



NEW HANOVER COUNTY

Administrative Memorandum

Delegation of Social Services Authority for Health and Human Services

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Approved By:	Chris Coudriet, County Manager

Delegation of Social Services Authority from Health and Human Services Director to staff members

INTRODUCTION AND PURPOSE The purpose of this policy is to ensure the efficient operations of New Hanover County Health and Human Services (NHCHHS) by providing guidelines for the appropriate signature authority and delegation of authority required for various decisions and activities necessary to the administration of programs and responsibilities assigned.

In order to promote efficiency, accountability and timely administration of services, the NHCHHS Director has delegated certain authority. Accountability for the administration of these responsibilities ultimately rests with the HHS Director who expects those with signature authority under the terms of this policy to safeguard the agency's resources by establishing and maintaining sound business controls that deter and detect any potential misuse of resources. The procedures outlined below identify those situations in which it is appropriate to use delegations of authority and the procedures that should be followed to make such delegations.

The New Hanover County Health and Human Services Director shall maintain a centralized file of all delegation of authority letters related to this policy. A delegation of authority shall become effective on the date the delegation is fully executed. Delegations shall continue until revoked or modified. The NHCHHS Director is responsible for maintaining active and up to date delegations of authority and will review all delegations annually to assure that the delegations on file are current. The delegation must be fully executed before any documents are signed by the Delegate. There will be an annual review with the employee of their responsibilities as an employee with signature authority.

Definitions:

Delegation of authority: As used in this guideline, a “delegation of authority” is the formal recorded conveyance of authority from the Director to designees. Any such transfers of powers and duties are therefore significant actions requiring great care and scrutiny.

Signature authority: Permission to execute transactions up to limits established by relevant policies and permission to approve transactions for execution. This approval attests to the appropriateness of the transaction within the agency’s program objectives and budgetary authorizations.

Considerations:

Any delegation of authority should be limited both in scope, number and time frame to those which are necessary to achieve efficiency while maintaining accountability. Delegations of authority are appropriate where the delegation will enhance the effectiveness and efficiency of the operation without risking the integrity of the internal control necessary for accountability. A delegation of authority shall commensurate with the employee's role within the organization. No delegation shall be made of all or substantially all of the powers held by any persons making a delegation, or where checks and balances would be minimized. Delegation of authority letters must not conflict with any other county, state or federal policy. Individuals who receive delegated authority shall have active involvement with the activity being conducted; and have sufficient knowledge of the policies, rules, laws, regulations and procedures to ensure compliance. Training must be available to ensure compliance and understanding.

Signature Authority Guidelines and Training:

The NHCHHS Director is responsible for the overall operations of the Department and may assign signature authority to certain employees in compliance with this policy. The director is responsible for making sure those signing on their behalf understand the following:

Employees with signature authority are responsible for assuring the following:

- An understanding of what is being approved
- The information and supporting documentation are accurate and complete
- The decision being made is supported by policy, rules and laws
- The decision being made would be supported by the Director as if they were making the decision
- The decision is in the best interest of New Hanover County and the families served
- The activity/transaction is allowable, reasonable and justified
- The activity/transaction is charged to the correct program/funding source as applicable
- There are adequate funds to cover the expense if appropriate

Internal Controls for Delegation of Authority:

It is the responsibility of the Delegator to maintain proper control and management of their area; the Delegator remains accountable for all actions taken by the Delegate. The Delegator shall take into account and maintain appropriate internal controls including separation of duties, reviewing reports, sampling completed transactions and monitoring the effectiveness of the controls established.

Delegates may not approve transactions for themselves, their relatives or approve transactions that directly benefit themselves or their relatives or, in any way, create a conflict of interest with the Delegate’s responsibilities to the Department. Such transactions must be approved by another authorized person, usually the employee of next higher authority.

Employees who misuse delegated authority may be subject to disciplinary action including up to termination of employment.

Internal Controls for Signature Authority:

All activities/transactions shall be authorized according to sound management practices. Subordinates cannot approve transactions for their superiors, regardless of the authority level. In addition, segregation of duties is necessary to assure separation of different functions and defines authority and responsibility over activities/transactions.

Segregation of duties reduces the risk of both erroneous and inappropriate actions. The fundamental premise of segregated duties is that an individual should not be in a position to initiate, approve, and review the same action. Also, the accounting/reconciling function, and the asset (e.g., money, inventory) custody function should be separated among employees. These are called incompatible duties when performed by the same individual. There must be a separation of duties between the approval of expenditures and the reconciliation of departmental financial accounts.

Agreement per NCGS 153A-77

Except as otherwise provided by law, the human services director or the director's designee shall have the same powers and duties as social services director and local health director

I, Kathy A. Stante, Interim Director of New Hanover County Health and Human Services (herein referred to as HHS Director) retain all the powers and duties as outlined in North Carolina General Statutes. NCGS 108A- 14(b) states that "The Director may delegate to one or more members of his/her staff the authority to act as his/her representative. The Director may limit the delegated authority of his/her representative to specific tasks or areas of expertise." Therefore, I, Kathy A. Stante, hereby expressly delegate the following authority regarding the items below. This delegation of authority shall continue until such time as it is revoked.

General items which may be signed by Social Work Division Assistant Director:

- Bond Letters for adult wards
- Obtain parental/legal consent and provide consent for surgical or non-invasive medical procedures
- Acceptance services of petitions/motions for termination parental rights filed by Guardians ad Litem or others on behalf of minor children in the Department's legal custody.
- Recommendation for removing someone from Child Protective Services Responsible Individuals List
- Consent for unclaimed bodies: accept and dispose
- Approval of admission to facilities, group homes, and treatment facilities.
- Obtain parental/legal consent and provide consent for minor invasive surgery and for non-emergent major surgery for wards in Social Services custody. The Social Work Division Assistant Director may sign for surgery or be contacted via phone to give consent for surgery.
- Consent to travel out of state for children in custody for travel/stays longer than 72 hours or outside the country. The Social Work Division Assistant Director will consult with DSS Attorney when a child/children in DSS custody is/are going to travel out of the country and/or when there is a dispute regarding travel that requires court intervention.

Other items specifically delegated to the Social Work Division Assistant Director. Social Work Division Assistant Director will consult with DSS Attorney and inform HHS Director:

- Do not resuscitate orders (DNR). Such requests should always be staffed and considered on an individual basis as the need arises. A blanket DNR order should never be consented to. The Social Work Division Assistant Director may sign for DNRs. DNR orders that were signed by family members or someone other than the ward, prior to the guardianship appointment, will be rescinded by the guardian and removed from the ward's records.

Other items specifically delegated to Social Work Division Assistant Director or an approved DSS Social Work Program Manager/Supervisor. The approved DSS Social Work Program Manager/Supervisor must consult with the DSS Attorney for items listed below:

- Filing and execution of juvenile petitions or petitions/motions for termination of parental rights
- File adult protective services and guardianship petitions;

Children and Family Services:

The Social Work Division Assistant Director is authorized to make decisions consistent with applicable policy and authorized to sign their name as stated below for those matters set forth immediately below. In the absence of the Social Work Division Assistant Director, or if they cannot be reached, only then are the Child Welfare Supervisors

authorized to make decisions consistent with applicable policy and sign the Social Work Division Assistant Director's name for consent for these matters. DSS Supervisors should consult the DSS Attorney and/or HHS Director in the Social Work Division Assistant Director's absence:

Consistent with applicable policy, the Social Work Division Assistant Director is authorized to act as the HHS Director's representative with regard to the following decisions and other like decisions: Social Work Division Assistant Director will have primary responsibility for all items listed below:

- Foster home licensing waivers;
- Consent for adoption;
- Acceptance of Relinquishment for Adoptions and Revocations of Relinquishments for Adoptions;
- Execution of voluntary placement agreements;
- Execution of Adoption Assistance forms and agreements;
- Foster home relicense, termination, and change request;
- Voluntary Placement Agreements 18 years of age and older;
- DOA 1804 (Relinquishment of Minor for Adoption by Parent or Guardian); and
- DSS 1808 (Report to the Court – adoption).

Consistent with applicable policy, the Social Work Division Assistant Director/DSS Social Work Program Manager and Child Welfare Supervisors are authorized to act as the HHS Director's representative with regard to the following decisions and other like decisions. However, every effort should be made to follow the chain of command to ensure that the Social Work Division Assistant Director/DSS Social Work Program Manager is fully informed to mitigate risk:

- Execution of inter-county agreements on the placement of children;
- Applications for social security benefits on behalf of children the Department's custody; and
- Consent for mental health treatment and medical treatment when life threatening for children in the Department's custody.

Family Support Services:

Consistent with applicable policy, the DSS Economic Services Program Managers and/or Supervisors are authorized to act as the HHS Director's Representative with regard to the following:

- DSS 1473 (State Appeal);
- DSS 2216 (Request for case record);
- DSS 2807 (Report on Local Hearings-Summary);
- DMA 5016 (Patient monthly liability);
- DMA 5020 (Notice of Case Status);
- DMA 5010 (Inpatient hospital/ICF referral);
- DSS 5022 (County Initiated Check authorization or County issue Medicaid Card authorization);
- DMA 5063 (Medicaid/Health Choice review form- for children in DSS custody);
- DSS 8125 (County Issued Check);
- SSA-623-RCT-SM (Representative Payee Reports)

Adult Services:

The Social Work Division Assistant Director is authorized to make decisions consistent with applicable policy and act as the HHS Director's Representative for those matters set forth immediately below.

- Consent for adult wards to travel out of state

Consistent with applicable policy, the Social Work Division Assistant Director/DSS Social Work Program Manager and/or Supervisors is authorized to act as the HHS Director's Representative with regard to Guardianship/Appointment Forms (including qualifying with the Clerk of Court). When Social Services is named guardian, the name of the Social Work Division Assistant Director, agency name and address are listed on the letter of appointment. Because Social Services remains the guardian of the individual, regardless of the person in the role of the Social Work Division Assistant Director, the letter also includes the phrase, "or successor".

Consistent with applicable policy, the Social Work Division Assistant Director, and Adult Services Supervisor, are authorized to act as the HHS Director's representative with regard to the following decisions and other like decisions. Every effort should be made to follow the chain of command to ensure that the Social Work Division Assistant Director is fully informed and agreeable in order to mitigate risk:

- Make application and complete reviews for SSA payees;
- Approval of care plans;
- Consult with physicians, dentists and specialists;
- Referrals to and participation in service programs;
- Request for penalty for adult care homes;
- Request to be Payee for SSI/SSA;
- Admission to facilities, group homes, and treatment facilities;
- DHHS – 7016 (Request for Bond Coverage);
- DOA – 1500 (Adult Day Care Services Recertification Report); and
- DOA – 6205 (Adult Day Health Services Recertification Report)

Business Office:

Director of Business Operations or their designee is authorized to make decisions consistent with applicable policy and act as the HHS Director's Representative for those matters set forth immediately below:

- Budget transfers/amendments, DSS 1571 reimbursement requests, purchase of supplies/equipment needed by staff; and
- Any issue related to buildings, grounds, equipment, supplies, safety and security, technology solutions (IT), transportation of clients, mailroom, data entry, timesheets, travel reimbursements, communication systems, etc., wherein in the Director's absence a decision needs to be made to assure staff have what they need to serve the clients of the agency in accordance with the Division's mission.

Items Not Delegated:

The items below should never be delegated, unless the HHS Director is on approved leave. In such instances, only then is the Director of Business Operations authorized to make decisions with applicable policy and act as the HHS Director's Representative for those matters set forth immediately below and in consult with County Manager, Finance Officer and/or Human Resources Director, and appropriate other leadership according to county ordinances and policies:

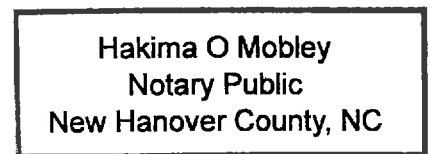
- Lease Agreements;
- County Personnel Actions to include, but not limited to: Placing an employee on Investigative Leave with pay, and Issue Terminations or Demotions;
- Contracts

Taken from NCGS 108A-14: The Social Work Division Assistant Director shall have the following duties and responsibilities:

1. To recommend necessary personnel of the county department of social services in accordance with county personnel ordinances, policies and procedures.
2. To administer the programs of public assistance and social services established by this Chapter under pertinent rules and regulations.
3. To administer funds, contracts and agreements provided by the board of commissioners for the care of indigent persons in the county under policies and procedures approved by the HHS director and HHS Board
4. To act as agent of the Social Services Commission and Department of Health and Human Services in relation to work required by the Social Services Commission and Department of Health and Human Services in the county.
5. To investigate cases for adoption and to supervise adoptive placements. To respond by investigation to notification of a proposed adoptive placement pursuant to G.S. 48-3(b) and (c). Social Work Division Assistant Director to be informed of all negotiated rate placements.
6. To supervise adult care homes under the rules and regulations of the Medical Care Commission. Any findings referred to facilities services shall be sent to the HHS Director for review first.
7. To assist and cooperate with the Division of Adult Corrections and Juvenile Justice of the Department of Public Safety.
8. To assess reports of child abuse and neglect and to take appropriate action to protect such children pursuant to the Child Abuse Reporting Law, Article 3, of Chapter 7B of the General Statutes. Social Work Division Assistant Director will need to staff any conflict of interest cases or those with professional concern (physicians, therapists, and school staff), employee cases. HHS Director should be notified of and informed about any case where there is potential of media and or state interest.
9. To accept children for placement in foster homes and to supervise placements for so long as such children require foster home care. Social Work Division Assistant Director to be informed of all negotiated rate foster care placements.
10. To receive and evaluate reports of abuse, neglect, or exploitation of disabled adults and to take appropriate action as required by the Protection of the Abused, Neglected or Exploited Disabled Adults Act, Article 6 of this Chapter, to protect these adults.
11. Any duty or responsibility delegated to the Social Work Division Assistant Director by the Health and Human Services Director that is beyond the Social Work Division Assistant Director's scope of practice or knowledge shall be reviewed with a qualified individual and/or NCHHS – DSS consultants.

I, Hakima O. Mobley a Notary Public for said County and State, do hereby certify that Kathryn A. Shute personally appeared before me this day and acknowledged the due execution of the above letter of Delegation of Authority.

Witness my hand and official seal, this the 3/31 day of, 2020.



Notary Public

(Official Seal)
My commission expires,