



## MONTGOMERY COUNTY ETHICS COMMISSION

**April 9, 2025**  
**Waiver 25-04-003**

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.

Julianne Tortolano is a Therapist II at the Jail Addiction Services (JAS) team, which is part of the Behavioral Health and Crisis Services (BHCS) Division at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as a PRN Crisis Therapist at Suburban Hospital (Suburban) in the Emergency Department (ED). Suburban has two contracts with DHHS.

As a Therapist II, Ms. Tortolano provides direct clinical services and substance abuse treatment in a jail-based setting through both individual and group counseling. She works with other members of the JAS team to create treatment/service plans, and she provides guidance and assistance to paraprofessional staff members who perform case management support services. She serves the incarcerated population located at the Montgomery County Correctional Facility in Boyds, MD. Inmates in psychiatric crisis are not sent to the ED but are instead admitted to a hospital and only treated by a licensed psychiatrist; therefore, the chance of a crossover client is minimal at best.

In her proposed role at Suburban, she would work in the ED as a Crisis Therapist. In this proposed role, she would see children, adolescents, and adults in the ER who are experiencing a psychiatric or substance abuse crisis. She will perform a complete clinical consultation and evaluation based on presenting symptoms and make recommendations and referrals for the most appropriate treatment setting to offer stabilization. The population she would serve in her proposed role at Suburban would be any individual entering the ED. Her proposed role at Suburban is not funded by any contracts between DHHS and Suburban.

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).

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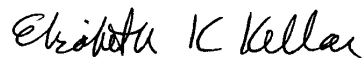
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The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Ms. Tortolano not making referrals as a County employee to Suburban. 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. Tortolano.

For the Commission:

A handwritten signature in black ink, appearing to read "Elizabeth Kellar".

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Elizabeth Kellar, Chair