

# OFFICE OF THE NASSAU COUNTY COMPTROLLER



## Audit Follow Up

**Limited Review of All Metro Health Care  
Compliance with the Nassau County Living  
Wage Law for Years 2014 and 2015**

*Original Report Dated: December 10, 2018*

*October 12, 2021*

**JACK SCHNIRMAN  
COMPTROLLER**

**OFFICE OF THE NASSAU COUNTY COMPTROLLER**

**JACK SCHNIRMAN, COMPTROLLER**

Kim G. Brandeau  
*Deputy Comptroller for Administration  
& Operations, Audit Division*

Jeffrey R. Schoen  
*Deputy Comptroller/Chief Counsel*

John Marafino  
*Deputy Comptroller*

JoAnn Greene, MBA, CPA  
*Director of Field Audit*

Audit Staff

Aurora Scifo, CPA  
*Assistant Director of Field Audit*

Bebe Belkin, CPA  
*Inspector (Comptroller's Office)*

Brian Fredericks  
*Field Auditor IV*

This report is also available on our website at: <https://www.nassaucountyny.gov/Audits>



**OFFICE OF THE NASSAU COUNTY COMPTROLLER**

240 Old Country Road

Mineola, New York 11501

Tel: (516) 571-2386 Fax: (516) 571-5900

*nccomptroller@nassaucountyny.gov*

**Hon. Jack Schnirman**

*Nassau County Comptroller*

October 12, 2021

Dear Nassau County Taxpayers:

From day one, a key priority for my Office continues to be our focus on conducting audits that achieve results.

That's why in 2018, our team implemented a policy establishing a follow-up review of our audits. Along with providing an update and making it accessible for taxpayers, this follow-up procedure helps us better ensure that the audit's recommendations are implemented, further increasing efficiency and accountability within our County government.

This process is not about playing "gotcha" with our audits; it's about real work getting done, focused on outcomes and results for our taxpayers.

This report provides a follow-up to the *Limited Review of All Metro Health Care 2014 and 2015*, which was released on December 10, 2018. I encourage you to read the original audit and this follow-up report to evaluate both the work of this Office and *All Metro Health Care's* implementation of the corrective actions recommended by our Office. All audits are posted on our website, at [www.nassaucountyny.gov/Audits](http://www.nassaucountyny.gov/Audits).

Please feel free to reach out to our *Report It Reform It* tip line at [ReportItReformIt@nassaucountyny.gov](mailto:ReportItReformIt@nassaucountyny.gov) with any suggestions or questions that you might have.

Sincerely,

Honorable Jack Schnirman  
Nassau County Comptroller

---

## EXECUTIVE SUMMARY

---

### **INTRODUCTION**

On December 10, 2018, the Nassau County Comptroller's Office released an audit of All Metro Health Care Compliance with the Nassau County Living Wage Law for Years 2014 and 2015. The objective of the review was to determine whether All Metro was in compliance with the Nassau County Living Wage Law and related Rules.

A copy of this report, ***Limited Review of All Metro Health Care Compliance with the Nassau County Living Wage Law for Years 2014 and 2015*** can be found online at the Comptroller's website [here](#).<sup>1</sup>

### **Auditor Assessment of Progress Objectives and Methodology**

Under a new policy implemented in 2018, the Comptroller's Office conducts a follow-up review of audits to ensure that the recommendations made are being implemented.

- **The audit of All Metro Health Care contained 4 audit findings, with a total of 11 recommendations.**
- **All the recommendations have either been implemented or are in the process of being implemented, including paying employees approximately \$223,000 in underpaid wages and compensated time off.**

We commend All Metro Health Care for their efforts to implement our recommendations and thank the officials and staff for the courtesy extended to our Office during this review.

### **Summary of All Metro's Implementation of Audit Recommendations**

Based on correspondence with All Metro Health Care and the limited follow-up analysis performed by the Auditors, each recommendation has been assessed by the Auditors as either Implemented (**Green**), In Process (**Yellow**), or Not Implemented (**Red**). See Exhibit I and Exhibit II on the next page for a breakdown of the stages of completion for all audit recommendations.

---

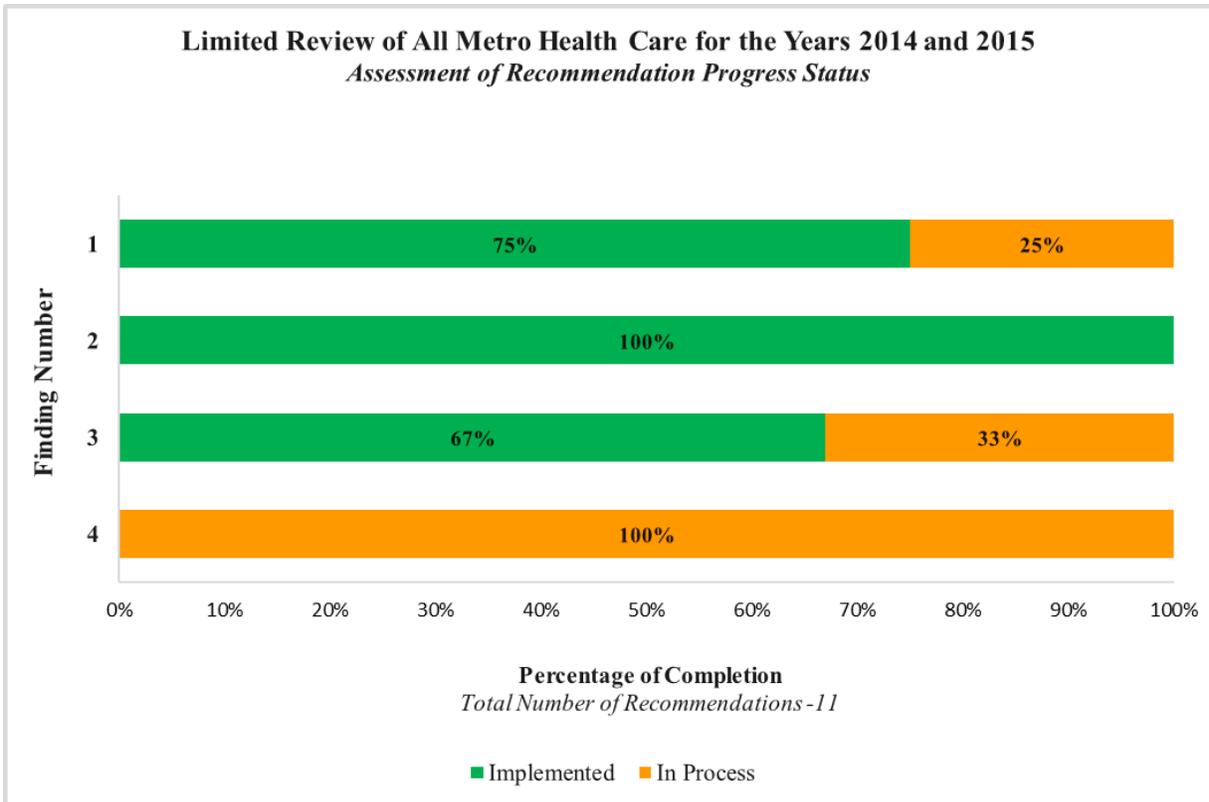
<sup>1</sup><https://www.nassaucountyny.gov/DocumentCenter/View/24184/Final-Report-Limited-Review-of-All-Metro-Health-Care-Compliance-with-the-Nassau-County-Living-Wage-Law-Years-2014-and-2015-1?bidId=>

# EXECUTIVE SUMMARY

## Exhibit I

<b>Audit Follow Up</b>				
<b>Limited Review of All Metro Health Care for the Years 2014 and 2015</b>				
<b>Summary of Agency's Implementation of Audit Recommendations</b>				
Finding #	# Recommendations	Implemented ●	In Process ●	Not Implemented ●
1	4	3	1	0
2	3	3	0	0
3	3	2	1	0
4	1	0	1	0
<b>Total</b>	<b>11</b>	<b>8</b>	<b>3</b>	<b>0</b>
<b>Stages of Completion</b>		<b>72.7%</b>	<b>27.3%</b>	<b>0.0%</b>

## Exhibit II



**TABLE OF CONTENTS**

---

**INTRODUCTION..... 1**  
    **Summary of Original Report..... 1**

**AUDITOR ASSESSMENT OF PROGRESS ..... 3**

**Finding 1 - 117 Employees Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$33,996..... 3**

**Finding 2 - 89 Employees Were Not Granted 7,386 Hours of Earned Compensated Time Off Totaling \$112,249 and All Metro Was Not Maintaining Adequate Vacation Records 6**

**Finding 3 - Follow-up on Incomplete Payroll Data Provided by All Metro Identified an Additional 30 Employees Who Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$ 66,171 and Not Granted Earned Compensated Time Off Resulting in Amounts Due Totaling \$ 10,824 ..... 8**

**Finding 4 - We Found 240 Instances Where Live-in Aides Worked More than the “60 Hours per Week Maximum” Stated in their Contract. This Included 92 Instances Where Hours Worked Exceeded 80 for the Week ..... 11**

## **INTRODUCTION**

---

### **Summary of Original Report**

The original review was undertaken to determine if All Metro Health Care, which provides personal care services through an agreement with Nassau County Department of Social Services, was in compliance with the Nassau County Living Wage Law, which requires payment of a Living Wage, and the provision of health benefits or a health benefit supplement to certain employees. Additionally, the Law provides that full-time employees receive 12 paid days off a year, and part-time employees who work at least 20 hours per week, receive proportionate compensated days off. The original audit also reviewed provisions of the agency's Memorandum of Understanding with the Nassau County Department of Social Services.

### **Major Findings of the Original Report**

Auditors identified underpaid wages and uncompensated time off in excess of \$220,000 to 147 employees, see details below:

- 117 employees were paid less than the living wage rate resulting in underpayments of \$33,996.
- 89 employees were not granted 7,386 hours of earned compensated time off totaling \$112,249.
- Follow-up on incomplete payroll data provided identified an additional 30 employees who were paid less than the living wage, resulting in underpayments of \$66,171 and not granted earned compensated time off, resulting in amounts due of \$10,824.
- Live-in aides worked more than the 60 hours maximum limit per week as stated in their contract, including almost 100 instances where hours work exceeded 80 hours for the week. Overscheduling caregivers can result in worker fatigue and impact the quality of care given to patients.

### **Major Recommendations of the Original Report**

- All Metro should compensate all employees for underpaid wages and properly compensate for time off and provide proof of payment with supporting documentation to the Comptroller's Office for verification.
- All Metro should ensure that the increase to the hourly Living Wage rate is done on a timely basis or retroactively pay all Living Wage rate increases, in accordance with the Living Wage Law.
- All Metro should keep proper Compensated Time Off records for each employee; and update the Employee Manual/ Handbook to include the specific times of the year when All Metro intends to pay employees compensated time off for hours previously worked.
- All Metro should update employee payroll data to include the name of the Patient/ID for the patient service dates being paid; and ensure that the proper controls are in place to identify and provide complete payroll data for all of their employees who worked on Nassau County DSS cases.

## INTRODUCTION

- All Metro should adhere to the terms of the contract and not schedule employees for more than 60 hours a week.

### Summary of Assessment of Audit Recommendations

Exhibit III below shows the audit findings and recommendations. The recommendations have been individually color-coded to denote the Auditors' status assessment of each recommendation: Implemented (**Green**), In Process (**Yellow**), or Not Implemented (**Red**).

### Exhibit III

<b>Summary of Assessment of Audit Recommendations</b>		
#	Audit Finding	Audit Recommendation(s)
1	117 Employees Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$33,996	<p>All Metro should:</p> <p>a) compensate the 115 employees that were underpaid in 2014 -2015 the amounts owed and provide proof of payment with supporting calculations to the Comptroller's Office;</p> <p>b) review, recalculate, and pay all wage rate differences for the 43 employees that were not included in the Auditor's sample for 2015;</p> <p>c) compensate the amounts owed to the two PCA employees who were paid between \$10-\$13 per hour in 2014; and</p> <p>d) take the necessary steps to ensure that the increase to the hourly Living Wage rate is done on a timely basis or retroactively pay all Living Wage rate increases, in accordance with the Living Wage Law.</p>
2	89 Employees Were Not Granted 7,386 Hours of Earned Compensated Time Off Totaling \$112,249 and All Metro Was Not Maintaining Adequate Vacation Records	<p>All Metro should:</p> <p>a) pay the 89 employees the amounts for all accrued compensated time owed and provide proof of payment to the Comptroller's Office;</p> <p>b) keep proper records of each employee's Compensated Time Off accruals, usage, and balances, in accordance with the law; and</p> <p>c) update the Employee Manual/ Handbook to include the specific times of the year when All Metro intends to pay employees compensated time off for hours previously worked.</p>
3	Follow-up on Incomplete Payroll Data Provided by All Metro Identified an Additional 30 Employees Who Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$ 66,171 and Not Granted Earned Compensated Time Off Resulting in Amounts Due Totaling \$ 10,824	<p>All Metro should</p> <p>a) promptly pay the 30 aides the amounts due them and remit proof of payment to the Comptroller's Office;</p> <p>b) update employee payroll data to include the name of the Patient/ID for the patient service dates being paid; and</p> <p>c) take corrective action to ensure that the proper controls are in place to identify and provide complete payroll data for all of their employees who worked on Nassau County DSS cases.</p>
4	We Found 240 Instances Where Live-in Aides Worked More than the "60 Hours per Week Maximum" Stated in their Contract. This Included 92 Instances Where Hours Worked Exceeded 80 for the Week	All Metro should adhere to the terms of the contract and MOU with regard to the number of hours employees work per week.

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

**Auditor Assessment of Recommendation Implementation Progress**

This section provides details on the audit report findings, recommendations, progress reports from All Metro and the Auditors analysis of the recommendation implementation. The recommendation implementation status also includes a color-coded bullet to indicate its progress.

<b>Finding 1 Title</b>	<b>117 Employees Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$33,996</b>
<b>Finding 1 Recommendations</b>	<p>All Metro should:</p> <p>a) compensate the 115 employees that were underpaid in 2014 -2015 the amounts owed and provide proof of payment with supporting calculations to the Comptroller's Office;</p> <p>b) review, recalculate, and pay all wage rate differences for the 43 employees that were not included in the Auditor’s sample for 2015;</p> <p>c) compensate the amounts owed to the two PCA employees who were paid between \$10-\$13 per hour in 2014; and</p> <p>d) take the necessary steps to ensure that the increase to the hourly Living Wage rate is done on a timely basis or retroactively pay all Living Wage rate increases, in accordance with the Living Wage Law.</p>
<b>All Metro Response to 12/10/18 Report</b>	<p><i>“We appreciate that this finding was updated to omit reference to PCAs who in 2014 were covered by a collective bargaining agreement that waived the requirement to pay health benefits, and that your finding was reduced accordingly. However, you noted that in 2014 the company miscalculated payroll by \$.29 per hour for CDPAs who were not covered by the CBA and by \$.01 per hour for other employees.</i></p> <p><i>The average of \$291 you calculated per employee will be confirmed, and any shortfall will be paid to each listed employee.</i></p> <p><i>In addition, per your recommendation, we will calculate and pay the health benefits supplement for the 43 employees that were not sampled in your audit.”</i></p>
<b>Auditors’ Follow-Up Comments</b>	<p>We concur with All Metro’s response to confirm our calculations and pay all wage underpayments to the 117 employees.</p>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

In addition, we are pleased that All Metro will review, calculate and, if required, pay the wage supplement to the 43 employees not sampled in 2015.

We reiterate the need for All Metro to take the necessary steps to ensure that the increase to the hourly Living Wage rate is done on a timely basis or retroactively pay all Living Wage rate increases, in accordance with the Living Wage Law.

We restate that All Metro provide the Comptroller’s Office proof of the calculations and resulting payments made to employees.

**All Metro Response to Follow-Up**

a) 07/17/19 - *“Completed on Check Date 04/02/19, copies of the canceled checks have been requested from ADP and will be provided to the Controller's Office upon receipt.”*

b) 07/17/19 - *Same as (a).*  
 07/16/21 - *“The company’s Payroll Department was tasked with researching and reviewing these 43 employees. Unfortunately, I am unable to verify that the checks were mailed to those employees on the list who were owed money following the review. I am attaching a set of checks that will be mailed out today to those individuals on the list that had an amount due (even if it was \$.01). Once the checks are cashed, I will provide copies to your office to show proof of payment. The checks are in the same order as the list you provided. We had trouble paying ██████████ the \$3.76 he is owed, and I will be cutting that check next week and I will send you a copy of it as well for your records.”*

c) 07/17/19 - *Same as (a).*

d) 07/26/19 - *“In order to make sure that we implement the annual increase on August 1st of each year, I have put a calendar reminder in my Outlook and our MIS Director who is responsible to update the rate. Once the reminder pops up on August 1st, this will prompt us to make the change.”*

**Field Audit Follow-Up Analysis**

a) c) Auditors reviewed the payment calculations and proof of payment documents provided by All Metro on August 8, August 16 and October 14, 2019. Auditors were unable to verify the gross amount due was paid to all 117 employees. One employee’s earnings statement indicated the employee was paid the gross amount owed of \$58.87, however All Metro could not provide evidence that the check was cashed.

b) The documentation All Metro provided during the follow-up process in 2019 did not include any information or proof that the 43 employees were reviewed or the results of such a review. Auditors

## AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS

	<p>followed up with All Metro again on 06/21/21 and, as noted in their response above on 07/16/21, All Metro is still in the process of paying these employees the amounts due. Auditors review of the set of checks that were to be mailed on 07/16/21 noted that 39 of the 43 employees had been paid less than the living wage rate and were owed \$742.16. The check for one of the 39 employees who is owed \$3.76 has yet to be provided by All Metro. Additionally, All Metro still needs to provide proof that the employees received and cashed these checks.</p>
<b>Auditor Assessment of Progress</b>	<ul style="list-style-type: none"><li>● 1. a) We are pleased to confirm that All Metro provided earnings statements for gross wages due of \$ 33,996 to 117 employees and evidence of receipt by the employees was provided for all but \$58.87 of the total gross amount.</li><li>● 1. b) Although All Metro provided the Auditors with a copy of 38 of the 39 checks, they have not provided proof that the employees received the money. Further, All Metro had not followed through since 2019 to make sure the employee records were reviewed and the amounts owed paid, and appear to only be doing so now as a result of our continued follow-up almost 2 years later.</li><li>● 1. c) We are pleased to confirm that the two employees were compensated the amount owed.</li><li>● 1. d) We are pleased our recommendation appears to have been implemented.</li></ul>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

<b>Finding 2 Title</b>	<b>89 Employees Were Not Granted 7,386 Hours of Earned Compensated Time Off Totaling \$112,249 and All Metro Was Not Maintaining Adequate Vacation Records</b>
<b>Finding 2 Recommendations</b>	<p>All Metro should:</p> <ul style="list-style-type: none"> <li>a) pay the 89 employees the amounts for all accrued compensated time owed and provide proof of payment to the Comptroller’s Office;</li> <li>b) keep proper records of each employee’s Compensated Time Off accruals, usage, and balances, in accordance with the law; and</li> <li>c) update the Employee Manual/ Handbook to include the specific times of the year when All Metro intends to pay employees compensated time off for hours previously worked.</li> </ul>
<b>All Metro Response to 12/10/18 Report</b>	<p><i>“Your report acknowledges that we sent copies of checks remitted to employees, but states that we did not provide support for the accrued hours and period of time covered by the payments we made.</i></p> <p><i>We believe the payments were for the time periods immediately preceding payment (i.e. 2014-2015), and therefore all employees were properly compensated; but given your concerns, we have agreed to make additional payments to the employees identified as having accrued and untaken compensated time off.</i></p> <p><i>Further, we will seek input from our Information Services department as to the most efficient approach to maintaining records in the manner you recommend.</i></p> <p><i>We will also update our employee handbook to include our policy to pay employees for earned compensated time off when not taken in the semi-annual period.”</i></p>
<b>Auditors’ Follow-Up Comments</b>	<p>We concur with All Metro’s response and are pleased that they will make the additional payments to the employees specified in Appendix B of the report.</p> <p>We reiterate that All Metro provide proof of payments to the Comptroller’s Office.</p> <p>We are also pleased with All Metro’s plan to work with their Information Services department to keep proper employee compensated time records and update the employee handbook accordingly.</p>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

	<p><i>Note: Appendix B from the December 10, 2018 original report is not included in this follow-up report.</i></p>
<p><b>All Metro Response to Follow-Up</b></p>	<p>a) 07/17/19 - <i>“Completed on Check Date 04/02/19, copies of the canceled checks have been requested from ADP and will be provided to the Controller's Office upon receipt.”</i></p> <p>b) 07/17/19 - <i>“IT Department has reprogrammed our system to ensure proper records of each employee's compensated time off accruals, usage and balances are in accordance with the law”.</i></p> <p>c) 07/17/19 - <i>“Employee manual has been updated, via a supplement, to indicate that employees will be paid for any unused time accrued under the living wage law twice a year. Once in July for time accrued but not used from January through June, and again in January of the following year for time accrued but not used from July through December.”</i></p>
<p><b>Field Audit Follow-Up Analysis</b></p>	<p>a) Auditors reviewed the payment calculations and proof of payment documents provided by All Metro on August 8, August 16 and October 14, 2019. Auditors were able to confirm that all employees were paid the full amount owed.</p> <p>b) A sample of an employee’s revised compensated time off record, as a result of the IT reprogramming, was provided to the Auditors on 07/26/19.</p> <p>c) A copy of the supplement to the employee manual was provided to the Auditors on 07/26/19.</p>
<p><b>Auditor Assessment of Progress</b></p>	<ul style="list-style-type: none"> <li>● 2. a) We are pleased to confirm that all 89 employees were paid for the accrued compensated time owed.</li> <li>● 2. b) We are pleased our recommendation appears to have been implemented.</li> <li>● 2. c) We are pleased our recommendation appears to have been implemented.</li> </ul>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

<b>Finding 3 Title</b>	<b>Follow-up on Incomplete Payroll Data Provided by All Metro Identified an Additional 30 Employees Who Were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$ 66,171 and Not Granted Earned Compensated Time Off Resulting in Amounts Due Totaling \$ 10,824</b>
<b>Finding 3 Recommendations</b>	<p>All Metro should:</p> <p>a) promptly pay the 30 aides the amounts due them and remit proof of payment to the Comptroller’s Office;</p> <p>b) update employee payroll data to include the name of the Patient/ID for the patient service dates being paid; and</p> <p>c) take corrective action to ensure that the proper controls are in place to identify and provide complete payroll data for all of their employees who worked on Nassau County DSS cases.</p>
<b>All Metro Response to 12/10/18 Report</b>	<i>“Although the 30 employees were properly paid as non-Living Wage employees at the time they provided the services, the company will retroactively change their status for those dates to Living Wage eligible status and recalculate and pay the additional amounts they would have been paid had they been Living Wage eligible at the time they worked.”</i>
<b>Auditors’ Follow-Up Comments</b>	<p>We concur with All Metro’s plan to recalculate and pay the additional amounts due to employees as shown in Exhibits II and III We also reiterate the need to provide the Comptroller’s Office with proof of payment.</p> <p>We reiterate the need for All Metro to update its employee payroll data to include the name of the Patient/ID for the patient service dates being paid.</p>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

<p><b>All Metro Response to Follow-Up</b></p>	<p>a) 07/17/19 <i>“Completed on Check Date 04/02/19, copies of the canceled checks have been requested from ADP and will be provided to the Controller's Office upon receipt.”</i></p> <p>07/16/21</p> <p>1. [REDACTED] \$197.14 – <i>“requested from ADP, still waiting for copy of cashed check”</i></p> <p>2. [REDACTED] \$64.69 – <i>“please see attached.”</i></p> <p>3. [REDACTED] \$58.87 – <i>“requested from ADP, still waiting for copy of cashed check”</i></p> <p>b) 07/26/19 - <i>“The payroll data has been updated to include the name of the patient for the service dates paid.”</i></p> <p>07/16/21 – <i>“Please see attached sample payroll report for Nassau County DSS cases (PCA and CDPAP) for the period of June 7 – 13, 2021 which now lists the patient’s name for each service date worked by an employee.”</i></p> <p>c) 07/26/19 - <i>“As explained in our response to the finding, we have Medicaid Pending clients that we service while their applications are pending with Medicaid. When they get approved, the services get retroactively invoiced to Medicaid. Unfortunately, the payroll was not being moved, only the billing. We have corrected this issue so all payroll associated with billing for Nassau County DSS will be included in all future payroll reports.”</i></p> <p>07/16/21 - <i>“The company’s IT Department has modified the computer software to automatically move the payroll from a Medicaid pending account to a Nassau County DSS account whenever a case/billing is moved from pending to DSS. I have confirmed with IT that this change was made years ago and is working as intended.”</i></p>
<p><b>Field Audit Follow-Up Analysis</b></p>	<p>a) Auditors reviewed the payment calculations and proof of payment documents provided by All Metro on August 8, August 16 and October 14, 2019. Auditors confirmed all amounts were paid except for gross wages totaling \$ 320.70 to 3 employees. Auditors followed up with All Metro on 06/21/21 and, as noted in their response above on 07/16/21, All Metro provided a cancelled check for one of the three employees and is still waiting for copies of the cancelled checks from ADP for the other two.</p> <p>b) As shown above, All Metro responded during the follow-up process in 2019 that, <i>“The payroll data has been updated to include the name of the patient for the service dates paid.”</i> However, no documentation was provided to show this has been done. Auditors followed up with All Metro on 06/21/21 and, as noted in their response above on</p>

## AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS

	<p>07/16/21, All Metro provided a sample payroll report which shows the patient's name for each service date worked by an employee.</p> <p>c) Auditors requested that All Metro explain how they corrected this issue including the controls which would ensure that all payroll associated with billing for Nassau County DSS are included in all payroll reports. All Metro's 07/16/21 response is shown above.</p>
<b>Auditor Assessment of Progress</b>	<ul style="list-style-type: none"><li>● 3.a) We are pleased to confirm that the majority of gross wages due were paid. We recommend that All Metro provide the earnings statements and cancelled checks requested for the 3 employees.</li><li>● 3.b) We are pleased our recommendation appears to have been implemented</li><li>● 3.c) We are pleased our recommendation appears to have been implemented</li></ul>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

<b>Finding 4 Title</b>	<b>We Found 240 Instances Where Live-in Aides Worked More than the “60 Hours per Week Maximum” Stated in their Contract. This Included 92 Instances Where Hours Worked Exceeded 80 for the Week</b>
<b>Finding 4 Recommendations</b>	All Metro should adhere to the terms of the contract and MOU with regard to the number of hours employees work per week.
<b>All Metro Response to 12/10/18 Report</b>	<p><i>“Your Executive Summary states that the purpose of this review is: “to determine whether an agency ... was in compliance with the County's Living Wage Law and related Rules.</i></p> <p><i>Compliance with contract requirements other than those related to the Living Wage Law and Rules is outside the scope of this review and should be removed from this report.</i></p> <p><i>We note that there is no fiscal impact associated with this finding.”</i></p>
<b>Auditors’ Follow-Up Comments</b>	<p>We disagree with All Metro’s assertion that a review of All Metro’s compliance with the Contract, MOU, &amp; the Dept. of Health regulations, is outside the scope of our review. Section 5(d) Minimum Service Standards of the Contract and 2(A) of the MOU Responsibilities of the Parties, clearly state that the Provider shall ensure that no aide is assigned to work in excess of 12 hours/day or in excess of 60 hours/week on average.</p> <p>While we agree that there is no fiscal impact to the County, we believe that the scheduling of live-in aides to work numerous consecutive days, &amp; in some cases up to 19 consecutive days at a time, may undermine the quality of care for Consumers.</p> <p>We also consider that the contract terms &amp; the MOU were intended to ensure that Consumers are provided with proper services.</p> <p>We reiterate that All Metro adhere to the terms of the contract and MOU with regard to the number of hours employees work per week.</p> <p>We recommend that NC DSS review this issue.</p>
<b>All Metro Response to Follow-Up</b>	07/17/19 - <i>“All Metro Health Care has instructed its Coordinators that employees cannot work in excess of 12 hours/days or in excess of 60 hours/week on average under its Nassau County DSS contract. In the event that this happens, the coordinators have been instructed to document the reason for this in the system. For example, if the relief</i>

**AUDITOR FOLLOW UP ASSESSMENT OF PROGRESS**

	<p><i>aide does not show up, an exception would be documented in the system.”</i></p> <p><i>07/16/21 – “Employees, working on Nassau DSS cases, are not permitted to work in excess of 12 hours per day or in excess of 60 hours per week on average under its Nassau County DSS contract. In the event that this happens, please document the reason for this in the system.”</i></p>
<p><b>Field Audit Follow-Up Analysis</b></p>	<p>Auditors requested a copy of the instructions provided to All Metro’s coordinators and were advised on 07/26/19 that “The Branch Manager had a meeting with the coordinators and has verbally provided these instructions. I would be happy to put the verbal instructions, that she gave the coordinators, in writing and provide them to you. Please advise.”</p> <p>Auditors then requested a copy of the written instructions on 08/16/19, however they were not provided. Auditors followed up again on 06/21/21; and on 07/16/21 were provided with the verbiage shown above, but All Metro did not provide proof that these instructions were provided in writing to the employees.</p>
<p><b>Auditor Assessment of Progress</b></p>	<p>● 4. We are pleased that All Metro has provided verbal instructions to its coordinators and stress the importance of putting the verbal instructions in writing and formally distributing them to the coordinators.</p>

End of Report

