



FILE COPY

August 29, 2008

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ADVOCATE

ARDYTH WALKER
STAFF GENERAL COUNSEL

Orlando Garcia
Clinical Manager
Cardiac Catheterization Laboratory
Jackson Memorial Hospital
1611 N.W. 12th Avenue
Miami, FL 33136

RE: REQUEST FOR ADVISORY OPINION RQO 08-34

Dear Mr. Garcia:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on August 28, 2008 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding whether you are prohibited from signing purchasing documents from your son's employer.

In your request, you advised the Commission that you are the Clinical Manager of the Cath Lab at JMH. In that capacity, you are responsible for signing in physician requested cardiac supplies. You must ensure that the correct equipment or supplies are received and verify the correct price on the invoice. The price of all supplies are pre-negotiated and included in the contract with the vendor. You are not involved in procurement or price negotiation of the cardiac devices.

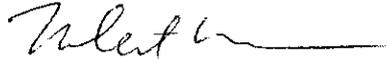
Guidant/Boston Scientific provides a number of cardiac devices to JMH including pacemakers and defibrillators. Your son is a sales representative for Guidant. Your son's position does not require him to interact with you in your capacity as Manager of the Cath Lab.

The Commission found that you are permitted to sign packing slips verifying that the correct product and price was received from the vendor. You do not have the discretion to negotiate any terms of the transaction including the number of devices or price of products received from the vendor. Therefore, you do not have a conflict of interest and may sign the packing slips.

This opinion construes the Miami-Dade Conflict of Interest and Code of Ethics ordinance only and is not applicable to any 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 about this opinion, please contact the undersigned at (305) 579-2594 or Ardyth Walker, Staff General Counsel at (305) 350-0616.

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