



MONTGOMERY COUNTY ETHICS COMMISSION

September 12, 2024

Waiver 24-09-007

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.

Jarrett Tidwell is a Community Service Aide III at the Behavioral Health and Crisis Services (BHCS) Division at the Montgomery County Department of Health and Human Services (DHHS). He would like to engage in outside employment as a Substitute Rehabilitation Counselor at Cornerstone Montgomery, an entity that has contracts with DHHS.

As a Community Service Aide III with BHCS, Mr. Tidwell works at the County Crisis Center. He is assigned to the Residential Crisis Services program. His responsibilities include assisting clients with their applications for Supplemental Nutrition Assistance Program, Temporary Disability Assistance Program, Medical Assistance, and other available resources. Upon discharge, he also assists clients with obtaining outpatient mental health providers.

In his proposed role as a Substitute Rehabilitation Counselor at Cornerstone Montgomery, he would be providing direct support to clients within 24-hour staffed group homes. He would also be monitoring clients' medications.

He would have no contract monitoring, procurement or execution responsibilities in his role with Cornerstone Montgomery, and he has no contract monitoring responsibilities in his official capacity with DHHS either.

Cornerstone Montgomery contracts with DHHS but Mr. Tidwell's role as a Substitute Rehabilitation Counselor with Cornerstone Montgomery is not funded by any County contracts with Cornerstone Montgomery.

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 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).

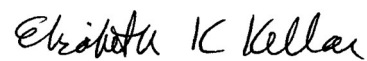
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The Commission notes that while 19A-12(b)'s prohibition is waived, the other provisions of the ethics law are not, including those prohibiting an employee from working on official matters relating to the outside employer. The approval of this waiver is conditioned on the facts upon which the waiver is based remaining unchanged. It is also conditioned on Mr. Tidwell not making referrals as a County employee to Cornerstone Montgomery. He 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 Mr. Tidwell.

For the Commission:



Elizabeth Kellar, Chair