

Proposed amendment to PPC Bylaws - new section

Conflict of Interest

Commission members must disclose conflicts of interest and abstain from voting on issues because of certain conflicts, and must do so in public at the time the matter is considered. In addition, except as otherwise provided in NRS statute, a Commission member shall not approve, disapprove, vote, abstain from voting or otherwise act upon a matter:

- (a) Regarding which the Commissioner has accepted a gift or loan;
- (b) In which the Commissioner has a significant pecuniary interest;
- (c) Which would reasonably be affected by the Commissioner in a private capacity to the interests of another person; or
- (d) Which would reasonably be related to the nature of any representation or counseling that the commissioner provided to a private person for compensation before another agency within the immediately preceding year, provided such representation or counseling is permitted by [NRS 281A.410](#), except as otherwise provided in [NRS 241.0355](#).

If a Commissioner declares to the body in which the vote is to be taken that the Commissioner will abstain from voting because of the requirements of this bylaw, the necessary quorum to act upon and the number of votes necessary to act upon the matter, as fixed by any statute, ordinance, or rule, is reduced as though the member abstaining were not a member of the body or committee.

All Commission members are required to accept the Patient Protection Commission Conflict of Interest statement (attached).

Authority

Nevada Statutes are applicable to members of the Commission, and all Commission members are required to comply with all appropriate state statutes, including the following rules set forth by the Commission on Ethics, Chapter 281 – Public Officers and Employees:

- NRS 281.481: **General requirements; exceptions.**
- NRS 281A.420: **Requirements regarding disclosure of conflicts**
- NRS 281.501: **Additional standards: Voting by public officers; disclosures required of public officers and employees; effect of abstention from voting on quorum; Legislators authorized to file written disclosure.**
- NRS 281.505: **Contracts in which public officer or employee has interest prohibited; exceptions.**

Conflicts

- A. Personal financial gain and private benefit to Commission members or their employer through their participation on the Commission shall be considered a conflict of interest.

- B. Positions on Patient Protection Commission Initiatives based on factors other than the position for which the Commissioner is appointed, such as an employer, shall be considered a conflict of interest.

Actions Prohibited

- A. No commission member shall seek to influence the vote regarding the awarding of funding, a contract, or grant by the Commission when that person knows that they or their employer has a direct or indirect financial interest in the award.
- B. Except as reimbursement for approved out-of-pocket expenses, no commission member or their employer may directly or indirectly receive funds or any other compensation from any grant, program, or contract funded through the support of the Commission without first disclosing his or her relationship to the project. That person must refrain from participating in any discussion, decisions, or review by the Commission on that grant, program, or contract. Following disclosure, the person may answer technical questions and provide factual information if requested by the Commission.

Procedures

- A. All Patient Protection Commissioners shall sign a confirmation document when they are appointed which acknowledges that they have received the Conflict of Interest Policy.
- B. Disclosure of conflict of interest shall be recorded in the minutes of the meeting.
- C. Any person who has disclosed or been found to have a conflict of interest must not, in relation to the matter in conflict unduly influence or vote in those areas where the conflict arises.

Violations

- A. A suspected violation of the conflict of interest bylaws will be brought to the attention of the Executive Director and the Commission members.
- B. If the Commission finds that an intentional or unintentional violation of these policies occurred, the Commission shall define the area of conflict of interest and instruct the person to refrain from participation or discussion when that area is the subject of Commission actions.

Support

Any public officer or employee may request a confidential advisory opinion (First-Party RFO) from the Commission regarding the applicability of his or her circumstances under the provisions of the Ethics in Government Law, including whether his or her specific circumstances constitute a conflict of interest and what course of action the public officer or employee should pursue in his or her official capacity as a result of a conflict of interest.

Proposed conflict of interest statement for commissioners

Conflict of Interest Statement

As an appointed member of the Patient Protection Commission, I enter into participation with the Commission intending to serve the public and to further the protection of patients in Nevada . I understand that the Patient Protection Commission agrees that no Commission member should realize or create the appearance of realizing financial gain for themselves or their employer of any character, nature or amount from Commission action or inaction. In addition, I understand that members and employees shall not engage in any conduct or activity that might reasonably be interpreted by the general public as tending to adversely affect the performance of their duties. Each member shall, at all times, follow the procedures defined in the conflict of interest policies included in the Patient Protection Bylaws.

Signature of Commissioner/Employee

Name

Date