

Contact: Andrea Anania

REVIEW OF CONFLICT OF INTEREST VENDORS

Recommended Action: Approve the following vendors with a potential conflict of interest:

UNIVERSITY OF IOWA

- See Life Clearly Foundation
- Eye Surgeons Associates, PC

Executive Summary: Vendors at the Regent institutions with a potential conflict of interest are required by statute to be approved by the Board.

SEE LIFE CLEARLY FOUNDATION (SLCF), located in Bettendorf Iowa, is a non-profit organization whose mission involves education, research, and providing indigent care.

Dr. Amir Arbisser serves as Chairman of the SLCF Board and his spouse, Dr. Lisa Arbisser, serves as President. Neither receives any compensation. Dr. Amir Arbisser is also a member of the Board of Regents. One previous payment of \$5,400 was made to SLCF in February 2005.

The University reports that Dr. Amir Arbisser does not have any purchase order or payment authority at the Regent institutions and that he will recuse himself from all Board of Regents discussions and decisions involving SLCF.

EYE SURGEONS ASSOCIATES, PC (ESA), located in Bettendorf, Iowa, is a multi-subspecialty eye group. Dr. Amir Arbisser practices pediatric ophthalmology with ESA in Iowa and Illinois.

Dr. Arbisser is the founding member and president of ESA and holds a 12.5% interest as a shareholder. The University reports that previous payments were made to ESA and include \$10,600 in FY 2002 and \$2,915 in FY 2001, subsequent to Dr. Arbisser's May 1, 2001, appointment to the Board of Regents.

The University reports that Dr. Amir Arbisser does not have any purchase order or payment authority at the Regent institutions and that he will recuse himself from all Board of Regents discussions and decisions involving ESA.

Background:

The Iowa Code [68B]:

- Does not alleviate the requirement for institutions to obtain competitive bids and provide public notice.
- Prohibits an official or employee of a regulatory agency from selling, either directly or indirectly, goods or services to the agency of which the individual is an official or employee, except when certain conditions are met.
- Requires all regulatory agencies to adopt rules specifying the method by which employees may obtain agency consent for exception.

The Iowa Administrative Code [681-8.9]:

- Precludes individuals with potential conflicts from being directly involved in the purchasing decisions or authorizing of any such contracts making material changes to such contracts.
- Requires Board authorization when a single purchase from a conflict of interest vendor (Regent employee) exceeds \$1,000 or a fiscal year's cumulative purchases exceed \$2,000.

Once a vendor with a potential conflict of interest is approved by the Board, any Regent institution is authorized to purchase from the vendor.