



HEALTH INFORMATION TECHNOLOGY EXCHANGE OF CONNECTICUT

Policy: ETHICS

All officials and employees of Connecticut's quasi-public agencies are subject to the State's Code of Ethics for Public Officials (Connecticut General Statutes §§1-79 through 1-89) (the "Ethics Code"). These rules are intended to prevent the use of public position or authority for personal financial benefit. Employees of quasi-public agencies, such as the Health Information Technology Exchange of CT ("HITE-CT"), are treated as "state employees" for purposes of the Ethics Code. Similarly, members of the HITE-CT Board of Directors are treated as "public officials" and are subject to many of the same requirements and restrictions that govern the conduct of state employees.

This ethics policy establishes the high standards of honesty, integrity, and quality of performance that each HITE-CT director, officer, and employee must meet. It is a general guide in determining what conduct is prohibited so that it may be avoided. This policy supplements, but does not supersede, the Ethics Code, other applicable provisions of the Connecticut General Statutes, Executive Orders Nos. 1 and 7b of Governor Rell, and HITE-CT employment policies.

HITE-CT employees, officers, and directors are encouraged to read the relevant statutes, executive orders, regulations and other materials, which are available on the Office of State Ethics website at www.ct.gov/ethics. A copy of the Office of State Ethics' current Guide to the Code of Ethics for Public Officials and State Employees is attached to, and forms a part of, this policy.

Violations of this policy may result in disciplinary action, up to and including termination of employment.

Current Employee Prohibitions. The main prohibitions for HITE-CT employees are as follows:

- A. **Gifts.** In general, HITE-CT employees are prohibited from soliciting or accepting gifts from anyone (1) doing business with HITE-CT, (2) seeking to do business with HITE-CT, (3) engaged in activities regulated by HITE-CT, (4) known to be a registered lobbyist or lobbyist's representative, or (5) pre-qualified for large state contracts by the Connecticut Department of Administrative Services. This prohibition extends to the acceptance by an HITE-CT employee of goods or services provided to HITE-CT by any such person for use on HITE-CT property, to support HITE-CT employees' participation at an event, or otherwise to facilitate HITE-CT actions or functions.

No HITE-CT employee and his or her supervisor(s) may exchange a gift having a value of more than \$99.99.

"Gifts" generally refers to any gift, discount, gratuity, payment or other thing of value that is not offered on the same terms to the public at large. Certain gifts of small value, such as food and beverage, and in connection with "major life events" are exempted from the prohibition on gifts under the Code of Ethics.

- B. **Outside Employment and Interests.** No HITE-CT employee may accept outside employment that (1) would impair the employee's independence of judgment as to his or her official duties, (2) would require or is likely to induce disclosure of confidential information gained in service to HITE-CT, or (3) would interfere with the performance of his or her duties at HITE-CT. HITE-CT employees shall report all outside employment and outside work performed as a consultant or independent contractor, to HITE-CT's Ethics Compliance Officer.
- C. **Financial Benefit.** HITE-CT employees may not use their official positions for their own personal financial benefit or to benefit a family member or a business with which they or a family member are associated.
- D. **Confidential Information.** HITE-CT employees may not use confidential information gained in service to HITE-CT for their own personal financial benefit or to benefit a family member or a business with which they or a family member are associated.
- E. **Business Interests.** No HITE-CT employee shall have, directly or indirectly, an interest in any business or enterprise doing business with HITE-CT or any other agency or public instrumentality of the state that could cause or create the appearance of a conflict with, or influence the performance of, the employee's duties with HITE-CT.
- F. **Contracts.** No HITE-CT employee may enter into a contract with HITE-CT or any other agency or public instrumentality valued at \$100 or more, unless the contract has been awarded through an open and public process. This ban extends to immediate family and associated businesses. Additionally, neither HITE-CT Chief Executive Officer (CEO) nor the members of such individual's immediate family or businesses with which such individual is associated may enter into any contract with HITE-CT.

No HITE-CT employee may enter into any contract for goods or services for personal use with any person doing business or seeking to do business with HITE-CT unless it is on the same terms that such goods or services are readily available to other members of the public.

- G. **Appearance Fees.** No HITE-CT employee may accept any fee or honorarium given in return for a speech or appearance made, or article written, in the employee's official capacity.

Post-Employment Prohibitions. HITE-CT employees are prohibited from engaging in the following activities after they leave HITE-CT employment for any reason:

- A. **Confidential Information.** No former HITE-CT employee may disclose or use confidential information gained in state service for the financial benefit of any person.
- B. **Acting as a Representative.** No former HITE-CT employee may represent anyone (other than HITE-CT) concerning any particular matter (1) in which he or she participated personally and substantially while employed by HITE-CT and (2) in which HITE-CT has a substantial interest. In addition, former HITE-CT employees may not, for one year after leaving HITE-CT employment, represent anyone for compensation before HITE-CT.

- C. **Employment with HITE-CT Contractors.** No former HITE-CT employee who participated substantially in or supervised the negotiation or award of a contract with HITE-CT or any other agency or instrumentality of the state valued at \$50,000 or more may accept employment with a party to the contract for one year after resignation from employment with HITE-CT if the resignation occurs within one year after the contract was signed. "Employment" includes work as an independent contractor or consultant.

Reporting

- A. **Apparent Violations.** An employee who becomes aware of any apparent violation of this policy shall promptly report such apparent violation to the Ethics Compliance Officer for review and appropriate action.
- B. **Potential Conflict of Interest.** If an employee, in the discharge of his or her duties, would be required to take an action that could affect his or her personal financial interest or that of a family member or a business with which such employee is associated, he or she shall promptly report such conflict of interest to the Ethics Compliance Officer. The employee must prepare a written statement, under penalty of false statement, which describes the potential conflict. The employee must deliver the statement to his or her immediate supervisor (which in the case of the CEO shall be deemed to be the Chairperson of the Board of Directors) who will assign the matter to another HITE-CT employee.

Board of Directors

Members of HITE-CT Board of Directors, as public officials, are subject to many of the same provisions of the Ethics Code that govern the conduct of HITE-CT employees. There are, however, differences. In general, members of the Board of Directors are subject to the following provisions described above as applicable to HITE-CT employees:

1. Gifts;
2. Use of official position for personal gain;
3. Misuse of confidential information;
4. Contracts with HITE-CT;
5. Appearance fees; and
6. Post-state employment limitations.

Outside employment and business interests of a member of HITE-CT Board of Directors (other than *ex officio* members) do not constitute a conflict of interest so long as such member discloses such employment and business interests and abstains and absents himself or herself from any deliberation, action, and vote by the Board of Directors with respect to any matters regarding such member's employer or the business in which such member has an interest.

In the event of a potential conflict of interest, the affected member of the Board of Directors shall promptly report such potential conflict to the Chairperson of the Board of Directors. The Ethics Compliance Officer should be contacted in connection with conflict of interest disclosures by members of HITE-CT Board of Directors.

Statements of Financial Interest

Members of HITE-CT Board of Directors, the CEO, and any other HITE-CT employee with responsibility for the review, award, or monitoring of HITE-CT contracts shall file statements of financial interest with the Office of State Ethics in accordance with the requirements of Section 1-83 of the Connecticut General Statutes.

Ethics Compliance Officer

HITE-CT has appointed an Ethics Compliance Officer whose responsibilities include the development and administration of ethics policies for HITE-CT, the coordination of ethics training programs for HITE-CT, and the monitoring of HITE-CT programs for compliance with the Ethics Code and this Ethics Policy. HITE-CT's Ethics Compliance Officer is Christine M. Kraus.