

**Meyers, Robert (COE)**

INQ 10-45

**From:** Meyers, Robert (COE)  
**Sent:** Wednesday, March 03, 2010 3:06 PM  
**To:** Meyers, Robert (COE); 'Torres, Rolando'; 'Stembridge, Nancy, RN, BSN'  
**Cc:** 'Salinas, Diana'; 'Neifeld, Lynn MHM, P.T.'  
**Subject:** RE: follow up on COI

Mr. Torres:

Thank you for taking the time yesterday to answer my questions. Pursuant to our conversation, I promised you a written opinion by the end of the day. The relevant facts are that you have been working for the past six years at Jackson Health Systems (JHS) as a state licensed prosthetist/orthotist. You also operate a prosthetics and orthotics office, an office which you opened prior to your employment with JHS, where you see private patients after work and on weekends. You wish to know whether maintaining such an office conflicts with your employment at JHS.

You have advised me that you have been in this field for twenty-four years and receive referrals from many different sources including HMOs, other insurance companies and physicians, to name a few. You assert that physicians who work at Jackson never refer patients to you and you can recall only one occasion when a patient who had been treated at Jackson (not one of your patients) was seen by you in your office. You believe this might have been an insurance referral.

You acknowledged that due to the number of patients you have interacted with during your six years at JHS it would be exceedingly difficult for you to identify all of them by name or appearance and there remains possible that some of these Jackson patients could wind up in your office, especially since you stated to me that you do not receive any records or charts when patients come to your office and the subject of where they were treated in the past is generally not discussed.

I also asked you whether JHS keeps a list of area prothetists and orthotists to give to patients who may need treatment after they leave the hospital and you stated you did not know whether such a list existed, and if one did exist, whether you are one of the providers on the list.

A clear conflict of interest would exist if you see patients at Jackson and then see the very same patients in your private practice. Another conflict would exist if you were soliciting business for your practice while you are on duty at Jackson – either by handing out business cards or informing Jackson patients of your private office. Another concern would be if Jackson physicians and other hospital staff refer patients to you in your private capacity.

There is no conflict for you to maintain your private office and see patients after hours and on weekends as long as you engage in no behavior as a JHS employee to solicit their business and you do not encourage Jackson personnel to refer business to you. Finally, I would recommend against you seeing any private patients who were once Jackson patients, whether or not they were ever your patients at Jackson. For purposes of avoiding any appearance or impropriety, I would recommend that you ask your private patients whether they were ever treated at Jackson for the same condition that causes them to see you. If they answer in the affirmative, then I suggest you refer them to another local prothetist/orthotist.

If you have any other questions or wish to discuss, please feel free to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust

---

**From:** Meyers, Robert (COE)  
**Sent:** Tuesday, March 02, 2010 1:21 PM

3/3/2010

**To:** 'Torres, Rolando'; Stembridge, Nancy, RN, BSN  
**Cc:** Salinas, Diana; Neifeld, Lynn MHM, P.T  
**Subject:** RE: follow up on COI

Mr. Torres:

For the record, I sent you a list of questions on January 28, 2010 and I cannot issue an opinion without your responses. I am sending them to you again and I would appreciate a confirmation that you have received them. The questions are as follows:

- 1) How do private patients find out about your private practice? Is it through word-of-mouth, do you advertise, do you receive referrals?
- 2) Do you ever receive referrals from Jackson?
- 3) Does Jackson maintain a list of license prothetists and orthotists? If so, are you on the list?
- 4) How are patients assigned to you at Jackson and do you ever see patients privately when you initially saw them at Jackson?

Thanks,

Robert Meyers

**From:** Torres, Rolando [mailto:RTorres@jhsmiami.org]  
**Sent:** Tuesday, March 02, 2010 12:21 PM  
**To:** Stembridge, Nancy, RN, BSN  
**Cc:** Salinas, Diana; Neifeld, Lynn MHM, P.T; Meyers, Robert (COE)  
**Subject:** FW: follow up on COI

**From:** Torres, Rolando  
**Sent:** Tue 3/2/2010 12:18 PM  
**To:** Stembridge, Nancy, RN, BSN  
**Cc:** RMEYERS@miamidade.gov  
**Subject:** RE: follow up on COI

Dear Nancy,

I called Robert Meyers at, (305) 350-0613, at approximately 11:40 a.m. and left a message on his voice mail. I suggested that he email me, since we keep missing each others calls, as well as provided my cell phone number explaining that reception is poor in some areas of the hospital. When I called Mr. Meyers last week I spoke with Carina and Rachel, yesterday and today it went straight to his voice mail. If you have any other contact number please forward it to me. I attempted to email Mr. Meyers and received a message on a window that an error occurred. I will carbon copy this message to Mr. Meyers, Diana Salinas, and Lynn Neifeld.

**From:** Stembridge, Nancy, RN, BSN  
**Sent:** Tue 3/2/2010 9:42 AM  
**To:** Torres, Rolando  
**Cc:** Salinas, Diana  
**Subject:** follow up on COI

Dear Rolando,

3/3/2010

I called this morning at 9:30 and left a message w Steve in your dept (305-585-6265), still trying to get an update on your contact with Mr. Meyers of the Ethics Commission.

I trust I will hear from you today.

Thank you,  
Nancy

**Nancy Stembridge, RN, BSN, CPC**  
**Medical Auditor**  
**Corporate Compliance Department**

**Jackson Health Systems**  
**1500 N.W. 12th Avenue, Suite 102**  
**Miami, FL 33136**  
**Office (305)585-2952**  
**Fax (305)585-1909**

[Nancy.Stembridge@jhsiami.org](mailto:Nancy.Stembridge@jhsiami.org)

**"Be kinder than necessary, everyone you meet is fighting some kind of battle."**

*The information contained in this transmission is legally privileged and confidential, intended only for the use of the individual(s) or entity(ies) named above. As a JHS employee, if you read this message but are not the intended recipient, you are hereby notified that you are in violation of JHS policies and that any dissemination, distribution, or copying of this communication is strictly prohibited. If you received this information in error, please notify us immediately by telephone, e-mail or fax and delete the message. Thank you.*