



MONTGOMERY COUNTY ETHICS COMMISSION

November 19, 2025

Waiver 25-11-015

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.

Deborah Fuller is a Social Worker III at the Aging and Disability Services (ADS) Division at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as a Psychiatric Crisis Clinician at Holy Cross Health (“Holy Cross”), an entity that has several contracts with DHHS.

As a Social Worker III with ADS, Ms. Fuller works at Adult Protective Services (APS). She investigates reports of suspected self-neglect, as well as financial, physical, and sexual abuse involving vulnerable adults. She also assists and works at the Montgomery County Crisis Center, providing supportive counseling over the phone to individuals experiencing emotional or psychological crises. Additionally, she takes after-hours reports from community members for both Child Protective Services and Adult Protective Services.

In her proposed outside employment at Holy Cross, she will assess clients who are at the hospital for psychiatric reasons to determine whether hospitalization is necessary on a voluntary or involuntary basis.

Ms. Fuller would have no contract monitoring, procurement or execution responsibilities in her role with Holy Cross, and she has no contract monitoring responsibilities in her official capacity with DHHS either. Also, it should be noted that in both her County and proposed Holy Cross roles, she is never the decision maker in terms of which hospital a patient is sent to – that is a decision made based on a number of factors beyond Ms. Fuller’s control.

Holy Cross contracts with DHHS but Ms. Fuller’s role as a Psychiatric Crisis Clinician with Holy Cross is not funded by any County contracts with Holy Cross.

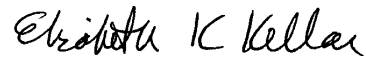
Ms. Fuller acknowledges that there is a possibility of crossover clients in either of her roles in emergency situations, but she also agrees that she will hand off any such crossover cases once the emergency has subsided and it is safe to do so.

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 reviewing 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. Fuller not making referrals as a County employee to Holy Cross. 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. Fuller.

For the Commission:



Elizabeth Kellar, Chair