

Report in Brief

Date: April 2024

Report No. A-04-23-08100

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL



Why OIG Did This Audit

Background checks for employees in long-term care facilities (nursing homes) are an important safety measure that can help protect some of the most vulnerable populations. Approximately 1.4 million Medicare recipients reside in nursing homes, with more than half of them relying on Medicaid to pay for their long-term care. Oversight and management of nursing homes are crucial to the safety of long-term care residents.

Our objective was to determine whether the Florida Agency for Health Care Administration (State agency) ensured, for the period of January 1, 2021, to June 1, 2023, that selected nursing homes in Florida complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds.

How OIG Did This Audit

As of April 11, 2023, 676 nursing homes in Florida are certified by Medicaid. From this group, we selected 30, based on their geographic location and a variety of risk factors.

At each of the selected nursing homes, we reviewed background checks for 30 randomly selected employees per nursing home, for a total of 900. In addition, we judgmentally selected an additional 119 employees for review based on our review of incident reports during our audit period. Our total sample size was 1,019 employees.

Florida Ensured that Nursing Homes Complied with Federal Background Check Requirements

What OIG Found

The State agency complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds as defined at 42 CFR § 483.12(a)(3). Specifically, for the 1,019 nursing home employees we sampled, we found all of them had completed a background check by the State agency through the Clearinghouse before working at a nursing home. In addition, we found that the sampled employees who were required to have a license because of their occupation had a current license (as of the time of their employment) and did not have any actions taken against their license related to disqualifying offenses. Finally, none of the sampled employees were listed on the OIG List of Excluded Providers and Entities, which would have precluded them from working in a healthcare setting.

We attribute this compliance with Federal requirements to the State agency's internal controls over the background check screening process for nursing home employees.

Florida Agency for Health Care Administration Comments

The Florida Agency for Healthcare Administration had no recommendations to respond to in this report. However, in its comments it outlined steps it is taking to mitigate the potential risk of other employers hiring an individual who had committed an offense that would disqualify them from employment under 42 CFR §483.12(a)(3).