
To: Sanchez, Rodzandra (COE)
Subject: FW: Ethics Opinion (Gifts) INQ 14- 114

INQ 14-114

From: Diaz-Greco, Gilma M. (COE)
Sent: Monday, May 12, 2014 1:05 PM
To: 'Del Amo, Gerald M'
Cc: Centorino, Joseph (COE)
Subject: RE: County Ethics Code Inquiry

Mr. Del Amo:

This email will serve to memorialize our recent conversation. You inquired about gifts and gift disclosure.

As background, you advised that a Jackson Memorial Hospital South (JMH South) employee who works as a Manager of Physician Relations (Manager) was offered tickets to a charity golf event for the Nick Buoniconti Fund due to a last minute cancellation. The Manager works only for JMH South and does not perform any work at JMH Main. The Manager's job functions at JMH South include community physician outreach.

The tickets were offered to the Manager by a personal friend who works at Dade Medical College (DMC). DMC does not contract with JMH South or the Manager's department. DMC has an affiliation with JMH Main where it pays JMH Main a flat fee per student for DMC students in the Sonography program to do their Sonography rotations at JMH Main. The manager received the invitation because of a long-standing personal friendship he has with a DMC employee. This relationship is not related to the Manager's employment at JMH South. He does not work at JMH Main where DMC's students perform their rotations, and he is not involved in any way with JMH Main's relationship with Dade Medical College.

Under the facts presented here, the gift would not be prohibited by the County Ethics Code as long as it is not part of travel expenses and is not given with the expectation that a special benefit from the County will be given in return. If the fair market value of the gift exceeds \$100, then any County employee accepting such gift would have a duty to report the gift on a Gift Disclosure Form to be filed quarterly with the Clerk of the Board.

However, we refer you to Fla. Stat 112.3148. This statute prohibits covered individuals from receiving gifts over \$100 from agency lobbyists, vendors, or political committees. For a binding opinion on covered individuals please contact the Florida Commission on ethics at: <http://www.ethics.state.fl.us/>.

This opinion is based on the facts as presented to us. If any of these facts change, or if you have any further questions please do not hesitate to contact us.

Best regards,

Gilma (Mimi) Diaz-Greco
Staff Attorney



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From: Del Amo, Gerald M [<mailto:Gerald.Delamo@jhsmiami.org>]
Sent: Tuesday, May 06, 2014 5:12 PM
To: Diaz-Greco, Gilma M. (COE)
Subject: RE: County Ethics Code Inquiry

Mimi—just wanted to follow up on our discussion from last week—have you had a chance to put together your written opinion?

Thanks again for your help.

Regards,
-Jerry

Gerald M. Del Amo, JD, CHC
Hospital Compliance Officer
Office of Compliance & Ethics

gerald.delamo@jhsmiami.org

From: Del Amo, Gerald M
Sent: Thursday, May 01, 2014 10:27 AM
To: 'msramos@miamidade.gov'
Cc: 'gdiazgr@miamidade.gov'
Subject: County Ethics Code Inquiry

Miriam/Gilma:

I recently left you voice messages regarding this issue. I apologize for the rush, but we've got a situation for which we need to provide a quick response.

One of our employees received a last-minute invite to play in a charity golf event (today). The event is for the Nick Buoniconti Fund. Our employee was invited by one of the event sponsors, Dade Medical College, with whom we (Jackson Health System) have a relationship (their nurses rotate through our programs).

The employee received the invitation because of a long-standing personal friendship he has with one of the employees at Dade Medical College. The relationship has no connection to his employment at JHS, and he is not in any way involved with JHS' relationship with Dade Medical College.

Is there anything that would prevent him from participating? Should he complete a Disclosure form?

Thank you,
-Jerry

Gerald M. Del Amo, JD, CHC

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