

AUDIT PROPOSAL

Evaluating State Agencies' Registries of Perpetrators of Abuse, Neglect, and Exploitation of Persons with Disabilities

SOURCE

This audit proposal was suggested by LPA staff.

BACKGROUND

Individuals with disabilities often need assistance with household tasks like cleaning or shopping, or with personal care tasks such as dressing, eating, and personal hygiene. People who provide these care services may work in places like nursing homes, adult care facilities, or for in-home service agencies. Or families may directly hire care providers to help individuals with disabilities in their own homes.

The Department for Children and Families maintains 2 general protective services registries of people confirmed to have abused, neglected, or exploited adults and children. In addition, 6 other agencies maintain similar registries for specific purposes, such as the Board of Nursing's professional licensure registry. These registries are separately maintained and updated by agency staff when they receive confirmed reports about perpetrators. For instance, a hospital may fire a nurse for abusing a patient and report them to the Board of Nursing. If they lose their license, they would be added to the Board of Nursing's registry. But they may not be added to DCF's more general registries, too, leaving DCF's registries incomplete. Because individuals with disabilities, their families, and potential employers rely on these registries to determine if a care provider is a perpetrator, it's important the registries are complete. Testimony to the Bob Bethell Joint Committee in January 2023 suggested the current registries may not effectively prevent known perpetrators from being hired.

AUDIT OBJECTIVES AND TENTATIVE METHODOLOGY

The audit objective listed below is the question we would answer through our audit work.

The steps listed for the objective convey the type of work we would do. These may change as we learn more about the audit issues.

Objective 1: Did state agencies maintain complete abuse, neglect, and exploitation registries in recent years? Our tentative methodology would include the following:

- Work with officials from agencies and boards that maintain relevant registries (i.e., DCF, KDADS, KDHE, and the Boards of Nursing, Healing Arts, and Behavioral Sciences) and review state law and agency policies to understand the processes agencies use to identify, track, and share information on known abusers. (3 weeks)
- Interview stakeholders who regularly use agency registries to screen applicants to understand how they use the registries and any shortcomings or potential improvements they have identified through this use. These stakeholders might include families of individuals with disabilities, nursing homes, adult care homes, or in-home service agencies. (3 weeks)

- Review data from agency registries to determine whether any known perpetrators who appear in one registry also appear in the other registries they should in the last few years. This includes whether any known perpetrators appearing in professional licensure registries also appear in DCF's adult and child protective services registries. (6 weeks)
- Compare the results of the stakeholder interviews and data review to the processes agencies use and identify if the processes appear to be adequate for maintaining registries that are complete and effective for the people who use them. (2 weeks)
- Follow up with agency officials about the causes of and potential solutions for any weaknesses we identify in their existing processes. (1 week)

ESTIMATED RESOURCES

We estimate this audit would require a team of **3 auditors** for a total of **4 months** (from the time the audit starts to our best estimate of when it would be ready for the committee).