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ENW3

8/7/98

CONFIDENTIAL



Re: Case No. 98037.Q

(Conflict of Interest)

Dear Alderman [REDACTED]

On August 4, 1998, you called our office to inquire whether your sponsorship as Alderman of a home health care program for the benefit of the constituents of your ward would violate the City of Chicago Governmental Ethics Ordinance. The program, called "program", is a free neighborhood health service provided by Company "H", in partnership with community organizations. "H" has asked if you would sponsor the program in your ward. This would consist of allowing your name and office to appear as "sponsor" on informational materials used to promote the program. You would be listed as one of the individuals and organizations responsible for making this program available. "Program" provides a number of services, including health monitoring, assistance with prescriptions, and health maintenance programs. "H" currently does no business with the city, and you personally do not have an economic interest in "H".

Following discussion with staff, we conclude that your sponsorship of this program does not violate the Governmental Ethics Ordinance. However, your sponsorship does present a number of potential problems that warrant serious consideration before taking any action. The matters that warrant your most serious consideration are discussed below.

First and foremost, your sponsorship of the "program" program could present possible liability issues for you and/or the City. While this office is unable to offer you legal advice on this topic, we recommend your participation in this program as a sponsor be discussed with the City's Law Department.

Sponsorship of this program could also create a perceived conflict of interest. While "H" does not currently have any City contracts, if the company pursues such contracts in the future, when such matters come before Council your involvement with their program as sponsor could be seen by the public as giving them an unfair advantage over other health care providers who may also be seeking City contracts.



EMWS

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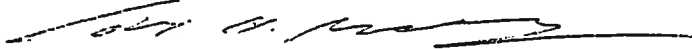
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As you can see, although the Ethics Ordinance does not prohibit your "sponsorship" of the "program" program, a full analysis indicates the presence of other problems. Since you believe a program of this nature would provide a useful service to the residents of your ward, perhaps an effort could be made to work with the program in a manner that avoids the problems discussed.


We appreciate your efforts to abide by the terms of the Ethics Ordinance. Please do not hesitate to contact this office if you have any further questions or concerns.

Very truly yours,



John H. Mathews
Attorney/Investigator

Approved by:



Dorothy J. Eng
Executive Director

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