

**Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington D.C. 20036-4505**

February 20, 2017

RE: OSC File No. DI-14-4835

Please find the response to the VA OIG investigation regarding my complaints as outlined in the document #14-02890-72 released on November 9, 2016.

If there are any questions regard the content herein, please feel free to contact me at:

**Thank you for your time and attention to this matter,
Diane Suter**

COMPLAINT #1

"Did SAVAHCS Managers Improperly Direct Scheduling Staff to "Zero out" Patient Wait Times?"

Contested Content: "The OIG ... interviewed the former Chief of Primary Care, a nursing supervisor, and other nursing staff.... "

(Page 2 "What We Did" and throughout the OIG inquiry)

Complainant's Response: Inquiring of these two parties in the course of the investigation is proper, although I liken it as asking the fox who stole the chickens from the chicken pen. Did they really expect to get an honest answer? Furthermore, the supervisor, whom the OIG knew from my statements ruled the clinic staff in a realm of fear and retaliation, should have been removed from the clinic during the investigation so that the employees could be free from the psychological and physical intimidation that persists in these clinics.

Contested Content: "... a nursing supervisor and several nursing staff stated that, in 2014, local scheduling training taught methods that violated VA's national scheduling policy. "

(Page 4 "Conclusion")

Complainant's Response: This is a bald-faced lie. The supervisor, whom I am 99% sure is my last supervisor, sat down at my desk and used the computer I was using that day and showed me how she wanted me to do the appointments. This was directly contrary to the method I was taught by the VA trainers just weeks prior to this. That there are employees who are telling OIG the same story indicates that they have been terrorized into telling the story that the supervisor wanted them to tell.

Contested Content: "... staff stated that, in 2014 ..."

Complainant's Response: There might have been changes to the training in 2014, but I was trained in December 2013.

(Page 4 "Conclusion")

COMPLAINT #2

"Were Ocotillo Clinic Physicians Awarded Bonuses Based in Part on Wait Times?"

Contested Content: "VA OIG partially substantiated that physicians were awarded bonuses based, to an extent, on appointment availability, including the percentage of patients scheduled within 14 days of their requested date. VA OIG found no evidence that Clinic physician performance pay in 2014, FY 2015, or FY 2016..." (Page 7 "Conclusion")

Complainant's Response: The way I see this as written implies that I am wrong - "partially substantiated"- about my allegation. The bonuses, to my knowledge, were issued in the end of the calendar year. I was present for the one in December 2013. The Phoenix VA debacle became public in the Spring of 2014 and the practices that accompanied the Phoenix scandal were immediately stopped. This included the appointment-based bonuses. Therefore, I could not be held for a reporting error regarding the missing bonuses after 2013. I was **wholly** substantiated.

COMPLAINT #3

"Was The Complainant Excluded From a Meeting With The Hospital Director?"

Contested Content: "The list obtained from the complainant was not attached to an email nor did it contain headings or markings reflecting that it came from an email."
(Page 8 "What We Found")

Complainant's Response: When the OIG interviewed me on April 21, 2015, I showed them the entire set of documents in my possession and they received copies of any documents they wanted. I know they specifically got copies of my document number 18A, 18B, and 18C. (Included) The document they describe on page 8 is obviously 18C. This was an Excel-type spread sheet attachment to the rest of the email, document #s 18A and 18B. On document 18A, beneath the text, there is a small icon with the text, "Scheduling Key Holders As Of 5-5-14.xlsx 77K". This is clearly indicating there was an attachment to the email, the attachment the OIG dismissed.

Secondly, there was a list of recipients on an email sent to me at 10:42 AM on May 9, 2014 that says, "Please plan on attending."
(Document 18B)

But on the spreadsheet for our clinics, my name was not on there.
(Document 18C)

Near the end of lunchtime on May 9, 2014, my supervisor saw me at my desk and told me she wanted me to stay in the office to cover for those who were going to the meeting. So not only did she exclude me from the meeting in print, (Doc. #18A-18C) she gave me an order that if I violated, I could be charged with insubordination. Based on my experience with this supervisor, I believe she would leap at the chance to bring such serious allegations against me.

Additionally, there is a notation at the top of the page (Document #18A) that says, "As (sic) sign sheet identifying staff with scheduling keys will be kept. If you have staff that do not attend please be prepared to report why i.e. Scheduled leave**** " This indicates to me that attending the meeting was, as much as possible, a requirement, not optional and as the OIG report states, I was "...on duty for her 8-hour shift on May 9, 2014, and should have been able to attend."

175 18A

It is requested that you review the list of your staff who have VistA scheduling keys and assign them an appropriate time to meet with Mr. Gardner as to allow for continued clinic flow and not interrupt patient care. As sign sheet identifying staff with scheduling keys will be kept. If you have staff that do not attend please be prepared to report why i.e. Scheduled leave.

This meeting is mandatory for all staff who have the VistA scheduling key, who are on duty on May 9, 2014.

The meeting should take no more than 20 minutes.

- 10 minutes for remarks from Mr. Gardner
- 10 minutes allow for any questions
- 10 minutes to allow for flow between meetings.

Sincerely & Respectfully,
William B. Patterson
Administrative Officer

Business Service Line
Southern AZ VA Healthcare System
Office: (520) 792-1450 ext 5735
Fax: (520) 629-4905

 Scheduling Key Holders As Of 5-5-14.xlsx
77K

FW: Director Meeting with Staff with Scheduling Keys (May 9, 2014, Conference Room A)

Suter, Diane M. <Diane.Suter@va.gov>

Fri, May 9, 2014 at 12:49 PM

To:

From: Weigel, Dinah

Sent: Friday, May 09, 2014 10:42 AM

To: Bastedo, Tiffany M.; Bock, Nancy J.; Bridges, Barbara A.; Briscoe, Starri; Bryant, Loretta S.; Canedo, Sylvia R.; Chavez, Elizabeth; Cox, Dianna L.; Elsmore, Rebecca L.; Faulstich, Deborah; Geraldoy, Rowena B.; Gil, Leticia; Hernandez, Idolina N.; Johnson, Joan F.; Loucks, Sue E.; McCartney, Gail A.; Medaugh, Annetta R.; Mellon, Rita L.; Miller, Amber E.; Mooneyham, Judith K.; Moorehead, Mary Maureen; Ortiz, Catalina R.; Paas, Marian K.; Rascon, Tammy L.; Rosa, Aida L.; Ross, Gretchen G.; Rough, Michelle M.; Saucedo, Maria del Carmen; Serina, Jasmin; Smith, Sheri L.; Suter, Diane M.; Tenpenny, Margaret M; Urey, Paula J; Zappia, Deanna L.

Subject: FW: Director Meeting with Staff with Scheduling Keys (May 9, 2014, Conference Room A)

Please plan on attending.

From: Mungovan, Kathleen M.

Sent: Friday, May 09, 2014 10:38 AM

To: Gnuschke, Diane M.; Weigel, Dinah; Golden, Wendy M.

Subject: FW: Director Meeting with Staff with Scheduling Keys (May 9, 2014, Conference Room A)

As requested - thanks for your help in getting staff who do appointment scheduling to meet with Mr. Gardner this afternoon.

From: Patterson, William B.

Sent: Thursday, May 08, 2014 10:47 AM

To: Saffioti, Donna R.; Bishop, Frances; Landwehr, Katie A.; Mungovan, Kathleen M.; Alapeck, Bonita S (Bonnie); Petty, Sally J.; Nelson, Lorien C.; Breslauer, Marc; Flink, Donald P.; Habib, Michael P.; Adamowich, Jacqueline; Mueller, Timothy I.; McGauley, Marcus A.; Smith, Diana J. (DJ) (TUC); Sheridan, Edward P. Jr.; Braun, Steven J; Miller, Chandra; De Los Santos, Kristina; DeSaeger, Kathryn G.; Perez-Padilla, Sonia; Miller, Sherrie L. (Tucson); Schifman, Ronald B.; Erickson, Eric T.; Russell, Valerie (V16); Gores, Florence A.; Marin-Mcwhorter, Linda K.; Renner, Stephen W.; Guerra, Robert J.; Rutter, Kathleen O; Kellermeyer, Diana S; French, Julianne A.; Esquibel, Gregory L.; Hogrefe, Sheila; Owens-Brown, Lisa (Starla); Wilson, Dale L (Tucson)

Cc: Vakoc, Lorie A.

18C

	SCHEDULER	POSITION	SERVICE	KEY	KEY ASSIGNED
1	BAKER, SUSAN J	PROGRAM SUPPORT ASSISTANT (OA)	PRIMARY CARE	ASVSDMA KEY	7/1/13
2	BRIDGES, BARBARA A	NURSE	PRIMARY CARE	ASVSDMA KEY	7/16/13
3	BROUGHTON, EVE	CLINICAL NURSE SPECIALIST	PRIMARY CARE	ASVSDMA KEY	7/15/08
4	CANEDO, SYLVIA R	NURSE	PRIMARY CARE	ASVSDMA KEY	2/26/14
5	DASHIELL, NORINA M	NURSE	PRIMARY CARE	ASVSDMA KEY	5/3/12
6	GERALDOY, ROWENA B	NURSE	PRIMARY CARE	ASVSDMA KEY	11/12/13
7	HAMPTON, JACOB A	PROGRAM SUPPORT ASSISTANT	PRIMARY CARE	ASVSDMA KEY	4/16/13
8	JOHNSON, JOAN F	NURSE	PRIMARY CARE	ASVSDMA KEY	11/6/12
9	MEDAUGH, ANNETTA R	NURSE	PRIMARY CARE	ASVSDMA KEY	12/7/10
10	MILLER, AMBER E	NURSE	PRIMARY CARE	ASVSDMA KEY	5/5/11
11	MILLER, SHERRIE L	ADMINISTRATIVE OFFICER	PRIMARY CARE	ASVSDMA KEY	4/17/01
12	MOONEYHAM, JUDITH K	NURSE	PRIMARY CARE	ASVSDMA KEY	10/21/13
13	PAAS, MARIAN K	NURSE	PRIMARY CARE	ASVSDMA KEY	8/2/04
14	QUIJAS, KATHY M	PROGRAM SUPPORT ASSISTANT	PRIMARY CARE	ASVSDMA KEY	2/25/14
15	ROSA, AIDA L	NURSE	PRIMARY CARE	ASVSDMA KEY	7/16/13
16	ROSS, GRETCHEN G	NURSE	PRIMARY CARE	ASVSDMA KEY	7/17/09
17	SERINA, JASMIN	NURSE	PRIMARY CARE	ASVSDMA KEY	7/17/09
18	TENPENNY, MARGARET M	NURSE	PRIMARY CARE	ASVSDMA KEY	11/6/12
19	UREY, PAULA J	NURSE	PRIMARY CARE	ASVSDMA KEY	11/6/12
20	WEIGEL, DINAH L	NURSE	PRIMARY CARE	ASVSDMA KEY	7/15/13
21	ZAPPIA, DEANNA L	NURSE	PRIMARY CARE	ASVSDMA KEY	7/15/13
					10/7/12
					3/27/14

purposely taken off