

JUL 12 2018

FILED



Eric J. Holcomb  
Governor

Kristina Box, MD, FACOG  
State Health Commissioner

**IC 4-2-6-11**  
**Post-employment waiver**

As the Appointing Authority of the Indiana State Department of Health (ISDH), I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Arthur L. Logsdon (Art) in his post-employment with Hirons & Company Communications (Hirons).

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of:

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker.

B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Art's duties while an Assistant Commissioner often involved substantial decision-making authority over policies, rules and contracts for the Health and Human Services Commission, which included as many as 14 different divisions. In that role, he participated in contracts that Hirons had with ISDH, including those with the Trauma, HIV/STD and Maternal & Child Health Divisions. All of those contracts are now concluded.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

The proposed position with Hirons would have Art writing and proofreading for Hirons' website and other communication vehicles.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

Art conceivably could have contact with the ISDH, as he will be working in the communications field and his duties on occasion might mean some contact. There are no contracts in effect today between ISDH and Hirons. In any event, Art does not anticipate working on any specific projects or matters that he worked on while with ISDH because all such projects or matters have concluded.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

The waiver of the post-employment restriction is consistent with the public interest in that Art's new work as a writer and proofreader will be in a field with which he is familiar and, when the assignment calls for it, he would be able to continue to promote and provide essential public health information, consistent with the mission of the ISDH. Additionally, waiving the post-employment restriction allows Art to immediately become re-employed, which is a good thing for him and his family. Moreover, he will not be directly involved with the projects that he previously directed with the ISDH as those have all concluded.

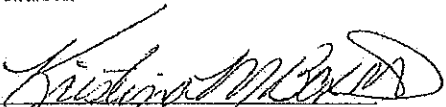
5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

He has been offered employment in a field in which he is well qualified. If the waiver is denied, he could not accept employment with Hirons, which would create an economic hardship because he would then not be employed.

C. Signatures

1. Appointing authority/state officer of agency

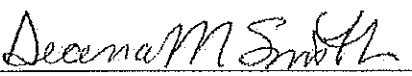
By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

  
Kristina Box, MD, FACOG  
State Health Commissioner

6/6/2018  
DATE

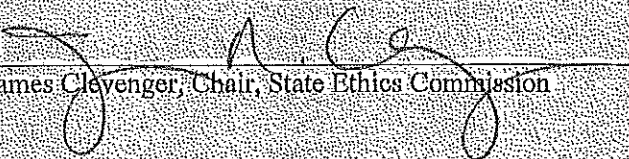
2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).

  
Deana M. Smith

6/6/2018  
DATE

D. Approval by State Ethics Commission

<b>FOR OFFICE USE ONLY</b>	
Approved by State Ethics Commission	
 James Clevenger, Chair, State Ethics Commission	<u>7/12/18</u> Date

Mail to:  
Office of Inspector General  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202  
OR  
Email scanned copy to:  
[info@ig.in.gov](mailto:info@ig.in.gov)

*Upon receipt you will be contacted with details regarding the presentation of this waiver to the State Ethics Commission.*