

SUBJECT: DIRECTOR OF EMERGENCY MEDICAL SERVICES SERVING ON
REGIONAL EMERGENCY MEDICAL COUNCIL

SUMMARY:

A Director of County Emergency Medical Services would not be prohibited from serving on the board of a regional emergency medical council, however, he is advised to follow the provisions of Section 8-13-700(B) on actions affecting his personal training and employment.

QUESTION:

The Deputy County Attorney for Charleston County questions whether the Director of the County Emergency Medical Services may continue to serve on the Lowcountry Regional Emergency Medical Council, Inc. All paramedic training is conducted by one of the four regional councils as directed by the State DHEC. Charleston County contracts with the Lowcountry Regional EMS to train their paramedics.

DISCUSSION:

This opinion is rendered in response to a letter dated January 30, 1992 requesting an opinion from the State Ethics Commission. The Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act No. 248 of 1991; Section 8-13-100 et. seq., as amended, 1976 Code of Laws). This opinion does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation.

The Ethics Reform Act does not prohibit a public employee from serving on regional councils. However, such employee is advised of the provisions of Section 8-13-700(B) which provides in part as follows:

(B) No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a member of his immediate family an individual with whom he is associated, or a business with which he is associated shall:

(1) prepare a written statement describing the matter requiring action or decisions and the nature of his potential conflict of interest with respect to the action or decision;

* * *

(3) if he is a public employee, he shall furnish a copy of the statement to his superior, if any, who shall assign the matter to another employee who does not have a potential conflict of interest. If he has no immediate superior, he shall take the action prescribed by the State Ethics Commission;

Thus, he is advised to follow the above procedure on matters affecting his personal training or employment.

Based upon the facts as submitted, the State Ethics Commission knows of no reason why the Director of Emergency Medical Services cannot continue to serve as a member of the Lowcountry Regional Medical Council, Inc. consistent with the provisions of Section 8-13-700(B).