

From: [Sunset Advisory Commission](#)
To: [Cecelia Hartley](#)
Subject: FW: Feedback HHSC Review
Date: Thursday, October 16, 2014 9:38:36 AM

From: Howard M. Wiley III
Sent: Thursday, October 16, 2014 9:22 AM
To: Sunset Advisory Commission
Subject: Feedback HHSC Review

To Whom It May Concern;

In reviewing the Sunset Commission Report on The Texas Health and Human Service Commission (HHSC), I found one area I specifically felt I should comment on. This pertains to the operation of the HHSC-Office of Inspector General. Being an expert in the field and a former member of another Law Enforcement Officer Texas Inspector General's Office (TDCJ-Inspector General), I feel my comments are relevant.

In reviewing literature, testimony and recent SOAH/HHSC-OIG cases, I find the Commission's recommendation to be pointed and accurate. I think the Commission should address a change that's occurring in most state agencies. The purpose of the State Office of Administrative Hearing (SOAH), is the judicial review of the decisions of State Agencies. There appears to be a significant pattern of HHSC in overturning all adverse decisions concerning the Office of Inspector General. Not only have these raised significant attention in the media they smack of "The fox guarding the chicken coop" where HHSC simply overturns SOAH and validates what decision they want out of a particular hearing. In addition, there have been ethics question raised concerning the HHSC Administrative Law Judge and the process.

The State of Texas wields significant power. Without adequate due process and impartiality, HHSC and its Inspector General and HHSC sit under a cloud that corrupts the process. It appears they cannot be trusted to adequately police themselves and be transparent when there are problems. This is completely unacceptable. An Inspector General's Office should be above reproach. I therefor recommend SOAH decisions be final in cases with the HHSC and that this recommendation is added to the recommendations of the Texas Sunset Commission.

Respectfully Submitted,

Howard M. Wiley III, MS, CAMS