
**Thomas P. DiNapoli
COMPTROLLER**



**OFFICE OF THE
NEW YORK STATE COMPTROLLER**

**DIVISION OF STATE
GOVERNMENT ACCOUNTABILITY**

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MULTI-AGENCY

**EMERGENCY
PREPAREDNESS AT
SELECTED STATE
AGENCIES**

Report 2007-S-29

AUDIT OBJECTIVE

The objective of our performance audit was to determine whether selected State agencies have developed comprehensive plans and procedures to prepare for, respond to, and recover from emergencies and continue providing vital services.

AUDIT RESULTS - SUMMARY

The State Emergency Management Office (SEMO) is responsible for coordinating emergency management planning efforts in New York State. SEMO encourages and supports State agency efforts to develop agency-specific emergency management plans. However, there is currently no specific law or regulation requiring State agencies to develop such plans and there are no State guidelines for the agencies to follow when they develop such plans. Rather, there are certain generally-accepted industry standards for emergency management planning published by national organizations and the Federal government. We used these standards to assess the planning efforts at selected agencies.

We found that the level of emergency management planning varies greatly from agency to agency. Some agencies have dedicated significant resources to their planning efforts and developed comprehensive emergency management plans. However, other agencies have dedicated few or no resources and developed incomplete plans or no plans at all. We also identified inconsistencies and an overall lack of uniformity among the plans that have been developed.

According to the industry standards for emergency management planning, a complete emergency management plan should have three components: an emergency response

component, a business continuity component, and a disaster recovery component. We surveyed 50 of the larger State agencies to determine whether they had developed complete emergency management plans. Twenty-nine agencies reported that they had developed such plans, and 14 reported that they had developed partial plans containing at least 1 of the components. Seven agencies reported that they had no emergency management plans.

Based on survey responses, the progress reported by some of the agencies may not have been as great as was claimed. For example, 11 of the 43 agencies that claimed to have completed the emergency response component of their emergency management plans indicated that they had not performed a detailed risk analysis to identify the various possible threats to their operations. Similarly, 19 of the 38 agencies that claimed to have completed the business continuity component indicated that they either had not identified their mission critical functions (11) or had identified mission critical functions that were inconsistent with their mission statements (8). Also, 9 of the 31 agencies that claimed to have completed the disaster recovery component indicated that they either did not update their disaster recovery plan on a regular basis or did not test the plan at regularly-established intervals.

In addition, when we visited ten of the agencies to verify the extent of their reported emergency management planning, we found that one of the agencies had overstated its planning progress significantly. The agency had claimed to have a complete emergency management plan, but we found that its plan contained none of the three components deemed necessary for a properly-functioning emergency management plan. Detailed results of our audits of each of these ten agencies were provided to management

during the course of our visits. These details are not included here due to the sensitivity of the information.

The lack of proper emergency management planning could result in physical injury to staff, increased damage to facilities and equipment, an inability to provide mission-critical functions to New York State residents, and delays in the resumption of normal business operations. In some instances, an inability to provide mission-critical functions could also jeopardize the health and safety of certain State residents.

To strengthen emergency management planning practices at State agencies, we recommend SEMO seek a more active role in the overall planning process. Specifically, we recommend SEMO be given responsibility for evaluating each agency's plan to ensure that it complies with generally-accepted standards and monitoring the agencies to ensure that they develop and maintain adequate emergency management plans.

This report, dated June 25, 2008, is available on our website at: <http://www.osc.state.ny.us>. Add or update your mailing list address by contacting us at: (518) 474-3271 or Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

BACKGROUND

If a disaster emergency is declared for New York State, the State Disaster Preparedness Commission (Commission) is charged by law with directing State disaster operations and coordinating them with local disaster operations. The Commission is also responsible for preparing the State's Comprehensive Emergency Management Plan (State Plan). The Commission consists of the

commissioners from 23 State agencies, as well as the Chief Professional Officer of the State Coordinating Chapter of the American Red Cross.

Individual State agencies also need to have plans for dealing with potential interruptions of operations and for the timely resumption of critical services. There are certain generally-accepted standards for emergency management planning. The *Generally Accepted Practices for Business Continuity Practitioners* (August 2005), as drafted by the Disaster Recovery Journal and the Disaster Recovery Institute International, is widely accepted as the industry standard. Also, the *FEMA Emergency Management Guide for Business and Industry* (October 2003) provides steps in the planning process, emergency management considerations, hazard-specific information, and additional information sources.

According to these two publications, every emergency management plan should contain the following three elements:

- **Emergency Response Plan:** A plan developed to prepare for, respond to, and recover from an emergency by addressing its immediate and short-term effects, such as building evacuation and personnel safety.
- **Business Continuity Plan:** A process of developing and documenting arrangements and procedures that enable an organization to respond to an event that lasts for an unacceptable period of time and return to performing its critical functions after an interruption.
- **Disaster Recovery Plan:** A plan consisting of programs and activities designed to return the organization to

normal operations or to a level of operations acceptable to the organization. It is developed based on the organization's short- and long-term priorities, processes, vital resources, and acceptable time frames for restoration of services, facilities, programs, and infrastructure. State agencies are required by a 2002 Division of the Budget (DOB) Directive to develop such a plan.

We surveyed the emergency management planning efforts at 50 State agencies listed in Exhibit A. The purpose of our survey was to determine whether the agencies have developed complete emergency management plans (i.e., plans containing all three necessary elements - emergency response, business continuity, and disaster recovery plans). We selected relatively-large State agencies for our survey and, on the basis of their responses to our questionnaire, we visited ten of the agencies to review documentation supporting their responses.

AUDIT FINDINGS AND RECOMMENDATIONS

Emergency Management Planning

The State Emergency Management Office (SEMO) is responsible for coordinating emergency preparedness efforts in New York State. However, there is no specific law or regulation granting SEMO responsibility for, or authority over, each agency's emergency planning activities. Instead, SEMO's role in this area is primarily to encourage and support each agency's effort by providing general information and responding to individual requests for assistance. As a result, there are no comprehensive State guidelines for agencies to follow when they develop such plans, and the plans are not subject to any review or approval beyond the agency level.

We found varying degrees of completeness in the agencies' emergency management planning efforts, as 29 of the 50 agencies reported that they had complete emergency management plans, 14 agencies reported that they had partial emergency management plans, and 7 agencies reported that they had no emergency management plans.

We also found that, in the absence of any laws, rules, or regulations governing emergency management planning, each agency used its own planning criteria. Seven of the ten agencies we visited indicated they used some form of criteria to develop their plans. These sources included information from SEMO, FEMA, and the National Incident Management System. In addition, some agencies reported that they lack sufficient planning expertise and therefore have hired, or are considering hiring, consultants to help them with their emergency management plans.

We also determined that the expertise and resources dedicated to emergency management planning vary greatly from agency to agency. Some agencies have units that are dedicated to emergency preparedness, while other agencies dedicate few or no resources to this function. The most common reasons given for not having a plan were lack of resources or lack of management commitment (i.e., emergency preparedness is not an agency priority).

Four of the ten agencies we visited have comprehensive emergency management plans containing all three necessary elements. Five of the six remaining agencies have emergency management plans containing two of the three elements and are making progress toward the completion of the third element.

The tenth agency has no emergency management plan. In its response to our

questionnaire, this agency indicated that such a plan had been developed. However, when we visited the agency, we found that its plan contained none of the three elements deemed necessary for a properly-functioning emergency management plan.

We note that some of the 40 agencies we did not visit may have similarly misreported the status of their emergency management plans; 33 of these agencies reported that they have complete or partial plans, but it is possible that they do not, in fact, have such plans.

The lack of proper emergency management planning could result in physical injury to staff, increased damage to facilities and equipment, an inability to provide mission-critical functions to New York State residents, and delays in the resumption of normal business operations. In some instances, an inability to provide mission-critical functions could jeopardize the health and safety of certain State residents.

SEMO officials stated that they have developed several guidance documents on agency emergency preparedness planning, and have supported the planning efforts of several agencies through workshops, presentations, and hands-on technical planning assistance. However, officials also stated that their agency's efforts are hampered by two critical factors. First, the absence of an executive or legislative mandate requiring the agencies to comply with SEMO guidelines means that SEMO can only encourage such compliance. Secondly, SEMO has a limited number of staff with the knowledge, skills, and abilities to support agency emergency preparedness planning. These staff are already responsible for facilitating, writing, and implementing State-level, multi-agency emergency preparedness plans that are part of the State Plan.

Like the State Plan, individual agency plans need to be comprehensive and coordinated if they are to ensure the continuation of vital services. Many of these plans may also need to reflect, or may be dependent upon, provisions laid out in the larger State Plan. SEMO, considering its expertise and the fact that it is already responsible for the State Plan, is uniquely positioned to oversee and coordinate these efforts. As such, we believe SEMO officials should work with the Governor's Office to determine the extent to which SEMO can be tasked with this responsibility.

Emergency Response Plan

The first necessary element in a comprehensive emergency management plan is an emergency response plan. To develop such a plan, the Disaster Recovery Journal and the Disaster Recovery Institute International recommend that organizations develop and implement procedures to respond to and stabilize the situation following an incident or event. Agencies should identify and develop emergency response procedures, identify their command and control requirements, and define a strategy for restoring operations.

In the initial survey responses we received from the 50 agencies, 43 agencies reported that they had developed an emergency response plan and 7 agencies reported that they had not. As part of developing an emergency response plan, an agency must first perform a detailed risk analysis to identify the various possible internal and external threats to its operations. The agency should then develop the emergency response plan based upon this risk analysis. However, 11 of the 43 agencies claiming to have an emergency response plan indicated that they did not perform a risk analysis when they developed their plan. As a result, the officials

at these agencies cannot know whether their emergency response plans properly address the various threats to their agencies' operations.

Nine of the ten agencies we visited have an appropriate emergency response plan in place. For example, the emergency response plan at one agency addresses a wide variety of emergency situations and provides the framework to establish an Emergency Committee responsible for providing information before and assistance after an emergency.

In contrast, one of the ten agencies reported that it had an emergency response plan in place, but we found its plan does not include such specifics as an overall detailed action plan, identification of individuals to assist coordinators, and internal or external contact names and numbers. Officials from this agency stated that a new emergency response plan was under development and was expected to be completed shortly.

The lack of an effective emergency response plan could jeopardize the safety of staff, equipment, and other resources, and delay the delivery of mission-critical services in the aftermath of an emergency.

We identified best practices during our visits to the ten agencies. For example, one agency provides a "safe" telephone number to its employees in the form of a sticker on the back of their identification badge. This phone number allows employees to make contact during an emergency. In addition, an "Evac Kit" containing items such as a whistle, water, energy bars, light sticks, and ponchos is given to each employee for use in an emergency situation. Another agency provides a "ready kit" to its employees with similar contents, and also includes an employee hotline contact number.

Business Continuity Plan

The second necessary element in a comprehensive emergency management plan is a business continuity plan. The Disaster Recovery Journal defines business continuity planning as a process of developing and documenting arrangements and procedures that enable an organization to respond to an event that lasts for an unacceptable period of time and return to performing its critical functions after an interruption. The identification of critical functions (i.e., those activities that cannot be interrupted or unavailable for extended periods of time without significantly jeopardizing the operation of an organization) allows an organization to concentrate its resources on restoring the systems, processes, and procedures necessary to carry out those functions. If an organization fails to identify its critical functions, it runs the risk it might waste valuable time and resources restoring non-critical systems, processes, and procedures before it restores those that are truly critical to its operations.

In the initial survey responses we received from the 50 agencies, 38 agencies reported that they had a business continuity plan in place, 1 agency reported that its plan was in progress, and 11 agencies reported that such a plan was not in place. However, 19 of the 38 agencies claiming to have business continuity plans indicated that they either had not identified their mission-critical functions (11) or identified mission-critical functions that were inconsistent with their mission statements (8).

We found that six of the ten agencies we visited have an appropriate business continuity plan in place. In particular, these agencies have plans that identify their mission-critical functions appropriately and provide procedures for continuing their

operations during and after a disaster. As part of their plan, two of these agencies intend to relocate employees to an alternative site if the original site becomes unavailable.

Two of the four agencies that lack an appropriate business continuity plan are demonstrating progress in these areas. One agency is developing a new business continuity plan that should meet all requirements, based on our review of the documents to be used in its development. A second agency has identified, but has not prioritized, its mission-critical functions for its central office units, but is still in the process of identifying those functions for its regional offices.

The lack of an effective business continuity plan could delay delivery of mission-critical services to State residents in the aftermath of an emergency.

We also identified a best practice at one agency, which has prepared a guide for the development and implementation of a Disaster Recovery/Business Continuity Plan. The guide consists of three parts: Actions and the Identification of Elements Required to Develop a Plan, the Development of the Plan and Its Elements, and the Implementation of the Plan and Staff Awareness.

Disaster Recovery Plan

The third necessary element in a comprehensive emergency management plan is a disaster recovery plan. A disaster recovery plan defines the resources, actions, tasks, and data that are required to return the organization to normal operations or to a level of operations acceptable to the organization. State agencies are explicitly required by a DOB Directive to develop such a plan.

In the initial survey responses we received from the 50 agencies, 31 agencies reported that they had a disaster recovery plan in place, 4 agencies reported they were working on a disaster recovery plan that was not yet completed, and 15 agencies reported that they did not have a disaster recovery plan. We note that 9 of the 31 agencies claiming to have a disaster recovery plan indicated they either did not update their plan on a regular basis or did not test the plan at regularly-established intervals. As a result, the officials at these nine agencies have less assurance that their disaster recovery plans are current and effective.

We found that seven of the ten agencies we visited have an appropriate disaster recovery plan in place. For example, one agency has a disaster recovery contract with a private contractor. The contractor is to provide this agency with a site, located in another power grid, with equipment for running its critical functions. If the site is unavailable, the contractor has additional sites that the agency would be allowed to use. The agency has also established a backup schedule and procedures for rotating backup tapes to an offsite storage site, and has many tests related to disaster recovery.

Three agencies lack an appropriate disaster recovery plan. The disaster recovery plan at one of these agencies is not sufficient because it does not enable the agency to return to pre-disaster conditions. Officials note that their disaster recovery planning efforts are constrained by the levels of funding and staffing that are allocated by management. The officials indicated that they are considering whether to contract with a vendor or enter into reciprocal agreements with other agencies to provide support in the event of a disaster.

The other two agencies are developing their disaster recovery plans. Officials at the one agency told us that they intend to hire a consultant to help them develop their plan.

The lack of a comprehensive disaster recovery plan could cause delays in the resumption of normal business operations, potentially increasing the cost of the emergency and impairing the agency's ability to serve its customers effectively.

Recommendation to Agencies

1. State agencies should examine their emergency plans to ensure that each has comprehensive plans in place that contain all the necessary elements.

(Officials from the State agencies we visited agreed with our recommendation and many reported actions are already underway to ensure comprehensive plans are in place.)

Recommendations to SEMO

2. Work with the Governor's Office to determine the extent to which SEMO can be tasked with responsibility for overseeing agency emergency planning efforts.
3. Continue to develop guidelines that State agencies can use in their creation and maintenance of emergency management plans.
4. Provide technical assistance to State agencies developing emergency management plans and, as part of this assistance, evaluate each plan to ensure that it complies with generally accepted standards.

5. Monitor to ensure that State agencies develop and maintain adequate emergency management plans.

(SEMO officials agreed with our recommendations and reported several efforts already underway to enhance their role in ensuring that all agencies sustain and improve their level of preparedness.)

AUDIT SCOPE AND METHODOLOGY

We conducted our audit in accordance with generally accepted government auditing standards. We audited the actions taken by selected State agencies in developing and maintaining emergency management plans and the actions taken by SEMO in supporting such planning efforts. Our audit covered the period January 1, 2002, through October 4, 2007.

To accomplish our objective, we developed a survey questionnaire about emergency management planning. In developing the questionnaire, we used information gathered from a variety of sources, including the Federal government, FEMA, SEMO, and a detailed questionnaire provided by the New York State Forum for Information Resource Management.

We sent the questionnaire to 50 of the larger State agencies. All 50 agencies responded. We reviewed their responses, taking the responses at face value; we did not contact the agencies to validate the information contained in their responses. Based on these responses, we selected ten of the agencies for a more in-depth review. We provided the ten agencies with a second, more-detailed questionnaire, reviewed their responses to the questionnaire, and visited the agencies to interview officials and review documentation supporting their responses. Details of the results of our audit work at the ten agencies visited are not

included in this report due to the sensitivity of the information. Finally, we interviewed officials at SEMO about the actions they have taken in supporting emergency management planning efforts at State agencies.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

AUTHORITY

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1, of the State Constitution and

Article II, Section 8, of the State Finance Law.

REPORTING REQUIREMENTS

A draft copy of this report was provided to officials at SEMO and the ten agencies we visited for their review and comment. Their comments were considered in preparing this report, and are included as Appendix A. SEMO and agency officials agreed with our findings and indicated actions have already been taken to address our recommendations.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Director of the State Emergency Management Office shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons therefor.

CONTRIBUTORS TO THE REPORT

Major contributors to this report include Frank Houston, John Buyce, Joel Biederman, Greg Petschke, Thalia Melendez, Richard Podagrasi, Laurie Burns, David Reilly, Bruce Steves, and Dana Newhouse.

Listing of Agencies Surveyed

Adirondack Park Agency
Banking Department*
Board of Elections
City University of New York
Council on the Arts
Department of Agriculture and Markets
Department of Civil Service
Department of Correctional Services
Department of Environmental Conservation
Department of Health*
Department of Labor
Department of Motor Vehicles
Department of Public Service
Department of State
Department of Taxation & Finance*
Department of Transportation*
Division of Alcoholic Beverage Control
Division of Criminal Justice Services
Division of Housing & Community
Renewal
Division of Human Rights
Division of Military & Naval Affairs
Division of Parole*
Division of Probation & Correctional
Alternatives
Division of State Police
Division of the Lottery
Division of Veterans' Affairs
Empire State Development Corporation
Housing Finance Agency
Insurance Department*
Office for the Aging
Commission on Quality Care and
Advocacy for Persons with Disabilities
Office of Alcoholism & Substance
Abuse Services
Office of Children & Family Services*
Office of Court Administration
Office of Cyber Security and Critical
Infrastructure Coordination
Office of General Services
Office of Homeland Security
Office of Inspector General
Office of Mental Health*
Office of Mental Retardation &
Developmental Disabilities
Office of Parks, Recreation, & Historic
Preservation
Office of Real Property Services
Office of Temporary & Disability
Assistance
Office for Technology*
State Education Department*
State Emergency Management Office
State Insurance Fund
State University of New York
State University Construction Fund
Workers' Compensation Board

(*Agencies in bold face type were those selected for field visits.)

APPENDIX A - AUDITEES' RESPONSES



David A. Paterson, Governor

New York State Emergency Management Office
1220 Washington Avenue
Building 22, Suite 101
Albany, NY 12226-2251



John R. Gibb, Director

May 16, 2008

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Dear Mr. Houston:

Thank you for sharing with me a copy of OSC audit report 2007-S-29, Multi-Agency Emergency Preparedness at Selected State Agencies.

I appreciate your taking the time to audit the State's emergency preparedness efforts. Your report accurately portrays the role that NYSEMO plays in coordinating emergency preparedness and the limitations that it experiences. Your report also discusses shortcomings that you found when assessing emergency planning efforts at selected agencies. I know that this was in no way a criticism of the efforts of the State employees at those agencies. Nevertheless, I need to stress that New York's successful response to more than 40 major disasters since 1991 is a result of the dedication and professionalism of our State workforce. I am pleased to report that NYSEMO is already pursuing the recommendations outlined in your report. Below, I have provided a brief synopsis of some of these efforts.

I agree with your recommendation to the State Agencies. This is consistent with NYSEMO's current philosophy and efforts. Through a variety of ongoing programs, NYSEMO works collaboratively with State agencies to sustain and improve their level of preparedness. I also agree with the recommendations that you have made regarding NYSEMO. Please allow me to address these in greater detail:

- NYSEMO has begun to work on legislation which would provide it with more formal authority to manage the State's emergency preparedness efforts. We have worked directly with the Governor's Counsel's Office on this effort. By its nature, State preparedness efforts succeed because they rely on partnerships. Although additional legal requirements may strengthen the State's program, they must avoid becoming overly regulatory in nature. Flexibility enables agencies to tailor their efforts based on their own organization's culture and protocols.

State Emergency
Coordination Center: (518) 292-2200

Fax: (518) 322-4982

Executive Offices: (518) 292-2275

- NYSEMO continues to provide products and services to guide State agency planning efforts. For example, staff has developed a comprehensive template and tutorial for agencies to use in developing their continuity of operations plans. NYSEMO also provides direct support by reviewing agency plans and recommending improvements. This is a continuous process which must be maintained as agencies' staffing, missions and capabilities change.
- You should be aware that, since 1996, the State has organized its emergency response based on the principles of the incident command system (ICS). This system provides a structure for the functional management of disasters and emergencies. As part of this process, NYSEMO and State agencies have established several functional working groups to address key areas such as public health, human services, infrastructure, and others. The agencies are responsible for maintaining their own procedures to support their responsibilities in these functional areas. NYSEMO coordinates the efforts of these functional workgroups and is fully engaged with State and local agencies in a variety of initiatives as part of the State's comprehensive emergency management planning effort.
- As part of the State's efforts to prepare for Y2K, State agencies prepared continuity of business plans. Following the September 11, 2001 attacks, many State agencies again developed continuity plans to address disruptions to their operations. In 2005-2006, SEMO engaged with State agencies on COOP planning as part of the State's successful efforts to gain an independent accreditation for its emergency management program. At present, NYSEMO intends to begin a major effort with all State agencies to develop and improve their individual continuity plans and to formalize an overarching continuity of operations and government plan for State Government. This effort will include conducting hazard analyses, identifying essential activities, determining gaps, and developing strategies to ensure that vital services can be provided.

I have attempted to offer brief information to better inform the audit process. There are numerous other activities and initiatives that NYSEMO, as the staff arm of the State Disaster Preparedness Commission, and its member agencies are pursuing to enhance the health and safety of New York's residents and visitors. Please do not hesitate to contact me if I can provide more information.

Sincerely,



John R. Gibb
Director



STATE OF NEW YORK
BANKING DEPARTMENT
ONE STATE STREET PLAZA
NEW YORK, NY 10004

May 15, 2008

Mr. Frank Huston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th floor
Albany, New York 12236

Dear Mr. Huston:

This is to acknowledge that the New York State Banking Department appreciates the opportunity to provide comments on your draft report, **Multi-Agency Emergency Preparedness at Selected State Agencies, Report 2007-S-29**. We have reviewed the above-referenced report. Based upon our review, we believe that the report's audit findings accurately represent our Department with respect to emergency preparedness planning. Therefore, in light of this situation, our Department will not submit any formal comments. Thanks again for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Amy Hutner".

Amy Hutner,
Director,
Internal Audit

cc: Richard Neiman, Superintendent of Banks
Diana Rulon, Chief Operating Officer

DOH STATE OF NEW YORK
DEPARTMENT OF HEALTH

Corning Tower The Governor Nelson A. Rockefeller Empire State Plaza Albany, New York 12237

Richard F. Daines, M.D.
Commissioner

Wendy E. Saunders
Chief of Staff

May 5, 2008

Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Services
State Audit Bureau
110 State Street, 11th Floor
Albany, New York 12236

Dear Mr. Houston:

Enclosed are the Department of Health's comments on the Office of the State Comptroller's draft audit report 2007-S-29 on "Emergency Preparedness at Selected State Agencies."

Thank you for the opportunity to comment.

Sincerely,



Wendy E. Saunders
Chief of Staff

Enclosure

cc: Stephen Abbott
Guthrie S. Birkhead
Robert L. Burhans
Randall Griffin
Sandra Pettinato
Robert W. Reed

**Department of Health
Comments on the
Office of the State Comptroller's
Draft Audit Report 2007-S-29 on
“Emergency Preparedness at Selected State Agencies”**

The following are the Department of Health's (Department) comments in response to the Office of the State Comptroller's (OSC) draft audit report 2007-S-29 on "Emergency Preparedness at Selected State Agencies."

OSC Recommendation to Agencies:

The 10 agencies visited as part of this audit, as well as the 40 other agencies surveyed, should examine their emergency plans to correct the deficiencies noted in this report and ensure that each has comprehensive plans in place which contain all the necessary elements.

Department of Health Response:

The Department agrees with the specific findings relative to the Department of Health and will continue to ensure emergency preparedness remains a top priority.



STATE OF NEW YORK
DEPARTMENT OF TAXATION AND FINANCE
W A HARRIMAN CAMPUS
ALBANY, NY 12227

ROBERT L. MEGNA
COMMISSIONER

May 12, 2008

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, New York 12236

Dear Mr. Houston:

Thank you for the opportunity to respond to your draft audit report (2007-S-29) on emergency preparedness. We have carefully considered the recommendation provided in your report and intend to implement it.

Recommendation 1:

The 10 agencies visited as part of this audit, as well as the 40 other agencies surveyed, should examine their emergency plans to correct the deficiencies noted in this report and ensure that each has comprehensive plans in place which contain all the necessary elements.

Response:

We agree. The Department will complete all elements of its Emergency Management Plans within this fiscal year.

Again, thank you for the opportunity to comment and we value your suggestions on ways to better improve our operations.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Megna".

Robert L. Megna

PRINTED ON RECYCLED PAPER



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, NY 12232
www.nysdot.gov

ASTRID C. GLYNN
COMMISSIONER

DAVID A. PATERSON
GOVERNOR

May 16, 2008

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Subject: Draft Audit Report 2007-S-29

Dear Mr. Houston:

Thank you for the opportunity to review draft audit report 2007-S-29, *Multi-Agency Emergency Preparedness at Selected State Agencies*. Consistent with your recommendation to agencies, the Department of Transportation (Department) has continued to examine and improve its emergency management plan since your auditors met with Department officials in August 2007. Our most recent update was completed on April 7, 2008.

We remain committed to improving our plan over time as we continue to refine our statewide emergency planning capabilities. Should you need further information, please contact Cliff Thomas, Director of the Department's Emergency Transportation Operations and Security Program Coordination Bureau, at 457-7475.

Sincerely,

A handwritten signature in black ink that reads "Stanley Gee". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Stanley Gee
Executive Deputy Commissioner

cc: Tom Lukacs, Division of the Budget



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF PAROLE
97 CENTRAL AVENUE
ALBANY, NY 12208

DAVID A. PATERSON
GOVERNOR

GEORGE B. ALEXANDER
CHAIRMAN

May 15, 2008

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street – 11th Floor
Albany, N.Y. 12236

Dear Mr. Houston:

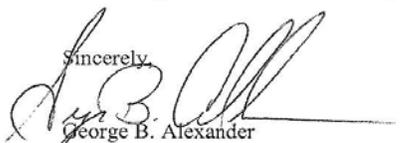
The New York State Division of Parole (Division) has received and read the Office of the State Comptroller's (OSC) draft audit report (2007-S-29) entitled "Emergency Preparedness at Selected State Agencies". Comments concerning the audit recommendation are included below.

- 1. The 10 agencies visited as part of this audit, as well as the 40 other agencies surveyed, should examine their emergency plans to correct the deficiencies noted in this report and ensure that each has comprehensive plans in place which contain all the necessary elements.*

The Division concurs with this recommendation. The Division has reviewed its Emergency Management and Continuity of Operations Plan and made revisions based on OSC's recommendations.

The Division recognizes the importance of establishing and maintaining an effective Emergency Management and Continuity of Operations Plan (EM/COOP). We greatly appreciate the efforts of the Office of the State Comptroller's auditors in assisting the Division to identify ways of improving its EM/COOP.

Sincerely,



George B. Alexander
Chairman and Chief Executive Officer

Cc: J. Nesich
T. O'Brien
A. Jimenez
J. Lowery
J. Kirker
M. McLaughlin
M. Ostermann

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



STATE OF NEW YORK
INSURANCE DEPARTMENT
ONE COMMERCE PLAZA
ALBANY, NEW YORK 12257

David A. Paterson
Governor

Eric R. Dinallo
Superintendent

May 27, 2008

Mr. Greg Petschke
Office of the State Comptroller
State Government Accountability Office
110 State Street 11th floor
Albany, NY 12236

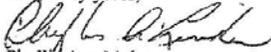
Dear Mr. Petschke:

The Insurance Department has received the audit draft Multi-State Emergency Preparedness at Selected State Agencies Report (2007-S-29).

We have developed a solid plan that we continue to update and are pleased that your auditors have cited our Department's Disaster Recovery/Business Continuity Plan consisting of three parts: elements needed, development, implementation and awareness, as a best practice.

Should you have any questions, please feel free to call me at (518) 474-4567.

Very truly yours,


Phyllis Ann Linker
Director, Internal Audit & ISO

C: Superintendent Dinallo
First Deputy Superintendent Brooks
Deputy Superintendent Donnellan

<http://www.ins.state.ny.us>



**New York State
Office of
Children & Family
Services**

www.ocfs.state.ny.us

May 14, 2008

David A. Paterson
Governor
Gladys Carrión, Esq.
Commissioner

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Re: OSC Audit 2007-S-29
Emergency Preparedness at Selected State Agencies

Dear Mr. Houston:

Capital View Office Park
52 Washington Street
Rensselaer, NY 12144

The Office of Children and Family Services (OCFS) has received draft audit report 2007-S-29, a multi-agency audit on Emergency Preparedness at Selected State Agencies. OCFS appreciates the recommendations made in the report and is committed to improving its emergency preparedness.

As part of that commitment, OCFS continues to test and improve systems associated with emergency preparedness throughout the agency. On April 23, 2008, OCFS conducted an agency-wide exercise of the Business Continuity Plan (BCP). The test involved "acting out" the OCFS response to a hypothetical emergency situation; an Amtrak freight train derailment involving hazardous substances necessitated the evacuation of the Washington Avenue Office Complex in Rensselaer. Prior to this test, each Division of the agency held workshops to "walk through" the situation as if it was actually occurring in order to prepare an appropriate response. This simulation allowed OCFS the opportunity to evaluate and identify ways to strengthen the response to a disruption while continuing essential services. The exercise was successful in strengthening the culture of preparedness within the agency and the recommendations from the After-Action Report will be incorporated into the BCP. Further, the BCP Core Team will continue to meet throughout the year to update the plan.

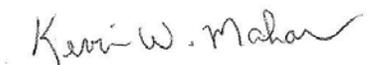
Such drills are a critical component of the ongoing emphasis on emergency preparedness and safety at OCFS. The importance of such plans and drills in maintaining effective service at times when critical functions and normal



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business operations have been interrupted cannot be understated. OCFS will continue to plan and test in ongoing efforts to be prepared in case of an emergency.

Sincerely,



Kevin W. Mahar, Director
Office of Audit and Quality Control

cc: William T. Gettman, Jr.
Thomas S. Tipple
Edna Mae Reilly
William Travis
Stephanie Donato
Pat Daly
Ralph Timber



State of New York
David A. Paterson
Governor



Office of Mental Health
44 Holland Avenue
Albany, New York 12229
www.omh.state.ny.us

May 5, 2008

Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Dear Mr. Houston:

The Office of Mental Health has reviewed the Office of the State Comptroller's draft audit report entitled, "Multi-Agency Emergency Preparedness At Selected State Agencies" (2007-S-29). We are pleased that OSC has found OMH to have a comprehensive emergency management plan that contains all three necessary elements (i.e., an Emergency Response Plan, Business Continuity Plan, and a Disaster Recovery Plan). We will continue, on an ongoing basis, to monitor and evaluate our plan to ensure that OMH is able to provide needed services during times of emergency.

Thank you for your efforts to make recommendations which further enhance our operations.

Sincerely yours,

Bruce E. Feig
Executive Deputy Commissioner

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OMH 2501 (2/08)



David A. Paterson
Governor

STATE OF NEW YORK
State Capitol P.O. Box 2062
Albany, NY 12220-0062

Dr. Melodie Mayberry-Stewart
Chief Information Officer and
Director of Office for Technology

May 22, 2008

Mr. Frank J. Houston
Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State St., 11th floor
Albany, NY 12236

Re: Multi-Agency Emergency Preparedness At Selected State Agencies, Report 2007-S-29

Dear Mr. Houston:

In accordance with Section 170 of the Executive Law, the Chief Information Officer/Office for Technology (CIO/OFT) is responding to the April 17, 2008 draft and subsequent report revisions noted to us by your staff via a May 21, 2008 email in regard to the above referenced report. Since the audit, our agency has completed the development, review and table top testing of Continuity of Operations (COOP) Plans for all business units. This ensures that CIO/OFT has comprehensive plans in place containing all necessary elements as recommended in the draft audit report.

I would like to thank the audit team for their consideration of CIO/OFT information and responses shown during this audit engagement.

Sincerely,

Melodie Mayberry-Stewart, PhD
Chief Information Officer and Director of the
Office for Technology

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customer.relations@oft.state.ny.us



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

DEPUTY COMMISSIONER FOR OPERATIONS
AND MANAGEMENT SERVICES
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June 5, 2008

Mr. Frank J. Houston, Audit Director
Office of the State Comptroller
Division of State Government Accountability
110 State Street, 11th Floor
Albany, NY 12236

Dear Mr. Houston:

I am responding to your letter of April 17, 2008 addressed to Commissioner Mills transmitting the Office of the State Comptroller's (OSC) draft audit report (2007-S-29) entitled "Multi-Agency Emergency Preparedness at Selected State Agencies." The Department is committed to maintaining a strong comprehensive emergency plan. We have been guided by New York State Executive Law Article 2-B which mandates that a State disaster preparedness plan be prepared annually and submitted to the State Disaster Preparedness Commission and by directives and guidance from the federal Department of Homeland Security, the National Incident Management System (NIMS), and the State Emergency Management Office (SEMO).

The following is the New York State Education Department's response to the OSC recommendation.

Recommendation 1: All 40 agencies should examine their emergency plans to correct the deficiencies noted in this report and ensure that each has comprehensive plans in place which contain all the necessary elements.

We agree with the recommendation. Examining and updating emergency plans is and will always be an ongoing activity. Due to the importance of this activity, we have recently reorganized and the responsibility is now under the Chief of Staff for the Education Department.

If you have any questions, please contact Laura Sahr, Coordinator of Emergency Preparedness, at (518) 474-3906.

Sincerely,

Theresa E. Savo

c: L. Sahr
D. Miller
J. Conway
R. Kennard