

2012-107 AUDIT SCOPE AND OBJECTIVES—Department of Developmental Services—Office of Protective Services

The audit by the California State Auditor will provide independently developed and verified information related to the Department of Developmental Services (Developmental Services) and its Office of Protective Services (OPS) and will include, but not be limited to, the following:

1. Review and evaluate the laws, rules, and regulations significant to the audit objectives.
2. Review and evaluate Developmental Services' rules, regulations, policies and procedures established to address the special conditions of the population served with regard to protecting consumers and preventing abuse in state-operated developmental centers to determine whether they comply with relevant laws. Further, determine the extent to which Developmental Services monitors and reviews these rules, regulations, policies, and procedures regularly to ensure that they are appropriate, effective, and routinely followed.
3. Examine the policies and procedures of the Developmental Services' OPS with regard to protecting consumers and preventing abuse in state-operated developmental centers to determine if they comply with relevant laws and are designed to meet Developmental Services' responsibilities to protect its consumers.
4. Identify the actions OPS has taken to fulfill its responsibilities to protect consumers in state-operated developmental centers and determine whether those actions are effective in protecting consumers and preventing consumer abuse.
5. Identify any performance standards OPS has developed regarding the protection of consumers and the prevention of abuse. Determine whether Developmental Services regularly assesses the reasonableness of these standards and ensures that they are being met.
6. Review and evaluate the training requirements and qualifications for peace officers and management staff in OPS to determine:
 - a. Whether they comply with applicable laws, rules, and regulations.
 - b. Whether additional training is provided for peace officers handling cases involving dependent minors and adults.
 - c. Whether hiring and recruitment practices for peace officers are sufficient to attract highly qualified candidates.
 - d. How they compare to law enforcement agencies.
7. Review and evaluate Developmental Services' and OPS's overtime policies to determine:

- a. Whether they comply with applicable laws, rules, regulations, and state guidelines.
 - b. Whether Developmental Services and OPS have policies and procedures to provide monitoring and oversight of overtime usage, including determining staffing needs, approving overtime requests, and ensuring the most cost-effective use of human resources.
 - c. If staffing conditions justify the need for and the amount of overtime used.
 - d. How the overtime policies and pay compare to those for other comparable state agencies.
8. Review and evaluate the process by which employees, consumers, or others can report allegations of consumer abuse in state-operated developmental centers, and determine, among other things, if the process includes any whistleblower protections.
 9. Review and evaluate Developmental Services' and OPS's rules, regulations, policies, and procedures for investigating allegations of consumer abuse in state-operated Developmental Centers to determine whether they comply with relevant laws, rules, and regulations, are effective, and are routinely followed.
 10. Determine how Developmental Services and OPS document and track cases of consumer abuse in state-operated developmental centers. Using that information, determine the following:
 - a. The number of cases of consumer abuse that have been documented within the past five years.
 - b. The disposition of those cases, such as the number investigated, and the number that resulted in criminal prosecution.
 11. Determine the role of the Department of Public Health (Public Health) with regard to protecting consumers and preventing abuse in state-operated developmental centers, and whether Public Health is meeting its obligations regarding consumer safety.
 12. Identify any other agencies and their respective roles in monitoring, investigating, and/or reporting allegations of abuse in state-operated developmental centers.
 13. Identify any studies conducted in the area of consumer abuse in state-operated developmental centers located in California within the last five years. Determine whether any recommendations were made and the extent to which those recommendations were implemented. In addition, determine the extent to which the recommendations from the Attorney General's 2002 report were implemented.
 14. Determine whether the policies, procedures, and practices of OPS are consistent with best practices used by a selection of comparable agencies in the following areas:

- a. Disciplinary process for employees and peace officers as it relates to violations involving consumer safety.
 - b. Process for investigating allegations of consumer abuse, including case closure rates and any other outcomes tracked.
 - c. Compensation policy for peace officers.
15. Review and assess any other issues that are significant to the protection of consumers in state-operated developmental centers.