

Janet T. Mills  
Governor

Jeanne M. Lambrew, Ph.D.  
Commissioner



Maine Department of Health and Human Services  
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March 13, 2019

Grant Collins, Senior Vice President  
Fedcap Rehabilitation Services, Inc.  
633 3<sup>rd</sup> Avenue  
New York, NY 10017

**RE: Agreement OFI-17-005**

Dear Mr. Collins:

The Department of Health and Human Services (Department) is concerned, based on past contractual performance, that Fedcap Rehabilitation Services (Provider) lacks capacity to fulfill its contractual obligations pursuant to the aforementioned Agreement. The following issues have been identified by the Department through monthly quality case reviews and participant surveys.

1. Services and Plan (Family Contract Amendment-FCA) Development are not Individualized.

Program participants have plans developed and required activities scheduled that are not individualized based on the assessment requirement outlined in Rider A, Section IV.C.4 of the Agreement. Specific examples of this were shared directly by participants while meeting with then Acting Commissioner Bethany Hamm in November, 2018.

2. Poor Customer Service: Sensitivity, Confidentiality and Professionalism.

Required staff training included in Rider A, Section IV.B.3 are not being used in the work of Fedcap. This includes vii. Customer-service best practices and ix. Understanding poverty. Participants surveyed in January, 2019 consistently reported a lack of professionalism and sensitivity in communication with Fedcap staff. They reported a tone in Fedcap Centers that often felt threatening to participants dependent on benefits that could be impacted by a report of non-compliance by those staff.

3. Responsiveness to Participants.

Phone calls and emails are not returned to participants timely. Documents are requested repeatedly due to staff exits, lack of communication and poor organization in the regional field offices. Participants surveyed in January, 2019 consistently reported their phone calls and emails went unanswered. This was often described as a

result of the participant contacting a staff person who they were not notified had left the organization. Those participants who provided verification documents for various reasons reported having to submit them on multiple occasions, often for the same reason.

4. Good Cause.

Fedcap staff do not consistently and appropriately follow ASPIRE Good Cause policy 10-144 C.M.R. ch. 607 § 4(III). Required staff training included in Rider A, Section IV.B.3.(iii.) includes training on all OFI policies including ASPIRE Good Cause. Participants surveyed most frequently provided the example of non-compliance action being taken by Fedcap based on the participant failing to attend a scheduled activity due to a sick child in the participant's home.

The Department acknowledges a desire for Fedcap to remain a provider in the communities it serves in Maine. The Department, a party to the Agreement, has provided ongoing support for capacity building through the availability of on-site regional resources and statewide Department management. For each of the four issues outlined above, the Department requests the following from Fedcap.

1. Identification of the root cause(s) of these issues;
2. A plan to correct these issues, including a timeline proposal;
3. A plan for monitoring these issues ongoing.

The response is due from Fedcap by the Close of Business on Friday, March 15, 2019. We look forward to working with you to address these issues.

Sincerely,



Jeanne M. Lambrew, Ph.D.  
Commissioner

JML/klv

cc: Bethany Hamm, Deputy Commissioner, State of Maine, DHHS  
Tony Pelotte, Director Office of Family Independence, State of Maine, DHHS  
Liz Ray, TANF/ASPIRE Senior Program Manager, State of Maine, DHHS