

Whistleblower Investigation Report

Department of Health

Published March 30, 2017 Report No. 1018884





Office of the Washington State Auditor Pat McCarthy

March 30, 2017

John Wiesman, Secretary of Health Department of Health

Report on Whistleblower Investigation

Attached is the official report on Whistleblower Case No. 16-029 at the Department of Health.

The State Auditor's Office received an assertion of improper governmental activity at the Department. This assertion was submitted to us under the provisions of Chapter 42.40 of the Revised Code of Washington, the Whistleblower Act. We have investigated the assertion independently and objectively through interviews and by reviewing relevant documents. This report contains the result of our investigation.

If you are a member of the media and have questions about this report, please contact Assistant Director for Communications Kathleen Cooper at (360) 902-0470. Otherwise, please contact Whistleblower Manager Jim Brownell at (360) 725-5352.

Sincerely,

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Pat McCarthy State Auditor Olympia, WA

cc: Governor Jay Inslee Lynda Karseboom, Internal Auditor

Kate Reynolds, Executive Director, Executive Ethics Board Cheri Elliott, Lead Investigator

WHISTLEBLOWER INVESTIGATION REPORT

Assertion and results

Our Office received a whistleblower complaint asserting the former chair (subject) of the Medical Quality Assurance Commission disseminated confidential information to an unauthorized person.

We found no reasonable cause to believe an improper governmental action occurred.

Background

The Medical Quality Assurance Commission (Commission) works under the umbrella of the Department of Health (Department), which is responsible for licensing medical professionals. The mission of the Commission is to promote patient safety and enhance the integrity of the profession through licensing, discipline, rulemaking and education.

The Governor appoints Commission members to four-year terms. Members are responsible for reviewing disciplinary cases, sitting as panel members for adjudicative hearings and serving on special committees.

About the Investigation

The complaint asserted the subject emailed confidential information related to complaints filed with the Commission to a former Department employee.

The Commission receives complaints filed against physicians and physician assistants. The Commission and Department are both involved in the disciplinary process. Each has its own responsibilities in this process, but collaboration is essential. Commission members and Department staff review and discuss the complaints, evidence and possible resolutions.

We reviewed 16 months of emails the subject sent and received and found no confidential information was sent to individuals who were not authorized to receive it.

State Auditor's Office Concluding Remarks

We thank Department officials and personnel for their assistance and cooperation during the investigation.

WHISTLEBLOWER INVESTIGATION CRITERIA

We came to our determination in this investigation by evaluating the facts against the criteria below:

RCW 42.52.050(3) Confidential information – Improperly concealed records.

(3) No state officer or state employee may disclose confidential information to any person not entitled or authorized to receive the information.