

Report Highlights

Adverse Actions Lists for Certified Nurse Aides and Direct Service Workers

Louisiana Department of Health

Audit Control # 40230040

Performance Audit Services • January 2025

Why We Conducted This Audit

We evaluated the Louisiana Department of Health's (LDH) oversight of its adverse actions lists for Certified Nurse Aides (CNA) and Direct Service Workers (DSW) with findings, or substantiated allegations, of abuse and neglect. This report is the third in a series of audits that we conducted related to LDH's activities to address abuse and neglect of individuals with developmental disabilities.

What We Found

- **LDH does not have formal criteria for what incidents of abuse and neglect should result in findings for CNAs/DSWs on the adverse actions lists. Such guidance would help ensure CNAs/DSWs are treated consistently for similar incidents.** During fiscal years 2019 through 2023, LDH added findings against 80 CNAs and 431 DSWs to the adverse actions lists; the exhibit below shows the findings for those CNAs/DSWs.

The LDH **adverse actions lists** are databases of individuals and providers who are sanctioned, which may include exclusions, for-cause terminations, or disbarment through LDH Health Standards.

A **finding** is an allegation of abuse or neglect that is placed against a CNA or DSW on an LDH adverse actions list.

**Findings for CNAs and DSWs added to the
Adverse Actions Lists
Fiscal Years 2019 through 2023**

Finding	CNAs	DSWs
Physical Abuse	33	183
Neglect	15	124
Exploitation/Misappropriation	20	92
Mental/Emotional Abuse	11	37
Sexual Abuse	3	10
Verbal Abuse	9	23
Total*	91	469

*Total findings does not match the total number of CNAs/DSWs added to the adverse actions lists because some CNAs/DSWs had findings for multiple reasons. In addition, we excluded 13 records that did not include a reason.

Source: Prepared by legislative auditor's staff using data provided by LDH.

In addition, LDH rescinded 64 (51.2%) of 125 findings, after the CNA/DSW requested an appeal, meaning no finding was placed on the adverse actions lists.

Adverse Actions Lists for Certified Nurse Aides and Direct Service Workers

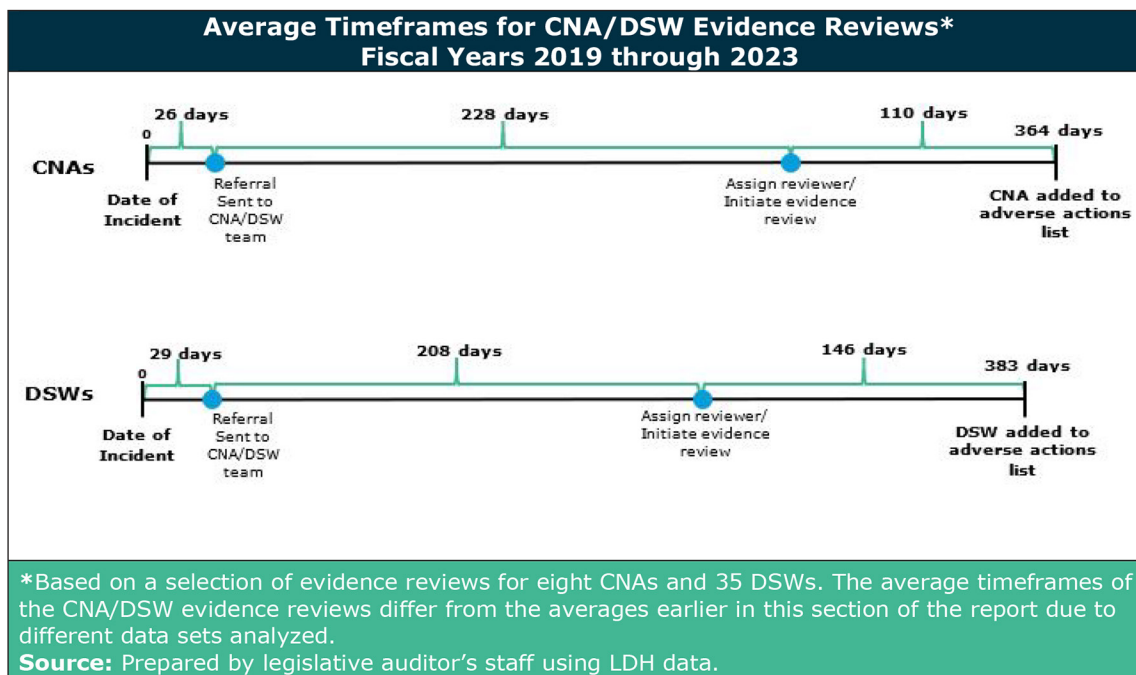
Louisiana Department of Health

What We Found (Cont.)

- LDH does not have formal criteria for how long CNA/DSW evidence reviews should take. We found that LDH took an average of 390 days for CNAs and 375 days for DSWs to add findings to the adverse actions lists after facilities reported allegations of abuse or neglect. According to LDH, it does not have adequate staff to conduct CNA/DSW evidence reviews timely. The average days and the minimum and maximum number of days are shown in the exhibit below.

LDH took an average of 228 days for CNAs and 208 days for DSWs to assign the investigator/initiate the evidence review from the day the CNA/DSW team received the referral. The exhibit below shows the average timeframes for CNA and DSW evidence reviews.

Time to Add CNAs/DSWs to the Adverse Actions Lists from the Date an Incident was Reported to LDH Fiscal Years 2019 through 2023			
Finding	Average	Minimum	Maximum
CNAs	390	64	718
DSWs	375	140	951
Source: Prepared by legislative auditor's staff using data provided by LDH.			



- We identified individuals who potentially worked as CNAs and DSWs in prohibited healthcare settings after being added to the adverse actions lists. Some healthcare providers, such as home and community-based service providers, conduct automatic nightly checks to identify DSWs who should not be providing care. We used quarterly wage data from the Louisiana Workforce Commission and identified 10 (11.1%) of 90 CNAs who worked for a nursing facility and 16 (4.2%) of 380 DSWs who worked for intermediate care facilities for individuals with developmental disabilities (ICFs) after being added to the adverse actions lists.

This report contained seven recommendations, and LDH agreed with five of them and disagreed with two of them.

View the full report, including management's response, at www.lla.la.gov.