

Agency Name	NH DHHS Division of Public Health Services
Audit Name	STATE OF NEW HAMPSHIRE THERAPEUTIC CANNABIS PROGRAM IDENTIFICATION CARD TIMELINESS
Audit Period	Calendar Year 2018
Status Report Date	July 2019

Summary of Audit Observations/Findings					
Number	Observation Title	Status [place X in status column]			
		Unresolved	Partially Resolved	Substantially Resolved	Fully Resolved
1	Process Applications Within Statutory Timelines		X		
2	Track Application Timeliness Correctly.		X		
3	Renewal Applications Should Be Immediately Processed		X		
4	Improve Application Instructions And Forms		X		
5	Improve Data Consistency		X		
6	Supervisory Review Needed		X		
7	Improve Client Service		X		
8	Formalize Program Policies And Procedures		X		
9	Amend Administrative Rules	X			

EXAMPLE Observation 1: No Formal Risk Assessment over XYZ program

Summary of Finding: Agency has not performed a formal risk assessment. An effective assessment is the foundation for developing and implementing effective internal controls to eliminate, mitigate or otherwise manage identified risks.

Current Status: Substantially Resolved. Agency in connections with DAS, utilized the Internal Control Toolkit and performed a formal risk assessment. The next step is to implement new processes and controls to minimize the identified risks. Completion Date estimated: August 2019

Observation 1:

Process Applications within Statutory Timelines

Summary of Finding:

Orient operations to process applications within timeframes established by statute and rules and consider whether the program's database meets current and future needs.

If the TCP wants to continue processing applications based only on a 20-day timeline, it should seek changes to statute and corresponding rules.

Management and the Legislature may wish to maintain adequate funding and staffing levels.

Current Status: Partially Resolved

- TCP has begun a comprehensive Performance Improvement project of business operations guided by the findings of the June 2019 Audit.
- TCP has developed a plan to re-orient the current paper-based operations for the issuance of registry identification cards with the statutory timeframes described in the audit.
- TCP does not believe it will be necessary to seek a legislative change to collapse the two current timeframes of 15 days to approve an application and 5 days to issue a registry identification card into one 20-day deadline to approve and issue a card, as currently practiced.
- A new registry database, BioTrack THC, has been procured as of June 19, 2019. The vendor proposes a five-month build/test/implementation phase. Registry functions will be oriented to statutory requirements of a maximum of 15 days to process applications and once the application has been processed, five days for issuing the card.
- The proposed DHHS SFY2020 Budget contemplates a new Accounting Unit (AU) for TCP. All aspects of the program will be fully and clearly budgeted within the Division of Public Health Services.
- Staffing levels, while not currently adequate, will improve in SFY 2020. Budgeted positions for SFY 2020 include:

- Program Specialist III to supervise the program's registry function and staff, to develop policies and procedures for patient enrollment, and to perform quality assurance and quality improvement by monitoring, analyzing, and interpreting enrollment data.
- Two full-time Program Assistant II positions, which will replace the current part-time Program Assistant I and Program Assistant II positions.

Observation 2: Track Application Timeliness Correctly**Summary of Finding:**

Ensure program database supports the 15- and five-day statutory deadlines instead of the 20-day informal deadline.

Current Status: Partially Resolved

- A new registry database, BioTrack THC, has been procured as of June 19, 2019.
 - The vendor proposes a five-month build/test/implementation phase.
- Registry functions will be oriented to statutory requirements of a maximum of 15 days to process applications and once the application has been processed, five days for issuing the card.

Observation 3: Renewal Applications Should Be Immediately Processed**Summary of Finding:**

The current law specifies that an application must be approved or denied within 15 days of receipt and a card issued within five days of approval, yet another part of the therapeutic cannabis statute limited registry identification cards to be valid for no more than one year after issuance.

The recommendation was to seek change to laws to avoid conflicting statutory requirements when attempting to issue renewal identification cards in a timely manner.

Current Status: Partially Resolved

- TCP has developed a plan to integrate the processing of renewal applications into the workflow for initial applications, so that they can be processed per the statutory timeframes described in the audit and not be batched or set aside until the month that the current card expires.
- The Department has begun to explore options for potential changes to the statute to address the uneven number of renewal applications month to month.

- Current statutory requirements for an annual recertification and the addition of new qualifying medical conditions over the evolution of the program since 2013 have contributed to annual surges of renewal applications in the October and November.
- The Department will consider various legislative solutions, including increasing the duration of a certifying provider's written certification from the current maximum of one year to a longer period, at the provider's discretion.

Observation 4: Improve Application Instructions and Forms**Summary of Finding:**

Almost 40 percent of initial patient applications received in CY 2018 were considered incomplete upon receipt. TCP should review its application forms to identify areas which could be simplified and revised to enhance clarity for items needed to submit a complete application.

Current Status: Partially Resolved

- TCP has begun a systematic review and analysis of its current applications, instructions, and information sheets.
- TCP will update all materials based on that assessment so that materials are simplified and clarified with the goal of making the patient application experience easier to understand and less burdensome.
 - Updates will occur in tandem with the rollout of a new Registry database and changes to RSA 126-X that will occur as a result of legislation passed in 2019 with regard to photo identification, required patient/provider relationship, and the opportunity to enroll with TCP to "home grow" cannabis.
- TCP will solicit input on potential changes to forms from the Alternative Treatment Centers (ATCs) and will incorporate feedback received from qualifying patients and designated caregivers regarding applications, forms, instructions, and information sheets.

Observation 5: Improve Data Consistency**Summary of Finding:**

TCP made inconsistent use of checklists and because data recorded on the checklists and the database was inconsistent, data analysis was made much more difficult. A contributing factor to data inconsistency and incompleteness was the lack of adequate staffing. Due to the lack of an allocated budget to staff the program when it was established, the TCP was decentralized and relied on staff borrowed from other DHHS programs to answer phones, approve and issue registry identification cards, and assist with organizing files.

Current Status: Partially Resolved

- TCP has been centralized under one unit in the DHHS Division of Public Health Services.
- The proposed DHHS SFY2020 Budget contemplates a new Accounting Unit (AU) for TCP. All aspects of the program, including personnel, will be fully and clearly budgeted within the Division of Public Health Services.
- Staffing levels, while not currently adequate, will improve in SFY 2020. Budgeted positions for SFY 2020 include:
 - Program Specialist III to supervise the program's registry function and staff, to develop policies and procedures for patient enrollment, and to perform quality assurance and quality improvement by monitoring, analyzing, and interpreting enrollment data.
 - Two full-time Program Assistant II positions, which will replace the current part-time Program Assistant I and Program Assistant II positions.
- TCP will undertake a systematic review and analysis of its current policy, procedure, and training manual.
- TCP will update the manual based on its assessment to include formal written policies, procedures, and tools and to ensure that all materials are accurate, up to date, reflect current practice, and are compliant with applicable rule and law.
 - The manual will be reviewed and updated as needed so that it remains current, accurate, and up to date. Current and future TCP staff, and, to the extent needed, any staff borrowed from other areas, will be trained on up-to-date policies and procedures, both initially and periodically as needed.

Observation 6: Supervisory Review Needed**Summary of Finding:**

To ensure the accuracy and completeness of information, an agency must employ a variety of control activities, such as building in edit checks of data entered by staff. Data entered into an information system like the TCP application database should have been periodically compared with physical files, and any discrepancies should have been examined. Supervisory or independent review of data entered into the agency's application system should have occurred.

Current Status: Partially Resolved

- TCP has been centralized under one unit in the DHHS Division of Public Health Services.
 - The TCP Administrator is now in the same workplace as Registry staff and is available for consultation, supervision, and review.

- A Program Specialist III is budgeted for SFY2020 to supervise the program's registry function and staff, to develop policies and procedures for patient enrollment, and to perform quality assurance and quality improvement by monitoring, analyzing, and interpreting enrollment data.
- TCP has begun a systematic review and analysis of its current policy, procedure, and training manual.
- TCP will assess, and reorganize as needed, the business processes and work environment to reduce the risk of error, omission, or fraud by separating duties and responsibilities among different staff, so that no one staff member controls all key aspects of a process.
- TCP will update the manual based on its assessment to include formal written policies, procedures, and tools and to ensure that all materials are accurate, up to date, and are compliant with applicable rule and law.
 - The manual will be reviewed and updated as needed so that it remains current, accurate, and up to date. Current and future TCP staff, and, to the extent needed, any staff borrowed from other areas, will be trained on up-to-date policies and procedures, both initially and periodically as needed.

Observation 7: Improve Client Service**Summary of Finding: Partially Resolved**

TCP did not have formal policies and procedures for how staff should handle email or telephone inquiries. Client Service was inconsistent and not performed in a timely manner.

Current Status: Partially Resolved

- TCP has begun a systematic review and analysis of its current policy, procedure, and training manual.
- TCP will update the manual based on its assessment to include formal written policies, procedures, and tools to ensure that all materials are accurate, up to date, and are compliant with applicable rule and law.
- Public-facing documents, including applications, information sheets, and information published on the program's website, will be updated to reflect current practice, including that of providing application status over the phone
- In late 2018, TCP began improving its customer service activities, to include fixing the TCP phone system so that the main program phone line rings on all TCP staff phones, as well as on a bureau support staff phone, directly answering as many calls as possible, systematically clearing and logging voice mail messages so that new messages can be received, and directing staff to return as many messages as possible.
- TCP has instituted a shared phone log document to record all calls received, both answered and retrieved, to record calls by color code and category, and to record the date of resolution.

Observation 8: Formalize Program Policies And Procedures**Summary of Finding:**

The “TCP Training Manual” contained a purpose and mission statement, laws, rules, memorandums, procedures, policies, and forms. However, the binder was loosely organized and contained a mixture of outdated and current application forms. Without formal, clearly written policies and procedures, competence in program personnel could not be effectively measured and clients may have received inconsistent service.

Current Status: Partially Resolved

- TCP has begun a systematic review and analysis of its current policy, procedure, and training manual.
- TCP will update the manual based on its assessment to include formal written policies, procedures, and tools to ensure that all materials are accurate, up to date, and are compliant with applicable rule and law. TCP will update the manual based on its assessment to include formal written policies, procedures, and tools and to ensure that all materials are accurate, up to date, and are compliant with applicable rule and law.
 - The manual will be reviewed and updated as needed so that it remains current, accurate, and up to date. Current and future TCP staff, and, to the extent needed, any staff borrowed from other areas, will be trained on up-to-date policies and procedures, both initially and periodically as needed.
- A Program Specialist III is budgeted for SFY2020 to supervise the program’s registry function and staff, to develop policies and procedures for patient enrollment, and to perform quality assurance and quality improvement by monitoring, analyzing, and interpreting enrollment data.
 - This position will be responsible for maintaining and updating policies and procedures within the TCP Training Manual.

Observation 9: Amend Administrative Rules**Summary of Finding:**

Some practices of the TCP were contrary to its administrative rules. By not having practice align with rules, and not informing all applicants of program changes, the program was not following law nor treating applicants equitably. TCP should review its administrative rules and amend those areas of rules as soon as practical where there may be contrary or cumbersome regulation or where practice differs from the stated rule.

Current Status: Not Resolved

- TCP has begun a systematic review and analysis of its current policy, procedure, and training manual as compared to program rules He-C 401.
- TCP will update the manual based on its assessment to include formal written policies, procedures, and tools to ensure that all materials are accurate, up to date, reflect current practice, and are compliant with applicable rule and law.
- To the extent that current practice is identified as being inconsistent with current rule, and where good cause exists for a rule change, such rules will be amended through the formal rulemaking process described in RSA 541-A.
- To the extent that a current rule is appropriate in most cases, but in certain individual cases it may be waived for good cause, the Department will adhere to the waiver procedures currently in rule, or as amended.
- To the extent that current practice is inconsistently known by applicants due to a lack of publicizing such practice or the publishing of outdated information, the Department will update public-facing documents so that all applicants have the same access to current information.