

Potential Follow-Up and Report Backs on Prior OPEGA Reports

Economic Development Programs in Maine (2006)

The Government Oversight Committee and OPEGA are currently engaged in addressing certain recommendations from the report through possible legislation.

Child Development Services (2012)

Following issuance of this report, the GOC introduced legislation that was enacted as PL 2013 Chapter 338. The purpose of the bill was to require improved reporting to the Legislature on key financial and performance aspects of CDS and its programs in order to enhance transparency, accountability and legislative oversight. As a result, Title 20-A Part 4, Chapter 303, section 7209 now specifies an extensive list of financial, program and performance information and measures that are to be included in CDS' annual reports to the Education and AFA Committees. There is also specified financial information that is to be provided to Office of Fiscal and Program Review on a monthly basis. CDS issued its first annual report under the new reporting requirements in February 2014 and there are now three years of reports produced in this format.

Additionally, there are two recommendations from the report (Recs 5 and 8) that OPEGA still needs to gather additional information on in order to close out those recommendations. One of these involved documentation captured in computer systems and CDS had identified a need for updated systems at the time of our review. CDS was proceeding with trying to replace those systems.

Possible GOC follow-up on this review includes:

- Seeking feedback from CDS and Education and AFA Committees on the new annual reporting requirements in place since 2014, i.e. administrative burden and cost, usefulness of reports for the legislative committees, any unforeseen challenges that should be further addressed or unanticipated benefits that should be acknowledged.
- Inquiring on status of new computer systems for CDS, whether implementation of those has been as expected or whether there is additional support/action from the Legislature that would be helpful.
- Inquiring generally on challenges and benefits CDS has experienced in implementing the recommendations, or otherwise addressing the issues identified, in OPEGA's report.

Maine State Housing Authority: Energy Assistance Programs LIHEAP and WAP (2013)

One of OPEGA's recommendations in this report was for MaineHousing to establish performance benchmarks and utilize its new data system ECOS for improving the management and performance of the Weatherization Program (WAP). To OPEGA's knowledge, this recommendation still has not been fully addressed and it is the only recommendation still open from this report.

At the time of OPEGA's report, ECOS had been in development for a long time and at considerable expense. MaineHousing was in the process of implementing it with the Community Action Agencies (CAA). MaineHousing's response to OPEGA's recommendation to establish performance measures and benchmarks was that it would develop these in conjunction with its efforts to identify and develop future performance reports that would be available through ECOS.

During the GOC's consideration of OPEGA's report, concerns were raised about the functionality of ECOS, the administrative burden it was creating for the CAAs and the way MaineHousing was going about implementing it with those agencies.

MaineHousing's last formal report back to the GOC on actions taken on OPEGA's report was in late April 2014. At that time, MaineHousing reported that it was continuing to work with its software developer to improve ECOS functionality and the work to identify further performance reports was on-going. MaineHousing also reported that it had submitted ECOS to the US Department of Energy (DOE) for final approval. They were expecting DOE approval soon and when that was received MaineHousing would be able to more fully maximize ECOS reporting capabilities.

OPEGA's last follow-up on MaineHousing's actions was in January 2015. At that time, MaineHousing told OPEGA that it was currently in the process of searching for a replacement database for ECOS which would have reporting capabilities to support monitoring of performance benchmarks in the future. MaineHousing also supplied a list five performance measures it was considering establishing and said the list would be expanded as they got closer to actual implementation of the ECOS replacement system.

Possible GOC follow-up on this review includes:

- Requesting that MaineHousing report back directly to GOC on the status of implementation, functionality and administrative burden of ECOS and/or its replacement system, as well where MaineHousing stands with establishing and using performance benchmarks for the Weatherization Program.
- Inquiring of CAAs what their experiences have been with ECOS and/or its replacement system since 2014.

Public Utilities Commission (2013)

There is one open recommendation from this report that is pending OPEGA verifying PUC efforts to improve the usability of its on-line case file system for average citizen.

There GOC may want to follow-up, however, on the effectiveness of the action taken by the Office of Public Advocate to address a primary issue in the report related to consumers who wanted to represent themselves before the PUC. The Office of Public Advocate created a position whose function, in part, was to facilitate consumers' ability to effectively represent themselves in adjudicatory proceedings before the Commission. The idea was to have a person that was not subject to ex parte communication rules to assist and advise members of the public in navigating the adjudicatory process and various procedures at the PUC. The GOC may want to inquire of OPA how often the new position is filling this role and whether there are unanticipated challenges that need to be addressed, or unexpected benefits that have been experienced.

Healthy Maine Partnerships FY13 Contracts and Funding (2013)

As a result of OPEGA's report and the subsequent public inquiry of Maine Center for Disease Control officials, the GOC took action to implement improvements in three areas:

- records management and retention;
- State procurement policies; and
- Executive Branch ethics policies.

The GOC has been getting periodic status reports from the Secretary of State on efforts to implement the recommendations of the Records Management and Retention Working Group which was convened at the GOC's request. The most recent report back was at the GOC's last meeting in May 2016.

In February 2016, the GOC was updated on DAFS' efforts to revise Rule 110 and change DAFS' policy guidance for agencies on contract renewal and amendments. OPEGA has confirmed that the Division of Purchases Policy on Contract/Grant Renewals and Amendments does now include the language the GOC requested as guidance for situations where it was necessary to reduce funding on a contract/grant that had been competitively awarded to multiple awardees. This Policy is available on the Division's website. It appears that the revisions to Rule 110 are still pending with DAFS.

Regarding ethics policies, the GOC introduced LD 6, "Resolve, To Implement Recommendations of the Government Oversight Committee To Strengthen the Ethics Practices and Procedures for Executive Branch Employees." in late 2014 as a result of its work on this report. The legislation also addressed a recommendation made in OPEGA's 2013 report on the *Public Utilities Commission*. LD 6, as amended, had a fiscal note for funds to cover one additional position in the DAFS Bureau of Human Resources. After passage in the House, the Senate placed LD 6 on the Special Appropriations Table and then carried it over to the second session of the 127th Legislature. The bill was in the possession of the Senate when the Senate Adjourned Sine Die and it was placed in legislative files as dead.

The GOC has also been monitoring DHHS progress in issuing a new Request For Proposal and making awards for the round of Healthy Maine Partnership contracts beginning July 1, 2016. As of February 12, 2016, DHHS had not yet issued the RFP. OPEGA has not yet checked again on the status of those contracts.

Maine Economic Improvement Fund (2014)

There are two recommendations from OPEGA's report that are still in open status. University of Maine System (UMS) said work on these recommendations was in progress in late 2014 but OPEGA has not followed up since then to determine current status and verify actions taken. Those two recommendations are:

- Recommendation 4 - UMS Should Ensure MEIF Expenditures and Commitments Align with Available Resources
- Recommendation 5 - UMS Should Enhance Ability to Monitor and Report on MEIF Activities, Expenditures and Match Commitments by Linking Data with Primary Financial Systems

Additionally, when the GOC was considering OPEGA's report in September 2014, there was considerable discussion about equitable distribution of MEIF among the various UMS campuses and the means UMS was using to determine how much went to each campus. The UMS Chancellor described to the GOC his vision and expectation for how that was going to change as part of a larger cultural effort to break down the individual University (campus) silos and start identifying and deploying resources across the System in a way that best served the people of Maine. As part of this, the Chancellor was planning to develop a process by which the applied research dollars, including MEIF, were deployed according to the current research priorities for the State and allocated wherever within the System the best research on those priorities could be done.

The GOC's intent, at that time, was to have the Chancellor report back in March 2015 on what progress was being made, both on the specific OPEGA recommendations and on changing the way MEIF dollars were allocated. Due to other GOC and OPEGA priorities, this report back did not occur. The GOC may want to schedule the intended report back for a future GOC meeting.

Follow-Up Review of the Office of Information Technology (2015)

The GOC had requested that the Department of Administrative and Financial Services and Office of Information Technology report back to the GOC and two points in 2016. OIT agreed to report back to the

GOC in early 2016 with an action plan and timeline for addressing the OIT-specific recommendation(s) in OPEGA's report. The DAFS Commissioner agreed to report back to the GOC in the fall of 2016 on the status of actions taken on all other recommendations in the report.

Additionally, the GOC decided to send a letter to the Legislative Council suggesting the Council consider certain alternatives for improving legislative understanding and legislative oversight of information technology matters in State government.

OPEGA has worked with OIT to tentatively schedule OIT's report back for the GOC's July meeting, at which time the GOC letter to the Legislative Council will also be reviewed and discussed. A letter requesting OIT's participation at the July meeting will need to be sent to the Governor in accordance with the process he has established for agency participation at legislative committee meetings.