

Frequently Asked Questions Quarterly Performance Report

1. **When is the monthly report due?** *OLM response: The monthly report is required to be submitted by the 10th of every month (unless the 10th falls on a weekend or state holiday and then it would be due by the next state business day).*
2. **What if my report is not submitted by the due date?** *OLM response: Regarding performance reporting, if a report is not submitted by the due date, then non-compliance for the quarter will be reported to SSA.*
3. **How does a provider save and submit the monthly Safety Report in excel?** *OLM response: The provider can save the monthly Safety Report in Excel version 2007 or 2010. For CPA providers, in either case, the report must be encrypted and password protected using the OLM designated password.*
4. **Will provider's be marked non-compliant for errors on the monthly Safety Report?** *OLM response: Errors are defined as numerical in nature not due to lack of information (missing information) or non-updated data elements (i.e. 2104 instead of 2014 or 4/31/14 instead of 4/30/14). If there is a lack of information (missing information) or non-updated data element(s), then the report will be marked as non-compliant and an email sent to the provider. The provider may have these errors documented on the non-compliance document to rectify only because there are true items of non-compliance.*
5. **What if my report is submitted by the due date but notice an error (as defined above) or information needing to be updated or documented?** *OLM response: If the monthly report is submitted by the due date but the program notices an error or information needing to be updated or documented, then the program will have five (5) State business days to submit an updated monthly report. The additional five (5) State business days is only allowed if that month's report was submitted on or prior to the due date.*
6. **How do I document the request for additional federal clearance information?**
OLM response:
 - a. *RCC providers should document clearance barriers, clarification, etc in the comment field (column T). If there is a FBI "hit" providers are required to request specific information from the FBI.*
 - b. *CPA providers can not hire or certify a CPA home if there is a FBI "hit" until the FBI specific information is obtained per the FBI request process. This is*

applicable for a prospective employee, applicant/co-applicant and household member over the age of 18.

- 7. How do I designate our program name on the monthly report and in email correspondence?** *OLM response: On the top of the spreadsheet is an area for Agency Name, please document your private organization's name in this area. In addition, please include contact information (i.e. name, phone #, private organization name, etc) in the monthly email correspondence.*
- 8. Will OLM provide one instance of non-compliance or a full accounting of all issues to the provider concerning their COMAR Safety Reports?** *OLM response: RCC and CPA provider agencies are provided a monthly email of their compliance status. When there is non-compliance, the provider agency is given all incidents of non-compliance. A clarification letter was sent to all CPA and RCC providers on 11/6/13 regarding areas for compliance.*
- a. RCC providers, it is suggested that a comprehensive review of the monthly reports that are submitted to our office is completed for accuracy and to ensure compliance with CPS, federal and state clearance requests prior to start date.*
 - b. CPA providers, it is suggested that a comprehensive review of the monthly reports that are submitted to our office is completed for accuracy and to ensure compliance with medicals every 2 years, annual certifications, children who turn 18 prior to the next annual certification, etc.*

***These areas of compliance are outlined in the 11/6/13 letters as well as this FAQ document.*

- 9. Will we be held accountable if DHR finds an issue of non-compliance once a quarter has passed?** *OLM response:*
- a. No, for RCC providers and CPA providers (for employees only); however, if the provider inadvertently forgets to add an employee on the report until more than a month after hire, which could be in a different quarter, then that employee will be reviewed and determined compliant or non-compliant for the quarter that the employment is documented.*
 - b. Yes, for CPA providers (for CPA homes), regarding reoccurring non-compliant issues or if the provider inadvertently forgets to add a CPA home on the report until more than a month after initial certification, which could be in a different quarter, then that CPA home will be reviewed and determined compliant or non-compliant for the quarter that the CPA home is documented.*

10. What are the differences between RCC and CPA regarding CJIS and CPS

Background clearances? *OLM response: There are clear distinctions between RCC and CPA CJIS and CPS Background clearances.*

- a. *RCC requires that the CJIS and CPS request dates are before the employee begins work at the program (COMAR 14.31.06.05 D (7)). The date the employee begins work is the same date as the start date on the COMAR safety report. This is defined by when the employee begins to accrue salaried hours.*
- b. *CPA requires that CJIS clearances and CPS results must be reviewed prior to hire (COMAR 07.05.01.09 B). For CPA providers, OLM will report to SSA non-compliance if the results date is after the start date.*

11. When can terminated staff be removed from the monthly report? *OLM*

response: This is a comprehensive list of all employees, board of directors, interns and volunteers regardless of their status (current or past). Terminated employees, board of directors, interns and volunteers can be eliminated from the spreadsheet after 4 years. Each January, employees, board of directors, interns and volunteers, who are no longer with the organization can be removed/deleted from the tab. For example, January 2014, all persons who terminated service with your organization on or prior to December 31, 2009, can be removed/deleted from the spreadsheet. In January 2015, all persons who terminated service with your organization on or prior to December 31, 2010, can be removed/deleted from the spreadsheet, etc.

12. What is the clearance requirement for hiring a former employee? *OLM*

response: The process for rehiring an employee is the same as hiring a new employee. Clearances from a previous employment period cannot be used to rehire an employee.

13. What are the clearance procedures for a transfer employee? *OLM response:*

CPS, State and Federal clearances obtained during the initial hiring period can be used for a transfer employee. An employee can only be considered a transfer from one program to another in the same organization if there is no break in service/employment. Indicate in the comment column (column T) the employee is a transfer employee.

14. How does a provider indicate on the monthly Safety Report the program an employee is assigned? *OLM response: Indicate an employee program designation in the comments column (column T).*

- a. *For RCC providers, if an employee works at multiple sites indicate on the report the employee works at all sites. If employee works at only one site, indicate the site.*

- b. For CPA providers, indicate TFC, ILP, or both (if your provider agency has both components).

15. CPA Providers only:

- a. **What are the suspensions and revocation procedures for CPA homes?**

OLM response: Suspension is for no longer than 60 days with revocation occurring within 30 days after the suspension (unless the revocation is deemed to be an emergency action). (COMAR 07.05.02.16C-E) "If certification is suspended as planned by the agency, the agency may not place additional children with the foster parent." (COMAR 07.05.02.16D(2)) "If, after 60 days, the foster parent has not addressed the reasons for the suspension, the agency shall revoke certification." (COMAR 07.05.02.16D(3)) "Within 30 days of revocation, the agency shall remove all children in care from the home." (COMAR 07.05.02.16D(4) and 07.05.02.16E(2)(b)) This is determined to be the 90 day time frame referenced in below responses.

- b. **When are CPA home re-certifications due?** *OLM response: "The agency shall conduct recertifications of certified foster parents to determine continuing compliance with State regulations and agency policy: (a) Annually; and (b) If the certified foster parent changes address, marital status, or household composition." (COMAR 07.05.02.16G(1)) Regarding performance reporting, this requirement would be considered non-compliant after the 90 day time period expires from the recertification due date. It should be noted that "At least 60 days before the expiration of certification, the agency shall: (a) Determine if the foster parent wishes to continue as a certified foster parent; and (b) If indicated, reexamine all requirements for the foster parent." (COMAR 07.05.02.16G(3)). Also, "The agency shall complete a review and either recertify or deny certification before the current certification expires to prevent interruption of care." (COMAR 07.05.02.16G(4)) All CPA homes must be in compliance at the time of the recertification or the suspension and revocation processes (outlined above) must be followed. In regards to the performance reporting, non-compliance will be submitted to SSA after the 90 day time period from the recertification due date or if a home is recertified that is not in compliance. This is a reminder to ensure that all medicals are current (within the 2 year validation) and that any household member who turned 18 prior to the next annual certification due date has completed CPS, federal and state clearances on or after their 18th birthday.*

- c. **Is there a status of "inactive" for CPA homes?** *OLM response: COMAR does not support any "inactive" status for CPA homes. The home is either in full*

compliance, including but not limited to medicals, household members turning 18, annual certification, annual training hours, etc or the home is pending closure via the suspension/revocation process.

- d. What is the requirement for household members who turn 18 during the year before CPA home recertification?** *OLM response: "If a member of the foster parent's household becomes 18 years old during the year before recertification, a federal and state criminal background check and a child abuse clearance shall be completed on the household member before recertification." (COMAR 07.05.02.16G(7)) Regarding performance reporting, this requirement would be considered non-compliant after the 90 day time period expires from the recertification due date. CPA homes can only be recertified when the home is in compliance, which includes results of the CPS, federal & state clearances for the household member(s) who turned 18 during the year before CPA home recertification. If the home is not in compliance then suspension and revocation procedures must be followed.*
- e. How often are medical clearances due in CPA homes?** *OLM response: "All household members or employees of the individual or couple seeking foster parent certification or recertification shall have: (1) An initial medical examination at the time of application for foster parent certification by a qualified Maryland physician which includes:..." (COMAR 07.05.02.06A(1)) Also, "Reexaminations at least every 2 years after the initial examination." (COMAR 07.05.02.06A(2)) Regarding performance reporting, this requirement would be considered non-compliant after the 90 day time period ends from the 2 year expiration of the medical evaluation date. For example, the medical evaluation was completed on 2.14.2012 and would be due by 2.14.14, non-compliance would be reported if not completed by 90 days after the 2.14.14 due date.*
- f. When can closed CPA homes be removed from the monthly report?** *OLM response: All certified CPA homes located in Maryland, including all household members, must be included on this tab. Once the CPA home closes, the CPA home must be reported as closed (column A - closed and column W - closure date) on the monthly report and then the following month, the CPA home can be deleted/removed from the report. Please do not delete/remove the home until they have been reported as closed for a least one monthly report.*