

STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF
INVESTIGATION



AGENCY: OHIO BUREAU OF WORKERS' COMPENSATION
FILE ID NO.: 2018-CA00035
DATE OF REPORT: FEBRUARY 14, 2019

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Randall J. Meyer
Ohio Inspector General



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF INVESTIGATION

FILE ID NUMBER: 2018-CA00035

SUBJECT NAME: Jessica Caldwell
Medical Claims Specialist

Lauren McLuckie
Medical Claims Supervisor

AGENCY: Ohio Bureau of Workers' Compensation

BASIS FOR INVESTIGATION: Referral

ALLEGATIONS: Falsification of Records;
Abuse or Misuse of Time; and
Failure to Comply with State or Department Rules,
Procedures, or Policies.

INITIATED: August 29, 2018

DATE OF REPORT: February 14, 2019

INITIAL ALLEGATION AND COMPLAINT SUMMARY

On August 23, 2018, the Ohio Bureau of Workers' Compensation (OBWC) notified the Office of the Ohio Inspector General that OBWC Central Office Medical Claims Specialist Jessica Caldwell¹ had allegedly submitted "falsified" records to her supervisor in order to use her accrued sick leave. OBWC stated that on February 24, 2017, OBWC management informed Caldwell that she was required to submit a physician verification statement (PV) prior to her use of sick leave or vacation leave (in lieu of sick leave) for her absences from work. A properly submitted PV should have provided the following information: the employee or family member that had been seen or treated by the physician; the date this appointment or visit occurred; and the date she could return to work. Based on concerns expressed by Caldwell's supervisor, OBWC representatives contacted two doctors' offices and learned that nine of the PVs submitted by Caldwell were either "altered" or "forged."

On August 30, 2018, OBWC notified the Office of the Ohio Inspector General of allegations involving a second employee, Medical Claims Supervisor Lauren McLuckie.² OBWC alleged that McLuckie had also submitted "falsified" PVs to her supervisor. OBWC had determined from its initial investigation that eight PVs submitted by McLuckie from one medical provider had been either "altered" or "forged."

BACKGROUND

The Ohio Bureau of Workers' Compensation is responsible for providing workers' compensation insurance to all public and private employees except those who qualify for self-insurance. It is the largest exclusive workers' compensation system in the United States. An administrator/chief executive officer of OBWC is appointed by the governor. OBWC is also overseen by an 11-member board with members experienced in financial accounting, investment and securities, and actuarial management. OBWC is funded through assessments paid by employers.

The Ohio General Assembly enacted Ohio Revised Code (ORC) §121.52, effective September 10, 2007, which created the deputy inspector general for the Ohio Bureau of Workers'

¹ Caldwell resigned her position effective August 24, 2018.

² McLuckie was terminated from her position at OBWC effective September 7, 2018.

Compensation and the Industrial Commission of Ohio (ICO). This statute requires a deputy inspector general be designated who "... shall investigate wrongful acts or omission that have been committed or are being committed by officers or employees ..." of both OBWC and the ICO, and provides the deputy inspector general the same powers and duties as specified in Ohio Revised Code §121.42, §121.43, and §121.45 for matters involving the OBWC and ICO.

Relevant Policies and Procedures

During the course of the investigation, investigators reviewed the following relevant policies and procedures:

OBWC Policy Memo 6.03 *Physician's Verification* provides guidance to employees regarding the appropriate use of their sick leave balances. The policy also specifies the circumstances when an employee can be placed on physician verification (PV); the process followed for imposing and removing the PV requirement for an employee; and the responsibilities of both the employee and supervisor during the time period the employee is on PV. [\(Exhibit 1\)](#)

OBWC Policy Memo 6.04 *Sick Leave* provides guidance to employees as to when sick leave can be appropriately used and the procedures to be followed when requesting to use sick leave. The policy further provides, "Failure to follow the Call-Off Policy (BWC HR Memo 9.01) or the Physician's Verification Policy (BWC HR Memo 6.03) shall result in a denial of sick leave and disciplinary action." [\(Exhibit 2\)](#)

OBWC Policy Memo 9.01 *Call-off Policy* provides guidance to employees who cannot report to work on a scheduled work day. The policy states that only two leave types, sick leave and emergency personal leave, can be used by employees for who cannot report to work on a scheduled work day. [\(Exhibit 3\)](#)

Jessica Caldwell

Jessica Caldwell was a medical claims specialist assigned to the OBWC Central Claims Office. Caldwell's job description stated that her assigned work duties included, but were not limited to: performing "initial/subsequent claims investigation & determination for Medical-only claims

within prescribed timeframes;” processing and maintaining claims information, and medical and legal documents as required; and performing non-claims management functions as needed. Investigators determined that Caldwell acknowledged receipt of OBWC Policy Memo 6.03 on October 28, 2016, and OBWC Policy Memo 6.04 on April 22, 2016.

Lauren McLuckie

Lauren McLuckie was promoted to a medical claims supervisor in the OBWC Central Claims Office on July 8, 2018. McLuckie’s job description stated that her assigned work duties included, but were not limited to: supervising a team of medical claims specialists; and investigating and responding to legislative inquiries. Prior to her promotion, McLuckie was a medical claims specialist assigned to the OBWC Central Claims Office. Investigators determined that McLuckie acknowledged receipt of OBWC Policy Memo 6.03 on October 28, 2016, and OBWC Policy Memo 6.04 on December 21, 2015.

Dee DeStefano

Dee DeStefano is a medical claims supervisor in the OBWC Central Claims Office. DeStefano’s job description stated that her assigned work duties included, but were not limited to: supervising a team of medical claims specialists; approving leave requests; and investigating and responding to legislative inquiries. Investigators determined that DeStefano acknowledged receipt of OBWC Policy Memo 6.03 on October 31, 2016, and OBWC Policy Memo 6.04 on December 21, 2015.

INVESTIGATIVE SUMMARY

Jessica Caldwell

On September 27, 2018, the Office of the Ohio Inspector General interviewed separately OBWC Interim Employee & Labor Relations Director Rhonda Bell and OBWC Central Claims Office Medical Claims Supervisor Dee DeStefano. DeStefano explained that each time Caldwell requested to use sick leave, Caldwell provided to her a Physician Verification statement (PV). OBWC had notified Caldwell on February 24, 2017, ([Exhibit 4](#)) that she was required to submit a PV for all her sick leave absences in accordance with OBWC Policy Memo 6.03. DeStefano

confirmed Caldwell provided to her the required PVs including a PV to use sick leave for her absence on August 14, 2018.

While reviewing the PV for August 14, 2018, DeStefano stated that she became concerned about Caldwell's "dwindling leave balance" and the number of PVs Caldwell was submitting. Due to these concerns, DeStefano compared the August 14, 2018, PV submitted to the PV Caldwell submitted for an August 1, 2018, absence. DeStefano stated both PVs indicated Caldwell was seen by the same physician. However, DeStefano noted differences in the physician signatures on each of the two PVs.

DeStefano discussed her concerns with her supervisor and reviewed what she had found. During this conversation, DeStefano asked if OBWC management were permitted to contact the physician to verify the authenticity of the PV. DeStefano then discussed the same concerns with OBWC Labor Relations Officer 3 Sherri Fitzpatrick and subsequently, with Bell. Bell told investigators that after reviewing the two PVs in Fitzpatrick's office, she believed it appeared as though the PVs had been "altered" or "changed."

On August 15, 2018, Bell called the medical provider to verify the authenticity of the two PVs submitted by Caldwell for her absences on August 1, 2018, and August 14, 2018. Upon request, Bell sent a letter to the medical provider with the two PVs in question for their review. Bell said the medical provider called her and stated that Caldwell had not been seen on the two dates in question.

After speaking to the medical provider, Bell discussed the matter with the OBWC Special Investigations Department (SID) and they advised Bell that further investigation was warranted. OBWC SID then contacted four doctors' offices and determined that certain PVs submitted were "falsified" and contained "forged" physician signatures.

The Office of the Ohio Inspector General obtained and reviewed 15 PV statements that Caldwell had submitted from two doctors' offices to support her absences between July 31, 2017, and August 14, 2018. On August 24, 2018, the Office of the Ohio Inspector General interviewed

OBWC Medical Claims Specialist Jessica Caldwell. Caldwell confirmed that she had received from her supervisor a direct order to submit the PV statements, which were to comply with OBWC Policy Memo 6.03 *Physician Verification*. Caldwell admitted to submitting the 15 PVs to her supervisor to support her absences from work. When asked to explain the inconsistencies in the physicians' signature for PVs submitted from the same medical provider, Caldwell was unable to do so.

Investigators then informed Caldwell that OBWC had been told by two doctors' offices that the physicians' signatures on 10 of the PVs she had submitted to her supervisor were not the physicians' actual signatures. Caldwell was unable to provide an explanation to investigators as to why the signatures were not genuine and further denied creating the PVs prior to submitting them to her supervisor.

On October 4, 2018, the Office of the Ohio Inspector General issued subpoenas to the two doctors' offices for patient medical records verifying interactions with Caldwell, her son, or her sister between January 1, 2017, and August 31, 2018. In addition, investigators met with two physicians who were shown nine³ PVs submitted by Caldwell that contained their signatures. The physicians stated to investigators that the signatures on the PVs were not their signatures.

Both OBWC Policy Memos 6.03 and 6.04 provide that an employee's failure to submit a PV when required would result in the denial of the sick leave request and would subject the employee to progressive disciplinary action. Investigators compared the information provided in the doctors' offices subpoena responses to the PVs submitted by Caldwell to determine whether Caldwell, her sister, or her son were treated on the dates indicated on the PVs Caldwell submitted to use sick or vacation leave (in lieu of sick leave) for her work absences. The Office of the Ohio Inspector General determined that Caldwell submitted 10⁴ PVs in which neither she, her sister, nor her son were seen or treated by a medical professional on the 11 days that Caldwell used sick leave or vacation leave (in lieu of sick leave). Therefore, Caldwell failed, as

³ Nine PVs were shown to the physician on the date the subpoena was served. The remaining PV had been previously reviewed by the physician when meeting with OBWC representatives.

⁴ Certain PVs excused Caldwell from work for more than one day.

required by OBWC polices, to submit a valid PV in order to use sick or vacation leave (in lieu of sick leave) on the following dates:

Date of Leave	Sick Leave Hours	Reduced Rate Sick Leave Hours	Vacation in Lieu of Sick Hours	Amount Compensated for Leave Usage
7/31/2017	0.3			\$6.07
9/14/2017		8		\$117.54
11/6/2017		8		\$117.54
12/11/2017	8			\$167.92
12/27/2017	8			\$167.92
2/5/2018	8			\$167.92
4/12/2018	8			\$167.92
4/13/2018		4.3	2.1	\$63.07
7/5/2018		3.5		\$52.85
8/1/2018		8		\$121.30
8/14/2018		5.3	2.7	\$144.67
		74.2		\$1,294.73

The Office of the Ohio Inspector General also examined files stored by Caldwell on her OBWC network drive and state-issued computer. Of particular interest to investigators was a file saved on Caldwell’s network drive titled “dr_note.” According to the document properties ([Exhibit 5](#)), Caldwell created this file on August 1, 2017, one day after Caldwell was required to submit a PV for her use of sick leave on July 31, 2017. Investigators further noted that Caldwell’s OBWC print logs⁵ revealed that she printed the “dr_note” file that corresponded with the following absences:

Absence Date	Date Printed	No of Times Printed
7/31/17	8/1/17	3
11/6/17	11/7/17	1
7/5/18	7/9/18	1
8/1/18	8/2/18	1

Discovery of Lauren McLuckie Submitting Fraudulent PVs

On August 24, 2018, Bell was notified that Caldwell had commented to another OBWC employee that she wasn’t the only one engaging in this practice and alleged that Lauren

⁵ A print log is a running log reflecting the documents printed by each OBWC employee’s assigned User ID.

McLuckie was also doing so. Bell explained to investigators that she believed McLuckie had been required to submit PVs for a long time⁶ and was removed from the PV requirement effective February 21, 2018. Bell recalled requesting OBWC Central Claims Office management provide her with McLuckie's PVs supporting her (McLuckie's) absences from work. Bell then forwarded the documents to SID for further review and analysis.

SID conducted an initial review and found that markings or dots⁷ on the actual PVs were positioned in the same location on different PVs submitted by McLuckie. On August 29, 2018, SID contacted the medical provider and asked if they had provided McLuckie with a PV for each of the nine dates in question. The medical provider's secretary confirmed to SID that the office had issued only one PV to McLuckie during that period. On August 30, 2018, OBWC notified the Office of the Ohio Inspector General of the allegations that McLuckie had submitted fraudulent PVs for her use of sick leave.

Lauren McLuckie

On August 30, 2018, the Office of the Ohio Inspector received 26 PVs from eight doctors' offices submitted by McLuckie supporting her absences between March 16, 2015, through October 3, 2017. Investigators confirmed SID's findings that there were similar markings positioned in the same location on several PVs submitted. These markings indicated that the same copy machine had been used to duplicate the PVs. Investigators further determined the handwritten initials on PVs supposedly obtained from different medical providers were similar.

On August 31, 2018, the Office of the Ohio Inspector General interviewed OBWC Medical Claims Supervisor Lauren McLuckie. McLuckie believed that she initially received a direct order that she was required to provide a PV for use of sick leave sometime in 2004 and that she was removed from this requirement in February 2018. After reviewing the PVs provided to investigators by OBWC, McLuckie admitted to investigators that she had submitted the PVs to her supervisor, Dee DeStefano, for her use of sick leave or vacation leave (in lieu of sick leave).

⁶ Records provided by OBWC indicate that McLuckie had been under this direct order since at least February 2007.

⁷ These dots were distinctive markings left from the wear and tear while using same copier make copies of the PV.

Investigators asked McLuckie to explain why a physician's name was misspelled on three PVs and why certain physician names were signed in cursive and others were printed. Investigators also asked why the medical condition she was treated for and the return-to-work dates were handwritten on seven PVs and typed on one PV. McLuckie was unable to provide an explanation for any of these questions.

Investigators informed McLuckie that OBWC had contacted one medical provider to verify the authenticity of nine PVs she had submitted. McLuckie believed OBWC was told, "Probably that I wasn't seen [by the doctor], but I did call in. Like I said, I was under the impression that since 2004 that I was able to do that. I just found out in a manager's meeting this week that I had to be seen every day ... or that we have to be seen." McLuckie informed investigators that she had a standing agreement with her doctor. This agreement allowed her to call the doctor's office; explain she was not feeling well; and that a PV would be prepared for her submission. McLuckie stated in these instances, her doctor, who has since retired, did not require her to come into the office.

Investigators showed McLuckie the PV she had submitted for April 13, 2016. The PV had several black dots on the face of the document and the medical condition, dates, patient's and physician's names were typed in the same font. Investigators noted to McLuckie that the dots were positioned in the same location on subsequent PVs she had submitted from the same medical provider. Investigators also noted to McLuckie that the medical condition and dates were handwritten on some PVs, and the patient's and physician's names were removed from other PVs; all of which were submitted for the same office. Investigators asked McLuckie whether she had copied the April 13, 2016, PV and later submitted to her OBWC supervisor modified copies of the original PV for subsequent sick-leave absences. McLuckie responded, "I did not do that. No."

On September 4, 2018, the Office of the Ohio Inspector General requested that SID search McLuckie's workspace for documents or other evidence associated with McLuckie's preparation or submission of PVs to her supervisor. On September 5, 2016, SID conducted the search and found an orange folder containing a total of 36 documents in the right-hand drawer of

McLuckie's desk. The folder contained several versions of PVs from three medical providers, of which some were blank copies. Others had white-out on the face of the document or paper taped to the face of the document to hide a portion of the original form when making copies of the PV. In addition, the folder contained four documents with several handwritten physicians' signatures.

On October 4, 2018, the Office of the Inspector General issued subpoenas to the eight medical providers for patient medical records documenting interactions with McLuckie, her daughter, or her son between January 1, 2015, and August 31, 2018. Investigators compared the medical providers' subpoena responses to the PVs submitted by McLuckie to determine whether McLuckie, her daughter, or her son were treated on the dates reflected on the 26 PVs McLuckie submitted to her supervisor to use for sick or vacation leave (in lieu of sick leave) for her absences from work.

Both OBWC Policy Memos 6.03 and 6.04 provide that an employee's failure to submit a PV when required would result in the denial of the sick leave request and would subject the employee to disciplinary action. The Office of the Ohio Inspector General determined that McLuckie submitted 10⁸ PVs for 13 days in which neither she, her daughter, nor her son were seen or treated by the medical provider. Therefore, McLuckie failed, as required by OBWC policies, to submit a valid PV in order to use sick or vacation leave (in lieu of sick leave) on the following dates:

⁸ Certain PVs excused McLuckie from work for more than one day.

Date of Leave	Sick Leave Hours	Reduced Rate Sick Leave Hours	Vacation in Lieu of Sick Hours	Amount Compensated for Leave Usage
1/15/2016	3.8			\$88.12
2/29/2016			9	\$208.71
6/6/2016		8		\$129.86
6/7/2016		1.3	6.7	\$176.48
9/19/2016		6.2	1.8	\$146.50
11/21/2016	2.3	5.7		\$150.08
1/3/2017	8			\$190.88
1/4/2017	5.1		2.9	\$190.88
3/6/2017	6.2		1.8	\$190.88
4/24/2017	8			\$190.88
7/10/2017	3.4	5.1		\$171.11
10/2/2017		3.3	5.2	\$184.37
10/3/2017			8.5	\$208.68
		102.3		\$2,227.43

Management Oversight - Review of PVs

OBWC Policy Memo 6.03 *Physician Verification* provides that an employee is required to submit “the required documentation within three (3) working days after the employee’s return to work from a qualifying absence.” This policy further provides that, the “PV is only acceptable in its original form and if personally written and signed by the attending physician/designee.” Moreover, the policy provided, “the PV must indicate the physician who examined the employee or a member of the employee’s immediate family on the day of the absence and the employee is unable to report to work during the period encompassed by the sick leave.”

Investigators reviewed the PVs submitted by both Caldwell and McLuckie for compliance with OBWC Policy Memos 6.03 and 6.04 and noted the following for PVs from the same medical provider:

- Multiple work excuse formats;
- Misspellings in the physician’s first name and last name;
- Inconsistent versions of the physician’s signature;
- Similar markings, such as lines or dots, in the same location of each PV submitted;

- Did not reflect either that the employee was under their care or identify the employee or family member seen, treated, or examined by the physician; or
- Indicated the employee was seen at the administrative office.

Contrary to OBWC Policy Memo 6.03, investigators determined that DeStefano received copies and not the original PVs for 17 of the 41 PVs submitted by Caldwell (11) and McLuckie (6). In addition, neither the PVs submitted nor the Requests for Leave submitted by McLuckie and Caldwell reflected the actual dates the supervisor received the PVs and whether the PVs were submitted within the required three business-day timeframe.

On September 27, 2018, the Office of the Ohio Inspector General interviewed Dee DeStefano. DeStefano explained that before approving a Request for Leave and filing the PV, she reviewed each PV received to ensure the following information was provided:

- What day the person was seen;
- That there was a signature of a physician or designee; and
- That the dates agree to those submitted on the Request for Leave.

DeStefano told investigators that she never compared previously submitted PVs to those PVs submitted later for inconsistencies in the format or signatures. DeStefano stated that before approving a Request for Leave, she only verified that the information required by OBWC policy was provided in the PV. Investigators noted to DeStefano that OBWC policy requires employees to submit original PVs. DeStefano stated that it was difficult to determine whether the PVs received were originals or copies.

DeStefano was directed to an April 24, 2017, PV in which McLuckie requested to use eight hours of sick leave. The PV indicated McLuckie was excused from work for the entire day; however, the PV specified the employee could return to work on the same day. Investigators found this inconsistency occurred in five of the 41 PVs reviewed during this investigation. DeStefano was asked if she would have questioned an employee who requested the entire day off and submitted a PV which specified that the employee could return to work on the same day. DeStefano stated, “Absolutely ... it looks like you could have come back to work when you were

out.” Investigators found no evidence documenting that DeStefano had questioned this inconsistency or requested that a revised PV be submitted.

Investigators further noted that PVs submitted from two different medical providers contained the same handwritten initials next to the typed name of the two different physicians.

Investigators questioned whether DeStefano required initials next to a typed doctor’s name on the PV. DeStefano replied, “No.” DeStefano then stated, “to me, I look at these initials ... I would think this is somebody in the office who initialed beside the name” and thought the individual was authorized to do so.

Lastly, investigators discussed with DeStefano the two PVs Caldwell submitted which were addressed to a female minor and stated that Caldwell was present at her daughter’s appointment. Investigators learned that Caldwell has a son, not a daughter. DeStefano admitted to investigators that she was aware Caldwell has a son and noted that Caldwell takes care of her sister. However, DeStefano did not notice this discrepancy during her review of the two PVs.

Management Oversight – 90 Day Review

OBWC Policy Memo 6.03 *Physician Verification* provides that as part of the ongoing monitoring of an employee’s leave usage while on PV, the supervisor is responsible for scheduling a 90-day review after placing the employee on PV and evaluating whether the employee should remain on PV. Should the decision be made that the employee remains under the PV direct order, a subsequent 90-day review should be scheduled by the supervisor to revisit this determination.

On September 26, 2018, OBWC Central Claims Office Director Karen Thrapp explained that the 90-day review is used to determine whether the employee is to remain under the Physician Verification direct order. Thrapp stated the review is to consist of a meeting with the same supervisor and employee. However, Thrapp discovered that supervisors had been “lackadaisical” in holding these meetings as required by policy. When questioned about the 90-day review, DeStefano told investigators that she held an informal meeting with her employees at the time the employees submitted their PV statements to her. DeStefano explained to investigators her process conducting the 90-day reviews:

With the employees that I have had, on um, physician verification, the 90-day review has been very informal ... The employee understands ... They completely know that they are still on PV ... and the two employees I had on PV, they knew they were on PV. We had informal meetings at my desk ... there was nothing scheduled ... we had informal meetings letting them know they were still on PV. That normally happened every time they handed me their PV.

To determine whether DeStefano held these 90-day review meetings as required by OBWC policy, investigators calculated the number of days between when Caldwell was given the PV direct order and the submission of PVs by Caldwell. Investigators noted that Caldwell received the PV direct order on February 24, 2017. Per OBWC Policy Memo 6.03, DeStefano should have completed a 90-day review on or about May 25, 2017. With the exception of the February 24, 2017, meeting, Caldwell told investigators that she did not recall any other meetings with DeStefano to discuss whether she remained under the PV direct order. Based on DeStefano's statements, investigators determined that DeStefano did not discuss with Caldwell being placed on PV until August 1, 2017, at the earliest, when Caldwell had submitted a PV, exactly 158 days after receiving the PV direct order.

Investigators also calculated the number of days between McLuckie's submission of PV statements in 2015 to the date of her removal of the PV direct order in February 2018. Investigators determined that there was less than 90 days between each PV submitted by McLuckie to her supervisor. Although DeStefano stated that she held informal meetings with the staff at the time the PV was submitted, investigators found no evidence that these discussions with McLuckie had occurred.

OBWC Policy and Procedural Changes

On September 26, 2018, Thrapp told investigators that she had recently instituted a new procedure within the OBWC Central Claims Office to ensure the 90-day review required by OBWC Policy Memo 6.03 is completed. Thrapp explained that the supervisor is required to send an Outlook meeting invite to the employee for the PV meeting. After the meeting is

concluded, Thrapp explained that the supervisor will send to the employee a summary of what was discussed during the meeting.

On November 20, 2018, Bell told investigators that OBWC Policy Memo 6.03 was in the process of being revised and updated based on the issues identified during OBWC's initial review and procedural weaknesses that the investigators had shared with OBWC. On December 13, 2018, OBWC reissued OBWC Policy Memo 6.03 to OBWC staff.

CONCLUSION

OBWC Policy Memos 6.03 and 6.04 both provide that the employees' failure to submit a PV when required by OBWC Policy Memo 6.03 would result in the denial of the sick leave request and subjects the employee to disciplinary action. On August 23, 2018, and August 31, 2018, OBWC referred allegations to the Office of the Inspector General that OBWC Medical Claims Specialist Jessica Caldwell and Medical Claims Supervisor Lauren McLuckie had submitted "altered" or "falsified" physician verification (PV) statements as required by OBWC Policy Memo 6.03 *Physician's Verification* to be permitted to use their sick leave or vacation leave (in lieu of sick leave).

Jessica Caldwell

On August 24, 2018, Caldwell was unable to explain to investigators why there were differences in the same physician's signature on multiple PVs she had submitted. Caldwell was also unable to explain why the medical provider told OBWC that Caldwell had not been seen or treated on the days specified on the PVs. However, Caldwell denied creating the PVs in question. After the interview, Caldwell resigned from her position at OBWC.

The Office of the Ohio Inspector General obtained 15 PVs submitted by Caldwell and subpoenaed records from the associated doctors' offices to verify the authenticity of the 15 PVs submitted. The Office of the Ohio Inspector General determined that Caldwell submitted 10 PVs in which neither she, her sister, nor her son were seen or treated by the medical provider as specified on the PV. These PVs were used to obtain approval to use either sick leave or vacation leave (in lieu of sick leave) for the times she was absent from work.

The Office of the Ohio Inspector General determined that Caldwell submitted 10 fraudulent PVs in order to use 74.2 hours of leave totaling \$1,294.73.

Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.

Lauren McLuckie

The Office of the Ohio Inspector General obtained 26 PVs submitted by McLuckie from OBWC. On August 31, 2018, the Office of the Ohio Inspector General interviewed McLuckie and reviewed with her the inconsistent information identified by investigators during a review of the PVs. These discrepancies included, but were not limited to: the misspellings of a physician's name on three PVs; markings positioned on the first PV submitted by McLuckie appeared identically on subsequent submitted PVs; and the information reported on the first PV submitted by McLuckie was typed, and on subsequently submitted PVs, was handwritten. McLuckie was unable to explain these discrepancies and denied creating the PVs in question.

On September 5, 2018, OBWC conducted a search of McLuckie's workstation at the request of investigators and discovered an orange folder stored in her desk. Inside the folder were multiple copies of a PV form in various states of alteration and pages containing handwritten physician signatures. On October 4, 2018, investigators subpoenaed records from the associated medical providers to verify the authenticity of the PVs McLuckie submitted. The Office of the Ohio Inspector General determined that McLuckie submitted 10 PVs in which neither she, her daughter, nor her son were seen or treated by the medical provider as reported on the PV. These PVs were used to obtain approval to use either sick leave or vacation leave (in lieu of sick leave) for the times she was absent from work.

The Office of the Ohio Inspector General determined that McLuckie submitted 10 fraudulent PVs in order to use 102.3 hours of leave totaling \$2,227.43.

Accordingly, the Office of the Inspector General finds reasonable cause to believe a wrongful act or omission occurred in this instance.

On August 24, 2018, Caldwell resigned her position. On August 31, 2018, OBWC placed McLuckie on administrative leave. OBWC removed McLuckie from employment on September 7, 2018.

On February 13, 2019, the Franklin County Grand Jury indicted Jessica Caldwell and Lauren McLuckie each on one count of Theft in Office and three counts of Forgery.

RECOMMENDATION(S)

The Office of the Ohio Inspector General makes the following recommendation and asks that the administrator of the Ohio Bureau of Workers' Compensation respond within 60 days with a plan detailing how these recommendations will be implemented. The Ohio Bureau of Workers' Compensation should:

1. Determine whether additional training is warranted for OBWC Policy Memo 6.03 *Physician's Verification* for supervisors and employees.
2. Review with all supervisors the importance of their evaluation of all PVs to ensure that the PV meets the policy requirements and appears to be authentic. This review should also include steps to be taken should there be questions about the validity of the PV.

REFERRAL(S)

The Office of the Ohio Inspector General previously forwarded this report of investigation to the Franklin County Prosecutor's Office.



STATE OF OHIO
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

NAME OF REPORT: Ohio Bureau of Workers' Compensation

FILE ID #: 2018-CA00035

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
February 14, 2019

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