



COMPTROLLER'S INVESTIGATIVE REPORT

Upper Cumberland Regional Office of the Tennessee Department of Health

February 2, 2023

Jason E. Mumpower
Comptroller of the Treasury



DIVISION OF INVESTIGATIONS



JASON E. MUMPOWER
Comptroller

February 2, 2023

Dr. Ralph Alvarado, Commissioner
Tennessee Department of Health
710 James Robertson Parkway
Nashville, TN 37243

Tennessee Department of Health Management:

The Office of the Comptroller of the Treasury conducted an investigation of selected records of the Upper Cumberland Regional Office of the Tennessee Department of Health, and the results are presented herein.

Copies of this report are being forwarded to Governor Bill Lee, the State Attorney General, the District Attorney General of the 13th Judicial District, certain state legislators, and various other interested parties. A copy of the report is available for public inspection in our Office and may be viewed at <http://www.comptroller.tn.gov/ia/>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason E. Mumpower", with a long horizontal line extending to the right.

Jason E. Mumpower
Comptroller of the Treasury

JEM/MLC

INVESTIGATIVE REPORT

UPPER CUMBERLAND REGIONAL OFFICE OF THE TENNESSEE DEPARTMENT OF HEALTH

The Office of the Comptroller of the Treasury investigated allegations of malfeasance related to asset misuse in the Upper Cumberland Regional Office of the Tennessee Department of Health. The Comptroller's Office initiated the investigation after an official with the Tennessee Department of Health (department) reported that management suspected an employee was using their work computer, and potentially department time, on business not related to her work with the department. The investigation was limited to selected records for the period July 10, 2018, through April 28, 2022. The results of the investigation were communicated with the Office of the District Attorney General of the 13th Judicial District.

BACKGROUND



The Upper Cumberland Regional Office of the Tennessee Department of Health (Office) provides administrative and technical support to the 14 county health departments in Cannon, Clay, Cumberland, DeKalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, Warren, and White counties.

The Office employs a business support technical lead, also known as a systems administrator, to provide technical support to county health departments and to the regional office and provide stewardship for

the technological assets assigned to the Upper Cumberland region. In this role, the systems administrator is responsible for:

- assisting in the implementation and maintenance of software programs;
- obtaining, issuing, and tracking physical technological assets, such as laptops, tablets, and cell phones;
- assisting county health departments and regional office employees in resolving any technological issues that may arise; and
- overseeing the work of other technical support employees working in the region.

During the scope of the investigation, the systems administrator, a state employee, signed a policy acknowledgement form stating she had received, read, and agreed to comply with the State of Tennessee Acceptable Use Policy. By signing this form, the systems administrator pledged to:

- Maintain confidentially all computer information and resources to which she has access or control.
- Take appropriate measures to safeguard and protect the information and computer resources of the State available to her.
- Use the information and computer resources only for authorized State business and not disclose any information or documentation obtained from, or pertaining to, the State's computer system(s) to any third party, except in the routine lawful conduct of the State's business.
- Be accountable for and accept full responsibility for all transactions performed using her computer access codes.

Additionally, the State of Tennessee Acceptable Use Policy contains the following non-compliance provision:

“I understand that willful violation of, or disregard for, any of these guidelines, statutes or policies may result in disciplinary action up to and including termination of my employment, termination of my business relationship with the State of Tennessee, and any other appropriate legal action, including possible prosecution under the provisions of the Computer Crimes Act as cited at TCA 39-14-601 et seq” and other applicable laws.”

The former systems administrator for the Office held that position from July 1, 2016, through May 27, 2022.

RESULTS OF INVESTIGATION

1. THE FORMER SYSTEMS ADMINISTRATOR MISUSED HER WORK-ASSIGNED DEVICES AT LEAST 4,729 TIMES

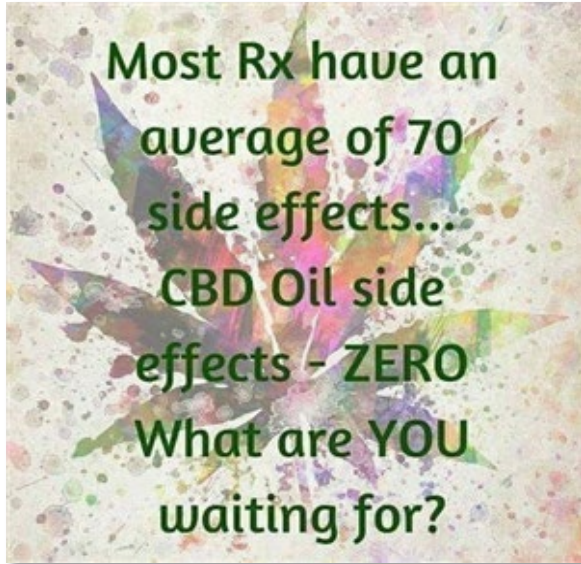
Data collected from the former systems administrator's work-assigned laptop and tablet contained a total of 4,729 individual timestamped incidents of misuse. Of the 4,729 incidents of misuse, 1,917 occurred during the former systems administrator's work hours for the Office.

Although the former systems administrator told investigators that she never used her work-assigned laptop, tablet, or email for personal use, digital forensic analysis revealed the former systems administrator regularly used her work-assigned devices and email during and after work hours to perform work related to her husband's businesses in violation of the signed State of Tennessee Acceptable Use Policy. This work included:

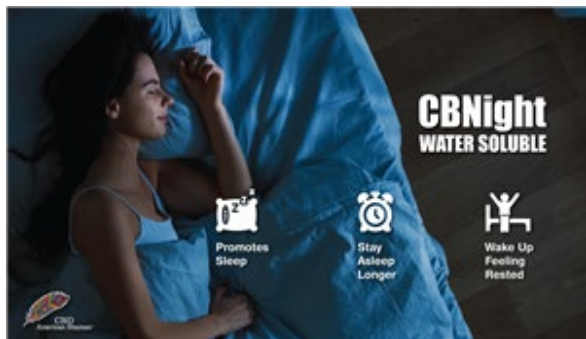
- making her husband's business card,
- ordering business inventory,
- making charts of sales and customer numbers,
- planning trips to Las Vegas, Nevada, related to her husband's business, and
- editing graphics for her husband's business using the Photoshop program included in her work-assigned devices.

Refer to **Exhibits 1 through 6** for examples of graphics saved by the former systems administrator on her work-assigned devices.

Exhibits 1 – 6



your dog after it takes CBD for back pain



Images found on the former systems administrator's work-assigned devices

Digital forensic analysis also revealed the former systems administrator regularly used her laptop during and after work hours to perform schoolwork related to an advanced degree she was pursuing. The former systems administrator signed an agreement with the Office to receive financial assistance in the pursuit of this advanced degree, but the former systems administrator never requested permission to use her work-assigned equipment for the program, or educational leave to perform schoolwork during business hours.

Digital forensic analysis of the former systems administrator's work-assigned tablet revealed she regularly used the tablet to track exercise performed on her home exercise bike after work hours. Investigators located the work-assigned tablet on the former systems administrator's exercise bike as shown in **Exhibit 7**.

Exhibit 7



Photo of the former systems administrator's work-assigned tablet as discovered by investigators during the seizure of work-assigned devices

Failure to comply with the State of Tennessee Acceptable Use Policy increases the risk of compromising the security of confidential information or documentation obtained from, or pertaining to, the State's computer systems. State employees should always take appropriate measures to safeguard and protect the information and computer resources of the State from inadvertent or intentional risks of exposure.

2. THE FORMER SYSTEMS ADMINISTRATOR ASKED AN EMPLOYEE TO PERFORM WORK RELATED TO HER HUSBAND'S BUSINESSES

Investigators determined that on multiple occasions, the former systems administrator asked an employee to perform work related to her family businesses. Investigators confirmed with the employee that the employee printed posters, pamphlets, and product labels at the former systems administrator's request. The former systems administrator emailed the employee items to print, as shown in **Exhibit 8**.

Exhibit 8

The screenshot shows two email messages. The first message is from a redacted sender to a redacted recipient, with a subject line 'FW: All media stuff- here you are...'. A red box with an arrow points to the sender as 'The former systems administrator', and another red box with an arrow points to the recipient as 'The employee the former systems administrator was assigned to oversee'. The second message is from a redacted sender to a redacted recipient, with a subject line '[EXTERNAL] Fw: All media stuff- here you are...'. A red box with an arrow points to the sender as 'The husband of the former systems administrator', and another red box with an arrow points to the recipient as 'The former systems administrator'. A red warning message is present: '*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. ***'. Below the messages, the text 'see below for drop box full of stuff' is visible.

An email containing a link to CBD promotional information sent by the former systems administrator's husband, then forwarded by the former systems administrator to an employee she was assigned to oversee

Additionally, investigators determined the former systems administrator brought in her personal computers and asked an Office employee to repair them, as seen in **Exhibit 9**.

Exhibit 9



Photo of two computers belonging to the former systems administrator found in an unused cubicle within the Upper Cumberland Regional Office of the Department of Health

The computer towers did not have state-assigned asset tags, and the Office’s inventory listing showed that the Office did not own any Dell products at the time the computer towers were located. Additionally, investigators located a document on the systems administrator’s work-assigned laptop on which she listed “work on getting home PC fixed” as a to-do list item.

The former systems administrator was placed on administrative leave on April 28, 2022, and her employment was terminated by the department on May 27, 2022.
