

**Meyers, Robert (COE)**

INQ 05-189

**From:** Meyers, Robert (COE)  
**Sent:** Wednesday, November 16, 2005 4:51 PM  
**To:** 'Pierce, Beverly (IND)'  
**Subject:** RE: Doing business with Jackson Memorial

Ms. Pierce,

If your company simply submits a proposal to the hospital, which is either accepted or rejected, then I see no reason why your sales representatives would have to register as lobbyists. If, on the other hand, there are negotiations that take place between the sales representatives and hospital personnel, then they would need to register.

As a general proposition, a sales representative is considered a lobbyist when he/she is acting behalf of a third party (his/her company) and trying to influence personnel to purchase the company's product. Where no influence is being applied, then such activities do not amount to lobbying.

If you wish to discuss further, please contact me at your convenience.

Thanks,

Robert Meyers

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**From:** Pierce, Beverly (IND) [mailto:bpierce@guidant.com]  
**Sent:** Tuesday, November 15, 2005 4:16 PM  
**To:** rmeyers@miamidade.gov  
**Cc:** Tingley, Donalee (ORL)  
**Subject:** Doing business with Jackson Memorial

We are trying to sell stents to Jackson Memorial. The hospital asks for pricing proposals for our products and we provide the pricing for our products. Within the Jackson Memorial RFP, they have asked for the 2005 Annual Lobbyist Registration to be completed.

I have read Section 2-11.1 subsection (s) Lobbying of the Miami-Dade County Code. In selling our product to the hospital, I am not aware of any presentation to County personnel. We are very concerned about filing formal documents claiming that our sales representatives are lobbyists.

Can you please provide additional guidance as to how the Code includes sales reps within the category. Thank you.

Beverly Pierce  
Guidant Sales Corporation  
Paralegal  
317-249-2404

111 Monument Circle, Ste 2900  
Indianapolis, IN 46204

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