COMMONWEALTH OF PENNSYLVANIA

Lori A. Miller	:	State Civil Service Commission
	:	
v.	:	
	:	
Lycoming-Clinton County Joinder Board, Department of Human Services	:	Appeal No. 31725

Pro Se	Jonathan L. Dewald
Lori A. Miller	Attorney for Appointing Authority

ADJUDICATION

This is an appeal by Lori A. Miller challenging her removal from regular County Caseworker 2 (Local Government) employment with the Lycoming-Clinton County Joinder Board, Department of Human Services. A hearing was held on April 21, 2026, via video, before Commissioner Gregory M. Lane.

The Commissioners have reviewed the Notes of Testimony and exhibits introduced at the hearing. The issue before the Commission is whether the appointing authority established just cause for appellant's removal

FINDINGS OF FACT

1. On November 7, 2025, appellant received her removal notice from regular County Caseworker 2 (Local Government) employment with the appointing authority. Comm. Ex. A; N.T. pp. 51, 91, 123; AA Exs. 1, 2.

2. The November 7, 2025, removal notice provided the following in support of the disciplinary action:

> **Description of the Charged Offense:**
>
> - Failure to meet job performance standards.
>
> **Elements of Substantiation**:
>
> You became a Caseworker 2 Intake Specialist in the Administrative Entity (AE) Unit on 8/1/2021. You were on a three (3) month Performance Improvement Plan (PIP) on October 18, 2024 (Attachment C), that formalized procedures to ensure all steps of the intake process were followed. Subsequently, you received written warning regarding your performance on July 28, 2025 (Attachment D) and were placed on an additional three (3) month PIP (Attachment E). Minimal progress was made during the duration of the PIP. In the final three (3) days of the plan, you provided a substantial amount of information that was originally due on 8/29/25. This submission required additional time for review before determining next steps.
>
> During the meeting held on November 3, 2025, you stated that blank fields on the intake spreadsheet indicated that the corresponding information was unavailable.
>
> A review of the submitted information revealed 161 outstanding referrals, some dating back to 2022. The requirements and expectations of your

position include tracking, monitoring, and following up on referral to determine eligibility or ineligibility within a reasonable time frame. Majority of the outstanding referrals lacked information, contained incomplete information, or had not been appropriately follow-up on. A breakdown of referrals from 2022-2025 is found below.

	2022	2023	2024	2025	Total
Total Referrals	11	36	53	108	208
Open/Determined Eligible Closed/Determined Ineligible	0	2	2	8	12
No Determination/ Outstanding	1	4	5	25	35
No Initial Call	10	30	46	75	161
No Letter w/ Release Sent	3	14	17	33	67

Comm. Ex. C; N.T. p. 176; AA Ex. 19; Ap. Ex. 10.

3. The appeal was properly raised before this Commission and was heard under Section 3003(7)(i). Comm. Ex. C.

4. Appellant was employed by the appointing authority as a County Caseworker 2 (Local Government) assigned as an Intake Specialist for the agency's Administrative Entity. N.T. pp. 33-34, 114.

5. Appellant's responsibilities included independently making eligibility determinations for individuals, families, and third parties who sought intellectual disability and autism services, collecting and safeguarding sensitive protected health information and documentation to assist in the intake and referral process, and maintaining her intake and referral spreadsheet. N.T. pp. 33-35, 81, 114-116, 183.

6. Deputy Intellectual Disabilities Administrator April Shimel directly supervised appellant and oversaw appellant's work performance from June 2023 to May 2025. N.T. p. 32.

7. In September 2024, appellant shared protected health information to a provider without obtaining the individuals' consent or release of their information. N.T. pp. 35, 111.

8. Administrative Officer 3 Emma Thompson reviewed three month's of appellant's work related to safeguarding protected health information and discovered appellant shared sensitive health information without permission five times. N.T. pp. 111-112; AA Ex. 3.

9. On September 9, 2024, appellant received a written warning and a two-day unpaid suspension for violating HIPAA and the Lycoming-Clinton Joinder Board Acceptable Use and Confidential Policy, and Section 4.3 Confidentiality in the Joinder Board's Personnel Policy. N.T. pp. 35-36, 111; AA Ex. 3.

10. On September 24, 2024, appellant received a Performance Improvement Plan (hereinafter "2024 PIP") to complete within a ninety-day timeframe. N.T. pp. 38, 112-113; AA Ex. 4.

11. Appellant's 2024 PIP outlined the following steps for her to complete: 1) complete HIPAA training; 2) consistently obtain written releases and verify the validation of a written release according to the release's effective date, prior to releasing

confidential or protected client information for every request; 3) retain copies of all client releases; 4) only use verbal releases during emergent circumstance and document with a date and time stamp prior to releasing protected or confidential information; 5) identify triggers that result incorrect quick decision making (e.g. skipping crucial step) and workarounds/ways to manage each; 6) develop a repeatable document process for intake; and 7) seek guidance when needed. AA Ex. 4.

12. On September 24, 2024, appellant signed and agreed with the 2024 PIP's steps and affirmed to seek assistance. AA Ex. 4.

13. During the 2024 PIP, Shimel met with appellant on October 18, 2024, November 15, 2024, and December 17, 2024. N.T. pp. 39-40, 69; AA Ex. 5.

14. After the ninety-day timeframe, appellant completed her 2024 PIP's listed action items. N.T. p. 39; AA Exs. 4, 5.

15. On December 17, 2024, appellant met with Shimel and presented her new system for intakes and referrals, which included a new spreadsheet to maintain and organize her assigned intakes and referrals. N.T. pp. 39-40; AA Exs. 4, 5.

16. In May 2025, County Program Specialist 2 Rebecca Smith became appellant's direct supervisor and oversaw appellant's work performance until appellant's removal. N.T. pp. 32, 80.

17. Smith observed appellant consistently having confusion regarding the intake and referral process, what information and documentation was required, and what qualified an individual as eligible for intellectual disability or autism services. N.T. pp. 82-83.

18. On July 28, 2025, appellant received a written warning. Specifically, Shimel and Smith were reviewing information in appellant's absence and discovered appellant's spreadsheet was incomplete, the intake and referral folders in the appointing authority's server were not updated, and her

assigned individuals, who were not eligible for services, were not identified and not offered alternative services. N.T. pp. 41-43, 83-84; AA Ex. 6.

19. On July 28, 2025, Shimel, Smith and appellant met to discuss appellant's performance deficiencies and steps to remedy her performance errors. N.T. p. 84.

20. On July 28, 2025, appellant received her second Performance Improvement Plan (hereinafter "2025 PIP") to be completed within a ninety-day timeframe. N.T. pp. 43, 84, 86, 117; AA Exs. 6, 7.

21. Appellant's 2025 PIP outlined the following steps to remedy appellant's performance deficiencies: 1) organize and update the intake and referral folders on the server; 2) ensure any outstanding denial letters to individuals who have been determined ineligible for ID and autism services were completed; 3) implement and utilize the updated intake and referral spreadsheet; 4) review any updated guidance to determine eligibility for individuals being referred for services; 5) present

herself in a professional manner in all settings; and 6) submit and discuss her weekly schedule. N.T. pp. 86, 117, 178, 181; AA Exs. 6, 7.

22. Smith conducted appellant's 2025 PIP. N.T. pp. 84.

23. During the 2025 PIP, Smith met with appellant every Monday to review appellant's calendar to help manage appellant's assignments and to answer appellant's questions. N.T. pp. 44, 88-89; AA Exs, 6, 7.

24. During the 2025 PIP, Smith met with appellant on a biweekly basis to review appellant's progress and assist appellant in the intake and referral process. N.T. pp. 85, 88-89.

25. During the 2025 PIP, appellant received a basic spreadsheet that only contained relevant information for her to easily use through the intake and referral process. N.T. pp. 45-46; AA Exs. 6, 7.

26. At the conclusion of the 2025 PIP, appellant's spreadsheet was incomplete and the information presented to support her spreadsheet entries was unavailable. N.T. p. 45; AA Ex. 7.

27. At the conclusion of the 2025 PIP, appellant submitted a large quantity of work along with a revised intake and referral spreadsheet that required additional review. N.T. p. 90.

28. On November 3, 2025, Shimel, Smith, and Administrative Officer Emma Thompson met with appellant to discuss the ongoing concerns with her failure to meet her 2025 PIP. N.T. pp. 47-48, 89-90; AA Ex. 8.

29. On November 3, 2025, appellant received a three-day unpaid suspension for failing to complete her second PIP. N.T. pp. 47; AA Ex. 8.

30. After the November 3, 2026 meeting, Smith requested additional time to review appellant's submitted work and intake and referral spreadsheet before any further decisions were made. N.T. p. 90.

31. Thompson and Smith reviewed appellant's submitted work and appellant's intake and referral spreadsheet. N.T. pp. 91, 121-122.

32. Based upon the review of appellant's intake and referral spreadsheet and uploaded information, Thompson and Smith discovered that appellant had

over 161 outstanding referrals, which were assigned to her but never opened dated back to 2022. N.T. pp. 50, 122-123.

33. As a result of the 161 outstanding referrals, individuals never received intellectual disability or autism services. N.T. pp. 50, 92.

DISCUSSION

The issue in the present appeal is whether the appointing authority established just cause for appellant's removal from regular County Caseworker 2 (Local Government) employment. Specifically, the appointing authority charged appellant with failure to meet her job performance standards. Comm. Ex. A. In an appeal challenging the removal of a regular status employee, the appointing authority bears the burden of proving just cause for the removal and must prove the substance of the charges underlying the removal. *Long v. Commonwealth of Pennsylvania Liquor Control Board,* 112 Pa. Commw. 572, 535 A.2d 1233 (1988). Factors supporting the just cause for removal of a civil service employee must be related to the employee's job performance and touch in some logical manner upon the employee's competency and ability to perform her job duties. *Woods v. State Civil Service Commission,* 590 Pa. Commw. 337, 912 A.2d 803 (2006).

In support of its case-in-chief, the appointing authority presented the testimonies of Deputy Intellectual Disabilities Administrator April Shimel,[1] County Program Specialist 2 Rebecca Smith,[2] and Administrative Officer 3 Emma Thompson.[3] In response, appellant testified on her own behalf and presented the testimony of Emma Thompson.

The focus of this appeal is whether appellant failed to meet her job performance standards. As a County Caseworker 2 operating as an Intake Specialist in the agency's Administrative Entity, appellant's most important responsibilities are to independently make eligibility determinations for individuals seeking intellectual disability and autism services, safeguarding sensitive information, and maintaining her intake and referral spreadsheet. *See* Finding of Fact 5. On July 28, 2025, appellant received a written warning based upon her failure to maintain her intake and referral spreadsheet accurately, her failure to update intake and referral folders, and her failure to notify individuals who were not eligible for services. *See* Finding of Fact 18. After receiving her written warning, the appointing authority issued a Performance Improvement Plan (hereinafter "2025 PIP") for appellant to

[1] Shimel is employed by the appointing authority as a Deputy Intellectual Disabilities Administrator. N.T. p. 29. Shimel is responsible for directing and overseeing the ID and autism operations, programs, and services for Lycoming and Clinton Counties. N.T. p. 32.

[2] Smith is employed by the appointing authority as a County Program Specialist 2. N.T. p. 76. Smith's responsibilities include overseeing incident and quality management as related to individual and service providers in Lycoming and Clinton County. N.T. pp. 79-80. Smith directly supervised appellant from May 2025 until appellant's removal. N.T. p. 80.

[3] Thompson is employed by the appointing authority as an Administrative Officer 3. N.T. p. 108. Thompson serves as the Human Resources Director. Her responsibilities include overseeing human resource functions and being the HIPAA Privacy Officer and the Compliance Officer. N.T. p. 109.

complete within ninety days. County Program Specialist 2 Rebecca Smith, who directly supervised appellant, conducted appellant's 2025 PIP. *See* Findings of Fact 16, 17, 20, 22.

Appellant's 2025 PIP outlined six steps for appellant to complete: 1) organize and update the intake and referral folders on the server; 2) ensure any outstanding denial letters to individuals who have been determined ineligible for ID and autism services were completed; 3) implement and utilize the updated intake and referral spreadsheet; 4) review any updated guidance to determine eligibility for individuals being referred for services; 5) present herself in a professional manner in all settings; and 6) submit and discuss her weekly schedule. *See* Finding of Fact 21.

During the 2025 PIP's ninety-day period, appellant was provided numerous forms of assistance and guidance. Appellant met with Smith every Monday to manage her assignments and biweekly to review her progress and receive assistance in managing her assignments in the intake and referral process. Moreover, appellant received a spreadsheet that organized relevant information for appellant to navigate the intake and referral process. *See* Findings of Fact 23-25. Nevertheless, despite receiving consistent support and guidance, appellant failed to complete the steps outlined in the 2025 PIP within a ninety-day period. *See* Finding of Fact 26.

By the end of her 2025 PIP, appellant's intake and referral spreadsheet remained incomplete and appellant's entries within her spreadsheet were unsupported by the information she presented. Appellant also submitted a large quantity of assignments and a revised intake and referral spreadsheet, which resulted an additional review before a decision could be made. On November 3, 2025,

Deputy Intellectual Disabilities Administrator April Shimel, Administrative Officer 3 Emma Thompson, and Smith met with appellant, discussed their concerns regarding appellant's work performance, and issued a three-day suspension for appellant's failure to complete her 2025 PIP. *See* Findings of Fact

After issuing the three-day suspension, Thompson and Smith reviewed appellant's late submissions of her assignments and intake and referral spreadsheet. They discovered that appellant had over 161 outstanding referrals that were never opened from 2022 through 2025. Because of appellant's inability to account for these outstanding referrals, many vulnerable individuals did not have their needs met. *See* Findings of Fact 30-33. Consequently, appellant was removed from County Caseworker 2 employment. *See* Findings of Fact 1, 2.

In response, appellant argued she did not have enough time to meet her 2025 PIP's steps because she had other responsibilities outside of being an Intake Specialist. Specifically, appellant explained she began a parent support group and participated in the Employment Coalition for the appointing authority. Additionally, appellant asserted she was busy participating in a committee with the County Commissioners. N.T. pp. 143-144. Moreover, appellant argued she became a Certified Investigator for the appointing authority's Administrative Entity in 2022 and continued to act as one until her removal. While acting as a Certified Investigator, appellant conducted investigations and investigation interviews and submitted investigation findings to the Office of Developmental Programs. N.T. pp. 144-145.

Appellant further argued she did not have sufficient time to complete outstanding referrals because of the amount of time needed to contact individuals, schedule their psychological tests, coordinate with psychologists, and review their findings. N.T. pp. 152-153. Appellant argued she had over 160 outstanding individuals along with receiving referrals daily and conducting investigations. N.T. p. 183. Appellant contended if she had more time to complete her intake and referral spreadsheet, then she would have been able to fill it in. N.T. p. 160. Appellant admitted contacting the outstanding referrals was her most important responsibility. N.T. p. 183

Also, appellant argued that her employee performance review from 2024 consisted of ratings of commendable and satisfactory ratings. N.T. pp. 158, 165; Ap. Ex. 6. She explained there were no negative comments regarding her work performance in her 2024 EPR. N.T. p. 158. Appellant acknowledged on her 2024 EPR, Shimel noted how appellant did not always understand the importance of her role and the consequences that may be attached to appellant's decisions based on emotions. N.T. p. 165; Ap. Ex. 6.

Appellant contended when she requested assistance from Smith, she would delay addressing appellant's concerns until a later date. N.T. pp. 156-157; Ap. Exs. 3, 5. Yet, appellant acknowledged Smith requested to assist appellant on the following business day and that appellant raised her concerns at the end of the day. Appellant could not recall whether Smith would address her concerns the next business day. N.T. pp. 167-169.

Having carefully reviewed the record, as a whole, the Commission finds the appointing authority has established just cause in support of appellant's removal from regular County Caseworker 2 (Local Government) employment. Specifically, we find the testimonies of Shimel, Smith, and Thompson credible[4] and persuasive in illustrating how appellant failed to meet her job performance standards. Appellant was responsible for making eligibility determinations for those seeking intellectual disability and autism services and ensuring her documentation of the intake and referral process through her intake and referral spreadsheet was properly maintained. There is no dispute that appellant failed to uphold these responsibilities based upon her inability to complete the 2025 PIP's steps, despite having numerous forms of assistance being provided to her.

Moreover, appellant has had prior performance deficiencies with the intake and referral process during her employment. Specifically, on September 9, 2024, appellant received a written warning and a two-day unpaid suspension for sharing protected health information to a provider without permission five times. To remedy her work performance, appellant received a Performance Improvement Plan (hereinafter "2024 PIP") on September 24, 2024. The 2024 PIP provided steps for appellant to complete, which included identifying triggers that result in incorrect quick decision making, finding ways to manage her decision making, developing a repeatable document process for intakes, and seeking guidance when needed. Appellant successfully completed her 2024 PIP and presented her new system for

[4] It is the duty and within the purview of the Commission to determine the credibility of witnesses and the value of their testimony. *State Correctional Institution at Graterford, Department of Corrections, v. Jordan,* 95 Pa. Commw. 475, 478, 505 A.2d 339, 341 (1986).

assigned intakes and referrals through the use of an intake and referral spreadsheet. *See* Findings of Fact 7-15. However, despite her 2024 and 2025 PIP, appellant could not properly maintain her intake and referral spreadsheet.

Appellant's most egregious performance error was her 161 outstanding referrals from 2022 to 2025.[5] Although appellant contends she had other duties outside her Intake Specialist responsibilities and desired more time to address the outstanding referrals, we find this argument unpersuasive because appellant had numerous opportunities to seek assistance from Smith during their weekly and biweekly meetings during the 2025 PIP period. Notably, appellant acknowledged her most important responsibility and duty was to address the outstanding referrals. Because of appellant's inability to address the outstanding referrals, numerous vulnerable individuals were left without the necessary services to provide them aid in their time of need. We consider appellant's outstanding referrals, standing alone, would warrant appellant's removal.[6] Indeed, appellant's failure to properly make eligibility determinations, failure to maintain an accurate intake and referral spreadsheet, and her outstanding referrals negatively reflect upon her competency and ability to perform her duties as a County Caseworker 2. *Woods, supra.* Accordingly, we enter the following:

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[5] The appointing authority cited to the Administrative Entity's Operating Agreement with the Office of Developmental Programs in appellant's removal notice. Shimel, Smith, and Thompson testified that appellant's outstanding referrals made the appointing authority non-compliant with the terms of the operating agreement. It is noted the operating agreement was not introduced or entered into evidence during these proceedings. However, we find appellant's failure to complete her 2025 PIP and her 161 outstanding referrals sufficient to warrant the discipline imposed.

[6] While the Commission acknowledges appellant's work as a County Caseworker 2 was characterized as highly independent, the fact that 161 outstanding referrals existed between 2022 through 2025 and remained unnoticed until appellant's work performance deficiencies calls into question whether a system could be established to prevent such events in the future.

CONCLUSION OF LAW

The appointing authority has presented evidence establishing just cause for appellant's removal under Section 2607 of Act 71 of 2018.

ORDER

AND NOW, the State Civil Service Commission, by agreement of its members, dismisses the appeal of Lori A. Miller challenging her removal from regular County Caseworker 2 (Local Government) employment with the Lycoming-Clinton County Joinder Board, Department of Human Services and sustains the action of the Lycoming-Clinton County Joinder Board, in the removal of Lori A. Miller from regular County Caseworker 2 (Local Government) employment.

State Civil Service Commission

Maria P. Donatucci
Chairwoman

Gregory M. Lane
Commissioner

Pamela M. Iovino
Commissioner

Issued: August 25, 2026