



June 15, 2015

The Honorable Nancy Wyman
State Capitol
Hartford, Connecticut
Lt.Governor.Wyman@ct.gov

Dear Lieutenant Governor Wyman:

I am writing to clarify some misstatements shared during the June 11, 2015 State Innovation Model (SIM) Steering Committee meeting regarding the state's Public Officials and State Employees Guide to the Code of Ethics. I have attached a copy of the Code of Ethics¹ to this letter.

At the June meeting, it was reported that the Code of Ethics imposes revolving door and employment barriers for members. Those provisions only apply to state employees and are conditions of their employment, not their service on SIM committees. The Code imposes no barriers to employment on non-state employees.

Thankfully a SIM committee member corrected the misstatement that if SIM adopts the Code of Ethics, members would necessarily have to file financial disclosure forms. Only 3.9% of Connecticut's 65,000 public officials² are required to file financial disclosure forms.

Members also seemed under the impression that the state's financial disclosure requirements are burdensome. Disclosure includes only identification of income sources, large assets and investments -- not amounts. Members do not have to release their tax forms. My personal experience with both is that the state's financial disclosure forms are far less extensive than at the federal level.

I also want to address the question of whether SIM's committees are purely advisory and consequently not subject to the Code of Ethics. I have attached a copy of the May 14, 2015 Declaratory Ruling³ by the state Office of State Ethics and my testimony to

1

http://www.ct.gov/ethics/lib/ethics/guides/2014/public_officials_and_state_employees_guide_rev-jan2014.pdf

² personal communication with state Office of Ethics, June 15, 2015

³ http://www.ct.gov/ethics/lib/ethics/declaratory_rulings/2015/draft_dr_2015-b_05-14-15.pdf

the Citizen's Ethics Advisory Board⁴ regarding this question. The Ruling finds that SIM committees are not purely advisory, as asserted by your staff, but that "members of the Steering Committee, its subcommittees and the CAB exercise considerable authority in approving the design and development of various programs as they relate to healthcare reform and innovation in Connecticut, including funding."

However the ruling also finds that SIM committees are not subject to the Code due to a loophole in the law, as members are appointed solely under your authority. The statutory definition of "Public Official" currently only applies to appointees of the Governor or the General Assembly.

As you are aware, the Office of Ethics and the Citizen's Advisory Board are charged in statute with monitoring and enforcing ethics laws and standards in our state. Connecticut's Code of Ethics dates back to 1977 and serves as a model for other governing bodies. Many Connecticut municipal boards have voluntarily adopted the state's Code of Ethics to ensure integrity and to build the public's trust. As I mentioned in my public comments at the meeting, there are multiple models at the federal, state and local levels to gain input from key stakeholders without risking ethics violations.

I have also attached our February 25, 2015 independent advocates' sign on letter to you urging SIM to adopt the Code of Ethics.⁵ I am happy to discuss these and other issues with you or your staff. I also urge you to invite the Office of State Ethics to give a presentation to the SIM Steering Committee to ensure your decisions are based on accurate information. Thank you for your attention to this matter.

Sincerely,



Ellen Andrews, PhD
Executive Director

CC: SIM Steering Committee members
Mark Schaefer
Independent consumer advocates
Connecticut State Office of Ethics

⁴

http://www.cthealthpolicy.org/pdfs/20150521_ethics_testimony_sim_conflicts_of_interest.pdf

⁵ http://www.cthealthpolicy.org/pdfs/20150225_sim_ethics_letter.pdf