

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, November 05, 2012 3:25 PM
To: Grace-Dansoh, Hazel (ISD)
Cc: Centorino, Joseph (COE)
Subject: INQ 12-186 Wellness Donations

Ms. Grace-Dansoh,

Based on the plain meaning of the County Ethics Code, as well as previous ethics opinions, the County **may not solicit** current County vendors for prizes to be used exclusively to incentivize County employees to attend wellness events.

We understand that the County self-funds medical plans for County employees and seeks to promote employee wellness in order to control health-related costs. However, the County Code at Sec. 2-11.1 (e)(2)(e) only allows County employees to solicit gifts on behalf of the County "for use **solely** by the County in conducting its **official business.**" Employee attendance at wellness seminars does not fall within the plain meaning of official County business. Lacking a resolution, directive or order from the Board of County Commissioners to support this activity, employees must refrain from making solicitations that are intended to benefit themselves or their County coworkers.

Additionally, the Ethics Commission has consistently held that **County vendors may never be targeted** for solicitations. In an opinion given to Jackson Memorial Hospital (JMH), employees there were prohibited from targeting JMH vendors for donations to benefit the Jackson Memorial Foundation. Procurement staff and high-level managers at JMH were further prohibited from participating in a general solicitation, even though the general solicitation would not target JMH vendors per se. See RQO 05-06.

If you have additional questions, please feel free to contact me.

Sincerely,

VICTORIA FRIGO, STAFF ATTORNEY

Phone: 305 350-0601

Fax: 305 579-0273



19 West Flagler St., Suite 820
Miami, FL 33130

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure.

From: Grace-Dansoh, Hazel (ISD)
Sent: Monday, November 05, 2012 10:38 AM
To: Centorino, Joseph (COE)
Subject: Wellness Donations from Health Plans

The County currently offers a self-funded medical plan (with three options), fully insured dental plans, and a vision plan among other benefits. The County seeks to promote wellness activities such as health fairs, wellness related workshops, flu shots etc to improve employee's health and wellbeing and in so doing control health related costs. The self-funded

medical plan includes \$0.34 per employee per month for wellness activities. We usually must provide incentives, such as raffle giveaways, for employees to attend events.

I need you to advise whether or not the County may ask our current contracted benefits vendors to donate prizes to be used exclusively as giveaways for wellness events. We want to ramp up wellness activities for 2013. Please advise. Thanks.

Hazel Grace-Dansoh, Benefits Manager
Miami-Dade County, Internal Services Department
305-375-4288 Phone 305-375-1633 Fax
miamidade.gov
"Delivering Excellence Every Day"

Miami-Dade County is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. E-mail messages are covered under such laws and thus subject to disclosure. All e-mails sent and received are captured by our servers and kept as a public record.

Confidentiality Notice: This e-mail communication and any attachments may contain confidential and privileged information for the use of the designated recipient(s) named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution or copying of it or its contents is prohibited. If you have received this communication in error, please notify the sender immediately by replying to this message and deleting it from your computer. Thank you.