



STATE OF CALIFORNIA
FAIR POLITICAL PRACTICES COMMISSION
1102 Q Street • Suite 3000 • Sacramento, CA 95811

August 5, 2022

Rebecca Dietzen
o/b/o California Department of Public Health
Via email: Rebecca.Dietzen@cdph.ca.gov

Re: Warning Letter; FPPC No. 2022-00524; California Department of Public Health

Dear Ms. Dietzen:

The Enforcement Division of the Fair Political Practices Commission (“FPPC”) enforces the provisions of the Political Reform Act (the “Act”).¹ This letter is in response to two sworn complaints filed against the California Department of Public Health (“CDPH”) alleging conflicts of interest and the failure to meet Statements of Economic Interests (“SEIs”) filing requirements. The Enforcement Division has completed its review of this matter. While we did not find conflicts of interest by CDPH, we found that CDPH has failed to meet its obligations as a filing officer under the Act.

The Act imposes specific duties upon filing officers.² A filing officer receives and retains SEIs. Regulation 18115 requires filing officers to supply SEIs to designated employees who have assuming, annual, and leaving office filing obligations and to determine whether the proper statements have been filed. Filing officers must promptly notify a designated employee or public official who has not filed a required statement. After making at least two written attempts to attain compliance, filing officers must report any apparent violation of the Act to the appropriate agencies (i.e., the FPPC’s Enforcement Division). Filing officers are also required to compile and maintain current lists of all statements required to be filed with the agency and all those actually filed with the agency.

CDPH violated the Act by failing to report apparent violations of the Act to the FPPC’s Enforcement Division. However, for the following reasons, the Enforcement Division has decided to close this case with this warning letter rather than a fine: You indicated that the designated employees who have not filed SEIs have left their respective positions so the public harm is minimal; you explained that, of CDPH’s approximately 2,700 designated employees, approximately only ten percent have reportable economic interests; CDPH recognizes that Leaving Office SEI compliance has declined over the past few years and is looking into options to improve compliance rates; CDPH has an excellent compliance rate for Assuming Office and Annual SEI compliance; and CDPH has no prior history of violating the Act. Please note that, moving forward,

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014, and all statutory references are to this code. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations.

² Section 81010; Regulations 18115, 18115.1, and 18115.2.

designated employees who do not file the appropriate SEI(s) in response to at least two written notifications from CDPH should be referred to the FPPC's Enforcement Division.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

A warning letter is an Enforcement Division case resolution without administrative prosecution or fine. The Commission has adopted Regulation 18360.1 to authorize the Enforcement Division to issue warning letters to conclude cases in specified circumstances. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the Enforcement Division will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the Commission's website ten (10) days from the date of this letter.

Please feel free to contact Tara Stock at (916) 322-8241 or tstock@fppc.ca.gov with any questions you may have regarding this letter.

Sincerely,

Christopher B. Burton

Christopher B. Burton, Assistant Chief
Enforcement Division

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