

**STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION**

COMPLIANCE EXAMINATION

For the Two Years Ended June 30, 2017

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
 COMPLIANCE EXAMINATION
 For the Two Years Ended June 30, 2017

TABLE OF CONTENTS

		<u>Page(s)</u>
Agency Officials		1
Management Assertion Letter		3
Compliance Report:		
Summary		5
Independent Accountant’s Report on State Compliance, on Internal Control Over Compliance, and on Supplementary Information for State Compliance Purposes		7
Schedule of Findings		
Current Findings - State Compliance		11
Supplementary Information for State Compliance Purposes:		
Summary		<u>Schedule</u> <u>Page(s)</u> 22
Fiscal Schedules and Analysis		
Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2017	1	23
Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2016	2	25
Comparative Schedule of Net Appropriations, Expenditures, and Lapsed Balances	3	27
Comparative Schedule of Receipts, Disbursements, and Fund Balance (Cash Basis) – Locally-Held Fund	4	29
Schedule of Changes in State Property	5	30
Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to Deposits Remitted to the State Comptroller	6	31
Analysis of Operations (Not Examined)		
Agency Functions and Planning Program (Not Examined)		32
Analysis of Significant Variations in Expenditures (Not Examined)		33
Analysis of Significant Variations in Receipts (Not Examined)		34
Analysis of Significant Lapse Period Spending (Not Examined)		35
Analysis of Accounts Receivable (Not Examined)		36
Budget Impasse Disclosures (Not Examined)		37
Alternative Financing in Lieu of Appropriations and Programs to Address Untimely Payments to Vendors (Not Examined)		38
Interest Costs on Fiscal Year 2017 and Fiscal Year 2016 Invoices (Not Examined)		40
Average Number of Employees (Not Examined)		41
Service Efforts and Accomplishments (Not Examined)		42

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2017

AGENCY OFFICIALS

Chair	Anthony Rotherth
Executive Director	Dr. Mary Milano
General Counsel	Kenya Jenkins-Wright
Division Directors:	
Office of the State Guardian	Barry Lowy (01/09/17 – present) Vacant (12/01/16 – 01/08/17) Kelly Phelps (08/01/16 – 11/30/16) Vacant (05/16/16 – 07/31/16) Laura Sakas (07/01/15 – 05/15/16)
Human Rights Authority	Teresa Parks
Legal Advocacy Service	Veronique Baker
Finance and Fiscal Operations	Gloria Lasley

COMMISSIONERS

Commissioner (term expired 06/30/06)	Senator Ira I. Silverstein
Commissioner (term expired 06/30/08)	Senator Don Harmon
Commissioner (term expired 06/30/09)	Judge Andrea Schleifer
Commissioner (term expired 06/30/12)	Ms. Inez Torres Davis
Commissioner (term expired 06/30/12)	Dr. Sharon Jenkins-Collins
Commissioner (term expired 06/30/13)	Rev. Barbara Berry-Bailey
Commissioner (term expired 06/30/13)	Mr. Anthony Rotherth
Commissioner (term expired 06/30/15)	Mr. Brian Rubin
Commissioner (08/08/16 - Present) (term expired 06/30/17)	Representative William Davis
Commissioner (07/01/15 - 08/07/16)	Vacant
Commissioner (08/08/16 - Present) (term expired 06/30/17)	Representative Michael M ^c Auliffe
Commissioner (07/01/15 - 08/07/16)	Vacant
Commissioner (07/01/16 - Present)	Vacant
Commissioner (07/01/15 - 06/30/16)	Ms. Marlene Rankin

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2017

The Commission's offices are located at:

Office of the Director
521 Stratton Building
401 South Spring Street
Springfield, IL 62706

Rockford Regional Office
4302 North Main Street
Suite 108
Rockford, IL 61103-5202

North Suburban Regional Office
9511 Harrison Avenue, W-335
Des Plaines, IL 60016-1565

Office of the Director
160 North LaSalle Street
Suite S-500
Chicago, IL 60601

Metro East Regional Office
4500 College Avenue
Suite 100
Alton, IL 62002-5051

Peoria Regional Office
401 Main Street
Suite 620
Peoria, IL 61602

East Central Regional Office
2125 South First Street
Champaign, IL 61820

Egyptian Regional Office
7 Cottage Drive
Anna, IL 62906-1669

West Suburban Regional Office
P.O. Box 7009
Hines, IL 60141-7009

The Commission's satellite offices are located at:

Read Mental Health Center
4200 North Oak Park Avenue
Building K, Room 36
Chicago, IL 60634-1417

Elgin Mental Health Center
750 South State Street
C-3 Kilbourne
Elgin, IL 60123



State of Illinois
Bruce Rauner
Governor



Dr. Mary L. Milano
Director
Human Rights Authority
Legal Advocacy Service
Office of State Guardian

September 13, 2018

Honorable Frank J. Mautino
Auditor General
740 East Ash Street
Springfield, Illinois 62703

Auditor General Mautino:

We are responsible for the identification of, and compliance with, all aspects of laws, regulations, contracts, or grant agreements that could have a material effect on the operations of the Guardianship and Advocacy Commission. We are responsible for and we have established and maintained an effective system of internal controls over compliance requirements. We have performed an evaluation of the Guardianship and Advocacy Commission's compliance with the following assertions during the two-year period ended June 30, 2017. Based on this evaluation, we assert that during the years ended June 30, 2017, and June 30, 2016, the Guardianship and Advocacy Commission has materially complied with the assertions below.

- A. The Guardianship and Advocacy Commission has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The Guardianship and Advocacy Commission has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The Guardianship and Advocacy Commission has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the Guardianship and Advocacy Commission are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the Guardianship and Advocacy Commission on behalf of the State or held in trust by the Guardianship and Advocacy Commission have been properly and legally administered, and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

OFFICE OF THE DIRECTOR

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Statewide Toll Free Intake (866) 274-8023 • Statewide TTY (866) 333-3362

Yours truly,

Guardianship and Advocacy Commission

SIGNED ORIGINAL ON FILE

Dr. Mary L. Milano, Executive Director

SIGNED ORIGINAL ON FILE

Gloria Lasley, Chief Fiscal Officer

SIGNED ORIGINAL ON FILE

Kenya Jenkins-Wright, General Counsel

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
 COMPLIANCE EXAMINATION
 For the Two Years Ended June 30, 2017

COMPLIANCE REPORT

SUMMARY

The compliance testing performed during this examination was conducted in accordance with *Government Auditing Standards* and in accordance with the Illinois State Auditing Act.

ACCOUNTANT'S REPORT

The Independent Accountant's Report on State Compliance, on Internal Control Over Compliance, and on Supplementary Information for State Compliance Purposes does not contain scope limitations, disclaimers, or other significant non-standard language.

SUMMARY OF FINDINGS

<u>Number of</u>	<u>Current</u>	<u>Prior</u>
<u>Findings</u>	<u>Report</u>	<u>Report</u>
Findings	5	4
Repeated findings	4	3
Prior recommendations implemented or not repeated	0	0

SCHEDULE OF FINDINGS

<u>Item No.</u>	<u>Page</u>	<u>Description</u>	<u>Finding Type</u>
FINDINGS (STATE COMPLIANCE)			
2017-001	11	Inadequate Control over Employee Attendance Records	Significant Deficiency and Noncompliance
2017-002	13	Noncompliance with the Guardianship and Advocacy Act	Significant Deficiency and Noncompliance
2017-003	15	Inadequate Control over Performance Evaluations	Significant Deficiency and Noncompliance
2017-004	17	Inadequate Control over State Property	Significant Deficiency and Noncompliance
2017-005	20	Inadequate Control over Agency Workforce Reports	Significant Deficiency and Noncompliance

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2017

EXIT CONFERENCE

The Guardianship and Advocacy Commission waived an exit conference in correspondence from Gloria Lasley, Finance and Fiscal Operations Director, on September 4, 2018. The responses to the recommendations were provided by Ms. Lasley in correspondence dated September 13, 2018.

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OFFICE OF THE AUDITOR GENERAL
FRANK J. MAUTINO

INDEPENDENT ACCOUNTANT'S REPORT ON STATE COMPLIANCE,
ON INTERNAL CONTROL OVER COMPLIANCE, AND ON
SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

Honorable Frank J. Mautino
Auditor General
State of Illinois

Compliance

We have examined the State of Illinois, Guardianship and Advocacy Commission's compliance with the requirements listed below, as more fully described in the Audit Guide for Financial Audits and Compliance Attestation Engagements of Illinois State Agencies (Audit Guide) as adopted by the Auditor General, during the two years ended June 30, 2017. The management of the State of Illinois, Guardianship and Advocacy Commission is responsible for compliance with these requirements. Our responsibility is to express an opinion on the State of Illinois, Guardianship and Advocacy Commission's compliance based on our examination.

- A. The State of Illinois, Guardianship and Advocacy Commission has obligated, expended, received, and used public funds of the State in accordance with the purpose for which such funds have been appropriated or otherwise authorized by law.
- B. The State of Illinois, Guardianship and Advocacy Commission has obligated, expended, received, and used public funds of the State in accordance with any limitations, restrictions, conditions, or mandatory directions imposed by law upon such obligation, expenditure, receipt, or use.
- C. The State of Illinois, Guardianship and Advocacy Commission has complied, in all material respects, with applicable laws and regulations, including the State uniform accounting system, in its financial and fiscal operations.
- D. State revenues and receipts collected by the State of Illinois, Guardianship and Advocacy Commission are in accordance with applicable laws and regulations and the accounting and recordkeeping of such revenues and receipts is fair, accurate, and in accordance with law.
- E. Money or negotiable securities or similar assets handled by the State of Illinois, Guardianship and Advocacy Commission on behalf of the State or held in trust by the State of Illinois, Guardianship and Advocacy Commission have been properly and legally administered and the accounting and recordkeeping relating thereto is proper, accurate, and in accordance with law.

E-MAIL ADDRESS: OAG.AUDITOR@ILLINOIS.GOV

RECYCLED PAPER • SOYBEAN INKS

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants; the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the Illinois State Auditing Act (Act); and the Audit Guide as adopted by the Auditor General pursuant to the Act (the Audit Guide). Those standards, the Act, and the Audit Guide require that we plan and perform the examination to obtain reasonable assurance about whether the State of Illinois, Guardianship and Advocacy Commission complied, in all material respects, with the specified requirements listed above. An examination involves performing procedures to obtain evidence about whether the State of Illinois, Guardianship and Advocacy Commission complied with the specified requirements listed above. The nature, timing, and extent of the procedures selected depend on our judgement, including an assessment of the risks of material noncompliance, whether due to fraud or error.

We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the State of Illinois, Guardianship and Advocacy Commission's compliance with specified requirements.

In our opinion, the State of Illinois, Guardianship and Advocacy Commission complied, in all material respects, with the compliance requirements listed in the first paragraph of this report during the two years ended June 30, 2017. However, the results of our procedures disclosed instances of noncompliance with the requirements, which are required to be reported in accordance with criteria established by the Audit Guide, issued by the Illinois Office of the Auditor General and which are described in the accompanying schedule of findings as items 2017-001 through 2017-005.

The State of Illinois, Guardianship and Advocacy Commission's responses to the findings identified in our examination are described in the accompanying schedule of findings. The State of Illinois, Guardianship and Advocacy Commission's responses were not subjected to the procedures applied in the compliance examination and, accordingly, we express no opinion on the responses.

The purpose of this report on compliance is solely to describe the scope of our testing and the results of that testing in accordance with the requirements of the Audit Guide issued by the Illinois Office of the Auditor General. Accordingly, this report is not suitable for any other purpose.

Internal Control

Management of the State of Illinois, Guardianship and Advocacy Commission is responsible for establishing and maintaining effective internal control over compliance with the requirements listed in the first paragraph of this report. In planning and performing our examination, we considered the State of Illinois, Guardianship and Advocacy Commission's internal control over compliance with the requirements listed in the first paragraph of this report to determine the examination procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance and to test and report on internal control over compliance in accordance with the Audit Guide, issued by the Illinois Office of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the State of Illinois, Guardianship and Advocacy Commission's internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the State of Illinois, Guardianship and Advocacy Commission's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with the requirements listed in the first paragraph of this report on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a requirement listed in the first paragraph of this report will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiencies in internal control over compliance, as described in the accompanying schedule of findings as items 2017-001 through 2017-005, that we consider to be significant deficiencies.

As required by the Audit Guide, immaterial findings excluded from this report have been reported in a separate letter.

The State of Illinois, Guardianship and Advocacy Commission's responses to the internal control findings identified in our examination are described in the accompanying schedule of findings. The State of Illinois, Guardianship and Advocacy Commission's responses were not subjected to the procedures applied in the compliance examination and, accordingly, we express no opinion on the responses.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Audit Guide, issued by the Illinois Office of the Auditor General. Accordingly, this report is not suitable for any other purpose.

Supplementary Information for State Compliance Purposes

Our examination was conducted for the purpose of forming an opinion on compliance with the requirements listed in the first paragraph of this report. The accompanying supplementary information for the years ended June 30, 2017, and June 30, 2016, in Schedules 1 through 6 and the Analysis of Operations Section is presented for purposes of additional analysis. We have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2017, and June 30, 2016, accompanying supplementary information in Schedules 1 through 6. However, we do not express an opinion on the accompanying supplementary information.

We have not applied procedures to the June 30, 2015, accompanying supplementary information in Schedules 3 through 6 and in the Analysis of Operations Section and, accordingly, we do not express an opinion or provide any assurance on it.

SIGNED ORIGINAL ON FILE

JANE CLARK, CPA
Director of Financial and Compliance Audits

Springfield, Illinois
September 13, 2018

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

2017-001. **FINDING** (Inadequate Control over Employee Attendance Records)

The Guardianship and Advocacy Commission (Commission) did not maintain proper documentation and exercise adequate control over employee benefit time.

During testing, we noted the following:

- Five of 16 (31%) employees tested had a combined total of 15 instances where the Commission was unable to provide documentation showing approval for vacation and compensatory time was given prior to the benefit time being taken by the employee.
 - For 8 of the 15 (53%) instances, Commission management stated verbal pre-approval was given. However, when the benefit time was entered into E-Time and approved by management, there was no notation stating the time was taken with verbal pre-approval.
 - For 6 of the 15 (40%) instances, no documentation was provided stating verbal pre-approval was given prior to the time being taken.
 - For 1 of the 15 (7%) instances, no documentation was provided showing the benefit time was approved prior to or after the time was taken.
- Five of 16 (31%) employees tested had a combined total of 13 instances where the employee did not submit leave slips prior to benefit time taken on a holiday. As these employees work a compressed schedule where they work longer than the standard 7.5 hours a day, these employees must use benefit time to account for the additional hours to account for their hours over 7.5.

The Commission's *Policies and Procedures Manual* (Procedure 3.304) requires employees to submit to their respective supervisors via E-Time any request for leave, vacation, overtime, and/or desired holiday work prior to scheduling. Procedure 3.304 also requires time keepers to review their E-Time workbox daily to ensure employee time and attendance records are accurate and consistent with all State and Commission policies.

- One of 16 (6%) employees tested had five instances where benefit time was processed untimely. While all instances were shown to have documented pre-approval, the employee did not submit the leave request through the E-Time timekeeping system until 33 to 61 days after the time was taken.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

Good business practices require employees to timely file documentation reflecting benefit time was taken in order for employee timekeeping records to be updated accordingly. The Commission's *Policies and Procedures Manual* (Procedure 3.318) states each employee is to submit, on E-Time, documentation of their worktime, vacation, sick time, and other time to the nearest quarter hour, with daily time reports submitted within five business days after the close of the week.

During both the previous examination and this examination, Commission management stated they were exercising discretion by being more flexible than the written policy.

Submitting requests through E-Time untimely and failing to submit leave requests for approval prior to leave could increase the risk of benefit time being used and not recorded and could result in unanticipated staffing shortages. (Finding Code No. 2017-001, 2015-001, 2013-001, 11-01, 09-01, 07-01)

RECOMMENDATION

We recommend the Commission implement procedures to ensure timely submission of employee benefit time leave requests.

COMMISSION RESPONSE

The Commission agrees with the statement of facts supporting the finding. Management exercised discretion allowing sufficient documentation such as email approval and other forms of communication to be submitted that was more flexible than the narrowly defined policy. Commission revised agency policy to allow for other forms of documentation and reflect such flexibility.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

2017-002. **FINDING** (Noncompliance with the Guardianship and Advocacy Act)

The Guardianship and Advocacy Commission (Commission) did not have a sufficient number of members and did not always conduct quarterly meetings.

During testing, we noted the following:

- The Commission operated with only nine members as of June 30, 2016, and ten members as of June 30, 2017. Of the ten members serving as of June 30, 2017, seven were serving on expired appointments. The original appointments of these seven members were made between Fiscal Year 2003 and Fiscal Year 2011, resulting in members serving up to five consecutive terms.

The Guardianship and Advocacy Act (Act) (20 ILCS 3955/4) requires the Commission consist of 11 members appointed by the Governor, with members serving no more than two three-year terms ending on June 30 until their successor is appointed and qualified.

- The Commission did not meet at least once every three months during Fiscal Year 2016. The Commission did not meet between the months of September 2015 and February 2016.

The Act (20 ILCS 3955/4(c)) requires the Commission to meet at least once every three months with the times and places of the meetings determined by the Chair with a quorum of, at least, six members.

During both the previous examination and the current examination, Commission management stated they have no control over when the Governor will appoint new members. Also, Commission management stated the meetings were not held quarterly due to difficulties establishing a meeting time when a quorum could be present.

Failure of the Commission to be comprised of 11 active members and meet once every three months represents noncompliance with the Act and limits the ability of the Commission to carry out its purpose. (Finding Code No. 2017-002, 2015-002, 2013-002, 11-02, 09-02)

RECOMMENDATION

We recommend the Commission continue to work with the Governor's Office to fill vacancies. Further, the Commission's Chair should schedule and conduct a meeting at least once every three months.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

COMMISSION RESPONSE

The Commission agrees with the statement of facts supporting the finding. Quarterly meetings were scheduled but were cancelled when a quorum was not met. Per 20 ILCS 3955/4, six members of the Commission constitutes a quorum. The Commission staff are working with the Governor's Office to try and ensure a full complement of Commissioners who are serving appointed and current terms, which will enable quorum requirements to be more consistently met.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

2017-003. **FINDING** (Inadequate Control over Performance Evaluations)

The Guardianship and Advocacy Commission (Commission) did not exercise adequate internal control over conducting performance evaluations for its employees.

During testing, we noted the following:

- Five of 16 (31%) employees tested did not have employee performance evaluations conducted within 30 days after the yearly evaluation period ended. The performance evaluations were administered between 1 and 142 days late.
- Annual performance evaluations for 6 of 16 (38%) employees tested were not completed for Fiscal Year 2016.
- Annual performance evaluations for 6 of 16 (38%) employees tested were not completed for Fiscal Year 2017.

The Illinois Administrative Code (Code) (80 Ill. Admin. Code 302.270(d)) requires the Commission to prepare a performance evaluation not less often than annually for each certified employee. In addition, prudent business practices require employee performance evaluations to be performed to communicate to employees their strengths and deficiencies in meeting their job responsibilities.

During the previous examination, Commission management stated performance evaluations were not performed timely due to conflicting priorities and Commission personnel workloads. During the current examination, Commission management stated that large workloads caused delays in the completion of performance evaluations.

Performance evaluations are a systematic and uniform approach used for the development of employees and communication of performance expectations to employees and serve as a foundation for salary adjustments, promotion, demotion, discharge, layoff, and recall and reinstatement decisions. Without timely completion of an employee performance evaluation, an employee may not be provided with feedback or assessment of their performance. Further, areas for improvement and the next year's performance goals and objectives may not be identified and communicated in a timely manner. (Finding Code No. 2017-003, 2015-003, 2013-003, 11-03)

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

RECOMMENDATION

We recommend the Commission comply with the Code and take appropriate measures to ensure performance evaluations are conducted in a timely manner.

COMMISSION RESPONSE

The Commission agrees with the finding. Commission management will strive to complete evaluations in a timely manner.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

2017-004. **FINDING** (Inadequate Control over State Property)

The Guardianship and Advocacy Commission (Commission) did not exercise adequate internal control over the recording and reporting of State property.

During testing of the Commission's property records, we noted the following:

Additions

- Three of 16 (19%) property additions tested, totaling \$2,671, were added to the Commission's property listing between 8 and 221 days late. As a result, we noted one of these additions was not reported as an acquisition in the correct quarter on the Commission's *Agency Report of State Property* (Form C-15), which resulted in an understatement on the Form C-15.
- Five of 16 (31%) property additions tested, totaling \$19,917, were recorded at an incorrect cost in the Commission's property records. As a result, the Commission's property records and Form C-15s were overstated by \$425.

The Illinois Administrative Code (Code) (44 Ill. Admin. Code 5010.400) requires the Commission to adjust its property records within 30 days of acquiring an equipment item. In addition, the Statewide Accounting Management System (SAMS) (Procedure 29.20.10) requires newly acquired assets to be reported as additions on the Form C-15 during the quarter when the asset was acquired. Finally, SAMS (Procedure 03.30.20) states the basic cost of equipment includes all costs necessary to place the asset into service, such as freight charges and the net invoice cost.

Reported Property Locations

- The Commission's property is located at nine different offices throughout the State. During testing, we noted the following:
 - The Commission has only notated the city where an equipment item is located, as opposed to a description of the item's location within the Commission's offices for 31 property items, totaling \$52,828.
 - The Commission's property listing has not been updated to reflect the move of its Peoria office in May 2011, as the location of items still reflects office locations from the closed office.
- Eight of 80 (10%) property items tested, totaling \$2,393, were found in a different location than indicated on the Commission's property listing.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

- Two of 80 (3%) property items, totaling \$445, were reported as assigned to former employees on the Commission's property listing.

The Code (44 Ill. Admin. Code 5010.400) requires the Commission to adjust its property records within 30 days of changing an equipment item. In addition, SAMS (Procedure 29.10.10) requires the Commission to maintain detail records for each item, including the item's organizational unit charged with custody and location.

During both the previous examination and this examination, Commission management stated these exceptions were the result of human error. In regards to the physical location of equipment items, management indicated they believe the city of the office location is sufficient since the Commission has one office in each city.

Failure to maintain accurate and complete property records and properly report equipment transactions on the Form C-15 increases the potential for the loss or theft of State property, reduces the reliability of Statewide fixed asset information, and represents noncompliance with State regulations. (Finding Code No. 2017-004, 2015-004)

RECOMMENDATION

We recommend the Commission ensure new assets are properly recorded and reported in a timely manner. Further, the Commission should ensure the location of its equipment items are described in detail on its property listing and all changes to those locations are timely recorded.

COMMISSION RESPONSE

The Agency agrees that three items were added late to inventory records. Two were added 8 days late because of one employee's workload. One was added 221 days late. In the case of the latter, the Agency's inventory process uncovered the oversight which resulted in a correction, as that process is meant to do.

The Agency agrees that 5 items were entered at an incorrect cost but does not agree that it represents a significant deficiency. This was the result of human error as the person who prepared the input form included the cost of accessory items with the equipment cost for 2 items and made a mistake on the others. The total amount of the errors was \$425 which is about 2% of the value of the items tested and about .075% of the value of all inventory. These errors have been corrected.

With regard to property locations, the agency maintains that these findings do not represent either significant deficiency, or non-compliance. Regarding significant

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

deficiency, it should be noted that the audit did not result in any items being unaccounted for. Agency would also like to note that more than half of the items referenced were valued below the threshold for inventory tracking and therefore do not qualify as a significant deficiency in record keeping, as no record keeping is required for those items. (44 Ill.Admin.Code 5010.210, 44 Ill.Admin.Code 5010.220).

The location of the items was correctly listed as the office location for all items.

The audit finding states that “management indicated that the city where an item is located is sufficient to comply with detailed record keeping requirements of SAMS”. The agency does not agree that this is an accurate representation of management’s response to the auditor. The agency has one office in each city and the city name is the name of the office location of the items. SAMS 29.10.10 section on Detailed Record Keeping requires “location”, which we interpret to be the office location, as identified as such on our inventory records.

The updated placement of the items within the office location was noted on paper records from FY17's annual inventory certification. It is not clear that it falls short of the requirements for detailed record keeping. SAMS also states that an agency may maintain additional information for its own needs. It does not state how the information should be recorded, nor does it define the additional information.

ACCOUNTANT’S COMMENT

The classification of findings requires the application of professional judgement by the accountant performing the examination. In the Commission’s specific case, the totality of the noted errors represents to us a significant deficiency within its internal control systems that requires the attention of governance and the implementation of an appropriate corrective action plan.

Additionally, SAMS (Procedure 29.10.10) states, “Although agencies are required to report to the Comptroller on the summary level, supporting detail records must be maintained.” The Comptroller then goes on to provide a “not exhaustive” list of 18 specific data elements which must be maintained about each asset, including the asset’s organizational unit charged with custody and its location. In our opinion, an item’s location cannot simply be the city of the office where the item is located. The location should specify exactly where an asset is in service at the Commission so it may be located by individuals looking for that item.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

2017-005. **FINDING** (Inadequate Control over Agency Workforce Reports)

The Guardianship and Advocacy Commission (Commission) did not exercise adequate control over the preparation of its annual Agency Workforce Report (Report).

During testing, we noted the following:

- The totals and percentages reported on the Fiscal Year 2016 Report, due on January 1, 2017, did not agree to supporting documentation provided by the Commission.
- The Commission was unable to provide support for its Fiscal Year 2015 Report, due on January 1, 2016. As such, we were unable to verify the accuracy of the Report.

The State Employment Records Act (5 ILCS 410/20) requires the Commission to collect, classify, maintain, and report certain employment statistics for women, disabled, and minority groups. Annual reports summarizing the information in a prescribed format are required to be filed with the Governor and the Secretary of State by January 1 each year for the preceding fiscal year. The State Records Act (5 ILCS 160/9) requires the Commission to provide effective controls over the creation, maintenance, and use of records in the conduct of current business to ensure that records are retained in a trustworthy manner so that the records, and the information contained in the records, are accessible and usable for reference for the duration of the retention period.

Commission management stated the errors were due to employee error.

Failure to retain supporting documentation and accurately report statistical information regarding women, disabled, and minority groups limits the usefulness of the Commission's reports and represents noncompliance with State law. (Finding Code No. 2017-005)

RECOMMENDATION

We recommend the Commission prepare and submit a corrected Fiscal Year 2016 Report to the Governor and the Secretary of State within 30 days from the release of this report, as required by the Illinois State Auditing Act (30 ILCS 5/3-2.2(b)). In addition, we recommend the Commission maintain proper documentation to support its annual Report.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF FINDINGS
For the Two Years Ended June 30, 2017

COMMISSION RESPONSE

The Commission agrees with the facts of the finding and will endeavor to improve record keeping to facilitate future reporting.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
COMPLIANCE EXAMINATION
For the Two Years Ended June 30, 2017

SUPPLEMENTARY INFORMATION FOR STATE COMPLIANCE PURPOSES

SUMMARY

Supplementary Information for State Compliance Purposes presented in this section of the report includes the following:

- Fiscal Schedules and Analysis:

- Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2017

- Schedule of Appropriations, Expenditures, and Lapsed Balances – Fiscal Year 2016

- Comparative Schedule of Net Appropriations, Expenditures, and Lapsed Balances

- Comparative Schedule of Receipts, Disbursements, and Fund Balance (Cash Basis) – Locally-Held Funds

- Schedule of Changes in State Property

- Comparative Schedule of Cash Receipts and Reconciliation of Cash Receipts to Deposits Remitted to the State Comptroller

- Analysis of Operations (Not Examined):

- Agency Functions and Planning Program (Not Examined)

- Analysis of Significant Variations in Expenditures (Not Examined)

- Analysis of Significant Variations in Receipts (Not Examined)

- Analysis of Significant Lapse Period Spending (Not Examined)

- Analysis of Accounts Receivable (Not Examined)

- Budget Impasse Disclosures (Not Examined)

- Alternative Financing in Lieu of Appropriations and Programs to Address Untimely Payments to Vendors (Not Examined)

- Interest Costs on Fiscal Year 2017 and Fiscal Year 2016 Invoices (Not Examined)

- Average Number of Employees (Not Examined)

- Service Efforts and Accomplishments (Not Examined)

The accountant's report that covers the Supplementary Information for State Compliance Purposes presented in the Compliance Report Section states the accountants have applied certain limited procedures as prescribed by the Audit Guide as adopted by the Auditor General to the June 30, 2017, and June 30, 2016, accompanying supplementary information in Schedules 1 through 6. However, the accountants do not express an opinion on the supplementary information. The accountant's report also states that they have not applied procedures to the Analysis of Operations Section and, accordingly, they do not express an opinion or provide any assurance on it.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
 Expenditure Authority for Fiscal Year 2017

Fifteen Months Ended September 30, 2017

Public Act 99-0524, Public Act 100-0021, and Court-Ordered Expenditures	Expenditure Authority (Net of Transfers)	Lapse Period Expenditures		Total Expenditures 15 Months Ended September 30	Balances Lapsed September 30
		Through June 30	July 1 to September 30		
FISCAL YEAR 2017					
General Revenue Fund - 001					
Personal Services	\$ 8,353,175	\$ 407,208	\$ 8,760,383		
Total - Fund 001	\$ 8,353,175	\$ 407,208	\$ 8,760,383		
Guardianship and Advocacy Fund - 297					
Services Pursuant to Section 5 of the Guardianship and Advocacy Act	\$ 2,300,000	\$ 132,579	\$ 1,039,987		\$ 1,260,013
Total - Fund 297	\$ 2,300,000	\$ 132,579	\$ 1,039,987		\$ 1,260,013
GRAND TOTAL - ALL FUNDS	\$ 9,260,583	\$ 539,787	\$ 9,800,370		

Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2017, and have been reconciled to Commission records.

Note 2: Expenditure amounts are vouchers approved for payment by the Commission and submitted to the State Comptroller for payment to the vendor.

Note 3: The Circuit Court of St. Clair County in *AFSCME Council 31 v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As Public Act 100-0021 states appropriation authority granted by the General Assembly does not supersede any court order directing the expenditure of funds and states such payments are added to the appropriations granted by the General Assembly, the Commission was able to submit vouchers to pay its employees in full from Fund 001 without a maximum expenditure limit for personal service costs during Fiscal Year 2017.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
Expenditure Authority for Fiscal Year 2017

Fifteen Months Ended September 30, 2017

- Note 4: Public Act 99-0524 authorized the Commission to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operation section of this report at page 37 includes information from Commission management about the number of invoices and the total dollar amount of invoices held by the Commission submitted against its Fiscal Year 2017 appropriation.
- Note 5: Notwithstanding anything within Public Act 100-0021 to the contrary, Public Act 100-0021 authorized the Commission to pay for all costs incurred prior to July 1, 2018, using either its Fiscal Year 2017 or Fiscal Year 2018 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 37 includes information from Commission management about the number of invoices and the total dollar amount of invoices from Fiscal Year 2016 and Fiscal Year 2017 held by the Commission to be submitted against either its Fiscal Year 2017 or Fiscal Year 2018 appropriation.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
 Appropriations for Fiscal Year 2016

Fourteen Months Ended August 31, 2016

Public Act 99-0524 and Court-Ordered Expenditures FISCAL YEAR 2016	Expenditure Authority (Net of Transfers)	Lapse Period		Total Expenditures 14 Months Ended August 31	Balances Lapsed August 31
		Expenditures Through June 30	Expenditures July 1 to August 31		
<u>General Revenue Fund - 001</u>					
Personal Services		\$ 8,397,266	\$ 394,927	\$ 8,792,193	
Total - Fund 001		<u>\$ 8,397,266</u>	<u>\$ 394,927</u>	<u>\$ 8,792,193</u>	
<u>Guardianship and Advocacy Fund - 297</u>					
Services Pursuant to Section 5 of the Guardianship and Advocacy Act		\$ 204,968	\$ 868,414	\$ 1,073,382	\$ 1,226,618
Total - Fund 297		<u>\$ 204,968</u>	<u>\$ 868,414</u>	<u>\$ 1,073,382</u>	<u>\$ 1,226,618</u>
GRAND TOTAL - ALL FUNDS		<u>\$ 8,602,234</u>	<u>\$ 1,263,341</u>	<u>\$ 9,865,575</u>	

Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of August 31, 2016, and have been reconciled to Commission records.

Note 2: Expenditure amounts are vouchers approved for payment by the Commission and submitted to the State Comptroller for payment to the vendor.

Note 3: The Circuit Court of St. Clair County in AFSCME Council v. Munger (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As the Commission never received enacted personal services appropriations Fund 001, the Commission was able to submit vouchers to pay its employees in full from Fund 001 without a maximum expenditure limit for personal service costs during Fiscal Year 2016.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF APPROPRIATIONS, EXPENDITURES, AND LAPSED BALANCES
Appropriations for Fiscal Year 2016

Fourteen Months Ended August 31, 2016

Note 4: During Fiscal Year 2016, the Commission operated without enacted appropriations until Public Act 99-0524 was signed into law on June 30, 2016. During the impasse, the Commission incurred non-payroll obligations within Fund 297, which the Commission was unable to pay until the passage of Public Act 99-0524.

Note 5: Public Act 99-0524 authorized the Commission to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 37 includes information from Commission management about the number of invoices and the total dollar amount of invoices held by the Commission to be submitted against its Fiscal Year 2017 appropriation.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS,
 EXPENDITURES, AND LAPSED BALANCES**
 For the Fiscal Year Ended June 30,

	Fiscal Year		
	2017	2016	2015
	P.A. 99-0524 P.A. 100-0021 Court-Ordered Expenditures	P.A. 99-0524 Court-Ordered Expenditures	P.A. 98-0680 P.A. 99-0001
<u>General Revenue Fund - 001</u>			
Appropriations (Net of Transfers)			\$ 9,975,000
Expenditures			
Personal Services	\$ 8,760,383	\$ 8,792,193	\$ -
Lump Sum for Operational Expenses	-	-	9,768,744
Governor's Discretionary Appropriation	-	-	117,930
Total Expenditures	<u>\$ 8,760,383</u>	<u>\$ 8,792,193</u>	<u>\$ 9,886,674</u>
Lapsed Balances			<u>\$ 88,326</u>
<u>Guardianship and Advocacy Fund - 297</u>			
Appropriations (Net of Transfers)	<u>\$ 2,300,000</u>	<u>\$ 2,300,000</u>	<u>\$ 700,000</u>
Expenditures			
Services Pursuant to Section 5 of the Guardianship and Advocacy Act	<u>\$ 1,039,987</u>	<u>\$ 1,073,382</u>	<u>\$ 668,437</u>
Total Expenditures	<u>\$ 1,039,987</u>	<u>\$ 1,073,382</u>	<u>\$ 668,437</u>
Lapsed Balances	<u>\$ 1,260,013</u>	<u>\$ 1,226,618</u>	<u>\$ 31,563</u>
<u>GRAND TOTAL - ALL FUNDS</u>			
Appropriations (Net of Transfers)	\$ 2,300,000	\$ 2,300,000	\$ 10,675,000
Total Expenditures	<u>9,800,370</u>	<u>9,865,575</u>	<u>10,555,111</u>
Lapsed Balances	<u>\$ 1,260,013</u>	<u>\$ 1,226,618</u>	<u>\$ 119,889</u>

Note 1: Expenditure authority, appropriations, expenditures, and lapsed balances were obtained from the State Comptroller's records as of September 30, 2017, and August 31, 2016, and have been reconciled to Commission records.

Note 2: Expenditure amounts are vouchers approved for payment by the Commission and submitted to the State Comptroller for payment to the vendor.

Note 3: The Circuit Court of St. Clair County in *AFSCME Council v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As Public Act 100-0021 states appropriation authority granted by the General Assembly does not supersede any court order directing the expenditure of funds and states such payments are added to the appropriations

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
**COMPARATIVE SCHEDULE OF NET APPROPRIATIONS,
EXPENDITURES, AND LAPSED BALANCES**
For the Fiscal Year Ended June 30,

granted by the General Assembly, the Commission was able to submit vouchers to pay its employees in full from Fund 001 without a maximum expenditure limit for personal service costs during Fiscal Year 2017.

- Note 4: The Circuit Court of St. Clair County in *AFSCME Council v. Munger* (15 CH 475) ordered the State Comptroller, in the absence of enacted annual appropriations, to "draw and issue warrants accomplishing payment of wages [for all State employees] at their normal rates of pay." As the Commission never received enacted personal services appropriations for Fund 001, the Commission was able to submit vouchers to pay its employees in full from Fund 001 without a maximum expenditure limit for personal service costs during Fiscal Year 2016.
- Note 5: During Fiscal Year 2016, the Commission operated without enacted appropriations until Public Act 99-0524 was signed into law on June 30, 2016. During the impasse, the Commission incurred non-payroll obligations within Fund 297, which the Commission was unable to pay until the passage of Public Act 99-0524.
- Note 6: Public Act 99-0524 authorized the Commission to pay Fiscal Year 2016 costs using its Fiscal Year 2017 appropriations for non-payroll expenditures. The Analysis of Operation section of this report at page 37 includes information from Commission management about the number of invoices and the total dollar amount of invoices held by the Commission submitted against its Fiscal Year 2017 appropriation.
- Note 7: Notwithstanding anything within Public Act 100-0021 to the contrary, Public Act 100-0021 authorized the Commission to pay for all costs incurred prior to July 1, 2018, using either its Fiscal Year 2017 or Fiscal Year 2018 appropriations for non-payroll expenditures. The Analysis of Operations section of this report at page 37 includes information from Commission management about the number of invoices and the total dollar amount of invoices from Fiscal Year 2016 and Fiscal Year 2017 held by the Commission to be submitted against either its Fiscal Year 2017 or Fiscal Year 2018 appropriation.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
**COMPARATIVE SCHEDULE OF RECEIPTS, DISBURSEMENTS, AND FUND
 BALANCE (CASH BASIS) - LOCALLY-HELD FUND**
 For the Two Years Ended June 30, 2017

		Wards' Trust Fund 1162
Cash Balance at July 1, 2015	\$	2,269,955
Receipts:		2,933,220
Disbursements:		(3,121,013)
Cash Balance at June 30, 2016	\$	2,082,162
Cash Balance at July 1, 2016	\$	2,082,162
Receipts:		3,582,584
Disbursements:		(3,193,337)
Cash Balance at June 30, 2017	\$	2,471,409

Note: These amounts have been obtained from the Commission's quarterly *Report of Receipts and Disbursements* for the locally-held fund prepared by the Commission and submitted to the Office of the State Comptroller.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SCHEDULE OF CHANGES IN STATE PROPERTY
 For the Two Years Ended June 30, 2017

	<u>Equipment</u>
Balance at July 1, 2015	\$ 629,505
Additions	19,969
Deletions	(30,463)
Net Transfers	<u>-</u>
Balance at June 30, 2016	<u><u>\$ 619,011</u></u>
Balance at July 1, 2016	\$ 619,011
Additions	58,711
Deletions	(48,323)
Net Transfers	<u>-</u>
Balance at June 30, 2017	<u><u>\$ 629,399</u></u>

Note: The above schedule has been derived from Commission records, which have been reconciled to property reports submitted to the Office of the State Comptroller. During our review of the Commission's property records, we noted deficiencies with the Commission's property records, as noted in Finding 2017-004.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
**COMPARATIVE SCHEDULE OF CASH RECEIPTS AND
 RECONCILIATION OF CASH RECEIPTS TO DEPOSITS
 REMITTED TO THE STATE COMPTROLLER**

For the Fiscal Years Ended June 30,

	<u>2017</u>	<u>2016</u>	<u>2015</u>
<u>General Revenue Fund - 001</u>			
Jury Duty and Recoveries	\$ 1,113	\$ 526	\$ 3,000
Total Cash Receipts per Commission Records	<u>1,113</u>	<u>526</u>	<u>3,000</u>
Add: Deposits in Transit, Beginning of Year	-	-	1,381
Less: Deposits in Transit, End of Year	<u>-</u>	<u>-</u>	<u>-</u>
Total Cash Receipts per State Comptroller's Records	<u>\$ 1,113</u>	<u>\$ 526</u>	<u>\$ 4,381</u>
<u>Guardianship and Advocacy Commission Fund - 297</u>			
Fee Assessments	\$ 100,062	\$ 99,964	\$ 121,318
Total Cash Receipts per Commission Records	<u>100,062</u>	<u>99,964</u>	<u>121,318</u>
Add: Deposits in Transit, Beginning of Year	250	100	100
Less: Deposits in Transit, End of Year	<u>750</u>	<u>250</u>	<u>100</u>
Total Cash Receipts per State Comptroller's Records	<u>\$ 99,562</u>	<u>\$ 99,814</u>	<u>\$ 121,318</u>
GRAND TOTAL - ALL FUNDS			
Total Cash Receipts per Commission Records	\$ 101,175	\$ 100,490	\$ 124,318
Add: Deposits in Transit, Beginning of Year	250	100	1,481
Less: Deposits in Transit, End of Year	<u>750</u>	<u>250</u>	<u>100</u>
Total Cash Receipts per State Comptroller's Records	<u>\$ 100,675</u>	<u>\$ 100,340</u>	<u>\$ 125,699</u>

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
AGENCY FUNCTIONS AND PLANNING PROGRAM
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

Functions

The Commission was created in 1979 by enactment of the Guardianship and Advocacy Act (Act) (20 ILCS 3955/1 et seq.) to safeguard the rights of persons with disabilities. The Commission's Director is mandated to organize and administer programs to provide the services described in the Act through three divisions:

1. The Legal Advocacy Service provides legal consultation and representation to disabled people in a variety of settings; including mental health facilities, residential programs, community placements, and nursing homes.
2. The Human Rights Authority investigates rights violations of disabled people residing in public or private facilities.
3. The Office of State Guardian handles the personal, financial, and legal affairs of developmentally disabled, mentally ill, and elderly persons with disabilities.

The Commission is comprised of 11 members appointed by the Governor and confirmed by the Senate for three-year terms. These Commissioners serve in a voluntary capacity to govern the agency and are chosen for a particular area of expertise.

The Commission meets at least quarterly to perform its mandated duties through the following functions:

- establish policy guidelines for the operation of the Commission;
- review actions taken by the regional authorities;
- establish rules and regulations for the conduct of work of the divisions;
- approve and evaluate the Commission's Director; and,
- approve the budget and an annual report on its operations for submission to the Governor and General Assembly.

The Commission's members as of June 30, 2017, were:

Anthony Rothert, Chair
Honorable Andrea M. Schleifer, Vice-Chair
Senator Don Harmon
Representative Michael McAuliffe
Brian Rubin

Senator Ira Silverstein
Inez Torres Davis
Reverend Barbara Berry-Bailey
Dr. Sharon Jenkins-Collins
Representative William Davis

PLANNING PROGRAM

The Commission has developed a plan that incorporates programs, policy, public relations, human resources, technology, and financial development. Outcomes have been developed in each of these areas. Indicators for each outcome further focus the work of the Commission to make programs more measurable.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2017 AND 2016

There were no significant variations in expenditures between Fiscal Year 2017 and Fiscal Year 2016.

ANALYSIS OF SIGNIFICANT VARIATIONS IN EXPENDITURES BETWEEN FISCAL YEARS 2016 AND 2015

General Revenue Fund – 001

Governor’s Discretionary Appropriation

The decrease in the General Revenue Fund was the result of the Commission receiving a one-time Governor’s Discretionary Appropriation during Fiscal Year 2015 to cover the shortage in the original General Revenue Fund appropriation after the reserve was imposed by the Office of the Governor through Executive Order 15-08. The Commission did not receive an appropriation of this type during Fiscal Year 2016.

Lump Sum for Operational Expenses

The decrease was due to the Statewide budget impasse, as the Commission did not receive a General Revenue Fund appropriation in Fiscal Year 2016. All of the costs normally paid by the General Revenue Fund were paid from the Guardianship and Advocacy Fund.

Guardianship and Advocacy Fund – 297

Services Pursuant to Section 5 of the Guardianship and Advocacy Act

The increase in the Guardianship and Advocacy Fund was the result of the Commission paying invoices that would normally have been processed through the General Revenue Fund from the Guardianship and Advocacy Fund. The Commission received no General Revenue Fund appropriation during Fiscal Year 2016. Therefore, the Guardianship and Advocacy Fund’s appropriation increased and all non-payroll expenditures were expensed from the Guardianship and Advocacy Fund during Fiscal Year 2016.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2017 AND 2016

There were no significant variations in receipts between Fiscal Year 2017 and Fiscal Year 2016.

ANALYSIS OF SIGNIFICANT VARIATIONS IN RECEIPTS BETWEEN FISCAL YEARS 2016 AND 2015

There were no significant variations in receipts between Fiscal Year 2016 and Fiscal Year 2015.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
ANALYSIS OF SIGNIFICANT LAPSE PERIOD SPENDING
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

FISCAL YEAR 2017

There were no significant expenditures during the Fiscal Year 2017 Lapse Period.

FISCAL YEAR 2016

Guardianship and Advocacy Fund – 297

Services Pursuant to Section 5 of the Guardianship and Advocacy Act

The significant expenditures during the Fiscal Year 2016 Lapse Period were due to the budget impasse, which caused the Commission to process invoices received during Fiscal Year 2016 after the passage of Public Act 099-0524 on June 30, 2016. As a result, significant expenditures were paid during the Lapse Period.

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
ANALYSIS OF ACCOUNTS RECEIVABLE
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

The Guardianship and Advocacy Commission (Commission) had two categories of accounts receivable during the examination period. Ward fee receivables are related to Commission fee payments from wards. During Fiscal Year 2017, the Cook County Health and Hospitals System (CCHHS) subcontracted a portion of a federal grant received for the implementation and evaluation of the Cook County Assisted Outpatient Treatment (AOT) Program to the Commission in return for services provided by the Commission. Due to the timing of reimbursements received from CCHHS in relation to the grant, the Commission had related accounts receivables at the end of Fiscal Year 2017. All accounts receivable are considered current.

	<u>2017</u>	<u>2016</u>	<u>2015</u>
Guardianship and Advocacy Commission Fund - 297			
Ward fees	\$ 5,000	\$ 4,000	\$ 10,000
Cook County AOT Program	<u>30,000</u>	<u>-</u>	<u>-</u>
Total Accounts Receivable	<u><u>\$ 35,000</u></u>	<u><u>\$ 4,000</u></u>	<u><u>\$ 10,000</u></u>

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
BUDGET IMPASSE DISCLOSURES
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

Payment of Prior Year Costs in Future Fiscal Years

Article 74 of Public Act 99-0524 authorized the Guardianship and Advocacy Commission (Commission) to pay Fiscal Year 2016 costs using the Commission's Fiscal Year 2017 appropriations for non-payroll expenditures. The Commission did not have any outstanding invoices from Fiscal Year 2016 unpaid after the closure of the Fiscal Year 2016 Lapse Period on August 31, 2016. Therefore, the Commission did not use its Fiscal Year 2017 appropriations to pay its Fiscal Year 2016 costs.

In addition, Article 998 of Public Act 100-0021 authorized the Commission to pay its unpaid Fiscal Year 2016 and Fiscal Year 2017 costs using either the Commission's Fiscal Year 2017 or Fiscal Year 2018 appropriations for non-payroll expenditures. The Commission did not have any outstanding invoices from Fiscal Year 2017 unpaid after the closure of the Fiscal Year 2017 Lapse Period on September 30, 2017. Therefore, the Commission did not use its Fiscal Year 2017 or Fiscal Year 2018 appropriations to pay its Fiscal Year 2016 or Fiscal Year 2017 costs.

STATE OF ILLINOIS
GUARDIANSHIP AND ADVOCACY COMMISSION
**ALTERNATIVE FINANCING IN LIEU OF APPROPRIATIONS AND
PROGRAMS TO ADDRESS UNTIMELY PAYMENTS TO VENDORS**
For the Two Years Ended June 30, 2017
(NOT EXAMINED)

Transactions Involving the Illinois Finance Authority

The Guardianship and Advocacy Commission (Commission) and its vendors did not participate in alternative financing in lieu of enacted appropriations involving the Illinois Finance Authority during Fiscal Year 2016 or Fiscal Year 2017.

Transactions Involving the Vendor Payment Program and Vendor Support Initiative Program

Vendor Payment Program (VPP)

In 2011, the State of Illinois (State) created the voluntary VPP in response to delays in payments for goods and services provided by the State's vendors arising from the State's cash flow deficit. The Department of Central Management Services (CMS) approved third party financing entities to act as "qualified purchasers" of accounts receivable from "participating vendors" who had submitted invoices which had not been paid by the State.

A participating vendor's accounts receivable is eligible for the VPP if it is from an invoice unpaid by the State that is (1) not for medical assistance payments (2) where 90 days have passed since the proper bill date, which is (3) entitled to interest under the State Prompt Payment Act (Act) (30 ILCS 540) and (4) free of any liens or encumbrances. Under the terms of an agreement between a qualified purchaser and the participating vendor, the participating vendor receives payment for 90% of the receivable balance. The participating vendor, in turn, assigns its rights to the interest due under the Act to the qualified purchaser. When the State Comptroller ultimately pays the invoice, the participating vendor receives the remaining 10% due (less any offsets).

Notably, while CMS approved the qualified purchasers and provided information to vendors about VPP, neither CMS nor the State are parties to the assignment agreements.

None of the Commission's vendors participated in the Vendor Payment Program (VPP) during Fiscal Year 2016 or Fiscal Year 2017.

Vendor Support Initiative Program (VSI)

During Fiscal Year 2016, the State created the voluntary VSI as an alternative to the VPP for cases where the Commission lacked an enacted appropriation or other legal expenditure authority to present invoices to the State Comptroller for payment. The VSI operated similarly to the VPP, although the Commission was required to determine a participating vendor's invoice (1) would have met the requirements of the VPP and (2) provided the proper bill date of invoice prior to the qualified purchaser and participating vendor entering into an agreement where the participating vendor received payment for 90% of the receivable balance. The participating vendor, in turn, assigned its rights to the interest due under the Act to the qualified purchaser. After the State

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
**ALTERNATIVE FINANCING IN LIEU OF APPROPRIATIONS AND
 PROGRAMS TO ADDRESS UNTIMELY PAYMENTS TO VENDORS**
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Comptroller ultimately paid the invoice after the Commission received appropriations or other legal expenditure authority to pay the invoice, the participating vendor received the remaining 10% due (less any offsets).

During Fiscal Year 2016, the Commission had five vendors participate in VSI for 27 invoices, totaling \$55,520. A summary of the amount of transactions by qualified purchaser follows:

TRANSACTIONS BY QUALIFIED PURCHASER	
Qualified Purchaser	Total
A	\$ 48,731
B	63
C	1,059
D	4,234
E	1,433
	\$ 55,520

During Fiscal Year 2017, the Commission had two vendors participate in VSI for two invoices, totaling \$4,295. A summary of the amount of transactions by qualified purchaser follows:

TRANSACTIONS BY QUALIFIED PURCHASER	
Qualified Purchaser	Total
A	\$ 4,175
B	120
	\$ 4,295

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
**INTEREST COSTS ON FISCAL YEAR 2017
 AND FISCAL YEAR 2016 INVOICES**
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Prompt Payment Interest Costs

The Guardianship and Advocacy Commission (Commission) plans to calculate prompt payment interest due to vendors under the State Prompt Payment Act (Act) (30 ILCS 540) using the vendor's proper bill date through the date the State Comptroller issues a warrant to the vendor, regardless of when and if an enacted appropriation existed during Fiscal Year 2016 and Fiscal Year 2017. The Act (30 ILCS 540/3-2) and the Illinois Administrative Code (74 Ill. Admin. Code 900.100) require interest to be paid under a daily simple interest rate of .033% (1% over a 30-day period) for every day elapsed following the 90th day after a vendor submits an eligible proper bill to the Commission. The following charts show the Commission's prompt payment interest incurred related to Fiscal Year 2016 and Fiscal Year 2017 invoices, calculated on the accrual basis of accounting, through June 30, 2016, and June 30, 2017, by fund:

PROMPT PAYMENT INTEREST INCURRED
 Year Ended June 30, 2016

<u>Fund #</u>	<u>Fund Name</u>	<u>Invoices</u>	<u>Vendors</u>	<u>Dollar Value</u>
297	Guardianship and Advocacy Fund	<u>226</u>	<u>61</u>	<u>\$ 4,397</u>
	Total	<u>226</u>	<u>61</u>	<u>\$ 4,397</u>

PROMPT PAYMENT INTEREST INCURRED
 Year Ended June 30, 2017

<u>Fund #</u>	<u>Fund Name</u>	<u>Invoices</u>	<u>Vendors</u>	<u>Dollar Value</u>
297	Guardianship and Advocacy Fund	<u>2</u>	<u>2</u>	<u>\$ 55</u>
	Total	<u>2</u>	<u>2</u>	<u>\$ 55</u>

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
AVERAGE NUMBER OF EMPLOYEES
 For the Year Ended June 30,
 (NOT EXAMINED)

The following table, prepared from Commission records, presents the average number of employees by division, for the Fiscal Year Ended June 30,

	<u>2017</u>	<u>2016</u>	<u>2015</u>
General Office/Clerical	18	18	13
Office of State Guardian	61	60	70
Legal Advocacy Service	13	13	13
Human Rights Authority	<u>8</u>	<u>9</u>	<u>9</u>
Total Average Employees	<u><u>100</u></u>	<u><u>100</u></u>	<u><u>105</u></u>

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

The Guardianship and Advocacy Commission’s (Commission) management provided the following information consisting of statistical and programmatic data for the years ended June 30, 2017, 2016, and 2015.

Office of State Guardian

The Office of State Guardian (OSG) is statutorily mandated to serve as the guardian of last resort of adults with disabilities. The OSG is the appointed guardian by the courts when these adults are not able to make or communicate decisions concerning their welfare, care, or estates. When a family member or friend is willing and able to serve as the guardian, the OSG is not appointed.

The OSG is required by law to procure and monitor services provided to its wards and to visit each ward a minimum of four times a year. Additional visits may be required to ensure the wards are not harmed or exploited. When named as the guardian of a person and/or estate, the OSG must inventory and manage the property, invest funds, pay bills, and prepare tax returns.

Activity Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Number of medical consents given in response to request from service providers	14,217	12,457	12,884
Number of total intakes	3,706	4,130	4,326
Number of inquiries specifically about guardianship	2,021	2,601	2,646
Number of care plans reviewed in response to service provider requests	4,675	4,708	4,905
Number of new temporary appointments-petitions filed by outside attorneys appointing the OSG	428	410	375
Number of new plenary appointments-petitions filed by outside attorneys appointing the OSG	424	424	418
Number of after hours on call consents, inquires, and referrals	6,746	7,444	8,149
Number of placement changes in response to ward needs	1,402	1,414	1,355
Amount of Commission fee collections (thousands)	\$90	\$100	\$120
Number of visits to wards completed on a quarterly basis	19,208	17,215	18,759

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Office of State Guardian (continued)

Activity Measures (continued)

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Total number of wards served	5,676	5,163	5,108
Total number of clients served (guardianship intakes, pending cases, and OSG wards)	7,500	7,764	7,754
Closed cases	561	509	499
Number of supplemental contacts with OSG wards	1,452	1,726	1,901
Number of contacts with wards' families	567	540	618
Number of fiduciary transactions performed on behalf of wards' estates	12,196	11,597	12,244
Total dollar amount of ward transactions (receipts and disbursements) (in thousands)	\$6,774	\$6,054	\$7,716
Percentage of staff who are certified as Registered Guardians through the National Guardianship Foundation	84%	93%	93%
Average caseload per worker	154	132	135

Customer Service Performance Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Percentage of cases in which the OSG was appointed legal guardian	36%	15%	13%
Percentage of cases in which alternatives to OSG Guardianship were located	64%	85%	87%

Efficiency Indicators

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Cost per client served	\$1,006	\$940	\$1,089

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Legal Advocacy Service

The Legal Advocacy Service (LAS) was created to provide a necessary due process component to the judicial system by protecting and enforcing the legal rights of individuals in mental health treatment proceedings and, where alternative legal counsel is unavailable, providing legal counsel and representation to individuals with disabilities to protect and enforce rights as guaranteed by related state, local, and federal laws. LAS clients include minors and adults, whether residing in their communities or in treatment and/or habilitation facilities.

In general, LAS services can be divided into three categories; (1) responding to individual requests for information regarding legal rights of persons with disabilities; (2) investigating alleged violations of the mental health laws and providing advocacy assistance to remedy substantiated violations, and; (3) serving as legal counsel, in the trial and reviewing courts, in proceedings related to admission to, retention in, enforced treatment while admitted (psychotropic medication and/or electroconvulsive therapy), and release from public and private facilities.

The activities of the LAS are statutorily mandated. Litigation is pursued on the rare occasion when an appropriate remedy cannot be achieved by notification, education, and negotiation. LAS staff also provide technical assistance to the Commission’s Human Rights Authority and Office of the State Guardian and maintains a reviewing court decision outline on the Commission’s website.

Activity Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Requests for information, referral, or assistance	1,143	1,397	1,520
Cases handled	8,729	6,393	6,767
Total clients served	7,075	9,627	9,058

Customer Service Performance Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Percentage of cases referred to higher courts	86%	70%	84%

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Legal Advocacy Service (continued)

Efficiency Indicators - Internal Process

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Average cost per client	\$194	\$154	\$128

Efficiency Indicators - Internal Process

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Average cost per case handled	\$157	\$231	\$172

Efficiency Indicators - External Benchmarks

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Private sector cost for equivalent staff hours (in thousands)	\$6,416	\$6,416	\$4,680
Percentage that program costs the State when compared to private sector rates	21%	23%	25%

Human Rights Authority

The Human Rights Authority (HRA) investigates complaints of alleged rights violations committed by private and public providers that serve persons with disabilities. Regional authorities, staffed largely by volunteers appointed by the Commissioners, comprise the entire division. The Authority's investigations offer a mechanism for non-adversarial negotiations with service providers when complaints can be substantiated. The HRA makes recommendations for corrective action. Recipients benefiting from investigations are those persons with disabilities affected by HRA recommendations that were adopted by service providers.

Activity Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Number of information and referral inquiries	214	153	170
Number of HRA cases handled	278	235	284

STATE OF ILLINOIS
 GUARDIANSHIP AND ADVOCACY COMMISSION
SERVICE EFFORTS AND ACCOMPLISHMENTS
 For the Two Years Ended June 30, 2017
 (NOT EXAMINED)

Human Rights Authority (continued)

Activity Measures (continued)

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Number of recommendations for improvement issued to service providers for substantiated findings	131	98	176
Number of recommendations accepted and implemented by service providers	121	88	150
Percentage of cases referred for enforcement action	1%	1%	2%
Number of persons with disabilities benefiting from HRA recommendations	13,188	12,163	35,295
Number of volunteer hours contributed to the HRA	1,650	1,558	2,647

Customer Service Performance Measures

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Percentage of recommendations accepted and implemented by service providers	92%	90%	85%

Efficiency Indicators - Internal Process

	<u>Fiscal Year</u> <u>2017</u>	<u>Fiscal Year</u> <u>2016</u>	<u>Fiscal Year</u> <u>2015</u>
Cost per recipient benefited	\$67	\$89	\$27
Cost per case handled	\$3,173	\$4,618	\$3,345