



MONTGOMERY COUNTY ETHICS COMMISSION

March 12, 2025
Waiver 25-03-002

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Rebecca Fink is a Social Worker II at the Aging and Disability Services (ADS) Division at Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as the Practice Manager at Bunnag Comprehensive Dentistry, an entity that contracts with DHHS.

As a Social Worker II, Ms. Fink is a continuing case manager with the Social Services to Adults Program. Her duties involve screening, assessing, investigating, and providing case management services for Adult Protective Services and Case Management Section programs. She maintains files, prepares reports and service agreements, testifies in court, collaborates with multiple service providers, and acts as a liaison with professional and community resources such as hospitals, law enforcement, nursing homes, public safety programs, schools, medical professionals, and other providers.

In her proposed role as the Practice Manager for Bunnag Comprehensive Dentistry, she would be tasked with overseeing the non-clinical operations of a dental practice, including patient scheduling, financial management, staff supervision, ensuring compliance with healthcare regulations, handling patient concerns, maintaining patient records, treatment plans, and coordinating with dental insurance companies.

Dr. Bunnag is a registered vendor with Montgomery County Department of Health and Human Services. As a registered vendor, Dr. Bunnag's practice can accept clients from the Social Services to Adults program at DHHS and the County will provide payment for patients who qualify for County assistance. However, Ms. Fink does not provide dental referrals to DHHS clients.

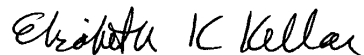
Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds

that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Ms. Fink not making referrals as a County employee to Bunnag Comprehensive Dentistry. She will pass any DHHS clients needing such a referral to a colleague at DHHS.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission. In reaching this decision, the Commission has relied upon the facts as presented by Ms. Fink.

For the Commission:



Elizabeth Kellar, Chair