

OFFICE OF STATE ETHICS

DOCKET NUMBER 2013-53 : OFFICE OF STATE ETHICS
: :
IN THE MATTER OF A : 18-20 TRINITY STREET
: :
COMPLAINT AGAINST : HARTFORD, CT 06106
: :
MARY KEATING : February 24, 2015

STIPULATION AND CONSENT ORDER

Pursuant to the Code of Ethics, General Statutes § 1-79, et seq., Thomas K. Jones, Ethics Enforcement Officer for the Office of State Ethics (“OSE”), issued a Complaint against the Respondent Mary Keating (“Keating” or “Respondent”) for violations of the Code of Ethics, General Statutes § 1-84 (b). Based on the investigation by the Enforcement Division of the OSE, the Ethics Enforcement Officer finds there is probable cause to believe that the Respondent, who was a Connecticut State employee, violated the Code of Ethics as set forth in the Complaint.

The Parties have entered into this Stipulation and Consent Order following the issuance of the Complaint, but without any adjudication of any issue of fact or law herein.

I. STIPULATION

The Office of State Ethics and the Respondent stipulate to the following facts:

1. At all times relevant hereto, the Respondent was employed by the Department of Public Health (hereinafter “DPH”) and, as such, was a “state employee,” as that term is defined by General Statutes §1-79 (m).

2. At all times relevant hereto, the Respondent was the Hospital Preparedness Coordinator in DPH's Public Health Preparedness and Response Unit (hereinafter "PHPRU").

3. At all times relevant hereto, PHPRU was responsible for public health preparedness and response in the state and the coordination and administration of two U.S. Department of Health and Human Services grants -- one for local and state public health and one for hospitals and the healthcare system.

4. At all times relevant hereto, as part of her job duties as a state employee, the Respondent was responsible for providing operational leadership to the Hospital Preparedness Program Cooperative Agreement as well as for the implementation of the operational plans for the healthcare system preparedness in the state. Respondent not only provided oversight of the day to day activities of the Hospital Preparedness Program, but also worked with DPH Program Staff and all external partners and those receiving Hospital Preparedness Program preparedness planning funds.

5. On or about June 2013, while employed by DPH, the Respondent also accepted a per diem position in the Emergency Department of St. Mary's Hospital in Waterbury.

6. At all times relevant hereto, St. Mary's Hospital in Waterbury was and continues to be a participant in the Hospital Preparedness Program. As such, St. Mary's Hospital entered into a contract with DPH seeking grant funds from the Hospital Emergency Preparedness program.

7. General Statutes § 1-84 (b) provides in pertinent part:

No public official or state employee shall accept other employment which will either impair his

independence of judgment as to his official duties or employment or require him, or induce him, to disclose confidential information acquired by him in the course of and by reason of his official duties.

8. By being the Hospital Preparedness Coordinator and providing oversight of the day to day activities of the Hospital Preparedness Program, including St. Mary's Hospitals' involvement in the program, while at the same time accepting a per diem position in the Emergency Department of St. Mary's Hospital, the Respondent accepted other employment that impaired her independence of judgment, in violation of General Statutes § 1-84 (b).

9. On or about, April 11, 2013, Respondent received notice that her conduct, as set forth herein, would likely be in violation of the Code of Ethics.

10. After receiving notice, the Respondent, nevertheless, engaged in the conduct set forth herein, beginning no later than June 2013.

11. Beginning no later than June, 2013, engaging in the acts set forth herein, the Respondent knowingly acted in her own financial interest in violation of General Statutes § 1-84 (b) and/or knowingly received a financial advantage resulting from a violation of General Statutes § 1-84 (b), thereby violating General Statutes § 1-88 (d).

12. Each instance where the Respondent knowingly acted in her own financial interest in violation of General Statutes § 1-84 (b) and/or knowingly received a financial advantage resulting from a violation of General Statutes § 1-84 (b) represents a separate and distinct violation of the Code of Ethics.

13. Respondent admits to the foregoing facts and admits that such facts constitute violations of the Code of Ethics, General Statutes § 1-84 (b).

II. RESPONDENT'S POSITION

1. Respondent disputes the position of the Office of State Ethics and maintains that she has not violated the Code of Ethics as set forth in the Complaint.
2. Respondent states that she is entering into this Stipulation and Consent Order in order to settle and resolve this matter.
3. The Respondent states that the notice she received regarding her conduct as set forth herein, did not indicate whether or not Respondent could or could not accept the position.
4. The Respondent further states that she interpreted the notice to mean that accepting a per diem position in the Emergency Department of St. Mary's Hospital did not violate the Code of Ethics.
5. Respondent states that she did not knowingly act in her own financial interest in violation of General Statutes § 1-84 (b) and/or knowingly receive a financial advantage resulting from a violation of General Statutes § 1-84 (b).

III. JURISDICTION

1. The Ethics Enforcement Officer is authorized to investigate the Respondent's acts as set forth herein, to issue a Complaint against the Respondent, and to enter into this Stipulation and Consent Order.
2. The provisions of this Stipulation and Consent Order apply to and are binding upon the Respondent.
3. The Respondent hereby waives all objections and defenses to the jurisdiction of the Office of State Ethics over matters addressed in this Stipulation and Consent Order.

4. The Respondent waives any rights she may have under General Statutes §§ 1-80, 1-82, 1-82a, 1-87 and 1-88, including the right to a hearing or appeal in this case, and agrees with the Office of State Ethics to an informal disposition of this matter as authorized by General Statutes § 4-177 (c).

5. The Respondent consents to jurisdiction and venue in the Connecticut Superior Court, Judicial District of Hartford, in the event that the State of Connecticut seeks to enforce this Stipulation and Consent Order. The Respondent recognizes that the Connecticut Superior Court has the authority to specifically enforce the provisions of this Stipulation and Consent Order, including the authority to award equitable relief.

6. The terms set forth herein are in addition to, and not in lieu of, any other existing or future statutory, regulatory, or other legal obligation that may be applicable to the Respondent.

7. The Respondent understands that she has the right to counsel and has been represented by counsel throughout the investigation and the negotiation of this Consent Order.

IV. ORDER

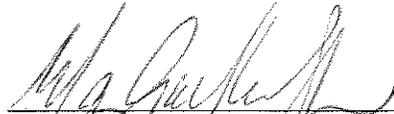
NOW THEREFORE, pursuant to General Statutes § 4-177 (c), the Office of State Ethics hereby **ORDERS**, and the Respondent agrees, that:

1. Pursuant to General Statutes § 1-88 (a) (1), the Respondent will heretofore cease and desist from any future violation of General Statutes § 1-84 (b).

2. Pursuant to General Statutes § 1-88 (a) (3), the Respondent will pay a civil penalty to the State in the amount of five hundred dollars (\$500.00) for her alleged violations of General Statutes § 1-84 (b) as set forth in the Complaint.

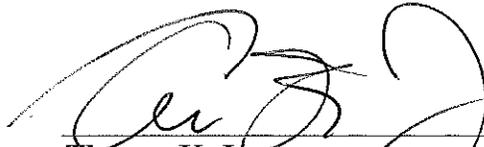
WHEREFORE, the Ethics Enforcement Officer and the Respondent hereby execute this Stipulation and Consent Order dated February 24, 2015.

Dated: 3rd March 2015



Mary Keating
105 Three Mile Hill Road
Middlebury, CT 06762

Dated: March 5, 2015



Thomas K. Jones
Ethics Enforcement Officer
Connecticut Office of State Ethics
18-20 Trinity Street
Hartford, CT 06106
(860) 263-2390