

Inflated Credentials Led Nebraska DHHS Official To Resign

LINCOLN, Neb. — The sudden resignation of a Nebraska Department of Health and Human Services administrator was spurred by state officials' discovery that she had inflated her academic credentials, a department spokeswoman said Wednesday.

Yolanda Webb left voluntarily on Sept. 9, a little more than a week on the job, following a background check that found discrepancies on her application, spokeswoman Kathie Osterman said. Webb had been appointed director of the state's Developmental Disabilities division at a salary of \$142,500.

The new details about Webb's resignation were revealed in emails and other documents released Wednesday by the department. The reason behind Webb's resignation was first reported by the *Omaha World-Herald*.

Osterman said Webb claimed on her resume that she had received a doctoral degree from Union Institute & University, but in her cover letter she said she was still working on the degree. The governor's office relied on the resume for a news release about Webb's hiring and allowed her to review the announcement, but she didn't correct the inaccuracy, Osterman said.

Webb submitted her resignation to Gov. Pete

Ricketts on Sept. 9, a few days after human resources discovered she was still technically enrolled in the graduate program but had not signed up for any classes. Webb, who started the job on Aug. 31, said in her resignation letter that she had decided to go in a new direction, but did not elaborate.

In a Sept. 4 email, DHHS human resources administrator Alex Garcia shared the inaccurate information with Sharon Pettid, the state's chief human resources officer. The email also noted two lawsuits against Webb, one filed by an Ohio video production company accusing Webb of writing a bad check in which she was ordered to pay about \$4,100, and a tax lawsuit filed by the city of Cincinnati that was later dismissed.

"Thank you for bringing this to my attention," Pettid wrote in her reply. Pettid forwarded the message to the governor's chief of staff and DHHS' CEO.

Webb, of New Orleans, had been the executive director and CEO of the Metropolitan Human Services District, the planning and public policy body for several Louisiana parishes.

Courtney Miller, a deputy director in the Nebraska department's Division of Medicaid and Long-Term Care, will fill in until a new person is hired.

SD Officials, Inmates Group Adjusts Ceremonial Tobacco Policy

DIRK LAMMERS

Associated Press

SIoux FALLS — Attorneys for the South Dakota Department of Corrections and an organization of Native American inmates have agreed to some policy changes, which will make it easier for inmates to get tobacco for Lakota religious ceremonies.

U.S. District Court Judge Karen Schreier ruled in 2012 that the prison system's ban on tobacco in religious ceremonies substantially burdened Native American inmates' religious rights and ordered the parties to come up with a less restrictive policy. The state had argued that ceremonial tobacco inside the state penitentiary was increasingly abused.

Under the original agreement, tobacco mixtures had to be brought in only through volunteers approved by the Department of Corrections. But under last week's amendment, Native American inmates can purchase tobacco from a downtown Sioux Falls smoke shop and have it shipped directly to the prison,

where it can be mixed by designated department staff.

"They use this mixture several times a day, so getting volunteers to bring the mixture in was just very, very difficult to have any kind of regular schedule," said the inmates' attorney, Pamela Bollweg.

Corrections Secretary Denny Kaemingk said the department is committed to providing all inmates with the ability to freely exercise their religion while ensuring the safety and security of both inmates and staff.

The state's prison system went tobacco-free in 2000 but made an exception for tobacco used in Native American ceremonies. Officials in October 2009 eliminated that exemption, saying tobacco was being sold or bartered and inmates had been caught separating it from their pipe mixtures and tobacco ties, which embody a small amount of tobacco in cloth.

Members of prison-based Native American Council of Tribes sued, saying the policy change violated their constitutional rights that ensured no

prisoner be penalized or discriminated against for their religious beliefs or practices.

Inmates Blaine Brings Plenty and Clayton Creek argued that for Native American prayer to be effective, it must be embodied in tobacco and offered within a ceremonial framework. The inmates' position was bolstered by a brief filed by the Justice Department, which said the state's position ran contrary to the Religious Land Use and Institutionalized Persons Act and U.S. Supreme Court precedent. The state appealed Schreier's ruling, but the 8th U.S. Circuit Court of Appeals upheld the decision in 2014.

Bollweg said the parties also agreed to remedy a disagreement over the location of powwows, which will once again be allowed in either the penitentiary's gymnasium or visiting room. An inmate had complained that limiting the powwow to only the visiting room, which is smoke-free, essentially prevented the use of tobacco during the ceremonies.

Judge Gives Win To Opponents Of Planned Egg-Laying Operation

PARKER — A judge has struck down Turner County's zoning ordinance, providing at least a temporary victory for opponents of a large egg-laying operation planned near Parker.

Sioux Falls-based Sonstegard Foods plans to put 6 million birds on a farm 2½ miles from Parker, but opponents believe that's too close and will cause problems such as odor. They sued in February, contending the County Commission approved new zoning regulations without proper public notice or input from county planners.

Judge Tim Bjorkman on Tuesday sided with the opponents, saying their rights had been violated, the *Argus Leader* newspaper reported.

The manner in which the new rules were adopted "contravened basic notions of due process and the specific dictates of South Dakota law by depriving property owners and the public of a meaningful opportunity to be heard as to the business its government was considering," Bjork-

man wrote in his ruling.

Opponents' lawyer Mike Schaffer said he was pleased with the decision, "but it's unfortunate that my clients had to incur the expense of a lawsuit when the commissioners should have followed the law in the first place."

Commissioners believe they did follow the law, and

both they and the company have the option of appealing Bjorkman's ruling. The commission also could revisit the same ordinance with more public notice and input and ultimately adopt it again, though any such decision could be referred to a public vote.

Sonstegard officials have

said they're designing a facility to minimize odor, and that the chicken farm will create more than 150 jobs. It would have 10 barns, two dry manure buildings, a processing plant and a feed mill, and would buy grain from local farmers and sell them manure for fertilizer.

Man Pleads Guilty To Bilking \$14M From NE Medicaid

LINCOLN, Neb. — A Lincoln pharmacist accused of defrauding Nebraska's Medicaid program out of \$14.4 million pleaded guilty Tuesday to health care fraud.

Scott Tran, 44, owner of Tran Pharmacy, submitted hundreds of false claims for a solution used in inhalers for cystic fibrosis patients in the names of his customers' children, according to prosecutors. Tran submitted 399 claims for reimbursement between May 2009 and February 2015, stating they had been ordered by six Lincoln-area doctors identified only by their initials, documents show.

Assistant U.S. Attorney Alan Everett said he would dismiss 17 other counts against Tran if he pleaded guilty to one count of health care fraud. If the judge agrees to the plea agreement when Tran is sentenced in January, he faces eight to 10 years in federal prison on the charge, the *Lincoln Journal Star* reported.

Tran also agreed to pay more than \$14.4 million in

restitution as part of the plea agreement. In order to pay that amount, he forfeited his right to cash and property seized early in the investigation.

The government could recoup just under \$3 million from the sale of Tran's Omaha home, Lincoln pharmacy, bank accounts, stocks and life insurance policies, Everett said.

Most of the money Tran received from filing false claims was spent gambling at two casinos in Council Bluffs, Iowa, defense attorney Clarence Mock said.

"All of Mr. Tran's conduct stems from an inveterate gambling addiction that he just couldn't control," he said.

The FBI determined that Tran had wagered more than \$11 million since 2006 at Harrah's and Horseshoe Casino, Everett said. Tran spent more than \$800,000 at the two casinos from Dec. 1 to Feb. 27 alone, he said.

On Tuesday, the judge also told Tran he likely will be barred from working as a pharmacist.

Schools

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continue to bring into our schools for staff and students," he added.

Ways of improving safety measures are always open for discussion.

"At a special school board meeting on Tuesday night, we discussed as one of our main concerns with facilities is providing a safe place for students, staff and visitors,

which will be a focus area during the comprehensive facilities study," said Kindle.

Making this a priority will ensure that future generations of students and teachers can continue to attend schools feeling secure that they are in a safe place.

"We certainly extend our thoughts and concerns to the Harrisburg School District, their staff, students, parents and Mr. Lien," Kindle said.

Follow @ReillyBiel on Twitter.

Pipeline

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"We're going to simulate an incident on the liquids pipeline, and that would be crude oil," he said. "The exercise will be an exercise in coordination with local responders, these contract agencies and our own people to contain the liquid."

He added that people may spot some conspicuous elements of the exercise.

"People might see some craft on the river deploying devices that would be used in a liquid spill," he said.

Dodson said these types of exercises happen once per year in each TransCanada region for the purpose of training responders inside and outside of the company.

Entities involved in the Yankton field exercise include the Environmental Protection Agency

Pipeline, the Hazardous Materials Safety Administration, South Dakota Department of Environmental and Natural Resources, Yankton County Emergency Management, Yankton Fire Department, Cedar County Emergency Management and contractors The Response Group, National Response Corporation, Burns and Mc-

Donals, Focus Wildlife, Cotton Logistics and iWorkWise.

Dodson said field exercises are important for preparedness.

"You can't just get it out of the book," he said "You've got to actually get out there and do it. One of the things that we really test in these exercises is communications, because our experience had been that communication is vital to an efficient response."

Dodson said in addition to field exercises, training for incidents is constant and ongoing for each employee.

"We have 6,000 employees at TransCanada across North America," he said. "We operate tens of thousands of miles of pipeline and most of them are centrally operated from control centers that are manned 24 hours per day by trained specialists. ... You have to be what's called 'OQ' —operator qualified — and that means, not only do you have to have proficiency, but you have to demonstrate that you have continued proficiency. We have a training program, in addition to these field exercises, that is ongoing for each individual."

Follow @RobNielsenPandD on Twitter.



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Multi Family Rummage & Bake Sale Fundraiser
Friday, October 2nd, 9:00am - 6:00pm
Saturday, October 3rd, 9:00am - 2pm
Kiwanis 4-H Grounds, 901 Whiting Drive Yankton, South Dakota
Great bargains for all ages!
Furniture, linens, kitchenware, home decor, collectibles, books, toys, clothes, household items, and much more.
All proceeds benefit the youth programs of the Yankton Area Ice Association

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Pancake Breakfast
Pancakes, French Toast, Eggs, Bacon, Sausage, Biscuits & Gravy
\$7.00 All You Can Eat
Children 6-10 \$4.00 · Under 5 free
Everyone Welcome!
Sunday, Oct. 4 8AM-12:30PM
VFW Post 791
209 Cedar, Yankton • 665-3562

VFW
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OPEN TO THE PUBLIC
Sunday
5-7pm Cooks Choice
Thursday
5-7pm – Domestic Beers **\$1.50**
5-7pm – Hamburger/ Pizza Burger & Fries **\$5.00**
Friday
Apple Glazed Pork Chop
Serving 5:30-8:00
Saturday Entertainment
No Band
Regular Menu 5:30-8:00
Bingo Wed. at 7:00p.m.
Sunday at 6:30p.m.
Happy Hour M-F 4:30-6:00
Chislic Served Last Wednesday of Month

YANKTON ELKS LODGE #994 HUNTERS SPECIAL!
12 Guns & A Bow To Be Given Away!
TUESDAY, OCTOBER 20, 2015 (Need Not Be Present To Win)
Choice of Prime Rib Dinner – Serving 6-8:30pm – **\$60** per ticket
Door Prizes, Guns Bow • Drawing Starts at 8PM
Live Auction of Additional Items throughout the night!
MUST HAVE HUNTER'S FEST TICKET TO ATTEND AND EAT! Better than 1 in 25 chance to win!
Consolation Gun Drawing (MUST BE PRESENT TO WIN)
Contact the Yankton Elk's for Advance Tickets, 665-3333

Don't Miss This!! Bazaar
At Tabor ~ St. Wenceslaus Parish
Sunday, October 4, 2015
Chicken • Dressings • Dumplings • Sauerkraut
• Mashed Potatoes & Gravy • Vegetable & Fruit Salad
• Rolls • Kolaches • Desserts
SERVING 3:00-7:00PM
BESEDA HALL (Air Conditioned)
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