



TEXAS
Health and Human
Services

Advisory Committee Ethics Overview

HHS Ethics Office

David Reisman

HHS Chief Ethics Officer

Welcome



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David A. Reisman
HHS Chief Ethics Officer



Topics

- Representation
- Confidential Information
- Disclosure
- Misuse of Government Property
- Honoraria
- Conflicts of Interest
- Prohibition on Lobbying
- Open Meetings Act/PI
- Bribery
- Public Servants



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Official Representation

Advisory committee members may not claim or appear to represent HHSC or the committee in any legislative or advocacy activity without approval from the committee's presiding officer and the HHS Ethics Office in coordination with the HHSC Government and Stakeholder Relations Office.



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Representation

Committee members are not prohibited from discussing a report that has been formally adopted by the specific committee they represent, or from representing themselves or other non-state agency entity in the legislative or advocacy process.



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Disclosure

Advisory committee members shall disclose all direct **personal or financial interests** in a motion under consideration and recuse themselves from any deliberations or decisions on that matter.



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Disclosure, cont.

Personal or Private Interest:

Does not include the member's engagement in a profession, trade, or occupation when the member's interest is the same as all others similarly engaged in a profession, trade, or occupation, or if the member merely provides a personal experience, with no personal or private interest, in giving feedback on the subject matter.



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Honoraria Prohibition

Advisory committee members may not accept payment for services that are requested because of the members' title or position on the committee.



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Penal Code § 36.07

Conflicts of Interest

Advisory committee members should not be in a position to derive personal benefit from actions or decisions made in their official capacity.

Potential Conflicts of Interest:

- Public Sector Government Policy
- Interests of family and friends
- Personal interests
- Personal values
- Organizational values
- Professional values



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Bribery

Advisory committee members should not knowingly solicit, accept, or agree to accept any benefit for having exercised the member's official powers or duties in favor of another person.



Penal Code § 36.02



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Open Meeting Act & Public Information Act

Advisory committee members shall complete the **Open Meetings Act and Public Information Act trainings** within 90 days of appointment and submit the Certificate of Completion to the Work Group liaison.



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Confidential Information

Advisory committee members **may not disclose confidential information** and all agency-generated information, including information in draft form, acquired through his or her committee membership, until such time as the information or document is released and made public, the HHS Executive Commissioner has approved the release in writing, or the HHS Ethics Policy permits release.



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Confidential Information, cont.

Confidential Information:

Includes all information protected by the Health Insurance Portability and Accountability Act (HIPAA), information that has commercial value or use, such as trade secrets, and information communicated in confidence by the HHS System.



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Misuse of Government Property

Advisory committee members shall not use state government time, property, facilities or equipment for purposes other than official business.



Penal Code § 39.02(a)(2)



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Prohibition on Lobbying

Advisory committees, or its members, may not expend state appropriations to advocate for or against any bill or measure.



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Public Servants

As public servants, advisory committee members are subject to ethics laws contained in the chapters 36 & 39 of the state penal code and elsewhere in state statutes.



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Contact



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Thank you

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