

CF OPERATING PROCEDURE
NO. 180-4

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, May 28, 2015

Inspector General

MANDATORY REPORTING REQUIREMENTS TO THE OFFICE OF INSPECTOR GENERAL

1. Purpose. This operating procedure describes the requirements for reporting to the Office of Inspector General suspected or confirmed allegations of wrongdoing by an employee or contractor of the Department. This operating procedure also defines the types of incidents to be reported and the timeframes for reporting.
2. Scope. This operating procedure applies to all employees of the Department, contracted providers, and subcontracted providers of the Department who have knowledge of suspected or confirmed wrongdoing by an employee or contractor of the Department.
3. Authority. Section 20.055(6), Florida Statutes (F.S.), requires the Office of Inspector General to receive and conduct inquiries, investigations, audits, or management reviews.
4. Definitions. As used in this operating procedure:
 - a. "Allegation" means an assertion of wrongdoing that may or may not be supported with evidence.
 - b. "Wrongdoing" means an act, which, if proven true, would be a violation of statute, rule, regulation or policy, excluding job performance and related deficiencies.
 - c. "Fraud" means to commit an intentional violation of law or a deliberate misrepresentation or concealment so as to secure unfair or unlawful financial or personal gain.
 - d. "Client Death" means a person whose life terminates while in the care and/or custody of the Department, whether in a Department facility, or in a licensed or contracted facility or service center.
 - e. "Client Injury or Illness" means a medical condition of a client requiring medical treatment by a licensed health care professional sustained or allegedly sustained due to an accident, act of abuse, neglect or other incident occurring while in the presence of an employee in a Department facility or contracted facility or service center, or who is in the physical custody of the Department.
 - f. "Theft" means to take the property of another without right or permission.
5. Reportable Incidents.
 - a. Inappropriate employee acts or omissions that result in client injury, abuse, neglect, or death;
 - b. Fraud;
 - c. Theft;
 - d. Breaches of confidentiality, unless inadvertent and self-reported (e.g., revealing a reporter's name, providing confidential documents to unauthorized persons, access of client files for non-business

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reasons, providing information from client files such as medical or benefits information, etc) immediately upon confirmation by the circuit/region;

e. Falsification of official records (e.g., intentional alteration of state documents; misrepresentation of information during an official proceeding; intentional falsification of client case records, including but not limited to case notes, client contact reports, visitation records, or client home visits; creating false and fictitious files, etc.);

f. Misuse of position or state property, employees, equipment, or supplies for personal gain or profit (e.g., misuse of telephonic and communication devices, use of staff for personal services, soliciting on state time and state property, conspiracy to conceal missing state property, misuse of the Internet to conduct personal business as defined by policy, etc.);

g. Failure to report known or suspected neglect or abuse of a client;

h. Improper expenditure or commitment of public funds;

i. Contract mismanagement (e.g., misuse, waste, or loss of a significant amount of public funds; evidence of egregious lack of judgment in the use of public funds; evidence that state or federal laws, or state rules or federal regulations have been violated; etc.);

j. Computer related misconduct (e.g., accessing FLORIDA, the Florida Safe Families Network (FSFN), HomeSafeNet, FAHIS, or any other system files of clients without a legitimate business reason; accessing inappropriate or pornographic websites; sending threatening or harassing messages; misuse of e-mail; etc.);

k. Any violation under §435, F.S., Title XXXI, Employee Screening, that would result in disqualification from client contact duties (e.g., convicted of murder, manslaughter, assault and battery, kidnapping, false imprisonment, sexual battery, theft, robbery, child abuse, abuse and neglect of an elderly or disabled adult, sale of a controlled substance, resisting arrest, contributing to delinquency of a minor, or other disqualifying offense); or,

l. Any other wrongdoing that would be a violation of statute, rule, regulation or policy, excluding job performance and related deficiencies.

6. Timeframe. Suspected or confirmed allegations as outlined in paragraph 5 of this operating procedure must be reported within two (2) business days of discovery.

7. Management Actions. No investigative actions should be taken by management (or any other staff) related to incidents required to be reported to the Office of Inspector General, except as necessary to comply with statutory, contractual, or legal reporting requirements or to take appropriate disciplinary action, unless prior authorization is provided by the Office of Inspector General.

8. Method(s) of Reporting. Reportable incidents may be submitted to the Office of Inspector General electronically, or by mail, fax, or telephone. The recommended method of reporting is through the Office of Inspector General internet or intranet websites [<http://www.dcf.state.fl.us/admin/ig/rptfraud1.shtml>]. Notification by management should be made by submitting a Notification/Investigation Request (form CF 1934, available in DCF Forms) to the Office of Inspector General by e-mail to IG.Complaints@myflfamilies.com; by regular mail to 1317 Winewood Boulevard, Building 5, 2nd Floor, Tallahassee, Florida, 32399-0700; or by fax to (850) 488-1428.

9. Staff Cooperation. All Department, contractor, and subcontractor employees are expected to fully cooperate with any investigation or audit conducted by the Office of Inspector General. This includes adherence to the reporting requirements of this operating procedure, as well as submitting to

interviews, and providing requested documentation and sworn testimony. Refusal to fully cooperate with an investigation or audit conducted by the Office of Inspector General shall constitute employee misconduct pursuant to Rule 60L-36.005(3) and (4), Florida Administrative Code, and will result in disciplinary action, up to and including dismissal.

10. Failure to Report. Adherence to this operating procedure by all Department, contractor, and subcontractor employees is essential to ensure the Office of Inspector General receives timely notification of allegations of fraud, waste, mismanagement, misconduct and other abuses in state government. Failure to report according to this operating procedure may be deemed a violation of Rule 60L-36.005, Florida Administrative Code. The standards of conduct require employees to exercise due care and reasonable diligence in the performance of job duties, to protect state property from loss or abuse, to maintain high standards of honesty, integrity, and impartiality, and to place the interest of the public ahead of personal interests. Any violation of these standards will result in disciplinary action up to and including dismissal.

(Signed original copy on file)

MIKE CARROLL
Secretary

SUMMARY OF REVISED, ADDED, OR DELETED MATERIAL

Revised paragraph 7 to provide more clearly understandable language.