



U.S. OFFICE OF SPECIAL COUNSEL

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Washington, D.C. 20036-4505

The Special Counsel

December 13, 2007

The President  
The White House  
Washington, DC 20500

Re: OSC File No. DI-06-2205

Dear Mr. President:

I received disclosures from Valerie Taylor, a whistleblower at the Department of Veterans Affairs (VA), Michael E. Debakey VA Medical Center (VAMC), Houston, Texas. Ms. Taylor, who consented to the release of her name, alleged that the nurses in the VAMC's inpatient units do not have adequate supervision in the evenings, on weekends, and on holidays. Ms. Taylor stated that the VAMC eliminated the Nursing Administrative Officer of the Day (AOD), who used to provide valuable on-site clinical and administrative assistance to the nursing staff during off-tour hours. Under the present arrangement, the nursing staff must now contact an on-call Nurse Manager at home for guidance and nursing advice during off-tour hours. Because the Nurse Managers provide nursing advice over the telephone, without examining the patient firsthand, Ms. Taylor contended that there is a high risk of medical error.

As discussed in the attached report, an agency investigation did not substantiate Ms. Taylor's allegations. The agency concluded that the VAMC's decision to eliminate the AOD position has created administrative and staffing problems and has led to low morale among the nursing staff. However, the agency did not find that the new policy posed a danger to the health or safety of the VAMC patients. Nevertheless, at OSC's request, the VA has agreed to re-evaluate the policy and to reconsider the potential health and safety ramifications of the policy.

I required the Honorable James Nicholson, former Secretary of Veterans Affairs, to conduct an investigation into the whistleblower's disclosures pursuant to 5 U.S.C. § 1213(c) and (d). The Under Secretary for Health subsequently submitted a report to this office. Ms. Taylor provided comments on the agency report to this office pursuant to 5 U.S.C. § 1213(e)(1); her comments are attached. As required by law, 5 U.S.C. § 1213(e)(3), I am now transmitting the report to you.

Based on the representations made in the agency reports and Ms. Taylor's comments, I have determined that the agency reports contain all of the information required by statute and the findings appear to be reasonable. As required by § 1213(e)(3), I have sent a copy of the reports and Ms. Taylor's comments to the Chairmen of the Senate and House Committees on Veterans'

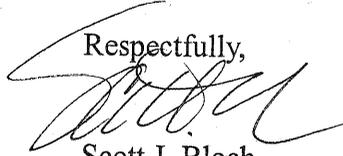
The Special Counsel

The President

Page 2

Affairs. We have also filed a copy of the reports and the whistleblower's comments in our public file and closed the matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Bloch', written in a cursive style.

Scott J. Bloch

Enclosures