



OFFICE OF STATE ETHICS

DOCKET NUMBER 2018-42 : OFFICE OF STATE ETHICS
: :
IN THE MATTER OF A : 18-20 TRINITY STREET
: :
COMPLAINT AGAINST : HARTFORD, CT 06106
: :
SOFTHEON, INC. : DECEMBER 20, 2018

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, Conn. Gen. Stat. §§ 1-79, *et seq.*, Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics (“OSE”), issued a complaint (“Complaint”) against the respondent Softheon, Inc. (“Softheon” 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, subsequent to entering into a contract with a Connecticut quasi-public agency, the Respondent employed a former state employee who had participated substantially in the negotiation or award of the contract within one year of his departure from state service, in violation of Connecticut 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, Softheon, Inc., hereby stipulate to the following facts:

1. At all times relevant hereto, Respondent Softheon, Inc. (“Softheon” or “Respondent”) was a Delaware corporation with its principal place of business located in Stony Brook, New York.

2. At all times relevant hereto, Softheon was a party to a state contract valued at over fifty thousand dollars (\$50,000.00).

3. On or about August and September of 2017, following negotiations, the Respondent was awarded a contract (the “Softheon contract”) by the Connecticut Healthcare Exchange, a quasi-public agency of the state of Connecticut (“Access Health CT” or “AHC”), to provide healthcare information technology services.

4. On behalf of AHC, the negotiation and/or award of the Softheon contract was conducted by, and/or supervised by, a senior executive of AHC (the “AHC executive”).

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

6. On or around April 2018, the AHC executive left his position at AHC, and left state employment.

7. On or before September 2018, Softheon offered employment to the AHC executive as the Chief Operating Officer of Softheon, which offer was accepted by the AHC executive.

8. On or around September, 2018, the AHC executive began working as the Chief Operating Officer at Softheon.

9. The Respondent employed the AHC executive within one year of his departure from state service.

10. 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. No party to such a contract or agreement other than the state shall employ any such former public official or state employee in violation of this subsection.

11. By employing the AHC executive within a year of his resignation from state office, after the AHC executive had participated substantially in, or supervised, the negotiation or award of the Softheon contract, the Respondent violated General Statutes § 1-84b (f).

12. The Respondent admits to the foregoing facts, and admits that the foregoing facts constitute a violation of the Code of Ethics as set forth in the Complaint.

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

II. 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 signatory below is authorized to act on behalf of the Respondent, and is authorized to enter into the terms of this Stipulation and Consent Order on behalf of the Respondent.

3. The provisions of this Stipulation and Consent Order apply to and are binding upon the Respondent.

4. 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.

5. The Respondent waives any rights it 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).

6. 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.

7. 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.

8. The Respondent understands that it 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.

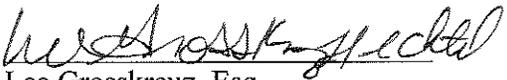
III. ORDER

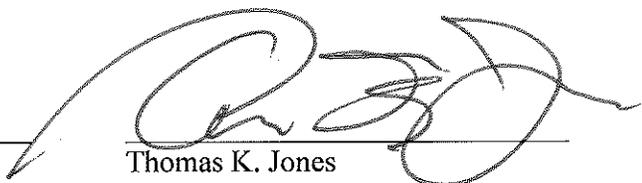
NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby ORDERS, and the Respondent agrees, that:

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, Softheon, Inc., hereby execute this Stipulation and Consent Order dated December ^m20, 2018.

Dated: 20 December 2018 
Lee Grosskreuz, Esq.
General Counsel, Softheon, Inc.
On behalf of Softheon, Inc.

Dated: 12/26/18 
Thomas K. Jones
Ethics Enforcement Officer
Office of State Ethics
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Hartford, CT 06107
(860) 263-2390