



California Fair Political Practices Commission

April 4, 1995

Luis A. Zapata, Ph.D.
1033 Chekov Drive
Riverside, California 92506

Re: Your Request for Advice
Our File No. A-95-95

Dear Dr. Zapata:

We respond to your request for an exemption from your filing duties under the Political Reform Act.¹

You are a designated employee of Riverside County and, as such, are required to complete a Form 730, Statement of Economic Interests. In addition to your employment with the county, you have a private practice in psychology where you provide services to private patients.

Schedule H-2 of the Form 730 requires that you list the names of patients from whom you received payment for the services you rendered. However, if you believe that your client's name is protected by the physician-patient privilege, you may decline to report the name, but you must file with your Statement of Economic Interests an explanation for such nondisclosure. With respect to each undisclosed person, you must state that to the best of your knowledge you have not and will not make, participate in making, or in any way attempt to use your official position to influence a governmental decision when to do so would constitute a violation of Government Code Section 87100.

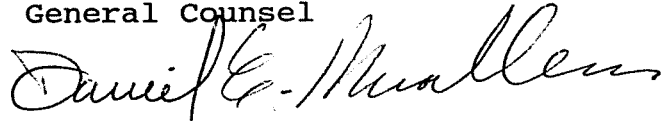
Please note that, under the Act, a patient's name is protected by the physician-patient privilege only when disclosure of the patient's name would also reveal the nature of the treatment received by the patient. (Regulation 18740.) In addition, please be advised that the Executive Director may request further information from you and, if no legal or factual justification sufficient to support assertion of the privilege is shown, may order that the disclosure required by the Act be made.

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations, Sections 18000-18954.

If you have any further questions regarding this matter,
please feel free to contact me at (916) 322-5901.

Sincerely,

Steven G. Churchwell
General Counsel

A handwritten signature in cursive script, reading "Daniel E. Muallem". The signature is written in dark ink and is positioned below the typed name of the sender.

By: Daniel E. Muallem
Counsel, Legal Division

Enclosure