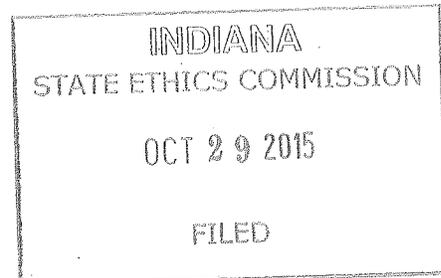




Michael R. Pence, Governor
State of Indiana

Indiana Family and Social Services Administration
402 W. WASHINGTON STREET, P.O. BOX 7083
INDIANAPOLIS, IN 46207-7083

John J. Wernert, M.D., Secretary



October 26, 2015

Mr. James Clevenger
Chair
State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, IN 46202

Re: Ethics Disclosure Statement, Conflicts of Interest – Decisions and Voting for Deputy General Counsel, FSSA

Dear Mr. Clevenger:

In my role as Ethics Officer for Indiana Family and Social Services Administration (FSSA), I am providing you with supplemental information relating to the attached Ethics Disclosure Statement filed by Latosha Higgins, Deputy General Counsel of FSSA's Office of General Counsel. I am General Counsel of FSSA. Ms. Higgins serves as Deputy General Counsel and is the lead attorney for the Division of Aging. Ms. Higgins has identified a potential conflict with a community organization that she has participated in since 1994. I would like to provide you with an excerpt from Ms. Higgins on the community organization and the initiative at issue:

“Since 1994, I have been a member of an international social service organization, Zeta Phi Beta Sorority, Incorporated, which has over 100,000 members. Our principles are Scholarship, Service, Sisterhood and Finer Womanhood. We have several initiatives as an organization in furtherance of these principles.

One such program is our social action initiative “Get Engaged.” As the president of a local chapter and Social Action Coordinator for the Indiana State Organization for the sorority, I am responsible for coordinating opportunities for our members in the state to participate in strengthening the relationship among the community, elected officials, law enforcement and educators. This includes sharing our concerns regarding our community with elected and appointed officials, mobilizing voting around key issues and encouraging our membership to pursue elected office and other community leadership positions. One activity we are planning this year, that I am responsible for spearheading, is a Zeta Day at the Statehouse to meet and greet the state legislators. Since our organization is a 501 (c) 7 entity, I will not engage in any political activities because it would jeopardize our nonprofit status as an



organization. My involvement would include securing a date for the event and coordinating the logistics for a visit that would include a brief exchange between our members of their local legislators regarding our organizations principles and national initiatives.

Two other initiatives we have are Elder Care and Zetas Helping Other Excel (Z-HOPE). Through these programs annually, our organization selects a local nonprofit organization that provides services to seniors in the community and we make donations, financial and in-kind contributions as individuals, a chapter and state organization. This year, the State Director for the Indiana State Organization of Zeta Phi Beta Sorority, Incorporated announced that we are responsible for raising funds and collecting items for the Area 10 Area Agency on Aging in Bloomington, Indiana. I was not involved in the decision. Nevertheless, as a member, I am charged with making a personal contribution. Additionally, as the president for the Indianapolis chapter of the sorority, I am responsible for encouraging my chapter members to contribute. I am also responsible for reviewing and approving all expenditures, including financial donations. When making financial contributions, as an individual and organization, we do not place any limitations on how the funds may be used.

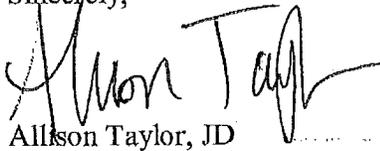
Throughout the year, we also volunteer at local adult day facilities and nursing homes and provide donations of toiletries and small gifts for individuals in these facilities.”

As the lead attorney for the Division of Aging, Ms. Higgins’ duties include advising the Division of Aging on its contracting with and monitoring of the Area Agencies on Aging. In order to screen Ms. Higgins from matters particular to Area 10 Area Agency on Aging, OGC staff and Division of Aging Staff have been instructed to send any matters relating to Area 10 Area Agency on Aging to Shanida Sharpe-Brynes, staff attorney at OGC, with a copy to the General Counsel. Ms. Higgins will also notify Shanida and the General Counsel in the event any work relating to the Area 10 Area Agency on Aging is mistakenly assigned to Ms. Higgins. Put in other words, Ms. Higgins may not provide assistance or guidance relating to the Area 10 Area Agency on Aging.

Ms. Higgins also agrees to participate in any social action and community services outside of State time and without using state resources. She will also make clear before engaging in any advocacy activities that she represents herself as an individual citizen, and not as an employee of the state. She also agrees not to use confidential information obtained during her capacity as a state employee to enhance advocacy activities, or benefit herself or others.

I do not believe Ms. Higgins’ social action activities or community service will violate any agency rule or regulation, or compromise her ability to perform duties as a deputy general counsel if she follows the ethics provisions above and the screen set forth by OGC when dealing directly with the Area 10 Agency on Aging. Please let me know if you have any questions or concerns.

Sincerely,



Allison Taylor, JD
General Counsel, FSSA
Ethics Officer, FSSA

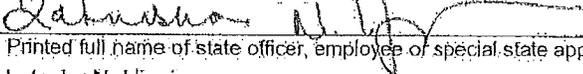
Describe the screen established by your ethics officer. (Attach additional pages as needed.)

Please see attached:

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee:



Date signed (month, day, year):

October 23, 2015

Printed full name of state officer, employee or special state appointee

Latosha N. Higgins

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer:



Date signed (month, day, year):

10/29/15

Printed full name of ethics officer

Allison Taylor

From: Wernert, Dr. John J.
Sent: Thursday, October 29, 2015 10:08 AM
To: Taylor, Allison
Cc: Johnson, Chris (FSSA)
Subject: RE: Notice of Screen for OGC Attorney

Acknowledge and agree.

JJW

John J. Wernert, M.D., MHA
Secretary
Family and Social Services Administration
Executive Asst: Lisa Graham
317-233-4690

From: Taylor, Allison
Sent: Thursday, October 29, 2015 9:24 AM
To: Wernert, Dr. John J.
Cc: Johnson, Chris (FSSA)
Subject: Notice of Screen for OGC Attorney

Hi Secretary Wernert and Chris,

Just wanted to inform you in writing that Deputy General Counsel Latosha Higgins has notified me that an organization with which she volunteers her time will be doing some charitable work for one of the area AAAs. She happens to be the attorney that advises the Division of Aging.

We will put in a place a "screen" to avoid any conflict. Simply put – she cannot advise DA on issues relating to the AAA. We will inform Yonda of this screen as well. If you are interested, the attached letter explains this in detail.

Thanks for your time, let me know if you have any concerns. If you could respond acknowledging receipt and agreement (or if Chris can do so on your behalf), it would be appreciated. I'll forward this to the Ethics Commission along with the paper work needed to implement the screen. Thanks!

Allison

Allison L. Taylor
General Counsel and Ethics Officer
Indiana Family and Social Services Administration
402 West Washington Street
Indianapolis, IN 46204-2243
Phone: (317) 234-3884
Email: Allison.Taylor@fssa.IN.gov

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