



Office for
the Aging

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November 6, 2015

Hon. Thomas P DiNapoli, Comptroller
Office of the State Comptroller
110 State Street
Albany, NY 12236

Attn: Division of Government Accountability, 11th Floor

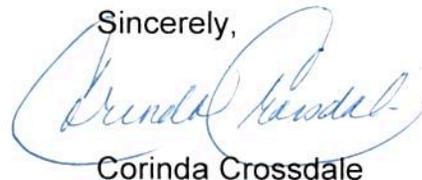
Re: Audit 2014-S-31

Dear Comptroller DiNappoli:

NYSOFA is in receipt of the draft report of the Office of the State Comptroller's (OSC) audit of NYSOFA's Social Adult Day Services Program (SADS). After reviewing the recommendations contained in the your draft report, we have compiled our comments in an attachment to this letter.

NYSOFA thanks the Comptroller for the work on this audit, particularly on identifying risks to some of the most vulnerable older New Yorkers.

Sincerely,



Corinda Crossdale

**New York State Office for the Aging
Comments on the
Office of the State Comptroller's
Draft Audit Report 2014-S-31
Social Adult Day Services**

The following is the New York State Office for the Aging's (NYSOFA) comments on the Office of the State Comptroller's (OSC) Draft Audit Report 2014-S-31 entitled "Social Adult Day Services."

General Comments:

NYSOFA appreciates OSC's recognition that the Office is fulfilling its oversight and monitoring responsibilities for Social Adult Day Services (SADS) programs that are either funded directly by the Office or by the Area Agencies on Aging (AAAs) as indicated on page 6 of the report. NYSOFA has taken additional actions including:

1. Increasing the frequency of on-site monitoring. In calendar year 2014, NYSOFA implemented an annual monitoring cycle rather than a three year cycle. NYSOFA is also incorporating unscheduled monitoring visits as part of the SADS monitoring plan.
2. Evaluating current regulations to determine whether they need to be updated.
3. Issuing a Program Instruction requiring all AAAs to utilize the data elements of the monitoring tool developed by NYSOFA.

After reviewing the recommendations contained in the OSC preliminary report, NYSOFA offers the following comments:

Recommendation #1

Relevant Stakeholder agencies should carefully consider the risks identified in this report in deciding whether a more comprehensive system of regulation, such as licensing, registration or mandated inspection is warranted as the SADS program moves forward.

Response: NYSOFA will continue to partner with the Department of Health (DOH) and the Office of the Medicaid Inspector General (OMIG) to evaluate risk mitigation strategies offered by OSC. Over the past two years NYSOFA has provided funding, technical assistance and guidance to a specialized not-for-profit to provide consistent and standardized training on regulatory compliance to SADS and Managed Long-Term Care (MLTC) providers. NYSOFA will continue these efforts and will continue to build capacity based on training evaluations.

Recommendation #2

NYSOFA should consider updating program regulations and/or providing supplemental guidance that more specifically defines expectations for factors that directly impact program quality and performance.

Response: In July of 2015, NYSOFA issued 15-PI-12 which set minimum requirements and procedures for monitoring SADS programs. NYSOFA updated and enhanced its program monitoring guide, monitoring tool, and has mandated that all AAAs annually monitor SADS programs. Additionally, NYSOFA has required the AAAs to use the data elements of the NYSOFA monitoring tool. NYSOFA is also evaluating current regulations to determine whether they need to be updated.

Recommendation #3

NYSOFA should take steps to improve existing oversight and monitoring programs including:

- Conducting on-site monitoring of each of its direct SADS contractors at least annually and making provisions for unannounced visits.
- Ensuring consistent evaluation of program compliance at the county level by requiring all AAAs to utilize the standardized SADS monitoring tool as part of the annual on-site evaluations.

Response: In 2014 NYSOFA implemented an annual monitoring plan for all direct funded SADS programs. Further, in 2015, NYSOFA extended the requirement for annual SADS monitoring to all the AAAs by issuing a Program Instruction which included a standardized SADS monitoring tool and other monitoring and evaluation tools.

Recommendation #4

Stakeholder Agencies should work together to implement a comprehensive program to oversee Medicaid funded SADS programs, which includes the oversight actions recently developed as well as procedures to verify the accuracy of the annual SADS self-assessment certifications.

Response: NYSOFA will continue to work with OMIG and DOH to support activities related to reviewing and monitoring the self-assessment Certification process.