



Monterey County

Board Order

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Salinas, CA 93901
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Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried by those members present, the Board of Supervisors hereby:

Approved the proposed amendment to the Conflict of Interest Code of the Hospital Department (Natividad Medical Center) of Monterey County.

PASSED AND ADOPTED on this 6th day of November 2012, by the following vote, to wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Potter, and Parker
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on November 6, 2012

Dated: November 9, 2012
File Number: A 12-193

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**CONFLICT-OF-INTEREST CODE
OF THE
COUNTY OF MONTEREY DOING BUSINESS AS
NATIVIDAD MEDICAL CENTER**

The Political Reform Act of 1974 (Government Code sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation, section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict-of-interest code that can be incorporated by reference in an agency's code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of section 18730 of title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission together with the attached Appendices designating positions and establishing disclosure categories are hereby incorporated by reference and together constitute the Conflict-of-Interest Code of the County of Monterey, doing business as, Natividad Medical Center (hereafter "Natividad Medical Center").

Individuals, other than the CEO, holding designated positions shall file their Form 700, Statement of Economic Interest, with the NMC filing officer, Maegan Ruiz-Ignacio or her replacement. These statements will be available for public inspection and reproduction pursuant to Government Code Section 81008. The CEO will file their original signed Form 700, Statement of Economic Interest, with the Board of Supervisors through the Clerk of the Board. NMC shall make and retain copies and forward (if necessary or requested) the originals of all other statements to the code reviewing body, namely the Clerk of the Board of Supervisors for the County of Monterey, for all other designated positions. Otherwise, statements for designated positions, other than the CEO, shall be retained by the NMC filing officer.

Adopted: **11-6-12**
Revised: **03-19-86**
05-04-90
06-23-92
10-23-96
04-03-01
11-6-12

Attachments: Appendix A: Designated Positions
Appendix B: Disclosure Categories

APPENDIX A: DESIGNATED POSITIONS

<u>Designated Positions</u> ¹	<u>Assigned Disclosure Category</u>
Chief Executive Officer	1
Chief Financial Officer	1
Chief Medical Officer	1
Chief Nursing Officer	1
Chief Operating Officer	1
Chief Information Officer	1
Director Outpatient Services	1
Director Materials Management	1
Director of Public Relations	1
Director of Quality Services	1
Director of Engineering and Safety	1
Director of Food Services	1
Hospital Purchasing & Materials Support Director	1
Hospital Human Resources Administrator	1
Hospital Risk Assessment and Compliance Officer	1
Controller	1
Hospital Patient Accounts Managers	1
Outpatient Services Manager	1
Outpatient Services Manager, II	1
Physical Plant Manager	1
Management Analyst/Contracts	1
Management Analyst/Materials	1
Management Analyst/ HR	1
Management Analyst/Med Staff	1
Management Analyst/Engineering	1
Project Specialist	1
Assistant Administrator, Operations and Support Services	1
Assistant Administrator, Planning and Business Development	1
Members, Board of Trustees	1
President and CEO Natividad Medical Foundation	1
 <u>Consultants</u> ²	 <u>Assigned Disclosure Category</u>
Contract Consultants	2

¹ Designated Positions, Assigned Disclosure Category 1: Public officials who manage public investments are not covered by the Conflict of Interest Code because they must file a statement of economic interests pursuant to Government Code section 87200. Therefore, those positions are listed herein for information purposes only.

² Consultants, Assigned Disclosure Category 2: Consultants are included in the list of designated positions. For purposes of this Code, "consultant" has the same meaning as set forth in 2 Cal. Code Regulations, Title 2, Section

Footnote 2 Continued

18701(a)(2), as follows:

"Consultant" means an individual who, pursuant to a contract with a state or local government agency:

(A) Makes a governmental decision whether to:

1. Approve a rate, rule, or regulation;
2. Adopt or enforce a law;
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement;
4. Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
5. Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
6. Grant agency approval to a plan, design, report, study, or similar item;
7. Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or

(B) Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision or performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants to Natividad Medical Center shall be subject to disclosure under Category 1, subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements of Category 1. In such cases, the Chief Executive Officer may designate a different disclosure requirement. Such determination must be made in writing and shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the consultant's disclosure requirements. Such determination by the Chief Executive Officer is a public record and shall be retained for public inspection in the same manner and location as the Agency's Conflict of Interest Code.

APPENDIX B: DISCLOSURE CATEGORIES

General Provisions Applicable to All Categories

When an individual who holds a designated position is required to disclose investments and sources of income, he or she shall disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction, or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction.

When an individual who holds a designated position is required to disclose sources of income, he or she shall include gifts received from donors located inside as well as outside the jurisdiction.

When an individual who holds a designated position is required to disclose interests in real property, he or she shall disclose the type of real property described below if it is located within the jurisdiction, or not more than two miles outside the boundaries of the jurisdiction, or within two miles of any land owned or used by Agency.

For purposes of this Conflict of Interest Code, the jurisdiction of Natividad Medical Center is the County of Monterey.

Category 1

A designated position in this category must report all investments, business positions, interests in real property, and sources of income, including gifts, loans, and travel payments.

Category 2

A designated position in this category must report all investments, business positions, and sources of income, including gifts, loans, and travel payments.

Category 3

A designated position in this category must report all interests in real property.

Category 4

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources that are subject to the regulatory, permit or licensing authority of, or have an application for a license or permit pending before, the Agency.

Category 5

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to supply materials, products, supplies, commodities, services, machinery, vehicles, or equipment utilized by the Agency.

Category 6

A designated position in this category must report all investments, business positions and income, including gifts, loans, and travel payments, from sources which are of the type to receive grants or other monies from or through the Agency.