

Chapter 2. Department of Health Services

Conflict of Interest Code

§20100. General Provisions

The Political Reform Act, Government Code Section 81000, et seq., requires agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations, Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations, Section 18730 and any amendments to it duly adopted by the Fair Political Practice Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Health Services.

Designated employees shall file statements of economic interests with the Department of Health Services. The Director's original statement shall be sent to the Fair Political Practices Commission and a copy retained by the filing officer.

Note: Authority cited: Sections 87300 and 87311, Government Code. Reference: Sections 87300, et seq., Government Code.

APPENDIX

Assigned
Disclosure
Category

Designated Positions

Director	1
Assistant Branch Chief and Above	1
All Sections Chiefs	2
All Attorneys	1
All Medical Professionals (not giving direct patient services)	2
i.e.: Public Health Medical Officers, and Regional Medical Coordinator	
All Examiners I, II, III in Laboratory Field Services	4,5
All Auditors	1
All Investigators	1
All Environmental Health Specialists	5,6
All Environmental Specialists I, II, III,	5,6
All Health Facilities Evaluators, Nurses, Specialists.....	3,4,5
All Food and Drug Specialists and Scientists	5
All Nurse Evaluators.....	4,5
All Field Office or Regional Administrators/Assistant Administrators in	2
Medicare Services, Licensing & Certification, and Audits & Investigations	
All Negotiators of Contracts for goods and services.....	3
(Is involved as a state employee, at other than a clerical level, in the functions of negotiation or signing any contract awarded through competitive bidding, in making decisions in conjunction with the competitive bidding process, or in negotiation, signing, or making decisions on contracts executed pursuant to Section 10122 of the Public Contract Code).	
Supervisors and Managers, if not separately identified, shall report in the same category as person supervised.	
All Public Health Nurses	2
All Consultants (Civil Service) i.e.; Nursing Consultants,	2
Health Education Consultants, Pharmaceutical Consultants, Public Health Nutrition Consultants, Occupational Therapy Consultants, Podiatric Consultants, Social Service Consultants, Dental Consultants, Physical Therapy Consultants, Medical Consultants, Medical Records Consultants	
All Cytotechnologists	4,5
All Information Officers	1
All Health Physicists	5,6
All Radiation Protection Specialists	5
All members of Boards and Committees	4,5
(which do not serve solely as an advisory function)	
All Consultants (Contractors)*	1

***With respect to Consultants, the Director may determine in writing that a particular consultant, though in a “designated position”, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Director’s determination is a public record and shall be retained for public inspection.**

Disclosure Categories

- Category 1*** Designated employees in this category must disclose:
All investments, business positions, interests in real property and sources of income.
- Category 2*** Designated employees in this category must disclose:
All investments, business positions, and sources of income.
- Category 3*** Designated employees in this category must disclose:
Investments, business positions, and sources of income in business entities of the type which contract with the Department of Health Services or contract to provide services, equipment, machinery, leased space, materials or supplies to or on behalf of the Department of Health Services.
- Category 4*** Designated employees in this category must disclose:
Investments, business positions, and sources of income in business entities which contract with or receive grants or other monies from or through the employee's division.
- Category 5*** Designated employees in this category must disclose:
Investments, business positions, and sources of income in business entities which are licensed by, permitted by, or have certificates from or are otherwise regulated by, or provide consultant services to, the division, board, committee or council where the employee holds his or her position or services.
- Category 6*** Designated employees in this category must disclose:
Interests in real property in California.