



## MONTGOMERY COUNTY ETHICS COMMISSION

**June 4, 2024**

### **Waiver 24-06-003**

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Carmen Maita is a Government Assistance Eligibility Specialist I at the Children, Youth and Family Services (CYFS) Division at the Montgomery County Department of Health and Human Services (DHHS). She would like to engage in outside employment as a Patient Access ED Registrar with Adventist HealthCare Shady Grove Medical Center (Adventist), an entity that has contracts with DHHS.

As a Government Assistance Eligibility Specialist I with CYFS, Ms. Maita determines initial and ongoing eligibility for Income Support Programs, including Temporary Cash Assistance, Temporary Disability Assistance Program, Supplemental Nutrition Assistance Program (SNAP, formerly food stamps), Public Assistance to Adults, and Medical Assistance; conducts and completes initial interviews, processes cases, authorizes benefits, makes necessary referrals to other services and programs and maintains an ongoing caseload to meet all established requirements.

In her proposed role as a Patient Access ED Registrar at Adventist, she will register patients and facilitate claims processing as required. Her responsibilities will include verifying, collecting and accurately entering insurance information into the hospital's electronic health care record system. She will also provide administrative support for the Patient Access Department, including answering phones, faxing, electronic filing, copying, scanning and data entry, as needed.

She would have no contract monitoring, procurement or execution responsibilities in her role with Adventist, and she has no contract monitoring responsibilities in her official capacity with DHHS either.

Adventist contracts with DHHS but Ms. Maita's role as a Patient Access ED Registrar with Adventist is not funded by any County contracts with Adventist.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed

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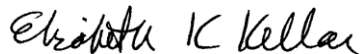
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employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Ms. Maita not making referrals as a County employee to Adventist. She will pass any DHHS clients needing such a referral to a colleague at DHHS.

This waiver expires when the outside employment approval with which it is associated expires, unless a continuation request for outside employment is timely filed and subsequently approved by the Ethics Commission. In reaching this decision, the Commission has relied upon the facts as presented by Ms. Maita.

For the Commission:



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Elizabeth Kellar, Chair