

The CHRO's inaction is demonstrative of:

Violation of the ADA's Mandate:

The inexplicable delay in processing my complaint directly violates the ADA's requirements for prompt resolution, thereby discriminating against me based on my disability.

Failure to Provide Accommodations:

The inadequate response in providing the accommodations to which I am legally entitled has critically hampered my ability to participate in legal proceedings and advocate effectively.

Erroneous documentation, including the misidentification of state officials, undermines the integrity and reliability of CHRO's records and processes.

Systemic Disregard:

The pattern of inaction suggests a systemic disregard for the rights of individuals with disabilities and whistleblowers such as myself, calling for an immediate and thorough examination.

Given these points, I am compelled to demand the following:

An External Audit: A comprehensive external audit of the CHRO's handling of my case, including a review of procedures and accommodations for individuals with disabilities and whistleblowers.

ADA Accommodations: Immediate provision of the accommodations to which I am entitled under federal and state law, ensuring my full and fair participation in the complaint process.

Public Formal Apology and Reparations: A formal public acknowledgment of the hardships imposed by the CHRO's negligence and a discussion of reparations for the

significant personal and professional toll it has taken on me as a person living with a brain injury advocating for myself, ABI resources and the Connecticut disabled community at large.

The gravity of these issues and their impact on my civil rights require urgent and decisive action. An affirmative response is expected promptly detailing the CHRO's corrective measures.

Call for Accountability and Action for Disability Discrimination and Communication Barriers

I must again express my profound concern and distress regarding the Connecticut Government's inaction and the barriers I face as a brain injury survivor. It is disheartening and unacceptable that the government, well aware of the cognitive challenges associated with brain injuries, has failed to provide the necessary support and accommodations required for fair and effective communication.

Brain injuries can lead to a myriad of cognitive difficulties, which I experience daily. These include, but are not limited to:

Memory Impairments: Difficulty in recalling information, which can lead to challenges in following through with complex procedures or remembering important dates and instructions.

Attention Deficits: Problems with concentration and being easily overwhelmed by excessive information or convoluted language, hindering the understanding of critical communications.

Executive Dysfunction: Trouble with planning, organizing, and executing tasks, which is exacerbated by the government's convoluted self-advocacy bureaucratic processes.

Language and Communication Issues: Difficulties in understanding or expressing

oneself, especially when faced with intricate legal jargon and lengthy documents.

Processing Speed Delays: Slowed cognitive processing, making it hard to keep up with time-sensitive matters and requiring additional time to understand and respond to information.

Fatigue: Increased cognitive fatigue from trying to navigate complex systems, which can lead to reduced capacity to engage with necessary processes effectively.

The government's lack of action not only overlooks these challenges but seems to exploit them by failing to provide clear, concise, and accessible communication. This approach effectively discriminates against individuals with disabilities like me by creating an environment where they cannot participate fully in their advocacy or seek justice on an equal footing.

The expectation is not just for reasonable accommodations but for proactive measures that ensure communications and processes are fair and accessible. I am urging the Connecticut Government to review its procedures and communication strategies to ensure they align with the principles of the Americans with Disabilities Act (ADA) and respect the rights and needs of brain injury survivors.

Immediate action is required to remedy this situation. The government must:

Implement clear and straightforward communication protocols.

Provide all information in accessible formats, with consideration for cognitive challenges.

Establish a direct and reliable point of contact for assistance in navigating government processes.

Ensure that all government employees interacting with the public are trained in disability awareness and ADA compliance.

The state's failure to act is not only a disservice to individuals with disabilities but a disregard for the values of inclusivity and accessibility. As a brain injury survivor, I implore the Connecticut Government to take immediate steps to correct these oversights and to foster an environment where all citizens are given the tools to participate fully in civic life.

I am requesting that the Connecticut government body protect and ensure my rights and the rights of people like me living with disabilities. Connecticut must take legal action to enforce and ensure compliance with the ADA and protect my rights as a disabled Connecticut brain injury survivor, and founder of ABI Resources in addition to protecting my rights as a whistleblower.

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 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

Promoting Equality and Justice for all People

December 15, 2023

Via email: aabiwr@live.com

David Medeiros
215 Mountain Street
Willimantic, CT 06226

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

Dear Mr. Medeiros:

This letter confirms that your 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 for any inconvenience this may have caused you.

The enclosed General Notice advises you of your rights, duties, and responsibilities. **Please read carefully the information contained in the notice.**

You have a duty to respond timely to any information or assistance requested and to cooperate with the Commission at all times. It is your sole duty and responsibility to notify the Commission of your whereabouts at all times throughout the pendency of this complaint. In the event that your address, telephone number, or email address changes, it is your duty to notify the Commission immediately in writing. **Parties are encouraged to submit all filings by email only without an additional hardcopy if possible. Emailed filings with Capitol Region Office should be emailed to CHRO.Capitol@ct.gov.**

Also, you have a duty to certify to the Commission that you have provided the Respondent with copies of all documents you file with the Commission. For your convenience and use, the enclosed Certification Form is made available.

If I can be of further assistance, please do not hesitate to contact me.

NO NAME

Commission on Human Rights and Opportunities
Capitol Region Office
450 Columbus Boulevard, Suite 2
Hartford, CT 06103
860-541-3456

Main (860) 566-7710 ~ Fax (860) 566-1997
www.ct.gov/chro - Toll Free in Connecticut (800) 477-8737
Affirmative Action/Equal Opportunity Employer



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Capitol Region Office ~ 450 Columbus Boulevard, Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

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 v. State of CT, Department of Social Services
CHRO No. 2410220
EEOC No. N/A

Dear Commissioner Gifford:

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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 admitted 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 no fault 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@ct.gov and dedra.morris@ct.gov.

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Affirmative Action/Equal Opportunity Employer



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>

Date: 12/18/2023

Connecticut Department of Social Services

Office of the Commissioner Andrea Barton Reeves

And all Pertinent Departments with Connecticut gov.

Subject: New Complaint Addressing Systemic Injustice: Disability Discrimination and Whistleblower Retaliation Complaint.

I am writing to formally file a complaint of continued disability discrimination and whistleblower retaliation against myself, David Medeiros, and ABI Resources by the Connecticut Department of Social Services (DSS) and their systems.

1. Removal and premature closure of Sandata EVV Ticket #539494.

The recent incident involving the removal and premature closure of Sandata EVV Ticket #539494, without notification or consent, is a glaring example of this ongoing issue. This complaint, crucial to the operation and integrity of ABI Resources, was dismissed and marked as resolved, contrary to the actual unresolved status. This act not only undermines the trust and communication essential for our operations but also reflects a disturbing pattern of disregard for the rights and voices of those advocating for disability support services.

As you are aware there's a widespread problem related to the stop of companion authorizations within the Connecticut Departments of Social Services systems for consumers under the Medicaid ABI Waiver program after December 31st, 2023 serviced by ABI Resources.

This situation may lead to a disruption in necessary support services for many Connecticut Medicaid Acquired Brain Injury (ABI) Waiver Program consumers.

2. Unauthorized alteration of ABI Resources' contact information.

Furthermore, the recent unauthorized alteration of ABI Resources' contact information in Sandata's system, which was only rectified after our proactive inquiry today, suggests a deliberate attempt to hinder our ability to receive critical information and engage in necessary advocacy. This action, coupled with the previous complaint's dismissal, points to a systemic issue of discrimination and retaliation that must be addressed immediately.

As a brain injury survivor, I find these actions by the Connecticut DSS not only professionally concerning but also personally disheartening. They represent a breach of trust, a violation of whistleblower protections, and a disregard for the rights of individuals with disabilities.

The Connecticut Department of Social Services must fix this wrongdoing now and protect and ensure the rights of people living with brain injuries and consumers of the Medicaid ABI Waiver Program.

I request a thorough and transparent investigation into these actions and insist on the implementation of measures to prevent recurrence. I also seek assurance that ABI Resources and I will not face further discriminatory practices or retaliatory actions for our advocacy and whistleblower activities.

I expect a prompt and constructive response to this complaint, along with a commitment to upholding the principles of fairness, transparency, and respect for the rights of all individuals, especially those with disabilities.

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



12/18/23, 9:46 AM

Mail - ABI RESOURCES 860 942-0365 - Outlook

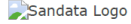
Re: CT DSS: No Authorization Scheduling-ABI RESOURCES 4103-Ticket 539494 ID: 539494 Account: [Sandata Technologies]

Lupson Pasteur (Sandata Technologies) <support@sandata.zendesk.com>

Mon 12/18/2023 9:15 AM

To: David Medeiros <aabiwr@live.com>

- Please type your reply above this line -



PLEASE DO NOT FORWARD THIS EMAIL! Do not reply to this email unless it pertains to the issue referenced in this email.

Your request (539494) has been updated:

Lupson Pasteur (Sandata Technologies)

Dec 18, 2023, 9:15 AM EST

Heather and David,

I hope all is well. Please send me a screenshot of the authorization that shows in the state portal for each client showing the correct end date.

- Member Name:
- Member Medicaid ID:
- **ClientOtherID (Required in order to escalate):**
- Agency's AVRS ID Number:
- What Payor? Ct Medicaid Clinical/non clinical, MHW, Etc
- Member Authorization Number:
- Name of service code(s) missing:
- How many units/hours/visits:
- Dates of service(s) missing:
- Date Authorization Uploaded (Determination Date column in DSS Portal):
- Agency Confirmed Member in DSS Portal (Y/N):
- Client Eligibility in Portal- Agency should provide Verification Number in the Eligibility Verification Response field in portal:
- DSS Portal Status Column Reflects Approved or Auto-Approved (Y/N):
- Member Checked in EVV by Customer Care Agent (Y/N):

Thanks,

Check out Sandata on Demand (with the link below), your 24/7 resource to all things Sandata support! Review release notes, how to videos and other tips for using our software.

<https://sandata.zendesk.com/hc/en-us>

Lupson Pasteur

Specialist, Support-Tier 2

Sandata Technologies

[270 Duffy Avenue, Unit 266A, Hicksville, NY 11801](#)

Lupson Pasteur (Sandata Technologies)

Samantha Brown (Sandata Technologies)

Dec 14, 2023, 10:53AM EST

Thank you for contacting Sandata Customer Support today Heather.

We appreciate you taking the time to speak with us to resolve your issue with no authorization scheduling ticket [#539494](#).

- **Actions Taken**

- I advised Heather of why she was getting the authorization error when scheduling.

- **Next Steps**

- Heather should reach out to the case managers of the clients about the authorizations.

If you should have any additional issues or questions, please do not hesitate to reply back to this ticket!

Did you know that you can manage your tickets online and search for answers in real time? Visit us on Sandata on Demand at [Sandata.zendesk.com](https://sandata.zendesk.com) at any time for information about our products and answers to many of your questions. You can even submit your question right there on that site 24 hours a day.

You will receive a two-question satisfaction survey from Sandata in the next few hours. We hope that you will take a couple of minutes to let us know how we did today and what we can do to serve you even better in the future.

Thank you again and have a wonderful day!

-Sandata Customer Support

Samantha Brown

Tier I Support Specialist

Sandata Technologies

[270 Duffy Avenue, Unit 266A, Hicksville, NY 11801](#)

Please reach out to your designated Customer Care email group or your designated phone number if you have any questions or concerns.

Sincerely,

<https://outlook.live.com/mail/0/inbox/id/AQQkADAwATNiZmYAZC1hNTUAOC0wYjQ3LTAwAi0wMAoAEADi9Soz3yZhTqAamdViojif>

2/3

Re: WBR Complaint

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

Tue 12/19/2023 12:44 PM

To: Morris, Kimberly <Kimberly.Morris@ct.gov>

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

Would you please schedule a time for us to sit down and complete this?

Best regards,

David Medeiros

ABI Resources

Medicaid Acquired Brain Injury ABI Waiver Program Provider



From: Morris, Kimberly <Kimberly.Morris@ct.gov>**Sent:** Tuesday, December 19, 2023 12:36 PM**To:** ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>**Subject:** RE: WBR Complaint

Please fill out each line item on the complaint and have the complaint notarized, you can go to a bank to have the complaint notarized.

If you have questions regarding the procedures if this office, I'm willing to answer questions you may have.

From: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>**Sent:** Tuesday, December 19, 2023 12:24 PM**To:** Morris, Kimberly <Kimberly.Morris@ct.gov>**Subject:** Re: WBR Complaint**Importance:** High

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Assist me in completing all these documents and notarizing them.

Best regards,

David Medeiros

ABI Resources

Medicaid Acquired Brain Injury ABI Waiver Program Provider



From: Morris, Kimberly <Kimberly.Morris@ct.gov>**Sent:** Tuesday, December 19, 2023 12:22 PM**To:** ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>**Subject:** RE: WBR Complaint

What type of accommodations do you need?

From: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>**Sent:** Tuesday, December 19, 2023 12:21 PM**To:** Morris, Kimberly <Kimberly.Morris@ct.gov>**Cc:** ABI RESOURCES 860 942-0365 <AABIWR@live.com>**Subject:** Re: WBR Complaint**Importance:** High

You don't often get email from aabiwr@live.com. [Learn why this is important](#)

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello Ms. Morris,

Thank you for informing me about the need to complete the Whistleblower Retaliation (WBR) Complaint forms and having everything notarized. I appreciate your guidance in this process.

I am contacting you to request accommodations to assist me in completing all these documents and notarizing them.

Would you kindly provide me assistance with this process?

Your support would be greatly appreciated.

Thank you for your understanding.

Best regards,

David Medeiros

ABI Resources

Medicaid Acquired a Brain Injury ABI Waiver Program Provider

**From:** Morris, Kimberly <Kimberly.Morris@ct.gov>**Sent:** Tuesday, December 19, 2023 9:56 AM**To:** aabiwr@live.com <aabiwr@live.com>**Subject:** WBR Complaint

Good Morning,

It has come to our attention that you would like to file a WBR Complaint.
Please fill out the attached complaint form and have it notarized and sent back.

Thank you.

www.ct.gov/chro**Kimberly D. Morris** (she/her/hers)

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



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39 Kings Highway, Suite C

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax: (860) 465-9591

<https://www.CTbrainINJURY.com>

Date: 12/23/2023

**Subject: Formal Complaint Regarding the Failure to Provide
Reasonable Accommodations by the Commission on Human Rights
and Opportunities (CHRO)**

Dear Governor Ned Lamont and Esteemed Members of the
Connecticut Government,

I am writing to emphasize the importance of effective communication and the dissemination of updated information regarding disability accommodations within our federal and state departments.

As an advocate for individuals with disabilities, I understand the critical role that timely and accurate information plays in ensuring that appropriate accommodations are provided. To this end, I kindly request your assistance in ensuring that all Federal and State Department Executives, along with their associated staff, are kept fully informed and updated about the latest developments, policies, and best practices in disability accommodations.

Your support in this initiative is not only crucial for compliance with legal standards but also embodies our collective commitment to creating an inclusive and supportive environment for all individuals, regardless of their abilities.

This is a formal complaint against the Commission on Human Rights and Opportunities (CHRO) for their failure to provide the necessary reasonable accommodations in line with the Americans with Disabilities Act (ADA). My

experiences as a person living with a brain injury and a stroke survivor have been met with significant challenges in the CHRO's processes, which I believe violate my rights under the ADA.

Despite clear and repeated requests for specific accommodations to assist me in completing the CHRO requirements – namely, assistance in understanding and completing complex documentation and a preference for written communication – these requests have been either misunderstood, misinterpreted as seeking legal advice, or inadequately addressed.

The lack of appropriate accommodations has severely hindered my ability to engage effectively in the CHRO process and has added unnecessary complications to an already challenging situation. This not only impacts my individual case but also sets a concerning precedent for others in similar circumstances seeking fair treatment and support from the CHRO.

The response from the CHRO suggesting I seek assistance from Legal Aid or the UConn School of Law Legal Clinic fails to recognize the nature of my request, which is for administrative support to navigate their procedures due to my disability, and not for legal advice.

I am seeking the following actions to be taken in response to this complaint:

1. A thorough review of my interactions with the CHRO, specifically focusing on their responses (or lack thereof) to my requests for reasonable accommodations.
2. Implementation of measures to ensure that the CHRO staff are adequately trained in ADA compliance, particularly in understanding and providing reasonable accommodations to individuals with disabilities.
3. Provision of the necessary accommodations to allow me to complete the CHRO process effectively, as originally requested.

I believe these steps are essential not only for addressing my individual situation but also for ensuring that the CHRO upholds its responsibilities under the ADA and provides an accessible and equitable process for all individuals, regardless of their abilities.

The legal case of David Medeiros v. State of CT, Department of Social Services, CHRO No. 2410220.'

- Whistleblower Report, Comprehensive Grievance Report and Request for Clarity. Addressing Issues within the Connecticut Medicaid Acquired Brain Injury (ABI) Waiver Program. Whistleblower Report Prepared by:
David Medeiros and ABI Resources LLC
Date: November 21, 2023
ABI Resources LLC
39 Kings Hwy STE C
Gales Ferry, CT. 06226
860 942-0365

These records are crucial for understanding the dynamics of interactions with these key figures in the context of disability rights and whistleblower protections.

Would you please ensure my request is provided to Federal and State Department Executives and Associated staff so they may ensure justice and stay completely updated and informed:

- Connecticut Department of Social Services Commissioner Andrea Barton Reeves
- U.S. Senators Richard Blumenthal and Chris Murphy
- U.S. House Representatives John Larson, Joe Courtney, Rosa DeLauro, Jim Himes, and Jahana Hayes
- Connecticut Governor Ned Lamont
- Lieutenant Governor Susan Bysiewicz
- Secretary of State Denise Merrill
- Attorney General William Tong
- State Treasurer Shawn Wooden
- State Comptroller Kevin Lembo
- State Auditors John Geragosian and Rob Kane
- U.S. Department of Health and Human Services (HHS) Secretary Xavier

Becerra

- Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure
- U.S. Department of Justice (DOJ) Attorney General Merrick Garland
- U.S. Equal Employment Opportunity Commission (EEOC) Chair Charlotte A. Burrows
- Office of Special Counsel (OSC) Special Counsel Henry J. Kerner
- Office for Civil Rights (OCR) at HHS Acting Director Melanie Fontes Rainer
- The Department of Labor DOL
- Government Accountability Office GAO
- Connecticut General Assembly CGA

Thank you for your attention to this matter. I look forward to a prompt and constructive response that serves the greatest good.

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





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Date: 12/23/2023

**Subject: Formal Complaint Regarding the Failure to Provide
Reasonable Accommodations by the Commission on Human Rights
and Opportunities (CHRO)**

**Call for Systemic Change: CHRO's Failure in ADA Accommodation
Compliance**

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- State Auditors John Geragosian and Rob Kane
- U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra
- Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure
- U.S. Department of Justice (DOJ) Attorney General Merrick Garland
- U.S. Equal Employment Opportunity Commission (EEOC) Chair Charlotte A. Burrows
- Office of Special Counsel (OSC) Special Counsel Henry J. Kerner
- Office for Civil Rights (OCR) at HHS Acting Director Melanie Fontes Rainer
- The Department of Labor DOL
- Government Accountability Office GAO
- Connecticut General Assembly CGA

Follow-up Mechanism: I respectfully request a formal response to this complaint along with an action plan for addressing these concerns.

Call for External Review or Audit: I urge an independent audit of the CHRO's processes to ensure objective assessment and rectification.

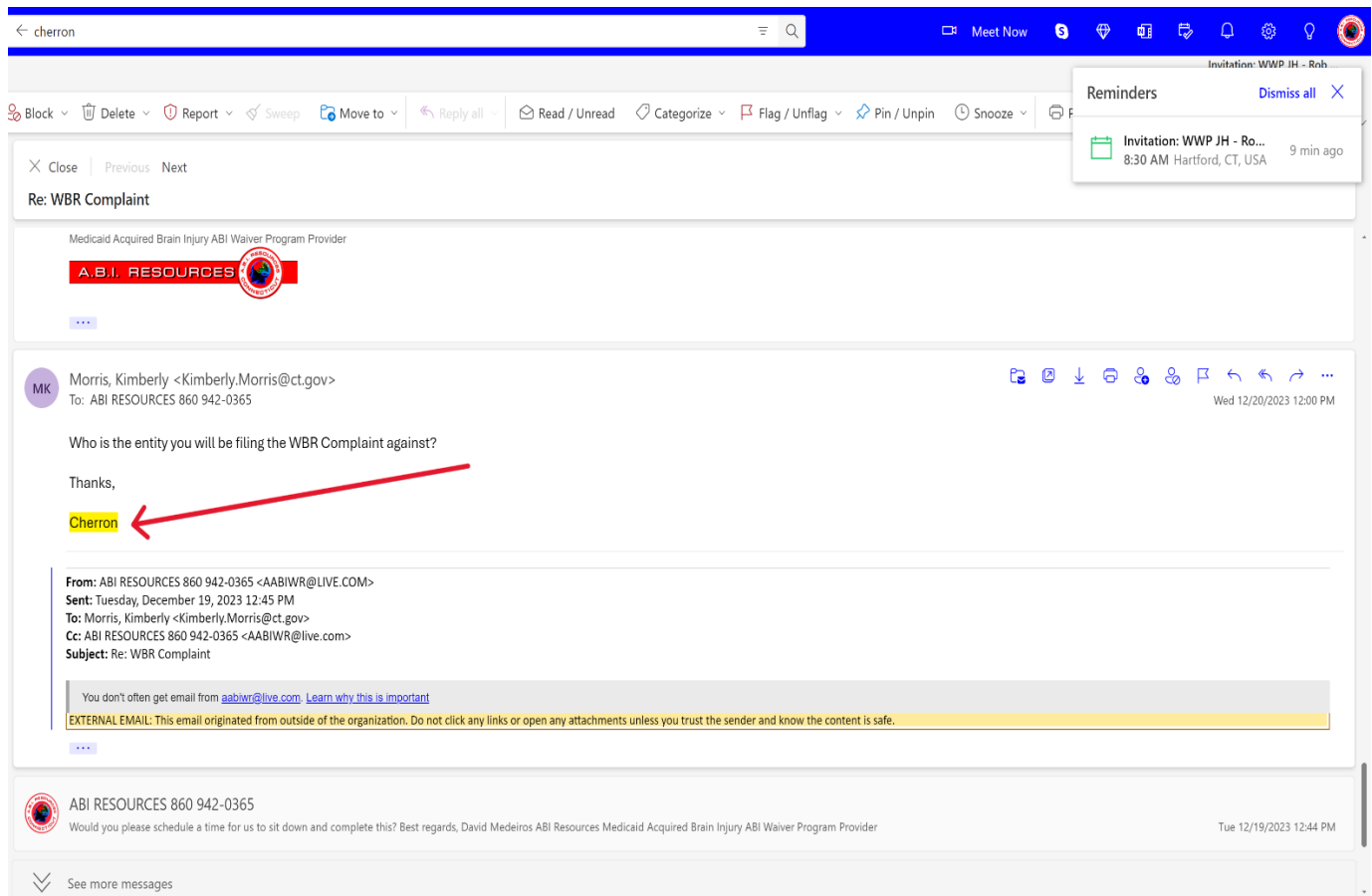
I trust that this matter will be addressed with the seriousness it warrants, not only for my case but for the benefit of all individuals with disabilities in Connecticut.

Thank you for your attention to this matter. I look forward to a prompt and constructive response that serves the greatest good.

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



CHRO Judge Dr. Cherron Payne



After a comprehensive discovery process, it has been identified that Dr. Cherron Payne, from Farmington, Connecticut, has been appointed to a significant role within the Connecticut Commission on Human Rights and Opportunities (CHRO). Governor Ned Lamont announced the appointment of Dr. Payne, along with Jon FitzGerald of Bristol, to serve as administrative law judges for the CHRO. Furthermore, Dr. Payne has been designated as the chief human rights referee by Governor Lamont.

The following are new concerns and complaints.

- Judge Dr. Payne, along with Jon FitzGerald of Bristol, serve as administrative law judges for the CHRO but more importantly, Judge Dr. Cherron Payne is to ensure that my civil rights are adhered to. The communication from Judge Dr. Cherron Payne serves as several significant conflicts of interest.
- CHRO failed the Connecticut General Assembly CGA audit dated December 20, 2023. CT's state auditors provide independent and objective audits of the operations of state government and protection against waste, fraud, and abuse.
- CHRO continues to complicate communication challenges in my self-advocacy efforts.
- CHRO continues to request information that has already been submitted.

- CHRO is responsible for ensuring equity and opportunity for Connecticut small and minority business enterprises owned by women, ethnic minorities, and people with disabilities. CHRO is not ensuring equity and opportunity.

NOT THE COMMISSIONER



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
 Capitol Region Office ~ 450 Columbus Boulevard, Suite 2, Hartford, CT 06103
Promoting Equality and Justice for all People

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 v. State of CT, Department of Social Services
CHRO No. 2410220
EEOC No. N/A

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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 the caused the Respondent. A copy of the complaint is attached.

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 admitted 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 no fault 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@ct.gov and dedra.morris@ct.gov.

Main (860) 566-7710 ~ Fax (860) 566-1997
www.ct.gov/chro - Toll Free in Connecticut (800) 477-8737
 Affirmative Action/Equal Opportunity Employer

263 DAYS LATER



State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES

Capitol Region Office ~ 450 Columbus Boulevard, Suite 2, Hartford, CT 06103

Promoting Equality and Justice for all People

December 15, 2023

Via email: aabiwr@live.com

David Medeiros
215 Mountain Street
Willimantic, CT 06226

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

Dear Mr. Medeiros:

This letter confirms that your 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 for any inconvenience this may have caused you.

The enclosed General Notice advises you of your rights, duties, and responsibilities. **Please read carefully the information contained in the notice.**

You have a duty to respond timely to any information or assistance requested and to cooperate with the Commission at all times. It is your sole duty and responsibility to notify the Commission of your whereabouts at all times throughout the pendency of this complaint. In the event that your address, telephone number, or email address changes, it is your duty to notify the Commission immediately in writing. **Parties are encouraged to submit all filings by email only without an additional hardcopy if possible. Emailed filings with Capitol Region Office should be emailed to CHRO.Capitol@ct.gov.**

Also, you have a duty to certify to the Commission that you have provided the Respondent with copies of all documents you file with the Commission. For your convenience and use, the enclosed Certification Form is made available.

If I can be of further assistance, please do not hesitate to contact me.

NO NAME

Commission on Human Rights and Opportunities
Capitol Region Office
450 Columbus Boulevard, Suite 2
Hartford, CT 06103
860-541-3456

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December 20, 2023

Today, our office released the audit [report](#) and audit [summary](#) on the Commission on Human Rights and Opportunities (CHRO) for the fiscal years ended June 30, 2021 and 2022.

The report notes that in all 21 discrimination complaints reviewed, CHRO did not consistently adhere to statutory processing deadlines. In addition, our review of CHRO's CO-59 asset management reports determined the reports were unreliable, due in part, to a lack of complete physical inventory inspections and reconciliations.

If you would like additional information, or if we can be of further assistance, please do not hesitate to contact us.

Sincerely,

John C. Geragosian
State Auditor

Clark J. Chapin
State Auditor



AUDIT SUMMARY

Commission on Human Rights and Opportunities

Fiscal Years Ended June 30, 2021 and 2022

ABOUT THE AGENCY



The principal duty of the Commission on Human Rights and Opportunities (CHRO) is to enforce state laws prohibiting discrimination in employment, housing, credit, and public accommodations through civil and human rights law enforcement.

CHRO processes discrimination complaints through case assessment, review, mediation, investigation, conciliation, prosecution, and adjudication. As part of its mission, CHRO acts as an advocate and provides education and outreach. It also enforces affirmative action laws and state agency contract compliance.

ABOUT THE AUDIT

We have audited certain operations of the Commission on Human Rights and Opportunities in fulfillment of our duties under Section 2-90 of the Connecticut General Statutes. The scope of our audit included, but was not necessarily limited to, the fiscal years ended June 30, 2021 and 2022. The objectives of our audit were to evaluate the:

1. Commission's internal controls over significant management and financial functions;
2. Commission's compliance with policies and procedures internal to the department or promulgated by other state agencies, as well as certain legal provisions; and
3. Effectiveness, economy, and efficiency of certain management practices and operations, including certain financial transactions.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

 **8 Findings**

Our audit identified internal control deficiencies; instances of noncompliance with laws, regulations, or policies; and a need for improvement in practices and procedures that warrant management's attention.

 **4 Repeat Finding**

NOTEWORTHY FINDINGS



Findings

1

In 21 of 21 discrimination complaints reviewed, CHRO did not consistently adhere to statutory processing deadlines.

2

Our review of CHRO's CO-59 asset management reports determined the reports were unreliable, due in part, to a lack of complete physical inventory inspections and reconciliations.

3

CHRO did not have sufficient information technology resources to effectively support its three areas of service in discrimination case management, contractor compliance, and affirmative action reporting.

4

CHRO was unable to document that it met statutorily required timelines for affirmative action plans submitted by contractors because it did not track the date that the plans were approved or disapproved.



Recommendations

CHRO should process discrimination complaints and determine reasonable cause within the statutory deadlines.

CHRO should work with the Department of Labor to ensure compliance with asset management requirements in Section 4-36 of the General Statutes and the State Property Control Manual.

CHRO should continue to pursue funding and obtain appropriate staffing resources to improve its information management capacity and agency efficiency. The commission should develop a strategy to upgrade its current information technology systems, provide training, and implement electronic processing of state agency and contractor affirmative action plans.

CHRO should improve monitoring over the review of contractor affirmative action plans to ensure that it meets statutory deadlines.



A.B.I. Resources LLC

39 Kings Highway, Suite C

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<https://www.CTbrainINJURY.com>

Date 01.02.2024

Commission on Human Rights and Opportunities

Re: Comprehensive Complaint and Request for Escalation - CHRO
No. 2410220 David Medeiros v. State of Connecticut, Department of
Social Services

Re: Comprehensive Grievance Report and Request for Clarity.

Addressing Issues within the Connecticut Medicaid Acquired Brain
Injury (ABI) Waiver Program.

Whistleblower Report Prepared by: David Medeiros and ABI
Resources LLC Date: November 21, 2023

Re: Newly filed CHRO Complaint 12.29.2023 against CHRO and
DSS.

Esteemed Members of the Commission on Human Rights and Opportunities,

This comprehensive complaint is a cumulation of ongoing concerns, systemic issues, and personal grievances experienced in my interactions with the Commission on Human Rights and Opportunities (CHRO) and the Department of Social Services (DSS). It serves to illuminate the substantial and repetitive failures to adhere to the mandates of the Americans with Disabilities Act (ADA), the disregard for the proper treatment of whistleblowers, and the overall lack of procedural integrity.

I. Introduction and Background:

My journey as a brain injury survivor and stroke survivor has been marred by the CHRO's and DSS's failure to provide necessary ADA accommodations and civil rights. The lack of proper communication and assistance has hindered my ability to effectively engage in proceedings and advocate for my rights. Despite repeated requests for accommodations, such as assistance in understanding and completing complex documentation and a preference for written communication, I have faced misinterpretations and inadequate responses.

II. Allegations of Non-Compliance and Accommodation Failures:

The DSS's actions, including the initiation of complex email threads involving numerous parties, have contravened the clear, simplified communication methods necessary for my effective participation. Notably, the new email and involvement of Mr. Michael Slitt, given his prior engagements with the ABI Waiver Program, presents a glaring conflict of interest, potentially influencing the impartial handling of my case. CHRO email threads with state employees from CHRO and CT DSS Kimberly D. Morris, Debra Morris, CHRO Judge Dr. Cherron Payne, Ferron-Poole, Astread O Matthew. S. Antonetti, Micheal Sillt, Jennifer Nicole Zakrzewski, Deidre Gifford, Andrea Barton Reeves Commissioner, Connecticut Department of Social Services.

III. Whistleblower Protections and Retaliatory Actions:

As a whistleblower, I have reported significant issues within the ABI Waiver Program, placing me at risk of retaliatory actions from individuals within the DSS. The audit's identification of instances of noncompliance with laws, regulations, or policies by the CHRO is indicative of an environment where whistleblower protections are not adequately enforced.

IV. Demand for Investigation and Independent Adjudication:

I demand a detailed investigation into the CHRO's practices, especially regarding ADA accommodations and whistleblower retaliations. It is critical that my distinct complaints be adjudicated independently to prevent the conflation of issues.

V. Federal Escalation Given Audit Findings:

Given the audit findings, which include four repeat findings from previous audits, it is imperative that this matter be escalated to federal authorities, specifically the U.S. Department of Justice Civil Rights Enforcement and all appropriate Federal Departments for an impartial and exhaustive review.

Conclusion and Imperative for Immediate Action:

The systemic issues within the CHRO not only affect my individual case but suggest a broader pattern of noncompliance and disregard for civil rights protections. Immediate federal intervention is necessary to address these deficiencies and ensure justice for all individuals who rely on the CHRO's mandate. These compounding conflicts of interest are profound.

I implore the CHRO to act swiftly and decisively to address these systemic deficiencies, to uphold the rule of law, and to ensure justice for all individuals who rely on its mandate.

VI. Timeliness and Further Accommodations:

The significant delay in addressing CHRO Case 2410220, now exceeding 260 days, is unacceptable and contradicts the principles of timely justice. Such delays have not only affected the resolution of my complaints but also aggravated the challenges I face due to my disability and professional life.

VII. Systemic Changes and Audit Findings:

The recent audit findings have revealed systemic issues within the CHRO's processes, including internal control deficiencies and non-adherence to statutory processing deadlines. These findings correlate directly with the inefficiencies and obstacles I have encountered throughout my case. It is imperative that these systemic issues be addressed immediately to prevent future recurrence and to ensure that all individuals are treated fairly and with respect to their legal rights.

VIII. Escalation to Federal Authorities:

Given the gravity of these issues, and considering the potential limitations of the state-level jurisdiction to provide a comprehensive and unbiased resolution, I request the escalation of my case to the federal authorities. The involvement of entities such as the United States Department of Justice is crucial to ensure that my civil rights are adequately protected, and that justice is served.

IX. Conclusion and Call to Action:

The issues outlined in this comprehensive complaint, corroborated by the recent audit findings and my personal experiences, underscore the urgent need for a review and overhaul of the CHRO's current practices, particularly regarding ADA compliance and whistleblower protections. I request a formal investigation into my allegations, a review of the CHRO's practices by federal authorities, and a public acknowledgment of the failures and steps taken to prevent such failures in the future.

Your immediate and thorough attention to this matter is not only deeply appreciated but also crucial in upholding the principles of justice, fairness, and the rule of law. The systemic issues within the CHRO not only affect my individual case but also suggest a broader pattern of noncompliance and disregard for civil rights protections.

X. Detailed Issues and Specific Incidents:

The issues I've encountered with the CHRO and DSS have been numerous and varied, impacting my ability to seek justice and fair treatment. Notably, my disability accommodations are not met as per ADA guidelines. This includes, but is not limited to, divided complex communications, the improper management of my communications, lack of clear and accessible interactions, and failure to provide necessary support to understand and navigate the processes involved in my case.

XI. Impact on Personal and Professional Life:

The inadequate handling of my complaints and the need for ADA accommodations have had a profound impact on both my personal well-being and my professional endeavors. As the owner of ABI Resources LLC, these issues have not only affected my individual rights but have also hindered my company's operations, which serve individuals with similar disabilities.

XII. Request for Transparency and Accountability:

In the spirit of transparency and accountability, I urge the CHRO to disclose all communications and internal deliberations regarding my case. This includes the provision of detailed explanations for the involvement of new parties in the email thread initiated by DSS and the rationale behind any changes in the handling of my complaints.

XIII. Additional Allegations of Misconduct:

Beyond the initial allegations, I have observed a pattern of behavior that may constitute further misconduct, including the mishandling of sensitive information and a lack of responsiveness to critical issues raised. These actions suggest a systemic disregard for the rights of individuals seeking redress through the CHRO and DSS.

XIV. Remedial Actions and Systemic Reforms:

I call upon the CHRO to implement immediate remedial actions to address the specific issues outlined in this complaint. Furthermore, I advocate for systemic reforms within the CHRO to ensure that future complaints are handled with the requisite seriousness, professionalism, and adherence to legal standards.

XV. Legal and Ethical Implications:

The concerns raised herein have significant legal and ethical implications for the functioning of the CHRO and DSS. It is essential that these bodies operate within the bounds of the law and uphold the highest ethical standards to maintain public trust and ensure the protection of civil rights.

XVI. Conclusion and Expectation of a Timely Response:

In conclusion, the details provided in this comprehensive complaint paint a picture of a system that requires immediate attention and reform. I expect a timely response to each point raised and a detailed action plan outlining the steps the CHRO will take to address these concerns and prevent future failures.

Please regard this letter not as mere correspondence, but as a formal complaint necessitating immediate action and rectification. The issues discussed are not only detrimental to my life but reflect broader systemic problems that may impact others seeking justice through the CHRO and DSS.

XVII. Documentation and Evidence of Non-Compliance:

In support of my claims, I am prepared to provide a comprehensive dossier of all correspondence and records of interactions with the CHRO and DSS that demonstrate the patterns of non-compliance with ADA standards. The detailed log of incidents will illustrate the systemic failures and individual instances of negligence that have occurred throughout the handling of my case.

XVIII. Impact of Non-Compliance on Legal Proceedings:

The lack of ADA compliance has directly affected the legal proceedings related to my case. It has not only delayed the resolution of my complaints but also has compromised the integrity of the process, leaving me at a substantial disadvantage and impeding my right to a fair hearing.

XIX. Proposed Remedies and Accommodations:

I hereby propose the following remedies and accommodations to rectify the current situation:

Immediate implementation of a clear communication protocol that adheres to ADA requirements and civil rights.

Follow-up Mechanism: I respectfully request a formal response to this complaint along with an action plan for addressing these concerns.

XX. Need for Systemic Change and Training:

To prevent future occurrences of such failings, I call for systemic change within the CHRO and DSS, including comprehensive training for all staff on ADA compliance, disability awareness, and the proper handling of whistleblower complaints.

XXI. Assurance of Non-Retaliation:

In light of my status as a whistleblower and the sensitive nature of the issues raised, I seek assurances from the CHRO that there will be no form of retaliation or adverse action taken against me for bringing these matters to light.

XXII. Monitoring and Oversight:

I request that the CHRO establish a system of monitoring and oversight to ensure that the corrective actions proposed are effectively implemented and that compliance with ADA standards is maintained throughout all processes.

XXIII. Appeal for Justice and Integrity:

This complaint is an appeal to the CHRO to uphold the principles of justice and integrity that are the foundation of its mission. The resolution of these issues is not only crucial for my case but is also indicative of the CHRO's commitment to serving the community it is meant to protect.

I expect that this comprehensive complaint will be met with the seriousness it deserves and that immediate steps will be taken to address the concerns raised. The neglect of these issues not only undermines my trust in the CHRO but also casts doubt on the organization's ability to fulfill its mandate.

Thank you for your attention to these urgent matters. I look forward to a detailed response outlining the actions that will be taken to resolve these issues and restore my confidence in the CHRO's commitment to civil rights and justice.

Would you please ensure my complaint is provided to Federal and State Department representatives so they may be advised of civil rights and ensure justice in state processes:

- Connecticut Department of Social Services Commissioner Andrea Barton Reeves
- U.S. Senators Richard Blumenthal and Chris Murphy
- U.S. House Representatives John Larson, Joe Courtney, Rosa DeLauro, Jim Himes, and Jahana Hayes
- Connecticut Governor Ned Lamont
- Lieutenant Governor Susan Bysiewicz
- Secretary of State Denise Merrill
- Attorney General William Tong

- State Treasurer Shawn Wooden
- State Comptroller Kevin Lembo
- State Auditors John Geragosian and Rob Kane
- U.S. Department of Health and Human Services (HHS) Secretary Xavier Becerra
- Centers for Medicare & Medicaid Services (CMS) Administrator Chiquita Brooks-LaSure
- U.S. Department of Justice (DOJ) Attorney General Merrick Garland
- U.S. Equal Employment Opportunity Commission (EEOC) Chair Charlotte A. Burrows
- Office of Special Counsel (OSC) Special Counsel Henry J. Kerner
- Office for Civil Rights (OCR) at HHS Acting Director Melanie Fontes Rainer
- The Department of Labor DOL
- Government Accountability Office GAO
- Connecticut General Assembly CGA

I trust that this matter will be addressed with the seriousness it warrants, for the benefit of all individuals with disabilities in Connecticut.

Thank you for your attention to this matter. I look forward to a prompt and positive response that serves the greatest good.

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





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