

## Q1 & 2: Informal and Formal Procedure and Range of Time

Welfare and Institutions Code, Section 14171 contains the procedures that govern an appeal:

- A provider may request an informal hearing for any disputed audit or examination finding by filing a Statement of Disputed Issues, as defined in the California Code of Regulations, Title 22, Section 51022, within 60 calendar days from the date they receive the audit report.
- The Statement of Disputed Issues must:
  - Be specific as to each adjustment that is in dispute
  - Include the provider's contentions as to those issues
  - Include the estimated amount each issue involves
  - Be in writing
  - Be signed by the provider or the authorized agent
  - Include the name and address of the provider
- The informal appeal process is:
  - Conducted by a hearing officer (not an Administrative Law Judge)
  - Attempts to resolve the facts and issues in dispute in a fair and equitable manner, subject to the requirements of state and federal law
  - Conducted no later than 90 days after the filing of Statement of Disputed Issues and completed no later than 180 days
- If the informal appeal is denied, a formal appeal can be requested by submitting another Statement of Disputed Issues within 30 days after the informal appeal decision is received.
- The formal appeal process is:
  - Conducted by an Administrative Law Judge and both sides must have legal representation.
  - Conducted in a courtroom setting and each party has the right to:
    - Call and examine parties and witnesses
    - Introduce exhibits
    - Question opposing witnesses and parties on any matter relevant to the issue even though the matter was not covered in the direct examination
    - Impeach any witness regardless of which party first called the witness to testify
    - Rebut the evidence against him
  - The formal hearing shall be conducted no later than 300 days after the filing of the first Statement of Disputed Issues
  - A final decision must come within 300 days after the closure of the record of the formal hearing.

Q 3: Number of audits completed in last 5 years (number per auditor)

FYE	Audits Issued	No. of Auditors (Productive FTE)	Audits Issued by Auditor
2007	451	7	64
2008	464	7	66
2009	471	7	67
2010	480	10.5	46
2011	494	10.5	47
2012	515	10.5	49
2013	530	10.5	50
2014	530	10.5	50
2015	<u>518</u>	10.5	49
Totals	<u>4,453</u>		<u>54</u>



Q 4-8: Number of appeals / Number of appeals dropped / Number of appeals going to court / Number of appeals won by district / Number won by state

FPE	No. of Issues	Number of Appeals Dropped (Informal)	Number of Appeals Won by District (Informal)	Number of Appeals Won By State (Informal)	Agreement Between A&I and Provider	Number of Appeals Going to Court (Formal)	Number of Appeals Dropped (Formal)	Number of Appeals Won by District (Formal)	Number of Appeals Won By State (Formal)	Settlement Between A&I and Provider
2007	4	1	0	2	1					
2008	4	1	0	2	1					
2009	1	0	0	1						
2010	9	2	0	5	2	3	1		2	
2011	14	2	1	9	2	5	2		1	1
2012	9	3		4	2	4	1			2
2013	7			4	2	2				
2014	4	2	1	1		1				
2015	7	1		3	1	1				
Grand Total:	59	11	2	29	10	16	5	0	3	3
% of Issues:		18.64%	3.39%	49.15%	16.95%	27.12%	8.47%	0.00%	5.08%	5.08%

Total Appeals: 45  
Total Issues: 59  
Informal Pending: 2  
Formal Pending: 5

Q 9: What percent of field audits require repayment? How many require less than 10% repayment, 10-25% repayment, 25-50% repayment, over 50% repayment?

Providers that had Repayment to State: 1% - 10% of Interim Payment	Providers that had Repayment to State: 11% - 25% of Interim Payment	Providers that had Repayment to State: 26% - 50% of Interim Payment	Providers that had Repayment to State: 51% - 100% of Interim Payment	Total: Providers that had Repayment to State: Interim Payment	Percent of Total Audited Issued: Providers that had Repayment to State: Interim Payment
128	95	50	65	338	74.94%
141	114	56	37	348	75.00%
136	123	60	34	353	74.95%
115	130	64	34	343	71.46%
115	119	71	30	335	67.81%
125	133	87	37	382	74.17%
135	159	91	40	425	80.19%
132	168	76	35	411	77.55%
149	155	66	28	398	76.83%
1,176	1,196	621	340	3,333	74.85%



Q 10: When was the last time that training on audits was conducted by DHCS? Was the training in-person or online? How many districts attended?

Meeting	Date	Attendance	# attended
AWG Meeting	4/3/2019	DHCS/Phone- DHCS and Stakeholders	86
AWG Meeting	10/8/2019	DHCS/Phone- DHCS and Stakeholders	250
AWG Meeting	12/4/2019	DHCS/WebEx- DHCS and Stakeholders	250
AWG Meeting	2/12/2020	DHCS/WebEx- DHCS and Stakeholders	250
AWG Meeting	4/8/2020	DHCS/WebEx- DHCS and Stakeholders	250
AWG Meeting/LEA BOP CRCS Training	6/3/2020	WebEx	250