



NEWS RELEASE

From New York State Inspector General
Catherine Leahy Scott

FOR IMMEDIATE RELEASE: April 3, 2014
Contact Bill Reynolds: 518-474-1010

INSPECTOR GENERAL SCOTT ANNOUNCES ARREST OF THRUWAY EMPLOYEE FOR ALLEGEDLY FORGING DOCTOR'S NOTES TO SUPPORT ABSENTEEISM

New York State Inspector General Catherine Leahy Scott announced the arrest of a New York State Thruway employee on charges he filed 16 forged doctor's notes between May 2013 and January 2014 in an effort to secure excused absences from work. The New York State Thruway Authority initially reviewed this employee's records and then referred the matter to the Inspector General.

"New York State employees are expected to be truthful when filing documentation indicating their need to be away from their worksite," said Inspector General Scott. "Manufacturing doctor's notes to justify absenteeism is not only an unlawful forgery, but is an abuse of public resources. When employees or officials commit such fraud, my office will investigate their misconduct and ensure they are held accountable."

Thruway Maintenance Worker Jose Mulero, 31, of Haverstraw, N.Y., allegedly manufactured and filed fraudulent medical excuses with his employer on 16 different dates in an effort to maintain his employment status and use accrued sick leave. The fraudulent notes appeared to be signed by a duly licensed physician indicating the defendant was treated by the physician on specific dates.

However, based upon the Inspector General's investigation, the named physician never treated the defendant, and did not sign the doctor's notes, or write the notes on the defendant's behalf. Additionally, the defendant admitted to the Inspector General that he knew what he was doing was wrong and that, "eventually the sick notes would catch up." He further admitted he had never been a patient of that physician and signed the fraudulent notes himself.

New York State Thruway Authority Executive Director Thomas J. Madison, Jr., said: "The Thruway Authority's Department of Audit referred this case to the Inspector General. As with all New York State employees, Thruway Authority workers are held to a higher standard and we will not tolerate employees who engage in criminal activity. We have already begun an internal review of our procedures to see if any additional actions are warranted to better prevent this activity in the future. I want to personally thank the Inspector General's office and the Rockland County District Attorney's office for their assistance in this prosecution."

Rockland County District Attorney Thomas P. Zugibe, whose office is prosecuting the case said: "Fraud and forgery are serious crimes that undermine the system for employees who are truly deserving of sick time. We will continue to work with the Office of the State Inspector General to aggressively prosecute individuals who abuse the system to their own benefit."

Mulero is charged with 16 counts of Forgery in the Second Degree, Class D Felonies, and one count of Official Misconduct, a Class A Misdemeanor. Mulero was arraigned before the Hon. Judge Howard Gerber, Town of Clarkstown Justice Court, and is scheduled to reappear in court April 30.

Inspector General Scott thanks District Attorney Zugibe for assisting in the investigation and prosecution of this case. The defendant is deemed innocent unless and until proven guilty in a court of law.

###