

NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS
540 Broadway
Albany, New York 12207

In the Matter of Clinica Modelo.

DECISION AND
ORDER

Respondent

Failure to Timely File a 2009 July/December
Client Semi-Annual Report

Clinica Modelo ("Respondent"), a client of a registered lobbyist in 2009, was required to file the 2009 July/December Client Semi-Annual Report by January 15, 2010, pursuant to section 1-j of the Legislative Law (the "Lobbying Act"), because Respondent retained, employed or designated a lobbyist and Respondent reasonably anticipated that they would expend or incur an amount in excess of \$5,000 during the calendar year. Despite reminders and notices from the Commission on Public Integrity ("COPI"), Respondent failed to file such report.

On June 14, 2010, a formal Notice of Failure to File was issued by the COPI, pursuant to former Executive Law §94(12)(a), which afforded Respondent 15 days to submit the requiring filing.

On February 16, 2011, COPI issued a Notice of Reasonable Cause ("NORC") with a Proposed Settlement Agreement that was mailed to Respondent on February 16, 2011. Because no response was received COPI, on April 29, 2011 a Notice of Hearing was issued. On June 6, 2011 the Respondent, through his attorney requested that the Hearing be adjourned.

On August 15, 2011 the Public Integrity Reform Act of 2011 ("PIRA") created the Joint Commission on Public Ethics ("Commission") to replace COPI and expressly provided that the

Commission shall continue the authority of COPI. The Joint Commission on Public Ethics ("Commission") contacted counsel for Respondent, who explained that this was Respondent's first and last time utilizing a lobbyist and it was unaware of the filing requirements. On May 22, 2013, Respondent filed the outstanding report. In light of the facts above, the Commission recommends that the NORC be withdrawn.

Approved: Daniel J. Horwitz
Chair

Patrick J. Bulgaro
Hon. Joseph Covello
Hon. Vincent A. DeIorio
Marvin E. Jacob
Seymour Knox, IV
Hon. Mary Lou Rath
David A. Renzi
George H. Weissman
Ellen Yaroshefsky
Members

Absent: David Arroyo
LaShann M. DeArcy
Mitra Hormozi
Gary J. Lavine

DATED: May 28, 2013