



RICK SCOTT  
GOVERNOR

ELIZABETH DUDEK  
SECRETARY

November 3, 2014

Elizabeth Dudek, Secretary  
Agency for Health Care Administration  
2727 Mahan Drive  
Tallahassee, Florida 32308

Dear Secretary Dudek:

In accordance with Internal Auditing Standards, attached is the six-month status report from the Office of Inspector General in response to our report #13-02, *Review of Accurint* published on May 2, 2014.

Management has indicated corrective action has been completed for each of our report issues. A detailed description of all issues, recommendations, and management's responses can be found in the attached table.

If you have any questions regarding this status report, please let me know.

Sincerely,

Mary Beth Sheffield  
Director of Auditing

MBS/kc  
Enclosure

cc: Eric Miller, Inspector General  
Selisa Daniel, Chief of Investigations  
Kelly Bennett, Chief of Medicaid Program Integrity



**Agency for Health Care Administration**  
**Office of Inspector General – Internal Audit**  
**Report Title: Review of Accurint**  
**Report #: 13-02, issued May 2, 2014**  
**Six-Month Follow-up Status as of November 3, 2014**

No.	Finding	Recommendation	Previous Management Response(s)	Status Update	Anticipated Completion Date and Contact
1	Investigations and MPI have not updated their Accurint applications/agreements with LexisNexis since 2005.	Investigations and MPI should review and update their current applications/agreements with LexisNexis.	We concur with the findings and recommendation. The Investigations Unit and MPI will review and update, as necessary, their agreements with LexisNexis.  <i>Anticipated Date of Completion: May 30, 2014</i>	Complete	Complete
		Every three years, both Investigations and MPI should renew their applications/agreements with LexisNexis to ensure the information contained is up-to-date.	We concur with the findings and recommendation. The OIG will adopt a policy requiring at least a triennial review of the LexisNexis/State of Florida agreement.  <i>Anticipated Date of Completion: September 1, 2014</i>	Complete	Complete
2	MPI has not complied with the Fair Credit Reporting Act (FCRA) terms of the Accurint application/agreement because MPI used Accurint for reviewing employee applicant information.	The Accurint Administrator should document and implement procedures, with the Inspector General’s approval, to ensure all Accurint users and any associated personnel understand the consequences if users do not comply with requirements of the Accurint agreement for any misuse, including the Fair Credit Reporting Act.	We concur with the findings and recommendations. MPI has already discontinued use of Accurint Services for pre-employment checks and for pre-employment background purposes, effective December 9, 2013. The OIG will adopt a written policy and procedures regulating Accurint and other restricted databases usage, with appropriate guidance provided in the policy statements.  <i>Anticipated Date of Completion: September 1, 2014</i>	Complete	Complete

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		<p>The Accurint Administrator should develop and implement a Civil/Criminal Sanctions Acknowledgement form, with the Inspector General’s approval, for all Accurint users to sign when given access. The form should address the consequences of any misuse, including the Fair Credit Reporting Act. Signed forms should be in a central file maintained by the Accurint Administrator for documentation purposes.</p>	<p>We concur with the findings and recommendations. Such an acknowledgement form will be included in the adopted policy regulating Accurint and other restricted databases usage. The retention of acknowledgment forms will be maintained by the Accurint Administrator within the OIG.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
		<p>The Accurint Administrator should train all Investigations and MPI staff who have access to Accurint information regarding the requirements of the Accurint agreement, including the Fair Credit Reporting Act.</p>	<p>We concur with the findings and recommendations. Training of all Accurint users will be required by the adopted policy regulating Accurint and other restricted databases usage. Such training will address the Accurint agreement's allowances and disallowances, including the proscriptions related to the FCRA.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 30, 2014</i></p>	Complete	Complete

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3	The OIG does not have adequate internal controls to ensure Accurint is used for identified purposes and that there is no misuse of information.	The Accurint Administrator should develop procedures, with the Inspector General’s approval, to address Accurint use. The procedures should also require Accurint users to document the reason(s) for each search; for example, case number, reason for audit/investigation, and the name of requestor.	<p>We concur with the findings and recommendations. The OIG will develop a written policy and procedures for Accurint and other restricted databases usage requiring the documentation of purpose for every Accurint query, documentation of the related case or project number, and requiring the identification of the querying investigator, analyst or auditor.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
		The Accurint Administrator should train all staff in the proper use of Accurint and documentation for searches.	<p>We concur with the findings and recommendations. All staff members within OIG associated with Accurint queries for case support will receive training on Accurint allowances, documentation, and restrictions.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 30, 2014</i></p>	Complete	Complete
		The Inspector General should appoint a person independent of both Investigations and MPI to perform reviews of Accurint searches on a quarterly basis. All reviews should be documented and maintained for no less than five years.	<p>We concur with the findings and recommendations. On April 11, 2014, personnel action was effected to incorporate Accurint compliance and review duties into the position description of an Inspector General direct report independent of both Investigations and MPI.</p> <p style="text-align: center;"><i>Completed: April 11, 2014</i></p>	Complete	Complete

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		<p>The appointed staff person should also work with the Inspector General to develop desk procedures for quarterly usage reviews.</p>	<p>We concur with the findings and recommendations. The appointed compliance person, a direct report to the Inspector General, will work with the Inspector General in developing the procedures for quarterly usage reviews, and summarizing these procedures for inclusion in the policy related to Accurint and other restricted databases policy.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
4	<p>The OIG does not have a consistent, documented process for adding and deleting Accurint users.</p>	<p>The OIG should designate specific individuals responsible for approving Accurint access and termination.</p>	<p>We concur with the findings and recommendations. The Accurint administrator and the compliance officer, a direct report to the Inspector General, will sequentially approve or disapprove Accurint users based on policy parameters, employment status, and satisfaction of training and acknowledgment requirements.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete

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		<p>The Accurint Administrator should develop written procedures, with the Inspector General’s approval, to address user access and termination requests, and distribute them to identified parties. All requests should be documented in writing.</p>	<p>We concur with the findings and recommendations. The Accurint administrator and the compliance officer will both work with the Inspector General in including access and termination request processes and procedures in the upcoming policy and procedures being developed to address Accurint and other restricted database usage.</p> <p><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
		<p>The Accurint Administrator should maintain written documentation for no less than five years for each Accurint addition or termination.</p>	<p>We concur with the findings and recommendations. A 5-year retention period for records associated with Accurint user additions and user deletions will be included in policy.</p> <p><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
5	<p>MPI may not be complying with the Drivers’ Privacy Protection Act (DPPA) and related state laws.</p>	<p>The Accurint Administrator should develop written procedures, with the Inspector General’s approval, to ensure Accurint users and any associated personnel understand the confidentiality/security of data obtained from Accurint.</p>	<p>We concur with the findings and recommendations. The policy under development by the IG, the Accurint administrator, and the Accurint compliance officer will address the requirement for security and confidentiality of information derived from Accurint.</p> <p><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
		<p>The Accurint Administrator should develop and implement a Confidentiality Acknowledgement form, with</p>	<p>We concur with the findings and recommendations. Such an acknowledgement form will be included in the adopted policy regulating Accurint and other restricted databases usage. The retention of</p>	Complete	Complete

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		<p>the Inspector General’s approval, for all Accurint users to sign when given access. These forms should be in a central file maintained by the Accurint Administrator for documentation purposes.</p>	<p>acknowledgment forms will be maintained by the Accurint Administrator within the OIG.</p> <p><i>Anticipated Date of Completion: September 1, 2014</i></p>		
		<p>The Accurint Administrator should train all Investigations and MPI staff who have access to Accurint information regarding the confidentiality/security of the data.</p>	<p>We concur with the findings and recommendations. The policy under development by the IG, the Accurint administrator, and the Accurint compliance officer will address training and re-training of all Accurint users on the security and confidentiality of information derived from Accurint.</p> <p><i>Anticipated Date of Completion: September 1, 2014</i></p>	Complete	Complete
		<p>MPI staff should ensure any Accurint-related information is secured where it is not accessible to any person coming into MPI’s offices.</p>	<p>We concur with the findings and recommendations. MPI will modify its internal security condition to ensure Accurint-based print-outs and information are secured and inaccessible to unauthorized parties.</p> <p><i>Anticipated Date of Completion: May 30, 2014</i></p>	Complete	Complete
6	<p>Users do not fully utilize Accurint’s potential. Some users do not use Accurint on a routine basis.</p>	<p>The Accurint Administrator should terminate the Bureau of Financial Services staff’s access and discontinue payment for that user’s access.</p>	<p>We concur with the findings and recommendations. Bureau of Financial Services' Accurint access will be terminated no later than May 30, 2014.</p> <p><i>Anticipated Date of Completion: May 30, 2014</i></p>	Complete	Complete

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		<p>The OIG should reevaluate its need for Accurint and determine whether it is the appropriate tool for MPI.</p>	<p>We concur with the findings and recommendations. Such an evaluation was conducted by the Inspector General and the Chief of MPI prior to offering this audit response. Accurint is an appropriate tool for MPI; however, the assignment of Accurint user rights requires modification by MPI.</p> <p style="text-align: center;"><i>Completed: April 9, 2014</i></p>	Complete	Complete
		<p>MPI should determine how many licenses are necessary to perform the intended function and consider limiting the licenses to one or two staff whose job responsibilities would include accessing Accurint for all MPI requests.</p>	<p>We concur with the findings and recommendations. The Chief of MPI has informed the Inspector General of his intention to limit Accurint access to selected employees within the Data Detection Unit, who may process queries for all MPI needs, and to specific designees identified by the Chief of MPI who require access for unique program integrity needs.</p> <p style="text-align: center;"><i>Anticipated Date of Completion: June 30, 2014</i></p>	Complete	Complete