



OFFICE OF THE INSPECTOR GENERAL

Montgomery County, Maryland



MEMORANDUM OF INVESTIGATION

TO: Richard S. Madaleno
Chief Administrative Officer

FROM: Megan Davey Limarzi, Esq.
Inspector General

DATE: September 17, 2025

SUBJECT: Public Synopsis - Misuse of County Time and Unauthorized Outside Employment by DHHS Employee

The Office of the Inspector General (OIG) recently concluded an investigation into allegations that a Department of Health and Human Services (DHHS) staff member engaged in outside employment during County work hours. Our investigation found that since July 2024, the employee spent over 270 hours engaged in outside employment activities during their official County workdays at a cost to the County of \$13,069.84.

Background

Predication

On July 21, 2025, the OIG received an anonymous complaint through the OIG hotline that the DHHS employee was seeing private clients during hours when they should have been working for the County. The complaint included a link to the employee's public profile on an online platform they used to engage with clients. The profile showed that the employee was available to meet with private clients during standard County work hours.

Applicable Policy and Regulations

- With limited exception, the Montgomery County Code, Chapter 19A (County Ethics Law), Section 19A-14(c), prohibits a public employee from using any County agency facility, property, or work time for personal use.
- The Montgomery County Personnel Regulations (MCPR), Section 3-4 requires that employees devote all working hours to the performance of the employee's official duties.
- MCPR Section 33-5(w) defines engaging in "private business, trade, or occupation during official working hours in violation of County statutes, regulations, or administrative procedures" as a cause for disciplinary action.
- The County Ethics Law, Section 19A-12(a), requires employees who wish to engage in outside employment to obtain approval from the Ethics Commission in advance.

Investigative Findings

The subject employee is assigned to work from 8:30 a.m. to 5 p.m. daily and has an approved telework agreement allowing work from home three days per week. The employee is not permitted to deviate from the assigned schedule without informing their supervisor.

A review of the employee's public profile on the online platform showed availability to meet with clients during County work hours. The profile showed that the employee's availability changed from week to week, indicating they likely accessed the system routinely to input availability.

Outside Employment Authorization

The MCPR¹ requires employees to devote all working hours to the performance of their official duties. Additionally, the Ethics Law,² County Regulations,³ and the MCPR,⁴ require that County employees obtain approval for outside employment from the Ethics Commission. To process applications for outside employment, the Ethics Commission uses an online system which prompts employees to answer questions regarding the nature and work schedule for their outside position.

In 2023, the subject employee submitted an *Employee Outside Employment Request Form*, to the Ethics Commission. However, that request sought approval to work for a specific company, on evenings and Sundays. Approval for the outside employment described in the application was recommended by the employee's first and second-line supervisors. The Ethics Commission emailed the employee that the request was approved. That email cautioned the employee that,

“[Ethics] Commission approval of your outside employment request is subject to your compliance with the Public Ethics Law and with the Outside Employment regulations found at COMCOR 19A.12.01 (Administrative Policies and Procedures for Outside Employment). The Public Ethics Law and the COMCOR can be found at: <https://codelibrary.amlegal.com/codes/montgomerycounty/latest/overview...> If your position or duties with the County change, you move to another department, or the ***material facts of your outside employment request change, this approval is no longer effective***, and you must reapply for approval of your outside employment. See COMCOR 19A.12.01.05, Provisions 5.4 and 5.5.” [Emphasis added]

We interviewed the employee's first and second-level supervisors. They reiterated their understanding of County regulations on outside employment. Neither was aware that the employee was engaging with private clients during the workday.

The Employee's Statements

On August 15, 2025, the employee was interviewed by the OIG and admitted to spending considerable County work time since July 2024 meeting virtually with private clients while at

¹ MCPR, Section 3-4

² Ethics Law, Section 19A-12(a)

³ Code of Montgomery County Regulations (COMCOR), Section 19A.12.01.04

⁴ MCPR, Section 3-5

their County work location and while teleworking from home. The employee recognized that they should not have been doing this but maintained that their work for the County had not suffered as a result. The employee admitted to engaging in the conduct routinely. The employee explained that there may have been days when they saw clients while on annual or sick leave, but they did not take leave for the purpose of seeing private clients. The employee did not notify their supervisor or anyone else at DHHS that they were using their County workday to engage in outside employment.

The employee acknowledged that their *Employee Outside Employment Request* to the Ethics Commission sought permission to work for a specific company they no longer work with and not the online platform they were currently using to interact with private clients. The employee stated that they were unaware that they needed to reapply when the material facts of the outside employment changed. The employee did not recall reading the portion of the Ethics Commission's email that notified them of the conditions tied to that approval.

Following the interview, the employee provided screenshot copies of their personal calendar showing meetings with clients from July 21, 2024, through August 15, 2025. OIG investigators analyzed the material, and after adjusting for a daily 30-minute lunch break and any annual or sick leave taken during the period, concluded that during that 13-month period, the employee spent 271.58 hours engaged in outside employment during the workday. This equated to \$13,069.84 in County salary.

Conclusion

This investigation substantiated the allegation that the subject employee met with private clients during County work hours. The OIG calculated that the employee spent 271.58 hours on this endeavor while simultaneously being paid \$13,069.84 in County salary to do their DHHS job. The investigation also found that the employee did not obtain approval prior to engaging in their current outside employment, a violation of County regulations.

I am referring this matter to you for appropriate action, including recoupment of funds unknowingly paid to the employee for periods when they were not engaged in County business. Please update our office with any action taken to address the issues identified in this memorandum.

I am also referring this matter to the County's Ethic Commission for their awareness and potential action as well as the State's Attorney's Office for their consideration of any possible violations of criminal laws.

Please contact me with any questions, or a member of your staff can contact Deputy Frank da Rosa, Francisco.darosa@montgomerycountymd.gov, with any questions.

Attachment: County Deputy Chief Administrative Officer's Response

cc: Fariba Kassiri, Deputy Chief Administrative Officer

Dr. James Bridgers, DHHS Director

Attachment: County's Chief Administrative Officer's Response

The OIG Provided the County's Chief Administrative Officer with a confidential version of this report on September 17, 2025, and received the following response from the County Deputy Chief Administrative Officer on September 19, 2025.



OFFICE OF THE COUNTY EXECUTIVE


Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

MEMORANDUM

September 19, 2025

TO: Megan Davey Limarzi, Inspector General

FROM:  Fariba Kassiri, Deputy Chief Administrative Officer

SUBJECT: Draft Confidential Memorandum of Investigation – DHHS Therapist

We appreciate the opportunity to respond to the findings of the Office of Inspector General's investigation concerning allegations regarding a Department of Health and Human Services (DHHS) Therapist. We are concerned about the issues that were found regarding compliance with the Ethics Law requirements with respect to outside employment, and County policies concerning use of Government time and resources, as well as related overpayment of funds to the employee for time not spent working on County business.

I have discussed these matters with DHHS leadership. DHHS is taking appropriate steps to seek recovery of the overpayment. The employee has given notice and will be separating from County service effective September 24, 2025.

DHHS leadership is also taking steps to reinforce the importance of maintaining full compliance with these policies and requirements throughout the department. While the employee attended the mandatory Ethics training in 2023, in which the Ethics Law requirements are discussed with attendees, your investigation findings highlight the continuing importance of periodic reminders of these requirements. We sent out such a reminder to all County managers on August 26, 2024, sharing with them the requirement of the Ethic Law regarding obtaining approval for outside employment, and reminding them that, if engaged in outside employment, County time and resources may not be used to conduct outside employment activities, and that County time should only be used to conduct official County business. Obviously, we need to assess additional steps we can take to ensure compliance.

We will update your office with the actions taken to address the issues identified in the draft memorandum.

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Thank you for bringing these matters to my attention.

cc: Dr. James Bridgers, Director, Department of Health and Human Services
Bill Broglie, Internal Audit Manager, Office of the County Executive