

# State 911 Committee

## Policy for Compliance Reviews

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### **Purpose**

1. To ensure counties/Public Safety Answering Point(s) (PSAPs) are in compliance with P.A. 32 of 1986 as amended (911 Act).
2. To validate/dispel allegations of questionable practices.
3. To make recommendations for operational improvement when indicated to comply with the established best practices.

### **Background**

The Certification Subcommittee is a subcommittee of the State 911 Committee (SNC) that serves to ensure that requirements and deadlines in the 911 Act are met. Its tasks include:

1. 911 compliance reviews of counties/PSAPs.
2. Recommending the criteria established by the SNC as “allowable/disallowable” expenditures.
3. Reviewing county 911 plans.
4. Initial contact for an appeal regarding the allowable/disallowable usage of the 911 surcharge funds.
5. Provide best practice recommendations as a guideline for the PSAPs.

For detailed information regarding “allowable” expenditures, please see the Allowable/Disallowable Usage of 911 Surcharge Funds at: <https://www.michigan.gov/snc>

### **Review Criteria**

**For Cause Reviews** may be initiated based on reasonable suspicion of questionable practices. *Reasonable suspicion* is defined as “objective and specific facts that are capable of being articulated.”

**Random Reviews** will be conducted as determined by the SNC through a random draw process conducted by the Certification Subcommittee for the following purposes:

1. To develop best practices regarding the implementation of 911 services and ongoing operational processes.
2. To ensure compliance with the emergency services order and the 911 Act.

**By Request Reviews** may be made through a county’s chief administrative official, chair of the SNC subcommittee, or other appropriate authority upon the approval of the SNC. Requests for review will be made to the Certification Subcommittee and approved on a per county basis.

### **Multi-County PSAP & Densely Populated Counties**

*In the event that a county is selected or approved for review, in which multiple counties are served by the same PSAP, all counties within that PSAP service jurisdiction are subject to review.*

*In the event that a county with a population of more than 250,000 or a 911 service district of Wayne County is selected or approved for a review, the Certification Subcommittee may define the parameters in consideration of length of time and approach to review.*

### **Process**

Each compliance review is assigned a review team by the Certification Subcommittee Chair. Each team is made up of members from the Certification Subcommittee, along with the Compliance Review Analyst from the State 911 Office.

1. The selection process is done during a Certification Subcommittee meeting. The county is selected one of three ways:
  - a) Random Selection

- b) For Cause
  - c) By Request
2. The period of the financial review is determined by the date of selection to include the preceding three years, unless specifically approved for a greater time period. The period of the training fund review is determined by the date of selection to include the preceding four (4) years, unless specifically approved for a greater time period. If the circumstances indicate the review period should be greater than five (5) years, it will be brought to the 911 Training Subcommittee for approval.
3. A selection notification email will be sent to the County Coordinator/PSAP Director(s). The notification will include the selection reason; random, for cause, by request, or multi-county PSAP. The notification will request the following information to be submitted with a deadline of four (4) weeks from the date the notification is sent:
  - a) Name of a contact person to serve as coordinator for this review. *Required*
  - b) Copy of the current County 911 plan (and any amendments). *Required*
  - c) Copy of agreements between the county and PSAPs (if there are multiple PSAPs in the county) including any agreements for fund distribution. *Required*
  - d) Revenue journal entries or general ledger information for accounts associated with state and local 911 fee funds for the last three fiscal years plus the current year to date. *Required*
  - e) Copies, or link to copies, of independent audits for the last three fiscal years for the funds collected under P.A. No. 32. *Required*
  - f) Copies of dispatcher training funds, and revenue journal entries and expenditures to match information contained in the SNC 510 for last five distribution years for the all PSAPs in the county. *Required*
  - g) Copy of the most current policies and procedures for the PSAP within the County. *Optional*
  - h) Financial reports and general ledger and/or journal entries for the years identified for the financial review; this will be used in conjunction with the financial spreadsheet (SNC 701 form).
  - i) A completed Pre-Compliance Review Information Request (SNC 700 form).
4. The Compliance Review Analyst will receive the above requested information submitted by the County Coordinator/PSAP Director(s) and disseminate a packet to the review team for analysis. The Compliance Review Analyst will complete the initial training fund review and submit all findings to the Dispatcher Training Analyst in regard to the Training Funds portion of the compliance review.
5. Upon review of the materials, the review team will communicate any additional information requests to the Compliance Review Analyst. The Compliance Review Analyst will make requests for additional documentation/information with the person indicated as the point of contact on the SNC 700 form.
6. Once a date has been established by the review team, an email notification will be sent to the County Coordinator/PSAP Director(s) with the date and time for the virtual financial meeting to be conducted. In areas with multiple PSAPs, the virtual meetings may take place on different days.

During this meeting compliance team members will utilize the virtual meeting form as a basis for the questions asked during the meeting.

7. After the virtual financial review, a physical site visit will be conducted with the same team members to review the operational portion of the compliance review. During this meeting compliance team members will utilize the physical site meeting form as a basis for the questions asked during the meeting.
8. The review team members will meet prior to the virtual meeting to discuss any unresolved issues or questions pertaining to the documentation submitted. During this meeting the certification analyst will gather any additional questions to send to the agency prior to the virtual financial meeting.
9. During the site visit, the following will be completed:
  - a) Tour the facility. Documenting layout and security measures taken.
  - b) Meet with the stakeholders and public safety partners (i.e. Law enforcement, EMS, and fire personnel).
  - c) Talk with the telecommunicators about policies and procedures with the agency.
10. The Compliance Review Analyst will receive all of the requested information submitted by the Review team members, County Coordinator, and PSAP Director(s). The information will be compiled by the Compliance Review Analyst and submitted as a draft report to the review team members.
11. Once the review team has accepted the draft report, it shall be sent to the County Coordinator/PSAP Director(s). The County Coordinator/PSAP Director(s) will be given seven (7) days to review the draft. The County Coordinator/PSAP Director(s) has seven (7) days to make corrections to the spelling, titles, and operations sections of the report if they have been documented incorrectly. See Findings/Recommendations section of this policy for the procedures to clarify the recommendations section of the draft.
12. The draft report shall then be sent to the Certification Subcommittee for approval and recommendation.
13. Once approved, the draft shall go for final approval before the SNC at the next regularly scheduled meeting. The approved draft shall include any addendums for approval as well.

### **Findings/Recommendations**

1. No recommendations or required actions:
  - a) If all requirements are met and no changes or corrective actions are necessary, the draft report will be sent to the County Coordinator/PSAP Director(s) and to the Certification Subcommittee for approval. Once the Certification subcommittee approves the report, it will be presented to the SNC at the next regularly scheduled meeting for approval. At the time the SNC approves the draft, the report will become final and is considered closed.
2. Recommendations for Changes:
  - a) The team may report *recommended* changes; these are not binding but are supported by Best Practices for Compliance Reviews and recognized industry standards. The report also informs the SNC of any areas of noteworthy performance by the County/PSAP under review.
  - b) Recommended action(s) noted in the Certification Subcommittee approved Compliance Review report addressed by the County/PSAP(s) should also be forwarded to the

Compliance Review Analyst. The County Coordinator/PSAP Director(s) has thirty (30) days from the notification of SNC approval to provide any documentation that changes have been put into place.

- c) All feedback or corrective action(s) reported by the County Coordinator/PSAP Director(s) will be noted in an addendum to the initial approved report. The draft addendum is returned to the Certification Subcommittee for approval at their next regularly scheduled meeting.
  - d) Once the Certification Subcommittee has accepted the addendum, the report will be sent to the County Coordinator/PSAP Director(s) and to the SNC for approval at their next regularly scheduled meeting. At the time the SNC approves the addendum, the report will become final and is considered closed.
3. Required Corrective Action(s):
- a) The report will contain the review team's findings and recommendations for Required corrective action(s). During the first phase of the approval process, the initial draft will be presented to the Certification Subcommittee and the SNC for approval.
  - b) Once approved, the initial report will be sent to the County Coordinator/PSAP Director(s) for review.
  - c) The required action(s) will require a response within ten (10) business days of notification on the approved initial stage of the compliance report. The County Coordinator/PSAP Director(s) must communicate in writing a response to the Compliance Review Analyst.
  - d) Any feedback or corrective action(s) that have taken place will be noted in an addendum to the initial report. The report and addendum will then be sent to the Certification Subcommittee for review and approval.
  - e) Once the Certification Subcommittee has accepted the addendum(s), the report will be sent to the SNC for approval. Once all required actions have been addressed and the SNC has approved the addendum, the report will be finalized and considered closed. The final report will be sent to the County Coordinator/PSAP Director(s).

### **Disallowable Expenditures**

#### **Shortage/Missing Documentation**

It will be the County Coordinator/PSAP Director(s) responsibility to establish the validity of the expenditure(s) in question. If there is found to be a shortage of or missing documentation by the County Coordinator/PSAP Director(s) as requested through the process, there will be a presumption that the inability to substantiate the expense(s) is indicative of invalid expenditure(s).

1. A written report will be provided to the Chair of the SNC, the Certification Subcommittee, and the 911 Training Subcommittee. The aforementioned shall determine if there were improper expenditures.
2. If a disallowable expenditure has been identified, the SNC will consider an appropriate remedy which may include a request to the County Coordinator/PSAP Director(s) for reimbursement, corrective accounting action for improperly expended funds, or withholding of funds.
  - a) If reimbursement is required, an invoice will be issued to the County/PSAP(s) to return the money to the proper fund. If the money is not returned prior to the next distribution of funds (State surcharge and/or 911 Training funds), the amount will be deducted from the amount the County/PSAP(s) receives.
  - b) If the County/PSAP(s) does not have a future distribution or the amount exceeds the distribution, the SNC may initiate further action to collect funds due for return to the State surcharge account and/or 911 Training fund.

### **Disallowable Expenditures in course of the review**

1. If a disallowable expenditure has been identified through the review process, the Certification Subcommittee will issue a request to the County Coordinator/PSAP Director(s) for reimbursement or a corrective accounting action for the improperly expended funds.
  - a) If reimbursement is required, an invoice will be issued to the County/PSAP(s) to return the money to the proper fund. If the money is not returned prior to the next distribution of funds (State surcharge and/or 911 Training funds), the amount will be deducted from the payment amount the County/PSAP(s) receives.
  - b) If the County/PSAP(s) does not have a future distribution or the amount exceeds the distribution, the State 911 Office may initiate further action to collect funds due to the State surcharge account and/or 911 Training fund. For full guidelines regarding the usage of 911 training funds, see the SNC Dispatcher Training Fund Review Policy at: [http://www.michigan.gov/documents/Training\\_Fund\\_Use\\_Compliance\\_130216\\_7.pdf](http://www.michigan.gov/documents/Training_Fund_Use_Compliance_130216_7.pdf)
  - c) If a County/PSAP(s) is noncompliant with the 911 Act, the County/PSAP(s) in question may be disqualified from future State surcharge/911 Training fund distributions as supported by the SNC.
2. The State 911 Office will send notification to the designated point of contact listed in the Compliance Review, if there are required/recommended action(s) that have not been addressed by the deadline.
3. A county or primary PSAP may request:
  - a) Clarification of action(s).
  - b) To challenge identified action(s).
  - c) To comply with action(s) as written.
4. Inquiries with regard to required and/or recommended action(s) will be directed to the State 911 Office. Documents shall be provided and added as an addendum to the initial report upon approval of the SNC.

### **Appeals**

1. Appeals to financial findings must follow the procedure set forth in the SNC's policy. This procedure will also apply to public entities that receive 911 training funds but no longer operate as a PSAP.
2. Appeals to the required and/or recommended action(s) may be brought directly to the next appropriate Certification Subcommittee meeting. Advance notice and supporting information/documentation must be provided to the State 911 Office a minimum of five (5) business days prior to the Certification Subcommittee meeting in which the appeal will be made.
3. If the party posing the inquiry or making the challenge desires to appeal the Certification Subcommittee's decision, an appeal of the issue may be brought before the entire SNC for consideration. Notice of the appeal is to be made a minimum of five (5) business days prior to the SNC meeting. Any supporting documentation is required to be provided at the time.
4. The SNC will review the appeal and will make a decision by the end of its next regularly scheduled meeting. Decisions of the SNC are final.

### **Final Report**

Following SNC approval, a final report will be distributed to both the County Board of Commissioners and the County Coordinator/PSAP Director(s).

### **Compliance Review Process during State of Emergency**

#### **Final Report**

The following modifications will be made during a declared State of Emergency:

1. On site visits will be replaced in part by virtual video meetings.
2. Once the State of Emergency has been lifted a follow up on physical site visit to assess facility and equipment will be scheduled as soon as practically possible.
3. If the telecommunicator interviews could not be conducted during the virtual meeting, they will also be completed during the future onsite visit.

Any additional recommendation and/or requirements discovered during the onsite visit will be addressed as an addendum to the report and will be submitted to the Certification Subcommittee and the SNC for final approval.

*\*These policies and procedures are subject to change as directed by the SNC.*

### **Terms**

#### **Certification Subcommittee**

A subcommittee of the SNC that serves to ensure that requirements and deadlines in the 911 statute are met.

#### **Compliance Review**

The process of examining a county/PSAPs accounting and use of 911 funds collected under P.A. 32 of 1986.

#### **Compliance Review Team**

Individual members of the Certification Subcommittee, who are assigned to a specific county review.

#### **PSAP**

Public Safety Answering Point, a facility equipped and staffed to receive 911 calls. A Primary PSAP receives incoming 911 emergency calls directly. If the call is relayed or transferred, the next receiving PSAP is designated a Secondary PSAP.

#### **P.A. 32 of 1986 (as amended)**

The primary statute that governs 911 in Michigan. It sets requirements for both technical and operational aspects of 911 and also creates mechanisms for 911 funding.

#### **State 911 Committee (SNC)**

The State 911 Committee (SNC) is a legislatively created committee that helps to guide Michigan 911 policy. It has been given oversight responsibility in the use of funds and operational aspects of 911.