

LEGISLATIVE AUDIT COMMISSION

August 22, 2025

Springfield, Illinois

Senators: Rose, Turner, Rita, Balkema, Ellman, Wilcox

Representatives: Elik, Manley, Meier, Moore

Meeting began at 9:15 am.

Rita: (Representative Rita in the Chair) All right. All right, we're going to get started here now. We're going to move to the Department of Human Services Office of the Inspector General. Auditor General, do you have any comments?

Mautino: Thank you, Chairman. Briefly, the Department of Human Services, their Act directs the Office of the Auditor General to conduct a program audit of the Inspector General on an as needed basis. And so, joining with me today is our Director of the Performance Division. And Joe is going to be, and Patrick Reinders is with us, Allison Storm as well, part of the audit team that conducted this, the 14th audit of the Office of the OIG. And with that, Mr. Butcher, would you walk through a brief presentation?

Butcher: Thank you, Auditor General. Do you guys have my slides? Do you just want me to proceed without them or?

Rita: No, just hang out here. A little technical difficulty here. Okay. If you want to proceed.

Butcher: Just proceed. Okay. The Department of Human Services act directs the Auditor General conduct a program audit of the DHS Office of Inspector General on an as needed basis. This is the 14th audit conducted of DHS OIG and covers fiscal years 2021 through 2023.

- The DHS act requires the OIG to investigate allegations of abuse and neglect that occur in mental health and developmental disability facilities operated by DHS.
- The act also requires the OIG to investigate allegations of abuse and neglect that occur in community agencies licensed, certified or funded by DHS to provide mental health and developmental disability services.
- During fiscal year 2023, there were a total of 394 community agencies with over 4,217 program sites that run under the investigative jurisdiction of the OIG.

- In addition, there were also 13 state operated facilities under the investigative jurisdiction of the OIG.
- OIG investigators in many cases are responsible for hundreds of program sites covering large areas of the state as well as state operated facilities.

So, allegations increased steadily beginning in 2011 and peaked at a high of over 3,800 allegations in fiscal year 2018. Reported allegations fell to 2,423 in fiscal year 21 during the pandemic, before increasing again to 3,281 allegations in fiscal year 2023. Allegations from community agencies have typically accounted for about 70% of allegations. However, that percentage fell to about 60% over the last three years.

- During fiscal year 2023, it took on average 205 calendar days to complete an abuse and neglect investigation. This is 25 days longer compared to the previous audit, where in fiscal year 2020 it took 180 calendar days.
- In addition, during fiscal year 2023, 22% of cases were completed within six 60 calendar days. This is down 8% compared to fiscal year 2020, where 30% of cases were completed within 60 calendar days. Looking at supervisory review, during fiscal year 2023, it took on average 86 days to complete a supervisory review of substantiated cases. This is more than twice as long compared to fiscal year 2020, where it took on average 41 days to complete supervisory review.
- We also found that the OIG had difficulty filling positions during the audit period the OIG requested to hire 38 positions. As of August 17, 2023, 17 positions had been filled and 21 were still vacant. For the 17 filled positions, two positions were filled within three months. Ten positions took between four and six months to fill, and five positions took between seven and 12 months to fill.

For fiscal year 23, DHS reported that 70% of State Operated Facility employees had overtime.

- The 5,024 employees accumulated over 1.6 million hours of overtime during fiscal year 23.
- 793 of these employees accumulated between 500 and 1,000 hours of overtime and,
- 330 employees accumulated over 1,000 hours of overtime.

Multiple academic studies have found that excessive amounts of overtime can have a detrimental effect on the care provided to residents or patients as well as the healthcare workers providing the care. The audit report contained 12 recommendations directed to both DHS and the OIG. Those recommendations included:

- That the OIG should work to improve the timeliness of investigative case completion by identifying the barriers that are preventing timely completion and seeking the appropriate remedies for the issues identified.
- The OIG should ensure that investigations are reviewed by the investigative team leader

or bureau chief within 15 working days of receipt. Absent extenuating circumstances as required by OIG directives.

- The OIG and DHS should work together to identify and mitigate the bottlenecks in the hiring process.
- And DHS should conduct a staffing analysis to determine if staffing levels at state operated facilities are adequate. The staffing analysis should take into consideration the need to reduce excessive amounts of employee overtime, especially for direct care employees.

And that concludes our presentation.

Rita: All right, thank you. And I believe you have a presentation. If you'd like to proceed.

Quintero: Yes, thank you. Chair. Our Acting Inspector General Thor Martin, he will share some opening remarks on the OIG audit. And if you could please go to slide 14.

Thor: You can actually go back to the slide right before that, please. Thank you. Thank you, Secretary Quintero. Thank you, Commission Members. Thank you, Chairpersons. My name is Thor Martin. I'm the new Acting Inspector General. I thank you for and appreciate the work of the Auditor General and this Commission. My office is responsible for preventing abuse and neglect of individuals by employees of State operated facilities and CILAs by providing rigorous independent investigations of allegations and making recommendations for improvement on a case by case basis and system wide. We take pride in that scrutiny in the spirit of providing the best service and outcomes for our protected individuals. It is also a level of scrutiny that we apply to ourselves and we welcome from our stakeholders such as the Auditor General in this case. We welcome the regular audits and the recommendations provided.

This audit highlighted the significant staffing issues stemming from pandemic related struggles and our own internal hiring issues and the negative impact that staffing has had on our case backlogs, the timeliness of our investigations and most importantly, the outcomes for individuals we protect. However, OIG through the help of the Secretary, IDHS and other hiring personnel in our own persistence in understanding the state hiring process, we have reached a high point of 114 staff with only six vacancies, two of which will be filled in just a couple of weeks and all others are in the process of being filled. With the full and rigorous training of this personnel, the training advancements we have made pursuant to this audit, and some process changes and technological efficiencies, we are now optimistic about tackling our backlogs and increased volume of allegations. Additional recommendations in the audit highlight the need for increased collaboration with other stakeholders to improve our outcomes. While OIG is an independent office, we find common cause with multiple stakeholders who are aligned with our mission to prevent abuse and neglect or who help us expand our capacity to

handle the volume of cases in our work.

Please advance the next slide. With respect to the findings in this audit, OIG findings decreased by 25% from the last one. Ten of the 12 are repeated findings. We recognize several of these findings may be repeated in the future which with all honesty such as timeliness of case completion, improving time to assignment, improving time to completion of interviews, improving hiring delays. We continue to train, retrain and examine our own processes for efficiencies to demonstrate measurable improvement.

Please advance the next slide. Of the 12 recommendations, OIG is predominantly responsible for about 10 of those, one of them being shared equally with the Department of Human Services regarding a quality care board. Two are predominantly focused on IDHs, which the Secretary will cover when I defer back to them. Of those 10 with respect to the OIG, 90% of the corrective Action Plans are fully implemented as of June 30. The remaining single recommendation is recommendation number four, which is nearly completely implemented but for an administrative code change with respect to Rule 50 that we have drafted language for and are going to submit that to the Administrative Commission with respect to that code and hope to have that done before the end of the calendar year.

You can see our dramatic increase in total cases that we have completed fiscal year 25 over fiscal year 24 from 45% and especially cases completed in under 120 days increasing by 40% fiscal year 25 over fiscal year 24. With respect to recommendation 12, the Secretary is going to address that as one that's predominantly with respect to IDHS. However, I would add that our efforts at collaboration have had some impact on administrative leave that is concerning recommendation 12. OIG actively works with facilities, DBHR and DDG to reduce the impact of administrative leave on staffing levels in a prudent way that protects individuals. While OIG works to complete our independent investigations, I will pass it back to you, Secretary Quintero, to address the other audit recommendations.

Quintero: Thank you, Thor. The other partially implemented recommendations are around staff training and hiring. Finding number nine was a result of not employees of state operated facilities receiving the statutory required Rule 50 training and just want to report that our SODC's and psychiatric hospitals are 100% compliant for 2024. For fiscal year 25 the SODC's are 98.3 and the psychiatric hospitals are 97.8 complete. Non-compliant SODC staff are composed of new hire or separated staff. For our state psychiatric hospitals, nearly all staff have completed the training. So, I want to take a few moments to address recommendation 12 regarding the staffing at our state operating facilities.

We've had a lot of success in hiring frontline staff with over 700 mental health techs higher in fiscal year 24 and we have increased retention from fiscal year 24 to fiscal year 25 by 37% for mental health technicians. While we have increased staff, we have also seen an increase of staff on admin leave and or reassignment. So, we are hopeful that

The House Bill 3718 recently passed by the general assembly which provides alternatives to paid administrative leaves for example. training or assignment away from the complainant. For staff accused of the lower-level conduct will help us maintain staffing, reduce overtime and still maintain a culture of safety and compliance. With that, I will pause here to take any questions. I have Joe back in the seat and then we have Thor here next to me and we are here to open up for questions. Thank you.

Rita: Okay, any members? Representative Meier.

Meier: When I look at this and you talk about CILA's and inspections, do you think that we could maybe cut down on some of the abuse in our CILA's if they were inspected quarterly or even yearly. I mean, you know, I started when it was every three years the CILA had to be inspected. I think maybe wouldn't it help with the instances if they were inspected more often?

Thor: Representative I believe that would naturally flow from that question that that would make sense.

Meier: I agree. Like I stated earlier, I'm happy that the investigation time is getting lower. I do realize that the population we're working with have severe disabilities, but also some of them are quite creative and they've realized that they don't like an employee and they can say something about that employee which is farthest from the truth, but then they get put on administrative leave. So, you know, I would not want to be doing your job, but it's a job that has to be done and we need to keep working at it. But I hope that, you know, I mentioned it, you know, if there's something we can do to help work out, because there is a huge block for you to do your job. Because if there could be a state police investigation going on, I believe we need to find out a legal way of doing something with the law in Illinois that you can be working aside with the state police so we can shorten these up even shorter. That's where your long ones are coming in from. And I would be glad to work with you on those instances. And just like, I hope that we can work together to find a way. I know E for E goes into our SODC's quarterly, and I believe our CILAs should be inspected also like that. Thank you.

Rita: Thank you. And Representative Elik.

Elik: Thank you. I have heard concerns in the past regarding how staffing roles are filled within, you know, let's say, one of our mental health centers. So, for example, you know, people apply and then there's this, like, random selection of names, and you then, then you look to see if those people are qualified for the job. Unfortunately, you could have a better qualified person that just didn't randomly get selected.

So, an existing employee who's looking to move up into a new position who's already doing the job could be overlooked because they just didn't randomly get picked.

And I haven't been able to understand if that's part of, you know, statewide hiring practices or if it's a union contract thing or if it's your department or agency. And so, I'm wondering if you have investigated very specific hiring practices that would improve the pool of applicants, that you get to be sure that they are qualified. And then, you know, when you pick names to interview, like, what's, see who's qualified first. So, is there any comments you have about how you could improve hiring practices so that a situation like that could be made easier?

Butcher: Yeah, so we have been evaluating those things. I mean, that's why we were able to hire as many people as we were able to, because we do have a lot of rules through the personnel code, through our bargaining agreements, where we have these processes and we have to follow those rules. Or we end up having situations where we have to bring those employees that are on the floor, off the floor, they no longer have a job, and then we have to bring then the new people. So, we follow those rules. But we have found good ways to get people on faster and retain those staff. And I think through those retention efforts, we're getting more quality employees.

Elik: I think. Well, I think that's something that is an opportunity to work with the staff at those facilities who are already there and who see these, like, unfair practices going on. And surely that's like, reasons that you could collaborate with the union or to propose new personnel policies. So, I would encourage you, like, look at every single step. And I've heard this in other agencies, too. Like, there's this random generator that says, here's five resumes for you to review. But you didn't get. You just randomly didn't pick the guy that already has the experience that really wants to work there. So, has anybody ever mentioned that to you before?

Quintero: Yeah. No. Thank you. Yeah, thank you, Representative. So, one of the changes that we recently, especially, I will say in the last year or so, is really collaborating on the ground with our hospitals and centers and our local offices and also partnering with the union to do recruitment. So, we diversify our recruitment strategies. I think to your point, the importance to make sure that we're also partnered with different legislators and to ensure that we're also doing recruitment. And not only universities, but also in different environments, including there are some places like Laundromats or certain environments, especially if we have different type of titles. But a lot of this has also been done in partnership because the closer we are to the staff, you know, the more we can improve our hiring process. I think what we did when we did an analysis is we noticed that we were hiring, but we were treating. So now that's what we're looking at also retention, because we could hire, but if we're not retaining. So also talking to staff about what was important to them. And so, we are definitely also assessing and learning from staff. So that's an area of what we continue to improve as well in the sense of our recruitment strategies as well. And we've worked very closely with CMS. I really appreciate Director DeVaughn at CMS really having those conversations about these are the roadblocks, these are 24/7 these are, you know, very vulnerable populations. We need to have staff. And so, it's been a very strong partnership to be able to one bust like, where is the red tape? Where is, like how do we expedite? And so, this is why we've been able to now be able to be where

we are in our staffing numbers. Thank you.

Elik: I'll check back with the folks who've brought that concern to me and see if they've seen changes maybe over the past year or so.

Quintero: I would appreciate. And if you have any feedback, I want to hear the feedback. Okay, thank you.

Elik: Thank you. That's all I have.

Rita: Senator Balkema.

Balkema: Yeah, just a process check. I appreciate what's been shared here. And I assume that for this audit, same thing will apply in terms of the list of findings with the actual target completion date and then regular updates. I will say this one is much more thorough in terms of, you know, you've got percent completes, which sometimes can be misleading based on a percent, you know, versus just an actual date of when it's going to be done. But I appreciate a little bit more of the detail there. But I assume that for this we will get like the other three findings we've discussed, a regular cadence of actual target dates and then a, a follow up and then if it's not completed, why not and what the new date is.

Quintero: Yes, thank you, Senator.

Balkema: Okay, thank you.

Rita: All right, any other questions? And yes, we're going to leave these open and we will address them at future meetings. And I believe you guys are aware of Auditor Mautino. Oh, I'm sorry, I didn't see out there.

Butcher: No, I just wanted to comment on this particular audit is an audit we do periodically. So, this one covered fiscal year 21 to 2023. We will be doing another audit that covers fiscal year 24 through fiscal year 26. And we will probably start that audit sometime in the spring. So, we will follow up on all of these 12 recommendations and determine whether or not they have been implemented. I just wanted to distinguish between the difference between an action plan that the agency has, which is very good, and us actually following up and doing the audit work to determine whether or not these, these recommendations have been implemented.

Rita: Okay. Thank you. And I think what we were looking at is the various items that were requested by the members and the committee or the committee end for all the audits. So, we're going to leave this one open. We'll address it at a future date. Represent Meier.

Meier: When, when you come back next time if you can, because there'll be. They won't be auditing yet. Just give us the numbers of maybe how you've cut the hours. We've got people working more than a thousand hours of overtime in a year. If you can show that by moving the audits up, the savings you're creating for the state of Illinois and the fact that we aren't making these other workers pull those double shifts two to four times a week would be beneficial. If that's possible when you come back.

Quintero: Thank you.

Rita: All right. I think we're going to move on. Right. No other questions, comments. And we'll address these, all these audits at future dates. Thank you, Secretary.

Quintero: Thank you.

Rita: All right, we're going to turn to the consent calendar. Appearing today are 44 reports from July meeting and 37 reports for today's meeting that do not appear to require the presence of the agencies or officials. I'd like to note that these lists are very robust. In order to address the backlog, we had backlog. Members, this is no way should be constituted as in construed in findings, but rather fulfilling our responsibility to act and audits released by the Auditor General. The LAC staff is reviewing outstanding audits and the same agencies and noted repeated findings of that for older audits may be added to the consent calendar. With that said being no objections. Is there a motion made by Representative Elik, second by Representative Manley. All in favor say aye and impose say nay. Independent chair. The ayes have it. The consent calendar is accepted.

All right, here we have four financial statements for the Audit Commission from May, June and July 2025, as well as July 2025. Lapse period spending. If there is no objection, we get a motion by Representative Meier. Second by Senator Balkema. All in favor say aye. Any nays, and the ayes have it and financial statements are accepted.

All right, next we have a proposed regulation. No. Bouncing around. All right, we have the minutes for the audit commission meeting from May 20, from May 27, 2025 and July 18, 2025. If there's no objection, get a motion by Representative Manley. Second by Representative Elik. All in favor say aye. Those opposed say nay. The ayes have it and the meeting minutes are accepted.

All right, we have another. Next our four compliance audits we have heard in July meeting. If there's no objection on the motion by Representative Elik, second by Representative Meier. All in favor say aye. Any nays? The ayes have it and the compliance audits are accepted.

And we acknowledge the receipt of two items which do not require

Commission action. The Auditor's General's quarterly report for the fourth quarter of FY25 and the governor's Travel Control Board's exception report for the fourth quarter FY25. Looking ahead, the Audit Commission will meet again Tuesday, October 14th at 9:00am in Springfield. We will review the Department of Human Rights, the Illinois Environmental Protection Agency and the Governor's Governor State University. Seeing no further business to come before the Legislative Audit Commission today. And a motion by Representative Manley, second by Representative Meier. The meeting is adjourned. Thank you and we'll see you in October.