

441—225.4(231) Conflict of interest.

225.4(1) Conflict of interest includes any action or failure to act made by the state unit on aging, an area agency on aging, a service provider, a contractor, or a legal representative that may be an actual or perceived conflict between official duties and personal interest. Conflict of interest exists when any action made for program purposes by any entity or individual holding an official position or performing duties:

- a.* Results in a situation that interferes with a program's or program employee's or representative's ability to provide objective information or act in the best interests of the individual.
- b.* Uses an official position for private gain (other than salary).
- c.* Gives preferential treatment to any entity, contractor, or individual or fails to act impartially in the conduct of official duties.
- d.* Impedes or adversely affects governmental efficiency or economy.
- e.* Engages in conduct that could adversely affect the confidence of the public in the integrity of the program initiatives.
- f.* Creates circumstances where it might reasonably be perceived that an entity's or individual's judgment could be influenced by the nature of the circumstances.
- g.* Uses any property of the individual giving care or the individual receiving care for personal use.
- h.* Leads to decisions that are or have the appearance of being contrary to duties of the aging network, the state plan, or 45 CFR 1321 as amended to October 1, 2025.

225.4(2) The state unit on aging will have policies and procedures in effect to avoid conflicts of interest in accordance with 45 CFR 1321 as amended to October 1, 2025.

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