



State of New Jersey
STATE ETHICS COMMISSION

PO BOX 082
TRENTON, NJ 08625-0082
WWW.NJ.GOV/ETHICS

PHILIP D. MURPHY
GOVERNOR

SHEILA Y. OLIVER
LT. GOVERNOR

JOSEPH P. LASALA, ESQ.
CHAIR

MARK T. HOLMES, ESQ.
EXECUTIVE DIRECTOR

July 14, 2021

Rachel Hammond
Ethics Liaison Officer
Department of Health
PO Box 360
Trenton, New Jersey 08625
Via email ONLY: Rachel.Hammond@doh.nj.gov

Re: Waiver to the Provisions of *N.J.S.A.* 52:13D-17.2(b)

Dear Ms. Hammond:

At its July 13, 2021 meeting, the State Ethics Commission considered the Department's request on behalf of Janet McPhee, Quality Assurance Specialist, Department of Health, whose son, Thomas McPhee, is currently employed by FanDuel Online Casino and Sports Betting as an IT Leads Enterprise Support Engineer. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, Section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

The Commission agrees that there is no conflict between Ms. McPhee's position at the Department of Health and her son's employment with FanDuel Online Casino and Sports Betting. Ms.

McPhee's position and her son's employment do not overlap, and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between her position and her son's casino employment.

Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Janet McPhee and her son, Thomas McPhee.
Very truly yours,

STATE ETHICS COMMISSION



For the Commission
Mark T. Holmes
Executive Director

MTH/sc
Exit_McPhee_CW_DOH_2021