



**CASE
CLOSED**

Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Date: 5-15-19

Investigator: Nilda Olmo

Case No.: PI 19-04

Complainant: Anonymous

Subject/Case Name: Charles Belzer-JHS

Date Opened: 01/28/19

Date Submitted: 04/26/29

Allegation(s):

On or about January 25, 2019, the Commission on Ethics received an anonymous letter alleging Charles Belzer (Belzer), from Becton Dickinson and Company, has been "calling on Jackson offices and Hospital Suites without registering or taking the required Ethics course."

Relevant Law:

Miami-Dade County Conflict of Interest and Code of Ethics Ordinance Sec.2-11.1(s)(1) *Lobbying*. As used in this section, Lobbyist means all persons, firms, or corporations employed or retained by a principal who seeks to encourage the passage, defeat, or modifications of (1) ordinance, resolution, action or decision of the County Commission; (2) any action, decision recommendation of the County Manager or any County board or committee...

(2) All lobbyists shall register with the Clerk of the Board of County Commissioners within three (3) business days of being retained as a lobbyist or before engaging in any lobbying activities, whichever shall come first. Every person required to so register shall:

(a) State under oath his or her name, business address and the name and business address of each person or entity which has employed said registrant to lobby. If the lobbyist represents a corporation, the corporation shall also be identified. Without limiting the foregoing, the lobbyist shall also identify all persons holding, directly or indirectly, a five (5) percent or more ownership interest in such corporation, partnership or trust. Registration of all lobbyists shall be required prior to January 15 of each year, and each person who withdraws as a lobbyist for a particular client shall file an appropriate notice of withdrawal....

Investigation:

Charles Belzer

Strategic Customer Vice President, Becton Dickinson and Company (BD)

Belzer has been with BD for approximately 4 years, formerly at Carefusion as Strategic Accounts Vice President. He is based out of Ponte Vedra Beach, Florida.

Belzer was interviewed regarding the above-mentioned allegations. At a corporate level as Strategic Customer Vice President at BD and under contract with Jackson Health System (JHS), he deals with contractual issues and responds to their inquiries. Belzer indicated that in the last year, he visited JHS on one or two occasions, but did not recall the exact dates.

Records show Belzer was registered in 2014, but we were unable to ascertain records of additional registrations. In 2018, Belzer took a “special” Ethics course offered at JHS by the Ethics Commission.¹ The Miami-Dade County Clerk of the Board Lobbyist Registration and Report website indicates Belzer registered for 2019 on 04/12/19, noting the Ethics course Certification was filed.²

Rosa Constanzo CMRP, CPPB, CPSM
Vice President & Chief Procurement Officer, Strategic Sourcing & Supply Chain Management
Division, Jackson Health System

Rosa Constanzo (Constanzo) was contacted regarding the unregistered lobbying allegation. Constanzo indicated that JHS has been under contract with BD for a long period time, conducting business under a competitively awarded contract through the Group Purchasing Organization (GPO). Under the Procurement of Goods and Services Policy, there are several methods of Source Selections. One of them is through GPO.³

GPO is a nationwide entity developed to assist hospitals and healthcare providers obtain savings and efficiencies by combining purchasing volume and utilizing that leverage to negotiate discounts with suppliers, manufacturers and other vendors.

As to allegations of unregistered lobbying by Belzer, Constanzo indicated that although she did not recall exact dates, JHS has reached out to Belzer who has responded to their inquiries regarding existing contracts, “they respond to our inquiries for price reductions.”

¹ Ethics course was taken on 06/18/18, satisfying the requirement for two years.

² Miami-Dade County Lobbyist Activity Authorization; Joint Contingency Fee Affidavit; Ethics Course attendance sign-in sheet and copy of the Professionalism and Ethics Seminar Lobbyist certificate are attached as exhibits.

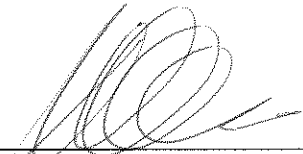
³ Jackson Health System Procurement Regulation (Section 100-200 Administration) Policy No. 248.
Group Purchasing Organization: The Trust recognizes purchases made through Group Purchasing Organizations as a best practice in hospital purchasing nationwide with associated efficiencies, savings and speed; The Trust may participate in one or more Group Purchasing Organizations (“GPO”), which shall be selected competitively in accordance with this Regulation; As a condition of the Trust’s participation in a GPO, the GPO shall whenever possible solicit bids and proposals from certified Small Business Enterprises and local Miami-Dade vendors, and shall cooperate with the Trust in the facilitation of participation of those vendors at all tiers of Trust purchases under GPO contracts; Subject to the provisions of the GPO contract, the Chief Procurement Officer may conduct negotiations with a supplier regarding terms and conditions, including the addition of UAP, OIG fees and further price reductions where permitted.

Documents/Exhibit Review:

1. Miami-Dade County Clerk of the Board-Lobbyist Registration & Reports website:
Charles Belzer
2. Jackson Health System Procurement Policy/Regulation-Policy No.248.
3. Jackson Health System User Access Program Policy/Procedure Activity-Code No.126.
4. Emails provided by JHS.

Conclusion:

After discussion with the Ethics Advocate, it was determined that this matter could be closed with no further action. Belzer's communications with Constanzo appear to be part of the scope of services under their GPO contract and not considered lobbying activities.

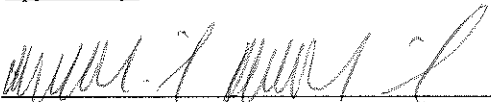


Nilda Olmo, COE Investigator

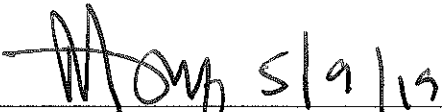
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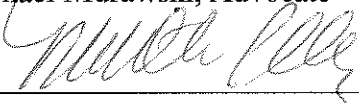
Approved by:



Michael Murawski, Advocate



José Arrojo, Executive Director



Martha Perez, Staff Attorney