

INDIANA
STATE ETHICS COMMISSION



ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST - DECISIONS AND VOTING
State Form 56080 (R / 10-16)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9

OCT 7 2022

Reset Form

FILED

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Malt	Name (first) Balla	Name (middle)
Name of office or agency Indiana Board of Pharmacy		Job title Board Member
Address of office (number and street) 402 W. Washington St.		City Indianapolis
Office telephone number (812) 322-6846		ZIP code 46204
Office e-mail address (required) mballa@me.com		

Describe the conflict of interest:

On, October 3, 2022, the Board heard 10 remote location applications for LifeSpan Pharmacy, LLC. Board member, Matt Balla, has a financial interest in LifeSpan Pharmacy, LLC. Pursuant to the request for Formal Advisory Opinion submitted to SEC on September 30, 2022, Balla (1) was screened from the decision; (2) recused himself from the vote; (3) is filing this Disclosure Statement; (4) refrained from accessing confidential information related to the vote; and (5) is notifying OIG of the implementation of the screening procedures.

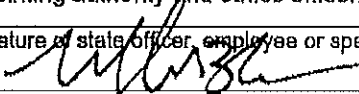
Describe the screen established by your ethics officer: (Attach additional pages as needed.)

[Dotted lines for text entry]

AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee



Date signed (month, day, year)

10/7/2022

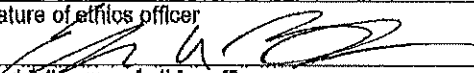
Printed full name of state officer, employee or special state appointee

Matthew Balla

FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer



Date signed (month, day, year)

10/7/22

Printed full name of ethics officer

Evan W. Bartel

The Indiana Board of Pharmacy (“Board”) consists of seven members including five members who licensed Indiana pharmacist in good standing of recognized experience and ability from various practice settings. Members are appointed by the Indiana Governor to serve 4-year terms.

Matt Balla is a licensed Indiana pharmacist currently serving a term on the Board that expires in March 2023. CarDon & Associates, Inc., (“CarDon”) is a family-owned company that owns, operates, or manages senior living communities throughout central and southern Indiana and has partial ownership of a Long-Term Care Pharmacy in Indiana, Skilled Care of Indiana. CarDon is in the process of acquiring full ownership of Skilled Care of Indiana through a wholly owned subsidiary. Matt Balla is employed by CarDon as the Vice President of Pharmacy. Matt’s duties are to oversee the change of ownership process and, after close of the transaction, the operations of the pharmacy.

The Change of Ownership process will require CarDon to apply for permits and registrations, some of which will require action by the Board, including:

- Pharmacy permit
- Pharmacy Controlled Substance Registration
- Permits for the Remote Dispensing Facilities in each CarDon senior living community
- Controlled Substance Registration for the Remote Dispensing Facilities

As a member of the Board and an employee of CarDon, Matt Balla believes he would have a conflict of interest in any matters that require Board voting, approval, discussion, or sanctions related to CarDon, Skilled Care of Indiana, CarDon’s wholly owned subsidiary, and any pharmacists or pharmacy technicians employed by those entities and understands that he would recuse himself from any matters related to thereto. In addition, Matt Balla will designate a point of contact from CarDon other than himself to have interaction with the Board or appear before the Board on any matters related to these entities or pharmacists to avoid any appearance of impropriety and to comply with Indiana’s Ethic Code.

Baker, Nathaniel P

From: Bartel, Evan
Sent: Friday, October 7, 2022 1:44 PM
To: Frye, Deborah
Subject: FW: Ethics Question
Attachments: Board of Pharmacy Conflict of Interest Submission_Matt Balla.docx

FYI, I'm handling but you are required to receive notice.

From: Matt Balla <mballa@me.com>
Sent: Thursday, July 14, 2022 10:43 AM
To: Bartel, Evan <EBartel@pla.IN.gov>
Cc: Cowdin, Christine M <CCowdin@pla.IN.gov>
Subject: Re: Ethics Question

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Mr. Bartel:

I would like to proceed with the formal advisory opinion, as I think it provides the greatest transparency and demonstrates the commitment to upholding the code of conduct as a board member. Please find attached and let me know any additional steps I would need to take.

I appreciate the advise.

Matt

On Jul 8, 2022, at 10:43, Bartel, Evan <EBartel@pla.IN.gov> wrote:

Dr. Balla:

Thank you for speaking with me this morning. Under the State Ethics Code, "A state officer, an employee, or a special state appointee may not participate in any decision or vote, or matter relating to that decision or vote, if the state officer, employee, or special state appointee has knowledge that any of the following has a financial interest in the outcome of the matter . . . A business organization in which the state officer, employee, or special state appointee is serving as an officer, a member, a director, a trustee, a partner, or an employee."

Because your employer has a financial interest in the approval of the pharmacy, we need to take one of two routes. First, we can seek a formal advisory opinion from the State Ethics Commission. If we go this route, the SEC will either determine you can vote on the matter or tell us what screens need to be implemented. Second, we can file a written disclosure with the SEC describing the screen we've put in place. Option 1 provides you with greater security, but option 2 is easier.

At your convenience, please send me: (1) a written description of the conflict – basically, just what you shared this morning; and (2) your choice on how to proceed. I can take care of things from there.

All the best,

<image001.png> **Evan W. Bartel**
Deputy Director – General Counsel
Indiana Professional Licensing Agency
402 W. Washington St., Rm. W072
Indianapolis, IN 46204
Phone (317) 232-3901
Fax (317) 233-4236
Email EBartel@pla.IN.gov
www.pla.in.gov

From: Matt Balla <mballa@me.com>
Sent: Friday, July 8, 2022 9:08 AM
To: mballa <mballa@me.com>; Bartel, Evan <EBartel@pla.IN.gov>
Subject: Ethics Question

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I'm on the call. Do we need to reschedule or do via phone?

Matt

Ethics Question

Scheduled: Jul 8, 2022 at 09:00 to 09:30, EDT

Location: Microsoft Teams Meeting

Invitees: mballa, Bartel, Evan

Sent from my iPhone