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The San Bernardino County Sentinel

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Saucedo's Multiple Roles Under Question

The San Bernardino County District Attorney's office is probing San Bernardino County Housing Authority chairman Mario Saucedo in the aftermath of allegations that his various activities on that panel and in conjunction with or as a member of other governmental entities constitutes a violation of Government Code Section 1099, relating to

conflict of official duties.

Saucedo, in addition to being the housing authority chairman, is a city of Redlands employee, the chairman of the North Redlands Visioning Committee and the Redlands agency director for the San Bernardino Public Employees Association.

Stephen W. Rogers, a Redlands resident, after having made mul-

multiple inquiries with Redlands city attorney Dan McHugh with regard to Saucedo serving in the multiple roles that provide him with oversight relating to city policy, took the issue up with the district attorney's office's public integrity unit last year.

In a letter dated August 4, 2009 to McHugh obtained by the *Sentinel*, Rogers wrote, "It has

come to my attention that Mr. Mario Saucedo has an apparent conflict of interest involving the subject entity and any Housing Authority of the County of San Bernardino developments being processed or permitted in the city of Redlands, his current employer. I have approached the county of San Bernardino chief executive officer's staff about the situation and

have been informed to address my concerns to the DA's public integrity unit. Before I was to pursue such a course of action, I will be contacting the Fair Political Practices Commission about the situation, but was also informed today by the county's Third District staff that I should bring this matter to the attention of the Redlands City Council." **See P 4**

Miller Resigns



GRAND TERRACE—Saying he was choosing "not to be a distraction to my fellow council members, the city and my community any longer," Jim Miller resigned his post as city councilman in this city of 12,000 effective March 10, giving a farewell speech to his constituents at the March 9 council meeting.

Miller's resignation came nearly nine months after he was arrested and charged by the district attorney's office with a violation of Government Code Section 1090, pertaining to conflicts of interest.

The district attorney's office alleges that Miller's votes as a councilman to approve the council's consent calendar agenda on multiple occasions between November 2006 and August 2009 were a violation of the law. Those consent calendars, each of which contained a number of routine items considered to be noncontroversial, were approved in single votes of the entire council. Several of the consent calendars between those dates contained items pertaining to the city's payments to the Grand Terrace *City News*, a newspaper owned and published by Miller's wife Margaret, for legal notices that had been requisitioned by staff in the city manager's office and city clerk's office without previous direction by the city **See P 3**

Administrators Reject Reports of ARMC Malpractice, Negligence

In the face of widespread reports that state and federal investigators, including the FBI, are closely examining operations at the county-owned Arrowhead Regional Medical Center, the hospital's administrative and management team is providing a significantly different version of both the quality and level of care and professionalism at the institution than do many

of the medical professionals employed there.

According to Jorge Valencia, the official spokesperson for the Arrowhead Regional Medical Center as well as its director Patric Petrie and its medical director, Dr. Dev GnanaDev, the hospital "consistently provides high quality care and the Medical Center's scores in Core Measures, clinical quality measures as established by the



Center for Medicare and Medicaid Services, are at or above the national average."

Employees at the medical center, however, including physicians who either approached federal

or state investigators on their own initiative or who were contacted by those investigators in conjunction with inquiries into the hospital's operations, have told the *Sentinel* that Dr. GnanaDev has utilized his position at the hospital to enrich himself while compromising the quality of care offered and that there have been scores of lapses in professionalism and care that **See P 5**

Yucaipa Valley Water District Forms Pact With City

The Yucaipa Valley Water District and the city of Yucaipa, through its redevelopment agency, have entered into a pact to work together to install a sewer line as an adjunct to the road widening project along a key stretch of Yucaipa Boulevard.

The agreement calls for the city to front the costs of the installation of the sewer main and for the district to re-

imburse the agency in time.

The city redevelopment agency will allocate the necessary funds, estimated to be \$135,000, to install the sewer main along Yucaipa Boulevard between 13th and 14th Street in conjunction with the Yucaipa Boulevard widening project from 12th to 15th streets.

City staff ap-



proached the district about installing a temporary dry sewer beneath Yucaipa Boulevard between 13th and 14th streets so that it will be in place before the road widening project

is completed, thereby ensuring that the community will only be impacted during one construction period.

According to the agreement, the district will design and con-

struct a sewer mainline on Yucaipa Boulevard between 13th and 14th streets in conjunction with the road widening project. The district will provide inspection and accept the sewer upon completion. The agency will pay for the cost of the sewer construction and the district will pay for the design.

Once a developer with a project fronting the dry sewer pro- **See P 8**

Officials Hiding & Obscuring Reports Relating to Melodie Scott

The *Sentinel* has retrieved records indicating the Redlands Police Department and other Southern California law enforcement agencies are withholding or otherwise obscuring reports which implicate conservator Melodie Z. Scott and her associates in possible criminal or otherwise

questionable activity.

Recently, the Redlands city attorney's office responded, belatedly and in defiance of the time limits mandated by the California Public Records Act, to a request from the *Sentinel* for police records relevant to a "dead body call" which came into the San Bernardino County

Command Center on July 25, 2009. The call came in upon the passing of Frank H. Bellue, who was a conservatee of Melodie Scott. Scott is the president and founder of C.A.R.E. Inc., located on State Street in Redlands. At the time of his death at age 61, Bellue was living with Scott's brother and employee

Graham Zinck at a condo belonging to Scott's ex-husband, Bradley. Bradley Scott purchased the condo in 2004 following the couple's divorce.

The Redlands Police report, was redacted, i.e. blacked-out, by the city in every manner which could possibly indicate whether Bellue was still

alive when the police and fire departments arrived or provide any indication as to cause of death.

In his response to the Public Records Act request, Redlands assistant city attorney Michael Reiter wrote: "Certain medical information, and one entire medical sheet, has been redacted **See P 2**

The San Bernardino County

Sentinel

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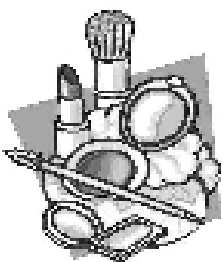
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Melodie Scott

from front page
pursuant to Government
Code section 6254 (k), the
Confidentiality of Medi-
cal Information Act (Civil
Code section 56 et seq.)
and the Health Insurance
Portability and Account-
ability Act (HIPAA)...”
However, other informa-
tion on the report appears
to be removed as well, in-
cluding who made the call
to the command center
and who was at the scene
when the police and fire
departments showed up.
This information does not
fall under the scope of the
cited laws and thus should
be disclosed. Press officer
Carl Baker insists that the
report contained no in-
formation of who was at
the scene when the police
and paramedics arrived.
But given the enormous
amount of information
blacked out, it is impos-
sible to ascertain the ac-
curacy of what he states.

According to Bellue’s
death certificate, he was
diagnosed with lung can-
cer by a bronchoscopy
five days before he died.
Questions have surfaced
as to whether cancer was,
in fact, the real cause of
death. Given the normal
progression of lung can-
cer, it would be quite un-
usual for a diagnosis to be
rendered five days before
a patient succumbs. The
Sentinel has also retrieved
Bellue’s death certificate.
Significantly, the name of
the doctor who signed the
death certificate was also
blacked out. The Health
Information Privacy Act
does not protect a doctor’s
personal information in
this manner and is chiefly
for the protection of pa-
tients.

HIPAA does mandate
the redaction of mental
health history and while
multiple redactions on
Bellue’s death certificate
protect the identity of
the burial manager, the
coroner and the certifier,
Bellue’s mental illness is
stated on his death certifi-

cate without adherence to
the laws prohibiting the
release of such informa-
tion.

Previous reports to
the Redlands Police con-
cerning Scott have been
handled in an unusual
manner. A report in 2007,
implicating Scott in an al-
leged theft of estate fur-
nishings, was refused by
the Redlands Police De-
partment, which stated
that all reports concerning
Scott were being sent up
to Sacramento to the Cali-
fornia Attorney General’s
office. However, the AG’s
office refused to respond
to inquiries as to the prog-
ress of investigating this
matter and also refused to
supply a complaint num-
ber. No charges were ever
filed.

A report to the Red-
lands Police Department
in 2008 alleging theft of
monies from the estate
of decedent conservatee
William Burke implicated
conservator Lawrence
Dean, who was working
out of Scott’s office at that
time, and a San Bernardi-
no County attorney. Once
again, the Redlands Police
Department refused to
supply a complaint num-
ber. Within two hours after
the complaint was lodged,
assistant district attorney
Lynn Poncin declared
that the matter had been
thoroughly investigated
and found to be with-
out merit. When pressed
for a complaint number,
Poncin also refused to
supply a case number, a
file number, or any num-
ber which might indicate
that this complaint actu-
ally existed in the system.
A few days later, district
attorney press officer Su-
san Mickey searched the
district attorney’s records
and found no evidence
that the complaint was
ever filed or investigated.

Melodie Scott’s DUI
citation, issued in Decem-
ber of 2008, met with a
peculiar resolution. The
district attorney agreed to
continuances in the case
repeatedly and the matter
was resolved in Decem-
ber of 2009. Throughout
the interim, Scott was
in contested hearings in
Oakland and battling to
achieve licensure. Her ap-
plication had been denied
in 2008 by the newly cre-
ated Professional Fidu-
ciary Bureau for making

false statements upon her
licensing application. A
source close to Melodie
Scott opined that the DUI
case was being dragged
out so as to not produce
a verdict that might have
impeded Scott getting the
license. Scott ended up
pleading guilty and re-
ceived a sentence of thirty
six months summary un-
supervised probation.

More problems seem
to have surfaced over a re-
port filed with the River-
side Sheriff’s Department
related to an assault upon
Carol Chenoweth, who is
J. David Horspool’s sister.
Horspool is chief counsel
for Melodie Scott. Che-
noweth was transported
to the emergency room
on April 15th of 2009. Ac-
cording to family, Che-
noweth was upset over cir-
cumstances that arose out
of the attempt by several
of the Horspool siblings,
including David Horspool,
to evict their brother Wil-
liam from his Riverside
home. An argument en-
sued at David Horspool’s
Moreno Valley residence
and Horspool’s daughter
Rebecca allegedly lunged
at Chenoweth, knocking
her down. Chenoweth
was treated at a local hos-
pital for a head injury and
released. A police report
concerning the assault
was subsequently written
up. No charges were filed.

Attorney David Hor-
spool had gone to court
and launched the eviction
after Judge Michael Welch
negated a previous prop-
erty transfer by his father,
Raymond Sr., to son Wil-
liam. Raymond had been
placed under a conserva-
torship by David and sis-
ters Karin Horspool and
Margaret Updike a couple
of years after the property
was granted to William.
They are seeking his re-
moval from that property.
The matter is set for trial
in April.

Chenoweth, while
confirming the assault
took place, insisted she
had not filed the police
report relating to it. She
said the media’s focus on
her family’s circumstance
vis-a-vis the conservator-
ship set up for her father
is unjustified and is a by-
product of her brother
David’s and sister Karin’s
professional association
with Scott, as well as a
personal vendetta being

carried out by *Sentinel*
reporter Janet Phelan,
whose mother was put un-
der a conservatorship by
Scott with the assistance
of David Horspool.

Chenoweth said her
family’s travails relating
to the effort to keep her
father in a conservator-
ship were irrelevant to
any circumstance involv-
ing Melodie Scott.

The Horspool siblings
who created the conser-
vatorship for their father
are not using Scott as their
father’s conservator.

Thus, Chenoweth sug-
gested, coverage of the
matter was an example of
biased and shoddy jour-
nalism.

Riverside County sher-
iff’s department spokes-
person Melissa Nieburger
insisted there is no record
of any report pertaining to
an assault on or any other
contact with Carol Che-
noweth.

The *Sentinel*, however,
has learned that the report
was filed under a civil
rather than a criminal
heading, with a reference
number of MC09110002.

As reported in the
February 19, 2010 edition
of the *Sentinel*, Melodie
Scott recently tendered
a death threat to the *Sen-
tinel*, which was subse-
quently reported to the
Redlands Police. That
agency has refused to
supply the victim of the
threat with a copy of the
report, citing government
code 6254 (f). While that
code generally allows the
release of a report to the
victim, assistant city At-
torney Michael Reiter
stated that the request was
denied because “the dis-
closure would endanger
the successful completion
of the investigation pursu-
ant to Government Code
section 6254 (f).”

The recipient of the
threat, *Sentinel* reporter
Janet Phelan, has ex-
pressed concern that the
report may contain some-
thing improper. She stated
that during her contact
with the Redlands police
investigator, Patrick Lei-
vas, he told her that Scott
had reported that Phelan
made explicit threats
during a prior phone call
which resulted in Scott’s
return call and voice mail
threat. When informed
that an objective record
Continued on Page 8

Miller
from front page
council.

Miller, who is represented by attorney Rick Ewaniszyk, has pleaded not guilty to the charges. Ewaniszyk is currently exploring several legal issues in positing a defense, including the provision of a letter in 2006 from city attorney John Harper stating that Jim Miller would have no conflict voting on an issue impacting his wife's business if that business is her sole and separate holding; the applicability of a prenuptial agreement between the Millers specifying their separate holdings; a possible public service exception to the 1090 statute; the consideration that the Grand Terrace *City News* is the only newspaper of general circulation based in Grand Terrace and as such was the only newspaper eligible to run the public notices city staff had arranged to purchase; as well as a demonstration that Miller lacked any sort of intent to break the law in casting the votes.

"With a heavy heart," Miller said at the Tuesday evening meeting, "as of March 10th, I will have tendered my resignation as a Grand Terrace council member. Currently my attorney is negotiating with the San Bernardino district attorney's office to come to a successful conclusion and we are scheduled to make another court appearance on May 4. I'm continuing to work for a just outcome in order to maintain my unblemished reputation. Both Margie and I have high standards and expectations of ourselves, and we are extremely saddened by these events that have brought unfavorable attention to our community and ourselves. Margie, who owns the *City News* as her sole and separate property, had provided a service at the request of city staff. I have provided a copy of our prenuptial agreement to the city attorney. We have adhered to our prenuptial agreement for over 20 years. Therefore, we honestly believed that I had no financial interest in Mar-

gie's newspaper. Trusting what I reasonably believed to be reliable advice and information, I voted to approve several consent calendars that included payments to the newspaper for legal and other advertising."

Miller said those votes provided the basis for the charges yet pending against him.

"I now know I should have been told to abstain from voting on those line items on the consent calendar," he said. "Had I been told by anyone that this might have been a potential conflict of interest I would have abstained. Certain legal notices are required by law to be published in the newspaper of general circulation for the city. There was no indication of any conflict of interest or wrongdoing for more than two years before I was informed of a potential conflict of interest, at which time, I stopped voting on the item and Margie stopped doing business with the city. It should be noted that the city staff required that pricing for all publications be at the same rate as all other newspapers in the area. It was apparent to me that city staff and the council members knew that Margie owned the newspaper. Yet no one ever suggested that I had a conflict of interest or should abstain from voting on that item on the consent calendar."

Miller said his decision to resign was a difficult one but was based upon his recognition of the stark legal reality he faces and the difficulty further controversy with regard to the subject will entail for the city.

"Some people have said that I should stay on the council but the law

is the law and this 1090 violation is a harsh law," he said. "Its purpose is to protect the public from self-dealing. Hopefully, many of you know us well enough to realize that we would never attempt to enrich ourselves or hurt the community in any way. The responsibility of not knowing the 1090 law falls squarely on my shoulders and I must deal with the consequences that it brings."

Councilman Walt Stanckiewicz criticized as hypocritical other council members for not publicly supporting Miller, suggesting obliquely that mayor Maryetta Ferré, who has voted to approve payments to the Riverside Water Company which counts as one of its paid and voting board members her husband Frank, and Bea Cortes, who has likewise voted to approve city payments to Terra Loma Realty for which she worked as a sales agent, were likewise guilty of the same 1090 violations as Miller. He also faulted city attorney John Harper for not adequately researching the law and familiarizing himself with the familial and business activities of the council.

"This evening is extremely sad and full of anguish for me," said Stanckiewicz. "I am watching a fellow city council member being forced to resign due to the 'underground politics' of this city. I am very disappointed in my contemporaries tonight. You share responsibility for this tragedy. When citizens of this community asked you to show your support for Jim, you three [i.e., Ferré, Cortes and councilwoman Lee Ann Garcia] thumbed your noses at them and

refused to take a stand publicly for one of our own in passing a non-binding resolution of support for Jim. Shame on all of you. I hope I am never in a situation where I might need your help and support. Some of you share the same risk. And you should be very careful in the future with your actions and votes on items and resolutions. Conflict of interest laws have been around for a long time and our residents have now had a first-hand personal lesson on these laws. They will be watching all of you. They will be watching all of us. Our political system also has a mechanism for remedying ill-advised actions on our part. They are called elections. Mr. Harper, our city attorney, your hands are soiled from this case also. One of your responsibilities to this city and this council is to advise and protect us from possible wrongdoing, questionable action and perceived improprieties. We are not full-time politicians with personal staffs to advise us. In the future I would suggest that you do your homework on these types of issues before you render an opinion. Know what each council member is all about. There are only five of us."

Stanckiewicz reserved

his most pointed invective for district attorney Mike Ramos, whom he suggested had selectively prosecuted Miller, while ignoring similar transgressions of other elected officials in the county, including Cortes, with whom Ramos has been linked sexually.

"To district attorney Ramos: I ask that you and your organization, your public integrity unit, vow to apply the law consistently to every politician and not fulfill political favors for 'friends' and/or supporters of your political future," Stanckiewicz said. "The voters of Grand Terrace have been awakened through these events and they will be watching you to see if you apply these conflict of interest laws consistently. You and your staff have a lot of work to do in restoring the confidence of our residents in your organization."

During the public comment section of the meeting, several city residents weighed in on the matter, nearly all of whom propounded the view that Miller's resignation represented a step backward for the city. A major theme running through many of the comments was that Cortes had conspired with former city manager Steve Berry to vector the

district attorney's office at Miller.

Laura Austin said Grand Terrace is "losing one of the best. You should not have relied on the city attorney." She said, "Steve Berry stabbed you in the back." Furthermore, Austin suggested, Cortes, whom she described as "a councilperson with her own agenda" had betrayed Miller.

Francine Sandoval praised Miller as someone "who will stand for what is right and do what is right." Tears welled in her eyes as she said Miller had been forced from office by "crooked" forces.

Debra Hurst described Miller as "a fine man with a perfect record of service."

She pointedly contrasted Miller with Cortes, whom she described as "mak[ing] a living by sitting on committees and voting for things that do not help the city." Hurst said the city would "deal with Bea Cortes at the next election. Bea Cortes was overheard making the statement she will make sure Jim Miller must step down from the council."

Margaret Miller said that she was "so proud of you [her husband] for everything you have done in your whole life. With

Continued on Page 6

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Saucedo*from front page*

Of consequence to the circumstance relating to Saucedo, McHugh said, is the status of the North Redlands Visioning Committee, which has been tasked by the city to make recommendations with regard to the development of the area. According to a city of Redlands document put out in March 2006, "The North Redlands Visioning Committee is dedicated to working collaboratively with government, education, business, community and faith-based organizations to enhance the quality of life for all. We are a diverse group committed to progress through responsible action. We strive to promote awareness, unity, respect, and integrity while preserving our heritage and the prosperity of our community."

Rogers said it is "my contention that the North Redlands Visioning Committee is a city organization instead of a community organization. Dan McHugh, the Redlands city attorney, told me many months ago he would look into the creation and operation of the committee and if it qualified as a 'project Area Committee' as required under California Community Redevelopment Law. He never got back to me. When I approached the

city's public information officer, Carl Baker, about never receiving a response from the city attorney, he turned the question into a public records request."

The document generated as a result of the inquiry passed through Baker, was a letter from the office of the Redlands city attorney dated February 9, 2010 signed by legal secretary Sheri Sebastian. The letter states, "This is a follow up to the city's letter to you regarding your California Public Records Act requesting 'a record of the origination of the NRVC [North Redlands Visioning Committee] and proof that they were appropriately created as a project area committee.' The city has reviewed its records and has determined there are no records responsive to your request."

Rogers told the *Sentinel*, "I have seen an explanation in the North Redlands Revitalization Plan and Final Program environmental impact report response to comments section where the city and its consultants contend that the formation of a 'project area committee' was abandoned in favor of the North Redlands Visioning Committee, which was, and has been in existence for some time, under Redlands city employee Mario Saucedo's oversight."

Rogers said he believes that Saucedo, as a city employee, is representing the views of city staff on the visioning committee as opposed to those of residents and landowners and therefore, where there is a conflict or difference between what staff and what residents desire, the residents are being given short shrift. "The real problem I'm having with the situation is that city staff is 'stacking the deck' against the residents' position or positions by allowing a city employee to lobby in favor of the project. I regularly attend the North Redlands Visioning Committee meetings and have done so ever since the North Redlands Revitalization Plan was noticed to the residents. This 'committee' is really supposed to be a community based organization per redevelopment law, but it is actually a city formed committee. Apparently city manager Nabar Martinez is able to run interference with this arrangement and have Saucedo put on his community activist hat to sway public opinion as desired. Mr. Saucedo, as I understand it, is not just doing the city manager's bidding with the North Redlands folks, but also is the representative for the employee association negotiations with the city. I believe he is compromising the interests of the employees' group, as well as the interests

of the proud residents on the north side of town, by being allowed to perform in these roles with the many conflicting interests that are at stake. Mr. Saucedo on occasion has belittled public input and advocate only the city proposals. I have serious concerns that the redevelopment agency and the North Redlands Visioning Committee will not be able to implement successful programs for the North Redlands Redevelopment Plan if they continue to discount and discredit public input, whenever the concerns are opposed to the city manager's directives to Mr. Saucedo. I am extremely disenchanted by how the city is playing the Northside residents for fools by having such a committee, headed by a city employee, supposedly representing our interests. This committee is no longer a community based organization but a city based organization and the community has been disenfranchised. This on-going inappropriate situation is only benefitting city management and not the employees' group or the residents of North Redlands," Rogers said.

Rogers said he believes that Redlands city manager Nabar Martinez purposefully placed Saucedo on the North Redlands Visioning Committee as a means of overwhelming and subjugating the viewpoints of members of the community to the

designs and preferred direction of city staff. According to Rogers, Saucedo's participation on the North Redlands Visioning Committee might be unlawful on other grounds beyond it being a conflict of interest or incompatibility of office or responsibilities.

"I was informed by an attendee at a North Redlands Visioning Committee meeting that Mario Saucedo does not reside or have a business interest within the North Redlands Revitalization Project (NRRP) redevelopment area boundary," he said.

In a complaint he forwarded to the San Bernardino County district attorney's office's public integrity unit, Rogers asked that investigators and prosecutors there look into "how this apparent violation of Government Code Section 1099 has manifested itself with the operations of the local government and to the detriment of the public interest and public policy."

Correspondence that ensued between Rogers and two prosecutors in that office, Lewis Cope and John Goritz, demonstrates that the public integrity unit has examined the circumstance, though no charges or action with regard to Saucedo has yet been filed or taken.

This week, Saucedo told the *Sentinel* that he did not believe any significant conflict between any of his various functions existed.

"All three different agencies and organizations are very separate, although they have some commonality," Saucedo said. "I have consulted with each of the organizations and all told me there is no conflict of interest. I do not know what credibility can be established with those allegations to even justify continuing this conversation."

As to the accusation that in his role as the chairman of the North Redlands Visioning Committee he had effectively stifled the input of the community in favor of propounding the views of city man-

ager Nabar Martinez and other senior municipal administrators, Saucedo stated, "My action within the scope of my employment is separate from what I am doing with each of these community organizations. I am just a line employee with the city and I don't have a supervisory role. I keep my job and my community activism separate."

Martinez said that "The city attorney has already responded to those questions" relating to a conflict or incompatibility of office pertaining to Saucedo's simultaneous activities as a city employee, a member of the County of San Bernardino Housing Authority, the North Redlands Visioning Committee and as a San Bernardino Public Employees Association representative.

And Martinez said, he had not placed Saucedo onto the North Redlands Visioning Committee as a pro-city management plant to do his bidding.

"That committee was created long before I was hired as city manager," Martinez said. "I came to work in Redlands in April of [20]07 and he [Saucedo] was put on there before that, so unless I can be attributed with powers I don't possess, I had nothing to do with that."

Redlands city attorney Dan McHugh told the *Sentinel* "There is no incompatibility of office to our knowledge because Mr. Saucedo does not hold two appointive offices."

The North Redlands Visioning Committee does not qualify as a municipal entity, McHugh said and the county's housing authority does not fall under the purview of Redlands City Hall either.

"That [the visioning committee is not a committee of the city," McHugh said. "It is a group of residents that have organized themselves. It is a matter he has involved himself in not as an employee. It is done on his own time with a committee or commission that has no relationship to the city."

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ARMC*from front page*

have jeopardized the well being of the patients at the facility and on multiple occasions there has been negligence and malpractice that resulted in severe injury and death. The management team, these whistleblowers allege, has compromised proper oversight of the hospital's administration, by providing political contributions and unauthorized medical care to members of the county board of supervisors.

Specifically, according to Arrowhead Regional insiders, the FBI has picked up on the falsification or hiding of medical records and both state and federal investigators have sharpened their focus on the administrative action of Dr. GnanaDev.

The hospital administration disputes, in fact, that any investigation of Arrowhead Regional or the practices of GnanaDev is ongoing.

"There is no FBI investigation involving ARMC," Valencia told the *Sentinel*. "Dr. GnanaDev is not under any investigation."

GnanaDev owns and controls Arrowhead Regional Surgical Group, Inc., with which the county hospital has a \$1.343 million annual contract for the provision of administrative, supervision, secretarial and directorship services for the hospital's general surgery, including trauma, otolaryngology, burn surgery, oral surgery, neurological surgery, plastic surgery, ophthalmologic surgery and transplant surgery departments. According to doctors and other staff members at the hospital, Dr. GnanaDev not only wrote the contract for his own surgical group, he has his own medical billing company which he utilizes to remove large amounts of money from the operations at the institution.

According to Valencia, "Dr. GnanaDev did not write his surgery group's contract; it was written by the hospital's chief executive officer. Arrowhead Community Surgical Medical Group does its own billing and does not perform billing services for any other medical

group in ARMC."

Doctors at the hospital report that GnanaDev has punished any doctor who refuses to use his billing company by having those doctors' contracts with the hospital terminated.

That report, Valencia said, is "not true. Arrowhead Community Surgical Medical Group does its own billing and does not perform billing services for any other medical group in ARMC."

Doctors and other professionals at the hospital have pointed out that Dr. GnanaDev uses some of the proceeds from his business and work for lobbying and making sizeable contributions both directly and through others to the board members as a means of maintaining control over the board of supervisors.

Valencia did not dispute such reports but said, "Dr. GnanaDev's surgery group is a private entity. Separately, ARMC as an entity does not get involved in political contributions."

Valencia further disputed reports that GnanaDev's billing company's considerable overhead includes salaries paid to members of GnanaDev's family.

"Dr. GnanaDev has indicated that this is not true," said Valencia. "ARMC has no relationship to Dr. GnanaDev's billing company."

The *Sentinel* received a report that several doctors at ARMC brought forth to the medical center's director, Patrick Petre, "a stack" of 40 to 50 cases where there was medical malpractice involving the action of several doctors including those in the obstetrician unit and Dr. Valenzuela. According to one of the doctors, Dr. GnanaDev "went ballistic," saying that he was the Godfather of Arrowhead

Regional Medical Center and he should have been approached with these issues so they could be dealt with.

Another doctor, under an arrangement guaranteeing his/her anonymity, provided the *Sentinel* with the following written statement regarding this matter.

"The anesthesiology group brought a large number of cases (40+) of medical malpractice to the attention of CEO Patrick Petrie. He then turned the information over to Dr. GnanaDev who attacked the doctors who were concerned and did nothing to investigate the alleged malpractice. The large majority of these cases involved the actions of Dr. [Guillermo] Valenzuela, head of the ObGyn department, and physicians in his employ. A number of these cases involved patient deaths. Dr. Valenzuela is Dr. GnanaDev's right hand man and major supporter. Their main concern is monetary gain even if this comes at the expense of the patients. Together, they spin the events where patients are injured into problems with others or the patients themselves. For example, a pregnant trauma patient who was injured in a motor vehicle accident was admitted to the emergency room. She was initially evaluated by a physician assistant working for the Ob department. She was never evaluated by an attending physician. During the course of her emergency room stay the baby was unmonitored for an extended period of time. It was finally discovered that the baby was in distress and an emergency C-section was needed. The patient was rushed to the operating room; however, instead of immediately performing surgery

the attending obstetrician took an extended period of time to do an ultrasound to evaluate the baby. When the decision was finally made to do the surgery the baby was dead and could not be resuscitated. This event and others have gone without any changes to how the physicians are allowed to practice. When physicians make major mistakes it is the job of the medical director to ensure that they are counseled so those mistakes are not repeated. Dr. GnanaDev has stated multiple times that his job as medical director is to protect the physicians. This is completely incorrect. His job is to ensure patient safety and high quality of care. He ignores negligence and malpractice among the physicians at ARMC and has prevented the quality improvement process from improving patient care and disciplining physicians who are negligent."

Hospital staff members have said that there have been no fewer than four patient deaths in the medical center's ObGyn division that were the result of negligence or malpractice and that Dr. GnanaDev, through his domination of Petre, has had such matters "swept under the carpet."

Valencia, while not disputing the number of deaths in the ObGyn division, responded to these assertions by saying that "Any concerns regarding patient care are handled by the medical staff through the peer review process. It is a comprehensive process governed by the bylaws of the medical staff and various other rules and regulations."

With regard to the circumstance involving the pregnant woman injured in a motor vehicle accident whose in-womb child suf-

fered from a low heart rate that went unmonitored for six hours before being still-born after a Caesarian, Valencia said, "ARMC does not respond to questions regarding specific patients because of patient privacy laws."

According to Arrowhead Regional personnel, high ranking county officials, including members of the board of supervisors and former county administrative officer Mark Uffer received treatment at the hospital to which they should not have been entitled. Both Petrie and GnanaDev facilitated this or allowed it to take place to ingratiate themselves with the county's decision makers and benefit themselves and the institution.

According to a written statement from one of the doctor's at Arrowhead Regional, which was provided to the *Sentinel* with an understanding that the author's anonymity would be protected, "In order to maintain total control of ARMC Dr. GnanaDev has needed the support of the county board of supervisors. To maintain their support and to garner their silence he has provided free medical care to board members and their families. It is illegal to provide medical services and not generate medical records. It is also illegal to not bill patients for services rendered. Dr. GnanaDev has done both for county

board members. On two separate occasions Dr. GnanaDev arranged for supervisor Paul Biane to receive MRIs under general anesthesia. Paul Biane got several MRIs under general anesthesia because he is claustrophobic. Per Dr. GnanaDev's specific instructions no records were generated and no bills were sent. This occurred despite the fact that Paul Biane had medical insurance that would pay for the studies at minimal or no cost to himself. Supervisor Biane didn't want it to go into the medical record that he injured his back in Mexico during a trip. On multiple occasions Dr. GnanaDev touted the fact he is the personal physician to a majority of the supervisors and has taken good care of them so they take good care of Arrowhead."

The physician's statement continued, "It is unclear whether the board of supervisors members realized that their insurance companies would not be billed; however, they must have suspected some form of favoritism when they were never asked for a copay and never received a bill. Dr. GnanaDev not only extended free medical care to board members he also did the same for physicians and staff members of Arrowhead. The CEO, Patrick Petrie ben-

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Miller
from page 3

all due respect to the past council people in the audience, I think you are the best councilman this city has ever had, and I thank you."

Terri Lee Robb said, "I used to feel good about living in Grand Terrace. There was transparency and openness. No one had anything to hide because no one was doing anything wrong. I now have nothing but disdain for you, watching the destruction of a man, Jim Miller and his family." This destruction, Robb said, was "enabled by a corrupt and vicious system against a man whose integrity you have all seen. The city council is tainted by its inaction. I expected honor. I expected outrage. Your silence in this case destroys your credibility as trustworthy public figures. It aligns you with a petty, malicious and corrupt district attorney."

Gene Carlstrom, a former councilman, said he "agonized over this for quite some time, lost a lot of sleep thinking about what has happened." He likened Government Code Section 1090 to an outdated "hangman's law."

He called upon the council to reject Miller's resignation.

"I would hope that the council would not accept his resignation," he said.

Bernardo Sandoval voiced his opinion that Mike Ramos had set about to persecute Miller for base political purposes.

es. "Your courageousness in the face of overwhelming circumstance has deeply touched me," he told Miller. "This is a county that does not respect the rule of law. This DA uses the rule of law to create campaign slogans, destroys a good man and proclaims he is protecting the city from corruption."

Sandoval then took up the issue of Cortes' action.

"Bea Cortes, I want to know if it is true that you were the one who reported to the district attorney," he said. "I want to know if it is true. I believe the people have the right to know if it was you or not you. If it was not you I will be the first to apologize. If it was you, that is criminal."

Ann Hornsby said, "Doing the right thing is the most important thing. Jim always did that for us."

Patricia Farley tore into the city attorney.

"You really let me down, Mr. Harper," she said. "We begged somebody to guide our city council. Our city has been seriously damaged with your services. You destroyed his life and cost him thousands of dollars."

Farley suggested that because of Harper's failure to adequately advise Miller and the rest of the council, the city should be liable for Miller's legal costs in defending himself.

"When you do that to someone, the city is obligated to pay his legal

fees. You need to make him whole. This is not justice. As for Mr. Ramos and his integrity unit, I sent him documents that should have really opened eyes. Instead he ignored them. His unit doesn't have anything to do with integrity."

Maria Frazier told Miller, "You and Margie are pillars of the community."

Julie Moyers said she believed "There is some other retaliation going on" unrelated to the facts of the case as they were portrayed by the district attorney's office. Miller "and his family did not deserve to go through this. The Millers are good people," she said, "and their standards are high." Moyers then focused on what Cortes had said during an anniversary party. "What was said about her relationship with Mike Ramos?" she asked.

For her part, Cortes said, "I have always respected Jim Miller." She did not, however respond to any of the questions about her relationship with Ramos or whether she had requested that his office undertake any action against Miller.

"It has been my pleasure to serve our community," said Miller. "Thank you for entrusting me with the honor of being a councilman for Grand Terrace for the past five and a half years and I promise you that I will remain a watchdog for the community I love."

ARMC
from page 5

edited from these free services on several occasions. He received free medical imaging of an orthopedic injury and underwent surgery at Arrowhead despite the fact that this was not covered by his medical insurance. He was never billed for the unpaid charges. When a physician sees a patient and decides not to document or bill for the visit it is very easy to cover up; however, when xrays and other studies are done for free it becomes much more difficult to hide from auditors and people in charge of billing. In many cases the xrays were deleted from the system or placed in the system under false names, making it very difficult to track. In part, that is why the FBI has been out at Arrowhead Regional."

The doctors and staff at the hospital were also forced by GnanaDev to tolerate preferential treatment being provided to former county administrative officer Mark Uffer, the doctor said, including one time when the intrusion exposed several patients to what should have been an unacceptable health risk.

The position of county administrative officer is the highest ranking appointed position in the county governmental structure.

"On multiple occasions, Mark Uffer and his family received free medical care," the doctor wrote. "One occasion happened in the late evening when Mr. Uffer and his son walked into the emergency room via the trauma entrance. They walked into a very busy ER where multiple trauma patients were in the process of being evaluated and treated. He immediately garnered the attention of emergency room personnel including physicians who were caring for the trauma patients. They were taken away

from very critically ill patients to evaluate his son's chicken pox. In the process this exposed everyone in the trauma room - physicians and patients - to a very contagious virus. In a healthy person the virus is very benign; however, if a severely ill trauma patient had contracted the virus it could have significantly worsened his condition. This occurred in 2008."

With regard to the treatment rendered to both Biane, Uffer and Uffer's son, Valencia said, "ARMC does not respond to questions regarding specific patients because of patient privacy laws."

In reference to the failure of the hospital to post bills to Biane, other supervisors or to Uffer, Valencia said, "The medical director isn't involved in patient billing issues."

According to the written statement provided to the *Sentinel* under the pre-arranged condition of anonymity, "Arrowhead Regional Medical Center suffers greatly from a lack of physician oversight and physician presence. A large number of the physicians work outside Arrowhead Regional despite full time contracts with the hospital. This occurs for several reasons. First Dr. GnanaDev removed a clause from the physicians' contracts which prevented full time physicians from working at other hospitals. He also has led by example. As president of the California Medical Association, Dr. GnanaDev maintained his role as medical director and chief of surgery while spending 1-2 days per month at the hospital. He delegated very few of his responsibilities to others. Another reason a large number of physicians work at other sites is that the medical director has allowed the heads of the various medical groups to hold the contracts with the hospital.

Valencia assured the *Sentinel*, "All licensed employees at ARMC practice within the scope of their licenses."

According to doctors currently and formerly practicing at Arrowhead Regional Medical Center, Dr. GnanaDev on multiple occasions prevented the transfer of critically ill patients to Loma Linda Medical Center to receive treatment because he doesn't want to lose money the hospital would receive from that treatment.

This allows these individuals to receive the hospital subsidy money directly. The heads of the individual groups can then pay the physicians who work for them bottom dollar. This allows them to become excessively wealthy while in turn has led to an absence of physician presence and an absence of quality physicians. It is a responsibility of the medical director to audit the contracts with the groups the hospital contracts with to ensure the funds are properly dispersed and that the hospital is getting what they pay for. For example, Dr. Valenzuela keeps the vast majority of subsidy from the hospital for himself. He pays bottom dollar for his physicians whom in turn provide bottom dollar care. This has led to a situation at Arrowhead where it is common for respiratory therapists, nurses, and other personnel to function like physicians throughout the hospital. On a daily basis they are practicing medicine without a license. These very dedicated employees teach the student and resident physicians how to take care of the patients."

Valencia assured the *Sentinel*, "All licensed employees at ARMC practice within the scope of their licenses."

According to doctors currently and formerly practicing at Arrowhead Regional Medical Center, Dr. GnanaDev on multiple occasions prevented the transfer of critically ill patients to Loma Linda Medical Center to receive treatment because he doesn't want to lose money the hospital would receive from that treatment.

One doctor who still works at Arrowhead Regional told the *Sentinel*, "Poor patient care at Arrowhead not only occurs because of a lack of phy-

Continued on Page 7

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ARMC from page 6

sician presence but also because Dr. GnanaDev has an unwritten policy to accept all trauma patients even though Arrowhead is not equipped to handle pediatric and major chest trauma. He has also prevented the transfer of patients to other area hospitals when it will cost Arrowhead money. This has cost the lives of several critically ill patients. In 2008 an elderly patient was admitted with a fractured hip and also had severe aortic stenosis, a heart condition consisting of narrowing of the outlet of the left ventricle that is normally treated surgically. She was denied transfer to Loma Linda University Medical Center by Dr. GnanaDev because it would have cost the hospital money. Instead he had the head of cardiology state that the heart condition was asymptomatic and cleared the patient for surgery at Arrowhead. Despite the objections of the anesthesiology department and the ortho department the surgery took place at Arrowhead. She died less than 24 hours after the surgery was completed."

In general, Valencia insisted, "All transfers of patients to other facilities are handled by the patient's attending physician, not by the medical director."

In reference to the death of the woman suffering from a broken hip and aortic stenosis, Valencia said, "ARMC does not respond to questions regarding specific patients because of patient privacy laws."

Doctors have told the *Sentinel* that Dr. GnanaDev has limited

the revenue being taken into the hospital and then passed through to the county by imposing limits on access to the medical center's facilities in a way that is contrary to the larger public interest. Arrowhead Regional Medical Center has 19 operating rooms. According to doctors practicing out of the medical center, out of those 19 operating room suites only eight are utilized on any given day and, as medical director, Dr. GnanaDev has fought increasing the number of operating rooms used. This, they say, has led to a large backlog of patients who wait for months for their surgeries.

"The problem is so bad that the state cited the hospital for the backlog of orthopedic patients who needed surgery," one doctor told the *Sentinel* in writing. "Despite this citation Dr. GnanaDev has continued to maintain tight control on the OR and the number of rooms running. On several occasions he has yelled at the physicians and nurses in charge of the OR for running too many rooms. The citation of the orthopedic group led to many patients who would have had surgery at Arrowhead to have surgery at a private surgery center run by the orthopedics group. The backlog of patients needing surgery has affected other services as well. The urology clinic has a backlog of over a year for elective surgery. They are barely able to take care of the patients who need surgery for cancer. Somehow this backlog does not affect Dr. GnanaDev and the surgical groups he controls. His physicians have unfettered access to the OR whereas the physi-

cians who don't work for his group struggle. This policy allows him to cancel the hospital's contracts with these surgical groups whenever he feels that they are disloyal or he can add another employee to his own group and increase his own revenue."

Valencia disputed those assertions, saying, "ARMC uses as many operating rooms as needed. The number that is needed isn't determined by the medical director."

Dr. GnanaDev has been criticized for being overly aggressive in seeking to have Arrowhead Regional maintain control of as many trauma patients as possible. To this end, doctors say, he and the chair of the emergency department, Dr. Rodney Borger, have maintained a policy of not going on trauma diversion to divert trauma cases to other area hospitals for higher levels of care. A search of the public record shows that GnanaDev, Borger, other Arrowhead officials and officials with the county hospital in Riverside County, with whom GnanaDev and Borger have been linked, successfully lobbied to have Loma Linda University Medical Center prevented from being established as a pediatric trauma center for the Inland Empire. Arrowhead Regional Medical Center is not a pediatric trauma center and is not equipped to handle trauma care of severely injured children. Dr. GnanaDev believes differently.

"He sees children as mini adults and admits pediatric trauma cases to the adult ICU to be cared for by nurses and physicians who rarely ever take care of children," one of the doctors at Arrowhead

Regional Medical Center said. "It is commonplace for adult trauma doctors to take care of very sick pediatric patients in the [adult] ICU. Having pediatric patients in the ICU in many cases has resulted in injury or damage to patients through improper management and improper care. There have been multiple cases where children with severe brain injuries or other trauma were brought to Arrowhead only to later be transferred to Loma Linda University Medical Center or die at Arrowhead."

Furthermore, Dr. GnanaDev has not allowed the orthopedic surgery department to transfer orthopedic patients to Loma Linda when the resources aren't available in the hospital.

"As a surgeon Dr. GnanaDev himself has done several surgeries on children less than two years of age using adult laparoscopic equipment and other adult equipment on very small children," one doctor told the *Sentinel*.

Valencia said attacks on Dr. GnanaDev alleging he puts profit above safety, utilizes equipment that is not suitable for the operations he or others are performing or does not adhere to professional medical standards are unfounded.

"ARMC follows trauma center protocols as established by the Inland Counties Emergency Medical Agency (local EMS agency), as does the other

trauma center in the county, Loma Linda University Medical Center," he said.

An article that ran in the March 5 edition of the *Sentinel* reporting on the investigation into Arrowhead Regional that contained some of the whistleblowing doctors' allegations about unsafe practices at the hospital, Valencia said, "is inaccurate and contains many unsubstantiated allegations."

The March 5 article inaccurately reported, Valencia pointed out, that Guillermo Valenzuela is president of the county medical society and that GnanaDev is the current president of the California Medical Association.

In actuality, Valencia said, "This is incorrect. Rodney Borger is president of the San Bernardino County Medical Society. Dr. GnanaDev was president of the CMA from October 2008 to October 2009."

Reports that GnanaDev is involved in any form of conflict of interest or being investigated along those lines is also inaccurate, Valencia asserted.

Dr. GnanaDev has performed his duties precisely as directed in his contracts per the San Bernardino County board of supervisors and has never been investigated or found to be participating in any conflict of interest," Valencia said.

And he said Dr. GnanaDev, like the institution at which he is the

medical director, has done exemplary work under circumstances that have been fraught with financial and existential challenges.

"As medical director for 9 1/2 years, he has provided outstanding leadership that has enabled ARMC to establish itself as one of the area's leading health care facilities," Valencia said. "During his tenure, ARMC has received full accreditation from the American Osteopathic Association Healthcare Facilities Accreditation Program as an acute care facility two times, and the medical center's scores in Core Measures, clinical quality measures as established by the Center for Medicare and Medicaid Services, are at or above the national average. Also during Dr. GnanaDev's tenure as medical director, ARMC's trauma center has been verified twice by the American College of Surgeons (ACS), a designation that demonstrates the trauma center has met the highest standards for care of injured patients. ARMC's trauma center is the only trauma center in San Bernardino or Riverside counties currently verified by the ACS. Further, Dr. GnanaDev during his tenure has provided the foresight and expertise that has enabled ARMC to develop and implement several physician residency training programs, including those in internal medicine, emergency medicine, surgery and psychology."

Continued on Page 8

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Southern California Style Classic Can Be Chic

By Grace Bernal

Authentic is a great way to describe classic.

If you've made some smart shopping choices, you've kept clothes you like for a very long time, so practice using them time and again.

It's very important to know yourself and your closet inside out when putting together a classic look. Without going out on a shopping spree, try pulling off a classic look from your very own closet. If not for the office, try it for fun.

Everyone has a few classic pieces in their wardrobe. Yet it's important to know when classic is chic and when it's boring. The most important part of putting a classic look together is giving it your own attitude and adding fashion trends to keep it from being overly conservative. Also stick to pieces that you know you are going to like for a long time. These are just a few pieces that incor-



porate a classic look:

Trousers (black, gray, or brown) can really add that classic chic touch. However, make sure the pants fits well and are not too tight. By adding the pressed crease down the middle, you will give the pants a super chic detail and a bit of tailored masculinity. The blazer (black, gray, or brown), may sound super conservative but can be mixed with jeans, black leggings or a pencil skirt. Adding a blouse (cream), sweater

(gray or black), or button down shirt (preferably white) will help bring together the perfect classic look. A blazer also looks great over an evening gown or cocktail dress. The right little black dress must look pretty with jewelry, belts, and jackets, yet must look prettiest on its own. Shoes for these pieces are as follows: ballet flats, just make sure the toe isn't too round and avoid too much toe cleavage. Very timeless is the classic riding boot (or something similar). The more worn they look the better, and a good pair lasts a lifetime. The ideal classic heel is the pump in black, but try to avoid overt decorations. For extras, try oversized sunglasses and a basic black or brown bag. That's all you'll need.

"The most important thing is to enjoy yourself and have a good time."
-C.Z. Guest

Melodie Scott from page 2

existed of the initial call and this allegation could easily be proven untrue, Leivas backed off this statement, insisting that he only said that Scott had maintained that Phelan "knows where she lives." Phelan had already advised Leivas she was taping the conversation with him.

Phelan states she turned over the record of the

second voice mail left by Scott to investigator Leivas on February 3. This second voice mail was left January 12th, two days after the initial threat. In this message, Melodie Scott inquires as to the "exact physical address" of Phelan.

However, according to investigations clerk Sherri Hunt, all evidence was provided to the district attorney on January 19. Leivas appears to have

neglected to turn over the second voice mail.

Phelan said, "This is an open and shut matter. "Scott left me an explicit death threat, followed up by an inquiry as to where she could find me. I am beginning to wonder what the D.A. is doing with their investigation. One way to shut this down would be to turn the microscope on the victim."

ARMC

from page 7

Valencia continued, "Public hospitals in Los Angeles and Orange counties are struggling to keep their doors opened because of financial difficulties. Taxpayers in those counties are burdened by costs associated with healthcare for indigent patients because their public hospitals rely heavily on county general fund dollars to operate patient care services.

Arrowhead Regional Medical Center, the county of San Bernardino's public hospital, provides health care services to anyone who seeks care, regardless of ability to pay, and does so without burdening taxpayers because it relies on no county general fund dollars for its operations. And ARMC consistently provides high quality care, as indicated by nationally published care standards and quality data."

Yucaipa from page 2

poses to connect to the into the sewer, as a condition of approval, the developer will take on a new reimbursement agreement through the district and be required to pay the agency for the cost of the sewer installation..

According to Bill Hemsley, Yucaipa's director public works, "This is beneficial for the city, because it will prevent developers from cutting into the newly widened section of Yucaipa Boulevard for the sewer in the future.

Since 10-year reimbursement period does not begin until after the sewer is activated, the developer would get the benefit of the full reim-

bursement term. As a result, the agency is not in jeopardy of the 10-year expiration period, and will be guaranteed a full reimbursement"

Hemsley added, "This project also promotes protecting the environment by preventing pollution of groundwater by septic tank effluent once those properties with septic tanks are connected into the sewer collection and treatment system."

The district supported the 3rd Street redevelopment project by installing a new water line in the street that was required for the future senior housing project. The redevelopment agency supported that project in 2009 through efforts to obtain grant funding.

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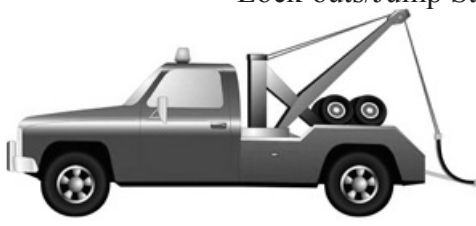
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