

Rebuttal on OSC (case # DI-11-1650), Albuquerque, NM VA Lisa Gregoire RN

Sept 23,2011

To Whom it May Concern:

I hereby submit the following rebuttal comments to the decision on case # (case # DI-11-1650)

The Investigation was not conducted appropriately on several accounts; Ms Crowell was given 4 names of eyewitnesses to the same offenses committed by Karen Modjeska-Oravec of fraud, waste , abuse of Government property, by completing schoolwork and using government printers and supplies to print large pieces of documents and textbooks as required reading for her coursework. back in June during our interview. I am puzzled as to why Ms Crowell limited her other interviews to only other management staff. This is highly unusual, and I feel, biased and inappropriate, considering that I gave four HBPC non-management employee witnesses, none of whom were questioned, and all of which have daily contact with Ms. Modjeska-Oravec during her duty day, unlike all but one of Ms. Crowell's interviewees. I will provide their contact information to an investigation as requested. There was not even any random questioning of any HBPC non-management employees. It would stand to reason that anyone on the management chain would deny knowledge of any wrongdoing on Ms. Modjeska-Oravec's part, because firstly, that would mean they were at fault also, and secondly, 6 out of the 7 (other than myself) do not have contact with Ms. Oravec in the HBPC office environment on a daily, or even weekly or monthly basis, so would have no concrete evidence other than her self report by outlook calendar of what she was supposed to be doing, but much of which cannot even be verified as to whether the times or actions were correct.

Furthermore, one of my witnesses observed and heard some of the conversation that took place between Ms. Crowell, Ms. Modjeska-Oravec, and Ms. Stolk, and there was a lot of loud laughter in conjunction with my name being heard, and basically it seemed that the three parties basically made light of the whole thing.

Other Comments:

Re: Testimony of Jerome Nutter. All this does is show why Ms. Crowell did not bother to have an IRM check of the computer. If this is actually the case, how does the government know when misuse occurs? I find that hard to believe, also having worked private sector and been told that they could track our computer use on the web. I have been told by acquaintances of mine who have worked in IRM for many years, that data does remain on the file servers for up to one year.

Re: Dr. Meghan Gerety, once again, has minimal contact with Ms. Modjeska-Oravec, would have no first hand knowledge of her daily activities.

Re: Kathleen Catanach, and Carol Bittner, both Human Resources management staff-

I fail to see what Human resources would have to do with a VA employee inappropriately using a VA computer and printer, given that Ms. Modjeska-Oravec does not work in their department.

(Continued on next page)

P. 2, Rebuttal on OSC (case # DI-11-1650), Albuquerque, NM VA Lisa Gregoire RN

Re: Deborah Tanner and Deborah Stolk being completely unaware of any allegations by me of misuse/abuse of government resources by Ms. Modjeska-Oravec, an ROC was filed with the union approx. mid-January 2011 which specifically detailed my allegations (copy enclosed) . I (perhaps wrongly) believed that they would have been provided copies of this ROC as standard procedure. The union should have notes on this, or Mr. Jared Rule can be interviewed.

Re: Much of the observed abuse. Quite a bit of it occurred while HBPC was located in building 3 (we moved to building 15 in approx. early December 2010). We were in an open office, and Karen's computer was clearly visible to anyone going to talk to the PSA's, get something from the kitchen or the main printer, or going to the other area where the manager, dietician, and community health sat. Many desks had an open line of sight to hers, as the office was mostly openly configured around a central meeting table. Shortly after obtaining the position of nurse manager, and after the move, Karen disseminated her patient workload among the nurses, among whom is one witness, (whose name I will provide if requested under investigation), and did not again pick up a patient care load until the HBPC RN serving rural health and parts of Rio Rancho left in March 2011 and she was forced to pick up her caseload. I also need to note, that Ms. Stolk actually came to HBPC after I did, so I saw things during my initial days training etc.. that she would have no knowledge of, but as a new nurse, I did not want to rock the boat right away. Due to these facts, which can be corroborated by my witnesses, and records of patients, and HR records, the testimony given by Ms. Stolk (the only one of the interviewees with any daily contact with Ms. Modjeska-Oravec) can be proven to be largely irrelevant.

In regards to performing patient care visits, so being "too busy" to do schoolwork, , many of the visits performed by Karen, both during my training/handoffs to me and as reported by several patients to me, were brief in nature, such that she was often back in the office in Bldg 3 prior to many of the other nurses, including myself, having already done her charting in CPRS, so had free time at that time, as she did not yet have any nurse manager duties. As to my stated schedule, this was the schedule I generally followed once I was up and running with a full caseload. I spent many days with Karen during training and initial handoff of many of her patients to me prior to her becoming nurse manager, in building 3, which she, along with 2 other nurses completed, and was over to her computer many times to ask her questions about these patients during that time.

I appreciate your consideration, and especially as a veteran myself, who would like to believe in the integrity of the VA system, I respectfully request an unbiased investigation of the issue. Thank you.

Lisa M. Gregoire RN

