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November 4, 2013

John V. Tauriello  
Acting Commissioner  
New York State Office of Mental Health  
44 Holland Avenue  
Albany, New York 12229

Re. NYS IG 0713-043-2010

Dear Acting Commissioner Tauriello:

My office received an anonymous complaint alleging that [REDACTED] [REDACTED] Director of Community and Rehabilitation Services for the Office of Mental Health (OMH), conducted his private social work practice during state time.

[REDACTED] and another OMH employee, [REDACTED] are licensed social workers and both obtained permission from OMH to engage in outside employment, specifically to work in [REDACTED] private social work practice. The approvals included the conditions that no outside employment activity could occur during state work time or use state resources.

My office's investigation determined that, during the period 2003-2011, [REDACTED] and [REDACTED] engaged in work for [REDACTED] private practice during state working hours. Specifically, a forensic examination of [REDACTED] [REDACTED] and [REDACTED] OMH computers revealed e-mails between them discussing their patients' evaluations, notes regarding their patients' care, and correspondence with attorneys and courts. When interviewed under oath, both [REDACTED] and [REDACTED] admitted to conducting work for their outside jobs during state time and using OMH computers, telephones and fax machines as part of this work. In addition, we discovered that [REDACTED] used his state computer to apply for a job as an instructor for Excelsior College and took time during the work day to interview for the position without charging his leave accruals.

Subsequent to his interview with this office, [REDACTED] retired from state service. [REDACTED] testified that she discontinued her outside employment prior to her interview with the Inspector General.

We recommend that OMH conduct annual training of employees on the agency's outside employment policies. Additionally, all OMH staff should be provided copies of OMH policies on outside employment and use of state resources, and annually sign acknowledgements of their receipt, review and understanding of these policies. The Inspector General further recommends that OMH review Hrachian's conduct as described above and take appropriate action. If you require further information or assistance, please contact me at (518) 474-1010.

Sincerely,

[REDACTED]  
Catherine Leahy Scott  
Inspector General

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