

Meyers, Robert (COE)

JNQ 11-97

From: Meyers, Robert (COE)
Sent: Wednesday, June 15, 2011 10:37 AM
To: 'Steve Gappa'
Subject: RE: lobbyist question

Dear Mr. Gappa:

Based on your clarification, your activities do not amount to lobbying and you would not be required to register in order to have a follow-up conversation with a Jackson Health Systems physician to discuss the shipment of sample products. My opinion considers the circumstances under which the contact has been made – in this case the Jackson physician initiated the contact and sees value in sampling the product. At a future point in time if Jackson decides to make a major purchase of this product, you may need to register – this will depend upon whether you or your company will be required to make a formal presentation to Jackson personnel.

If you have any questions or wish to discuss, please contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director
 Miami-Dade Commission on Ethics and Public Trust

From: Steve Gappa [mailto:sgappa@miradorbiomedical.com]
Sent: Monday, June 13, 2011 3:18 PM
To: Meyers, Robert (COE)
Subject: RE: lobbyist question

Robert –

At the conference, the exhibitors wait at their booth for clinicians to come by. Generally the clinicians decide to stop by Mirador's booth if they see something of interest in our display or marketing materials. At that point, there is typically a one-on-one conversation that takes place between one of our representatives and the clinician. If it is busy, there may be 2-3 other clinicians participating in the group discussion. As a result of interest shown in that conversation, we follow up by phone after the conference to see if they would like sample product.

I hope that clarifies the situation. Thank you for considering.

Steve

From: Meyers, Robert (COE) [mailto:RMEYERS@miamidade.gov]
Sent: Monday, June 13, 2011 12:10 PM
To: Steve Gappa
Subject: RE: lobbyist question

Dear Mr. Gappa:

Thank you for your question. I need more information in terms of the events leading up to the decision to ship the samples to the hospital. It appears that the initial contact took place at the trade show. Was there a one-on-one meeting with the Jackson Memorial physician and one of your sales representatives at the trade show or did the physician decide to order the samples based on the company's general presentation?

6/15/2011

Once I receive some clarification, I can provide you with an opinion.

Thanks,

Robert

From: Steve Gappa [mailto:sgappa@miradorbiomedical.com]

Sent: Friday, June 10, 2011 4:30 PM

To: Meyers, Robert (COE)

Subject: lobbyist question

Mr. Meyers –

I am writing you for clarification on the lobbyist registration requirement as it relates to out of state vendors wishing to do business with Jackson Memorial Health.

Mirador Biomedical is a medical device manufacturer based in Seattle, WA. About a month ago, we were exhibiting at a trade show where we met a physician that practices at Jackson Memorial. This physician sees clinical value in one of our FDA-cleared devices and would like to trial it at JM. Appropriately, he referred us to the purchasing department before initiating the trial. Our contact in Purchasing said that we are required to register as a lobbyist with the County before starting the trial.

After downloading the registration form, I called the Clerk of the Board office to find out if there were any other requirements. The representative informed me of the two additional forms and notarization requirements. During that discussion, it came up that Mirador is simply shipping samples to the hospital and following up by phone with no in-person contact. He questioned whether it was necessary for us to register at this point and recommended I reach out to you.

Could you let me know if under this scenario we are required to register as a lobbyist?

Thank you for your consideration.

Steve Gappa

Mirador Biomedical

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6/15/2011