

## **MOU Performance Measures Corrective Action Plan Process**

**Purpose:** To ensure cross-programmatic conformity in issuing corrective actions plans to counties who fail to meet the performance measures.

**Authority:** North Carolina is state supervised and county administered. NCDHHS through NC DSS is the supervising and oversight agency for the administration of social services in North Carolina, and specifically, per G.S. §108A-74, NCDHHS has the responsibility and authority to evaluate a county department of social services; the delivery of services must be in accordance with applicable state laws, rules, and policies

Rylan's Law G.S. §108A-74 requires county social services departments to enter into an annual written agreement for all social services programs other than medical assistance. The annual Memorandum of Understanding outlines the mandated performance requirements and administrative responsibilities that counties must meet. It further outlines the process that the state and county must follow if the county fails to meet the performance measures for three consecutive months or for five months within any consecutive 12-month period for those terms or mandated performance measures that are measured less than annually, or fails to comply for two consecutive 12-month periods for those terms or mandated performance measures that are measured on an annual basis.

### **Process for Corrective Action Plan:**

**Step 1:** The CQIS will send the Notice of Noncompliance letter to the DSS Director, the letter should be signed by the Deputy Director with a cc to the Division Director over that program and the Regional Director. The Notice of Noncompliance letter can include information on more than one area that needs an action plan developed (i.e. they are failing in more than one area in FNS, only one letter is needed).

**Step 2:** A meeting is scheduled with the County Director, County Program Leadership, and the Continuous Quality Improvement Specialist (CQIS) to discuss the identified areas of concern. County staff can clarify information, ask questions and provide additional points for consideration such as internal factors that may be affecting performance, external factors that may be affecting performance, etc. At that meeting, NCDSS will inform the group of the need to develop a joint action plan, the process that will be followed, and potential outcomes.

**Step 3:** The CQIS will work collaboratively with county staff to develop a plan. The plan will include:

- The county's goals and activities;
- The frequency that the CQIS will be on site;
- How progress will be measured by the county and NCDSS;
- Roles and responsibilities of the county and NCDSS staff for overall plan and individual activities; (Examples of NCDSS activities include training, case reviews,

case consultation, observance of supervision, business process review, etc.); and

- Identifying who from NCDSS conducts reviews and timeframe for reviews.

**Step 4:** Using the CQI process, the County and the CQIS will meet to determine the root cause of the issue and develop a plan to address the identified issues.

**Step 5:** The County and the CQIS will work together to ensure the implementation of the plan, track and update progress, review the plan frequently with staff, and review progress to ensure that needed improvements are taking place.

**Step 6:** NCDSS will work in partnership with the county to decide on the best methods for needed technical assistance. NCDSS will be on site at least monthly to review the plan, document progress, and provide any identified technical assistance. During the onsite visits, the CQIS will review processes put into place to address identified deficiencies and provide assistance. Technical Assistance can include training, case reviews, case consultation, observance of supervision, and business process review.

**Step 9:** The Plan will be reviewed every 90 days. Within 10 business days, the CQIS and their manager will review the county's progress as outlined in the Plan with the DSS Director and county lead. As part of the review, the County Director must be prepared to answer the following questions:

- Is there improvement in practice outside the data?
- What behavioral indicators are present that demonstrate a change in practice?
- What processes have been implemented and incorporated into daily operations?
- What are plans for sustainability?
- How will the county measure progress moving forward?
- What steps will the county take when data takes a downward turn?

Each formal review will result in one of three recommendations:

- There is agreement that progress is being made and more time is needed to increase consistency.
- There is agreement that progress is substantial; that certain progress measures have been achieved, and that a CAP should be lifted.
- There is limited or insufficient progress on areas of need identified in the action plan requiring additional assistance, adjustments to the action plan, and/or divestiture of authority.

NCDSS will decide when the benchmarks have been achieved and the Plan ends. The decision will be shared verbally with the Director the next business day with follow-up in a letter created, signed, and delivered via email and certified mail within 5 business days.

**When the action plan is not producing desired results**

When the action plan is not producing the desired results, NC DSS will schedule a meeting with the County Director, County Manager, and Chair of the local governing body, the NCDSS Section Chief or Deputy Director, CQIS, and other staff as needed. NCDSS staff will outline concerns noted regarding limited or insufficient progress on areas of need identified in the plan. This will be followed by a discussion of strategies or additional assistance that may be required to address these areas of concern. As a result, adjustments will be made to the plan. Possible outcomes from that meeting:

- Updated Plan is presented to NCDSS leadership for approval.
- NCDSS leadership determines that the County Department of Social Services is not providing services in accordance with State law and with applicable rules adopted by the Social Services Commission and has failed to demonstrate reasonable progress.
- NCDSS Leadership notifies the NCDHHS Secretary of the current level of concern to determine next steps.

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