SMHP referral to the Child and Family Services Agency or Metropolitan Police Department.
- That the D/DMH expeditiously establish a secure electronic data system for SMHP.
- That the D/DMH ensure that training is provided for SMHP employees on the use of the electronic data system.
- That the D/DMH educate all employees about the hiring and promotion process and ensure that documentation that clearly explains the process is made available.
- That the D/DMH create written policies and procedures for handling clinical records when they are removed from school premises.

Attachment 6 – **Department of Mental Health (DMH) Educational Services** - continued

- That the D/DMH ensure that an audit of the clinical records maintained by PES is conducted to determine if clinical records are properly maintained according to Mental Health Rehabilitation Services/D.C. Community Services Agency policies.

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Attachment 7

Attachment 7 – Department of Human Resources (DCHR)

This ROI was published on May 16, 2008. On March 9, 2010, DCHR submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information.

- That the Director of DCHR (D/DCHR) comprehensively update the District Personnel Manual (DPM) and create written standard operating procedures to guide DCHR employee' duties and responsibilities.
- That the D/DCHR ensure adequate oversight and quality assurance of the work performed by HR Specialists.
- That the D/DCHR develop HR-specific training requirements and ensure that such training is taken.
- That the D/DCHR ensure that HR training meets HR Advisors' needs.
- That the D/DCHR consider revising personnel requirements to permit agencies to interview candidates as part of the ranking process before they appear on the selection certificate.
- That the D/DCHR revise the DPM to include guidelines for DCHR's practice of granting residency preference waivers.
- That the D/DCHR comply with policies and procedures for reporting the status of employees claiming residency preference.
- That the D/DCHR develop and publish an affirmative action plan in accordance with District laws and regulations.
- That the D/DCHR determine which District government positions require licensure and advise District agencies to ensure that all applicants selected for positions and employees meet any applicable licensure requirements.
- That the D/DCHR ensure that social work associate position classification standards are finalized expeditiously.
- That the D/DCHR ensure that the online application requests the same background information from applicants as does the DC2000 hard copy application.
- That the D/DCHR, in conjunction with the Administrative Services Modernization Program, conduct an assessment of the online application process to determine why online applications are often incomplete, and work to resolve the problem expeditiously.
- That the D/DCHR ensure that HR Specialists and District agencies are trained on the use of ranking panels.

Attachment 7 – **Department of Human Resources (DCHR)** - continued

- That the D/DCHR develop and implement a plan for compensation and classification reform based on best practices in other jurisdictions such as Fairfax and Montgomery Counties and the District's HR needs.
- That the D/DCHR establish and accurately track performance measures for the timeliness of classification actions.
- That the D/DCHR ensure that the Classification Division has adequate staff to process classification actions timely.
- That the D/DCHR streamline the process of creating and classifying position descriptions.
- That the D/DCHR ensure that training in classification and drafting position descriptions is offered to HR Advisors and agency managers.
- That the D/DCHR take steps to ensure that the Classification Division has adequate resources to review positions every 3 years.
- That the D/DCHR acquire sufficient staffing and resources to expedite complete implementation of OPUS 32 [an electronic tracking system designed to monitor the location of official personnel files].
- That the DCHR establish and implement written policies and procedures for transporting official personnel files in a secure manner.

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Attachment 8

Attachment 8 – State Education Office (SEO)

This ROI was published on July 7, 2007. On May 4, 2010, the Office of the State Superintendent of Education⁴ submitted a compliance form for each recommendation. Based on a review of the information provided by the agency, the OIG concluded that the following recommendations are still open. Before closing them out, the OIG will request and evaluate additional information:

- That the SEO and the Office of Finance and Resource Management create and implement written policies and procedures to ensure compliance with federal requirements for monitoring subrecipients.
- That the State Education Officer ensure that Gaining Early Awareness and Readiness for Undergraduate Programs, Workplace and Community Transition Training For Incarcerated Youth Offenders, and Improving Teacher Quality sub-grants are audited.
- That the State Education Officer ensure that a timeline is established to complete Nutrition Services' online application system.
- That the State Education Officer designate a records manager for all SEO units to safeguard customer applications and to maintain order in file rooms and file areas.
- That the State Education Officer develop and enforce written policies and procedures regarding the security, retention, and disposal of Higher Education Financial Services hardcopy and computer files.
- That the State Education Officer develop and implement a written quality assurance process to ensure adequate data collection and to allow for sufficient review of grant reports prior to submission to grantors.
- That the State Education Officer develop written policies and procedures to ensure that the Education Licensure Commission (ELC) provides advice on postsecondary educational needs and quarterly reports to the Mayor and City Council as required.
- That the State Education Officer ensure that the ELC has the capacity to act as a state approving agency for veteran's educational benefits.
- That the State Education Officer coordinate with the U.S. Department of Veterans Affairs to enter into and fulfill an agreement for the SEO to carry out the functions of a state approving agency.

⁴ Effective June 12, 2007, the State Education Office was renamed the Office of the State Superintendent of Education.

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