



Bureau of Workers'
Compensation

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OFFICE OF
INSPECTOR GENERAL

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February 8, 2018

Inspector General Randall J. Meyer
Office of the Inspector General
30 East Broad Street, Suite 2940
Columbus, Ohio 43215

Re: File ID No. 2016-CA00019
Response to Report of Investigation Report Issued December 14, 2017
Subject: Lina Dumbaugh

Dear Inspector General Meyer:

The Ohio Bureau of Workers' Compensation (OBWC) has completed its review of your office's recommendations contained in the above-referenced report. I respectfully submit this response to you regarding the recommendations outlined in the report.

Recommendation #1: Review the conduct of employees identified in this report and determine whether administrative action is warranted.

Response: On May 3, 2016, the OBWC self-reported a potential CPI incident involving Lina Dumbaugh, a Claims Service Specialist assigned to the Mansfield Service Office. The OBWC identified where Ms. Dumbaugh inappropriately accessed 749 injured workers' claims during the period from May 1, 2015 through February 27, 2016. In addition, the OBWC reported Ms. Dumbaugh had a close personal relationship with injured workers' compensation attorney, John "Jack" Donaldson, who owns Donaldson Law Office, LPA. The OBWC further noted Ms. Dumbaugh accessed injured workers' claim files where Donaldson was a legal party.

The Office of the Ohio Inspector General determined Ms. Dumbaugh accessed injured workers' claims and created an appearance that certain injured workers' claims received preferential treatment if the injured worker or employer was represented by Donaldson and/or his law office. Upon receiving the Inspector General's report (issued December 14, 2017), the OBWC immediately conducted an administrative investigation and determined Ms. Dumbaugh violated OBWC work rules and policies. Subsequently, Ms. Dumbaugh was removed from employment with the OBWC on January 2, 2018.

Recommendation #2: Consider the merits of providing additional guidance to supervisors on the types of action to be taken when notified that an employee has a close personal relationship with an individual that is a party to a workers' compensation claim, whether the individual is employed by OBWC or is a legal representative, third party administrator, or a managed care organization.

Response: The OBWC will continue to educate employees on CPI and COEMP policies, and Ethics rules.

Recommendation #3: Consider the benefits requiring that all directives given to employees limiting their access to certain injured workers' claim files or employer policies be in writing and dated. It is

recommended that such directives be shared with all managers who interact with the employee to ensure all understand the employee's limitations involving certain types of claims or employer's policies.

Response: The OBWC will assess the benefits of requiring directives to employees with special or COEMP relationships be in writing and dated. In addition, the OBWC will take the appropriate measures to ensure managers and their employees understand the limitations involving certain types of claims or employer's policies.

Recommendation #4: Consider the merits of disseminating the results of past investigations involving OBWC policy violations which include the type of discipline issued to emphasize the importance of the OBWC employees' compliance with OBWC policies.

Response: Supervisors/managers will share with their employees the nature of IG investigations that resulted in discipline to emphasize the consequences of policy violations.

Recommendation #5: Consider whether future ethics trainings should include training on preferential treatment, how an appearance of such treatment occurs, and clarifying what is permissible per Ohio Administrative Code §4123-15-3. It recommended OBWC consider whether additional topics from Ohio Administrative Code §4123-15 should be incorporated into future ethics trainings.

Response: The OBWC will consider the suggestion of modifying/creating Ethics Training that includes scenarios involving the appearance of preferential treatment and other topics from Ohio Administrative Code §4123-15-3.

Recommendation #6: Consider the benefit of providing additional training to OBWC employees on the OBWC employee policies addressing confidential personal information, distribution of sensitive information, and the differences between the information covered by these policies.

Response: The OBWC will continue to provide Ethics, CPI, and COEMP trainings. The OBWC will continue to review policies and update them to address confidential personal information and distribution of sensitive information.

Recommendation #7: Consider whether the new OBWC claims management system should be modified to restrict an employee's access to injured workers' claim files based on personal conflicts identified; to prevent multiple employees from working on the same task thereby eliminating duplication of effort by the employees; and to notify the assigned claims service specialist when another OBWC employee accessed and completed tasks in their assigned injured workers' claim file.

Response: The OBWC will consider the suggestion of modifying the claims management system to restrict employees' access (when needed) and will review claim processes to reduce work duplications.

Sincerely,



Sarah D. Morrison
OBWC Administrator/CEO