



**Department of Veterans Affairs
Office of Inspector General**

**Evaluation of Time and Attendance of a
Part-Time Physician at the
Malcolm Randall VA Medical Center
Gainesville, Florida**

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Evaluation of Time and Attendance of a Part-Time Physician at the Malcolm Randall VA Medical Center

Introduction

Purpose

The purpose of our evaluation was to determine if a part-time physician did not always adhere to time and attendance policies and if management controls provided medical center managers with reasonable assurance employees adhered to time and attendance policies.

Background

VA medical facilities typically have a physician staff made up of full-time and part-time physicians. Part-time VA physicians play a major role in meeting each of VA's medical care missions by: (1) providing direct medical care to VA patients; (2) supervising the medical care provided by residents and providing instruction to medical students through lectures, conferences, and clinical rounds; and (3) conducting medical research involving clinical medicine, basic science, rehabilitation, and health services.

On July 28, 2004, we received a hotline complaint alleging time and attendance abuse by a part-time physician at the medical center. The allegation stated that since her appointment, she had spent less than 5 hours per week at the medical center. The part-time physician was appointed to the medical center on November 3, 2003; she held two part-time appointments, one at the medical center and the other at the affiliated medical school. The part-time physician was required to work 25 hours per week at the medical center and 35 hours per week at the VA affiliate. The part-time physician retains her part-time appointment at the affiliate, but she relinquished her position as supervisor on January 1, 2005, for a staff physician position she currently holds at the medical center.

Scope and Methodology

Our review focused on time and attendance practices from November 3, 2003, through August 31, 2005. To accomplish our objectives, we reviewed "Subsidiary Time and Attendance Reports," timekeeping documents, personnel and payroll records, and tour of duty documents. We reviewed the affiliate's analysis of medical care provided by the part-time physician and reports of conferences attended during her core duty hours. We also reviewed Veterans Health Administration (VHA) directives applicable to time and attendance for part-time

physicians. In addition, we interviewed medical center staff and managers to obtain information concerning program policies, procedures, and management controls.

The evaluation was made in accordance with Generally Accepted Government Auditing Standards for staff qualification, independence, and due professional care; field work standards for planning, supervision, and evidence; and reporting standards for performance audits.

Results and Conclusions

Issue 1: Time and Attendance Policies Were Not Always Followed

Findings

Our review disclosed the part-time physician did not always adhere to time and attendance policies. She told us she frequently used sick leave during her scheduled medical center core duty hours while working at the VA affiliate. She also stated she was unaware that sick leave could not be used for purposes other than those outlined in VA's sick leave policies. In addition, we identified two instances when the part-time physician attended conferences without obtaining authorized leave from her supervisor. We also identified three instances when the part-time physician provided medical care to non-VA patients at the VA affiliate during medical center core duty hours. We estimated the part-time physician was inappropriately paid \$7,135 for sick leave taken from the medical center while working at the VA affiliate and two unauthorized absences while attending conferences.

Time and Attendance Policies. VA policy requires physicians to be present for their agreed upon tours of duty, unless they are on leave or authorized absence. While VA policy allows part-time physicians to work either fixed or adjustable tours, part-time physicians must be on duty at the medical center to meet patient care obligations and during core duty hours. To reinforce this policy, the Deputy Under Secretary for Health for Operations and Management required all part-time physicians to certify they understood VA time and attendance policies in December 2002.

Prior Medical Center Internal Reviews Disclosed Time and Attendance Issues. On August 12, 2004, the medical center's Compliance and Business Integrity Officer (CBIO) reported to the medical center managers that the part-time physician had not generated any electronic medical reports or notes during

her medical center core duty hours from November 2003 through January 2004. The CBIO identified electronic medical notes recorded by the part-time physician in January 2004, but the notes had not been created during core duty hours.

The CBIO conducted monitoring reviews on July 28, 2004; August 26, 2004; and September 15, 2004. The reviews resulted in three unsuccessful attempts to locate and contact the part-time physician during her medical center core duty hours. The CBIO performed the monitoring by paging, calling, and verifying that electronic reports or notes had not been generated by the part-time physician on the dates reviewed. The CBIO also determined that the part-time physician was not on approved leave when she

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VHA Directive 2003-001, *Time and Attendance for Part-Time Physicians*, dated January 3, 2003.

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Evaluation of Time and Attendance of a Part-Time Physician at the Malcolm Randall VA Medical Center could not be located. As a result, medical center managers instructed the part-time physician to submit retroactive leave requests for the three incidents.

Five similar monitoring reviews were conducted between September and October 2004, during which the part-time physician was present at the medical center during her core duty hours.

Sick Leave Was Taken While Working at the VA Affiliate. From November 3, 2003, through August 31, 2005, the part-time physician took 93.5 hours of sick leave on 20 separate days while working at the VA affiliate. The part-time physician told us she was sick on no more than two occasions during this period. In all other instances, she told us she worked at the VA affiliate while on sick leave from the medical center. The part-time physician was paid \$5,815 for sick leave from the medical center while she was working at the VA affiliate.

Federal regulations define sick leave, in part, as a leave of absence when the employee: (1) receives medical, dental, or optical examinations or treatment; (2) is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth; or (3) provides care for a family member with a health condition.²

Two Conferences Were Attended Without Obtaining Prior Approval for the Absences. On May 22–26, 2004, the part-time physician attended the American Thoracic Society conference in Orlando, FL. A similar instance occurred May 20–25, 2005, when the part-time physician attended the American Thoracic Society conference in San Diego, CA. The VA affiliate paid for the conferences and related expenses. Our review disclosed neither absence was authorized by her supervisor, and the part-time physician did not take leave from the medical center.

The medical center paid the part-time physician for 19.75 hours—about \$1,320 (19.75 multiplied by the hourly rate of \$66.83)—when she attended the conferences.

Medical Care Was Provided to Non-VA Patients During Her Medical Center Core Duty Hours. Physicians working adjustable hours must work at least 25 percent of their total hours as core duty hours—the hours in the biweekly pay period when the employee is scheduled to be present at the medical facility unless granted an appropriate form of leave or authorized absence.

We asked the VA affiliate to determine if the part-time physician provided medical care to non-VA patients during her medical center core duty hours. The affiliate reported the part-time physician provided medical care to three non-VA patients on January 11, 2005, at 2:32 p.m., 3:28 p.m., and 4:52 p.m. Her VAMC core duty hours for that day were scheduled to begin at 2:30 p.m. and end at 5 p.m.

²

Code of Federal Regulations, Title 5, *Administrative Personnel*, Chapter 1, “Office of Personnel Management,” Part 630, Absence and Leave, Subpart D, Sick Leave, Section 401, Grant of Sick Leave, dated January 1, 2004, and January 1, 2005.