RHODE ISLAND ETHICS COMMISSION

Advisory Opinion No. 2026-38

Approved: November 10, 2026

Re: Daniel P. Connors

QUESTION PRESENTED:

The Petitioner, the former Director of Interagency Operations with the Rhode Island Executive Office of Health and Human Services, a state employee position, requests an advisory opinion regarding the application of the revolving door provisions of the Code of Ethics relative to his advocacy work and his ability to represent his new private employer, the Hospital Association of Rhode Island, and its members before the Rhode Island General Assembly and Rhode Island executive branch agencies other than the Executive Office of Health and Human Services including, but not limited to: the Office of the Governor and the Department of Administration, within one year of leaving state service.

RESPONSE:

It is the opinion of the Rhode Island Ethics Commission that the Petitioner, the former Director of Interagency Operations with the Rhode Island Executive Office of Health and Human Services, a state employee position, is prohibited by the Code of Ethics from representing himself or others, including his new private employer and its members, or from acting as an expert witness, before the entire Executive Office of Health and Human Services and all of its departments, divisions, offices, sections, and programs, and before state or municipal boards and/or commissions on which he personally served or had appointed a designee to serve in his place.

The Petitioner represents that he was employed as Director of Interagency Operations with the Rhode Island Executive Office of Health and Human Services (EOHHS) from March 2023 until October 3, 2026. The Petitioner further represents that as Director of Interagency Operations, he served as the chief of staff to the secretary of the EOHHS and that his primary duties included, but were not limited to, providing support to the EOHHS secretary, attending weekly executive leadership meetings, and interacting with the various agencies within the EOHHS. The Petitioner clarifies that he was not a member of the

Governor's Cabinet. The Petitioner states that EOHHS includes the following departments: the Department of Human Services (DHS), the Department of Children, Youth & Families (DCYF), the Department of Behavioral Healthcare, Developmental Disabilities & Hospitals (BHDDH), and the Department of Health (RIDOH). The Petitioner represents that as part of his official duties, he was also appointed by the Governor to serve as a member of the Health Services Council, which is a statutorily created advisory board to the RIDOH regarding healthcare facility licensing reviews, matters of policy, and the development of rules, regulations, and standards for healthcare facilities. The Petitioner notes that he did not have any oversight or control over any agencies outside the EOHHS.

The Petitioner represents that on October 5, 2026, upon leaving state service, he began his new private employment as a general counsel and executive director of the Hospital Association of Rhode Island (HARI), a statewide trade organization that advances the interests of its member hospitals through advocacy, representation, education, and other services on a state and national level.[1] The Petitioner notes that, in particular, HARI serves its members by representing and advocating for their interests before the Rhode Island General Assembly and various other state agencies. Given this set of facts, the Petitioner seeks guidance from the Ethics Commission regarding the application of the revolving door provisions of the Code of Ethics relative to his advocacy work and his ability to represent his new private employer, HARI, and its members before the Rhode Island General Assembly and Rhode Island executive branch agencies other than the Office of Health and Human Services including, but not limited to, the Office of the Governor and the Department of Administration, within one year of leaving state service.

Under the Code of Ethics, a public official shall not represent himself or any other person, or act as an expert witness, before any state agency of which he is a member or by which he is employed. R.I. Gen. Laws § 36-14-5(e)(1)-(3). These "revolving door" restrictions were enacted to minimize any undue influence a former public official might have in a matter before his former agency. Additionally, these prohibitions apply to the entire agency, including all of its offices, sections, programs, or divisions and last while the public official is serving and for a period of one year thereafter. § 36-14-5(e)(4).

A person represents himself or another person before a state agency if he participates in the presentation of evidence or arguments before that agency for the purpose of influencing the judgment of the agency in his own favor or in favor of another person. R.I. Gen. Laws § 36-14-2(12) & (13); 520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined

[1] See https://www.hari.org/about-hari-2 (last accessed October 28, 2026).

(36-14-5016).[2] The above prohibitions do not extend to the performance of ministerial acts, duties, or functions involving neither adversarial hearings nor the authority to exercise discretion or render decisions.[3] A person is defined as "an individual or a business entity." § 36-14-2(7). Additionally, §§ 36-14-5(c) & (d) prohibit the use and/or disclosure of confidential information acquired by a public official during the course of, or by reason of, his official employment, particularly for the purpose of obtaining financial gain.

The Ethics Commission has issued numerous advisory opinions interpreting § 36-14-5(e)(4)'s requirements with respect to former state employees or officials interacting with their former agencies during the one-year period following the severance of their state

[2] See, e.g., A.O. 2024-13 (opining that a DCYF social caseworker was not prohibited from accepting private employment as a clinician with The Inner You Counseling Center offering therapeutic services to adolescents, provided that she was prohibited, among other things, from appearing before DCYF as an Inner You clinician, which included, but was not limited to, reporting to DCYF on an Inner You client who subsequently became open to DCYF services; acting as an expert witness on behalf of an Inner You client or Inner You; or submitting to DCYF documentation from Inner You that contained the petitioner's name, or which was identifiable as the petitioner's work product); A.O. 2008-62 (opining that a former social caseworker in the Long Term Care Unit within the DHS, was not prohibited from working as an independent contractor assisting a private attorney with the preparation of medical assistance applications on behalf of the attorney's clients, given that the attorney was the one filing the applications with DHS, and provided that the petitioner did not have any direct contact with or appear to represent the clients, the attorney, or anyone else, before DHS or any of its members or staff, for a period of one year after the date of her official severance from her position).

[3] See, e.g., A.O. 2013-28 (opining that a former principal policy associate for the Rhode Island Office of the Health Insurance Commissioner (OHIC) could accept private employment, provided that he did not represent his private employer before OHIC during that year and any contacts that he had with OHIC were purely ministerial in nature, such as hand-delivering documents, reviewing public records, and requesting public information); A.O. 2010-23 (opining that the former chief administrative officer of the Rhode Island Board of Medical Licensure and Discipline for the RIDOH, who was then employed as the chief medical officer for Landmark Medical Center, was not prohibited from making informational inquiries to the RIDOH and from reporting information to it, including information mandated by state statute or regulation to be reported, such as information about illness or communicable diseases, or the treatment of impaired physicians, since he would not be "representing" himself or another before his former agency).

employment. In Advisory Opinion 2017-19, for example, the Ethics Commission opined that the former president of the Rhode Island Senate was prohibited by the Code of Ethics from representing her then new private employer, HARI, before the Rhode Island General Assembly for a period of one year after leaving public office. However, the Ethics Commission also opined that the Code of Ethics did not prohibit that petitioner from representing her new private employer before any municipality or the executive or judicial branches of Rhode Island government. See also A.O. 2006-56 (opining that the chief of staff/legislative director for the Office of the Attorney General, was prohibited from lobbying the Office of Attorney General for a period of one year after leaving that office, but could immediately lobby the General Assembly and federal, state and municipal governmental agencies); A.O. 2005-6 (opining that a former legislative director for the Governor was prohibited from lobbying Office of the Governor withing one year of leaving his position with that office but could immediately lobby the General Assembly as well as state and municipal agencies); A.O. 2003-56 (opining that a former director of Legislative and Governmental Affairs in the Office of the Lieutenant Governor was prohibited from lobbying the Office of the Lieutenant Governor for one year after leaving his employment with that office, but could immediately lobby the General Assembly and other state agencies in his new private employment); A.O. 2003-32 (opining that a former director of Administrative Records in the Office of the Secretary of State was prohibited from lobbying the Office of the Secretary of State within one year after leaving his employment there but could immediately lobby the General Assembly and other state agencies in his private employment).

Here, based on the Petitioner's representations, the applicable provisions of the Code of Ethics, and a review of prior advisory opinions issued, it is the opinion of the Ethics Commission that the Petitioner is prohibited by the Code of Ethics from representing himself or others, including his new private employer, HARI, and its members, or from acting as an expert witness, before the entire EOHHS and all of its departments, divisions, offices, sections, and programs, and before state or municipal boards and/or commissions on which he personally served or had appointed a designee to serve in his place, including but not limited to, the Health Service Council, until the expiration of one year after leaving his public positions. The Petitioner is not, however, prohibited from immediately being able to represent himself or others, including his new private employer, HARI, and its members before the Rhode Island General Assembly, Office of the Governor, Department of Administration, or other executive branch agencies other than those within the EOHHS.

The Petitioner is cautioned that prohibited interactions are not limited to business meetings, and could occur at a restaurant, on the phone, in an email or at any social or political gathering. It is the content of a discussion, rather than its venue, that is most relevant in applying the Code of Ethics' post-employment revolving door restrictions. On the other

hand, contacts involving purely personal or ministerial matters that do not involve discretion or decision-making on the part of the aforementioned public agencies are not prohibited.

Additionally, consistent with §§ 36-14-5(c) and (d) of the Code of Ethics, the Petitioner may not use and/or disclose confidential information acquired by the Petitioner during the course of, or by reason of, his official employment, particularly for the purpose of obtaining financial gain. Lastly, until the expiration of one year following the date of his severance from state service, the Petitioner is advised, when in doubt, to seek further guidance from the Ethics Commission regarding the Code of Ethics' potential application to his interactions with state agencies.

This Advisory Opinion is strictly limited to the facts stated herein and relates only to the application of the Rhode Island Code of Ethics. An advisory opinion rendered by the Commission, until amended or revoked by a majority vote of the Commission, is binding on the Commission in any subsequent proceedings concerning the person who requested the opinion and who acted in reliance on it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. Under the Code of Ethics, advisory opinions are based on the representations made by, or on behalf of, a public official or employee and are not adversarial or investigative proceedings. Finally, this Commission offers no opinion on the effect that any other statute, regulation, agency policy, ordinance, constitutional provision, charter provision, or canon of judicial or professional ethics may have on this situation.

Code Citations:
§ 36-14-2(7)
§ 36-14-2(12)
§ 36-14-2(13)
§ 36-14-5(e)
§ 36-14-5(c)
§ 36-14-5(d)
520-RICR-00-00-1.1.4 Representing Oneself or Others, Defined (36-14-5016)

Related Advisory Opinions:
A.O. 2024-13
A.O. 2017-19
A.O. 2013-28
A.O. 2010-23
A.O. 2008-62

A.O. 2006-56
A.O. 2005-6
A.O. 2003-56
A.O. 2003-32

<u>Keywords</u>:
Post-Employment
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