

Report in Brief

Date: November 2023

Report No. A-06-21-02000

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



Why OIG Did This Audit

Background checks for employees are an important safety measure that can help protect some of the most vulnerable populations.

Approximately 1.4 million beneficiaries reside in long-term care facilities (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 Louisiana ensured, for the period October 1, 2019, to June 30, 2021, that selected nursing homes in Louisiana complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds.

How OIG Did This Audit

As of May 2021, 276 nursing homes were licensed in Louisiana. We selected for our audit a judgmental sample of 9 of the 276 nursing homes based on a variety of risk factors and based on the need to select nursing homes in urban and rural settings.

From the 9 nursing homes, we reviewed background checks for 209 non-licensed employees and verified the licensure status of 77 licensed employees, for a total of 286 employees. Our sample size at each nursing home varied depending on the number of employees there, but generally, we selected for review individuals who were actively employed at some point between October 1, 2019, and June 30, 2021.

Louisiana Should Improve Its Oversight of Nursing Homes' Compliance With Requirements That Prohibit Employment of Individuals With Disqualifying Background Checks

What OIG Found

Louisiana ensured, for the period October 1, 2019, to June 30, 2021, that all nine selected nursing homes in the State complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds. In addition, we determined that 77 licensed employees whom we selected for review from the same 9 selected nursing homes were free from any disciplinary action against their professional license; thus, their licensure statuses were in good standing. Although Federal requirements do not specify the methods or types of information that should be considered for a background check to be regarded as having been satisfactorily completed, we identified potential limitations in the nursing homes' background check searches and adjudication methods for 49 of the 209 non-licensed employees we reviewed.

The limitations that we identified occurred because Louisiana did not require the review of nursing homes' compliance with background check requirements as part of its periodic nursing home surveys unless concerns had been identified relative to inadequate staffing; issues of abuse, neglect, exploitation, or misappropriation; or both.

What OIG Recommends and Louisiana Comments

We recommend that Louisiana conduct routine monitoring of nursing homes' compliance with background check requirements. We make other procedural recommendations to the State in our full report.

Louisiana concurred with all our recommendations and described actions that it planned to take to address them. Specifically, Louisiana stated that it would update its standard survey process to ensure routine monitoring of nursing homes' compliance with background check requirements by reviewing a sample of 5 percent of current non-licensed staff and by directing nursing homes to conduct self-audits of current personnel files. Louisiana also said that it would clarify with nursing homes that statewide criminal background checks are to be conducted by the State Police or authorized agencies, and added that it would conduct a training webinar with nursing homes and post informational material to its website.