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April 18, 1980

Leslie N. H. MacLeod, Director
Cambridge Hospital
1493 Cambridge Street
Cambridge, MA. 02139

Re: Cambridge Diagnostics, Inc
and Attilio Baez-Giangreco, M.D.

Dear Mr. MacLeod:

You have requested my opinion as a department head in accordance with Sec. 22 of Ch. 268A of the General Laws, whether there is an apparent or actual conflict of interest as a result of Dr. Baez-Giangreco's holding more than 10% of the stock of a company known as Cambridge Diagnostics, Inc. which presently is under contract to the City to perform toxicology tests for the Department of Pathology.

As I understand it, this information came to your attention yesterday as a result of a telephone call and a conversation with Dr. Baez-Giangreco this morning being April 18, 1980.

It is my further understanding that at no time did Dr. Baez-Giangreco influence in any way, any action taken by the Hospital in awarding or declining to award any contract for those toxicology services. The question, therefore, revolves around an interpretation of Sec. 20 of General Laws Ch. 268A.

It would appear that Dr. Baez-Giangreco clearly meets the statutory definition of "municipal employee" and that he would have, at least, an indirect financial interest in the contract made by the corporation of which he owns in excess of 10% of its stock.

Leslie N. H. MacLeod

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April 18, 1980

What I would suggest is that you write to Dr. Baez-Giangreco advising him that there is a violation of Sec. 20 of Ch. 268A and that he should make a full disclosure of his financial interest to you as head of the Hospital and terminate or dispose of his interest in Cambridge Diagnostics, Inc. within thirty days of the date when he receives your letter.

Please let me know if the employee in question does not furnish the written disclosure which I have referred to in the previous paragraph.

If you have any further particular questions, please let me know.

Very truly yours,

Russell B. Higley
City Solicitor

RBH:jc

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4/28/1980

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