



Commonwealth of Massachusetts
Office of the State Auditor
Suzanne M. Bump

Making government work better

Official Audit Report – Issued September 30, 2015

Old Colony Elder Services, Inc.
For the period July 1, 2013 through June 30, 2014





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Making government work better

September 30, 2015

Theodore E. Lang, President
Board of Directors
Old Colony Elder Services, Inc.
144 Main Street
Brockton, MA 02301

Dear Mr. Lang:

I am pleased to provide this performance audit of Old Colony Elder Services, Inc. This report details the audit objectives, scope, methodology, and conclusion for the audit period, July 1, 2013 through June 30, 2014. My audit staff discussed the contents of this report with management of the organization, whose comments we considered in drafting this report.

I would also like to express my appreciation to Old Colony Elder Services, Inc. for the cooperation and assistance provided to my staff during the audit.

Sincerely,

A handwritten signature in blue ink, appearing to read "Suzanne M. Bump".

Suzanne M. Bump
Auditor of the Commonwealth

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LIST OF ABBREVIATIONS

CMR	Code of Massachusetts Regulations
EOEA	Executive Office of Elder Affairs
OCES	Old Colony Elder Services, Inc.
OSA	Office of the State Auditor
OSD	Operational Services Division

EXECUTIVE SUMMARY

Old Colony Elder Services, Inc. (OCES) is a not-for-profit corporation that provides care and social services to the elderly and people with disabilities. OCES's total revenue for fiscal year 2014 was \$34,232,943, of which \$19,815,946 was from state contracts, primarily with the Executive Office of Elder Affairs.

In accordance with Chapter 11, Section 12, of the Massachusetts General Laws, the Office of the State Auditor (OSA) has conducted a performance audit of certain activities of OCES for the period July 1, 2013 through June 30, 2014. The purpose of this audit was to assess whether OCES's board of directors was constituted, and performed various oversight functions, in a manner consistent with applicable regulations, contractual terms and conditions, and other guidance. This audit was conducted as part of OSA's ongoing efforts to audit human-service contract activity by state agencies and to promote accountability, transparency, and cost effectiveness in state contracting.

Our audit revealed no significant instances of noncompliance that must be reported under generally accepted government auditing standards.

OVERVIEW OF AUDITED ENTITY

Old Colony Elder Services, Inc. (OCES), located in Brockton, Massachusetts, was incorporated as a not-for-profit corporation in 1974. OCES's total revenue for fiscal year 2014 was \$34,232,943, of which \$19,815,946 was from state contracts, primarily with the Executive Office of Elder Affairs (EOEA). OCES has been designated an Aging Services Access Point by the EOEA and provides a variety of services, including the following:

- care management and coordinated social services
- meals and nutrition services
- shelter, supervision, personal care, and transportation
- information, referrals, and education seminars

Each fiscal year, state agencies purchase more than \$2.5 billion in services from private human-service organizations that are governed by boards of directors. The board of directors of a human-service provider is the primary organizational body that ensures that the provider meets its operational objectives in the most effective and efficient manner. Board members perform a variety of key fiduciary functions for organizations, including overseeing overall operation; setting policies and procedures to ensure that objectives are met; hiring and evaluating the top executive; and ensuring compliance with established laws, regulations, policies and procedures, and contractual obligations. According to OCES bylaws, board members serve for a term of one year and there are to be no more than 32 members. As of June 30, 2014, OCES had 29 board members.

Guidance for operations of boards of directors is found in various sources, including Chapter 180, Section 6A, of the Massachusetts General Laws, commonly referred to as the Public Charities Law; the Massachusetts Office of the Attorney General's Guide for Board Members of Charitable Organizations; the Commonwealth Terms and Conditions for Human and Social Services; Title 808 of the Code of Massachusetts Regulations; and the Operational Services Division's UFR¹ Auditor Compliance Supplement and UFR Audit & Preparation Manual.

1. Each year, agencies that operate social programs and contract with various Commonwealth departments must prepare financial statements called Uniform Financial Statements and Independent Auditor's Reports, or UFRs, and file them electronically with the Operational Services Division.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Chapter 11, Section 12, of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of Old Colony Elder Services, Inc. for the period July 1, 2013 through June 30, 2014.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer and the conclusion we reached regarding each objective.

Objective	Conclusion
1. Does the organization comply with the Commonwealth Terms and Conditions for Human and Social Services, which prohibit management personnel and their immediate families from composing more than 30% of the voting members of the board?	Yes
2. Has the board complied with the Commonwealth Terms and Conditions for Human and Social Services pertaining to the organization's top executive by conducting an annual performance review and setting that person's compensation by formal vote?	Yes
3. If certain fringe benefits or bonuses were awarded, did the board comply with Operational Services Division (OSD) provisions found in the UFR Auditor's Compliance Supplement that is issued pursuant to 808 Code of Massachusetts Regulations (CMR) 1.00?	Yes

We determined that internal controls over the following areas were relevant to our audit objectives:

- compliance with the Commonwealth Terms and Conditions for Human and Social Services regarding board composition and executive performance reviews and compensation
- compliance with OSD guidance on fringe benefits and bonuses

We assessed the relevant controls identified above.

To accomplish our objectives, we identified and reviewed applicable laws, rules, and regulations pertinent to our audit objectives, including regulations published by OSD's Division of Purchased Services (808 CMR) and the Commonwealth's Terms and Conditions for Human and Social Services.

We also performed the following activities:

- interviewing key officials
- reviewing the board of directors' meeting minutes
- obtaining and reviewing the organization chart
- reviewing organization audit reports prepared by independent public accountants
- making inquiries regarding additional compensation provided to the top executive and whether any additional fringe benefits or bonuses were paid
- obtaining any specific policies or procedures pertinent to the board of directors and the definition of a quorum
- obtaining copies of top executives' annual performance reviews
- obtaining a copy of the Internal Revenue Service Form W-2 for the top executive

Since the documents we obtained to support our findings and conclusions were hard copies, we did not need to address the reliability of electronically processed data.

CONCLUSION

For the areas reviewed that were related to our audit objectives, we did not identify any significant deficiencies warranting attention by those responsible for governance and state oversight agencies. Specifically, management personnel and their immediate families did not compose more than 30% of the voting members of the organization's board of directors, and the board reviewed the executive director's performance and voted to increase her salary during the audit period. Further, the level of other compensation provided to the executive director and charged to state contracts was within the limits prescribed by state regulations and was properly reported by the organization.

APPENDIX

Old Colony Elder Services, Inc. Fiscal Year 2014 Board of Directors

Officers

Julie Murphy (President)

Barbara Garvey (Secretary/Clerk)

Theodore Lang (Vice President)

Daniel Clague (Treasurer)

Members

Janice Fitzgerald

Patricia Mustacaros

Donna Ciappina

Agnes Smith

Nancy Hill

Karen Hall

Dolores Kent

Pamela Dudley

Joan Jolley

Mary Graf

Joyce Wilson

Paula Schlosser

Mary Collins

Bernice Bennett

Dorothy Neal

Irene Clague

Vicki Souza

Suzanne Djusberg

Maureen Saunders

Bob Fuda

Andrea Priest

Margaret Meninno

Mary Willis

Beverly Pavasaris

Constance DiLego