

**Agency Programs/Activities: Inventory and Key Data
New York State Office of the Welfare Inspector General**

Relation to Core Mission (H/M/L)	Program/Activity	Spending Category (SO, ATL, CAP)	3/31/09 FTEs (All Funds)	General Fund Disbursements (\$000s)				State Special Revenue Funds Disbursements (\$000s)				Capital Projects Funds Disbursements (\$000s)			
				2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected	2006-07 Actual	2007-08 Actual	2008-09 Plan	2009-10 Projected
				381	351	408	423								
H	Criminal investigations	SO	3												
H	Intake of complaints of social services fraud	SO	1												
M	Criminal prosecutions	SO	1												
M	Reviews of social services programs	SO	2												
M	Assistance to other law enforcement agencies	SO	2												
L	Operation of satellite office in Albany	SO	1												

Attachment C

New York State Office of the Welfare Inspector General, as of 10/14/08 PROGRAM INFORMATION SHEET

Program: Criminal investigations

Mandate:

OWIG's core mission, to conduct and supervise investigations relating to fraud and abuse in State social services programs, is mandated by statute in New York State Executive Law section 74(3)(a).

Mandated Funding Level:

None

Brief Description/History/Background:

Historically, when OWIG began operating in 1992, the chief focus of its activities was on conducting criminal investigations. All but three of its staff of twelve were investigators, whose primary duty was to uncover fraudulent and illegal misconduct with respect to social services programs and funding in State and local government. A change in focus occurred in or around 1997, and continued into 2007; during this period, greater emphasis was placed on OWIG's legal operations and court cases.

Issues:

Although there are other law enforcement agencies with at least some jurisdiction to investigate or to prosecute social services fraud, usually on a county-by-county basis, OWIG is virtually unique in the breadth of its authority to conduct investigations into serious and systemic fraud and abuse in state and local social services programs. This area constitutes OWIG's single most important mission. Under the current administration, OWIG will dedicate most of its resources to conducting the kinds of investigations that few, if any, other governmental agencies have the jurisdiction and capability of undertaking. If OWIG were to cease altogether investigating social services fraud, few, if any, other law enforcement agencies would have the interest, commitment, perspective and expertise to undertake the kinds of cases in which we specialize. As a result, there would be significantly less deterrence, both specific and general, of fraud, waste and abuse in social services programs throughout the State.

Population Served:

OWIG's staff take seriously the term regularly employed by prosecutors' offices in referring to our client: the People of the State of New York. We represent the interests of all the citizens of our State, and its government (State and local), in protecting the integrity of social services programs and funding throughout the State. In this task, OWIG also seeks also to serve the vulnerable populations that receive governmental social services, by ensuring that program benefits and services reach those who are eligible for them, and that public funds are not diverted to ineligible persons. (The populations being directly served by New York's many social services programs are considerable. For example, state-wide, over half a million persons receive Family Assistance and Safety Net benefits. Over two million receive food stamp program benefits. More than 650,000 collect benefits from the Supplemental Security Income program. One of the largest and most expensive programs, Medicaid, provides medical services to more than three million New Yorkers. The Section 8 rental housing subsidy program assists approximately 38,000 families throughout the State. State and local governments fund day care services for almost 80,000 children annually. And over 25,000 children receive foster care services each year.) In addition, OWIG is virtually unique among prosecutor's offices in that the Governor is the appointing authority. Therefore, OWIG provides the Executive Department with an opportunity to demonstrate clearly and convincingly a commitment to protect government's array of benefits and programs for the economically disadvantaged from fraud, waste and abuse.

Performance Measures:

OWIG employs a case-tracking system for every investigation that is conducted. Changes being implemented to the system will allow measurement of the length of time that a case is conducted, the results of the investigation, whether it resulted in criminal charges and action (or administrative sanctions), and the cost savings and recoveries that were achieved. During the period from January 1, 2008 through August 31, 2008, OWIG commenced sixty investigations. During this period OWIG concluded ninety-one investigations. During the same period in 2007, 103 investigations were opened and thirty-one were closed. During this period in 2006, a fully staffed OWIG began sixty-four investigations.

Program: Criminal prosecutions

Mandate:

New York State Executive Law section 74(3)(d) requires OWIG "to prosecute fraud, abuse or illegal acts perpetrated within the [State] or local social services districts, or by contractees or recipients of public assistance services."

Mandated Funding Level:

None

Brief Description/History/Background:

Historically, this agency focused its resources on legal staff to conduct prosecutions, which has impacted our ability to conduct investigations. Going forward, we will refocus our efforts to doing more investigations.

Issues:

The mission of criminal prosecutions remains an important one, but it is rated as "M" because it inevitably flows from the primary investigative function. OWIG is, in essence, a special prosecutor's office, modeled after the Attorney General's Medicaid Fraud Control Unit and its Organized Crime Task Force. Due to limited staffing, OWIG has a limited ability to conduct criminal prosecutions by itself. However, OWIG will continue to collaborate with Local Social Services Districts to prosecute cases. By completing investigations of high quality with significant results, OWIG's new administration expects to be more successful in referring its findings for prosecution by federal and State prosecutors. OWIG will still attempt to conduct prosecutions that result from its most significant investigations.

Population Served:

See above section on criminal investigations.

Performance Measures:

OWIG's case tracking also measures cases that are referred for prosecution, the length of time of the prosecution, and the results achieved. In 2008, to date, OWIG has conducted a total of fifteen criminal cases in various State and local courts.

Program: Reviews of social services programs

Mandate:

See New York State Executive Law section 74(3)(b), (3)(g), and (3)(h)

Mandated Funding Level:

None

Brief Description/History/Background:

OWIG has periodically conducted reviews of anti-fraud programs in local social services districts, as well as reviews of State-operated programs, such as the Homeless Housing Assistance Program and the Commission for the Blind and Visually Handicapped.

Issues:

Typically, program reviews are not predicated on specific complaints or allegations, in contrast with criminal investigations. Therefore, the potential for discovering serious fraud and abuse is significantly less during program reviews than in criminal investigations. With its currently small staff, OWIG can conduct program reviews only at the expense of our criminal investigations. Program reviews, although clearly within OWIG's statutory mandate, require an array of investigative, legal and auditing expertise if they are to be effective. OWIG does not currently have enough staff with significant financial expertise.

Population Served:

Program reviews are oriented towards providing service to particular agencies, or division of agencies, and to local groups that may have an interest in the program or agency.

Performance Measures:

In conducting program reviews, OWIG has issued findings and recommendations. Findings have included amounts of expenditures of public funds that were wasted or that were insufficiently documented, and that should be recovered. OWIG has the ability to track specific findings and recommendations and to monitor compliance with the recommendations.

Program: Intake of complaints of social services fraud, waste, and abuse

Mandate:

See New York State Executive Law section 74(3)(i)

Mandated Funding Level:

None

Brief Description/History/Background:

OWIG has maintained a toll-free telephone line in order to facilitate the reporting of allegations of fraud, waste and abuse in social services programs. Within the past year, OWIG also began to solicit reports of allegations by electronic mail.

Issues:

If OWIG were to eliminate this function, it is likely that meritorious complaints of social services fraud, waste and abuse would not be reported and, as a result, would not be resolved. In addition, the State would lose a significant means of receiving complaints and information from the public. OWIG's plans to be more proactive in obtaining referrals from the public, private organizations and governmental agencies about social services fraud, waste and abuse by conducting outreach and by making presentations throughout the State have been deferred, at least for the time being, due to the limited number of staff and because of more pressing needs.

Population Served:

Making available to the public a means of reporting their concerns about possible fraud and abuse occurring in social services programs remains an important service. Moreover, its cost, in time and equipment, is relatively small.

Performance Measures:

OWIG tracks every complaint received in its tracking system, along with its disposition. Between Jan. 1, 2008 and Aug. 31, 2008, OWIG received 188 complaints from the public. During the same period in 2007, 164 complaints were received; and, in 2006, 149 complaints were made.

Program: Operation of satellite office in Albany

Mandate:

Executive Law section 74 created OWIG as a State-wide agency.

Mandated Funding Level:

None

Brief Description/History/Background:

OWIG opened an Albany office in or around 1998 in order to have a daily physical presence in the Capital Region. Prior to that, OWIG's only office was in New York City, where it is still headquartered. The Albany office, in space donated by the Office of Temporary and Disability Assistance (OTDA), was ultimately staffed by two full-time investigators. In 2002, upon the retirement of one of these investigators, the Albany office was left with only one full-time employee. Then, in 2005, the remaining Albany-based investigator was promoted to chief investigator, resulting in his job being transferred to New York City-- although he travelled to the Albany office regularly and frequently. Earlier this year, at the request of OTDA, OWIG agreed to move its Albany office from 40 North Pearl Street to 150 Broadway in Menands, with the expectation of returning its level of staffing to two full-time employees.

Issues:

In the event that hiring of new staff at anticipated levels (to replace those who resigned or terminated) will not be possible under current economic conditions, re-evaluation of our plans to maintain an Albany-area office will become necessary. Without adequate resources, the productivity of the Albany office needs to be evaluated.

Population Served:

Since Albany is the seat of State government and the headquarters location of the State agencies that OWIG covers, OWIG hopes to be able to provide direct and immediate service to those agencies and their constituencies by having staff assigned to work in the Capital Region. In addition, areas well outside the New York City metropolitan area tend to have fewer governmental investigative and prosecutorial resources.

Performance Measures:

Case tracking has measured the performance of the Albany office and will be enhanced to perform this task more effectively. In 2008, to date, OWIG has conducted thirty-two investigations in the Capital Region. In all of 2007, the total of such cases was fifty-four. In all of 2006, the total was five.

Program: Assistance to other law enforcement agencies

Mandate:

See Executive Law section 74(3)(e), which requires OWIG "to make information and evidence relating to criminal acts . . . available to appropriate law enforcement officials . . . and to coordinate investigations and criminal prosecutions."

Mandated Funding Level:

None

Brief Description/History/Background:

OWIG has--historically, and to the present--worked with other law enforcement agencies that seek information and assistance in their investigations and prosecutions with respect to governmental social services.

Issues:

Many law enforcement agencies lack access to social services information because of the stringent provisions for confidentiality surrounding social services benefits and recipients. OWIG, to the extent permitted by its statute and by the New York Social Services Law, regularly assists other law enforcement agencies that seek to conduct investigations, or to take other official actions, with respect to persons believed to be involved in criminal misconduct (involving such crimes as homicide, kidnapping and drug trafficking), who are recipients of social services benefits. Such assistance often requires a considerable investment of time by OWIG's staff. If OWIG were to stop providing this service, it is likely that many law enforcement investigations would be impeded, unless the requesting agencies were able to implement similar protocols with State or local social services agencies.

Population Served:

The most immediate population served by this function is the law enforcement community, of which OWIG is itself a part.

Performance Measures:

OWIG has begun to track all requests for assistance from law enforcement and to document the results of that assistance. Statistics from prior years are not available.