



FLORIDA DEPARTMENT OF JUVENILE JUSTICE POLICY

Secretary /s/, Simone Marsteller

Date: 01/31/2019

Subject: Contract Management and Program Monitoring and Quality Improvement

Section: FDJJ - 2000

Originating Office: Program Accountability

Authority: Sections 17.03, 215.422, 215.97, 985 and Chapter 287, Florida Statutes
Chapter 60A-1, Florida Administrative Code

Related References: FDJJ 2020, Incident Operations Center and Incident Reviews
FDJJ 1520, Employee Training
FDJJ 1410, Settlement of Non-Litigated Contract Disputes
FDJJ 1312, Property Management and Control
Monitoring Prioritization Tool Handbook
Chief Financial Officer Memorandum No. 06 (11-12)
Chief Financial Officer Memorandum No. 01 (12-13)

Purpose: To provide policy, procedures, and guidelines on appropriate contract management methods and processes, and establish compliance monitoring for all services and programs (contracted or state-operated) within the Department of Juvenile Justice (DJJ) and define procedures for compliance and supplemental monitoring events, certified reviewers, and failed standards, as it relates to the Department's program monitoring compliance system.

Offices Affected by the Policy: All offices within the Department of Juvenile Justice and contracted service Providers.

POLICY STATEMENT:

- Procedures contained herein are designed to comply with applicable state and federal laws and rules, and are not meant to supersede or circumvent such laws or rules.
- All contracts will be procured by the Department in accordance with applicable Florida Statutes, Florida Administrative Code, Comptroller Memoranda, Department of Management Services Memoranda, Department policy, and in compliance with the Americans with Disabilities Act (ADA).

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- Contract Managers within the Bureau of Contract Management will provide contract management services that are responsive to the needs of the offices, programs, and facilities of the Department. Contract managers will oversee the administrative compliance for contracts to which they are designated as the Department's contract manager.
- In an effort to remove any conflict of interest, there shall be separation of duties for contract managers and regional program monitors. Both functions shall not be performed by the same person for any given contract or Provider whenever possible.
- All contracted Providers are subject to an annual administrative compliance review with the following exceptions: revenue-generating contracts, governmental entities, rate agreements that the Department of Children and Families (DCF) has monitored within the last twelve (12) months, rate agreements under \$35,000, and non-client service contracts. While these contracts are exempt from a full administrative compliance review, the contract manager is responsible for assessing delivery of service, satisfactory Provider performance, and compliance with contract terms and conditions to ensure the Department is protected against misuse of public funds as contractually agreed.
- Service Level Agreements will be established between the Office of Program Accountability and Department program area offices to outline service delivery expectations and standards.
- The Prioritization and Planning (P&P) team, within the Bureau of Monitoring and Quality Improvement will complete the Monitoring Prioritization Tool yearly, beginning in July, adding any new contracts for the upcoming fiscal year and revising any current contracts. The tool will be updated on a quarterly basis to capture program performance categories and scores, to include Central Communications Center (CCC) Incidents, PAR Rate, Minor, Major, and Critical Deficiencies, and Cure Notices. Any new contracts will be added to the Monitoring Prioritization Tool quarterly once executed. Each program will receive an assessment score. These scores will be used to determine the baseline frequency of routine monitoring events, which may include programmatic monitoring, supplemental monitoring, health services monitoring, or an administrative compliance review. This baseline will be used as a starting point to develop the monitoring schedules. The score is not a punitive score, rather it is used as a resource tool to aid the Department in scheduling resources for the programs/services with the highest needs.
- The Department shall conduct annual programmatic compliance reviews of all state-operated and contract Provider programs and units at least once each fiscal year using approved standards unless the service being provided is defined as limited scope on the contract inventory list. Contracts identified as limited scope may include services such as comprehensive evaluations, mental health and substance abuse, sex offender, and counseling services. Limited scope contracts may not receive an annual programmatic compliance review but will receive an administrative compliance review as outlined above. The contract inventory list and limited scope determinations will be reviewed

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annually by the Director of Program Accountability. New programs shall not be eligible for review for a period of at least six months following the admission of the first youth. Existing programs transferred to a different contract Provider shall not be eligible for review for a period of at least six months following the execution of the initial contract.

- Programmatic and administrative monitoring may result in Critical, Major, and/or Minor Deficiencies. An Outcome-Based Corrective Action Plan (OBCAP) will be required for all major deficiencies identified during a monitoring event. If the annual compliance monitoring report indicates there is a Failed standard, a Limited or Failed indicator that is a critical indicator, or a Failed non-critical indicator, an OBCAP will be required. All OBCAPs will be monitored as required to include verification site visits.
- The Bureau of Monitoring and Quality Improvement shall be responsible for conducting a **re-review** of all service Providers that receive a standard-level or overall performance rating of Failed. The Department shall take appropriate action to address deficiencies identified during such reviews.
- Supplemental compliance reviews shall ensure services are delivered in accordance with the terms and conditions of the contract/grant, related statutes, rules, and operational guidelines.
- Standards shall be based on Florida Statute, Florida Administrative Code, Department policy, and Provider contracts. Providers shall be responsible for obtaining the required approval when requesting an indicator be rated according to requirements that differ from the posted standards, or when requesting an indicator be rated non-applicable.
- Minimum requirements for programmatic and supplemental compliance reviews are contained in the procedures of this policy, FDJJ 2000P. The Department shall avoid all potential, actual, or apparent conflicts of interest regarding third party compliance monitoring. In the event the Department contracts for third-party compliance monitoring, the third-party compliance monitoring Provider (e.g., Office of Juvenile Justice and Delinquency Prevention) shall notify the Department should a potential, actual, or apparent conflict of interest arise. Upon notification of a potential conflict by the Provider, the Department shall ensure compliance monitoring is conducted by Department staff to remove any potential conflict.
- At the discretion of the Department, Providers/programs may be exempt from the Department's annual compliance review and provide internal monitoring reviews.
- Provider or Department staff desiring to serve as a peer reviewer shall be certified by the Department.

PROCEDURES/MANUALS:

Procedures for this policy are accessible at the Department's Policies internet page.

OJJDP Compliance Monitoring: Conflict of Interest Procedures (Revised: May 2016)