

ADVISORY OPINION 91-11 [1991-3]

The Ethics Commission has received and reviewed your memorandum of February 12, 1991.

In that memo, you indicated that next month your division will issue an RFP for third party claims administration services for Montgomery County and that it is possible that Consolidated Risk Management Service, Inc. will bid on this contract. You stated that you had worked for this company until April, 1987 when it conducted business under the name Yeager and Co., and that you know some of the people currently working for this organization since its purchase and renaming by Blue Cross Blue Shield of Virginia. You indicated that you “do not own stock, receive no pension and have no other contact with the company at this time.”

Due to your past association with Yeager and Co., you have requested that the Commission determine whether you would have a conflict of interest if you: (1) participated in the bid process and evaluation of proposals as a member of the Qualification and Selection Committee; and (2) administered the contract if it is awarded to Consolidated Risk Management Service, Inc.

Section 19A-11(a)(1)(B) of the Ethics Law states:

“ . . . Unless permitted by a waiver, a public employee must not participate in:

- (1) any matter that affects, in a manner distinct from its effect on the public generally, any:
- (B) business in which the public employee has an economic interest.”

Since you have advised us that you have no current or future economic interest in Consolidated Risk Management, Inc., no conflict of interest exists and you do not require a waiver of this provision of the Ethics Law. Accordingly, you [may] participate in both the bid process as well as the administration of the contract if it is awarded to Consolidated Risk Management, Inc.

Date of Issue: March 20, 1991