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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, October 06, 2014 3:44 PM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Joan Bender, Jackson Memorial Foundation -Solicitation Letter for Contributions to Fundraiser for JMH- INQ 14-237

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**From:** Centorino, Joseph (COE)  
**Sent:** Monday, October 06, 2014 3:14 PM  
**To:** Diaz-Greco, Gilma M. (COE)  
**Subject:** FW: INQ - Joan Bender, Jackson Memorial Foundation -Solicitation Letter for Contributions to Fundraiser for JMH

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**From:** Centorino, Joseph (COE)  
**Sent:** Thursday, December 19, 2013 5:20 PM  
**To:** 'jbender@med.miami.edu'  
**Cc:** Diaz-Greco, Gilma M. (COE); Sanchez, Gerald (CAO)  
**Subject:** INQ - Joan Bender, Jackson Memorial Foundation -Solicitation Letter for Contributions to Fundraiser for JMH

Ms. Bender:

You have inquired regarding the ethical propriety of a sending a solicitation letter to certain vendors of Jackson Memorial Hospital concerning their participation in sponsoring tables for the upcoming JMH Gala, which is sponsored by the Foundation as a fundraising event on behalf of programs at Jackson Memorial Hospital. It is my understanding that the Foundation is a separate entity from JHM and is a registered 501(c)(3) organization, created for the very purpose of raising funds in support of JMH.

While Jackson CEO Carlos Migoya and Public Health Trust Chair Marcos Lapciuc, are members of the Foundation Board, it is my understanding that neither they nor any other employees or officials of JMH or the PHT will be signing these letters or personally involved in soliciting for the gala. It is also my assumption that the funds raised for JMH will be applied to worthy projects or programs at the hospital and not to the compensation of any JMH official or employee involved in the Foundation.

I have reviewed the letter, which is signed by James Champion, Interim President and CEO of Jackson Memorial Foundation. You have informed me that any reference to a potential donor being a "vendor" of JMH will be removed from the letter before it is sent out.

As a non-profit 501(c)(3) the Jackson Memorial Foundation is not subject to the Miami-Dade Conflict of Interest and Code of Ethics Ordinance. However, given its close association with a major County facility and the presence of JMH officials on its board, it is wise to be careful in the manner in which funds are solicited for JMH to avoid any situation which implies or suggests any *quid pro quo* in connection with participation in its fundraising events and the award of contracts at JMH or the County. It is also important that JMH officials and other County officials be kept separate from personal involvement in fundraising solicitations of the Foundation to avoid the same appearance.

Under the foregoing circumstances, I find no prohibition under County ordinances regarding the solicitation letter, as amended.

Sincerely,

*Joseph M. Centorino*

Executive Director and General Counsel  
Miami-Dade Commission on Ethics and Public Trust  
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