

Dropping like flies: RMCHCS fires whistleblower who uncovered fraud

Written by By Beth Blakeman Associate Editor
Friday, 31 July 2020 04:05



Hospital lets 2019 'Volunteer of the Year' award winner go

Rehoboth McKinley Christian Health Care Services fired Dr. Phyllis Miller, its Health Information Management Director, July 21, allegedly because she was a whistleblower that reported HIPAA violations and medical billing and coding irregularities that would invalidate the hospital's invoices, according to a reliable source.

In an interview with the *Gallup Sun*, Miller said that for many years, the hospital billed patients and submitted invoices to Medicare and Medicaid using medical procedure codes that were not verified with providers' signatures which guaranteed that the procedures, tests, exams and other medical work being charged was actually done.

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Those billing errors could be considered fraudulent by the federal government's Centers for Medicare and Medicaid Services and insurance providers, leaving the hospital vulnerable to lawsuits and potentially owing the federal government and insurance providers millions of dollars in refunds.

This system of checks and balances is used routinely by U.S. hospitals and is approved by professional organizations such as the American Health Information Management Association.

"I filed a whistleblower complaint with the hospital which protects employees from retaliation such as firing," Miller, who has more than 20 years of healthcare experience as HIM Director, Auditor, and Revenue Cycle Management, said. "Instead of honoring their own policy, they claimed I sent out a 'rude' email to my manager in addressing this issue."

"Board Chair Laura Hammons sent an email to employees on May 8 urging truth tellers and whistleblowers to contact her directly regarding any wrongdoing at the hospital. It appears this was a trick to fire people who took her up on it," Miller added.

Miller also served previously as RMCHCS' Health Insurance Portability and Accountability Act Privacy Officer, but said she stepped down, when a hospital administrator and her husband, a physician, allegedly violated the federal government's HIPAA law.

The administrator, Miller claimed that William Camorata, who also worked at RMCHCS, was diagnosed with COVID-19 in a cell phone conversation which her husband overheard.

By not using a secure line, Miller said, the administrator violated Camorata's HIPAA privacy rights. The physician husband was reportedly fired.

Miller said she presented her HIPAA violation findings to the hospital board. Their discussion continued during a special Saturday meeting on May 23, when the six-member HIPAA Privacy Panel's findings were rejected by the board.

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Miller explained that she was asked by a board member, if she could forget about what happened, and start all over (sweep what happened under the rug and start all over again).

“They spoke about the community being small and tight knit and that the board was used to sharing patient health information despite the HIPAA Law,” Miller said. “I was accused of not being truthful in my investigation and outcomes reporting, and that my investigative findings were being rejected.”

Miller abruptly resigned her HIPAA Privacy Officer position at the meeting.

She also reported the violation to the New Mexico Nursing Board on May 29, and the New Mexico Medical Board on June 1.

CAMORATA LEAVES

William Camorata was the RMCHCS Director of Behavioral Health Special Projects. After he contracted COVID-19 and his status was revealed, he took his HIPAA violation complaint to human resources. He said that he was suspended and later terminated for it.

He told the *Sun* that the termination happened in a meeting July 8 with interim CEO Mary Bevier, the human resources director and the executive director of WellSpring Rehabilitation Center and the College and Red Rock clinics.

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“Their reason,” Camorata said, “was that I spoke with innuendos.”

The hospital, he said, did not give him a letter of explanation and the reason for his termination was not explained further.

“I really do feel that my termination was a retaliation for supporting Dave Conejo during those times,” Camorata said.

He believes that the administrator who revealed his coronavirus diagnosis should have been fired.

“She did this as retaliation against me because I supported Conejo during the nurses’ protests,” he said. “She was one of the employees who helped damage the hospital’s reputation when she led a strike and media campaign against Conejo.”

He said that he’s considering taking legal action against RMCHCS for wrongful termination, among other complaints.

Camorata is president of the Immediate Action Group that serves the homeless of Gallup and McKinley County. He also serves on the Board of Directors of Gallup’s Community Pantry, and is a core leader in pastoral mentoring at the Lighthouse International Ministries Church in Gallup, and the DUI Planning Council for McKinley County.

Camorata was honored with the “Housing For All” award bestowed by the Coalition to End Homelessness last year.

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ANOTHER GOODBYE AT RMCHCS

During the *Sun's* interview with Miller, she took a call from a member of the RMCHCS staff (who will not be named here) and was informed that a nurse resigned on July 21 after the administrator that ousted Camorata was promoted to take over her department.

Miller said she's planning to seek legal action in her own case, but at the same time she's concerned about the future of the hospital.

"The community needs that hospital there, but if they keep going this way, they're going to have to close that hospital down, because they won't be able to afford the fines," she said.

While she plans to move out of the area, Miller said she will make herself available to testify in upcoming cases concerning the hospital.

By Beth Blakeman
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