

conflict under state law. Please contact the State of Florida Commission on Ethics if you have any questions regarding possible conflicts under state law.

If you have any questions regarding this opinion, please call Ardyth Walker, Staff General Counsel at (305) 579-2653 or the undersigned at (305) 579-2594.

Sincerely Yours,

A handwritten signature in cursive script, appearing to read "Robert Meyers", followed by a horizontal line extending to the right.

ROBERT MEYERS
Executive Director

Therapeutics Committee to file a disclosure form regarding any association with pharmaceutical companies including serving on boards, funded research, expert testimony or receiving gifts. Any physician who requests that the committee review a product is also required to submit a disclosure form.

The Commission found the Conflict of Interest and Code of Ethics ordinance permits the physicians to serve on the advisory board if the physicians do not participate in the selection of drugs for the Public Health Trust. The Conflict of Interest ordinance applies to Public Health Trust employees. Section 25A-3(c) of the Code of Miami-Dade County provides that "(w)henever in the Conflict of Interest ordinance reference is made to Dade County, that reference shall be deemed and construed to be a reference to the Public Health Trust; whenever in the Conflict of Interest ordinance reference is made to the Board of County Commissioners that reference shall be deemed and construed to be a reference to the Board of Trustees of the Public Health Trust and whenever in the Conflict of Interest ordinance reference is made to the Commissioners of the Board of County Commissioners, that reference shall be deemed to be a reference to the voting members of the Board of Trustees of the Public Health Trust." Section 2-11.1(j) provides that no employee may accept outside employment which would impair their independence of judgment in the performance of their public duties. Since their service on the board will not affect their service as physicians for Jackson Health Services, they may serve on the board. However, the physicians may not serve on the Pharmacy and Therapeutics Committee and may not vote on matters regarding the pharmaceutical companies with whom they are associated.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any



ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
Knovack G. Jones
Robert H. Newman

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

MICHAEL P. MURAWSKI
ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

April 5, 2001

Clyde Fleming
Jackson North Maternity Center
14701 N.W. 27th Street
Opa-Locka, FL 33054

RE: REQUEST FOR ADVISORY OPINION 01-28

Dear Mr. Fleming:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on April 4, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding any potential conflicts if Trust Doctors serve on pharmaceutical boards.

In your letter, you advised the Commission that the physicians who work for Jackson Health Systems at the North Dade Health Center are sometimes invited to participate on pharmaceutical company advisory boards. The boards advise companies on new products. The physicians are paid minimal compensation for the work, however, it provides the physicians with valuable networking and learning opportunities. Moreover, the physicians' participation provides the companies an opportunity to hear from physicians who practice in underserved communities.

The Public Health Trust requires all physicians who serve on the Pharmacy and