



BOARD OF ETHICS
CITY OF CHICAGO

**SUMMARY OF WAIVER FROM THE POST-EMPLOYMENT RESTRICTIONS IN THE GOVERNMENTAL ETHICS
ORDINANCE, GRANTED JANUARY 18, 2019**

At its January 18, 2019 meeting, the Board of Ethics granted a waiver from the Ordinance's post-employment restrictions to Dr. Elizabeth Salisbury-Afshar, M.D., formerly an employee of the Chicago Department of Public Health ("CDPH"), pursuant to §2-156-402(b) of the Governmental Ethics Ordinance (the "Ordinance"). In accordance with that same section of the Ordinance, we summarize the waiver granted as follows.

CDPH submitted the request on January 10, 2019, asking that Dr. Salisbury-Afshar, who left City employment effective July 24, 2018, be allowed to work on an initiative sponsored by the Illinois Public Health Institute ("IPHI") on opioid education for hospitals and emergency rooms, in which IPHI would partner with CDPH. The initiative will be funded by a grant from S.A. Otho Sprague Institute to IPHI to launch a hospital and emergency room learning collaborative to advance medication assisted treatment initiation ("MAT") in hospital emergency departments for persons with opioid use disorders. The request included letters supporting the waiver from Dr. Julie Morita, M.D., CDPH's Commissioner, and Elissa J. Bassler, IPHI's CEO.

Dr. Salisbury-Afshar served as CDPH's Medical Director for Behavioral Health until her resignation from City employment on July 24, 2018. According to the waiver request: (i) Dr. Salisbury-Afshar was, during her CDPH employment, involved in educating outpatient providers specifically as part of CDPH's learning collaborative for federally qualified health centers and clinics, although CDPH has not yet done any education work like this before with emergency rooms or hospitals, but is now moving into this area; (ii) Dr. Salisbury-Afshar is one of the foremost experts on MAT in the United States, and a leading educator on the opioid epidemic in the Chicago area; (iii) Dr. Salisbury-Afshar was hired as a subcontractor by IPHI on this project as a teacher/facilitator; (iv) CDPH was not involved with her hiring by IPHI or the American Institutes for Research ("AIR"), her current employer (she directs its Center for Multi-System Solutions to the Opioid Epidemic); (v) AIR applied separately from CDPH to work on this project, and "CDPH has been involved at a conceptual level only"; and (vi) she is IPHI's first choice of experts to work on this initiative, and the Sprague Institute specifically asked that IPHI partner with her, if at all possible -- thus IPHI's grant award and the entire project itself are predicated on her inclusion.

Without a waiver, Dr. Salisbury-Afshar would be prohibited, under the Ordinance's one-year post-employment subject matter ban, from assisting IPHI on this project, because it involves the same subject matter in which she was personally and substantially involved during her City service -- namely educating health care providers about opioid addiction and treating it.¹ The distinction between outpatient facility-opioid education (what she worked on while at CDPH) and hospital-ER opioid education (what she would work on in this initiative) is not sufficient to warrant a conclusion that they constitute different subject matters.

By a 4-0 vote (Zaid Abdul-Aleem and Daisy S. Lezama, absent) the Board granted Dr. Salisbury-Afshar the waiver from §2-156-100(b) of the Ordinance to enable her to work on this project, as her work is timely, otherwise prohibited, and compellingly in the public interest.

¹ §2-145-100(b) of the Ordinance prohibits former City employees from assisting or representing any person, such as a new employer or client, on any business transaction involving the City for one year if they were "personally and substantially involved in the subject matter" of that business transaction.