



FAIR POLITICAL PRACTICES COMMISSION

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December 16, 2011

✓ El Camino Hospital/Healthcare District
Attn: Ms. Sylvia Covarrubias

Mr. James F. Sweeney
Sweeney & Greene LLP

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Mr. John L. Zoglin, Chairman
El Camino Hospital/Healthcare District

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Advisory Letter

FPPC No. 11/1006; El Camino Hospital/Healthcare District, Respondent

Dear Messrs. Zoglin and Sweeney and Ms. Covarrubias:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act)¹ found in Government Code Section 81000, and following. As you are aware, we received a sworn complaint against the El Camino Hospital/Healthcare District (District) alleging that the District violated the public access requirements of the Act.

The complaint alleged that copies of the Statements of Economic Interests (Forms 700) were requested of the elected board members, but that the secretary of the District responded in writing that the hospital is not the custodian of the requested forms and failed to produce the forms.

In response to our inquiry, we were informed that due to an October 2010 amendment to the District's conflict of interest code to remove some language concerning the public availability of statements, the District believed it was no longer

¹ 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.

obligated to provide statements to the public. In October of 2011, the District contacted the County, as well as the FPPC and at that time learned that the District must keep copies and make them available to the public for a period of four years.

Since it appears that the District's failure to provide copies of Statements to the complainant upon his request was due to the District's interpretation of a recent amendment to its conflict of interest code, and since the District has sought and obtained correct guidance on the matter, we are closing our file on this matter.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely

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Jeanette E. Turvill
Political Reform Consultant
Enforcement Division

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cc: Mr. Neal Melton