IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: LESLIE OLIVER ) OEIG Case #09-00711

OEIG FINAL REPORT (REDACTED)

Below is a final summary report from an Executive Inspector General. The General Assembly has directed the Executive Ethics Commission (Commission) to redact information from this report that may reveal the identity of witnesses, complainants or informants and "any other information it believes should not be made public." 5 ILCS 430/20-52(b).

The Commission exercises this responsibility with great caution and with the goal of balancing the sometimes-competing interests of increasing transparency and operating with fairness to the accused. In order to balance these interests, the Commission may redact certain information contained in this report. The redactions are made with the understanding that the subject or subjects of the investigation have had no opportunity to rebut the report’s factual allegations or legal conclusions before the Commission.

The Commission received a final report from the Governor’s Office of Executive Inspector General ("OEIG") and a response from the agency in this matter. The Commission, pursuant to 5 ILCS 430/20-52, redacted the final report and mailed copies of the redacted version and responses to the Attorney General, the Governor’s Executive Inspector General and Leslie Oliver at her last known address.

The Commission reviewed all suggestions received and makes this document available pursuant to 5 ILCS 430/20-52.

FINAL REPORT

I. ALLEGATIONS

On July 8, 2009, the Office of Executive Inspector General (OEIG) received a complaint alleging that Illinois Department of Human Services (DHS) caseworker Leslie Oliver failed to appropriately evaluate a DHS client’s continued eligibility for food stamp benefits. Specifically, it was alleged that Ms. Oliver improperly cleared a code from a DHS database for a food stamps recipient. The code indicated that the DHS client had potentially failed to report earned income. The complaint alleged that by removing the code, the client’s actual earned income was not used to calculate her continued eligibility for food stamp benefits and thus the client received food stamp benefits to which she was not entitled.
II. BACKGROUND

DHS has various programs designed to help individuals and families in financial need. One of those programs is the Supplemental Nutrition Assistance Program (SNAP) commonly referred to as the food stamp program. SNAP provides food benefits to low-income households so they can buy the food they need for healthy diets. Eligibility for food stamp benefits, and the amount of benefits a household can obtain, is based on household income and expenses, as well as the number of persons who live and eat together.

Food stamp recipients are required to report certain changes that affect their eligibility and benefit level within 10 days of the change. Some of those requirements include reporting employment, earned income, assets that exceed $2,000, and a change in household size.

A. DHS’s Priority Action List Database

DHS maintains a Priority Action List (PAL) database to help verify changes in income for DHS clients. DHS cross matches its client records with the Illinois Department of Employment Security (IDES) records in order to determine whether particular DHS clients may be receiving income not reported to DHS. The PAL contains a list of specific codes. One code on the PAL, called a “C” code, indicates that there is a discrepancy between the amount of earned income a client reports with the amount of wages an employer reports a client receives to IDES.

B. DHS Caseworker Duties and Responsibilities

DHS caseworkers are given numerous duties and responsibilities to ensure that DHS clients are eligible to receive benefits. In an effort to execute their duties, they are also provided a DHS PAL Manual, which includes a description of all the PAL codes and specific instructions on how to process each of those codes. According to the manual, if a “C” code appears on the PAL, DHS caseworkers have two months to clarify the discrepancies in earnings information. If the caseworker does not process the “C” code within two months of it first appearing, then that client’s name will reappear on a PAL every two months thereafter until the issue is resolved.

After reviewing the client’s income-related discrepancy, a caseworker is required to issue a determination regarding continued eligibility. In order to clarify the income-related discrepancy, caseworkers mail the client an “Instruction to Recipient - Earnings Information, Form 1721C” (Earnings Information – Form 1721C or Form 1721C). Form 1721C is a standard form letter used to inform the client of an issue regarding the client’s income and asks the client to contact the caseworker.

Once the issue with the client’s income is resolved, the caseworker initiates an Authorization of Assistance Action Form 552 (Form 552), which is used by all DHS employees to document any action occurring in a client’s case. The caseworker enters the client’s identifying information on Form 552 and if the action relates to a PAL issue, the caseworker
enters the appropriate code letter, in this case a "C," into box 52 of the form. By entering the "C" code on Form 552, the caseworker has cleared the "C" code from the PAL for that client. However, a caseworker is also able to clear a "C" code from the PAL without verifying the reported income discrepancy simply by initiating a Form 552 and entering "C" into box 52.

C. **Leslie Oliver’s Duties and Responsibilities**

Leslie Oliver has been a DHS caseworker since 1998. Ms. Oliver has worked at the DHS Southeast Family Community Resource Center (Southeast Office) since December 2007. Ms. Oliver’s duties and responsibilities include, among others, determining a DHS client’s eligibility for public benefits, including food stamps, verifying and processing a client’s information, completing all required PAL case actions for reconciliation, including overpayment referrals, and documenting those actions in the client’s case record.

III. **INVESTIGATION**

A. **Background**

Leslie Oliver was assigned to oversee client eligibility for numerous food stamp recipients, one of which was [redacted] [client]. As [redacted] [client’s] caseworker, Ms. Oliver processed her redetermination applications for food stamps. In February 2009, [redacted] [client’s] case appeared on the PAL with a “C” code. As mentioned above, this code indicated that there was an income discrepancy relating to [redacted] [client’s] eligibility for food stamp benefits.

On September 10, 2009 and May 27, 2010, the OEIG interviewed [redacted]. [redacted] said that he provides DHS caseworkers (of which Ms. Oliver is one) with a copy of the PAL, although it is also available through the DHS Intranet to which every caseworker has access. [redacted] explained that when a “C” code appears on the PAL, caseworkers are required to mail a Form 1721C to the client, explain that there is conflicting income information, and request that the client contact the caseworker.

B. **Review of [Client’s] Income**

On January 22, 2009, [redacted] [client] filed her food stamps redetermination application on which she reported that she did not have any income from any source. OEIG investigators obtained and reviewed the February 2009 PAL and discovered it listed a “C” code for [redacted] [client’s] case, which indicated she had earned income. Investigators then reviewed the Automated Wage Verification System (AWVS) report for [redacted] [client] and

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1 [redacted] reported income in June 2006 when she initially applied for and began receiving food stamps. [redacted] [client] also listed income in December 2006, but was determined ineligible for continued food stamps.
confirmed that she earned $6,628 in the first quarter of 2009. The investigation also revealed that in March 2009, Ms. Oliver cleared the “C” code on [client’s] case.

On July 23, 2009, the OEIG interviewed [client], who explained that clearing the “C” code meant that no earned income was budgeted in determining [client’s] continuing eligibility.

C. [Client] Receives Overpayment of Food Stamp Benefits

The OEIG requested that [client’s] file, where Ms. Oliver currently works, calculate [client’s] eligibility for food stamps from August 2008 to August 2009. [client’s] file determined that DHS overpaid [client] $4,579 in food stamps. At the OEIG’s request, DHS’s Central Overpayment Unit (COU) also calculated [client’s] eligibility for that time frame and confirmed [client’s] overpayment calculation.

D. Mailing the Earnings Information – Form 1721C to DHS Clients with “C” Codes

[Client’s] file did not contain any reference or documentation regarding Form 1721C having been mailed to her after her name appeared on the PAL with a “C” code.

E. DHS Caseworkers are to Document their Actions in the Client’s File

On December 2, 2009, the OEIG interviewed DHS Casework Manager [Manager], who told investigators that caseworkers are to note in the case file when they mail Form 1721C to a client. [Manager] added that caseworkers are also to note in the case notes whenever they take action upon a particular case file.

[Client’s] file did not contain any notes by Ms. Oliver indicating or revealing that Form 1721C was mailed to the client. Nor did the file contain any notes as to the reason why Ms. Oliver cleared the “C” code.

IV. INTERVIEW OF LESLIE OLIVER

On April 14, 2010, OEIG investigators interviewed Leslie Oliver, and questioned her about her job duties and responsibilities, processing PAL information, clearing “C” codes, documenting her actions in the client’s file, and Form 1721C.

A. Leslie Oliver’s Job Responsibilities Regarding PALs
Ms. Oliver said that her job duties and responsibilities included determining client eligibility for benefits and utilizing PALS to verify client income changes. Ms. Oliver said that PALS have codes that alert a caseworker of changes in the client’s income that the caseworker must process. Ms. Oliver explained that DHS cross matches its records with income reported to IDES in an effort to discover overpayments made to clients. Cases appear on the PAL every other month to provide the caseworker with time to process the code appearing on the PAL. Ms. Oliver said that she could receive as many as 90 “C” codes on a PAL every month.

B. Processing PAL Information

Ms. Oliver told the OEIG investigators that she never received any formal PAL training. Ms. Oliver said that her then-supervisor, [REDACTED], provided her with a PAL packet, but that she had no “hands-on” training despite her requests. Ms. Oliver said that her familiarity with PAL is minimal because she did not have to use PALS at other DHS offices she had previously worked at.

C. Clearing “C” Codes

Ms. Oliver said she did not know how to clear a “C” code from the PAL. Ms. Oliver explained that when she received a PAL, she was taught to divide the client’s [quarterly] income by three and then budget the client’s monthly income to determine eligibility. Ms. Oliver said there were times she would complete the tasks to process the “C” code, which cleared it from the PAL, but the code would reappear.

D. Clearing the “C” Code on [REDACTED] [Client’s] Case

OEIG investigators provided Ms. Oliver with a copy of the February 2009 PAL listing a “C” code for [REDACTED] [client] to review. After reviewing that PAL, Ms. Oliver confirmed that she cleared the “C” code from [REDACTED] [client’s] case in March 2009, but was unable to explain why she cleared the code.

E. Documenting Caseworker Action in the Client’s File

After the investigator asked Ms. Oliver why she would have cleared [REDACTED] [client’s] “C” code without recording a reason, Ms. Oliver stated that she did not record the reason in the case notes because she did not have the time to do so given the large number of “C” codes she needed to process. Ms. Oliver then added that she was never instructed to record actions involving “C” codes or the PAL in case notes.

F. Familiarity with the Earnings Information - Form 1721C

An investigator then provided Ms. Oliver with a copy of Form 1721C. Ms. Oliver denied she ever saw the form or that she knew it existed. Ms. Oliver told investigators that no one ever “sat down” with her to explain the [PAL] process to her.
V. INVESTIGATIVE ACTIVITY FOLLOWING LESLIE OLIVER'S INTERVIEW

A. Interviews of Leslie Oliver’s Supervisors Regarding Her Job Duties and PAL Training

In light of Ms. Oliver’s statements regarding her lack of PAL training or awareness of how a PAL is to be utilized, the OEIG interviewed the Local Office Administrators and other managers at the Local Offices she worked.

i. Interview of [Redacted]

During his May 27, 2010, interview, [Redacted], stated that Ms. Oliver did not receive any formal training on PAL while at the Southeast Office. [Redacted] stated that in light of Ms. Oliver’s previous years of experience at other DHS offices, she should be familiar with the PAL and know how to utilize it. [Redacted] said that Ms. Oliver budgets DHS benefits for client eligibility on a daily basis.

ii. Interview of Casework Manager [Redacted]

On June 14, 2010, the OEIG interviewed [Redacted], who stated that she supervised Ms. Oliver for approximately a year, [Redacted], told investigators that handling PAL-related issues is part of a caseworker’s daily duties.

[Redacted] said she gave Ms. Oliver a PAL packet that included the procedures on how to clear codes. [Redacted] said that she did not train Ms. Oliver on PAL, or how to budget income to calculate benefits eligibility, but added that Ms. Oliver never asked her for help regarding PALs, and informed her [Redacted] that she (Ms. Oliver) knew how to use PALs.

[Redacted] stated that DHS expects its caseworkers to properly manage their caseloads and carry out their assigned duties, which includes PAL processing. Part of this processing, [Redacted] said, entails mailing Form 172IC to DHS clients when their name and a “C” code appear on a PAL. [Redacted] said she knew that Ms. Oliver had been a DHS caseworker for years, and asked, “Once you have a seasoned worker, how many times do you train them?”

iii. Interviews of Managerial Staff Employed at DHS Local Offices Where Leslie Oliver Previously Worked

Between September 28 and October 5, 2010, the OEIG interviewed several managers from offices that Ms. Oliver worked at between January 1998 and December 2007. These managers included [Redacted] and [Redacted]. These managers uniformly stated that DHS caseworkers are instructed on how to utilize PALs. They also individually stated, in his or her respective interviews, that DHS does not provide agency wide or “formal” training specifically entitled “PAL training,” but that the
Local Offices train their caseworkers on how to use PALs. [redacted] and [redacted] confirmed that the PAL Manual and its instructions are available to the caseworkers through the DHS Intranet.

[redacted] recalled supervising Ms. Oliver [redacted]. According to [redacted], Ms. Oliver managed food stamp cases at the time and said that as a food stamp caseworker, Ms. Oliver was familiar with the PAL and had to use the PAL to manage her caseload properly. In addition, [redacted] and [redacted] both recalled that Ms. Oliver was specifically instructed on how to use PALs.

B. Leslie Oliver’s DHS Training

Although DHS does not provide a specific training course entitled “PAL training,” [redacted] told investigators that PAL is discussed at various DHS policy trainings provided to caseworkers. However, because there is no “PAL training” course, both [redacted] and [redacted] stated there would not be any record of a “PAL training” in a DHS employee’s file.

The OEIG reviewed the transcript\(^3\) of Ms. Oliver’s trainings. The transcripts record the name and date of the agency-wide trainings that Ms. Oliver attended. Between January 2000 and October 2007, Ms. Oliver’s transcripts revealed that she had attended 23 DHS trainings. Because the income information reported on the PAL could affect a client’s eligibility for public benefits, the OEIG looked at course titles specific to DHS programs that require budgeting based on income. Those programs are the Temporary Assistance for Needy Families (TANF)\(^4\) and the food stamps program. According to Ms. Oliver’s transcripts, she took four training courses entitled Food Stamp Accuracy (October 2000 - 2005), one course entitled Food Stamp Overpayments (February 2006), and one entitled TANF Swaps (October 2006).

C. Food Stamp Overpayments Resulting from Randomly Selected Cases Appearing on Leslie Oliver’s 2009 PALs

The OEIG obtained and reviewed a copy of all the PALs assigned to Ms. Oliver’s caseload from January to December 2009. The OEIG randomly selected 33 cases assigned to Ms. Oliver that listed quarterly incomes of $10,000 or more to determine whether she budgeted their income for on-going eligibility of benefits. The OEIG requested that the DHS Central Overpayment Unit (COU) calculate whether any food stamp overpayments occurred in those cases. If any of those clients received overpayments, then Ms. Oliver did not budget their income when she processed those cases.

The COU’s calculations revealed that seven clients received food stamp overpayments, for a cumulative total of $5,608, with an outstanding total amount of overpayments not recuperated by DHS of $3,815. These overpayments, as well as information regarding recoupment, are as follows:

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\(^3\) Ms. Oliver’s training transcripts were provided as of April 16, 2010.

\(^4\) DHS’s TANF program provides temporary cash assistance and other benefits to income-eligible families.
<table>
<thead>
<tr>
<th>DHS client</th>
<th>Est. 2009 Overpayment</th>
<th>DHS Recoupment</th>
</tr>
</thead>
<tbody>
<tr>
<td>BF</td>
<td>$1,797</td>
<td>No</td>
</tr>
<tr>
<td>LF</td>
<td>$298</td>
<td>Yes</td>
</tr>
<tr>
<td>JF</td>
<td>$123</td>
<td>No</td>
</tr>
<tr>
<td>JF</td>
<td>$852</td>
<td>Yes</td>
</tr>
<tr>
<td>TF</td>
<td>$643</td>
<td>Yes</td>
</tr>
<tr>
<td>CG</td>
<td>$926</td>
<td>No</td>
</tr>
<tr>
<td>HG</td>
<td>$969</td>
<td>No</td>
</tr>
</tbody>
</table>

These overpayments, in combination with the $4,579 overpaid to [client], cumulatively totaled approximately $10,187. The amount of overpayments that DHS had not already recuperated totaled approximately $8,394.

VI. ANALYSIS

A. Leslie Oliver Improperly Cleared a "C" Code on [client] and Seven Other DHS Client Cases

According to the Illinois Public Aid Code, DHS is obligated to take certain actions when a client becomes employed or DHS otherwise learns of a client's income. 305 ILCS 5/11-20.1(a). Included among these actions is ensuring the "calculations of benefits necessitated by the recipient's employment or receipt of earned income have been performed." Id. at §11-20.1(c). DHS has a Workers' Action Guide and a specific PAL Manual that details each code that may appear on a PAL and the steps a caseworker must perform to process those codes, including verifying and budgeting the client's income. DHS Cash, SNAP, Medical Policy Manual and Workers Action Guide §19-06-01-d: Code C and Priority Action List Description, Section 1 - Criteria Codes.

The evidence reflects that [client] earned income from the first quarter of 2008 to the first quarter of 2009, which was not budgeted by Ms. Oliver in determining [client's] food stamps eligibility. In this case, [client's] unreported income led to an overpayment of $4,579 from August 2008-2009. Ms. Oliver simply cleared the "C" code without verifying the income information.

In addition to [client's] case, the OEIG located seven additional cases in which Ms. Oliver cleared the "C" code without verifying the reported income. These cases resulted in a cumulative overpayment of $5,608 in food stamps to those clients.

Ms. Oliver is a seasoned DHS employee who has been employed as a caseworker at numerous DHS offices since 1998. During her interview, Ms. Oliver admitted to clearing the "C" code on [client] case without processing the income information reported by IDES. In addition, Ms. Oliver's own statement that there were times she would "process" the

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5 The OEIG will reference these DHS customers only by their initials.
“C” code yet the code would reappear, implies that she did not properly clear the code because she did not budget the income.

Ms. Oliver herself admitted that part of her responsibility was to verify client income changes reported on PALs. Ms. Oliver’s assertions that she never received any “formal” PAL training and did not know how to clear a “C” code is contradicted by the evidence. Although Ms. Oliver did not receive any formal PAL training because there is no course entitled “PAL training,” the investigation revealed that she had received training in PAL over her years of employment at DHS - a position she has held for over a decade. In addition, Ms. Oliver’s former or current managers uniformly stated that caseworkers are instructed on how to use PALs. Moreover, [name] and [name] both recalled that Ms. Oliver was specifically instructed on how to use PALs.

Based on the evidence, the OBIG concludes that Ms. Oliver cleared the “C” code, without addressing and accounting for the discrepant income information causing the overpayment of food stamps to [name] [client] for $4,579, and to seven other DHS clients for $5,608. Ms. Oliver’s actions were in violation of the Illinois Public Aid Code and DHS policy, and therefore the allegation that she improperly cleared the “C” code on [name] [client] and seven other DHS client cases is FOUNDED.

B. Leslie Oliver Failed to Document Her Actions in [Client’s] Case Notes

DHS’s Policy Manual states that, “[a]ll income must be verified and the amount and source documented in the case record.” DHS Cash, SNAP, Medical Policy Manual and Workers Action Guide Section 08-04-00: SNAP.

Ms. Oliver admitted she did not record the reason she cleared [name] [client’s] “C” code because she did not document her actions in the case notes. Although Ms. Oliver attempted to explain that she was never instructed to record PAL and “C” code actions in the case notes, she made a previous statement that contradicted her assertion. Ms. Oliver had already stated that she did not have time to record case notes due to the large number of “C” codes in need of processing.

In addition, [name] confirmed the DHS policy that caseworkers are to document their actions in the case file. Ms. Oliver’s actions were in violation of DHS policy, and therefore the allegation that she failed to document her actions in [name] [client’s] case file is FOUNDED.

C. Leslie Oliver Did Not Issue the Earnings Information - Form 1721C to [Client]

The DHS Workers’ Action Guide states that DHS caseworkers are to send the client Form 1721C if there are reported earnings that have not been otherwise reconciled by the caseworker. DHS Cash, SNAP, Medical Policy Manual and Workers Action Guide Section 19-06-01-d: Code C.
Ms. Oliver did not mail Form 1721C to [client] after her name appeared in the February 2009 PAL. Ms. Oliver stated in her interview that she never saw Form 1721C. In addition, there was not a copy of the Form 1721C in [client’s] file. Therefore, the allegation that Ms. Oliver did not mail [client] the Earnings Information - Form 1721C is FOUNDED.

VII. CONCLUSIONS

As a result of its investigation, the OEIG issues these findings:

- **FOUNDED** – Leslie Oliver improperly cleared codes without verifying income information in violation of the Illinois Public Aid Code and DHS policy.
- **FOUNDED** – Leslie Oliver failed to document her actions in a client’s case notes in violation of DHS policy.
- **FOUNDED** – Leslie Oliver failed to process continued client food stamps eligibility by failing to mail the Earnings Information - Form 1721C.

Based upon these findings, the OEIG recommends that Leslie Oliver be disciplined.

The OEIG recommends that DHS initiate its overpayment procedures against [client] for the $4,579, and for the remaining $3,815 from the seven other above-listed clients.

No further investigative action is needed and this case is considered closed.
February 17, 2012

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
For the Agencies of the Illinois Governor
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

Re: OEIG Case No: 09-00711-Final Report

Dear Inspector General Meza:

On January 30, 2012 the OEIG issued a final report in the above matter and made the following findings regarding Leslie Oliver, Caseworker at the Southeast Family Community Resource Center (FCRC):

- Oliver improperly cleared cases without verifying income information in violation of the Illinois Public Aid Code and DRS policy.
- Oliver failed to document her actions in a client's case notes in violation of DHS policy.
- Oliver failed to process continued client food stamps eligibility by failing to mail the Earnings Information- Form 1721C.

Based upon these findings, the OEIG recommends that Leslie Oliver be disciplined. The OEIG also recommended that DHS initiate overpayment procedures against [client] for the $4,579 and for the remaining $3,815 from the seven other employees. 

[Redacted], reviewed the OEIG report and will implement the OEIG recommendation to discipline Oliver and initiate overpayment collections against [client].

[Redacted] stated that a pre-disciplinary hearing for Oliver took place on February 8, 2012. AFSCME had until February 16, 2010 to submit their rebuttal to the charges. [Redacted] stated that DHS will submit their disciplinary packet and disciplinary recommendation by February 21, 2012.

stated that she will contact the Bureau of Collections to make sure that overpayment actions have

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1 The other customers receiving overpayments names are sent, DHS will also refer their names to collections.
been initiated against customer,"[Client]"
they will also be sent to collections.

The Department has reviewed the final report and will implement all of the OEIG recommendations. DHS considers this matter resolved and respectfully requests this case be closed.

Sincerely,

Michelle R.B. Saddler
Secretary
March 9, 2012

Mr. Ricardo Meza  
Executive Inspector General  
Office of the Executive Inspector General  
For the Agencies of the Illinois Governor  
32 West Randolph Street, Suite 1900  
Chicago, Illinois 60601  

Re: OEIG Case No: 09-00711-Final Report

Dear Inspector General Meza:

This is a follow-up to the report that was sent on January 30, 2012.

I stated that the disciplinary hearing was conducted and that Leslie Oliver, Caseworker at the Southeast FCRC was given a Three (3) day suspension without pay. The suspension will commence on March 12, 2012.

has advised that the remaining seven other employees cases to the Bureau of Collections.

The Department has reviewed the final report and has implemented all of the OEIG recommendations. DHS considers this matter resolved and respectfully requests this case be closed.

Sincerely,

Michelle R.B. Saddler  
Secretary
March 29, 2013

Mr. Ricardo Meza
Executive Inspector General
Office of the Executive Inspector General
for the Agencies of the Illinois Governor
32 West Randolph Street, Suite 1900
Chicago, Illinois 60601

RE: OEIG #09-00711

Dear Mr. Meza:

This is a follow-up to the referenced report sent to the Department of Human Services on January 30, 2012. On March 9, 2012 we advised you that Leslie Oliver, a caseworker at the Southeast Family Community Resource Center was given a three day suspension without pay, and the suspension was scheduled to begin on March 12, 2012.

The employee chose to grieve the suspension, and it was denied through Step 3 at the Department. The Department was recently notified that the Union withdrew the grievance at Step 4; as a result the three day suspension stands.

Sincerely,

Michelle R.B. Saddler
Secretary