



COUNTY OF LOS ANGELES  
DEPARTMENT OF AUDITOR-CONTROLLER

OFFICE OF COUNTY INVESTIGATIONS  
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OSCAR VALDEZ  
AUDITOR-CONTROLLER

December 14, 2023

TO: Barbara Ferrer, Ph.D., M.P.H., M.Ed., Director  
Department of Public Health

FROM: Greg Hellmold, Chief *Greg Hellmold*  
Office of County Investigations

SUBJECT: **IMPROVEMENT OPPORTUNITIES NOTED DURING LIMITED  
REVIEW – #2021-18452**

NUMBER OF RECOMMENDATIONS
<b>PRIORITY 1</b> <b>1</b> CORRECTIVE ACTION REQUIRED WITHIN 90 DAYS
<b>PRIORITY 2</b> <b>0</b> CORRECTIVE ACTION REQUIRED WITHIN 120 DAYS
<b>PRIORITY 3</b> <b>0</b> CORRECTIVE ACTION REQUIRED WITHIN 180 DAYS

During a limited review at the Department of Public Health (DPH or Department), we noted that DPH can strengthen its management and internal controls over food safety inspections to ensure that food facilities (e.g., restaurants, bakeries, bed and breakfast inns) meet Health Code food safety requirements. Please see Attachment I, Table of Findings and Recommendations for Corrective Action, for details of our observations and recommendations.

**Review of Report**

We discussed our report with DPH management. The Department’s response (Attachment II) indicates general agreement with our findings and recommendations.

We thank DPH management and staff for their cooperation and assistance during our review. If you have any questions, please contact me at (213) 893-0243 or [ghellmold@auditor.lacounty.gov](mailto:ghellmold@auditor.lacounty.gov), or your staff may contact Supervising Investigator Kenneth Diaz at (213) 948-2936 or [kdiaz@auditor.lacounty.gov](mailto:kdiaz@auditor.lacounty.gov).

GH:SL:KD:jc  
IOR-2021-18452

Attachments

c: Oscar Valdez, Auditor-Controller  
Audit Committee  
Audit Division

# LOS ANGELES COUNTY AUDITOR-CONTROLLER

**Robert G. Campbell**  
ASSISTANT AUDITOR-CONTROLLER

**Greg Hellmold**  
DIVISION CHIEF

## OFFICE OF COUNTY INVESTIGATIONS

Report #IOR-2021-18452

### DEPARTMENT OF PUBLIC HEALTH IMPROVEMENT OPPORTUNITIES NOTED DURING LIMITED REVIEW (#2021-18452)

#### BACKGROUND

Every food service establishment in the County receives an unannounced, onsite inspection by Department of Public Health (DPH or Department) inspectors at least once a year to evaluate compliance with Health Code food safety requirements. The inspector records observed Health Code violations in Food Inspection Reports, with the violations classified as “Critical” or “Good Retail Practices” (GRP) violations. Critical violations are those which are more likely to contribute to foodborne illnesses and pose a substantial risk to the public’s health, and any such violation requires re-inspections until corrected. Re-inspections are performed within two weeks after the initial inspection, and are conducted to confirm that the establishment has corrected the previously noted Critical violation(s). GRP violations are lapses in preventative measures required by law that effectively control the introduction of pathogens, chemicals, and physical objects into food.

A Compliance Review is required when the same Critical violations are noted in two consecutive inspections or the same GRP violations are noted in three consecutive inspections. This review is a hearing between a Chief Environmental Health Specialist (EHS), or his/her designee, and a food facility, for serious repeat violations observed during an inspection. During the Compliance Review, the Chief EHS, or his/her designee, determines whether to suspend the food facility’s Public Health Permit.

#### TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION

	ISSUE	RECOMMENDATION
1	<p><b>Health Inspection Performance Accountability</b> – During our limited review, we noted that DPH food inspectors failed to conduct the required re-inspections and did not initiate Compliance Reviews for repeat Critical and GRP violations that food inspectors observed and documented on Food Inspection Reports.</p> <p>Specifically, DPH management stated that they have policies requiring employees to complete re-inspections, and training for employees on the procedures for ensuring that necessary re-inspections are scheduled in DPH’s tracking system and are completed per DPH policies. However, we noted that employees and supervisors were not always ensuring that the required inspections were entered in their tracking system and/or completed as required.</p> <p>Standard Operating Procedures (SOP) No. 203, Procedure for Conducting a Retail Food Facility Inspection, states that major Critical violations require corrective action prior to the end of the inspections, and the EHS is required to schedule a re-inspection to determine continued compliance within 14 days.</p>	<p><b>Priority 1</b> – DPH management develop and implement management controls to identify and ensure DPH food inspectors conduct required follow-up actions (i.e., re-inspections, Compliance Reviews) for health code violations when required.</p> <p><b>Department Response: Agree</b> Implementation Date: February 2024</p>

**Priority Ranking:** Recommendations are ranked from Priority 1 to 3 based on the potential seriousness and likelihood of negative impact on the Agency’s operations if corrective action is not taken.

<b>TABLE OF FINDINGS AND RECOMMENDATIONS FOR CORRECTIVE ACTION</b>	
<b>ISSUE</b>	<b>RECOMMENDATION</b>
<p>SOP, Procedure for Suspension of Public Health Licenses/Permits Due to Repeat Critical Risk Factor Violations, states that if an EHS observes a major, repeat violation, the EHS shall request a Compliance Review.</p> <p><b>Impact:</b> These deficiencies increase the risk that establishments with repeat Critical and/or GRP violations will not be subject to appropriate follow-up and that issues impacting the health and safety of consumers may go unresolved, increasing the likelihood of foodborne illnesses. Additionally, the lack of processes and controls to ensure required follow-up activities occur timely increases the risk that inspector work performance issues go undetected.</p>	

For more information on our auditing process, including recommendation priority rankings, the follow-up process, and management’s responsibility for internal controls, visit [auditor.lacounty.gov/audit-process-information](http://auditor.lacounty.gov/audit-process-information).



**BARBARA FERRER, Ph.D., M.P.H., M.Ed.**  
Director

**MUNTU DAVIS, M.D., M.P.H.**  
County Health Officer

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November 9, 2023

TO: Greg Hellmold, Chief  
Office of County Investigations

FROM: Dr. Barbara Ferrer, Ph.D., M.P.H., M.Ed., Director  
Department of Public Health

*Muntu Davis  
MUNTU DAVIS ON  
BEHALF OF DR. FERRER.*

SUBJECT: **RESPONSE TO AUDITOR-CONTROLLER FINDINGS AND  
RECOMMENDED CORRECTIVE ACTIONS – REPORT #2021-18452**

The Department of Public Health (DPH) has reviewed the Auditor-Controller's report and agrees with the finding and recommendation. Attached is DPH's plan of corrective action.

If you have any questions, please contact Liza Frias, Director of Environmental Health at (626) 430-5374

Attachment

BF:bl

c: Liza Frias  
File

Attachment 1 of 1

<b>DEPARTMENT OF PUBLIC HEALTH IMPROVEMENT OPPORTUNITIES NOTED DURING LIMITED REVIEW #2021-18452 DEPARTMENT ACTION PLAN/RESPONSE</b>	
<b>ISSUE 1: HEALTH INSPECTION PERFORMANCE ACCOUNTABILITY</b>	
<b>A/C Recommendation</b>	<p><b>DPH management to develop and implement management controls to identify and ensure DPH food inspectors conduct required follow-up actions (i.e., re-inspections, Compliance Reviews) for health code violations when required.</b></p>
<b>Priority</b>	<p><b>PRIORITY 1</b></p>
<b>Agree/Disagree</b>	<p><b>The Department of Public Health agrees with the recommendations from the Auditor Controller as this provides us with the opportunity to remind our team members of required actions and the reports available to ensure compliance.</b></p>

<b>ISSUE 1: HEALTH INSPECTION PERFORMANCE ACCOUNTABILITY</b>	
<b>Department Action Plan<sup>1</sup></b>	<p><b><u>Recommendations:</u></b></p> <p>To address the Auditor Controller’s recommendation, DPH management will develop and implement the following:</p> <ol style="list-style-type: none"> <li>1. Revise SOP No. 203 (Inspection Procedure Guidelines) into Protocol No. 011.11 – Procedure for Conducting an Inspection of a Retail Food Facility, that will formalize the use of the “history” functionality in Envision Connect Remote (ECR) prior to commencing any routine inspection, and the calendar feature in ECR to alert team members of the dates of re-inspections. Included in the revised Protocol will be language directing the food inspectors to document when a violation is a repeat critical risk violation. This will include the elimination of the compliance review and instead issue a notice of intent to suspend the operator’s Public Health Permit if additional violations occur.</li> <li>2. Food inspectors will be retrained on the use of the “history” tab functionality available in ECR as well as the calendar feature. The “history” tab allows the inspector to check for any critical risk violations marked out of compliance during the last routine inspection and the calendar feature allows for the tracking of re-inspections required. In addition, as part of the training, circumstances in which a Compliance Review must be scheduled will be reviewed.</li> <li>3. Food Program Supervisors shall be required to run Envision Connect report 5898 “Reinspection Required” weekly and meet with their food inspection team to ensure re-inspections are scheduled on their ECR calendar and are conducted timely.</li> <li>4. Food Program Supervisors shall be required to do the following:               <ul style="list-style-type: none"> <li>• Review all Official Inspection Reports (OIRs) issued and identify if any critical risk violations were observed.</li> <li>• If a critical risk violation was observed, determine if a notice of intent to suspend the operator’s Public Health Permit was issued.</li> <li>• If a critical risk violation was observed, and a notice of intent to suspend the operator’s Public Health Permit was not issued, verify if the critical risk violation is a repeat violation from the prior report.</li> </ul> </li> <li>5. DPH is working with a vendor to implement a new data system and will attempt to design the system to flag repeat critical violations.</li> </ol>
<b>Planned Implementation Date</b>	<b>February 2024</b>
<b>Additional Information (optional)<sup>2</sup></b>	