Whistleblower's Comments

I still wish to remain anonymous but choose to reply to the decision set forth.

I find that the investigation was flawed in 3 areas.

The first has to do with the claim made by the lab personnel concerning a valid ID. The employee had a CIVILIAN ID card, which has never resembled a beneficiary ID at any point in time during the period that services were stolen. The lab staff stated that they assumed the employee was entitled to their services because an ID was presented, but in reality if they did ask for the ID , they would have seen that he DID not have a beneficiary ID.

Secondly, The RPh used a smoke screen of a theoretical Lipid Clinic to defend his unauthorized use of the lab. He also stated that this Lipid Clinic (which did not exit) gave him the authority to order labs on himself and use the lab for his own gain (no charge to him, he otherwise would have had to use his own health care insurance with a co pay for each of the 50 visits). He used the name of the past Lab director to justify his theft. This person he quoted over and over is deceased and unable to defend the lies that he told. He then tried to justify his Lab testing by saying they were labs ordered by Occupational Health. Since when does an employee require his prostate to be checked, his blood sugars levels, or lipid levels? This just DOES not occur legitimately. The fact that this ridiculous defense was not discredited makes one think that those involved with the investigation chose to ignore the truth and allow any tale to be told and believed. If these tests were legitimate, they would appear in his Occupational Health Folder and I am sure if it were checked, they do not exist.

The third and most incredible flaw with this decision falls solely on the shoulders of the COL who accepted perjury for the accused and looked the other way. Shame on him and his reputation. Where are the military values that he supposedly holds high of honor and integrity? This RPh lied blatantly in a sworn statement on 6/15/2007. Question 12 asks" have you ever entered labs orders into CHCS 1 for patients, other employees, or yourself? The RPh replied "No". He then signed the statement at the end of the document "I XXX have read, or have had read to me this statement which begins on page 1 and ends on page 3. I fully understand the contents of the entire statement made by me. The statement is true. I have initialed all corrections and have initialed the bottom of each page containing the statement. I have made this statement freely and without hope of benefit or reward, without threat of punishment, and without coercion, unlawful influence, or unlawful inducement.

This is a well educated man, who has entered into several contracts over the course of his adult life. He knows to read legal documents carefully. He knows the severity of signing a false statement as true. He knows what he signed . YET, he was allowed to state that he didn't mean his answer of NO, that it was a mistake. He lied to cover up what he knew was wrong. He did it knowingly.

His rebuttal to the LTC on 9/20/2007 contains more lies. He now admits that he was ordering labs and using the lab however, he still is clinging to his "right" to do so even though he produces no evidence to support his claim . He does not fit the definition of a privileged provider and has no documentation to prove he ever had the authority.
He states that in his sworn statement of 6/15/2007 he admitted that SOME of the labs he had drawn were for the start up of a Lipid Clinic. When you check his sworn statement the word "some" does not appear. He states he did not make a false statement 6/15/2007, yet question 12 contradicts what he wrote to the LTC 9/20/2007.

The RPH continues to lie to the deciding COL when questioned 12/27/07. When asked why the RPH ordered tests for his own Prostate and Thyroid levels, he responds that it all started with the Lipid Clinic. At several times he claimed that he was only using an unwritten employee benefit when utilizing the lab and its services, and what was the big deal? The arrogance of this individual pours out of every page of his rebuttals.

Overall, this continued line of denial, lies, and recanting his stories shows the true measure of this man. He lies until backed into a corner by the truth, and then he changes his story and blames the question or the interviewer.

He blatantly and knowingly stole goods (reagents) and services (lab tests) from the United States Government for over nine years and lied to cover his theft.

He blatantly and knowingly operated outside his scope of practice as a staff pharmacist by impersonating a provider and ordering lab tests for himself.

He blatantly and knowingly perjured himself in a sworn statement to an official investigation officer.

At the end, no matter how many regulations this RPh violated, how many lies he told, how many professional regulations he broke, how unprofessional and callous he was in claiming his entitlement the deciding COL determined that the RPh did not lie in his sworn statement. How can he change what is in black and white, what is the truth and so evident. Did he let a personal relationship with this individual sway his decision to uphold truth, honor and integrity? Or was he just too lazy to see the course of truth through? Perhaps he did not want to spend any more of his time seeing that justice was done, so he allowed a lie to be untold and a perjurer, con artist and thief to go free.

This was a sad day for justice, the United Sates Army, and the soldiers who do choose to uphold the Army values of truth, honor, and integrity. Too bad their Commander chooses not to.