



## MONTGOMERY COUNTY ETHICS COMMISSION

Rahul K. Goel  
*Chair*

Susan Beard  
*Vice Chair*

**May 1, 2020**

### **Waiver 20-04-004**

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.

Ivonne Navarrete is the Program Specialist II/Coordinator for the Home Care Services (HCS) program at the division of Aging and Disability Services (ADS) at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed as a Perinatal Tour Guide with Holy Cross Hospital, an entity that contracts with DHHS.

In her role as the Program Specialist II/Coordinator for HCS at ADS-DHHS, her primary responsibilities include coordinating in home aide service for personal care of elderly or disabled individuals. She maintains the HCS waiting list and provides daily contact with contractors regarding the status of clients. She also coordinates with case managers and social workers with regards to services being provided to clients.

As a Perinatal Tour Guide at Holy Cross, she will be tasked with providing information to expectant individuals or couples regarding the process and procedures involved with delivery at Holy Cross. She will also provide various educational classes at Holy Cross such as non-certifiable CPR and choke prevention training to expectant parents and parents of babies being released from the ICU at Holy Cross. Also, in conjunction with another educator, she will instruct the Safe Sitter course to preteens.

Ms. Navarrete was previously granted a waiver for similar employment pursuant to Waiver 16-08-020. That waiver is no longer in effect.

DHHS has several contracts with Holy Cross Hospital for various services. Ms. Navarrete's outside employment with Holy Cross is not funded by nor has any relationship to the contracts DHHS has with the hospital, and her employment with DHHS as a Program Specialist II/Coordinator for the HCS program has no relation to the contracts the County has with Holy Cross.

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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 waiver approval is conditioned on the facts on which the waiver is based remaining unchanged. It is also conditioned on Ms. Navarrete not making referrals as a County employee to Holy Cross Hospital or soliciting other County employees to make such referrals.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Navarrete.

For the Commission:

A handwritten signature in blue ink, appearing to read 'Rahul Goel', with a stylized flourish at the end.

Rahul Goel, Chair