

OFFICE OF THE NASSAU COUNTY COMPTROLLER



Audit Follow-Up

**Limited Review of ADD/ADHD Housing
Group Inc. Compliance with the Nassau
County Living Wage Law and Related
Memorandum of Understanding**

Original Report Dated: February 20, 2019

September 1, 2021

**JACK SCHNIRMAN
COMPTROLLER**

OFFICE OF THE NASSAU COUNTY COMPTROLLER

JACK SCHNIRMAN, COMPTROLLER

Kim G. Brandeau
*Deputy Comptroller for Administration
& Operations*

Jeffrey R. Schoen
Deputy Comptroller/Chief Counsel

John Marafino
Deputy Comptroller

JoAnn Greene, MBA, CPA
Director of Field Audit

Audit Staff

Aurora Scifo, CPA
Assistant Director of Field Audit

Bebe Belkin
Inspector (Comptroller's Office)

Brian Fredericks
Field Auditor IV

Diana Pereira
Field Auditor II



This report is also available on our website at: <https://www.nassaucountyny.gov/Audits>



OFFICE OF THE NASSAU COUNTY COMPTROLLER

240 Old Country Road
Mineola, New York 11501
Tel: (516) 571-2386 Fax: (516) 571-5900
nccomptroller@nassaucountyny.gov

Hon. Jack Schnirman

Nassau County Comptroller

September 1, 2021

Dear Nassau County Taxpayers:

A key priority for my Office continues to be our focus on conducting audits that achieve results.

That's why in 2018, our team implemented a policy establishing a follow-up review of our audits. Along with providing an update and making it accessible for residents and taxpayers, this follow-up procedure helps us better ensure that the audit's recommendations are implemented, further increasing efficiency and accountability within our County government.

This process is not about playing "gotcha" with our audits; it's about real work getting done, focused on outcomes and results for our taxpayers.

This report provides a follow-up to the *Limited Review of ADD/ADHD Housing Group Inc. Compliance with the Nassau County Living Wage Law and Related Memorandum of Understanding*, which was released in February of 2019. I encourage you to read the original audit and this follow-up report to evaluate both the work of this Office and the ADD/ADHD's implementation of the corrective actions recommended by our Office. All audits are posted on our website, at www.nassaucountyny.gov/Audits.

Please feel free to reach out to our *Report It Reform It* tipline at ReportItReformIt@nassaucountyny.gov with any suggestions or questions that you might have.

Sincerely,

Honorable Jack Schnirman
Nassau County Comptroller

EXECUTIVE SUMMARY

INTRODUCTION

On February 20, 2019, the Nassau County Comptroller's Office released an audit of the ADD/ADHD Housing Group Inc. Compliance with the Nassau County Living Wage Law and Related Memorandum of Understanding. The audit covered the period from January 1, 2016 to December 31, 2017. The objective of the review was to determine whether ADD/ADHD Housing Group Inc. was in compliance with both the County's Living Wage Law and the related Memorandum of Understanding

A copy of this report, *Limited Review of ADD/ADHD Housing Group Inc. Compliance with the Nassau County Living Wage Law and Related Memorandum of Understanding* can be found online at the Comptroller's website [here](#).¹

Auditor Assessment of Progress Objectives and Methodology

The Comptroller's Office conducts a follow-up review of audits to ensure that the recommendations made are being implemented. Working with the ADD/ADHD Housing Group, and with limited follow-up analysis performed by the Auditors, we have prepared this status report.

- **The audit of the ADD/ADHD Housing Group Inc. contained 6 audit findings, with a total of 15 recommendations, of which 14 concerned corrective actions which could be taken directly by the ADD/ADHD Housing Group and one recommendation concerned Nassau County's Department of Social Services.**
- **Five of these 14 recommendations have not been implemented, indicating to Auditors that ADD/ADHD has not adequately demonstrated compliance with the Living Wage Law.**

Summary of ADD/ADHD Housing Group Inc.'s Implementation of Audit Recommendations

Based on conversations with the ADD/ADHD Housing Group Inc. and the limited follow-up analysis performed by the Auditors, each of the fourteen (14) recommendations has been assessed by the Auditors as either Implemented (**Green**), In Process (**Yellow**), or Not Implemented (**Red**). See Exhibit I and Exhibit II on the next page for a breakdown of the stages of completion for all audit recommendations.

¹ February 20, 2019: Limited Review of ADD/ADHD Housing Group Inc. Compliance with the Nassau County Living Wage Law and Related Memorandum of Understanding for Years 2016 and 2017.

EXECUTIVE SUMMARY

Exhibit I

Audit Follow Up				
Limited Review of ADD/ADHD Housing Group Inc. Compliance with the Nassau County Living Wage Law and Related Memorandum of Understanding				
Summary of Vendor Implementation of Audit Recommendations				
Finding #	# Recommendations	Implemented ●	In Process ●	Not Implemented ●
1	4	1	1	2
2	2	0	0	2
3	3	2	1	0
4	1	0	0	1
5	2	2	0	0
6	2	0	2	0
Total	14	5	4	5
Stages of Completion		35.7%	28.6%	35.7%

Exhibit II

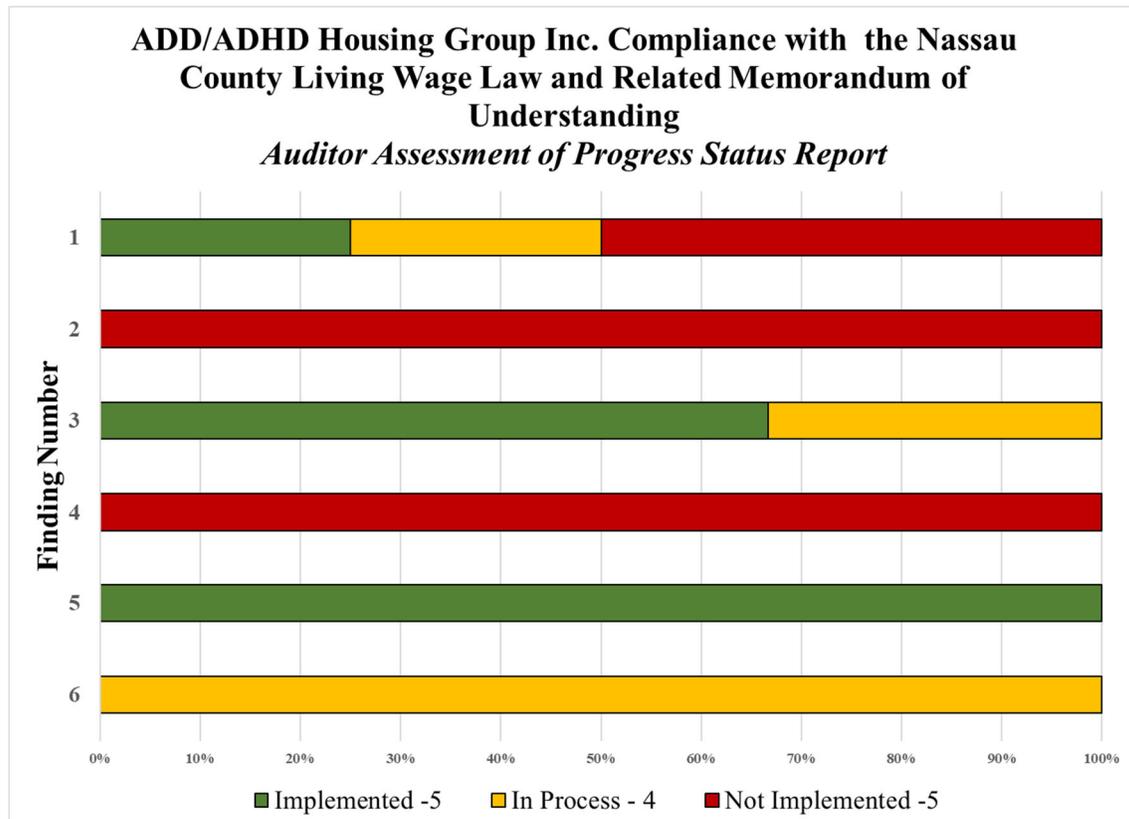


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INTRODUCTION

Summary of Original Report Finding and Recommendations

The Nassau County Living Wage Law ensures that employees of certain companies that receive County funds are earning a living wage and are receiving health benefits or a health benefit supplement. Additionally, the law provides that full-time employees receive 12 paid days off a year, and part-time employees who work at least 20 hours per week, receive proportionate compensated days off

Major Findings of the Original Report

The major findings of the original report included:

- Auditors identified underpaid wages and uncompensated time off worth more than \$47,000 to 17 employees: 16 employees were paid less than the living wage rate resulting in underpayments of \$30,600; and 12 employees were not granted 1,079 hours of earned compensated time off totaling \$16,988.
- The agency represented that some compensation provided to employees was in the form of discounts on rental housing managed by the agency. Three employees were issued 1099-Misc. forms representing these purported housing discounts, which were not filed with the Internal Revenue Service, and may have therefore been false. If employees are provided housing discounts as part of their compensation, these “earnings” should have been included on Form W-2s, not Form 1099-Misc.
- Over \$237,000 in DSS service payments were not reflected as revenue on the agency’s IRS Form 990 for 2016.
- The agency was not providing proof that employees were screened by the NYS Division of Criminal Justice Services Sex Offender Registry.

Major Recommendations of the Original Report

The major recommendations of the original report included:

- ADD/ADHD should compensate all employees for underpaid wages and properly compensate for time off, and provide proof of payment with supporting documentation to the Comptroller’s Office for verification.
- ADD/ADHD should file corrected W-2s for the “earnings” related to discounted housing costs and an updated Form 990 for 2016 for additional revenues identified with the Internal Revenue Service.
- ADD/ADHD should screen all employees through the NYS Division of Criminal Justice Services Sex Offender Registry and provide proof of screening to the Department of Social Services.

INTRODUCTION

Summary of Assessment of Audit Recommendations

Exhibit III below shows the audit findings and recommendations. The recommendations have been individually color coded to denote the Auditors' status assessment of each recommendation: Implemented (**Green**), In Process (**Yellow**), Not Implemented (**Red**) or Not Applicable (No Highlighting)².

Exhibit III

Summary of Assessment of Audit Recommendations		
#	Audit Finding	Audit Recommendation(s)
1	Sixteen of the Seventeen Employees Entitled to the Living Wage Rate were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$30,600; and ADD/ADHD Did Not Provide Employee Payroll Time Records to Validate Hours Worked	<p>a) pay the 16 employees noted in Appendix A, \$30,600 underpaid wages, and submit proof of payment to the Comptroller's Office;</p> <p>b) implement a daily employee time reporting process that documents the work dates, start and end times and the total hours worked by each employee every day;</p> <p>c) include the pay period beginning and ending dates, the employee hourly pay rates and the actual daily hours worked in the Biweekly payroll records;</p> <p>d) provide the Comptroller's Office with an explanation for the 10 employees who were paid without corresponding hours of work noted in the Payroll records.</p>
2	Twelve Employees Were Not Granted 1,079 Hours of Earned Compensated Time Off Totaling \$16,988; and ADD/ADHD Did Not Maintain Earned Compensated Time Off Records	<p>a) pay the 12 employees the \$16,988 for earned compensated time off owed for 2016 and 2017 and provide proof of payment to the Comptroller's Office; and</p> <p>b) keep proper records of each employee's Compensated Time Off accruals, usage, payments.</p>
3	Policy and Procedure Manual Was Not in Compliance with the Nassau County Living Wage and State Laws	<p>a) state that part-time employees who work 20 or more hours per week are also entitled to proportionate compensated days off;</p> <p>b) include the specific times of the year where ADD/ADHD intends to pay employees compensated time off for hours previously worked and not used; and</p> <p>c) remove the deductions for tardiness from the policy.</p>
4	The Agency Represented that they Issued Three Employees Both Forms W-2 and 1099-MISC in 2016; and 1099-MISC Were Not Filed With the IRS	We recommend that ADD/ADHD file corrected 2016 W-2s with the Internal Revenue Service for the three employees who received 1099s.

² The one recommendation has not been evaluated with respect to ADD/ADHD since they cannot unilaterally implement this corrective action.

INTRODUCTION

Summary of Assessment of Audit Recommendations		
#	Audit Finding	Audit Recommendation(s)
5	2016 Revenue Reported by ADD/ADHD Was \$237,100 Less than DSS Service Payments of \$1.2 Million	a) Provide the Comptroller's Office with documentation to explain the difference between revenues reported on the agency's 2016 IRS Form 990 and payments made by Nassau County; and b) Provide an update on the 2017 Form 990 Filing.
6	ADD/ADHD Failed to Provide Evidence that Employees Were Screened by the NYS Division of Criminal Justice Services Sex Offender Registry	a) ADD/ADHD adhere to all requirements in their MOU with Nassau County, including screening employees before hiring and retaining proof of the screenings; b) ADD/ADHD provide letters of screening to the Department of Social Services for the 20 employees reviewed; and c) The Department of Social Services refer any failure by ADD/ADHD to provide such proof of screening, to the County Attorney for potential breach of ADD/ADHD's MOU with the County.

Auditor Assessment of Recommendation Implementation Progress

Auditor Assessment of Recommendation Implementation Progress

This section provides details on the audit report findings, recommendations, progress reports from the ADD/ADHD Housing Group Inc. and the Auditors’ analysis of the recommendation implementation. The recommendation implementation status also includes a color-coded bullet to indicate its progress.

Finding 1 Title	Sixteen of the Seventeen Employees Entitled to the Living Wage Rate were Paid Less Than the Living Wage Rate Resulting in Underpayments of \$30,600; and ADD/ADHD Did Not Provide Employee Payroll Time Records to Validate Hours Worked
Finding 1 Recommendations	<ul style="list-style-type: none"> a) Pay the 16 employees noted in Appendix A, \$30,600 underpaid wages, and submit proof of payment to the Comptroller's Office; b) Implement a daily employee time reporting process that documents the work dates, start and end times and the total hours worked by each employee every day; c) Include the pay period beginning and ending dates, the employee hourly pay rates and the actual daily hours worked in the Biweekly payroll records; d) Provide the Comptroller’s Office with an explanation for the 10 employees who were paid without corresponding hours of work noted in the Payroll records.
ADD/ADHD’s Response to 02/20/2019 Report	<p><i>“With the approval of the Nassau County Department of Social Services other shelter providers have a tacit approval to avoid living wage. This is avoidance scheme effected and condoned by the creation of a separate MOU and separate corporation for each shelter facility although under common control. According to Title 57 Corporations with less than 10 employees are exempt from living wage. For the sake of integrity, we avoid this practice.</i></p> <p><i>We do recognize a difference in living wage payments and on 1/22/2019 authorized payments of \$30,600 to employee. The bulk of which were accumulated by night staff and weekend staff who were allowed to sleep in prior MOUs.</i></p> <p><i>Currently these individuals in compliance with the living wage law are now paid the same rate as case workers who provide intake case management facility and staff oversight.</i></p> <p><i>We now also use a biometric time keeping system to validate hours.”</i></p>

Auditor Assessment of Recommendation Implementation Progress

Auditors' Follow-Up Comments	We are pleased that ADD/ADHD has paid the 16 employees the \$30,600 due them and provided proof of payments (direct deposit information) to the Comptroller's Office.
ADD/ADHD's Response to Audit Follow-Up	<p>a) 10/02/19 - <i>"This recommendation has been completed."</i></p> <p>b) 10/02/19 - <i>"This was already done in prior reporting however we have also added biometric time keeping."</i></p> <p>c) 10/02/19 - <i>"This was already done in prior reporting however we have also added biometric time keeping."</i></p> <p>d) 10/02/19 - <i>"Bonus payments for good performance ██████████ is a key employee she was allowed a \$5,000 emergency loan in 2016 she was being evicted See attachment. all other payments to staff without corresponding hours were holiday bonus"</i></p>
Post Audit Follow-Up Analysis	<p>a) The 16 employees appeared to have been paid the \$30,600 due to them. However, it should be noted that only nine (9) of the sixteen (16) payment stubs showed the type of payment that was made. In this case it was an Advice of Deposit. The other seven (7) paystubs did not state whether it was an Advice of Deposit or display a Check number and bank information such as bank statements were not provided.</p> <p>b) Auditors requested a sample of an employee time record which shows work dates, start and end times and the total hours worked by the employee each day, as a result of ADD/ADHD implementing a biometric. A sample was never provided by ADD/ADHD.</p> <p>c) Auditors requested a sample of a Biweekly payroll which shows the pay period beginning and ending dates, the employee hourly pay rates and the actual daily hours worked in the Biweekly payroll period, as a result of ADD/ADHD implementing a biometric scan. A biweekly payroll record was provided for some employees.</p> <p>d) Auditors requested explanations for employees paid without corresponding hours in 2016 and 2017. ADD/ADHD stated the payments were for bonuses and provided a paystub and payroll summary for one of the employees. However, the purported bonus payment matched the exact amount for the compensated time due to the employee. Further the paystub was for the period 01/01/2019 – 01/15/2019 while the payroll summary provided was for the period 01/20/2019 – 01/28/2019.</p>

Auditor Assessment of Recommendation Implementation Progress

Auditor Assessment of Progress

- 1.a) As stated in ADD/ADHD's Response to the original audit, while the 16 employees appeared to be paid the \$30,600 due to them, the proof of payment did not always indicate whether the document was a copy of a debit advice or a check. We recommend that ADD/ADHD provide check numbers and cancelled checks or copies of bank statements to satisfy proof of payment.
- 1.b) ADD/ADHD did not provide a sample of an updated employee time record as requested by the Auditors. We recommend that ADD/ADHD comply with the Auditor's request and provide a sample of an updated employee time record that ADD/ADHD says was implemented.
- 1.c) We are pleased that the recommendation appears to have been implemented based on the sample of a biweekly payroll record provided to this office.
- 1.d) ADD/ADHD failed to provide explanations and documents sufficient to the Auditors. ADD/ADHD responded that payments to employees where there were no coinciding hours were for bonuses, but only provided support for one of the instances cited in the report and the support provided had inconsistencies. We recommend that ADD/ADHD comply with the Auditor's request by providing proof that the all the payments with no corresponding hours that were cited in the audit report were for bonuses.

Auditor Assessment of Recommendation Implementation Progress

Finding 2 Title	Twelve Employees Were Not Granted 1,079 Hours of Earned Compensated Time Off Totaling \$16,988; and ADD/ADHD Did Not Maintain Earned Compensated Time Off Records
Finding 2 Recommendations	<p>a) Pay the 12 employees the \$16,988 for earned compensated time off owed for 2016 and 2017 and provide proof of payment to the Comptroller’s Office; and</p> <p>b) Keep proper records of each employee’s Compensated Time Off accruals, usage, payments.</p>
ADD/ADHD’s Response to 02/20/2019 Report	<p><i>“Employee payments authorized 1/22/2019. To date only full-time employee designated as those working over 40 hours per week were permitted paid vacation and were paid. Evidence of time of request has been sent to the comptroller’s office already. The comptroller’s office has accepted as proof and is already in possession of payroll summary’s (2106 & 2017) for each employee detailing payment hours totals and taxes for each employee and for each pay period as evidence that the employees for which time off request have been provided were in fact paid for.</i></p> <p><i>It worth noting one disgruntled employee was recently terminated for theft time (punching in and then leaving work) disciplinary process documents are available upon request. This employee was paid for vacation in 2016 & 2017 (see her time off sent by email request). She refuses to meet with us for corroborating letters”.</i></p>
Auditors’ Follow-Up Comments	<p>After the Draft report was issued, ADD/ADHD provided the Comptroller’s Office with documentation to support paid time off for four of the 15 employees noted in our original finding/recommendation. ADD/ADHD provided complete records for 2016 and 2017 for three employees & 2017 records for one employee. Based on our review of the additional documents, we have revised our recommendation as follows:</p> <p>a) Pay the remaining 12 employees the \$16,988 for earned compensated time off owed for 2016 and 2017 and provide proof of payment to the Comptroller’s Office.</p> <p>b) We reiterate our recommendation for the ADD/ADHD to keep proper records of each employee’s Compensated Time Off accruals, usage, and payments.</p>

Auditor Assessment of Recommendation Implementation Progress

<p>ADD/ADHD's Response to Audit Follow-Up</p>	<p>2.a) 10/02/19 – “see attached”</p> <p>2.b) 10/02/19 – “This is now implemented in our payroll system”</p>
<p>Post Audit Follow-Up Analysis</p>	<p>2.a) Auditors requested that ADD/ADHD provide proof of payment of earned compensation time off for the 12 employees. ADD/ADHD provided payroll extractions and paystubs for the period 01/20/19 – 01/28/19 which showed that only ten (10) of the twelve (12) employees were paid for compensated time due. The amounts paid represent 77% of the total amount due of \$16,988. The two employees who were not paid are: Employee #2 - \$1,130.58 Employee #15 - \$2,792.62 The total amount outstanding is \$3,923.20. Further, paystubs were provided as proof of payment, however, only five (5) of the ten (10) paystubs indicated what type of payment was made, that is, an “Advice of Deposit” was displayed on these payments. The remainder of the five (5) pay stubs did not have any “Advice of Deposit” label or Check number and cancelled checks or bank statements were not provided.</p> <p>2.b) Auditors requested that ADD/ADHD provide a sample of an employee’s compensated time off record which shows the accruals, usage and payments, which ADD/ADHD indicated “is now implemented in our payroll system.” ADD/ADHD did not respond to this request.</p>
<p>Auditor Assessment of Progress</p>	<p>● 2.a) ADD/ADHD did not provide complete payment information for 2 of the 12 employees and did not provide proof of payment sufficient to the Auditors for all the amounts ADD/ADHD listed as being paid. We recommend that ADD/ADHD provide the missing payment information for the two employees still due a combined total of \$3,923.20 for compensated time off and adequate proof of payment for all 12 employees including check numbers and cancelled checks or copies of bank statements to satisfy proof of payment.</p> <p>● 2.b) ADD/ADHD did not respond to the Auditors request for a sample of an employee’s compensated time off record which shows the accruals, usage and payments. We recommend that ADD/ADHD comply with the Auditor’s request by providing a sample of what an employee’s compensated time off record now looks like.</p>

Auditor Assessment of Recommendation Implementation Progress

Finding 3 Title	Policy and Procedure Manual Was Not in Compliance with the Nassau County Living Wage and State Laws
Finding 3 Recommendations	<p>a) State that part-time employees who work 20 or more hours per week are also entitled to proportionate compensated days off;</p> <p>b) Include the specific times of the year where ADD/ADHD intends to pay employees compensated time off for hours previously worked and not used; and</p> <p>c) Remove the deductions for tardiness from the policy.</p>
ADD/ADHD's Response to 02/20/2019 Report	<i>"Corrected notice regarding showing up late for work has been amended."</i>
Auditors' Follow-Up Comments	We are pleased that the ADD/ADHD has amended its Policy and Procedure Manual to remove the improper time deductions for tardiness; and has included the living wage law requirement with regards to employee Compensated Time Off.
ADD/ADHD's Response to Audit Follow-Up	<p>a) <i>No follow-up response necessary. The recommendation has already been addressed.</i></p> <p>b) <i>10/02/19 - "In the first week Of the January of each year any accrued vacation from the prior years will be distributed as a payment to any employee with unused vacation time."</i></p> <p>c) <i>No follow-up response necessary. The recommendation has already been addressed.</i></p>
Post Audit Follow-Up Analysis	3.b) Auditors requested that ADD/ADHD provide a copy of the document (such as a memo sent to all employees, a page inserted into the employee manual or handbook, etc.) which states the specific times of year that ADD/ADHD intends to pay employees for unused compensated time off. ADD/ADHD did not respond to this request.
Auditor Assessment of Progress	<p>● 3.a) This recommendation was implemented by the time the original report was released.</p> <p>● 3.b) ADD/ADHD stated in its response that unused accrued vacation time would be paid to employees in the first week of January of each year but, did not provide documentation that this "policy" was communicated to the employees. We recommend that ADD/ADHD comply with the Auditor's request by documenting the "policy" and providing support that the written policy was distributed to the</p>

Auditor Assessment of Recommendation Implementation Progress

employees. For example, the page from the Employee Handbook that states the revised “policy”.

● 3.c) This recommendation was implemented by the time the original report was released.

Auditor Assessment of Recommendation Implementation Progress

Finding 4 Title	The Agency Represented that they Issued Three Employees Both Forms W-2 and 1099-MISC in 2016; and 1099-MISC Were Not Filed With the IRS
Finding 4 Recommendations	We recommend that ADD/ADHD file corrected 2016 W-2s with the Internal Revenue Service for the three employees who received 1099s.
ADD/ADHD's Response to 02/20/2019 Report	<i>"1099 issue is through mutual agreement between the shelter provider and the comptroller's office inconsequential as 1099s we're never filed." 10/02/19 – "We agreed during the meeting that it was a moot point"</i>
Auditors' Follow-Up Comments	We recommend that the ADD/ADHD do not issue false 1099s in the future, and that all employee compensation be reflected in the W-2.
ADD/ADHD's Response to Audit Follow-Up	Auditors inquired if ADD/ADHD filed 2016 Corrected W-2s with the IRS for the three employees who received 1099s in 2016? <i>ADD/ADHD response on 10/02/19 - "These were provided as information returns to employee only and not filed the employees came to us as homeless live in company owned employee housing with 30% to 40% discounted rent vs Market "</i> Auditors inquired if all employee compensation, after 2016, was fully reflected in W-2s ONLY? <i>ADD/ADHD response on 10/02/19: "Yes"</i>
Post Audit Follow-Up Analysis	ADD/ADHD did not provide supporting documents to corroborate that all employee compensation after 2016 was fully reflected on W-2's.
Auditor Assessment of Progress	● 4. A housing allowance benefit must be reported on the employee's annual W-2 and appropriately reported to the IRS.

Auditor Assessment of Recommendation Implementation Progress

Finding 5 Title	2016 Revenue Reported by ADD/ADHD Was \$237,100 Less than DSS Service Payments of \$1.2 Million
Finding 5 Recommendations	<p>a) Provide the Comptroller’s Office with documentation to explain the difference between revenues reported on the agency’s 2016 IRS Form 990 and payments made by Nassau County; and</p> <p>b) Provide an update on the 2017 Form 990 Filing.</p>
ADD/ADHD’s Response to 02/20/2019 Report	<p><i>“DSS does not provide information returns to its shelter vendors detailing the amount paid to the shelter vendors within a fiscal year. The under reporting is to some degree moot as the organization is a 501(C) 3 exempt from federal and state taxes on revenue. We assume the County is in compliance with GASB 6 and using the accrual basis to report payment of liabilities vendors and not cash basis. We attribute the difference to a perhaps timing difference or human error.”</i></p> <p><i>“Nevertheless, will supply an amended return.”</i></p>
Auditors’ Follow-Up Comments	The Comptroller’s Office has received the ADD/ADHD 2017 Form 990. We are pleased that the 2016 and 2017 Forms 990 were amended to reflect the actual service payments the ADD/ADHD received.
ADD/ADHD’s Response to Audit Follow-Up	<i>“No response necessary since both recommendations have been completed by ADD/ADHD”.</i>
Post Audit Follow-Up Analysis	No analysis necessary since both recommendations were completed prior to the issuance of the original report
Auditor Assessment of Progress	<p>● 5.a) This recommendation was implemented by the time the original report was released.</p> <p>● 5.b) This recommendation was implemented by the time the original report was released.</p>

Auditor Assessment of Recommendation Implementation Progress

Finding 6 Title	ADD/ADHD Failed to Provide Evidence that Employees Were Screened by the NYS Division of Criminal Justice Services Sex Offender Registry
Finding 6 Recommendations	<p>a) ADD/ADHD adhere to all requirements in their MOU with Nassau County, including screening employees before hiring and retaining proof of the screenings;</p> <p>b) ADD/ADHD provide letters of screening to the Department of Social Services for the 20 employees reviewed; and</p> <p>c) The Department of Social Services refer any failure by ADD/ADHD to provide such proof of screening, to the County Attorney for potential breach of ADD/ADHD’s MOU with the County.</p>
ADD/ADHD’s Response to 02/20/2019 Report	<p><i>“We utilized the registry however there were no “hits” with employee and given that this was not information requesting by DSS in our monthly communication records of no hits seemed irrelevant</i></p> <p><i>“However, under OTDA oversight and mandated as of July 2018. All recorded are maintained for each and every new hits even if not a match.”</i></p>
Auditors’ Follow-Up Comments	<p>We are pleased that ADD/ADHD has retroactively screened all of their employees. However, we reiterate the requirement to screen all employees through the NYS Division of Criminal Justice Services Sex Offender Registry and retain all proof of such screening.</p>
ADD/ADHD’s Response to Audit Follow-Up	<p>09/22/19 – ADD/ADHD sent background check info via email, with the following verbiage:</p> <p><i>“Please see attached: All detailed criminal records are deleted from the database after 6 months - I do have for few employees that I printed, however, the State informs me that if the company needs it we can request it for our review only, but as a confidential legal document should not be passed on to anyone else without a court order.</i></p> <p><i>I now remember why I did not print all the criminal records, and instead print the list attached- you would have to have a special room/safe to keep them in which OTDA said we didn’t have to have, since all we have to do is to provide proof that we conduct the background check.”</i></p>

Auditor Assessment of Recommendation Implementation Progress

Post Audit Follow-Up Analysis	<p>Auditors requested that ADD/ADHD provide proof of all screenings for all current employees including the 20 employees reviewed during the audit.</p> <p>6.a) Auditors determined there were only 19 employees hired between 2016 and 2017. Of the 19 employees, Auditors noted that only 3 were hired <u>after</u> May 1, 2017, the effective date for which ADD/ADHD was required to perform screening using the New York State Division of Criminal Justice Services Sex Offender Registry. Thus, ADD/ADHD was not required to perform background checks on the remaining 16 employees since they were hired prior to May 1, 2017.</p> <p>6.b) ADD/ADHD provided SCR (State Central Registry) or SEL (Staff Exclusion List) information for 2 of the 3 employees that were hired after May 1, 2017. ADD/ADHD advised the Auditors that ADD/ADHD does not intend to retain the documents they do obtain. These documents are important to substantiate that employees did not appear on the registry at the time of hiring.</p> <p>6.c) This recommendation was not directed at ADD/ADHD.</p>
Auditor Assessment of Progress	<p>● 6.a) ADD/ADHD has not fully complied with the recommendation since proof of screening was only provided for 2 of the 3 employees.</p> <p>● 6.b) ADD/ADHD did not provide any proof that screening was done for one of the three employees.</p> <p>6.c) Since the recommendation was not directed at ADD/ADHD, color coding is not applicable.</p>

END OF REPORT

