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Cc: [MacKinnon, Rodney](#); [Barron, Karen](#)
Subject: DBPR OIG Six-Month Follow-Up Response to AG Report 2024-034
Date: Thursday, June 6, 2024 11:28:35 AM
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Received 6/6/2024 JLAC

Good Morning,

Section 20.055(6)(h), F.S., requires our office to conduct a six-month follow-up on findings to any report issued by the Auditor General. Attached, please find our OIG six-month follow-up report of the impacted Divisions' response to the Auditor General's Report No. 2024-034-*Elevator Safety, Selected Administrative Activities, and Prior Audit Follow-up* (published October 2023). Please note that all findings from the AG's report have been resolved.

Please inform our office if you have any questions related to this follow-up report. Thank you for your assistance with this.

Sincerely,



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**OIG SIX-MONTH FOLLOW-UP: AUDITOR GENERAL OPERATIONAL AUDIT
DIVISION OF HOTELS AND RESTAURANT and SELECTED ADMINISTRATIVE ACTIVITIES
AG’S Report Number: 2024-034
AG’S Report Date: October 19, 2023
OIG Project Number: G-2324BPR-023**

No.	Finding(s)	Auditor General’s Recommendation(s)	Previous Management Response(s)/ Proposed Corrective Actions	Status Update(s)/Anticipated Completion Date and Contact	OIG’s Assessment: OPEN/CLOSED
1	<p><u>Contract Monitoring:</u></p> <p>The Department did not monitor the local elevator safety programs established by authorized jurisdictions for compliance with the provisions of the Elevator Safety Act and contract requirements.</p>	<p>To promote contracted jurisdiction compliance with the provisions of the Elevator Safety Act and contract requirements, we recommend that Department management establish monitoring policies and procedures and ensure that contract monitoring activities are performed as authorized by State law.</p>	<p><u>Initial Response dated 10/13/2023 – Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> The bureau has corrected this deficiency. The bureau has established policies and procedures for monitoring contracted jurisdictions and has performed inspections in all 5 contracted jurisdictions within the past 12 months. 	<p>Status as of March 22, 2024:</p> <p>The division has developed policies and procedures and is performing oversight monitoring visits to each of the 5 contracted jurisdictions at least annually, in accordance with the policies and procedures guideline.</p> <p>See Attachment 1 – Policies and Procedures (aka Operations & Support Guidelines).</p> <p>See Attachment 2 – Monitoring Visits to Contracted Jurisdictions (showing recent annual visits in accordance with established guidelines).</p>	<p>CLOSED - Our office reviewed the Division’s policy and procedures, <i>entitled Inspection Oversight and Contract Monitoring</i>, as it relates to the Bureau of Elevator Safety operational process.</p> <p>Our review noted that policy addressed procedures relevant to the oversight of private inspections, operations of contracted jurisdiction, and general elevator safety. The policy also addressed controls in place for the monitoring of inspections.</p> <p>Furthermore, as required by the established guidelines, the Division provided, and our office reviewed the supporting documentation notating the annual visits for the 5 contracted jurisdictions.</p> <p>Based on our review of the Division’s policy and procedures as well as the documented annual visits, our office determined that continued monitoring is not required, since the corrective action taken by the Division of Hotel and Restaurants is sufficient to close this audit finding and recommendation.</p>

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2	<p><u>Certificates of Operations:</u></p> <p>Department records did not always evidence that elevator certificates of operation were issued and renewed in accordance with State law or that certificates of operation were deemed delinquent when renewal requirements were not satisfied.</p>	<p>We recommend that Department management enhance controls to ensure that Versa Regulation evidences that elevator certificates of operation are issued and renewed in accordance with State law and that certificates of operation are deemed delinquent when renewal requirements are not satisfied.</p>	<p><u>Initial Response dated 10/13/2023 - Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes additional training for employees who process elevator applications to ensure that all documents are verified and imported into OnBase prior to approving an application. Additionally, the bureau proposes to develop and implement a quality assurance report that division management can use to perform a sample review of work performed by application processors to ensure that all required documents are verified and imported into OnBase. 	<p><u>Status as of March 22, 2024:</u></p> <p>The division's licensing unit has provided additional training to employees who process applications for elevator certificates of operation to ensure successful review and importation of required documents into OnBase prior to approving an application. The unit has developed policies and procedures to guide licensing managers on performing periodic quality assurance reviews on work performed by licensing employees who have processed elevator certificate of operation applications. The bureau uses a Qlik report to monitor work performed by application processors and quality assurance reviews are performed on downloaded extracts derived from this Qlik report.</p> <p>See Attachment 3 – Policies and Procedures for managers performing post-application quality assurance reviews (same procedures adopted in response to finding #4).</p> <p>See Attachment 4 – Example quality assurance reviews conducted, with notes. (sample includes QA's performed to address findings #2 and #4).</p> <p>Relevant Qlik report: EL100 Application Overview</p>	<p>CLOSED - Our office reviewed the Bureau's quality assurance program guide, <i>Operations Guidelines: Application Post Approval Quality Assurance Program</i> as well as the supporting documentation provided by the Division.</p> <p>Our review notes that the operational guide provides the necessary controls in place for its Application Post Approval Quality Assurance (QA) program. As noted in the Division's response, the QA process allows the licensing manager to review selected applications to verify an employee's proficiency in processing the application as well as determine if all applicable documentation is evidenced in the licensing system.</p> <p>The QA review is due on the first of each month. Our review of the supporting documentation noted that the licensing manager is very proactive in completing this process in a timely manner.</p> <p>As such, based on our review of the Quality Assurance Program as well as the guideline in place, our office determined that continued monitoring is not required, since the corrective action taken by the Division of Hotel and Restaurants is sufficient to close this audit finding and recommendation.</p>

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3	<p style="text-align: center;"><u>Inspections</u></p> <p>Department records did not always evidence follow up on noted violations or the reason for not subjecting elevator owners to administrative fines as provided in State law.</p>	<p>We recommend that Department management enhance controls to promote the retention of records evidencing Department follow up on noted violations and the reason for not subjecting elevator owners to administrative fines as authorized in State law.</p>	<p><u>Initial Response dated 10/13/2023 – Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes to coordinate with DBPR Division of Technology to create and implement an automated deficiency letter that draws information from Versa Regulation to identify failed inspections that occurred more than 90 days ago and that have not yet had a callback inspection performed. The bureau proposes a new practice of emailing automated deficiency letters to elevator owners to inform them of their requirement to correct violations within the 90 days allowed by law. The information from the automated query that generates the proposed deficiency letters can also be used by bureau staff to schedule and perform oversight monitoring visits that focus on elevators with uncorrected violations that may pose a safety concern. 	<p style="text-align: center;"><u>Status as of March 22, 2024:</u></p> <p>The bureau has developed a Qlik report that identifies failed inspections that occurred more than 90 days prior. The bureau is using the report to send automated emails to these licensees. The bureau is now periodically analyzing this report and selecting inspections from the report to assign to state oversight inspectors for the purpose of performing oversight monitoring visits.</p> <p>See Attachment 5 – Example email distribution list and example email to a licensee.</p> <p>See Attachment 6 – Examples of recent oversight monitoring visits performed based on information collected from the Qlik report.</p> <p>Relevant Qlik Report: Follow-up Inspections</p>	<p>CLOSED - As noted, the Division provided documentation noting the email distribution list for pending callback inspections to our office. The lists provided all elevator owners whose last failed inspection exceeded 90 days.</p> <p>Additionally, the Division provided examples of various deficiency letters generated by Versa Regulation, that were submitted to elevator owners noting the deficiencies and the requirement for correction of the stated violations.</p> <p>Based on our review of the documentation provided, our office determined that continued monitoring is not required, since the corrective action taken by the Division of Hotel and Restaurants is sufficient to close this audit finding and recommendation.</p>

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4	<p style="text-align: center;"><u>Registration and Licensure</u></p> <p>In some instances, Department records did not evidence that certified elevator technicians satisfied all requirements for certification.</p>	<p>We recommend that Department management strengthen licensing and registration procedures to ensure that Department records evidence that certified elevator technicians have met all relevant requirements.</p>	<p><u>Initial Response dated 10/13/2023 - Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes additional training for employees who process elevator profession applications to ensure that all documents are verified and imported into OnBase prior to approving an application. Additionally, the bureau proposes to develop and implement a quality assurance report that division management can use to perform a sample review of work performed by application processors to ensure that all required documents are verified and imported into OnBase. 	<p style="text-align: center;"><u>Status as of March 22, 2024:</u></p> <p>The division's licensing unit has provided additional training to employees who process applications for elevator professions to ensure successful review and importation of required documents into OnBase prior to approving an application. The unit has developed policies and procedures to guide licensing managers on performing periodic quality assurance reviews on work performed by licensing employees who have processed elevator profession applications. The bureau uses a Qlik report to monitor work performed by application processors and quality assurance reviews are performed on downloaded extracts derived from this Qlik report.</p> <p>See Attachment 3 - Policies and Procedures for managers performing post-application quality assurance reviews (same procedures adopted in response to finding #2).</p> <p>See Attachment 4 - Example quality assurance reviews conducted, with notes. (sample includes QA's performed to address findings #2 and #4).</p> <p>Relevant Qlik report: EL100 Application Overview</p>	<p>CLOSED - As noted prior, our office reviewed the guidelines in place for the QA program which allows the licensing manager to review selected applications to verify an employee's proficiency in processing the application as well as determine if all applicable documentation is evidenced in the licensing system.</p> <p>Based on our review, our office determined that continued monitoring is not required, since the corrective action taken by the Division of Hotel and Restaurants is sufficient to close this audit finding and recommendation.</p>

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5	<p style="text-align: center;"><u>Analysis of Accident Reports</u></p> <p>The Department did not review elevator accident data to identify patterns or trends in reported accidents. Audit analysis of the data found patterns of reporting indicative of inaccurate and incomplete reporting of accidents.</p>	<p>We recommend that Department management enhance elevator accident reporting requirements to include sufficient detail for identifying patterns and trends, periodically review the data for accuracy and completeness, and identify patterns and trends for use in developing strategies to reduce the risk of future accidents.</p>	<p><u>Initial Response dated 10/13/2023 - Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes to create and implement a quality assurance report from existing data that provides a list of elevator accidents and that includes the date and type of each accident and the elevator license number and address. This data can be sorted and compared to identify potential patterns or trends that may be useful in developing strategies to reduce the risk of future accidents. 	<p style="text-align: center;"><u>Status as of March 22, 2024:</u></p> <p>The bureau has developed a quality assurance report in Qlik that records elevator accidents received by the bureau. This report offers management the ability to sort and filter the data in order to analyze patterns or trends.</p> <p>See Attachment 7 – Example Qlik report extract detailing recent accidents and additional data for management analysis.</p> <p>See Attachment 8 – Log of state oversight inspections performed in the current fiscal year in response to accident data analysis derived from the Qlik report.</p> <p>See Attachment 9 – Supporting documentation for recent bureau oversight responses/investigations pertaining to accidents identified from the quality assurance report.</p> <p>Relevant Qlik Report: EL601 Elevator Accidents</p>	<p>CLOSED - Our review notes that the Division has implemented the necessary controls in place to improve upon its elevator accident reporting requirements.</p> <p>Furthermore, the Division provided examples of the data extracted from QLIK that was utilized in their analysis of elevator accidents. We also reviewed the Qlik Report, <i>EL601 Elevator Accidents</i> and noted that the Division is performing the necessary analysis based on the type of accidents incurred, location of the accidents, compliance rate and number of accidents incurred.</p> <p>Based on our review of the relevant documentations, our office determined that the Division of Hotels and Restaurants has taken the necessary corrective actions to close this audit finding and recommendation.</p>

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6	<p><u>Accident Reporting</u></p> <p>Department controls need enhancement to ensure that evidence of elevator accident report reviews, the basis for when or if to conduct accident investigations, and the appropriate oversight of elevator safety is retained in Department records.</p>	<p>We recommend that Department management enhance controls to ensure that evidence of accident report reviews, the basis for when or if to conduct accident investigations, and the appropriate oversight of elevator safety is retained in Department records.</p>	<p><u>Initial Response dated 10/13/2023 – Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes to create and implement a quality assurance report from existing data that provides a list of elevator accidents and that includes the date and type of each accident and the elevator license number and address. This data can be sorted and compared to identify potential patterns or trends that may be useful in developing strategies to reduce the risk of future accidents. The bureau further proposes to generate and review these quality assurance reports on a routine basis and to record on each report any accidents that were identified and selected for bureau investigation. 	<p><u>Status as of March 22, 2024:</u></p> <p>The bureau has developed a quality assurance report in Qlik that records elevator accidents received by the bureau. This report offers management the ability to sort and filter the data in order to analyze patterns or trends.</p> <p>See Attachment 7 – Example Qlik report extract detailing recent accidents and additional data for management analysis.</p> <p>See Attachment 8 – Log of state oversight inspections performed in the current fiscal year in response to accident data analysis derived from the Qlik report.</p> <p>See Attachment 9 – Supporting documentation for recent bureau oversight responses/investigations pertaining to accidents identified from the quality assurance report.</p> <p>Relevant Qlik Report: EL601 Elevator Accidents</p> <p>Documentation is being stored on the secure share drive belonging to the division.</p>	<p>CLOSED – As noted prior, the Division has implemented the necessary controls in place for the review, monitoring, and oversight of elevator safety.</p> <p>As such, our office determined that the Division of Hotels and Restaurants has taken the necessary corrective actions to close this audit finding and recommendation.</p>

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7	<p style="text-align: center;"><u>Complaints</u></p> <p>The Department did not conduct ongoing analyses of elevator complaint-related violation data or always follow up on complaint-related inspections to determine whether known violations were corrected.</p>	<p>We recommend that Department management establish a mechanism to analyze violations related to complaint-related elevator inspections and ensure that follow-up inspections are performed to determine whether known violations had been corrected.</p>	<p style="text-align: center;"><u>Initial Response dated 10/13/2023 - Division of Hotels and Restaurants:</u></p> <ul style="list-style-type: none"> As a corrective action, the bureau proposes to establish policies and procedures for reviewing complaint-related elevator inspection pending callbacks in instances where bureau inspectors separate from employment. This will help to ensure that pending callbacks are reassigned to another bureau inspector and are performed in accordance with prescribed standards. 	<p style="text-align: center;"><u>Status as of March 22, 2024:</u></p> <p>The division has developed a Qlik report that provides a listing of callbacks that are assigned to each state inspector's area. In instances of an employee separation, the bureau can extract data from this report to analyze callbacks that are becoming due, in order to reassign them to an alternate state inspector.</p> <p>See Attachment 10 – Example extract derived from Qlik listing pending callbacks that were previously assigned to outgoing inspector David Zettle, recently used for reassignment to alternate state inspectors.</p> <p>Relevant Qlik Report: EL500 Unassigned Inspection Visits</p>	<p>CLOSED – Our review of the Qlik Report, <i>EL500 Unassigned Inspection Visits</i> as well as the example listing pending callbacks notes that the Division has implemented the necessary controls in place to ensure follow-up inspections are being performed for the correction of the stated violations.</p> <p>As such, our office determined that the Division of Hotels and Restaurants has taken the necessary corrective actions to close this audit finding and recommendation.</p>

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8	<p><u>FLAIR Access Controls</u></p> <p>Department controls over employee access to the Florida Accounting Information Resource Subsystem, the State's accounting system, need improvement to reduce the risk of unauthorized disclosure, modification, or destruction of Department data.</p>	<p>We recommend that Department management enhance IT access controls to ensure that periodic FLAIR user access privilege reviews are performed, and FLAIR user access privileges are promptly deactivated upon a user's separation from Department employment.</p>	<p><u>Initial Response dated 10/13/2023 - Division of Administration/Bureau of Finance and Accounting:</u></p> <ul style="list-style-type: none"> The Department concurs with the finding and recommendation to enhance FLAIR user access controls to prevent the misuse of access privileges. Given the small number of employees with FLAIR access and typically limited activity within the user group, reviews were not done on a regular basis. The Bureau of Finance and Accounting will implement a formal quarterly review process. The policies and procedures for deactivating separating employees were reviewed and are sufficient, however the Bureau of Finance and Accounting will increase communications with Supervisors of the user group to remind them of their responsibility in reporting separations to the access control custodian. 	<p><u>Status as of March 22, 2024:</u></p> <p>The Bureau has developed a review process for supervisors to confirm FLAIR accesses.</p> <p>The Separation Checklist employed by DBPR personnel to use when staff are separating includes instruction to notify Finance & Accounting personnel to deactivate any FLAIR accesses. Additionally, F&A personnel are now included on the weekly separation log produced by the Office of Human Resources to further support deactivating FLAIR accesses.</p>	<p>CLOSED - The Bureau of Finance and Accounting (Bureau) provided our office with the process for supervisors to confirm FLAIR access including documentation (Employee Separation Checklist) that supervisors must complete prior to an employee separating from the Department.</p> <p>Moreover, we received and reviewed the separation log email that the Bureau receives weekly from the Division of Human Resources (HR) used for removing employees with FLAIR access from the system. The log also is utilized for disabling staff with Purchasing Card access.</p> <p>Our review of this process notes that the Bureau has implemented the necessary controls to ensure that periodic FLAIR access reviews are being performed as well as access privileges for FLAIR are being deactivated timely upon a user's separation from the Department.</p> <p>As such, our office determined that the Bureau of Finance and Accounting has taken the necessary corrective actions to close this audit finding and recommendation.</p>

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9	<p align="center"><u>Mobile Devices</u></p> <p>Department controls over mobile device assignment, use, and the retention of text and instant messages in accordance with State law need improvement.</p>	<p>We recommend that Department management enhance mobile device controls to ensure that:</p> <ul style="list-style-type: none"> A complete inventory of authorized mobile devices by assigned user is maintained. Appropriate management software is installed on all applicable mobile devices. Mobile device assignments and service plans are periodically reviewed for appropriateness and cost-effectiveness. Text and instant messages are retained in accordance with the State law and the States records retention schedule. 	<p><u>Initial Response dated 10/13/2023 - Division of Technology:</u></p> <p><u>Bullet 1:</u></p> <ul style="list-style-type: none"> The Division understands this section of the finding and concurs that the number of devices does not line up neatly. The management system reports are moment-in-time reflections of the status of the mobile device fleet and do not (by default) contain "retired" devices (those devices that are in between user assignment). The management system itself does act as a compensating control in that any device that does not have the management client currently active (such as devices being swapped between users, or devices being put into or out of service) are unable to interact with any agency resources whatsoever, and are non-functional from the user perspective (they are activation-locked and can only be set up for our network, at which point the management client is automatically installed and is not removable by the user). <p><u>Bullet 2:</u></p> <ul style="list-style-type: none"> The Division concurs with this section of the finding and can 	<p><u>Status as of March 22, 2024:</u></p> <p><u>Bullet 1 & 2:</u></p> <ul style="list-style-type: none"> We have no further updates on this part of the finding. <p><u>Bullet 3:</u></p> <ul style="list-style-type: none"> The division is currently comparing the rate plans with the current State Contract offerings. The division recently completed a rate review with Verizon on February 22, 2024. <p><u>Bullet 4:</u></p> <p>Internal instant messaging is logged. We are currently evaluating vendors that would help us accomplish this goal for text messaging on mobile devices.</p>	<p align="center"><u>Bullets 1 & 2:</u></p> <p>CLOSED - Our office met with Division management to evaluate the status of the corrective actions implemented.</p> <p>During our discussion, Division management noted that the MobileIron Management System maintains a complete inventory of authorized mobile devices.</p> <p>Furthermore, it was stated that the management software is installed on all mobile devices with the exception of mobile devices that have been removed from a user and wiped clean before transferring ownership to a subsequent user.</p> <p>As such, our review notes that the Division of Technology has implemented the necessary controls in place to ensure the maintenance of a complete inventory of all authorized devices as well as ensure that management software is installed on all applicable devices.</p> <p align="center"><u>Bullet 3:</u></p> <p>CLOSED - As noted prior, our office met with Division management to discuss the status of corrective actions implemented.</p>

			<p>confirm that it is not possible for a mobile device to connect or interact with our systems without having the management software installed, which happens automatically at the time of activation of a device and only with valid DBPR user credentials. Wiped/retired devices are not able to be re-purposed (for use outside the DBPR management system) because of this activation lock.</p> <p>Bullet 3:</p> <ul style="list-style-type: none">• The Division concurs with this section of the finding and will move to establish regular review intervals to compare the rate plans with the current State Contract offerings. <p>Bullet 4:</p> <ul style="list-style-type: none">• The Division concurs with this section of the finding and is currently in the process of rewriting the relevant internal policy in cooperation with Administration to allow for the use of text messages if/when coupled to a central archival solution.		<p>In the details presented regarding the Division’s rate review with Verizon, it was noted that the Division has implemented the necessary controls to ensure a periodic review is completed for appropriateness and cost-effectiveness.</p> <p>During our discussion, Division management stated that they are working with Verizon representatives to make the necessary bulk changes to the lines of service as needed. Any changes made requires an email authorization from Verizon. The Division respond to these changes, allowing them to modify the plans as needed through an administrative portal following the suggestions of the Verizon representative.</p> <p>Bullet 4:</p> <p>CLOSED - The Division of Technology provided our office with a quote from a potential vendor who may provide SMS/MMS message logging services to the Department.</p> <p>According to Division management, a meeting with Executive Leadership is scheduled to discuss the services being offered and the impact of the cost to the agency.</p> <p>Our review of the quote and the response from the division indicates that the Division of Technology has</p>
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					<p>implemented the necessary controls to ensure that text and instant messages are retained in accordance with state law and the state's records retention schedule.</p> <p>As such, our office determined that, based on our review, the Division of Technology has taken the necessary corrective actions to close this audit finding and recommendation.</p>
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