



Department of Veterans Affairs Office of Inspector General

Evaluation of Hotline Complaint Concerning Time and Attendance of Two Part-Time Physicians at Kansas City VA Medical Center

*Two part-time physicians did not
meet their time and attendance
responsibilities.*

Office of Inspector General Evaluations of Hotline Complaints

The Office of Inspector General (OIG) operates a Hotline service that allows employees, veterans, and other concerned citizens to report criminal activity, waste, abuse, or other issues involving VA programs and operations. The Hotline staff evaluates each complaint received and decides whether it should be evaluated by the OIG or referred to other VA or non-VA offices for review and resolution. The OIG's Offices of Healthcare Inspections, Audit, and Investigations evaluate selected complaints to determine the validity of the allegations and recommend corrective actions on substantiated allegations.

**To Report Suspected Wrongdoing in VA Programs and Operations
Call the OIG Hotline – (800) 488-8244**

**Department of
Veterans Affairs**

Memorandum

Date: May 23, 2003

From: Assistant Inspector General for Auditing (52)

Subj: Evaluation of Hotline Complaint Concerning Time and Attendance of Two Part-Time Physicians at Kansas City VA Medical Center

To: Director, VA Medical Center (589/00)

1. Summary

At the request of the Secretary of Veterans Affairs, the Office of Inspector General (OIG) conducted an evaluation at the Kansas City Department of Veterans Affairs Medical Center (VA Medical Center) to determine the validity of an allegation concerning two part-time Ear, Nose, and Throat (ENT) physicians abusing their time and attendance responsibilities. According to the allegation, the two physicians (Dr. Douglas Girod and Dr. Gregory Ator) were treating non-VA patients at the affiliated university during their scheduled VA time. Both physicians were also employed at the affiliated Kansas University Medical Center in Kansas City, Kansas.

We substantiated the allegation that both physicians did not meet their time and attendance responsibilities. In total, we estimate the physicians were overpaid about \$13,102. We found that:

- The physicians treated non-VA patients at the affiliated Kansas University Medical Center during their scheduled VA time, in some cases working at the university while claiming sick leave or authorized absence from VA. The physicians were inappropriately paid for 75.5 hours (about \$5,393) when the physicians were at the university treating non-VA patients.
- The Surgery Service timekeeper did not always use the Subsidiary Time and Attendance Report (VA Form 4-5631a) as the basis for inputting time and attendance data into the official electronic time records. We identified a net total of 109.25 hours (about \$7,709) that physicians were paid in excess of the hours they claimed on their Subsidiary Time and Attendance Reports.

We recommended that you: (1) issue bills of collection to the two physicians for the money paid them when they were working at the university and for the excess hours paid them due to timekeeper errors, (2) conduct a 100 percent review of Surgery Service's timekeeping records to ensure physicians were paid only for hours they worked, and (3) remind all timekeepers that physicians should only be paid for hours they worked and that appropriate supporting documentation should be present before inputting time and attendance data into the official electronic time records.

2. Background

Previous Allegation

On October 31, 2001, OIG investigators substantiated an allegation that one of the physicians in question misused sick leave to work at the affiliated Kansas University Medical Center and the other physician was regularly absent without leave to also work at the Kansas University Medical Center. On December 10, 2001, the Acting Director, VA Medical Center, notified each physician in writing of the OIG findings and took appropriate administrative actions against both physicians. One physician was charged 170 hours of annual leave for the time he used sick leave but was actually working at the Kansas University Medical Center. The other physician was charged 130 hours of annual leave for the time he was paid for VA duty but was not physically present at the VA Medical Center.

Current Allegation

On June 18, 2002, the Secretary of Veterans Affairs asked the OIG to investigate an anonymous complaint sent to Congressman Ike Skelton alleging that the two physicians continue to abuse their time and attendance responsibilities. The allegation stated that the physicians treated non-VA patients at the affiliated Kansas University Medical Center during their scheduled VA tours of duty.

The two physicians are surgeons with an ENT specialty. One physician worked part-time (25 hours per week) at the VA Medical Center but resigned on October 22, 2001; the other physician also worked part-time (10 hours per week) at the VA Medical Center and resigned on August 22, 2002. Both physicians are listed as providers under an ENT services contract awarded in August 2002 by the VA Medical Center to Kansas University Physicians, Incorporated, the physician practice group of the university.

Time and Attendance Regulations

Veterans Health Administration (VHA) Supplement (MP-5, Part II, Chapter 7, Appendix A) requires part-time physicians to record their time worked, leave taken, and excused absences on Subsidiary Time and Attendance Reports and to certify that the information is accurate. This policy also requires timekeepers to input time and attendance data into the official electronic time records based on the information recorded on the Subsidiary Time and Attendance Reports.

VHA policy (MP-6, Part V, Chapter 1) allows for sick leave to be granted, with no reduction in pay, when an employee is physically incapacitated to perform his/her duties, when attending medical appointments, receiving medical care, or to care for family members that are ill. Authorized absences are generally requested by an employee in advance and approved by their supervisor. An authorized absence is leave with no loss of pay and no deduction from accumulated leave and can be granted to employees to attend conferences and conventions.

3. Scope and Methodology

We focused our review on timekeeping practices that occurred from July 1, 2001, through each physician's resignation date – October 22, 2001 and August 22, 2002. The previous investigation of these physicians covered timekeeping practices through June 30, 2001.

To determine the validity of the allegation, we interviewed the Director of the VA Medical Center and the Surgery Service timekeeper responsible for submitting bi-weekly timekeeping records to the payroll office. We also interviewed key members of the Director's staff responsible for oversight of the physicians and oversight of the timekeeper. In addition, we interviewed both physicians to obtain their explanations of the timekeeping discrepancies.

We reviewed the physicians' VA time and attendance records, their salary data, and VA time and attendance policies. We also reviewed the pertinent operating room logs and patient encounter records from Kansas University Medical Center.

4. Results of Evaluation

We substantiated the allegation that both physicians did not meet their time and attendance responsibilities. In total, we estimate the physicians were overpaid about \$13,102. We found that:

- The physicians treated non-VA patients at the affiliated Kansas University Medical Center during their scheduled VA time, in some cases working at the university while claiming sick leave or authorized absence from VA. The physicians were inappropriately paid for 75.5 hours (about \$5,393) when the physicians were at the university treating non-VA patients.
- The VA Medical Center Surgery Service timekeeper did not always use the Subsidiary Time and Attendance Report as the basis for inputting time and attendance data into the official electronic time records. We identified a net total of 109.25 hours (about \$7,709) that physicians were paid in excess of the hours they claimed on their Subsidiary Time and Attendance Reports.

Dr. Girod

During the period July 1 through October 22, 2001, VA paid Dr. Girod for 50.5 hours when university records showed Dr. Girod was at the university medical center treating non-VA patients. We reviewed the Subsidiary Time and Attendance Reports signed and annotated by Dr. Girod, VA Time and Leave statements, and university workload records (operating room logs and patient encounter records).

On five occasions, Dr. Girod worked at the university on days he requested – and was granted – sick leave from the VA Medical Center. In addition, on one occasion Dr. Girod requested – and was granted – an authorized absence to teach a surgical course in Vancouver, British Columbia. However, according to university records and Dr. Girod's statement, he worked at the university during a portion of this authorized absence.

Evaluation of Hotline Complaint Concerning Time and Attendance of
Two Part-Time Physicians at Kansas City VA Medical Center

Date (2001)	VA			University			Hours To Be Recouped From Dr. Girod
	Leave Hours Claimed	Type Of Leave	Total Hours Paid By VA	Start Of Clinic	Patient Encounters Attributed To Dr. Girod	Surgery Time	
July 18	7:30 AM to 6:00 PM	Sick	10.00	8:30 AM	10	5:05 PM to 7:55 PM	10.00
July 30	7:30 AM to 6:00 PM	AA*	10.00	1:30 PM	19		4.50 ¹
August 1	7:30 AM to 4:00 PM	Sick	8.00	8:30 AM	10		8.00
August 8	7:30 AM to 6:00 PM	Sick	10.00	8:30 AM	10	1:29 PM to 3:12 PM	10.00
August 15	7:30 AM to 6:00 PM	Sick	10.00	8:30 AM	11		10.00
August 23	7:30 AM to 12:30 PM	Sick	5.00	None Scheduled	2	7:55 AM to 1:55 PM	5.00
Total Hours			53.00				47.50
* Authorized Absence							

In addition to taking sick leave and an authorized absence to work at the university, we identified two occasions where Dr. Girod claimed and was paid for hours worked at the VA Medical Center when university documents show he worked at the university during the same hours he claimed to be at the VA Medical Center.

Date (2001)	VA		University Surgery Time	Hours To Be Recouped From Dr. Girod ²
	Work Hours Claimed	Total Hours Paid By VA		
August 10	12:00 PM to 4:00 PM	0.00 ³	7:28 AM to 4:47 PM	0.00
August 22	1:00 PM to 7:00 PM	10.00	2:15 PM to 3:46 PM	3.00
Total Hours		10.00		3.00

¹ Dr. Girod changed his travel plans and returned from Vancouver early for family reasons. We do not know when Dr. Girod returned from his trip but do have evidence to show he was at the university for the 1:30 PM clinic. We did not include the hours from 7:30 AM to 1:30 PM as hours that need to be recouped.

² To determine the number of hours to use in calculating the amount to be collected from Dr. Girod, we considered time for prep and/or post operating activities, patient encounters, and for traveling between the affiliate and the VA Medical Center.

³ The hours claimed and total hours paid do not match because the VA timekeeper did not always record in the official pay records the hours Dr. Girod claimed on his Subsidiary Time and Attendance Reports. We included this example to show the discrepancy between Dr. Girod's claimed hours and university records. These discrepancies were also included in our analysis of timekeeper errors shown in Appendix A.

Dr. Ator

During the period July 1, 2001 through August 22, 2002, VA paid Dr. Ator for 25 hours when university records showed Dr. Ator was at the university medical center treating non-VA patients. We reviewed the Subsidiary Time and Attendance Reports signed and annotated by Dr. Ator, VA Time and Leave statements, and university workload records (operating room logs and patient encounter records).

On two occasions, we found that Dr. Ator apparently worked at the university on days he requested – and was granted – sick leave from the VA Medical Center. In addition, on one occasion Dr. Ator requested – and was granted – an authorized absence to attend a conference in St. Louis on electronic medical records. However, university records and Dr. Ator’s statement confirmed that Dr. Ator worked at the university during his authorized absence.

Date	VA				
	Leave Hours Claimed	Type Of Leave	Total Hours Paid By VA	University Surgery Time	Hours To Be Recouped From Dr. Ator
October 3, 2001	7:30 AM to 12:00 PM	Sick	5.00	7:40 AM to 4:00 PM	5.00
May 8, 2002	7:30 AM to 4:00 PM	AA*	8.00	12:32 PM to 4:36 PM	8.00
August 14, 2002	7:30 AM to 4:00 PM	Sick	8.00	7:31 AM to 4:28 PM	8.00
Total Hours			21.00		21.00
* Authorized Absence					

In addition to taking sick leave and an authorized absence to work at the university, we identified two occasions where Dr. Ator claimed and was paid for hours at the VA Medical Center when university records show he worked at the university during hours he claimed to be at the VA Medical Center.

	VA			
Date	Work Hours Claimed	Total Hours Paid	University Surgery Time	Hours To Be Recouped From Dr. Ator ⁴
December 17, 2001	5:00 PM to 7:00 PM	2.00	7:36 AM to 8:10 PM	2.00
March 4, 2002	5:00 PM to 7:00 PM	2.00	3:10 PM to 7:56 PM	2.00
Total Hours		4.00		4.00

Timekeeper Errors

The Surgery Service timekeeper did not always use the Subsidiary Time and Attendance Reports as the basis for inputting time and attendance data into the official electronic time records. We identified a net total of 109.25 hours that physicians were paid in excess of the hours they claimed on their Subsidiary Time and Attendance Reports. Dr. Girod was paid an excess of 52.5 hours and Dr. Ator was paid an excess of 56.75 hours. For example:

- For July 2, 2001, Dr. Girod was paid for his regular 10-hour tour of duty schedule though his Subsidiary Time and Attendance Report showed 8.5 hours worked. Therefore, Dr. Girod was over paid 1.5 hours.
- For July 5, 2001, Dr. Girod was paid for his regular 5-hour tour of duty schedule though his Subsidiary Time and Attendance Report showed 7 hours worked. Therefore, Dr. Girod was under paid 2 hours.
- For May 30, 2002, Dr. Ator was paid for his regular 8-hour tour of duty schedule though his Subsidiary Time and Attendance Report showed 5 hours worked. Therefore, Dr. Ator was over paid 3 hours.
- For September 26, 2001, Dr. Ator was paid for his regular 5-hour tour of duty schedule though his Subsidiary Time and Attendance Report showed 10 hours worked. Therefore, Dr. Ator was under paid 5 hours.

Timekeepers should input time and attendance data into the official electronic time records using the information on the Subsidiary Time and Attendance Reports. The Surgery Service timekeeper told us she input hours as worked for some hours not recorded on the Subsidiary Time and Attendance Reports because she assumed the physicians were working at the VA Medical Center. She was unable to explain why hours were under recorded.

A detailed listing of the timekeeper errors is included in Appendix A.

⁴ To determine the number of hours to use in calculating the amount to be collected from Dr. Ator, we considered time for prep and/or post operating activities, patient encounters, and for traveling between the affiliate and the VA Medical Center.

Amounts to Be Collected From Physicians

On April 11, 2003, we received the physicians' responses to the results of our evaluation. Neither physician could provide documentation to dispute the findings we discuss in this report. Accordingly, bills of collection should be issued to the two physicians for the money paid to the physicians when they were working at the university and for the excess hours paid the physicians due to timekeeper errors. In total, we estimate the physicians were overpaid about \$13,102. We calculated an hourly rate by using the salary data shown in the Personnel and Accounting Integrated Data system for each physician.

	Dr. Girod (Hours)	Dr. Ator (Hours)	Total Hours	Total Amount To Be Collected
Physician Abuses				
Sick Leave	43.00	13.00	56.00	\$3,991.31
Authorized Absence	4.50	8.00	12.50	\$903.57
Not Present at VA	3.00	4.00	7.00	\$497.67
Total	50.50	25.00	75.50	\$5392.55
Timekeeper Errors				
Over Paid	86.50	170.00	256.50	\$18,338.29
Under Paid	34.00	113.25	147.25	\$10,628.83
Total	52.50	56.75	109.25	\$7,709.46
Totals	103.00	81.75	184.75	\$13,102.01
Total Amount to be Collected	\$7,263.52	\$5,838.49		

5. Recommendation

We recommend that the VA Medical Center Director:

- Issue bills of collection to the two physicians for the money paid to the physicians when they were working at the university and for the excess hours paid the physicians due to timekeeper errors.
- Conduct a 100 percent review of Surgery Service's timekeeping records to ensure physicians were paid only for hours they worked.
- Remind all timekeepers that physicians should only be paid for hours they worked and that appropriate supporting documentation should be present before inputting time and attendance data into the official electronic time records.

6. Medical Center Director's Comments

The VA Medical Center Director agreed with our findings and stated that he will take immediate corrective actions. Bills of collection will be issued to both physicians on May 13, 2003, for the amounts shown in the report. A 100 percent review of Surgery Service's timekeeping records will be conducted for the past 3 months and will be completed by May 30, 2003. An e-mail will be issued immediately to all timekeepers re-emphasizing the importance of accurate timekeeping. *(See Appendix C on page 13 for the full text of the Medical Center Director's comments.)*

7. Office Of Inspector General Comments

The VA Medical Center Director's comments and implementation plans are acceptable. We may follow up on implementation of the planned corrective actions.

For the Assistant Inspector General for Auditing

(original signed by:)

WILLIAM H. WITHROW

Director, Kansas City Audit Operations Division (52KC)

Appendices

Dr. Girod

Date	Paid Hours	Claimed Hours	Timekeeper Errors
July 2, 2001	10.00	8.50	1.50
July 5, 2001	5.00	7.00	(2.00)
July 16, 2001	10.00	7.50	2.50
July 19, 2001	5.50	8.00	(2.50)
July 23, 2001	10.00	8.50	1.50
July 27, 2001	4.50	5.00	(0.50)
August 1, 2001	10.00	11.00	(1.00) ⁵
August 3, 2001	0.00	5.00	(5.00)
August 6, 2001	10.00	9.50	0.50
August 9, 2001	5.00	4.00	1.00
August 10, 2001	0.00	4.00	0.00 ⁶
August 13, 2001	10.00	9.50	0.50
August 16, 2001	11.00	6.00	5.00
August 20, 2001	10.00	8.00	2.00
August 22, 2001	10.00	6.00	1.00 ⁷
August 27, 2001	10.00	0.00	10.00
August 29, 2001	9.00	0.00	9.00
September 17, 2001	10.00	0.00	10.00
September 19, 2001	10.00	0.00	10.00
September 20, 2001	5.00	0.00	5.00
September 24, 2001	10.00	10.50	(0.50)
September 26, 2001	10.00	5.00	5.00
September 27, 2001	5.00	8.00	(3.00)
September 29, 2001	0.00	3.00	(3.00)
October 1, 2001	10.00	8.50	(1.50)
October 3, 2001	10.00	3.00	7.00
October 4, 2001	5.00	9.00	(4.00)
October 10, 2001	10.00	0.00	10.00
October 11, 2001	5.00	8.00	(3.00)
October 13, 2001	0.00	8.00	(8.00)
October 15, 2001	9.00	4.00	5.00
Net Total Hours			52.50

⁵ Dr. Girod recorded 11 hours on his time sheet – 8 hours sick leave (7:30 AM – 4 PM) and 3 hours worked (4 PM – 7 PM) – but was only paid for 10 hours. As previously discussed, he was working at the university during his sick leave so VA should recoup all 8 hours claimed as sick leave. He was paid for only 2 (10 hours paid – 8 hours sick leave) of the 3 hours claimed as worked so this analysis accounts for the 1 hour VA owes him.

⁶ University records show Dr. Girod was at the university, so we did not consider the 4 hours as a timekeeper error.

⁷ Three of the 4-hour difference is accounted for in the Dr. Girod section beginning on page 3.

Dr. Ator

Date	Paid Hours	Claimed Hours	Timekeeper Errors
July 11, 2001	5.00	0.00	5.00
July 18, 2001	5.00	0.00	5.00
July 19, 2001	5.00	0.00	5.00
July 21, 2001	0.00	6.25	(6.25)
July 25, 2001	5.00	9.00	(4.00)
August 1, 2001	5.00	0.00	5.00
August 2, 2001	5.00	0.00	5.00
August 8, 2001	5.00	0.00	5.00
August 9, 2001	5.00	0.00	5.00
August 15, 2001	5.00	0.00	5.00
August 16, 2001	5.00	0.00	5.00
August 22, 2001	5.00	0.00	5.00
September 9, 2001	3.00	0.00	3.00
September 10, 2001	0.00	2.00	(2.00)
September 24, 2001	0.00	3.00	(3.00)
September 26, 2001	5.00	10.00	(5.00)
October 1, 2001	1.00	3.00	(2.00)
October 8, 2001	2.00	0.00	2.00
October 10, 2001	8.00	0.00	8.00
October 15, 2001	2.00	0.00	2.00
October 18, 2001	8.00	0.00	8.00
October 24, 2001	8.00	5.00	3.00
October 25, 2001	0.00	5.00	(5.00)
October 31, 2001	0.00	5.00	(5.00)
November 1, 2001	8.00	5.00	3.00
November 7, 2001	8.00	9.00	(1.00)
November 15, 2001	8.00	5.50	2.50
November 29, 2001	8.00	5.00	3.00
December 12, 2001	0.00	8.00	(8.00)
December 26, 2001	8.00	5.00	3.00
December 31, 2001	2.00	0.00	2.00
January 2, 2002	8.00	0.00	8.00
January 7, 2002	2.00	0.00	2.00
January 10, 2002	8.00	0.00	8.00
January 16, 2002	8.00	5.00	3.00
January 23, 2002	0.00	5.00	(5.00)
January 24, 2002	8.00	7.00	1.00
January 30, 2002	8.00	5.00	3.00

Dr. Ator

Date	Paid Hours	Claimed Hours	Timekeeper Errors
February 13, 2002	8.00	5.00	3.00
February 20, 2002	0.00	10.00	(10.00)
February 21, 2002	8.00	0.00	8.00
February 27, 2002	8.00	5.00	3.00
March 7, 2002	8.00	5.00	3.00
March 14, 2002	0.00	5.00	(5.00)
March 20, 2002	0.00	3.00	(3.00)
March 21, 2002	8.00	5.00	3.00
March 27, 2002	8.00	3.00	5.00
March 28, 2002	0.00	5.00	(5.00)
April 3, 2002	0.00	9.00	(9.00)
April 4, 2002	8.00	5.00	3.00
April 10, 2002	8.00	5.00	3.00
April 17, 2002	0.00	5.00	(5.00)
April 18, 2002	8.00	6.00	2.00
May 15, 2002	6.00	9.00	(3.00)
May 16, 2002	8.00	5.50	2.50
May 30, 2002	8.00	5.00	3.00
June 26, 2002	0.00	8.00	(8.00)
July 11, 2002	8.00	5.00	3.00
July 17, 2002	8.00	9.00	(1.00)
July 18, 2002	0.00	5.00	(5.00)
July 25, 2002	8.00	5.00	3.00
July 31, 2002	8.00	0.00	8.00
August 1, 2002	0.00	4.00	(4.00)
August 7, 2002	0.00	9.00	(9.00)
August 8, 2002	8.00	5.00	3.00
Net Total Hours			56.75

Monetary Benefits In Accordance with IG Act Amendments

Report Title: Evaluation of Hotline Complaint Concerning Time and Attendance of Two Part-Time Physicians at Kansas City VA Medical Center

Report Number: 02-01198-103

<u>Recommendation</u>	<u>Explanation of Benefits</u>	<u>Better Use of Funds</u>
1a	Issue bills of collection to the two physicians for the money paid them when they were working at the university and for the excess hours paid them due to timekeeper errors.	\$13,102
Total		\$13,102

Director, Kansas City VA Medical Center, Comments

**Department of
Veterans Affairs**

MEMORANDUM

Date: May 13, 2003

From: Kent D. Hill
Director – KC VAMC

Subj: Time and attendance investigation
Proj. # 2002-01198-R5-0003

To: William H. Withrow
Director, Audit Operations Division

This memo is provided in response to your recent audit report concerning time and attendance of two staff physicians in our ENT section. I have reviewed your report and concur with your findings.

Immediate actions have begun based on your recommendations. Our Human Resources, Payroll Section will issue a bill of collection to both Dr. Girod and Dr. Ator in the amounts indicated in your report today (May 13, 2003). A 100 percent review of the surgery department timekeeper's timecards will be conducted for the past 3 months (Feb. March and April 2003) to see if there are any other discrepancies as indicated in your report. Targeted completion date is May 30, 2003. An e-mail reminder is being issued immediately by our Human Resources, Payroll Section to ALL timekeepers to re-emphasize the importance of accurate timekeeping, especially that of part-time physicians.

We will continue our efforts to ensure compliance with regards to this issue. We have implemented additional monitors for attendance of part-time physicians, resident supervision, and contract compliance.

If you have questions, please feel free to call me. We will provide an update on the above items once they have been completed.

(Original signed by:)

KENT D. HILL
Director

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