



# Illinois Ethics Matters

July 11, 2018

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*Honesty, Integrity, Service*

A newsletter from the Office of Executive Inspector General for the Agencies  
of the Illinois Governor

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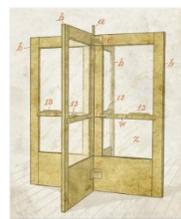
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## Recent News

The OEIG is pleased to announce that **Frank Sohn** began as an Assistant Inspector General in the General Division in the Chicago office.

### EEC Affirms Revolving Door Restriction



On June 25, 2018, the Executive Ethics Commission (EEC) issued a decision in the revolving door appeal of Andrew Schwartz. Mr. Schwartz was an Assistant General Counsel with the Illinois Department of Public Health (IDPH), and served as a prosecutor in administrative proceedings related to long-term care licensure violations.

In particular, Mr. Schwartz participated in two administrative proceedings concerning facilities managed by Aperion Care, Inc. (Aperion). He recommended one be dismissed and in the other he negotiated, recommended and drafted a settlement agreement. After Mr. Schwartz was offered employment with Aperion, he sought a revolving door determination from the OEIG. The OEIG determined that Mr. Schwartz personally and substantially participated in regulatory decisions related to Aperion and restricted him from accepting this offer of employment. Mr. Schwartz appealed the OEIG's determination to the EEC.

The EEC affirmed the OEIG's determination. The EEC opined that a State employee may be personally and substantially involved in a regulatory decision even though he or she is not the final decision maker and noted that the revolving door statute does not require that a decision be final to trigger the revolving door prohibition. The EEC also stated that Aperion's legal counsel represents the facilities in proceedings before IDPH, and that Schwartz was involved in licensing or regulatory decisions that applied to Aperion, its parent, or its subsidiaries.

A copy of the EEC decision, *In re: Schwartz (18 EEC 010)*, is available on the OEIG website.

### Ethics Training Update

Over 50,000 employees of agencies of the governor have completed online ethics training for calendar year 2018. Employees who did not train, for whatever reason, but are or will be available to train will need to come into compliance by the end of 2018 or face potential penalties under the Ethics Act.

Members of boards and commissions are also required to complete ethics training each calendar year. As a reminder, certain board members are exempt from OEIG ethics training:

- Members and employees of the legislative branch are exempt by statute; and
- Persons who serve on boards as representatives of the judicial branch are exempt following an Attorney General Opinion.

Board training is different than employee training; board members who are also employees will need to complete both trainings. Board members are required to take board training only once each year, even if they serve on more than one board. Contact the OEIG with any questions about ethics training.