

State of Colorado



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Independent Ethics Commission
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Dino Ioannides, *Executive Director*

Advisory Opinion 25-04 (Subsequent Employment)

Summary: Under the facts and circumstances of this request, it would violate section 24-18-201(1), C.R.S., for Requestor to leave government agency employment and immediately begin working on “matters with which he was directly involved during his employment” for an employer that contracts with that government agency.

I. Jurisdiction

Requestor is an employee of the Colorado Department of Health Care Policy & Financing (the “Department”). State employees are subject to IEC jurisdiction under section 2(1) of Article XXIX of the Colorado Constitution.

Any person subject to IEC jurisdiction may submit an advisory opinion request concerning whether any conduct by that person would violate Article XXIX or any other standards of conduct or reporting requirements as provided by law. Colo. Const. art. XXIX, § 5(5). The Commission considers such requests pursuant to IEC Rule 3.

II. Factual Background

Requestor wishes to leave Department employment on December 31, 2025, and immediately begin working as a W-2 employee of HealthTech Solutions (“HealthTech”), which has held a contract with the Department since 2017. Requestor’s HealthTech job duties would include assisting Colorado’s implementation of new Medicaid work requirements, which involves the same general project area that Requestor participated in as a state employee.

The Department administers Colorado’s Medicaid program and other health care programs in Colorado. As part of its duties, the Department contracts with private vendors to support its work. One such contract is with HealthTech.

III. Applicable Law

Section 24-18-201(1), C.R.S., as relevant here, states that a “former employee may not, within six months following the termination of his employment, contract or be employed by an employer who contracts with a state agency or any local government involving matters with which he was directly involved during his employment.”

In interpreting and applying section 24-18-201(1), the Commission must “discern and effectuate the General Assembly’s intent . . . [by] apply[ing] words and phrases in accordance with their plain and ordinary meanings[.]” *Miller v. Crested Butte, LLC*, 2024 CO 30, ¶23 (internal citations omitted). Statutes must also be interpreted by looking “to the entire statutory scheme to give consistent, harmonious, and sensible effect to all of its parts . . . [and to] avoid constructions that would render any words or phrases superfluous or that would lead to illogical or absurd results.” *Id.* When “construing a statute, we must respect the General Assembly’s choice of language . . . [and] not add words to a statute or subtract words from it.” *Id.*

The plain language of section 24-18-201(1) mandates a blanket six-month post-employment prohibition on former state employees contracting with or being employed by an entity that contracts with the State if the contract or employment involves “matters which he was directly involved during his employment.” Thus, former employees violate section 24-18-201(1) if they (1) accept employment with an employer who contracts with the government within six months of terminating employment with the government; and (2) the work involves matters they were directly involved with during government employment.

IV. Discussion

Requestor seeks to accept immediate employment after leaving the Department, with an employer that contracts with the Department. His HealthTech job duties would include assisting Colorado on Medicaid compliance issues, which are “matters with which he was directly involved during his employment.” § 24-18-201(1); *see also* Complaint 21-25, *In the Matter of Rick Palacio*, Findings of Fact and Conclusions of Law (Dec. 6, 2024).

Requestor argues that his HealthTech employment would comply with sections 24-18-105(3)(a), 24-18-108(2)(b), and 24-18-110, C.R.S. However, section 24-18-201(1) is the most applicable statute. Thus, this advisory opinion does not analyze these other statutes.

Requestor would violate section 24-18-201(1) if he: (a) transitions from Department employment to employment with a Department contractor in less than six months; and (b) works on matters with which he was directly involved during his Department employment—such as assisting Colorado’s implementation of new Medicaid work requirements. However, it would not be a violation of section 24-18-201(1) for Requestor to accept employment with a Department contractor so long as he complies with the statutory six-month waiting period before working on matters with which he was directly involved during his Department employment.

V. Conclusion

Under the facts and circumstances of this request, it would violate section 24-18-201(1) for Requestor to accept HealthTech employment within six months of leaving the Department while working on matters with which Requestor was directly involved during his Department employment. The IEC finds the conjunctive nature of these facts to be dispositive of the matter under section 24-18-201(1).

The IEC cautions that this opinion is based on the specific facts presented herein, and that different facts could produce a different result. The IEC encourages individuals with particular

questions to request more fact-specific advice through requests for advisory opinions and letter rulings related to their individual circumstances.

The Independent Ethics Commission

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Dated: December 29, 2025