

HB 1840 -- OFFICE OF INSPECTOR GENERAL

SPONSOR: Unsicker

This bill creates within the Department of Social Services, the "Office of Inspector General", a position to be appointed by the Governor and with the advice and consent of the Senate. The Inspector General shall be selected without regard to his or her political affiliation, and shall be considered on the basis of his or her integrity, capability for strong leadership, and demonstration of ability in several fields that are specified in the bill.

The bill prohibits any former or current executive or manager of the Department from being appointed within five years of that person's period of service within the Department. Additionally, the Inspector General must be certified, either at the time of appointment or within a certain time after appointment, as a certified inspector general by the Association of Inspectors General, its successor, or a comparable association.

The term of Inspector General shall be seven years, and can be renewed. He or she may be removed from office for cause, at any time, through legislative action, following a public hearing and a vote by the General Assembly. In the instance of a vacancy, the Governor is required to appoint a successor within 30 days.

The bill specifies how the office is funded, reporting requirements of the Inspector General to the Governor and General Assembly, and the provisions of operational independence from the Governor, the General Assembly, and the Department, as well as any of its divisions.

Final audits or investigation reports by the Inspector General shall be public records to the extent that no confidential information is present that exempt the records from disclosure. Further, during the course of auditing or investigatory activities, all associated records shall be considered work product and therefore not available for outside review.

The Inspector General is required to report the findings of the office's work to:

- 1) The Director of the Department;
- 2) The director of the division that was investigated or audited;
- 3) The Governor;

- 4) The General Assembly; and
- 5) The public.

The Inspector General is required to notify the Director of the Department of Social Services, as well as directors of any involved division, whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to program administration, division operations, or interference with operations of the Inspector General. The Director shall transmit the notice to the Governor and the General Assembly within seven calendar days, together with a report by the director of the division containing any comments that are deemed appropriate.

Within 60 days of the end of each fiscal year, the Inspector General is required to submit a report that details all of the office's activities during the preceding fiscal year, and copies of this report are to be provided to the Director of the Department, the Governor, and the General Assembly.

The bill further specifies functions in which the Inspector General is authorized to engage, as well as specific powers bestowed to the Office of the Inspector General. The bill also clarifies that any audits, investigations, inspections, and reviews are required to conform to professional standards that are promulgated by the Association of Inspectors General, and are additionally subject to quality assurance reviews by an appropriate, professional, nonpartisan, and objective group every three-to-five years. Copies of the written report from this review are to be furnished to the Governor and the General Assembly, as well as be made available to the public.