

**MINUTES OF THE MEETING OF  
THE INDIANA STATE ETHICS COMMISSION  
August 9, 2018**

**I. Call to Order**

A regular meeting of the State Ethics Commission (“Commission”) was called to order at 10:01 a.m. Commission members present included James Clevenger, Chairperson; Sue Anne Gilroy; Priscilla Keith, and Katherine Noel. Staff present included Jennifer Cooper, Ethics Director; Lori Torres, Inspector General; Kelly Elliott, Staff Attorney; Tiffany Mulligan, Chief Legal Counsel; and Cynthia Scruggs, Director of Administration, Office of Inspector General.

Others present were Dyllan Keys, Intern, Department of Revenue; Beth Green, General Counsel, Department of Workforce Development; Chris Serak, Ethics Officer, Department of Transportation; Sarah Kamhi, Assistant General Counsel/Director of Agreements, Department of Revenue; Tammera Glickman, Assistant General Counsel, Department of Administration; Stephanie Semaan, Intern, Department of Workforce Development; Mattheus Mitchel, Compliance & Ethics Specialist, Department of Revenue; Latosha Higgins, Managing Attorney/Ethics Officer, Family & Social Services Administration; Michelle Stanley, Legal Specialist, State Board of Accounts; Ben Badger, Revenue Tax Specialist, Department of Revenue; Stephanie Mullaney, Deputy General Counsel, Office of Attorney General; and Daniel Rusyniak, Chief Medical Officer, Family & Social Services Administration.

**II. Adoption of Agenda and Approval of Minutes**

Commissioner Noel moved to adopt the Agenda and Commissioner Gilroy seconded the motion which passed (4-0). Commissioner Gilroy moved to approve the Minutes of the July 12, 2018 Commission Meeting and Commissioner Noel seconded the motion which passed (4-0).

**III. Request for Formal Advisory Opinion**

**2018-FAO-0017 Dr. Daniel Rusyniak, Chief Medical Officer  
Latosha Higgins, Managing Attorney/Ethics Officer  
Family & Social Services Administration**

Latosha Higgins is the Ethics Officer for the Indiana Family and Social Services Administration (FSSA). Ms. Higgins is requesting an advisory opinion on behalf of Dr. Daniel Rusyniak, the new Chief Medical Officer for FSSA. Specifically, Ms. Higgins is requesting an opinion from the Commission addressing whether it would be a conflict of interests for Dr. Rusyniak to continue his outside employment with Eskenazi Health, hold his appointment at the Indiana University School of Medicine while on temporary leave, and retain privileges at the Roudebush VA Medical Center while employed as the Chief Medical Officer for FSSA.

Dr. Rusyniak will join FSSA after serving as the Medical Director of the Indiana Poison Center,

Division Chief Medical Toxicology, and holding numerous roles at Indiana University School of Medicine, including Faculty President. Dr. Rusyniak is scheduled to commence working at FSSA on August 6, 2018. He has agreed not to work any shifts at Eskenazi Health after his start date at FSSA until he receives a formal advisory opinion from the State Ethics Commission indicating that it would not be a conflict of interests for him to continue his outside employment activities.

The Chief Medical Officer position is a clinical executive position that reports to the Secretary of FSSA. The Chief Medical Officer's primary role is to provide leadership to the medical directors in each FSSA Division and the Office of Social Determinants of Health. As the Chief Medical Officer, Dr. Rusyniak will provide medical oversight, expertise and leadership to projects and operations within the Agency, including policy advising and program planning. His duties will not include any contract administration or rulemaking.

Dr. Rusyniak would like to continue to work a few evenings a month in the emergency department at Eskenazi Health while employed as the Chief Medical Officer of FSSA. He does not anticipate working more than three evenings a month on average. Dr. Rusyniak believes that it is important for him to continue working in the emergency room to maintain his skills through patient contact because it will aid him in his performance as Chief Medical Officer. Eskenazi Health partners with the Indiana University School of Medicine and serves as the public hospital division of the Health & Hospital Corporation of Marion County. Eskenazi Health's programs have received national recognition. Eskenazi is a safety-net hospital, meaning that it provides health care and other related services to the uninsured, Medicaid-recipients, and other vulnerable populations regardless of ability to pay. It is also the home of the first adult level trauma center in Indiana, the region's only adult burn center, and Indiana's first community mental health center. As a physician in the Eskenazi Health emergency room, Dr. Rusyniak will see firsthand the barriers to receiving medical care faced by the indigent, geriatric and pediatric patients he encounters.

Dr. Rusyniak will pay for his own medical malpractice insurance, licensing fees and certifications. Furthermore, he will not serve in a supervisory or leadership role with Eskenazi Health or Indiana University Health Physicians (IU Health Physicians). Rather, he will serve as an independent contractor to Eskenazi Health through IU Health Physicians. He will not charge patients nor will he bill insurance. He will be paid by IU Health Physicians on an hourly basis.

Eskenazi Health and IU Health Physicians are Indiana Medicaid Providers. Each has an Indiana Medicaid Provider Agreement with FSSA and both receive Medicaid reimbursements. Eskenazi Health does not have a direct contract with FSSA; however, its community mental health center is certified by FSSA's Division of Mental Health and Addiction. Additionally, IU Health Physicians is affiliated with Indiana University Health (IU Health), and FSSA's various divisions have six active contracts with IU Health, Indiana University and related entities. The contracts are at the division level in FSSA. The division directors are the owners of the contracts. Dr. Rusyniak, as Chief Medical Officer, would not be in a position to negotiate or sign these contracts. Per Dr. Rusyniak, to avoid a potential conflict under IC 35-44.1-1-4, IU Health Physicians will not use funds from these contracts with FSSA to pay him; however, his fees may be paid from general Medicaid funds.

Ms. Higgins provides that Dr. Rusyniak has no leadership role with IU Health Physicians or IU Health, that he is taking a leave of absence from the medical school, and that he would only be

staffing the emergency room a few times a month; she asserts that all of these measures should ensure that there is not even an appearance that he is deriving a profit from or has a pecuniary interest in any of the IU Health contracts with the State.

Dr. Rusyniak would not be in a position to make decisions regarding Medicaid providers or community mental health centers, and any direction he would provide regarding protocols, policies or procedures that might impact external stakeholders would apply to all clinical specialists, hospital administrators, and any other providers uniformly. Therefore, it is unlikely Dr. Rusyniak would make a decision that would have a unique impact on Eskenazi Health, IU Health Physicians, IU Health, or their related entities. If the situation presented itself, FSSA would screen Dr. Rusyniak from participating in any such decision by having the Secretary delegate full authority to another employee to handle such matters independently.

In addition to working as an independent contractor to Eskenazi Health, Dr. Rusyniak is in the process of applying for privileges to work in the emergency room at the Roudebush VA Medical Center and would like to retain said privileges if awarded. He does not believe at this time that he will seek work there; however, he wants to obtain privileges in case an opportunity would arise in the future.

Dr. Rusyniak would also like to maintain his appointment at the Indiana University School of Medicine while employed by FSSA. Dr. Rusyniak recently completed his term as Faculty President. He plans to take an approved temporary leave of absence from the medical school that will permit him to retain his title and the full rights of a faculty member. During his temporary leave of absence, Dr. Rusyniak will not receive any benefits or salary; however, he will be required to continue to abide by the professional standards of the medical school to remain a faculty member in good standing. He will also be required to renew his leave of absence annually.

Dr. Rusyniak understands and agrees that he may not use state time to work at Eskenazi Health, the medical school or Roudebush VA Medical Center. Additionally, he is confident that he will meet the 37.5 hour work-week requirement despite seeing patients a few evenings a month.

Based on the information presented, Ms. Higgins does not believe that Dr. Rusyniak's outside employment activities would be incompatible with his duties as Chief Medical Officer. Rather, she believes that Dr. Rusyniak's outside employment activities will help maintain and build upon his professional skills such that he may better be able to meet the essential functions of his position as Chief Medical Officer. This would include identifying opportunities to collaborate and develop clinical integration initiatives with other stakeholders in the State to achieve effective and affordable outcomes, as well as participating as a spokesperson to the public and health care professionals.

Ms. Higgins' request for a formal advisory opinion invokes consideration of the provisions of the Code pertaining to Conflicts of Interests, Use of State Property, Ghost Employment, and Benefitting from and Divulging Confidential Information. The application of each provision to Dr. Rusyniak is analyzed below.

*A. Outside employment*

An outside employment or professional activity opportunity creates a conflict of interests under IC 4-2-6-5.5 if it results in the employee: 1) receiving compensation of substantial value if the responsibilities of the employment are inherently incompatible with the responsibilities of public office or require the employee's recusal from matters so central or critical to the performance of his official duties that his ability to perform them would be materially impaired; 2) disclosing confidential information that was gained in the course of state employment; or 3) using or attempting to use his official position to secure unwarranted privileges or exemptions of substantial value that are not properly available to similarly situated individuals outside state government.

Based on the information and opinion provided, the Commission finds that Dr. Rusyniak's employment at Eskenazi Health would not create a conflict under this provision. Specifically, Dr. Rusyniak would not serve in a supervisory or leadership role with the hospital; he would be an independent contractor and will be paid on an hourly basis. According to Ms. Higgins, Dr. Rusyniak's responsibilities in treating patients during a few evening per month in the emergency department at Eskenazi Health would not conflict with his responsibilities as the Chief Medical Officer for FSSA and would not require him to recuse himself from matters that are critical to the performance of his duties at FSSA.

His other outside employment/professional activities would not provide Dr. Rusyniak with compensation of a substantial value. Dr. Rusyniak is taking a leave of absence from his position with IU School of Medicine and will not receive any benefits or salary during this time. Dr. Rusyniak is in the process of applying for privileges to work at the Roudebush VA Medical Center and would like to retain such privileges if awarded. However, he does not have any current plans to seek paid employment at this facility.

Ms. Higgins confirmed that Dr. Rusyniak would not be required to disclose confidential information that he may have access to by virtue of his state employment in any of his outside positions. Further, nothing in the information presented suggests that Dr. Rusyniak would use or attempt to use his state position for any unwarranted privileges or exemptions. Dr. Rusyniak held all of these outside positions prior to becoming the Chief Medical Officer for FSSA.

Accordingly, the Commission finds that the employee's outside employment positions would not violate IC 4-2-6-5.5.

*B. Conflict of interests - decisions and votes*

IC 4-2-6-9 (a)(1) prohibits Dr. Rusyniak from participating in any decision or vote, or matter relating to that decision or vote, if he has a financial interest in the outcome of the matter. Similarly, IC 4-2-6-9(a)(3) prohibits Dr. Rusyniak from participating in any decision or vote, or matter relating to that decision or vote, if he or a business organization which employs him has a financial interest in the matter.

Dr. Rusyniak will be serving as the Chief Medical Officer for FSSA and will also be working a few shifts per month in the emergency department at Eskenazi Health.

Dr. Rusyniak will serve as an independent contractor to Eskenazi Health through IU Health Physicians, which is affiliated with IU Health.

Accordingly, Dr. Rusyniak would have a potential conflict of interests if he participates in decisions or votes, or matters related to such decisions or votes, in which he, Eskenazi Health, IU Health Physicians or IU Health would have a financial interest in the outcome.

Eskenazi Health does not have any direct contracts with FSSA; however, its community mental health center is certified by FSSA's Division of Mental Health and Addiction. Additionally, FSSA's various divisions have six active contracts with IU Health and related entities. Ms. Higgins provides that these contracts are at the division level in FSSA and that the division directors are the owners of the contracts.

According to the information provided by Ms. Higgins, Dr. Rusyniak, as Chief Medical Officer, would not be in a position to negotiate or sign these contracts. Further, Dr. Rusyniak would not be in a position to make decisions regarding Medicaid providers or community mental health centers, and any direction he would provide regarding protocols, policies or procedures that might impact external stakeholders would apply to all clinical specialists, hospital administrators, and any other providers uniformly. Therefore, it is unlikely Dr. Rusyniak, or even FSSA, would make a decision that would have a unique impact on Eskenazi Health, IU Health Physicians, IU Health, or their related entities.

The Commission finds that Dr. Rusyniak does not have an identified potential conflict of interests at this time. However, if a potential conflict of interests is identified in the future Ms. Higgins must ensure that Dr. Rusyniak meets the disclosure and notification requirements in IC 4-2-6-9(b). Ms. Higgins has provided that if any conflicts arise for Dr. Rusyniak, FSSA will ensure that he is screened from participating in the matters and the Secretary would delegate full authority to another employee to handle such matters independently.

### *C. Conflict of interests – contracts*

Pursuant to IC 4-2-6-10.5, a state employee may not knowingly have a financial interest in a contract made by an agency. This prohibition however does not apply to an employee that does not participate in or have contracting responsibility for any of the activities of the contracting agency, provided certain statutory criteria are met.

Ms. Higgins provides Eskenazi Health does not have any direct contracts with FSSA; however, FSSA's various divisions have six active contracts with IU Health and related entities.

Ms. Higgins provides that in order to avoid any conflicts under IC 35-44.1-1-4 (the criminal conflict of interests statute), IU Health Physicians will not use funds from these contracts with FSSA to pay Dr. Rusyniak. She notes that his fees may be paid from Medicaid funds.

Accordingly, the Commission finds that Dr. Rusyniak would not have a financial interest in a state contract through any of his outside employment positions.

*D. Confidential information*

Dr. Rusyniak is prohibited under 42 IAC 1-5-10 and 42 IAC 1-5-11 from benefitting from, permitting any other person to benefit from, or divulging information of a confidential nature except as permitted or required by law. Similarly, IC 4-2-6-6 prohibits Dr. Rusyniak from accepting any compensation from any employment, transaction, or investment which is entered into or made as a result of material information of a confidential nature. The term “person” is defined in IC 4-2-6-1(a)(13) to encompass both an individual and a corporation, such as IU Health. In addition, the definition of “information of a confidential nature” is set forth in IC 4-2-6-1(a)(12).

To the extent Dr. Rusyniak is exposed to or has access to such confidential information in his position as Chief Medical Officer of FSSA, he would be prohibited not only from divulging that information but from ever using it to benefit any person, including any of his outside employers, in any manner.

*E. Use of state property and Ghost employment*

42 IAC 1-5-12 prohibits Dr. Rusyniak from using state property for any purpose other than for official state business unless the use is expressly permitted by a general written agency, departmental, or institutional policy or regulation that has been approved by the Commission. Likewise, 42 IAC 1-5-13 prohibits Dr. Rusyniak from engaging in, or directing others to engage in, work other than the performance of official duties during working hours, except as permitted by general written agency, departmental, or institutional policy or regulation.

The Commission found that to the extent that Dr. Rusyniak observes these provisions regarding his outside employment/professional activities, his outside positions would not violate these ethics laws.

Commissioner Noel moved to approve the Commission’s findings, and Commissioner Gilroy seconded the motion which passed (4-0).

**IV. Director’s Report**

State Ethics Director, Jen Cooper, stated that since the last Commission meeting, the Office of Inspector General had issued 24 informal advisory opinions on the subjects of post-employment restrictions, conflicts of interests, outside employment, the use of state property, and gifts.

Ms. Cooper also stated that the public hearing in the Arvin Copeland matter had been continued from September 13, 2018 to December 13, 2018 in order to allow the parties’ additional time to reach a settlement in lieu of having a hearing.

**V. Adjournment**

Commissioner Noel moved to adjourn the public meeting of the State Ethics Commission and Commissioner Gilroy seconded the motion, which passed (4-0).

The public meeting adjourned at 10:10 a.m.



30 South Meridian Street, Suite 300  
Indianapolis, Indiana 46204-2759  
Telephone: (317) 232-3955  
Facsimile: (317) 232-7655  
Web Site: <http://www.in.gov/dfi>

September 4, 2018

Mr. James Clevenger, Chair  
Indiana State Ethics Commission  
315 West Ohio Street, Room 104  
Indianapolis, IN 46204

Re: Post-Employment Waiver for DFI Employee Ryan Black

Dear Mr. Clevenger:

As the Director of the Indiana Department of Financial Institutions ("DFI"), I have approved and executed a waiver of the 365 day regulatory decision "cooling off" period for Ryan Black. Unfortunately, I must attend meetings in Washington D.C. on the same date as the September 13, 2018 Indiana State Ethics Commission meeting, so I will be unable to attend this meeting of the Commission.

I have discussed my reasons for granting this waiver with Nicole Buskill, DFI's General Counsel and Ethics Officer. Ms. Buskill will be able to attend the Commission's September 13, 2018 meeting, present the waiver to the Commission, and answer all questions of the Commission members concerning the form and substance of the waiver for Mr. Black.

Thank you for allowing Ms. Buskill to serve as my representative at the Commission's September 13, 2018 meeting.

Regards,

A handwritten signature in black ink, appearing to read "Thomas C. Fite".

Thomas C. Fite  
Director  
Indiana Department of Financial Institutions

cc: Nicole Buskill, General Counsel, DFI





30 South Meridian Street, Suite 300  
Indianapolis, Indiana 46204-2759  
Telephone: (317) 232-3955  
Facsimile: (317) 232-7655  
Web Site: <http://www.in.gov/dfi>

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

As the Appointing Authority of the Indiana Department of Financial Institutions, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies Ryan Black in his post-employment with OneMain Financial.

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 *(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

- 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. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*

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:

Ryan Black currently serves as the Deputy Director for the Consumer Credit Division of the Indiana Department of Financial Institutions ("DFI"). DFI, through its Consumer Credit Division, serves as the Administrator of Indiana's Uniform Consumer Credit Code ("IUCCC", Generally, IC § 24-4.5), and has general authority over entities that extend credit to consumers for personal, family, or household purposes. The Consumer Credit Division is directly responsible for regulation of eight separate state statutes and one state rule, as well as regulation of multiple federal regulations of which the primary is Federal Regulation Z (also known as the Truth in Lending Act). These state statutes primarily regulate extensions of credit to Indiana consumers, but also cover other financial services: money transmission, rent to own, non-depository check cashing, civil proceeding advance payment transactions (also known as lawsuit lending), and debt management services. The division regulates the above entities located within the state as well as those located outside of Indiana but soliciting and engaging in transactions with Indiana consumers. Regulatory efforts primarily consist of registration and licensing, examinations, annual renewals, and consumer complaints. The statutes administered by the Division primarily deal with maximum rates and fees, limitations, prohibited practices, and disclosures. The division is also provided administrative authority with a full slate of enforcement powers to include: orders to issue refunds, cease and desist orders, injunctions, license suspension and/or revocation, and assessment of civil monetary penalties. OneMain Financial ("OMF") is one of several thousand entities regulated by the DFI.

In addition to administering the IUCCC, Black also helps shape and craft policy and legislation for the DFI in regards to consumer credit affairs. Black serves as the agency's representative on the National Association of Consumer Credit Administrators and the Indiana State Mortgage Fraud Task Force. Black also opines on fee schedules for the Members' (the board that governs the DFI) vote, annually updates renewal forms and generic license applications, and drafts advisory letters.

Fee schedules, renewal forms and generic license applications all affect OMF as a regulated entity, but none of the items are directed specifically towards, or crafted for, OMF. They are applicable to all licensed entities the same as they are applicable to OMF.

As the Deputy Director Black is responsible for oversight of the aforementioned, and reports to the Director. Black is also responsible for operational policy, setting examination schedules, and finding level examination decisions. Black generally does not have authority to make final enforcement decisions, but rather makes recommendations to the Director. Either the Director or the Members hold the ultimate responsibility for final decisions, including all DFI policy, legislation, and approvals and denials. Statute dictates whether the Director or the Members holds ultimate authority for a specific item.

As Deputy Director Black also oversees new license applications. Approval of licenses is a process that is governed by statute and contains a three part test for approval. If an entity that is seeking approval for a new license meets all of the factors contained in the test, approval is granted

by the Director through delegated authority. If the entity fails to meet the factors, the entity may rescind its application or request that the Members make a determination regarding the application. In January, 2018, OMF applied for a loan license. Finding that OMF met the statutorily prescribed test, Black ultimately recommended approval of the new license to the DFI Director and the Director approved the license under delegated authority on March 28, 2018.

Additionally, in January of 2018, OMF provided notice of a change of control. Tabitha Butts, a license specialist who processes consumer credit licenses, determined that the change of control did not require an approval because the change was occurring several levels above the licensees and no changes to the management structure were going to occur. Black, Butts' supervisor, confirmed her determination.

Additionally, on August 2, 2017 Black drafted and issued an Advisory Letter on Loansharking applicable to all creditors, including OMF, regarding compliance with Indiana's criminal loansharking statutes.

Prior to serving as the Deputy Director Black served as a Consumer Credit Supervisor and an examiner. As a Consumer Credit Supervisor, Black was directly responsible for overseeing functions related to examinations and licensing, as well as office functions related to the Consumer Credit divisions. Black assisted the Consumer Credit Deputy Director in strategic planning, hiring, and legislation. Black also attended industry and regulatory association events. In this role he reported to the Consumer Credit Deputy Director. While serving as a Consumer Credit Supervisor, Black reviewed and approved an examination report authored by an examiner for an examination of an OMF entity. The examination occurred from January through February 2015.

As a Consumer Credit examiner, Black progressed from an entry level examiner to the highest level examiner. As an examiner Black examined entities regulated by the Consumer Credit division for compliance with the IUCCC, state rules, and Federal Regulation Z. He scheduled and conducted in-depth examinations, wrote examination reports, and conducted exit meetings with appropriate staff at the regulated entity. Black did not conduct any examinations of OMF while in this role.

The DFI does not believe that contracts are an issue with this waiver. Black has not negotiated contracts on behalf of the DFI, nor does the DFI maintain contracts with OMF.

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

Black received a conditional offer from OMF to serve as Vice President/Director of Government Relations. In that role, Black is to present the company views to state and national legislators and promote a better understanding of OMF's business with the opinion forming portion of the business community through direct and personal contact. Black will represent and advocate for OMF in front of regulators, legislators, and other key policymakers and constituencies in the southeast and midwest regions of the country. He will also be responsible for the following: tracking legislation, regulations, and trends that impact OMF; developing and executing strategies that effect legislation and regulations impacting OMF; developing relationships with legislators in his portion of the country; developing relationships with the Commissioners of Banking and

Insurance in his region; working with associations related to OMF; and preparing budgets. All responsibilities are for the southeast and midwest portions of the country and do not include Indiana.

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:

Black's territory will include the southeast and midwest portions of the United States, and he will not be responsible for Indiana. His job responsibilities do not include contact with Indiana or the DFI. OMF has another employee who is responsible for Indiana and contact with the DFI.

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 DFI, State, and public benefit by having a former employee with great knowledge of the rules, regulations, and policies impacting consumer lending and a strong sense of ethics working for a regulated entity. Black worked at the DFI for ten years as a regulator and can bring a regulator's perspective to an entity that extends consumer credit, which can lead to greater compliance with consumer lending laws.

Furthermore, the State will not be able to attract talented employees if long-term employees are not allowed to take the knowledge they built in service to the State and apply it elsewhere. Further it could make filling this position more difficult if potential recruits perceived the position eliminated thousands of other future career opportunities.

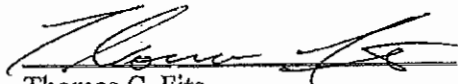
5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

Black has a conditional offer of employment from OMF. As a Consumer Credit regulator and his role within the DFI, it would be difficult for Black to find suitable employment within his area of expertise that would not require a waiver request. Black is the sole income earner for his family. Failure to approve this waiver would severely limit his subsequent employment opportunities and cause a severe economic hardship for Black and his plans for his future.

## C. Signatures

1. Appointing authority/state officer of agency

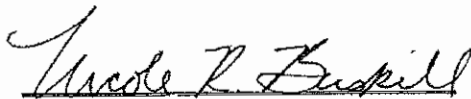
By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to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

  
Thomas C. Fite

9-4-18  
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).

  
Nicole R. Buskill

9/4/18  
DATE

D. Approval by State Ethics Commission

**FOR OFFICE USE ONLY**  
Approved by State Ethics Commission

\_\_\_\_\_  
James Clevenger, Chair, State Ethics Commission

\_\_\_\_\_  
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.*