



STATE OF ARKANSAS
**Department of Finance
and Administration**

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June 11, 2019

Vanessa Wyrick
Booneville Human Development Center
87 Reed Road
Booneville, AR 72927

RE: Advisory Opinion No. 2019-11

Dear Ms. Wyrick:

This letter is in response to your request for an advisory opinion and/or waiver of a conflict of interest pursuant to Ark. Code Ann. §19-11-701 *et seq.*, regarding whether it would violate State ethical standards for Dr. Michael Wyrick. ("Dr. Wyrick") to contract with the State. This opinion is based upon the following facts that have been presented to me in your request and correspondence, which I am relying upon. It should be noted that if one or more of these facts are later shown to be incorrect, it could result in a revised opinion.

1. According to the request, Dr. Wyrick has been awarded a psychological services contract for the Booneville Human Development Center by the Department of Human Services ("DHS"). The procurement method was Invitation for Bid.
2. You, Vanessa Wyrick, are his spouse and a Nursing Home Assistant Administrator with DHS.
3. You have not directly or indirectly participated in the determination of this or any other contract.
4. Jeff Gonyea, Booneville Human Development Center Superintendent, is directly supervising this contract.
5. Superintendent Gonyea has confirmed the facts in your request.

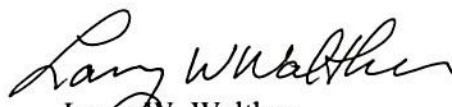
Ark. Code Ann. §19-11-705 (a)(1)(A) prohibits state employees from participating directly or indirectly in any particular matter pertaining to any state agency contracts in which an employee or an employee's immediate family member has a financial interest. "Direct or indirect participation" is defined to include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity. *See* Ark. Code Ann. §19-11-705 (a)(2).

Based on the above facts and reviewing the matter under Ark. Code Ann. §19-11-705 (a)(1)(A), DHS's contract with Dr. Wyrick does not violate the statute's prohibition of participating directly or indirectly in the procurement process. The contract was awarded to the lowest responsible bidder, and there is no indication that you were involved in the procurement process in any way,

directly or indirectly. Superintendent Gonyea has confirmed that you were not involved in any way, directly or indirectly. He has also confirmed that he is directly supervising this contract.

This advisory opinion and written approval is issued in accordance with Ark. Code Ann. § 19-11-715(b) and Ark. Code Ann. § 19-11-715(c) and constitutes compliance with the ethical standards of the Ark. Code Ann. §19-11-701 *et seq.*

Sincerely,



Larry W. Walther
Director

cc: Edward Armstrong, Office of State Procurement