

STATE OF CONNECTICUT
STATE ETHICS COMMISSION

CONFIDENTIAL

DOCKET NUMBER 2002-7) STATE ETHICS COMMISSION
IN THE MATTER OF A) 20 TRINITY STREET
COMPLAINT AGAINST) HARTFORD, CT 06106
JANE E. NEILSEN) SEPTEMBER 4, 2002

COMPLAINT

COUNT ONE

1. From January 29, 1999 through June 21, 2000, Jane E. Neilsen ("the Respondent") was a "state employee" with the State Office of Health Care Access (OHCA), as that term is defined in § 1-79(m).
2. As such state employee, the Respondent's hourly salary, including benefits, was \$60.73 per hour.
3. While a state employee with OHCA, the Respondent negotiated a post-state employment contract with OHCA, which negotiation included a post-state employment wage in excess of her state employee salary.
4. Conn. Gen. Stat. § 1-84(c) provides that no state employee shall use his or her position to obtain financial gain for him or herself.
5. By entering into the contract described in paragraph 3 of this First Count, the Respondent violated Conn. Gen. Stat. § 1-84(c).

COUNT TWO

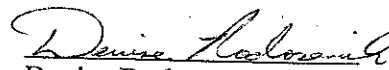
1. Paragraphs 1 through 3 of Count One are hereby incorporated as if more fully set forth herein.
4. The Respondent was a state employee when she entered into the contract described in paragraph 3 of Count One.

5. In that contract, her post-state employment salary was \$125 per hour for a total contract value of no more than \$89,000.
6. Conn. Gen. Stat. § 1-84(i) provides that no state employee shall enter into any contract with the State, valued at one hundred dollars or more, unless the contract has been awarded through an open and public process.
7. The Respondent's contract was not entered into through an open and public process.
8. By virtue of the above, the Respondent violated Conn. Gen. Stat. § 1-84(i).

COUNT THREE

1. Paragraphs 1 through 3 of Count One are hereby incorporated as if more fully set forth herein.
4. Conn. Gen. Stat. § 1-84b(b), provides that no former state employee shall, for one year after leaving state service, represent anyone, other than the state, for compensation before the agency in which the employee served at the time of termination of service, concerning any matter in which the state has a substantial interest. An exception to this provision is recognized if the former state employee is hired as a consultant by her former agency at a wage that is no greater than what she was earning as a state employee.
5. In her post-state employment with OHCA, the Respondent earned an hourly wage of \$125 per hour.
6. By virtue of the above, the Respondent violated Conn. Gen. Stat. § 1-84b(b).

9/4/02
Date


Denise Rodosevich
Commission Attorney

STATE OF CONNECTICUT
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DOCKET NUMBER 2002-7) STATE ETHICS COMMISSION
IN THE MATTER OF A) 20 TRINITY STREET
COMPLAINT AGAINST) HARTFORD, CT 06106
JANE F. NEILSEN) NOVEMBER 21, 2002

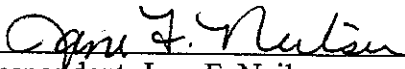
STIPULATION AND ORDER

Pursuant to Conn. Gen. Stat. § 4-177(c), the State Ethics Commission and the Respondent agree to settle this matter in the manner described below:

1. The Commission finds that the Respondent violated §§ 1-84(c) and 1-84b(b) of the Code of Ethics for Public Officials as alleged in the Complaint dated September 4, 2002.
2. The Commission finds that the Respondent violated § 1-84(i) but that actions by the Commissioner of the Office of Health Care Access ("OHCA") and the Office of Policy and Management ("OPM") may have led the Respondent to believe that compliance with this law was unnecessary.
3. The Respondent submits that the violations were unintentional, and offers the following. She did not solicit post-state employment work; rather OHCA requested that she assist it in a high priority project. Further, the contract at issue was approved by various Department of State of Connecticut, including the Department of Public Health, OPM, and the Department of Administrative Services. In addition, the Commissioner of OHCA applied for and received from OPM, pursuant to Conn. Gen. Stat. § 4-216(b), taking cognizance of Conn. Gen. Stat. § 1-84(i), a purported "waiver" of the competitive bidding requirement. Having responded to a request from OHCA to provide contractual services, with all applicable approvals having been obtained, Respondent had no reason to believe the contract was in violation of the Code of Ethics.
4. The Respondent waives any rights she may have under Conn. Gen. Stat. §§ 1-82, 1-82a, 1-80, and 1-87 including any right to a hearing or appeal in this case, and agrees with the Commission to an informal disposition of this matter as authorized by Conn. Gen. Stat. § 4-177(c).

WHEREFORE, the State Ethics Commission enters and the Respondent agrees to the following order in lieu of any other action regarding this matter.

The Commission orders and the Respondent agrees to pay to the State Ethics Commission \$4,000 within thirty days of the signing of this Stipulation and Order.


Respondent, Jane F. Neilsen

12-12-02
Date


Chairperson,
State Ethics Commission

13 Dec 02
Date

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