**Minutes**

**Meeting of Second Tier CS/CS 1385 Working Group**

**Location: DCF IG Conference Room**

**May 7, 2014**

**2:00 – 3:35 P.M.**

In attendance: Eric Miller, Marvin Doyal, Jim Landsberg Mike Blackburn, Keith Parks, Sonya Burgess, by Teleconference: Melinda Miguel and Dawn Case

**Inventory of Issues**

Legal Reviews – General Counsel

Impediment – Are there funds for legal counsel for legal review; we rely on our OGC for guidance; it is one of our quality standards.

Legal counsel was removed because of the cost; put on the list for next year. Mike Blackburn stated that we would still have to rely on Agency attorney because one attorney would not be versed in all 20 agencies.

CIG has a draft of an MOU agreement that says when we have to bring something to you (OGC), this is what we expect of you when you review our reports; can share the draft with you.

Eric expressed concern regarding confidential sources who make complaints and possible breaches by OGC; may want to put this in MOU regarding sharing information. If an employee makes a complaint against another employee, this is confidential

IG Retention: Cause vs. Just Cause

What are distinguishing characteristics between cause and just cause? What does cause mean. Jim Landsberg will review this. There was discussion of Line 108 of the Bill that was changed. Mike noted this alters at-will relationship with CIG

Complaint Intake

Eric gave example of a call-in from an employee, former employee, contractor or former contractor that is not an AHCA complaint and it needs to go to Elder Affairs; it could be a WB, need process and procedural guidelines so we do not breach confidentiality. Need to look at standardization. Marvin and Melinda said we may need to address referral of potential interagency WB matters.

Accreditation

Some agencies adhere to accreditation standards and others do not have policies and procedures in place. Some are accredited; some are not. Marvin suggested working with “standards now” and “standardization later.”

Law Enforcement Referrals

Marvin suggested working with “standards now” and “standardization later.”

Law Enforcement Vesting Authority

How to protect it? Agency completes CJSTC 78 form to CJSTC; agency head signs in consultation with OIG/CIG.

Technology Resources Issues

SharePoint, or something comparable, is needed. CIG should be able to access agency OIGs’ work.

Non-IG duties

CIG will need to discuss with Governor’s Office elements that may need to be removed out of CIG office, including Law Enforcement, COOP, BGS. HIPAA, Fair Hearings, MPI, EEOC, Single Audit.

Budget Issues

OPB may need to instruct agency heads regarding travel expenses, salary rate and OCO. CIG needs to be aware of legislative requests.

Issues need to be in place by timeline of July 1st.

Line 61

Keeping CIG informed concerning fraud, abuses, and deficiencies relating to this needs to be addressed again.

Line 81

Need to consider how and to what extent the agency head is involved in hiring of new IGs.

Line 108

Melinda expressed concern over how CIG can exercise oversight; how can you make sure staff does not commit malfeasance, etc. Mike stated that you can’t; you can react to it and take appropriate action to protect yourself. Training is important to prevent malfeasance, etc.

Line 133

Need process to deal with exceptions to agency head requesting an audit at any time. Marvin said legislature does not want agency head to consume all of IG’s time.

Public Records Requests

Melinda will discuss this with Candie Fuller on Monday regarding who is the custodian of records. There is inconsistency of public reports posted on the internet. There is liability with release of HIPAA and WB information. Could face tort liability for posting all closed reports.

Line 202

Need to include IG on corrective action plans developed pursuant to audit findings and recommendations; IG needs to ensure official agency response is done.

Line 218

Annual Audit Plan would have agency input, but need to figure out best practices.

Line 224

Final Annual Report; no impact. Written complaints; no impact.

Personnel

Who will approve secondary employment and who will approve IG timesheets? May be appropriate topic for IG Sachs’ work group.

The next meeting will be schedule for May 13th or 14th.