

STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
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STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
COMMISSION CASE NO. 02-18

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**IN THE MATTER OF  
PRATEEK SRIVASTAVA,  
MIS COORDINATOR,  
DEPARTMENT OF HEALTH**

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**Administrative Action  
CONSENT ORDER**

WHEREAS, the State Ethics Commission (Commission) is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* (Conflicts Law), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code (UEC), and any agency code of ethics by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission conducted an investigation of all the matters and issues raised by the complaint; and

WHEREAS, as a result of the investigation, the Commission and Prateek Srivastava (Srivastava) desire to enter into a final and complete resolution of all of the matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. Srivastava has been a Management Information System (MIS) Coordinator for the New Jersey Supplemental Nutrition Program for Women Infants and Children (WIC) within the New Jersey Department of Health (DOH) since April 17, 2017. At all times relevant to this matter, Srivastava was a State employee subject to the Conflicts Law.

2. DOH vendor representatives often have meetings with Srivastava and other State employees to discuss various aspects regarding the WIC program's software.

3. Occasionally, DOH vendor representatives had lunch with Srivastava. On some of these occasions, Srivastava paid for his meals and drinks, but in other instances, his meal was paid for by the vendor representatives and he did not reimburse the representative who paid.

4. Srivastava has also attended out-of-state conferences. At some of these conferences, Srivastava had dinner with conference attendees, including DOH vendor representatives. The vendor representatives divided the bill amongst themselves and paid for the meals of Srivastava and other non-vendor representatives. Srivastava did not reimburse the DOH vendor representatives for his meals.

5. The investigation revealed no evidence that Srivastava gave any of the DOH vendors any benefits in return for the paid meals.

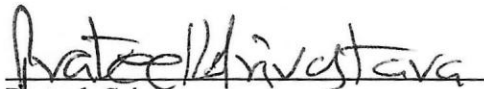
6. It is the Commission's position that Srivastava violated sections 14, 23(e)(6), and 23(e)(7) of the Conflicts Law, as well as section III of the UEC, by accepting meals and drinks from DOH vendors and failing to maintain records of any payments he may have made while eating with State vendors.

7. It is Srivastava's position that he went to lunch occasionally with DOH vendors, but that he paid an equal share of the total bill, although not necessarily the exact amount for his


meal. However, Srivastava did not have any receipts or records to document his payment for meals that he consumed at lunch and dinner with DOH vendors.

8. In hindsight, Srivastava acknowledges that accepting meals and drinks from DOH vendors, including not paying the exact amount for his meal, could be construed as accepting a gift in violation of sections 14 and 23(e)(6) of the Conflicts Law, as well as section III of the UEC, and that by failing to maintain any records of his meal payments, he may have created a reasonable impression that he was engaged in conduct violative of the public trust in violation of section 23(e)(7) of the Conflicts Law.


9. In consideration of the above, Srivastava agrees to pay a civil penalty in the amount of \$600 to resolve this matter as follows. An initial payment of \$100 is due on or before the first of the month following the full execution of this consent order. The balance is to be paid in ten monthly installments of \$50 each, payable on or before the first of the month, commencing the month following the payment of the initial payment.

  
Prateek Srivastava

Dated: 01-10-2020

  
State Ethics Commission  
By: Joseph P. LaSala, Chair

Dated: January 28, 2020

  
State Ethics Commission  
By: Mark T. Holmes, Executive Director

Dated: 1/29/2020