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**Statement from Shaw, Bransford & Roth P.C. on
MSPB Decision Vindicating Sharon Helman of the Public Allegations of Wait Time Data
Manipulation, Patient Appointment Backlog Mismanagement, and Whistleblower Reprisal**

For Immediate Release
December 24, 2014

Washington, D.C. – On Monday, December 22, 2014, an Administrative Judge of the Merit Systems Protection Board (MSPB) issued a decision that vindicated former Phoenix VA Health Care System Director Sharon Helman of the public allegations against her, finding that the U.S. Department of Veterans Affairs (VA) failed to prove its allegations that Ms. Helman committed misconduct related to wait time data manipulation and patient appointment backlog mismanagement, the decision also did not find that Ms. Helman committed whistleblower reprisal.

Although the VA has allowed allegations against Ms. Helman and her colleagues – that they manipulated wait time data at the Phoenix VA to increase the size of Ms. Helman's performance award, and that Ms. Helman retaliated against whistleblowers – to take hold and to propagate in the national media, the VA never asked or instructed Ms. Helman to sit for any interview regarding any of those public allegations. Moreover, the VA's Office of Inspector General chose not to interview (or ask to interview) Ms. Helman for either its interim or final report on the Phoenix VA, Ms. Helman's requests to speak to the Administration and to the media were denied, and the VA refused to rebut the public allegations on her behalf. In so doing, the VA knowingly made Ms. Helman (and her fellow career civil servants working at the Phoenix VA) bear the brunt of the contrived political outrage, despite its knowledge the public allegations against her lacked merit.

Then, in a political act that undermines America's 131-year-old apolitical civil service, VA Deputy Secretary Sloan Gibson removed Sharon Helman from her position as Director of the Phoenix Veterans Affairs Hospital Care System and from the federal civil service, effective November 24, 2014.

By removing Ms. Helman from her position and from the federal civil service, the VA hoped the American public would accept its preferred storyline (that blames the career workforce out in the field for hiding Veterans' access problems) and stop asking questions. But the MPSB's decision sets the story straight. Sharon Helman did not kill veterans. Sharon Helman did not manipulate wait time data. The VA's preferred storyline has been proven a fabrication, of which the VA was aware the entire time.

Ms. Helman's previously unblemished career and reputation were destroyed for political purposes, and the public deserves to know why. The MSPB decision on Ms. Helman's appeal is a start.

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