

STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF  
INVESTIGATION**



**AGENCY: THE OHIO STATE UNIVERSITY WEXNER MEDICAL CENTER  
FILE ID NO.: 2012-CA00085  
DATE OF REPORT: JANUARY 14, 2014**

## The Office of the Ohio Inspector General ... The State Watchdog

*“Safeguarding integrity in state government”*

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Randall J. Meyer  
Ohio Inspector General



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**OFFICE OF THE INSPECTOR GENERAL**

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RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION**

**FILE ID NUMBER:** 2012-CA00085

**SUBJECT NAME:** Shawn Brown

**POSITION:** Senior Systems Consultant

**AGENCY:** The Ohio State University Wexner Medical Center

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Accepting gifts from vendor

**INITIATED:** January 8, 2013

**DATE OF REPORT:** January 14, 2014

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

The Office of the Ohio Inspector General received a complaint on July 24, 2012, alleging improper hiring practices and that an Accu-Tech employee provided kickbacks to an employee of the Ohio State University Wexner Medical Center (OSUWMC). The complaint alleged the following:

- OSUWMC employee Shawn Brown was influential in the hiring of Matt Daugherty by OSUWMC because of Daugherty's relationship with Brown, and that the hiring occurred shortly before Daugherty lost his job at Accu-Tech. The complaint also alleged the position held by Daugherty required a RCDD<sup>1</sup> certification, which Daugherty did not possess. The complaint further stated that Daugherty was hired above two other applicants who held their RCDD certification, and who were told by OSUWMC that a better-qualified individual was hired.
- While employed by Accu-Tech, Daugherty entertained OSUWMC employee Shawn Brown with lunches, dinners, a bachelor party, and tickets to Ohio State University football games. After providing this entertainment, OSUWMC contracted with Accu-Tech to provide information technology materials to the OSUWMC Information Technology Services and Support Department. The complainant was unable to provide any specific dates or details about the lunches, dinners, bachelor party, and tickets to Ohio State University football games.

## **BACKGROUND**

The Ohio State University Wexner Medical Center (OSUWMC) consists of a college of medicine, multiple research centers and institutes; six individual hospitals; a unified physician practice; a network of primary and specialty care practices; and 20 core laboratories.<sup>2</sup>

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<sup>1</sup> Registered Communications Distribution Designer certification indicates the certificate holder is proficient in the design, implementation, and integration of information technology systems and its infrastructure.

(Source: [www.bicsi.org](http://www.bicsi.org))

<sup>2</sup> Source: [www.medicalcenter.osu.edu/aboutus/Pages/index.aspx](http://www.medicalcenter.osu.edu/aboutus/Pages/index.aspx).

The OSUWMC Information Technology Services and Support Department is responsible for the daily operations and support of the OSUWMC network and monitoring systems to assist OSUWMC in its operations and in serving its patients.

Effective July 1, 2009, OSUWMC approved the Vendor Interaction Policy ([Exhibit 1](#)) which prohibits “vendors from directly supplying meals, food, snacks or other food items to Medical Center staff.” The policy further states:

Meetings with vendors regarding the potential purchase, lease or rental of equipment or services from the vendor and any meals provided at such a meeting must be in accordance with the policies of the respective purchasing department working with that Medical Center unit and the laws of the State of Ohio. In general, all costs for meals, travel, lodging, etc., for these meetings should be covered by a Medical Center unit and not by the vendor unless explicitly approved by a member of the purchasing department or other senior administrator.

#### *Accu-Tech*

Accu-Tech is a national distributor of network infrastructure products for voice, data, security, audio/visual, LED lighting, and access control. Accu-Tech has 35 sales and distribution centers nationwide.<sup>3</sup>

OSUWMC entered into a contract with Accu-Tech on October 20, 2006, to provide telecommunications copper, fiber, and video cabling materials and related accessories to OSUWMC. The term of this contract was one year with the option to renew upon written mutual agreement for three additional one-year terms. The contract was renewed in 2007, 2008, and 2009. On January 1, 2011, OSUWMC entered into a contract with Accu-Tech to provide the same materials as the original contract from 2006. The term of this contract was one year, with the option to renew for five additional one-year terms, upon mutual agreement of the parties involved.

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<sup>3</sup> Source: [www.accu-tech.com](http://www.accu-tech.com)

*Applicable Laws and Policies*

Ohio Revised Code §102.03(E) states:

No public official or employee shall solicit or accept anything of value that is of such character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

Ohio Revised Code §102.03(F) states:

No person shall promise or give to a public official or employee anything of value that is of such character as to manifest a substantial and improper influence upon the public official or employee with respect to that person's duties.

The Ohio State University Medical Center Vendor Interaction Policy, which applies to OSUWMC employees as well as vendor corporations and vendor representatives, prohibits vendors from directly supplying meals, food, snacks, or other food items to OSUWMC staff.

**INVESTIGATIVE SUMMARY**

The Office of the Ohio Inspector General opened this complaint as a preliminary inquiry on August 1, 2012, and the following records were obtained from OSUWMC:

- Personnel files and job descriptions for Shawn Brown and Matt Daugherty;
- Accu-Tech payment history for the past three years identifying payments issued by OSUWMC;
- Copies of the recently awarded Accu-Tech contract and supporting bid documents.

As a result of facts found in the preliminary inquiry, an investigation was opened into the degree and frequency with which meals were provided to OSUWMC employees and their spouses by Accu-Tech. The preliminary inquiry determined the allegation that Brown influenced the hiring of Daugherty by OSUWMC was unsubstantiated.

On October 29, 2012, the Office of the Ohio Inspector General requested expense records from Accu-Tech incurred by Matt Daugherty from 2009 through 2012, involving both OSUWMC and Shawn Brown. Accu-Tech's Chief Financial Officer Jennifer Franklin provided a spreadsheet

listing 40 meals Daugherty hosted on behalf of, and paid for by Accu-Tech where OSUWMC employees were guests. The aggregate cost of the 40 meals totaled \$6,510.47. ([Exhibit 2](#)) Franklin's spreadsheet identified the date, type, amount, attendees, companies involved, and the business reason for the expenses. Franklin confirmed that she created the spreadsheet based on Daugherty's expense reports that she pulled from Accu-Tech's expense database. In response to a request by the Office of the Ohio Inspector General, Franklin also provided copies of all of Daugherty's expense reports.

The Office of the Ohio Inspector General reviewed the expense reports submitted by Daugherty and found that in creating the spreadsheet, Franklin failed to include some additional expenses reported by Daugherty related to OSUWMC and Shawn Brown. The Office of the Ohio Inspector General determined that the meals and entertainment provided by Daugherty to OSUWMC employees totaled \$7,612.62, with Brown receiving \$4,900.76 from January 23, 2009, to February 12, 2012.

Although the original allegation received by the Office of the Ohio Inspector General identified only Shawn Brown as a recipient of meals provided by Daugherty, CFO Franklin's spreadsheet identified additional OSUWMC employees, including Joe Weingates, Sam Stephens, Teresa Kahlig, Matt Sasfy, and Robb Todd who may have received meals and/or entertainment.

On April 9, 2013, the Office of the Ohio Inspector General conducted an interview with Matt Daugherty, network engineer for OSUWMC. Daugherty had been employed by OSUWMC just over a year. Prior to that, Daugherty was the branch manager for Accu-Tech. Daugherty explained that when he first became branch manager for Accu-Tech, he was authorized to sign renewal contracts, but later the process was changed and Daugherty was only allowed to sign at the direction of the management of Accu-Tech.

Daugherty stated that his understanding of OSUWMC's vendor interaction policy while he was an Accu-Tech employee was that, as an employee of Accu-Tech, Daugherty could not provide gifts to employees of the OSUWMC. Daugherty now knows the policy means that OSUWMC

employees “cannot even accept a pencil.” Daugherty stated that Accu-Tech did not have a policy against expensing meals for employees of OSUWMC.

Daugherty admitted in this interview that while he was employed by Accu-Tech, Daugherty provided OSUWMC employees with meals and entertainment and expensed it to Accu-Tech. Daugherty was asked if the information on the spreadsheet from Franklin was correct and reflected what Daugherty reported to Accu-Tech. Daugherty responded, “Yeah, it must have if it came directly from them from documents that I turned in.” Daugherty later stated that the information was correct from a dollar amount, but Daugherty did not know if the attendees named in the spreadsheet were correct. Daugherty went on to explain that,

What I would do would be invite people to a cookout and whether they responded or not I, I assumed they would be there. I purchased food assuming all the individuals would attend. In some cases I grossly over-purchased. However, when I turned in my expense report I put the names on there to justify the expense as in I was expecting to 10 people; I bought for 10 people; 3 showed up.

From January 23, 2009, to February 12, 2012, Daugherty reported 12 cookouts for OSUWMC employees on his expense reports. Daugherty was asked, of those 12, how accurate the information on the expense report was. Daugherty replied, “I can’t --- I can’t tell you how accurate they are.”

Daugherty admitted to providing false information on Accu-Tech expense reports. Daugherty stated, “There were occasions where if something were done or there was a ---the company would give me an “Atta boy” type scenario and I was told that I could take my wife out to dinner and expense it.” Daugherty advised that Accu-Tech Regional Vice President John Burkey told Daugherty to take his wife out to dinner and expense it, but Daugherty stated that if he would have only listed his wife as the only attendee, the expense report would have never been approved by the Accu-Tech expense oversight people. When asked how often he provided false information on his expense reports, Daugherty replied, “Very minimally.”

*Joe Weingates*

During the review of the expense reports submitted by Daugherty to Accu-Tech, the Office of the Ohio Inspector General identified two expenses where Joe Weingates was listed as an attendee. Both instances were on February 3, 2009, at Hyde Park restaurant. The first was for \$545.51 and the second was for \$74.72, for a total of \$620.23. Other attendees listed were Chad Neal, Sam Stephens, Mike Fleming, Jim DeTemple, and Daugherty.

On April 8, 2013, the Office of the Ohio Inspector General conducted an interview with Joe Weingates, assistant director of technology at OSUWMC. Weingates was aware that Accu-Tech is a vendor of OSUWMC, but did not know how long the relationship had existed. Weingates reported that he had no involvement in reviewing the bids, evaluating the bids, contract negotiations, or contract approvals. Weingates confirmed his familiarity with the OSUWMC Vendor Interaction Policy and indicated that he is a “staunch proponent” of the policy to his managers and staff. Weingates stated that his understanding of the policy was that “you can’t even accept pens; it is very specific, all inclusive.”

When asked if he was present at the meal on February 3, 2009, Weingates replied that he had gone to lunch with Neal and Stephens, but did not recall anyone else in attendance. Weingates was asked about another meal on November 21, 2009, with Daugherty and Shawn Brown. Weingates replied that he did not attend that meal with Daugherty.

When asked about his relationship with Daugherty, Weingates replied that he has “no relationship” with Daugherty. Weingates could not think of any occasion when he socialized with Daugherty outside of work. Weingates recalled that while Daugherty was employed with Accu-Tech, Weingates did not know Daugherty.

During the interview with Matt Daugherty on April 9, 2013, Daugherty recalled being in a social situation with Joe Weingates on only one occasion and that was at a paintball outing several years ago. Daugherty explained that the neighbor that lives directly behind Daugherty was going with a group of people and invited Daugherty. Daugherty was asked if the expenses listing

Weingates as an attendee were instances where Weingates may have been invited, but did not attend. Daugherty stated, “that could be possible, yes.”

**Accordingly, the Office of the Ohio Inspector General does not find reasonable cause to believe a wrongful act has occurred in this instance.**

*Teresa Kahlig*

The review of the expense reports submitted by Daugherty to Accu-Tech revealed three meal expenses where Teresa Kahlig was listed as an attendee. The three instances occurred on January 29, 2011, and listed Kahlig, Daugherty, and Sam Stephens as attendees. The first was for Mitchell’s Steakhouse for \$187.12, the second at BJ’s Restaurant for \$12.45, and the third for BJ’s Restaurant for \$21.70, for a total of \$221.27.

On April 10, 2013, the Office of the Ohio Inspector General conducted an interview with Teresa Kahlig. Kahlig stated she is currently a senior buyer for the “O.R.” at OSUWMC and has held that position for two years. Prior to that, Kahlig stated she was the senior buyer for IT and Human Resources at OSUWMC.

Kahlig stated that Accu-Tech is a vendor that provides cable to OSUWMC. Kahlig said that as senior buyer for IT and Human Resources, Kahlig was responsible for overseeing the bidding process. Kahlig added that she was familiar with OSUWMC’s vendor interaction policy, which Kahlig stated prohibits OSUWMC employees from accepting gifts from vendors or allowing vendors to pay for anything.

When asked if she attended a meal at Mitchell’s Steakhouse in January 2011 with Daugherty and Sam Stephens, Kahlig replied, “Absolutely not.” Kahlig stated that she does not recall who Daugherty is.

During the interview with Daugherty on April 9, 2013, Daugherty stated that he never remembers being in a social situation with Teresa Kahlig, even though Daugherty reported Kahlig as an attendee on his expense report for Mitchell’s Steakhouse. Daugherty was asked if

he just mistakenly placed Kahlig's name as an attendee on the expense report. Daugherty replied, "I have no idea what this is. I was never in a social situation that I can recall with Teresa Kahlig." Daugherty stated he only dealt with Kahlig on contract negotiations.

**Accordingly, the Office of the Ohio Inspector General does not find reasonable cause to believe a wrongful act has occurred in this instance.**

*Matt Sasfy*

The review of the expense reports submitted by Daugherty to Accu-Tech revealed two meal/entertainment expenses where Matt Sasfy was an attendee, totaling \$200.56.

The Office of the Ohio Inspector General conducted an interview with Sasfy on July 26, 2013. Sasfy has been a network administrator at OSUWMC for approximately four years. Sasfy stated he is familiar with the OSUWMC vendor interaction policy.

Sasfy described his relationship with Daugherty as "friends," although Sasfy admitted that he "... really didn't get to know Daugherty until Daugherty was hired by OSUWMC." Prior to Daugherty's employment with OSUWMC, Sasfy described his relationship with Daugherty as "acquaintances." Sasfy said he did not socialize with Daugherty outside of work, while Daugherty was employed by Accu-Tech.

When asked about the two expenses for \$200.56 listed on Daugherty's expense report, Sasfy stated he never attended a cookout at Daugherty's house, but admitted that he did attend cookouts at Brown's house and that Daugherty was present. Sasfy was asked if Daugherty was providing the food for the cookouts at Brown's house, but Sasfy was not aware of the arrangements.

In the interview with Matt Daugherty on April 9, 2013, Daugherty admitted that when reporting the cookouts as an expense, Daugherty listed everyone he invited, whether they came or not.

**Accordingly, the Office of the Ohio Inspector General does not find reasonable cause to believe a wrongful act has occurred in this instance.**

*Robert “Robb” Todd*

The review of the expense reports submitted by Daugherty to Accu-Tech revealed eight meal/entertainment expenses that listed Todd as an attendee, totaling \$819.47.

In an interview with Todd on July 26, 2013, Todd stated that he is a network engineer at OSUWMC and has been in that position for approximately five years and has been employed with OSUWMC for 12 years.

Todd described his current relationship with Daugherty as a working relationship, as Daugherty is on Todd’s team, but prior to that, Todd described the relationship as acquaintances, or “a friend of a friend.” Todd stated that “friend” is Shawn Brown. Prior to Daugherty’s employment with OSUWMC, Todd described his relationship with Daugherty as “none.” Todd admitted seeing Daugherty at social events at Brown’s house, “but that was it.”

When asked about the meals and entertainment that Todd was listed as receiving from Daugherty, Todd stated that he did not receive any. Todd admitted that he attended cookouts at Brown’s house and Daugherty was present, but Todd stated that he never attended any cookouts or events at Daugherty’s house. When asked about having a meal with Daugherty at Marcella’s, Todd admitted not even knowing where or what Marcella’s was.

Todd indicated that he had some concerns with Daugherty attending social events at Brown’s house, because it could “blur some lines.” Todd stated that he may have warned Brown to be careful with regards to his friendship with Daugherty.

**Accordingly, the Office of the Ohio Inspector General does not find reasonable cause to believe a wrongful act has occurred in this instance.**

*Sam Stephens*

The review of the expense reports submitted by Daugherty to Accu-Tech revealed 24 expenses where Stephens was listed as an attendee, totaling \$3,336.23.

The Office of the Ohio Inspector General conducted an interview with Sam Stephens on April 9, 2013. Stephens is the IT procurement consultant at OSUWMC. Stephens described his position as the “conduit between IT and purchasing” with regards to the bid process, contract negotiations, and contract approval. Stephens stated that in his position, he is prohibited from speaking with the bidders during the bid process.

Stephens stated he is familiar with the OSUWMC vendor interaction policy and that he educates new managers on the policy. Stephens was asked if he attended a meal at Hyde Park on February 3, 2009, with Chad Neal, Joe Weingates, Mike Fleming, Jim DeTemple and Daugherty. Stephens replied that he did not attend. Stephens was asked if he attended a charter boat trip to Drawbridge Marina with Ben Littleton, General Hopper, Bob Stewart, Jim DeTemple, and Daugherty on May 22, 2010, and Stephens stated he did not attend. Stephens stated that he has never attended any meals with Daugherty. Stephens was asked if he ever attended any cookouts at Daugherty’s house, to which Stephens replied that he never attended any cookouts at Daugherty’s. Stephens was shown a spreadsheet that listed all the meal/entertainment expenses submitted by Daugherty to Accu-Tech that involved OSUWMC employees. Stephens stated that he did not attend any of the events listed and never accepted any meals or entertainment by Daugherty.

On August 8, 2013, Stephens contacted the Office of the Ohio Inspector General. Stephens stated that after speaking with OSUWMC human resources staff the previous week, Stephens was talking with his wife, who recalled attending an event downtown with some OSUWMC IT employees in 2011. Stephens was asked if the event was held at Marcella’s, but neither he nor his wife could remember the location of the event. Stephens stated that he “probably” paid his own tab, but was not 100 percent sure. Stephens was asked to participate in a follow-up interview to go over the meals and entertainment listing Stephens as a recipient; Stephens declined a follow-up interview, and stated he was declining on the advice of his attorney.

During an interview on April 9, 2013, Matt Daugherty admitted he did not recall an outing to Mitchell's Steakhouse with Stephens and Kahlig. Daugherty stated that the information he provided on his expense reports "is correct, as I've explained it, meaning that on cookout scenarios, bar tabs, that type of thing, if they – excuse me – if the person was invited, they went down." Daugherty continued, "If they were there in the bar tab scenario, their name went down. Whether they partook or did not, I was not watching over their shoulder to see what was going where." Daugherty also stated that the expense to Mitchell's in January 2011 was not correct.

**Accordingly, the Office of the Ohio Inspector General does not find reasonable cause to believe a wrongful act has occurred in this instance.**

*Shawn Brown*

The review of the expense reports from January 23, 2009, to February 12, 2012, revealed 47 expenses where Brown was an attendee, totaling \$4,900.76.

The Office of the Ohio Inspector General attempted to interview Brown on April 10, 2013. Brown stated that he wanted to speak with an attorney prior to an interview. On April 11, 2013, the Office of the Ohio Inspector General received notification from Attorney Dave Thomas that he had been retained as legal counsel for Brown. Thomas notified the Office of the Ohio Inspector General on April 17, 2013, that Thomas advised Brown not to speak with the Ohio Inspector General's Office, unless Brown was protected from the prosecutor.

During the interview with Daugherty on April 9, 2013, Daugherty stated that Brown is his team lead at OSUWMC and Daugherty and Brown were friends outside of work. Daugherty explained that he met Brown while working for Accu-Tech on the OSUWMC contract. Daugherty stated that in his first meeting with Brown, it was discovered that Brown resides down the street from Daugherty. Daugherty indicated that he and Brown have been friends for four years. Daugherty characterized his relationship with Brown as "best friends," saying that their wives and children are friends.

When asked if he provided OSUWMC employees with meals and entertainment, Daugherty replied, "I would say yes, that was probably correct." Daugherty stated that the expense report documentation submitted to Accu-Tech was correct minus the Mitchell's on January 26, 2011; and Daugherty explained that in regard to the 12 cookouts or bar tabs, if the individuals were invited or were present at the bar, Daugherty put their name on the expense report. Daugherty stated, "I can't tell you one hundred percent if every single person listed was present at every single event."

The Office of the Ohio Inspector General attempted to interview Daugherty a second time for follow up questions, but Daugherty invoked his right to an attorney and refused to be interviewed.

**Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe a wrongful act has occurred in this instance.**

### **CONCLUSION**

The Office of the Ohio Inspector General found, based upon interviews and expense reports submitted by Matt Daugherty to Accu-Tech, that Daugherty provided gifts of meals and entertainment to OSUWMC employees, specifically Shawn Brown, while Accu-Tech had an ongoing contract with OSUWMC. The meals and entertainment totaled \$7,612.62 from January 23, 2009, through February 12, 2012. Although Daugherty listed additional OSUWMC employees as recipients of meals and entertainment, the interviews conducted with those employees and Daugherty determined that Daugherty inaccurately listed those employees as recipients of the meals and entertainment. Daugherty provided Shawn Brown, and Brown accepted, \$4,900.76 in meals and entertainment from January 23, 2009, to February 12, 2012.

**Accordingly, the Office of the Ohio Inspector General finds reasonable cause to believe a wrongful act has occurred in this instance.**

### **RECOMMENDATION(S)**

The Office of the Ohio Inspector General makes the following recommendations and asks the Ohio State University to respond within 60 days with a plan detailing how the recommendations will be implemented. The Ohio State University Wexner Medical Center should:

1. Review the conduct of the OSUWMC employees named in this investigation and determine whether administrative action or discipline is warranted.
2. Provide additional training on the Vendor Interaction Policy to OSUWMC employees.
3. Provide a copy of the Vendor Interaction Policy to all OSUWMC vendors to remind them of the policy.

### **REFERRALS**

The Office of the Ohio Inspector General will provide a copy of this report of investigation to the Franklin County Prosecutor's Office, the Columbus City Attorney's Office, and the Ohio Ethics Commission for consideration.

**[\(Click here for Exhibits 1 – 2 combined\)](#)**



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

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RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: The Ohio State University Wexner Medical Center**  
**FILE ID #: 2012-CA00085**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.**

**Jill Jones**  
**KEEPER OF RECORDS**

**CERTIFIED**  
**January 14, 2014**

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