



State of Indiana Indiana Horse Racing Commission

Michael R. Pence, Governor

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

INDIANA
STATE ETHICS COMMISSION

JAN 14 2016

FILED

As the Appointing Authority of the Indiana Horse Racing Commission, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Angela Demaree in her post-employment with Purdue University.

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):*



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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:

Dr. Demaree's prior job duties involved substantial decision-making authority of policies, rules, and contracts; however, those policies, rules, and contracts were restricted to the Commission's drug testing program.

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

Dr. Demaree will be participating in publication of a study in a peer-reviewed journal.

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:

No, Dr. Demaree has already conducted the research in question; no further contact with the Indiana Horse Racing Commission should be necessary. In the unlikely event any further contact is necessary, that contact will not impact any matter where the agency has discretion to make decisions based on her work product.

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:

See attached letter from Purdue University.

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

The Commission has been advised that "publication is often a requirement for pursuing positions in academia or board certification and could limit her (Dr. Demaree's) future opportunities." See attached letter from Purdue University.



State of Indiana Indiana Horse Racing Commission

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Mail to:

Office of Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202

OR

Email scanned copy to: info@ig.in.gov

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



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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.


Signature
Deena Pitman

11-16-15
DATE

2. Ethics Officer of agency

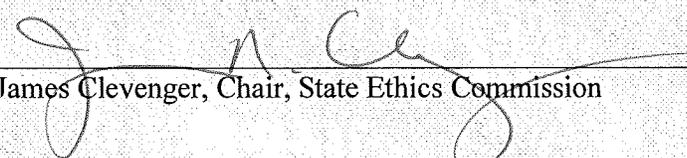
By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).


Signature
Lea Ellingwood

11/16/15
DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY
Approved by State Ethics Commission


James Clevenger, Chair, State Ethics Commission

1/14/16
Date

October 19, 2015

RE: Authorization to publish article from work sponsored by the IHRC

To whom it may concern,

I am writing this letter on behalf of Dr. Angela Demaree who previously, in her capacity as the Equine Medical Director for the Indiana Horse Racing Commission, assisted Purdue University with the IHRC grant to Purdue University seeking an alternative to the Beckman-Elise for Pre-Race TCO₂ testing in racehorses.

As part of this work, Dr. Demaree presented the abstract "Pre-race administration of furosemide induces a linear dose-dependent increase in plasma total CO₂ concentration in thoroughbred racehorses" as the primary author at the International Conference on Equine Exercise Physiology in 2014. It would be a disservice to the equine regulatory community, Purdue University as well as Dr. Demaree to preclude her from publishing this research in a peer reviewed journal. Publication is often a requirement for pursuing positions in academia or board certification and could limit her future opportunities.

Publication in a peer-reviewed journal will assist the IHRC and other States' Agencies in substantiating elevated pre-race TCO₂ levels thereby, ensuring the health and welfare of equine athletes. I do not envision a direct or indirect conflict of interest at this time as the research has been completed and Dr. Demaree simply needs permission from the Ethics Commission to pursue publication.

Sincerely,



Laurent Couetil, DVM, PhD, DACVIM
Professor, Large Animal Medicine

Dr. Angela Demaree

8263 Pawtucket Ct* Indianapolis, IN 46256* Phone: 202-239-9254
E-Mail: demarcedvm@gmail.com

2015 AUG -5 P 2:51
INDIANA HORSE RACING COMM

Date: August 2, 2015

Joe Gorajec
Executive Director
Indiana Horse Racing Commission
1302 N. Meridian St
Suite 175
Indianapolis, IN 46202

Dear Mr. Gorajec:

Pursuant to Indiana Code § 4-2-6-11(g), I am requesting a waiver of post-employment restrictions from you in regards to the following opportunities:

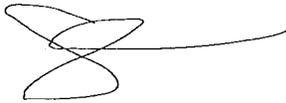
1. **Continuing Lecturer in Veterinary Medicine, Purdue College of Veterinary Medicine.** A copy of the description of this position is attached. I have been informed by the Office of the Inspector General that I am prohibited from accepting this position under Ind. Code § 4-2-6-11(b)(2), unless I obtain a waiver of this requirement from you as the Executive Director of the Indiana Horse Racing Commission (IHRC), and approved by the Ethics Commission. The position is a teaching position requiring interaction with students, faculty and staff within the teaching hospital at the Purdue College of Veterinary Medicine. While I will likely have interaction with faculty who obtained grant money and support for their research projects from the IHRC, I do not anticipate having interaction with the IHRC nor authority with regards to potential future contracts with the IHRC. The duties are of a teaching nature interacting primarily with students and detailed in the attached document. The intended employment is consistent with the public interest as there is negligible conflict of interest. If the waiver is denied, I expect to experience significant economic hardship. Purdue University began evaluation of applications on July 23, 2015. My post-employment restrictions end on January 20, 2016, at which time this position will no longer be available. The total amount of salary and benefits for 6-12 months is estimated to be \$70,000-\$100,000. It is unknown when another similar position may become available and the economic hardship will continue to accrue until salaried employment with full benefits is attained.
2. In order to seek publication in a peer reviewed journal for the abstract presented at ICEEP in 2014 in coordination with the IHRC grant to Purdue University seeking an alternative to the Beckman-Elise for Pre-Race TCO₂ testing in racehorses. Namely, "Pre-race administration of furosemide induces a linear dose-dependent increase in plasma total CO₂ concentration in thoroughbred racehorses" A. DEMAREE, L. COUETIL AND P. CONSTABLE. Following the separation of my employment from IHRC, I am concerned that I am prevented from seeking publication of this abstract under Ind. Code 4-2-6-11(c).

Completion of this scientific paper for submission into a peer-reviewed journal article will not require contact with the IHRC by Dr. Angela Demaree. Publication in a peer-reviewed journal will assist the IHRC and other States' Agencies in substantiating elevated pre-race TCO₂ levels ensuring the health and welfare of equine athletes. The American Veterinary Medical Association estimates that the average salary of a board certified veterinarian is

approximately \$30,000 per year greater than without board certification. Application for the epidemiology specialty within the American College of Preventative Veterinary Medicine requires publication of one manuscript in a peer-reviewed journal article. If I am not permitted to seek publication of this abstract, it could negatively impact or delay my application and cause further economic hardship to me.

Thank you very much for considering my requests. If there is any additional information that you need from me, please don't hesitate to contact me. I look forward to receiving your response.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Angela Demaree, D.V.M.

Enc.

CC: Tom Weatherwax, Chair, Indiana Horse Racing Commission