

# Memorandum

**To:** File  
**From:** Craig Ratner, Esq.  
**Date:** 1/16/2018  
**Re:** Investigation Interview Notes

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1. **Employee #1 – XX/XX/XXXX, 30 minutes** – Employee #1 is responsible for obtaining outstanding physician signatures on Medicare orders (1. Certification and Plan of Care, 2. Face-to-Face Encounter Form, and 3. Verbal Order) for patients with last names starting with letters A–M. (Bad Actor was responsible for obtaining outstanding physician signatures on Medicare orders for patients with last names starting with letters N–Z.) Right after the Medicare bill run was completed, Employee #4 would generate a list of outstanding unsigned orders. Employee #1 and Bad Actor would fax these orders to physician practices requesting that the ordering physicians sign and fax them back. Employee #1 said that on XX/XX, between the hours of 3 pm and 5 pm ET, Employee #2 asked her to retrieve an order that Employee #1 had given to Bad Actor. Since Bad Actor had left for the day at 3 pm ET, Employee #1 looked through documents on Bad Actor’s desk to find the order that Employee #2 requested. Employee #1 found the falsified order referenced above – not the order Employee #2 requested –with the cutout signature still attached to an unsigned order. Employee #1 immediately showed this falsified document to Employee #2.

XX/XX/XXXX, 30 minutes (with HR Rep) – Employee #1 reiterated what she said during the first interview. She added that she is friends with Bad Actor and relied on her assistance to get outstanding physician signatures on Medicare orders for her part of the alphabet. Employee #1 said that Bad Actor was known as somebody who could always get outstanding signatures from physicians. Employee #1 could not recall a single instance when she or Bad Actor were pressured to get physician signatures.

2. **Employee #2 – XX/XX/XXXX, 30 minutes** – Employee #2 works is responsible for inputting signed Medicare orders into the system for billing purposes. Employee #2 said that she occasionally helped Employee #1 and Bad Actor with retrieving physician signatures on outstanding orders, but she was primarily responsible for inputting all orders into the system and then boxing up these orders for storage. Employee #2 said that, on XX/XX, sometime after 3 pm ET, she asked Employee #1

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to retrieve an order that Employee #1 had given to Bad Actor. Employee #2 said that Employee #1 returned and showed her an order with the cutout signature still attached to an unsigned order. Employee #2 said that she exclaimed to Employee #1, “What the F\*\*K is this S\*\*T?” Employee #2 said that she went to Bad Actor’s area sometime in the morning on XX/XX and said out loud, though not directly to Bad Actor, “I am not going to get fired because of you.” Employee #2 stated that Bad Actor said that the cutout was a “joke,” but then asked Employee #2, “Did you take care of that?” Employee #2 said that she didn’t have anything, and Bad Actor said, “I must have shredded it.” Since her manager, Employee #3, was off on XX/XX, Employee #2 said that she was not able to speak with him until XX/XX. Employee #2 said that she spoke to Employee #3 upon arriving to work the morning of XX/XX. She said they both brought this is Employee #1 to Employee #3’s manager, Employee #5. Employee #2 said that she then reviewed some prior written orders dating back to XX/XX with Employee #5 and Employee #3 and found evidence of falsified signatures for the six (6) physicians referenced in Bad Actor’s statement.

XX/XX/XXXX, 30 minutes (with HR Rep) – Employee #2 reiterated what she said during the first interview. She added that Bad Actor was quick to blame co-workers when she did something wrong. Like Employee #1, Employee #2 could not recall a single instance when Employee #1 or Bad Actor were pressured to get physician signatures.

3. **Employee #3** – XX/XX/XXXX, 20 minutes – Employee #3 said that Employee #2 came into his office to talk “about orders” upon his arrival to work at 7:45 am on XX/XX. She then proceeded to show him the falsified document in the library. Sensing the potential gravity of the situation, Employee #3 said that both he and Employee #2 immediately notified Employee #3’s supervisor, Employee #5.

XX/XX/XXXX, 30 minutes (with HR Rep) – Employee #3 reiterated what he said during the first interview. Additionally, he said that could not recall a single instance when he or other supervisory staff pressured or otherwise directed Employee #2, Susan, or Bad Actor to obtain signatures “at any cost.”

4. **Employee #4** – XX/XX/XXXX, 10 minutes – Since Employee #4 was not in the office until 11 am on XX/XX, he was not included in the initial meeting when Employee #3 and Employee #2 told Employee #5 about the forged document. Employee #4 recalled that the responsibility of obtaining outstanding physician signatures became a part of Bad Actor’s job in XX/XX. (Though, Compliance subsequently determined that Bad Actor took on the responsibility of obtaining outstanding physician signatures before XX/XX, even if it was not a formal part of her job.) Employee #4 was adamant that Bad Actor was never pressured to obtain outstanding physician signatures on orders. Moreover, Employee #4 said that they would never even contemplate falsifying signatures on orders.

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XX/XX/XXXX, 30 minutes (with HR Rep) – Employee #4 reiterated what he said during the first interview. Like Employee #3, Employee #4 could not recall a single instance when he or other supervisory staff pressured or otherwise directed Employee #2, Susan, or Bad Actor to obtain signatures “at any cost.”

5. **Employee #5** – XX/XX/XXXX, 30 minutes – Employee #5 said that on the morning of XX/XX, Employee #3 and Employee #2 showed her an order with the cutout signature still attached to an unsigned order and she notified HR Rep in HR. Though, since Employee #5 was out of the office on XX/XX, she said that she did not meet with HR Rep until the morning of XX/XX and HR Rep did not notify Compliance until approximately 12 pm noon on XX/XX. Employee #5 said that she, Employee #3, and Employee #2 did review some prior written orders dating back to XX/XX and found evidence of falsified signatures for the six (6) physicians referenced in Bad Actor’s statement.

XX/XX/XXXX, 30 minutes (with HR Rep) – Employee #5 reiterated what he said during the first interview. Like Employee #3 and Employee #4, she could not recall a single instance when she or other supervisory staff pressured or otherwise directed Employee #2, Susan, or Bad Actor to obtain signatures “at any cost.”

6. **Employee #6** – XX/XX/XXXX, 30 minutes (with HR Rep) – Like Employee #5, Employee #3, and Employee #4, Bad Actor could not recall a single instance when Employee #2, Susan, or Bad Actor were pressured or otherwise directed to obtain signatures “at any cost.” Employee #6 was particularly emotional about Bad Actor doing something that was clearly wrong.

HR Rep and I also interviewed Employee #7 and Employee #8 for about 15 minutes each, but obtained no additional information pertinent to the investigation.