

SUBJECT: MUSC INSTRUCTOR SERVING ON BOARD OF SOCIAL WORK EXAMINERS

SUMMARY:

A MUSC instructor would not be prohibited by the Ethics Reform Act from serving on the State Board of Social Work Examiners since the authorizing legislation provides that members of the Board shall be licensed social workers.

QUESTION:

An instructor at the Medical University of South Carolina also serves on the State Board of Social Work Examiners. That Board regulates social work practice. She questions whether she must resign from the Board. Currently, she is reimbursed by MUSC for travel expenses associated with Board meetings.

DISCUSSION:

This opinion is rendered in response to a letter dated February 6, 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 8-13-730 provides in part as follows:

Unless otherwise provided by law, no person may serve as a member of a governmental regulatory agency that regulates any business with which that person is associated.

From authorizing legislation, membership on the Board of Social Work Examiners is composed of six members who are licensed social workers. Based on the "unless otherwise provided by law" provision of Section 8-13-730, the instructor's service would not be prohibited by the Ethics Reform Act.