

Marilyn Wood made a motion to approve the personnel changes as explained by Jennifer Bradbury. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF REPAYMENT OF VOCA FUNDS USED AND UNALLOWABLE COST IN CONTRACT SERVICES FOR THE PERIOD OF JULY 1, 2020 – DECEMBER 31, 2022

Wendy Jessen, Iron County Children’s Justice Center (CJC) Director, noted that she was hired as the Children’s Justice Center (CJC) Director on October 16, 2023. Wendy reported that in February 2023, she began to notice invoices from the contracted therapists that did not align with Victim of Crimes Act (VOCA) rules. She explained that she began asking questions to her Grant Analyst and discovered that reports were not being done properly. This was noticed in Fiscal Year (FY) 2023-3rd Quarter (or Iron County Quarter 1). Wendy reported that she was not able to seek reimbursement for \$33,040 because they were not an allowable use of funds. On May 1, 2023, VOCA visited and conducted an audit review of the Iron County CJC’s use of VOCA funds with a focus on the Contracted Therapy fees that were billed to the VOCA grant from July 1, 2020, through December 31, 2022. VOCA reviewed financial documents, policies and procedures, and other supporting documents and interviewed staff and contractors. Wendy reported on the Summary of the Problem, “Beginning in February 2019; the Iron County CJC began billing Contracted Therapy for clients who were not eligible to receive services under the VOCA grant. The current director, Wendy Jessen, identified the error in February 2023. At that time, Wendy Jessen appropriately notified UOVC and discontinued billing for these ineligible services. We genuinely appreciate the transparency and integrity of the new CJC Executive Director. Our review identified several issues within the Iron County CJC billing practices.”

- Three of the contracted therapists the CJC billed services to the grant for were interviewed and found to be completely unaware of the grant requirements or allowable costs. They all indicated that they were told by former Executive Director of the Iron County CJC, Stephanie Furnival, that the clients did not have to be victims of a crime. They only had to have had trauma of any sort to be eligible. Additionally, we were informed that one of the therapists was instructed by Stephanie Furnival to create a “guide” on how to categorize the clients they served into an eligible crime category for billing purposes. We reviewed this guide and were highly concerned with the information it contained.

- We identified \$237,663.00 paid to therapists by the CJC for fees that could not be linked to an individual client. These costs were identified by the therapists as other costs that covered their time and expenses. Some of these fees were deemed allowable for things such as therapist attendance at trainings and multi-disciplinary team meetings while others were paid by other funding sources so they were not added to the ineligible amount. However, some of these costs were for excessive documentation time or periods of time where there were no clients being seen. At least one therapist was being paid “hourly” for time spent at local schools whether services were being provided during the entire time or not. This time is unallowable because therapy services are billed at a pre-approved rate per service. The standard therapy session is 50 minutes in length while the fee covers 60 minutes, with 10 minutes being allowed for documentation.

- Under the terms of the VOCA award, only victims of specified crimes are eligible for assistance under the award. At least three therapists were providing services to individuals who were not victims of crime and had not had any interaction with the CJC. The original award stated that the clients would be referred for therapy from the CJC after receiving an assessment at the CJC. This was not done for the majority of clients who were seen by the therapists and subsequently billed to the VOCA grant.

- Overall, we identified \$358,895.00 billed in ineligible costs to the UOVC grants for the contracted therapy services referenced above.

Wendy Jessen reported on the Summary of the Problem, “The Iron County CJC had engaged in several practices that do not align under C.F.R. 200.303 Internal Controls. Adequate

oversight of the program was not provided, contributing to the current concerns with billing of unallowable costs.

- The CJC was paying contracted therapists for services with no valid contracts in place. The only contracts found had expired June 30, 2019. Wendy noted that no contracts had signatures.

- Travel documentation for the former director, Stephanie Furnival, reflected mileage that significantly overstated the distance from one location to another, resulting in Ms. Furnival being reimbursed for more mileage than justified. Some of this mileage was then billed to the above grants. A proper review of the reimbursement requests would have identified this issue.

- The CJC entered client information and contract billings into their tracking system without identifying if there had been a referral from the CJC authorizing the services or a contract in place to allow the expense.

- The VOCA grants were billed a combined total of \$22,974.02 more than what County Ledgers show being paid out during fiscal years 2021, 2022, and the first half of 2023.

- County procurement policy was not followed at any point in the process. Due to not having valid contracts in place, the entirety of the billings could have been questioned back to July 1, 2019, totaling as much as \$917,207.50.

Wendy reported that she had parameters put into place when she discovered the discrepancies. She worked with Chad Dotson, Iron County Attorney, and Sam Woodall, Iron County Deputy Attorney creating new contracts. They submitted a Request for Proposal (RFP) to practicing therapists along with the requirements with the National Children's Alliance, VOCA, and the Iron County CJC. Interviews were held and decided to contract with two separate practices. Wendy explained that each invoice included a number that was linked to a client. That invoice/client would then be verified before payment. She noted that to be a client in the CJC the child must have either been interviewed at the CJC or had a medical exam at the CJC. If those services were not available to the child, then there were specific steps to follow. Crimes that were allowable through the CJC scope of work and overlap with VOCA were: sexual abuse, physical abuse, or witness to a crime such as drug endangerment or domestic violence. Wendy reported that corrective action was taken by submitting a written explanation of steps that the Iron County CJC would take to ensure cost principles and grant conditions were followed. VOCA would be performing site visits (announced and unannounced), more audits, and require more detailed documentation, all of which would be followed.

Michael Bleak made a motion to approve the repayment of VOCA funds and unallowable costs in contract services for the period of July 1, 2020, to December 31, 2022, for \$358,895, to be paid out of the 2024 budget. Second by Marilyn Wood. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Marilyn Wood, Aye.

NON-DELEGATED ITEMS

No Non-Delegated items were discussed.

ADJOURNMENT

Paul Cozens, Iron County Commission Chair, declared adjournment.



Signed: Paul Cozzens, Commission Chair
Michael P. Bleak, Chair Pro Tem



Attest: Jonathan T. Whittaker, County Clerk

