

**Ohio Department of Mental Health**

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**Document Title:** Ethics Policy  
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**Directed To:** All ODMH employees  
**Distributed By:** Office of Legal Services

**Ethics Policy**

## A. Purpose.

The purpose of this policy is to assist in enabling the Ohio Department of Mental Health (ODMH) to carry out its mission in accordance with the strictest ethical guidelines and to ensure that ODMH employees conduct themselves in a manner that fosters public confidence in the integrity of the department, its processes, and its accomplishments.

## B. Definitions.

For purposes of this policy, the following definitions apply.

1. "Anything of value" includes anything of monetary value, including, but not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than "de minimis" or nominal.
2. "Anyone doing business with ODMH" includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before ODMH.
3. "Close family members" include parents, grandparents, children, siblings, spouses and domestic partners.

## C. General Standards of Ethical Conduct.

1. ODMH officials and employees must, at all times abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102. and 2921. of the Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts.
2. A copy of these laws is provided by ODMH, and receipt acknowledged as required in R.C. 102.09(D). Additionally, officials and employees must abide by the requirements provided in Executive Order 2011-03K, available from <http://www.governor.ohio.gov/MediaRoom/ExecutiveOrders.aspx>
3. Any inconsistencies in this policy with Ohio Ethics law and Executive Order 2011-

03K shall be resolved in favor of the requirements of Ohio Ethics law and Executive order 2011-03K.

4. ODMH officials and employees must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety. A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to those listed below. No official or employee shall:
  - a. Use his or her public position to solicit or accept anything of substantial value (including food and/or beverages) from anyone doing business, or seeking to do business with ODMH, or those entities licensed or regulated by ODMH;
  - b. Use his or her public position to solicit or accept employment from anyone doing business with ODMH or accept employment that may result in a conflict of interest with his or her public position;
  - c. Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
  - d. Be paid or accept any form of compensation for personal services rendered on a matter before, or sells goods or services to ODMH;
  - e. Be paid or accept any form of compensation for personal services rendered on a matter before, or sell (except by competitive bid) goods or services to any state agency other than ODMH, unless the official or employee first discloses the services or sales and withdraws from matters before ODMH that directly affect officials and employees of the other state agency, as directed in R.C. 102.04;
  - f. Hold or benefit from a contract with, authorized by, or approved by ODMH; (the Ethics Law does except some limited stockholdings and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
  - g. Authorize, recommend, or in any other way use his or her position to secure approval of an ODMH contract (including employment or personal service) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
  - h. Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H));
  - i. During public service and for one year after leaving public service, represent any person, in any fashion, before any public agency with respect to a matter in which the official or employee personally participated while serving with ODMH;
  - j. Use or disclose confidential information protected by law, unless appropriately authorized;
  - k. Use, or authorize the use of his or her title, the name "Ohio Department of Mental Health," or "ODMH," or ODMH's logo in a manner that suggests impropriety, favoritism, or bias by the department, official or employee;
  - l. Solicit or accept gifts from any entity except the following: close family members; friends (including other family members) who are not lobbyists, state contractors or state grantees; or government officials from other states or countries (with

gifts accepted on behalf of the State of Ohio).

#### D. Financial Disclosure

Pursuant to R. C. 102.02, every ODMH official and employee who is paid a salary or wage in accordance with schedule C of R.C. section 124.15 or schedule E-2 of R.C. 124.152 [124.15.2], is required to file an accurate and complete financial disclosure statement with the Ethics Commission by April 15 of each year. Any official or employee appointed, or employed to a filing position after February 15 and required to file a financial disclosure statement must file a statement within ninety days of appointment or employment.

#### E. Conflict of Interest Disclosure

A potential conflict of interest exists if the private interests of the employee might interfere with the public interests the employee is required to serve in the exercise of the employee's authority and duties in the employee's office or position of employment. It is the duty of every ODMH employee to report a potential conflict of interest to their supervisor and seek advice from the Office of Legal Services.

#### F. Reporting and Assistance

All employees who are aware of wrongdoing or suspected wrongdoing by a state official or employee have an obligation to report such matters to the Ethics Commission, the Inspector General or through the anonymous reporting system being developed by the Governor's Office. Employees may seek the advice of the department's Chief Ethics Officer or attorneys within the Office of Legal Services at 614.466.8288 in making such reports. The Ethics Commission is also available to provide advice and assistance regarding application of the Ethics Law and related statutes. The Commission can be contacted at 614.466.7090. The Commission's Web site address is [www.ethics.ohio.gov](http://www.ethics.ohio.gov).

#### G. Penalties

Failure of any ODMH official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline up to and including, dismissal, as well as any potential civil or criminal sanctions under the law.

#### H. Training Requirement

Pursuant to Executive Order 2011-03K, the Chief Ethics Officer, the Director and Assistant Director, and senior staff who are required to file annual ethics disclosure forms will participate in yearly mandated trainings through the Governor's Office and all other department employees will be required to participate in new employee (as applicable) and annual training.