

# Recommendations and Options: Operation and Performance of the Office of the State Inspector General

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## RECOMMENDATION 1

The Office of the State Inspector General should establish and implement a process by which its chief of investigations reviews and approves each decision to dismiss an allegation reported to the State Fraud, Waste, and Abuse Hotline without conducting an investigation. (Chapter 3)

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## RECOMMENDATION 2

The Office of the State Inspector General should develop and implement a more proactive and purposeful process to supervise investigations of allegations it has delegated to other agencies to ensure the quality, independence, and timeliness of investigations. (Chapter 3)

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## RECOMMENDATION 3

The Office of the State Inspector General (OSIG) should track the implementation status of recommendations made in previous OSIG investigations and encourage action on recommendations not yet implemented by agencies. (Chapter 3)

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## RECOMMENDATION 4

The General Assembly may wish to consider amending § 2.2-309.B of the Code of Virginia to require that the Office of the State Inspector General directly investigate the state's most serious allegations of administrative violations and only refer allegations for investigation to other agencies that (i) are below a dollar threshold (to be developed by the inspector general); (ii) would not reflect poorly on agency leadership if proven true; and (iii) appear relatively straightforward to investigate. (Chapter 3)

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## RECOMMENDATION 5

The General Assembly may wish to consider including language in the Appropriation Act directing the Office of the State Inspector General to discontinue its practice of referring allegations for investigation to agencies without internal audit divisions and directly investigate these allegations. (Chapter 3)

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## RECOMMENDATION 6

The Office of the State Inspector General should determine the number of investigative staff it needs to fulfill its intended role as the state's centralized investigative agency and reallocate existing staff to meet that need. (Chapter 3)

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**RECOMMENDATION 7**

The General Assembly may wish to consider repealing § 2.2-309.B of the Code of Virginia so that OSIG will have full discretion to investigate all serious allegations of waste, fraud, or abuse at public institution of higher education. (Chapter 3)

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**RECOMMENDATION 8**

The Office of the State Inspector General should develop and implement a program for regularly promoting awareness of its complaints line among residents of facilities operated by the Department of Behavioral Health and Developmental Services (DBHDS) and individuals receiving services from community-based providers regulated by DBHDS. (Chapter 4)

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**RECOMMENDATION 9**

The Office of the State Inspector General should develop written criteria and guidance for consistently determining which complaints regarding services provided or regulated by the Department of Behavioral Health and Developmental Services (DBHDS) it should investigate directly or refer to DBHDS. (Chapter 4)

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**RECOMMENDATION 10**

The General Assembly may wish to consider amending § 2.2-309.1 of the Code of Virginia to more clearly establish that the primary goal of the Office of the State Inspector General's oversight of the Department of Behavioral Health and Developmental Services and community-based providers is to identify system-level issues that affect quality of care and safety across facilities or providers and recommend solutions to address them. (Chapter 4)

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**RECOMMENDATION 11**

The General Assembly may wish to consider including language in the Appropriation Act to direct the Office of the State Inspector General (OSIG) to develop and implement a plan to conduct system-level oversight of the quality of care and safety across Department of Behavioral Health and Developmental Services facilities and community-based providers. The plan should set forth the primary oversight activities that OSIG plans to undertake, as well as the number of additional staff positions and types of expertise necessary to carry out these activities. OSIG should submit the plan to the House Appropriations and Health, Welfare and Institutions Committees, and the Senate Finance and Education and Health Committees no later than June 30, 2020. (Chapter 4)

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**RECOMMENDATION 12**

The General Assembly may wish to consider including language in the Appropriation Act directing the Office of the State Inspector General (OSIG) to conduct only two performance audits annually in FY21–24. Each year one audit topic should be chosen by the chief of staff in consultation with the governor's cabinet and one audit topic should be chosen by OSIG. (Chapter 5)

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**RECOMMENDATION 13**

The Office of the State Inspector General should consult with the Department of Human Resource Management to define a performance auditor position that more accurately reflects the full range of skills needed. (Chapter 5)

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**RECOMMENDATION 14**

The Office of the State Inspector General should consult with the Department of Human Resource Management to identify four to six highly capable performance auditors to implement the scaled-back performance audit program. Individuals can be from the current performance audit staff and individuals hired under the newly defined performance auditor position that have the full range of skills needed. (Chapter 5)

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**OPTION 1**

The General Assembly could direct staff with the Joint Legislative Audit and Review Commission to conduct a follow-up review of the Office of the State Inspector General performance audit program after FY24 to determine whether the scaled-back program has been successful. (Chapter 5)

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