



## FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

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January 30, 2015

Dr. Parveen Sharma



RE: **Advisory Letter**

FPPC Case No. 14/608; N. Parveen Sharma

Dear Dr. Sharma:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act)<sup>1</sup> found in Government Code section 81000, and following. The Enforcement Division received a complaint against you, alleging that you violated the conflict of interest provisions of the Act by using your official position in an attempt to influence a governmental decision regarding the San Benito Health Care District ("District") and a contract with your medical practice. After a full investigation, the Enforcement Division has determined that there is insufficient evidence to find that you violated the Act in this particular circumstance. Therefore, we have decided to close this matter with an Advisory letter.

As a board member of the District, you are a public official under the Act. (Section 82048). On the April 24, 2014 District agenda, you recused yourself and left the room regarding a discussion of your potential conflict of interest if the District entered into a specialty contract with your medical practice. The complaint alleged that you used your official position in an attempt to influence a District Board Member to enter into a contract between your medical practice and the District. Based on our investigation into this matter, there is insufficient evidence to establish that you attempted to influence this governmental decision. Therefore, we have decided to close this case with this Advisory letter.

The primary purpose for the conflict of interest provisions of the Act is to ensure that public officials, whether elected or appointed, perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. (Section 81001, subd. (b).) As a result, Section 87100 prohibits public officials from making, participating in making, or attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. To determine whether an individual has a disqualifying conflict of interest, the

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<sup>1</sup> The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Commission generally employs the following sequenced analysis: (1) is the individual a public official; (2) did the official make, participate in making, or use or attempt to use the official position to influence a governmental decision; (3) what are the official's economic interests; (4) are the official's economic interests directly or indirectly involved in the governmental decision; (5) what is the applicable materiality standard for each economic interest involved; and (6) is it reasonably foreseeable that the governmental decision will have a material financial effect on the official's economic interest.<sup>2</sup> (See Regulation 18700.)

Even though we are closing our file in this matter, please be advised of the conflict of interest provisions of the Act in future decisions that you may make as a public official. The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or manuals, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at [www.fppc.ca.gov](http://www.fppc.ca.gov). If you have questions regarding this matter, please contact me at (916) 322-5660.

Sincerely,



Bridgette Castillo  
Senior Commission Counsel  
Enforcement Division

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<sup>2</sup> The additional two steps of the analysis are inapplicable in this matter.