

February 27, 2009

New Advisory Opinions

On February 26, 2009, the Citizen's Ethics Advisory Board met and decided on two new Advisory Opinions. Click on the AO number to read the full text of the opinion.

[Advisory Opinion No. 2009-2](#), Drug Maker's Communications with the Pharmaceutical and Therapeutics Committee to Get a Drug Placed on the Preferred-Drug List

The CEAB concluded that a drug maker, when communicating with the Pharmaceutical and Therapeutics Committee to get a drug placed on the preferred-drug list, is "lobbying" unless its communications fit within one of the exceptions to the definition of that term. In this instance, the drug maker is lobbying because he/she is soliciting others to communicate with an executive branch official for the purpose of influencing administrative action.

[Advisory Opinion No. 2009-3](#), Application of the Code of Ethics for Public Officials to Workers' Compensation Commission Hearing Reporters

The CEAB concluded that it is not permissible, under the Code of Ethics, for Workers' Compensation Commission hearing reporters to use five hours of state-compensated time to engage in creating transcripts for which they are privately compensated by the parties requesting the transcripts. The CEAB found it irrelevant that a union contract allows for such activity; absent an exception in the Codes of Ethics or elsewhere in the general statutes, the Code of Ethics supersedes a union contract clause that sanctions a Code violation.

OSE Annual Report

On February 15, the OSE submitted its Annual Report for Calendar Year 2008 to the Governor. The report demonstrates that the OSE is no longer an entity getting ready to be an agency – it is an agency doing its work.

2008 saw significant leaps in progress in all areas of the agency's operations: education; interpretation; enforcement and records retention. The [2008 Annual Report](#) details the specific and quantifiable successes in all of these areas during the calendar year. For example, the OSE held 49 training sessions in 2008, with a total of 2,956 participants. The Legal division received 1,073 requests for advice. The Enforcement Division resolved 54 matters that resulted in over \$121,000 received in penalties, and the agency handled 2,796 public official Statements of Financial Interests. Overall, the agency operates at a cost of only \$.51 per citizen of Connecticut. We look forward to enhancing our productivity and results in 2009.

Best regards,

Meredith Trimble