



FILED

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INDIANA STATE
ETHICS COMMISSION

STATE OF INDIANA
Department of Correction

Indiana Government Center—South

Eric J. Holcomb
Governor

302 W. Washington Street • Indianapolis, Indiana 46204-2738
Phone: (317) 232-5711 • Fax: (317) 232-6798 • Website: www.in.gov/idoc/

Christina Reagle
Commissioner

November 13, 2024

IC 4-2-6-11, Post-employment waiver
Dr. Deanna Dwenger

As the Appointing Authority of the Indiana Department of Correction, I, Christina Reagle, am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Deanna Dwenger in her post-employment with Elevatus.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of
(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or



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special state appointee personally and substantially participated in the matter as a state worker.

Dr. Dwenger began employment with the Indiana Department of Correction on January 21, 2021, and worked with Elevatus in her time as an employee with IDOC. Dr. Dwenger did not participate in the procurement of the contract with Elevatus, and did not participate in the RFP process. She was not on the RFP review team for IDOA scoring and did not serve in any consulting capacity. However, Dr. Dwenger did contribute to design, planning and discussions regarding the new prison being built in northwest Indiana, and how it will best serve the mental health and addiction needs of the patient population that will be housed there. As she leaves state employment and joins Elevatus full time to work as a behavioral health consultant for other projects around the country, Dr. Dwenger is requesting to continue to be able to be a part of the project surrounding the new prison. IDOC continues to work with Elevatus on the prison in northwest Indiana and Dr. Dwenger would like to be consulted on the behavioral health unit for that new build as an employee of Elevatus.

B. IC 4-2-6-11(g)(2) requires that an agency's appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.

1. Please explain whether the employee's prior job duties involved substantial decision-making authority over policies, rules, or contracts:
Yes, as the Director of Behavioral Health, Dr. Dwenger reviewed and created policies that impacted the entire IDOC population across the state. Those policies that she worked on while employed with IDOC are as follows:
 - Protective Custody - 6/1/24
 - Medication Assisted Treatment - 3/1/24
 - Health Services for Gender Diverse Adults and Youth - 5/1/24
 - Non-Emergent IVM - 3/1/24
 - Emergent IVM - 3/1/24
 - DYS ARS changes in form of Executive Directive - 5/13/24
 - INSOMM Adult and INSOMM Youth - 7/1/24



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- Certified Peer Recovery Coaches - 9/11/24

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Dr. Dwenger will act as a behavioral health consultant to the architect team, ensuring their designs take into account the mental health of those who will be living or working in the environments they create. Her primary work will remain in the Justice Division, but she will also work with the architects in the School and the Wellness Division. Another aspect of her work will include presentations on this topic at conferences such as National Sheriff's Association, American Correctional Association, and the National Commission on Correctional Healthcare. Lastly, she will be part of the team that works on business development and assisting in securing additional Justice contracts with other federal, state, or local correctional partners.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

If granted permission by the Ethics Commission, there may be a time when Dr. Dwenger is asked questions about Indiana DOC's current project with Elevatus. The design phase is mostly complete, but at this time Dr. Dwenger is unsure what questions may arise in the years to come as the project continues.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

The Department of Correction acknowledges that Dr. Dwenger has vital information to provide as a behavioral health consultant based on her time spent as a psychologist within the agency and from previously working for our medical vendor, Centurion. The new prison build at Westville is on budget and remains on time for project completion. The citizens of the state of Indiana are counting on their tax dollars to be spent appropriately and efficiently. Elevatus has been an excellent partner during this



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project, and the Department of Correction sees no negative consequences for allowing Dr. Dwenger to continue to be consulted on this prison build. The construction is already in progress, and only minor details, like furnishings might be left to be decided on. Elevatus is an architecture firm, and that portion of IDOC's project is complete. We have no concerns that Dr. Dwenger will continue to keep IDOC's population in mind as she is consulted for any behavioral health unit questions.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

None

C. Signatures

1. Appointing authority/state officer of agency

By signing below, I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.

Christina Reagle

Christina Reagle, Commissioner IDOC

11/13/24

DATE

2. Ethics Officer of Indiana Department of Correction

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).



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Anna Quick

Anna Quick

11/13/2024

DATE

D. Approval by State Ethics Commission

FOR OFFICE USE ONLY

Approved by State Ethics Commission

[Signature]
Katherine Noel, Chair, State Ethics Commission

11/14/2024
Date

Mail to:

Office of Inspector General
315 West Ohio Street, Room 104
Indianapolis, IN 46202

OR

Email scanned copy to: info@ig.in.gov

Upon receipt you will be contacted with details regarding the presentation of this waiver to the State Ethics Commission.

