

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF MEDICAID
FILE ID NO.: 2015-CA00039
DATE OF REPORT: SEPTEMBER 2, 2015

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Randall J. Meyer
Ohio Inspector General



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REPORT OF INVESTIGATION

FILE ID NUMBER: 2015-CA00039

SUBJECT NAME: Mona Arrington

POSITION: Medicaid Health Systems Administrator 1

AGENCY: Ohio Department of Medicaid

BASIS FOR INVESTIGATION: Agency Referral

ALLEGATIONS: Abuse of Office or Position

INITIATED: July 9, 2015

DATE OF REPORT: September 2, 2015

INITIAL ALLEGATION AND COMPLAINT SUMMARY

On July 9, 2015, the Ohio Department of Medicaid's (ODM) chief legal counsel forwarded to the Ohio Governor's Office, the Office of the Ohio Inspector General, and the Ohio State Highway Patrol a memorandum outlining the potential misconduct of ODM Medicaid Health Systems Administrator 1 Mona Arrington. In the memorandum it was alleged Arrington may have been working at two state agencies at the same time and in the process, misusing state resources and creating a potential conflict of interest. It was believed Arrington performed contract work for Ohio Mental Health and Addiction Services on June 22, 25, and 26, 2015, during regular work hours while also being paid by ODM. The memorandum also addressed a possible policy violation of the ODM outside employment (i.e., secondary) work policy.

Upon receipt of the memorandum, the Office of the Ohio Inspector General opened an investigation.

BACKGROUND

Ohio Department of Medicaid

The Ohio Department of Medicaid (ODM) is the sole state agency for Ohio to administer Ohio's Medicaid program. The agency retains oversight and administrative control of the Ohio Medicaid program and assures federally set standards are maintained. ODM provides health care coverage to those with limited income; including pregnant women, families and children, adults, senior citizens, and individuals with disabilities. Many of those served by Medicaid obtain medical care at no cost; however, some recipients must pay copayments for certain services. Once enrolled, Medicaid participants gain coverage for such services as doctor visits, hospital care, well-child visits, home health, and long-term care.

Applicable Laws, Rules and Policies

ODM was once a component of the Ohio Department of Job and Family Services (ODJFS) until being formed as a separate cabinet-level agency in July 2013. The Office of the Ohio Inspector General noted while reviewing the applicable ODM policies that the agency continues to use many ODJFS policies to regulate and provide guidelines and direction for ODM employees.

The following laws, rules, and policies were reviewed as part of the investigation:

The ODM *Information Security Policy* states, “Users of the Ohio Department of Medicaid Services computing services must not use these facilities for soliciting business, selling products, or otherwise engaging in commercial activities.” The policy refers employees to ODJFS policy number IPP.10002, *Computer Usage and Information Systems Usage*. Under the section regarding prohibited uses of computer and information systems, it states employees cannot use “... computers or information systems in association with the operation of any for-profit business activities or for personal gain.”

Policy number IPP.5203, *Work Hours, Work Days, Work Week, Flextime and Compressed Work Week*, defines a standard work schedule as 8:00 a.m. to 5:00 p.m., Monday through Friday, with a one-hour unpaid lunch to be taken approximately midway through the work day. Flextime is defined as an alternative to the standard work day that offers flexibility to the employee. The use of flextime should be approved by the supervisor prior to the change in schedule.

This policy also states when an employee is late for work, they “... must report to their supervisors (or identified designees), discuss the tardiness and request leave or approval to make up the time.” The latter is at the supervisor’s discretion and a maximum of 30 minutes is allowed. Employees can make up the time before or after their normal work schedule, but not before 7:00 a.m. or after 6:00 p.m.

Policy number IPP.5101, *Employee Leave: Requests, Responsibility, and Accountability*, states when an employee is "... not at work, each employee's scheduled time must be accounted for through appropriate leave whether it is paid or unpaid, planned or unplanned."

Policy number IPP.5003, *Outside Employment*, says no "... employee shall accept or continue outside employment that in any manner conflicts with the employee's approved work schedule or duties." Any employee seeking or involved in outside employment must notify the agency in writing.

Ohio Revised Code §102.04(D)(2), *No compensation to elected or appointed state official other than from agency served*, says a state employee:

Prior to rendering the personal services or selling or agreeing to sell the goods or services, he files a statement with the appropriate ethics commission, with the public agency with which he serves, and with the public agency before which the matter is pending or that is purchasing or has agreed to purchase goods or services.

The required statement shall contain the official's or employee's name and home address, the name and mailing address of the public agencies with which he serves and before which the matter is pending or that is purchasing or has agreed to purchase goods or services, and a brief description of the pending matter and of the personal services to be rendered or a brief description of the goods or services to be purchased. The statement shall also contain the public official's or employee's declaration that he disqualifies himself for a period of two years from any participation as such public official or employee in any matter involving any public official or employee of the agency before which the present matter is pending or to which goods or services are to be sold. The two-year period shall run from the date of the most recently filed statement regarding the agency before

which the matter was pending or to which the goods or services were to be sold. No person shall be required to file statements under this division with the same public agency regarding a particular matter more than once in a calendar year.

Documents obtained from ODM show Arrington completed and submitted the “R.C. 102.04(D) Statement” on July 14, 2015, required under the Ohio Ethics Law.

INVESTIGATIVE SUMMARY

On July 10, 2015, investigators met with Ohio Mental Health and Addiction Services (OhioMHAS) Program Administrator Nacrina Alvarez-Blanco and requested documents, emails, and any other information relating to the OhioMHAS personal services contract with Arrington. At the meeting, Alvarez-Blanco provided to investigators a copy of the contract signed by Arrington on May 15, 2015. The personal business as listed on the contract was Human Services Business Solutions.¹ Alvarez-Blanco noted a clause in section 1b – Statement of Work – that reads:

It is fully understood and agreed that Contractor and all employees and subcontractors providing services to OhioMHAS under this Contract is/are independent contractors and is/are not an agent, servant, or employee of the State of Ohio or OhioMHAS for any purpose, including for the purpose of Chapter 145 of the Ohio Revised Code.

Alvarez-Blanco later provided a copy of the signed proposal received from Arrington by the Ohio Department of Administrative Services (ODAS) on April 30, 2015, for the OhioMHAS contract. The language in Section S-19 – Independent Contractor Acknowledgement – of the Request for Bid reads:

It is fully understood and agreed that Contractor is an independent contractor and is not an agent, servant or employee of the State of Ohio or the Ohio Department of Administrative Services.

¹ Investigators later verified this was the name of Arrington’s personal business through a search of the Ohio Secretary of State’s business filings.

When asked if OhioMHAS verifies whether or not the prospective contractor works for the state of Ohio, Alvarez-Blanco replied she did not believe this occurs.

On July 13, 2015, investigators met with ODM Chief of Staff Jennifer Demory and her assistant Katherine Dumond. Dumond provided Arrington's building entry swipe logs and Timekeep² timesheets showing Arrington's schedule, workday start and end times and leave usage since May 15, 2015. For the days identified in the memorandum (June 22, 25, and 26, 2015), Arrington's timesheets showed she worked from 8:00 a.m. to 4:30 p.m. on each of the days. The timesheets also showed there were eight regular work hours claimed each work day and there were no entries for any type of leave used on any of the days in question.

Investigators later confirmed, from information obtained from the state payroll system, Arrington did not use any leave during the pay period encompassing the dates in question and she received 80 hours of regular pay during that pay period, which ended June 28, 2015.

Timekeeping Issues

A review of the initial documents provided by ODM showed many discrepancies between the times when Arrington first entered the building at the beginning of the workday and the times entered on her timesheets. As such, investigators obtained the swipe logs and timesheets dating back to May 6, 2014, which was Arrington's first date of employment with ODM.

The time period reviewed and analyzed encompassed all workdays between May 6, 2014, and July 16, 2015, a total of 266 days. The analysis identified the number of times

² Timekeep is the current system used by the Ohio Department of Medicaid to document employee start and end times as well as leave usage.

Arrington arrived into the building using the first swipe in for the day, which is shown in the following chart:

Arrival Time	# of Entry Swipes
Before 8:00 a.m.	69
Between 8:00 a.m. and 8:10 a.m.	83
Between 8:11 a.m. and 8:29 a.m.	82
8:30 a.m. or later	32
TOTAL:	266

When compared to her timesheets, the swipe logs showed that of the 266 entries, Arrington entered the building 219 times after the start time shown on her timesheet. A further analysis was conducted documenting the total minutes between when Arrington first swiped in for the day and the start time documented on her timesheets. The variance of times noted was from a minimum of 1 minute up to a maximum of 111 minutes. The total time unaccounted for was 4,240 minutes, or 70 hours.

The first discrepancy was noted on May 7, 2014, Arrington's second day of employment with ODM, when she entered the building at 8:18 a.m. and her timesheet for the day showed a start time of 8:00 a.m.

Internet, email and computer analysis

On July 14, 2015, the Office of the Ohio Inspector General obtained the state-owned computer assigned to Arrington. A forensic analysis conducted on the hard drive of the computer found several documents concerning requests for proposals³ at other state agencies, unrelated to Arrington's work at ODM. Also found were copies of invoices to OhioMHAS and other personal documents related to Arrington's private business.

An analysis of Arrington's Internet activity under her user name showed a significant amount of activity when using selected search terms related to her private business. The

³ A request for proposal, or RFP, is a solicitation made through a bidding process, by an entity interested in purchasing particular goods or services.

search terms used related to her private business, Human Services Business Solutions, or various state agencies and public companies where Arrington appeared to be conducting job searches and applying for positions. The results showed significant activity from Arrington's Google™ account and personal email address.

Additional search terms used were related to Southwestern City Schools (SWCS). These terms were selected based on prior work history as listed on Arrington's resume provided in her proposal packet to OhioMHAS, a copy of which was also located on the hard drive of the state computer assigned to her. The results produced the name of an individual at SWCS Arrington had corresponded with through her personal email.

The Office of the Ohio Inspector General contacted SWCS and asked for any emails, other correspondence, and/or documents, between the district and Arrington related to any work Arrington performed for the school system. SWCS provided copies of emails showing Arrington had scheduled and attended a meeting at 3:00 p.m. on January 12, 2015, at the school district's offices. The email provided showed it was sent from Arrington's personal account during her regular work hours and payroll records show she was paid by ODM during the time this meeting took place.

An analysis of Arrington's state email account found Arrington had forwarded emails to her personal account. These emails included attachments related to her personal business that were scanned using ODM equipment.

On July 21, 2015, the Office of the Ohio Inspector General interviewed Marilyn Henson, Arrington's supervisor at ODM. Henson stated she had not met Arrington until Arrington's interview for the position she holds. ODM currently has a flexible schedule policy and several months ago Arrington was flexing her schedule for a couple of hours a week. For example, if she came in 30 minutes late she would have to leave 30 minutes later than her normal 8:00 a.m. to 4:30 p.m. schedule. However, the bureau chief

directed that all flex schedules had to be formally approved, and Arrington currently does not have an approved flexible schedule according to Henson. As a result, if Arrington came in late or left early and it was not based on operational need, she would be required by policy to take leave.

When asked what would occur if an employee arrived at their desk 10 minutes late, Henson replied that sometimes an employee would get caught up in conversation with another employee, and ODM management would not count that against the person. Henson was shown Arrington's swipe records which indicated she regularly swiped in to work anywhere from 10 to 19 minutes late. Henson stated Arrington did not have permission to arrive late and noted that she had not called Henson to inform her that she would be late. Henson also said, "Well, she's leaving on time, I can tell you that."

Henson was asked about June 22, 2015, when it was noted Arrington's swipe records showed her arriving at 7:07 a.m. Henson stated she remembered that date because she told Arrington she was not allowed to come in early without permission, and when Arrington stated she did not know that, Henson replied, "I just talked to you about, you know, flexing your time." However, Henson did not recall if Arrington was at work the whole day, as she (Henson) was in meetings most of the day.

Henson was aware Arrington had her own consulting business because Arrington had told her that she had been approved as a Minority Business Enterprise (MBE).⁴ Henson stated she told Arrington she needed to be careful, "Because if you have any outside work that might conflict with – you know, we work – you doing with the State of Ohio, you have to get that vetted by the Ethics Board." Henson said Arrington replied she planned on hiring people for the consulting business and would not be doing any of the work

⁴ Minority Business Enterprise is a program designed to help minority businesses obtain state government contracts through a set-aside purchasing program. It establishes a 15 percent goal for all state agencies, boards and commissions to purchase through minority businesses. Source: Ohio Department of Administrative Services website.

herself. Henson did not recall any other conversations about the subject and stated Arrington had not submitted a secondary employment notification.

On July 27, 2015, the Office of the Ohio Inspector General interviewed Brandi Nicholson, section chief of Home Care Operations at ODM. Nicholson is Marilyn Henson's supervisor. Nicholson stated she does not interact with Arrington on a day-to-day basis and confirmed Arrington's job rarely requires travel outside of the office. In March 2015, a notification was sent from then-bureau chief, Debbie Moskerdino, outlining the expectations of using leave time and employees flexing their time. According to Nicholson, this was in regard to section employees flexing their schedules to avoid the use of leave. Nicholson said this notification also provided guidance that employees should not be in the office before 7:00 a.m. or after 5:30 p.m. unless there was some operational need.

When asked if this applied to someone arriving to work 10 minutes late and staying over 10 minutes to make up the time, Nicholson stated her expectation for her department is when this occurs you email your supervisor asking for approval, and if the request is denied then you use the appropriate leave. Nicholson said flexing time was not something you "... just make it up along the way" and an employee would need permission from their supervisor to do so.

Nicholson was shown Arrington's swipe card records and she noted Arrington was arriving late on a regular basis. Nicholson stated she did not know why Arrington would be arriving late almost every day. Nicholson said she would want to see Arrington's timesheets to determine whether her start times had been adjusted or if she had taken any leave. When informed that Arrington's timesheets show no adjustments, Nicholson stated that had she been aware of the situation, she would have been concerned and would have notified and scheduled a meeting with the Human Resources Department.

Around July 4, 2015, Nicholson recalled a conversation she had with Henson regarding Arrington wanting to flex her hours so she would not need to use leave to extend her weekend. Henson began to notice Arrington did not have many leave hours accumulated. Arrington's request would have been denied given the directive regarding flexing schedules unless it was for operational need. When asked if it was possible for Arrington to leave for a couple of hours in the middle of the day without being noticed, Nicholson said it would be possible for Arrington to leave unnoticed, given that managers generally attended meetings throughout the day.

In regard to Arrington's consulting business, Nicholson said she was first made aware of the business when Arrington mentioned it sometime in April 2015 to both her (Nicholson) and Henson. Nicholson recalled Arrington stating that she had received her MBE certificate and both Nicholson and Henson congratulated her before Henson expressed some concerns to Arrington. Henson told Arrington, "... you need to be really careful about that" and noted to her that there could be a conflict of interest. Nicholson stated she knew Arrington did some "side work" but did not know the particulars. Nicholson also said she did not recall seeing or approving a secondary employment notification for Arrington.

On July 22, 2015, the Office of the Ohio Inspector General interviewed Tom Sherba, OhioMHAS Health Policies supervisor. Sherba oversees the Ohio Substance Abuse Monitoring Network program and the associated OhioMHAS contract with Arrington. Sherba explained the contract with Arrington was for the contractor to conduct interviews with clinicians in central Ohio mental health agencies regarding the effects of client suicides. Sherba stated OhioMHAS requested bids for the project through the MBE/EDGE portal and Arrington was the only one to apply. Based on her experience, and her MBE certification, Arrington's bid was accepted by the agency.

When Arrington submitted her bid, Sherba acknowledged she provided a copy of her resume. Sherba was asked if he saw Arrington had listed her current employer as ODM and he replied he noted on her resume the most recent entry was ODM, but did not recall Arrington's resume showing employment at ODM. As Arrington had applied as a contractor through her consulting business, Sherba assumed she had recently performed consulting work for ODM, not that she had been or was currently a paid employee at ODM.

Sherba was shown the clause in the personal services contract regarding the consultant attesting they were not currently an employee of the state of Ohio and asked if any verification of this was or is conducted. Sherba replied, "Apparently not." Sherba became aware of Arrington's employment status with ODM when OhioMHAS employee Beth Gersper informed Sherba of a conversation Gersper had with Arrington where Arrington was discussing ODM. Sherba reported that Gersper told him she asked Arrington if she had any other consulting contracts or full-time employment, and Arrington replied she worked at ODM. Sherba said Gersper immediately notified him of Arrington's employment with ODM.

Sherba stated Arrington began work under the contract on June 8, 2015, when Sherba, Arrington, and Beth Gersper attended a training session from 9:00 a.m. to 1:00 p.m. Sherba said it was his understanding that on June 22, 2015, Arrington observed an interview conducted by Gersper in Dublin that began at 2:30 p.m. and lasted approximately an hour. Following the interview, Sherba said he received an email from Gersper which provided a critique of Arrington's performance during the interview. Investigators noted the email said Arrington appeared eager to leave as soon as the interview ended; however, Sherba said he did not recall reading this in the email.

Sherba stated the interviews took place during regular business hours. Sherba noted Arrington had been involved in one training session, two interviews, and a third interview

for which there was no documentation. The second interview was on June 25, 2015, in Westerville from 2:00 - 3:00 p.m. The third interview was scheduled to take place on July 13, 2015, between 12:30 and 1:30 p.m. When asked about whether any interviews were conducted on June 26, 2015, based on the information originally provided to ODM by OhioMHAS, Sherba said he could not recall that date and stated he would need to look into why he listed June 26, 2015, as a day Arrington was working under the contract.

On July 27, 2015, the Office of the Ohio Inspector General interviewed Health Services Policy Analyst Beth Gersper, who serves as the Ohio Substance Abuse Monitoring Network coordinator with OhioMHAS. Gersper stated she worked with Arrington as part of the personal services contract Arrington had with OhioMHAS. Gersper recalled Arrington attended a training at the Rhodes State Office Tower on June 8, 2015, from 9:00 a.m. to 1:00 p.m. Gersper met again with Arrington on June 22, 2015, to conduct an interview scheduled in Dublin at 2:30 p.m. According to Gersper, Arrington arrived late and did not have a recording device with her. Gersper also stated that after the interview, Arrington appeared to be in a hurry to leave "... and was actually walking away from me as I was attempting to give her feedback because that was her first interview." This occurred around 4:00 p.m., as Gersper remembers texting someone at 4:03 p.m., shortly after Arrington left.

The next time Gersper saw Arrington was on June 25, 2015, when they met for an interview in Westerville scheduled for 2:00 p.m. Arrington arrived before Gersper. While they were waiting to begin the interview, Gersper stated Arrington began asking questions about a project that was out for bid. Gersper informed Arrington there was a meeting regarding the project the following day, June 26, 2015, at the Ohio Department of Public Safety (ODPS) offices. According to Gersper, Arrington told her that she

(Arrington) had an interview scheduled at Twin Valley⁵ in the morning and would be able to stop by the meeting after the interview. Gersper said Arrington then told her she hoped to get enough of these contracts so she could work on them full time and quit her job. Gersper said she asked Arrington what her profession was and where she worked; Arrington replied “Downtown with you at Medicaid.”

At this point, Gersper said she did not recall the rest of the conversation because she was trying to figure out how Arrington could work at ODM and yet have time to conduct the interviews for OhioMHAS. She assumed ODM allowed for a flexible schedule or Arrington traveled a lot and, therefore, she would be permitted to conduct these interviews.

The next day, while at a meeting for ODPS, Gersper remembered seeing Arrington there while she was having lunch with Sherba. After the meeting, Gersper and Sherba were talking and Gersper mentioned Arrington planned on bidding on the project. Sherba expressed concern that Arrington did not have the qualifications necessary to bid, but Gersper stated that she did. At this point, Gersper said Sherba made a comment about not knowing where Arrington worked and Gersper informed him of the conversation she (Gersper) had with Arrington the day before. Gersper stated that she and Sherba discussed how Arrington would be permitted to conduct interviews if she was working full-time as a state employee, and Sherba said she assumed Arrington must be an ODM contractor.

The following Monday, Gersper stated she looked on the state website where they post a list of employees and their job titles and she found Arrington’s name. She also searched for other consultants who were under contract with OhioMHAS and did not find their

⁵ Twin Valley – Twin Valley Behavioral Healthcare Hospital located at 2200 West Broad St. in Columbus which is located directly across the parking lot from the ODPS headquarters.

names. At this point she informed her supervisors she believed Arrington was a state employee.

On August 10, 2015, the Office of the Ohio Inspector General interviewed Mona Arrington. Arrington said that she works as a contract manager for ODM, and her job duties include verifying whether vendors (providers) are abiding by contract terms, meeting contract deliverables and standard requirements. Arrington said she does have monthly meetings with providers but these do not take her out of the office since the agency requires contractors to come to ODM. Arrington said there is occasional offsite work for training, which is typically held at Ohio Department of Transportation facilities on West Broad Street in Columbus.

Arrington was asked if she was familiar with the ODM policies and procedures and if she received any training or discussion about them when she first started working at ODM. She said no mechanism formally exists for employees to acknowledge they have read the policies and she did not recall receiving a list of policies she needed to review.

In regard to her secondary employment, Arrington stated she had been doing consulting work since 2010 but “took it to the next level” recently by registering her business with the Ohio Secretary of State’s Office. This was also a requirement to obtain her MBE certification. Arrington said she previously performed small side contract work to support administrative services for the entities she worked with, including grant management and oversight, grant writing, proposal writing, evaluations, and data collection. Arrington also noted that she did some work with school districts, the last work being conducted a year and half prior to this interview, and also worked with the Ohio Empowerment Coalition in 2014. Arrington said she currently has one contract – with OhioMHAS.

Arrington stated no one discussed secondary employment with her when she began her employment at ODM. She did go to ethics training, but the discussion was mostly about doing business with the state, and the training staff did not discuss secondary employment. When asked if she reviewed the policies at ODM, Arrington replied, "... it's a lot. I do take it upon myself to ask questions to get clarity."

Arrington shared with her supervisors at ODM that she had recently received her MBE certification. Arrington said she knew there were some "parameters" she needed to follow related to her personal business. But Arrington said the supervisors' comments were about her not doing business with ODM and cautioned her to be careful.

When asked if she had fully read the contract with OhioMHAS, Arrington said she "... thought I did." Investigators showed Arrington the sections of the contract where she attested to not being a state employee. Arrington first stated she believed that clause only related to not being an employee of OhioMHAS. After reading the clause a few times, she noted the wording did apply to any state employee and admitted to not noticing it when she signed the contract.

Arrington said she was transparent in the proposal packet by indicating she was working at ODM. She found it difficult to believe Sherba and Gersper thought it was a previous employment or contract work. Arrington noted that during the orientation session conducted on June 8, 2015, for new OhioMHAS contractors for the Ohio Substance Abuse Monitoring Network project, each of the contractors shared where they all worked and Arrington said she worked at ODM.

Over the last few weeks, Arrington said she became aware of what steps to take when she is providing services to one state agency while employed by another. When she first started the process, Arrington said she was "... really intentional on trying to go about it right and I knew there was some stricter laws." However, the information Arrington said

she first received when starting the process was that it was permitted to do business with other state agencies – just not with the agency you worked for. Arrington stated there were no specific comments made about ensuring her secondary employment did not interfere with her primary job. Arrington also stated there were no comments made about using state resources for her secondary business; however, she knew she could not.

Investigators asked about the events on June 26, 2015. Arrington stated she was meeting with a clinical supervisor to set up an interview at a later date. She also confirmed that there was a public meeting held by OhioMHAS for a new project later that day, and that Gersper told her to attend. Arrington said she did go to the afternoon meeting, stating she stopped there during her lunch break. She could not recall when the two meetings started but knew the second one was during her lunch time. Arrington admitted she did not take leave time from ODM since she felt she was on her lunch break when she attended the meeting. She further stated that at the time, ODM employees could flex their schedules on their own, but since that time the use of flex time has been restricted. When it was noted by investigators that the change in flex time usage had been relayed to employees well before the month of June, Arrington stated her dates might be inaccurate.

For the June 25, 2015, interview in Westerville, Arrington explained she believed the interviews would not take long and admitted to not taking any leave time. Also for the June 22, 2015, interview in Dublin, Arrington said she “... went off information that was presented during orientation” and it was her belief the interviews would not take a lot of time. She admitted to again not taking leave from ODM and she was in a hurry to get back to the office, as Gersper indicated. Arrington stated she did not notify her supervisor about her departure and believed she did not need to as she was on a lunch break or believed she could make the time up later.

For all three days in question, Arrington stated she did not adjust her schedule nor did she ask her supervisor to do so; she just decided to stay later. When investigators noted her

timesheet did not show an adjustment to her end times for those dates and there was no evidence, as indicated by sent emails that she worked beyond 4:30 p.m., Arrington said she thought she could get back to ODM and commented, "... was it good judgement, no, looking back, no." When investigators also noted it was not possible to get to Dublin or Westerville from downtown Columbus and back in 30 minutes, Arrington said, "... now I see, no."

Arrington was asked if there were any other days similar to the three dates in June in which she left the ODM office to meet with any other entities, and she replied no. Investigators then asked about January 12, 2015. When she could not recall what occurred on that date, Arrington was shown a copy of the email investigators received from SWCS where Arrington had arranged a meeting to take place at 3:00 p.m. Arrington said she remembered attending the meeting but not whether or not she took leave that day. When she was told she had not taken leave, Arrington asked if she had adjusted her schedule for the day and was told by investigators she had not. Arrington replied, she was "... trying to fit too much in to a day" and she believed it was okay for her to take her lunch at the end of the day and not have to come back to work. Again, Arrington did not notify her supervisor and said she "... did not know that she had to tell them that." Arrington indicated she tried to make sure there was nothing on her calendar related to ODM and there was nothing that necessitated her being at work during the times she was out of the office.

When asked if she would have been happy having an employee who did what she was alleged to have done, Arrington replied, "... probably not." Arrington also stated that, "... looking back was just really distorted for some sort of reason" in January and she was just going to take a later lunch to get the meeting done. In regard to the OhioMHAS contract, she said she went in to the interviews thinking she could conduct them quickly, but once the process began, she had multiple appointments scheduled and there was no way for her not to attend the interviews and it "... got a little bit chaotic for me." When

investigators asked why she did not contact her ODM supervisors, Arrington said, "... you're right, that would have been the better thing to do."

When discussing flex time, Arrington stated that before the change in policy, employees could come in and ask to stay later or make up the hours needed. She said the department was relaxed in having to notify the supervisors before any change in the schedule and it "... was just the practice of the unit."

Investigators asked Arrington if it was possible the reason she did not take leave time for the three days in June was because she did not have enough leave available, or she was saving her leave time for the upcoming July 4th holiday weekend. Arrington replied she did have plans for the holiday and this may have been the reason for some of the decisions she made when she did not take leave time for the dates in June. Arrington further stated, "... during that whole week I made a lot of bad decisions."

Arrington was then informed of the analysis conducted by the Office of the Ohio Inspector General on her swipe card entry logs and timesheets. When asked to provide an explanation for why the analysis showed she arrived at work late the majority of the time, Arrington explained she goes to get coffee before coming into the office and the results of the analysis did not surprise her.

Arrington indicated sometimes they had training offsite and she would start her work day at another location and then travel to ODM. On days where she was 10 to 20 minutes late, Arrington said she did not argue with the findings and she was "... guilty of falling into the culture." It was pointed out her tardiness started the first week she began working at ODM and when asked to provide an explanation, Arrington replied, "I can't come up with one that is valid enough" and it was "... immaturity on my part." She stated she was "... seeing what everybody else is doing and that doesn't make it okay for me, it doesn't."

Arrington was then shown the results of the computer analysis conducted by the Office of the Ohio Inspector General. She did not deny using the state computer for her personal business. Investigators noted that downloaded documents identified on her assigned state computer were not related to her work with ODM. Also found during an analysis of her state email mailbox, were emails sent to her personal account with attached personal documents that had been scanned on ODM equipment. When asked to provide an explanation for these documents, Arrington replied, "I know better." Arrington had previously responded to the question of whether or not anyone at ODM had spoken with her about the policies prohibiting the use of state resources or equipment for personal reasons, and by agreeing to the policies, she knew she was not to use them to operate her personal business.

Finally, Arrington was shown 200-plus pages listing a history of her personal Internet usage compiled from her assigned state computer. In response to what she was shown, Arrington said it was a "... bad decision." When investigators noted that it appeared she was operating her personal business using state equipment and during her ODM working hours, Arrington said she would not say she was operating her business, but did admit to conducting personal business on state time.

CONCLUSION

On July 9, 2015, the Office of the Ohio Inspector General received notice that Ohio Department of Medicaid employee Mona Arrington had allegedly performed contract work for Ohio Mental Health and Addiction Services on dates and times when her timesheets showed she worked for and was paid by ODM.

Investigators found evidence that Arrington was involved in a variety of activities involving her personal business during her scheduled work hours with the Ohio Department of Medicaid and while being paid by the state of Ohio.

On at least four occasions, Arrington left her office at ODM to conduct interviews or attend meetings with or on behalf of OhioMHAS and the Southwestern City Schools System. Arrington did not take leave nor did she notify her supervisors of her absence on any of these dates.

Through a review of her email, investigators learned Arrington used ODM equipment to scan documents related to her personal business and later attached copies of these documents to emails she forwarded to her personal email account.

Investigators also determined Arrington utilized her assigned state computer to access the Internet and conduct searches for possible contracts with other state agencies, apply for jobs, and correspond with entities she did business with as it related to her private business. She also used her assigned computer to store documents related to her personal business.

Finally, while not necessarily related to her private business, investigators found, through a review of Arrington's timesheets and swipe entry logs, significant discrepancies between the time the swipe logs showed her arriving at the ODM building and the times Arrington entered on her timesheets. The total amounted to 4,240 minutes, or 70 hours of unaccounted time.

Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe wrongful acts or omissions occurred in these instances.

During the investigation, the Office of the Ohio Inspector General conducted a review of the policies provided by the Ohio Department of Medicaid, and investigators noted the agency continues to utilize Ohio Department of Job and Family Services policies even though the Ohio Department of Medicaid was formed as a separate cabinet-level agency in July 2013.

The Office of the Ohio Inspector General also noted in the Ohio Mental Health and Addiction Services contract between the agency and Arrington, a clause where the contractor attests that he or she is not a state employee. However, according to those interviewed, there is no verification process in place to ensure compliance with this clause.

RECOMMENDATION(S)

The Office of the Ohio Inspector General makes the following recommendations and asks the directors of the Ohio Department of Medicaid and the Ohio Mental Health and Addiction Services to respond within 60 days with a plan detailing how these recommendations will be implemented:

1. The Ohio Department of Medicaid should review this report of investigation and take any administrative action deemed necessary with regard to the activities of Mona Arrington.
2. The Ohio Department of Medicaid should develop its own policies and ensure employees are familiar with and acknowledge the new policies when they are implemented.
3. The Ohio Mental Health and Addiction Services should implement a process of verification to ensure contractors with the agency are not state employees and comply with the clause in the personal services contract used by the agency.

REFERRAL(S)

This report of investigation will be provided to the Columbus City Attorney for consideration.



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

NAME OF REPORT: Ohio Department of Medicaid

FILE ID #: 2015-CA00039

KEEPER OF RECORDS CERTIFICATION

This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.

Jill Jones
KEEPER OF RECORDS

CERTIFIED
September 2, 2015

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