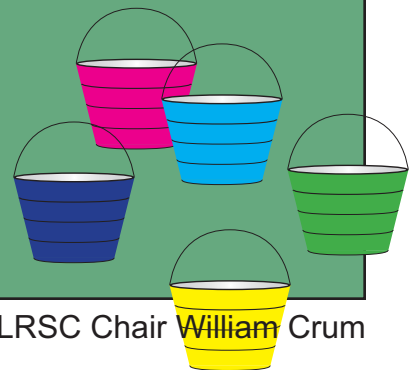
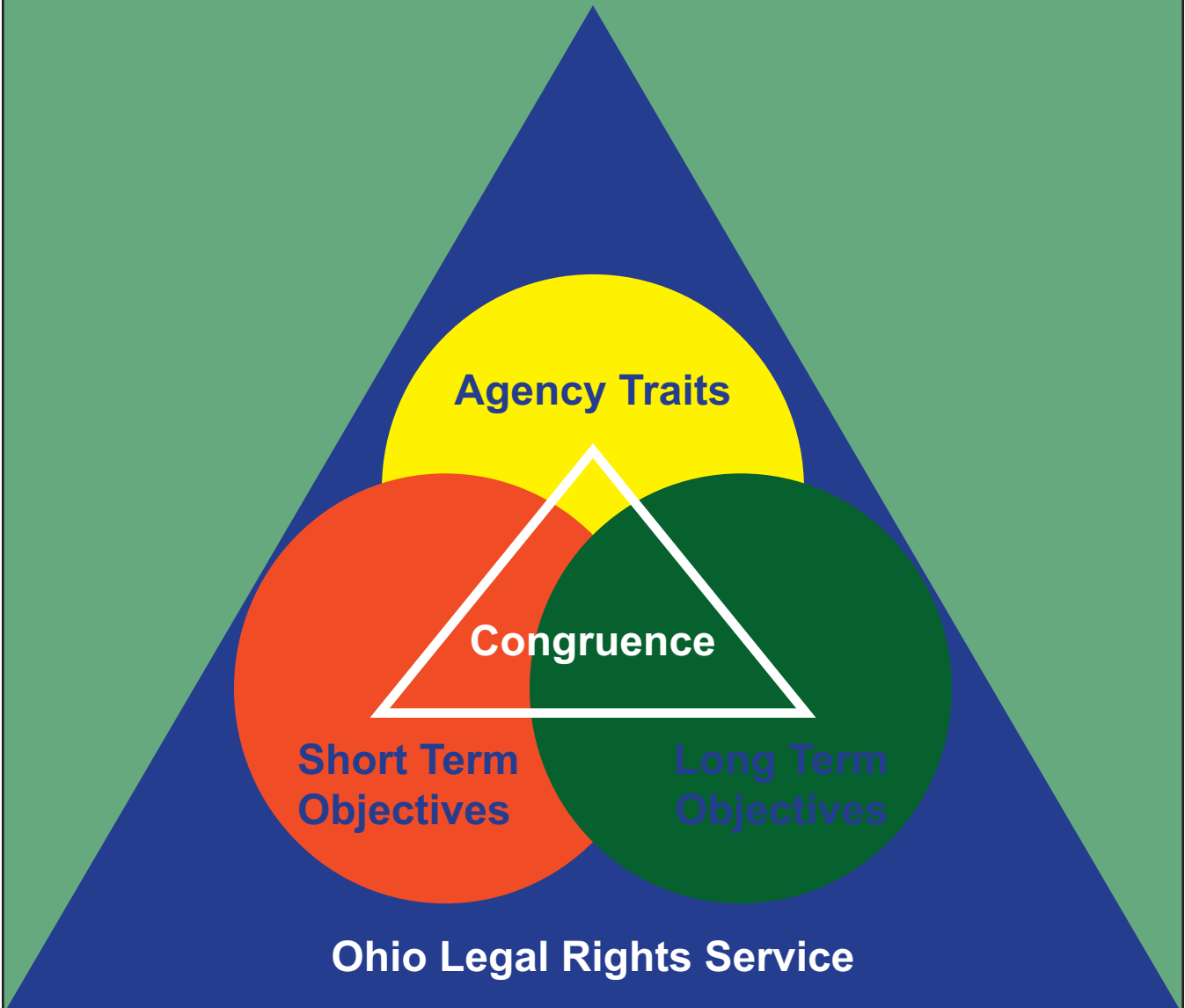
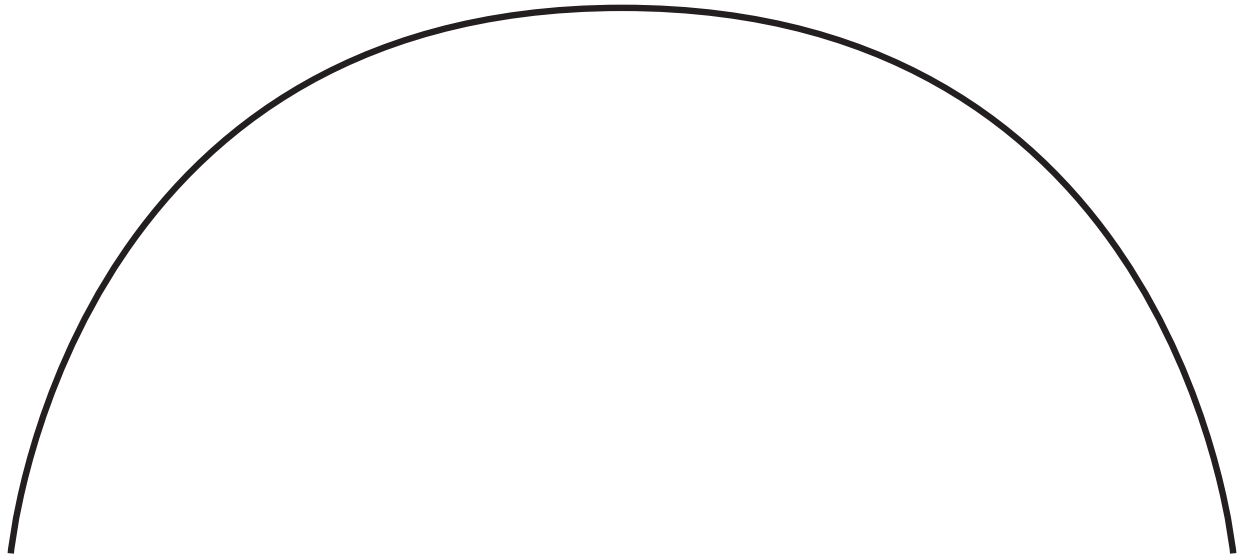


Performance Audit Progress Report

February 11, 2004





Ohio Legal Rights Service envisions a society in which people with disabilities enjoy the same rights and opportunities as all people. Everyone is entitled to make decisions about where, how and with whom they will live and work as full and equal members of their communities.

The mission of Ohio Legal Rights Service is to protect and advocate for the human, civil and legal rights of people with disabilities. Ohio Legal Rights Service accomplishes this mission by providing information, referral and educational services, individual case advocacy, policy analysis, legal representation and systems change.



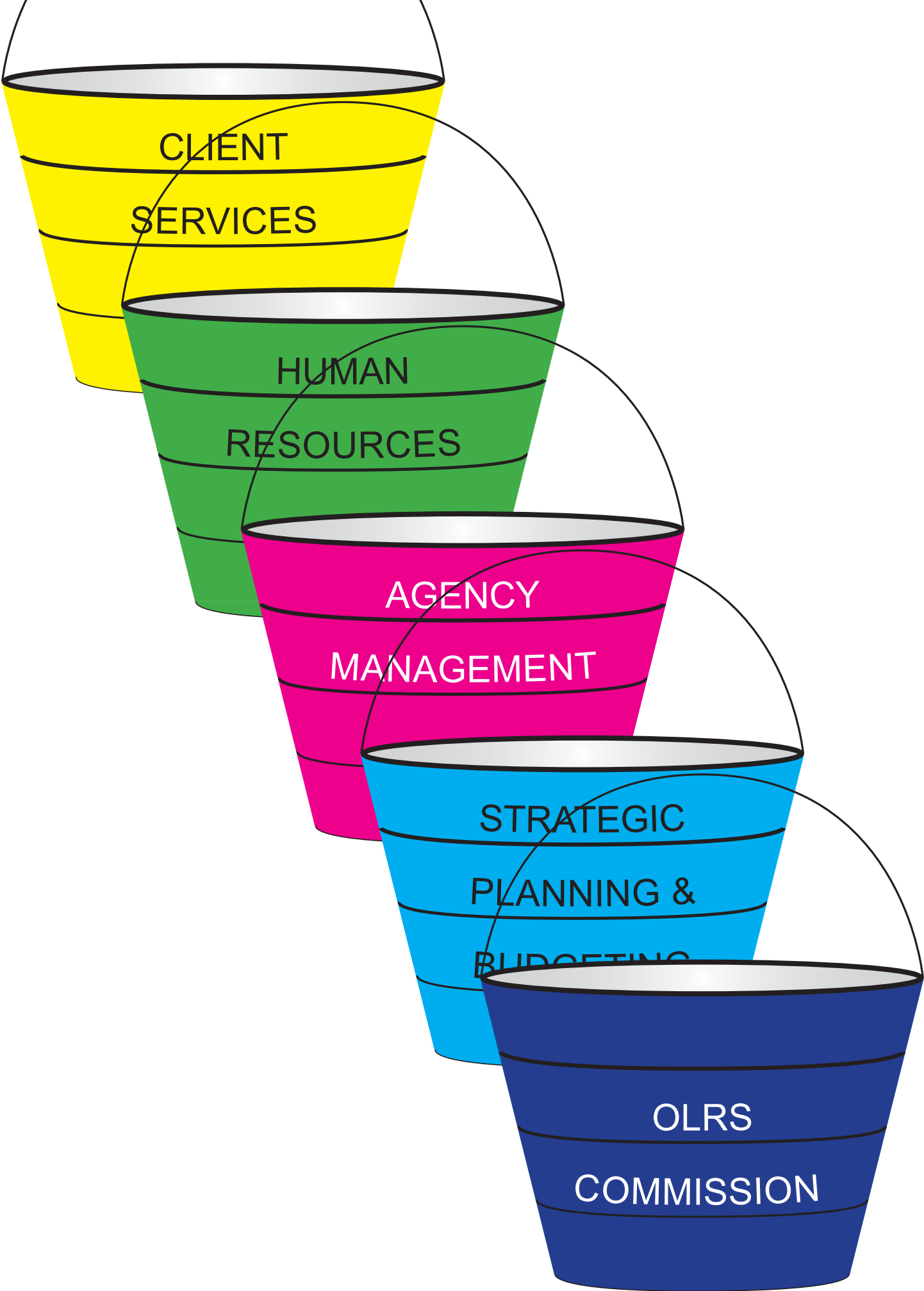


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CLIENT

SERVICES

State Audit Report: Client Services

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 7:
OLRS should require a 24-hour return call response policy for all voice mails and emails.

COMPLETED

OLRS has established a 24-hour voice mail and email call response policy. Messages held in voice mail are retrieved, reviewed, returned and distributed by close of business the next business day. All staff have both voice and email.

AUDIT RECOMMENDATION 32:
OLRS should adequately publicize its annual priorities among stakeholder organizations and the community in general.

COMPLETED

OLRS presents all draft Goals and Objectives to the OLRs Commission for review and input prior to submission to federal authorities. OLRs also invites input from the disability community and the general public by means of a public hearing, regional meetings, a newsletter with a circulation of more than 20,000 individuals, and a questionnaire which is widely circulated to the disability community and posted on the OLRs website.

AUDIT RECOMMENDATION 38:
OLRS should reorganize its intake and case selection process to be consistent with best practices; intake staff provide low level agency interventions, such as information and referral services and professional counseling and advice. OLRs should reengineer their intake process consistent with best practice intake characteristics.

COMPLETED

OLRS has established a formal Case Intake Unit structure with an experienced Unit Chief and full complement of client service staff. OLRs develops as needed information packages for team members of the Case Intake Unit to use regarding OLRs clients' frequently asked topics.

AUDIT RECOMMENDATION 39:
OLRS should require a higher level of intake staff qualifications and skills. OLRs should recruit intake staff with experience or education in a field related to OLRs' functions.

COMPLETED

OLRS has designated a Chief of the Case Intake Unit. The Chief has 22 years of experience with OLRs, and prior to that, 7 years of direct service work with people with disabilities. Most Case Intake Team Members have had many years of experience with people with disabilities. However, because of collective bargaining unit agreements Case Intake Team Members continue to be OLRs support staff.



State Audit Report: Client Services

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 40:
OLRS should increase intake hours to at least regular office hours.

COMPLETED

As of January 17, 2003, OLRs increased intake hours to 35 hours per week (9 am to 4 pm.) Two Case Intake Team Members are assigned each day of the week.

AUDIT RECOMMENDATION 41:
OLRS should record all intake calls made after intake hours. A message should instruct the caller to record appropriate information and indicate when they can expect a response. OLRs intake staff should then contact the individual on the next business day to obtain the additional information needed to make case selection and level of involvement decisions.

COMPLETED

OLRS has voice mail message capacity for any caller at any time. Telephone callers after hours receive a recorded message instructing them to leave their information. All callers' messages are returned the next business day. In addition, individuals can submit Case Intakes at any time from the OLRs website using a form on the web.

AUDIT RECOMMENDATION 42:
OLRS should use an answering service to staff its intake function on a 24 hour basis.

COMPLETED

OLRS is maintaining Case Intake service during scheduled hours but does not provide in-person Case Intake services on a 24-hour basis, nor use an answering service for Case Intake. OLRs has evaluated this recommendation and has determined that it is not cost-effective, nor warranted for the type of services OLRs provides. OLRs' 24 hour message line provides clients with additional access time. A 2-month period of tracking this message service has indicated a small number of messages, and no emergencies.

AUDIT RECOMMENDATION 43:
OLRS should employ performance measures to evaluate overall intake operations and the performance of individual intake staff members.

COMPLETED

OLRS is collecting a variety of reports which measure both Intake operations and staff performance and is making ongoing changes as the data indicates.



State Audit Report: Client Services

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 44:
OLRS should employ formal training techniques for new intake staff and annual refresher training for experienced intake staff. Training should be conducted in-house and should include familiarization of intake policies and procedures.

COMPLETED

OLRS has completed training for all current staff to increase interviewing, Intake completion, and other knowledge and skills. A guide and I&R resource book has been developed for the intake staff.

AUDIT RECOMMENDATION 45:
Case selection should include a proactive component whereby OLRs actively seeks cases (and opportunities) for systemic change.

COMPLETED

The agency's goals and objectives drive the work OLRs does and based upon these goals and objectives OLRs pro-actively seeks out clients. OLRs participates in many statewide task forces and other organizational committees and is in a position to be aware of and participate in systems change.

AUDIT RECOMMENDATION 46:
OLRS should be required to prepare planning documents for open cases.

COMPLETED

Case workers prepare case action plans for selected cases. All cases are managed through regular case reviews by supervisors.

AUDIT RECOMMENDATION 47:
OLRS should establish a formal means of assessment to determine the appropriateness of additional investigations.

COMPLETED

The current case management policy mandates that case workers take requests for additional investigation up the supervisory chain. OLRs criteria for additional investigations include agency priorities, the need for systemic advocacy and the availability of agency resources.

AUDIT RECOMMENDATION 48:
OLRS should implement formal policies on the investigation methodology.

COMPLETED

After a review of other P&A investigation policies, OLRs has instituted a new investigation policy.

AUDIT RECOMMENDATION 61:
OLRS should continue to focus its efforts on mediation and negotiation services when resolving cases.

COMPLETED

OLRS will continue to focus its efforts on mediation and negotiation services when resolving cases.





HUMAN

RESOURCES

State Audit Report: Human Resources

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 1:
OLRS should revise its organizational chart to reflect the flattened organization and reporting structure that is currently used.

COMPLETED

OLRS' organizational chart is being revised to describe the agency as a flat organization characterized by open channels of communication with multi-disciplinary teams focused on client services. **Reviewed by OLR Commission on August 15, 2003.**

OLRS has established three multi-disciplinary client service teams and will evaluate these teams over the next six months to determine if they should be incorporated into a flattened organization and reporting structure. **Reviewed by Commission on February 2, 2004**

AUDIT RECOMMENDATION 2:
OLRS should review and update its job descriptions.

COMPLETED

OLRS' job descriptions have been reviewed and revised where needed.

AUDIT RECOMMENDATION 3:
OLRS should conduct performance evaluations on all employees.

COMPLETED

An automatic e-mail notification to managers of upcoming performance evaluation dates has been developed. Program staff are being evaluated as their performance evaluation dates arrive. OLR has adopted the Ohio Employee Review System established by the Ohio Department of Administrative Services as its evaluation tool. Evaluation forms are on the Department of Administrative Service's Web site and supervisors have been trained in accessing them.

AUDIT RECOMMENDATIONS 16:
OLRS should refrain from promoting employees without appropriate supporting documentation and raises should be commensurate with the level of performance outlined in the evaluations.

COMPLETED

As an agency of the State of Ohio, OLR's promotions and raises are primarily controlled by state statutes, regulations and collective bargaining agreements. OLR has reviewed its practice of promotions over the last five years and found no discrepancies with the above mentioned statutes, regulations and agreements.



State Audit Report: Human Resources

Recommendations

OLRS Responses

AUDIT RECOMMENDATIONS 17:
OLRS should conduct a salary study using other P&As (adjusted for cost-of-living) to determine the most appropriate salary step level for new and veteran employees.

COMPLETED

Although OLRs has reviewed the salary structure of other P&As, as an agency of the State of Ohio, OLRs' salaries are primarily controlled by state statutes, regulations and collective bargaining agreements. OLRs has reviewed its salary structure to ensure that staff members are compensated commensurate with the work performed by the specific positions within the state system.

AUDIT RECOMMENDATION 54:
OLRS should create the position of community affairs officer to increase awareness of OLRs, its services and priorities; to increase referrals to the agency; and to reduce misperceptions about the agency.

COMPLETED

Currently, the functions of this position are being performed by the Executive Director and the OLRs Commissioners. In addition, OLRs managers are also responsible for increasing awareness of OLRs and their job descriptions have been revised to reflect this job function. OLRs will continue to evaluate and to review these functions in an effort to monitor their effectiveness.





AGENCY

MANAGEMENT

State Audit Report: Agency Management and Processes

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 4:
OLRS should adjust its span of control to approximately one administrator for every three direct service employees.

COMPLETED

State Auditors reviewed seven other P&A staffing patterns and found that OLRs serves more clients per direct service FTE than any of its peer agencies. OLRs supervisors also have caseloads carrying individual, group, litigation and/or policy cases. In light of the fact that OLRs serves more clients and is not a traditional hierarchical agency, it appears most feasible to maintain the current span of control.

AUDIT RECOMMENDATION 5:
OLRS should reorganize its policies and procedures by the operational aspects of the agency.

COMPLETED

OLRS is in the process of reviewing and reorganizing its policies and procedures by the operational aspects of the agency which are personnel, fiscal, and client services.

AUDIT RECOMMENDATION 6:
OLRS should make its policies and procedures available in an electronic format to be more easily available to all staff.

COMPLETED

OLRS has developed an electronic template for policies and procedures that will assure easy access by staff.

AUDIT RECOMMENDATION 8:
OLRS should provide training to all employees on the content and implementation of the policies and procedures.

COMPLETED

OLRS will provide training for staff on policies and procedures when the policy manual has been completed.

AUDIT RECOMMENDATION 9:
OLRS should evaluate staff training needs.

COMPLETED

Training needs have been incorporated into the performance evaluation process and each staff person's needs will be assessed during the performance evaluation process.

AUDIT RECOMMENDATION 11:
OLRS should revise its purchase authorization process to permit state credit card use by staff without prior approval of purchases.

COMPLETED

OLRS has reviewed its purchase authorization process and has determined that at this time, no revisions are necessary. Purchases continue to need prior approval to ensure that requests are appropriate and OLRs believes that it would not be prudent to change this requirement.



State Audit Report: Agency Management and Processes

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 12:
OLRS should implement a scheduling and time management system for its staff.

COMPLETED

OLRS currently employs a paper reporting form for scheduling and time management for all staff. OLRs has instituted an additional time-keeping form which will allow supervisors to know where an employee will be during the upcoming week.

AUDIT RECOMMENDATION 13:
OLRS should implement an off-the-shelf automated time and attendance/payroll system.

COMPLETED

OLRS is researching the availability of electronic systems for timekeeping, fiscal management and calendars. OLRs will ensure the compatibility of the new system with both State and federal reporting requirements. **Reviewed by Commission on August 15, 2003.**

OLRS has not purchased an off the shelf time keeping system that will meet our integrated needs. OLRs has developed a time keeping system that is accessible to OLRs staff in an electronic format. The electronic time sheet makes necessary calculations to total the fund categories for the benefit of program staff and calculates the fund appropriations for the benefit of payroll staff. The electronic time sheet in tandem with the newly initiated electronic advanced weekly schedule allows supervisors to reconcile activities, travel, and leave with the time sheets.

OLRS continues to work with experts in developing a system that will integrate most case work activities and time keeping functions to enhance the effective and efficient operation of the agency. OLRs also continues to monitor the states progress in developing OAKS (Ohio Administrative Knowledge System). The completion and implementation of this system could have a major impact on OLRs internal processes. **Reviewed by Commission on February 2, 2004.**



State Audit Report: Agency Management and Processes

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 14:
OLRS should should implement a policy that creates a system of scheduling that is cross checked by supervisors to ensure that employees worked all hours billed and that employees adhered to the schedule submitted.

COMPLETED

OLRS has instituted two new policies that require an upcoming weekly schedule to be prepared by staff and that require supervisors to review timesheets and schedules prior to approval for payroll.

AUDIT RECOMMENDATION 18:
OLRS should create a database and strategic selection process for expert witnesses.

COMPLETED

OLRS has developed an expert witness database, with cost and outcome data included. Policy will be developed with guidelines for use of data base and outcome guidelines and disclaimers.

AUDIT RECOMMENDATION 37:
OLRS should implement its grant selection criteria as policy for the agency.

COMPLETED

OLRS has adopted its grant selection criteria as policy for the agency.

AUDIT RECOMMENDATION 49:
OLRS should increase the frequency of its case reviews from a quarterly to a monthly basis.

COMPLETED

OLRS has increased case oversight by establishing a weekly case review process that enables staff to bring to a supervisory team cases that require special attention. Supervisors will continue to review all cases on a regular basis. Further revisions of the case management policy will provide supervisors with additional tools to monitor case activity. ***Reviewed by Commission on August 15, 2003.***





STRATEGIC

PLANNING &

BUDGETING

State Audit Report: Strategic Planning and Budgeting

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 10:
OLRS should take steps to implement a strategic budgeting process.

COMPLETED

OLRS has established a strategic budgeting team. OLRs is developing an agency data base from the state's Central Accounting System (CAS) to assist in strategic budget planning. Strategic budget planning will begin to be incorporated into the priority setting process and is expected to be completed by December 31, 2003. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 15:
OLRS should implement a comprehensive performance measurement system to be used in monitoring of progress toward achieving agency goals and priorities, and in the planning and budgeting process.

COMPLETED

As an interim measure, OLRs has developed an electronic priority tracking system that is linked to the case management database, to enable collection of program data and outcomes for reports and strategic budgeting. OLRs will use this data to develop additional methods to monitor progress toward achieving agency goals and priorities.

OLRS will adopt the Program Criteria Performance Standards established by NAPAS. This comprehensive performance measurement system will be used to monitor the progress of agency goals and priorities, to implement staff evaluations and to establish a planning and budgeting process. **Reviewed by Commission on February 2, 2004.**

AUDIT RECOMMENDATION 29:
OLRS should ensure that its mission and philosophy statements accurately reflect the goals and objectives of the agency.

COMPLETED

OLRS has developed a new mission and philosophy statement both of which clearly reflect the goals and objectives of the agency. The OLRs Commission has unanimously approved both of the new statements.

AUDIT RECOMMENDATION 30:
OLRS should collaborate with OLRSC as well as State and local agencies and the general public when developing goals, objectives and annual priorities.

COMPLETED

OLRS presents all draft Goals and Objectives to the OLRs Commission for review and input prior to submission to federal authorities. OLRs also invites input from the disability community and the general public by means of a public hearing, regional meetings, a newsletter with a circulation of more than 20,000 individuals, and a questionnaire which is widely circulated to the disability community.



State Audit Report: Strategic Planning and Budgeting

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 31:
OLRS should ensure that its mission statement and annual priorities form a concise and focused guide for the year's activities.

COMPLETED

OLRS will ensure that its mission statement and annual priorities form a concise and focused guide for the year's activities through annual federal reporting mechanisms, internal case management policies and case outcome review.

AUDIT RECOMMENDATION 33:
OLRS should develop a strategic plan.

COMPLETED

OLRS has developed a draft 5-year strategic plan. The draft plan has been submitted to the OLRSC for review and comment.

AUDIT RECOMMENDATION 34:
OLRS should monitor legislation that could result in new programs for P&A systems.

COMPLETED

OLRS staff with the assistance of the National Association of Protection and Advocacy Systems, as well as other state advocacy organizations, are currently reviewing on at least a weekly basis all legislation, both state and federal which could result in new programs for the agency.

AUDIT RECOMMENDATION 35:
OLRS should seek additional funding sources to further the mission of the agency.

COMPLETED

OLRS Commissioners and OLRSC staff with the assistance of the NAPAS and other state advocacy organizations are routinely monitoring new funding sources which can further the mission of the agency.

AUDIT RECOMMENDATION 36:
OLRS should proactively prepare and plan for new programs regardless of the source of funding for the program.

COMPLETED

As a result of Audit Recommendations 34 and 35, OLRSC and OLRSC are better prepared to proactively prepare and plan for new programs.

AUDIT RECOMMENDATION 50:
OLRS should implement a comprehensive performance measurement system to be used in staff evaluations, monitoring of progress toward achieving agency goals and priorities, and in the planning and budgeting process.

COMPLETED

This recommendation appears to duplicate several other audit findings in the areas of employee evaluations, strategic budgeting and other components within the administrative and operations section of the audit report. OLRSC has begun to address this recommendation through other audit findings.

(see next page for update...)



State Audit Report: Strategic Planning and Budgeting
Recommendations OLRs Responses

AUDIT RECOMMENDATION 50:
(see previous page for text of this recommendation.)

(continued from previous page - response to recommendation 50)
OLRS will adopt the Program Criteria Performance Standards established by NAPAS. This comprehensive performance measurement system will be used to monitor the progress of agency goals and priorities, to implement staff evaluations and to establish a planning and budgeting process. **Reviewed by Commission on February 2, 2004.**

AUDIT RECOMMENDATION 53:
OLRS should incorporate a goal into its strategic plan to increase its leadership on legislative and policy issues affecting all citizens with disabilities.

OLRS has incorporated a strategy into its 5-Year Strategic Plan to increase the agency's leadership on legislative and policy issues affecting all citizens with disabilities.

AUDIT RECOMMENDATION 55:
The agency should develop a communication plan.

OLRS will develop a communication plan as part of the 5-Year Strategic Plan.

AUDIT RECOMMENDATION 56:
The agency should publish its own newsletter.

OLRS publishes a quarterly newsletter that is posted on its website and sent to appointed authorities of the Commission. OLRs is currently assessing the cost-effectiveness of distributing this newsletter to a broader audience via print and mail considering that OLRs is required to use the state printing system for production. OLRs presently shares space in a quarterly newsletter with its federal sister agency, the Developmental Disabilities Council. **Reviewed by Commission on August 15, 2003.**



State Audit Report: Strategic Planning and Budgeting

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 57:
OLRS should ensure that the name of the agency is displayed on all of the publications developed by the agency.

COMPLETED

OLRS has developed a format publication process that requires a review of all publications and includes the display of the agency's name on all documents.

AUDIT RECOMMENDATION 58:
OLRS should use the suggestions for improvement identified in this report in future planning activities.

COMPLETED

OLRS has reviewed all recommendations in the performance audit and has incorporated all of them into either its current operation or its new planning effort with the exception of those few recommendations which do not comply with collective bargaining contracts or are not cost effective.

AUDIT RECOMMENDATION 59:
OLRS should develop a comprehensive surveying program in order to assess customer satisfaction.

COMPLETED

OLRS is researching various methods of measuring client satisfaction in order to develop a measurement system which is comprehensive, cost effective, and meaningful. **Reviewed by Commission on August 15, 2003.**

OLRS has settled upon a consumer satisfaction model utilizing a telephone survey of OLRs clients. OLRs will pilot the model during the next six months and evaluate the cost-effectiveness and efficacy of this approach. **Reviewed by Commission on February 2, 2004.**

AUDIT RECOMMENDATION 60:
OLRS should monitor its service levels and remain open to evaluating different service methodologies in order to expand its outreach and to increase its presence in communities throughout the state.

COMPLETED

The performance audit found that OLRs serves on a per capita basis more individuals than any other agency surveyed when such services are provided from a centralized office. OLRs, in consultation with the office of Budget and Management, has determined that the administrative and overhead costs associated with maintaining regional offices would be cost prohibitive. OLRs will include client data within its strategic planning process to evaluate geographic access from agency client constituency.





OLRS

COMMISSION

State Audit Report: OLRs Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 19:
OLRS should recognize OLRSC as the multi-member governing board; the Commission should ensure that all vacancies in the Commission are filled within 60 days; and, the Commission should ensure that OLRs and the Commission meet all federal reporting requirements.

COMPLETED

The OLRs and OLRSC have recognized the OLRSC as the multi-member governing board. The Commission Chair has worked diligently to ensure that all vacancies in the Commission are filled within 60 days. The PAIMI Advisory Council Chairperson has been appointed to the OLRSC. OLRs draft strategic plan addresses the need for OLRs and OLRSC to meet all federal reporting requirements and standards. ***Reviewed by Commission on August 15, 2003.***

AUDIT RECOMMENDATION 20:
OLRS should advocate for the addition of statutory language clarifying the oversight role and accountability level of the Commission.

COMPLETED

As part of the FY 2004-05 state budget bill, the OLRs' statute was revised to clarify the oversight role of the Commission. In addition to appointing the administrator of OLRs, the Commission shall advise the administrator, assist the administrator in developing a budget, advise the administrator in establishing and annually reviewing a strategic plan, advise the director on a procedure for filing and determination of grievances and guidelines for the commencement of litigation. Upon request of the commission or of the chairperson of the commission, the administrator shall report to the commission on specific litigation issues or activities. The commission may also adopt rules to carry out these purposes. ***Reviewed by Commission on August 15, 2003.***

AUDIT RECOMMENDATION 21:
The Commission should consider increasing the frequency of its meetings.

COMPLETED

The OLRSC has approved a motion to meet every two months during the transition period. ***Reviewed by Commission on August 15, 2003.***



State Audit Report: OLRSC Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 22:
OLRS and OLRSC should work to establish a more effective, mutually-acceptable working relationship.

COMPLETED

The executive director and commissioners have made a commitment to find ways to establish effective communication. Currently, the OLRSC executive director provides quarterly reports two weeks prior to each Commission meeting. Topical mailings on issues of interest are sent when identified. In addition, the executive director provides updates on annual goals which have been established with the Commission. More recently, OLRSC Commissioners have been informed of and invited to attend local forums. The Chairperson and executive director frequently communicate by phone, email, and also meet quarterly to evaluate progress on the annual goals. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 23:
OLRS should provide client records and case files to OLRSC under special circumstances as indicated in the federal code. Such instances include cases when the Commission is involved in the resolution of grievances or when the agency is handling high-profile cases that may develop into class-action litigation and may require the support of the Commission. Likewise, OLRSC should avoid involvement in day-to-day agency operations and should only seek access to client records under special circumstances. OLRSC would be subject to the same standards of confidentiality as the agency.

COMPLETED

The primary issue in this regard has been and is balancing the oversight role of the OLRSC and the privacy interests of OLRSC clients. A particular concern is the inadvertent waiver of attorney - client privilege. A secondary concern is unauthorized practice of law/independent legal judgment issues related to lay board governance of legal staff.

OLRS legal staff is reviewing language from HB 95 (2004 -2005 budget bill) that modifies the language regarding confidentiality of OLRSC records when the OLRSC client appeals a grievance to the OLRSC commission, and places a duty on the commission to keep such records confidential. Federal statutes regarding confidentiality are also being reviewed, including HIPAA regulations that govern PAMI records. OLRSC will provide a report to the OLRSC by September 30, 2003. OLRSC staff will also provide the OLRSC at that time a draft grievance procedure for its review and discussion. OLRSC and the OLRSC should promulgate the final procedures as rules pursuant to R.C. 111.15 and R.C. 5123.60. *(continued on next page.)*



State Audit Report: OLRSC Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 23:
(see previous page for text of this recommendation.)

(continued from previous page.)

With regard to class action approval, OLRSC will, by September 30, 2003, provide a draft procedure to the OLRSC that allows for meaningful policy consideration of such actions pursuant to R.C. 5123.60(G)(3) without the need for disclosure of privileged communications, much as in the nature of filing a case under pseudonym. Finally, OLRSC staff will, by September 30, 2003, provide draft guidelines for the commencement of litigation to the OLRSC (as specified in HB 95). OLRSC and the OLRSC should promulgate the final procedures as rules pursuant to R.C. 111.15 and R.C. 5123.60. ***Reviewed by Commission on August 15, 2003.***

HB95 (the 2004-2005 biennial budget bill) provided the Commission with additional authority in this area. OLRSC staff, at the request of the Commission, recommended draft policies governing these questions and other duties specified to the Commission in the Revised Code. These were approved by the Commission at its December 1, 2004, subject to final resolution of an issue regarding exclusion of the assistant attorney general from consideration of matters where the claim is against the state or a state official.

These policies are:

- 1.OLRS Protocol on Litigation Approval and Class Action Referral to the OLRSC Commission;
- 2.OLRS Commission Policy on Consent to Class Action Litigation;
- 3.OLRS Grievance Policy;
- 4.OLRS Commission Policy on Grievance Appeals.

The policies, generally, set out procedures and standards for approval of litigation by the agency legal director and executive director; create a protocol for referral of a proposed class action to the Commission for its consent and the procedures that the Commission follows to



State Audit Report: OLRs Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 23:
(see previous page for text of this recommendation.)

decide whether to consent or not to the recommended class action; revise the existing OLRs Grievance rule to reflect actual practice and experience gained in reviewing grievances under the rule, including informal resolution prior to formal administrative review, and greater participation by the OLRs client in the grievance process; and provide a mechanism for Commission review of appeals where allowed by statute while protecting the confidentiality of the client's personal information and privileged matters. **Reviewed by Commission on February 4, 2004.**

AUDIT RECOMMENDATION 24:
OLRS should provide copies of all public documents, legislative updates and reports, and federal reports to the Commission for comment prior to their release from the agency.

COMPLETED

OLRS will provide copies of all public documents, legislative updates, and state and federal reports to the Commission for comment prior to their release. For example, in the OLRs publication cycle, the Commission is asked to review all drafts prior to printing. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 25:
OLRS should ensure that the Commission has access to the agency's proposed budget prior to its submission to the legislature.

COMPLETED

The OLRs' statute was changed to require the administrator of OLRs to submit a budget to the commission for review and comment at least thirty days prior to submitting the budget to the General Assembly. When submitting the budget to the general assembly, the administrator shall include a copy of any written comments returned by the commission to the administrator. **Reviewed by Commission on August 15, 2003.**



State Audit Report: OLRSC Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 26:
OLRS should maintain its financial management records at a sufficient level of detail to provide the executive director and Commission members with assurance on the effectiveness and efficiency of OLRSC programs.

COMPLETED

As part of the strategic budgeting process, fiscal reporting mechanisms will be developed and provided to the director and Commission on the effectiveness and efficiency of OLRSC programs. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 27:
OLRSC should develop a record retention policy for OLRSC minutes, Bylaws and Rules of Council (or policies and procedures), OLRSC reports, client complaints and grievance resolutions. OLRSC should obtain space at OLRSC offices to house its documentation. The space allocated to the OLRSC should be able to be secured and should be accessible only to OLRSC members.

COMPLETED

The Commission is currently drafting a record retention policy for minutes, bylaws, policies and procedures and other documents. OLRSC and the Commission have discussed and resolved the issue of office space. OLRSC has offered the Commission use of office space as needed. Commission files are properly maintained and secured. Commissioners believe that Commission documents should also be available to OLRSC. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 28:
OLRSC should work to develop policies and procedures to help to govern its practices in relation to the agency, including adopting a parliamentary procedure such as Roberts Rules of Order.

COMPLETED

OLRSC is currently developing governance policies and is reviewing other states policies in this area. OLRSC has a copy of Robert's Rules of Order and are operating under this rule. The executive director has provided members with quick reference summaries of Robert's Rules of Order. A copy of the PAIMI Advisory Council bylaws will be provided to the OLRSC at the next Commission meeting. **Reviewed by Commission on August 15, 2003.**

AUDIT RECOMMENDATION 51 & 52:
OLRS should reevaluate its grievance procedures to determine the appropriate level of oversight and separation of duties. OLRSC should establish more detailed and specific procedures for evaluating grievances and resolution options for validated grievances.

COMPLETED

OLRS has reviewed several policies and procedures from other P&A organizations regarding the grievance process and the role of boards. OLRSC statute was changed during the state budget process and OLRSC and OLRSC need to determine the appropriate level of oversight and separation of duties. **Reviewed by Commission on August 15, 2003.** (see next page for update...)



State Audit Report: OLRs Commission

Recommendations

OLRS Responses

AUDIT RECOMMENDATION 51 & 52: (continued from previous page - response to recommendations 51 & 52)
HB95 (the 2004-2005 biennial budget bill) provided the Commission with additional authority in this area. OLRs staff, at the request of the Commission, recommended draft policies governing these questions and other duties specified to the Commission in the Revised Code. These were approved by the Commission at its December 1, 2004, subject to final resolution of an issue regarding exclusion of the assistant attorney general from consideration of matters where the claim is against the state or a state official.

These policies are:

1. OLRs Protocol on Litigation Approval and Class Action Referral to the OLRs Commission;
2. OLRs Commission Policy on Consent to Class Action Litigation;
3. OLRs Grievance Policy;
4. OLRs Commission Policy on Grievance Appeals.

The policies, generally, set out procedures and standards for approval of litigation by the agency legal director and executive director; create a protocol for referral of a proposed class action to the Commission for its consent and the procedures that the Commission follows to decide whether to consent or not to the recommended class action; revise the existing OLRs Grievance rule to reflect actual practice and experience gained in reviewing grievances under the rule, including informal resolution prior to formal administrative review, and greater participation by the OLRs client in the grievance process; and provide a mechanism for Commission review of appeals where allowed by statute while protecting the confidentiality of the client's personal information and privileged matters. **Reviewed by OLRs Commission on February 2, 2004.**

