



Board Policy

Conflict of Interest

Purpose: The Political Reform Act (California code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The California Fair Political Commission has adopted a regulation (2 California Code of Regulations Sections 18730, hereinafter "Regulation" which contains the terms of a standard Conflict of Interest Code which can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. The regulation further provides that incorporation of its terms by reference along with the designation of employees and the formulation of disclosure categories in an Appendix shall constitute the adoption and promulgation of a conflict of interest code within the meaning of Government Code Section 873000 or the amendment of a conflict of interest code within the meaning of government code section 87307. Therefore, the terms of the Regulation and any amendment to it, duly adopted by the Fair and Political Practices Commission, are hereby incorporated by reference. The Regulation and the attached appendix designating officials and employees and establishing disclosure categories constitute the Conflict of Interest Code of the Peninsula Health Care District.

1A. Designated officials and employees and any person who manages the District's investments shall file statements of economic interests with the District, which will make the statements available for public inspection and reproduction.
(California Government Code Section 81008).

1B. Upon receipt of the statements of all designated officials and employees, the District shall make and retain a copy and forward the original of these statements to the County Clerk for the County of San Mateo.

Appendix**DESIGNATED OFFICIALS AND EMPLOYEES***

Public Official	Disclosure Categories
President, Secretary, All Other Board Appointed District Officers (if such Officers are appointed by the District**)	1,2,3,4
Chief Executive Officer*	1,2,3,4
Consultants***	1,2,3,4

*It has been determined that the additional positions listed below manage public investments and will file a statement of economic interests pursuant to government code Section 87200

** If any such officer manages public investments, as defined by 2 California Code of Regulations Section 18720, such officer will not considered a designated employee but shall file a statement of economic interests pursuant to Government code Section 87200. Any personal holding more than one of these offices, or holding one or more of these officers and also serving as a Director shall be required to file only one disclosure statement.

*** Consultants shall be includes in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

2A. The Chairperson of the Board of Directors or the Board of Directors shall, before or at the time of engagement of a particular consultant, determine in writing whether or not the consultant is being engaged to perform a range of duties that is limited in scope and this is not required to comply with the disclosure requirements described in this Code, either fully or in part. Such written determination shall include a description of the consultant's duties, and is based upon that description, a statement of the extent of disclosure requirements. If it is determined at or before the time of engagement that a particular consultant's range of duties are such as to not require full or any compliance with the disclosure requirements of this Code, but it later appears that the consultants duties have so expanded or otherwise changed so that full or additional compliance should be required, the Chairperson of the Board of Directors or the Board of Directors shall make such determination in writing within a reasonable time. All such written determinations are public records and shall be retained for the public inspection in the same manner and location as this Conflict of Interest Code.

2B. In making such determination, the Chairperson of the Board of Directors or the Board of Directors, as the case may be, shall be guided by the principle that consultant required to

comply with the disclosure requirements shall be those who make governmental decisions as provided in 2 California Code of Regulations Section 18700(a)(2)(A), or who serve in a staff capacity with the District and in that capacity perform substantially all the same duties for the District as would otherwise be performed by a person holding a position specified in this Conflict of Interest Code, as provided in 2 California Code of Regulations Section 18700(a)(2)(B).

Disclosure Categories

- Category 1. A designated official or employee assigned to Category 1 is required to disclose investments.

- Category 2. A designated official or employee assigned to Category 2 is required to disclose interests in real property.

- Category 3. A designated official or employee assigned to Category 3 is required to disclose income.

- Category 4. A designated official or employee assigned to Category 4 is required to disclose and business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.