



pennsylvania
DEPARTMENT OF HUMAN SERVICES
BUREAU OF FINANCIAL OPERATIONS

May 3, 2017

Ms. Jeanette Ware
President/Administrator
1 Person At A Time, LLC
201 South Highland Avenue, Suite 201
Pittsburgh, Pennsylvania 15206

Dear Ms. Ware:

I am enclosing for your review the final performance audit report of 1 Person At A Time, LLC (1PAAT), as prepared by the Division of Audit and Review (DAR). Your response has been incorporated into the final report and labeled as an Appendix. The report covers the period July 1, 2015 to June 30, 2016.

I would like to extend my appreciation for the courtesy and cooperation extended to my staff during the course of the fieldwork.

The final audit report will be forwarded to the Department's Office of Long Term Living (OLTL) to begin the Department's resolution process concerning the report's contents. The staff from the OLTL will be in contact with you to follow up on the corrective actions taken to comply with the report's recommendations.

If you have any questions concerning this matter, please contact David Bryan, Manager of the Audit Resolution Section, at [REDACTED]

Sincerely,

Tina L. Long, CPA
Director

Enclosure

c: Mr. Jay Bausch
Ms. Jen Burnett
Mr. Michael Hale
Ms. Peggy Morningstar
Ms. Kim Barge



May 3, 2017

Mr. Brendan Harris, Executive Deputy Secretary
Department of Human Services
Health & Welfare Building, Room 334
Harrisburg, Pennsylvania 17120

Dear Deputy Secretary Harris:

The Bureau of Financial Operations (BFO) conducted a performance audit of 1 Person At A Time, LLC (1PAAT). The audit was designed to determine the sufficiency of documentation to support payments from the Provider Reimbursement and Operations Management Information System (PROMISe) for client care. Our audit covered the period July 1, 2015 through June 30, 2016 (Audit Period).

This report is currently in final form and therefore contains 1PAAT's views on the reported findings, conclusions and recommendations. 1PAAT did not request an exit conference and generally agreed with the results of our audit. 1PAAT's response to the draft audit report is included as Appendix E.

Summary of Conditions and Questioned Costs

Description of Condition	Location of Details	Questioned Costs
1PAAT Did Not Have Adequate Support for Certain Paid Claims	Appendix A, Finding No. 1	\$395,931
1PAAT Billed for RN Services That Were Provided by an LPN	Appendix A, Finding No. 2	\$23,700
Conflict of Interest	Appendix B	\$0
Total		\$419,631

See Appendix A for the Details of the Findings.

See Appendix B for the Observation

See Appendix C for the Background, Objective, Scope and Methodology, and Conclusion on the Objective.

See Appendix D for the Analysis of Questioned Costs

See Appendix E for 1PAAT's Response to the Draft Report

**1 Person At A Time, LLC.
July 1, 2015 through June 30, 2016**

In accordance with our established procedures, an audit response matrix will be provided to the Office of Long Term Living (OLTL). Once received, OLTL should complete the matrix within 60 days and email the Excel file to the DHS Audit Resolution Section at:



The response to each recommendation should indicate OLTL's concurrence or non-concurrence, the corrective action to be taken, the staff responsible for the corrective action, the expected date that the corrective action will be completed, and any related comments.

Sincerely,

A handwritten signature in black ink that reads "Tina L Long".

Tina L. Long, CPA
Director

**1 PERSON AT A TIME, LLC
APPENDIX A**

Appendix A – Audit Findings
1 Person At A Time, LLC
July 1, 2015 through June 30, 2016

Finding No. 1 – 1PAAT Did Not Have Adequate Support for Certain Paid Claims

Condition (“What was found?”):

1PAAT uses a telephony system to track employee time as well as a separate scheduling system where the employees’ scheduled hours are input. According to the President/Administrator of 1PAAT, any hours in the scheduling system that are not logged in the telephony system should include a note explaining the difference.

Various claims lacked supporting documentation, such as:

- In certain instances, telephony time logs, scheduled hours, and the units billed did not agree. In these instances, telephony records were used to determine the appropriate number of units that should have been billed.
- The employee either failed to log in or log out of the telephony system and no follow-up with the consumer was documented to validate the actual service times.
- An employee had no time logged in the telephony system and no supporting notes in the scheduling system.

Criteria (“What should it be?”):

55 PA Code, § 52.15, Provider records, (a)(2) states, “A provider shall complete and maintain documentation on service delivery.”

55 PA Code, § 52.43, Audit requirements, (h) states, “A provider shall maintain books, records and documents that support:

1. The type, scope, amount, duration and frequency of service provision.
2. The dates of service provision.”

55 PA Code, § 1101.75, Provider prohibited acts, (a) (5), states “An enrolled provider may not, either directly or indirectly, submit a claim for services or items which were not rendered by the provider or were not rendered to a recipient.”

Effect (“What is the impact?”):

Questioned costs total \$395,931 with a variance of +/- \$104,503. A breakdown of the extrapolated questioned costs is as follows:

- \$3,771 for Registered Nursing (RN) claims (2.888659% of the \$130,546 paid RN claims) with a variance of +/- \$2,740.
- \$378,929 for Personal Assistance Services (PAS) claims (14.804440% of the \$2,559,563 paid PAS claims) with a variance of +/- \$101,763.

Additionally, the following questioned costs represent actual units tested. These units were excluded from the extrapolations described above:

- \$5,373 which represents 496 Licensed Practical Nursing (LPN) units.
- \$7,858 which represents 1,457 PAS units,

Appendix A – Audit Findings
1 Person At A Time, LLC
July 1, 2015 through June 30, 2016

Finding No. 1 – 1PAAT Did Not Have Adequate Support for Certain Paid Claims (Continued)

Cause (“Why did it happen?”):

1PAAT did not consistently reconcile the telephony system log with the scheduled hours and service authorizations prior to billing.

Recommendations (“What needs to be done to correct it?”):

- 1PAAT should reconcile their telephony system log with the scheduled hours and services authorizations prior to billing.
- 1PAAT should maintain documentation to support the type, scope, amount, duration, and frequency of services provided, as well as the date of services.
- 1PAAT should only bill PROMISE for authorized units of service that are provided and supported by adequate documentation.
- OLTL should recover \$395,931 in questioned costs from 1PAAT.

Appendix A – Audit Findings
1 Person At A Time, LLC
July 1, 2015 through June 30, 2016

Finding No. 2 – 1PAAT Billed for RN Services That Were Provided by an LPN

Condition (“What was found?”):

1 PAAT billed PROMISe for 1,432 units of RN services that were authorized in the consumer’s Individual Service Plan (ISP); however, the services were provided by LPNs.

Criteria (“What should it be?”):

55 PA Code, § 1101.75, Provider prohibited acts (a)(5), states “An enrolled provider may not, either directly or indirectly, submit a claim for services or items which were not rendered by the provider or were not rendered to a recipient.”

Effect (“What is the impact?”):

1PAAT was paid \$23,700 for RN services that were not provided by a Registered Nurse.

Cause (“Why did it happen?”):

1PAAT’s CEO explained that the service authorization form they received from the service coordination entity, which has the same owners as 1PAAT, specified LPN services. An analysis of PROMISe billings showed no indication of an attempt to bill for LPN Services.

Recommendations (“What needs to be done to correct it?”):

- 1PAAT should only provide services authorized by the consumers’ ISPs.
- 1PAAT should only bill PROMISe for the actual authorized services that were provided.
- OLTL should recover \$23,700 from 1PAAT for RN services that were provided by LPNs.

**1 PERSON AT A TIME, LLC
APPENDIX B**

Appendix B – Observation
1 Person At A Time, LLC
July 1, 2015 through June 30, 2016

Observation - Conflict of Interest

1PAAT shares the same ownership with 2Care For, LLC, a service coordination entity (SCE) which provides service coordination for many of 1PAAT's consumers. 1PAAT's board minutes clearly evidenced that the president/administrator of 2Care For, LLC attended and actively participated in 1PAAT's board meetings.

55 Pa Code, Chapter 52, section 52.28(d) provides, "An SCE and a provider of a service other than service coordination may not share any of the following:

1. Chief executive officer or equivalent.
2. Executive board.
3. Bank account.
4. Supervisory staff.
5. Tax identification number.
6. MA provider agreement.
7. Master provider index number."

While the regulations do not preclude common ownership, it appears that common ownership creates a conflict of interest as the service provider and indirectly its owners would benefit from the SCE increasing the services to be provided by the service provider.

OLTL should determine the risk that this practice may present and if the risks are significant, revise the above language the next time the regulations are updated to preclude common ownership of an SCE and a service provider.

**1 PERSON AT A TIME, LLC
APPENDIX C**

Appendix C – Background, Objective/Scope/Methodology and Conclusion on the Objective

1 Person At A Time, LLC.

July 1, 2015 through June 30, 2016

Background

1PAAT is a for-profit home health care corporation located in Pittsburgh, Pennsylvania that provides PAS, RN and LPN services primarily to individuals residing in Allegheny County. These services are funded under various federal waivers.

Objective, Scope and Methodology

Our audit objective is shown in the Conclusion on the Objective section below. In pursuing our objective, we analyzed available documentation for the audit period, including telephony time records, records from the employee scheduling system, client service authorization forms, and other documentation as necessary.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

Government auditing standards require that we obtain an understanding of management controls that are relevant to the audit objective described below. The applicable controls were examined to the extent necessary to provide reasonable assurance of their effectiveness. Based on our understanding of the controls, there were deficiencies in compiling complete and consistent billing records. Areas where we noted an opportunity for improvement in management controls are addressed in the findings of this report.

The BFO's fieldwork was conducted intermittently between October 17, 2016 and December 1, 2016. A closing conference was held with 1PAAT's management on December 13, 2016. This report is available for public inspection.

Conclusion on the Objective

Objective Number	Audit Objective	Conclusion on the Objective
1	To determine the validity of PROMISE billings made by 1 Person At a Time, LLC for Personal Assistance Services, RN Nursing Services, and LPN Nursing Services during the period July 1, 2015 through June 30, 2016.	1PAAT frequently had inadequate documentation to support claims paid through the PROMISE system for the audit period. This resulted in questioned costs of \$395,931. 1PAAT was also paid \$23,700 through the PROMISE system for RN services that were provided by an LPN.

**1 PERSON AT A TIME, LLC
APPENDIX D**

Appendix D – Analysis of Questioned Costs

1 Person At A Time, LLC.

July 1, 2015 through June 30, 2016

Finding #	Procedure Code	Sample Value	Sample Value Questioned	Universe of Paid Claims	Extrapolated/ Total Questioned Costs	Variance (+/-)
1	W1793	\$ 52,713.30	\$ 7,704.42	\$ 2,559,563.18	\$ 378,929.00	\$101,763.00
1	W1793 Outliers	7,857.72	7,857.72	7,857.72	7,857.72	-
1	T1002	94,533.60	2,730.75	130,546.40	3,771.04	2,740.00
1	T1003	10,837.20	5,372.96	10,837.20	5,372.96	-
2	T1002 Outlier	23,699.60	23,699.60	23,699.60	23,699.60	-
Total				<u>\$ 2,732,504.10</u>	<u>\$ 419,630.32</u>	<u>\$104,503.00</u>

**1 PERSON AT A TIME, LLC
APPENDIX E**

RABNER LAW OFFICES, P.C.
ATTORNEYS AT LAW

Monte J. Rabner
Fred G. Rabner
Ashley M. Cagle

April 27, 2017

Mr. Justin Mankey
Audit Manager
Department of Human Services
Bureau of Financial Operations
Division of Audit and Review
[REDACTED]
11 Stanwix Street
Pittsburgh, PA 15222

Re: Performance Audit of "1 Person At A Time LLC"
Audit Period July 1, 2015 to June 30, 2016

Dear Mr. Mankey:

We have acknowledged and taken full responsibility for our missteps as well as taken inventory of our business and implemented new policies and procedures. These new policies and procedures will guarantee that these missteps will not continue.

Going forward every employee will be oriented and taught uniformly. In the past, our in-office staff employees, DID NOT KNOW HOW TO CONFIRM TIME. Every employee will now call the telephony system to clock in and clock out for each workday. We have adopted a ZERO tolerance policy for not clocking in and clocking out per workday. This means, if an employee is not in compliance, or caught trying to defraud the system, the employee will be terminated immediately. Field employees will be monitored by the telephony system, time sheets and random checks at the clients' home.

1 Person At A Time billed for RN services that were provided by an LPN. A review process has been instituted to insure that services will only be provided as authorized by the consumers' ISP's. Thereby insuring that the actual services authorized were provided and that the services provided reflected the services costs associated with the same.

While we agree that we made mistakes with conforming time, billing and the overall monitoring of our employees, we do not feel as though 2 Care For and 1 Person At A Time creates a conflict of interest. Over the years we have documentation indicating that 1 Person At A Time has turned down many cases from 2 Care For LLC. However, if the BFO's conclude that it's still a conflict of interest we are open to discussion.

In conclusion, we will continue to be transparent and open concerning the BFO findings. We will work assiduously, diligently and without bias in making the necessary changes. Please feel free to contact us at any time.

Very truly yours,



Monte J. Rabner, Esquire
Counsel for 1 Person At A Time LLC

Cc: Jeanette Ware
President and Administrator
1 Person At A Time LLC (1PAAT)