



MONTGOMERY COUNTY ETHICS COMMISSION

Susan Beard
Chair

Bruce Romer
Vice Chair

December 13, 2021

Waiver 21-12-021

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.

Lissa Hicks is a Behavioral Health Associate Counselor in 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 Counselor at Maryland Treatment Centers/Lawrence Court (MTC/Lawrence Court), an entity which has contracts with DHHS.

In her role as a Behavioral Health Associate Counselor, Ms. Hicks conducts substance abuse/mental health screenings for single parents and intact families that apply for temporary cash assistance (TCA) benefits and Food Stamps. She identifies substance abuse issues to perform comprehensive assessments. She also determines if there are any co-occurring disorders/issues such as mental illness, childhood trauma, domestic violence, sexual assault, homelessness or other medically relevant issues. She refers clients to appropriate American Society of Addiction Medicine (ASAM) levels of care (0.5 to 2.1) for substance use treatment and provides ongoing case management while clients receive TCA benefits. She holds no contract monitoring or procurement responsibilities with any contracts DHHS has with MTC/Lawrence Court.

Lawrence Court is a halfway house run by Maryland Treatment Centers. As a Counselor at MTC/Lawrence Court, MS. Hicks will conduct psycho-educational therapy groups, provide assessments for individual halfway house patients and develop treatment plans for single adults. She will have no contract monitoring, procurement or implementation in her proposed role at MTC/Lawrence Court.

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

MONTGOMERY COUNTY ETHICS COMMISSION

100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850
OFFICE: 240.777.6670 FAX: 240.777.6672

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 on which the waiver is based remaining unchanged. It is also conditioned on Ms. Hicks not making referrals as a County employee to MTC/Lawrence Court or soliciting other County employees to make such referrals.

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. Hicks.

For the Commission:



Susan Beard, Chair