



October 23, 2014

To whom it may concern,

The Sunset Advisory Committee was created with a purposeful mission. In reading their recommendations for improvement to our current state issues, I found them to be knowledgeable, unbiased, and agreeable to many of my own concerns.

I have taken their recommendation from Issue 10 and written down some of my own personal interactions with OIG. I have the evidence to back it up.

A facility I consult was audited by OIG. The findings were inconsistent, unclear, and mostly unsubstantiated and the recoupment was ridiculously exaggerated. In reviewing their findings, we were able to invalidate the majority of them. We sent them a counter-offer along with all the clerical issues we found. They rejected it! The facility did not commit fraud; they provided the service to every child that they billed for. What we did find was paperwork issues, clerical issues, or unclear documentation. We had back-up information for almost all questionable items. Perhaps, the information was not in a format they liked, but we could attest that there was no fraud committed. Was there clerical or paper work issues? Yes, but no fraud!

I agree with the Sunset Committee – the OIG are not well prepared to take on this task. When we met with them on August 2014, their actions towards us was antagonistic in nature. One gentleman in particular, was very arrogant and questioned us as if we were criminals.

They brought in an RN and she questioned us on the documentation, in particular to one child who had “appeared” to have plateaued and not progressing. I told her that it could be that that child is one that requires continual therapy because if his therapy is terminated, he would regress; therefore, he is on services as cited in the Alberto Niño legal case. When I mentioned this case, none of the OIG representatives (about six) knew what I was talking about. So I explained the case to them.

There are better ways to do what the government does or has to do in order to protect the community as a whole. But let us not kill the hand that feeds the others. (“There are honest, compliant, caring providers trying to do the right thing.”) I know Wiggles Rehab is one of them.

Help us, help, those that need us. Teach us and we will listen!

Rosie Ybarra, RN, CLNC
Registered Nurse