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Federal Election Commission
Washington, DC 20463

MEMORANDUM

September 27, 2017

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Krista J. Roche *KR*
Acting Director, ADR Office

SUBJECT: ADR 826 Amedisys, Inc., Amedisys, Inc. Political Action Committee, and Scott Levy, Treasurer, Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Develop and certify implementation of internal controls consistent with those described in the Commission's Internal Controls and Political Committees advisory document (2007) and the Best Practices for Committee Management; provide confirmation that the internal control procedures have been followed consistently one (1) year from the effective date of this agreement; amend the 2013 December Monthly to include the previously undisclosed payroll deduction receipts as well as the unauthorized disbursement; and provide confirmation that payroll deductions have been timely transferred to the Committee per Company policy one (1) year from the effective date of this agreement.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to **ADR 826 (P-MUR 596)**. The ADR Office received this referral upon Commission approval to transfer the case from OGC to ADRO on May 10, 2017.

Recommendation to Approve
Settlement Agreement
ADR 826 (P-MUR 596)

SUMMARY: Amedisys, Inc. (the Company), Amedisys, Inc. Political Action Committee (the Committee), and Scott Levy, Treasurer (collectively Respondents) filed a *sua sponte* submission, dated August 26, 2016, to disclose an unauthorized disbursement of \$79,640 and the failure to disclose an equivalent amount of receipts from payroll deductions on the 2013 December Monthly Report. In addition, Respondents acknowledge in the submission the Company's failure to transfer payroll deductions to the Committee in a timely manner, along with the Committee's failure to ensure the timely transfer of those deductions.

In the *sua sponte* submission, Respondents contend that it was discovered that an employee of the Amedisys, Inc. (the Company) transferred \$85,000 in payroll deductions to the Committee, reporting only \$5,360 of that amount as receipts and issuing a check for \$79,640 to a fictitious business entity that he controlled, which was not disclosed. Respondents contend that in response to this discovery, a comprehensive analysis of financial activity was performed, a new treasurer and assistant treasurer were appointed, and new internal controls were implemented, including tracking systems for receipts and disbursements.

With regard to the failure to timely transfer payroll deductions, the Company acknowledges that it had no consistent policy for transferring the proceeds of payroll deductions to the Committee's account. The Company has since instituted a policy to transfer payroll deductions at least monthly, and within ten days if and when it receives any single payroll deduction contribution of over \$50.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of representing Amedisys, Inc., Amedisys, Inc. Political Action Committee, and Scott Levy, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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