

## MADISON COUNTY POLICY AND PROCEDURES

**Subject:**        **Compliance Policy:**  
                    Conflict of Interest

**Issued:**        February 19, 2013

**Approved:**     April 9, 2013

**Revised:**      August 26, 2014

                    August 16, 2016

**Purpose:**

All employees of **Madison County** (sometimes referred to as “County” or the “County”), **not covered** under the County’s Code of Ethics, and independent contractors that provide direct health and medical services (hereafter identified as Class A), have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy is established to ensure that services and business activities are conducted in an objective manner and are not motivated by desire for personal or financial gain.

**Policy:**

1. Employees and Class A contractors are required to disclose any actual or potential conflict of interest and seek guidance on how to handle the situation.

*Conflict of Interest:* Any situation in which financial or other personal considerations may compromise or appear to compromise (1) an employee’s or Class A Contractor’s business judgment; (2) delivery of services; or (3) ability for an employee or Class A Contractor to do his or her job. An actual or potential conflict of interest occurs when an employee or Class A Contractor is in a position to influence a decision that may result in a personal gain for that employer or Class A Contractor for a relative as a result of business dealings. For the purpose of this policy, a relative shall be defined as spouse, child, parent, grandparent, grandchild, sister or brother, including step and in-law relations.

*Business Courtesies for Referrals:* County employees or Class A Contractors are not allowed to give or accept gifts of any kind for referrals.

2. Business dealings with outside entities should not result in *unusual gain* for those entities, Madison County, Class A Contractor or an employee. Unusual gain refers to gifts, bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or Class A Contractor that would reasonably be determined to influence the employer, employee, or Class A Contractor.
3. The materials, products, designs, plans, ideas, and data are the property of the County and should never be given to an outside firm or individual except through normal channels with appropriate prior authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee or Class A Contractor has personally gained by such action, is prohibited.

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### **Procedures:**

1. An employee or Class A Contractor with questions or concerns about potential conflicts of interest will promptly address the issue with appropriate management staff and/or the Compliance Officer. Management staff will consult with the Compliance Officer before responding to a concern or question about a potential conflict of interest.
2. Actual or potential conflicts of interest must be disclosed to appropriate management personnel, human resources, or the Compliance Officer.
3. Employees must disclose any potential conflicts of interest upon hire and when a potential conflict arises. Class A Contractors must disclose any potential conflicts of interest prior to contracting with the County and when a potential conflict arises.
4. Employees and Class A Contractors will complete a Conflict of Interest Disclosure Form (attached to this Policy) to report any potential conflict of interest.
5. Employees must seek guidance and approval from appropriate management personnel prior to pursuing any business or personal activity that may constitute a conflict of interest.
6. Outside employment may not interfere with the employee's ability to perform his or her job with Madison County. In addition, County employees may not compete against Madison County, work for its competitors, or have any ownership interest in a competitor.
7. The Compliance Officer will investigate any violations of this policy.

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## **Madison County Conflict of Interest Disclosure Statement**

The conflict of interest policy includes a provision which sets forth standards of conduct expected and requires employees and Class A contractors to disclose all interests which could result in a conflict. This form will be signed at orientation for employees, and upon board approval of the contract, with copy sent to Compliance Officer.

*In accordance with Madison County's* (sometimes referred to as "County" or "the County") *Conflict of Interest Policy, a conflict of interest is defined as:* Any situation in which financial or other personal considerations may compromise or appear to compromise (1) an employee's or Class A Contractor's business judgment; (2) delivery of services; or (3) ability for an employee or Class A Contractor to do his or her job. An actual or potential conflict of interest occurs when an employee or Class A Contractor is in a position to influence a decision that may result in a personal gain for that employee/Class A Contractor or for a relative as a result of business dealings.

Please complete and return the enclosed conflict of interest disclosure statement. Please be assured that the disclosure requirements are intended to provide the Board and management with a systematic and ongoing method of disclosing and ethically resolving potential conflicts of interest. Although it is impossible to list every circumstance giving rise to a possible conflict of interest, the following will serve as a guide to the types of activities that might cause conflicts and that should be fully reported:

### **A. Outside Interests**

1. To hold, directly or indirectly, a position or a financial interest in any outside concern from which the individual has reason to believe the County secures goods or services (including the services of buying or selling stocks, bonds, or other securities), or that provides services competitive with the system).
2. To compete, directly or indirectly with the County in the purchase or sale of property or property rights, interests, or services.

### **B. Outside Activities**

To render directive, managerial, or consultative services to any outside concern that does business with, or competes with the services of the County, or to render other services in competition with the County.

### **C. Inside Information**

To disclose or use information relating to the County's business for the personal profit or advantage of the individual or his/her immediate family.

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D. Gifts, Gratuities, and Entertainment

To accept gifts, excessive entertainment, or other favors from any outside concern that does, or is seeking to do, business with, or is a competitor of, the County – under circumstances from which it might be inferred that such action was intended to influence or possibly would influence the individual in the performance of his/her duties.

- I have been provided with a copy of Madison County’s Conflict of Interest Policy.
- I hereby state that I, or members of my immediate family, have the following affiliations or interest and have taken part in the following transactions that, when considered in conjunction with the position with or relation to the County, might possibly constitute a conflict of interest (check “none” where applicable).

1. Outside Interests

Identify any interests, other than investments, of yourself or your immediate family, as described in paragraph A of the accompanying document.

( ) None

2. Investments

List and describe, with respect to yourself or your immediate family, all investments that might be within the category of “financial interest”, as described in paragraph A of the accompanying document.

( ) None

3. Outside Activities

Identify any outside activities, of yourself or your immediate family, as described in paragraph B of the accompanying document.

( ) None

4. Other

List any other activities in which you or your immediate family are engaged that may be regarded as constituting a conflict of interest, giving particular attention to the paragraphs B and C of the accompanying document.

( ) None

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5. I hereby certify that neither I, nor any member of my immediate family, have accepted gifts, gratuities, nor entertainment that might influence my judgment or actions concerning the business of the County, except as listed below.

( ) None

6. The following circumstances may possibly violate the Code of Conduct:

( ) None

7. List any family members employed by Madison County or serving as a member of the Madison County Board of Supervisors.

Name

Relationship

I hereby agree to report to management or the Compliance Officer any future situation that may result in a conflict of interest.

\_\_\_\_\_  
Name (print or type)

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date