Lobbyist Registration & Disclosure Requirements

NBHD Policy Number GA-001-120

1. **Registration:** Prior to engaging in any lobbying activities, whether or not compensation is paid or received in connection with those activities, each lobbyist is required to register.

   Please note if you have served as an NBHD Commissioner, on a Commission sub-committee or have been employed by Broward Health within the last two years please see the lobbying and lobbyist Activities policy as you may be ineligible to register and lobby.

   In addition the following terms: NBHD, District, Broward Health and North Broward Hospital District are used interchangeably throughout this document.

The Registration process is as follows:

a. All registration forms are available on the Broward Health website (www.browardhealth.org). A paper registration form can also be obtained from the Broward Health Executive Assistant/Manager for the District CEO (Record Keeper) or the Government Relations Department.

b. When registering for the first time a paper registration form must be filled out and submitted to the VP Government Relations & Community Affairs along with a $40 registration fee for each principal that a lobbyist is registering to represent.

c. A signed principal authorization form must also be included when registering for the first time (for each principal).

d. In subsequent years the signed principal form is not required and a renewal can be done on the Broward Health website. At this time the website cannot accept credit card payments so a check will still need to be submitted to the VP Government Relations and Community Affairs.

e. The registration form must be filed out completely and contain the following information:

   i. The lobbyist’s full name, residence address, business name, business address, email address, phone number and nature of business.

   ii. Information related to the principal. The full name and address of the company, individual entity, association, persons on whose behalf the lobbyist will be lobbying.

   1. If, after filing the registration statement, the lobbyist intends to lobby on behalf of any principal not listed on the registration statement, the lobbyist shall, prior to engaging in any lobbying activities on behalf of such unlisted principal file an amendment to
the registration statement containing all the information required in the annual registration statement.

iii. The general and specific subject matters which the lobbyist seeks to influence.

iv. Identification of any direct or indirect business association, partnership, or financial relationship and/or if you live in the same household with or are related to any current Board of Commissioner member, Board Committee member, employee or agent.

f. A lobbyist is required to promptly amend any filed registration statement within 15 days if any information in the statement changes.

g. Registration statements are effective from July 1 of a given year through June 30 of the following year. If a lobbyist registers at any time during the fiscal year the registration will be in effect from the time of registration to the end of the fiscal year. Registration fees paid cover lobbying activities during the effective period of the registration statement and must be renewed the following fiscal year. A new registration statement must be filed, and all required fees must be paid, prior to engaging in any lobbying activities after expiration of a previously filed registration statement.

i. If a lobbyist fails to register they will be notified and given a 30 day grace period to register.

ii. After the 30th day, a lobbyist will be given up to an additional 30 days to register; however, they will be charged a fine of $10 per day, per principal and will not be allowed to register until the fine is paid.

iii. If they fail to register within the 30 day grace period or the 30 day extended period (a total of 60 days) they will not be allowed to lobby on behalf of any principal at the North Broward Hospital District.

iv. An appeal can be made to the VP Government Relations and Community Affairs and the Chief Ethics Officer in conjunction with the General Counsel.

2. Expenditure Report/Disclosure Statement:

a. Annually a lobbyist is required to submit an expenditure report/ disclosure statement after the fiscal year ends on June 30th. The form should be filled out and returned to the VP Government Relations & Community Affairs.

b. Expenditure report forms are available on the Broward Health website at [www.browardhealth.org](http://www.browardhealth.org). A paper form can also be obtained from the Broward Health Executive Assistant/Manager for the District CEO (Record Keeper) or the Government Relations Department.

c. This Expenditure report is due on or before July 30th (one month after the close of the fiscal year). Each year, each lobbyist shall submit a signed statement under oath, disclosing all lobbying expenditures and the sources of the funds used for said expenditures for each principal represented.

d. The statement shall provide information with respect to all lobbying activities undertaken from July 1 of the prior year through June 30 of the year in which the expenditure report is required to be filed. Lobbying expenditures shall not include personal expenses for lodging, meals and travel. A statement must be filed even if there have been no expenditures during a reporting period.
e. In circumstances whereby a lobbyist fails to timely file an expenditure statement the lobbyist will be notified and assessed fines. The procedure shall provide for the following:

   i. Upon determining that the statement is late, the Government Relations Department shall promptly notify the lobbyist as to the failure to timely file the statement and that a fine is being assessed for each late day.

1. The fine shall be $10 a day for each late day up to thirty (30) days. The fine can be paid by check or money order made out to the “North Broward Hospital District”.

2. An appeal can be made to the VP Government Relations and Community Affairs and the Chief Ethics Officer in conjunction with the General Counsel.

f. The lobbyist is required to disclose whether or not they are working on a contingency fee basis and if so the names of any others who may share in that contingency fee. Please note that contingency fees are prohibited. (See policy GA-001-120, Section D under “Applicable to Lobbyists engaged to lobby the District”.)

   i. All lobbying expenditures and contingency fees are governed, as applicable, by Federal, State and County laws together with such Rules or Compliance Agreements as the Board of Commissioners may adopt or be subject to on behalf of Broward Health. Any expenditure or fee, which violates governing laws or Broward Health rules or compliance agreements may result in the debarment of the lobbyist from further conducting business with Broward Health.

   ii. Lobbyists are encouraged to submit questions in writing to Broward Health about expenditures or contingency agreements in advance in order to avoid any unintended impropriety.

3. Transparency:

   a. A list of all registered lobbyists will be available to the public on the NBHD website: www.browardhealth.org. This list shall be posted in alphabetical order by last name of lobbyist first and shall include:

      i. Last name and first name of lobbyist
      ii. Name of company and/or firm they work for
      iii. Principal registered to represent

   b. The list shall be automatically updated as new lobbyists register throughout the year.

   c. The Expenditure reports will be available to the public after the July 30th deadline.

4. Cone of Silence:

   a. RFPs, RFQ’s, ITB’s, or Bid: Lobbyists, Principals and all persons who are Family or Household Members of a Lobbyist and/or Principal who are affiliated with any vendor or proposed vendor, shall refrain from contacting NBHD, its Board, Board Committee members, and/or Broward Health employees and agents with reference to the status of any RFP, RFQ, ITB, or
Bid during the period from the closing date for responses until the award recommendation is made by the designated Broward Health administrator.

b. **Contract Negotiation:** Lobbyists and lawyers are prohibited from lobbying NBHD or any of its Board members, Board Committee members, and/or Broward Health employees or agents during the consideration of any contracts and contract negotiations and related discussions. This prohibition includes, but is not limited to, physician contracts, professional service contracts, services contracts, design-build contracts and construction contracts.

   i. There are two exceptions:

      1. Lawyers representing clients in contract negotiations with the District are allowed to contact NBHD Legal Counsel.
      2. Lobbyists and lawyers are allowed to communicate with Board members on matters that are not the subject of the contract negotiations and related discussions either indirectly or directly.

5. **Definitions:**

   a. **Lobbying:** Lobby or lobbying means any form of communication, direct or indirect, on behalf of oneself/itself or a Principal, or a Family or Household Member of a Lobbyist or Principal, for the purpose of influencing or encouraging or attempting to influence or encourage the District, its Board, Board Committee member(s), and/or District employee(s) or agent(s) with respect to an action, non-action, decision, recommendation, modification, approval or disapproval by the District, its Board, Board Committee member(s) and/or District employees or agent(s), of any item which may be presented for consideration or vote, as applicable, by the Board, any Board Committee member(s), and/or District employee(s) or agent(s), including, without limitation, with respect to contracts, policies or procurement issues or matters; and/or attempting to obtain the goodwill of the District, its Board, Board Committee member(s) and/or District employee(s) or agent(s).

   b. **Lobbyist:** means any person or Business Entity who/which lobbies on behalf of itself and/or on behalf of a Principal and/or on behalf of a Family or Household Member of a Lobbyist or Principal, for the gain, economic, personal or otherwise, of itself and/or a Principal, regardless of whether the Lobbyist is compensated for lobbying or not.

   c. **Principal:** means with respect to any Business Entity or individual providing District Lobbying Activities or other lobbying activities, an officer, director, manager, shareholder or partner who controls, or otherwise directs, the decisions of such Business Entity or individual or Business Entity with respect to such activities.

   d. **Family or Household Member:** means, with respect to a Lobbyist and/or Principal, a member of his/her/its household and/or a husband or wife or domestic partner; birth or adoptive parent, child, sibling or cousin, niece
or nephew; stepparent, stepchild, stepbrother, or stepsister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law; grandparent or grandchild; and spouse of a grandparent or grandchild.

e. **Business Entity:** means any firm, corporation, partnership, limited liability company, joint venture, or other form of business entity, including, those entities under common control with, or controlled by, any such entity, including, a parent or subsidiary of any such entity.