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| Office Of Fair Hearings Program Goal | | Agency/Program #: 6901-08-G3 |
| | | Division: Quality Assurance |
| | | Program: Office of Fair Hearings |
| Agency Name: | Department of Public Health and Human Services | |
| Agency Contact: | Jeff Buska/Scott Sim | 444-4216 |
| LFC Contact: | Senator Cobb, Senator Williams | |
| LFD Liaison: | Kris Wilkinson | 444-5834 |
| OBPP Liaison: | Pat Sullivan | 444-1207 |

Program or Project Description:
 The Office of Fair Hearings, within the Quality Assurance Division, conducts Informal Dispute Resolution (IDR) conferences and recommends opinions when a nursing facility disputes DPHHS survey deficiencies.

| Appropriation, Expenditure and Source | | | | | |
|---------------------------------------|-----------------|-----------------|-----------------|----------------|--|
| Fund Name: | 2008 | | 2009 | | Approp & Expenditure numbers are as of August 29, 2008 |
| | Approp. | Expended | Approp. | Expended | |
| General Fund | 7,367 | 8,086 | 7,586 | 974 | |
| State Special | | | | | |
| Federal Funds | 51,573 | 54,937 | 53,020 | 6,816 | |
| Total: | \$58,940 | \$63,023 | \$60,606 | \$7,790 | |

Legislative Goal(s):
 Provide timely and impartial Informal Dispute Resolutions (IDR) conferences and recommendation for nursing home facilities disputing DPHHS-cited deficiencies.

Legislative Performance Measures:

1. Maintain fair and impartial Office of Fair Hearings IDR decisions within state guidelines
2. Maintain a 90% timely decision percentage for all IDR recommendations within statutory timelines for the calendar year.

| 2009 Biennium Significant Milestones: | Completion Dates | |
|---------------------------------------|------------------|--------|
| | Target | Actual |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |

Agency Performance Report:

| | |
|---------------------------------------|----|
| IDRs Requested CY 2005 - | 20 |
| IDRs Requested CY 2006 - | 24 |
| IDRs Requested CY 2007 - | 19 |
| IDRs Requested CY 2008 (to 8/31/08) - | 08 |

Baseline Measurement CY 2005 & 2006

IDR Opinions Rendered in a Timely Manner

| | |
|-----------|-----|
| CY 2005 - | 28% |
| CY 2006 - | 87% |

Current Status

IDR Opinions Rendered in a Timely Manner

| | |
|------------------------|-----|
| CY 2007 - | 90% |
| CY 2008 (to 8/31/08) - | 50% |

Due to temporary staff shortage (as a result of vacations and sick leave & retirement), the IDR Presiding Officer was assigned to conduct administrative hearing cases in the capacity of a Hearing Officer. This adversely affected the timeliness of rendering IDR opinions. To correct this situation, a number of hearing appeals are being referred to the Department of Justice, Agency Legal Services Division, until the Office of Fair Hearings is fully staffed. Priority will be restored to the IDR caseload.

LFD Narrative:

LFD ASSESSMENT: Progress Report Needed

DATA RELEVANCE: Yes

APPROPRIATION STATUS: Appropriation and expenditure data were provided.

COMMENTS/ISSUES: The workgroup may wish to discuss the timeline for fully staffing the Office of Fair Hearings and the effect of the delays on the resolution of the DPHHS-cited deficiencies in nursing homes

OPTIONS: Upgrade or downgrade the rating - options for workgroup in relation to the rating are No further review or Progress Report Requested



| Version | Date | Author |
|---------|-----------|--------|
| | 9/24/2008 | |
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| Change Description |
|--------------------|
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