FIVE-YEAR DIVERSITY AND INCLUSION STRATEGIC PLAN

New York State Office of the Medicaid Inspector General

Frank Walsh, Medicaid Inspector General

FY 2021-2025

Introduction

The New York State Office of the Medicaid Inspector General (OMIG) is an independent entity created within the New York State Department of Health to promote and protect the integrity of the Medicaid program in New York State. Health care fraud, waste, and abuse can involve physicians, pharmacists, beneficiaries, medical equipment companies, and transportation providers. In carrying out its mission - to enhance the integrity of the New York State Medicaid program by preventing and detecting fraudulent, abusive, and wasteful practices within the Medicaid program and recovering improperly expended Medicaid funds while promoting a high quality of patient care - OMIG conducts and coordinates the investigation, detection, audit, and review of Medicaid providers and recipients to ensure they are complying with the laws and regulations.

OMIG works closely with the federal Centers for Medicare and Medicaid Services (CMS), the Office of the Inspector General (OIG), the New York State Attorney General's Medicaid Fraud Control Unit (MFCU), the Bureau of Narcotic Enforcement (BNE), and law enforcement and other state agencies. OMIG has the authority to pursue civil and administrative enforcement actions against any individual or entity that engages in fraud, abuse, illegal or inappropriate acts, or unacceptable practices. Information and evidence relating to suspected criminal acts are referred to the Attorney General.

As of November 2022, OMIG is comprised of six (6) primary Divisions (Administration, Executive, Medicaid Audit, Medicaid Investigations, Office of Counsel, System Utilization and Review) and has 437 employees located at seven (7) different regional offices (Albany, Buffalo, Hauppauge, New York City, Rochester, Syracuse, and White Plains), with a centralized Bureau of Human Resources in the Albany office. The Division of Medicaid Audit makes up more than half of the agency's workforce.

OMIG is pleased to share the Workforce Diversity and Inclusion Strategic Plan for Fiscal Years 2021-2025. This Plan outlines our priorities and goals as we continue to cultivate and promote a diverse and inclusive culture where employees feel welcomed and motivated to do their best. These goals and priorities reflect our commitment to support OMIG and New York State diversity programs; promote continuous learning and discussion of diversity and inclusion topics; recruit qualified candidates of different backgrounds, experiences, and talents; provide internal developmental opportunities; and assess what more we can do to nurture a supportive and inclusive work environment.

Commitment to equal opportunity, diversity, and inclusion adds value to OMIG's mission by creating a culture where employees come together to innovate and resolve critical issues impacting the residents of New York State, and having a cadre of employees whose demographic makeup reflects the many unique faces, voices, and backgrounds of those we serve is also a crucial element in the pursuit of OMIG's mission.

Background

On August 23, 2018, Governor Andrew Cuomo signed Executive Order 187 (EO #187) establishing comprehensive statewide objectives to promote diversity and inclusion throughout the New York State workforce. Through Executive Order 187, the Office of Diversity and Management (later renamed the Office of Diversity and Inclusion Management) was established within New York State's Department of Civil Service (DCS).

On January 4, 2019, the Office of Diversity and Inclusion Management published the *Workforce Diversity and Inclusion Strategic Plan* and the *Workforce Diversity and Inclusion Framework and*

Implementation Plan. Taken together, these two plans outlined Statewide objectives for diversity and inclusion and provided State agencies with tactical guidance for establishing and maintaining standards to integrate diversity and inclusion practices into existing organizational and business activities.

- The ***Workforce Diversity and Inclusion Strategic Plan*** identified four comprehensive Statewide objectives:
  1. Develop strategic leaders
  2. Recruit and retain talent
  3. Foster inclusive culture
  4. Deliver effective programs and services

- The ***Workforce Diversity and Inclusion Framework and Implementation Plan*** identified eight areas critical to success at the enterprise and agency levels:
  1. Informed and committed leadership
  2. Clearly articulated roles and responsibilities
  3. Continuous policy review and development
  4. Dedicated resources
  5. Collective accountability
  6. Education and Training
  7. Program plan integration
  8. Performance measures

Relying on these overarching principles and objectives, EO# 187 Article II (c)(i) requires affected State Entities to develop a comprehensive written diversity and inclusion plan consistent with the guidelines developed by the State's Chief Diversity Officer and Commissioner of Civil Service. Each Strategic Plan must examine the agency's status with regard to the following focal points:

1. **Diversity and Inclusion/Equal Employment Opportunity Policies**
2. **Access to and analysis of workforce demographic data**
3. **Outreach, recruitment, and hiring**
4. **Appointment processes**
5. **Specialized assignments**
6. **Employee Engagement and accountability**
7. **Training and Development**
8. **Qualitative trend analysis and meaningful action**
9. **Leadership involvement and accountability**
10. **Disciplinary tracking**
11. **Retention**
12. **Data tracking systems**
13. **Customer Service**

Definitions

NEW YORK STATE'S DEFINITION OF DIVERSITY:
Diversity refers to a group of individuals with unique characteristics whose combined contributions support agencies in meeting and exceeding their organizational goals.

NEW YORK STATE'S DEFINITION OF INCLUSION:
Inclusion is a process that cultivates an environment that values collaboration, flexibility, and equity. Inclusive behaviors leverage diversity throughout the organization to encourage all individuals to contribute to their full potential.

Goals

The goals and objectives within this 5-Year strategic plan provide a roadmap for activities that will inform ongoing system improvement. These strategic goals, objectives, and activities will assist OMIG and stakeholders to work together to achieve clear and intentional progress toward a more diverse, equitable, inclusive, and coordinated system.

In creating this plan, we have made an effort to align our diversity and inclusion goals with the Statewide goals set by the Office of Diversity and Inclusion Management (ODIM). To that end, this next section will outline the priorities, strategies, and actions that our agency plans to commit to over the course of the next five years.

Focal Points

Diversity and Inclusion Policies

Equal Employment Opportunity Policies

OMIG has an ongoing commitment to review policies and guidelines and will continue to do so with a focus on removing unintentional barriers and supporting accessibility and fairness. Existing policies are reviewed for compliance with legislative and Executive directives, while newly developed policies are free of any implicit/explicit biases and promote a consistent approach to decision-making. OMIG has initiated a comprehensive review of existing policies to identify those in need of revision. The Agency has a plan to:

- Create a master list of all the policies in need of revision and map out a timeline for their completion.
- Identify the parties who will be responsible for updating each of the policies in need of revision.
- Determine the process by which revised policies will be given final approval.

OMIG does not have at least one designated gender-neutral bathroom available in each building for employees or the public. OMIG leases space in only one (out of seven) State-owned or operated building. However, in accordance with Senate Bill S5922/Assembly Bill A109, which requires that "all single occupancy bathrooms in state owned or operated buildings be designated as gender neutral," OMIG will commit to working diligently and proactively with building management in an effort to achieve this inclusive goal, within the next five years.

Access to and Analysis of Workforce Demographic Data

Historically, new employees to the OMIG have been provided DPM-100 forms and have been responsible for returning completed forms to DCS. Based on our response to the 2019 Diversity Survey, ODIM recommended that this responsibility be shifted to Human Resources at OMIG, allowing the agency to have more control over the process. While this recommendation is not practical, as we have many new employees in our regional offices without an HR presence, we have made the shift to authorize new hires to return the Diversity Survey to DCS using OMIG mail to remove that barrier.

That notwithstanding, our observation is that the current process of collecting and utilizing workforce demographic data to inform workforce diversity and inclusion activities in the New York State workforce is generally outdated and inefficient. In addition to the paper-only submission of the data, the forms use language deemed insensitive and offensive to some. In addition, while most agencies utilize the DPM-100/325 (Workforce Analytics) process, not all agencies do, making it difficult to get an entirely consistent and uniform demographic profile of the entire NYS workforce, including the ability to compare levels of diversity across agencies. The participation of Bureau of Human Resources staff in the NYS Workforce Diversity & Inclusion Council Subcommittee on Workforce Development (see **Specialized Assignments** and **Data Tracking Systems**) will allow for early adoption of program and policy recommendations. The Subcommittee has proposed that DCS improve the processes by which NYS agencies collect and utilize data to inform workforce diversity and inclusion strategies, due to the identified challenge(s), as outlined below:

Brief Proposal Description:

- Update the process by which the State collects demographic data (e.g., electronic submission directly from employees).
- Update DPM-100/325 - outdated fields (e.g., limited gender options, race/ethnicity categories).
- Expand the use of Workforce Analytics to include all State agencies.

Outreach, Recruitment, and Hiring

OMIG's Bureau of Human Resources Management commits to enhancing recruitment policies and practices for selection, hiring, and retention. Most of OMIG's positions are in the competitive class, which limits our flexibility in recruiting. However, for positions in the non-competitive, exempt, and labor class we will use best practice approaches to recruiting diverse candidates, including diversity-focused employment posting language and utilizing diversity-focused job-posting sites. In addition, we will strengthen and broaden relationships with groups and professional organizations that represent diverse populations, and universities with a diverse enrollment. OMIG will initiate and maintain an ongoing audit of recruitment materials to ensure they are compliant with all applicable laws/regulations and will foster confidence in the integrity of the hiring process by:

- Employing interviewing techniques and scoring methodologies that promote fair and consistent treatment of all applicants and that foster the selection of the best qualified candidates.
- Reviewing language in interview rating material to ensure the use of inclusive language.
- Exploring ways to reduce potential bias in interviews, such as redacting certain identifying information on resumes.
- Amending the internal tracking of the 55b list and ensuring there is no disclosure to hiring managers.
- Engaging in ongoing training for hiring managers and interview schedulers about the process for Reasonable Accommodations.
- Identifying sources of, and providing, implicit bias training for hiring managers to ensure DEI principles are followed at the ground level of the hiring process for all positions.

Appointment Processes

OMIG ensures that diversity, inclusion, and equity principles are utilized in filling positions within the parameters established by the Civil Service system. (See **Outreach, Recruitment and Hiring**) OMIG reported in its 2019 Assessment Survey that the agency does have a formal policy for reviewing competitive and non-competitive appointments. Where practical, we will work to incorporate diversity and inclusion principles into this process, allowing for staff with experience in diversity, equity, and inclusion to review appointments to ensure fairness and consistency in the appointment process, as it is central to advancing the agency's overall diversity and inclusion initiatives.

Specialized Assignments

In the absence of a dedicated Equal Opportunity Specialist, one member of the OMIG Human Resources Team has been identified to be the point person on diversity and inclusion efforts. As such, they are a member of the New York State Workforce Diversity and Inclusion Council and the NYS DEI Subcommittee on Workforce Development. OMIG commits to adopting recommendations and strategies, as they develop, in line with the efforts designed by that subcommittee (see **Access to and Analysis of Workforce Demographic Data**, and **Data Tracking Systems**). Current opportunities for specialized assignments are limited, however as those opportunities arise OMIG will identify possible ways that diversity and inclusion can positively address project goals.

Employee Engagement and Accountability

OMIG is in the process of analysis, evaluation, and realignment of the agency structure to ensure that units are organized in a logical and cohesive manner. The goal of any reorganization is to improve efficiency, but also employee engagement. Employees will have more access to their chain of command and potentially a clearer career path.

Prior to the COVID-19 pandemic, OMIG had a robust mentoring program, which included both traditional one to one mentoring, and cohort mentoring around a topic of broad interest. We plan to focus on resurrecting this program, with an equity lens, identifying and ideally eliminating barriers to inclusion. OMIG is also exploring ways to best collect information from employees regarding perception on diversity and inclusion with a view to developing recommendations for future diversity and inclusion goals.

OMIG plans to develop and administer employee engagement surveys to collect staff input and adjust this Plan and OMIG diversity programs as appropriate. Feedback collected as a result of any of these

avenues may be used to inform future mentoring opportunities, topics for cohort mentoring, and/or training and development opportunities (see below).

Training and Development

Training - OMIG will review and revise existing training curricula to ensure material reflects OMIG's diversity and inclusion framework and promotes critical thinking across diverse issues, experiences, and opportunities. OMIG will integrate human resource management policies and practices with performance management processes to establish and communicate standards and expectations for embracing diversity in the workplace. OMIG will mandate all employees and supervisors receive ODIM's Implicit Bias training and will work with our cluster lead, Michael Barber, to ensure 100% compliance.

Development - OMIG will begin discussions around restructuring access to opportunity, within the parameters of the Civil Service system. OMIG wants to ensure that employees from diverse backgrounds have access to high-quality assignments, so they develop the competencies needed to progress. The strategy of utilizing "action learning teams" assembled from staff across the agency who might otherwise be overlooked, to tackle specific business problems for a period of time, (from Joan C. William's book *Bias Interrupted,* 16 Nov 2022), spells out broader structural approaches for making our workplace more inclusive.

Qualitative Trend Analysis and Meaningful Action

Hiring, promotion, and turnover are three areas to monitor. OMIG has a long-standing practice of conducting exit interviews when employees separate from the agency. Responses from exit interviews are reviewed in aggregate format to identify trends and patterns that may require follow-up at an Executive level. OMIG will continue this practice.

Leadership Involvement and Accountability

Agency Leadership demonstrates its commitment to promoting diversity and inclusion values and serves as a model for OMIG as a whole. Executive Leadership has invited presentations from the Office of Diversity and Inclusion Management, routinely conveys the importance of diversity and inclusion in messaging, and models inclusive behaviors. Over the next five years, OMIG plans to increase supervisory accountability for promoting and supporting OMIG's diversity programs and objectives. We will:

- Periodically add diversity and inclusion topics (e.g., presentations, awareness, trends, best practices) to the agenda for executive team and upper management meetings.
- Ensure adequate training opportunities are available.
- Celebrate diversity and inclusion by featuring Executive Orders, proclamations, and/or articles on the agency Intranet site, e.g., Black History Month, Women's History Month, Transgender Awareness Week, etc., as well as periodically supporting State-sponsored events around these themes.
- Include commitment to diversity and inclusion objectives in performance plans.
- Ensure all supervisor performance programs include a diversity and inclusion element.

Disciplinary Tracking

OMIG's labor relations program is too small for this category to be meaningful. In the last year, we have had three Notices of Discipline issued. The Director of Employee Relations maintains an Investigative File Tracking Sheet, tickler file for items that may need to be escalated down the road, and a formal tracking log. Included in the log is: name, title, salary grade, work location, date of occurrence, when received in HR, summary, name(s) of staff interrogated and interrogation date, the determination, proposed action/outcome, date the file was closed, as well as retention dates for the files. If there were a significant increase in disciplinary actions, it could be feasible for Human Resources staff to compare this data with workforce analytics to assess adverse impact, but as stated above, the current data sample is too small to net meaningful results. The (statewide) Office of Employee Relations handles all complaints of protected status discrimination and harassment; therefore, we have no avenue to collect or track demographic data.

Retention

To retain talent, OMIG will work with the Department of Civil Service to offer regular promotional exams for all agency titles. To the extent possible, we will advocate for the elimination of exam rubrics which have an implicit bias. DCS will be instrumental in achieving success in this measure as they control the testing process.

OMIG has a long-standing practice of conducting exit interviews when employees separate from the agency (see **Qualitative Trend Analysis and Meaningful Action**). Responses from exit interviews are analyzed and reviewed in aggregate format to identify trends and patterns that may require follow-up at an Executive level. Follow-up may include things such as follow-up conversations, coaching or mentoring for certain supervisors or managers, reviewing policies for potential revision or better/more consistent implementation, internal communications practices, or other actions as appropriate. OMIG will continue this practice.

The agency intends to supplement the current exit interview process by periodically conducting "stay interviews" – periodic check-ins with cross-sections of employees beginning shortly after onboarding, in an effort to better monitor the employee experience as their careers with the agency progress. This analysis will further inform appropriate executive-level follow up activities such as those described in the preceding paragraph.

Data Tracking Systems

OMIG relies on data collected by DCS. Human Resource's involvement in the NYS Workforce Diversity & Inclusion Council Subcommittee on Workforce Development (see **Specialized Assignments** and **Access to and Analysis of Workforce Demographic Data**) will allow for early adoption of program and policy recommendations.

Customer Service

OMIG offers access to information and resources on workplace policy, accessibility, reasonable accommodation, unconscious bias, and cultural competence. OMIG commits to create relevant and meaningful messaging to reach a variety of audiences, by:

- Using inclusive language in all communications.
- Developing marketing and Internet materials to be accessible and supportive of diversity and inclusion principles.
- Producing marketing and Internet material for OMIG programming that is accessible for those with hearing and/or visual impairments and those with Limited English Proficiency.
- Developing and using a list of community outlets to expand outreach to target audiences, and/or to expand relationships with community- based resources, including those serving individuals with disabilities and minority-affiliated institutions.

Conclusion

This plan lays out a course for achieving workforce diversity by recruiting from a diverse, qualified group of potential applicants; cultivating workplace inclusion through collaboration, flexibility, and fairness; and ensuring sustainability of our diversity and inclusion achievements by equipping leaders with the ability to manage diversity, measure results, and refine approaches based on data. The plan details specific steps to enhance diversity and inclusion in the areas of leadership engagement, analytics and reporting, training, communications, strategic planning, and program enhancement.

Because OMIG operates in a dynamic environment, the annual performance goals, measures, and targets may change over time. OMIG will regularly evaluate and track progress on the initiatives and activities contained in this 5 Year Strategic Plan to make sure they remain consistent and in alignment with the priorities of stakeholders. As priorities change, and as we evolve in our DEI efforts, we will assess the strategic goals outlined in this plan and make alterations to them as may be required at that time.