

STATE OF NEW YORK: COUNTY OF SUFFOLK  
SUFFOLK COUNTY BOARD OF ETHICS

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In the Matter of the Inquiry of  
[REDACTED] in capacity as a  
Former Deputy County Health Commissioner  
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STATE OF NEW YORK: COUNTY SUFFOLK  
COUNTY BOARD OF ETHICS  
Advisory Opinion 2019-16  
September 4, 2019

**NOTICE: THIS ADVISORY OPINION IS SUBJECT TO REVISION OR WITHDRAWAL**

*Applications requesting its modification, clarification, or withdrawal must be made in accordance with Suffolk County Board of Ethics rules unless an application for the revision or withdrawal of an advisory opinion is timely received, it shall become final. Nothing shall prohibit the Suffolk County Board of Ethics, on its own motion, from reconsidering, revising, or withdrawing an advisory opinion at any time.*

**Summary:** The Requestor is a former Deputy County Health Commissioner who retired on July 13, 2019. She is requesting an opinion as to whether the County post-employment laws prohibit her from 1) accepting a part time position at SUNY Stony Brook Cancer Research Center as Director of Outreach and Education and 2) from accepting an honorarium of \$500 from Stony Brook University's Global Studies program for giving a lecture to various Public Health Government representatives visiting from Hunan Province in China on how the US Public Health system works from the federal, state, and local level, with particular emphasis on communicable disease prevention. The Suffolk County Board of Ethics finds that the proposed conduct falls into the post-employment government exemptions under 77-6(A) and 77-6(B) **and is not a conflict** under the additional County post-employment laws at 77-6(C) through 77-(I).

**Analyzed Laws and Rules:** The Laws of Suffolk County; Suffolk County Administrative Code XXX, SCBE Advisory Opinions; Chapter 77, Sections 77-3 and 77-6.

**Procedural History:** This Advisory Opinion was requested on 9/3/19 and the Board voted on this Advisory Opinion request on 9/4/19.

**Opinion:** The Requestor is a former Deputy County Health Commissioner who retired on July 13, 2019. She is requesting an opinion as to whether the County post-employment laws prohibit her from 1) accepting a part time position at SUNY Stony Brook Cancer Research Center as Director of Outreach and Education and 2) from accepting an honorarium of \$500 from Stony Brook University's Global Studies program for giving a lecture to various Public Health Government representatives visiting from Hunan Province in China on how the US Public Health system works from the federal, state, and local level, with particular emphasis on communicable disease prevention.

As to the information submitted by the Requestor, the Board's factual inquiries were satisfied and the Board did not elect their statutory right for an in person appearance by the Requestor under Suffolk County Administrative Code A30-3(A).

The Board determined that standing exists for this Advisory Opinion request under Suffolk County Administrative Code Section A30-3(E) due to the requestor's position as a former County employee.<sup>1</sup>

<sup>1</sup> § A30-3. ADVISORY OPINIONS.

E. For the purpose of this section only the term public servant includes a prospective or *former public servant* and a supervisory official includes a supervisory official who will supervise a prospective public servant or a supervisory official who supervised a former public servant.  
[Added 6-4-2013 by L.L. No. 28-2013] (*emphasis added*)

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The Suffolk County post-employment laws state at pertinent parts:

§ 77-6. POST-EMPLOYMENT RESTRICTIONS.

- A. No public servant shall solicit, negotiate for, or accept employment with any firm which is involved in business dealings with the County while such public servant is directly concerned with or personally participating in those business dealings on behalf of the County. *This prohibition shall not apply to positions in the federal, state or any local government. (emphasis added)*
- B. No former public servant shall appear, within a two-year period after his or her separation from County service, before the County agency served by such public servant. This prohibition shall not apply to a former public servant who appears before a County agency *on behalf of any government entity*, including the County of Suffolk, as an elected representative, employee or consultant, provided that, in the case of a former public servant serving as a consultant, such former public servant contracts to provide such consultant services directly with the County. [Amended 12-20-2016 by L.L. No. 1-2017] *(emphasis added)*

As applied, the full Board's deliberations concluded that the requestor's proposed conduct of both the part-time job with SUNY Stony Brook Cancer Research Center and accepting an honorarium of \$500 from Stony Brook University falls into the post-employment government entity exemptions and is not a conflict of the County post-employment laws.

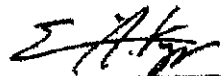
CONCLUSION

As set forth above, the Board concludes that both of the proposed post-employment activity falls into the government entity exemptions under § 77-6 and is not a conflict of the County post-employment laws.

The foregoing is the opinion of the Board.

Dated: Great River, New York

9/4/2019  
Vote (5-0-0)



Eric A. Kopp – Chair