

**BEFORE THE WASHINGTON STATE
EXECUTIVE ETHICS BOARD**

In the Matter of:

Nate Wilson,

Respondent

EEB Case No. 2024-020

**ORDER OF DEFAULT AND
FINAL ORDER**

I. PROCEDURAL HISTORY

On March 29, 2024, the Executive Ethics Board (Board) received an agency referral alleging that Nate Wilson, a former Medical Assistance Specialist 3 at Washington Health Care Authority (HCA), may have violated the Ethics in Public Service Act by using state resources for private benefit and gain. On May 9, 2025, notification of the Reasonable Cause Determination was deposited in the United States mail to Nate Wilson at their personal address on record, 2306 Allen Road SE., Olympia WA 98501. The first-class mailing was not returned by the USPS.

The signed, certified letter mail receipt was returned on May 16, 2025, verifying delivery to Nate Wilson at the above address.

Nate Wilson has not responded to the Reasonable Cause Determination as of the date of this Order.

II. FINDINGS OF FACT

1. According to the HCA, Nate Wilson was hired into a Non-Permanent Medical Assistance Specialist 3 position on June 1, 2023. On December 16, 2023, their appointment was converted from Non-Permanent to Project status with an anticipated project end date of January 31, 2025. Nate Wilson was placed on home assignment on January 31, 2024 pending an investigation and on March 18, 2024 Nate Wilson's employment with HCA was terminated.

2. According to the HCA; Nate Wilson's job description included the following:
 - Working in the Medicaid Customer Service (MCS) division to independently analyze applications, determine initial and/or ongoing eligibility and authorize benefits for Medicaid programs administered by the Medical Eligibility Determination Services (MEDS) office (75% of time)
 - Answer inquiries, resolve questions, update eligibility records and otherwise maintain and expand access to medical care for eligible Washington citizens (20% of time)
 - Other assigned duties (5% of time)

It was noted in the job description that this position is eligible for telework and is typically not required to report on site.

3. According to the agency referral, Nate Wilson allegedly abused work time, working for a few hours in the evening, and spending the remainder of the workday on personal activities. This included creating Microsoft Teams meetings. with no other participants then deleting the meetings from their calendar in order to manipulate their availability status. It was also alleged that Nate Wilson had shared their HCA network login password with another person for the purpose of checking them in from a lunch break on August 17, 2023. Additional allegations stated that Nate Wilson had sent the complainant Protected Health Information (PHI) of an HCA client, including the client's first name, partial last name, and date of birth to another person.

4. As part of this investigation Board staff received a copy of an internal HCA

Investigation Report (IR). According to the IR, Nate Wilson was scheduled to work 8:00am-5:00pm, Monday through Friday, with a one-hour lunch break. Between October 26, 2023, and January 23, 2024, Nate Wilson was available to work 399 hours; however, per the IR, they were unable to account for approximately 196 hours, or approximately 49.1% of their work time during this period.

5. According to the IR, Nate Wilson admitted to not starting work on time on some days or working later due to struggling with health issues. When asked if there was a typical time they started working, Nate Wilson stated "probably around 11 am or so." Nate Wilson initially stated that they did not work later to make up the hours, but they were still able to "get their work done and meet goals." Per the IR, Nate Wilson did not notify their supervisor that they were not working during scheduled work hours and did not submit leave for all hours they were not working.

6. Board staff learned that during HCA's investigative interview, Nate Wilson stated they were unaware of the term "de minimis" or how it relates to personal use of state resources. According to the HCA, Nate Wilson signed an Information Technology Use Acknowledgement form on June 1, 2023, which states that all employees must read and acknowledge the policy, and they must use HCA's IT assets in a manner consistent with all Washington State ethics laws, rules, and other guidance. The form further states that "de minimis" personal use of the internet and electronic mail is allowed, as long as there is little or no cost to the state, any use is brief and occurs infrequently and the use does not interfere with the performance of the employee's official duties and does not disrupt or distract from the conduct of state business.

1 7. According to the HCA, the Information Technology Use Agreement that Nate Wilson
2 signed also referenced sharing of individual system log-on passwords, which states
3 passwords must not be shared, with the exception of resolving technical and/or security
4 issues with IT. According to the IR, when Nate Wilson was asked about the allegation of
5 sharing their password, they initially denied sharing it, until presented with evidence of them
6 allegedly sending their password via text message with an unauthorized user for the purposes
7 of them logging Nate Wilson back in from their lunch, break while Nate Wilson was away
8 from their work station.

10 8. Based on the initial productivity concerns, HCA Human Resources requested IT to
11 pull data from Nate Wilson's computer to include websites visited, emails sent, accepted
12 calendar appointments, Post Eligibility Review (PER) activity, and Microsoft 365 activity to
13 estimate gaps in work time.

15 9. The IT data pull showed that Nate Wilson spent an estimated 87 minutes accessing
16 apparently non-work related websites between September 22, 2023 and January 23, 2024,
17 which included social media, video game-related pages, personal emails, YouTube,
18 Amazon.com, and Wikipedia. When interviewed, Nate Wilson admitted to one instance of
19 making a personal purchase online and use of their personal email account to transfer photos
20 to their work computer. According to the IR, Nate Wilson denied deleting or masking their
21 web browser history, however admitted to creating all day Microsoft Teams meetings with
22 no other participants, then deleted them off of their calendar as a way to keep Teams active
23 and mask the fact that they were not working during work hours.

25 10. Board Staff interviewed Nate Wilson's prior supervisor, Tammy Cluff, who
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1 supervised Nate Wilson for three months. Tammy Cluff stated most of the time they
2 supervised Nate Wilson was during the time Nate Wilson was on administrative leave.
3 Tammy Cluff stated their only concern was that they were unable to reach Nate Wilson or
4 get a response from them on Teams when they made attempts to. Tammy Cluff stated they
5 were unaware an Internal Investigation had been done by HCA but had provided HR with
6 information regarding Nate Wilson's amount and quality of work. Board Staff attempted to
7 contact another one of Nate Wilson's supervisors, Celia Moodenbaugh, Deputy Section
8 Manager, who was Nate Wilson's Supervisor from December 16-31, 2023. Staff received a
9 message back that Celia Moodenbaugh was unavailable due to being on an extended leave
10 of absence.
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12 CONCLUSIONS OF LAW

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14 1. The Board has jurisdiction to hear this matter pursuant to RCW 42.52.360(1),
15 which authorizes the Board to enforce the Ethics in Public Service Act, chapter 42.52 RCW,
16 with respect to employees in the executive branch of state government. The Board has
17 jurisdiction over Nate Wilson, whose actions occurred while they were a state employee.
18 Based on the evidence reviewed, Nate Wilson has used state resources for their private benefit
19 or gain in violation of RCW 42.52.160. Nate Wilson's activities do not meet the exceptions for
20 the use of state resources as permitted in WAC 292-110-010.

21 2. RCW 42.52.160(1) – Use of persons, money, or property for private gain, states:

22 No state officer or state employee may employ or use any
23 person, money, or property under the officer's or employee's
24 official control or direction, or in his or her official custody, for
the private benefit or gain of the officer, employee, or another.

25 Under WAC 292-110-010 Use of state resources states, in part:
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1 (3) **Permitted personal use of state resources.** This subsection applies to any use of
2 state resources not included in subsection (2) of this section.

(a) A state officer or employee's use of state resources is de minimis only if each
3 of the following conditions are met:

(i) There is little or no cost to the state;

(ii) Any use is brief;

(iii) Any use occurs infrequently;

(iv) The use does not interfere with the performance of any state officer's
5 or employee's official duties;

(v) The use does not compromise the security or integrity of state
6 property, information systems, or software;

(vi) The use is not for the purpose of conducting an outside business, in
7 furtherance of private employment, or to realize a private financial gain;
and

(vii) The use is not for supporting, promoting the interests of, or soliciting
8 for an outside organization or group.

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10 3. The Board is authorized to impose sanctions for violations to the Ethics Act
pursuant to RCW 42.52.360.

11 4. In determining the appropriateness of the civil penalty, the criteria in WAC 292-
12 120-030 have been reviewed.

13 **1. ORDER OF DEFAULT AND FINAL ORDER**

14 Based on the foregoing, the Board:

15 FINDS the Respondent, Nate Wilson, failed to file a response and/or request a hearing
16 within 30 days after proper service of the Board's reasonable cause determination in this matter and
17 after proper service of notice of the right to request an adjudicative hearing.

18 CONCLUDES that the Respondent, Nate Wilson, is in default under the provisions of
19 RCW 34.05.440(1) and WAC 292-100-060(3).


20 IT IS ORDERED that pursuant to RCW 34.05.440(1) and WAC 292-100-060(3) the Board
21 may proceed to resolve this case without further notice to, or hearing for the benefit of, Respondent
22 Nate Wilson.

23 IT IS HEREBY FURTHER ORDERED Respondent Nate Wilson is liable for and shall
24 pay a civil penalty of five thousand dollars (\$5,000). The payment shall be made to the Executive
25 Ethics Board within forty-five (45) days of this Order.
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2 DATED this 1th day of August 2025.

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5 Kelly Hooke, Chair


Cam Comfort, Member

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8 Megan Abel, Vice Chair


David Hankins, Member

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11 Mark Rapozo, Member

12 **APPEAL RIGHTS**

13 **RECONSIDERATION OF FINAL ORDER – BOARD**

14 Any party may ask the Executive Ethics Board to reconsider a Final Order. The request
15 must be in writing and must include the specific grounds or reasons for the request. The request
16 must be delivered to Board office within 10 days after the postmark date of this order.

17 The Board is deemed to have denied the request for reconsideration if, within 20 days
18 from the date the request is filed, the Board does not either dispose of the petition or serve the
19 parties with written notice specifying the date by which it will act on the petition.
20 RCW 34.05.470.

21 The Respondent is not required to ask the Board to reconsider the Final Order before
22 seeking judicial review by a superior court. RCW 34.05.470.

23 **FURTHER APPEAL RIGHTS – SUPERIOR COURT**

24 A Final Order issued by the Executive Ethics Board is subject to judicial review under
25 the Administrative Procedure Act, chapter 34.05 RCW. See RCW 42.52.440. The procedures
26 are provided in RCW 34.05.510 - .598.

1 The petition for judicial review must be filed with the superior court and served on the
2 Board and any other parties within 30 days of the date that the Board serves this Final Order on
3 the parties. RCW 34.05.542(2).

4 A petition for review must set forth:

- 5 (1) The name and mailing address of the petitioner;
- 6 (2) The name and mailing address of the petitioner's attorney, if any;
- 7 (3) The name and mailing address of the agency whose action is at issue;
- 8 (4) Identification of the agency action at issue, together with a duplicate copy, summary,
9 or brief description of the agency action;
- 10 (5) Identification of persons who were parties in any adjudicative proceedings that led to
11 the agency action;
- 12 (6) Facts to demonstrate that the petitioner is entitled to obtain judicial review;
- 13 (7) The petitioner's reasons for believing that relief should be granted; and
- 14 (8) A request for relief, specifying the type and extent of relief requested.
15 RCW 34.05.546.

16 **ENFORCEMENT OF FINAL ORDERS**

17 If there is no timely request for reconsideration, this is the Final Order of the Board. The
18 Respondent is legally obligated to pay any penalty assessed.

19 The Board will seek to enforce a Final Order in superior court and recover legal costs
20 and attorney's fees if the penalty remains unpaid and no petition for judicial review has been
21 timely filed under chapter 34.05 RCW. This action will be taken without further order by the
22 Board.