

DEPARTMENT OF FINANCIAL SERVICES

# Early Learning Coalition Provider Training

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## Definitions

- **Provider**: (per Office of Early Learning) An “operator” which refers to the director, on-site administrator, or other individual, who has the primary responsibility for the day-to-day operation, supervision, and administration of a school readiness/VPK program facility.
- **Recipient**: A parent and/or guardian

# Types of Fraud

- **Recipient Fraud**: parents/guardian who are suspected of committing fraud
- **Provider Fraud**: Daycare provider who is suspected of committing fraud

## Recipient Fraud

- DPAF will contact provider to obtain copies of documentation such as sign in/out forms, enrollment packages, emergency contact information, payment info, etc.
- Will request provider to complete a notarized Business Record Certificate (See handout 1).
- Subpoenas: If the provider is uncomfortable with providing info, a subpoena can be issued. (NOTE: ELC State contract, Section V35, Record Maintenance, states: the provider agrees to allow Coalition staff or sub-contractors (DPAF), the Department of Children and Families or local licensing agency, if applicable, the Office of Early Learning or the US Department of Health and Human Services to inspect and copy records pertaining to the SR program during normal business hours and upon request.

## Recipient Fraud (Continued)

- Items in storage: if requested items are in storage, a reasonable amount of time will be given for the provider to obtain the requested information.
- Statements: DPAF may request provider and/or daycare staff to provide a sworn, written statements. Examples:
  1. Parents meet with the provider and during the discussion the parent/guardian admits the father and mother have been residing together.
  2. Stating which parent was picking up and/or dropping off the child.
  3. Parent pick up and/or drops off the child in a uniform.

# Certification of Custodian of Records of Regularly Conducted Business Activities Form

- See Handout 1.
- This document will be requested by DPAF anytime the provider provides documentation for a DPAF investigation.
- This document will need to **be completed and notarized**.
- This document allows the documents the provider supplied to be entered into evidence if the case is submitted to the State Attorney's Office for prosecution without the provider appearing in person at the State Attorney's Office to authenticate the documents. (NOTE: If there is a trial, the provider may be required to appear.)

## Provider Fraud

### Florida Statute 414.39 – Fraud (Handout 2)

- Paragraph (3) Any person having duties in the administration of state or federally funded public assistance program or in the distribution of public assistance, or authorizations or identifications to obtain public assistance, under a state or federally funded public assistance program who:
- (a) **Fraudulently misappropriates, attempts to misappropriate, or aids and abets in the misappropriated of** food assistance, an authorization for food assistance, a food assistance identification card, a certificate of eligibility for prescribed medicine, a Medicaid identification card, or **public assistance from any state or federally funded program for which he or she has been entrusted or of which he or she has gained possession by virtue of his or her position, or who knowingly** fails to disclose any such fraudulent activity;...

## F.S. 414-39 (Continued)

- (4)(a) Knowingly files, attempts to file, or aids and abets in the filing of a claim for services to a recipient of public assistance under any state or federally funded public assistance program for services that were not rendered.



## Types of Provider Fraud

- Someone from the facility signing children in and/out (unless bus rider).
- Someone from the facility signing the parent name to forms (including the Sign in and/or out forms).
- Completing Sign in and/or out forms for children who were not in attendance (Ghosting children).
- Reporting the children as attending on the Attendance for Reimbursement Form(s) but the Sign in and/or out forms do not match.
- Failing to report loss of a certification (Gold Seal, Apple, etc.)

## F.S. 1002.84 – Early learning Coalitions School Readiness Powers and Duties (Handout 3)

- (10) Establish a records retention requirement for Sign in and/or out records that is consistent with state and federal law. Attendance records may not be altered or amended after December 31<sup>st</sup> of the subsequent year. (Coalition policy is the Sign in and/or out forms must be maintained for 5 years from date of last reimbursement.)
- (17) Implement an anti-fraud plan addressing the detection, reporting, and prevention of overpayments, abuse, and fraud relating to the provision of and payment for School Readiness program and Voluntary Prekindergarten (VPK) Education program services.

## 6M-4.500 FAC – Child Attendance and Provider Reimbursements (Handout 4)

- (1)(c) Daily attendance documentation shall be maintained by each school readiness provider based on the terms of the Statewide School Readiness Contract, specified in 6M-4.610 FAC. The provider must record daily child attendance using a paper sign in and/or out form or electronic attendance-tracking system that is maintained at the provider site to validate the attendance data. For electronic attendance systems, the provider must backup records on a regular basis to safeguard against loss.

## 6M-4.500 FAC (Continued)

- The Sign in and/or out forms will vary by provider but **MUST** have the following information on the forms:
  - \* Provider's name
  - \* Child's first and last name (no nick names)
  - \* Time in and out
  - \* Date
  - \* An authorized signature or electronic attendance-tracking system that records the date, child's name and electronic signature, care swipe, entry of personal identification number (PIN), or similar daily action taken by parent or other person dropping off or picking up the child to or from the provider site.

## 6M-4.500 FAC (Continued)

\* Authorized signature (paper or electronic) that includes provider designee for children who are transported via school to or from the provider site or a parent or person authorized by the parent as documented in writing and on file with the provider.

\*See Handouts 6 and 7 for sample Sign in and/or out forms.

## 65C-22.001 FAC – General Information (Handout 5)

- This FAC covers the transportation of children to and from school and the maintenance of a Driver's log.

## Coalition Anti-Fraud Plan (Handout 6)

- The Coalition will do a preliminary review of the case in regard to the alleged fraud.
- If fraud is suspected, the Coalition will refer the case to DPAF for further investigation.

## Coalition Audits

- Done yearly.
- Auditor will visit the facility and request Sign in and/or out forms for the period being audited. (NOTE: They can go back 5 years)
- The auditor may compare the signatures on the Sign in and/or out forms with known signatures in the case file.



## What DPAF Looks For:

- All in and/or out times are the same (i.e.: child is signed in at 8:00 a.m. everyday and signed out at 5:00 p.m. every day).
- Signatures of the parents that do not match the known signatures for parent(s).
- White out: The Coalition's policy is that white-out may not be used. If an error occurs, cross through and write the correct information above.
- Daycare worker(s) signing a child in and out.

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