

BEFORE THE MISSISSIPPI EMPLOYEE APPEALS BOARD

SHERITA KNOWLES

**FILED**

APPELLANT

VS.

**JAN 30 2014**

NO.13-060

MISSISSIPPI DIVISION OF  
MEDICAID

**EMPLOYEE APPEALS BOARD**

APPELLEE

ORDER

This cause came on for hearing on December 4, 2013, in Hattiesburg, Mississippi. The Appellant, Sherita Knowles, appeared pro se, and Abbie Koonce represented the Mississippi Division of Medicaid ("MDOM").

SUMMARY

Sherita Knowles was employed as a Medicaid Specialist III with the MDOM. On September 23, 2013, Knowles was terminated for a Group III, No. 6 offense of, "falsification of records, such as, but not limited to, vouchers, reports, time records, leave records, employment applications or other official state documents."

Specifically, an internal investigation was launched on July 1, 2013, after receiving information from the Mississippi Department of Human Services (MDHS) identifying you as having fraudulently received Disaster Supplemental Assistance Program (DSNAP) benefits. The investigation revealed that when you completed the application for DSNAP benefits, you indicated that the disaster delayed, reduced, or stopped your household's income. This was the sole eligibility criteria met when the application was approved for you to receive DSNAP benefits. It was determined that you did not lose any income as you alleged when you completed the

DSNAP application on September 8, 2012, as you received your regular pay.

This tribunal finds that MDOM's termination of Knowles was supported by the evidence and Knowles termination is affirmed.

### **FINDINGS**

In August of 2012, Knowles was employed as a Medicaid Specialist III with the MDOM in the Pascagoula, Mississippi regional office. On August 29, 2012 Hurricane Isaac hit the Mississippi Gulf Coast. The Pascagoula office was flooded and closed until September 4, 2013. Knowles received a full paycheck from MDOM, on August 31, 2013, and did not have any interruption to her household income.

In the aftermath of the hurricane, a major disaster was declared and residents of four gulf coast counties (Hancock, Harrison, Jackson and Pearl River) became eligible to apply for DSNAP benefits with the MDHS. On September 8, 2012, Knowles applied for those benefits. The application for DSNAP benefits asks the applicants to answer questions about their household situations. To the question, "[d]id the disaster delay, reduce or stop your household's income," Knowles answered yes. Knowles signed and dated the application under penalty of perjury.

In April and May of 2013, MDHS audited the emergency DSNAP applications. MDHS discovered that Knowles had answered the question regarding her household income untruthfully. MDHS notified MDOM of the Knowles v. MDOM, 13-060

problem with Knowles application. MDOM conducted an investigation of the incident and gave Knowles an opportunity to explain her answer, regarding her household income, on the DSNAP application. Knowles asserted that she answered the question in the affirmative because she was unsure if her September 2012 pay would be reduced due to the Pascagoula office being closed because of the flooding. Knowles never asked her supervisor, or anyone in the MDOM Human Resources Department, if her pay would be reduced because the office had been closed. Knowles never paid back the DSNAP benefits that she received.

Knowles was terminated on September 23, 2013, and in addition to an outline of the actions which constituted a Group Three, No. 6 offense the letter stated as follow:

As an employee of Medicaid, a high degree of trust and confidence has been placed in you and in the position in which you serve. Employees should be mindful of this trust and are expected to conduct themselves in such a manner as to reflect this trust. The agency has a duty to the State of Mississippi to not tolerate behavior that may damage the integrity of the Medicaid Program.

#### **OPINION**

Knowles stated on an official document that she had experienced a change in income following Hurricane Isaac. That statement was not true. A Group III, No. 6 offense is "falsification of . . . official state documents." Knowles falsified an official state document.

MEAB Rule XX provides that "[a]n appealing party shall have the burden of proving that the reasons stated in the notice of the agency's final decision are not true or are not sufficient grounds for the action taken." Knowles could not meet her burden of proof. It is incontrovertible that she falsified a state document, a Group III, No. 6 offense. The State Employee Handbook states that Group Three Offenses are "of the most serious nature" and "may result in dismissal."

For the foregoing reasons Knowles termination from MDOM is affirmed.

**SO ORDERED THIS THE 30th DAY OF January, 2013.**

MISSISSIPPI EMPLOYEE APPEALS  
BOARD

BY:

  
**INGRID DAVE WILLIAMS**  
Hearing Officer