

## DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: November 1, 1977      LATEST REVISION: November 18, 1998

SUBJECT: System of Administrative Orders

### I. PURPOSE

The purpose of this Administrative Order is to establish a uniform system for the development, review and issuance of operational policies and procedures, in the form of administrative orders, within the Department of Human Services.

### II. SCOPE

This Order has Department-wide applicability.

### III. DEFINITIONS

The following term, when used in this Order, has the meaning indicated:

Administrative Order (also Order) means a standard-format document, signed by the Commissioner, which sets forth significant policies, responsibilities and/or procedures governing the operations of the Department of Human Services. The format for administrative orders is discussed in section V. D. below.

### IV. POLICY

- A. The Commissioner, as Chief Executive of the Department, is the official administrator of this system of Administrative Orders.
- B. Each Division/Office Director shall ensure that: (1) Administrative Orders are distributed throughout the division/office; (2) each recipient of the orders is familiar with the orders' content; (3) within the division/office, procedures are developed for the implementation of the orders; and, (4) all affected personnel adhere to the orders and applicable division/office procedures.
- C. An administrative order shall be generated when the issuance of standard policies, responsibilities and/or procedures relating to a particular subject is of such impact or scope as to warrant promulgation directly by the Office of the Commissioner. As a general rule,

administrative orders focus primarily on policies and responsibilities. While it is appropriate for an order to outline the steps to be followed in implementing a policy or carrying out a particular process, it may be more suitable in the case of lengthy, detailed procedural documents to issue them as circulars signed by the appropriate Assistant Commissioner rather than as administrative orders. Determinations in this regard will be made by the Policy and Procedures Coordinator within the Office of Legal and Regulatory Liaison.

- D. Primary responsibility for the system of administrative orders has been delegated by the Office of the Commissioner to the Office of Legal and Regulatory Liaison (OLRL) within the Office of the Assistant Commissioner of Legal and Regulatory Affairs. Managing the development and issuance of administrative orders is the responsibility of the Policy and Procedures Coordinator within OLRL. The duties of the Policy and Procedures Coordinator in this regard may, in some cases, include original drafting. In all cases, the Policy and Procedures Coordinator shall have the following responsibilities.
  1. Reviewing all draft administrative orders for clarity, format, consistency with Departmental policy and compliance with the law.
  2. Unless an exception has been specified by the Commissioner, circulating draft orders to the following individuals for review and comment:
    - a. Chief of Staff;
    - b. Deputy Commissioners;
    - c. Assistant Commissioners;
    - d. Division Directors, if appropriate; and,
    - e. others as warranted by the subject of the order.
  3. Finalizing orders, taking into consideration and incorporating as appropriate any suggestions for changes which may have been received during the review and comment process discussed in IV. D. 2. above.
  4. Obtaining the Commissioner's signature on final orders.
  5. Codifying signed orders and assigning them effective and issue dates.

6. Maintaining an up-to-date list of division/offices to whom administrative orders are to be distributed.
7. Distributing final orders to the list of divisions/offices maintained in accordance with IV. D. 6. above.
9. Maintaining a complete and up-to-date set of administrative orders.

E. In addition to those administrative orders drafted by the Policy and Procedures Coordinator, draft orders may be generated by other components of the Department when a particular unit or individual possesses specialized knowledge or responsibility with regard to the subject matter. In such cases, finalization of orders will be accomplished in consultation with the originating unit. When the Policy and Procedures Coordinator solicits and receives comments on such orders, the originating unit may be called upon to redraft the order in response to the comments and/or to write individual responses to commenters, where this is judged to be necessary or appropriate.

## **V. PROCEDURES**

- A. Administrative orders will be prepared for the Commissioner's signature whenever it has been determined that a need exists to develop operational guidelines or to implement a Departmental policy or a newly enacted statute. Department staff shall recommend to the OLRL Policy and Procedures Coordinator subjects in need of addressing as administrative orders.
- B. Changes to administrative orders will be made when it is determined that:
  1. there has been a change in Departmental policy;
  2. there has been a statutory change; or,
  3. credible information has demonstrated the ineffectiveness or inappropriateness of an administrative order in accomplishing its stated objective.

Department staff shall notify OLRL Policy and Procedures Coordinator when an administrative order is in need of revision.

C. Changes to administrative orders shall be made by:

1. the replacement of an existing order;
2. the rescinding of an order which is no longer useful or relevant; or,
3. the combining of two or more orders which address the same or similar/related subject(s) and lend themselves to improved communication by consolidation of subject matter.

D. Administrative orders should be drafted with careful attention to grammar, syntax, logical presentation of ideas and completeness. The material should be presented in standard outline format (I, A, 1, a, (1), (a), i, etc.), and the Roman-numbered sections should include the following titles, as applicable:

1. Purpose

The purpose of this section is to indicate why the order is being promulgated. It may be appropriate here to give brief background information which will allow the reader to understand the issue more fully.

2. Scope

The purpose of this section is to indicate the range of the order's applicability. As examples, administrative orders may apply only to institutions, only to Divisions which contract for services, only to Divisions delivering services that include a pharmaceutical component; or, administrative orders may have Department-wide applicability. It may be appropriate in the Scope section to state the specific individuals, by title, on whom the order is binding. Examples of such individuals might include Deputy Commissioners, Division Directors, or Chief Fiscal Officers.

3. Authority

The purpose of this section is to cite, by reference number(s) and/or title(s), any statutory or regulatory material which serves as a basis for the policy, responsibilities and/or procedures set forth in the order.

4. Definitions

The purpose of this section is to explain the connotations of any words or terms whose meanings in the order might otherwise be subject to question or misinterpretation. Esoteric terms should always be defined, as should any frequently-used common words or terms with specialized meanings in the context of the order.

5. Policy

The Policy section differs from the Procedures section in that policy statements convey philosophy, principles, plans or directives for action or responsibility. Procedures, on the other hand, describe how a policy is to be applied or a process carried out.

6. Responsibility

The purpose of this section is to identify those individuals (by title) or organizational units whose responsibility it is to carry out or to enforce the carrying out of portions or all of the order. In certain orders, this section may be unnecessary because the singling out of individuals or units is inappropriate or impractical, or because the other sections of the order adequately address the issue of responsibility.

7. Procedures

The purpose of this section, as indicated in V. D. 5. above, is to describe how policies or processes dealing with the subject of the order are to be implemented.

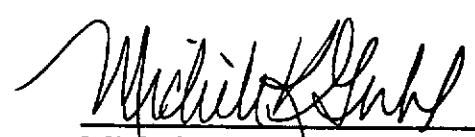
E. When an administrative order is drafted by a component of the Department other than the Policy and Procedures Coordinator, the following steps should be taken after a first draft has been prepared in accordance with the format prescribed in V. A. 1.-7. above.

1. The draft should be circulated for review and comment within the originating unit and should be revised, if deemed appropriate, to incorporate changes suggested during the review. The purpose of this review and revision process is to ensure, to the maximum extent feasible, that the draft as submitted to the Policy and Procedures Coordinator represents the agreed-upon position of the originating unit on the issue.

2. Following the review and revision process, the draft order should be forwarded for action to the Policy and Procedures Coordinator.
3. If there are any individuals who are not included in the standard distribution list but who, in the judgment of the originating unit, should be given an opportunity to comment on the order prior to finalization, the originating unit should forward their names and addresses along with the draft order. These individuals will be included in the distribution of the order by the Policy and Procedures Coordinator.

F. Administrative Orders shall be assigned a numerical designation consistent with the subject matter chapter headings below:

1. 1:00 Departmental Organization and Function;
2. 2:00 Patient, Resident and Client Services and Procedures;
3. 3:00 Legal Responsibilities;
4. 4:00 Employee Policies and Services;
5. 5:00 Institutional Services;
6. 6:00 Fiscal and Management Operations; or,
7. 7:00 Department of the Treasury Interface.



Michele K. Guhl  
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Commissioner

ADMINISTRATIVE ORDER

DEPARTMENT OF HUMAN SERVICES

EFFECTIVE DATE: September 15, 1982

DATE ISSUED: September 14, 1982

SUBJECT: Reorganization of Central Office

Please be advised that in the interest of administrative effectiveness and accountability, the following changes in the organization and structure of the Commissioner's Central Office will take effect on Wednesday, September 15, 1982, and will remain in effect until further notice.

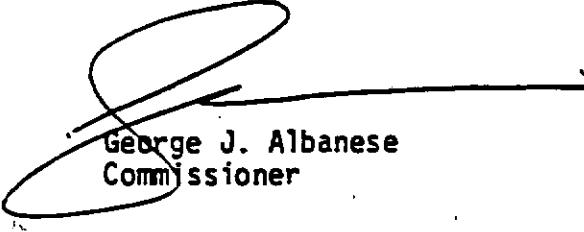
1. The Office of the Comptroller and all responsibilities and functions for which it is responsible will be administratively placed within the Office of the Assistant Commissioner for Management and Budget. In this regard, the Comptroller will report directly to the Assistant Commissioner for Management and Budget.
2. The Budget Office, currently reporting to the Assistant Commissioner of Management and Budget, will from this time forward report directly to the Comptroller.
3. The Comptroller will be administratively responsible for the preparation of the Fiscal Year '84 budget for the Department of Human Services. He shall coordinate all staff efforts in this regard and shall assure that a proper staff complement is available. This shall include all necessary resources to prepare the Department's budget for submission to the Department of Treasury by mid-October.
4. The Assistant Commissioner of Management and Budget shall ensure that all budget preparations and financial management procedures and priorities are coordinated and produced in a timely fashion and that there will be no disruption of the budget preparation process as a result of this Administrative Order.
5. The Office of Audit will be relocated administratively from the Office of the Comptroller to a direct reporting relationship to the Commissioner. The first task for the Office of Audit will be to do a complete, extensive and thorough operational audit of the Departmental financial organization. This audit is to include, but not be limited to, a study of all financial operations, procedures, and reporting relationships within the Central Office. In addition, the interrelationship between the financial operations of the office of Assistant Commissioner of Management and Budget, the office of the Comptroller, and the financial operations of the various divisions shall be within the scope of study of the operational audit. The operational

audit shall result in a recommendation for the most efficient structure and procedures for the financial operations of the Department of Human Services.

Inherent in this operational audit will be a study and recommended change, if required, in the contracting, purchasing and claiming procedures and reporting relationships with the recommendations of appropriate financial and administrative control. Proper documentation of the existing procedures and relationships which include a flow chart of existing procedures in the areas of contracting, purchasing, claiming, budget, accounts payable, accounts receivable, and all other financial subsystems. This audit shall be completed by December 17, 1982.

Mr. Stefan Guzy, loaned Executive, shall initiate and complete a detailed interviewing process for all Departmental Fiscal Managers within the Central Office and the various divisions. These interviews will be for the purpose of ascertaining recommendations for efficiency and effectiveness from those financial managers within the Department. They will be conducted in coordination with the operational audit conducted by the Office of Audit and shall not be viewed as duplicative in nature.

This Administrative Order shall remain in effect as an interim management reorganization pending the completion of the operational audit and the implementation of these regards.



George J. Albanese  
Commissioner