

CAUTION: The following advice may be based on a rule that has been revised since the opinion was first issued. Consequently, the analysis reflected in the opinion may be outdated.

40 IAC 2-1-7

SEC found it was permissible for a dietician at a state hospital to accept travel and attendance expenses from an outside sponsor for a convention where the employee was to be recognized for a study which used the sponsor's product since the employee had nothing to do with purchasing the product.

89-I-20 Activities and Expenses

FACT SITUATION

A Clinical Dietitian at a State Hospital is being recognized by the American Dietetic Association for her study on the effect of a fiber supplement in the diet of persons with developmental disabilities and mental illness who are taking psychotropic medications. The Clinical Dietitian wrote an article on these studies which has been accepted for publication in the professional journal of the American Dietetic Association. She has been invited to attend the 72nd annual meeting of the American Dietetic Association which will be held in October 1989 in Kansas City, Missouri, for a poster session presentation.

Unifiber is the fiber supplement which was used in the study. The Dow Hickman Co. of Sugar Land, Texas, makers of Unifiber, has offered the dietitian a stipend to help defray the cost involved in attending this meeting (registration fee, travel and hotel accommodations) amounting to approximately \$938.

The state was already using Unifiber which was available on a Quantity Purchase Award through the Department of Administration, Procurement Division. The contract was awarded by competitive bidding. The state institution where the employee works did not have any direct relationship with the vendor.

QUESTION

Is it permissible for a dietician at a state hospital to accept a stipend from a vendor with the state to defray the cost involved in attending the annual meeting of the American Dietetic Association to receive an award.

OPINION

The members of the Commission rendered the following opinion: Based upon the written letter to the Commission and oral testimony of the applicant and the assistant superintendent who accompanied the applicant, the Commission finds under 40 IAC 2-1-7(A), (B) and (C) no improprieties or conflict of interest in a state employee accepting expenses from an outside sponsor for out-of-state travel and attendance at a convention where the employee is to receive recognition from the convention organization for a study which used the sponsor's product when the employee had nothing to do with purchasing the product.

The product was purchased through a contract awarded by competitive bidding and was one the state was using before the product was used in the study. The benefit of attendance is not only to the individual but also to the state of Indiana in being honored by the organization and in gaining knowledge and new ideas from the convention.

8/22/89