



Ethics Policy

Original Effective Date:

January 26, 2017

Review / Revision Date:

September 26, 2019

Board of Health Resolution:

Pending Codification

Subject Matter Expert: Director of Human Resources

History: ☐ New ☒ Revised ☐ Archived

Organizational Scope:

- ☒ Full Agency ☐ Administration ☐ Community & Environmental Health ☐ Health Services
☐ Health Promotion/Policy Integration

Frequency of Review:

- ☒ Annually ☐ Biennially ☐ 5 Years ☐ Other:

Location:



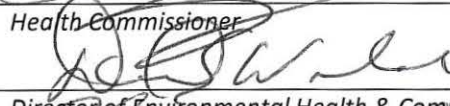
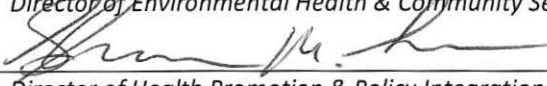
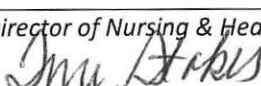
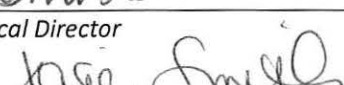
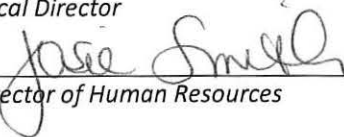
S-Drive: S: → Common → Policies, Plans & Procedures

Website: www.lucascountyhealth.com/employee-login/

Hardcopy: TLCHD Policies & Procedures Manual in HR Office

Archived Version(s): Policies 2017.01.011; 2017.06.082

Requisite Signatures

- ☒ 
 Board of Health President
- ☒ 
 Health Commissioner
- ☒ 
 Director of Environmental Health & Community Services
- ☒ 
 Director of Health Promotion & Policy Integration
- ☒ Vacant
- ☒ 
 Director of Nursing & Health Services
- ☒ 
 Fiscal Director
- ☒ 
 Director of Human Resources

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Ethics Policy

I. Policy

It is policy of the Toledo-Lucas County Health Department (TLCHD) to carry out its mission in accordance with the strictest ethical guidelines and to ensure that all TLCHD officials, employees, or other representatives conduct themselves in a manner that fosters public confidence in the integrity of the Health Department, its processes, and its accomplishments.

II. Scope

The *Ethics Policy* applies to all officials, employees, or other representatives of the Toledo-Lucas County Health Department.

III. Purpose

To ensure all TLCHD officials, employees, or other department representatives conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety; to ensure all TLCHD officials, employees, or other department representatives abide, at all times, by protections to the public embodied in Ohio's ethics laws.

IV. Background

Standards for ethical conduct are required by Ohio's Ethics Laws, as found in Chapters 102 and related sections 2921.42 and 2921.43 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts. In accordance with 2 CFR Part 200.318 of the Uniform Guidance, entities receiving federal funds must maintain written standards of conduct covering conflicts of interest and governing actions of employees engaged in the selection, award and administration of contracts as well as organizational conflicts of interest.

Provisions for the Ethical Conduct of Research can be found in the *Human Research Protection Policy (IRB)*.

This policy supports the following criteria established by the **Public Health Accreditation Board**:

A. **Measure 11.1.2:** Ethical issues identified and ethical decisions made

1. Public Health Code of Ethics

- a. TLCHD believes the "mandate to assure and protect the health of the public is an inherently moral one. It carries with it an obligation to care for the wellbeing of others and it implies the possession of an element of power in order to carry out the mandate.

The need to exercise power to ensure health and at the same time to avoid the potential abuses of power are at the crux of public health ethics".¹

- b. The twelve (12) Ethical Principles outlined in section **X. Principles of the Ethical Practice of Public Health** below correspond to the delivery of the **10 Essential Public Health Services** as illustrated in **Appendix A**.
- c. For information on the underlying beliefs, values, and rationale inherent in the 12 Principles of the Ethical Practice of Public Health, refer to the *Principles of the Ethical Practice of Public Health, Version 2.2*, published by the Public Health Leadership Society.¹

V. General Standards of Ethical Conduct

- A. Toledo-Lucas County Health Department officials and employees must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102 and related sections 2921.42 and 2921.43 of the Ohio Revised Code, and as interpreted by the Ohio Ethics Commission and Ohio courts.
 - 1. A copy of these laws is provided to all staff by the Toledo-Lucas County Health Department, and receipt acknowledged, as required in R.C. 102.09(D). A full copy of the *Ohio Ethics Law and Related Statutes* can be found on the Department's shared common drive at *G:→Users→Common→Policies & Procedures* or on it's website at: www.lucascountyhealth.com/employee-login/.
 - 2. A general summary of the restraints upon the conduct of all officials and employees includes, but is not limited to, those listed below. No official or employee shall:
 - a. Solicit or accept anything of value from anyone doing business with the Toledo-Lucas County Health Department;
 - b. Solicit or accept employment from anyone doing business with the Toledo-Lucas County Health Department, unless the official or employee completely withdraws from Toledo-Lucas County Health Department activity regarding the party offering employment, and the Toledo-Lucas County Health Department approves the withdrawal;
 - c. Use his or her public position to obtain benefits for the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship;
 - d. Be paid or accept any form of compensation for personal services rendered on a matter before any board, commission, or other body of the Toledo-Lucas County Health Department, unless the official or employee qualifies for the exception, and files the statement, described in R.C. 102.04(D);
 - e. Participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to

¹ Thomas JC, Sage M, Dillenberg J, Guillory VJ. A code of ethics for public health. *Am J Public Health*.2002;92:1057–9

employ any of the parties indicated, herein, has a financial or other interest in or tangible personal benefit from a firm considered for a contract, described in 2 CFR Part 200.318.

- f. Hold or benefit from a contract with, authorized by, or approved by, the Toledo-Lucas County Health Department, (the Ethics Law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under R.C. 2921.42 are met);
- g. Vote, authorize, recommend, or in any other way use his or her position to secure approval of an Toledo-Lucas County Health Department contract (including employment or personal services) in which the official or employee, a family member, or anyone with whom the official or employee has a business or employment relationship, has an interest;
- h. Solicit or accept honoraria (see R.C. 102.01(H) and 102.03(H)) ;
- i. No present or former public official or employee shall, during public employment or service or for twelve (12) months thereafter, represent a client or act in a representative capacity for any person on any matter in which the public official or employee personally participated as a public official or employee through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or other substantial exercise of administrative discretion.
- j. Use or disclose confidential information protected by law, unless appropriately authorized; or
- k. Use, or authorize the use of, his or her title, the name "Toledo-Lucas County Health Department," or "TLCHD," or "LCRHD," or the Toledo-Lucas County Health Department's logo in a manner that suggests impropriety, favoritism, or bias by the Toledo-Lucas County Health Department or the official or employee;

VI. Resolution of Ethical Issues

A. The Health Department shall establish an ad hoc Ethics Committee for the resolution of ethical issues that arise in public health.

- 1. The Ethics Committee shall establish a Charter including:
 - a. Committee membership selection, rotation, and responsibilities;
 - b. A framework and process for staff to arrive at transparent, ethically justifiable decisions;
 - c. Setting education standards on ethics for all staff.
- 2. The Ethics Committee shall meet as needed as called by the Chair of the Ethics Committee.
- 3. When submitting issues for consideration to the Ethics Committee, staff shall follow the *Process Overview* guide, and utilize the *Ethical Issues Flow Chart* in determining whether to submit the concern using the *Ethics Committee Consultation Form*.

VII. Ethics Education

- A.** Providing ethics education and information is an inherent part of good ethics governance. The Ethics Commission is available to provide educational seminars and informational materials. The Commission can be contacted at (614) 466-7090.
- B.** TLCHD shall make all reasonable efforts to ensure staff receive education and / or information on the ethical conduct of public health practice. Such education may be provided during orientation, in conjunction with the receipt or explanation of this policy, or in accordance with the department's workforce development efforts.

VIII. Assistance

- A.** The Ethics Commission is available to provide advice and assistance regarding the application of the Ethics Law and related statutes. The Commission can be contacted at (614) 466-7090. The Commission's web site address is: www.ethics.ohio.gov.
- B.** Toledo-Lucas County Health Department counsel is available to answer questions involving this policy.

IX. Penalties

- A.** Failure of any Toledo-Lucas County Health Department official or employee to abide by this Ethics policy, or to comply with the Ethics Law and related statutes, will result in discipline, which may include dismissal, as well as any potential civil or criminal sanctions under the law.

X. Principles of the Ethical Practice of Public Health

- A.** The Toledo-Lucas County Health Department affirms through its daily operations the underlying principles of the Public Health Code of Ethics:
 - 1. Public health should address principally the fundamental causes of disease and requirements for health, aiming to prevent adverse health outcomes.
 - 2. Public health should achieve community health in a way that respects the rights of individuals in the community.
 - 3. Public health policies, programs, and priorities should be developed and evaluated through processes that ensure an opportunity for input from community members.
 - 4. Public health should advocate and work for the empowerment of disenfranchised community members, aiming to ensure that the basic resources and conditions necessary for health are accessible to all.
 - 5. Public health should seek the information needed to implement effective policies and programs that protect and promote health.
 - 6. Public health institutions should provide communities with the information they have that is needed for decisions on policies or programs and should obtain the community's consent for their implementation.

7. Public health institutions should act in a timely manner on the information they have within the resources and the mandate given to them by the public.
8. Public health programs and policies should incorporate a variety of approaches that anticipate and respect diverse values, beliefs, and cultures in the community.
9. Public health programs and policies should be implemented in a manner that most enhances the physical and social environment.
10. Public health institutions should protect the confidentiality of information that can bring harm to an individual or community if made public. Exceptions must be justified on the basis of the high likelihood of significant harm to the individual or others.
11. Public health institutions should ensure the professional competence of their employees.
12. Public health institutions and their employees should engage in collaborations and affiliations in ways that build the public's trust and the institution's effectiveness.

XI. Maintenance

A. Review

1. The *Ethics Policy* is to be reviewed on an annual basis to ensure compliance with legal, agency, and accreditation standards.
2. The *Ethics Policy* shall be reviewed upon the behest of the County Prosecutor; upon changes made to relevant sections of the Ohio Revised Code or Ohio Administrative Code; upon changes to the Public Health Code of Ethics; or upon the discretion of the Board of Health or its designee.

B. Revision

1. All changes made to this policy are to be noted on the **Record of Change**. Substantial changes will require renewed signatures from all applicable parties. This includes changes to the intent, scope, procedures, or policy statement.
2. Changes in style, format, grammar or minor error correction will not require renewed signatures but must be indicated on the Record of Change.

XII. Glossary

- A. "Anything of value":** includes anything of monetary value, including, but not limited to, money, gifts, goods and chattels, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment. "Value" means worth greater than *de minimis* or nominal.
1. Small gifts, such as a book, a meal at a family restaurant, a promotional item, an inexpensive entertainment activity, and other things of nominal value, even if they are provided by an improper source, will not have a substantial influence on an official. An official is not prohibited from accepting these kinds of items (*Ethics Commission Information Sheet #7, section V. Accepting Gifts*)

- B. **“Anyone doing business with the Toledo-Lucas County Health Department”**: includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before Toledo-Lucas County Health Department.

Record of Change

(Required for all policies)

Date of Change	Changes Made By	Changes Made/Notes	Approved By
6/22/2017	BP	Removed section VI. <i>Financial Disclosure</i> as it does not apply to any employee or Board Member. Moved single reference from section XIII. <i>References</i> to a footnote on page 3. Corrected part i under section (V)(A)(2) Expanded Glossary Definition for "anything of value."	TLCHD BOH
7/31/2017	BP	Corrected typo in section XI. <i>Glossary (A)(1)</i> .	N/a
09/26/2019	JS	Added section VI. <i>Resolution of Ethical Issues</i>	TLCHD BOH