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Governor

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Christina Reagle  
Commissioner

## IC 4-2-6-11 Post-employment waiver

As the Appointing Authority of the Indiana Department of Correction, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Alicia Coomer, RN in her post-employment with Centurion.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of *(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*

Alicia Coomer, RN is currently the Director of Physical Health and Contract Compliance. She is seeking a position as staff nurse at New Castle Correctional Facility with the current Health Services Vendor, Centurion. Centurion is the current comprehensive healthcare provider that is contracted

with the Indiana Department of Correction to provide medical care to the incarcerated population. In Ms. Coomer's current role she has had no ultimate decision-making authority regarding the health services contract. In Ms. Coomer's current role while she has authority in decision-making, she does oversee aspects of the contract to ensure that care is provided as required. There are no particular matter restrictions with this employee that would prevent her from representing or assisting a particular person; however, we want to ensure that there would be no post-employment ethics violations.

Ms. Coomer is a registered nurse who has shown that her passion is for direct patient care, and it would be beneficial to the State to permit this transition as her attention to detail and passion to provide quality care is what the shared goal of the Department of Correction and the Health Services vendor strive to achieve.

B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:

Alicia's role did not involve substantial decision-making authority over policies, rules, or contracts. She did not actively participate in any creation or editing of the contract auditing tools or performance measures. Her position does not hold authority to alter or manipulate any contract or policies.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Alicia has applied for a nursing position with the Health Services Vendor in which she would be providing direct patient care. In this role Alicia would not have any substantial decision-making authority. She would be responsible for administering medications, completing patient assessments, and all duties involved in direct patient care.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

There is a potential for substantial contact with the IDOC as Alicia has applied for a position at the New Castle Correctional Facility. As an employee of Centurion, the IDOC will have the ultimate authority that

permits access to the patients to provide direct patient care. However, as a Centurion employee all human resource matters will be at the discretion of the health services vendor.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

We are motivated to retain talent when able while finding the best fit for skilled nurses. Alicia has worked previously at New Castle Correctional Facility and is familiar with the policies and procedures and is an advocate for patient care. Currently, this site is experiencing an overall 48% vacancy rate with nursing staff. Alicia would help to fill the need. She is familiar with the policies and procedures and is an advocate for patient care. Alicia's passion for correctional health care cannot go unnoticed and she has realized that direct patient care is part of her passion.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

If this waiver is denied the extent of economic hardship could prove to be substantial for Ms. Coomer as she is the sole provider in her family and is looking to continue meaningful employment in her chosen field of correctional health care.

C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

*Christina Reagle*

(Name of state officer or appointing authority)

11/10/22  
DATE

2. Ethics Officer of agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).


*Randall Karter*

(Name of ethics officer)

11/10/22

DATE

D. Approval by State Ethics Commission

<b>FOR OFFICE USE ONLY</b>	
Approved by State Ethics Commission	
	<u>12/8/2022</u>
Katherine Noel, Chair, State Ethics Commission	Date

Mail to: \_\_\_\_\_  
Office of Inspector General  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202  
OR  
Email scanned copy to: [info@ig.in.gov](mailto:info@ig.in.gov)

*Upon receipt you will be contacted with details regarding the presentation of this waiver to the State Ethics Commission.*