

## California Sex Offender Management Board

### Policy and Procedures for Compliance Reviews of Treatment Providers and Provider Agencies

#### Purpose:

The purpose of this policy is to outline the procedures for conducting compliance reviews. The compliance review is designed to review Treatment Provider and Provider Agency compliance with the California Sex Offender Management Board's (CASOMB) Certification Standards.

#### Scope:

This procedure applies to all CASOMB certified Treatment Providers and Provider Agencies.

Compliance Review Procedures have three levels

1. Treatment Provider compliance reviews
2. Provider Agency compliance reviews
3. Provider Agency quality assurance and compliance reviews

### Treatment Provider Compliance Reviews

Treatment Providers must meet education, training/continuing education, experience, and supervision requirements. Treatment Providers must be employed by a Treatment Provider Agency, with few exceptions.

#### Selection of Treatment Providers to Review:

1. The goal of the Board is to review up to 5% of Treatment Providers annually for compliance with Treatment Provider Certification Requirements.
2. Consideration will be given to geographic region, volume of services provided, prior compliance reviews, and cause (they have received complaints).

#### Procedure:

1. CASOMB staff will select Treatment Providers to be reviewed.
2. CASOMB staff will notify the Treatment Providers, by certified mail and email of the compliance review.
3. Treatment Providers will be given 30 days to comply with the review request.
4. Compliance Review Process Requirements:
  - a. Treatment Providers shall send proof to CASOMB staff, via mail or email, of past attendance at training or continuing education in compliance with CASOMB's Certification Guidelines.

- b. Treatment Providers shall provide documentation of their experience hours, in accordance with requests that are included in notification of audit letter.
- c. Treatment Providers shall provide proof of education requirements, which may include a letter from a graduate school, school transcripts, or diplomas.
- d. Treatment Providers shall provide the name of their supervisor, if applicable, or a copy of their license.
- e. If a Treatment Provider clinically supervises CASOMB certified treatment providers, they shall provide to CASOMB staff a list of the individuals they supervise, including the level of certification of the supervisee.

### Summary of Compliance Review

The Treatment Provider will be provided with a written summary of the compliance review by email and certified mail. The summary will indicate:

1. The Treatment Provider is in compliance with the current certification standards and no further action is required.
2. The Treatment Provider is not in compliance with current certification standards. The areas of deficiency will be listed and the Treatment Provider will be given 90 days from the date the certified letter is mailed, to provide documentation to CASOMB staff that shows the Treatment Provider come into compliance with the CASOMB Certification Requirements.
  1. If the Treatment Provider is unable to rectify the problem within 90 days then their Provider Certification may be suspended. The Treatment Provider may be barred from providing treatment and assessment services that require CASOMB certification until the Treatment Provider is in compliance or other remedies may apply as agreed between the Board and the Provider.
  2. Certification status will be provided to individuals upon request.

### Remote Provider Agency Compliance Reviews

Provider Agencies must comply with CASOMB's Provider Agency Certification Requirements by maintaining a detailed policies and practices manual and maintaining the appropriate documentation associated with the assessment and treatment of adults who offend sexually.

### Selection of Treatment Providers Agencies for remote compliance review:

1. The goal of the Board is to review up to 10% of Treatment Provider Agencies annually for compliance with Treatment Provider Certification Requirements.
2. If a Treatment Provider Agency provides CASOMB certified services at multiple locations, then individual office sites will be selected for compliance review.
3. Consideration will be given to geographic region, volume of services provided, prior compliance reviews and cause (they have received complaints).

Procedure:

1. CASOMB staff will select Treatment Provider Agencies/sites to be reviewed.
2. CASOMB staff will notify the Treatment Provider Agency, by certified mail and email of the remote compliance review.
3. Provider Agencies will be given 30 days to comply with the review request.
4. Provider Agencies shall provide to CASOMB staff the list of requested documents in accordance with CASOMB's Certification Requirements.
5. The Provider Agency's treatment curriculum will not be requested during remote audits.
6. A checklist will be used to track presence, and to the degree possible, quality of requested documents.
7. Treatment Provider Agencies will, through secure electronic means, provide CASOMB staff with a list of all 290 registrant clients currently being seen in their treatment program, and 290 registrant clients who discharged within the six months prior to the date the request for compliance review was received by the provider agency.
8. CASOMB staff will randomly select clients on the list for compliance with the SARATSO score submission process, as stated in the CASOMB Provider Agency Requirements. The number of clients reviewed will be based on the volume of clients treated.
9. CASOMB staff will verify that LS/CMI scores for the selected clients have been entered into the MHS online database.
10. Treatment Provider Agencies must provide documentation verifying STABLE-2007 scores were submitted to supervising agent(s).

Summary of Compliance Review

The Treatment Provider Agency will be provided a written summary of the compliance review by email and certified mail. The summary may include:

1. A finding that the Treatment Provider Agency site is in compliance with CASOMB certification requirements and no further action is required.
2. A finding that the Treatment Provider Agency site is not in compliance with the Treatment Provider Agency Certification Requirements. A list of deficiencies will be provided in the summary. The Provider Agency will be given 30 days to submit a Corrective Action Plan to CASOMB staff.
  - a. The Provider Agency must provide documentation to CASOMB staff that shows it has come into compliance with the Certification Requirements within 60 days from the date the summary of the compliance review is mailed.
  - b. If the Provider Agency is unable to rectify the problem(s) within 60 days, and has not been granted an extension of time, the Provider Agency site may be suspended from providing CASOMB certified services until it provides proof that it is in compliance with the Provider Agency Certification Requirements.
  - c. If a Provider Agency is unable to comply with the Certification Requirements within 60 days, then it may apply for an extension of time. The application for

the extension of time must be received 30 days before the time period for compliance expires. Extensions will be granted on a case-by-case basis. The request for an extension of time should explain why additional time is required for compliance and propose a corrective action plan.

- d. Provider agencies will not be allowed more than one 90-day extension to come into compliance with the certification requirements.

### On-Site Provider Agency Compliance Reviews

The on-site reviews go beyond verifying the presence of policies, procedures and documents. The on-site compliance review will include a review of all of the documents required in the remote provider agency compliance review, as well as review of client charts and other relevant documents.

#### Selection of Treatment Providers Agencies for on-site compliance review:

1. Some Provider Agencies which were selected for remote compliance reviews may be chosen for on-site compliance reviews.
2. Consideration will be given to geographic region, volume of services provided, whether there have been previous reviews, and cause (they have received complaints)

#### Procedure:

1. CASOMB staff will select Treatment Provider Agency/Agency site to be reviewed.
2. Treatment Provider Agency will be notified by certified mail and email of the review.
3. Treatment Provider Agencies will, through secure electronic means, provide CASOMB staff with a list of all 290 registrant clients currently being seen in their treatment program, and 290 registrant clients who discharged within the six months prior to the date the request for compliance review was received by the provider agency. The list shall contain the name of the primary treatment provider for each client on the list.
4. Dates for the on-site visit will be scheduled by the CASOMB staff and the Treatment Provider Agency. The on-site visit will normally be scheduled within 30 business days of mailing the compliance review notification.
5. The Treatment Provider Agency shall provide to CASOMB staff the name of the contact person at the Treatment Provider Agency who will greet the assessor and provide them access to the requested documents.
6. Based on the list provided to CAOMB staff, client files will be selected by CASOMB staff for compliance review. The number of files reviewed will be based on the volume of clients at the Provider Agency site.
7. Upon arrival at the Treatment Provider Agency CASOMB staff will provide the agency with a list of clients whose files will be reviewed.

8. A checklist, in compliance with CASOMB's requirements, will be used to track the presence and quality of all documents in the clinical file.
9. A copy of the Treatment Program Curriculum will be made available to the assessor for review.

#### Summary of Compliance Review

The Treatment Provider Agency will be provided a written summary of the compliance review through certified mail and email. The summary may include:

1. A finding that the Treatment Provider Agency site is in compliance with CASOMB certification requirements and no further action is required.
2. A finding that the Treatment Provider Agency site is not in compliance with the Treatment Provider Agency Certification Requirements. A list of deficiencies will be included in the summary. The Provider Agency will be given 30 days to submit a Corrective Action Plan to CASOMB staff.
  - a. The Provider Agency must provide documentation to CASOMB staff that shows it has come into compliance with the Certification Requirements within 60 days from the date the summary of the compliance review is mailed.
  - b. If the Provider Agency is unable to rectify the problem(s) within 60 days, and has not been granted an extension of time, the Provider Agency site may be suspended from providing CASOMB certified services until it provides proof that it is in compliance with the Provider Agency Certification Requirements.
  - c. If a Provider Agency is unable to comply with the Certification Requirements within 60 days, then it may apply for an extension of time. The application for the extension of time must be received 30 days before the time period for compliance expires. Extensions will be granted on a case-by-case basis. The request for an extension of time should explain why additional time is required for compliance and propose a corrective action plan.
  - d. Provider agencies will not be allowed more than one 90-day extension to come into compliance with the certification requirements.

Note: Certification status is public information and will be shared upon request. However, Compliance Review results or details are not public information and will not be made available upon request.