



STATE OF NEVADA
BEFORE THE NEVADA COMMISSION ON ETHICS

In the Matter of the Request for Opinion
Concerning the Conduct of **NORA GARCIA**,
Hearing Officer, Department of Administration,
Hearings Division, State of Nevada,

Request for Opinion No. 09-54C

Subject.

PANEL DETERMINATION

NRS 281A.440(4),(5)

An Ethics Complaint was filed against Nora Garcia (Garcia) alleging violations of NRS 281A (Ethics in Government Law), specifically NRS 281A.430, alleging that she had an improper pecuniary interest in a contract between the State of Nevada and Cost Containment Strategies, Inc. (CCSI), a company owned by her husband, Barry Siskind.

In her public capacity, at the time of the alleged conduct, Garcia was a hearing officer for the Department of Administration, Hearings Division, a public employee as defined in NRS 281A.150. Therefore, the Commission has jurisdiction in this matter.

On September 10, 2009, pursuant to NRS 281A.440(4), a Panel consisting of Commissioners Paul Lamboley, Esq. and John Marvel reviewed the Ethics Complaint, Garcia's response to the Complaint, Investigator's Report, and evidence collected by Commission staff.

The Panel's unanimous conclusion follows:

Just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on whether Garcia violated NRS 281A.430. No evidence was presented that indicates any nexus between Garcia's decisions as a hearings officer and the funds paid to or savings to the State obtained by CCSI. Additionally, the evidence showed that the contract between CCSI and the State was subject to an open and competitive bid process, Garcia had no part in developing the contract plans or specifications and was not involved in opening, considering or accepting the bids. As a result, Garcia's pecuniary interest in CCSI and its contract with the State is unrelated to the performance of her duties as a hearings officer.

Therefore, Request for Opinion No. 09-54C is DISMISSED.

Dated: October 1, 2009

Caren Jenkins
Caren Jenkins, Esq.
Executive Director