

EXECUTIVE BRANCH ETHICS COMMISSION  
**ADVISORY OPINION 96-20**

May 14, 1996

RE: May Department hire doctor to provide training if employee involved in the hiring rents private office space from the doctor?

DECISION: Yes.

This opinion is in response to your March 20, 1996, request for an advisory opinion from the Executive Branch Ethics Commission (the "Commission"). This matter was reviewed at the May 14, 1996, meeting of the Commission, and the following opinion is issued.

You state the relevant facts as follows. You are a licensed psychologist employed as a program administrator for the Department of Corrections, Division of Mental Health. The Department of Corrections is hosting, in conjunction with the Division of Substance Abuse, Department for Mental Health/Mental Retardation and Eastern Kentucky University, a training conference for vendors who provide substance abuse treatment to probated or paroled Department of Corrections' clients. Staff from both the Division of Substance Abuse and Eastern Kentucky University have recommended Dr. James P. Block as one of the speakers for the conference.

The Department of Corrections would like to engage Dr. Block's services, through Eastern Kentucky University, to provide three hours of training on "Dealing with Resistant Clients". You are concerned about the ethical implications of such an arrangement because, in your private business, you rent office space from Dr. Block. You are not employed by, nor do you benefit in any way from, Dr. Block's private business. You ask the Commission for an opinion as to the propriety of hiring Dr. Brock to provide such training.

KRS 11A.020(1)(a) provides:

- (1) No public servant, by himself or through others, shall knowingly:
  - (a) Use or attempt to use his influence in any matter which involves a substantial conflict between his personal or private interest and his duties in the public interest;

The Commission believes that as long as you are not in practice with Dr. Block privately, and do not receive a benefit such as reduced or free rent, you may be involved in your agency's hiring of Dr. Block to provide training for the upcoming conference. Because you do not benefit from or have an interest in Dr. Block's private business, the Commission sees no apparent conflict between your involvement in his selection as a trainer and your private interest.

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BY: Ruth H. Baxter, Chair