

Guidelines for Completing A Corrective Action Plan (CAP)

Under PPM 10315, A Corrective Action Plan may be offered when the allegation of Financial Exploitation is Substantiated, and the name of the Alleged Perpetrator would be added to the Adult Abuse, Neglect, and Exploitation (ANE) Central Registry if a CAP were not implemented and completed. A CAP may be offered on a case-by-case basis, after consulting with the APS Supervisor and other regional staff as appropriate.

- A. A CAP is not for Alleged Perpetrators (ALP's) who are:
 - a. Employed by a CDDO or affiliate or
 - b. Paid Medicaid provider
 - i. HCBS waiver attendants
 - ii. Employees of Community Service Providers (CSP)
 - iii. Residential Care Facility or Adult Family Home staff

- B. When determining to offer CAP:
 - a. Is the ALP able to pay the money back?
 - b. Did the financial exploitation deprive the IA of goods/services?
 - c. Were the actions of ALP acknowledged as exploitative/abusive?
 - d. Have there been prior occurrences by ALP?
 - e. Review KIPS and Criminal History

- C. To initiate a CAP, the APS Specialist shall:
 - a. Determine the need (money, property restored)
 - b. Determine the timeframe (more than 6 months requires prior approval from APS Program Administrator. Document approval in KIPS notes)
 - c. Staff with APS Supervisor for approval to offer CAP.

- D. How it should look in KIPS
 - a. Complete case finding with Supervisor
 - b. Go through normal KIPS steps and substantiate allegation
 - i. *** Make sure to add an Appeal/CAP to the Allegation/Perp chapter tab (this ensures the ALP's name does not automatically roll over to registry)

- c. Complete the PPS 10250 (Corrective Action Plan) form with the Alleged Perpetrator.
 - i. Can be found on DCF website under APS forms or APS manual appendix 10000 section.
 - ii. Make sure to add a note of your discussion with the ALP in KIPS concerning the CAP agreement.
 - iii. ALP must sign the CAP agreement.
 - d. Establish schedule for ALP to provide proof of repayment to APS Specialist. Proof would include receipts, deposit slips, copies of cashed checks or other documents showing payment. (The ALP is responsible to provide documentation to designated parties, failure to provide proof may result in termination of the CAP).
 - e. Scan the signed copy of the CAP into a note along with all other documentation provided by the ALP into KIPS.
 - f. Have the Parent or Guardian sign the CAP if the ALP is under 18 or if the IA has Guardian.
 - g. Provide a copy of the signed CAP to the ANE Unit in AG's office and the appropriate LE Agency within 10 working days of completing agreement and documenting in a KIPS note. (Should be included in AG's packet and attached to the PPS 10350 (Notification to Law Enforcement of APS Substantiated Finding).
 - h. Review CAP every thirty (30) days for compliance and document in a KIPS note. (Set yourself a reminder to review.)
- E. When the CAP is Successfully completed:
- a. Staff with APS Supervisor and ensure all documentation (including proof of repayment) is in a KIPS note. The date of this staffing is also your completion date.
 - b. Within five (5) working days of the completion date, complete the PPS 10315 (Notice of Termination of Corrective Action Plan) to advise ALP of successful outcome.
 - i. Can be found in DCF website under APS forms or APS manual appendix 10000 section.
 - c. In KIPS amend the finding to Unsubstantiated, ALP's name will not be placed on registry (You might have to have supervisor unlock allegation page).
 - d. Document/attach PPS 10315 in a KIPS note.
 - e. Complete KIPS process steps for Appeal/CAP by adding date of completion (Use the date you staffed with your supervisor as the completion date).
 - f. Within five (5) working days of the completion date, provide PPS 10315 to ANE unit in AG's office and the appropriate LE Agency.

- i. Send to AG's office using email address (ANE@AG.ks.gov)
 - ii. Send a copy to the appropriate LE Agency (Same agency the PPS 10350 was sent to.)
 - iii. The subject line should say: "Notice of Termination of Corrective Action Plan (Successful)"
 - iv. Body of the email should say: "Please see attached documents concerning the successful completion of the Corrective Action Plan. The finding will be Unsubstantiated, and the ALP's name will not appear on the Adult Abuse, Neglect and Exploitation (ANE) Central Registry."
 - v. APS Specialist should send this documentation but, in the event, they are not able to send timely they can request the HSA or Supervisor forward.
- F. When the CAP is NOT Successfully completed:
- a. Staff with APS Supervisor and ensure all documentation (including proof of non-completed payments) are in a KIPS note. The date of the staffing is your completion date.
 - b. Within five (5) working days of the completion date send PPS 10315 (Notice of Termination of Corrective Action Plan) to advise ALP of unsuccessful outcome.
 - i. Can be found in DCF website under APS forms or APS manual appendix 10000 section.
 - c. Document/attach PPS 10315 in a KIPS note.
 - d. Complete KIPS process steps for Appeal/CAP by adding date of completion (Use the date you staffed with your supervisor as the completion date).
 - e. Within five (5) working days of the completion date provide PPS 10315 to ANE unit in AG's office and appropriate LE Agency.
 - i. Send to AG's office using email address (ANE@AG.ks.gov)
 - ii. Send to the LE agency that the PPS 10350 was sent to.
 - iii. The subject line should say: "Notice of Termination of Corrective Action Plan (Unsuccessful)"
 - iv. Body of the email should say: "Please see attached documents concerning the unsuccessful completion of the Corrective Action Plan. The finding will remain substantiated, and the ALP's name will appear on the Adult Abuse, Neglect and Exploitation (ANE) Central Registry after Due Process is complete."
 - v. APS Specialist should send this documentation but, in the event, they are not able to send timely they can request the HSA or supervisor forward.

- f. Due Process starts over (to allow the ALP to appeal the substantiated finding)
 - i. The ALP has 33 calendar days to appeal the finding decision. (After mailing the PPS 10315 mark your calendar 33 days to make sure the ALP has not appealed the finding. After the 33 days, complete the (PPS 10310) Notification to Regional Adult Abuse/Neglect Registry Contact.)
 - g. After the Appeal Period is complete and the ALP has not appealed the finding decision
 - i. Complete the PPS 10310 and email to Regional Registry Contact
 - 1. Supervisor
 - 2. APA
 - 3. Senior Admin Assistant for APS
 - ii. Attach copy of email to a KIPS note.
 - h. If the finding is appealed and the finding decision of substantiation is upheld
 - i. Complete the PPS 10310 and email to Regional Registry Contact
 - 1. Supervisor
 - 2. APA
 - 3. Senior Admin Assistant for APS
 - ii. Attach copy of email to a KIPS note.
 - i. **The Alleged Perpetrators name will automatically roll over on to the Adult ANE Central Registry after the appeal period is complete, so ensure ALP Participant information is up to date by completing**
 - i. **Date of birth**
 - ii. **Social security number**
 - iii. **Correct spelling of name**
 - iv. **Correct/current address**
- G. If the ALP doesn't complete the CAP within the agreed upon time frame, they may still pay the remaining balance of funds and/or property. This shall be completed prior to the deadline to request a fair hearing (30 days) to appeal the substantiated finding and placement of their name on the Adult Abuse, Neglect, and Exploitation Central Registry.