

## Report in Brief

Date: March 2023

Report No. A-04-22-00134

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



### Why OIG Did This Audit

The Georgia Home and Community-Based Services Waiver program (the program) funds home and community-based services for people 65 and older and individuals with disabilities under 65 who are eligible for medical assistance and require the level of care provided in a nursing home but choose to live in the community. Georgia operates the program under a Federal waiver to its Medicaid State plan. The program funds adult day health care services for Medicaid beneficiaries who reside at home and attend adult day health care facilities (facilities). We have conducted various health and safety reviews nationwide and wanted to determine whether vulnerable adults participating in this program were at risk.

The objective of this review was to determine whether Georgia complied with Federal waiver and State requirements in overseeing facilities that serve vulnerable adults who receive services through the program.

### How OIG Did This Audit

Of the 102 facilities providing program services (providers) in Georgia as of December 31, 2021, we selected 20 for review based on their geographic location and number of participants. We conducted unannounced site visits from July 11 through 15, 2022.

## Georgia Did Not Comply With Federal Waiver and State Requirements at All 20 Adult Day Health Care Facilities Reviewed

### What OIG Found

Georgia did not fully comply with Federal waiver and State requirements in overseeing providers that serve vulnerable adults receiving adult day health care services through the program. Of the 20 providers that we reviewed, 19 did not comply with 1 or more health and safety requirements, and 18 did not comply with 1 or more administrative requirements. We found 312 instances of provider noncompliance, including 126 instances of noncompliance with health and safety requirements. The remaining 186 instances related to administrative requirements, some of which could significantly affect health and safety.

Georgia did not fully comply with Federal waiver and State requirements because its inspections of facilities were insufficient to ensure a continuously safe and nonhazardous environment.

### What OIG Recommends and Georgia Comments

We recommend that Georgia ensure that providers correct the 312 instances of provider noncompliance identified in this report; improve its oversight and monitoring of providers; and work with providers to improve their facilities, staffing, and training.

In written comments on our draft report, Georgia concurred with our first recommendation and said that it would investigate the 20 providers reviewed and determine what enforcement actions are required. Georgia partially concurred with our second and third recommendations. For those recommendations, Georgia said that CMS approved modifications to training requirements and onboarding processes during the COVID-19 public health emergency and that it will continue to monitor providers in compliance with regulatory oversight requirements. In addition, Georgia said that it would perform desk audits and unannounced site visits, identify findings, and take actions to remediate the findings and ensure compliance.

We acknowledge that CMS modified some regulatory oversight requirements due to the COVID-19 public health emergency. However, those modifications did not change the Federal regulations and State requirements applicable to our findings. Therefore, after review and consideration of Georgia's comments, our findings remain unchanged.