

IN THE EXECUTIVE ETHICS COMMISSION
OF THE STATE OF ILLINOIS

In re: SABINA HERNANDEZ,)
PETER GOMEZ, and)
ALMA FLORES) OEIG Case #11-00428

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 to Sabina Hernandez, Peter Gomez and Alma Flores at their last known addresses.

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

FINAL REPORT

I. INTRODUCTION

On August 26, 2011, the Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) opened an investigation relating to allegations that Illinois Department of Human Services (DHS) employees opened or created a public benefits case without authorization.¹ It was alleged that DHS caseworkers Sabina Hernandez, Peter Gomez, and

¹ The Bureau of Investigations for the Illinois Department of Healthcare and Family Services Office of Inspector General (HFS BOI) initially investigated the allegations but subsequently referred them to the OEIG.

[redacted]² may have engaged in wrongdoing by creating a DHS food and medical benefits case in the name of [client] ([Client] Benefits Case) without her authorization.³

The OEIG investigation revealed that Sabina Hernandez and Peter Gomez, two DHS co-workers from DHS' West Suburban Family Community Resource Center (FCRC), did create, without authorization, the [Client] Benefits Case. The investigation further revealed that food benefits in excess of \$5,000 were awarded under the [Client] Benefits Case that should not have been awarded.

In addition, during this investigation, OEIG investigators discovered that: 1) Mr. Gomez improperly used his State computer and email system for personal reasons; and 2) Department of Healthcare and Family Services (HFS) Child Support Specialist Alma Flores, a former DHS caseworker, improperly disclosed confidential information she obtained from HFS files. The OEIG recommends that DHS terminate Mr. Gomez and discipline Ms. Flores. Ms. Hernandez is no longer a State employee as she resigned during the course of this investigation.

II. BACKGROUND

A. Supplemental Nutrition Assistance Program and Medical Benefits

Illinois residents are entitled to apply for various types of public assistance including food and medical benefits at DHS FCRCs. Qualifying residents may obtain food benefits through the Supplemental Nutrition Assistance Program (SNAP), the value of which is determined, in part, on income and the number of persons in a household.⁴ In situations of urgent need, expedited or emergency SNAP benefits may be approved and issued to the customer within five days. In those situations, the caseworker typically enters a note, or a case write-up indicating that the application was expedited.

Illinois also offers medical benefits to persons who meet financial eligibility and residency requirements, and who: (a) are blind, disabled, or aged 65 or older, (b) have children under the age of 19, or (c) are pregnant. Approved applicants receive a medical card.

B. Processing of Benefits at West Suburban FCRC

Persons applying for benefits (DHS customers) at the West Suburban FCRC, where DHS caseworkers Peter Gomez and Sabina Hernandez both worked, are required to check in at the reception desk. There, the customer's name and arrival time are entered into the Visitor Information System Daily Log (Visitors Log). The front desk staff assigns the case to a DHS intake caseworker whose duties include assisting customers with their DHS application. The assigned intake caseworker performs the following tasks:

² Although [redacted] is a DHS caseworker, the OEIG did not uncover any evidence of her involvement with the [Client] Benefits Case and, therefore, the allegation as to [redacted] is **UNFOUNDED**.

³ [Redacted.]

⁴ Individuals receive SNAP benefits as a monthly cash value on an Illinois Link card, a form of pre-paid debit card that can be used to buy food.

- 1) calls the DHS customer's name from the Visitors Log and escorts the customer to the caseworker's work area;
- 2) interviews the DHS customer and processes the benefits application;
- 3) obtains a photocopy of the DHS customer's identification card⁵ and places it into the customer's file; and
- 4) prints the Combined Application Form (a computer-generated application summary that takes into account the eligibility criteria entered into the system by the intake caseworker processing the case) and places it into the DHS customer's file.

At the conclusion of the intake process, eligible DHS customers are awarded benefits. The benefits case is then assigned to a DHS service coordination caseworker to handle future activity on the case, including benefit redeterminations – reviewing the application to recertify or continue benefits for the customer and processing those continued benefits. Different DHS caseworkers are assigned to either the intake or the service coordination role.

DHS computer systems track entries made to a DHS benefits case and record the caseworker identification number of the caseworkers making entries on a case. Every DHS caseworker has a unique caseworker identification number, which allows DHS to track the computer system entries made by a particular DHS employee.

C. Individuals Involved with the [Client] Benefits Case

The OEIG investigation revealed that various DHS employees had some involvement in certain aspects of the allegations regarding the [Client] Benefits Case, including the following current and former State employees:

Sabina Hernandez: Sabina Hernandez is a former DHS Caseworker at the West Suburban FCRC where the [Client] Benefits Case initially was created. DHS computer records reflect that about five months after the [Client] Benefits Case was created, Ms. Hernandez accessed the DHS system and updated information on the [Client] Benefits Case, adding beneficiaries that increased the total amount of benefits awarded.

Peter Gomez: Peter Gomez is the DHS Caseworker at West Suburban FCRC who initially set up the [Client] Benefits Case and also recertified benefits on the case after they expired. Mr. Gomez and Ms. Hernandez worked at the same FCRC when the [Client] Benefits Case was set up and the two of them were friends. Mr. Gomez also previously worked as a DHS Caseworker at the Western FCRC where he briefly worked with former DHS Caseworker Alma Flores.

Alma Flores: Alma Flores is a former DHS Caseworker whose home address was listed on the [Client] Benefits Case. She worked at the Western FCRC for a short period of time with

⁵ If a person mails or drops off an application, under certain circumstances, the DHS intake caseworker may call the applicant and process the application by phone. In those instances, the DHS customer may be asked questions to verify the customer's identify.

Mr. Gomez. Ms. Flores was also a close friend of Sabina Hernandez. Currently, Ms. Flores is an HFS Child Support Specialist.

Araceli Temblador: Araceli Temblador is a DHS Caseworker at Stroger FCRC. She is Ms. Hernandez' daughter.

III. INVESTIGATION

As part of its investigation, the OEIG analyzed a number of documents related to the [Client] Benefits Case, including DHS paper file documents, and printouts from the electronic case record reflecting activity on the [Client] Benefits Case. The OEIG also reviewed emails and text messages and interviewed various persons in this investigation.

A. OEIG Interviews of [Client]

The OEIG conducted multiple interviews of [Client] in order to determine her knowledge of the [Client] Benefits Case.⁶

[Client] said that in July 2010, she moved from Oregon to the Chicago area. [Client] said that she discovered the existence of the [Client] Benefits Case after she visited a Chicago area hospital in December 2010 and February 2011. [Client] said that she told the hospital to bill her directly for the visits because she did not have insurance at the time.

According to [Client], during this time period, Araceli Temblador told her that a DHS benefit case existed in her ([Client's]) name. Ms. Temblador said that she knew the benefit case existed because her mother (Sabina Hernandez) had told her. [Client] said she then had a phone conversation with Ms. Hernandez and during the call Ms. Hernandez told her that she (Ms. Hernandez) had opened a medical benefits case in her name and that all she had to do was inform the medical facility to look up her medical benefits information.

[Client] told investigators that she had not signed any application for benefits, did not know anyone named Peter Gomez, and never authorized either Sabina Hernandez or Peter Gomez to open a benefits case in her name. Moreover, according to [Client], she never went to the West Suburban FCRC or to any DHS office to apply for benefits in 2010 or 2011, never picked up a Link card in December 2010, nor did she have a Link card during this period.

[Client] stated that at the time the benefits were awarded in her name, she was residing in North Riverside, Illinois, and had never resided at either of the addresses identified in the [Client] Benefits Case file. In fact, [Client's] State identification card that she produced at the interview reflected the North Riverside address. [Client] also signed an affidavit affirming statements she made to investigators.

B. Documents Discovered in DHS' [Client] Benefits Electronic Case Record

⁶ The OEIG interviewed [Client] on November 7, 2011, December 1 and 22, 2011, and August 27, 2013.

Upon the OEIG's request for the [Client] Benefits Case file, DHS responded that it was only able to locate a paper copy of the system-generated Combined Application Form dated December 16, 2010 and not the rest of the paper file for the [Client] Benefits Case. Thus, the OEIG was not able to obtain a hard copy of the application, identification used when opening the case in [Client's] name, or any application for a redetermination of benefits, all of which should have been included in the case file.

The OEIG, however, did review the electronic case record for the [Client] Benefits Case. The electronic case record revealed that the [Client] Benefits Case was processed at the West Suburban FCRC and that the *only* DHS caseworkers who made system entries on the [Client] Benefits Case were Sabina Hernandez and Peter Gomez.

At the time the [Client] Benefits Case was opened, Mr. Gomez was an intake caseworker who initiated cases which were then assigned to a different DHS caseworker for further action. The following are some of the actions taken by Mr. Gomez and Ms. Hernandez on the [Client] Benefits Case.⁷

Mr. Gomez' Actions on the [Client] Benefits Case

On multiple occasions, Mr. Gomez took action on the [Client] Benefits Case file, including:

- on December 16, 2010, when he opened or created the [Client] Benefits Case⁸;
- on December 16, 2010, when he prepared a case write-up suggesting he conducted an interview of [Client] and approved benefits for [Client] and her two children;
- on December 16, 2010, when he assigned the case to a DHS service coordination caseworker;
- on December 17, 2010, when, after assigning the case to another caseworker, he changed the address on the [Client] Benefits Case to [REDACTED] W. 24th Street, Cicero, Illinois (the address of former DHS caseworker Alma Flores); and
- on April 21, 2011, when, even though he was not the assigned caseworker, he recertified and approved benefits on the [Client] Benefits Case for an additional six months (through October 2011).

Ms. Hernandez' Actions on the [Client] Benefits Case

On multiple occasions, Ms. Hernandez also took action on the [Client] Benefits Case, including:

- on May 19, 2011, when one month after Mr. Gomez recertified benefits for only one person, she increased the benefit amount by adding two beneficiaries;
- on May 19, 2011, when she reassigned the [Client] Benefits Case to her own caseload, making herself the DHS service coordination worker going forward; and

⁷ A more detailed explanation of activities taken on the case is set forth in Exhibit A attached to this report.

⁸ The address listed for [Client] at the time the case was originally opened by Mr. Gomez was [REDACTED] S. 60th Ct., Cicero, Illinois, which was previously listed in the DHS system as an address for [Client].

- on September 13, 2011, when a few weeks after the OEIG opened this investigation, she accessed the system and removed herself as the assigned caseworker.

C. Records from the West Suburban FCRC's Visitors Log

The OEIG obtained and reviewed various Visitors Logs for the West Suburban FCRC. The Visitors Logs did not contain any entry indicating that any person representing herself as [Client] visited the West Suburban FCRC on any of the following dates:

- November 22, 2010 – the application date;
- December 16, 2010 – the date Mr. Gomez processed the application and would have interviewed [Client]; or
- December 17, 2010 – the date Mr. Gomez changed the address on [Client's] file and the Link card containing SNAP benefits for the [Client] Benefits Case was issued.

The Visitors Log, however, reflects that on August 17, 2011, someone claiming to be [Client] did check into the West Suburban FCRC and requested to cancel her case (the [Client] Benefits Case). However, when a caseworker came out to assist this person, the person representing herself as [Client] was no longer present.

D. Addresses Used for the [Client] Benefits Case

When the [Client] Benefits Case was first opened, the address listed for [Client] was [REDACTED] S. 60th Ct., Cicero, Illinois. Investigators determined that this address was an address previously associated with [Client] in the DHS system. The next day, after the [Client] Benefits Case was opened, Mr. Gomez changed the address to [REDACTED] W. 24th St., Cicero, Illinois. Investigators discovered that the [REDACTED] W. 24th St. address belonged to Alma Flores, the close friend of Ms. Hernandez.

E. Interview of HFS Child Support Specialist, and Former DHS Caseworker, Alma Flores

On July 9, 2012, January 18, 2013, and February 7, 2014, the OEIG interviewed HFS Child Support Specialist Alma Flores.

Ms. Flores stated that she did not have any knowledge of the [Client] Benefits Case but that she had received some mail containing what she believed to be medical cards addressed to [Client] at her home. Ms. Flores stated that at that time she was unaware of any relationship between [Client] and Ms. Hernandez and had assumed the mail was simply misdirected mail, which she would "Return to Sender."⁹

Ms. Flores stated that she and Ms. Hernandez are friends and that they communicate on a regular basis. According to Ms. Flores, in May or June 2012, Ms. Hernandez told her that there

⁹ Ms. Flores subsequently provided the OEIG two pieces of unopened mail addressed to [Client] which had arrived at her home address. The envelopes contained medical cards for the eligibility periods, June 1, 2012 through June 30, 2012 and July 1, 2012 through July 31, 2012.

was an OEIG investigation in progress and that the OEIG had interviewed Mr. Gomez.¹⁰ Ms. Hernandez told Ms. Flores that the OEIG also might be interviewing Ms. Flores regarding medical cards that were sent to her home. According to Ms. Flores, she had never mentioned the mail to Ms. Hernandez, did not know how Ms. Hernandez found out about the mail, nor did she think to ask her how she knew about the cards. Ms. Flores believed that Ms. Hernandez would have been familiar with her home address because she prepares her income taxes.

Ms. Flores told investigators that she became upset after Ms. Hernandez told her the OEIG would be contacting her. She also stated that she asked Ms. Hernandez not to tell her anything more about the [Client] Benefits Case. They did, however, generally discuss the OEIG's investigation on various occasions, sometimes via text messages, which Ms. Flores permitted the OEIG to download and review.¹¹

Ms. Flores stated that she was aware that Ms. Hernandez quit her job at DHS as a result of the OEIG investigation, but did not have additional details regarding the investigation. Ms. Flores said she still maintains contact with Ms. Hernandez.

F. Interview of DHS Caseworker Sabina Hernandez

On February 5, 2013, the OEIG interviewed Ms. Sabina Hernandez. Ms. Hernandez explained her role as a DHS caseworker at the West Suburban FCRC and said that in addition to her own caseload, she assisted other caseworkers with their case files. According to Ms. Hernandez, caseworkers at the West Suburban FCRC informally assist each other. Ms. Hernandez, however, stated that she was not familiar with the details of the intake processing system and that she never performed intake duties.

¹⁰ Ms. Flores stated that she knows Mr. Gomez because they were co-workers at the DHS Western FCRC before she started working for HFS in March 2001. Ms. Flores said that she does not keep in touch with Mr. Gomez, but that occasionally they run into each other at events and greet each other.

¹¹ Text messages – June 22, 2012

Ms. Hernandez: *Can u give him [union representative] my cell # I want him to represent me I have to go this Thursday at 9 on the 19th ft?*

Ms. Flores: *Who is [REDACTED]? They just sent me an email.*

Ms. Hernandez: *OIG.*

Ms. Flores: *Oh my god sanina what am I gonging 2 do.*

Ms. Hernandez: *Forget about telling [the union representative] to call me tell him to rep u.*

Ms. Flores: *O h my god*

Ms. Flores: *I'm scared sub.*

Ms. Hernandez: *U don't do anything I'm going to quit.*

Ms. Flores: *No no don't quit.*

Text messages – June 27, 2012

Ms. Hernandez: *They're doing that to see if u say the same thing I do without having time to talk to me after.*

Ms. Hernandez: *The lawyer said he needs to find a way to separate us so he has time to figure this out.*

Ms. Hernandez: *Yes I told the lawyer everything he is going to represent us both.*

Ms. Hernandez: *I told hom u are a victim and he needs to protect u at all costs he said he understands.*

Text message – July 3, 2012

Ms. Hernandez offered to pay for Ms. Flores to have a lawyer.

1. Ms. Hernandez' Relationship with [Client]

Ms. Hernandez stated that she had known [Client] for 30 years but did not consider her a friend and that they were not related to each other by blood, law, or marriage. She said she had last spoken with [Client] in either March or April 2012 and described her as dishonest.

2. Ms. Hernandez' Relationship with Mr. Gomez

Ms. Hernandez said that Mr. Gomez was a close acquaintance but they had a falling out in December 2011. According to Ms. Hernandez, Mr. Gomez had an ongoing crush on her that was well known to many in the office. He would often buy her coffee and gifts, including jewelry, which she rejected. He also sent her inappropriate text messages. Ms. Hernandez stated that she told [administrator] about Mr. Gomez' behavior but decided not to make a formal complaint against him. Ms. Hernandez stated that if she were to ask him, Mr. Gomez would do favors for her because of his crush on her.

3. Ms. Hernandez' Relationship with Ms. Alma Flores

According to Ms. Hernandez, Ms. Alma Flores was her best friend. Ms. Hernandez admitted that she offered to pay for Ms. Flores to have a lawyer at her OEIG interview. She explained that she made this offer both because she knew that Ms. Flores did not have money and because she was aware that Ms. Flores' husband had had a personal relationship with [Client] and she felt guilty knowing this.

4. Ms. Hernandez Denies Involvement in the [Client] Benefits Case

Ms. Hernandez stated that she had "no involvement" with opening the [Client] Benefits Case and denied ever asking anyone to open a DHS case in [Client's] name or providing [Client's] background information for that purpose.

Ms. Hernandez said that she learned of the OEIG investigation from Mr. Gomez and that she only became aware that [Client] had a benefits case because Mr. Gomez told her that *he* had opened a case for [Client]. Ms. Hernandez stated that in July 2012, Mr. Gomez offered to pay for an attorney to represent her in this investigation and she assumed that it was because he had done something wrong and wanted to cover it up. When asked to explain the text message in which she told Ms. Flores that she was going to quit her job over this investigation, Ms. Hernandez stated that she had considered quitting because she knew Mr. Gomez created fraudulent cases but she had failed to report him.

Ms. Hernandez was asked about accessing the file for [Client's] benefits case. Initially, Ms. Hernandez denied having accessed [Client's] case file, but later changed her response and stated that she did access the file after she received the email from an OEIG investigator in June 2012.

5. Ms. Hernandez' Knowledge of Other Misconduct

During the interview, Ms. Hernandez stated that she was aware of Mr. Gomez opening fraudulent files for employees in the office and that there are other individuals involved in similar improper acts. Ms. Hernandez pulled out a piece of paper with names on it, but then refused to make the list of names available to investigators and said she had not previously reported these incidents.

6. Ms. Hernandez Ends her OEIG Interview, Fails to Return, and Resigns

In the middle of her OEIG interview, Ms. Hernandez told investigators that she wanted to end the interview and take a non-cooperation finding against her or be fired. Her representative stated that Ms. Hernandez had to leave to pick up her son, but Ms. Hernandez denied this and stated she had another appointment to make and also that she was tired and stressed and needed to stop the interview for that reason. Ms. Hernandez did not provide information related to her “appointment,” but agreed to return the following morning to continue the interview.

Although Ms. Hernandez promised to reappear for her interview, she never did. Instead, the day after her February 5, 2013 interview, she submitted a letter of resignation. Thereafter, the OEIG attempted to subpoena Ms. Hernandez in order to continue her interview, however, the OEIG subpoena was returned without service. On March 28, 2013, an investigator contacted Ms. Hernandez to offer her the opportunity to complete the interview; however, she refused and requested that the investigator not call her again. No further attempts were made.

G. Interview of [Administrator]

The OEIG interviewed [Administrator] who confirmed the activity reflected in the electronic case record for the [Client] Benefits Case.

[Administrator] also stated that DHS confronted Mr. Gomez about his work on the [Client] Benefits Case and that Mr. Gomez *denied* having handled the case beyond processing the initial application in December 2010. [Administrator] provided the OEIG with a June 16, 2011 email from Mr. Gomez to a DHS Administrative Supervisor with the subject, “[Client] 94- [REDACTED],” in which Mr. Gomez stated that he approved the [Client] Benefits Case for January 2011 and said, “I . . . haven’t worked on case since then.”¹²

H. Interview of DHS Caseworker Peter Gomez

On April 3, 2012 and December 9, 2013, the OEIG interviewed Mr. Gomez regarding his responsibilities as a DHS caseworker and his involvement with the [Client] Benefits Case.

1. Mr. Gomez’ Procedure for Processing DHS Applications

¹² [Administrator] also stated that the [Client] Benefits Case would not have been assigned to Ms. Hernandez, who handled cases for Spanish-speaking customers and whose last name fell within the alphabet range of “Crj” through “Fal,” because it did not fit these criteria.

Mr. Gomez stated that as an intake caseworker, his practice when processing applications and determining eligibility has been to conduct the customer interview either in person or by telephone, but that he would not necessarily have a recollection of how he conducted the interview if he did not note it in the system. Mr. Gomez said that as far as he could recall, he always requested identification for a customer's file. For interviews conducted by phone, he said he uses other data to verify the identity of the customer.

After processing an application, Mr. Gomez assigns the case to another caseworker for future service coordination. He then provides the paper file to his supervisor, who directs it to the caseworker assigned for future service coordination. Mr. Gomez stated that sometimes he provides assistance to other caseworkers in doing their case updates and redeterminations.¹³

2. Mr. Gomez' Involvement with the [Client] Benefits Case

Investigators asked Mr. Gomez about the [Client] Benefits Case and showed him a copy of the computer-generated Combined Application Form which listed November 22, 2010 as the application date. Mr. Gomez stated that it appeared to him that someone likely registered the case into the DHS system on November 22, 2010.¹⁴ When asked why the documents contained a December 16, 2010 date, he said that may have been the date the documents were printed. However, he also said the December 16, 2010 date could have been an error. After investigators informed Mr. Gomez that the December 16, 2010 date did not refer to a print date, he acknowledged that December 16, 2010 was not the print date but that he had conducted the customer interview, prepared the case write-up, and approved benefits on that date.

Mr. Gomez was uncertain as to whether or not the interview he conducted was face-to-face but said he "probably" conducted it in person because his case notes indicate it was an "expedited" case and that [Client] received a Link card on that day. He said he made a copy of [Client's] identification card for the file because it was both his standard practice and a DHS requirement. When asked to explain why no copy of [Client's] identification card was in the DHS file, he said at times the copy does not make it into the file or it may have gotten lost. When asked to explain why there was no record on the Visitors Log indicating [Client] visited the office either on November 22, 2010 (the application date) or December 16, 2010 (the date he said he interviewed [Client]), Mr. Gomez said that sometimes the Visitors Log would be inaccurate because people frequently are not entered into the Visitors Log.

Mr. Gomez initially did not recall working on [Client's] benefits case beyond processing the initial application on December 16, 2010. When shown a DHS computer system log of activity, Mr. Gomez admitted that he worked on the case on December 17, 2010 – to change the address, and also on April 21, 2011 – to recertify benefits on the case. Mr. Gomez, however, could not recall [Client] coming in on the recertification day. Mr. Gomez also stated that his failure to add the children when conducting the recertification was probably a mistake on his part. Mr. Gomez stated that the reason he recertified a case was because he sometimes assists his

¹³ During the OEIG's review of the emails from Ms. Hernandez' State email account, the OEIG observed instances in which Mr. Gomez offered to handle or see a customer for Ms. Hernandez.

¹⁴ The electronic record reflects that Mr. Gomez registered the case on December 16, 2010 but listed an application date of November 22, 2010.

co-workers. He also stated that when the assigned coordination caseworker, [Caseworker 1], was a new employee, he would occasionally assist him.¹⁵

Mr. Gomez was also shown a copy of the email he sent to the DHS Administrative Supervisor in which he denied working on the [Client] Benefits Case beyond the initial approval. The OEIG asked Mr. Gomez whether the email to this supervisor was false. In response, he stated that he would not answer the question, and also stated that the email “says what it says.”

Mr. Gomez denied opening false benefits cases and denied doing so in [Client’s] name, either on his own or with Ms. Hernandez. He also stated that Ms. Hernandez did not ask him for assistance in opening the [Client] Benefits Case and said he was unaware that Ms. Hernandez had been interviewed by the OEIG in connection with the [Client] Benefits Case.

3. Mr. Gomez’ Relationship with Ms. Hernandez and Ms. Flores

Mr. Gomez described his relationship with Ms. Hernandez and with Ms. Flores. He stated that Ms. Hernandez was his friend and a former co-worker. He initially told OEIG investigators that he did favors for Ms. Hernandez but then stated that he did not. Mr. Gomez was asked about certain emails that he sent Ms. Hernandez during his work hours from his State email account, inviting her to lunch and other events. He acknowledged that he sent emails to Ms. Hernandez that stated, “u need a lunch date i’m available,” and “i will be at the beer tent getting free beverages after work if u wanna join me.”¹⁶

Mr. Gomez, however, did not recall a former DHS employee named Alma Flores. When asked about the fact that he had changed the address on the [Client] Benefits Case to that of Ms. Flores, he stated that it was a coincidence, and he could not recall how he obtained Ms. Flores’ address. Nor could he explain how he would have added Ms. Flores’ address to the file since it did not match the address located on a copy of [Client’s] State identification that the OEIG had obtained. Instead, he said that the address on the identification “does not matter.”

I. Link Card Activity Related to SNAP Benefits on the [Client] Benefits Case

The OEIG investigated the usage of SNAP benefits on the [Client] Benefits Case through Link card transactions made for the period November 2010 through October 2011. During this time period, a total of \$5,934 of SNAP benefits was used. This amount represents nearly the entire value of \$5,943 in SNAP benefits awarded to the [Client] Benefits Case over this period.

¹⁵ The investigation revealed that at the time of the relevant recertification transactions, the assigned coordination caseworker, [Caseworker 1], was not new but rather had been a DHS caseworker for about 5 years. The OEIG interviewed [Caseworker 1]. Investigators asked him whether he would have asked Mr. Gomez to assist him with his duties, such as recertifying benefits. He stated that he could not recall a specific time or situation in which he asked Mr. Gomez for help on a case file. He also said, “it was very unlikely that [he] would have asked” Mr. Gomez to modify the address on the case because that was a simple task that he would have quickly done himself.

¹⁶ The OEIG observed more email communications between Mr. Gomez and Ms. Hernandez including an email in which he asked her, “U ok with lunch ?”

J. Use of State Resources and Access of State Systems for Personal Use

During its investigation, the OEIG also discovered evidence of additional wrongdoing, including Mr. Gomez' misuse of his State computer, and Ms. Hernandez' and Ms. Flores' improper access of State case files.

1. Mr. Gomez' Use of his State Computer

As part of its investigation, the OEIG obtained and reviewed emails from Ms. Hernandez' State email account for the period of November 1, 2010 to November 1, 2011. The emails reviewed, revealed non-work related communications between Mr. Gomez and Ms. Hernandez, most of which were initiated by Mr. Gomez, with many containing no apparent email reply from Ms. Hernandez.

During his December 9, 2013 interview, Mr. Gomez stated that he understood the policies regarding the use of DHS computers and the system. Mr. Gomez stated that he maintains and safeguards all passwords according to agency policy. When asked, he initially denied using his State computer or State email address for personal use. However, when shown select emails obtained from his State email account that appeared to be of a personal nature, he admitted that those emails, some of which he classified as "joke" or "chain" emails, were not related to State of Illinois business or official DHS business.¹⁷ Although he said he understood the policy prohibiting the use of DHS computers and the State email system for personal use, he said that he did not violate the policy because others in the office were doing the same thing.

2. Access to HFS and DHS Files by Alma Flores and Ms. Hernandez

With Alma Flores' consent, the OEIG obtained and reviewed text messages from Ms. Flores' cell phone, spanning the period May 24, 2012 through July 15, 2012. This review revealed that Ms. Hernandez communicated regularly with Ms. Flores via both email and text.

During its review of text messages, the OEIG also discovered two communications revealing the improper access of State case files by both women.

First Text Reflecting Improper Conduct

On June 13, 2012, Ms. Hernandez sent Alma Flores a text message asking whether she had been able to check on an HFS case file for a woman Ms. Hernandez knows. Ms. Flores responded, requesting the woman's Social Security number and then provided Ms. Hernandez information on the file regarding child support payments expected to be made on that case.

Ms. Flores confirmed that these messages related to her access to HFS files with respect to child support payments for a family friend of Ms. Hernandez. Ms. Flores also stated that she had accessed HFS files for other friends in the past but that she could not recall details. She

¹⁷ Despite initially saying he safeguarded his passwords, Mr. Gomez said he believed other people could have used his computer.

acknowledged that it was a violation of HFS policy to access HFS files at the request of friends for reasons unrelated to her official duties as a child support specialist and that she violated HFS policy by occasionally accessing HFS files for Ms. Hernandez' family friend.

Second Text Reflecting Improper Conduct

On July 3, 2012, Ms. Hernandez sent Alma Flores a text message suggesting that the subject matter of the OEIG investigation related to Ms. Hernandez' unauthorized access of DHS case file information related to Ms. Flores' ex-husband.

Ms. Flores confirmed that she had previously asked Ms. Hernandez to access a DHS file relating to her ex-husband. She stated that this request was not authorized by her ex-husband, but that she had suspected he was improperly claiming their children on his benefits. She said that Ms. Hernandez checked her ex-husband's file for her.

IV. ANALYSIS

A. Applicable Laws and Policies

The public's trust in State agents necessarily requires State employees to be held to high standards. State employees are bound by various duties and must abide by rules of conduct found in their agency policies and procedures, the Illinois Administrative Code (Administrative Code), the Ethics Act, and other laws.

1. Falsification of Public Assistance Information

The Illinois General Assembly has classified public assistance fraud as a crime of an onerous nature, expressing its intent that “[b]ecause of the pervasive nature of public assistance fraud and its negative effect on the people of the State of Illinois and those individuals who need public assistance, the General Assembly declares it to be public policy that public assistance fraud be identified and dealt with swiftly and appropriately.”¹⁸ Consequently, Illinois law makes it a violation for an individual to “knowingly alter[] or falsif[y] electronic federal food stamp benefit data . . . for the purpose of making claims for or receiving redemption of food stamp benefits.”¹⁹ Similarly, DHS states that it “will not tolerate written or oral falsification by any . . . [DHS] employee.”²⁰ “Falsification of records” includes “an act of misrepresentation, falsification or omission of any fact.”²¹

2. Confidentiality of Public Assistance Information

DHS customers have a reasonable expectation of privacy and confidentiality with respect to their public assistance benefits, and that expectation is protected by the Administrative Code and DHS policy. The Administrative Code protects the confidentiality of information about

¹⁸ 305 ILCS 5/8A-1.

¹⁹ 305 ILCS 5/8A-4.

²⁰ DHS Administrative Directive 01.02.03.060.

²¹ DHS Administrative Directive 01.02.03.060.

DHS clients and their cases by prohibiting the use of this information for purposes other than the “administration of the assistance programs” for a client, which includes determination of “a client’s initial or continuing eligibility for public assistance.”²² The Administrative Code specifically prohibits the “[u]se of information for . . . personal . . . purposes,” and further provides enumerated restrictions for the “use or disclosure of individual or case information obtained from the household” relating to the provision of SNAP benefits.²³

While information in the case record may be made available for inspection, it should be through a written request “submitted by a responsible household member, the household’s currently authorized representative, or a person acting on a household’s behalf.”²⁴ DHS Administrative Directive 01.02.03.140 also protects confidential and personal information concerning persons served by DHS, stating that the “information shall be kept confidential and shall be disclosed only in accordance with applicable state and federal law or regulations.” The DHS Employee Handbook offers similar protections of confidentiality, specifically providing that confidential information “shall be disclosed only as authorized”²⁵ and prohibiting DHS employees from “disclos[ing] confidential information or records on recipients . . . in violation of DHS directives, state law or federal law.”²⁶

3. Duties to Report Misconduct and Cooperate with OEIG Investigations

Amongst many duties, not all described here, DHS employees have duties to report misconduct and also to cooperate with OEIG investigations. DHS policy charges employees with promptly reporting “alleged employee misconduct”²⁷ or “suspected misconduct”²⁸ upon becoming aware of the incident. DHS policy allows for “[d]isciplinary action against any employee who fails to promptly disclose knowledge of a falsified record.”²⁹

In addition, *all* State employees, including DHS employees, have a duty to cooperate with the OEIG. The duty to cooperate, not only includes the duty to provide “truthful and accurate statements,”³⁰ but according to the Ethics Act, “[f]ailure to cooperate includes, but is not limited to, intentional omissions and knowing false statements.”³¹

²² 89 Ill. Adm. Code 10.230 (a).

²³ 89 Ill. Adm. Code 10.230 (b) & (e).

²⁴ 89 Ill. Adm. Code 10.230 (e)(2).

²⁵ DHS Employee Handbook, Section V at V-14 (April 1, 2009).

²⁶ DHS Employee Handbook, Section V at V-2. *See also* DHS Administrative Directive 01.02.03.040 (containing similar language).

²⁷ DHS Administrative Directive 01.02.03.070.

²⁸ DHS Employee Handbook, Section V at V-2.

²⁹ DHS Administrative Directive 01.02.03.060.

³⁰ Ethics Act, 5 ILCS 430/20-70; Administrative Directive 01.02.03.170.

³¹ Ethics Act, 5 ILCS 430/20-70.

B. Sabina Hernandez Violated Provisions of Illinois Law, the Illinois Administrative Code, and DHS Policy

The OEIG investigation reveals that by the time of Sabina Hernandez' resignation from DHS, she had falsified information on the [Client] Benefits Case, and breached duties relating to confidentiality and the use of State resources. She also failed to report misconduct by other caseworkers and, thereby, effectively condoned the creation of fraudulent DHS cases.

1. Sabina Hernandez Was Responsible for the Unauthorized Use of Federal Food Stamp Benefits When She Entered False Data on [Client's] Benefits Case

The electronic records reviewed by the OEIG reflect that Sabina Hernandez engaged in public assistance fraud by making changes to or altering food stamp benefit data in the [Client] Benefits Case on multiple occasions, including:

- on May 19, 2011, when she increased the benefit amount by adding two beneficiaries;
- on May 19, 2011, when she reassigned the [Client] Benefits Case to her own caseload; and
- on September 13, 2011, when she removed herself as the assigned caseworker.

Specifically, her actions on May 19, 2011, in adding [Client's] two children, resulted in an increase of benefits to the [Client] Benefits Case.

[Client] told investigators and signed an affidavit stating that she *never* applied for the DHS benefits that were part of the [Client] Benefits case file. According to [Client], she had a conversation with Ms. Hernandez during which Ms. Hernandez told her that she (Ms. Hernandez) had opened a benefits case in [Client's] name. The OEIG finds [Client] more credible than Ms. Hernandez. During her OEIG interview, Ms. Hernandez initially denied accessing [Client's] case file, she later admitted that she accessed it after receiving an email from an OEIG investigator. Nevertheless, even after this admission, she failed to acknowledge the actions she took on the file in May 2011, when she increased the benefits. Ms. Hernandez subsequently stopped the interview, resigned the next day, and refused to meet again with OEIG investigators.

All of this confirms that Ms. Hernandez was involved in the opening and disbursement of benefits in the [Client] Benefits Case. Because Ms. Hernandez knowingly altered or falsified records when she added [Client's] children to the [Client] Benefits Case and increased the SNAP Unit on the [Client] Benefits Case from one to three, the allegation that Ms. Hernandez falsified customer records related to [Client's] SNAP benefits in violation of Illinois law and DHS Administrative Directives is **FOUNDED**.

2. Sabina Hernandez Failed to Report Misconduct

As a DHS employee, Sabina Hernandez had a duty to report wrongdoing when she became aware of it or suspected it. Ms. Hernandez stated to OEIG investigators that she was aware that Mr. Gomez and other DHS caseworkers had opened fraudulent DHS cases but that she failed to report any of those incidents. Ms. Hernandez did not report instances of suspected misconduct; therefore, the allegation that Ms. Hernandez failed to report suspected misconduct when she had a duty to do so is **FOUNDED**.

3. Sabina Hernandez Failed to Cooperate with the OEIG's Investigation

Sabina Hernandez failed to provide truthful and accurate statements during her interview with the OEIG regarding her access to the [Client] Benefits Case.

She told investigators that she had only accessed the [Client] Benefits Case one time – to determine the nature of the OEIG investigation; however, the electronic records reflect otherwise. First, Ms. Hernandez failed to disclose the fact that she accessed the [Client] Benefits Case in May 2011 (long before the OEIG opened its investigation), and that when she did so, she made changes to the benefits case file by adding [Client's] children to the case. Second, she failed to disclose that, at that time, she assigned herself as the service coordination caseworker. Third, she failed to disclose that she issued supplemental food benefits on the [Client] Benefits Case in June 2011. A few weeks after the OEIG formally opened its investigation, Ms. Hernandez, once again, accessed the [Client] Benefits Case and, this time, removed herself as the assigned caseworker.

Ms. Hernandez also obstructed the OEIG's efforts to gather facts during her interview by refusing to provide investigators with a document in her possession listing the names of her co-workers she said were engaged in fraudulent conduct. Ms. Hernandez also failed to return for her interview and instead submitted her resignation.

Ms. Hernandez' failure to provide truthful and accurate statements to the OEIG and her efforts to obstruct the OEIG's gathering of additional facts constitutes a violation of her duty to cooperate; consequently, the allegation that Ms. Hernandez failed to cooperate with the OEIG when she was a State employee is **FOUNDED**.³²

4. Sabina Hernandez Violated the Illinois Administrative Code and DHS Policy When She Accessed and Disseminated Confidential Files for Personal Use

Sabina Hernandez violated her duty to protect the confidentiality of information about DHS clients and their cases when she accessed the DHS case file of Ms. Flores' ex-husband. Ms. Flores told OEIG investigators that she asked Ms. Hernandez to access her ex-husband's DHS file and that such access was not work-related but was for a personal and improper use. She stated that Ms. Hernandez accessed the file for her. A text message between Ms. Flores and Ms. Hernandez corroborate that this event occurred.

³² Because Ms. Hernandez terminated her State employment, her failure to comply with the subpoena does not constitute failure to cooperate.

Ms. Hernandez' conduct, without proper authorization, breached this expectation and amounts to a violation of the Administrative Code, DHS Administrative Directives, and the DHS Employee Handbook; therefore, this allegation is **FOUNDED**.

C. Peter Gomez Violated Provisions of Illinois Law, the Illinois Administrative Code, and DHS Policy

The OEIG investigation reveals that Peter Gomez falsified information on the [Client] Benefits Case, failed to cooperate, and violated DHS' computer use policy.

1. Peter Gomez Was Responsible for the Unauthorized Use of Federal Food Stamp Benefits When He Entered False Data on [Client's] Benefits Case

There is no dispute that Peter Gomez opened and recertified a benefits case in [Client's] name. Not only do the electronic records reflect that he conducted such activity on the case, but he eventually admitted that he opened the case on December 16, 2010, changed the address on the file the next day, and then recertified benefits on [Client's] case on April 21, 2011. Although Mr. Gomez stated that his practice when opening a file and conducting an in-person interview is to request identification for the customer's file, and stated that he made a copy of [Client's] identification because it was his practice to do so, the evidence reveals that in fact [Client] never appeared and applied for benefits. Rather it is clear the Mr. Gomez made false entries making it appear as though [Client] applied for benefits, and

- set up a benefits case in [Client's] name using one address; and
- changed the benefits case address the following day.

Yet, neither of the two addresses Mr. Gomez used belonged to [Client]. In fact, the address listed on [Client's] State identification, which Mr. Gomez claims he would have copied when he opened the case, does not match *any* address Mr. Gomez used on the [Client] Benefits Case.

The OEIG concludes that [Client] never applied for DHS benefits. In fact, she told the OEIG, and signed an affidavit stating, that she had not visited any DHS FCRC to apply for or extend these benefits in her name, that she had never met with Mr. Gomez, and that she never authorized anyone else to apply for these benefits in her name.³³ Moreover, there is no evidence in the Visitors Logs that [Client] ever visited the West Suburban FCRC or submitted any application on November 11, 2010 (the date listed as the application date), on December 16, 2010 (the date Mr. Gomez processed the application and stated he conducted the customer interview), or on December 17, 2010 (the date Mr. Gomez changed the address on the application and the Link card was issued). Furthermore, the physical file contains no paper

³³ [Client] signed an affidavit stating that she "never met with or spoke[] to DHS Caseworker Peter Gomez," and that she "did not authorize any individual to apply for or extend any SNAP benefits" on her behalf or to use her personal information for that purpose. [Client] Aff. ¶¶ 5, 11 (Aug. 27, 2013).

application for benefits, no application for redetermination of benefits, or any copy of [Client's] identification. The OEIG concludes that Mr. Gomez' statements to the contrary were false.

In addition, Mr. Gomez also stated that he conducted an interview of [Client], prepared the case write-up, and approved benefits on the December 16, 2010 date, but also stated that the December 16, 2010 date could have been an error because there have been times that he has put the wrong date on the application. The electronic case record, however, confirms that Mr. Gomez registered the case *and* approved benefits on December 16, 2010 and that he entered November 22, 2010 into the system as the application date. In other words, what Mr. Gomez told investigators was a lie based upon the computer files.

All of this evidence points to the fact that Mr. Gomez engaged in public assistance fraud and was involved in the improper opening of the [Client] Benefits Case. Therefore, the allegation that Mr. Gomez:

- falsified customer records related to [Client's] SNAP benefits in violation of Illinois law and DHS Administrative Directives on December 16, 2010, when he entered data to open or create the [Client] Benefits Case, is **FOUNDED**.
- falsified customer records related to [Client's] SNAP benefits in violation of Illinois law and DHS Administrative Directives on December 17, 2010, when he changed the address on the [Client] Benefits Case to [REDACTED] W. 24th Street, Cicero, Illinois (the address of former DHS caseworker Alma Flores), is **FOUNDED**.
- falsified customer records related to [Client's] SNAP benefits in violation of Illinois law and DHS Administrative Directives on April 21, 2011, when he recertified and approved benefits on the [Client] Benefits Case is **FOUNDED**.

2. Peter Gomez Failed to Cooperate with the OEIG's Investigation

As previously discussed, all State employees have a duty to cooperate with the OEIG.³⁴ Intentional omissions may constitute a failure to cooperate.³⁵ Mr. Gomez, however, violated his duty to cooperate with the OEIG by failing to provide truthful and accurate statements during his interviews. Although Mr. Gomez was interviewed on two occasions, the OEIG is focusing its non-cooperation findings on statements Mr. Gomez made on December 9, 2013.

Specifically, on December 9, 2013, Mr. Gomez was asked about the following:

Mr. Gomez' June 16, 2011 Email to the Administrative Supervisor:

Investigators asked Mr. Gomez about the email he sent to the Administrative Supervisor on June 16, 2011 in which he had written that he had not worked on the [Client] Benefits Case since January 2011. He was asked if he was being dishonest when he said that he had not done work on the [Client] Benefits Case since January 2011.

³⁴ Ethics Act, 5 ILCS 430/20-70; DHS Administrative Directive 01.02.03.170.

³⁵ Ethics Act, 5 ILCS 430/20-70.

In response, Mr. Gomez stated that he would not answer the question.

DHS records revealed that Mr. Gomez had worked on the [Client] Benefits Case after January 2011 and that he had recertified benefits on the [Client] Benefits Case just two months prior to the email he sent to his supervisor. Mr. Gomez acknowledged to OEIG investigators that being dishonest is a violation of his duties as a DHS employee.

In light of Mr. Gomez' refusal to answer further questions about the email, the OEIG concludes that he failed to cooperate; consequently, the allegation that Mr. Gomez failed to cooperate with the OEIG is **FOUNDED**.

3. Peter Gomez Violated DHS' Computer and System Information Use Policy By Sending Personal and Inappropriate Emails

DHS policy regarding the "Use of Computers, Related Equipment, Software, System Information and the Internet," states that "DHS computers are limited to State of Illinois business" and "[e]mployees are not to use DHS computers for personal business."³⁶ It states that the "e-mail system is for official DHS business only. The system is not to be used for personal messages or communications" and the policy puts DHS employees on notice that their email messages can be "accessed and monitored."³⁷

Mr. Gomez violated this policy when he repeatedly used the State's email system for his own use, by sending personal emails to Ms. Hernandez from his State computer and State email account. Mr. Gomez was presented with a selection of such emails and he admitted that those emails were not related to State of Illinois or DHS business. In fact, he classified some of them as "joke" or "chain" emails.

Therefore, the allegation that Mr. Gomez violated DHS' computer and system information use policy when he sent personal emails from his State email account is **FOUNDED**.

D. Alma Flores Violated Her Duty to Maintain the Confidentiality of Client Information

As an HFS employee, Ms. Flores must comply with the HFS Employee Handbook, which also contains provisions protecting the confidentiality of HFS information. Section 615.1 of the HFS Employee Handbook requires HFS employees "to safeguard the confidentiality of . . . applicant, participant, and case information." It states that such information "may be used only for purposes that directly relate to the administration of the medical and child support programs" and may only be disclosed in accordance with specified procedures.

³⁶ DHS Employee Handbook, Section V at V-12; *see also* V-2.

³⁷ DHS Employee Handbook, Section V at V-13 – V-14.

Ms. Flores admitted that she accessed a child support case file for a friend of Ms. Hernandez without proper authorization. She acknowledged that such access was improper per the HFS Handbook. Therefore, the allegation that Ms. Flores violated the HFS policy when she accessed confidential HFS information at the request of Ms. Hernandez is **FOUNDED**.

V. FINDINGS AND RECOMMENDATIONS

Based on its investigation, the OEIG issues these findings:

- **FOUNDED** – Ms. Hernandez violated Illinois law and DHS Administrative Directives when she falsified DHS SNAP information in the [Client] Benefits Case file.
- **FOUNDED** – Ms. Hernandez violated her duty to report misconduct.
- **FOUNDED** – Ms. Hernandez violated her duty to cooperate with the OEIG investigation.
- **FOUNDED** – Ms. Hernandez violated her duty to maintain the confidentiality of DHS file information.
- **FOUNDED** – Mr. Gomez violated Illinois law and DHS Administrative Directives when he falsified DHS SNAP information in the [Client] Benefits Case file on December 16, 2010.
- **FOUNDED** – Mr. Gomez violated Illinois law and DHS Administrative Directives when he falsified DHS SNAP information in the [Client] Benefits Case file on December 17, 2010.
- **FOUNDED** – Mr. Gomez violated Illinois law and DHS Administrative Directives when he falsified DHS SNAP information in the [Client] Benefits Case file on April 21, 2011.
- **FOUNDED** – Mr. Gomez violated his duty to cooperate with the OEIG investigation.
- **FOUNDED** – Mr. Gomez violated DHS’ computer and systems use policy.
- **FOUNDED** – Ms. Flores violated her duty to maintain the confidentiality of HFS file information.

Based upon its investigation and these findings that Peter Gomez violated Illinois law, DHS Administrative Directives, and failed to cooperate with the OEIG, the OEIG recommends that DHS terminate Peter Gomez.

The OEIG further recommends that DHS discipline Alma Flores. Finally, the OEIG recommends that a copy of this Final Report be placed in Sabina Hernandez’ personnel file.

No further action is required and this matter is considered closed.

Date: 01/30/15

**Office of Executive Inspector General for
the Agencies of the Illinois Governor**
69 W. Washington Street, Ste. 3400
Chicago, IL 60602

Spiridoula Mavrothalasitis
Assistant Inspector General

Kevin McKanna
Investigator

EXHIBIT A

Significant Activity on the [Client] Benefits Case

The following table sets forth relevant activity taking place on the [Client] Benefits Case, highlighting key entries made by Mr. Gomez and Ms. Hernandez, as reflected in the electronic case record reviewed by the OEIG.

<u>Date / Time</u>	<u>Activity Description</u>	<u>DHS Staff</u>	<u>Result</u>
12/16/2010 3:15 p.m.	A benefits case was registered in the DHS system, listing an application dated 11/22/2010 for medical and SNAP benefits, in the name of [Client] with address [REDACTED] S. 60 th Ct., Cicero, Illinois.	Peter Gomez	System shows application was received and pending for processing.
12/16/2010 3:20 p.m.	A benefits case is processed for [Client]. Expedited SNAP benefits are approved for [Client] and her two children for the months of November and December 2010. ¹	Peter Gomez	SNAP benefits in the amount of \$157 for November and \$526 for December were awarded. ²
12/16/2010 4:14 p.m.	SNAP and medical benefits are processed for [Client] and her two children beginning in January 2011 through April 2011. [Client's] benefits case is assigned to the caseload for [Caseworker 1] (caseload 922) for future service coordination.	Peter Gomez	SNAP benefit in the amount of \$526 per month (representing a three-person SNAP Unit) was awarded effective January 2011.
12/17/2010 3:23 p.m.	The address of record on [Client's] benefits case is changed from the 60 th Ct. address to [REDACTED] W. 24 th Street, Cicero, Illinois. ³	Peter Gomez	All future DHS correspondence, including benefit cards, is directed to this address.
12/17/2010	Link card is issued to an unidentified individual at the West Suburban FCRC.	[REDACTED], DHS Link staff	SNAP benefits were made available for use.
4/18/2011	SNAP benefits end.	Automatic entry	Redetermination must be conducted for continued benefits.
4/21/2011 4:55 p.m.	SNAP benefits are processed for the month of May 2011 for [Client] and her two children. ⁴	Peter Gomez	SNAP benefit in the amount of \$526 (representing a three-person SNAP Unit) was awarded for May 2011

¹ The benefits were processed as expedited because the regular deadline to apply for November and December benefits had passed.

² The amount of \$157 is a prorated amount for the remaining part of the month of November, based on an application date of November 22, 2010 and for a SNAP Unit of three individuals. The amount of \$526 is based on benefits for three individuals for the full month of December.

³ According to Cook County Treasurer's Office property tax records, this new address of record belonged to Alma Flores.

⁴ The benefits for this month were processed separately because the regular deadline to apply for May benefits had passed.

<u>Date / Time</u>	<u>Activity Description</u>	<u>DHS Staff</u>	<u>Result</u>
4/21/2011 4:59 p.m.	SNAP redetermination is conducted and benefits approved effective June 2011 through October 2011 for [Client] only, not her two children. ⁵	Peter Gomez	SNAP benefits were extended for June 2011 through October 2011, in the amount of \$200 per month (representing a one-person SNAP Unit).
5/19/2011 4:55p.m.	SNAP Unit is increased to three individuals, effective July 2011. The names of [Client's] children are added to the SNAP Unit.	Sabina Hernandez	SNAP benefit increased back to \$526 per month ⁶ (representing a three-person SNAP Unit) effective July 2011 through October 2011.
5/19/2011 4:59 p.m.	A supplement to SNAP benefits is issued for the month of June 2011 to make up the difference from a one-person to a three-person SNAP Unit for that month. Case is reassigned to the caseload for Ms. Hernandez (caseload 973).	Sabina Hernandez	SNAP benefits issued in the amount of \$326 for June 2011, bringing the total award back up to \$526 for the month of June 2011 (representing a three-person SNAP Unit).
8/17/2011 4:27 p.m.	Individual identifying herself as [Client] checks in at West Suburban FCRC stating she would like to cancel her benefits because she would be moving out of state. Visitor Information System notes that the individual "doesn't speak spanish."	N/A	Caseworker called out for the individual but there was no response; therefore, the individual was not seen.
9/13/2011 9:59 a.m.	Case was reassigned to the caseload for [Caseworker 2] (caseload 921).	Sabina Hernandez	Case to be handled by another caseworker in the future.
11/1/2011	SNAP benefits ended.	Automatic entry	Because SNAP benefits were not recertified, benefits ended.

⁵ There is no record in the case file documents provided to the OEIG indicating that Mr. Gomez checked [Client's] employment status prior to recertifying her benefits.

⁶ This amount represents a SNAP Unit of three individuals.



Bruce Rauner, Governor

James T. Dimas, Secretary-designate

July 30, 2015

*Via e-mail to Fallon Opperman, Deputy Inspector General and Chicago Division Chief,
on behalf of:*

Maggie Hickey

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Update to the Response to the Final Report for Complaint 11-00428

Dear Executive Inspector General Hickey:

This letter provides an update to the response the Department of Human Services (DHS) gave on February 27, 2015, regarding the Final Report for Complaint Number 11-00428. The Report recommended certain employment-related actions for three individuals. The actions for two of the three individuals were completely covered by the response previously provided.

Action for one person, Peter Gomez, was incomplete at the time of the response. Mr. Gomez's employment was terminated effective May 8, 2015. A grievance was filed and ultimately denied on June 17, 2015. Any appeal of that decision has not been filed and was due by July 9, 2015. Thus, at this time, DHS considers the matter closed, with Mr. Gomez's employment terminated.

The Department now considers this matter completely resolved. If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,

James T. Dimas
Secretary-designate

6
JTD
RJM



Bruce Rauner, Governor

100 South Grand Avenue, East • Springfield, Illinois 62762
401 South Clinton Street • Chicago, Illinois 60607

February 27, 2015

Via e-mail to Kristy Shores, First Deputy Inspector General, on behalf of:

Ricardo Meza

Executive Inspector General

Office of the Executive Inspector General for the Agencies of the Illinois Governor

69 West Washington Street, Suite 3400

Chicago, Illinois 60602

RE: Response to OEIG Complaint Number 11-00428

Dear Executive Inspector General Meza:

This letter responds to the Final Report for complaint number 11-00428. The Report detailed *inter alia* improper case management, falsification of records, improper computer access, improper disclosure of information, and violations of various statutes and Department of Human Services (DHS) policies. The Report recommended certain employment-related actions for three individuals.

Specifically, the Report recommended employment termination for Peter Gomez. The Report also recommended discipline for Alma Flores. Finally, the Report recommended a copy of the Report be placed in the personnel file for Sabina Hernandez. The Department is implementing some of the recommendations as detailed below.

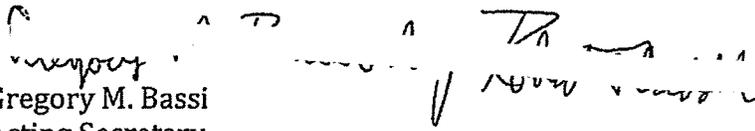
DHS is implementing the recommendation for employment termination for Mr. Gomez. As you know, the Collective Bargaining Agreement specifies a process for discipline, including termination. Accordingly, a pre-disciplinary meeting is currently scheduled for March 2, 2015. At that meeting, the charges, their basis and proposed action will be shared with Mr. Gomez. He will be afforded a rebuttal period and possibly several review periods, before any final action can be taken. As you probably know, the process could take some time for resolution. The Department will provide you updates as the process moves along.

The Report also recommended discipline for Ms. Flores. Ms. Flores, however, is an employee of the Department of Healthcare and Family Services (HFS). As such, DHS cannot implement this recommendation. Your office may wish to refer the matter to HFS for further action.

Finally, as recommended, a copy of the Final Report has been placed in the personnel file of Sabina Hernandez.

If you have any questions, please feel free to contact Robert J. Grindle, DHS' Ethics Officer.

Regards,


Gregory M. Bassi
Acting Secretary



Office of Executive Inspector General
for the Agencies of the Illinois Governor
www.inspectorgeneral.illinois.gov

**AGENCY OR ULTIMATE JURISDICTIONAL AUTHORITY
 RESPONSE FORM**

Case Number: 11-00428

Return 20 Days After Receipt

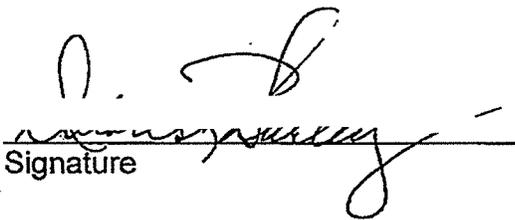
Please check the box that applies. (Please attach additional materials, as necessary.)

We have implemented all of the OEIG recommendations. Please provide details as to actions taken:

We will implement some or all of the OEIG recommendations but will require additional time to do so.

We will report to OEIG within 30 days from the original return date.

We do not wish to implement some or all of the OEIG recommendations. Please provide details as to what actions were taken, if any, in response to OEIG recommendations:


 Signature

Office of the Inspector General/HFS – Senior
Public Service Administrator
 Print Agency and Job Title

Delores R. Hurley
 Print Name

3/18/2015
 Date

From:
Sent: Thursday, October 15, 2015 12:47 PM
To:
Subject: Fw: OEIG Case No. 11-00428

See Laurie's update below. Let me know if you need anything further.

From:
Sent: Thursday, October 15, 2015 11:59:08 AM
To:
Subject: FW: OEIG Case No. 11-00428

Ms. Flores served a 29-day suspension effective September 9, 2015 – October 7, 2015. Her return to work date was October 8, 2015. Thanks. LT
