

IN THE CIRCUIT COURT OF THE NINTH  
JUDICIAL CIRCUIT, IN AND FOR  
ORANGE COUNTY, FLORIDA.  
CASE NO.: 2009-CA-019445-O

Adventist Health System,  
Counter Defendant, Plaintiff

Judge Kest

vs.

Patricia L. Moleski,  
Counter Plaintiff, Defendant

\_\_\_\_\_/

Whistleblower - Patricia Moleski  
38340 Tamarac Blvd. #210  
Willoughby, Ohio  
44094  
1-877-497-8230  
5 Pages

Office for Civil Rights  
U.S. Department of Health & Human Services  
61 Forsyth Street, SW. - Suite 3B70  
Atlanta, GA 30323  
(404) 562-7881 FAX

United States Attorney General - Eric Holder  
United States Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC  
20530-0001

To Whom It May Concern,

On April 8, 2009, I became an informant for the Federal Bureau of Investigation (FBI) at the Maitland Florida offices until January 9, 2010. Operating under the direction of the FBI, I reported incriminating information concerning the purported false claims of my then employer of six years in the corporate office of Risk Management in Winter Park, Florida under Adventist Health System (AHS).

Possible FBI records of this evidence (which can be applied to the false claims of the AHS in the areas of Meaningful Use Attestations) are presently under litigation hold in the above cited court case and controlled by Judge Marshall Kest, Orange County Courthouse CA2009-019445-O.

A Whistleblower Disclosure Statement was delivered to Assistant United States Attorney, Sandra W. Diesler,, on June 17, 2009 (File No. 00454-01724), by attorney Tobe M. Lev, from Egan, Lev and Siwica P.A. The Whistleblower Disclosure Statement, submitted by Patricia Moleski, followed her report to - The Global Compliance Hotline filed March 17, 2009 at 11:45am, Report No. #AH-09-03-0001 at 1-888-823-8433.

Other Government Reports include:

- Florida Agency for Healthcare Administration, Chief Inspector General: CIG 20102230005 Office of Inspector General: OIG 10-029
- Office of the Governor Chief Inspector General Case No. 201002230005
- Attorney General Medical Fraud Unit State of Florida: 20100223005
- Occupational Safety and Health Administration – OSHA Case No. 4-2950-09-059, Activity No. 1727429, filed on July 30, 2009.

The Respondent reported public health and safety violations, HIPPA violations, Florida Hospital Violations, as well as violations of State and Federal laws regarding the overdose of patients and how AHS did not notify those patients, or government authorities, Adventist Health System management accessing patients medical records violating HIPPA regulations, safety issues regarding its Electronic Medical record and how it is causing patient overdose which is a public health and safety violation across ten different states. The Respondent followed State, Federal and the Florida Hospital Association Law listed below:

- FHA-Florida Hospital Association Law: 456.0575 Duty to Notify Patients
- FHA- Florida Hospital Association Law: 39.201 Mandatory report of abuse, neglect, or exploitation of vulnerable adults; mandatory reports of death
- HIPPA: 164.512(j) Disclosure
- FHA- Florida Hospital Association Law: 395.1012 Patient Safety- Mandatory report of any Patient Safety Issue
- FHA - Florida Hospital Association Law: 397.501 Rights of Clients – Patient right to know

The Respondent, Patricia L. Moleski, is in route to file an injunction with the United States Federal Court in the Middle District of Florida to stop the lower tribunal court from gaining access to any records within a box currently in its possession at the Orange County, FL

courthouse evidence vault, as it pertains to her Whistleblower Disclosure Statement submitted to the AUSA in Orlando on June 17, 2009, and protected under the State and Federal Whistleblower under The False Claims Act – 31 U.S.C 3730(h) & 30 U.S.C. 3730(h) and Florida State Laws - s. 112.3189(1), s. 112.3187, s. 216.011 and the Florida Whistleblower Act: F.S. 448.102.

The Respondent seeks a Federal Injunction to have this box transported to the Assistant United States Attorney, Sandra Diesler to be appended to the previously submitted Whistleblower Disclosure Statement and then forwarded to the Medical Fraud Unit in Orlando at the Attorney General's office 135 W Central Blvd #1000 Orlando, FL 32801-2437 (407) 999-5588. Upon arrival within the Medical Fraud Unit of the Attorney General's office, the Respondent, Patricia Moleski, will then file the proper suit within the United States Middle District Court of Florida. In addition, the Respondent will file a Motion for Removal of the current case from State to Federal Court.

AHS is suing the Respondent for alleging violating the scope of her job responsibilities and is now pressing for the destruction of the records cited above. Adventist Health System is bullying the Respondent and harassing her for her report to the FBI, Office of Inspector General, and other government agencies listed within this letter. The Respondent initially reported this on March 19, 2009 and Adventist Health System retaliated against her by filing a lawsuit three months later in June of 2009.

In Moleski's Whistleblower Disclosure Statement to the AUSA she reported numerous violations regarding overdoses of patients and AHS executives ordering her to delete, alter, and manipulate records regarding patient death and overdose to limit legal liability as in the case of an overdose and suicide where a patient committed suicide by jumping off of the seventh floor parking garage of Florida Hospital, after he received an overdose of medication. After the Respondent refused to delete the information, AHS executives became hostile and mistreated her by suspending her.

The Respondent also discovered that the Adventist Health System Risk Assistant Director was illegally accessing confidential patient records with two different Cerner user ID's and then telling the Respondent to delete the attached claim record regarding the overdose or adverse event. The Respondent also reported a glitch within the EMR Cerner causing patient overdose.

After Moleski reported these incidents she has been harassed and her life has been threatened by the torching of her car and her house getting shot into while the bullet missed her head by five feet. These incidents have been documented through police agencies, but AHS and its attorneys continue to harass and violate her Whistleblower rights through legal manipulation and bullying tactics.

This letter notifies your office that these records document the submission of hundred (if not thousands) of false claims made by the AHS – Adventist Health System within the department of Risk Management. It also notifies your office of the deletion of Workers Compensation Claims and Patient Adverse Records.

I request your intervention to delay, postpone and/or cease the attempt by AHS to seize these records for the purpose of destroying this evidence and possible FBI notes and evidence under the False Claims Act and State Whistleblower Act through their case filed:

IN THE CIRCUIT COURT OF THE NINTH  
JUDICIAL CIRCUIT, IN AND FOR  
ORANGE COUNTY, FLORIDA  
Judge Kest – Division 34  
Case: CA2009-019445-O

Sincerely,

Patricia Moleski – Respondent  
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Patricia Moleski /S/

Copies furnished:

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