

Ethics: Ethics Most Wanted

Jane Walsh (Narrator): THESE ARE THE FACES OF ETHICS MOST WANTED TONIGHT. THESE GOVERNMENT EMPLOYEES HAVE CROSSED THE LINE, THE LINE BETWEEN ETHICAL BEHAVIOR AND A LAND OF DECEPTION AND GUILT. AND WHEN YOU CROSS THAT LINE ONCE, YOU BEGIN THAT TRIP DOWN A SLIPPERY SLOPE, TO A PLACE WHERE NO VETERANS AFFAIRS EMPLOYEE SHOULD EVER BE FOUND.

I'M JANE WALSH. WELCOME TO ETHICS MOST WANTED. SOME VIOLATIONS ARE COMMITTED OUT OF LOVE, HATE, OR PASSION. BUT OTHERS ARE COMMITTED OUT OF GREED -- AND IGNORANCE. MISTER JIM MILES HAD PLENTY OF BOTH.

Company Rep: I knew Jim from his work at Veterans Affairs. He was just the kind of person we wanted at our conference in Trouble, Oklahoma.

Mr. Miles: Thank you very much. I'm glad you guys brought me down here. I've got a brother who lives just on the edge of Trouble and he happened to have an extra ticket to tomorrow's game.

Company Rep: Great. Why don't you take him out to dinner on the way to the game? And use these gift certificates.

Narrator: JIM MILES WAS ALSO GIVEN A FREE BRIEFCASE. BUT TAKING THESE THINGS WAS JUST THE BEGINNING OF HIS MISTAKES.

The scene: Jim Miles and a company representative are having dinner in a nice restaurant.

Mr. Miles: You guys have done so much for me already.

Company Rep: C'mon, what're you talking about? It's nothing.

Mr. Miles: Flying me in, paying for my hotel room. You didn't have to do that. But while I'm here, I'll get a chance to look at that new high-speed server you're selling.

Company Rep: He knew what it was. It was the annual customer training conference for my company. We do it all the time. Dinner for two is part of the standard package. So is the free briefcase. It's a great way to thank our best customers and get future business.

Narrator: BUT MR. MILES WOULDN'T BE DOING BUSINESS WITH ANYONE FOR LONG.

The scene changes to Jim Miles back in his office speaking with his clueless supervisor.

Supervisor: Hey, Jim, how was that conference last week?

Mr. Miles: Oh, um, good, very good.

Supervisor: I wouldn't say he lied to me, but the thing is, I had no idea it was a vendor promotional training conference. He just never told me that.

Narrator: MR. MILES SHOULD'VE TOLD HIS SUPERVISOR THIS BEFORE HE SOUGHT APPROVAL -- BUT IN THAT CASE HE KNEW HIS PLAN WOULD HAVE BEEN SHOT DOWN – EVEN THOUGH THE GOVERNMENT WASN'T FOOTING THE BILL.

Supervisor: I hear they've got some great steak houses down in Trouble.

Mr. Miles: Yeah I heard that too. But I didn't really eat out much. I mostly stayed at the hotel.

Narrator: AGAIN, MR. MILES DIDN'T SAY A WORD ABOUT HIS NEW BRIEFCASE, OR HIS BROTHER'S FREE MEAL. BIG MISTAKE.

SUPERVISOR VOICEOVER: Jim Miles knew that there are rules about accepting personal gifts from vendors. If I'd known the whole story on this trip I never would have approved it.

The scene: Jim Miles is now speaking with his supervisor again in her office.

Mr. Miles: You know, boss, you should fly out to Trouble sometime. I think you'd enjoy it.

Supervisor: Ah, maybe some day. But traveling for hours crammed into one of those tiny airline seats? Not much fun.

Mr. Miles: Well, I enjoyed it.

SUPERVISOR VOICEOVER: He never mentioned that the vendor had upgraded him to first class.

Narrator: THAT WAS MR. MILES' FINAL MISTAKE. HIS LIES HAD CAUGHT UP WITH HIM.

SUPERVISOR VOICEOVER: The truth finally came out and Jim lost his job.

Narrator: MR. MILES HAD HAD A CHANCE TO DO ALL OF THIS LEGALLY. FULL DISCLOSURE OF ALL OF THESE DETAILS TO HIS SUPERVISOR OR THE ETHICS ATTORNEYS WOULD HAVE SAVED HIM.

Legal Expert Interview: We could have steered him in the right direction and made sure he followed the statute and didn't get into trouble. We also could have found a use for that briefcase too.

Narrator: THE LAST ANYONE HEARD FROM MR. MILES, HE'D PACKED HIS BAGS AND BOUGHT A ONE-WAY TICKET BACK TO TROUBLE. BUT THIS TIME IT WAS ON HIS OWN DIME.

OUR NEXT CASE TONIGHT INVOLVES A VA PHARMACIST... DRUGS... AND A VIOLATION OF THE STANDARDS OF CONDUCT.

In this scene, a drug representative visits a Veterans Affairs pharmacist at his home.

Drug Rep voiceover: I was doing my regular rounds and stopped by the pharmacist's house, to offer him some samples.

Drug Rep: Hey, how's everything going this week? How's your wife?

Mr. Drug: Oh, a little better, thanks. Hopefully I'll be back to the office soon.

Drug Rep: That's good to hear.

Drug Rep: There was nothing new about this. His wife had been sick for a while, and he'd give me updates when I dropped off samples at the VAMC from time to time. He used the samples at work.

Narrator: BUT THIS DAY WAS DIFFERENT. MR. FREE DRUGS WAS AT THE END OF HIS ROPE. HIS WIFE STILL HADN'T IMPROVED, AND NOW HER DOCTOR HAD PRESCRIBED A NEW – AND VERY EXPENSIVE – WONDER DRUG NAMED CURE-ALL.

Drug Rep: Well, I've got some Acutane samples today.

Mr. Drug: Well, you know, we don't get many adolescents that have acne problems at our medical center. But your company manufactures "Cure-all" doesn't it?

Drug Rep: Yeah, sure.

Narrator: IN THIS SEEMINGLY HARMLESS MOMENT OF TRUTH, MR. DRUG IS IN DANGER OF VIOLATING THE STANDARDS OF ETHICAL CONDUCT.

Mr. Drug: Got any samples?

Drug Rep: I think so.

Mr. Drug: You know on second thought I probably shouldn't take these. I want to give them to my wife, but according to government ethics rules and VHA

policy, I'm not supposed to take gifts of more than twenty bucks, and these are worth a lot more.

Drug Rep: Well, they might cost \$100 retail, but they only cost us \$15 to make.

Mr. Drug: Oh. Well, that's probably okay, then.

Narrator: BUT IT'S ACTUALLY NOT OK. IN ONE MOMENT, MR. DRUG UNKNOWINGLY CROSSED THE LINE BY ASKING THE REP FOR A DRUG FOR PERSONAL USE! HE HAS GONE FROM "LAW ABIDING GOVERNMENT EMPLOYEE"...TO ETHICS VIOLATOR"!

Mr. Drug (on the phone): Hi Hon. Have you left yet? Don't bother to stop at the pharmacy. I've got some samples for you.

Narrator: SHORTLY AFTER HE WAS CAUGHT, "ETHICS MOST WANTED" INTERVIEWED THE DISGRACED PHARMACIST AND ASKED, "WHAT WERE YOU THINKING?"

Mr. Drug: I didn't think it would be such a big deal at the time. Doctors and Pharmacists receive samples from the pharmaceutical companies all the time. So this time the rep includes a sample of a drug my wife needed. It was under 20 dollars in value, so I ask for some. I mean, what's the harm?

Narrator, legal expert: The 'harm' is a violation of the Standards of Conduct, which prohibit employees from soliciting gifts from those seeking or doing business with VA. Hence VA doctors and pharmacists are prohibited from requesting drug samples for their own personal use.

If Free Drugs had not asked for the drug "Cure All" and instead the drug had just been offered to him, then an exception could have applied. In that case he could accept an individual gift for personal use with a value of \$20 or below and a total of \$50 worth of gifts from any one company combined in one year. BUT...that value is the FAIR MARKET VALUE, not wholesale. In addition to this, VHA Directive prohibits employees from using any drugs donated directly to the VHA for their own personal use. So even acting for the best reasons like Mr. Free Drug, you still can get in trouble.

Mr. Drug: It was a lapse in judgment. And it cost me a lot. It's been an embarrassment to me, and my family. It's threatened my livelihood, ruined my reputation. And for what? A few lousy samples? I was stupid. It wasn't worth it.

Narrator: IF YOU'RE EVER FACE-TO-FACE WITH A DILEMMA LIKE THIS, CONSULT YOUR ETHICS PROFESSIONALS FOR ADVICE ON WHAT YOU SHOULD DO. DON'T MAKE THE SAME MISTAKE FREE DRUGS DID.

I'm Jane Walsh for Ethics Most wanted, tune in next time and remember we need your help to put an end to all ethics violations.

THE END