



## INSPECTOR GENERAL REPORT

2005-09-0468

April 26, 2007

### STATE UNIVERSITY REPORT

*Inspector General David O. Thomas and OIG Staff Attorney Amanda Schaeffer report as follows:*

The Office of the Inspector General (OIG) received a hotline report stating that an administrator within a state university had a private ownership in an entity where university samples for testing were being submitted by that administrator. An investigation for a conflict of interest was requested.

Indiana criminal statutes, for example I.C. 35-44-1-3, and the Indiana Code of Ethics in 42 IAC 5-1, address offenses and penalties for a person who as a public servant derives a profit from a contract connected with the governmental entity served by the public servant.

The OIG is responsible for addressing fraud, waste, abuse, and wrongdoing in agencies. I.C. 4-2-7-2(b)

"Agency" means an authority, a board, a branch, a commission, a committee, a department, a division, or other instrumentality of the executive, including the

administrative department of state government. The term includes a body corporate and politic established as an instrumentality of the state. I.C. 4-2-7-1(1).

Accordingly, state universities are within the definition of an “agency” and therefore within the investigative jurisdiction of the OIG.

OIG Special Agent Darrell Boehmer was assigned to this case. It was discovered through his investigation that the entity in question was not a private entity but instead was part of the university school, and this was why the samples from the school were required to be sent to that entity.

Because no violation was found to exist, this case was closed, pending further information.

Dated this 26<sup>th</sup> day of April, 2007.

A handwritten signature in black ink, appearing to read "David O. Thomas", written over a horizontal line.

David O. Thomas, Inspector General