

The existence of these indicators necessitates a thorough investigation to ascertain the presence of kickback arrangements and to evaluate their impact on the Medicaid program's ethical standards and financial integrity. It is imperative to ensure that all practices within the ABI Waiver Program align with legal and ethical guidelines, safeguarding the program's integrity and the wellbeing of its beneficiaries.

Impact on ABI Resources:
Revenue Reduction

Consumer Diversion Impact:

ABI Resources has experienced a significant downturn in revenue, which can be directly attributed to the diversion of consumers towards the agency in question. This diversion likely results from the alleged unethical steering and manipulative practices, leading to a reduced Consumer base for ABI Resources.

Financial Viability Threatened:

The reduction in revenue poses a threat to the financial viability and sustainability of ABI Resources, impacting our ability to provide quality care and services to our consumers.

Operational Cost Surge:

Increased Marketing Expenditures: In an effort to counteract the loss of consumers and to rebuild our Consumer base, ABI Resources has had to significantly increase our investment in marketing. These additional expenses are necessary to communicate our commitment to ethical practices and quality care to the community.

Legal and Consultation Fees:

Addressing these unethical practices and exploring legal avenues for recourse has led to increased spending on legal consultations and related services. These expenditures are essential for navigating the complexities of the situation and seeking justice, but they also divert resources from other operational areas.

Consumer Relationship Erosion:

Loss of Trust and Business: The most profound impact has been on our established Consumer relationships. The manipulative practices of the agency in question have led to a loss of trust among our consumers, as they are steered away from ABI Resources. This erosion of trust is deeply concerning, as it undermines the long-standing relationships we have built based on care, integrity, and ethical service provision.

Reputation Damage:

The wider implications of these practices in the industry have led to a tarnished reputation, not just for the agency in question, but for service providers in general, including ABI Resources. Restoring our reputation in the wake of these events is a significant challenge, requiring substantial effort and resources.

The cumulative effect of these impacts on ABI Resources is profound, affecting not just our financial stability but also our reputation and, most importantly, our ability to serve our consumers effectively. It is imperative that these issues are addressed comprehensively to restore the integrity of service provision within the ABI Waiver Program and to protect agencies like ours that are committed to ethical practices.

Formal Requests Thorough Examination and Compliance Review:

Comprehensive Investigation:

We formally request a complete and thorough examination of the outlined practices. This investigation should encompass all entities involved, including the service provider, CBT professionals, and care management consultants.

Medicaid Compliance Review:

A detailed review of Medicaid compliance is crucial to determine if these practices violate Medicaid regulations and standards.

Application of Corrective and Disciplinary Measures:

Immediate Corrective Action: Upon confirmation of these practices, we strongly advocate for swift implementation of corrective measures to address and rectify the identified issues.

Disciplinary Proceedings:

We also call for appropriate disciplinary actions against any parties found to be complicit in these unethical practices, in accordance with legal and regulatory guidelines.

Review and Revision of Policies and Oversight:

Policy Overhaul:

A comprehensive review and subsequent revision of existing policies within the ABI Waiver Program is necessary. This review should focus on closing loopholes that allow for such unethical practices and ensuring robust safeguards against future violations.

Enhanced Oversight Mechanisms:

We propose the establishment or enhancement of oversight mechanisms within the ABI Waiver Program to ensure ongoing compliance with ethical and legal standards.

In Closing:

The concerns we have raised in this document, if validated, point towards serious ethical lapses and potential legal infractions concerning Medicaid regulations. The very foundation of the ABI Waiver program, along with the trust placed in it by its beneficiaries, relies on prompt, effective, and transparent action from the Connecticut Department of Social Services.

We appreciate your attention to this urgent and significant matter and hope for a swift resolution that upholds the principles of justice and integrity.

Call to Action:

I earnestly seek your prompt intervention and advocacy in ensuring this grievance is communicated to all pertinent departments within the state of Connecticut tasked with addressing such critical matters. The departments that ought to be immediately apprised of this situation include, but are not limited to:

Connecticut Department of Social Services Connecticut Attorney General's Office
Connecticut Commission on Human Rights and Opportunities Connecticut Office of the Healthcare Advocate
Connecticut Office of Policy and Management

I have proactively initiated complaints and have directly engaged with the Connecticut Department of Social Services. Rest assured, all communications have been meticulously documented, encompassing dates, times, and the identities of the individuals engaged in these discussions.

We urge the Connecticut Department of Social Services, alongside the Attorney General's Office, the Commission on Human Rights and Opportunities, the Office of the Healthcare Advocate, and the Office of Policy and Management, to address this grievance promptly. The issue at hand not only affects ABI Resources but also speaks to the larger matter of public trust and the accessibility of crucial healthcare information.

We anticipate a constructive and swift response to this urgent matter, underscoring the importance of transparency and accessibility in public services, especially those catering to vulnerable populations.

I place my trust in your unwavering commitment to justice and fairness, confident that you will accord this matter the urgency and gravitas it demands, ensuring a comprehensive investigation and the implementation of corrective measures. The equitable treatment of all service providers operating under the Connecticut Medicaid ABI Waiver Program is of utmost importance, and I am optimistic that your intervention will usher in a just resolution.

I am grateful for your time and thoughtful consideration of this crucial matter.

Best regards, David Medeiros David Medeiros
ABI Resources, CEO, Director, Team Member

A.B.I. Resources LLC
39 Kings Highway, Suite C Gales Ferry CT, 06335 Phone: (860) 942-0365
Fax: (860) 465-9591
<https://www.CTbrainINJURY.com>

11/20/2023

Subject Complaint and Request for Clarity Regarding Rental Agreements in the Medicaid ABI Waiver Program
1 and 2.

To: All pertinent departments within the state of Connecticut,

As a stakeholder in the Medicaid Acquired Brain Injury (ABI) Waiver Program, we, David Medeiros and ABI Resources, wish to raise a serious concern and request clarity regarding a critical issue impacting consumers and service providers within the program.

Key Grievance and Request:

We have observed a growing trend where consumers of the ABI Waiver Program are being locked into rental agreements with agency service providers or their business partners. These arrangements appear to significantly restrict consumer choice and freedom, creating a monopolistic environment detrimental to both consumers and independent service providers like ABI Resources.

Concerns:

Restricted Consumer Choice: Consumers are often coerced into staying with a particular agency due to fears of losing their housing, and belongings, or causing

inconvenience to roommates. This undermines the fundamental principle of consumer choice and control in the ABI Waiver Program.

Fear of Repercussions:

Many consumers feel trapped, unable to voice concerns about neglect or abuse due to the fear of losing their housing or facing other retaliatory actions.

Isolation from Advocacy and Assistance:

These rental agreements may isolate consumers from external resources and advocacy groups, further reducing their ability to seek help or change service providers.

Monopolistic Practices:

Such arrangements foster a monopolistic marketplace, hindering the ability of independent providers like ABI Resources to compete fairly and offer services to consumers.

Financial Concerns:

These rental agreements often involve dual payments - for waiver program services and rent - potentially leading to financial improprieties, especially when both payments are sourced from state or federal funding.

Request for Action:

Investigation into Legal and Ethical Violations:

We request a thorough investigation into these practices for potential violations of consumer rights, anti-trust laws, and Medicaid regulations.

Transparency and Regulatory Oversight:

There is a need for greater transparency and oversight in how rental agreements are managed within the ABI Waiver Program to ensure they do not conflict with program objectives or consumer rights.

Guidance and Policy Review:

We seek clear guidance on acceptable practices regarding rental agreements and the integration of housing with service provision.

Support for Affected Service Providers:

We request consideration of the adverse impact these practices have on service providers like ABI Resources, who strive to offer competitive and consumer- focused services.

Your prompt attention to this matter is crucial for maintaining the integrity of the ABI Waiver Program and the well-being of its consumers.

Indicators of Potential Kickback Arrangements:

Referral for Incentives:

The relationships and interactions among the service provider, and care management consultants reveal possible mechanisms of kickback arrangements.

This is characterized by:

Questionable Referral Patterns:

There appears to be a consistent pattern where care management consultants funnel consumers to specific services offered by the agency. This pattern suggests a systematic approach to referrals that may not be solely based on Consumer needs but rather on underlying incentives.

Financial Incentives for Referrals:

The possibility that professionals and care management consultants receive financial or other forms of incentives for directing consumers to the agency's services is a major concern. Such incentives could significantly compromise the integrity of Consumer referrals, with decisions potentially driven by personal gain rather than Consumer welfare.

Cyclical Billing and Service Utilization:

The referral system seems to create a cyclical pattern of billing, service utilization, and rental arrangements where consumer needs are continuously identified and serviced within the same agency network, fostering an environment of repeated financial gain for the agency.

Impact on Medicaid Expenditures:

If these practices are occurring, they could lead to increased and potentially unnecessary Medicaid expenditures. Consumers may be receiving more services than medically necessary, or services that could be more effectively provided elsewhere, leading to inflated costs borne by the Medicaid program.

Ethical and Legal Implications:

Such kickback arrangements, if confirmed, would not only breach ethical standards but also could contravene legal statutes governing Medicaid and healthcare services. Kickbacks in healthcare are illegal and undermine the principle of fair competition and the integrity of patient care.

The existence of these indicators necessitates a thorough investigation to ascertain the presence of kickback arrangements and to evaluate their impact on the Medicaid program's ethical standards and financial integrity. It is imperative to ensure that all practices within the ABI Waiver Program align with legal and ethical guidelines, safeguarding the program's integrity and the wellbeing of its beneficiaries.

Impact on ABI Resources: Revenue Reduction

Consumer Diversion Impact:

ABI Resources has experienced a significant downturn in revenue, which can be directly attributed to the diversion of consumers towards the agencies in question. This diversion likely results from the alleged unethical steering and manipulative practices, leading to a reduced Consumer base for ABI Resources.

Financial Viability Threatened:

The reduction in revenue poses a threat to the financial viability and sustainability of ABI Resources, impacting our ability to provide quality care and services to our consumers.

Operational Cost Surge:

Increased Marketing Expenditures:

In an effort to counteract the loss of consumers and to rebuild our Consumer base, ABI Resources has had to significantly increase our investment in

marketing. These additional expenses are necessary to communicate our commitment to ethical practices and quality care to the community.

Legal and Consultation Fees:

Addressing these unethical practices and exploring legal avenues for recourse has led to increased spending on legal consultations and related services. These expenditures are essential for navigating the complexities of the situation and seeking justice, but they also divert resources from other operational areas.

Consumer Relationship Erosion:

Loss of Trust and Business:

The most profound impact has been on our established Consumer relationships. The manipulative practices of the agency in question have led to a loss of trust among our consumers, as they are steered away from ABI Resources. This erosion of trust is deeply concerning, as it undermines the long-standing relationships we have built based on care, integrity, and ethical service provision.

Reputation Damage:

The wider implications of these practices in the industry have led to a tarnished reputation, not just for the agency in question, but for service providers in general, including ABI Resources. Restoring our reputation in the wake of these events is a significant challenge, requiring substantial effort and resources.

The cumulative effect of these impacts on ABI Resources is profound, affecting not just our financial stability but also our reputation and, most importantly, our ability to serve our consumers effectively. It is imperative that these issues are addressed comprehensively to restore the integrity of service provision within the

ABI Waiver Program and to protect agencies like ours that are committed to ethical practices.

Formal Requests Thorough Examination and Compliance Review:

Comprehensive Investigation:

We formally request a complete and thorough examination of the outlined practices. This investigation should encompass all entities involved, including the agency service provider and care management consultants.

Medicaid Compliance Review:

A detailed review of Medicaid compliance is crucial to determine if these practices violate Medicaid regulations and standards.

Review and Revision of Policies and Oversight:

Policy Overhaul:

A comprehensive review and subsequent revision of existing policies within the ABI Waiver Program is necessary. This review should focus on closing loopholes that allow for such unethical practices and ensuring robust safeguards against future violations.

Enhanced Oversight Mechanisms:

We propose the establishment or enhancement of oversight mechanisms within the ABI Waiver Program to ensure ongoing compliance with ethical and legal standards.

In Closing:

The concerns we have raised in this document, if validated, point towards serious ethical lapses and potential legal infractions concerning Medicaid regulations. The very foundation of the ABI Waiver program, along with the trust placed in it by its beneficiaries, relies on prompt, effective, and transparent action from the Connecticut Department of Social Services.

We appreciate your attention to this urgent and significant matter and hope for a swift resolution that upholds the principles of justice and integrity.

Call to Action:

I earnestly seek your prompt intervention and advocacy in ensuring this grievance is communicated to all pertinent departments within the state of Connecticut tasked with addressing such critical matters. The departments that ought to be immediately apprised of this situation include, but are not limited to:

Connecticut Department of Social Services
Connecticut Attorney General's Office
Connecticut Commission on Human Rights and Opportunities
Connecticut Office of the Healthcare Advocate
Connecticut Office of Policy and Management

I have proactively initiated complaints and have directly engaged with the Connecticut Department of Social Services. Rest assured, all communications

have been meticulously documented, encompassing dates, times, and the identities of the individuals engaged in these discussions.

We urge the Connecticut Department of Social Services, alongside the Attorney General's Office, the Commission on Human Rights and Opportunities, the Office of the Healthcare Advocate, and the Office of

Policy and Management, to address this grievance promptly. The issue at hand not only affects ABI Resources but also speaks to the larger matter of public trust and the accessibility of crucial healthcare information.

We anticipate a constructive and swift response to this urgent matter, underscoring the importance of transparency and accessibility in public services, especially those catering to vulnerable populations.

I place my trust in your unwavering commitment to justice and fairness, confident that you will accord this matter the urgency and gravitas it demands, ensuring a comprehensive investigation and the implementation of corrective measures. The equitable treatment of all service providers operating under the Connecticut Medicaid ABI Waiver Program is of utmost importance, and I am optimistic that your intervention will usher in a just resolution.

I am grateful for your time and thoughtful consideration of this crucial matter.

Best regards, David Medeiros
David Medeiros
ABI Resources, CEO, Director, Team Member

Date: 12/16/2023

Connecticut Commission on Human Rights and Opportunities (CHRO) Capitol Region Office
450 Columbus Boulevard, Suite 2
Hartford, CT 06103-1835

Subject: Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations.
RE: David Medeiros v. State of CT, Department of Social Services CHRO No. 2410220
EEOC No. N/A

Dear Sir/Madam,

I, David Medeiros, a brain injury survivor and whistleblower, hereby file a formal complaint against the Connecticut Commission on Human Rights and Opportunities (CHRO) for disability discrimination and whistleblower retaliation.

It has come to my attention that CHRO is engaging in practices that undermine my rights for accommodation and ability to self-advocate. CHRO has been presenting and documenting false information as fact, manipulating and misinforming facts, and hindering my pursuit of justice. These actions appear to be a deliberate attempt to use my disability against me, thereby protecting the interests of the State of Connecticut.

Moreover, CHRO has failed to provide necessary accommodations, slowing and complicating the process for justice. This lack of accommodation and the purposeful obfuscation of processes directly violate my rights under federal and state disability laws.

Additionally, there is a concerning discrepancy in CHRO's documentation, specifically regarding the Commissioner of the Connecticut Department of Social Services. Despite Andrea Barton Reeves being announced as the Commissioner by Governor Ned Lamont, in 2022. CHRO's documentation fails to recognize this change and in fact is addressed to Dr. Deidre S. Gifford, who is NOT the Connecticut Department of

Social Services Commissioner. This raises serious concerns about the accuracy and credibility of CHRO's records and processes.

Addressing Disability Accommodations:

I wish to highlight the essential requirement for reasonable accommodations for my disability, as mandated by the Americans with Disabilities Act and Connecticut state laws. The failure of the CHRO to provide these necessary accommodations has significantly impeded my ability to participate fairly in my case, thus exacerbating the challenges posed by my disability.

Identifying Systemic Issues:

Furthermore, it appears there are systemic issues within the CHRO that have contributed to the discrimination and retaliation I've faced. These include possible patterns of bias against individuals with disabilities and whistleblowers, as well as procedural inconsistencies. Addressing these systemic issues is crucial not only for the resolution of my case but also to ensure equitable treatment of all individuals interacting with the CHRO.

I request a thorough investigation into these matters by both the CHRO and the Department of Justice. It is imperative that these violations of state and federal disability laws and whistleblower protections be addressed and rectified immediately.

I request your assistance in ensuring fair treatment and accommodations, which are crucial for my effective communication and participation in these matters.

Additionally, I seek guidance and support from the state government to uphold my rights to self-advocate, both as an individual with a disability, a whistleblower, and as a business owner.

It is imperative that government entities respect and facilitate the participation of individuals like me in matters affecting our lives and businesses. I am committed to advocating for transparency and accountability, and I believe the government's intervention is crucial in rectifying the current situation.

Thank you for your attention to this matter.

Best regards, David Medeiros
David Medeiros
ABI Resources, CEO, Director, Team Member Medicaid ABI Waiver Program Support Provider.

State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
Capitol Region Office - 450 Columbus Boulevard, Suite 2, Hartford, CT 06103

December 15, 2023

NOT THE COMMISSIONER

Via email: deidre.gifford@ct.gov

Diedre S. Gifford, MD, MPH Commissioner
Department of Social Services 55 Farmington Avenue
Hartford, CT 06105

RE: David Medeiros u. State of CT, Department of Social Services
CHAO No. 2410220 EEOC No. N/A

Dear Commissioner Gifford

A complaint, referenced above, has been filed with the Commission on March 28, 2023, but due to an administrative error the service was delayed, the Commission apologizes about any inconvenience this may have caused the Respondent. A copy of the complaint is a d.

The enclosed General Notice advises you of your rights, duties, and responsibilities. Please read carefully the information contained in the notice. The enclosed Notice Regarding Out of State Attorneys advises that all attorneys practicing before the Commission must be ed to practice law in Connecticut and that it is the responsibility of all counsel to comply with Connecticut practice rules. Also enclosed is important information with respect to the

conciliation process. The Commission is available to assist you if you wish to pursue settlement of this complaint. If you wish to conciliate the complaint prior to providing an answer, you must notify the Commission within 10 days of receipt of the enclosed complaint.

You must file an answer to the complaint under oath with the Commission within 30 days of receipt of this complaint unless pre-answer conciliation has been requested. If you fail to answer the complaint within this time, you may be defaulted by the Commission. Parties are encouraged to submit all filings by email only without an additional hardcopy if possible. You must email a scanned copy of your signed and notarized Answer to chro.capitol@d.gov and dedra.morris@d.gov,l

Main (860) 566-7710 ~ Fax (860) 566-1997

www.cl.gov/chro- Toll Free in Connecticut (800) 477-8737 Affirmative Action/Equal Opportunity Employer

12.16.2023 NEW Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE: David Medeiros v. State of CT, Department of Social Services
ABI RESOURCES 860 942-0365 <aabiwr@live.com>

Sat 12/16/2023 9:09 AM

To:CHRO.Capitol@ct.gov <CHRO.Capitol@ct.gov>;CHRO.Eastern@ct.gov
<CHRO.Eastern@ct.gov>;josemichael.gonzalez@ct.gov
<josemichael.gonzalez@ct.gov>;tanya.hughes@ct.gov
<tanya.hughes@ct.gov>;cheryl.sharp@ct.gov <cheryl.sharp@ct.gov> Bcc:ABI RESOURCES LLC
www.CTbrainINJURY.com <aabiwr@live.com>

2 attachments (1 MB)

12.16.2023 Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE David Medeiros v. State of CT Department of Social Services CHRO No. 2410220 .pdf; 12.16.2023 binder Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE David Medeiros v. State of CT Department of Social Services CHRO No. 2410220 Binder .pdf;

Date: 12/16/2023.

2 documents are attached to this email.

Connecticut Commission on Human Rights and Opportunities (CHRO) Capitol Region Office 450 Columbus Boulevard, Suite 2
Hartford, CT 06103-1835

Subject: Complaint Against and Request for Investigation Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE: David Medeiros v. State of CT, Department of Social Services CHRO No. 2410220
EEOC No. N/A

Dear Sir/Madam,

I, David Medeiros, a brain injury survivor and whistleblower, hereby file a formal complaint against the Connecticut Commission on Human Rights and Opportunities (CHRO) for disability discrimination and whistleblower retaliation.

It has come to my attention that CHRO is engaging in practices that undermine my rights for accommodation and ability to self-advocate. CHRO has been presenting and documenting false information as fact, manipulating and misinforming facts, and hindering my pursuit of justice. These actions appear to be a deliberate attempt to use my disability against me, thereby protecting the interests of the State of Connecticut.

Moreover, CHRO has failed to provide necessary accommodations, slowing and complicating the process for justice. This lack of accommodation and the purposeful obfuscation of processes directly violate my rights under federal and state disability laws.

Additionally, there is a concerning discrepancy in CHRO's documentation, specifically regarding the Commissioner of the Connecticut Department of Social Services. Despite Andrea Barton Reeves being announced as the Commissioner by Governor Ned Lamont, in 2022. CHRO's documentation fails to recognize this change and in fact is addressed to Dr. Deidre S. Gifford, who is NOT the Connecticut Department of Social Services Commissioner. This raises serious concerns about the accuracy and credibility of CHRO's records and processes.

Addressing Disability Accommodations:

I wish to highlight the essential requirement for reasonable accommodations for my disability, as mandated by the Americans with Disabilities Act and Connecticut state laws. The failure of the CHRO to provide these necessary accommodations has significantly impeded my ability to participate fairly in my case, thus exacerbating the challenges posed by my disability.

Identifying Systemic Issues:

Furthermore, it appears there are systemic issues within the CHRO that have contributed to the discrimination and retaliation I've faced. These include possible patterns of bias against individuals with disabilities and whistleblowers, as well as procedural inconsistencies. Addressing these systemic issues is crucial not only for the resolution of my case but also to ensure equitable treatment of all individuals interacting with the CHRO.

I request a thorough investigation into these matters by both the CHRO and the Department of Justice. It is imperative that these violations of state and federal disability laws and whistleblower protections be addressed and rectified immediately.

I request your assistance in ensuring fair treatment and accommodations, which are crucial for my effective communication and participation in these matters. Additionally, I seek guidance and support from the state government to uphold my rights to self-advocate, both as an individual with a disability, a whistleblower, and as a business owner.

It is imperative that government entities respect and facilitate the participation of individuals like me in matters affecting our lives and businesses. I am committed to advocating for transparency and accountability, and I believe the government's intervention is crucial in rectifying the current situation.

Thank you for your attention to this matter.

Best regards, David Medeiros ABI Resources
Medicaid Acquired Brain Injury ABI Waiver Program Support Provider

12.16.2023 NEW Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE: David Medeiros v. State of CT, Department of Social Services

ABI RESOURCES 860 942-0365 <aabiwr@live.com>

Sat 12/16/2023 9:09 AM

To:CHRO.Capitol@ct.gov <CHRO.Capitol@ct.gov>;CHRO.Eastern@ct.gov

<CHRO.Eastern@ct.gov>;josemichael.gonzalez@ct.gov

<josemichael.gonzalez@ct.gov>;tanya.hughes@ct.gov

<tanya.hughes@ct.gov>;cheryl.sharp@ct.gov <cheryl.sharp@ct.gov> Bcc:ABI RESOURCES LLC
www.CTbrainINJURY.com <aabiwr@live.com>

2 attachments (1 MB)

12.16.2023 Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE David Medeiros v. State of CT Department of Social Services CHRO No. 2410220 .pdf; 12.16.2023 binder Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE David Medeiros v. State of CT Department of Social Services CHRO No. 2410220 Binder .pdf;

Date: 12/16/2023.

2 documents are attached to this email.

Connecticut Commission on Human Rights and Opportunities (CHRO) Capitol Region Office 450 Columbus Boulevard, Suite 2
Hartford, CT 06103-1835

Subject: Complaint Against and Request for Investigation Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE: David Medeiros v. State of CT, Department of Social Services CHRO No. 2410220
EEOC No. N/A

Dear Sir/Madam,

I, David Medeiros, a brain injury survivor and whistleblower, hereby file a formal complaint against the Connecticut Commission on Human Rights and Opportunities (CHRO) for disability discrimination and whistleblower retaliation.

It has come to my attention that CHRO is engaging in practices that undermine my rights for accommodation and ability to self-advocate. CHRO has been presenting and documenting false information as fact, manipulating and misinforming facts, and hindering my pursuit of justice. These actions appear to be a deliberate attempt to use my disability against me, thereby protecting the interests of the State of Connecticut.

Moreover, CHRO has failed to provide necessary accommodations, slowing and complicating the process for justice. This lack of accommodation and the purposeful obfuscation of processes directly violate my rights under federal and state disability laws.

Additionally, there is a concerning discrepancy in CHRO's documentation, specifically regarding the Commissioner of the Connecticut Department of Social Services. Despite Andrea Barton Reeves being announced as the Commissioner by Governor Ned Lamont, in 2022. CHRO's documentation fails to recognize this change and in fact is addressed to Dr. Deidre S. Gifford, who is NOT the Connecticut Department of Social Services Commissioner. This raises serious concerns about the accuracy and credibility of CHRO's records and processes.

Addressing Disability Accommodations:

I wish to highlight the essential requirement for reasonable accommodations for my disability, as mandated by the Americans with Disabilities Act and Connecticut state laws. The failure of the CHRO to provide these necessary accommodations has significantly impeded my ability to participate fairly in my case, thus exacerbating the challenges posed by my disability.

Identifying Systemic Issues:

Furthermore, it appears there are systemic issues within the CHRO that have contributed to the discrimination and retaliation I've faced. These include possible patterns of bias against individuals with disabilities and whistleblowers, as well as procedural inconsistencies. Addressing these systemic issues is crucial not only for the resolution of my case but also to ensure equitable treatment of all individuals interacting with the CHRO.

I request a thorough investigation into these matters by both the CHRO and the Department of Justice. It is imperative that these violations of state and federal disability laws and whistleblower protections be addressed and rectified immediately.

I request your assistance in ensuring fair treatment and accommodations, which are crucial for my effective communication and participation in these matters. Additionally, I seek guidance and support from the state government to uphold my rights to self-advocate, both as an individual with a disability, a whistleblower, and as a business owner.

It is imperative that government entities respect and facilitate the participation of individuals like me in matters affecting our lives and businesses. I am committed to advocating for transparency and accountability, and I believe the government's intervention is crucial in rectifying the current situation.

Thank you for your attention to this matter.

Best regards, David Medeiros ABI Resources
Medicaid Acquired Brain Injury ABI Waiver Program Support Provider

Re: 2410220 Service of CHRO Complaint

ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>

Sat 12/23/2023 12:15 PM

To: Reeves, Andrea <Andrea.Reeves@ct.gov>; Morris, Dedra <Dedra.Morris@ct.gov>; Gifford, Deidre <Deidre.Gifford@ct.gov> Cc: Ferron-Poole, Astread O. <Astread.Ferron-Poole@ct.gov>; Antonetti, Matthew S <Matthew.S.Antonetti@ct.gov>
12.23.2023

Dear Ms. Morris,

Thank you so much for sending over the documents regarding the discrimination complaint, dated December 15, 2023. I've received all the attachments you mentioned.

On a quick note, I realized I'm not familiar with some of the individuals included in this email thread. Could you kindly provide some insight into who they are and their roles? This would really help me understand the context better.

I'd really appreciate any help you can provide to make this process as smooth as possible.

Thank you once again, and let me take a moment to wish you a joyous Christmas season and a wonderful New Year

ahead! Warm regards,

Medicaid Acquired Brain Injury ABI Waiver Program Provider

From: Reeves, Andrea <Andrea.Reeves@ct.gov>

Sent: Monday, December 18, 2023 6:57 AM

To: Morris, Dedra <Dedra.Morris@ct.gov>; Gifford, Deidre <Deidre.Gifford@ct.gov>; aabiwr@live.com <aabiwr@live.com> Cc: Ferron-Poole, Astread O. <Astread.Ferron-Poole@ct.gov>; Antonetti, Matthew S <Matthew.S.Antonetti@ct.gov> **Subject:** Re: 2410220 Service of CHRO Complaint

Dear Ms. Morris,

We are in receipt of the attached complaint.

02.04.2024 Formal Complaint and Demand for Investigation: Allegations of Discrimination and Non-Compliance by CHRO and DSS Notice Regarding Connecticut Department of Social Services Medicaid Administration, FOIA Non-Compliance, ADA Concerns, and Whistleblower

Retaliations. Complaint, Appeals, and Request for Transparency Page 70 of 73

I am the current commissioner of the Department of Social Services, so please feel free to forward any subsequent documents and other correspondence to me at Andrea.Reeves@ct.gov and to our Legal Director, Matthew Antonetti at Matthew.Antonetti@ct.gov. Thank you.

Get [Outlook for iOS](#)

From: Morris, Dedra <Dedra.Morris@ct.gov>
Sent: Friday, December 15, 2023 7:33:29 PM
To: Gifford, Deidre <Deidre.Gifford@ct.gov>; aabiwr@live.com <aabiwr@live.com>
Cc: Ferron-Poole, Astread O. <Astread.Ferron-Poole@ct.gov>; Reeves, Andrea <Andrea.Reeves@ct.gov>
Subject: 2410220 Service of CHRO Complaint

David Medeiros v. State of CT, Department of Social Services.

Dear Parties,

I hope this email finds you well.

Please see attached five pdf documents of a service of discrimination complaint. Please confirm receipt.

Thank you. I hope you have a fabulous and safe weekend.
Wishing you and yours a Merry Christmas and a prosperous New Year! 😊

Grace
and P
eace,
Dedra

From: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>

Sent: Saturday, December 23, 2023 12:15 PM

To: Reeves, Andrea <Andrea.Reeves@ct.gov>; Morris, Dedra <Dedra.Morris@ct.gov>; Gifford, Deidre <Deidre.Gifford@ct.gov>

Cc: Ferron-Poole, Astread O. <Astread.Ferron-Poole@ct.gov>; Antonetti, Matthew S <Matthew.S.Antonetti@ct.gov>

Subject: Re: 2410220 Service of CHRO Complaint

☐

MD

Morris, Dedra

Thu 1/4/2024 1:26 PM

Your message To: Morris, Dedra Subject: Re: 2410220 Service of CHRO Complaint Sent: Saturday, December 23, 2023 12:15:31 PM (UTC-05:00) Eastern Time (US & Canada) was read on Thursday, January 4, 2024 1:26:02 PM (UTC-05:00) Eastern Time (US & Canada).

FO

Ferron-Poole, Astread O.

Tue 12/26/2023 10:45 AM

Your message To: Ferron-Poole, Astread O. Subject: Re: 2410220 Service of CHRO Complaint Sent: Saturday, December 23, 2023 12:15:31 PM (UTC-05:00) Eastern Time (US & Canada) was read on Tuesday, December 26, 2023 10:44:58 AM (UTC-05:00) Eastern Time (US & Canada).

P

☐

postmaster@ct.gov

Sat 12/23/2023 12:15 PM

Your message has been delivered to the following recipients: Ferron-Poole, Astread O. (Astread.Ferron-Poole@ct.gov) Subject: Re: 2410220 Service of CHRO Complaint

P



postmaster@ct.gov

Sat 12/23/2023 12:15 PM

Your message has been delivered to the following recipients: Reeves, Andrea (Andrea.Reeves@ct.gov) Subject: Re: 2410220 Service of CHRO Complaint

 See more messages

Flag for follow up.

Flag for follow up.

MD

Morris, Dedra <Dedra.Morris@ct.gov>

To: Gifford, Deidre; aabiwr@live.com

Cc: Ferron-Poole, Astread O.; Reeves, Andrea

Fri 12/15/2023 7:34 PM

2410220 Respondent Service Letter.pdf

184 KB



2410220 Complainant Service Letter.pdf

142 KB



2410220 Affidavit.pdf

2 MB



2410220 Schedule A.pdf

92 KB



GENERAL NOTICE.pdf

582 KB



5 attachments (3 MB)  Save all to OneDrive  Download all

David Medeiros v. State of CT, Department of Social Services,

Dear Parties,

I hope this email finds you well.

Please see attached five pdf documents of a service of discrimination complaint. Please confirm receipt.

Thank you. I hope you have a fabulous and safe weekend.

Wishing you and yours a Merry Christmas and a prosperous New Year! 😊

Grace and Peace,
Dedra



www.ct.gov/chro



Dedra A. Morris

Administrative Assistant
Capitol Region Office
Commission on Human Rights and Opportunities
450 Columbus Boulevard, Suite 2
Hartford, CT 06103 | AA/EOE
P: 860-541-3456 | F: 860-566-1997
dedra.morris@ct.gov



A.B.I. Resources LLC

39 Kings Highway, Suite C

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax : (860) 465-9591

<https://www.CTbrainINJURY.com>

02.14.2024

Formal Complaint Against Connecticut Community Care Regarding Incident Reporting Communication

To The Connecticut Department of Social Services DSS.

I am writing on behalf of ABI Resources, a provider within the Medicaid Acquired Brain Injury (ABI) Waiver Program, to express our concerns and formally complain about the recent communication received from Connecticut Community Care, specifically the letter from Mr. James Hexter dated February 12, 2024, regarding the reporting of critical incidents involving our mutual client, D.Tr.

As outlined in Mr. Hexter's communication, it was implied that ABI Resources failed to report critical incidents in accordance with ABI waiver operational policy. However, ABI Resources has diligently followed all reporting protocols, ensuring that all incidents requiring notification have been reported within the mandated 48-hour timeframe, contrary to the allegations.

This complaint seeks to clarify our steadfast commitment to compliance and the high standard of care we maintain for all clients under our charge. We request an immediate review of this matter, the correction of any miscommunications, and confirmation of our compliance with all reporting guidelines as unjustly questioned by Connecticut Community Care.

We value our relationship with CT DSS and are committed to providing

exceptional care to our clients. We believe that a collaborative approach, based on accurate information and mutual respect, is essential for the welfare of those we serve.

Thank you for your attention to this matter. We look forward to your prompt response and resolution.

Best regards,
David Medeiros
ABI Resources
Medicaid Acquired Brain Injury ABI Waiver Program Provider

NOTE: This e-mail may contain sensitive and/or privileged information. If you are not the intended recipient (or have received this email in error) please notify the sender immediately and destroy this e-mail. Any unauthorized copying, disclosure, or distribution of the material in this e-mail is strictly forbidden. Under the Privacy Act of 1974, all data of a private nature must be protected from unauthorized disclosure.

.

Best regards,
David Medeiros
David Medeiros
ABI Resources, Founder, Team Member
Medicaid ABI Waiver Program Support Provider.

Re: 2410220 Service of CHRO Complaint



A.B.I. Resources LLC

39 Kings Highway, Suite C

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax : (860) 465-9591

<https://www.CTbrainINJURY.com>

02.15.2024

2410220 Service of CHRO Complaint

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.

Hartford, CT 06103

Subject: Formal Presentation of Discrimination Complaint Against CT Department of Social Services

Dear CHRO Commissioners,

I am David Medeiros, a husband and father, the founder of ABI Resources LLC, a dedicated provider within the Medicaid Acquired Brain Injury (ABI) Waiver Program, and an individual who has personally endured and lives with the repercussions of a brain injury.

This letter serves as a formal presentation of a comprehensive legal complaint against the Connecticut Department of Social Services (CT DSS) for engaging in practices that I assert constitute both systemic and direct discrimination against myself and my ability to operate my business in Connecticut for vulnerable populations. This complaint articulates a series of grievances that have not only hindered my



professional operations but have also inflicted significant personal distress, infringing upon my

rights and the well-being of the individuals I serve. The allegations detailed herein are grounded in good faith and are violations of state and federal laws, including but not limited to the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Connecticut Fair Employment Practices Act, and demand immediate remediation.

This letter outlines the key points of discrimination and requests an official response from CT DSS to address these grievances. The issues detailed within my complaint encompass discriminatory business practices, lack of transparency, and systemic failures that have not only hindered my ability to advocate effectively for myself but also for the rights and services of individuals with disabilities I serve. CT DSS has forced undue strain on my life, my family, the people and families I serve and the operational capabilities of my business.

These actions by the CT DSS are not merely procedural oversights but represent a direct form of discrimination, impinging upon my civil and constitutional rights to which we are all entitled.

Request for CT DSS Response:

In light of the serious nature of these allegations and their profound implications for my rights, those of my company, ABI Resources LLC, and more importantly, the rights and welfare of individuals with disabilities, I urgently request the Connecticut Commission on Human Rights and Opportunities (CHRO) to secure a formal and comprehensive response from the Department of Social Services.

This response should meticulously address each concern highlighted in my complaint, delineate the

investigative actions undertaken by CT DSS to explore these allegations, and detail the specific corrective measures that have been enacted.

Allegations of Discriminatory Conduct and Legal Violations:

- i. Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.: The CT DSS's actions have systematically disenfranchised Mr. Medeiros and his clientele, infringing upon their rights to equal access and non-discrimination in public services and accommodations. The inequitable referral processes and restrictive practices imposed by the CT DSS notably violate the ADA's mandates for reasonable accommodations and modifications for individuals with disabilities.
- ii. Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504): By failing to ensure accessible and equitable services to Mr. Medeiros and ABI Resources LLC, the CT DSS has breached Section 504, which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance.
- iii. Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq.: The practices of the CT DSS not only discriminate based on disability but also suggest a broader pattern of systemic discrimination that could intersect with violations of Title VI.

- iv. Connecticut Fair Employment Practices Act (CFEPA), Conn. Gen. Stat. § 46a-60 et seq.: The state's counterpart to federal anti-discrimination laws, the CFEPA's provisions have been contravened through the CT DSS's conduct, impacting Mr. Medeiros's ability to operate his business free from discriminatory practices.
- v. Violation of Equal Opportunity Laws: The CT DSS has engaged in inequitable referral processes, creating a discriminatory distribution mechanism that violates the principles of equal opportunity and fair competition, as mandated by state and federal laws.
- vi. Freedom of Information Act (FOIA) - 5 U.S.C. § 552: This law allows for the full or partial disclosure of previously unreleased information and documents controlled by the United States government. CT DSS has used systematic administrative inefficiency to deny reasonable accommodations and access to records or information to Mr. Medeiros, a violation of FOIA, which mandates transparency. The Freedom of Information Act (FOIA) at the federal level, along with various state-level counterparts, establishes the right of the public to access records from any federal agency, with certain exemptions to protect interests such as personal privacy, national security, and law enforcement. These laws are designed to promote openness and transparency within government operations, allowing citizens to understand and scrutinize the actions of public officials and entities.
- vii. The deliberate withholding of information from Mr. Medeiros, particularly in the context of the Medicaid Acquired Brain Injury (ABI) Waiver Program's Directory of Providers and critical service and intervention plans, raises significant legal and ethical concerns. This action potentially infringes on the right to access public information--a right that is

foundational to the principles of transparency and accountability in governance and is crucial for ensuring that individuals and communities can make informed decisions and hold public bodies accountable.

In the context of Medicaid and, specifically, the ABI Waiver Program, the accessibility of provider directories and service plans is not just a matter of public interest but also a critical necessity for individuals seeking healthcare services and their advocates. These documents are essential for enabling patients and their families to make informed choices about their care and to ensure that they are receiving appropriate and effective services.

The systematic withholding of such information could constitute a breach of the right to access public information under FOIA or similar state laws. This action undermines the transparency and accountability standards required by law and potentially denies individuals and their advocates the ability to fully participate in healthcare decisions--a key aspect of patient rights and autonomy.

Furthermore, restricted access to essential information, particularly for vulnerable populations, may also raise concerns under civil rights laws if it results in discriminatory effects or impedes individuals' rights to healthcare access.

The right to access public information is a cornerstone of democratic governance and accountability. In the healthcare context, especially for programs like the Medicaid ABI Waiver Program, ensuring open access to provider directories and service plans is critical for protecting the rights and welfare of participants. Legal and advocacy strategies must be

employed to challenge and overcome any barriers to this essential information, reinforcing the commitment to transparency, accountability, and equitable access to healthcare services.

- viii. In response to the adverse actions faced by Mr. Medeiros as a result of his whistleblowing activities, it is asserted that these actions by the Connecticut Department of Social Services CT DSS may constitute a violation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, specifically under provisions that protect whistleblowers from retaliation. This legal framework underscores the right of individuals to report misconduct without fear of punitive measures, aiming to ensure accountability and transparency within governmental and private entities. As such, any retaliatory behavior encountered by Mr. Medeiros in the aftermath of his reporting could be deemed unlawful under 12 U.S.C. § 5301 et seq., warranting a thorough investigation and the provision of appropriate remedies to safeguard his rights and uphold the principles of justice and integrity the Act is designed to protect.
- ix. The engagement of the Connecticut Department of Social Services CT DSS in unauthorized care management services and the presence of potential conflicts of interest as encountered by Mr. Medeiros not only breach ethical standards but also contravene legal mandates governing the fair and impartial administration of public services. Such actions undermine the integrity of the services provided to the public and violate principles enshrined in both federal and state laws designed to ensure transparency, accountability, and the protection of rights for all individuals. This conduct demands immediate scrutiny and appropriate remedial action to rectify these violations and restore trust in the administration of public services.

The involvement of the Department of Social Services (CT DSS) in providing unauthorized care management services, coupled with evident conflicts of interest, constitutes a grave violation of ethical standards and legal norms governing public service provision. This practice not only demonstrates a flagrant disregard for the regulatory frameworks designed to safeguard the delivery of public health services but also significantly undermines the principles of fairness and integrity essential to the administration of such public services.

- x. **Restriction of Consumer Choice:** The imposition of restrictive rental agreements within the ABI Waiver Program curtails consumer choice, potentially violating antitrust laws and principles of consumer protection. **Restrictive Practices Affecting Consumer Choice:** The implementation of rental agreements within the ABI Waiver Program that limit consumer choice and promote monopolistic practices against Mr. Medeiros. The Connecticut Department of Social Services' (CT DSS) systemic implementation of restrictive practices particularly through the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, represents a concerning effort to limit the ability of Mr. Medeiros to offer his services. This not only restricts consumer choice but also fosters an environment conducive to monopolistic practices, which are antithetical to the principles of a competitive market and raise significant concerns under antitrust laws.

These restrictive practices by CT DSS undermine the fundamental rights of consumers to choose Mr. Medeiros' business, effectively limiting their options to a select few that may have exclusive or preferential agreements with the state. This limitation on consumer choice does not just impact the quality and variety of services available to individuals with acquired brain

injuries but also contravenes the spirit of competition that is central to antitrust laws designed to prevent the concentration of market power and ensure fair competition.

For Mr. Medeiros, this systemic limitation represents a direct barrier to providing care and support services to those in need, discriminating against him as a service provider and restricting his ability to contribute to the ABI Waiver Program. The monopolistic tendencies encouraged by these restrictive rental agreements not only diminish the quality of care available to consumers but also threaten the integrity of the market for disability support services, stifling innovation and reducing the overall effectiveness of care provided to individuals with acquired brain injuries.

- xi. Mr. Medeiros has experienced and reported on inequitable referral processes within the Medicaid system, which have detrimentally impacted his business operations and the services provided to his clients. These actions, characterized by discriminatory distribution mechanisms, stand in direct violation of equal opportunity laws designed to ensure fair and impartial access to services and opportunities. Such practices not only compromise the integrity of service provision but also infringe upon the principles of equality and non-discrimination, necessitating immediate legal scrutiny and corrective action to uphold these fundamental rights and ensure equitable treatment for all service providers.
- xii. The practices employed by the Connecticut Department of Social Services CT DSS within the Acquired Brain Injury (ABI) Waiver Program, particularly the imposition of restrictive rental agreements that limit the ability of providers like Mr. Medeiros to offer services, may constitute a violation of the Sherman Antitrust Act (15 U.S.C. §§ 1–7). This Act explicitly

outlaws monopolistic practices and is designed to safeguard against anti-competitive behavior. By effectively limiting consumer choice and potentially creating a non-competitive marketplace within the ABI Waiver Program, the Connecticut Department of Social Services' CT DSS actions could be seen as promoting monopolistic tendencies, thereby undermining the very essence of competition that the Sherman Act seeks to protect.

- xiii. The actions faced by Mr. Medeiros, particularly if they involved retaliation for whistleblowing or advocating for the rights of individuals with disabilities, potentially represent a significant infringement upon his First Amendment rights. This constitutional provision not only protects the freedom of speech but also the right to petition the government for a redress of grievances. Should evidence substantiate that retaliation occurred as a direct consequence of his exercise of these rights, it would underscore a fundamental violation of constitutional protections afforded to every citizen, warranting immediate and thorough legal examination.
- xiv. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, may represent a breach of the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. This clause mandates that no state shall deny any person within its jurisdiction the equal protection of the laws. If Mr. Medeiros, or his business, was discriminated against by a state agency, such conduct could arguably violate his constitutional right to equal protection, warranting a legal examination and potential remedial action to uphold these fundamental rights.
- xv. The actions and policies implemented by the Connecticut Department of Social Services CT DSS particularly those affecting Mr. Medeiros and his business, raise substantial concerns under the Fifth Amendment of the United States Constitution. This Amendment guarantees

the right to due process, which mandates fair procedures when the government deprives an individual or entity of life, liberty, or property. If Mr. Medeiros or his business were denied equitable treatment or a proper hearing in matters impacting his business operations or personal rights, it could signify a breach of these fundamental due process protections. This situation underscores the necessity for immediate and thorough legal examination to ensure that Mr. Medeiros' constitutional rights are upheld, and any violations appropriately addressed.

- xvi. The delays experienced by Mr. Medeiros in the judicial process, potentially impeding his right to seek and obtain legal recourse effectively, may be seen as infringing upon his Sixth Amendment rights. This Amendment guarantees the right to a speedy and public trial, a fundamental aspect of the justice system intended to prevent undue and prejudicial delays in legal proceedings. Any unjustifiable delay in addressing Mr. Medeiros' legal challenges could therefore be argued as a violation of this constitutional protection, emphasizing the need for timely justice and fair treatment under the law.
- xvii. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, raise significant constitutional concerns under the Tenth Amendment. This amendment, which reserves to the states, or the people powers not delegated to the United States, implicates a fundamental balance between state actions and individual rights. If CT DSS conduct resulted in the imposition of restrictions or practices that unduly limit Mr. Medeiros's professional operations and personal liberties without clear constitutional or legal authority, it may represent an overreach of state power at the expense of individual rights guaranteed by the Tenth Amendment and other relevant provisions of the U.S. Constitution.

- xviii. The practices of the Connecticut Department of Social Services CT DSS, as experienced by Mr. Medeiros, particularly the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, may constitute violations under the Connecticut Unfair Trade Practices Act (CUTPA). CUTPA prohibits unfair competition and deceptive practices in trade and commerce. The actions of CT DSS, by potentially limiting competition and restricting consumer choice, could be interpreted as unfair or deceptive practices, thus falling within the ambit of CUTPA's prohibitions and warranting legal scrutiny and appropriate remedial action.
- xix. The actions and practices of the Connecticut Department of Social Services (CT DSS) towards Mr. Medeiros, including discriminatory treatment and adverse impacts on his business operations due to his disability, may constitute a direct violation of the Connecticut Fair Employment Practices Act (CFEPA). This statute explicitly prohibits discrimination in employment and related practices based on protected characteristics, including disability. The experiences reported by Mr. Medeiros necessitate a thorough investigation to ensure compliance with CFEPA and safeguard the rights and dignity afforded to all Connecticut citizens under this law.

The apparent conflicts of interest within the CT DSS further exacerbate this issue, indicating a systemic flaw where personal or financial gains are prioritized over the ethical and impartial provision of care. Such a situation erodes public confidence in an entity that should embody the highest standards of care and impartiality.

Personal Impact and Systemic Implications:

The discriminatory practices executed by the Department of Social Services (CT DSS) on Mr. Medeiros have not only infringed upon the operational integrity of Mr. Medeiros's business but have also exacted a severe toll on his personal health and well-being, as well as on the lives of his family, employees, and the families he serves. These actions have far-reaching implications, affecting not just the immediate functioning of his business but also undermining the very foundation of his advocacy for transparency, fairness, and the rights of individuals with disabilities.

Mr. Medeiros's commitment to advocating for these principles has been met with systematic resistance, manifesting in personal distress and professional reputational damage. This resistance has not only impacted his ability to effectively advocate for those in need but has also placed undue strain on his personal life and the lives of those connected to him. The stress and anxiety resulting from these discriminatory practices have affected his health, relationships, and overall quality of life, further exacerbating the challenges faced by his brain injury, his family, employees, and the people and families relying on his services.

Moreover, the obstruction of his advocacy work represents a significant setback in the fight for disability rights. By impeding his efforts, the CT DSS's actions contribute to a broader systemic issue that affects the disability community as a whole, hindering progress towards achieving equality and justice for individuals with disabilities. The personal impact on Mr. Medeiros and the systemic implications of these practices highlight a disturbing trend of discrimination and marginalization that extends beyond individual cases to affect the broader landscape of disability rights and services.

The actions against these discriminatory practices is not just about rectifying personal grievances; it is about challenging a system that allows such discrimination to persist. It is about ensuring that individuals like Mr. Medeiros, who dedicate their lives to advocating for the rights and well-being of others, can do so without fear of retribution or harm.

Conclusion:

I am deeply committed to addressing and rectifying the critical issues at hand in collaboration with the Commission on Human Rights and Opportunities (CHRO) and the Department of Social Services (CT DSS). While I am fully prepared to engage constructively with these bodies to find a resolution, I am equally ready to take further legal steps if necessary to protect my rights and those of others who rely on CT DSS services. I trust that the CHRO will approach this matter with the seriousness it warrants, aiming for a resolution that completely restores the rights that have been compromised.

My personal journey through the challenges of living with a brain injury has equipped me with unique insights into the critical need for accessible accommodations and fair services. This experience fuels my advocacy for those in similar situations, ensuring that our collective voice is heard and acted upon.

The foundation of our legal system is built on the premise of fair and equal treatment for all citizens, with a special focus on protecting the most vulnerable among us, including individuals with disabilities. The actions, or lack thereof, by the CT DSS not only damage public trust in our

institutions but more importantly, infringe upon the basic rights afforded to myself and my clients. Swift action is crucial to demonstrate our collective commitment to justice, equality, and the rule of law.

I stand ready to provide additional evidence, engage in productive dialogue, and explore every legal route available to put an end to these discriminatory practices. The gravity of these allegations is profound, highlighting not only a failure to fulfill legal obligations but also posing a direct threat to the foundational principles of justice, equality, and human dignity.

The issue raised in this complaint transcends my personal story, shining a light on systemic shortcomings that require urgent and comprehensive redress to prevent similar cases of discrimination in the future. It offers the CT DSS and CHRO a vital chance to solidify their commitment to justice, inclusion, and the respect of rights for everyone, particularly those with disabilities.

In this pivotal moment, we're faced with a profound opportunity to catalyze real change, transforming systemic challenges into a springboard for collective action and progress. The current situation with the Department of Social Services isn't merely an issue to be resolved; it's a clarion call for us to redefine the essence of our community, ensuring it embodies the true spirit of equality, justice, and respect for every individual, particularly those navigating life with disabilities.

It is essential to recognize that within every challenge lies the potential for transformative growth and unprecedented breakthroughs. This scenario invites us to unite, drawing upon our shared strength,

zeal, and unwavering commitment to forge a society where the principles of justice and equality are woven into the very fabric of our existence.

Let this moment be a catalyst for us to mobilize, advocate, and fight for those who need our support, crafting a future that mirrors our highest ideals. The actions we choose will significantly impact the lives of many, serving as a powerful testament to what can be achieved when we come together in pursuit of a noble cause.

Let's embrace this opportunity with the courage and determination that define us, confident in our collective ability to enact meaningful change.

Best regards,
David Medeiros
David Medeiros
ABI Resources, Founder, Team Member
Medicaid ABI Waiver Program Support Provider.

Re: 2410220 Service of CHRO Complaint



A.B.I. Resources LLC

39 Kings Highway, Suite C

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax : (860) 465-9591

<https://www.CTbrainINJURY.com>

02.15.2024

2410220 Service of CHRO Complaint

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.

Hartford, CT 06103

Subject: Formal Presentation of Discrimination Complaint Against CT Department of Social Services

Dear CHRO Commissioners,

I am David Medeiros, a husband and father, the founder of ABI Resources LLC, a dedicated provider within the Medicaid Acquired Brain Injury (ABI) Waiver Program, and an individual who has personally endured and lives with the repercussions of a brain injury.

This letter serves as a formal presentation of a comprehensive legal complaint against the Connecticut Department of Social Services (CT DSS) for engaging in practices that I assert constitute both systemic and direct discrimination against myself and my ability to operate my business in Connecticut for vulnerable populations. This complaint articulates a series of grievances that have not only hindered my



professional operations but have also inflicted significant personal distress, infringing upon my

rights and the well-being of the individuals I serve. The allegations detailed herein are grounded in good faith and are violations of state and federal laws, including but not limited to the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Connecticut Fair Employment Practices Act, and demand immediate remediation.

This letter outlines the key points of discrimination and requests an official response from CT DSS to address these grievances. The issues detailed within my complaint encompass discriminatory business practices, lack of transparency, and systemic failures that have not only hindered my ability to advocate effectively for myself but also for the rights and services of individuals with disabilities I serve. CT DSS has forced undue strain on my life, my family, the people and families I serve and the operational capabilities of my business.

These actions by the CT DSS are not merely procedural oversights but represent a direct form of discrimination, impinging upon my civil and constitutional rights to which we are all entitled.

Request for CT DSS Response:

In light of the serious nature of these allegations and their profound implications for my rights, those of my company, ABI Resources LLC, and more importantly, the rights and welfare of individuals with disabilities, I urgently request the Connecticut Commission on Human Rights and Opportunities (CHRO) to secure a formal and comprehensive response from the Department of Social Services.

This response should meticulously address each concern highlighted in my complaint, delineate the

investigative actions undertaken by CT DSS to explore these allegations, and detail the specific corrective measures that have been enacted.

Allegations of Discriminatory Conduct and Legal Violations:

- i. Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.: The CT DSS's actions have systematically disenfranchised Mr. Medeiros and his clientele, infringing upon their rights to equal access and non-discrimination in public services and accommodations. The inequitable referral processes and restrictive practices imposed by the CT DSS notably violate the ADA's mandates for reasonable accommodations and modifications for individuals with disabilities.
- ii. Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504): By failing to ensure accessible and equitable services to Mr. Medeiros and ABI Resources LLC, the CT DSS has breached Section 504, which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance.
- iii. Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq.: The practices of the CT DSS not only discriminate based on disability but also suggest a broader pattern of systemic discrimination that could intersect with violations of Title VI.

- iv. Connecticut Fair Employment Practices Act (CFEPA), Conn. Gen. Stat. § 46a-60 et seq.: The state's counterpart to federal anti-discrimination laws, the CFEPA's provisions have been contravened through the CT DSS's conduct, impacting Mr. Medeiros's ability to operate his business free from discriminatory practices.
- v. Violation of Equal Opportunity Laws: The CT DSS has engaged in inequitable referral processes, creating a discriminatory distribution mechanism that violates the principles of equal opportunity and fair competition, as mandated by state and federal laws.
- vi. Freedom of Information Act (FOIA) - 5 U.S.C. § 552: This law allows for the full or partial disclosure of previously unreleased information and documents controlled by the United States government. CT DSS has used systematic administrative inefficiency to deny reasonable accommodations and access to records or information to Mr. Medeiros, a violation of FOIA, which mandates transparency. The Freedom of Information Act (FOIA) at the federal level, along with various state-level counterparts, establishes the right of the public to access records from any federal agency, with certain exemptions to protect interests such as personal privacy, national security, and law enforcement. These laws are designed to promote openness and transparency within government operations, allowing citizens to understand and scrutinize the actions of public officials and entities.
- vii. The deliberate withholding of information from Mr. Medeiros, particularly in the context of the Medicaid Acquired Brain Injury (ABI) Waiver Program's Directory of Providers and critical service and intervention plans, raises significant legal and ethical concerns. This action potentially infringes on the right to access public information--a right that is

foundational to the principles of transparency and accountability in governance and is crucial for ensuring that individuals and communities can make informed decisions and hold public bodies accountable.

In the context of Medicaid and, specifically, the ABI Waiver Program, the accessibility of provider directories and service plans is not just a matter of public interest but also a critical necessity for individuals seeking healthcare services and their advocates. These documents are essential for enabling patients and their families to make informed choices about their care and to ensure that they are receiving appropriate and effective services.

The systematic withholding of such information could constitute a breach of the right to access public information under FOIA or similar state laws. This action undermines the transparency and accountability standards required by law and potentially denies individuals and their advocates the ability to fully participate in healthcare decisions--a key aspect of patient rights and autonomy.

Furthermore, restricted access to essential information, particularly for vulnerable populations, may also raise concerns under civil rights laws if it results in discriminatory effects or impedes individuals' rights to healthcare access.

The right to access public information is a cornerstone of democratic governance and accountability. In the healthcare context, especially for programs like the Medicaid ABI Waiver Program, ensuring open access to provider directories and service plans is critical for protecting the rights and welfare of participants. Legal and advocacy strategies must be

employed to challenge and overcome any barriers to this essential information, reinforcing the commitment to transparency, accountability, and equitable access to healthcare services.

- viii. In response to the adverse actions faced by Mr. Medeiros as a result of his whistleblowing activities, it is asserted that these actions by the Connecticut Department of Social Services CT DSS may constitute a violation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, specifically under provisions that protect whistleblowers from retaliation. This legal framework underscores the right of individuals to report misconduct without fear of punitive measures, aiming to ensure accountability and transparency within governmental and private entities. As such, any retaliatory behavior encountered by Mr. Medeiros in the aftermath of his reporting could be deemed unlawful under 12 U.S.C. § 5301 et seq., warranting a thorough investigation and the provision of appropriate remedies to safeguard his rights and uphold the principles of justice and integrity the Act is designed to protect.
- ix. The engagement of the Connecticut Department of Social Services CT DSS in unauthorized care management services and the presence of potential conflicts of interest as encountered by Mr. Medeiros not only breach ethical standards but also contravene legal mandates governing the fair and impartial administration of public services. Such actions undermine the integrity of the services provided to the public and violate principles enshrined in both federal and state laws designed to ensure transparency, accountability, and the protection of rights for all individuals. This conduct demands immediate scrutiny and appropriate remedial action to rectify these violations and restore trust in the administration of public services.

The involvement of the Department of Social Services (CT DSS) in providing unauthorized care management services, coupled with evident conflicts of interest, constitutes a grave violation of ethical standards and legal norms governing public service provision. This practice not only demonstrates a flagrant disregard for the regulatory frameworks designed to safeguard the delivery of public health services but also significantly undermines the principles of fairness and integrity essential to the administration of such public services.

- x. **Restriction of Consumer Choice:** The imposition of restrictive rental agreements within the ABI Waiver Program curtails consumer choice, potentially violating antitrust laws and principles of consumer protection. **Restrictive Practices Affecting Consumer Choice:** The implementation of rental agreements within the ABI Waiver Program that limit consumer choice and promote monopolistic practices against Mr. Medeiros. The Connecticut Department of Social Services' (CT DSS) systemic implementation of restrictive practices particularly through the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, represents a concerning effort to limit the ability of Mr. Medeiros to offer his services. This not only restricts consumer choice but also fosters an environment conducive to monopolistic practices, which are antithetical to the principles of a competitive market and raise significant concerns under antitrust laws.

These restrictive practices by CT DSS undermine the fundamental rights of consumers to choose Mr. Medeiros' business, effectively limiting their options to a select few that may have exclusive or preferential agreements with the state. This limitation on consumer choice does not just impact the quality and variety of services available to individuals with acquired brain

injuries but also contravenes the spirit of competition that is central to antitrust laws designed to prevent the concentration of market power and ensure fair competition.

For Mr. Medeiros, this systemic limitation represents a direct barrier to providing care and support services to those in need, discriminating against him as a service provider and restricting his ability to contribute to the ABI Waiver Program. The monopolistic tendencies encouraged by these restrictive rental agreements not only diminish the quality of care available to consumers but also threaten the integrity of the market for disability support services, stifling innovation and reducing the overall effectiveness of care provided to individuals with acquired brain injuries.

- xi. Mr. Medeiros has experienced and reported on inequitable referral processes within the Medicaid system, which have detrimentally impacted his business operations and the services provided to his clients. These actions, characterized by discriminatory distribution mechanisms, stand in direct violation of equal opportunity laws designed to ensure fair and impartial access to services and opportunities. Such practices not only compromise the integrity of service provision but also infringe upon the principles of equality and non-discrimination, necessitating immediate legal scrutiny and corrective action to uphold these fundamental rights and ensure equitable treatment for all service providers.
- xii. The practices employed by the Connecticut Department of Social Services CT DSS within the Acquired Brain Injury (ABI) Waiver Program, particularly the imposition of restrictive rental agreements that limit the ability of providers like Mr. Medeiros to offer services, may constitute a violation of the Sherman Antitrust Act (15 U.S.C. §§ 1–7). This Act explicitly

outlaws monopolistic practices and is designed to safeguard against anti-competitive behavior. By effectively limiting consumer choice and potentially creating a non-competitive marketplace within the ABI Waiver Program, the Connecticut Department of Social Services' CT DSS actions could be seen as promoting monopolistic tendencies, thereby undermining the very essence of competition that the Sherman Act seeks to protect.

- xiii. The actions faced by Mr. Medeiros, particularly if they involved retaliation for whistleblowing or advocating for the rights of individuals with disabilities, potentially represent a significant infringement upon his First Amendment rights. This constitutional provision not only protects the freedom of speech but also the right to petition the government for a redress of grievances. Should evidence substantiate that retaliation occurred as a direct consequence of his exercise of these rights, it would underscore a fundamental violation of constitutional protections afforded to every citizen, warranting immediate and thorough legal examination.
- xiv. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, may represent a breach of the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. This clause mandates that no state shall deny any person within its jurisdiction the equal protection of the laws. If Mr. Medeiros, or his business, was discriminated against by a state agency, such conduct could arguably violate his constitutional right to equal protection, warranting a legal examination and potential remedial action to uphold these fundamental rights.
- xv. The actions and policies implemented by the Connecticut Department of Social Services CT DSS particularly those affecting Mr. Medeiros and his business, raise substantial concerns under the Fifth Amendment of the United States Constitution. This Amendment guarantees

the right to due process, which mandates fair procedures when the government deprives an individual or entity of life, liberty, or property. If Mr. Medeiros or his business were denied equitable treatment or a proper hearing in matters impacting his business operations or personal rights, it could signify a breach of these fundamental due process protections. This situation underscores the necessity for immediate and thorough legal examination to ensure that Mr. Medeiros' constitutional rights are upheld, and any violations appropriately addressed.

- xvi. The delays experienced by Mr. Medeiros in the judicial process, potentially impeding his right to seek and obtain legal recourse effectively, may be seen as infringing upon his Sixth Amendment rights. This Amendment guarantees the right to a speedy and public trial, a fundamental aspect of the justice system intended to prevent undue and prejudicial delays in legal proceedings. Any unjustifiable delay in addressing Mr. Medeiros' legal challenges could therefore be argued as a violation of this constitutional protection, emphasizing the need for timely justice and fair treatment under the law.
- xvii. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, raise significant constitutional concerns under the Tenth Amendment. This amendment, which reserves to the states, or the people powers not delegated to the United States, implicates a fundamental balance between state actions and individual rights. If CT DSS conduct resulted in the imposition of restrictions or practices that unduly limit Mr. Medeiros's professional operations and personal liberties without clear constitutional or legal authority, it may represent an overreach of state power at the expense of individual rights guaranteed by the Tenth Amendment and other relevant provisions of the U.S. Constitution.

- xviii. The practices of the Connecticut Department of Social Services CT DSS, as experienced by Mr. Medeiros, particularly the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, may constitute violations under the Connecticut Unfair Trade Practices Act (CUTPA). CUTPA prohibits unfair competition and deceptive practices in trade and commerce. The actions of CT DSS, by potentially limiting competition and restricting consumer choice, could be interpreted as unfair or deceptive practices, thus falling within the ambit of CUTPA's prohibitions and warranting legal scrutiny and appropriate remedial action.
- xix. The actions and practices of the Connecticut Department of Social Services (CT DSS) towards Mr. Medeiros, including discriminatory treatment and adverse impacts on his business operations due to his disability, may constitute a direct violation of the Connecticut Fair Employment Practices Act (CFEPA). This statute explicitly prohibits discrimination in employment and related practices based on protected characteristics, including disability. The experiences reported by Mr. Medeiros necessitate a thorough investigation to ensure compliance with CFEPA and safeguard the rights and dignity afforded to all Connecticut citizens under this law.

The apparent conflicts of interest within the CT DSS further exacerbate this issue, indicating a systemic flaw where personal or financial gains are prioritized over the ethical and impartial provision of care. Such a situation erodes public confidence in an entity that should embody the highest standards of care and impartiality.

Personal Impact and Systemic Implications:

The discriminatory practices executed by the Department of Social Services (CT DSS) on Mr. Medeiros have not only infringed upon the operational integrity of Mr. Medeiros's business but have also exacted a severe toll on his personal health and well-being, as well as on the lives of his family, employees, and the families he serves. These actions have far-reaching implications, affecting not just the immediate functioning of his business but also undermining the very foundation of his advocacy for transparency, fairness, and the rights of individuals with disabilities.

Mr. Medeiros's commitment to advocating for these principles has been met with systematic resistance, manifesting in personal distress and professional reputational damage. This resistance has not only impacted his ability to effectively advocate for those in need but has also placed undue strain on his personal life and the lives of those connected to him. The stress and anxiety resulting from these discriminatory practices have affected his health, relationships, and overall quality of life, further exacerbating the challenges faced by his brain injury, his family, employees, and the people and families relying on his services.

Moreover, the obstruction of his advocacy work represents a significant setback in the fight for disability rights. By impeding his efforts, the CT DSS's actions contribute to a broader systemic issue that affects the disability community as a whole, hindering progress towards achieving equality and justice for individuals with disabilities. The personal impact on Mr. Medeiros and the systemic implications of these practices highlight a disturbing trend of discrimination and marginalization that extends beyond individual cases to affect the broader landscape of disability rights and services.

The actions against these discriminatory practices is not just about rectifying personal grievances; it is about challenging a system that allows such discrimination to persist. It is about ensuring that individuals like Mr. Medeiros, who dedicate their lives to advocating for the rights and well-being of others, can do so without fear of retribution or harm.

Conclusion:

I am deeply committed to addressing and rectifying the critical issues at hand in collaboration with the Commission on Human Rights and Opportunities (CHRO) and the Department of Social Services (CT DSS). While I am fully prepared to engage constructively with these bodies to find a resolution, I am equally ready to take further legal steps if necessary to protect my rights and those of others who rely on CT DSS services. I trust that the CHRO will approach this matter with the seriousness it warrants, aiming for a resolution that completely restores the rights that have been compromised.

My personal journey through the challenges of living with a brain injury has equipped me with unique insights into the critical need for accessible accommodations and fair services. This experience fuels my advocacy for those in similar situations, ensuring that our collective voice is heard and acted upon.

The foundation of our legal system is built on the premise of fair and equal treatment for all citizens, with a special focus on protecting the most vulnerable among us, including individuals with disabilities. The actions, or lack thereof, by the CT DSS not only damage public trust in our

institutions but more importantly, infringe upon the basic rights afforded to myself and my clients. Swift action is crucial to demonstrate our collective commitment to justice, equality, and the rule of law.

I stand ready to provide additional evidence, engage in productive dialogue, and explore every legal route available to put an end to these discriminatory practices. The gravity of these allegations is profound, highlighting not only a failure to fulfill legal obligations but also posing a direct threat to the foundational principles of justice, equality, and human dignity.

The issue raised in this complaint transcends my personal story, shining a light on systemic shortcomings that require urgent and comprehensive redress to prevent similar cases of discrimination in the future. It offers the CT DSS and CHRO a vital chance to solidify their commitment to justice, inclusion, and the respect of rights for everyone, particularly those with disabilities.

In this pivotal moment, we're faced with a profound opportunity to catalyze real change, transforming systemic challenges into a springboard for collective action and progress. The current situation with the Department of Social Services isn't merely an issue to be resolved; it's a clarion call for us to redefine the essence of our community, ensuring it embodies the true spirit of equality, justice, and respect for every individual, particularly those navigating life with disabilities.

It is essential to recognize that within every challenge lies the potential for transformative growth and unprecedented breakthroughs. This scenario invites us to unite, drawing upon our shared strength,

zeal, and unwavering commitment to forge a society where the principles of justice and equality are woven into the very fabric of our existence.

Let this moment be a catalyst for us to mobilize, advocate, and fight for those who need our support, crafting a future that mirrors our highest ideals. The actions we choose will significantly impact the lives of many, serving as a powerful testament to what can be achieved when we come together in pursuit of a noble cause.

Let's embrace this opportunity with the courage and determination that define us, confident in our collective ability to enact meaningful change.

Best regards,
David Medeiros
David Medeiros
ABI Resources, Founder, Team Member
Medicaid ABI Waiver Program Support Provider.

Re: 2410220 Service of CHRO Complaint



A.B.I. Resources LLC

39 Kings Highway, Suite C

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax : (860) 465-9591

<https://www.CTbrainINJURY.com>

02.15.2024

2410220 Service of CHRO Complaint

Connecticut Commission on Human Rights and Opportunities

450 Columbus Blvd.

Hartford, CT 06103

Subject: Formal Presentation of Discrimination Complaint Against CT Department of Social Services

Dear CHRO Commissioners,

I am David Medeiros, a husband and father, the founder of ABI Resources LLC, a dedicated provider within the Medicaid Acquired Brain Injury (ABI) Waiver Program, and an individual who has personally endured and lives with the repercussions of a brain injury.

This letter serves as a formal presentation of a comprehensive legal complaint against the Connecticut Department of Social Services (CT DSS) for engaging in practices that I assert constitute both systemic and direct discrimination against myself and my ability to operate my business in Connecticut for vulnerable populations. This complaint articulates a series of grievances that have not only hindered my



professional operations but have also inflicted significant personal distress, infringing upon my rights and the well-being of the individuals I serve. The allegations detailed herein are grounded in good faith and are violations of state and federal laws, including but not limited to the Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Connecticut Fair Employment Practices Act, and demand immediate remediation.

This letter outlines the key points of discrimination and requests an official response from CT DSS to address these grievances. The issues detailed within my complaint encompass discriminatory business practices, lack of transparency, and systemic failures that have not only hindered my ability to advocate effectively for myself but also for the rights and services of individuals with disabilities I serve. CT DSS has forced undue strain on my life, my family, the people and families I serve and the operational capabilities of my business.

These actions by the CT DSS are not merely procedural oversights but represent a direct form of discrimination, impinging upon my civil and constitutional rights to which we are all entitled.

Request for CT DSS Response:

In light of the serious nature of these allegations and their profound implications for my rights, those of my company, ABI Resources LLC, and more importantly, the rights and welfare of individuals with disabilities, I urgently request the Connecticut Commission on Human Rights and Opportunities (CHRO) to secure a formal and comprehensive response from the Department of Social Services. This response should meticulously address each concern highlighted in my complaint, delineate the investigative actions undertaken by CT DSS to explore these allegations, and detail the specific corrective measures that have been enacted.

Allegations of Discriminatory Conduct and Legal Violations:

- i. Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 et seq.: The CT DSS's actions have systematically disenfranchised Mr. Medeiros and his clientele, infringing upon their rights to equal access and non-discrimination in public services and accommodations. The inequitable referral processes and restrictive practices imposed by the CT DSS notably violate the ADA's mandates for reasonable accommodations and modifications for individuals with disabilities.
- ii. Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504): By failing to ensure accessible and equitable services to Mr. Medeiros and ABI Resources LLC, the CT DSS has breached Section 504, which prohibits discrimination on the basis of disability in programs and activities receiving Federal financial assistance.
- iii. Civil Rights Act of 1964, Title VI, 42 U.S.C. § 2000d et seq.: The practices of the CT DSS not only discriminate based on disability but also suggest a broader pattern of systemic discrimination that could intersect with violations of Title VI.
- iv. Connecticut Fair Employment Practices Act (CFEPA), Conn. Gen. Stat. § 46a-60 et seq.: The state's counterpart to federal anti-discrimination laws, the CFEPA's provisions have been

contravened through the CT DSS's conduct, impacting Mr. Medeiros's ability to operate his business free from discriminatory practices.

- v. Violation of Equal Opportunity Laws: The CT DSS has engaged in inequitable referral processes, creating a discriminatory distribution mechanism that violates the principles of equal opportunity and fair competition, as mandated by state and federal laws.
- vi. Freedom of Information Act (FOIA) - 5 U.S.C. § 552: This law allows for the full or partial disclosure of previously unreleased information and documents controlled by the United States government. CT DSS has used systematic administrative inefficiency to deny reasonable accommodations and access to records or information to Mr. Medeiros, a violation of FOIA, which mandates transparency. The Freedom of Information Act (FOIA) at the federal level, along with various state-level counterparts, establishes the right of the public to access records from any federal agency, with certain exemptions to protect interests such as personal privacy, national security, and law enforcement. These laws are designed to promote openness and transparency within government operations, allowing citizens to understand and scrutinize the actions of public officials and entities.
- vii. The deliberate withholding of information from Mr. Medeiros, particularly in the context of the Medicaid Acquired Brain Injury (ABI) Waiver Program's Directory of Providers and critical service and intervention plans, raises significant legal and ethical concerns. This action potentially infringes on the right to access public information--a right that is foundational to the principles of transparency and accountability in governance and is crucial

for ensuring that individuals and communities can make informed decisions and hold public bodies accountable.

In the context of Medicaid and, specifically, the ABI Waiver Program, the accessibility of provider directories and service plans is not just a matter of public interest but also a critical necessity for individuals seeking healthcare services and their advocates. These documents are essential for enabling patients and their families to make informed choices about their care and to ensure that they are receiving appropriate and effective services.

The systematic withholding of such information could constitute a breach of the right to access public information under FOIA or similar state laws. This action undermines the transparency and accountability standards required by law and potentially denies individuals and their advocates the ability to fully participate in healthcare decisions--a key aspect of patient rights and autonomy.

Furthermore, restricted access to essential information, particularly for vulnerable populations, may also raise concerns under civil rights laws if it results in discriminatory effects or impedes individuals' rights to healthcare access.

The right to access public information is a cornerstone of democratic governance and accountability. In the healthcare context, especially for programs like the Medicaid ABI Waiver Program, ensuring open access to provider directories and service plans is critical for protecting the rights and welfare of participants. Legal and advocacy strategies must be employed to challenge and overcome any barriers to this essential information, reinforcing the commitment to transparency, accountability, and equitable access to healthcare services.

- viii. In response to the adverse actions faced by Mr. Medeiros as a result of his whistleblowing activities, it is asserted that these actions by the Connecticut Department of Social Services CT DSS may constitute a violation of the Dodd-Frank Wall Street Reform and Consumer Protection Act, specifically under provisions that protect whistleblowers from retaliation. This legal framework underscores the right of individuals to report misconduct without fear of punitive measures, aiming to ensure accountability and transparency within governmental and private entities. As such, any retaliatory behavior encountered by Mr. Medeiros in the aftermath of his reporting could be deemed unlawful under 12 U.S.C. § 5301 et seq., warranting a thorough investigation and the provision of appropriate remedies to safeguard his rights and uphold the principles of justice and integrity the Act is designed to protect.
- ix. The engagement of the Connecticut Department of Social Services CT DSS in unauthorized care management services and the presence of potential conflicts of interest as encountered by Mr. Medeiros not only breach ethical standards but also contravene legal mandates governing the fair and impartial administration of public services. Such actions undermine the integrity of the services provided to the public and violate principles enshrined in both federal and state laws designed to ensure transparency, accountability, and the protection of rights for all individuals. This conduct demands immediate scrutiny and appropriate remedial action to rectify these violations and restore trust in the administration of public services.

The involvement of the Department of Social Services (CT DSS) in providing unauthorized care management services, coupled with evident conflicts of interest, constitutes a grave violation of ethical standards and legal norms governing public service provision. This

practice not only demonstrates a flagrant disregard for the regulatory frameworks designed to safeguard the delivery of public health services but also significantly undermines the principles of fairness and integrity essential to the administration of such public services.

- x. **Restriction of Consumer Choice:** The imposition of restrictive rental agreements within the ABI Waiver Program curtails consumer choice, potentially violating antitrust laws and principles of consumer protection. **Restrictive Practices Affecting Consumer Choice:** The implementation of rental agreements within the ABI Waiver Program that limit consumer choice and promote monopolistic practices against Mr. Medeiros. The Connecticut Department of Social Services' (CT DSS) systemic implementation of restrictive practices particularly through the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, represents a concerning effort to limit the ability of Mr. Medeiros to offer his services. This not only restricts consumer choice but also fosters an environment conducive to monopolistic practices, which are antithetical to the principles of a competitive market and raise significant concerns under antitrust laws.

These restrictive practices by CT DSS undermine the fundamental rights of consumers to choose Mr. Medeiros' business, effectively limiting their options to a select few that may have exclusive or preferential agreements with the state. This limitation on consumer choice does not just impact the quality and variety of services available to individuals with acquired brain injuries but also contravenes the spirit of competition that is central to antitrust laws designed to prevent the concentration of market power and ensure fair competition.

For Mr. Medeiros, this systemic limitation represents a direct barrier to providing care and support services to those in need, discriminating against him as a service provider and restricting his ability to contribute to the ABI Waiver Program. The monopolistic tendencies encouraged by these restrictive rental agreements not only diminish the quality of care available to consumers but also threaten the integrity of the market for disability support services, stifling innovation and reducing the overall effectiveness of care provided to individuals with acquired brain injuries.

- xi. Mr. Medeiros has experienced and reported on inequitable referral processes within the Medicaid system, which have detrimentally impacted his business operations and the services provided to his clients. These actions, characterized by discriminatory distribution mechanisms, stand in direct violation of equal opportunity laws designed to ensure fair and impartial access to services and opportunities. Such practices not only compromise the integrity of service provision but also infringe upon the principles of equality and non-discrimination, necessitating immediate legal scrutiny and corrective action to uphold these fundamental rights and ensure equitable treatment for all service providers.
- xii. The practices employed by the Connecticut Department of Social Services CT DSS within the Acquired Brain Injury (ABI) Waiver Program, particularly the imposition of restrictive rental agreements that limit the ability of providers like Mr. Medeiros to offer services, may constitute a violation of the Sherman Antitrust Act (15 U.S.C. §§ 1–7). This Act explicitly outlaws monopolistic practices and is designed to safeguard against anti-competitive behavior. By effectively limiting consumer choice and potentially creating a non-competitive marketplace within the ABI Waiver Program, the Connecticut Department of Social Services’

CT DSS actions could be seen as promoting monopolistic tendencies, thereby undermining the very essence of competition that the Sherman Act seeks to protect.

- xiii. The actions faced by Mr. Medeiros, particularly if they involved retaliation for whistleblowing or advocating for the rights of individuals with disabilities, potentially represent a significant infringement upon his First Amendment rights. This constitutional provision not only protects the freedom of speech but also the right to petition the government for a redress of grievances. Should evidence substantiate that retaliation occurred as a direct consequence of his exercise of these rights, it would underscore a fundamental violation of constitutional protections afforded to every citizen, warranting immediate and thorough legal examination.
- xiv. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, may represent a breach of the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. This clause mandates that no state shall deny any person within its jurisdiction the equal protection of the laws. If Mr. Medeiros, or his business, was discriminated against by a state agency, such conduct could arguably violate his constitutional right to equal protection, warranting a legal examination and potential remedial action to uphold these fundamental rights.
- xv. The actions and policies implemented by the Connecticut Department of Social Services CT DSS particularly those affecting Mr. Medeiros and his business, raise substantial concerns under the Fifth Amendment of the United States Constitution. This Amendment guarantees the right to due process, which mandates fair procedures when the government deprives an individual or entity of life, liberty, or property. If Mr. Medeiros or his business were denied equitable treatment or a proper hearing in matters impacting his business operations or

personal rights, it could signify a breach of these fundamental due process protections. This situation underscores the necessity for immediate and thorough legal examination to ensure that Mr. Medeiros' constitutional rights are upheld, and any violations appropriately addressed.

- xvi. The delays experienced by Mr. Medeiros in the judicial process, potentially impeding his right to seek and obtain legal recourse effectively, may be seen as infringing upon his Sixth Amendment rights. This Amendment guarantees the right to a speedy and public trial, a fundamental aspect of the justice system intended to prevent undue and prejudicial delays in legal proceedings. Any unjustifiable delay in addressing Mr. Medeiros' legal challenges could therefore be argued as a violation of this constitutional protection, emphasizing the need for timely justice and fair treatment under the law.
- xvii. The actions of the Connecticut Department of Social Services CT DSS as experienced by Mr. Medeiros, raise significant constitutional concerns under the Tenth Amendment. This amendment, which reserves to the states, or the people powers not delegated to the United States, implicates a fundamental balance between state actions and individual rights. If CT DSS conduct resulted in the imposition of restrictions or practices that unduly limit Mr. Medeiros's professional operations and personal liberties without clear constitutional or legal authority, it may represent an overreach of state power at the expense of individual rights guaranteed by the Tenth Amendment and other relevant provisions of the U.S. Constitution.
- xviii. The practices of the Connecticut Department of Social Services CT DSS, as experienced by Mr. Medeiros, particularly the imposition of restrictive rental agreements within the Acquired Brain Injury (ABI) Waiver Program, may constitute violations under the Connecticut Unfair

Trade Practices Act (CUTPA). CUTPA prohibits unfair competition and deceptive practices in

trade and commerce. The actions of CT DSS, by potentially limiting competition and restricting consumer choice, could be interpreted as unfair or deceptive practices, thus falling within the ambit of CUTPA's prohibitions and warranting legal scrutiny and appropriate remedial action.

- xix. The actions and practices of the Connecticut Department of Social Services (CT DSS) towards Mr. Medeiros, including discriminatory treatment and adverse impacts on his business operations due to his disability, may constitute a direct violation of the Connecticut Fair Employment Practices Act (CFEPA). This statute explicitly prohibits discrimination in employment and related practices based on protected characteristics, including disability. The experiences reported by Mr. Medeiros necessitate a thorough investigation to ensure compliance with CFEPA and safeguard the rights and dignity afforded to all Connecticut citizens under this law.

The apparent conflicts of interest within the CT DSS further exacerbate this issue, indicating a systemic flaw where personal or financial gains are prioritized over the ethical and impartial provision of care. Such a situation erodes public confidence in an entity that should embody the highest standards of care and impartiality.

Personal Impact and Systemic Implications:

The discriminatory practices executed by the Department of Social Services (CT DSS) on Mr. Medeiros have not only infringed upon the operational integrity of Mr. Medeiros's business but have

also exacted a severe toll on his personal health and well-being, as well as on the lives of his family, employees, and the families he serves. These actions have far-reaching implications, affecting not just the immediate functioning of his business but also undermining the very foundation of his advocacy for transparency, fairness, and the rights of individuals with disabilities.

Mr. Medeiros's commitment to advocating for these principles has been met with systematic resistance, manifesting in personal distress and professional reputational damage. This resistance has not only impacted his ability to effectively advocate for those in need but has also placed undue strain on his personal life and the lives of those connected to him. The stress and anxiety resulting from these discriminatory practices have affected his health, relationships, and overall quality of life, further exacerbating the challenges faced by his brain injury, his family, employees, and the people and families relying on his services.

Moreover, the obstruction of his advocacy work represents a significant setback in the fight for disability rights. By impeding his efforts, the CT DSS's actions contribute to a broader systemic issue that affects the disability community as a whole, hindering progress towards achieving equality and justice for individuals with disabilities. The personal impact on Mr. Medeiros and the systemic implications of these practices highlight a disturbing trend of discrimination and marginalization that extends beyond individual cases to affect the broader landscape of disability rights and services.

The actions against these discriminatory practices is not just about rectifying personal grievances; it is about challenging a system that allows such discrimination to persist. It is about ensuring that

individuals like Mr. Medeiros, who dedicate their lives to advocating for the rights and well-being of others, can do so without fear of retribution or harm.

Conclusion:

I am deeply committed to addressing and rectifying the critical issues at hand in collaboration with the Commission on Human Rights and Opportunities (CHRO) and the Department of Social Services (CT DSS). While I am fully prepared to engage constructively with these bodies to find a resolution, I am equally ready to take further legal steps if necessary to protect my rights and those of others who rely on CT DSS services. I trust that the CHRO will approach this matter with the seriousness it warrants, aiming for a resolution that completely restores the rights that have been compromised.

My personal journey through the challenges of living with a brain injury has equipped me with unique insights into the critical need for accessible accommodations and fair services. This experience fuels my advocacy for those in similar situations, ensuring that our collective voice is heard and acted upon.

The foundation of our legal system is built on the premise of fair and equal treatment for all citizens, with a special focus on protecting the most vulnerable among us, including individuals with disabilities. The actions, or lack thereof, by the CT DSS not only damage public trust in our institutions but more importantly, infringe upon the basic rights afforded to myself and my clients. Swift action is crucial to demonstrate our collective commitment to justice, equality, and the rule of law.

I stand ready to provide additional evidence, engage in productive dialogue, and explore every legal route available to put an end to these discriminatory practices. The gravity of these allegations is profound, highlighting not only a failure to fulfill legal obligations but also posing a direct threat to the foundational principles of justice, equality, and human dignity.

The issue raised in this complaint transcends my personal story, shining a light on systemic shortcomings that require urgent and comprehensive redress to prevent similar cases of discrimination in the future. It offers the CT DSS and CHRO a vital chance to solidify their commitment to justice, inclusion, and the respect of rights for everyone, particularly those with disabilities.

In this pivotal moment, we're faced with a profound opportunity to catalyze real change, transforming systemic challenges into a springboard for collective action and progress. The current situation with the Department of Social Services isn't merely an issue to be resolved; it's a clarion call for us to redefine the essence of our community, ensuring it embodies the true spirit of equality, justice, and respect for every individual, particularly those navigating life with disabilities.

It is essential to recognize that within every challenge lies the potential for transformative growth and unprecedented breakthroughs. This scenario invites us to unite, drawing upon our shared strength, zeal, and unwavering commitment to forge a society where the principles of justice and equality are woven into the very fabric of our existence.

Let this moment be a catalyst for us to mobilize, advocate, and fight for those who need our support, crafting a future that mirrors our highest ideals. The actions we choose will significantly impact the lives of many, serving as a powerful testament to what can be achieved when we come together in pursuit of a noble cause.

Let's embrace this opportunity with the courage and determination that define us, confident in our collective ability to enact meaningful change.

Best regards,
David Medeiros
David Medeiros
ABI Resources, Founder, Team Member
Medicaid ABI Waiver Program Support Provider.



Re: 2410220 Service of CHRO Complaint

Whistleblower Report exhibit submitted for reference.

Jenna Giacomi

Office Of Quality Assurance

Department of Social Services DSS

55 Farmington Ave.

Hartford, CT 06105

P: 860-424-5782 W

C: 860-215-7737

Jenna.giacomi@ct.gov

Charles E. Perry

Paralegal Specialist/FOI Officer

Legal Division

Commission on Human Rights and Opportunities

450 Columbus Boulevard, Suite 2

Hartford, CT 06103

P: 860-541-3438 | F: 860-241-4869

Charles.Perry@CT.Gov

Giovanni Pinto

Governor's Office

Department of Social Services DSS

DSS FOI FOIA Freedom of Information Officer

giovanni.pinto@ct.gov

(860) 424-5382

David Seifel

Governor's Office

Department of Social Services DSS

DSS FOI FOIA Freedom of Information Officer

(860) 240-8600

david.seifel@ct.gov

Aubri L. Petersen

Legal Secretary

Legal Division

Commission on Human Rights and Opportunities CHRO

450 Columbus Blvd., Suite 2

Hartford, CT 06103 | AA/EOE

P: (860) 541-3424 | F: (860) 241-4869

Dedra A. Morris

Administrative Assistant

Capitol Region Office

Commission on Human Rights and Opportunities CHRO

450 Columbus Boulevard, Suite 2

Hartford, CT 06103 | AA/EOE

P: 860-541-3456 | F: 860-566-1997

dedra.morris@ct.gov

Matthew S. Antonetti

Agency Legal Director

Connecticut Department of Social Services DSS

Office of Legal Counsel, Regulations and Administrative Hearings

55 Farmington Avenue

Hartford, CT 06105

Email: matthew.s.antonetti@ct.gov

Amy Dumont, LCSW

Interim Director

CT Department of Social Services DSS

Community Options Unit COU

55 Farmington Avenue

Hartford CT 06105-3725

Tel: 860 424-5173

Fax: 860 424:4963

amy.dumont@ct.gov

Michael Slitt

Staff Attorney

Department of Social Services DSS

Community Options Unit COU

Office of Legal Counsel, Regulations and Administrative Hearings

55 Farmington Ave, 11th Floor

Hartford, CT 06105

Phone: (860) 424-5068

Fax: (860) 424-5403

Email: Michael.Slitt@ct.gov

Aubri L. Petersen (she/her/hers)

Legal Secretary

Legal Division

Commission on Human Rights and Opportunities CHRO

450 Columbus Blvd., Suite 2

Hartford, CT 06103 | AA/EOE

P: (860) 541-3424 | F: (860) 241-4869 | Aubri.Petersen@ct.gov

Kelly A Bartomioli

Department of Social Services DSS

DSS FOI FOIA Freedom of Information Officer

(860) 566-4514

kelly.bartomioli@ct.gov

Kasandra Navarro

Legislative Assistant

U.S. Senator Richard Blumenthal

kasandra_navarro@blumenthal.senate.gov

Attorney Cheryl A. Sharp

Deputy Director

Executive Office

Commission on Human Rights and Opportunities

450 Columbus Blvd Ste 2

Hartford CT 06103 | AA/EOE

C: (959) 282-5740 | Cheryl.Sharp@ct.gov

Tausha Thomas

HRO Representative Trainee

Capitol Region

Commission on Human Rights and Opportunities

450 Columbus Blvd, Suite 2

Hartford, CT, 06103 | AA/EOE

P: 860-541-3457 | F: 860-566-1997

tausha.thomas@ct.gov

Attorney General William Tong

Office of the Attorney General

55 Elm Street

Hartford, CT 06106

Email: attorney.general@ct.gov

Phone: 860-808-5318

Senator Chris Murphy

Please note that CT.gov email contact for Senator Chris Murphy government public services are not currently listed on the CT.gov website.

Hartford Office

120 Constitution Plaza

10th Floor

Hartford, CT 06103

Phone: (860) 549-8463

Senator Richard Blumenthal

90 State House Square

10th Floor

Hartford, CT 06103

Phone: (860) 258-6940

Senator@blumenthal.senate.gov

Deidre Gifford

Department of Social Services DSS

Deidre.Gifford@ct.gov

Andrea Reeves

Commissioner of

The Connecticut Department of Social Services DSS

commis.dss@ct.gov

Andrea.Reeves@ct.gov

Kimberly D. Morris

Secretary II

Office of Public Hearings

Commission on Human Rights and Opportunities

450 Columbus Blvd., Suite 2

Hartford CT 06103 | AA/EOE

P: 860-418-8770 | F: 860-418-8780 | Direct: 860-541-4711 | Kimberly.morris@ct.gov

Jennifer Zakrzewski

Agency Legal Director

Connecticut Department of Social Services.

jennifer.zakrzewski@ct.gov

(860) 509-7623.

George Chamberlin

Connecticut Department of Social Services (DSS)

Community Options Unit COU

George.Chamberlin@ct.gov

Beth Carangelo,

Community Nurse Coordinator

Connecticut Department of Social Services.

Beth.Carangelo@ct.gov

Kathy Bruni

Director of Community Options

Connecticut Department of Social Services (DSS

Kathy.a.bruni@ct.gov

(860) 424-5177

Russell Blair

Director of Education & Communications

Freedom of Information Commission

860-256-3968

russell.blair@ct.gov

Governor Ned Lamont

Office of Governor Ned Lamont

State Capitol

210 Capitol Avenue

Hartford, CT 06106

Phone number [860-566-4840](tel:860-566-4840)

governor.lamont@ct.gov

Astread Ferron-Poole

Director of Administration

Connecticut, Department of Social Services

astread.ferron-poole@ct.gov

(860) 424-500

Valerie Giannelli

Manager - Provider Services

Allied Community Resources

vgiannelli@alliedgroup.org

860-627-9500 x138

Marihonor Flag

Credentialing & Program Specialist

Allied Community Resources

mflagg@alliedgoup.org

Dr. Cherron Payne

Government public service email contact not available on CT.gov

Please note that CT.gov email contact for Cherron Payne government public services are not currently listed on the CT.gov website.

Commissioner on the Commission on Human Rights and Opportunities (CHRO)

Connecticut Chief Human Rights Referee

Commission on Human Rights and Opportunities

Office of the Executive Director

450 Columbus Boulevard, Suite 2

Hartford, CT 06103-1835

1 (860) 541-3400

1 (860) 541-3400

1 (800) 477-5737

1 (860) 241-4875

Tanya Hughes

Executive Director