Office of the
Ohio Inspector General

2016 Annual Report

Safeguarding integrity in state government ...

Randall J. Meyer,
Inspector General

Inspector General Randall J. Meyer

Randall J. Meyer was appointed as Ohio Inspector General in January 2011, and reappointed in 2015, by the governor of Ohio and confirmed by the Ohio Senate. While serving as inspector general, Meyer has released more than 520 reports of investigation resulting in 64 criminal charges, issued 749 recommendations to agencies, and identified more than a quarter of a billion dollars lost.

Prior to becoming Inspector General, Meyer dedicated his career to public service for over 25 years. After completing four years of honorable military service in the United States Navy, Meyer began work as a police officer in 1990, serving as a deputy in the San Francisco Bay area. In 1992, Meyer moved to Ohio, working first as a police officer, and then as a detective for the City of Wilmington Police Department. In 1999, Meyer was recruited to serve as a criminal investigator for the Ohio Attorney General, and was eventually promoted as director of the Ohio Attorney General's Anti-Gang Unit. During this time, Meyer developed and established G.U.A.R.D., a statewide security threat group database which singularly integrated the various data collection systems used by different investigative entities. In 2003, Meyer joined the Ohio Auditor of State's Public Corruption Unit as a lead investigator and, in 2007, was promoted to chief of Special Investigations, managing the unit's responsibility of identifying misappropriated or illegally expended public funds, and instituting a statewide fraud prevention training program.

Meyer holds a bachelor's degree in Public Safety Management from Franklin University, and is a certified inspector general for the Association of Inspectors General. Meyer is also a certified fraud examiner for the Association of Certified Fraud Examiners, and a certified instructor for both the National White Collar Crime Association and the Ohio Peace Officer Training Academy. Meyer is a commissioned peace officer with the Clinton County Sheriff's Office. Meyer has served as a member of the Franklin University Criminal Justice Advisory Board since 2009, and the board of directors of the National White Collar Crime Association since 2008. In 2013, Meyer was elected to the board of directors, and in 2015, served on the executive committee of the Association of Inspectors General.

Message from the Inspector General

RANDALL J. MEYER
INSPECTOR GENERAL

I am pleased to present the Office of the Ohio Inspector General's 2016 Annual Report. This report is submitted to the governor and members of the 132nd Ohio General Assembly to meet the requirements set forth in Ohio Revised Code §121.48, and to provide insight into the duties of this office and its essential role in upholding integrity in state government. The following pages outline the mission and responsibilities of the Inspector General's Office; examine the office's complaint and investigative processes and related statistics; and cite summaries of several investigations released from January 1, 2016, through December 31, 2016. During this year, 57 cases were closed and released, and more than 390 complaints were received and assessed; of which, 48 new cases were opened.

In 2016, with the passing of House Bill 164, the 131st General Assembly and the governor took an important step in improving transparency in state government by passing new legislation concerning sealed records. Under previous statute, a person, convicted of a criminal offense uncovered by an investigation conducted by this office, could request a court to issue an order to seal records related to his or her conviction. Upon the court's issuance of such an order, the corresponding inspector general report of investigation related to the court's order could also be sealed, essentially removing all of the report's referrals and recommendations from both government and public review. The new statute still allows an eligible offender who is the subject of an investigation by the inspector general to seal records of his or her prosecution, but in addition it allows the Inspector General's Office to release for both government and public examination, the related report of investigation and subsequent recommendations and referrals.

As Inspector General, I am committed to investigating allegations of wrongful acts or omissions without bias or outside influence in a timely, thorough, and impartial manner. The Inspector General's Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who uphold the public trust.

Respectfully submitted,

Randall J. Meyer

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Mission and Responsibilities

Safeguarding Integrity in State Government

The Office of the Ohio Inspector General was established in 1988 by an Executive Order of the Governor. Through this executive order, the inspector general was charged with the authority to "… examine, investigate, and make recommendations with respect to the prevention and detection of wrongful acts and omissions in the Governor's Office and the agencies of state government… ." In 1990, the legislature passed Amended Substitute House Bill 588, which permanently established the position and the office of the Ohio Inspector General.

The jurisdiction of the Inspector General's Office is limited to the executive branch of state government. The inspector general is authorized by law to investigate alleged wrongful acts or omissions committed by state officers or employees. It extends to the governor, the governor's cabinet and staff, state agencies (as defined in Ohio Revised Code (ORC) §1.60), departments, and boards and commissions. The inspector general's jurisdiction includes state universities and state medical colleges, but does not include community colleges. The courts, the General Assembly, and the offices of the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General, and their respective state officers or employees are statutorily excluded from the jurisdiction of the Inspector General's Office. Likewise, the office has no authority to investigate allegations concerning any federal, county, municipal or other local officials, agencies, or governing bodies.

The inspector general's authority extends to:

- Receiving complaints alleging wrongful acts and omissions and determining whether there is reasonable cause to believe the alleged wrongful act or omission has been committed or is being committed by a state officer or employee; or any person who does business with the state.

- Investigating the management and operation of state agencies on the inspector general's initiative to determine whether wrongful acts and omissions have been committed or are being committed by state officers and employees.

Those individuals who contract with state agencies or who otherwise do business with the state may also fall under the purview of this office. The Inspector General's Office does not become involved in private disputes, labor/management issues, or litigation. The office does not review or override the decisions of a court or the findings of any administrative body. In order to begin an investigation, allegations of wrongdoing must specifically relate to wrongful acts or omissions committed by state officials or state agencies.

Similarly, the Inspector General's Office is not an advocate for either the state agency or the complainant in any particular case. The office's obligation is to ensure that the investigative process is conducted fully, fairly, and impartially. As independent fact finders, wrongdoing may or may not be found as the result of an investigation.

Conducting an Investigation

Complaint Process and Reports of Investigation

Anyone may file a complaint with the Inspector General's Office. At times, complaints are forwarded by other agencies or officials. Complaint forms can be downloaded from the Inspector General's website or are provided upon request. Complaints can be made anonymously; however, it may be difficult to verify the information provided or ask additional questions.

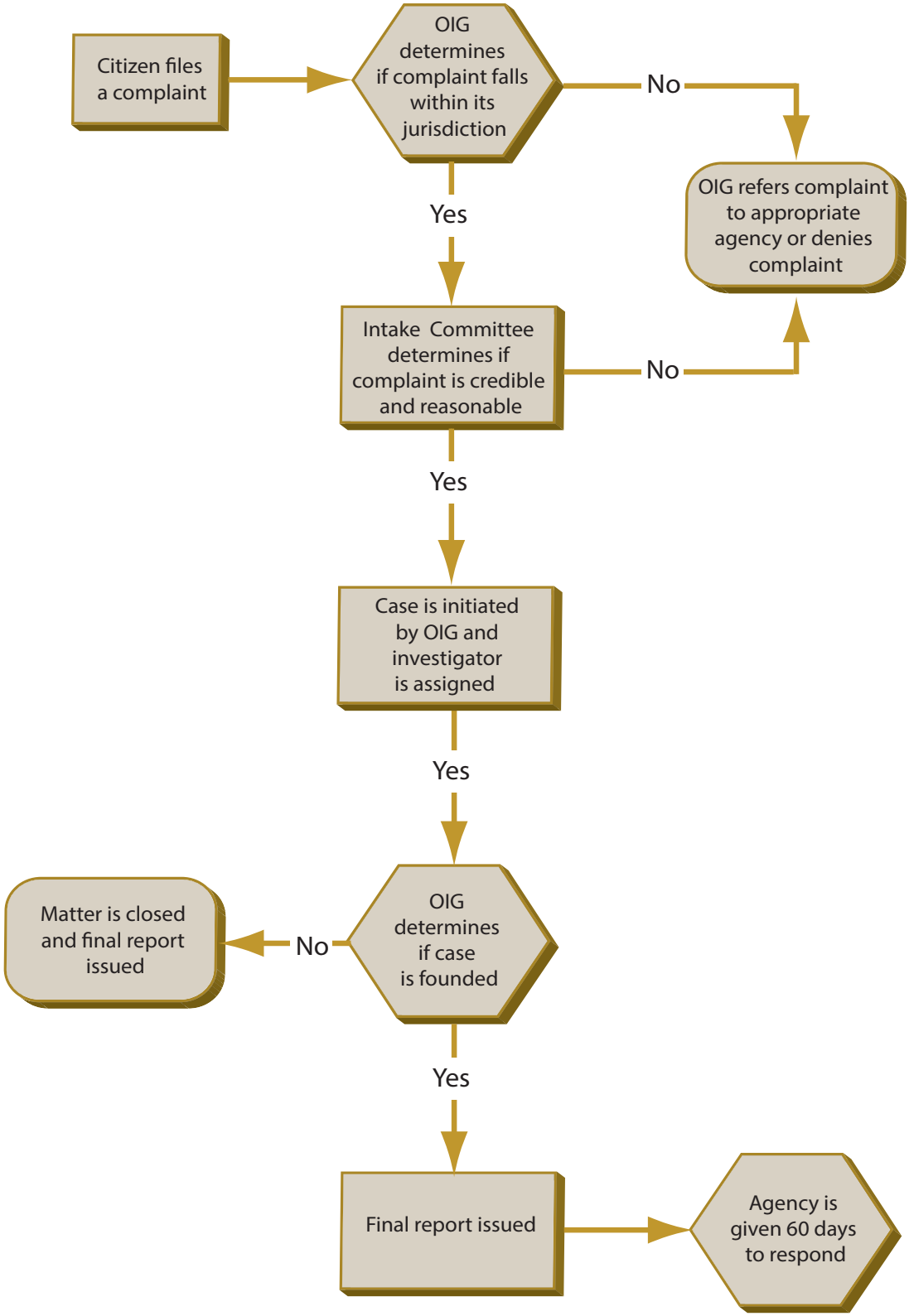
The inspector general may grant complainants or witnesses confidentiality. When appropriate, information received from complainants and witnesses may also be deemed "confidential." Confidentiality is appropriate when it is necessary to protect a witness. It is also appropriate in cases where the information and documentation provided during the course of an investigation would, if disclosed, compromise the integrity of the investigation or when considered confidential by operation of law.

The Inspector General's Office does not offer legal advice or opinions to complainants. In instances where it appears that a complainant is seeking legal assistance, or where it appears that another agency is better suited to address a complainant's issues, the office will advise the complainant to consult with private legal counsel or a more appropriate agency, organization, or resource.

Complaints received are reviewed by the intake committee. This committee consists of the inspector general, chief legal counsel, and case manager. A complaint offering credible allegations of wrongful acts or omissions that fall within the inspector general's jurisdiction is assigned to a deputy inspector general for investigation. Opened and ongoing investigations are generally not subject to public disclosure in order to safeguard the integrity of the investigative process. In instances where a complaint is unsubstantiated, or another agency is better suited to address a complainant's issues, the office will make every effort to direct him or her to a more appropriate agency, organization, or resource.

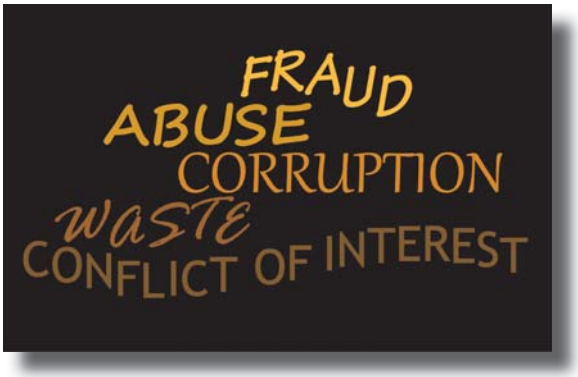
At the conclusion of an investigation by the Inspector General's Office, a report of investigation is completed and provided to the governor and the agency subject to investigation. The report may include recommendations for the agency to consider in addressing and avoiding the recurrence of fraud, waste, abuse, or corruption uncovered by the investigation. For each report where the Inspector General concludes there is reasonable cause to believe wrongful acts or omissions have occurred, the agency subject to the investigation is asked to respond back to the Ohio Inspector General within 60 days of the issuance of the report, detailing how the report's recommendations will be implemented. Although there is no enforcement mechanism to ensure items are addressed, the inspector general exercises his due diligence and follows up with the agency. When appropriate, a report of investigation may also be forwarded to a prosecuting authority for review to determine whether the underlying facts give rise to a criminal prosecution. Selected issued reports of investigation are posted on the Ohio Inspector General's website and all issued reports of investigation are available to the public upon request, unless otherwise noted by law.

Filing a Complaint



Types of Allegations

Complaints submitted to the Inspector General's Office may include a wide range of alleged wrongdoing and may include allegations of more than one type of misconduct committed by an entity or individual. As investigations proceed, new allegations of wrongdoing may come to light and other individuals or entities may become part of the investigation. Five types of wrongdoing that fall under the inspector general's jurisdiction are:



1. Fraud

An act, intentional or reckless, designed to mislead or deceive.

Examples:

- Fraudulent travel reimbursement
- Falsifying financial records to cover up a theft
- Intentionally misrepresenting the cost of goods or services
- Falsifying payroll information or other government records

2. Waste

A reckless or grossly negligent act that causes state funds to be spent in a manner that was not authorized or which represents significant inefficiency and needless expense.

Examples:

- Purchase of unneeded supplies or equipment
- Purchase of goods at inflated prices
- Failure to reuse major resources or reduce waste generation

3. Abuse

The intentional, wrongful, or improper use or destruction of state resources, or a seriously improper practice that does not involve prosecutable fraud.

Examples:

- Failure to report damage to state equipment or property
- Improper hiring practices
- Significant unauthorized time away from work
- Misuse of overtime or compensatory time
- Misuse of state money, equipment, or supplies

4. Corruption

An intentional act of fraud, waste or abuse, or the use of public office for personal, pecuniary gain for oneself or another.

Examples:

- Accepting kickbacks or other gifts or gratuities
- Bid rigging
- Contract steering

5. Conflict of Interest

A conflict of interest is a situation in which a person is in a position to exploit his or her professional capacity in some way for personal benefit.

Examples:

- Purchasing state goods from vendors who are controlled by or employ relatives
- Outside employment with vendors
- Using confidential information for personal profit or to assist outside organizations

2016 Statistical Summary

The Inspector General's Office received a total of 397 complaints in 2016. From 1990 through 2016, more than 7,770 complaints have been reviewed.

2016 Complaint Status

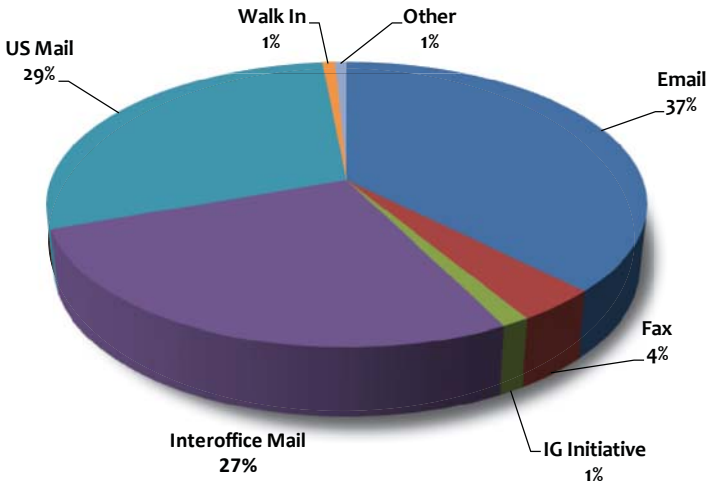
	GENERAL	ODOT	OBWC/IC	ALL
Cases Opened[1]	34	10	8	52
No Jurisdiction	98	0	1	99
Insufficient Cause	85	3	12	100
Referred	128	3	7	138
Pending[2]	7	1	0	8
Complaint Totals	352	17	28	397

[1] "Cases Opened" are the number of complaints that became open cases. Multiple complaints related to the same wrongdoing or omission may be merged into one open case. Although 48 cases were opened in 2016, they were derived from 52 different complaints.

[2] "Pending" are those complaints that require additional information before a determination can be made.

The following chart highlights the various methods in which complaints are received by the Inspector General's Office:

Methods in which Complaints were Received in 2016

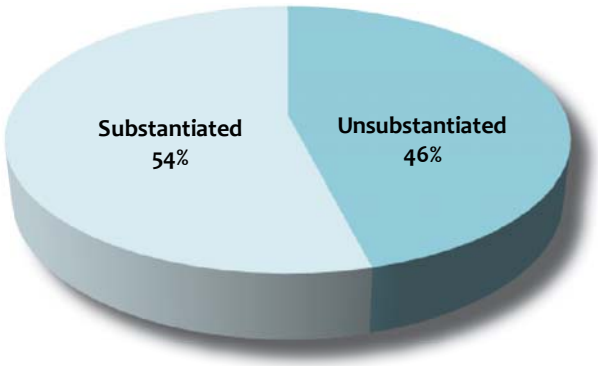


The Inspector General's Office closed 57 cases in 2016. The number of cases closed may reflect cases that were opened in previous years. The following chart summarizes the outcome of the cases closed during the period covered by the 2016 Annual Report:

Results of Cases Closed in 2016	
Total Recommendations Made to Agencies	**89 in 23 cases**
Total Referrals	**20 in 14 cases**
Total Criminal Charges	**4 in 3 cases**
Identified $ Loss	**$5,901,570.54 in 10 cases**

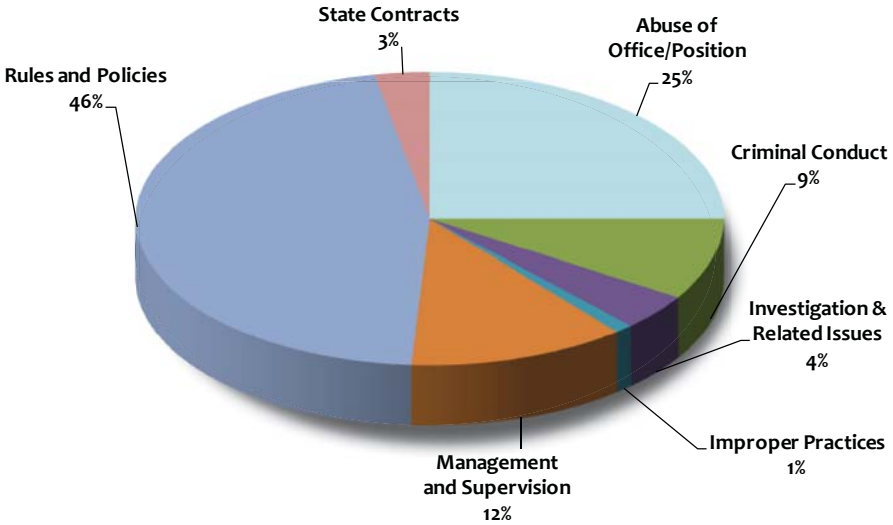
Of the 57 cases closed in 2016, the following chart designates the percentage of allegations in closed cases that were found to be substantiated versus those allegations that were found to be unsubstantiated.

Findings of Allegations for Cases Closed in 2016



The following chart highlights the types of wrongdoing alleged in cases closed in 2016. Cases investigated for violating rules and policies (46 percent) and abuse of office/position (25 percent) led the categories in the cases closed for 2016.

Substantiated Allegations by Type in 2016



General Area

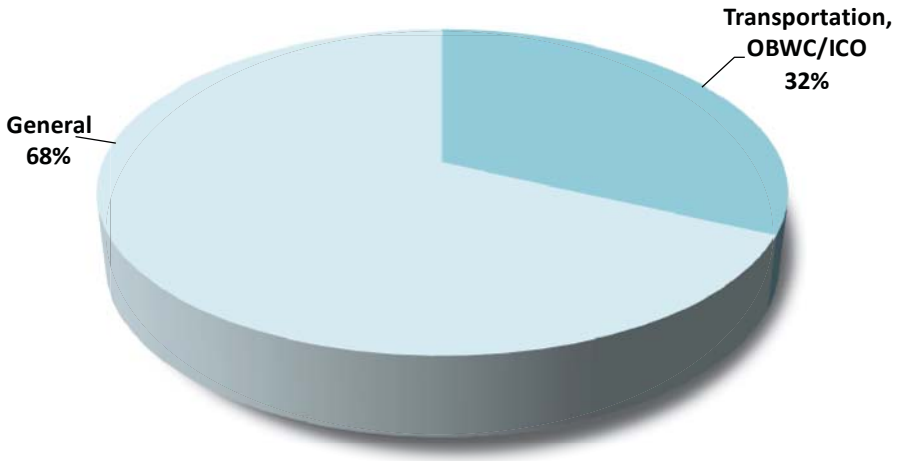
2016 Report

In order to efficiently investigate matters delegated to this office by statute, the Inspector General's Office divides its investigatory casework between three separate areas. Two of these areas, the Ohio Bureau of Workers' Compensation/Industrial Commission of Ohio, and Ohio Department of Transportation, have assigned deputy inspectors general. These designated positions were created by specific statutes in the Ohio Revised Code.

The third area, the General Area, is broad in scope and encompasses all the remaining state of Ohio departments and agencies under the purview of the Inspector General's Office. Deputy inspectors general who are assigned casework in the General Area are responsible for a wide range of Ohio government, including the departments of Natural Resources, Job and Family Services, Public Safety, and Rehabilitation and Correction, to name a few. Because of the extensive nature of the casework performed in the General Area, this area generates and reflects the largest amount of cases completed, or closed, by the office.

In 2016, there were 31 cases opened and 39 cases closed in the General Area of the Inspector General's Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.

2016 Cases Closed in the General Area



Summaries of Selected Cases - General

OHIO DEPARTMENT OF REHABILITATION & CORRECTION
FILE ID NO.: 2015-CA00015

The Ohio Department of Rehabilitation and Correction (ODRC) reported to the Inspector General's Office suspected wrongdoing by a number of Ohio Adult Parole Authority (APA) employees. ODRC alleged that the APA employees were responsible for detaining parolees under their supervision in corrections facilities beyond the APA timeframes prescribed to conduct parole violation hearings. When a parolee commits a violation of their parole, APA policy requires a parole violation hearing be conducted within 20 business days of "becoming available." During the course of its investigation, the Inspector General's Office reviewed the following four incidents:

Incident One
In January 2015, the registrar's office at the Summit County Jail discovered that an inmate had been held solely on an APA "order of hold" since he posted bond on November 10, 2014, following an arrest by the Akron Police Department for a weapons violation charge. From the date he posted bond, APA should have scheduled a parole violation hearing for the inmate. However, investigators determined that the inmate remained incarcerated and was not released from the Summit County Jail until January 6, 2015. APA's failure to meet the timeframe required for a parole violation hearing voided any action by the APA to revoke the parolee's parole or impose sanctions.

Incident Two
On November 3, 2014, Glouster police had responded to a call from a paroled inmate's grandfather who reported his grandson was using drugs, and the grandfather wanted him to leave the premises. Glouster police contacted the parolee's parole officer, who gave the Glouster police an order to arrest the parolee, who was then incarcerated in the Southeastern Ohio Regional Jail (SORJ). The parole officer then issued an order to hold the inmate in the SORJ for parole violations. On December 4, 2014, the Athens, Ohio, APA office notified the inmate's parole officer and other APA officials that the inmate had been in the SORJ on an APA "order of hold" since November 3, 2014, and had "become available" to APA for a parole violation hearing since that date. The inmate was released and told to report to APA on December 5, 2014.

Investigators determined that from November 3, 2014, APA should have scheduled a parole violation hearing for the inmate. APA's failure to meet this timeframe voided any action by the APA to revoke the parolee's parole or impose sanctions.

Incident Three
The Inspector General's Office received a complaint stating that a paroled inmate had been held in the Franklin County Jail beyond timeframes allowed by the Ohio Adult Parole Authority. Documents reviewed by investigators indicated that the paroled inmate had

failed to appear for an APA meeting scheduled in July 2014. Because the inmate was homeless and had no contact information, his whereabouts were unknown and he was declared a violator at large. On November 24, 2014, the paroled inmate was arrested by the Columbus Police Department on charges of Theft and Falsification. An APA "order of hold" was placed on the inmate to the Franklin County Jail. Investigators discovered the inmate "became available" for a parole violation hearing on December 19, 2014, and had remained in jail through January 2015 solely on the "order of hold" issued by the APA.

Incident Four
Investigators also reviewed an incident of a parolee who had been paroled from the state of Pennsylvania and his supervision was transferred to the Ohio Adult Parole Authority. In December 2014, the parolee was arrested by the Salem Ohio Police Department on a charge of Tampering with Evidence with a bond set at $25,000. In January 2015, the inmate's parole officer issued an "order of hold" on the inmate to the Columbiana County Jail. On March 6, 2015, the inmate would have "become available" to APA for his violation of parole hearing.

In April 2015, the Columbiana County Jail staff informed parole authorities that the inmate was being held solely on an APA "order of hold" for the Tampering with Evidence charge. On April 8, 2015, a parole officer submitted a release order for the inmate. Investigators determined APA failed to meet the March 6, 2015, timeframe for a parole violation hearing, voiding any action by the APA to revoke the parolee's parole or impose sanctions.

Outcome
The Inspector General's Office concluded that the Ohio APA, parole officers, and the supervisor involved in these incidents failed to follow established APA policies requiring the scheduling of hearings for parole violations within 20 business days of the parolee "becoming available" for a hearing and assure weekly in-custody status checks.

OHIO DEPTS. OF ADMINISTRATIVE SERVICES, EDUCATION, HEALTH, MENTAL HEALTH AND ADDICTION SERVICES, REHABILITATION AND CORRECTION, TRANSPORTATION, VETERANS SERVICES, YOUTH SERVICES, AND OHIO STATE BOARD OF PHARMACY
FILE ID NO.: 2015-CA00008

In March 2015, the Inspector General's Office received a complaint from the Office of the Ohio Governor alleging eight state agencies and one state board failed to comply with Ohio Revised Code §124.134 (C), which states, in part, that "… no employee shall receive payment for more than eighty-hours of denied vacation leave in a single fiscal year." Specifically, the complaint alleged that over several years, a number of employees of these agencies received denied vacation leave payments in excess of the 80-hour limit allowed per fiscal year.

Two other agencies were also listed in the complaint provided by the governor's office – the Ohio Board of Nursing and the Ohio Legislative Services Commission. Due to the amount of hours allegedly overpaid by the

Ohio Revised Code §124.134 (C): " … no employee shall receive payment for more than eighty-hours of denied vacation leave in a single fiscal year."

Ohio Board of Nursing, the Inspector General's Office opened a separate investigation, and issued Report of Investigation 2015-CA00007 on October 14, 2015. The Ohio Legislative Services Commission is not under the jurisdiction of the Inspector General's Office and was referred to the Ohio Joint Legislative Ethics Committee for review.

The Inspector General's Office reviewed timesheets, requests for leave, payroll and leave policies and procedures for 18 individuals from the agencies listed in the complaint. Also obtained were state payroll records to identify when the denied vacation leave payments were made and the amount paid to each employee.

In meetings with the agencies' officials, only a few were aware of the 80-hour limit, per employee, per fiscal year. Most were not aware of the provision in the Ohio Revised Code. Those who were aware had instituted some controls; however, these controls did not work effectively and did not prevent improper payments from occurring. A review by investigators of communications, directives, and policies issued by the Ohio Department of Administrative Services found no mention on the processing of denied vacation leave or of the 80-hour payout limit per fiscal year.

The following amounts are the total overpayments identified by investigators for each agency reviewed:

Agency	Amount
Administrative Services, Ohio Department of	$ 3,154.40
Education, Ohio Department of	6,492.48
Health, Ohio Department of	6,310.40
Mental Health and Addiction Services, Ohio Department of	11,454.96
Pharmacy, Ohio State Board of	1,986.80
Transportation, Ohio Department of	89.82
Veterans Services, Ohio Department of	6,860.80
Youth Services, Ohio Department of	11,310.24
TOTAL	**$47,659.90**

Investigators noted most agencies were able to provide documentation or explanations regarding the denied vacation leave payments issued to their employees. However, Twin Valley Behavioral Healthcare Hospital, one of the Ohio Department of Mental Health and Addiction Services' (OhioMHAS) psychiatric hospitals, was unable to provide documentation or provide an explanation for the numerous issues identified with their processing of denied vacation leave payments. When questioned by investigators, OhioMHAS officials explained each institution develops its own policies and procedures, and noted that each institution processes payroll with minimal oversight by the central office.

The Inspector General's Office made recommendations to the Ohio Department of Administrative Services to develop a statewide policy to govern the processing and payment of denied vacation leave. The Inspector General's Office also made recommendations to the Ohio Department of Mental Health and Addiction Services to review the policies,

procedures, and the processing of payroll by Twin Valley Behavioral Healthcare Hospital and other OhioMHAS state psychiatric hospitals to ensure compliance with state laws and regulations.

OHIO DEPARTMENT OF NATURAL RESOURCES
FILE ID NO.: 2014-CA00063

The Inspector General's Office received notification from the Ohio Department of Natural Resources (ODNR) alleging employee Victor Ricks, former park manager 6, was suspected of multiple instances of misconduct, including: unauthorized use of state-issued vehicle, claiming pay for hours not worked, hotel stays for non-business purposes, and conducting personal business during times he was being paid to work for the state. ODNR officials stated they believed Ricks was driving his state-issued vehicle to conduct his secondary employment, providing security for The Lancaster Festival, Inc. (Lancaster Festival). ODNR also alleged Ricks knowingly signed his name to inaccurate timesheets and other documents, and that he had stayed at least four nights in hotels during non-business related trips that were billed directly to the state.

Secondary Employment
The Inspector General's Office requested from the Lancaster Festival all records related to security for the festival. A review of those records revealed that, along with Ricks, several other ODNR employees were employed as security personnel for the Lancaster Festival in 2013 and 2014. Ricks' attorney told investigators that Ricks contracted for several years to provide security for the Lancaster Festival and that the individuals who reported to Ricks were also contractors who each received an IRS Form 1099 each year from the Lancaster Festival. According to Ricks' attorney, Ricks did not have any business records in his possession, and Ricks collected the information regarding the work of these contractors and forwarded it to the Lancaster Festival for payment.

Records obtained from ODNR revealed that neither Ricks, nor any of the other ODNR employees working in security at the Lancaster Festival, had submitted a secondary employment form in 2013 requesting approval from ODNR. In 2014, only three of the ODNR employees who had worked the Lancaster Festival submitted a secondary employment form to ODNR.

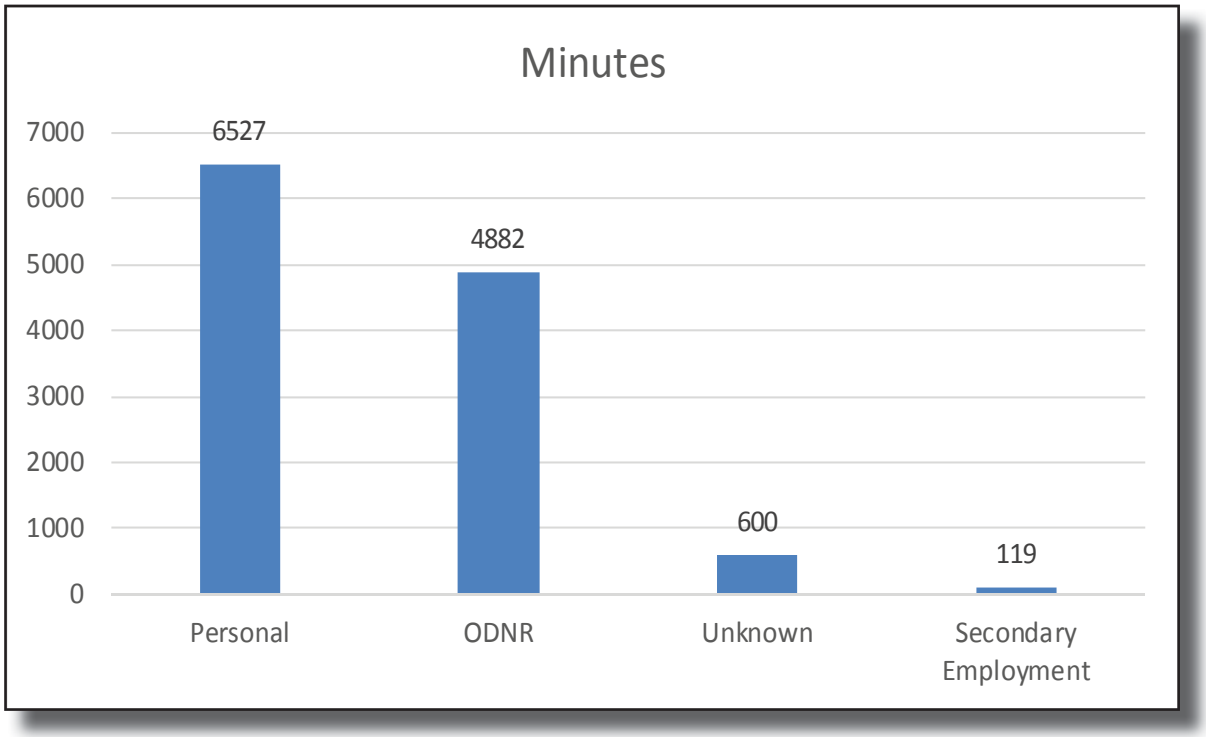
Ricks' State-Issued Vehicle
ODNR officials reported to the Inspector General's Office that they had placed a GPS device on Rick's assigned state-issued vehicle. From data collected from this device, investigators determined that between July 10, 2014, and September 7, 2014, Ricks drove his state-issued vehicle more than 1,100 miles for what was determined as personal use. Ricks' personal mileage included, but was not limited to: several trips to his

fiancé's house; trips to Lancaster, Ohio for his personal security business; and a trip to northern Ohio for his high school class reunion. Ricks admitted to investigators that he used his state-issued vehicle to travel to Lancaster, Ohio, to attend meetings related to security services he provided at the Lancaster Festival, as well as for other personal use.

Ricks' Email Account
From a review of Ricks' state email account, the investigation found numerous email communications related to Ricks' security guard services with the Lancaster Festival and numerous personal email communications. During an interview with investigators, Ricks admitted to using his state email account for personal business. Ricks also acknowledged using his state email account to communicate with his fiancé. Ricks admitted using his state email address at many retail establishments, stating it dated back to when he was assigned to the "district" and he would shop at stores.

Ricks' State-Issued Cell Phone
The investigation determined Ricks used his state-issued cell phone for personal use, including for his secondary employment with the Lancaster Festival. Investigators identified 6,527 minutes of personal use, and 119 minutes conducting business concerning his secondary employment with the Lancaster Festival from April 16, 2014, to September 16, 2014.

Ricks' cell phone usage from April 16, 2014, to September 16, 2014



During an interview with investigators, Ricks admitted to using a state-issued cell phone for personal use and for conducting business concerning his secondary employment with the Lancaster Festival, agreeing that the personal usage was excessive.

Victor Ricks retired effective October 1, 2014.

A copy of this report of investigation was provided to the Franklin County Prosecuting Attorney, the Columbus City Attorney, and the Ohio Department of Public Safety Private Investigator Security Guard Services.

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION
FILE ID NO.: 2014-CA00056

In August 2014, the Inspector General's Office was contacted to assist with an on-going investigation by the U.S. Department of Education Office of Inspector General (USDOE-OIG). The USDOE-OIG identified applications for federal student aid that used the identities of individuals incarcerated by the Ohio Department of Rehabilitation and Correction (ODRC). USDOE-OIG requested assistance from the Inspector General's Office in determining how the identities of the inmates could have been used to submit a Free Application for Federal Student Aid (FAFSA) and if any ODRC employees were involved in the scheme. The USDOE-OIG provided the Inspector General's Office with 713 FAFSA applications for federal student aid suspected of being fraudulent.

From the 713 applications reviewed, investigators identified 62 ODRC inmate identities that were used to successfully apply for and receive disbursements from the USDOE totaling $422,523.50.

Investigators determined that the probable source of the confidential personal information used in the fraudulent FAFSA applications was the ODRC tracking system which displayed the inmate's Social Security number, date of birth, and other personal identifying information. ODRC officials stated that any employee with a valid account within the ODRC tracking system could access any inmate record.

The Inspector General's Office requested both the access control logs required by Ohio Revised Code §1347.04 with respect to confidential personal information, and the IT policies of the Ohio Department of Administrative Services (ODAS) in order to determine which of the system users had accessed the specific inmate identities used to apply for student aid. However, the legal requirements for handling confidential personal information found in Ohio Revised Code §1347.15 specifically exempts ODRC from maintaining a system log which would have provided an audit trail showing who had accessed specific confidential personal information. The lack of this auditable access log prohibited investigators from determining the nature of the breach of inmates' confidential personal information.

Despite being exempted from the statutory requirements of the Ohio Revised Code, ODRC is required to follow the statewide policies of ODAS in maintaining IT security. The Inspector General's Office determined that the controls recommended and incorporated into State of Ohio policies were not implemented by ODRC during the time period the inmate identities were used to fraudulently apply for student aid.

On July 1, 2015, while this investigation was ongoing, the Inspector General's Office worked proactively with ODAS to develop and institute new information security policies, IT-13 and IT-14. ODAS Policy IT-13 *Data Classification* requires all state agencies, including ODRC, to classify all data it maintains into data classifications regarding the level of confidentiality of stored information. IT-13 also requires state agencies to adopt data access guidelines for each of the classifications. ODAS Policy IT-14 *Data Encryption and Securing Sensitive Data* requires all state agencies to utilize state-approved encryption systems and to ensure the security and integrity of each information system. ODRC is working with ODAS to develop the required policies and procedures under these new state policies.

OHIO STATE DENTAL BOARD
FILE ID NO: 2016-CA00016

The Inspector General's Office opened an investigation regarding a complaint from the Ohio State Dental Board concerning former Executive Director Lili Reitz and a former board member. According to the allegations, a voicemail complaint was received by the dental board that provided information regarding the former board member. The person who left the voicemail message with the dental board did not leave their name or contact number.

The dental board alleged Reitz provided confidential information (CI) related to the anonymous voicemail complaint to the former board member who was also the subject of the complaint. During the course of the investigation, emails showed that Reitz directed a dental board employee to determine the source of the complaint received. Upon learning the caller's supposed name, the employee forwarded the information to Reitz and she forwarded the CI to the former board member. Later, the employee learned the original information he provided Reitz was incorrect, and after further research, identified the actual person associated with that number. Reitz then forwarded that CI to the former board member.

Investigators later discovered that the former board member provided the CI for both the misidentified individual and the actual complainant to his attorney, who in turn contacted them and threatened legal action. The dental board confirmed Reitz did not open a formal investigation into the anonymous caller's allegations nor was it documented in any official board records.

The report of investigation was provided to the Columbus City Attorney's Office. Reitz was charged with an ethics violation on November 3, 2016, and on January 18, 2017, pled guilty to a misdemeanor charge in Franklin County.

OHIO DEPARTMENT OF NATURAL RESOURCES
FILE ID NO: 2015-CA00032

The Inspector General's Office conducted an extensive review of the processing of oil and gas well permits by the Ohio Department of Natural Resources Division of Oil and Gas Resources Management (DOGRM). This review was initiated because of concerns expressed by the Office of Budget and Management Office of Internal Audit after their internal audit of DOGRM.

The Inspector General's Office noted several irregularities on the part of DOGRM as a result of this review. Changes to oil and gas well permit applications were being made by DOGRM without notifying the applicants. Oil and gas well permit applicants were not being notified of potential overpayments or underpayments. Changes were made to payments from permit holders in the DOGRM data management system with no explanation provided. In addition, oil and gas well permit applications were not being processed within the timeframe outlined in the Ohio Revised Code.

Among other irregularities, oil and gas well permit applicants were not being notified by DOGRM of potential overpayments or underpayments.

Officials at ODNR stated the reason applications were not processed within the timeframe, especially those where an expedited review was requested, was due to incomplete or incorrect information provided by the applicants. This appeared to be an ongoing issue, as more than 65 percent of the permits reviewed by investigators were processed outside of the seven-day time period allowed. Investigators determined the average length of time DOGRM took to process an expedited request was 15 days. Throughout this review, the Inspector General's Office found a lack of communication between DOGRM and permit holders and applicants, who consistently made the same errors on their documentation.

The Inspector General's Office recommended the Ohio Department of Natural Resources further review the payments that were not listed in the database used to track well permits and ensure the appropriate permits were issued; notify applicants in writing the reason why a permit is being issued for a well type different than what was originally applied for; review potential overpayments and determine if the oil well applicants are owed refunds; and create a system to track credits owed to permit holders.

The Office of the Ohio Inspector General also recommended ODNR review potential underpayments and determine if well applicants owe DOGRM additional fees; and communicate with permit holders about consistent issues they may be having regarding missing or incomplete documentation to ensure permits are being processed within the Ohio Revised Code required timeframes.

OHIO ADJUTANT GENERAL'S DEPARTMENT
FILE ID NO.: 2015-CA00023

In April 2015, the Inspector General's Office opened an investigation, in conjunction with the Ohio Adjutant General's Department (OAGD), to survey armory boards and the Army and Air National Guard units to obtain an understanding of the internal control system in place to ensure that funds received by these entities were deposited and expended in accordance with the accounts' guidelines and OAGD regulations.

In order to determine whether the Ohio Adjutant General's Department had adequate policies and procedures in place to ensure funds collected or received by Army National Guard units, Air National Guard units, and the local armory boards, the Inspector General's Office developed a survey to be completed by each of the units and armory boards maintaining appropriated and non-appropriated funds. The survey contained a list of questions about how these funds are safeguarded; who had the ability to deposit, issue checks, make transfers, and reconcile the bank accounts holding these funds; the financial records maintained to support the accounts activities; and descriptions of management oversight of these funds. At the end of the survey, the units and armory boards were asked to provide bank statements, documentation supporting deposits received and expenditures made, audit reports, bank account reconciliations, and existing written policies and procedures governing the accounts for further review.

On December 18, 2015, the OAGD provided to the Inspector General's Office the survey responses received from a majority of the armory boards and units. Investigators determined the records received from the OAGD provided a sample of the internal control systems implemented by the majority of the armory boards and units.

Investigators evaluated the survey responses and identified 32 unit and armory board bank accounts and accounts containing non-appropriated funds as of June 30, 2015. Investigators noted that some of the units with these accounts were not authorized to have an account under certain regulations. In addition, the records submitted by the OAGD contained supporting documents for several of the units and armory boards for further review. Documents included but were not limited to, copies of bank statements, activity ledgers, receipt and payment vouchers, invoices, vendor receipts, rental agreements, checks deposited, annual financial reports, and annual audit reports.

Investigators evaluated each armory board and unit response to determine whether internal control weaknesses existed, which could result in improper use or theft of unit and armory board funds. Investigators identified several significant internal control weaknesses during this review and issued recommendations to the OAGD to reduce the likelihood of theft, fraud, and misappropriation of armory board and unit funds. In July 2016, the Inspector General's Office met with representatives from the Ohio Adjutant General's

Department to discuss the results of the investigation and the recommendations made to the department. The OAGD representatives explained they had been in the process of revising the department's regulations and believed they had incorporated many of the recommendations discussed during this meeting. In response to the OAGD representatives' request, the Inspector General's Office reviewed the revised policy and provided feedback on areas where internal control weaknesses still existed.

OHIO DEPARTMENT OF AGRICULTURE
FILE ID NO.: 2014-CA00051

The Inspector General's Office opened an investigation in response to a complaint from Donald Mills, a former human resources manager at the Ohio Department of Agriculture (ODAGR), alleging Traci Orahood, director of human resources at ODAGR, manipulated the competitive hiring process in order to employ Senior Analyst Nalicia Geist in the human resources division of ODAGR.

Orahood and Geist had worked together prior to Geist being hired as an analyst in human resources at ODAGR in August 2013. Geist stated to investigators during an interview that Orahood informed her of an open position at ODAGR and encouraged her to apply. However, Orahood told investigators that she had only made a "general statement" to Geist about the position available at ODAGR in the human resources department. ODAGR received 125 employment applications for the analyst position. According to the scoring sheets provided by ODAGR, investigators found that Geist was offered the position because the interview panel, including Orahood, felt she would be a better fit for the human resources team, even though she was not the highest scoring candidate. The Inspector General's Office found reasonable cause to believe that an appearance of impropriety occurred in this instance.

The complainant, Donald Mills, was employed in the human resources department at ODAGR since August 2006. Although Mills had received no prior discipline since beginning his employment in the human resources department in 2006, he did receive several disciplines from Orahood in 2014 for poor performance. Mills filed EEO complaints for discrimination after each discipline. There was no evidence found to support the EEO claims. On November 3, 2014, the Ohio Department of Agriculture notified Mills that the civil service status of his position had been changed from "classified" to "unclassified," at the request of Orahood and the department. Four days later, on November 7, 2014, ODAGR notified Mills that he was being terminated.

The investigation found that Orahood altered the position description that Mills had signed and dated prior to submitting the request to change Mills' civil service status

from "classified" to "unclassified." In this instance, the Inspector General's Office found reasonable cause to believe that an appearance of impropriety occurred.

In response to Mills' termination from ODAGR, Mills filed an appeal with the State Personnel Board of Review (SPBR) on November 13, 2014. As a result of the appeal, Mills and ODAGR entered into a settlement agreement on July 27, 2015.

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION
FILE ID NO: 2015-CA00042

The Inspector General's Office opened an investigation after Ohio Department of Rehabilitation and Correction (ODRC) officials reported that Parole Services Supervisor Jeff Ervin, an employee of the Adult Parole Authority in Youngstown, requested permission to use a USB drive to transfer personal information from his state-assigned computer. Ervin specifically cited a PowerPoint presentation he had used for a class he taught at Youngstown State University (YSU). ODRC suspected Ervin was misusing state-issued computer equipment for his outside employment business and activities unrelated to ODRC. ODRC noted further that Ervin did not have a current approved secondary employment authorization on file for his employment with YSU.

Investigators conducted a forensic analysis of the hard drives from the ODRC computers issued to Jeffrey Ervin. Investigators found saved on the hard drives over 151 PowerPoint presentations not related to Ervin's work at the Adult Parole Authority.

Investigators then conducted a review of the email box of Ervin from July 19, 2010, to August 17, 2015. This review revealed that Ervin used his State of Ohio email account to correspond with YSU staff and students, and 108 email messages were found to be sent to or received from the YSU domain. Ervin's correspondence with YSU staff and students dealt with issues such as which books would be used for the class Ervin was teaching, ordering books, change of grade form, class attendance, class assignments, academic status of students, and submitting the syllabus for the fall 2014 class.

The ODRC *Outside Employment* policy requires employees seeking outside employment to submit an *Outside Employment Request* form to ODRC authorities, and approval of outside employment remains valid only for the outside employment position, work duties, and work schedule described in the request. Another condition of outside employment is that ODRC employees are prohibited from using any state equipment, supplies, computer software or computer systems to perform outside employment duties.

Ervin admitted to investigators that he did not have proper outside employment authorization to teach at YSU during 2014 and fall semester of 2015. He acknowledged

using state equipment and computer systems, as well as the use of ODRC email, to conduct personal business, including his YSU employment. Ervin also admitted to using his State of Ohio email to send files and PowerPoint presentations from his state computer to his personal email account. An administrative review at ODRC of Ervin's actions continues at the time of this report.

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES
FILE ID NO: 2015-CA00018

In April of 2015, the Inspector General received a referral from the Ohio Department of Transportation (ODOT) regarding the possibility that employees who were exempt from receiving overtime pay may have been improperly paid overtime compensation in violation of Ohio Revised Code. Upon reviewing the ODOT complaint, the Inspector General opened an investigation on April 20, 2015 (See Ohio Department of Transportation File ID No: 2015-00017). The Inspector General's Office then opened the following investigation on April 21, 2015, to determine if other state agencies might also be in violation of the same statute. The Inspector General requested from the Ohio Department of Administrative Services (ODAS) all submitted and approved policies from state agencies regarding the payment of overtime to overtime exempt employees, pursuant to Ohio Revised Code §124.18(A). Investigators also requested a list of all overtime exempt employees who received overtime pay from July 2010 to July 2015. A review of the information by investigators determined 23 state agencies had paid overtime exempt employees overtime pay.

Twenty state agencies were found to either be in compliance with state and agency policies, or to be outside the jurisdiction of the Inspector General:

- Five agencies were outside the jurisdiction of the Inspector General, and were excluded from analysis;
- Two agencies had approved plans with no overtime payment issues noted;
- Four agencies identified and corrected overtime payment errors prior to the Inspector General analysis; and
- Nine agencies provided evidence that the overtime payments were appropriate even without approved ODAS plans.

Three of the 23 state agencies were unable to provide information showing they had paid overtime in compliance with state or agency policies.

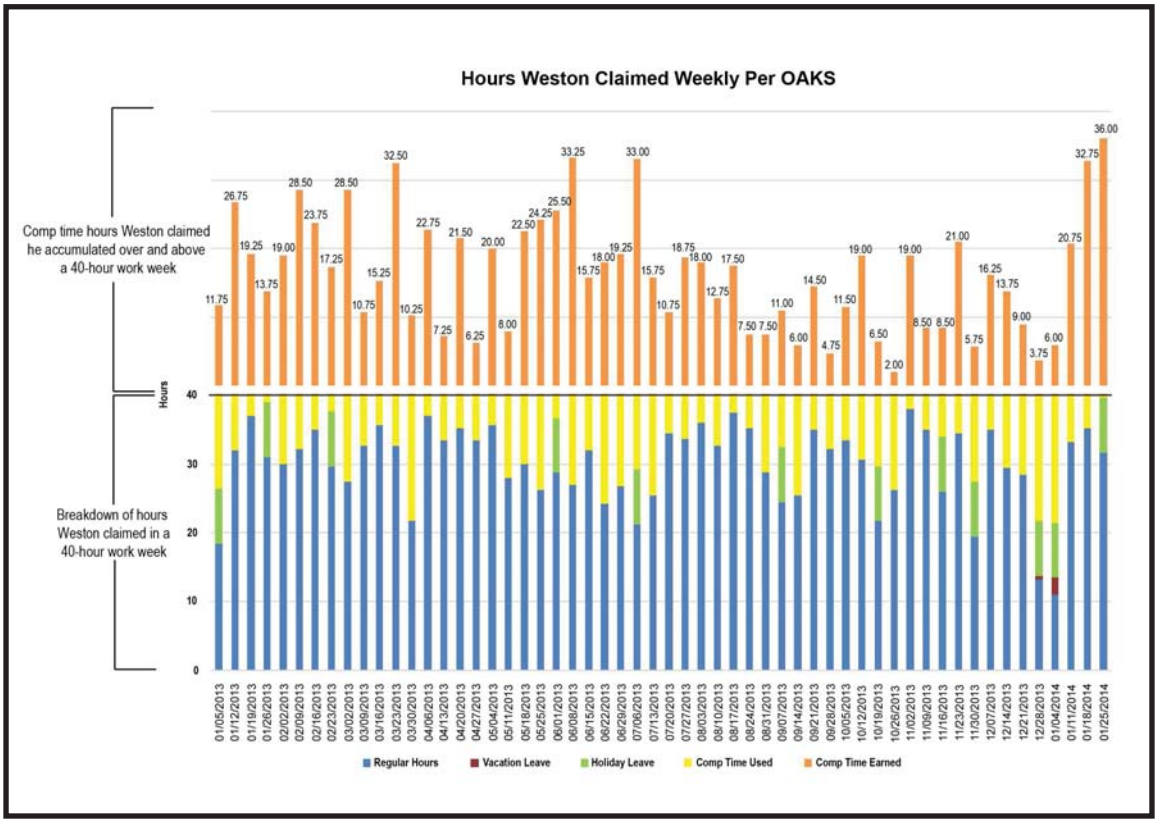
- The Ohio Department of Commerce and the Ohio Department of Youth Services both had approved overtime plans but paid overtime exempt employees overtime pay outside of those plans, and could provide no evidence that the payments were appropriate.
- The Ohio Department of Transportation overtime payment issue was investigated separately. See **FILE ID NO.: 2015-CA00017** on page 29 of this report.

The Inspector General recommended that ODAS ensure that agencies, institutions, boards, and commissions are aware of the policy requiring ODAS to approve all written plans to extend overtime pay to overtime exempt employees. The Inspector General also recommended that ODAS create restrictions in the state payroll system limiting the use of overtime codes exclusively to those outlined in the approved plans.

OHIO CONSUMERS' COUNSEL
FILE ID NO.: 2014-CA00014

The Inspector General's Office conducted an investigation in response to a complaint alleging that Ohio Consumers' Counsel (OCC) Bruce Weston was rarely in his office and his marked absence had been occurring since 2005. The complaint further alleged that Weston often reported working from home or another location outside the office, and that Weston reported working irregular hours, such as midnight to 3:00 a.m. or 11:00 p.m. to 2:00 a.m.

The Inspector General's Office reviewed Weston's time reporting from January 1, 2013, to January 25, 2014, and determined that Weston had conducted much of his work while teleworking from locations outside his office. Investigators found that Weston regularly reported working hours in the middle of the night, and would both earn and use compensatory time during the same 24-hour period. Of the 28 pay periods reviewed, investigators found 12 pay periods in which Weston's paper timesheet submitted for signature to the OCC director of operations did not match the work time Weston entered into OAKS, the state's electronic time reporting system. On numerous occasions, Weston reported earning compensatory time on the first Sunday of a new pay period, before reporting 40 hours of active pay.



The majority of current OCC employees refused to be interviewed; however, several former OCC employees stated to investigators that Weston worked around-the-clock, whether it was in the office, at home, or at the statehouse. Those interviewed said that Weston's absence from the office did not inhibit his ability to manage the office, because he would forward his office phone to his cell phone, and was always checking and responding to email communication.

The OCC has a teleworking policy which requires employees to sign a teleworking agreement and obtain pre-approval from their supervisor prior to actually teleworking. Weston signed a teleworking agreement in 2008, while serving as deputy consumers' counsel. Weston noted that the Consumers' Counsel governing board did not oversee his day-to-day activities, and that in his position there was no one appointed as his supervisor to approve his teleworking.

The Ohio Department of Administrative Services' (ODAS) time and attendance policy dated February 5, 2008, requires that all agencies submit proposed teleworking policies to ODAS for its approval prior to adopting or utilizing teleworking. ODAS confirmed that OCC had not submitted its teleworking policy for approval, and therefore, was in violation of the ODAS time and attendance policy.

... all agencies are required to submit proposed teleworking policies to ODAS for its approval prior to adopting or utilizing teleworking.

The investigation further found that Weston had reported compensatory time earned for work conducted at home. OCC's compensatory/overtime policy and procedure allows for compensatory time to be accrued for any work completed while conducting agency business regardless of the location where such work is performed; however, that policy is in direct conflict with an ODAS directive stating that no compensatory time can accrue during an employee's lunch hour or for work completed at home.

The Inspector General's Office recommended that OCC revise existing compensatory/overtime policy to conform with Ohio Administrative Code and ODAS directives; and revise existing OCC teleworking policy to state overtime pay may only be earned or compensation time accrued after an employee is in active pay status in excess of 40 hours in a calendar week.

OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
FILE ID NO.: 2015-CA00045

In August 2015, the Inspector General's Office opened an investigation into an allegation from the Ohio Department of Job and Family Services (ODJFS) that Disabled Veterans Outreach Specialist Robert Lucks was "… suspected of using his position to defraud the G-RAP [Guard Recruiting Assistance Program] and received $21,000 in bonuses he was not entitled to

between 2008 and 2011." Lucks had allegedly nominated 77 individuals to become soldiers and received bonuses for 12 nominated potential soldiers.

Investigators discovered that Lucks nominated potential soldiers for G-RAP who were also ODJFS or OhioMeansJobs customers and had visited the OhioMeansJobs New Philadelphia location the same day or a few weeks prior to their nominations. Investigators also learned that 10 potential soldiers interviewed by the United States Army Criminal Investigation Command were unaware they had been nominated for G-RAP by Lucks, had not given Lucks permission to use their personal identifying information for G-RAP purposes, and were not informed by Lucks that he would receive a bonus for their nomination.

rotc.appstate.edu

The Inspector General's Office and the U.S. Army Criminal Investigation Command interviewed Robert Lucks, who told investigators he applied for and became a G-RAP recruiting assistant after he was hired by ODJFS and that he did not consider his G-RAP position as outside employment. Lucks indicated that he met the "vast majority" of the potential soldiers that he nominated while working for ODJFS. Additionally, Lucks admitted to investigators that he had obtained potential soldiers' personal identifying information while working for ODJFS and used the information to nominate the potential soldiers for G-RAP to earn bonuses. Investigators determined that $21,000 in federally-funded G-RAP bonuses was electronically deposited into Lucks' personal bank account.

In addition, the Inspector General's Office determined Lucks violated ODJFS Standards of Employee Conduct which provides that ODJFS resources are to be used for official purposes only. Investigators found that Lucks had used his ODJFS computer to access the G-RAP website in 448 instances during his scheduled work day and an additional 26 instances during his scheduled flex-time lunch period. Lucks also used an ODJFS computer to access the G-RAP website in 261 instances to nominate a potential soldier for G-RAP or update his recruiting assistant notes. The investigation also determined that Lucks violated ODJFS' Outside Employment Policy by failing to submit a notification form or notify his supervisors in order to obtain pre-approval of his outside employment as a recruiting assistant.

On October 23, 2015, the Inspector General's Office was notified by ODJFS representatives that Lucks had tendered his resignation, effective at the close of business on October 30, 2015. On April 18, 2016, the Northern District of Ohio United States Attorney's Office filed a criminal charge against Robert Lucks for one count of Theft of Governmental Funds. Lucks pled guilty on May 5, 2016, and voluntarily agreed to repay the $21,000 of bonuses received.

Lucks was sentenced to three years' probation, 100 hours of community service, and directed to continue making payments ... to reimburse the G-RAP program $21,000.

On August 26, 2016, Lucks was sentenced to three years' probation, 100 hours of community service, and directed to continue making payments in accordance with the payment plan to reimburse the G-RAP program $21,000.

OHIO DEPARTMENT OF COMMERCE
FILE ID NO.: 2015-CA00037

In July of 2015, the Inspector General's Office received information from the Ohio Department of Commerce (ODC) alleging one of its employees, a consumer finance examiner, improperly made purchases from a northeast Ohio pawn shop during the time she was conducting an examination of the pawn shop.

During the course of its investigation, the Inspector General's Office determined that the ODC consumer finance examiner made purchases totaling $294.04 from the pawn shop while she was conducting an examination of the shop from April 15, 2015, through April 17, 2015. Although prices at pawn shops are negotiable, according to the pawn shop owner, the examiner paid the same price as any other customer would have paid for the items she purchased.

The complaint also stated that the consumer finance examiner had informed the pawn shop owner that he was charging customers too much interest for their pawn loans. After the shop owner voiced concerns to the examiner about the refunds she had instructed him to issue back to the customers, the consumer finance examiner provided the owner of the pawn shop with the name of a prospective buyer. Investigators determined from their interviews that there was no business relationship between the consumer finance examiner and the prospective buyer of the pawn shop.

Ohio Department of Commerce ethics policy does not prohibit employees from making purchases from the pawn shops they are assigned to examine or making those purchases during the examinations. Though no policy was in place prohibiting consumer finance examiners from making purchases from the pawn shops they are assigned to examine, the Inspector General's Office found that the nature of the action was questionable, as consumer finance examiners are in a position to influence the decision as to whether or not a pawn shop may or may not continue to operate; particularly when the purchases are made during the course of an examination. Based on a recommendation made by the Inspector General's Office, the Ohio Department of Commerce created a policy governing purchases made by employees from pawnshops they are assigned to examine.

OHIO DEPARTMENT OF VETERANS SERVICES
FILE ID NO.: 2014-CA00049

The Inspector General's Office opened an investigation after the Ohio Department of Veterans Services (ODVS) alleged that doctors employed or contracted by the Ohio Veterans Homes (OVH) had a conflict of interest because they were serving both as physicians to OVH and were employed as medical directors by Stein Hospice, a hospice care service

provider under contract with OVH. ODVS also expressed concern Stein Hospice appeared to be operating free of charge out of an unused wing of the veterans' home located in Georgetown, without a lease agreement or payment of rent and other fees. ODVS further raised issue with the relationship between the Ohio Veterans Homes and Stein Hospice, specifically targeting three areas of greatest concern:

- Possible federal anti-kickback violations including self-dealing and false claims violations;
- Failure to delineate responsibilities between Stein Hospice and the Ohio Veterans Homes, in possible violation of federal regulations;
- Possible violation of patients' and beneficiaries' right of provider choice.

Georgetown Veterans Home
http://dvs.ohio.gov/VETERANS_HOMES/Georgetown_Home

Based on the requirements of the Affordable Healthcare Act, the Ohio Veterans Homes hired a compliance officer and conducted an in-depth compliance review. The results of that review found the possibility of multiple violations of both federal law and state ethics laws.

The Inspector General's Office found that two of the physicians at the Ohio Veterans Homes held dual contracts with the state of Ohio, as both employees of the state and also as independent contractors for providing the same services to the Ohio Veterans Homes. Investigators reviewed a staff advisory opinion from the Ohio Ethics Commission (OEC) which outlined how these doctors could be both employed by the state and have an interest in a state contract as an independent contractor, and found that the relationship between the Ohio Veterans Homes and the two doctors did not meet the specifications set forth in the OEC staff advisory opinion.

The Inspector General's Office further found that Stein Hospice, a private medical provider, was being supplied with operational space without a lease contract, in violation of state policy. Stein Hospice, a private medical provider, was also supplied with state resources and equipment free of charge. This misuse of state resources and equipment was for the financial benefit of Stein Hospice.

The Inspector General's Office recommended that the Ohio Department of Veterans Services re-evaluate the dual employment/contractor status of the two doctors mentioned above, and bring the relationship into compliance with the Ohio Ethics Commission staff advisory opinion; enter into a lease agreement and services agreement with Stein Hospice to ensure that Ohio Veterans Homes receives proper reimbursements for space and equipment; and consider implementing safeguards that will prevent physician self-referrals.

This report of investigation was provided to the Office of Inspector General for the U.S. Department of Health and Human Services and the Ohio Ethics Commission for consideration.

OHIO ENVIRONMENTAL PROTECTION AGENCY
FILE ID NO.: 2015-CA00034

The Office of the Ohio Inspector General received a notification from the Ohio Environmental Protection Agency (OEPA) concerning one of its employees suspected of illegal or improper activity. OEPA had received information that the employee, Environmental Specialist 2 Edwin Perez, Division of Air Pollution Control in the Northeast District Office, was conducting numerous cell phone conversations related to real estate transactions while on state time. Perez owned and remodeled various residential properties, and rented real estate to individuals.

Investigators analyzed state of Ohio office desk phone records assigned to Perez. These records revealed Perez made numerous calls during work hours to real estate agents and companies, home improvement companies, local government (utilities, housing programs), banking, mortgage and insurance companies, and other non-state business-related calls. Additionally, investigators found from a review of Perez's personal cell phone records the same type of calls made and received during Perez's work hours. During the period from January – June, 2015, investigators determined Perez utilized 504 minutes on his OEPA desk telephone and 1,534 minutes on his personal cell phone for real estate business-related calls during his state work hours.

At the time of this investigation, the OEPA Outside Employment Policy stated that an OEPA employee should notify the agency and request pre-approval for engaging in outside employment when the hours of performing the secondary employment conflict with the core business hours of the agency. The Inspector General's Office recommended to OEPA that it revise the agency's secondary employment policy to include the reporting of all secondary employment. The Inspector General's Office recommended that OEPA review the actions of Perez to determine whether his conduct warranted administrative action or training. Perez resigned from his employment with OEPA.

Investigators determined Perez utilized 504 minutes on his OEPA desk telephone and 1,534 minutes on his personal cell phone for real estate business-related calls during his state work hours.

Ohio Department of Transportation

2016 Report

The responsibilities of the deputy inspector general for the Ohio Department of Transportation (ODOT) were created in 2007 with the enactment of Ohio Revised Code §121.51. This section directs a deputy inspector general to investigate "... all wrongful acts and omissions that have been committed or are being committed by employees of the department." In addition, the deputy inspector general was charged with conducting "... a program of random review of the processing of contracts associated with the building and maintaining the state's infrastructure."

The 12 Geographic Districts of The Ohio Department of Transportation

Source: www.dot.state.oh.us

According to Legislative Service Commission biennial budget documents in FY 2016, ODOT had an annual budget of approximately $3 billion in operating and capital disbursements. ODOT is one of the state's largest agencies in terms of employees by head count, with about 5,400 staff members located in 12 districts throughout the state, and a headquarters in Columbus. Oversight is necessary to ensure that operations are conducted efficiently and effectively.

Since the role of the deputy inspector general for the Ohio Department of Transportation was created in August 2007, there has been a continued focus on all aspects of contract processes and procedures, including the bidding process, purchasing of services, and cost overruns. The impact of tight budgets and the need for improved road infrastructure is an area of scrutiny. ODOT's top priorities include ensuring that increased investments are well spent, and that policies are in place to safeguard long-term and sustainable transportation systems.

The continued cooperation between the Inspector General's Office, the ODOT leadership team, and the ODOT chief investigator's office will ensure the department manages the public's money responsibly.

In 2016, there were 10 cases opened and nine cases closed in the Transportation Area of the Inspector General's Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.

Summaries of Selected Cases - Transportation

OHIO DEPARTMENT OF TRANSPORTATION
FILE ID NO.: 2015-CA00024

In April 2015, the Inspector General's Office received an allegation that the Ohio Department of Transportation (ODOT) employee Robert Schell, a surveyor assigned to ODOT District 10, was conducting activities related to his personal business (Robert Schell Surveying) using his ODOT-assigned computer and the ODOT District 10 large format printer.

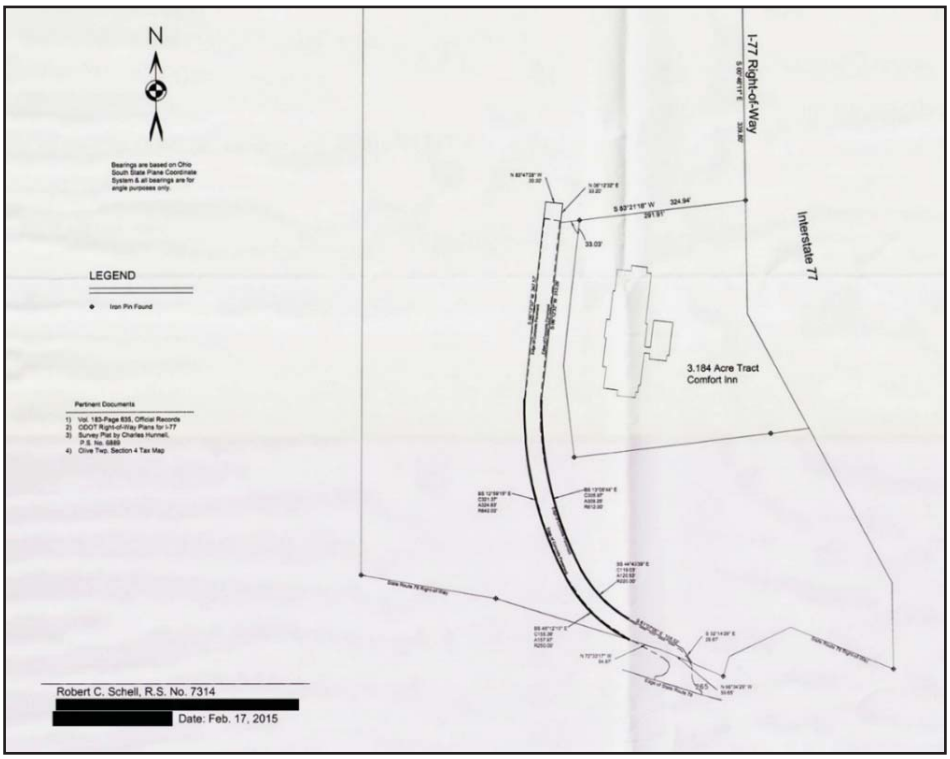
The Inspector General's Office reviewed Robert Schell's ODOT personnel file. Schell had previously been terminated from ODOT in 1996 for conducting personal business while claiming to be at work for ODOT. At that time, an Ohio State Highway Patrol investigation found Schell was visiting county courthouses and map offices to conduct activities related to his personal survey business during times he was on the ODOT payroll. Schell's personnel file indicated that he was rehired in April 1997, as a project inspector 2, which was a demotion from the previous position he held at ODOT as a surveyor. The rehire documents indicated that Schell's reemployment into the project inspector 2 classification was the result of a union grievance settlement.

The Inspector General's Office took possession of the ODOT desktop computer assigned to Schell and conducted a forensic analysis of the hard drive. Investigators identified a list of personal business-related files located on Schell's ODOT computer. The files included invoices, computer-aided design files, and plat records related to Schell's private surveying business. ODOT officials had also captured screen shots from the District 10 large format printing device that showed 12 dates in March and April 2015 when plans related to Schell's personal survey business were sent from his ODOT-assigned workstation and were printed on the large format printer.

Schell had previously been terminated from ODOT in 1996 for conducting personal business while claiming to be at work for ODOT.

During an interview with investigators, Schell admitted to printing survey plans for his personal survey business. Schell said that during the past two to three years, he had saved files from his personal business on a disk or USB flash drive and brought them to work to print from the ODOT large format printer.

Example of the Personal Business Plans Schell Printed on ODOT Equipment



Investigators showed Schell a list of names from files found on his ODOT-assigned workstation. When asked if he recognized the names, Schell admitted to investigators that each of the names listed belonged to clients of his personal survey business. Schell was also shown a list of more than 40 document files that were found during a preliminary assessment of his ODOT-assigned computer, and Schell acknowledged that the files were related to his personal surveying business. Schell also confirmed to investigators that a 19-page document found in his State of Ohio email account was for his personal survey business.

The Inspector General's Office found that Robert Schell was using state resources and equipment during days and times when he claimed to be at work for ODOT. Robert Schell submitted his resignation from ODOT at the close of business on May 19, 2015.

OHIO DEPARTMENT OF TRANSPORTATION
FILE ID NO: 2015-CA00017

In April of 2015, the Inspector General's Office received information from the Ohio Department of Transportation (ODOT) about a notification the department received from the Ohio Department of Administrative Services (ODAS) regarding instances of overtime exempt employees receiving overtime pay, in apparent violation of Ohio Revised Code §124.18(A).

The Inspector General's Office reviewed the statewide policies and procedures issued by ODAS pertaining to overtime pay for overtime exempt employees. Investigators identified

a memo issued to all state agencies, boards, and commissions on January 15, 2010, stating agencies must seek approval from ODAS before paying overtime to employees typically not eligible to receive that type of pay. The memo stated that agencies, at a minimum, must provide an official letter of request signed by the agency director and a copy of the agency's proposed overtime policy. This policy must contain the positions or classifications of those employees eligible to receive overtime; the criteria used to determine how and when they would receive overtime; specific hours, days of the week or times of the year these payouts would occur; and justification for the need for overtime.

Investigators spoke to the ODOT human resources department and learned ODOT allows overtime exempt employees to receive overtime pay if they are asked to assist in snow and ice removal during the winter season. ODOT defined the period of the winter season as from November 1 to March 31 of each year. However, ODOT noted that sometimes the winter season period is extended through the month of April, particularly for snow and ice removal in the northern counties of the state. To keep track of the total number of overtime hours worked, ODOT established a specific accounting code for use in the agency's timekeeping system, "Snow and Ice Tracker," to accurately account for compensation paid to overtime exempt employees for overtime hours worked.

ODOT provided to investigators a list of employees who charged hours to this code outside of the snow and ice season (April 1 to October 31) from 2013 to 2015. This list contained 22 employee names and totaled 494 hours. However, the list did not indicate whether these hours were paid as overtime, compensatory time, or regular pay. Investigators compared the dates provided to state payroll records and determined seven of the 22 employees received a total of 24.7 hours in overtime pay outside of the winter season. The remaining 469.3 hours were classified as either compensatory time earned or regular hours paid.

On July 10, 2015, investigators requested from ODAS any documentation submitted by ODOT to ODAS requesting approval to pay employees overtime in accordance with the policies and procedures established in the memorandum issued in January 2010. On October 16, 2015, ODAS responded and provided to investigators the requested materials, including a list of employees approved by ODOT to receive overtime pay for snow and ice removal during the winter seasons. ODAS reported to investigators that ODOT had requested changes to the list when either adding or removing employees, and in previous years had informed ODAS if the winter season would be extended into April. Investigators compared the ODAS list of ODOT overtime exempt employees approved to receive overtime to the names of the 22 employee names provided by ODOT who had received overtime outside of the snow and ice season from 2013 to 2015. From this comparison, investigators determined the 22 employees were not on the approved ODAS list to receive overtime pay for snow and ice removal.

Investigators also found no documentation submitted by ODOT to ODAS requesting the 22 employees be eligible to receive overtime pay. The Inspector General's Office concluded ODOT did not seek the required approval from ODAS to pay overtime exempt employees overtime pay outside of the winter season during the time period reviewed.

Investigators also found no documentation submitted by ODOT to ODAS requesting the 22 employees be eligible to receive overtime pay.

OHIO DEPARTMENT OF TRANSPORTATION
FILE ID NO.: 2015-CA00003

In February of 2015, the Ohio Department of Transportation (ODOT) reported a complaint from a former employee of an asphalt contractor retained by ODOT District 7 regarding past practices conducted at the contractor's plant. The former employee indicated that the liquid asphalt binder used at the asphalt plant was manufactured using materials from a non-ODOT approved supplier, and that he was directed to switch valves on the asphalt cement tank to run "unapproved" asphalt binder after ODOT inspectors obtained their samples for the ODOT projects. ODOT officials noted that the complainant was upset about being terminated from employment from the asphalt company.

The Inspector General's Office contacted the complainant on several occasions. The complainant stated that he had reconsidered his complaint and did not wish to meet with investigators. The Inspector General's Office met with the ODOT District 7 asphalt materials staff and obtained the asphalt plant reports for projects that may have been impacted by changes in the liquid asphalt binders utilized. Investigators found nothing in the ODOT asphalt plant inspection reports indicating any problems with the asphalt mix or plant operations. The Inspector General's Office also reviewed ODOT project data and compared it to records of asphalt binder purchases subpoenaed from the contractor's suppliers. It was determined that the asphalt contractor purchased and took delivery of the adequate amount of liquid asphalt binder for each of the ODOT paving projects.

Without specific information concerning the dates and locations of liquid asphalt binder substitutions, the Inspector General's Office was unable to determine which asphalt paving areas may have been impacted out of the hundreds of miles paved in ODOT District 7 during 2013 and 2014. However, the Inspector General's Office recommended ODOT should consider assigning additional personnel to make unannounced inspections of asphalt plant operations in districts where active roadway paving projects are occurring.

Bureau of Workers' Compensation and Industrial Commission of Ohio

2016 Report

In July 2007, the Ohio General Assembly passed legislation that created the position of deputy inspector general for the Ohio Bureau of Workers' Compensation (OBWC) and the Industrial Commission of Ohio (ICO) within the Inspector General's Office. This legislation stated that the inspector general shall appoint a deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general.

William Green Building
Ohio Bureau of Workers' Compensation and Industrial Commission of Ohio
Source: https://www.ic.ohio.gov/

The deputy inspector general is responsible for investigating wrongful acts or omissions that have been committed or are being committed by officers or employees of the Bureau of Workers' Compensation and the Industrial Commission. The deputy inspector general has the same powers and duties regarding matters concerning the bureau and the commission as those specified in Ohio Revised Code §121.42, §121.43, and §121.45.

In 1912, Ohio law created an exclusive state fund to provide workers' compensation benefits to workers who were unable to work due to a work-related injury. In Ohio, all companies or employers must have coverage from either state funds or be self-insured. The bureau manages 13 service offices, 14 facilities, and more than 1,800 employees. Currently, the Ohio Bureau of Workers' Compensation system is the largest state-funded insurance system in the nation. According to the bureau's FY 2016 Annual Report, OBWC served 244,595 active employers, managed nearly 752,312 injured workers' claims, and paid $1.6 billion in benefits to injured workers.

Since 1912, the Industrial Commission of Ohio is a separate adjudicatory agency whose mission is to serve injured workers and Ohio employers through prompt and impartial resolution of issues arising from workers' compensation claims and through the establishment of an adjudication policy. Hearings on disputed claims are conducted at three levels within the commission: the district level, staff level, and commission level. The governor appoints the three-member commission and the Ohio Senate confirms these appointments. By previous vocation, employment, or affiliation, one member must represent employees, one must represent employers, and one must

... [the ICO] mission is to serve injured workers and Ohio employers through prompt and impartial resolution of issues arising from workers' compensation claims and through the establishment of an adjudication policy.

represent the public. The Industrial Commission has more than 350 employees and operates five regional offices and seven district offices throughout the state of Ohio. According to the commission's FY 2016 Annual Report, the three commissioners and 88 hearing officers collectively conducted more than 127,144 hearings within the fiscal year.

The Inspector General's Office meets annually with the OBWC board of directors' audit committee to inform the bureau on current inspector general activities and convey overviews of noteworthy investigations. The Inspector General's Office staff also attended most of the monthly OBWC board of directors' audit, investment, and actuarial committee meetings to receive updates on OBWC's divisional activities and OBWC's new initiatives.

In an effort to educate OBWC and ICO employees, the Inspector General's Office conducts outreach efforts to discuss the office's responsibilities, complaint and investigative processes, and relevant investigations. In 2016, the Inspector General's Office staff visited two OBWC service offices, various OBWC departments, and one ICO regional district office to be available should employees want to discuss issues within those offices.

Endeavoring to identify areas of wrongdoing or appearances of impropriety, the Inspector General's Office continues to work jointly with various departments within OBWC, including Special Investigations, Digital Forensics Unit, Human Resources, Labor Relations, and Legal. The Inspector General's Office continued to meet regularly with the OBWC Internal Audit Division to obtain an understanding of its internal controls, identify areas where internal controls are not working, and considers information obtained during these meetings when recommending whether an investigation should be initiated.

During 2016, the Inspector General's Office staff continued its practice of meeting periodically with the OBWC Investment, Finance, and Actuarial divisions to obtain an understanding of how OBWC investments are managed, financial activities are recorded, and the calculation of premium and assessment rates. Additionally, the Inspector General's Office worked closely with various departments within the Industrial Commission, including the Executive Director's Office, Hearing Services, Human Resources, Legal, Operations, and Information Technology.

In 2016, there were seven cases opened and nine cases closed in the OBWC/ICO Area of the Inspector General's Office. As part of the lifespan of a case, the number of cases closed may reflect cases that were opened in previous years.

Summaries of Selected Cases - OBWC/ICO

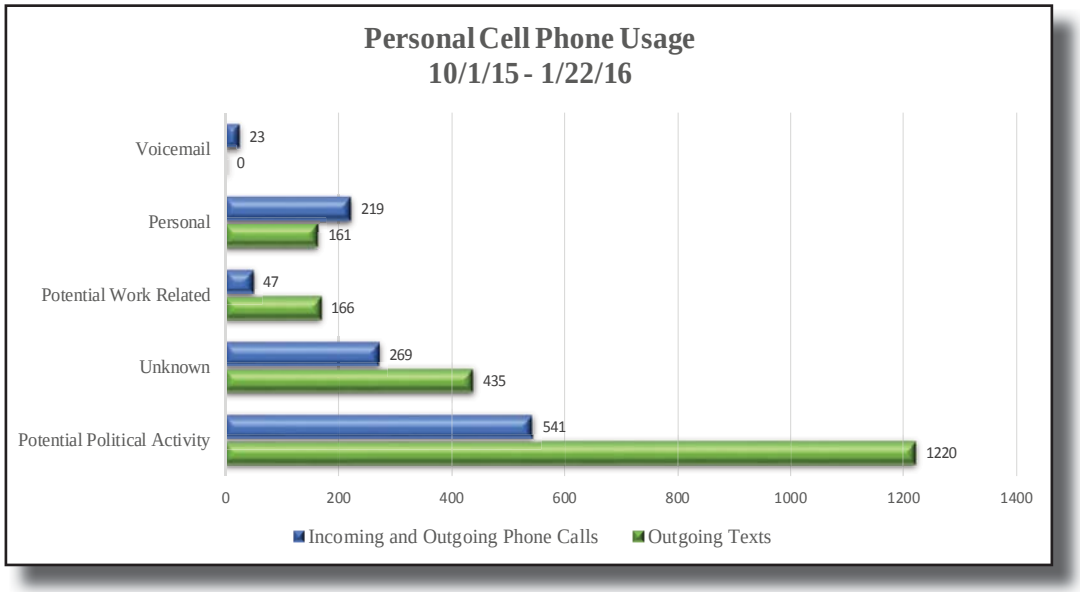
INDUSTRIAL COMMISSION OF OHIO
FILE ID NO: 2015-CA00057

In January 2016, the Inspector General's Office opened an investigation into the actions of Industrial Commission of Ohio (ICO) Director of Claims Support John Matthews, after receiving an anonymous complaint alleging Matthews spent his workdays sleeping and participating in political fundraising.

The Inspector General's Office issued a subpoena to obtain a record of personal cell phone activity for Matthews. For the period October 1, 2015, through January 22, 2016, investigators compared the subpoenaed cell phone activity to Matthews' ICO timesheets and his employee badge swipe information provided by the Ohio Bureau of Workers' Compensation (OBWC). An examination of Matthews' ICO timesheets indicated that Matthews was not required to document the time he left for and returned from lunch. Instead, Matthews' ICO timesheets only documented the number of minutes used for lunch. Investigators found that Matthews took lunch breaks ranging from 30 to 90 minutes in duration on 66 of the 77 work days reviewed. The analysis of these records also showed that Matthews used his personal cell phone between his work day start and end times to:

- Make 617 phone calls, with a total duration of the calls of 41 hours and 59 minutes;
- Answer 459 phone calls, with a total duration of the calls of 41 hours and 28 minutes; and
- Send 1,982 text messages.

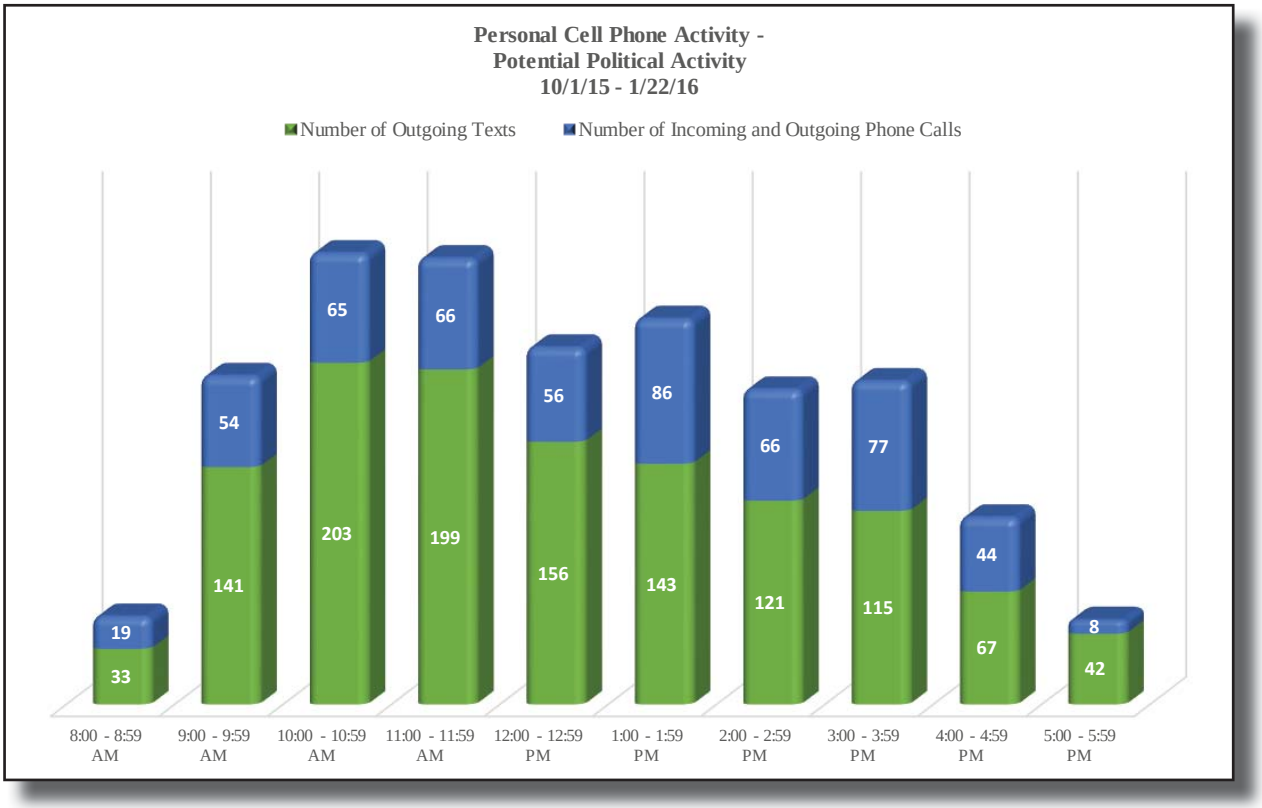
Investigators researched and identified the owners of the phone numbers that Matthews contacted using his personal cell phone. Based on this research, investigators classified the incoming and outgoing phone calls and outgoing text messages into the following categories:



For the category "Potential Political Activity," in the previous chart, the phone numbers identified were associated with:

- Past or present candidates for elected office affiliated with the Republican Party;
- Officers, representatives, or office locations for the Marion County Republican Party, the Ohio Republican Party, or Republican National Committee; or,
- Organizations involved with political campaigns, or other politically related activities.

Further analysis of the political activity calls in conjunction with Matthew's timesheets and badge swipes noted the following activity occurred throughout the work day:

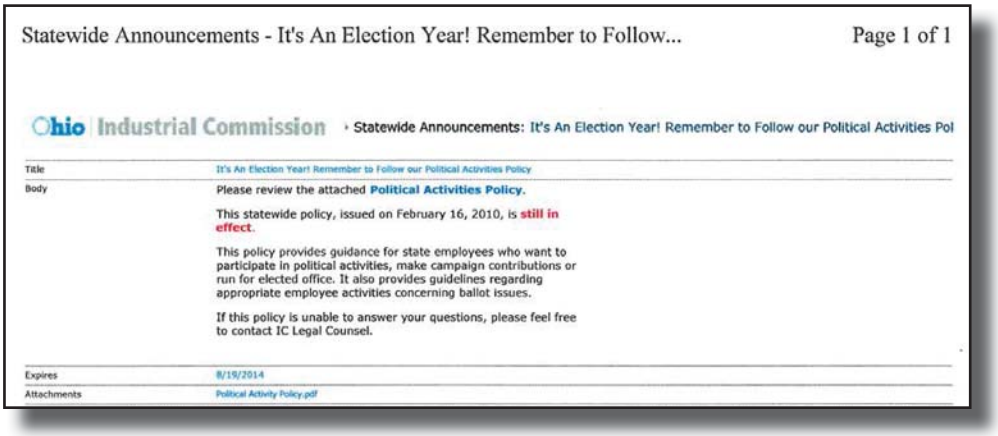


Investigators analyzed the times when Matthews made or answered telephone calls and sent text messages using his personal cell phone. This analysis determined that Matthews sent text messages and received or made telephone calls throughout the workday, not just during his breaks or lunch.

A social media search revealed that Matthews posted or shared a post for 23 of the 69 individuals or businesses whose phone calls and text messages were classified as potential political activity. In addition, investigators noted that Matthews had posted on his Facebook timeline a campaign flyer indicating that he had been endorsed by six local elected officials, one state senator, two U.S. congressmen, and the Ohio Republican Party. Further review of Matthews' cell phone activity identified a total of 48 phone calls and 215 text messages with four of the local elected officials and the state senator named on the campaign flyer. These

text messages and phone calls occurred between the start and end times of Matthews' work day, including while at lunch.

On March 30, 2016, the Inspector General's Office interviewed John Matthews. Matthews admitted to investigators that he participated in partisan politics. Matthews also acknowledged that he was prohibited from engaging in these activities during his paid regular work hours, and that he could not use state property such as phones, computers, or his office for such activities. The ICO issued an announcement directing employees to comply with the statewide *Political Activities Policy* which provided guidance to state employees wishing to participate in election-related activities. In addition, the ICO *Telephone Policy* provided guidance to employees of acceptable personal cell phone usage.



Statewide Announcements - It's An Election Year! Remember to Follow... Page 1 of 1

Ohio Industrial Commission › Statewide Announcements: It's An Election Year! Remember to Follow our Political Activities Pol

Title	It's An Election Year! Remember to Follow our Political Activities Policy
Body	Please review the attached **Political Activities Policy**. This statewide policy, issued on February 16, 2010, is **still in effect**. This policy provides guidance for state employees who want to participate in political activities, make campaign contributions or run for elected office. It also provides guidelines regarding appropriate employee activities concerning ballot issues. If this policy is unable to answer your questions, please feel free to contact IC Legal Counsel.
Expires	8/19/2014
Attachments	Political Activity Policy.pdf

Matthews denied to investigators he had spent time during his workday fundraising for the Kasich campaign. Matthews noted that he "almost never" used his personal cell phone to make or answer calls to individuals involved with the campaign during his time at work for the ICO. Had anyone from the Kasich campaign called him during work hours, Matthews stated he requested they call him back after his ICO work hours. However, later during the interview, Matthews admitted to investigators that he was unsure whether he had used his personal cell phone to make or answer phone calls during ICO work hours from candidates running for an elected city position in the 2015 fall election or county officials running in the 2016 March primary. Matthews acknowledged to investigators that making such calls or sending text messages would not be acceptable under the statewide *Political Activities Policy*.

During his interview, Matthews explained to investigators that he tried to make any political phone calls during his breaks and lunches. Matthews noted that if someone needed to talk to him, he would reflect the times spent engaged in these conversations on his timesheets. Investigators then showed Matthews their analysis indicating that all of his personal cell phone calls and text message activity had occurred throughout his reported workday, and not just during his breaks and lunches. Matthews declined to answer whether these activities were acceptable under the statewide *Political Activities Policy* and the *ICO Telephone Policy*.

Investigators determined that Matthews was compensated by the ICO for days and times he claimed to be at work for the state of Ohio while he was using his personal cell phone to talk with individuals or companies associated with partisan politics during the workday.

Specifically, investigators found Matthews had made or received 541 phone calls and sent 1,220 text messages to several Republican candidates in Marion County or the Ohio 26th District Republican State Central Committee running for office in the 2015 general election and 2016 primary election; to officers, representatives, or office locations for the Marion County Republican Party, the Ohio Republican Party, or the Republican National Committee; or to companies involved with political strategy, campaigns, and voter information. Of the 541 personal cell phone calls identified, 460 calls totaling 37 hours and 50 minutes were outside of his identified lunch period. Additionally, 38 calls totaling 3 hours and 36 minutes either occurred outside the lunch times Matthews reported to investigators during his interview, or were not supported by Matthews' employee entry badge swipe access time records.

The Industrial Commission of Ohio terminated Matthews' employment with the agency on September 8, 2016. This report of investigation was provided to the Columbus City Attorney and the Franklin County Prosecuting Attorney for consideration.

On October 12, 2016, the Franklin County Grand Jury indicted Matthews on one count of Theft in Office (Ohio Revised Code §2921.41) and one count of Theft (Ohio Revised Code §2913.02).

OHIO BUREAU OF WORKERS' COMPENSATION
FILE ID NO: 2016-CA00018

The Inspector General's Office conducted an investigation addressing allegations made by the Ohio Bureau of Workers' Compensation (OBWC) that Cincinnati-Governor's Hill Service Office employee Shannon Marshall exchanged more than 100 work-related emails with her mother, Sandra Anderson. This was a potential violation of the Ohio Ethics Policy, since Anderson is employed by a third-party administrator and is responsible for managing the workers' compensation program for employers who are either self-insured or participating in the OBWC state insurance fund.

Investigators obtained Marshall's desk phone records for 215 working days from June 1, 2015, to May 16, 2016. An analysis of the phone records identified 1,072 calls made between Marshall's desk phone and Anderson's work, cell, and home telephone numbers for a total of 59 hours and 9 minutes. Investigators also examined emails and phone activity between Anderson and Marshall. Investigators determined Anderson had sent Marshall 135 emails between April 10, 2015, and April 7, 2016, either requesting Marshall process a form, provide

information, or requesting assistance with questions related to an employer's account, policy, or status of their application. In addition, investigators found instances in which Anderson sent an email to Marshall and then immediately called her to confirm Marshall had received the email request. Investigators discovered that Anderson sent Marshall Temporary Authorization to Review Information (AC-3) forms. Of the 17 email messages Anderson sent Marshall with AC-3 forms, investigators noted Marshall sent 11 email messages back to Anderson containing the requested employer rate, payroll, premium, or injured worker claim summary information. By doing so, Anderson received the information quicker than had the AC-3 form been sent to Columbus for processing.

An analysis of the phone records identified 1,072 calls made between Marshall's desk phone and Anderson's work, cell, and home telephone numbers for a total of 59 hours and 9 minutes.

Marshall admitted during a May 26, 2016, interview with investigators that her mother, Sandy Anderson, had sent her emails asking her to process documents and that she (Marshall) had printed, scanned, and emailed documents responsive to Anderson's requests for information. The investigation conducted by the Inspector General's Office concluded that Marshall had engaged in conduct with Anderson that violated the Code of Ethics of the Ohio Bureau of Workers' Compensation and Industrial Commission of Ohio and is contrary to the Ohio Administrative Code.

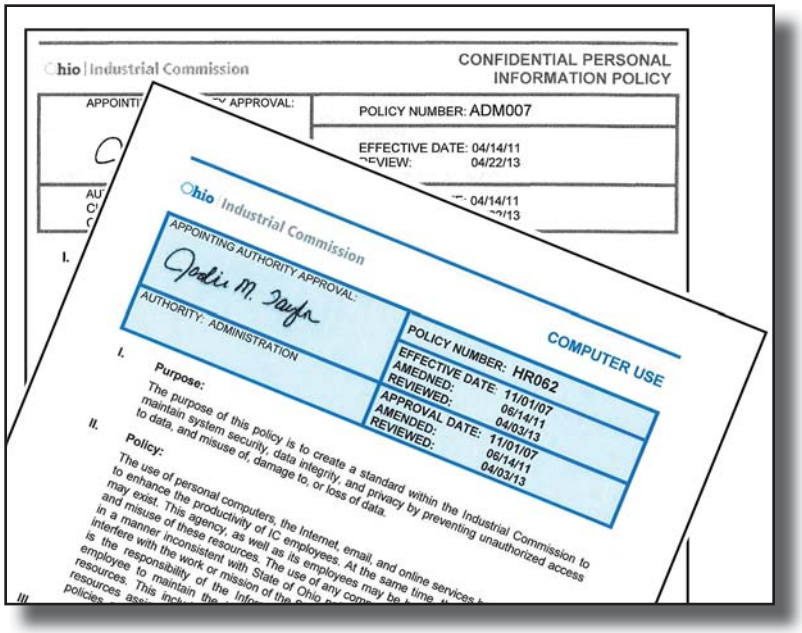
INDUSTRIAL COMMISSION OF OHIO
FILE ID NO.: 2016-CA00013

In April 2016, the Inspector General's Office conducted an investigation after the Industrial Commission of Ohio (ICO) reported that ICO Customer Service Assistant Kathleen Hill accessed for a total of 75 times her two Ohio Bureau of Workers' Compensation (OBWC) claim files, in which some or all of the information contained in the files was restricted and confidential, and not available for inspection by the injured worker (Hill) or parties to the claim. Neither Hill's position description nor ICO policy authorized Hill to access her OBWC claim file using internal ICO computer systems.

Hill's confidential personal information log showed Hill had accessed her two active OBWC claim files from her ICO-assigned computer using an OBWC internet application 512 times, and used the OBWC claim management program 25 times between June 10, 2011, and October 24, 2013.

Investigators examined Hill's confidential personal information (CPI) log, which showed Hill had accessed her two active OBWC claim files from her ICO-assigned computer using an OBWC internet application 512 times, and used the OBWC claim management program 25 times between June 10, 2011, and October 24, 2013. Further analysis of Hill's OBWC claim activity revealed

that Hill had accessed the ICO internal computer systems after an appeal was filed, but prior to the mailing of a hearing notice to all parties to the claim; after the hearing notice was mailed, but before the hearing date; and after the hearing, but prior to the hearing officer's decision being mailed to all parties to the claim. These accesses may have provided Hill with the assigned hearing officer's name prior to attending the actual hearing; the ability to review a hearing officer's notations prior to and after the hearing; and the ability to review the hearing officer's decision prior to the mailing of the ICO order to the injured worker. The hearing officer's hearing date and decision is not public information until formally published by the ICO through a written notice or order.


Ohio | Industrial Commission
CONFIDENTIAL PERSONAL INFORMATION POLICY
POLICY NUMBER: ADM007
EFFECTIVE DATE: 04/14/11
REVIEW: 04/22/13

Ohio Industrial Commission
APPOINTING AUTHORITY APPROVAL:
AUTHORITY: ADMINISTRATION
COMPUTER USE
POLICY NUMBER: HR062
EFFECTIVE DATE: 11/01/07
AMENDED: 06/14/11
REVIEWED: 04/03/13
APPROVAL DATE: 11/01/07
AMENDED: 06/14/11
REVIEWED: 04/03/13

I. Purpose:
The purpose of this policy is to create a standard within the Industrial Commission to maintain system security, data integrity, and privacy by preventing unauthorized access to data, and misuse of, damage to, or loss of data.

II. Policy:
The use of personal computers, the Internet, email, and online services to enhance the productivity of IC employees. At the same time, may exist. This agency, as well as its employees may be and misuse of these resources. The use of any com in a manner inconsistent with State of Ohio interfere with the work or mission of the is the responsibility of the employee to maintain the resources. This

Additionally, Hill admitted to investigators that she had used ICO internal computer system programs and an ICO computer during the workday to access her two OBWC claim files to determine whether a hearing date had been assigned or if the hearing officer had issued a decision. Hill also admitted to accessing OBWC claim files belonging to her deceased mother, brother, and other family members' claims from November 18, 2011, through August 13, 2013, and identified herself as an ICO employee who assisted her son reactivate his OBWC claim.

Investigators determined Hill's actions were contrary to ICO Policy No ADM007 *Confidential Information Policy* and ICO Policy No HR062 *Computer Use* and created the appearance that she had used her ICO position for private gain and preferential treatment.

Hill retired from the ICO effective November 4, 2016.

OHIO BUREAU OF WORKERS' COMPENSATION
FILE ID NO: 2013-CA00017

In March of 2013, the Inspector General's Office opened an investigation into an allegation from the Ohio Bureau of Workers' Compensation (OBWC) that Claims Service Specialist Cheryl Gatto accessed injured workers' claims without a valid business reason and had not reported improper access of confidential personal information (CPI) as specified by OBWC policy. OBWC also alleged Gatto was providing CPI to Doug Hunter, an employee of both the managed care organization (MCO) Sheakley Unicomp Inc. (Sheakley), and the law firm of Eric C. Deters (Deters).

The Inspector General's Office determined Gatto accessed injured worker claim files in 131 instances for which Hunter was either involved on behalf of Deters (the injured worker's attorney), or Sheakley (the managed care organization for the injured worker's employer). Gatto also updated and changed the authorized injured worker legal representative noted in injured worker claim files to Deters' law firm in nine instances. This action granted Hunter immediate access to each of the nine injured worker claim files and eliminated Hunter's wait for the assigned OBWC employee to update the information. In addition, Gatto accessed injured workers' claim files for which Hunter was involved in some capacity, to ensure applications for benefits were being processed and payments were being made. Gatto and Hunter were in a personal relationship during the period under investigation.

Gatto's actions created an appearance that certain injured worker claims received preferential treatment if the injured worker was represented by Hunter's employer, the law firm of Eric C. Deters. In none of these cases was Gatto the assigned claims service specialist. These actions are contrary to the provisions of OBWC policy. OBWC representatives also alleged that Sheakley may have violated its contract with OBWC because Hunter was simultaneously employed by Deters' law firm and Sheakley and was acting in multiple capacities before OBWC and the Industrial Commission of Ohio.

The Inspector General's Office determined that Hunter accessed both injured worker claims and the employers' workers' compensation policies while serving in the following capacities concurrently: (1) a client relations manager for Sheakley; (2) the injured worker's legal representative point of contact for the Deters law firm, and (3) the employer's legal representative point of contact for Deters for an employer who contracted with Sheakley to provide managed care services. Investigators also found that OBWC provided no formalized policies or procedures to the MCOs as to who should be notified of potential breaches of confidentiality or conflicts of interest, the information to be included, and the required notification method.

Gatto's actions created an appearance that certain injured worker claims received preferential treatment if the injured worker was represented by Hunter's employer, the law firm of Eric C. Deters.

The Inspector General's Office forwarded the report of investigation to the Hamilton County Prosecuting Attorney for consideration.

Gatto resigned her position as a claims service specialist, effective March 4, 2016.

Professional Involvement in the Community

Buckeye Boys Staters Explore the Democratic Process

In June, 2016, the Inspector General's Office once again continued its commitment to encourage young people to consider careers in public service. The office participated in Buckeye Boys State, a practical "hands-on" immersive exercise offered to high school students to explore the democratic process and examine its relationship to political parties and how these institutions impact Ohio government. Deputy Inspector General Carl Enslen advised six young men on the fundamentals of establishing a working inspector general's office, defining its duties, and conducting investigations. The event was sponsored by the Ohio Chapter of the American Legion and was hosted by Bowling Green State University. Several hundred Ohio high school juniors attended.

Inspector General Hosts Kent State Students

On October 4, 2016, Inspector General Meyer met with Dr. Vernon Sykes and 19 students of the Kent State University Columbus Program in State Issues (CPSI). CPSI offers student leaders from a variety of academic disciplines the opportunity to serve as interns at the state capitol, affording them the prospect to establish professional contacts and attain valuable pre-career experience. CPSI participants gain practical knowledge and a deepened understanding of policy development in state government. Inspector General Meyer presented to the students an overview of the office's mission and its obligations, and the many challenges the office faces investigating public corruption and misconduct. For six years, the Inspector General's Office has participated in meeting with students from Kent State providing the young adults an opportunity to discuss public service as a career choice.

2016 Targeting Fraud – Safeguarding Integrity Conference

Since 2012, in observance of National Fraud Awareness Week, the Inspector General's Office in partnership with Franklin University, National White Collar Crime Center, Ohio Ethics Commission, and Ohio Investigators Association have presented a two-day training conference entitled *Targeting Fraud – Safeguarding Integrity*. The 2016 conference was held on November 2nd and 3rd, and featured 11 speakers, who collectively examined a wide range of topics that encompass the investigative process of uncovering fraud.

The conference highlighted several noted speakers including Jeff Gottlieb, former LA Times reporter who surveyed his Pulitzer-winning series of articles that uncovered unprecedented corruption in the small, poverty-stricken community of Bell, California; Adam Turteltaub, vice president of Membership Development for the Society of Corporate Compliance & Ethics who presented on the topic of human behavior, risk, and wrongdoing; and Shaun Thurston, special agent for the Internal Revenue Service Criminal Investigation, who examined IRS criminal investigations involving tax violations, narcotics, identity theft, money laundering, and terrorism. The conference was well-attended with nearly 200 people participating.

The next *Targeting Fraud – Safeguarding Integrity Conference* will be held on November 1st and 2nd, 2017, continuing the office's efforts to foster ties with law enforcement and their support organizations and institutions.

International Dignitaries Visit the Inspector General's Office

The International Visitors Council (IVC) of Columbus is affiliated with the U.S. Department of State and coordinates international government representatives to meet with state of Ohio government officials. These meetings are designed to familiarize delegates with state government in the United States and how it is differentiated from the federal level of government. The program is intended to acquaint delegates with the purpose and function of the three branches of state government, and to illustrate how "local control of local government" is both beneficial and representative.

In 2016, in continuing its working partnership with IVC of Columbus, the Inspector General's Office hosted four meetings, speaking to a total of 28 delegates representing four countries: India, Kosovo, Pakistan, and Serbia. During these meetings, the delegates discussed the challenges they faced in each of their respective countries; sought ideas to strengthen their country's democratic processes; and gained a better understanding of the United States political system and its various branches of government. Inspector General Meyer provided the delegates information about the position of the inspector general, the office's mission in investigating government corruption, and its essential role in safeguarding government accountability. Inspector General Meyer also explained how the checks and balances function between the three branches of government, and how the Inspector General's Office helps preserve government integrity, both in its administrative processes and in its elected officials. Inspector General Meyer also noted to the delegates how his office's legislated responsibility to combat corruption can serve as an example of what could be implemented in each of their countries.

Since 2012, the Inspector General's Office has met and advised more than 150 representatives from 15 countries.

Appendices

Appendix 1: Statutory References

OHIO REVISED CODE

The following are Ohio Revised Code sections relating to the powers and duties of the Ohio Inspector General:

121.41 Definitions
121.42 Powers and Duties of the Inspector General
121.421 Inspection of employees of the office of attorney general contractually vested with duties to enforce Ohio casino control commission
121.43 Subpoena power – contempt
121.44 Reports of investigation
121.45 Cooperating in investigations
121.46 Filing of complaint
121.47 Confidential information
121.48 Appointment of Inspector General
121.481 Special investigations fund
121.482 Disposition of money received
121.483 Deputy inspector general as peace officer
121.49 Qualifications
121.50 Administrative rules
121.51 Deputy inspector general for transportation department
121.52 Deputy inspector general for workers' compensation

121.41 Definitions

As used in sections 121.41 to 121.50 of the Revised Code:

(A) "Appropriate ethics commission" has the same meaning as in section 102.01 of the Revised Code.

(B) "Appropriate licensing agency" means a public or private entity that is responsible for licensing, certifying, or registering persons who are engaged in a particular vocation.

(C) "Person" has the same meaning as in section 1.59 of the Revised Code and also includes any officer or employee of the state or any political subdivision of the state.

(D) "State agency" has the same meaning as in section 1.60 of the Revised Code and includes the Ohio casino control commission, but does not include any of the following:

(1) The general assembly;

(2) Any court;

(3) The secretary of state, auditor of state, treasurer of state, or attorney general and their respective offices.

(E) "State employee" means any person who is an employee of a state agency, or any person who does business with the state including, only for the purposes of sections 121.41 to 121.50 of the Revised Code, the nonprofit corporation formed under section 187.01 of the Revised Code.
(F) "State officer" means any person who is elected or appointed to a public office in a state agency.
(G) "Wrongful act or omission" means an act or omission, committed in the course of office holding or employment, that is not in accordance with the requirements of law or such standards of proper governmental conduct as are commonly accepted in the community and thereby subverts, or tends to subvert, the process of government.

121.42 Powers and Duties of the Inspector General

The inspector general shall do all of the following:
(A) Investigate the management and operation of state agencies on his own initiative in order to determine whether wrongful acts and omissions have been committed or are being committed by state officers or state employees;
(B) Receive complaints under section 121.46 of the Revised Code alleging wrongful acts and omissions, determine whether the information contained in those complaints allege facts that give reasonable cause to investigate, and, if so, investigate to determine if there is reasonable cause to believe that the alleged wrongful act or omission has been committed or is being committed by a state officer or state employee;
(C) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that were or are being committed by state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the Revised Code, the appropriate licensing agency for possible disciplinary action, or the state officer's or state employee's appointing authority for possible disciplinary action. The inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.
(D) Except as otherwise provided in this division, contemporaneously report suspected crimes and wrongful acts or omissions that the inspector general becomes aware of in connection with an investigation of a state agency, state officer, or state employee, and that were or are being committed by persons who are not state officers or state employees to the governor and to the appropriate state or federal prosecuting authority with jurisdiction over the matter if there is reasonable cause to believe that a crime has occurred or is occurring. In addition, the inspector general shall report the wrongful acts or omissions, as appropriate under the circumstances, to the appropriate ethics commission in accordance with section 102.06 of the

Revised Code, the appropriate licensing agency for possible disciplinary action, or the person's public or private employer for possible disciplinary action. The inspector general shall not report a wrongful act or omission to a person as required by this division if that person allegedly committed or is committing the wrongful act or omission.

(E) Prepare a detailed report of each investigation that states the basis for the investigation, the action taken in furtherance of the investigation, and whether the investigation revealed that there was reasonable cause to believe that a wrongful act or omission had occurred. If a wrongful act or omission was identified during the investigation, the report shall identify the person who committed the wrongful act or omission, describe the wrongful act or omission, explain how it was detected, indicate to whom it was reported, and describe what the state agency in which the wrongful act or omission was being committed is doing to change its policies or procedures to prevent recurrences of similar wrongful acts or omissions.

(F) Identify other state agencies that also are responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies, and negotiate and enter into agreements with these agencies to share information and avoid duplication of effort;

(G) For his own guidance and the guidance of deputy inspectors general, develop and update in the light of experience, both of the following:

(1) Within the scope of the definition in division (G) of section 121.41 of the Revised Code, a working definition of "wrongful act or omission";

(2) A manual of investigative techniques.

(H) Conduct studies of techniques of investigating and detecting, and of preventing or reducing the risk of, wrongful acts and omissions by state officers and state employees;

(I) Consult with state agencies and advise them in developing, implementing, and enforcing policies and procedures that will prevent or reduce the risk of wrongful acts and omissions by their state officers or state employees;

(J) After detecting a wrongful act or omission, review and evaluate the relevant policies and procedures of the state agency in which the wrongful act or omission occurred, and advise the state agency as to any changes that should be made in its policies and procedures so as to prevent recurrences of similar wrongful acts or omissions.

121.421 Inspection of employees of the office of attorney general contractually vested with duties to enforce Ohio casino control commission

(A) Notwithstanding division (D)(3) of section 121.41 of the Revised Code, in order to determine whether wrongful acts or omissions have been committed or are being committed by present or former employees, the inspector general shall investigate employees of the office of the attorney general who are contractually vested with duties to enforce Chapter 3772. of the Revised Code, including any designated bureau of criminal identification and investigation support staff that are necessary

to fulfill the investigatory and law enforcement functions of the Ohio casino control commission. The inspector general and any deputy inspector general may administer oaths, examine witnesses under oath, and issue subpoenas and subpoenas duces tecum to employees of the office of the attorney general to compel the attendance of witnesses and the production of all kinds of books, records, papers, and tangible things deemed necessary in the course of any such investigation.
(B) The inspector general may enter into any contracts that are necessary to complete an investigation. The contracts may include contracts for the services of persons who are experts in a particular field and whose expertise is necessary for successful completion of the investigation.
(C) If the authority of the attorney general terminates or expires, the authority vested in the inspector general by this section terminates upon the conclusion of ongoing investigations or upon issuance of the final report of the investigations.

121.43 Subpoena power - contempt

In performing any investigation, the inspector general and any deputy inspector general may administer oaths, examine witnesses under oath, and issue subpoenas and subpoenas duces tecum to compel the attendance of witnesses and the production of all kinds of books, records, papers, and tangible things. Upon the refusal of a witness to be sworn or to answer any question put to him, or if a person disobeys a subpoena, the inspector general shall apply to the court of common pleas for a contempt order, as in the case of disobedience to the requirements of a subpoena issued from the court of common pleas, or a refusal to testify in the court.

121.44 Reports of investigations

(A) Except as otherwise provided in this section, the report of any investigation conducted by the inspector general or any deputy inspector general is a public record, open to public inspection. The inspector general, or a deputy inspector general, with the written approval of the inspector general, may designate all or part of a report as confidential if doing so preserves the confidentiality of matters made confidential by law or appears reasonably necessary to protect the safety of a witness or to avoid disclosure of investigative techniques that, if disclosed, would enable persons who have been or are committing wrongful acts or omissions to avoid detection. Confidential material shall be marked clearly as being confidential.
(B) The inspector general, free of charge, shall provide a copy of each report of an investigation, including wholly and partially confidential reports, to the governor. In addition, the inspector general, free of charge, shall provide a copy of the report of any investigation, including wholly and partially confidential reports, to a prosecuting authority who may undertake criminal prosecution of a wrongful act or omission described in the report, an ethics commission to which a wrongful act or omission described in the report was reported in accordance with section 102.06 of the Revised Code, and a licensing agency, appointing authority, or public or

private employer that may take disciplinary action with regard to a wrongful act or omission described in the report. The inspector general shall not provide a copy of any confidential part of the report of an investigation to a person as required by this division if that person allegedly committed the wrongful act or omission described in the report. The governor, a prosecuting authority, ethics commission, licensing agency, appointing authority, or public or private employer that receives a report, all or part of which is designated as confidential, shall take all appropriate measures necessary to preserve the confidentiality of the report.
(C) The inspector general shall provide a copy of any nonconfidential report, or the nonconfidential parts of any report, to any other person who requests the copy and pays a fee prescribed by the inspector general. The fee shall not exceed the cost of reproducing and delivering the report.

121.45 Cooperating in investigations

Each state agency, and every state officer and state employee, shall cooperate with, and provide assistance to, the inspector general and any deputy inspector general in the performance of any investigation. In particular, each state agency shall make its premises, equipment, personnel, books, records, and papers readily available to the inspector general or a deputy inspector general.

The inspector general and any deputy inspector general may enter upon the premises of any state agency at any time, without prior announcement, if necessary to the successful completion of an investigation. In the course of an investigation, the inspector general and any deputy inspector general may question any state officer or state employee serving in, and any other person transacting business with, the state agency, and may inspect and copy any books, records, or papers in the possession of the state agency, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that is made confidential by law.

In performing any investigation, the inspector general and any deputy inspector general shall avoid interfering with the ongoing operations of the state agency being investigated, except insofar as is reasonably necessary to the successful completion of the investigation.

Each state agency shall develop, implement, and enforce policies and procedures that prevent or reduce the risk of wrongful acts and omissions by its state officers or state employees.

Other state agencies that also are responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies shall negotiate and enter into agreements with the office of the inspector general for the purpose of sharing information and avoiding duplication of effort.

121.46 Filing of complaint

Any person who knows or has reasonable cause to believe that a state officer or state employee has committed, or is in the process of committing, a wrongful act or omission may prepare and file with the inspector general, a complaint that identifies the person making the report and the state officer or state employee who allegedly committed or is committing the wrongful act or omission, describes the wrongful act or omission, and explains how the person reporting knew or came to his reasonable cause to believe that the state officer or state employee committed or is in the process of committing the wrongful act or omission. The preparation and filing of the complaint described in this section is in addition to any other report of the wrongful act or omission the person is required by law to make.
The inspector general shall prescribe a form for complaints under this section. The inspector general shall provide a blank copy of the form to any person, free of charge. No complaint is defective, however, because it is not made on the form prescribed by the inspector general.

121.47 Confidential information

No person shall disclose to any person who is not legally entitled to disclosure of the information, any information that is designated as confidential under section 121.44 of the Revised Code, or any confidential information that is acquired in the course of an investigation under section 121.45 of the Revised Code.

121.48 Appointment of Inspector General

There is hereby created the office of the inspector general, to be headed by the inspector general.

The governor shall appoint the inspector general, subject to section 121.49 of the Revised Code and the advice and consent of the senate. The inspector general shall hold office for a term coinciding with the term of the appointing governor. The governor may remove the inspector general from office only after delivering written notice to the inspector general of the reasons for which the governor intends to remove the inspector general from office and providing the inspector general with an opportunity to appear and show cause why the inspector general should not be removed.

In addition to the duties imposed by section 121.42 of the Revised Code, the inspector general shall manage the office of the inspector general. The inspector general shall establish and maintain offices in Columbus.

The inspector general may employ and fix the compensation of one or more deputy inspectors general. Each deputy inspector general shall serve for a term coinciding with the term of the appointing inspector general, and shall perform the duties, including the performance of investigations, that are assigned by the inspector general. All deputy inspectors general are in the unclassified service and serve at the pleasure of the inspector general.

In addition to deputy inspectors general, the inspector general may employ and fix the compensation of professional, technical, and clerical employees that are necessary for the effective and efficient operation of the office of the inspector general. All professional, technical, and clerical employees of the office of the inspector general are in the unclassified service and serve at the pleasure of the appointing inspector general.

The inspector general may enter into any contracts that are necessary to the operation of the office of the inspector general. The contracts may include, but are not limited to, contracts for the services of persons who are experts in a particular field and whose expertise is necessary to the successful completion of an investigation.

Not later than the first day of March in each year, the inspector general shall publish an annual report summarizing the activities of the inspector general's office during the previous calendar year. The annual report shall not disclose the results of any investigation insofar as the results are designated as confidential under section 121.44 of the Revised Code.

The inspector general shall provide copies of the inspector general's annual report to the governor and the general assembly. The inspector general also shall provide a copy of the annual report to any other person who requests the copy and pays a fee prescribed by the inspector general. The fee shall not exceed the cost of reproducing and delivering the annual report.

121.481 Special investigations fund

The special investigations fund is hereby created in the state treasury for the purpose of paying costs of investigations conducted by the inspector general. In response to requests from the inspector general, the controlling board may make transfers to the fund from the emergency purposes appropriation of the board, subject to the following conditions:

(A) The inspector general shall not request a transfer that would cause the unobligated, unencumbered balance in the fund to exceed one hundred thousand dollars at any one time;

(B) In requesting a transfer, the inspector general shall not disclose any information that would risk impairing the investigation if it became public, provided that after any investigation using money transferred to the fund from an emergency purposes appropriation has been completed, the inspector general shall report to the board the object and cost of the investigation, but not any information designated as confidential under section 121.44 of the Revised Code.

121.482 Disposition of money received

Money the inspector general receives pursuant to court orders or settlements shall be deposited into the state treasury to the credit of the general revenue fund.

121.483 Deputy inspector general as peace officer

A deputy inspector general appointed under section 121.48 of the Revised Code, who has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, or municipal peace officer basic training program, shall, during the term of the deputy inspector general's appointment, be considered a peace officer for the purpose of maintaining a current and valid basic training certificate pursuant to rules adopted under section 109.74 of the Revised Code.

121.49 Qualifications

(A) Subject to division (B) of this section, only an individual who meets one or more of the following qualifications is eligible to be appointed inspector general:

(1) At least five years experience as a law enforcement officer in this or any other state;

(2) Admission to the bar of this or any other state;

(3) Certification as a certified public accountant in this or any other state;

(4) At least five years service as the comptroller or similar officer of a public or private entity in this or any other state.

(B) No individual who has been convicted, in this or any other state, of a felony or of any crime involving fraud, dishonesty, or moral turpitude shall be appointed inspector general.

121.50 Administrative rules

The inspector general, in accordance with Chapter 119 of the Revised Code, shall adopt, and may amend and rescind, those rules he finds necessary for the successful implementation and efficient operation of sections 121.41 to 121.48 of the Revised Code.

121.51 Deputy inspector general for transportation department

There is hereby created in the office of the inspector general the position of deputy inspector general for the department of transportation. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general. A person employed as the deputy inspector general shall have the same qualifications as those specified in section 121.49 of the Revised Code for the inspector general. The inspector general shall provide technical, professional, and clerical assistance to the deputy inspector general.

There is hereby created in the state treasury the deputy inspector general for ODOT fund. The fund shall consist of money credited to the fund for the payment of costs incurred by the deputy inspector general in performing the duties of the deputy inspector general as specified in this section. The inspector general shall use the fund to pay costs incurred by

the deputy inspector general in performing the duties of the deputy inspector general as required under this section.

The deputy inspector general shall investigate all wrongful acts or omissions that have been committed or are being committed by employees of the department. In addition, the deputy inspector general shall conduct a program of random review of the processing of contracts associated with building and maintaining the state's infrastructure. The random review program shall be designed by the inspector general. The program shall be confidential and may be altered by the inspector general at any time. The deputy inspector general has the same powers and duties regarding matters concerning the department as those specified in sections 121.42, 121.43, and 121.45 of the Revised Code for the inspector general. Complaints may be filed with the deputy inspector general in the same manner as prescribed for complaints filed with the inspector general under section 121.46 of the Revised Code. All investigations conducted and reports issued by the deputy inspector general are subject to section 121.44 of the Revised Code.

All officers and employees of the department shall cooperate with and provide assistance to the deputy inspector general in the performance of any investigation conducted by the deputy inspector general. In particular, those persons shall make their premises, equipment, personnel, books, records, and papers readily available to the deputy inspector general. In the course of an investigation, the deputy inspector general may question any officers or employees of the department and any person transacting business with the department and may inspect and copy any books, records, or papers in the possession of the department, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that are made confidential by law. In performing any investigation, the deputy inspector general shall avoid interfering with the ongoing operations of the department, except insofar as is reasonably necessary to complete the investigation successfully.

At the conclusion of an investigation by the deputy inspector general, the deputy inspector general shall deliver to the director of transportation and the governor any case for which remedial action is necessary. The deputy inspector general shall maintain a public record of the activities of the deputy inspector general to the extent permitted under this section, ensuring that the rights of the parties involved in each case are protected. The inspector general shall include in the annual report required by section 121.48 of the Revised Code a summary of the deputy inspector general's activities during the previous year.

No person shall disclose any information that is designated as confidential in accordance with section 121.44 of the Revised Code or any confidential information that is acquired in the course of an investigation conducted under this section to any person who is not legally entitled to disclosure of that information.

121.52 Deputy inspector general for workers' compensation

There is hereby created in the office of the inspector general the office of deputy inspector general for the bureau of workers' compensation and industrial commission. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general. A person employed as the deputy inspector general shall have the same qualifications as those specified in section 121.49 of the Revised Code for the inspector general. The inspector general shall provide professional and clerical assistance to the deputy inspector general.

The deputy inspector general for the bureau of workers' compensation and the industrial commission shall investigate wrongful acts or omissions that have been committed by or are being committed by officers or employees of the bureau of workers' compensation and the industrial commission. The deputy inspector general has the same powers and duties regarding matters concerning the bureau and the commission as those specified in sections 121.42, 121.43, and 121.45 of the Revised Code for the inspector general. Complaints may be filed with the deputy inspector general in the same manner as prescribed for complaints filed with the inspector general under section 121.46 of the Revised Code. All investigations conducted and reports issued by the deputy inspector general are subject to section 121.44 of the Revised Code.

There is hereby created in the state treasury the deputy inspector general for the bureau of workers' compensation and industrial commission fund, which shall consist of moneys deposited into it that the inspector general receives from the administrator of workers' compensation and receives from the industrial commission in accordance with this section. The inspector general shall use the fund to pay the costs incurred by the deputy inspector general in performing the duties of the deputy inspector general as required under this section.

The members of the industrial commission, bureau of workers' compensation board of directors, workers' compensation audit committee, workers' compensation actuarial committee, and workers' compensation investment committee, and the administrator, and employees of the industrial commission and the bureau shall cooperate with and provide assistance to the deputy inspector general in the performance of any investigation conducted by the deputy inspector general. In particular, those persons shall make their premises, equipment, personnel, books, records, and papers readily available to the deputy inspector general. In the course of an investigation, the deputy inspector general may question any person employed by the industrial commission or the administrator and any person transacting business with the industrial commission, the board, the audit committee, the actuarial committee, the investment committee, the administrator, or the bureau and may inspect and copy any books, records, or papers in the possession of those persons or entities, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that are made confidential by law.

In performing any investigation, the deputy inspector general shall avoid interfering with the ongoing operations of the entities being investigated, except insofar as is reasonably necessary to successfully complete the investigation.

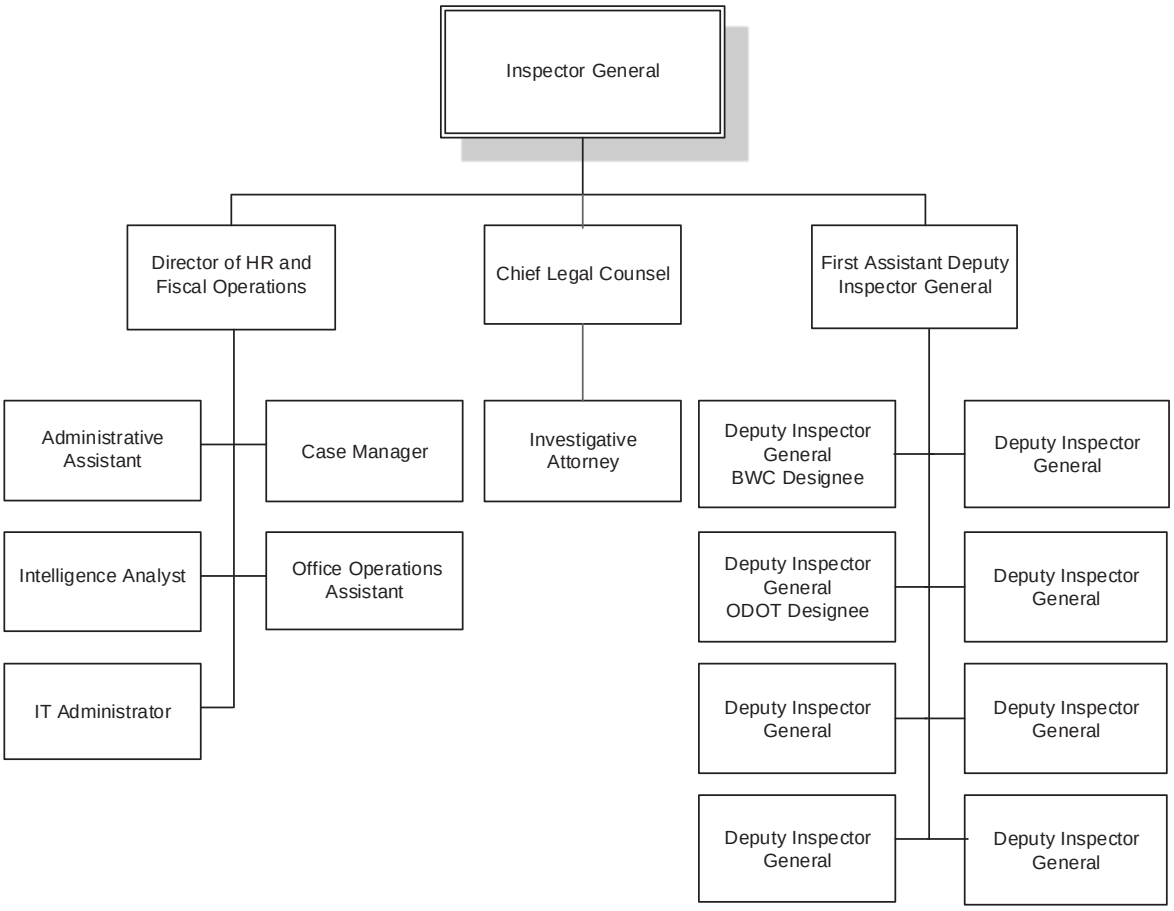
At the conclusion of an investigation conducted by the deputy inspector general for the bureau of workers' compensation and industrial commission, the deputy inspector general shall deliver to the board, the administrator, the industrial commission, and the governor any case for which remedial action is necessary. The deputy inspector general shall maintain a public record of the activities of the office of the deputy inspector general to the extent permitted under this section, ensuring that the rights of the parties involved in each case are protected. The inspector general shall include in the annual report required under section 121.48 of the Revised Code a summary of the activities of the deputy inspector general during the previous year.

No person shall disclose any information that is designated as confidential in accordance with section 121.44 of the Revised Code or any confidential information that is acquired in the course of an investigation conducted under this section to any person who is not legally entitled to disclosure of that information.

Table of Organization

Appendix 2: Table of Organization

Office of the Ohio Inspector General Organizational Chart



Contact Information

Mailing Address:

Office of the Ohio Inspector General
James A. Rhodes State Office Tower
30 East Broad Street, Suite 2940
Columbus, Ohio 43215-3414

Phone:

(614) 644-9110 (General Line)
(800) 686-1525 (In State Toll-Free)
(614) 644-9504 (FAX)

Email and Internet:

oig_watchdog@oig.ohio.gov (Email)
watchdog.ohio.gov (Website)

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Follow us on Twitter:

@OhioIG

Rhodes State Office Tower ◆ 30 East Broad Street - Suite 2940 ◆ Columbus, Ohio 43215-3414
Phone: 614-644-9110 ◆ FAX: 614-644-9504 ◆ Toll Free: 800-686-1525
Email: oig_watchdog@oig.ohio.gov ◆ Website: www.watchdog.ohio.gov