



OFFICE OF STATE ETHICS

DOCKET NUMBER 2018-40	:	OFFICE OF STATE ETHICS
	:	
IN THE MATTER OF A	:	18-20 TRINITY STREET
	:	
COMPLAINT AGAINST	:	HARTFORD, CT 06106
	:	
JAMES WADLEIGH	:	DECEMBER 20, 2018

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, Connecticut General Statutes §§ 1-79, *et seq.*, Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics (“OSE”), issued an amended complaint (“Complaint”) against the respondent James Wadleigh (“Wadleigh” or “Respondent”) for a violation of the Code of Ethics, Connecticut General Statutes § 1-84b (f). Based on the findings of an investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer has probable cause to believe that the Respondent participated substantially in the negotiation or award of a state contract and, within one year after his resignation from state service, accepted employment with the recipient of the contract, in violation of General Statutes § 1-84b (f).

The Parties have entered into this Stipulation and Consent Order in full resolution of the Complaint in this matter, as further set forth herein.

I. STIPULATION

The Ethics Enforcement Officer and Respondent, James Wadleigh, hereby stipulate to the following facts:

1. From on or around September 2014, through on or around April 2018, the Respondent held the position of Chief Executive Officer for the Connecticut Health Insurance Exchange (“AHC”), a Connecticut quasi-public agency.

2. As Chief Executive Officer of AHC, the Respondent was a “state employee” as that term is defined by General Statutes § 1-79 (13).

3. As part of his duties at AHC, on or about August of 2017, the Respondent participated substantially in the negotiations and/or award of a state contract, and/or supervised the negotiation or award of a state contract, with a New York business located in Stony Brook, NY (the “Stony Brook business”) to provide healthcare information technology services to AHC.

4. As part of his duties at AHC, on or about September of 2017, the Respondent participated substantially in the negotiations and/or award of an additional state contract, and/or supervised the negotiation or award of an additional state contract, with the Stony Brook business to provide healthcare information technology services to AHC.

5. The contract between AHC and the Stony Brook business was valued at fifty thousand dollars (\$50,000.00) or more.

6. On or around April 2018, the Respondent resigned his position at AHC.

7. On or around September 2018, the Respondent accepted a position with, and began his employment at, the Stony Brook business as its Chief Operating Officer, less than one year after his employment concluded at AHC.

8. Pursuant to General Statutes § 1-84b (f):

No former public official or state employee (1) who participated substantially in the negotiation or award of (A) a state contract valued at an amount of fifty thousand dollars or more, [] or (2) who supervised the negotiation or award of such a contract, shall accept employment with a party to the contract ... for a period of one year after his

resignation from his state office or position if his resignation occurs less than one year after the contract ... is signed.

9. By accepting employment with a party to a state contract of fifty thousand dollars or more, after he had participated substantially in the negotiation or award of such contract, within one year of his resignation from AHC, the Respondent violated General Statutes § 1-84b (f).

10. The Respondent admits to the foregoing facts and admits that the foregoing facts constitute a violation of the Code of Ethics.

II. RESPONDENT'S POSITION

1. Respondent states that, in February 2018, as he was preparing to announce his resignation from AHC, the Respondent contacted the Office of State Ethics to seek advice on the restrictions applicable to his post-AHC employment.

2. Respondent states that, in beginning his employment at the Stony Brook business in September 2018, the Respondent mistakenly understood that the one-year restriction on his ability to become employed by the Stony Brook business was tied to the anniversary of his signing the contract with the Stony Brook business. He did not realize at the time that the limitation on these facts ran for one year from his departure from AHC.

3. Respondent states that, upon being advised of his error after the Stony Brook business announced his employment, the Respondent voluntarily terminated his employment at the Stony Brook business on October 22, 2018, within weeks of having begun employment there.

NOW THEREFORE the Ethics Enforcement Officer of the Connecticut Office of State Ethics and the Respondent hereby enter into this Stipulation and Consent Order and hereby agree as follows:

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's acts as set forth herein, and to enter into this Stipulation and Consent Order.
2. The provisions of this Stipulation and Consent Order apply to and are binding upon the Respondent.
3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Ethics Enforcement Officer over matters addressed in this Stipulation and Consent Order.
4. The Respondent waives any rights he may have under General Statutes §§ 1-80, 1-82, 1-82a, 1-87 and 1-88, including the right to a hearing or appeal in this case, and agrees with the Ethics Enforcement Officer to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).
5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.
6. The terms set forth herein are in addition to, and not in lieu of, any other existing or future statutory, regulatory, or other legal obligation that may be applicable to the Respondent.

7. The Respondent understands that he has a right to counsel and has been represented by counsel during the OSE's investigation and in connection with this Stipulation and Consent Order.

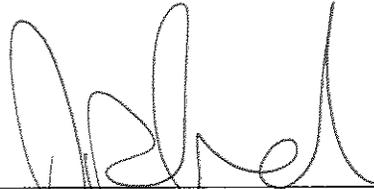
IV. ORDER

NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent agrees, that:

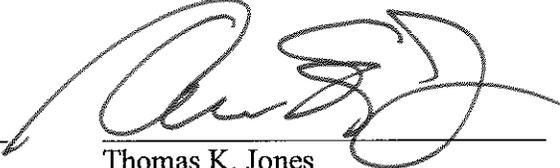
1. Pursuant to General Statutes § 1-88 (a) (1), the Respondent will cease and desist from any future violation of § 1-84b (f).
2. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay a civil penalty to the state in the amount of five thousand dollars (\$5,000.00).

WHEREFORE the Ethics Enforcement Officer and the Respondent, James Wadleigh, hereby execute this Stipulation and Consent Order dated December 20, 2018.

Dated: 12/20/18


James Wadleigh

Dated: 12/20/18


Thomas K. Jones
Ethics Enforcement Officer
Office of State Ethics
18-20 Trinity Street
Hartford, CT 06107
(860) 263-2390