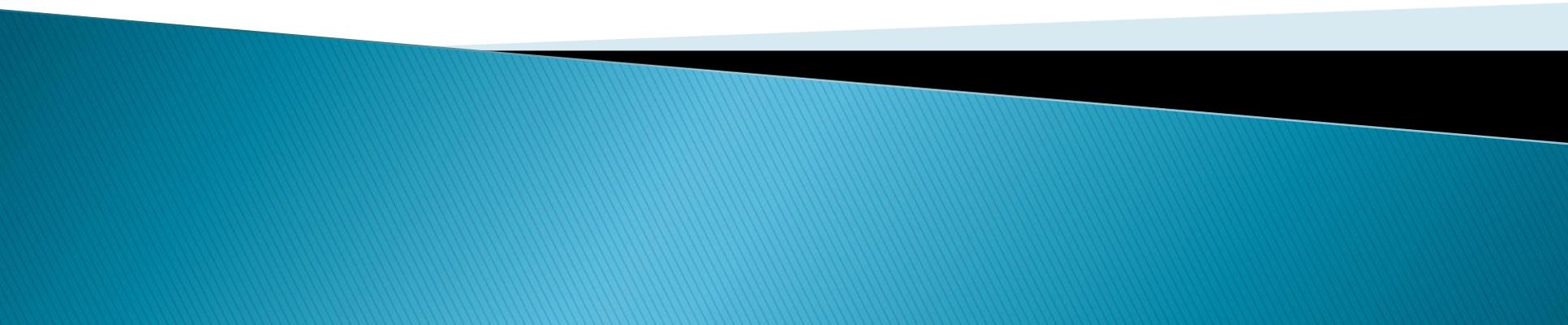


# Modifications to the Proposed Amended Conflict of Interest Code

MHSOAC  
August 28, 2015



# Order of Presentation

- ▶ Brief background
- ▶ Overview of the proposed amendments
- ▶ Public comment and recommended response
- ▶ Next Steps
- ▶ Proposed motion

# Brief Background

- ▶ Political Reform Act requires state entities to adopt Conflict of Interest Code
- ▶ What is a Conflict of Interest Code?
  - Designates positions required to file Statement of Economic Interest (Form 700)
    - “Make or participate in making decisions”
  - Assigns disclosure categories specifying the types of interests that need to be reported
- ▶ MHSOAC amended the Conflict of Interest Code in November 2014
  - MHSOAC had 45-day public comment period
  - FPPC had 45-day public comment period

# Brief Background (cont.)

- ▶ Based upon public comment FPPC provided MHSOAC with a few minor revisions
- ▶ 15-day comment period ended July 10, 2015
- ▶ MHSOAC received one public comment

# Overview of Modifications Changes to Appendix B Only

- ▶ Disclosure Category 1
  - As adopted in Nov 2014 by the MHSOAC: Disclose financial interests in a mental health services program of the type that is approved by the MHSOAC
  - Modification: Disclose financial interests in an entity that provides mental health services programs to a local agency under a plan approved by the MHSOAC
- ▶ Disclosure Category 2
  - Delete disclosure of interagency agreements with other state entities
- ▶ Disclosure Categories 2 and 3
  - Non-substantive clarifications

# Public Comment and Staff's Recommended Responses

- ▶ **Public Comment:**
  - Interest in real property should be disclosed
  - Consultant fees should be disclosed
- ▶ **Recommended response: Reject suggested changes**
  - Government Code §87300 and FPPC support MHSOAC's decision to not require disclosure of real property interest
  - Disclosure of consultant fees is already required

# Next Steps

- Today's vote on the revised Conflict of Interest Code
- Submit to FPPC
- March 2016: Form 700 submitted to FPPC/MHSOAC per the revised Conflict of Interest Code

# Proposed Motion

The Commission adopts the amended Conflict of Interest Code for the Mental Health Services Oversight and Accountability Commission as modified in the 15-day Notice of Modifications issued June 25, 2015 and directs the Executive Director to submit to the FPPC the adopted Code with the supporting documentation as required by law.