



OFFICE OF THE COMMISSION AUDITOR
MIAMI-DADE BOARD OF COUNTY COMMISSIONERS

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District 5

September 18, 2008

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Vice-Chairwoman
District 1

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Executive Director
M.O.V.E.R.S., Inc.
6112 N.W. 7th Place
Miami, Florida 33127

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District 2

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**RE: Minorities Overcoming the Virus through Education,
Responsibility & Spirituality (M.O.V.E.R.S.)**

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District 10

We have reviewed the Minorities Overcoming the Virus through Education, Responsibility and Spirituality, Inc. (M.O.V.E.R.S.) documentation of expenditures prepared pursuant to the FY 2006-07 General Funds Contract (Agreement) for HIV/AIDS awareness programs. The Agreement is administered by the Miami-Dade County, Office of Strategic Business Management (OSBM). This report is for our review of the FY 2006-07 quarters ended December 31, 2006, March 31, 2007, June 30, 2007, and September 30, 2007.

Hon. Joe A. Martinez
District 11

Hon. Jose "Pepe" Diaz
District 12

Hon. Natacha Seijas
District 13

On September 20, 2006, the Board of County Commissioners (BCC) approved Ordinance 06-130, the FY 2006-07 Miami-Dade County Countywide Budget Ordinance, which approved a Community Based Organization (CBO) award of \$250,000 for M.O.V.E.R.S. The Agreement was signed on December 1, 2006 and was for the term October 1, 2006 to September 30, 2007.

Charles Anderson, CPA
Commission Auditor

On May 31, 2007 and June 26, 2007, Amendment #1 and #2, respectively, to the Agreement were approved to revise the sections related to Proof of Licensure/Certification and Background Screening (Article VII.B.)

On March 30, 2007 and August 22, 2007, Revised Budgets for the Agreement were approved by OSBM, modifying the amounts allocated to the list of expenditures that could qualify for reimbursement. The Approved Budget and Revised Budgets for the Agreement are as listed in Attachment 1.

The objective of our examinations was to conduct a limited review of the use of funds allocated to M.O.V.E.R.S. We reviewed compliance with the applicable regulations and agreement conditions in the expenditure, control, use and reporting of the agreement funds. We also reviewed expenditures charged against the agreement which were necessary and reasonable towards achieving the scope of services. The review was substantially less detailed in scope than an audit in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements or programs taken as a whole.

The Scope of Services required that M.O.V.E.R.S. provide the following:

- ◆ Work in conjunction with the Federal Ryan White Title I Program in providing administrative and operational expenses to support HIV/AIDS-related services;
- ◆ Pastoral care and general psychosocial counseling services twenty-four hours a day, case management, individual and group counseling, referrals, and outreach activities – such as counseling, testing, and prevention education;
- ◆ Outpatient medical facilities specializing in HIV/AIDS clinical care and early intervention services, substance abuse program – such as Narcotics Anonymous and Alcoholics Anonymous;
- ◆ Peer counseling, transportation to medical appointments and transportation vouchers, family counseling, adherence, and a peer advocacy training program;
- ◆ Housing Opportunity for People With AIDS (HOPWA) housing program; and
- ◆ Administrative services program providing technical assistance, program monitoring, administration, and operational support for all of the aforementioned programs and services.

Observations

Our review showed that OSBM found that, on July 9, 2007, M.O.V.E.R.S. executed a subcontractual service agreement between M.O.V.E.R.S. and O2HR, Inc. to provide services and that are funded in whole or in part by Miami-Dade County General Funds. M.O.V.E.R.S. was in breach of Article XX, (A), which states the following:

Subcontracts. The parties agree that no assignment or subcontract will be made or let in connection with this Agreement without the prior written approval of the Department, which shall not be unreasonably withheld, and that all subcontractors or assignees shall be governed by the terms and conditions of this Agreement.

Our review showed that M.O.V.E.R.S. was reimbursed a total of \$236,675 of the \$250,000 authorized in the Agreement for FY 2006-07. (See Table 1 for detailed expenditures and reimbursements.)

Table 1. Reimbursements to M.O.V.E.R.S (October 2006 through September 2007)

Description	1st Quarter Total	2nd Quarter Total	3rd Quarter Total	4th Quarter Total	FY 2006-07 Total
Agency Operations					
Executive Director	-	13,466	13,450	12,721	39,637
Medical Doctor	7,872	6,954	7,872	7,609	30,307
Harvey, Covington & Thomas, LLC	-	500	-	22,000	22,500
Neilly's Accounting	3,713	8,775	14,513	-	27,001
Computer & Software	89	359	52	-	500
Independent Administrative Support	250	125	1,625	-	2,000
Labs & Medical Supplies	175	22,621	2,994	-	25,790
Insurance	12,066	16,534	-	-	28,600
Equipment Purchase	-	-	-	-	-
Signage	-	-	-	-	-
Operation Expenses	10,650	10,278	-	-	20,928
Housing Expenses	8,651	2,149	-	-	10,800
Administrative Support	7,035	7,121	7,077	6,919	28,152
Telephone Service*	461	-	-	-	461
Operation Reserves	-	-	-	-	-
Total Reimbursed Amount	\$50,962	\$88,882	\$47,583	\$49,249	\$236,676

Duplicate Reimbursement

On December 21, 22 and 28, 2007, the Miami Herald published articles on M.O.V.E.R.S. Inc.'s management of funds that stated that there were "three identical invoices to both the city and Miami-Dade County for reimbursement..."

On January 9, 2008, OCA met with the OSBM to verify the accuracy of M.O.V.E.R.S. reimbursement requests for both the Miami-Dade County General Fund grant and the Ryan White Federal grant. OSBM's review showed that M.O.V.E.R.S. had erroneously requested reimbursement for identical invoices from both the Miami-Dade County General Fund and the Ryan White Federal grant. OSBM tested a judgmental sample of medical/laboratory expenditures and concluded that 60% of the sample reviewed had been reimbursed from both grants. M.O.V.E.R.S. proposed to repay \$2,802.80 a month for 10 months.

Progress Reports

M.O.V.E.R.S. did not submit timely progress reports and did not submit the required information in the progress reports as required by the Agreement. See Tables 2 and 3 for monthly progress reports submission dates and required information.

Table 2. Monthly Progress Reports Due Dates and Submission Dates by M.O.V.E.R.S.

Progress Reports Months	Due Date	Date Submitted	Days Late
October 2006	November 25, 2006	January 23, 2008	424
November 2006	December 25, 2006	January 23, 2008	394
December 2006	January 25, 2007	January 23, 2008	363
January 2007	February 25, 2007	October 10, 2007	227
February 2007	March 25, 2007	October 10, 2007	199
March 2007	April 25, 2007	October 10, 2007	168
April 2007	May 25, 2007	October 10, 2007	138
May 2007	June 25, 2007	October 10, 2007	107
June 2007	July 25, 2007	October 10, 2007	77
July 2007	August 25, 2007	October 18, 2007	54
August 2007	September 25, 2007	October 18, 2007	23
September 2007	November 25, 2007	October 18, 2007	0

Table 3. Summary of Progress Reports Data Submitted by M.O.V.E.R.S.

Month	Number of Clients Served (Monthly)	Number of Clients Served (Year-to-Date)	Number of Medical Office Visits (Monthly)	Number of Medical Office Visits (Year-to-Date)
October 2006	N/P	N/P	N/P	N/P
November 2006	N/P	N/P	N/P	N/P
December 2006	N/P	N/P	N/P	N/P
January 2007	375	N/P	63	N/P
February 2007	330	N/P	53	N/P
March 2007	553	N/P	63	N/P
April 2007	554	N/P	63	N/P
May 2007	691	N/P	63	N/P
June 2007	801	3,304	63	368
July 2007	N/P	N/P	N/P	N/P
August 2007	N/P	N/P	N/P	N/P
September 2007	N/P	N/P	N/P	N/P

Note: N/P = Not Provided.

Additional Information

Notice of Default

On July 18, 2008, M.O.V.E.R.S. provided to OSBM a letter regarding M.O.V.E.R.S.'s intention to discontinue HIV-related program operations funded by Miami-Dade County General Funds and Ryan White Part A and Minority AIDS Initiative (MAI) Funds, due to M.O.V.E.R.S.'s financial difficulties. The letter indicated that "to ensure that our clients' needs will continue to be met and to ensure a smooth transition of our clients to other service providers, M.O.V.E.R.S. will begin effective immediately, to wind down operations and programs."

In response, the County issued a letter, on July 31, 2008, that deemed M.O.V.E.R.S.'s "insolvency an event of default as defined Pursuant to Article XV, 15.1D of the Ryan White Professional Services Agreement with the County....[and the] insolvency constitutes a breach, and therefore the County hereby directs M.O.V.E.R.S. to cure said default within ten (10) days or the Agreement shall be terminated."

Conclusion

Article XIII. A of the Agreement states, "breach by the Provider shall have occurred under this agreement if...The Provider does not submit or submits incomplete...required reports." M.O.V.E.R.S. did not submit timely monthly progress reports as required by the Agreement. Programmatic progress reports are tools that enable both the County and M.O.V.E.R.S. to track progress toward accomplishment of the services that M.O.V.E.R.S. agreed to provide in return for County reimbursements.

We recommend that in any future agreement, wording on Progress Reports be revised to coincide with the frequency and timing of the agreement's wording on Requests for Payment. This would assist both parties by allowing side-by-side comparisons of requests for payment and of services.

OCA had recommended that OSBM pursue the return of the funds that were erroneously requested for and reimbursed to M.O.V.E.R.S. from the County's General Fund as medical/laboratory expenditures. In a letter to OSBM dated March 25, 2008, M.O.V.E.R.S. proposed a repayment plan.

Except as noted, nothing else came to our attention to indicate that the specified elements, accounts or items reviewed for the quarters ended December 31, 2006, March 31, 2007, June 30, 2007, and September 30, 2007 were not materially valid and reliable.

Thank you for the courtesies and cooperation extended to our staff during the review process. If you have any questions or need clarification, please contact Gary Collins, Audit Manager, at (305) 375-1826.

Sincerely,



Charles Anderson, CPA
Commission Auditor

- C: Honorable Carlos Alvarez, Mayor
Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners
George Burgess, County Manager
R. A. Cuevas, Jr., County Attorney
Chris Mazzella, Inspector General
Jennifer Glazer-Moon, Director, Office of Strategic Business Management
Cathy Jackson, Director, Audit and Management Services Department

Attachment 1

Approved and Revised Budgets and Percent Change

Description	Approved Budget December 1, 2006	Revised Budget March 30, 2007	% Change	Revised Budget August 22, 2007	% Change
Agency Operations					
Executive Director	52,000	39,000	-25%	36,000	-8%
Fringes – 13%	6,760	5,070	-25%	4,239	-16%
Contractual: Medical Doctor	34,112	34,112	0%	30,307	11%
Insurance (Dr. Adewumi) Harvey, Covington, & Thomas, LLC	6,000	-	-100%	-	0%
Neilly's Accounting	22,000	22,500	2%	22,500	0%
Computer, Related Equipment & Computer Accessories	27,000	27,000	0%	27,000	0%
Independent Administrative Support	2,500	500	-80%	500	0%
Labs & Medical Supplies	2,000	2,000	0%	2,000	0%
Telephone Service	10,000	25,790	158%	38,512	49%
Insurance	1,200	500	-58%	462	-8%
Equipment Purchase	19,000	28,600	51%	28,600	0%
Signage	2,000	-	-100%	-	0%
Operation Expenses	500	-	-100%	-	0%
Housing Expenses	20,928	20,928	0%	20,928	0%
Administrative Support	13,000	13,000	0%	10,801	-17%
Operation Reserves	31,000	31,000	0%	28,151	-9%
	-	-	0%	-	0%
Total Budget Amount	\$250,000	\$250,000	0%	\$250,000	0%