

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



AGENCY: OHIO STATE DENTAL BOARD  
FILE ID NO.: 2013-CA00056  
DATE OF REPORT: OCTOBER 6, 2014

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

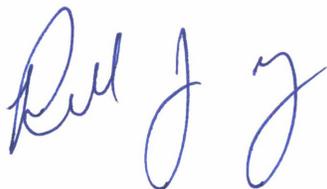
*“Safeguarding integrity in state government”*

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Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

The Office of the Inspector General does not serve as an advocate for either the complainant or the agency involved in a particular case. The role of the Office is to ensure that the process of investigating state agencies is conducted completely, fairly, and impartially. The Inspector General’s Office may or may not find wrongdoing associated with a particular investigation. However, the Office always reserves the right to make administrative recommendations for improving the operation of state government or referring a matter to the appropriate agency for review.

The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



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:** 2013-CA00056

**SUBJECT NAME:** Lili C. Reitz

**POSITION:** Executive Director

**AGENCY:** Ohio State Dental Board

**BASIS FOR INVESTIGATION:** Anonymous Complaint

**ALLEGATIONS:** Falsification of Records;  
Mismanagement

**INITIATED:** January 10, 2014

**DATE OF REPORT:** October 6, 2014

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On July 29, 2013, the Office of the Ohio Inspector General received an anonymous complaint regarding several improprieties by Ohio State Dental Board Executive Director Lili Reitz. The complainant alleged that Reitz falsified her time sheets, allowed Dental Board employee Gail Noble to attend classes at Columbus State Community College (CSCC) during days and times when Noble was paid to be at work for the state of Ohio, and to travel to these classes in a vehicle owned or leased by the state of Ohio. The complainant further alleged that Reitz authorized and improperly paid a consultant for the Dental Board and had violated sunshine laws by holding meetings with board members outside of the normally scheduled public meetings. Finally, the complainant stated Reitz would, at times, use office staff to perform tasks not related to the work of the Dental Board.

The Office of the Ohio Inspector General initially opened a preliminary inquiry on August 6, 2013, and later, on January 10, 2014, initiated an investigation into the allegations.

## **BACKGROUND**

### *Ohio State Dental Board*

The Ohio State Dental Board (board) is responsible for examining and licensing dentists, dental hygienists, and dental assistant radiographers for practice in the state of Ohio. In addition, the board administers and enforces Chapter 4715 of the Ohio Revised Code and Chapter 4715 of the Ohio Administrative Code and adopts rules establishing standards for the safe practice of dentistry and dental hygiene. The board is responsible for acting on complaints through investigations, inquiries, and inspections and holding adjudication hearings pursuant to Chapter 119 of the Ohio Revised Code. The board is also responsible for monitoring the continuing education compliance of its licensees. The board keeps a register of all licenses and all disciplinary action taken against licensees.

Lili Reitz has been serving as executive director of the board since May 1996. In this capacity, Reitz oversees the daily operations of the board, including managing a staff, and oversees the licensure, regulation, and enforcement activities of the board.<sup>1</sup>

### **INVESTIGATIVE SUMMARY**

The Office of the Ohio Inspector General requested, received, and reviewed time sheets, copies of time audits, keycard swipe logs, emails and other documents to further the investigation of the allegation that Reitz falsified her time sheets. Additionally, investigators received from Columbus State Community College schedules and enrollment forms to address the allegation of an employee attending classes at the college on state time. Finally, the Office of the Ohio Inspector General conducted interviews and received written statements from employees of the board in addressing the allegations in the complaint.

#### *Allegation: Executive Director Reitz falsified her timesheets*

The complainant alleged Executive Director Reitz had been falsifying her start and end times for her workday for "... at least the past 6 years."

The Office of the Ohio Inspector General obtained and reviewed Reported Time Audits for Reitz through the Ohio Administrative Knowledge System (OAKS)<sup>2</sup> for the period from September 1, 2011, through August 9, 2013. ([Exhibit 1](#)) From this review and in examining calendars, time sheets, ([Exhibit 2](#)) and emails, investigators found that Reitz was working a minimum of eight hours per day. On those occasions where Reitz did not work a full eight-hour day, there was an appropriate amount of permissive leave used.

During an interview conducted by the Office of the Ohio Inspector General on September 27, 2013, Reitz stated that her typical daily work hours are 9:00 a.m. – 5:00 p.m. However, her schedule varies as a result of meetings or speaking engagements related to the business of the board. Reitz provided investigators with copies of her calendar which supported the irregular

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<sup>1</sup> Source: Ohio State Dental Board website; <http://www.dental.ohio.gov/staff.stm>

<sup>2</sup> The Ohio Administrative Knowledge System (OAKS) is the official state accounting system.

nature of her schedule. Reitz said that she typically does not arrive at the office before 9:00 a.m. because she has two school-age children to care for each morning.

The Office of the Ohio Inspector General also learned from the above documents and interview that after receiving a recommendation from Ohio Department of Administrative Services (ODAS) Central Services Administrator Christopher Angles on June 20, 2013, Reitz started completing daily time sheets notating her actual start and end times for each workday. During the September 27, 2013, interview, Reitz said that prior to Angles' recommendation, she would have her total hours worked verified by an administrative assistant before sending the reported time to ODAS.

During an October 29, 2013, interview, Ohio State Dental Board President Lawrence Kaye said he had no reason to doubt Reitz's reported hours. After the recommendation from ODAS, all of Reitz's time sheets now reflect specific start and end times and are submitted to Kaye for approval prior to being forwarded to ODAS.

*Allegation: Executive Director Reitz allowed board employee Gail Noble to attend classes at Columbus State Community College while on state time and to travel to these classes in a state vehicle*

During an interview on October 15, 2013, and in a written statement, Noble acknowledged taking three courses at CSCC during the spring quarter of 2013. One of the courses was an evening course that started at 5:00 p.m. on campus at CSCC, and the other two were online courses. Records received from CSCC showed that Noble withdrew from the evening course and failed to complete the two online courses.

Investigators confirmed with ODAS that Noble did have a state vehicle assigned to her for business use. [\(Exhibit 3\)](#) Noble said on the days she had class on the CSCC campus, she would go home and later return to CSCC in her personal vehicle. She denied ever using a state vehicle to travel to CSCC to attend class. During the interview conducted on September 27, 2013, Reitz was also questioned about this allegation. Reitz said she gave no such authorization for Noble to

attend classes on state time nor did she allow Noble to use a state vehicle for travel to attend any classes at CSCC.

The Office of the Ohio Inspector General reviewed the aforementioned documents and records and found no evidence that Noble attended any classes on state time or travelled to classes in a state vehicle.

*Allegation: Executive Director Reitz authorized and improperly paid a consultant for services to the board*

Kevin Coughlin is a principal at a consulting firm, Lexington Companies, which specializes in public policy and strategic communication. During the interview on September 27, 2013, Reitz explained that with board approval, Coughlin's firm was retained to assist and advise the board on legislative matters. Coughlin is registered through the Joint Legislative Ethics Committee, Ohio Lobbying Activity Center as a lobbyist for the Dental Board.

During his interview on October 29, 2013, Dental Board President Kaye confirmed the relationship between Coughlin and the board and described the details of that relationship. He reiterated statements made by Reitz that Coughlin assists the board with legislative matters and added that he is a registered lobbyist for the board.<sup>3</sup> Kaye said Coughlin attended board meetings and that payments made to him were fully disclosed to the board.

The complainant also alleged that there was no documentation for these payments or any "files" documenting the services provided by the consultant. Investigators reviewed the board's 2013 Personal Purchase Services vouchers which showed Coughlin receiving seven payments totaling \$10,500 from January 24 through August 9, 2013. ([Exhibit 4](#)) The Office of the Ohio Inspector General also found 200 emails between Coughlin and Reitz dating back to March 29, 2012, where the content was business related. Many emails included attached monthly invoices in the amount of \$700 for Coughlin's consulting work.

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<sup>3</sup> Source: Joint Legislative Ethics Committee – <http://www2.jlec-olig.state.oh.us/OLAC/Reports/ViewAgent.aspx?id=4950>

*Allegation: Executive Director Reitz violated sunshine laws by holding meetings with board members outside of the normally scheduled public meetings*

Both Executive Director Reitz and Dental Board President Kaye were questioned about conducting board meetings in private. Both denied conducting any meetings which would constitute a violation of the open records laws of the state. They both said there were times Reitz met with board members to discuss office and administrative issues but never to conduct the business of the decisions of the board.

Kaye said during an interview that there were occasions the board met together for lunch on public meeting days and had discussed administrative coordination for meetings, but he was deliberate in ensuring that board business was not discussed in forums outside of the meeting room. The Office of the Ohio Inspector General found no evidence to indicate otherwise.

*Allegation: Executive Director Reitz had subordinate employees perform work not related to the business of the Dental Board*

The complainant stated that Reitz used office staff to perform the work of other agencies and organizations Reitz is associated with, and that this work was taking place during regular office hours, on state time. The allegation identified the Ohio Crime Prevention Association as one of the organizations.

Reitz is or has been a member of several work groups, task forces, or commissions over the last few years, including: the Prescription Drug Abuse Task Force, the Ohio Crime Prevention Association, the Ohio Attorney General's Human Trafficking Commission, the Governor's Cabinet Opiate Action Team, and other state and national organizations related to the dental field. In some cases Reitz has been invited to be a member by others within state government. As her membership in these groups and organizations is directly related to her official position as the executive director of the Dental Board, any work, tasks, or meetings related to these entities can be considered business related. There was no evidence found to indicate that board employees were tasked with any non-board duties that were not related to state government and its interests, or in achieving its initiatives or objectives.

## **OTHER MATTERS**

In furtherance of this investigation, the Office of the Ohio Inspector General reviewed numerous emails from Executive Director Reitz's Outlook mailbox. The primary focus was the "Sent Items" folder of the mailbox, as these emails would have been written and sent by Reitz and help to establish times when she was working and conducting board business. A review of these emails also disproved many of the other allegations lodged by the complainant as they related to meetings, non-board activities, and issues surrounding payments to Kevin Coughlin.

However, during that review, a large number of personal emails were discovered in Reitz's mailbox. In the "Sent Items" folder alone, investigators found a minimum of 1,690 emails (17 percent) of the 9,841 emails present did not document a function of the board and were personal in nature. Many of these emails discussed family matters, relationships, and other personal issues. Some were quite lengthy and would have required a significant amount of time to compose.

Ohio State Dental Board Employee Policy Manual, page 46, under the heading of *E-Mail and the Internet* states:

The E-mail system is state property and Board employees are prohibited from placing any personal, non-business information on the E-mail system. There is no personal privacy right in any communication or document created, received or stored in the E-mail system.

In a memorandum dated April 26, 2005, Reitz wrote to board employees clarifying the board's policy on computer use: "Very limited use is permitted on breaks and before and after work hours, but this usage must be minimal and a pattern of personal use should be avoided."

On the second page of the memorandum, Reitz stated: "1. When using a state computer, personal use of the Internet and email shall be kept to a minimum and, whenever possible, made during lunch hours or authorized breaks, and/or before or after work hours."

In closing, the Reitz memorandum stated: “You are on notice that I will be reviewing computer usage on a random basis to ensure compliance with the Board’s policy and the State mandates for appropriate computer usage. Any violation of this policy may result in discipline.”

During a July 24, 2014, interview, Reitz acknowledged the personal emails and commented that at the time they were written, it was probably not the best way to communicate with others about personal matters. She also acknowledged the emails violated board policies and, had another board employee engaged in the same conduct, she as the executive director would have addressed the issue with that employee.

### **CONCLUSION**

There was no evidence discovered by the Office of the Ohio Inspector General that supported any of the allegations of the original complaint. While Reitz’s time sheets initially did not reflect her actual start and end times for the workday, ODAS Central Services Administrator Christopher Angles explained that this practice was common. After the matter was addressed with her by Angles and after she received a recommendation from him to more accurately note her start and end times on her time sheets, Reitz complied and continues to do so.

There was no evidence found to support the allegation that former board employee Gail Noble attended courses at CSCC on state time. Nor was there any evidence found to show that she traveled to these classes in a state vehicle.

There was no evidence discovered by the Office of the Ohio Inspector General to support the allegations that meetings were being held by the board to discuss matters that should have been part of the public meetings. There are meetings between board members and board staff that take place to discuss administrative coordination for meetings, but not to discuss board decisions or business that would be required to be discussed in an open meeting.

Finally, employees were occasionally tasked with work for other agencies, task forces, or work groups; however, these tasks were related to board business and related to state government programs, initiatives, and goals. Executive Director Reitz was involved with these other

organizations and groups by virtue of her position with the board. Any work she conducted with these entities can be considered state work-related.

**Accordingly, the Office of the Ohio Inspector General finds no reasonable cause to believe that wrongful acts or omissions occurred in these instances.**

With regard to Executive Director Reitz's personal use of the state email system discovered during the investigation, the Office of the Ohio Inspector General believes her personal use of the state-provided email is excessive and in violation of board and state policies. The personal email messages in question did not document the function of the board and were also contrary to the memorandum she sent to board employees in 2005.

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

### **RECOMMENDATION**

The Office of the Ohio Inspector General makes the following recommendation and asks the Ohio State Dental Board to respond within 60 days with a plan detailing how the recommendation will be implemented.

1. The Ohio State Dental Board should review Executive Director Lili Reitz's personal use of the state email system and take the appropriate administrative action.

### **REFERRAL**

The Office of the Ohio Inspector General has determined that no referrals are warranted for this report of investigation.

**[\(Click here for Exhibits 1 – 4 combined\)](#)**



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**NAME OF REPORT: Ohio State Dental Board**

**FILE ID #: 2013-CA00056**

**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**  
**October 6, 2014**

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