

Austin Area Chapter Association of Certified Fraud Examiners

President's Corner

Tracy Bohmer, CFE, CPA

We've been having great turnouts for our luncheons this fall. There were 48 attending the October chapter meeting and nearly all rated the speaker and the facility very high. There were concerns about not being able to hear the speaker. David plans to bring a wireless microphone and a speaker for the next meeting or we can just use the hand held microphone. Hope you have been enjoying the topics.

As a reminder, mark your calendars now for our Fall Seminar planned for Wednesday, December 9th at Catfish Parlor. We have great topics planned for you. The details of the topics and speakers will be sent to you soon. We will not be offering the luncheon only option during the seminar this year.

Be sure to check our website www.austinacfe.com to register and also for current info and upcoming events.



Chapter Meeting Schedule

Time: 12:00 to 12:50 p.m.
Lunch served promptly at 11:45 a.m.

Location: Catfish Parlour
4705 E Ben White Blvd

Cost: Luncheon Only:
\$12.00 – Chapter Member and
Non-Chapter Member

This Month's Meeting

Date: November 2, 2009

Speaker: Dennis Pompa
Associate Commissioner and Director
of the Texas Department of Insurance
Fraud Unit

Topic: Fraud Investigations at the
Texas Dept. of Insurance

Register on line: <http://www.austinacfe.com/>

or

call 512-923-8656

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What You Missed

By Mike Garner, CFE, CIA

If you were not one of the 48 that were able to attend the October 5, 2009 chapter meeting, you missed a presentation on "Cases from the forensic Files of Dr. Dana" by Dr. Suzanna Dana, Central Texas Autopsy PLLC. Dr. Dana has been practicing forensic pathology since 1983, serving as a Medical Examiner in both Bexar and Travis County until 2006 when she left government employment to establish the private medical practice, Central Texas Autopsy, PLLC in Lockhart, Texas. She is only the second private physician in Texas to establish a private medical practice that specializes in the performance of autopsies.

Dr. Dana's presentation focused on discussing selected cases from her 26 year career as a forensic pathologist. The primary function of the Medical Examiner's Office where she worked in both Travis County and Bexar County was to examine bodies and perform autopsies in order to make determinations as to the cause and manner of death. The doctors collect body fluids and tissue from the body and have it analyzed by the toxicology section to determine the presence or absence of poison, drugs, or other chemicals.

There are 11 Medical Examiner Offices in Texas including Bexar County (first one), Travis County, Harris County, Galveston County, Dallas County, Tarrant County, Lubbock County, Cameron County, Collin County, El Paso County, Nueces County, and Webb County. Since Dr. Dana worked in both the Travis County and Bexar County Examiner's Offices she provided a comparison between the two offices.

Travis County - Travis County had outdated facilities and equipment and inadequate staff and were incapable of being accredited by the National Association of Medical Examiners. The three pathologists and staff were underpaid and overworked. The work was designed so that their pay was supplemented by \$300 for every outside autopsy performed. Since they were receiving \$2,000 for every autopsy performed for counties outside of Travis (45 interlocal agreements) and for private citizens they put additional priority on these autopsies. This process was designed to both help the pathologists to supplement their income and for the county to receive a larger portion of their budget funded from entities outside of Travis County. What this did was to push down the time spent on Travis County cases and a larger proportion of the cases outside of Travis County were taken by the County's Medical Examiner and the Travis County cases were pushed disproportionately to the other two pathologists. These monetary incentives

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AUSTIN AREA CHAPTER OF
THE ASSOCIATION OF CERTIFIED FRAUD EXAMINERS
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worked against the quality of the autopsies and the quality of the office. When the Travis County Commissioners started to understand this, they stopped the paying of monetary incentives to the pathologists for out of Travis County autopsies. Although this was one way to fix the problem, it was not accompanied by the funding necessary to address the loss of funds to the pathologists and to the Medical Examiner's Office resulting in all three pathologists leaving in a three month period due to what amounted to severe salary cuts and less funds available for necessary equipment and supplies. The monetary incentives had helped Travis County to fund over 80% of the Medical Examiner's budget which was significantly higher than any of the other County Medical Examiners; with Dallas County a distant second with less than 47%. The Travis County Medical Examiner was making about \$127,000 annually in private autopsy fees with the other two pathologists making about half that annually. These funds went to supplement their annual salary.

Bexar County – There were six pathologists in Bexar County that were assisted by Autopsy Technicians during the autopsies. The office was well funded and had a very good Director, staff, facilities, and modern equipment. In addition, they interpret injuries and testify in court as to their autopsy findings. The doctors utilize the Investigative Reports and Toxicology Reports in order to make their determinations. The doctors provide coverage 7 days a week, 365 days a year. Bodies were only rarely kept more than 24 hours. The Office performs approximately 1450 autopsies per year compared to Travis County's 1500 per year with half the pathologists, less, staff, and facilities and equipment that were not nearly as modern. The Bexar County Medical Examiner's office is accredited by the National Association of Medical Examiners (NAME) and the American Board of Forensic Toxicology.

Dr. Dana has performed over 10,000 autopsies and provided three cases as examples of her investigative work. The first case was a white female at age 40. She had been missing two days before a missing persons report was issued. They tracked her down by where and when she last used her credit card. They found the body where it had fallen by following the buzzards. The initial investigative team thought that she may have been strangled or murdered in some way. Due to the decomposition of the body they wanted to document the clothing with pictures and then transport the body only for autopsy. Dr. Dana said no that they needed the body clothed as she was when found. The woman was laying on a flat surface and she had collapsed on the ground. When Dr. Dana saw that the sock had blood on it, she examined closer and found four puncture wounds and by that she was able to tell it was a snake bite.

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The second case was of a 32 year old white female involved in a motor vehicle accident. This looked like a simple death by a car accident. But after an examination of the body, Dr. Dana decided to x-ray the right foot and found a bullet. The woman had been driving by a robbery in progress and a shot was fired and hit her in the foot causing her death when the car crashed. The robbery charge was then changed to a capitol murder case.

The third case involved a 30 year old white male that was shot in the head by a friend during an argument. The friend confessed and turned over the murder weapon. Dr. Dana during the autopsy found that only a .22 caliber rifle could make that wound and the murder weapon that was turned over was a .38 caliber. The shooter then confessed that he changed weapons because he didn't want the more valuable .22 to be put in evidence.

Dr. Dana closed by emphasizing that pictures are no substitute for the crime scene and the examination of the body. This is just like any other evidence as the original evidenced untouched is the best possible evidence to examine and to then maintain the chain of custody. Go into a case with as little preconceived notions as possible and you will be able to read the information better if you are completely independent and objective. Pay attention to small details as they can give you the best information about what happened.

Speaker's Biography Dennis Pompa

Dennis Pompa has served as the Associate Commissioner and Director of the Texas Department of Insurance Fraud Unit for the past seven years. Prior to his promotion Dennis served as the Deputy Commissioner and Chief Investigator for the Fraud Unit and has worked in the Unit since 1995.

Prior to coming to the Texas Department of Insurance, Dennis was employed as a district attorney financial crimes and insurance fraud investigator, police officer and bank executive. His career in insurance fraud investigations spans more than two decades.

Dennis holds a Bachelor of Science degree in Criminal Justice Administration and is a Certified Fraud Examiner (CFE).

The Spotlight's On You!

A special feature focusing on members of the Austin Area Chapter of ACFEs

Vicki Fischer has been a member of the
ACFE

for the past 7 years.

But maybe you didn't know...



Job Description:

Deputy Inspector General for the Enforcement Division of the Texas Health and Human Services Commission -Office of Inspector General. I supervise all administrative and criminal investigations and enforcement activities for one of the largest state IG offices in the nation. The enforcement division is comprised of approximately 325 employees statewide including General Investigations, Medicaid Provider Integrity Investigations and the Internal Affairs Section.

What I'm working on now:

Numerous projects involving updating policies and procedures enforcement wide.

Best part of my job:

I enjoy working with such a great group of individuals who share the same passion of combating fraud, waste and abuse in health and human services programs.

Ambition and/or Goals:

Become a member of the ACFE's Board of Regents

Years in investigative field/ with State:

I have worked for the state of Texas for 18 years with the majority of that time in the investigative arena.

My first job:

I worked after school at a scientific gaming company assembling games.

Hobbies:

Traveling, camping in my Airstream, and attending music events with family and friends.

Favorite Movie:

The Sound of Music

Last books I read:

"Become a Better You" by Joel Osteen

Favorite foods:

Tex -Mex

Favorite Restaurants:

Maudie's and Chuy's

My pet(s):

None

It's a good day when:

Our investigative efforts come together and our cases result in some sort of administrative sanction or criminal prosecution.

Pet Peeves:

Someone's cell phone ringing during a meeting and they answer it....and continue to talk.

What I would do with a surprise afternoon off:

Enjoy time at home.

I'm most proud of:

My CFE designation

Most people probably don't realize:

How much I love watching weather radar. I am very intrigued by weather events.

Vicki Fischer Nominated for ACFE's Board of Regents

The ACFE's Nominations Committee selected Ms. Fischer as one of nine final candidates to compete for three positions on the 2010-2011 the Board of Regents.

The Board of Regents is elected by the certified members of the ACFE and is responsible for setting membership standards that promote professionalism and ensuring the reputation of the CFE credential.

The Board of Regents has sole authority over the admission of members, including but not limited to examination standards. The Board establishes continuing professional education requirements, and is also responsible for establishing, modifying and enforcing the CFE Code of Professional Ethics and all other matters necessary to maintain the high standards of the ACFE.

Beginning November 1st and ending December 31st, CFEs will be able to vote online at <http://www.acfe.com>.