# Item 7 Finalized Title IX Documents – Fraud, Waste, and Abuse Training for Community Rehabilitation Programs

## Slide 1

Fraud, Waste, and Abuse Training for Community Rehabilitation Programs

## Slide 2: Definition of a Community Rehabilitation Program (CRP)

A CRP is a program which directly provides or facilitates the provision of vocational rehabilitation services to individuals with disabilities, DOR consumers, to enable them to maximize opportunities for employment, including career advancement.

## Slide 3: Fraud, Waste, and Abuse Prevention

It is DOR’s responsibility to maintain appropriate oversight of services provided to DOR consumers.  The CRP and DOR are responsible for preventing and detecting fraud, waste, and abuse (FWA).

It is the CRPs responsibility to provide services to a consumer in alignment with the Authorization for Vocational Rehabilitation Services (form DR 297B) and the CRP Guide to Certification and Vendorization.  The CRP also agrees to consumer privacy protection.

## Slide 4: Consumer Privacy Protection

The employees, contractors, and individuals who perform services for or on behalf of DOR are required to have practices in place to:

Protect the personal information of consumers including SS#’s, birthdates, medical information, and driver’s license numbers.

Report security breaches including to managers/supervisors, their information security officer, and DOR.

## Slide 5: Compliance with Civil Rights Laws

In providing services to individuals with disabilities, service provider shall not deny services to or otherwise discriminate against an individual on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.

## Slide 6: Compliance with Civil Rights Laws Continued

Service provider shall comply with the provisions of the Unruh Civil Rights Act (Cal. Civil Code section 51), Article 9.5, Chapter 1, Part 1, Division 3, Title 2 of the Government Code (Gov. Code sections 11135 through 11139.5), the Disabled Persons Act (Cal. Civil Code sections 54 et seq.), Section 504 of the Rehabilitation Act (29 U.S.C. 794 et seq.), Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), the Age Discrimination Act (42 U.S.C. 6101 et seq.), and Title II of the Americans with Disabilities Act (42 U.S.C. section 12131 through 12134).

## Slide 7: Compliance with Discrimination Complaint Resolution Process

As identified in DOR’s Rights and Remedies form, DR 1000, individuals receiving services from service provider may file discrimination complaints by:

1) Make an oral or written request for an administrative review to the District Administrator, who oversees the office where the consumer’s case is assigned. The request should include: the individuals name, address, and phone number; the name and title of the person against whom the complaint is being made; a description of the alleged discrimination; the protected category; and the remedy being sought.

2) File a discrimination complaint directly with DOR’s Office of Civil Rights. For more information or to obtain a discrimination complaint form, contact the DOR’s Office of Civil Rights directly by phone at 916-558-5850 or by email at OCR@dor.ca.gov.

3) File a complaint with the U.S. Department of Education’s Office for Civil Rights. For more information contact the U.S. Department of Education’s Office for Civil Rights directly by telephone at 800-421-3481 or by email at OCR@ed.gov.

## Slide 8: Compliance with Title IX Education Amendments Act of 1972

Service provider must also comply with Title IX of the Education Amendments Act of 1972 (20 U.S.C. section 1681) (Title IX) and federal implementing regulations (34 C.F.R. 106 et seq.), which prohibits discrimination on the basis of sex, including sexual orientation, gender identity, sexual harassment, and sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion, in education programs and activities receiving or benefitting from federal financial assistance.

## Slide 9: Compliance with Title IX Education Amendments Act of 1972 Continued

As identified in DOR’s Rights and Remedies form, DR 1000, individuals receiving services from service provider may file Title IX specific complaints by:

1) Contacting DOR’s Chief of the Office of Civil Rights and Title IX Coordinator by mail at 721 Capitol Mall, Sacramento, California 95814, by email at OCR@dor.ca.gov, or by telephone at 916-558-5850;

2) Reporting information about potential harassment by leaving a voicemail for DOR’s Chief of the Office of Civil Rights and Title IX Coordinator at 916-857-9175; and

3) Filing a complaint with the U.S. Department of Education’s Office for Civil Rights directly by telephone at 800-421-3481 or by email at OCR@ed.gov.

## Slide 10: What is FRAUD?

Fraud is any illegal act characterized by deceit, concealment, or violation of trust. Fraud is perpetrated by parties and organizations to obtain money, property, or services; to avoid payment or loss of services; or to secure personal or business advantage.

Examples:

Duplicate billing of services provided in a previous month

Falsifying service hours claimed on the invoice

Creating fictitious documents/invoices to support services billed

## Slide 11: What is WASTE?

Waste involves the taxpayers not receiving reasonable value for money in connection with any government funded activities. Waste relates to mismanagement, inappropriate actions, and inadequate oversight.

Examples:

Recommending or invoicing for unnecessary services

Charging excessively for services

## Slide 12: What is ABUSE?

Abuse involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse may include misuse of authority or position for personal gain.

Examples:

Providing or recommending unnecessary services or products

Providing substandard services

## Slide 13: How can CRPs prevent FWA?

Never deliver services to a consumer before receiving an authorization

Stay within scope of the service authorization

Maintain documents that adequately support the services provided

Comply with the policies and procedures in the CRP Guide to Certification & Vendorization

## Slide 14: More Ways CRPs can prevent FWA

Ensure progress reports include sufficient detail of services provided and consumer progress

Provide necessary and quality services

Ensure invoices are accurate and complete

Only bill for actual services provided

Ask DOR for clarity on questions related to billing and authorizations to avoid invoicing errors

## Slide 15: DOR’s Responsibilities

DOR staff will monitor CRP services including:

Reviewing the quality of services

Tracking billing

Obtaining consumer feedback regarding service satisfaction

Ensuring CRP is adhering to written record retention policy

## Slide 16: Consequences

Consider the potential penalties of FWA:

Disputed invoices

Requested reimbursement of overpayments

Suspension of services

Termination of the CRP Certification

Fines

Prosecution

## Slide 17: Conclusion

The next slide is your training certificate. Please print and fill out the certificate and retain it for three (3) years. Certifications must be made available upon DOR request.

For further questions on fraud, waste, and abuse, contact:

DOR Audit Services

Phone: (916) 558-5835

Email: auditinfo@dor.ca.gov

## Slide 18:

Department of Rehabilitation
Certificate of Completion

is hereby granted to:

type or print name

of

type or print Community Rehabilitation Program name

to certify that he/she has completed to satisfaction Fraud, Waste, and Abuse Training for Community Rehabilitation Providers

Date:

Sign name:

Note: this certificate is only valid for one year and must be renewed annually