



OFFICE OF THE INSPECTOR GENERAL
MONTGOMERY COUNTY MARYLAND

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REPORT OF INVESTIGATION

Tree House Child Advocacy Center of Montgomery County, MD

OIG Publication # OIG-21-007

NOVEMBER 20, 2020

INVESTIGATIVE FINDINGS

needed to report as a violation. The contract monitor acknowledged that in hindsight, someone might question the appropriateness of a Tree House employee using CHESSE⁷ to access confidential information regarding their coworkers, especially given that conducting these checks was not part of the employee's normal work duties.

Compliance with contract requirements related to conducting DHHS Background Investigations

The County's contract with Tree House also requires that they comply with the DHHS Background Investigation policy.⁸ Generally, the policy requires that contractors conduct a background investigation for everyone that holds a position within a Vulnerable Population Program funded by a DHHS contract. DHHS requires that investigations be repeated every five years.⁹ Additionally, the policy requires that the contractor maintain a tracking spreadsheet that contains the status of each employee's background investigation.

The contract monitor noted on DHHS Program Monitoring Review Forms for 2018, 2019, and 2020, documentation in employee files showed that background investigations were conducted.

However, when the OIG requested a copy of the background investigation tracking spreadsheet, the Director of Operations stated that she did not have one and was unaware of this requirement. Based on our discussions with the Director of Operations and our review of the DHHS Program Monitoring Review Forms, it does not appear that Tree House has a mechanism in place to track the status of employee background investigations or alert staff when a reinvestigation is due.

Other Findings and Observations

The OIG was notified on September 23, 2020, by the complainants' representative that three of the complainants were terminated from their employment with Tree House. The representative alleged that the terminations left 40 children "abandoned and left alone" and with no psychologists on staff to take over the caseloads. We discussed both issues with Tree House and DHHS management. We learned that approximately 27 clients were affected by the terminations. We were told that every family was called directly and told their therapist no longer worked for Tree House. Some clients were reassigned internally right way. Others were

⁷ CHESSE has been replaced by a new system called Child Juvenile & Adult Management System (CJAMS). The Tree House employee does not have access to CJAMS

⁸ See County contract 1100369 Part III Quality Assurance, Section C.

⁹ DHHS states that the investigations are required only once every 5 years for a workforce member unless there is a break in employment of greater than 120 days.

offered a choice to be referred to another provider free of charge or continue with Tree House and potentially have to wait for a therapist to become available.

With respect to the complainants' terminations, we learned that the Director of Operations made the decision in consultation with the Tree House Board Chair and Tree House counsel. The Director of Operations asserted that the terminations were precipitated by letters and emails sent to funders and a number of government officials outlining allegations against Tree House. The Director of Operations and Board Chair explained that they believed the complainants' outreach was intended to do damage to Tree House by reducing funding. They contended that the Board and DHHS were actively taking steps to investigate the allegations and therefore communications with funders was unnecessary and potentially damaging to their organization's reputation.

The Director of Operations surmised that the complainants sent letters and emails to all the organizations named by their representative in a letter to the Tree House counsel in early September. In that letter, the representative vowed to send complaints to several Federal, State, and County agencies if Tree House did not withdraw the former Mental Health Director's termination and instead allow the Director to resign. The OIG and County Council were included on the list.

Section 2-151 of the Montgomery County Code provides that an employee, contractor or subcontractor with the County must not be retaliated against, penalized, threatened with retaliation or penalty, for providing information to, cooperating with, or in any way assisting the Inspector General. The statute designates such retaliatory actions as Class A violations.

After examining the issue, we were not able to substantiate that the complainants were terminated for providing information or cooperating specifically with the OIG.