



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

July 23, 2019

Sent electronically to adrian.winder@foster.com and jbuhler@jeffersonhealthcare.org

Subject: PDC Case 24651, Complaint filed by Eva Raczkowski Bennett

Dear: Adrian Urquhart Winder, Counsel for Jefferson Healthcare Commissioners and Jill Buhler Rienstra, Chair, Jefferson Healthcare Commissioners:

Enclosed is a copy of an electronic letter sent to Eva Raczkowski Bennett, concerning a complaint filed with the Public Disclosure Commission (PDC) alleging Jill Buhler Rienstra, Chair, Jefferson Healthcare Commissioners, and Jefferson County Public Hospital District No. 2 (Jefferson Healthcare Hospital) staff may have violated RCW 42.17A.555 by using agency facilities to assist the 2017 campaign of Bruce McComas, a candidate for Jefferson County Hospital District No. 2 Commissioner, Position 1.

As noted in the letter to Eva Raczkowski Bennett, the PDC has dismissed this matter in accordance with RCW 42.17A.755(1) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to WAC 390-37-060(1)(d), this serves as a formal written warning to Jill Buhler Rienstra, and to Jefferson Healthcare Hospital staff Dr. Kent Smith, Sue Gilliard, LouAnn Rogers and Jeinell Harper concerning the prohibited use of Jefferson Healthcare Hospital facilities to assist the 2017 campaign of Bruce McComas for hospital commissioner. PDC staff expects each individual to review [PDC guidance](#) (PDC Interpretation 04-02) for local government agencies in election campaigns. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,
/s _____

Peter Lavalley
Executive Director



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July 23, 2019

Delivered electronically to evaesq@gmail.com

Subject: Complaint regarding Jefferson County Public Hospital District No. 2 (Jefferson Healthcare Hospital), PDC Case 24651

Dear Eva Raczkowski Bennett:

The Public Disclosure Commission (PDC) completed its review of the complaint you filed August 15, 2017 alleging Jefferson County Public Hospital District No. 2 (Jefferson Healthcare Hospital) staff violated RCW 42.17A.555 by using agency facilities to assist the 2017 campaign of Bruce McComas for Jefferson County Hospital District No. 2 Commissioner, Position 1.

PDC staff reviewed your allegations, the applicable statutes, rules, and reporting requirements, the response provided by Rena Sleight, Director, Risk Management for Jefferson Healthcare Hospital and Adrian Urquhart Winder, Counsel for Jefferson Healthcare Hospital, and any applicable PDC reports and data in the PDC contribution and expenditure database, to determine whether the record supports a finding of one or more violations.

Based on staff's review, we found the following:

- Bruce McComas filed a Candidate Registration (C-1) on May 23, 2017 and an amended C-1 on June 5, 2017 for Jefferson County Hospital District No. 2 Commissioner, Position 1, listing Elect Bruce McComas Hospital Commissioner as the Committee name, with Kathy C. Nelson as Treasurer.
- On November 7, 2017, Bruce McComas was elected to Jefferson County Hospital District No. 2 Commissioner, Position 1.
- In response to the complaint, on October 5, 2017, Adrian Urquhart Winder provided results of an internal investigation conducted by Jefferson Healthcare Hospital into the allegations covered by your complaint.
- The report outlined reminders sent by Jefferson Healthcare Hospital officials to employees regarding prohibitions against using agency facilities in election campaigns, including a July 3, 2017 email from CEO Mike Glenn to all District employees and a

second email from Glenn, sent September 22, 2017, which included a copy of the PDC Guidelines for Local Government Agencies in Election Campaigns, PDC Interpretation 04-02.

- The investigation also stated: “It is clear from the District's internal investigation that some of its employees are concerned about the upcoming election. But the District found no evidence that employees have been threatened or coerced into campaign activity. The District also found no evidence that any employee wore campaign buttons or t-shirts while they were working at the hospital. And, the District found no evidence that hospital staff solicited patients to support Mr. McComas.”
- The investigation did find “evidence that some employees used public facilities inappropriately, by distributing literature, using agency phones, and circulating endorsement forms. Employees have been repeatedly advised by the District that such activity may only occur on employees' own time without the use of agency equipment. But, in light of the noncompliance with its directives uncovered in the course of this investigation, the District will issue additional directives to employees and training on this topic, is in the process of evaluating potential corrective action as to noncompliant employees, and is actively pursuing revisions to District policies to provide employees additional guidance.”
- In describing the evidence, the report states: “While a majority of employees are aware of and abide by the guidelines communicated to them, the District agrees that a few employees have engaged in inappropriate activity, despite the District's direction to not do so. These violations may have been inadvertent, or based on employees' misunderstanding of the PDC guidelines. However, the District recognizes that the employees nonetheless violated the PDC guidelines and is not attempting to minimize such violations.”
- The investigation then concluded, “In light of the issues uncovered by the District in the course its investigation, the District is evaluating appropriate coaching, education, and if necessary, corrective action for noncompliant employees, and is actively pursuing revisions to District policies to provide employees additional guidance. The District will also issue additional employee communications providing further guidance and evaluate conducting an all employee training.”
- The PDC's review of the record comports with this internal review.
- Jefferson County Public Hospital District No. 2 has no prior PDC violations.

Based on our findings staff has determined, in this instance, the use of Jefferson Healthcare Hospital facilities by Jill Buhler Rienstra, Chair, Jefferson Healthcare Commissioners, and Jefferson Healthcare Hospital staff members Dr. Kent Smith, Sue Gilliard, LouAnn Rogers and Jeinell Harper to support the 2017 Bruce McComas campaign for hospital commissioner does not amount to a violation warranting further investigation.

However, pursuant to WAC 390-37-060(1)(d), Jill Buhler Rienstra, and Jefferson Healthcare Hospital staff Dr. Kent Smith, Sue Gilliard, LouAnn Rogers and Jeinell Harper, will receive a formal written warning concerning the use of Jefferson Healthcare Hospital facilities to assist the 2017 Bruce McComas campaign for hospital commissioner.

The formal written warning will include PDC staff's expectation Jill Buhler Rienstra, and Jefferson Healthcare Hospital staff members Dr. Kent Smith, Sue Gilliard, LouAnn Rogers and Jeinell Harper review [PDC guidance](#) for local government agencies in election campaigns.

The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Alice Fiman at 1-360-586-4746 or toll-free at 1-877-601-2828, or by e-mail pdcc@pdcc.wa.gov.

Sincerely,

Sincerely,

/s _____

Alice Fiman
Compliance Officer

Endorsed by,
Peter Lavalley
Executive Director