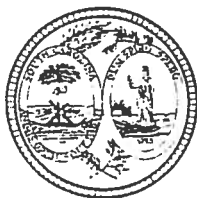


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# State of South Carolina

## State Ethics Commission

GARY R. BAKER  
EXECUTIVE DIRECTOR

(803) 253-4192  
5000 Thurmond Mall, Suite 111  
P.O. Box 11926  
Columbia, S.C. 29211

SEC AO92-178

May 27, 1992

SUBJECT: EMERGENCY MEDICAL SERVICES PERSONNEL COVERING SPECIAL  
EVENTS

SUMMARY:

EMS may contract with event sponsors to pay expenses associated with the provision of EMS services.

QUESTION:

The EMS Coordinator for Greenville County Emergency Medical Services requests an opinion concerning the legality of providing medical coverage for local high school football games and other special events that had a great potential for injury. Coverage was provided with spare ambulances and spare medical equipment not otherwise utilized and the units were to be available for nearby medical emergencies not at the covered event. Sponsors routinely contact EMS for such coverage. The event's sponsor is responsible for paying the medical personnel at established rates. If an injury occurs, the crew is placed on the County's payroll for medical liability and Workers' Compensation insurance purposes. He questions whether use of county equipment by off-duty EMS personnel violates the law and, if so, if the standby employees could be placed on the county payroll throughout the event and have the event sponsors reimburse the county for salary expenses incurred.

May 27, 1992

DISCUSSION:

This opinion is rendered in response to a letter dated March 17, 1992 requesting an opinion from the State Ethics Commission. The Commission's jurisdiction is limited to the applicability of the Ethics, Government Accountability, and Campaign Reform Act of 1991 (Act No. 248 of 1991; Section 8-13-100 et. seq., as amended, 1976 Code of Laws). This opinion does not supersede any other statutory or regulatory restrictions or procedures which may apply to this situation.

Section 8-13-700(A) provides in part as follows:

(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use which does not result in additional public expense.

In prior advisory opinions, the State Ethics Commission has advised that a public employee may engage in outside employment consistent with established guidelines: (1) that no public materials or equipment are utilized, except as provided by Section 8-13-700(A), (2) such work is engaged in on the employee's own time, (3) the work does not interfere with the needs of the agency, and (4) the public position is not utilized to obtain or continue the employment.

In Advisory Opinion SEC AO92-023, the Commission advised that reimbursement of expenses could be obtained from the agency or group to whom services were provided. The Commission would suggest that sponsors of events requiring EMS services contract with EMS to pay costs associated with provided agency services.