

Report in Brief

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U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL



Why OIG Did This Audit

In New York, adult day care facilities provide functionally impaired adults with socialization, supervision and monitoring, and nutrition services in a protective setting. Beneficiaries enrolled in New York's Medicaid managed long-term-care program receive adult day care services from providers contracted with Medicaid managed care organizations (MCOs). New York's health and safety requirements for adult day care facilities are detailed in its MCO contract approved by the Centers for Medicare & Medicaid Services (CMS). Our audits of adult day care facilities in six States identified multiple health and safety issues that put vulnerable adults at risk; therefore, we decided to review similar facilities in New York.

Our objective was to determine whether New York's oversight of Medicaid MCOs ensured compliance with Federal and State health and safety requirements for adult day care facilities.

How OIG Did This Audit

Of the 275 adult day care services providers in New York, we selected 20 for audit based on the number of reported encounters and geographic location. We conducted unannounced site visits at the selected facilities. During the site visits, we inspected the facilities' physical environment and reviewed the providers' documentation for staff training, emergency preparedness, and staff health status.

New York's Oversight of Medicaid Managed Care Organizations Did Not Ensure Providers Complied With Health and Safety Requirements at 18 of 20 Adult Day Care Facilities Reviewed

What OIG Found

New York's oversight of Medicaid MCOs did not ensure that 18 of the 20 adult day care services providers we reviewed complied with Federal and State health and safety requirements. Specifically, we found 476 instances of noncompliance with requirements for staff training, physical environment and safety, emergency preparedness, and staff health status.

The instances of noncompliance occurred because the MCOs did not adequately monitor their contracted providers to ensure compliance with adult day care health and safety requirements. Specifically, we found that the survey tools and procedures used during the MCOs' required annual site visits to providers were not adequate. Further, New York's oversight of the MCOs did not include obtaining or reviewing the results of the MCO's site visits, which would be necessary to verify the MCOs' compliance with health and safety requirements detailed in New York's CMS-approved MCO contract.

These deficiencies could have significantly impacted the health and safety of vulnerable Medicaid beneficiaries.

What OIG Recommends and New York Comments

We recommend that New York (1) ensure that the MCOs work with their contracted adult day care services providers to correct the 476 instances of noncompliance with health and safety requirements that we identified, (2) require MCOs to improve their site visit procedures to ensure compliance with health and safety requirements detailed in New York's CMS-approved MCO contract and New York's regulations on adult day care programs, and (3) obtain and review the results of MCO site visits at adult day care facilities as part of its beneficiary health and safety monitoring activities.

In written comments on our draft report, New York did not indicate concurrence or nonconcurrence with our recommendations and described actions that it had taken to expand its oversight of adult day care services providers. After reviewing New York's comments, we maintain that our findings and recommendations are valid.