



A.B.I. Resources LLC

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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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Date: 01.02.2024

Subject: Freedom of Information Act Request – Expedited Processing Requested

Request for Information under the Freedom of Information Act.

ADA The Americans with Disabilities Act (ADA)

The Whistleblower Protection Act (WPA)

Dear FOIA Officer Appropriate Authority/Agency,

I am writing to submit a formal request under the provisions of the Connecticut Freedom of Information Act, Conn. Gen. Stat. § 1-200 et seq. This request pertains to obtaining detailed records and communications involving all Connecticut state employees, care management providers associated with Connecticut Community Care, and other relevant parties in relation to the Connecticut Medicaid Acquired Brain Injury (ABI) Waiver Program and other state and federally funded programs for the disabled.

Scope of Request:

All Communications and Correspondences: This includes emails, memos, letters, and other forms of communication between state employees and care management providers under the Connecticut Community Care umbrella, with a focus on those relating to the Connecticut Department of Social Services and the Connecticut Commission on Human Rights and Opportunities.

Activities and Involvement Records: Detailed documentation of activities, roles, and involvement of all Connecticut government employees within the Connecticut Medicaid ABI Waiver Program, including but not limited to, my involvement as David Medeiros and my organization, ABI Resources.

Justification and Context:

All legal cases, including lawsuits or administrative proceedings, relating to civil rights violations, disability discrimination, or whistleblower retaliation within these programs.

Complete records detailing roles, and responsibilities within the ABI Waiver Program.

All written communications, including emails and memos, involving related to the program's operations.

Records of meetings, including minutes and notes, with participation, pertinent to the program.

Reports, audits, or evaluations involving the context of the program.

Records of Reports of any complaints, lawsuits, or grievances pertaining to civil rights or whistleblower retaliation.

From 2014 to the present day.

All grievances, complaints, whistleblower complaints, critical incidents, and retaliation complaints.

	Julia Evans Star	julia.evans.starr@ctcommunitycare.org
	Erin Kane	erin.kane@ctcommunitycare.org
	Danielle Gabor	danielle.gabor@ctcommunitycare.org
SUPERVISOR	Ronald Sturm	Ronald.Sturm@ctcommunitycare.org
CARE MANAGER	Doreen Andrew	Doreen.Andrew@ctcommunitycare.org
CARE MANAGER	Luisa DiNino-Jones	Luisa.DiNino-Jones@ctcommunitycare.org
CARE MANAGER	James Hexter	james.hexter@ctcommunitycare.org
CARE MANAGER	Rachael Meade	Rachael.Meade@ctcommunitycare.org
CARE MANAGER	Michael Murphy	Michael.Murphy@ctcommunitycare.org
CARE MANAGER	Trecia Reid	Trecia.Reid@ctcommunitycare.org
CARE MANAGER	Carol Weber	Carol.Weber@ctcommunitycare.org
SUPERVISOR	Randell Wilson	Randell.Wilson@ctcommunitycare.org
CARE MANAGER	Sue Carserino	sue.carserino@ctcommunitycare.org

CARE MANAGER	Donna Grieder	Donna.Grieder@ctcommunitycare.org
CARE MANAGER	Alise Rangasammy	alise.rangasammy@ctcommunitycare.org
CARE MANAGER	Margaret Rucker	Margaret.Rucker@ctcommunitycare.org
CARE MANAGER	Amy Santos	Amy.Santos@ctcommunitycare.org
CARE MANAGER	Yasmina Sims	Yasmina.Sims@ctcommunitycare.org
COORDINATOR	Jilline Gonzalez	jilline.gonzalez@ctcommunitycare.org
CARE MANAGER	Deleise Gordon	
CARE MANAGER	Elizabeth Kirhoffer	elizabeth.kirhoffer@ctcommunitycare.org
CARE MANAGER	Jennifer Roads	Jennifer.Roads@ctcommunitycare.org
CARE MANAGER	Danielle Soto	
CARE MANAGER	Olivia Swerling	Olivia.Swerling@ctcommunitycare.org
COORDINATOR	Jilline Gonzalez	jilline.gonzalez@ctcommunitycare.org
SUPERVISOR	Kiomara Cruz	Kiomara.Cruz@ctcommunitycare.org
SUPERVISOR	Dawn Grenier	Dawn.Grenier@ctcommunitycare.org
SUPERVISOR	Randell Wilson	Randell.Wilson@ctcommunitycare.org
SPECIALIZED CARE	Carrie Belekewicz	carrie.belekewicz@ctcommunitycare.org
SPECIALIZED CAR	Claudine Brissett	Claudine.Brissett@ctcommunitycare.org
SPECIALIZED CARE	Shana Chesanek	shana.chesanek@ctcommunitycare.org
CARE MANAGER	Julie Eisenberg	Julie.Eisenberg@ctcommunitycare.org
CARE MANAGER	Kathleen Hazelton	kathleen.hazelton@ctcommunitycare.org
CARE MANAGER	Danielle Lonergan	
CARE MANAGER	Sheri Mitchell	Sheri.Mitchell@ctcommunitycare.org
CARE MANAGER	Lyanne Peffley	Lyanne.Peffley@ctcommunitycare.org
CARE MANAGER	Crystal Ruiz	Crystal.Ruiz@ctcommunitycare.org
CARE MANAGER	Amy Thomas	Amy.Thomas@ctcommunitycare.org
CARE MANAGER	Trisha Whiterock	trisha.whiterock@ctcommunitycare.org
ACCESS COORDINATOR	Maria Soto	Maria.Soto@ctcommunitycare.org
TRANSITION COORDINATOR	Shontai Butler	Shontai.Butler@ctcommunitycare.org

TRANSITION COORDINATOR	Melissa Cole	melissa.cole@ctcommunitycare.org
TRANSITION COORDINATOR	Azara Francis	azara.francis@ctcommunitycare.org
TRANSITION COORDINATOR	Mariadel Gonzalez	Mariadel.Gonzalez@ctcommunitycare.org
TRANSITION COORDINATOR	Paris Henry	Paris.Henry@ctcommunitycare.org
TRANSITION COORDINATOR	Michelle Hunnicutt	michelle.hunnicutt@ctcommunitycare.org
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TRANSITION COORDINATOR	Tara Kearney	Tara.Kearney@ctcommunitycare.org
TRANSITION COORDINATOR	Saidah McKinley	
TRANSITION COORDINATOR	Leyda Ortiz	leyda.ortiz@ctcommunitycare.org
TRANSITION COORDINATOR	Jessenia Perez	Jessenia.Perez@ctcommunitycare.org
TRANSITION COORDINATOR	Quinntieja Scott	quinntieja.scott@ctcommunitycare.org
TRANSITION COORDINATOR	Keyla Sical	Keyla.Sical@ctcommunitycare.org
TRANSITION COORDINATOR	Alyssa Torres	Alyssa.Torres@ctcommunitycare.org
TRANSITION COORDINATOR	Bria Wilson	bria.wilson@ctcommunitycare.org
HOUSING COORDINATOR	Joseph Ashley	joshua.vaughn@ctcommunitycare.org
HOUSING COORDINATOR	Clarissa Candelaria	clarissa.candelaria@ctcommunitycare.org
HOUSING COORDINATOR	Katrina Frink	katrinia.frink@ctcommunitycare.org
HOUSING COORDINATOR	Lydia Gomez	lydia.gomez@ctcommunitycare.org
HOUSING COORDINATOR	Tomiko Grant	tomiko.grant@ctcommunitycare.org
HOUSING COORDINATOR	Carol Lee	carol.lee@ctcommunitycare.org
HOUSING COORDINATOR	Kaila Malloy	kaila.malloy@ctcommunitycare.org
HOUSING COORDINATOR	Joselyn Rosario	Joselyn.Rosario@ctcommunitycare.org
HOUSING COORDINATOR	Belinda Sierra	belinda.sierra@ctcommunitycare.org
HOUSING COORDINATOR	Kejarenee Suggs	Keja.Suggs@ctcommunitycare.org
HOUSING COORDINATOR	Crystal Wise	Crystal.Wise@ctcommunitycare.org

This request seeks access to records pertaining to all grievances, complaints, whistleblower complaints, and retaliation complaints. This includes any legal cases, lawsuits, or administrative proceedings related to civil rights violations, disability discrimination, or whistleblower retaliation within Connecticut's various state-managed programs

The records are critical for understanding the dynamics of interactions within these programs, especially in the context of civil disability rights and whistleblower protections. They are pivotal for informed advocacy and ensuring compliance with legal and ethical standards in these vital areas.

I specifically refer to the case of David Medeiros v. State of CT Department of Social Services (CHRO No. 2410220), in which I am directly involved. This case underlines the urgent need for transparency and accountability within state-managed disability support programs. Given the direct connection of this request to the following

- 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
- 12.23.2023 Letter - Governor Ned Lamont: Addressing Systemic Failure in ADA Compliance and Disability Discrimination in Connecticut – A Call to Action Against Whistleblower Retaliation and the Failure of CT DSS and CHRO to Uphold Disability Rights.

Given my personal circumstances as a brain injury and stroke survivor, timely access to these records is not just a legal right but a necessity. The nature of my disabilities sometimes imposes barriers to effective self-advocacy and communication. Prompt access to these records is crucial for my ability to manage and respond to the challenges posed by my disabilities.

Under the FOIA, there is a provision for expedited processing when the requester demonstrates a compelling need. While there may not be an immediate physical threat in my case, the lack of timely information significantly impairs my rights and advocacy efforts, essential for my wellbeing and that of others relying on my support and expertise.

Therefore, I request that my FOIA application be processed on an expedited basis, recognizing these factors. Your prompt attention to this request would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

Should any part of my request be denied, I ask for a justification for all deletions by reference to specific exemptions of the Act and expect the release of all segregable portions of otherwise exempt material. I reserve the right to appeal any decision to withhold information or deny a waiver of fees.

These records are crucial for understanding the dynamics of interactions with these key figures in the context of civil disability rights and whistleblower protections pertaining to these state-managed programs.

- Acquired Brain Injury (ABI) Program
- Alzheimer's Respite Care Program
- Autism Spectrum Disorder - ASD
- Birth to Three
- Board of Education and Services for the Blind
- Care4Kids
- Certified Community Behavioral Health Clinics
- Child Support
- CHOICES - CT's State Health Insurance Assistance Program for Medicare Beneficiaries
- Commodity Supplemental Food Program
- Community First Choice
- Community Options
- Connect-Ability
- Connecticut AIDS Drug Assistance Program (CADAP)
- Connecticut Behavioral Health Partnership - CTBHP
- Connecticut Energy Assistance Program
- Connecticut Home Care Program For Elders
- Connecticut Housing Engagement and Support Services (CHESS) Initiative
- Connecticut Integrated Care for Kids
- Connecticut Supplemental Nutrition Assistance Program Education (SNAP-Ed)
- CT Medicaid Enterprise Technology System (CT METS)
- Deaf and Hard of Hearing Services
- Department of Rehabilitation Services
- Disability Services
- Durable Medical Equipment

- Economic Security - Financial Assistance
- Elderly Simplified Application Project (ESAP)
- Electronic Visit Verification
- Fatherhood Initiative of CT
- Grandparents As Parents
- Housing Options for Seniors
- Human Services Infrastructure
- HUSKY (Medicaid) Coverage for Breast and Cervical Cancer
- HUSKY Health (Medicaid & Children's Health Insurance Program)
- Jobs First
- Long-Term Services and Supports - LTSS
- Med-Connect (Medicaid for Employees with Disabilities)
- Medicaid Nursing Home Reimbursement
- Medicare Savings Program
- Money Follows the Person
- National Family Caregiver Support Program
- Non-Emergency Medical Transportation (NEMT)
- Nutrition Assistance Programs
- PCA CERTIFICATION TEST
- PCMH+ Member Information
- Refugee Assistance Program
- School Based Child Health (SBCH)
- Self Direction Personal Protection Equipment Request Form Submission
- Social Work Services
- State Supplement for the Aged, Blind and Disabled
- Supplemental Nutrition Assistance Program - SNAP
- Temporary Family Assistance - TFA
- The Personal Care Attendant Program
- Welfare to Work (Department of Labor)

- Women Infants and Children – WIC

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

Documentation from Federal and State Department Executives and Associated staff:

- 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

Connecticut State Senate

- John Fonfara - District 1, Democratic

- Douglas McCrory - District 2, Democratic
- Saud Anwar - District 3, Democratic
- MD Rahman - District 4, Democratic
- Derek Slap - District 5, Democratic
- Rick Lopes - District 6, Democratic
- John Kissel - District 7, Republican
- Lisa Seminara - District 8, Republican
- Matthew L. Lesser - District 9, Democratic
- Gary Winfield - District 10, Democratic
- Martin Looney - District 11, Democratic
- Christine Cohen - District 12, Democratic
- Jan Hochadel - District 13, Democratic
- James Maroney - District 14, Democratic
- Joan Hartley - District 15, Democratic
- Robert C. Sampson - District 16, Republican
- Jorge Cabrera - District 17, Democratic
- Heather Somers - District 18, Republican
- Catherine Osten - District 19, Democratic
- Martha Marx - District 20, Democratic
- Kevin C. Kelly - District 21, Republican
- Marilyn Moore - District 22, Democratic
- Herron Gaston - District 23, Democratic
- Julie Kushner - District 24, Democratic
- Bob Duff - District 25, Democratic
- Ceci Maher - District 26, Democratic
- Patricia Miller - District 27, Democratic
- Tony Hwang - District 28, Republican
- Mae Flexer - District 29, Democratic
- Stephen Harding, Jr. - District 30, Republican

- Henri Martin - District 31, Republican
- Eric Berthel - District 32, Republican
- Norm Needleman - District 33, Democratic
- Paul Cicarella, Jr. - District 34, Republican
- Jeff Gordon - District 35, Republican
- Ryan Fazio - District 36, Republican 【23†source】 .
- Connecticut House of Representatives
- Matthew Ritter - District 1, Democratic
- Raghb Allie-Brennan - District 2, Democratic
- Minnie Gonzalez - District 3, Democratic
- Julio Concepcion - District 4, Democratic
- Maryam Khan - District 5, Democratic
- James B. Sánchez - District 6, Democratic
- Joshua Malik Hall - District 7, Democratic
- Tim Ackert - District 8, Republican
- Jason Rojas - District 9, Democratic
- Henry Genga - District 10, Democratic
- Jeffrey Currey - District 11, Democratic
- Geoff Luxenberg - District 12, Democratic
- Jason Doucette - District 13, Democratic
- Tom Delnicki - District 14, Republican
- Bobby Gibson - District 15, Democratic
- Melissa E. Osborne - District 16, Democratic
- Eleni Kavros DeGraw - District 17, Democratic
- Jillian Gilchrest - District 18, Democratic
- Tammy Exum - District 19, Democratic
- Kate Farrar - District 20, Democratic
- Mike Demicco - District 21, Democratic

- Francis Rexford Cooley - District 22, Republican
- Devin Carney - District 23, Republican
- Manny Sanchez - District 24, Democratic
- Bobby Sanchez - District 25, Democratic
- Peter Tercyak - District 26, Democratic
- Gary Turco - District 27, Democratic
- Amy Morrin Bello - District 28, Democratic
- Kerry Szeps Wood - District 29, Democratic
- Donna Veach - District 30, Republican
- Jill Barry - District 31, Democratic
- Christie Carpino - District 32, Republican
- Brandon Chafee - District 33, Democratic
- Irene Haines - District 34, Republican
- Chris Aniskovich - District 35, Republican
- Christine Palm - District 36, Democratic
- Holly Cheeseman - District 37, Republican
- Kathleen McCarty - District 38, Republican
- Anthony Nolan - District 39, Democratic
- Christine Conley - District 40, Democratic
- Aundré Bumgardner - District 41, Democratic
- Keith Denning - District 42, Democratic
- Greg Howard - District 43, Republican
- Anne Dauphinais - District 44, Republican
- Brian Lanoue - District 45, Republican
- Derell Wilson - District 46, Democratic
- Doug Dubitsky - District 47, Republican
- Mark DeCaprio - District 48, Republican
- Susan Johnson - District 49, Democratic

- Pat Boyd - District 50, Democratic
- Ricky Hayes - District 51, Republican
- Kurt Vail - District 52, Republican
- Tammy Nuccio - District 53, Republican
- Gregory Haddad - District 54, Democratic
- Steve Weir - District 55, Republican
- Kevin Brown - District 56, Democratic
- Jaime Foster - District 57, Democratic
- Tom Arnone - District 58, Democratic
- Carol Hall - District 59, Republican
- Jane Garibay - District 60, Democratic
- Tami Zawistowski - District 61, Republican
- Mark Anderson - District 62, Republican
- Jay Case - District 63, Republican
- Maria Horn - District 64, Democratic
- Michelle Cook - District 65, Democratic
- Karen Reddington-Hughes - District 66, Republican
- William Buckbee - District 67, Republican
- Joe Polletta - District 68, Republican
- Cindy Harrison - District 69, Republican
- Seth Bronko - District 70, Republican
- William Pizzuto - District 71, Republican
- Larry Butler - District 72, Democratic
- Ronald Napoli Jr. - District 73, Democratic
- Michael DiGiovancarlo - District 74, Democratic
- Geraldo Reyes - District 75, Democratic
- John Piscopo - District 76, Republican
- Cara Pavalock-D'Amato - District 77, Republican

- Joe Hoxha - District 78, Republican
- Mary Fortier - District 79, Democratic
- Gale Mastrofrancesco - District 80, Republican
- Christopher Poulos - District 81, Democratic
- Michael Quinn - District 82, Democratic
- Jonathan Fazzino - District 83, Democratic
- Hilda Santiago - District 84, Democratic
- Mary Mushinsky - District 85, Democratic
- Vincent Candelora - District 86, Republican
- Dave Yaccarino Sr. - District 87, Republican
- Joshua Elliott - District 88, Democratic
- Lezlye Zupkus - District 89, Republican
- Craig Fishbein - District 90, Republican
- Michael D'Agostino - District 91, Democratic
- Patricia Dillon - District 92, Democratic
- Toni Walker - District 93, Democratic
- Robyn Porter - District 94, Democratic
- Juan Candelaria - District 95, Democratic
- Roland J. Lemar - District 96, Democratic
- Alphonse Paolillo - District 97, Democratic
- Moira Rader - District 98, Democratic
- Joseph Zullo - District 99, Republican
- Kai Juanna Belton - District 100, Democratic
- John-Michael Parker - District 101, Democratic
- Robin Comey - District 102, Democratic
- Liz Linehan - District 103, Democratic
- Kara Rochelle - District 104, Democratic
- Nicole Klarides-Ditria - District 105, Republican

- Mitch Bolinsky - District 106, Republican
- Marty Foncello - District 107, Republican
- Pat Callahan - District 108, Republican
- Farley Santos - District 109, Democratic
- Bob Godfrey - District 110, Democratic
- Aimee Berger-Girvalo - District 111, Democratic
- Tony Scott - District 112, Republican
- Jason Perillo - District 113, Republican
- Mary Welander - District 114, Democratic
- Vacant - District 115
- Treneé McGee - District 116, Democratic
- Charles Ferraro - District 117, Republican
- Frank Smith - District 118, Democratic
- Kathy Kennedy - District 119, Republican
- Laura Dancho - District 120, Republican
- Joe Gresko - District 121, Democratic
- Ben McGorty - District 122, Republican
- David Rutigliano - District 123, Republican
- Andre Baker - District 124, Democratic
- Tom O'Dea - District 125, Republican
- Fred Gee Jr. - District 126, Democratic
- Marcus Brown - District 127, Democratic
- Christopher Rosario - District 128, Democratic
- Steven Stafstrom - District 129, Democratic
- Antonio Felipe - District 130, Democratic
- David Labriola - District 131, Republican
- Michael Leeper - District 132, Democratic
- Cristin Vahey - District 133, Democratic

- Sarah Keitt - District 134, Democratic
- Anne Hughes - District 135, Democratic
- Jonathan Steinberg - District 136, Democratic
- Kadeem Roberts - District 137, Democratic
- Rachel Chaleski - District 138, Republican
- Kevin Ryan - District 139, Democratic
- Travis Simms - District 140, Democratic
- Tracy Marra - District 141, Republican
- Lucy Dathan - District 142, Democratic
- Dominique Johnson - District 143, Democratic
- Hubert Delany - District 144, Democratic
- Corey Paris - District 145, Democratic
- David Michel - District 146, Democratic
- Matt Blumenthal - District 147, Democratic
- Anabel Figueroa - District 148, Democratic
- Rachel Khanna - District 149, Democratic
- Steve Meskers - District 150, Democratic
- Hector Arzeno - District 151, Democratic

As well as communication with recognized esteemed organizations.

National and International Organizations:

- American Association of People with Disabilities (AAPD)
- The Consortium for Citizens with Disabilities (CCD)
- Disability Rights Education and Defense Fund (DREDF)
- Disabled in Action (DIA)
- Equip for Equality
- National Disability Rights Network (NDRN)

- National Council on Independent Living (NCIL)
- Disability Rights Advocates (DRA)

National Whistleblower / Retaliation Advocates

- Government Accountability Project (GAP)
- The Whistleblower Project
- ExposeFacts
- Freedom of the Press Foundation
- National Whistleblower Center
- Project On Government Oversight (POGO)
- Public Employees for Environmental Responsibility (PEER)
- Whistleblower Aid

News Media Outlets and Journalists:

Reporters Committee for Freedom of the Press, The New York Times, The Washington Post The Associated Press (AP), ProPublica, The Wall Street Journal, National Public Radio (NPR) Reuters, CNN, BuzzFeed News, VICE News, Fox News, NBC, MSNBC etc.

Reason for Expedition and Personal Circumstances:

As a survivor of a brain injury and stroke, my condition necessitates prompt access to the requested information. The nature of my disabilities can sometimes impose barriers to effective self-advocacy and communication. Timely access to these records is not just a matter of legal right but also a critical component of my ability to manage and respond to the challenges posed by my disabilities.

The potential delay in receiving this information could significantly impact my ability to effectively advocate for myself and others in similar situations. The information requested is crucial for ensuring that rights are not just upheld but actively protected, particularly in the context of disability support and advocacy.

Under the FOIA, there is provision for expedited processing when the person requesting the information demonstrates a compelling need. According to the FOIA, a compelling need is defined as a situation where failure to obtain the requested records could reasonably be expected to pose an imminent threat

to the life or physical safety of an individual. In my case, while there may not be an immediate physical threat, the lack of timely information significantly impairs my rights and advocacy efforts, which are essential for my wellbeing and that of others who rely on my support and expertise.

Therefore, I kindly request that my FOIA application be processed on an expedited basis, in recognition of these factors. Your prompt attention to this request would be greatly appreciated and would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act. I will also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information.

Communication Accommodations:

Due to my personal circumstances, including living with a brain injury and being a stroke survivor, I find electronic forms of communication are more effective for my full participation and understanding. These methods allow me to better process, comprehend, and reference the details of our interactions. I kindly request that all communications regarding this FOIA request, including any acknowledgments, updates, or responses, be directed to me via email or written correspondence.

Your cooperation in this regard is not only a legal compliance matter but also an acknowledgment of the accommodations necessary for effective communication and information access.

A prompt and detailed response to this request is essential for the transparent and accountable functioning of the Connecticut Medicaid ABI Waiver Program. Your attention to this matter will significantly contribute to ongoing advocacy self advocacy efforts and policy analysis in this critical area of public health and disability support.

Thank you for your prompt attention to this request.

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





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: 01.02.2024

Subject: Freedom of Information Act Request – Expedited Processing Requested

Request for Information under the Freedom of Information Act – Jennifer Zakrzewsk's jennifer.zakrzewski@ct.gov

Dear FOIA Officer,

I am submitting this request under the Connecticut Freedom of Information Act, Conn. Gen. Stat. § 1-200 et seq., to obtain records pertaining to Jennifer Zakrzewsk's role and activities within the Connecticut Medicaid Acquired Brain Injury Waiver Program, David Medeiros and ABI Resources. This request is made with the utmost seriousness and urgency to obtain comprehensive records concerning Jennifer Zakrzewsk's involvement in the Connecticut Medicaid Acquired Brain Injury Waiver Program, and any complaints, lawsuits, or grievances pertaining to civil rights or whistleblower retaliation. I am writing to submit a request under the Connecticut Freedom of Information Act, and Conn. Gen. Stat. § 1-200 et seq. As a brain injury survivor, stroke survivor, and founder of ABI Resources, a company providing disability support services.

Expedited Processing Request:

The nature of this request is critical due to its direct connection with the legal case (David Medeiros v. State of CT, Department of Social Services, CHRO No. 2410220) and the Whistleblower Comprehensive Grievance reports concerning the ABI Waiver Program. Given these circumstances, I am requesting expedited processing.

Specific Information Requested:

To gain a thorough understanding of Ms. Zakrzewsk's involvement in the program, I request the following:

All legal cases, including lawsuits or administrative proceedings, relating to civil rights violations, disability discrimination, or whistleblower retaliation within these programs.

Complete records detailing Ms. Zakrzewsk's employment, roles, and responsibilities within the ABI Waiver Program as well as CHRO civil rights.

All written communications, including emails and memos, involving Ms. Zakrzewsk related to the program's operations.

Records of meetings, including minutes and notes, with Ms. Zakrzewsk's participation, pertinent to the program.

Reports, audits, or evaluations involving Ms. Zakrzewsk in the context of the program.

Records of Reports of any complaints, lawsuits, or grievances pertaining to civil rights or whistleblower retaliation.

From the first date of employment to the present day.

All grievances, complaints, whistleblower complaints, and retaliation complaints.

This request seeks access to records pertaining to all grievances, complaints, whistleblower complaints, and retaliation complaints. This includes any legal cases, lawsuits, or administrative proceedings related to civil rights violations, disability discrimination, or whistleblower retaliation within Connecticut's various state-managed programs

The records are critical for understanding the dynamics of interactions within these programs, especially in the context of civil disability rights and whistleblower protections. They are pivotal for informed advocacy and ensuring compliance with legal and ethical standards in these vital areas.

I specifically refer to the case of David Medeiros v. State of CT Department of Social Services (CHRO No. 2410220), in which I am directly involved. This case underlines the urgent need for transparency and accountability within state-managed disability support programs. Given the direct connection of this request to the following

- 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
- 12.23.2023 Letter - Governor Ned Lamont: Addressing Systemic Failure in ADA Compliance and Disability Discrimination in Connecticut – A Call to Action Against Whistleblower Retaliation and the Failure of CT DSS and CHRO to Uphold Disability Rights.

Given my personal circumstances as a brain injury and stroke survivor, timely access to these records is not just a legal right but a necessity. The nature of my disabilities sometimes imposes barriers to effective self-advocacy and communication. Prompt access to these records is crucial for my ability to manage and respond to the challenges posed by my disabilities.

Under the FOIA, there is a provision for expedited processing when the requester demonstrates a compelling need. While there may not be an immediate physical threat in my case, the lack of timely information significantly impairs my rights and advocacy efforts, essential for my wellbeing and that of others relying on my support and expertise.

Therefore, I request that my FOIA application be processed on an expedited basis, recognizing these factors. Your prompt attention to this request would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

Should any part of my request be denied, I ask for a justification for all deletions by reference to specific exemptions of the Act and expect the release of all segregable portions of otherwise exempt material. I reserve the right to appeal any decision to withhold information or deny a waiver of fees.

These records are crucial for understanding the dynamics of interactions with these key figures in the context of civil disability rights and whistleblower protections pertaining to these state-managed programs.

- Acquired Brain Injury (ABI) Program
- Alzheimer's Respite Care Program
- Autism Spectrum Disorder - ASD
- Birth to Three
- Board of Education and Services for the Blind
- Care4Kids
- Certified Community Behavioral Health Clinics
- Child Support
- CHOICES - CT's State Health Insurance Assistance Program for Medicare Beneficiaries
- Commodity Supplemental Food Program

- Community First Choice
- Community Options
- Connect-Ability
- Connecticut AIDS Drug Assistance Program (CADAP)
- Connecticut Behavioral Health Partnership - CTBHP
- Connecticut Energy Assistance Program
- Connecticut Home Care Program For Elders
- Connecticut Housing Engagement and Support Services (CHESS) Initiative
- Connecticut Integrated Care for Kids
- Connecticut Supplemental Nutrition Assistance Program Education (SNAP-Ed)
- CT Medicaid Enterprise Technology System (CT METS)
- Deaf and Hard of Hearing Services
- Department of Rehabilitation Services
- Disability Services
- Durable Medical Equipment
- Economic Security - Financial Assistance
- Elderly Simplified Application Project (ESAP)
- Electronic Visit Verification
- Fatherhood Initiative of CT
- Grandparents As Parents
- Housing Options for Seniors
- Human Services Infrastructure
- HUSKY (Medicaid) Coverage for Breast and Cervical Cancer
- HUSKY Health (Medicaid & Children's Health Insurance Program)
- Jobs First
- Long-Term Services and Supports - LTSS
- Med-Connect (Medicaid for Employees with Disabilities)
- Medicaid Nursing Home Reimbursement
- Medicare Savings Program

- Money Follows the Person
- National Family Caregiver Support Program
- Non-Emergency Medical Transportation (NEMT)
- Nutrition Assistance Programs
- PCA CERTIFICATION TEST
- PCMH+ Member Information
- Refugee Assistance Program
- School Based Child Health (SBCH)
- Self Direction Personal Protection Equipment Request Form Submission
- Social Work Services
- State Supplement for the Aged, Blind and Disabled
- Supplemental Nutrition Assistance Program - SNAP
- Temporary Family Assistance - TFA
- The Personal Care Attendant Program
- Welfare to Work (Department of Labor)
- Women Infants and Children – WIC

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

Documentation from Federal and State Department Executives and Associated staff:

- 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

Connecticut State Senate

- John Fonfara - District 1, Democratic
- Douglas McCrory - District 2, Democratic
- Saud Anwar - District 3, Democratic
- MD Rahman - District 4, Democratic
- Derek Slap - District 5, Democratic
- Rick Lopes - District 6, Democratic
- John Kissel - District 7, Republican
- Lisa Seminara - District 8, Republican
- Matthew L. Lesser - District 9, Democratic
- Gary Winfield - District 10, Democratic
- Martin Looney - District 11, Democratic
- Christine Cohen - District 12, Democratic
- Jan Hochadel - District 13, Democratic
- James Maroney - District 14, Democratic
- Joan Hartley - District 15, Democratic

- Robert C. Sampson - District 16, Republican
- Jorge Cabrera - District 17, Democratic
- Heather Somers - District 18, Republican
- Catherine Osten - District 19, Democratic
- Martha Marx - District 20, Democratic
- Kevin C. Kelly - District 21, Republican
- Marilyn Moore - District 22, Democratic
- Herron Gaston - District 23, Democratic
- Julie Kushner - District 24, Democratic
- Bob Duff - District 25, Democratic
- Ceci Maher - District 26, Democratic
- Patricia Miller - District 27, Democratic
- Tony Hwang - District 28, Republican
- Mae Flexer - District 29, Democratic
- Stephen Harding, Jr. - District 30, Republican
- Henri Martin - District 31, Republican
- Eric Berthel - District 32, Republican
- Norm Needleman - District 33, Democratic
- Paul Cicarella, Jr. - District 34, Republican
- Jeff Gordon - District 35, Republican
- Ryan Fazio - District 36, Republican 【23†source】 .
- Connecticut House of Representatives
- Matthew Ritter - District 1, Democratic
- Raghieb Allie-Brennan - District 2, Democratic
- Minnie Gonzalez - District 3, Democratic
- Julio Concepcion - District 4, Democratic
- Maryam Khan - District 5, Democratic
- James B. Sánchez - District 6, Democratic

- Joshua Malik Hall - District 7, Democratic
- Tim Ackert - District 8, Republican
- Jason Rojas - District 9, Democratic
- Henry Genga - District 10, Democratic
- Jeffrey Currey - District 11, Democratic
- Geoff Luxenberg - District 12, Democratic
- Jason Doucette - District 13, Democratic
- Tom Delnicki - District 14, Republican
- Bobby Gibson - District 15, Democratic
- Melissa E. Osborne - District 16, Democratic
- Eleni Kavros DeGraw - District 17, Democratic
- Jillian Gilchrest - District 18, Democratic
- Tammy Exum - District 19, Democratic
- Kate Farrar - District 20, Democratic
- Mike Demicco - District 21, Democratic
- Francis Rexford Cooley - District 22, Republican
- Devin Carney - District 23, Republican
- Manny Sanchez - District 24, Democratic
- Bobby Sanchez - District 25, Democratic
- Peter Tercyak - District 26, Democratic
- Gary Turco - District 27, Democratic
- Amy Morrin Bello - District 28, Democratic
- Kerry Szeps Wood - District 29, Democratic
- Donna Veach - District 30, Republican
- Jill Barry - District 31, Democratic
- Christie Carpino - District 32, Republican
- Brandon Chafee - District 33, Democratic
- Irene Haines - District 34, Republican

- Chris Aniskovich - District 35, Republican
- Christine Palm - District 36, Democratic
- Holly Cheeseman - District 37, Republican
- Kathleen McCarty - District 38, Republican
- Anthony Nolan - District 39, Democratic
- Christine Conley - District 40, Democratic
- André Bumgardner - District 41, Democratic
- Keith Denning - District 42, Democratic
- Greg Howard - District 43, Republican
- Anne Dauphinais - District 44, Republican
- Brian Lanoue - District 45, Republican
- Derell Wilson - District 46, Democratic
- Doug Dubitsky - District 47, Republican
- Mark DeCaprio - District 48, Republican
- Susan Johnson - District 49, Democratic
- Pat Boyd - District 50, Democratic
- Ricky Hayes - District 51, Republican
- Kurt Vail - District 52, Republican
- Tammy Nuccio - District 53, Republican
- Gregory Haddad - District 54, Democratic
- Steve Weir - District 55, Republican
- Kevin Brown - District 56, Democratic
- Jaime Foster - District 57, Democratic
- Tom Arnone - District 58, Democratic
- Carol Hall - District 59, Republican
- Jane Garibay - District 60, Democratic
- Tami Zawistowski - District 61, Republican
- Mark Anderson - District 62, Republican

- Jay Case - District 63, Republican
- Maria Horn - District 64, Democratic
- Michelle Cook - District 65, Democratic
- Karen Reddington-Hughes - District 66, Republican
- William Buckbee - District 67, Republican
- Joe Polletta - District 68, Republican
- Cindy Harrison - District 69, Republican
- Seth Bronko - District 70, Republican
- William Pizzuto - District 71, Republican
- Larry Butler - District 72, Democratic
- Ronald Napoli Jr. - District 73, Democratic
- Michael DiGiovancarlo - District 74, Democratic
- Geraldo Reyes - District 75, Democratic
- John Piscopo - District 76, Republican
- Cara Pavalock-D'Amato - District 77, Republican
- Joe Hoxha - District 78, Republican
- Mary Fortier - District 79, Democratic
- Gale Mastrofrancesco - District 80, Republican
- Christopher Poulos - District 81, Democratic
- Michael Quinn - District 82, Democratic
- Jonathan Fazzino - District 83, Democratic
- Hilda Santiago - District 84, Democratic
- Mary Mushinsky - District 85, Democratic
- Vincent Candelora - District 86, Republican
- Dave Yaccarino Sr. - District 87, Republican
- Joshua Elliott - District 88, Democratic
- Lezlye Zupkus - District 89, Republican
- Craig Fishbein - District 90, Republican

- Michael D'Agostino - District 91, Democratic
- Patricia Dillon - District 92, Democratic
- Toni Walker - District 93, Democratic
- Robyn Porter - District 94, Democratic
- Juan Candelaria - District 95, Democratic
- Roland J. Lemar - District 96, Democratic
- Alphonse Paolillo - District 97, Democratic
- Moira Rader - District 98, Democratic
- Joseph Zullo - District 99, Republican
- Kai Juanna Belton - District 100, Democratic
- John-Michael Parker - District 101, Democratic
- Robin Comey - District 102, Democratic
- Liz Linehan - District 103, Democratic
- Kara Rochelle - District 104, Democratic
- Nicole Klarides-Ditria - District 105, Republican
- Mitch Bolinsky - District 106, Republican
- Marty Foncello - District 107, Republican
- Pat Callahan - District 108, Republican
- Farley Santos - District 109, Democratic
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- Corey Paris - District 145, Democratic
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- Matt Blumenthal - District 147, Democratic
- Anabel Figueroa - District 148, Democratic
- Rachel Khanna - District 149, Democratic
- Steve Meskers - District 150, Democratic
- Hector Arzeno - District 151, Democratic

As well as communication with recognized esteemed organizations.

National and International Organizations:

- American Association of People with Disabilities (AAPD)
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- Disability Rights Advocates (DRA)

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- National Whistleblower Center
- Project On Government Oversight (POGO)
- Public Employees for Environmental Responsibility (PEER)

· Whistleblower Aid

News Media Outlets and Journalists:

Reporters Committee for Freedom of the Press, The New York Times, The Washington Post The Associated Press (AP), ProPublica, The Wall Street Journal, National Public Radio (NPR) Reuters, CNN, BuzzFeed News, VICE News, Fox News, NBC, MSNBC etc.

Reason for Expedition and Personal Circumstances:

As a survivor of a brain injury and stroke, my condition necessitates prompt access to the requested information. The nature of my disabilities can sometimes impose barriers to effective self-advocacy and communication. Timely access to these records is not just a matter of legal right but also a critical component of my ability to manage and respond to the challenges posed by my disabilities.

The potential delay in receiving this information could significantly impact my ability to effectively advocate for myself and others in similar situations. The information requested is crucial for ensuring that rights are not just upheld but actively protected, particularly in the context of disability support and advocacy.

Under the FOIA, there is provision for expedited processing when the person requesting the information demonstrates a compelling need. According to the FOIA, a compelling need is defined as a situation where failure to obtain the requested records could reasonably be expected to pose an imminent threat to the life or physical safety of an individual. In my case, while there may not be an immediate physical threat, the lack of timely information significantly impairs my rights and advocacy efforts, which are essential for my wellbeing and that of others who rely on my support and expertise.

Therefore, I kindly request that my FOIA application be processed on an expedited basis, in recognition of these factors. Your prompt attention to this request would be greatly appreciated and would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act. I will also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information.

Communication Accommodations:

Due to my personal circumstances, including living with a brain injury and being a stroke survivor, I find electronic forms of communication are more effective for my full participation and understanding. These methods allow me to better process, comprehend, and reference the details of our interactions. I kindly request that all communications regarding this FOIA request, including any acknowledgments, updates, or responses, be directed to me via email or written correspondence.

Your cooperation in this regard is not only a legal compliance matter but also an acknowledgment of the accommodations necessary for effective communication and information access.

A prompt and detailed response to this request is essential for the transparent and accountable functioning of the Connecticut Medicaid ABI Waiver Program. Your attention to this matter will significantly contribute to ongoing advocacy self advocacy efforts and policy analysis in this critical area of public health and disability support.

Thank you for your prompt attention to this request.

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





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: 01.02.2024

Subject: Freedom of Information Act Request – Expedited Processing Requested

Request for Information under the Freedom of Information Act – Michael Slitt's
michael.slitt@ct.gov

Dear FOIA Officer,

I am submitting this request under the Connecticut Freedom of Information Act, Conn. Gen. Stat. § 1-200 et seq., to obtain records pertaining to Michael Slitt's role and activities within the Connecticut Medicaid Acquired Brain Injury Waiver Program, David Medeiros and ABI Resources. This request is made with the utmost seriousness and urgency to obtain comprehensive records concerning Michael Slitt's involvement in the Connecticut Medicaid Acquired Brain Injury Waiver Program, and any complaints, lawsuits, or grievances pertaining to civil rights or whistleblower retaliation. I am writing to submit a request under the Connecticut Freedom of Information Act, and Conn. Gen. Stat. § 1-200 et seq. As a brain injury survivor, stroke survivor, and founder of ABI Resources, a company providing disability support services.

Expedited Processing Request:

The nature of this request is critical due to its direct connection with the legal case (David Medeiros v. State of CT, Department of Social Services, CHRO No. 2410220) and the Whistleblower Comprehensive Grievance reports concerning the ABI Waiver Program. Given these circumstances, I am requesting expedited processing.

Specific Information Requested:

To gain a thorough understanding of Mr. Slitt's involvement in the program, I request the following:

All legal cases, including lawsuits or administrative proceedings, relating to civil rights violations, disability discrimination, or whistleblower retaliation within these programs.

Complete records detailing Mr. Slitt's employment, roles, and responsibilities within the ABI Waiver Program as well as CHRO civil rights.

All written communications, including emails and memos, involving Ms. Slitt related to the program's operations.

Records of meetings, including minutes and notes, with Mr. Slitt's participation, pertinent to the program.

Reports, audits, or evaluations involving Mr. Slitt in the context of the program.

Records of Reports of any complaints, lawsuits, or grievances pertaining to civil rights or whistleblower retaliation.

From the first date of employment to the present day.

All grievances, complaints, whistleblower complaints, and retaliation complaints.

This request seeks access to records pertaining to all grievances, complaints, whistleblower complaints, and retaliation complaints. This includes any legal cases, lawsuits, or administrative proceedings related to civil rights violations, disability discrimination, or whistleblower retaliation within Connecticut's various state-managed programs

The records are critical for understanding the dynamics of interactions within these programs, especially in the context of civil disability rights and whistleblower protections. They are pivotal for informed advocacy and ensuring compliance with legal and ethical standards in these vital areas.

I specifically refer to the case of David Medeiros v. State of CT Department of Social Services (CHRO No. 2410220), in which I am directly involved. This case underlines the urgent need for transparency and accountability within state-managed disability support programs. Given the direct connection of this request to the following

- 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
- 12.23.2023 Letter - Governor Ned Lamont: Addressing Systemic Failure in ADA Compliance and Disability Discrimination in Connecticut – A Call to Action Against Whistleblower Retaliation and the Failure of CT DSS and CHRO to Uphold Disability Rights.

Given my personal circumstances as a brain injury and stroke survivor, timely access to these records is not just a legal right but a necessity. The nature of my disabilities sometimes imposes barriers to effective self-advocacy and communication. Prompt access to these records is crucial for my ability to manage and respond to the challenges posed by my disabilities.

Under the FOIA, there is a provision for expedited processing when the requester demonstrates a compelling need. While there may not be an immediate physical threat in my case, the lack of timely information significantly impairs my rights and advocacy efforts, essential for my wellbeing and that of others relying on my support and expertise.

Therefore, I request that my FOIA application be processed on an expedited basis, recognizing these factors. Your prompt attention to this request would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

Should any part of my request be denied, I ask for a justification for all deletions by reference to specific exemptions of the Act and expect the release of all segregable portions of otherwise exempt material. I reserve the right to appeal any decision to withhold information or deny a waiver of fees.

These records are crucial for understanding the dynamics of interactions with these key figures in the context of civil disability rights and whistleblower protections pertaining to these state-managed programs.

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- Alzheimer's Respite Care Program
- Autism Spectrum Disorder - ASD
- Birth to Three
- Board of Education and Services for the Blind
- Care4Kids
- Certified Community Behavioral Health Clinics
- Child Support
- CHOICES - CT's State Health Insurance Assistance Program for Medicare Beneficiaries

- Commodity Supplemental Food Program
- Community First Choice
- Community Options
- Connect-Ability
- Connecticut AIDS Drug Assistance Program (CADAP)
- Connecticut Behavioral Health Partnership - CTBHP
- Connecticut Energy Assistance Program
- Connecticut Home Care Program For Elders
- Connecticut Housing Engagement and Support Services (CHESS) Initiative
- Connecticut Integrated Care for Kids
- Connecticut Supplemental Nutrition Assistance Program Education (SNAP-Ed)
- CT Medicaid Enterprise Technology System (CT METS)
- Deaf and Hard of Hearing Services
- Department of Rehabilitation Services
- Disability Services
- Durable Medical Equipment
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- Elderly Simplified Application Project (ESAP)
- Electronic Visit Verification
- Fatherhood Initiative of CT
- Grandparents As Parents
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- Human Services Infrastructure
- HUSKY (Medicaid) Coverage for Breast and Cervical Cancer
- HUSKY Health (Medicaid & Children's Health Insurance Program)
- Jobs First
- Long-Term Services and Supports - LTSS
- Med-Connect (Medicaid for Employees with Disabilities)
- Medicaid Nursing Home Reimbursement

- Medicare Savings Program
- Money Follows the Person
- National Family Caregiver Support Program
- Non-Emergency Medical Transportation (NEMT)
- Nutrition Assistance Programs
- PCA CERTIFICATION TEST
- PCMH+ Member Information
- Refugee Assistance Program
- School Based Child Health (SBCH)
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- State Supplement for the Aged, Blind and Disabled
- Supplemental Nutrition Assistance Program - SNAP
- Temporary Family Assistance - TFA
- The Personal Care Attendant Program
- Welfare to Work (Department of Labor)
- Women Infants and Children – WIC

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

Documentation from Federal and State Department Executives and Associated staff:

- 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

Connecticut State Senate

- John Fonfara - District 1, Democratic
- Douglas McCrory - District 2, Democratic
- Saud Anwar - District 3, Democratic
- MD Rahman - District 4, Democratic
- Derek Slap - District 5, Democratic
- Rick Lopes - District 6, Democratic
- John Kissel - District 7, Republican
- Lisa Seminara - District 8, Republican
- Matthew L. Lesser - District 9, Democratic
- Gary Winfield - District 10, Democratic
- Martin Looney - District 11, Democratic
- Christine Cohen - District 12, Democratic
- Jan Hochadel - District 13, Democratic
- James Maroney - District 14, Democratic

- Joan Hartley - District 15, Democratic
- Robert C. Sampson - District 16, Republican
- Jorge Cabrera - District 17, Democratic
- Heather Somers - District 18, Republican
- Catherine Osten - District 19, Democratic
- Martha Marx - District 20, Democratic
- Kevin C. Kelly - District 21, Republican
- Marilyn Moore - District 22, Democratic
- Herron Gaston - District 23, Democratic
- Julie Kushner - District 24, Democratic
- Bob Duff - District 25, Democratic
- Ceci Maher - District 26, Democratic
- Patricia Miller - District 27, Democratic
- Tony Hwang - District 28, Republican
- Mae Flexer - District 29, Democratic
- Stephen Harding, Jr. - District 30, Republican
- Henri Martin - District 31, Republican
- Eric Berthel - District 32, Republican
- Norm Needleman - District 33, Democratic
- Paul Cicarella, Jr. - District 34, Republican
- Jeff Gordon - District 35, Republican
- Ryan Fazio - District 36, Republican 【23†source】 .
- Connecticut House of Representatives
- Matthew Ritter - District 1, Democratic
- Raghiv Allie-Brennan - District 2, Democratic
- Minnie Gonzalez - District 3, Democratic
- Julio Concepcion - District 4, Democratic
- Maryam Khan - District 5, Democratic

- James B. Sánchez - District 6, Democratic
- Joshua Malik Hall - District 7, Democratic
- Tim Ackert - District 8, Republican
- Jason Rojas - District 9, Democratic
- Henry Genga - District 10, Democratic
- Jeffrey Currey - District 11, Democratic
- Geoff Luxenberg - District 12, Democratic
- Jason Doucette - District 13, Democratic
- Tom Delnicki - District 14, Republican
- Bobby Gibson - District 15, Democratic
- Melissa E. Osborne - District 16, Democratic
- Eleni Kavros DeGraw - District 17, Democratic
- Jillian Gilchrest - District 18, Democratic
- Tammy Exum - District 19, Democratic
- Kate Farrar - District 20, Democratic
- Mike Demicco - District 21, Democratic
- Francis Rexford Cooley - District 22, Republican
- Devin Carney - District 23, Republican
- Manny Sanchez - District 24, Democratic
- Bobby Sanchez - District 25, Democratic
- Peter Tercyak - District 26, Democratic
- Gary Turco - District 27, Democratic
- Amy Morrin Bello - District 28, Democratic
- Kerry Szeps Wood - District 29, Democratic
- Donna Veach - District 30, Republican
- Jill Barry - District 31, Democratic
- Christie Carpino - District 32, Republican
- Brandon Chafee - District 33, Democratic

- Irene Haines - District 34, Republican
- Chris Aniskovich - District 35, Republican
- Christine Palm - District 36, Democratic
- Holly Cheeseman - District 37, Republican
- Kathleen McCarty - District 38, Republican
- Anthony Nolan - District 39, Democratic
- Christine Conley - District 40, Democratic
- André Bumgardner - District 41, Democratic
- Keith Denning - District 42, Democratic
- Greg Howard - District 43, Republican
- Anne Dauphinais - District 44, Republican
- Brian Lanoue - District 45, Republican
- Derell Wilson - District 46, Democratic
- Doug Dubitsky - District 47, Republican
- Mark DeCaprio - District 48, Republican
- Susan Johnson - District 49, Democratic
- Pat Boyd - District 50, Democratic
- Ricky Hayes - District 51, Republican
- Kurt Vail - District 52, Republican
- Tammy Nuccio - District 53, Republican
- Gregory Haddad - District 54, Democratic
- Steve Weir - District 55, Republican
- Kevin Brown - District 56, Democratic
- Jaime Foster - District 57, Democratic
- Tom Arnone - District 58, Democratic
- Carol Hall - District 59, Republican
- Jane Garibay - District 60, Democratic
- Tami Zawistowski - District 61, Republican

- Mark Anderson - District 62, Republican
- Jay Case - District 63, Republican
- Maria Horn - District 64, Democratic
- Michelle Cook - District 65, Democratic
- Karen Reddington-Hughes - District 66, Republican
- William Buckbee - District 67, Republican
- Joe Polletta - District 68, Republican
- Cindy Harrison - District 69, Republican
- Seth Bronko - District 70, Republican
- William Pizzuto - District 71, Republican
- Larry Butler - District 72, Democratic
- Ronald Napoli Jr. - District 73, Democratic
- Michael DiGiovancarlo - District 74, Democratic
- Geraldo Reyes - District 75, Democratic
- John Piscopo - District 76, Republican
- Cara Pavalock-D'Amato - District 77, Republican
- Joe Hoxha - District 78, Republican
- Mary Fortier - District 79, Democratic
- Gale Mastrofrancesco - District 80, Republican
- Christopher Poulos - District 81, Democratic
- Michael Quinn - District 82, Democratic
- Jonathan Fazzino - District 83, Democratic
- Hilda Santiago - District 84, Democratic
- Mary Mushinsky - District 85, Democratic
- Vincent Candelora - District 86, Republican
- Dave Yaccarino Sr. - District 87, Republican
- Joshua Elliott - District 88, Democratic
- Lezlye Zupkus - District 89, Republican

- Craig Fishbein - District 90, Republican
- Michael D'Agostino - District 91, Democratic
- Patricia Dillon - District 92, Democratic
- Toni Walker - District 93, Democratic
- Robyn Porter - District 94, Democratic
- Juan Candelaria - District 95, Democratic
- Roland J. Lemar - District 96, Democratic
- Alphonse Paolillo - District 97, Democratic
- Moira Rader - District 98, Democratic
- Joseph Zullo - District 99, Republican
- Kai Juanna Belton - District 100, Democratic
- John-Michael Parker - District 101, Democratic
- Robin Comey - District 102, Democratic
- Liz Linehan - District 103, Democratic
- Kara Rochelle - District 104, Democratic
- Nicole Klarides-Ditria - District 105, Republican
- Mitch Bolinsky - District 106, Republican
- Marty Foncello - District 107, Republican
- Pat Callahan - District 108, Republican
- Farley Santos - District 109, Democratic
- Bob Godfrey - District 110, Democratic
- Aimee Berger-Girvalo - District 111, Democratic
- Tony Scott - District 112, Republican
- Jason Perillo - District 113, Republican
- Mary Welander - District 114, Democratic
- Vacant - District 115
- Treneé McGee - District 116, Democratic
- Charles Ferraro - District 117, Republican

- Frank Smith - District 118, Democratic
- Kathy Kennedy - District 119, Republican
- Laura Dancho - District 120, Republican
- Joe Gresko - District 121, Democratic
- Ben McGorty - District 122, Republican
- David Rutigliano - District 123, Republican
- Andre Baker - District 124, Democratic
- Tom O'Dea - District 125, Republican
- Fred Gee Jr. - District 126, Democratic
- Marcus Brown - District 127, Democratic
- Christopher Rosario - District 128, Democratic
- Steven Stafstrom - District 129, Democratic
- Antonio Felipe - District 130, Democratic
- David Labriola - District 131, Republican
- Michael Leeper - District 132, Democratic
- Cristin Vahey - District 133, Democratic
- Sarah Keitt - District 134, Democratic
- Anne Hughes - District 135, Democratic
- Jonathan Steinberg - District 136, Democratic
- Kadeem Roberts - District 137, Democratic
- Rachel Chaleski - District 138, Republican
- Kevin Ryan - District 139, Democratic
- Travis Simms - District 140, Democratic
- Tracy Marra - District 141, Republican
- Lucy Dathan - District 142, Democratic
- Dominique Johnson - District 143, Democratic
- Hubert Delany - District 144, Democratic
- Corey Paris - District 145, Democratic

- David Michel - District 146, Democratic
- Matt Blumenthal - District 147, Democratic
- Anabel Figueroa - District 148, Democratic
- Rachel Khanna - District 149, Democratic
- Steve Meskers - District 150, Democratic
- Hector Arzeno - District 151, Democratic

As well as communication with recognized esteemed organizations.

National and International Organizations:

- American Association of People with Disabilities (AAPD)
- The Consortium for Citizens with Disabilities (CCD)
- Disability Rights Education and Defense Fund (DREDF)
- Disabled in Action (DIA)
- Equip for Equality
- National Disability Rights Network (NDRN)
- National Council on Independent Living (NCIL)
- Disability Rights Advocates (DRA)

National Whistleblower / Retaliation Advocates

- Government Accountability Project (GAP)
- The Whistleblower Project
- ExposeFacts
- Freedom of the Press Foundation
- National Whistleblower Center
- Project On Government Oversight (POGO)

- Public Employees for Environmental Responsibility (PEER)
- Whistleblower Aid

News Media Outlets and Journalists:

Reporters Committee for Freedom of the Press, The New York Times, The Washington Post The Associated Press (AP), ProPublica, The Wall Street Journal, National Public Radio (NPR) Reuters, CNN, BuzzFeed News, VICE News, Fox News, NBC, MSNBC etc.

Reason for Expedition and Personal Circumstances:

As a survivor of a brain injury and stroke, my condition necessitates prompt access to the requested information. The nature of my disabilities can sometimes impose barriers to effective self-advocacy and communication. Timely access to these records is not just a matter of legal right but also a critical component of my ability to manage and respond to the challenges posed by my disabilities.

The potential delay in receiving this information could significantly impact my ability to effectively advocate for myself and others in similar situations. The information requested is crucial for ensuring that rights are not just upheld but actively protected, particularly in the context of disability support and advocacy.

Under the FOIA, there is provision for expedited processing when the person requesting the information demonstrates a compelling need. According to the FOIA, a compelling need is defined as a situation where failure to obtain the requested records could reasonably be expected to pose an imminent threat to the life or physical safety of an individual. In my case, while there may not be an immediate physical threat, the lack of timely information significantly impairs my rights and advocacy efforts, which are essential for my wellbeing and that of others who rely on my support and expertise.

Therefore, I kindly request that my FOIA application be processed on an expedited basis, in recognition of these factors. Your prompt attention to this request would be greatly appreciated and would support my ongoing efforts to champion the rights and needs of individuals with disabilities.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act. I will also expect you to release all segregable portions of otherwise exempt material. I reserve the right to appeal your decision to withhold any information.

Communication Accommodations:

Due to my personal circumstances, including living with a brain injury and being a stroke survivor, I find electronic forms of communication are more effective for my full participation and understanding. These methods allow me to better process, comprehend, and reference the details of our interactions. I kindly request that all communications regarding this FOIA request, including any acknowledgments, updates, or responses, be directed to me via email or written correspondence.

Your cooperation in this regard is not only a legal compliance matter but also an acknowledgment of the accommodations necessary for effective communication and information access.

A prompt and detailed response to this request is essential for the transparent and accountable functioning of the Connecticut Medicaid ABI Waiver Program. Your attention to this matter will significantly contribute to ongoing advocacy self advocacy efforts and policy analysis in this critical area of public health and disability support.

Thank you for your prompt attention to this request.

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



STATE OF CONNECTICUT



*AUDITORS' REPORT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
FISCAL YEARS ENDED JUNE 30, 2017 AND 2018*

AUDITORS OF PUBLIC ACCOUNTS
JOHN C. GERAGOSIAN ❖ ROBERT J. KANE

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September 29, 2020
EXECUTIVE SUMMARY

In accordance with the provisions of Section 2-90 of the Connecticut General Statutes, we have audited certain operations of the Commission on Human Rights and Opportunities (CHRO). The objectives of this review were to evaluate the commission's internal controls; compliance with policies and procedures, as well as certain legal provisions; and management practices and operations for the fiscal years ended June 30, 2017 and 2018.

The key findings and recommendations are presented below:

Page 12	The CHRO case tracking system does not effectively, efficiently, and reliably support CHRO in its mission. This is due to design limitations, inadequate maintenance, and unreliable information. CHRO should prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources. (Recommendation 4.)
Page 10	The CHRO Office of Public Hearings (OPH) operated with only 2 of the 3 statutorily-required human rights referees since December 2015. Furthermore, one full-time employee performs all of the office's administrative duties. As of April 22, 2020, OPH has 269 hearings scheduled through August 2021. The office also lacks an adequate case tracking system. CHRO should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system. (Recommendation 3.)

STATE OF CONNECTICUT



AUDITORS OF PUBLIC ACCOUNTS

JOHN C. GERAGOSIAN

State Capitol
210 Capitol Avenue
Hartford, Connecticut 06106-1559

ROBERT J. KANE

September 29, 2020

AUDITORS' REPORT

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 years ended June 30, 2017 and 2018. The objectives of our audit were to:

1. Evaluate the commission's internal controls over significant management and financial functions;
2. Evaluate the 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. Evaluate the effectiveness, economy, and efficiency of certain management practices and operations, including certain financial transactions.

Our methodology included reviewing written policies and procedures, financial records, minutes of meetings, and other pertinent documents; interviewing various personnel of the commission, as well as certain external parties; and testing selected transactions. We obtained an understanding of internal controls that we deemed significant within the context of the audit objectives and assessed whether such controls have been properly designed and placed in operation. We tested certain of those controls to obtain evidence regarding the effectiveness of their design and operation. We also obtained an understanding of legal provisions that are significant within the context of the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contracts, grant agreements, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

We conducted our audit in accordance with the standards applicable to performance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform our 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 such a basis.

The accompanying Résumé of Operations is presented for informational purposes. This information was obtained from various available sources including, but not limited to, the

commission's management and the state's information systems, and was not subjected to the procedures applied in our audit of the commission. For the areas audited, we identified:

1. Deficiencies in internal controls;
2. Apparent noncompliance with policies and procedures or legal provisions; and
3. Need for improvement in management practices and procedures that we deemed to be reportable.

The State Auditors' Findings and Recommendations in the accompanying report presents any findings arising from our audit of the Commission on Human Rights and Opportunities.

COMMENTS

FOREWORD

The Commission on Human Rights and Opportunities (CHRO) operates primarily under the provisions of Chapter 814c, Sections 46a-51 through 46a-104 of the General Statutes. Its principal duty 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. CHRO functions through a central office in Hartford and 4 regional offices in Hartford, Norwich, Bridgeport, and Waterbury.

In a typical fiscal year, over 3,000 complaints are filed with the commission. About 83% of complaints relate to employment, about 8% housing, and the remainder involve service, credit, and public accommodation. As of June 30, 2018, CHRO had 2,702 open cases.

CHRO also reviews state agency affirmative action plans, in accordance with Section 46a-68 of the General Statutes. In fiscal year 2017-2018, the commission reviewed 37 plans, approving 29 of them. The commission conditionally approved six plans and disapproved two. In accordance with Section 46a-68a of the General Statutes, the commission may issue a certificate of noncompliance if it disapproves the affirmative action plan. The issuance of a certificate of noncompliance bars the agency from filling a position or position classification by hire or promotion until the commission deems the agency is in compliance. If the agency has achieved compliance, the commission withdraws the certificate of non-compliance.

Furthermore, CHRO annually monitors millions of dollars of state contracts for statutory compliance. CHRO reviews affirmative action and set aside plans of contractors doing business with state agencies. Thus, CHRO is responsible for ensuring equity and opportunity for small and

minority business enterprises throughout the state of Connecticut, including those owned by women, ethnic minorities, and people with disabilities.

Members and Officials of the Commission on Human Rights and Opportunities

Pursuant to Section 46a-52 of the General Statutes, the Commission on Human Rights and Opportunities consists of 9 members. The Governor appoints 5 members for 5-year terms. The Governor appoints one of the commissioners as the chairperson. The president pro tempore of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, and the minority leader of the House of Representatives each appoint one member for a 3-year term. The commissioners serve without pay, but receive compensation for reasonable expenses in the course of serving on the commission. As of June 30, 2018, the following members served on the commission:

Cherron Payne, Chairperson
Edward Mambruno
Lisa B. Giliberto
Andrew M. Norton
Nicholas Kapoor
Edith M. Pestana
Joseph M. Suggs Jr.
Dr. Shuana K. Tucker

One vacancy.

Cherron Payne was appointed chairperson on January 22, 2016 and continues to serve in that capacity.

Tanya A. Hughes, Esq. was appointed executive director to a 4-year term on November 13, 2013 and reappointed for another 4-year term on September 13, 2017. Cheryl Sharp, Esq. was appointed deputy director, effective July 4, 2014.

Martin Luther King Jr. Holiday Commission

Section 10-29b of the General Statutes established the Martin Luther King Jr. Holiday Commission (MLK Jr. Commission) to ensure that the commemoration of Martin Luther King Jr.'s birthday is meaningful and reflective of the spirit of his life and death. The MLK Jr. Commission consists of 19 members, 11 members appointed by the Governor and 8 members by the General Assembly leadership. CHRO serves as the secretariat and consultant for the MLK Jr. Commission. As of June 30, 2018, the following members served on the MLK Jr. Commission:

James O. Williams, Chairperson	Carol Anderson
Donna Campbell	Sweets S. Wilson
Darryl A. Hugley	Diane Paige' Blondet
Diane Jones	Regina V. Roundtree
Diane Lucas	

There were 10 vacancies on the MLK Jr. Commission as of June 30, 2018.

Human Rights Referees

Section 46a-57 of the General Statutes allows the Governor to appoint 3 human rights referees, with the advice and consent of both houses of the General Assembly, to conduct settlement negotiations and authorized hearings. Human rights referees serve 3-year terms. The executive director designates one human rights referee to serve as the chief human rights referee for a one-year term. As of June 30, 2018, the following persons served as human rights referees within the CHRO Office of Public Hearings (OPH):

Michele C. Mount, Chief Human Rights Referee
Elissa Wright
(Vacancy)

The Office of Public Hearings provided us with a spreadsheet it uses to track its cases. As of July 16, 2019, there were 123 open cases. According to the calendar on the OPH website, as of June 25, 2019, OPH scheduled cases into March 2020 for public hearing/trials, pre-hearing conferences, or other types of proceedings. As of April 22, 2020, OPH scheduled 269 hearings through August 2021.

Significant Legislation

Public Act 16-16, effective May 6, 2016, required CHRO to create a one-page form on housing discrimination and federal and state fair housing laws by July 1, 2016 and post the form on its website. The “disclosure form” must be (1) in plain language and an easily readable and understandable format and (2) reviewed and updated by CHRO as necessary. Beginning 60 days after CHRO posted the form, anyone selling, leasing with the option to buy, or exchanging a residential property with a least two units must, at the time of closing, attach a copy of the disclosure form, signed by the prospective purchaser, to the purchase agreement, option, or lease containing a purchase option.

Public Act 17-118, effective October 1, 2017, expanded the employment protections provided to pregnant women under the state’s anti-discrimination law. It required employers to provide a reasonable workplace accommodation for a pregnant employee or applicant, unless the employer demonstrates that accommodation would be an undue hardship. The act also prohibited employers from (1) limiting, segregating, or classifying an employee in a way that would deprive women of employment opportunities due to pregnancy or (2) forcing a pregnant employee or applicant to accept a reasonable accommodation if unnecessary. It also eliminated certain employment protection provisions related to transfers to temporary positions for pregnant workers. The act also required (1) employers to notify employees of their rights under the act and (2) CHRO to develop instruction courses and conduct ongoing public education efforts to inform employers, employees, employment agencies and job seekers about their rights and responsibilities under the act.

Memorandum of Understanding with the Department of Labor

The Commission on Human Rights and Opportunities was assigned to the Department of Labor (DOL) for administrative purposes only, effective July 1, 2012. CHRO and DOL signed a memorandum of understanding (MOU) in late 2012 that specifies the parties' responsibilities. DOL is responsible for CHRO's human resources, affirmative action, and business office functions. CHRO retains certain other responsibilities. The MOU remains in effect while CHRO is under DOL for administrative purposes only.

RÉSUMÉ OF OPERATIONS**General Fund and Other Fund Receipts and Expenditures**

General Fund and Other Restricted Accounts Fund receipts totaled \$1,811,304 and \$1,913,710 for the fiscal years ended June 30, 2017 and 2018, respectively, as compared to \$1,443,218 for the fiscal year ended June 30, 2016. Receipts consisted primarily of federal aid received under cooperative agreements with the Department of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC). Under these agreements, CHRO receives a fixed fee for each HUD and EEOC case, up to a maximum number of cases each fiscal year. These receipts go into the state's General Fund. Receipts increased in fiscal year 2016-2017 due to CHRO processing more cases.

CHRO also received federal EEOC and HUD funds for travel, training, administrative costs, special enforcement efforts, and other purposes. These grant receipts totaled \$107,300 and \$87,230, for the fiscal years ended June 30, 2017 and 2018, respectively.

The Office of Public Hearings closed 77 and 59 discrimination cases, during the fiscal years ended June 30, 2017 and 2018, respectively. The Office of Public Hearings also conducts hearings into whistleblower retaliation cases filed pursuant to Section 4-61dd of the General Statutes. The Office of Public Hearings closed 11 and 14 cases, during the fiscal years ended June 30, 2017 and 2018, respectively.

A summary of General Fund expenditures for the fiscal years ended June 30, 2017, and 2018, is presented below (the fiscal year ended June 30, 2016 is provided for comparative purposes):

	Fiscal Years Ended June 30,		
	2016	2017	2018
Personal Services	\$6,154,994	\$5,817,720	\$5,566,418
Other Expenses	318,292	307,671	258,765
MLK Jr. Commission	4,582	4,656	3,331
Total General Fund	\$6,477,868	\$6,130,047	\$5,828,514

Total expenditures primarily decreased due to a reduction in filled paid positions during the audited period. The commission filled 76 paid positions as of June 30, 2016. As of June 30, 2017,

those positions decreased to 66 following several retirements and other separations. Filled positions increased slightly to 68 as of June 30, 2018.

Capital Equipment Purchase Fund expenditures totaled \$749, \$142,638, and \$0 for the fiscal years ended June 30, 2016, 2017, and 2018, respectively. The increase in fiscal year 2016-2017 was due to an upgrade of the agency's information technology equipment.

Federal and Other Restricted Accounts Fund expenditures totaled \$41,954, \$94,209, and \$103,235 for the fiscal years ended June 30, 2016, 2017, and 2018, respectively. The increase is substantially due to the increase in personal services costs under Fair Housing Assistance.

OTHER MATTERS

In prior audits, we reported that position vacancies had a negative impact on the commission's operation. As of June 30, 2018, CHRO (not including the Office of Public Hearings) had 61 (out of 79 authorized) full-time filled paid positions. Two regional manager positions were vacant during the audited period. Human Rights and Opportunities (HRO) Representatives investigate complaints of alleged discrimination, and work primarily in the regional offices. In any given fiscal year, HRO Representatives comprise approximately half of the commission's total workforce. As of June 30, 2018, CHRO filled 33 out of 41 authorized HRO Representative positions. Also, the Managing Director/Commission Attorney position has been vacant since July 1, 2013. CHRO "red circled" 5 additional vacant positions (Administrative Assistant, Secretary 1, Office Assistant, and 2 HRO Assistant Commission Counsel 1) Red Circled means that an agency is phasing out the job title and will no longer place employees under that title. It is critical that CHRO fills these vacant positions to return to a level of staffing of a few years ago.

STATE AUDITORS' FINDINGS AND RECOMMENDATIONS

Our review of the Commission on Human Rights and Opportunities for fiscal years ended June 30, 2017 and 2018 noted the following conditions:

CHRO – Meeting and Attendance Issues

Criteria: Section 46a-52 of the General Statutes requires the Commission on Human Rights and Opportunities to consist of 9 members. The Governor appoints 5 members. The president pro tempore of the Senate, minority leader of the Senate, speaker of the House of Representatives, and minority leader of the House of Representatives each appoint one member.

Section 1-225(b) requires each public agency of the state to file a schedule of its regular meetings for the ensuing year to the office of the Secretary of the State no later than January 31 of each year.

Regulations of State Agencies Section 46a-54-3a (b) indicates that Robert's Rules of Order shall govern the commission in all cases to which they are applicable and in which they are not inconsistent with other agency regulations. Robert's Rules of Order, which is generally used as conventional guidance for conducting meetings, provide that minutes of meetings should be signed by a designated representative to indicate that they have been formally approved.

Condition: The commission had one long-standing vacancy for a member appointed by the President Pro Tempore of the Senate. It has been vacant since January 2017. Furthermore, the commission did not have 2 members' current appointment letters on file.

The commission did not submit its annual meeting schedule to the Office of the Secretary of the State for 2017 and 2018.

The commission's designated representative did not sign meeting minutes as approved and final.

Context: The commission had monthly meetings through the audited period.

Effect: The commission's effectiveness may be hindered without a full complement of members.

The absence of the submission of the annual schedule of commission meetings to the Secretary of the State did not comply with the Freedom of Information Act and may preclude attendance by the public.

It is questionable whether meeting minutes are final without the designated official's signed approval.

Cause: It appears that the commission's administration was not aware of these issues.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities should comply with Sections 46a-52 and 1-225 of the General Statutes and Section 46a-54-3a (b) of the Regulations of State Agencies regarding commission membership, meeting schedules, and meeting minutes. (See Recommendation 1.)

Agency Response:

"We disagree. The Commission submits an annual schedule of commission meetings to the Office of Legislative Management. Typically, the Administrative Assistant to the Executive Director will provide the information for our Commission meetings to the Office of the Legislative Management of the CT General Assembly to secure the space for the calendar year. She was assigned this responsibility after the Legislative Analyst position was vacated due to retirement in 2015. This position remained vacant for years. With respect to the posting of the agenda to SOTS (the Secretary of State), that has occurred monthly. Per the Executive Secretary, she was not aware that she needed to provide the entire calendar, nor was she aware of how to do so. She only received instructions about monthly posting. This has since been corrected. The Commissioners vote on the annual calendar and this information is forwarded to CGA, Office of Legislative Management. The Commission will submit all future notices of the calendar of Commission meetings to the Secretary of State in accordance with relevant statutory provisions. Future submissions of meetings minutes will be signed henceforth.

The Administration is aware that we must file a calendar of Commission meetings with the Secretary of State. As such, the Commissioners of the Agency vote on the calendar and the calendar is thereafter filed. Further, the Secretary of the State has consistently been notified of the Commission's monthly meetings every month within a minimum of 24 hours of the meeting, in accordance with either regulatory or statutory provisions."

Auditors' Concluding Comment:

While the commission claims to notify the Secretary of the State of its monthly meetings, it still did not comply with Section 1-225 of the

General Statutes. The commission did not submit the annual commission meeting schedules for 2017 and 2018.

Martin Luther King, Jr. Holiday Commission – Noncompliance with Governing Statutes

Criteria: Section 10-29b of the General Statutes established a Martin Luther King, Jr. Holiday Commission, consisting of 19 members appointed by the Governor and leaders of the general assembly, with vacancies to be filled by the appointing authority. The commission meets as often as deemed necessary by the chairperson or a majority of the commission. The Commission on Human Rights and Opportunities serves as secretariat and consultant to the commission.

The commission shall: (1) ensure that the commemoration of the birthday of Dr. Martin Luther King, Jr. in the state is meaningful and reflective of the spirit with which he lived and the struggles for which he died, (2) maintain a clearinghouse of programs and activities relating to the observance and promotion of such birthday in the state, (3) cooperate with the Martin Luther King, Jr. Federal Holiday Commission, community organizations and municipalities in the state, (4) develop and implement programs and activities for the state as it deems appropriate, and (5) not later than September first, annually, submit to the Governor a report on its findings, conclusions, proposals and recommendations for the observance of such birthday in the following January.

Condition: The Martin Luther King, Jr. Holiday Commission did not meet during the audited period. According to the CHRO website (as of April 22, 2020), there were 7 commission vacancies. The commission only had appointment letters available for 6 members whose terms expired during the audited period.

The commission did not meet its annual reporting requirement to the Governor.

In December 2016, the Martin Luther King, Jr. Holiday Commission legally changed its status to a charitable corporation. The commission paid the legal and filing fees associated with its incorporation and the application for tax-exempt status with state funds through CHRO. This occurred without legislative authorization.

Effect: The absence of meetings during the audited period inhibited the commission's effectiveness and contributed to the lack of annual reporting to the Governor.

Changing the commission's status to a charitable corporation does not appear permissible under the existing statute.

Cause: Inactive membership was provided, in part, as a reason for the condition.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Martin Luther King, Jr. Holiday Commission, with guidance from the Commission on Human Rights and Opportunities, should ensure compliance with Section 10-29b of the General Statutes. The commission should seek clarification from the General Assembly whether it was authorized to change its status to a charitable corporation. (See Recommendation 2.)

Agency Response – MLK Jr. Holiday Commission:

“The State of CT Dr. Martin Luther King Jr. Holiday Commission was chaired by a former chairperson for the years of 2017 and 2018. The current chairperson, who was a Commissioner during that time, does not have access to the information being requested. The former chair was seriously ill for several years and subsequently died, therefore, the MLK Commission is unable to provide pertinent documents for the auditor's report. However, aside from the former chairperson, the current chairperson was the only appointed Commissioner appointed during that time. All of the other Commissioners either resigned or their terms expired. There were three individuals who were waiting to be appointed during this period, but they were not appointed until 2019. In 2019, the current chairperson was appointed Chair of the Dr. Martin Luther King Jr Holiday, Commission and has committed, moving forward, to provide all of the information that may be needed.”

Office of Public Hearings – Noncompliance with Statutory Composition and Operating Issues

Background: The Commission on Human Rights and Opportunities Office of Public Hearings (OPH) is responsible for scheduling and conducting all phases of the public hearing process in contested discrimination cases under the commission's jurisdiction and in certain types of whistleblower retaliation cases. Within OPH, the chief human rights referee administers the operations of the unit and assigns cases to two human rights referees. All of the referees are gubernatorial appointees, subject to legislative approval, who function independently from the rest of the commission. Human rights referees serve full time and conduct settlement negotiations and hearings as authorized by statute.

<i>Criteria:</i>	Section 46a-57 (a)(2)(E) of the General Statutes requires that on and after July 1, 2011, there shall be three human rights referees who shall (i) be appointed by the Governor with the advice and consent of both houses of the General Assembly, and (ii) serve for a term of 3 years. Good business practices suggest that the Office of Public Hearings should conduct the administrative hearing process within a reasonable time. Good business practices also suggest that OPH should establish a case management system to provide an effective and efficient means to schedule and administer cases.
<i>Condition:</i>	During most of the audited period (and through the date of our audit), OPH operated with only 2 of the 3 statutorily-required human rights referees. It takes 3 human rights referees (one of whom serves as the chief referee) to operate the office. In addition to the human rights referees, OPH operates with just one full-time employee who performs all of the office's administrative duties. In that employee's absence, the human rights referees perform those duties. This can be problematic, as OPH must avoid the potential of ex-parte communications. A review of the OPH website shows that as of April 22, 2020, OPH had 269 hearing events scheduled through August 2021. OPH lacks an adequate case tracking system. It currently performs case tracking manually through case file notations and a basic Excel spreadsheet.
<i>Context:</i>	Funding for the OPH operation resides within CHRO's budget.
<i>Effect:</i>	Human rights referee vacancies result in longer delays in public hearing scheduling. In some instances, human rights referees who did not preside at the public hearing must conduct settlement conferences. This vacancy complicates the scheduling of these settlement conferences. The absence of an adequate case tracking system yields inefficient management of OPH cases.
<i>Cause:</i>	The commission informed us that the Office of the Governor has been unable to attract candidates for the vacancies due to the limited salary range.

The lack of an adequate case management system appears to be due to the lack of financial resources.

Prior Audit Finding: This finding has been previously reported in the last audit report covering the fiscal years ended 2013, 2014, 2015 and 2016.

Recommendation: The Commission on Human Rights and Opportunities should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system. (See Recommendation 3.)

Agency Response – CHRO:

“The Commission agrees that it is under-resourced and is fully aware of the need for additional resources and has made numerous attempts to secure funding. The Commission needs to be fully funded. The Office of Public Hearings does need a separate case management system and the CHRO needs to be provided with the funds in order to address the needs of the Office of Public Hearings. The Commission has included the Office of Public Hearings in all IT considerations.

The Commission agrees that a separate case management system for the Office of Public Hearings would be beneficial to the Agency and to the stakeholders of the Agency.”

Agency Response – OPH:

“We do not control or have any input into our budgetary line. We would like the opportunity to request, in addition to the third referee, a separate case management system and a law clerk or paralegal. Further, we would like confirmation that a salary for a third referee, a case management system and support staff is put into the CHRO budget request.”

Inadequate Case Tracking System

Background:

The Commission on Human Rights and Opportunities utilizes its Case Tracking System (CTS) to monitor cases reviewed through its complaint resolution process. CTS supports a staff of 74 investigators, attorneys, administrative assistants, and executive staff in annually processing an average of 2,500 cases. While most cases are resolved within a year, more complex cases could remain outstanding for up to 5 years. However, we noted 24 cases were outstanding for more than 10 years.

<i>Criteria:</i>	Good business practices dictate that an organization should have an information system capable of supporting management's direction and monitoring of operations to provide timely and reliable information for decision-making and corrective action.
<i>Condition:</i>	CTS does not effectively, efficiently and reliably support the CHRO management in its mission. This is due to design limitations, inadequate maintenance, and unreliable information. We observed the following: • The CTS design does not have adequate data structure and edit controls to assure the accurate input of critical data. This includes data such as complainant name, respondent, federal case identification number, and to capture critical information for case monitoring and trend assessment. • CHRO cannot rely on CTS to produce accurate internal management and statutorily-required reports. Instead, regional offices must compile and augment the data before submitting it to the central office for the development of an agency level summary. • At the time of a major system modification in 2015, the Department of Administrative Services – Bureau of Enterprise Systems and Technology (DAS-BEST) deactivated 9,536 (out of a total of 35,888) older closed case records from CTS without consulting CHRO management on the effect of this decision or the manner of its implementation. • Our review of initial case information input into CTS determined that a delay of more than 1 week to input such data has increased over the past 8 years from a low of 12% of cases to 60%. This significant increase in delay occurred coincident with significant staff reductions in 2016.
<i>Context:</i>	From 2003 through the date of our audit, CHRO recorded 35,888 cases on its case tracking system.
<i>Effect:</i>	The system's inadequate design impairs management's ability to maintain reliable information to manage internal operations. It also makes it more difficult to monitor caseloads for trends that can be more efficiently addressed with regulation, surveillance, and training. The Department of Administrative Services – Bureau of Enterprise Systems and Technology decision to deactivate 25% of CHRO's case history records without consulting CHRO senior management raises a question regarding clarity of system management responsibility between the two organizations. However, CHRO is ultimately responsible for the operational integrity of the system and the integrity of its data in fulfilling its statutory mandates.

<i>Cause:</i>	CHRO lacks a staff member trained in information technology who is capable of supporting the commission's contemporary information needs related to CTS, CTS-supporting desktop applications, and other operations. In absence of this staffing resource, CHRO appears to have accepted the system's limitations as well as possible work around for them. This resulted in evolving inefficiencies that are likely significant to the senior management's productivity.
<i>Prior Audit Finding:</i>	This finding has not been previously reported.
<i>Recommendation:</i>	The Commission on Human Rights and Opportunities should continue to prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources. (See Recommendation 4.)
<i>Agency Response:</i>	"The Commission has made replacement of the Case Tracking System a priority and has prepared a draft application for funding for the purchase of a new complaint tracking system. In the early 2000s, when the business office within the CHRO was dismantled, the CHRO was supposed to be fully supported by the Department of Administrative Services, Bureau of Enterprise Systems and Technology (DAS/BEST). The CHRO does not have any trained technical professionals within its employ and has been forced to rely on the limited technical knowledge of a few staff persons who are not employed by the Agency to provide technical support. The CHRO has not been funded to hire a staff person with expertise in technical support. The Case Tracking System that is being used by the Agency was developed and designed by DAS/BEST. DAS/BEST provides the Commission on Human Rights and Opportunities with technical support due to layoffs in early 2000 that resulted in the dismantling of the business office within the Agency. CHRO has never had those positions returned through appropriations, although the agency has made numerous appeals to the legislature and governor's office regarding the need. Again, the Commission has most certainly given priority to the development of a complaint tracking system. CHRO has prepared a draft of an application for state funds to purchase a complaint tracking system and has been actively working with DAS to develop and submit that application. It is a timely process that is not under the agency's control."

Affirmative Action Plans – Incapacity to Support Electronic Submission

<i>Background:</i>	All state agencies, boards and commissions employing 25 or more full-time employees are required to file an affirmative action plan with the Commission on Human Rights and Opportunities to achieve equal employment opportunity within their agencies. These plans must be submitted on a semi-annual, annual or biennial cycle, depending on the reporting cycle of the particular agency.
<i>Criteria:</i>	Section 46a-68(c) of the General Statutes states that all affirmative action plans shall be filed electronically, if practicable.
<i>Condition:</i>	CHRO does not permit electronic filing of affirmative action plans, as allowed by statute.
<i>Context:</i>	An affirmative action plan for a major state agency can exceed 100 pages of significant tabular data. There are approximately 79 state agencies, as well as other boards and commissions, which may be subject to the reporting requirements.
<i>Effect:</i>	The inability to file electronically results in inefficient manual preparation, submission, and review of paper documents. This creates a burden on CHRO and the various reporting agencies' limited administrative resources. This could be mitigated with electronic filing capabilities that standardize input and centralize the data compilation to facilitate preparation.
<i>Cause:</i>	CHRO indicates that it does not have the resources to support the infrastructure necessary to electronically receive and process affirmative action plans. CHRO management applied for a pilot federal program to implement electronic plan preparation using a shared federal system platform, but was not selected.
<i>Prior Audit Finding:</i>	This finding has not been previously reported.
<i>Recommendation:</i>	The Commission on Human Rights and Opportunities should implement a platform for the electronic preparation and submission of state agency affirmative action plans. (See Recommendation 5.)
<i>Agency Response:</i>	“The CHRO would need to be fully funded to implement such a plan. The CHRO is underfunded and under resourced. The CHRO has explored entities that can provide this service, however additional, consistent funding would be required to implement and maintain this feature successfully.”

Statutory Reporting Requirement Deficiencies

<i>Criteria:</i>	The Commission on Human Rights and Opportunities must comply with a number of statutory reporting requirements including the following: Section 4-9b(b) of the General Statutes requires the executive officer or chairperson of each state appointive board, commission, committee and council having members appointed by the Governor or the General Assembly to biennially report in writing to the Secretary of the State on or after September first, but no later than October 1 (1) the number of members of such body and (2) the composition of the body according to the term “race/sex”, as defined in the regulations of CHRO. Section 4a-60g (m) of the General Statutes requires CHRO to monitor the achievement of annual set-aside program goals established by each awarding agency and to prepare a quarterly report concerning such goal achievement. The report is to be submitted to each awarding agency that submitted a report, the Department of Economic and Community Development, the Department of Administrative Services and the General Assembly. Section 4d-7 of the General Statutes requires each agency to submit annually on or before August 1st, all plans, documents and other information requested by the Commissioner of Administrative Services for the development of the Information and Telecommunication Systems Strategic Plan.
<i>Condition:</i>	CHRO did not comply with certain statutory reporting requirements during the audited period.
<i>Effect:</i>	The intended recipients of the reports are not cognizant of certain data to make informed decisions.
<i>Cause:</i>	The commission acknowledged that there was a gap in reporting and that it was going through a transition to ensure that it meets its reporting requirements.
<i>Prior Audit Finding:</i>	This finding has not been previously reported
<i>Recommendation:</i>	The Commission on Human Rights and Opportunities should comply with its statutory reporting requirements. (See Recommendation 6.)
<i>Agency Response:</i>	“While the agency attempted to address issues from previous audits which cited a need to comply with reporting requirements and did so valiantly we have and will continue to address the need to be perfect.

As of June of 2018, the CHRO had 83 authorized positions and only 63 permanent full-time filled paid positions, despite repeated requests to refill critical positions within the agency. The decrease in the number of filled paid positions does not reflect the numerous, repeated efforts and multiple requests to refill critical positions within the agency. All requests were denied and affected our ability to perform optimally.”

Asset Management Issues

Background:

Under a memorandum of understanding between the Commission on Human Rights and Opportunities (CHRO) and the Department of Labor (DOL), DOL is responsible for entering assets into the Core-CT state accounting system; coordinating items for surplus; and preparing the Asset Management Report (CO-59). CHRO is responsible for approving the CO-59; managing the physical inventory; reconciling inventory records; identifying and recording missing items; completing and submitting signed CO-853 loss reports; and maintaining the software inventory.

Criteria:

Section 4-36 of the General Statutes requires state agencies to establish and maintain inventory records as prescribed by the Office of the State Comptroller. The agency must transmit a CO-59 to the State Comptroller and maintain its inventory in Core-CT. Only capitalized equipment should be reported on the CO-59, which should reconcile to the Core-CT inventory listing.

The State Property Control Manual requires each agency to maintain complete and accurate property records and establishes specific standards including:

- Agency software inventory listings should contain certain specified fields.
- Agencies should not report controllable property, which has a value of less than the \$5,000 capitalization threshold, on the CO-59.
- Agencies must conduct a complete physical inventory of all property by each fiscal year end.

Condition:

We noted the following asset management issues:

- CHRO did not adequately support CO-59 balances and activity by Core-CT for fiscal years 2016-2017 and 2017-2018.
- CHRO overstated CO-59 balances for 2016-2017 due to the inappropriate addition of \$139,428 in controllable property purchases.

- The Core-CT Asset Management module did not include \$121,194 in controllable property that CHRO purchased during the audited period and through December 2018.
- CHRO did not complete physical inventories during fiscal years 2016-2017 and 2017-2018 and did not perform a reconciliation of the CO-59 to inventory records.
- The agency's software inventory listing did not contain the required fields identified in the State Property Control Manual. Also, CHRO reported software inventory as a single item in Core-CT rather than as individual software items.

Context: CHRO reported a \$331,913 ending balance on the CO-59 for the fiscal year ended June 30, 2018.

Effect: When agencies inaccurately report assets and do not completely conduct and maintain complete inventory records, there is an increased risk of loss of state property.

Cause: In part, it appears that there was confusion whether CHRO or DOL was responsible to conduct the physical inventory.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities 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. (See Recommendation 7.)

Agency Response – CHRO:

“The Agency will work with the Department of Labor to resolve any Asset Management and Inventory issues. However, as stated previously, the Agency only employs attorneys, investigators, Managers and support staff. We do not have any business office, accounting or similar personnel. The functions discussed in this section were performed by the Department of Administrative Services when the Agency was APOed to them.”

Agency Response – DOL:

“We agree with the findings. The lack of accuracy is the result of the process being compromised due to staff reductions, human resource issues and inventory processing modifications. The Commissioner and appropriate staff have met with the State Auditors, as related to the DOL's overall approach to asset management, and reviewed conditions and solutions. As a result a corrective plan has been developed which will result in an accurate inventory being available by the close of FY 18/19. This corrective plan includes:

- upgrade of inventory scanning equipment
- (re)training of appropriate staff in inventory roles and responsibilities
- updated agency inventory manual and standard operating procedure manuals
- cleanout and disposal of surplus equipment throughout DOL's offices and warehousing facilities
- comprehensive statewide physical inventory scan
- establish controls to ensuring compliance with mandated inventory practices and reporting guidelines

The DOL understand the importance of an accurate inventory and is committed to doing what is required to correct this situation.”

Deficiencies in Revenue Recognition and Account Reconciliation

Background:

The Commission on Human Rights and Opportunities recorded revenue of \$1,803,100 and \$1,904,430 for fiscal years 2016-2017 and 2017-2018, respectively, from complaint settlement contracts with the federal Equal Employment Opportunity Commission (EEOC) and Department of Housing and Urban Development (HUD). These revenues constitute 99.5% of all CHRO's federal revenues and support 28.3% and 32.11% of the commission's expenditures for fiscal years 2016-2017 and 2017-2018 respectively.

CHRO receives fiscal management support from the Department of Labor (DOL) for administrative purposes only. While DOL is responsible for CHRO's accounting, the department needs and depends on CHRO operational information. Therefore, there must be mutual understanding and coordination between the agencies.

Criteria:

Proper accounting requires that management recognize revenues in the period they are earned to achieve a proper matching with related expenditures and provide an accurate measure of financial performance.

Effective accounting control requires that revenues earned be reconciled periodically with revenues received to detect billing errors or remittance by either party to the transaction.

Condition:

A review of federal grant revenue patterns during the audited period identified deficiencies in accounting practices for revenue recognition and reconciliation.

In most instances, revenue recognition occurred following the close of the federal fiscal year ending September 30, resulting in CHRO not

recording approximately 75% of the current year's revenue until the subsequent state fiscal year. Therefore, they did not match to current year expenditures.

We observed two instances in which the absence of an effective reconciliation process resulted in Equal Employment Opportunity Commission revisions, including a \$40,300 adjustment in state fiscal year 2016-2017 pertaining to federal fiscal year 2012, and a \$7,000 adjustment in state fiscal year 2017-2018 pertaining to federal fiscal year 2015.

The DOL Business Management Unit does not receive sufficient information from CHRO to effectively reconcile revenue earned with revenue recorded from contract payments. CHRO's internal process of monitoring EEOC payments does not constitute a complete reconciliation of annual contract activity and revenue received.

Context: The condition appears to be a systemic problem.

Effect: Untimely revenue recognition misrepresents relationships between each fiscal period's revenues and related expenditures. This is due to improper matching of revenues with the fiscal period in which they were earned.

Ineffective reconciliation processes impair the capacity to detect errors and seek timely correction. Although noted errors were not material, and the result of unique circumstances, they illustrate that errors can occur on a larger scale.

Cause: DOL does not possess the necessary information from CHRO to fulfill its financial management role.

Neither agency appears to have sufficient staffing to perform the additional accounting and reconciliation processes to ensure timely and accurate financial reporting and management.

Prior Audit Finding: There was no prior audit finding.

Recommendation: The Commission on Human Rights and Opportunities and the Department of Labor should jointly devise enhanced controls to improve the accuracy of revenue recognition and effectiveness of reconciliation processes. (See Recommendation 8.)

Agency Response – CHRO:

“The CHRO has established regular, quarterly meetings and will continue to work with the Department of Labor to address the issues

noted herein. However, the CHRO does not employ and has not received funding to employ any accountants. This is beyond the purview of our authority and would require multiple levels of approval. The CHRO is staffed with attorneys, investigators and support staff. The CHRO lost its independent business office on or about the early 2000s. The Agency has remained underfunded and under-resourced since that time, despite efforts to enhance and increase funding.”

Agency Response – DOL:

“DOL has created and maintains a spreadsheet to track CHRO’s payment requests to include balances available and coding information. DOL relies solely on contract information from CHRO.

DOL created a payment request form for CHRO to submit when requesting drawdowns in order to maintain consistency in drawdown efforts and account tracking. No drawdowns are completed without the completed signed contract in hand.

All drawdown request require back up information to support the request for funds.”

Accountability of Donations

Criteria:

Section 46a-54 of the General Statutes authorizes the Commission on Human Rights and Opportunities to receive donations.

Section 46a-89 defines the authority for CHRO to seek civil penalties for discriminatory practices in employment, housing and public accommodations through injunctive relief in Superior Court.

Proper accounting requires the classification of transactions according to the substance of the transaction and not its form.

A donation is defined as “the act by which the owner of a thing voluntarily transfers the title and possession of the same from himself to another person without consideration; a gift.”

Condition:

CHRO appears to have inappropriately designated funds from complaint case settlements as donations.

We tested 4 remittances totaling \$10,090 to complaint case settlement documentation and determined that all 4 payments were part of settlements negotiated with the respondents. The court of jurisdiction directed respondents to make payments to the Human Rights Education and Donation Account or CHRO Education and Outreach Fund.

CHRO directed the Department of Labor Business Management Unit, which administratively supports CHRO, to record the transactions in Core-CT without supporting documentation. DOL did not have the basis to question the accuracy of the accounting designation, nor the standards by which to assess the appropriateness of disbursements from a restricted fund.

Context: CHRO classified \$13,240 of collections as donations for fiscal years 2016-2017 and 2017-2018, of which \$5,091 was expended. These funds are classified as restricted funds.

Effect: The classification of the funds as donations is inappropriate.

CHRO's accounting of these settlements as donations directs them to a restricted fund without established policies for their authorized use. The creation of a restricted fund without collateral policies to define restricted use leaves it susceptible to misuse.

Cause: CHRO's executive management asserts that it consulted with the Office of State Ethics and received a verbal opinion that it is acceptable for the commission to recommend donations to its education fund in case settlements.

CHRO has been granted statutory authority to accept donations. However, it has chosen to misapply that authority to settlements awarded under civil judicial processes. Civil penalties and settlements administered through civil judicial processes have the same level of legal enforcement. Therefore, they are not donations in the generally recognized meaning of that term.

It appears that DOL has not received sufficient documentation to assess the substance of the transactions and determine their proper accounting treatment.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities should discontinue its practice of pursuing donations through the settlement process under Section 46a-89 of the General Statutes. In addition, the commission should establish criteria for the use of the restricted Human Rights Education and Donation Account. (See Recommendation 9.)

Agency Response: "The Commission requested that the Department of Administrative Services (DAS) establish and maintain an account for the receipt of donation funds as authorized by statute. Thereafter, the Commission was APOed to the Department of Labor. The Commission has not been

funded to and currently has no independent accounting or business management unit or personnel. Instead, the Commission has an agreement with the Department of Labor to perform these functions on the CHRO's behalf. In that role, it is the Department of Labor, not the CHRO that has established the donations account, monitors account activity, and ensures the account's compliance with any and all relevant rules, regulations, and statutes.

To the extent the Commission is being faulted for including donations to this fund as part of a mutually agreed upon settlement agreement, the criticism is not supported by the law. These donations are explicitly authorized by statute. Conn. Gen. Stat. Section 46a-54(18) authorizes the Commission to enter into contracts for and accept grants of private or federal funds and to accept gifts, donations or bequests, including donations of service by attorneys. A settlement agreement is a form of contract to resolve pending litigation. Since the establishment of the donation fund years ago, the Commission has infrequently included a donation clause in settlement agreements pursuant to this statutory authority. The CHRO has appropriately designated funds to be deposited into its charitable contributions account. Contrary to the language in the draft, the CHRO has not inappropriately designated settlement funds as donations. The four examples of settlements referred to in the draft explicitly make clear that a donation is being made to the agency. A civil penalty can only be awarded by a judge after an adjudication. A settled case, even if settled in court cannot be designated as a civil penalty. The judge as an operation of Court procedure accepts the settlement of the case by the parties and closes the case pursuant to settlement. The Court does not award a civil penalty when a case is closed pursuant to settlement. The statutory provisions are very specific as it relates to a civil penalty.

As an agency we have received advice and guidance from the Ethics Office and the Office of the Attorney General regarding accepting donations. We have followed that guidance. The Agency interprets its own statute to provide for acceptance of donations. The Connecticut courts have ruled that the Agency's interpretation of its own statutes should be given deference and priority.

Further, the Agency is only a party to voluntary settlements. The Agency is not generally a party to binding arbitration when using its three party system. As such, any and all settlements in which the Agency is a party or the settlement is a matter of public record would be a voluntary settlement.

Contrary to the information contained in the draft report, there has been no inappropriate conduct. The settlement agreements that are referred

to clearly state that a donation is being made to the education or charitable donation account of the Agency.

The Commission agrees that it should establish guidelines for the use of the funds and will endeavor to do so.”

*Auditors’ Concluding
Comment:*

The donations cited in this finding were the result of court-approved settlements which terminated civil actions by the parties. As such, the donations were not truly voluntary, but were negotiated under the duress of a possible less favorable outcome in a civil trial.

Investigations Issue

Background:

The Department of Labor (DOL) provides human resource and payroll support services to the Commission on Human Rights and Opportunities in accordance with a memorandum of understanding. DOL’s responsibilities include conducting investigations of employee misconduct on behalf of CHRO management, which retains the responsibility for the disposition of matters brought to its attention.

Criteria:

An investigative process should assure a consistent methodology governed by applicable laws, regulations, and labor contract provisions. It should document the complaint’s process, conclusions and final disposition in order to provide evidence of a fair and consistent investigation.

The Administrative and Residual (P5) Unit Employee Service Rating form provides 5 employee evaluation rating levels: Excellent, Superior, Satisfactory, Fair and Unsatisfactory (Fair and Unsatisfactory are considered to be “less than good” ratings). The 5 factors subject to evaluation include: Quality of Work, Quantity of Work, Dependability, Ability to Deal with People, and Supervisory Ability.

Administrative and Residual (P-5) Bargaining Unit Contract, Article 10 - Service Ratings, Section 1 indicates that ratings of Fair in 2 categories and/or Unsatisfactory in one or more categories shall constitute an overall rating of “less than good”. An employee who has received a “less than good” rating should be counseled.

Condition:

Our review of investigations conducted during the audited period generally found the documentation to be thorough in justifying the DOL conclusions. However, in one instance, the investigation file did not include documentation of the final management action. CHRO prepared a counseling letter and sent it to the employee for signature. However,

the employee did not return it and CHRO did not submit a copy to DOL for the employee's personnel file.

Furthermore, the CHRO management's service ratings of "Excellent, Superior, and Satisfactory" for this employee for the investigation period and the following year, appear to show that CHRO management's action was inconsistent and insufficient with the evidence in the DOL investigation and CHRO counseling letter.

Context: DOL conducted 12 investigations during fiscal years 2016-2017 and 2017-2018. The department combined the investigations into 7 files as some pertained to the same subject employee.

Effect: A failure to document the final disposition of an investigation results in an incomplete record.

Insufficient management response to the complaints that initiated the investigation may negatively impact the performance of other employees.

Cause: There appears to be a lack of communication between CHRO and DOL with regard to the final disposition of investigations. CHRO management exercised poor judgement in conducting the employee's service ratings without adequate consideration of the investigation or counseling letter.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Department of Labor should ensure that all investigations are adequately documented with complete records of evidence and final disposition. The Commission on Human Rights and Opportunities should ensure that final dispositions are consistent with investigatory evidence. (See Recommendation 10.)

Agency Response – CHRO:

"The record of the counseling was provided to the employee and signed by the employee. The request for a copy of the signed counseling was made during a period when the vast majority of agency staff was working remotely due to COVID-19 restrictions. As a result, the signed counseling memo was not provided to the Auditors as it is maintained in a supervisory file. The agency maintains that the counseling was adequate, sufficiently addressed the outlined concerns and discussed with Human Resources prior to being given to the employee. The incident in question did not negate the overall performance of that employee throughout the rest of the reporting year."

Agency Response – DOL:

“CT DOL concurs with the CHRO response.”

Auditors’ Concluding

Comment:

Management’s action does not appear to reflect the investigation and counseling matters. The investigation report identifies the employee’s pattern of behavior rather than one particular incident, and was not adequately reflected in the employee’s service rating. In addition, we did not find the resulting counseling letter in the employee’s personnel file.

RECOMMENDATIONS

Status of Prior Audit Recommendations:

Our prior audit report on the Commission on Human Rights and Opportunities contained 6 recommendations. Five have been implemented or otherwise resolved and 1 has been restated with modifications during the current audit.

- The Commission on Human Rights and Opportunities should prepare and submit all reports not previously submitted to the Judiciary Committee and the Governor in accordance with Section 46a-82e (b) of the General Statutes. The commission should also submit all future reports in a timely manner. **This recommendation has been resolved.**
- The Commission on Human Rights and Opportunities should comply with the reporting requirements of Section 46a-56 (a) (6) and Section 46a-68 (f) of the General Statutes, and submit the required Contract Compliance and Affirmative Action reports. **This recommendation has been resolved.**
- The Chairperson of the Commission on Human Rights and Opportunities should request that the Office of the Governor fill the vacant Human Rights Referee position. CHRO should consider whether the Office of Public Hearings needs additional support and review the feasibility of incorporating OPH cases into its case tracking system. **This recommendation is being modified and repeated. (See Recommendation 3.)**
- The Commission on Human Rights and Opportunities should promptly notify Core-CT security when employees separate from the agency so their accounts can be formally locked. **This recommendation has been resolved.**
- The Department of Labor should prepare the annual internal control self-assessment questionnaire required by the Office of the State Comptroller. The Commission on Human Rights and Opportunities should keep its questionnaires on file. **This recommendation has been resolved.**
- The Commission on Human Rights and Opportunities should comply with state personnel regulations and contracts when placing employees on paid administrative leave and should strengthen internal controls over voluntary leave. CHRO should seek guidance and approval from the State Retirement Commission when provisions of a proposed stipulated agreement have the potential to grant retirement benefits, (which are outside CHRO's authority) and should seek guidance and approval from the Office of Labor Relations (OLR) pertaining to stipulated agreements involving collective bargaining agreements, which OLR negotiates and administers. **This recommendation has been resolved.**

Current Audit Recommendations:

- 1. The Commission on Human Rights and Opportunities should comply with Sections 46a-52 and 1-225 of the General Statutes and Section 46a-54-3a (b) of the Regulations of State Agencies regarding commission membership, meeting schedules, and meeting minutes.**

Comment:

The commission had one long-standing vacancy, and did not have up-to-date appointment letters on file for two members. The commission did not submit its annual schedule of commission meetings to the Office of the Secretary of the State. The commission's designated representative did not sign meeting minutes as approved and final.

- 2. The Martin Luther King, Jr. Holiday Commission, with guidance from the Commission on Human Rights and Opportunities, should ensure compliance with Section 10-29b of the General Statutes. The commission should seek clarification from the General Assembly whether it was authorized to change its status to a charitable corporation.**

Comment:

The Martin Luther King, Jr. Holiday Commission did not meet during the audited period. There are 4 vacancies on the commission and appointment letters were only available for 6 members, all of which had terms expiring within the audited period.

The MLK Jr. Holiday Commission did not meet its annual reporting requirement to the Governor.

In December 2016, the MLK Jr. Holiday Commission had legally changed its status to a charitable corporation without legislative authorization.

- 3. The Commission on Human Rights and Opportunities should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system.**

Comment:

The Office of Public Hearings (OPH) operated with only 2 of the 3 statutorily- required human rights referees since December 2015. Furthermore, one full-time employee performs all of the office's administrative duties. As of April 22, 2020, OPH has 269 hearings scheduled through August 2021. The office also lacks an adequate case tracking system.

- 4. The Commission on Human Rights and Opportunities should continue to prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources.**

Comment:

The CHRO case tracking system does not effectively, efficiently, and reliably support CHRO in its mission. This is due to design limitations, inadequate maintenance, and unreliable information.

- 5. The Commission on Human Rights and Opportunities should implement a platform for the electronic preparation and submission of state agency affirmative action plans.**

Comment:

CHRO does not permit electronic filing of affirmative action plans, as allowed by statute.

- 6. The Commission on Human Rights and Opportunities should comply with its statutory reporting requirements.**

Comment:

CHRO did not comply with certain statutory reporting requirements during the audited period.

- 7. The Commission on Human Rights and Opportunities 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.**

Comment:

Our reviews of asset management for the audited period noted that CHRO did not adequately support CO-59 balances and activity by Core-CT records, did not conduct physical inventories, and did not perform reconciliations between the CO-59 and inventory records. Also, CHRO's software inventory did not contain the required fields identified in the State Property Control Manual.

- 8. The Commission on Human Rights and Opportunities and the Department of Labor should jointly devise enhanced controls to improve the accuracy of revenue recognition and effectiveness of reconciliation processes.**

Comment:

We noted deficiencies in the accounting practices for revenue recognition and the effectiveness of revenue reconciliation.

- 9. The Commission on Human Rights and Opportunities should discontinue its practice of pursuing donations through the settlement process under Section 46a-89 of the General Statutes. In addition, the commission should establish criteria for the use of the restricted Human Rights Education and Donation Account.**

Comment:

CHRO inappropriately accounted for certain funds derived from complaint case settlements as donations. There is no established criteria for the use of the restricted Human Rights Education and Donation Account.

- 10. The Department of Labor should ensure that all investigations are adequately documented with complete records of evidence and final disposition. The Commission on Human Rights and Opportunities should ensure that final dispositions are consistent with investigatory evidence.**

Comment:

Documentation showing the final disposition of an investigation was lacking. In addition, the employee's service ratings did not appear to properly reflect the DOL investigation results or the subsequent CHRO counseling letter.

ACKNOWLEDGMENTS

The Auditors of Public Accounts would like to recognize the auditors who contributed to this report:

Dennis Collins
Sidney Gale

CONCLUSION

In conclusion, we wish to express our appreciation for the courtesies and cooperation extended to our representatives by the personnel of the Commission on Human Rights and Opportunities during the course of our examination.



Dennis Collins Jr.
Principal Auditor

Approved:



John C. Geragosian
State Auditor



Robert J. Kane
State Auditor

STATE OF CONNECTICUT



*AUDITORS' REPORT
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
FISCAL YEARS ENDED JUNE 30, 2017 AND 2018*

AUDITORS OF PUBLIC ACCOUNTS
JOHN C. GERAGOSIAN ❖ ROBERT J. KANE

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September 29, 2020
EXECUTIVE SUMMARY

In accordance with the provisions of Section 2-90 of the Connecticut General Statutes, we have audited certain operations of the Commission on Human Rights and Opportunities (CHRO). The objectives of this review were to evaluate the commission's internal controls; compliance with policies and procedures, as well as certain legal provisions; and management practices and operations for the fiscal years ended June 30, 2017 and 2018.

The key findings and recommendations are presented below:

Page 12	The CHRO case tracking system does not effectively, efficiently, and reliably support CHRO in its mission. This is due to design limitations, inadequate maintenance, and unreliable information. CHRO should prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources. (Recommendation 4.)
Page 10	The CHRO Office of Public Hearings (OPH) operated with only 2 of the 3 statutorily-required human rights referees since December 2015. Furthermore, one full-time employee performs all of the office's administrative duties. As of April 22, 2020, OPH has 269 hearings scheduled through August 2021. The office also lacks an adequate case tracking system. CHRO should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system. (Recommendation 3.)

STATE OF CONNECTICUT



AUDITORS OF PUBLIC ACCOUNTS

JOHN C. GERAGOSIAN

State Capitol
210 Capitol Avenue
Hartford, Connecticut 06106-1559

ROBERT J. KANE

September 29, 2020

AUDITORS' REPORT

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 years ended June 30, 2017 and 2018. The objectives of our audit were to:

1. Evaluate the commission's internal controls over significant management and financial functions;
2. Evaluate the 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. Evaluate the effectiveness, economy, and efficiency of certain management practices and operations, including certain financial transactions.

Our methodology included reviewing written policies and procedures, financial records, minutes of meetings, and other pertinent documents; interviewing various personnel of the commission, as well as certain external parties; and testing selected transactions. We obtained an understanding of internal controls that we deemed significant within the context of the audit objectives and assessed whether such controls have been properly designed and placed in operation. We tested certain of those controls to obtain evidence regarding the effectiveness of their design and operation. We also obtained an understanding of legal provisions that are significant within the context of the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contracts, grant agreements, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

We conducted our audit in accordance with the standards applicable to performance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform our 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 such a basis.

The accompanying Résumé of Operations is presented for informational purposes. This information was obtained from various available sources including, but not limited to, the

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commission's management and the state's information systems, and was not subjected to the procedures applied in our audit of the commission. For the areas audited, we identified:

1. Deficiencies in internal controls;
2. Apparent noncompliance with policies and procedures or legal provisions; and
3. Need for improvement in management practices and procedures that we deemed to be reportable.

The State Auditors' Findings and Recommendations in the accompanying report presents any findings arising from our audit of the Commission on Human Rights and Opportunities.

COMMENTS

FOREWORD

The Commission on Human Rights and Opportunities (CHRO) operates primarily under the provisions of Chapter 814c, Sections 46a-51 through 46a-104 of the General Statutes. Its principal duty 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. CHRO functions through a central office in Hartford and 4 regional offices in Hartford, Norwich, Bridgeport, and Waterbury.

In a typical fiscal year, over 3,000 complaints are filed with the commission. About 83% of complaints relate to employment, about 8% housing, and the remainder involve service, credit, and public accommodation. As of June 30, 2018, CHRO had 2,702 open cases.

CHRO also reviews state agency affirmative action plans, in accordance with Section 46a-68 of the General Statutes. In fiscal year 2017-2018, the commission reviewed 37 plans, approving 29 of them. The commission conditionally approved six plans and disapproved two. In accordance with Section 46a-68a of the General Statutes, the commission may issue a certificate of noncompliance if it disapproves the affirmative action plan. The issuance of a certificate of noncompliance bars the agency from filling a position or position classification by hire or promotion until the commission deems the agency is in compliance. If the agency has achieved compliance, the commission withdraws the certificate of non-compliance.

Furthermore, CHRO annually monitors millions of dollars of state contracts for statutory compliance. CHRO reviews affirmative action and set aside plans of contractors doing business with state agencies. Thus, CHRO is responsible for ensuring equity and opportunity for small and

minority business enterprises throughout the state of Connecticut, including those owned by women, ethnic minorities, and people with disabilities.

Members and Officials of the Commission on Human Rights and Opportunities

Pursuant to Section 46a-52 of the General Statutes, the Commission on Human Rights and Opportunities consists of 9 members. The Governor appoints 5 members for 5-year terms. The Governor appoints one of the commissioners as the chairperson. The president pro tempore of the Senate, the minority leader of the Senate, the speaker of the House of Representatives, and the minority leader of the House of Representatives each appoint one member for a 3-year term. The commissioners serve without pay, but receive compensation for reasonable expenses in the course of serving on the commission. As of June 30, 2018, the following members served on the commission:

Cherron Payne, Chairperson
Edward Mambruno
Lisa B. Giliberto
Andrew M. Norton
Nicholas Kapoor
Edith M. Pestana
Joseph M. Suggs Jr.
Dr. Shuana K. Tucker

One vacancy.

Cherron Payne was appointed chairperson on January 22, 2016 and continues to serve in that capacity.

Tanya A. Hughes, Esq. was appointed executive director to a 4-year term on November 13, 2013 and reappointed for another 4-year term on September 13, 2017. Cheryl Sharp, Esq. was appointed deputy director, effective July 4, 2014.

Martin Luther King Jr. Holiday Commission

Section 10-29b of the General Statutes established the Martin Luther King Jr. Holiday Commission (MLK Jr. Commission) to ensure that the commemoration of Martin Luther King Jr.'s birthday is meaningful and reflective of the spirit of his life and death. The MLK Jr. Commission consists of 19 members, 11 members appointed by the Governor and 8 members by the General Assembly leadership. CHRO serves as the secretariat and consultant for the MLK Jr. Commission. As of June 30, 2018, the following members served on the MLK Jr. Commission:

James O. Williams, Chairperson	Carol Anderson
Donna Campbell	Sweets S. Wilson
Darryl A. Hugley	Diane Paige' Blondet
Diane Jones	Regina V. Roundtree
Diane Lucas	

There were 10 vacancies on the MLK Jr. Commission as of June 30, 2018.

Human Rights Referees

Section 46a-57 of the General Statutes allows the Governor to appoint 3 human rights referees, with the advice and consent of both houses of the General Assembly, to conduct settlement negotiations and authorized hearings. Human rights referees serve 3-year terms. The executive director designates one human rights referee to serve as the chief human rights referee for a one-year term. As of June 30, 2018, the following persons served as human rights referees within the CHRO Office of Public Hearings (OPH):

Michele C. Mount, Chief Human Rights Referee
Elissa Wright
(Vacancy)

The Office of Public Hearings provided us with a spreadsheet it uses to track its cases. As of July 16, 2019, there were 123 open cases. According to the calendar on the OPH website, as of June 25, 2019, OPH scheduled cases into March 2020 for public hearing/trials, pre-hearing conferences, or other types of proceedings. As of April 22, 2020, OPH scheduled 269 hearings through August 2021.

Significant Legislation

Public Act 16-16, effective May 6, 2016, required CHRO to create a one-page form on housing discrimination and federal and state fair housing laws by July 1, 2016 and post the form on its website. The “disclosure form” must be (1) in plain language and an easily readable and understandable format and (2) reviewed and updated by CHRO as necessary. Beginning 60 days after CHRO posted the form, anyone selling, leasing with the option to buy, or exchanging a residential property with a least two units must, at the time of closing, attach a copy of the disclosure form, signed by the prospective purchaser, to the purchase agreement, option, or lease containing a purchase option.

Public Act 17-118, effective October 1, 2017, expanded the employment protections provided to pregnant women under the state’s anti-discrimination law. It required employers to provide a reasonable workplace accommodation for a pregnant employee or applicant, unless the employer demonstrates that accommodation would be an undue hardship. The act also prohibited employers from (1) limiting, segregating, or classifying an employee in a way that would deprive women of employment opportunities due to pregnancy or (2) forcing a pregnant employee or applicant to accept a reasonable accommodation if unnecessary. It also eliminated certain employment protection provisions related to transfers to temporary positions for pregnant workers. The act also required (1) employers to notify employees of their rights under the act and (2) CHRO to develop instruction courses and conduct ongoing public education efforts to inform employers, employees, employment agencies and job seekers about their rights and responsibilities under the act.

Memorandum of Understanding with the Department of Labor

The Commission on Human Rights and Opportunities was assigned to the Department of Labor (DOL) for administrative purposes only, effective July 1, 2012. CHRO and DOL signed a memorandum of understanding (MOU) in late 2012 that specifies the parties' responsibilities. DOL is responsible for CHRO's human resources, affirmative action, and business office functions. CHRO retains certain other responsibilities. The MOU remains in effect while CHRO is under DOL for administrative purposes only.

RÉSUMÉ OF OPERATIONS

General Fund and Other Fund Receipts and Expenditures

General Fund and Other Restricted Accounts Fund receipts totaled \$1,811,304 and \$1,913,710 for the fiscal years ended June 30, 2017 and 2018, respectively, as compared to \$1,443,218 for the fiscal year ended June 30, 2016. Receipts consisted primarily of federal aid received under cooperative agreements with the Department of Housing and Urban Development (HUD) and the Equal Employment Opportunity Commission (EEOC). Under these agreements, CHRO receives a fixed fee for each HUD and EEOC case, up to a maximum number of cases each fiscal year. These receipts go into the state's General Fund. Receipts increased in fiscal year 2016-2017 due to CHRO processing more cases.

CHRO also received federal EEOC and HUD funds for travel, training, administrative costs, special enforcement efforts, and other purposes. These grant receipts totaled \$107,300 and \$87,230, for the fiscal years ended June 30, 2017 and 2018, respectively.

The Office of Public Hearings closed 77 and 59 discrimination cases, during the fiscal years ended June 30, 2017 and 2018, respectively. The Office of Public Hearings also conducts hearings into whistleblower retaliation cases filed pursuant to Section 4-61dd of the General Statutes. The Office of Public Hearings closed 11 and 14 cases, during the fiscal years ended June 30, 2017 and 2018, respectively.

A summary of General Fund expenditures for the fiscal years ended June 30, 2017, and 2018, is presented below (the fiscal year ended June 30, 2016 is provided for comparative purposes):

	Fiscal Years Ended June 30,		
	2016	2017	2018
Personal Services	\$6,154,994	\$5,817,720	\$5,566,418
Other Expenses	318,292	307,671	258,765
MLK Jr. Commission	4,582	4,656	3,331
Total General Fund	\$6,477,868	\$6,130,047	\$5,828,514

Total expenditures primarily decreased due to a reduction in filled paid positions during the audited period. The commission filled 76 paid positions as of June 30, 2016. As of June 30, 2017,

those positions decreased to 66 following several retirements and other separations. Filled positions increased slightly to 68 as of June 30, 2018.

Capital Equipment Purchase Fund expenditures totaled \$749, \$142,638, and \$0 for the fiscal years ended June 30, 2016, 2017, and 2018, respectively. The increase in fiscal year 2016-2017 was due to an upgrade of the agency's information technology equipment.

Federal and Other Restricted Accounts Fund expenditures totaled \$41,954, \$94,209, and \$103,235 for the fiscal years ended June 30, 2016, 2017, and 2018, respectively. The increase is substantially due to the increase in personal services costs under Fair Housing Assistance.

OTHER MATTERS

In prior audits, we reported that position vacancies had a negative impact on the commission's operation. As of June 30, 2018, CHRO (not including the Office of Public Hearings) had 61 (out of 79 authorized) full-time filled paid positions. Two regional manager positions were vacant during the audited period. Human Rights and Opportunities (HRO) Representatives investigate complaints of alleged discrimination, and work primarily in the regional offices. In any given fiscal year, HRO Representatives comprise approximately half of the commission's total workforce. As of June 30, 2018, CHRO filled 33 out of 41 authorized HRO Representative positions. Also, the Managing Director/Commission Attorney position has been vacant since July 1, 2013. CHRO "red circled" 5 additional vacant positions (Administrative Assistant, Secretary 1, Office Assistant, and 2 HRO Assistant Commission Counsel 1) Red Circled means that an agency is phasing out the job title and will no longer place employees under that title. It is critical that CHRO fills these vacant positions to return to a level of staffing of a few years ago.

STATE AUDITORS' FINDINGS AND RECOMMENDATIONS

Our review of the Commission on Human Rights and Opportunities for fiscal years ended June 30, 2017 and 2018 noted the following conditions:

CHRO – Meeting and Attendance Issues

Criteria: Section 46a-52 of the General Statutes requires the Commission on Human Rights and Opportunities to consist of 9 members. The Governor appoints 5 members. The president pro tempore of the Senate, minority leader of the Senate, speaker of the House of Representatives, and minority leader of the House of Representatives each appoint one member.

Section 1-225(b) requires each public agency of the state to file a schedule of its regular meetings for the ensuing year to the office of the Secretary of the State no later than January 31 of each year.

Regulations of State Agencies Section 46a-54-3a (b) indicates that Robert's Rules of Order shall govern the commission in all cases to which they are applicable and in which they are not inconsistent with other agency regulations. Robert's Rules of Order, which is generally used as conventional guidance for conducting meetings, provide that minutes of meetings should be signed by a designated representative to indicate that they have been formally approved.

Condition: The commission had one long-standing vacancy for a member appointed by the President Pro Tempore of the Senate. It has been vacant since January 2017. Furthermore, the commission did not have 2 members' current appointment letters on file.

The commission did not submit its annual meeting schedule to the Office of the Secretary of the State for 2017 and 2018.

The commission's designated representative did not sign meeting minutes as approved and final.

Context: The commission had monthly meetings through the audited period.

Effect: The commission's effectiveness may be hindered without a full complement of members.

The absence of the submission of the annual schedule of commission meetings to the Secretary of the State did not comply with the Freedom of Information Act and may preclude attendance by the public.

It is questionable whether meeting minutes are final without the designated official's signed approval.

Cause: It appears that the commission's administration was not aware of these issues.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities should comply with Sections 46a-52 and 1-225 of the General Statutes and Section 46a-54-3a (b) of the Regulations of State Agencies regarding commission membership, meeting schedules, and meeting minutes. (See Recommendation 1.)

Agency Response:

"We disagree. The Commission submits an annual schedule of commission meetings to the Office of Legislative Management. Typically, the Administrative Assistant to the Executive Director will provide the information for our Commission meetings to the Office of the Legislative Management of the CT General Assembly to secure the space for the calendar year. She was assigned this responsibility after the Legislative Analyst position was vacated due to retirement in 2015. This position remained vacant for years. With respect to the posting of the agenda to SOTS (the Secretary of State), that has occurred monthly. Per the Executive Secretary, she was not aware that she needed to provide the entire calendar, nor was she aware of how to do so. She only received instructions about monthly posting. This has since been corrected. The Commissioners vote on the annual calendar and this information is forwarded to CGA, Office of Legislative Management. The Commission will submit all future notices of the calendar of Commission meetings to the Secretary of State in accordance with relevant statutory provisions. Future submissions of meetings minutes will be signed henceforth.

The Administration is aware that we must file a calendar of Commission meetings with the Secretary of State. As such, the Commissioners of the Agency vote on the calendar and the calendar is thereafter filed. Further, the Secretary of the State has consistently been notified of the Commission's monthly meetings every month within a minimum of 24 hours of the meeting, in accordance with either regulatory or statutory provisions."

Auditors' Concluding Comment:

While the commission claims to notify the Secretary of the State of its monthly meetings, it still did not comply with Section 1-225 of the

General Statutes. The commission did not submit the annual commission meeting schedules for 2017 and 2018.

Martin Luther King, Jr. Holiday Commission – Noncompliance with Governing Statutes

Criteria: Section 10-29b of the General Statutes established a Martin Luther King, Jr. Holiday Commission, consisting of 19 members appointed by the Governor and leaders of the general assembly, with vacancies to be filled by the appointing authority. The commission meets as often as deemed necessary by the chairperson or a majority of the commission. The Commission on Human Rights and Opportunities serves as secretariat and consultant to the commission.

The commission shall: (1) ensure that the commemoration of the birthday of Dr. Martin Luther King, Jr. in the state is meaningful and reflective of the spirit with which he lived and the struggles for which he died, (2) maintain a clearinghouse of programs and activities relating to the observance and promotion of such birthday in the state, (3) cooperate with the Martin Luther King, Jr. Federal Holiday Commission, community organizations and municipalities in the state, (4) develop and implement programs and activities for the state as it deems appropriate, and (5) not later than September first, annually, submit to the Governor a report on its findings, conclusions, proposals and recommendations for the observance of such birthday in the following January.

Condition: The Martin Luther King, Jr. Holiday Commission did not meet during the audited period. According to the CHRO website (as of April 22, 2020), there were 7 commission vacancies. The commission only had appointment letters available for 6 members whose terms expired during the audited period.

The commission did not meet its annual reporting requirement to the Governor.

In December 2016, the Martin Luther King, Jr. Holiday Commission legally changed its status to a charitable corporation. The commission paid the legal and filing fees associated with its incorporation and the application for tax-exempt status with state funds through CHRO. This occurred without legislative authorization.

Effect: The absence of meetings during the audited period inhibited the commission's effectiveness and contributed to the lack of annual reporting to the Governor.

Changing the commission's status to a charitable corporation does not appear permissible under the existing statute.

Cause: Inactive membership was provided, in part, as a reason for the condition.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Martin Luther King, Jr. Holiday Commission, with guidance from the Commission on Human Rights and Opportunities, should ensure compliance with Section 10-29b of the General Statutes. The commission should seek clarification from the General Assembly whether it was authorized to change its status to a charitable corporation. (See Recommendation 2.)

Agency Response – MLK Jr. Holiday Commission:

“The State of CT Dr. Martin Luther King Jr. Holiday Commission was chaired by a former chairperson for the years of 2017 and 2018. The current chairperson, who was a Commissioner during that time, does not have access to the information being requested. The former chair was seriously ill for several years and subsequently died, therefore, the MLK Commission is unable to provide pertinent documents for the auditor's report. However, aside from the former chairperson, the current chairperson was the only appointed Commissioner appointed during that time. All of the other Commissioners either resigned or their terms expired. There were three individuals who were waiting to be appointed during this period, but they were not appointed until 2019. In 2019, the current chairperson was appointed Chair of the Dr. Martin Luther King Jr Holiday, Commission and has committed, moving forward, to provide all of the information that may be needed.”

Office of Public Hearings – Noncompliance with Statutory Composition and Operating Issues

Background: The Commission on Human Rights and Opportunities Office of Public Hearings (OPH) is responsible for scheduling and conducting all phases of the public hearing process in contested discrimination cases under the commission's jurisdiction and in certain types of whistleblower retaliation cases. Within OPH, the chief human rights referee administers the operations of the unit and assigns cases to two human rights referees. All of the referees are gubernatorial appointees, subject to legislative approval, who function independently from the rest of the commission. Human rights referees serve full time and conduct settlement negotiations and hearings as authorized by statute.

<i>Criteria:</i>	Section 46a-57 (a)(2)(E) of the General Statutes requires that on and after July 1, 2011, there shall be three human rights referees who shall (i) be appointed by the Governor with the advice and consent of both houses of the General Assembly, and (ii) serve for a term of 3 years. Good business practices suggest that the Office of Public Hearings should conduct the administrative hearing process within a reasonable time. Good business practices also suggest that OPH should establish a case management system to provide an effective and efficient means to schedule and administer cases.
<i>Condition:</i>	During most of the audited period (and through the date of our audit), OPH operated with only 2 of the 3 statutorily-required human rights referees. It takes 3 human rights referees (one of whom serves as the chief referee) to operate the office. In addition to the human rights referees, OPH operates with just one full-time employee who performs all of the office's administrative duties. In that employee's absence, the human rights referees perform those duties. This can be problematic, as OPH must avoid the potential of ex-parte communications. A review of the OPH website shows that as of April 22, 2020, OPH had 269 hearing events scheduled through August 2021. OPH lacks an adequate case tracking system. It currently performs case tracking manually through case file notations and a basic Excel spreadsheet.
<i>Context:</i>	Funding for the OPH operation resides within CHRO's budget.
<i>Effect:</i>	Human rights referee vacancies result in longer delays in public hearing scheduling. In some instances, human rights referees who did not preside at the public hearing must conduct settlement conferences. This vacancy complicates the scheduling of these settlement conferences. The absence of an adequate case tracking system yields inefficient management of OPH cases.
<i>Cause:</i>	The commission informed us that the Office of the Governor has been unable to attract candidates for the vacancies due to the limited salary range.

The lack of an adequate case management system appears to be due to the lack of financial resources.

Prior Audit Finding: This finding has been previously reported in the last audit report covering the fiscal years ended 2013, 2014, 2015 and 2016.

Recommendation: The Commission on Human Rights and Opportunities should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system. (See Recommendation 3.)

Agency Response – CHRO:

“The Commission agrees that it is under-resourced and is fully aware of the need for additional resources and has made numerous attempts to secure funding. The Commission needs to be fully funded. The Office of Public Hearings does need a separate case management system and the CHRO needs to be provided with the funds in order to address the needs of the Office of Public Hearings. The Commission has included the Office of Public Hearings in all IT considerations.

The Commission agrees that a separate case management system for the Office of Public Hearings would be beneficial to the Agency and to the stakeholders of the Agency.”

Agency Response – OPH:

“We do not control or have any input into our budgetary line. We would like the opportunity to request, in addition to the third referee, a separate case management system and a law clerk or paralegal. Further, we would like confirmation that a salary for a third referee, a case management system and support staff is put into the CHRO budget request.”

Inadequate Case Tracking System

Background:

The Commission on Human Rights and Opportunities utilizes its Case Tracking System (CTS) to monitor cases reviewed through its complaint resolution process. CTS supports a staff of 74 investigators, attorneys, administrative assistants, and executive staff in annually processing an average of 2,500 cases. While most cases are resolved within a year, more complex cases could remain outstanding for up to 5 years. However, we noted 24 cases were outstanding for more than 10 years.

<i>Criteria:</i>	Good business practices dictate that an organization should have an information system capable of supporting management's direction and monitoring of operations to provide timely and reliable information for decision-making and corrective action.
<i>Condition:</i>	CTS does not effectively, efficiently and reliably support the CHRO management in its mission. This is due to design limitations, inadequate maintenance, and unreliable information. We observed the following: • The CTS design does not have adequate data structure and edit controls to assure the accurate input of critical data. This includes data such as complainant name, respondent, federal case identification number, and to capture critical information for case monitoring and trend assessment. • CHRO cannot rely on CTS to produce accurate internal management and statutorily-required reports. Instead, regional offices must compile and augment the data before submitting it to the central office for the development of an agency level summary. • At the time of a major system modification in 2015, the Department of Administrative Services – Bureau of Enterprise Systems and Technology (DAS-BEST) deactivated 9,536 (out of a total of 35,888) older closed case records from CTS without consulting CHRO management on the effect of this decision or the manner of its implementation. • Our review of initial case information input into CTS determined that a delay of more than 1 week to input such data has increased over the past 8 years from a low of 12% of cases to 60%. This significant increase in delay occurred coincident with significant staff reductions in 2016.
<i>Context:</i>	From 2003 through the date of our audit, CHRO recorded 35,888 cases on its case tracking system.
<i>Effect:</i>	The system's inadequate design impairs management's ability to maintain reliable information to manage internal operations. It also makes it more difficult to monitor caseloads for trends that can be more efficiently addressed with regulation, surveillance, and training. The Department of Administrative Services – Bureau of Enterprise Systems and Technology decision to deactivate 25% of CHRO's case history records without consulting CHRO senior management raises a question regarding clarity of system management responsibility between the two organizations. However, CHRO is ultimately responsible for the operational integrity of the system and the integrity of its data in fulfilling its statutory mandates.

Cause: CHRO lacks a staff member trained in information technology who is capable of supporting the commission's contemporary information needs related to CTS, CTS-supporting desktop applications, and other operations.

In absence of this staffing resource, CHRO appears to have accepted the system's limitations as well as possible work around for them. This resulted in evolving inefficiencies that are likely significant to the senior management's productivity.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities should continue to prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources. (See Recommendation 4.)

Agency Response: "The Commission has made replacement of the Case Tracking System a priority and has prepared a draft application for funding for the purchase of a new complaint tracking system. In the early 2000s, when the business office within the CHRO was dismantled, the CHRO was supposed to be fully supported by the Department of Administrative Services, Bureau of Enterprise Systems and Technology (DAS/BEST). The CHRO does not have any trained technical professionals within its employ and has been forced to rely on the limited technical knowledge of a few staff persons who are not employed by the Agency to provide technical support. The CHRO has not been funded to hire a staff person with expertise in technical support.

The Case Tracking System that is being used by the Agency was developed and designed by DAS/BEST. DAS/BEST provides the Commission on Human Rights and Opportunities with technical support due to layoffs in early 2000 that resulted in the dismantling of the business office within the Agency. CHRO has never had those positions returned through appropriations, although the agency has made numerous appeals to the legislature and governor's office regarding the need.

Again, the Commission has most certainly given priority to the development of a complaint tracking system. CHRO has prepared a draft of an application for state funds to purchase a complaint tracking system and has been actively working with DAS to develop and submit that application. It is a timely process that is not under the agency's control."

Affirmative Action Plans – Incapacity to Support Electronic Submission

<i>Background:</i>	All state agencies, boards and commissions employing 25 or more full-time employees are required to file an affirmative action plan with the Commission on Human Rights and Opportunities to achieve equal employment opportunity within their agencies. These plans must be submitted on a semi-annual, annual or biennial cycle, depending on the reporting cycle of the particular agency.
<i>Criteria:</i>	Section 46a-68(c) of the General Statutes states that all affirmative action plans shall be filed electronically, if practicable.
<i>Condition:</i>	CHRO does not permit electronic filing of affirmative action plans, as allowed by statute.
<i>Context:</i>	An affirmative action plan for a major state agency can exceed 100 pages of significant tabular data. There are approximately 79 state agencies, as well as other boards and commissions, which may be subject to the reporting requirements.
<i>Effect:</i>	The inability to file electronically results in inefficient manual preparation, submission, and review of paper documents. This creates a burden on CHRO and the various reporting agencies' limited administrative resources. This could be mitigated with electronic filing capabilities that standardize input and centralize the data compilation to facilitate preparation.
<i>Cause:</i>	CHRO indicates that it does not have the resources to support the infrastructure necessary to electronically receive and process affirmative action plans. CHRO management applied for a pilot federal program to implement electronic plan preparation using a shared federal system platform, but was not selected.
<i>Prior Audit Finding:</i>	This finding has not been previously reported.
<i>Recommendation:</i>	The Commission on Human Rights and Opportunities should implement a platform for the electronic preparation and submission of state agency affirmative action plans. (See Recommendation 5.)
<i>Agency Response:</i>	"The CHRO would need to be fully funded to implement such a plan. The CHRO is underfunded and under resourced. The CHRO has explored entities that can provide this service, however additional, consistent funding would be required to implement and maintain this feature successfully."

Statutory Reporting Requirement Deficiencies

<i>Criteria:</i>	The Commission on Human Rights and Opportunities must comply with a number of statutory reporting requirements including the following: Section 4-9b(b) of the General Statutes requires the executive officer or chairperson of each state appointive board, commission, committee and council having members appointed by the Governor or the General Assembly to biennially report in writing to the Secretary of the State on or after September first, but no later than October 1 (1) the number of members of such body and (2) the composition of the body according to the term “race/sex”, as defined in the regulations of CHRO. Section 4a-60g (m) of the General Statutes requires CHRO to monitor the achievement of annual set-aside program goals established by each awarding agency and to prepare a quarterly report concerning such goal achievement. The report is to be submitted to each awarding agency that submitted a report, the Department of Economic and Community Development, the Department of Administrative Services and the General Assembly. Section 4d-7 of the General Statutes requires each agency to submit annually on or before August 1st, all plans, documents and other information requested by the Commissioner of Administrative Services for the development of the Information and Telecommunication Systems Strategic Plan.
<i>Condition:</i>	CHRO did not comply with certain statutory reporting requirements during the audited period.
<i>Effect:</i>	The intended recipients of the reports are not cognizant of certain data to make informed decisions.
<i>Cause:</i>	The commission acknowledged that there was a gap in reporting and that it was going through a transition to ensure that it meets its reporting requirements.
<i>Prior Audit Finding:</i>	This finding has not been previously reported
<i>Recommendation:</i>	The Commission on Human Rights and Opportunities should comply with its statutory reporting requirements. (See Recommendation 6.)
<i>Agency Response:</i>	“While the agency attempted to address issues from previous audits which cited a need to comply with reporting requirements and did so valiantly we have and will continue to address the need to be perfect.

As of June of 2018, the CHRO had 83 authorized positions and only 63 permanent full-time filled paid positions, despite repeated requests to refill critical positions within the agency. The decrease in the number of filled paid positions does not reflect the numerous, repeated efforts and multiple requests to refill critical positions within the agency. All requests were denied and affected our ability to perform optimally.”

Asset Management Issues

Background:

Under a memorandum of understanding between the Commission on Human Rights and Opportunities (CHRO) and the Department of Labor (DOL), DOL is responsible for entering assets into the Core-CT state accounting system; coordinating items for surplus; and preparing the Asset Management Report (CO-59). CHRO is responsible for approving the CO-59; managing the physical inventory; reconciling inventory records; identifying and recording missing items; completing and submitting signed CO-853 loss reports; and maintaining the software inventory.

Criteria:

Section 4-36 of the General Statutes requires state agencies to establish and maintain inventory records as prescribed by the Office of the State Comptroller. The agency must transmit a CO-59 to the State Comptroller and maintain its inventory in Core-CT. Only capitalized equipment should be reported on the CO-59, which should reconcile to the Core-CT inventory listing.

The State Property Control Manual requires each agency to maintain complete and accurate property records and establishes specific standards including:

- Agency software inventory listings should contain certain specified fields.
- Agencies should not report controllable property, which has a value of less than the \$5,000 capitalization threshold, on the CO-59.
- Agencies must conduct a complete physical inventory of all property by each fiscal year end.

Condition:

We noted the following asset management issues:

- CHRO did not adequately support CO-59 balances and activity by Core-CT for fiscal years 2016-2017 and 2017-2018.
- CHRO overstated CO-59 balances for 2016-2017 due to the inappropriate addition of \$139,428 in controllable property purchases.

- The Core-CT Asset Management module did not include \$121,194 in controllable property that CHRO purchased during the audited period and through December 2018.
- CHRO did not complete physical inventories during fiscal years 2016-2017 and 2017-2018 and did not perform a reconciliation of the CO-59 to inventory records.
- The agency's software inventory listing did not contain the required fields identified in the State Property Control Manual. Also, CHRO reported software inventory as a single item in Core-CT rather than as individual software items.

Context: CHRO reported a \$331,913 ending balance on the CO-59 for the fiscal year ended June 30, 2018.

Effect: When agencies inaccurately report assets and do not completely conduct and maintain complete inventory records, there is an increased risk of loss of state property.

Cause: In part, it appears that there was confusion whether CHRO or DOL was responsible to conduct the physical inventory.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities 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. (See Recommendation 7.)

Agency Response – CHRO:

“The Agency will work with the Department of Labor to resolve any Asset Management and Inventory issues. However, as stated previously, the Agency only employs attorneys, investigators, Managers and support staff. We do not have any business office, accounting or similar personnel. The functions discussed in this section were performed by the Department of Administrative Services when the Agency was APOed to them.”

Agency Response – DOL:

“We agree with the findings. The lack of accuracy is the result of the process being compromised due to staff reductions, human resource issues and inventory processing modifications. The Commissioner and appropriate staff have met with the State Auditors, as related to the DOL's overall approach to asset management, and reviewed conditions and solutions. As a result a corrective plan has been developed which will result in an accurate inventory being available by the close of FY 18/19. This corrective plan includes:

- upgrade of inventory scanning equipment
- (re)training of appropriate staff in inventory roles and responsibilities
- updated agency inventory manual and standard operating procedure manuals
- cleanout and disposal of surplus equipment throughout DOL's offices and warehousing facilities
- comprehensive statewide physical inventory scan
- establish controls to ensuring compliance with mandated inventory practices and reporting guidelines

The DOL understand the importance of an accurate inventory and is committed to doing what is required to correct this situation.”

Deficiencies in Revenue Recognition and Account Reconciliation

Background:

The Commission on Human Rights and Opportunities recorded revenue of \$1,803,100 and \$1,904,430 for fiscal years 2016-2017 and 2017-2018, respectively, from complaint settlement contracts with the federal Equal Employment Opportunity Commission (EEOC) and Department of Housing and Urban Development (HUD). These revenues constitute 99.5% of all CHRO's federal revenues and support 28.3% and 32.11% of the commission's expenditures for fiscal years 2016-2017 and 2017-2018 respectively.

CHRO receives fiscal management support from the Department of Labor (DOL) for administrative purposes only. While DOL is responsible for CHRO's accounting, the department needs and depends on CHRO operational information. Therefore, there must be mutual understanding and coordination between the agencies.

Criteria:

Proper accounting requires that management recognize revenues in the period they are earned to achieve a proper matching with related expenditures and provide an accurate measure of financial performance.

Effective accounting control requires that revenues earned be reconciled periodically with revenues received to detect billing errors or remittance by either party to the transaction.

Condition:

A review of federal grant revenue patterns during the audited period identified deficiencies in accounting practices for revenue recognition and reconciliation.

In most instances, revenue recognition occurred following the close of the federal fiscal year ending September 30, resulting in CHRO not

recording approximately 75% of the current year's revenue until the subsequent state fiscal year. Therefore, they did not match to current year expenditures.

We observed two instances in which the absence of an effective reconciliation process resulted in Equal Employment Opportunity Commission revisions, including a \$40,300 adjustment in state fiscal year 2016-2017 pertaining to federal fiscal year 2012, and a \$7,000 adjustment in state fiscal year 2017-2018 pertaining to federal fiscal year 2015.

The DOL Business Management Unit does not receive sufficient information from CHRO to effectively reconcile revenue earned with revenue recorded from contract payments. CHRO's internal process of monitoring EEOC payments does not constitute a complete reconciliation of annual contract activity and revenue received.

Context: The condition appears to be a systemic problem.

Effect: Untimely revenue recognition misrepresents relationships between each fiscal period's revenues and related expenditures. This is due to improper matching of revenues with the fiscal period in which they were earned.

Ineffective reconciliation processes impair the capacity to detect errors and seek timely correction. Although noted errors were not material, and the result of unique circumstances, they illustrate that errors can occur on a larger scale.

Cause: DOL does not possess the necessary information from CHRO to fulfill its financial management role.

Neither agency appears to have sufficient staffing to perform the additional accounting and reconciliation processes to ensure timely and accurate financial reporting and management.

Prior Audit Finding: There was no prior audit finding.

Recommendation: The Commission on Human Rights and Opportunities and the Department of Labor should jointly devise enhanced controls to improve the accuracy of revenue recognition and effectiveness of reconciliation processes. (See Recommendation 8.)

Agency Response – CHRO:

“The CHRO has established regular, quarterly meetings and will continue to work with the Department of Labor to address the issues

noted herein. However, the CHRO does not employ and has not received funding to employ any accountants. This is beyond the purview of our authority and would require multiple levels of approval. The CHRO is staffed with attorneys, investigators and support staff. The CHRO lost its independent business office on or about the early 2000s. The Agency has remained underfunded and under-resourced since that time, despite efforts to enhance and increase funding.”

Agency Response – DOL:

“DOL has created and maintains a spreadsheet to track CHRO’s payment requests to include balances available and coding information. DOL relies solely on contract information from CHRO.

DOL created a payment request form for CHRO to submit when requesting drawdowns in order to maintain consistency in drawdown efforts and account tracking. No drawdowns are completed without the completed signed contract in hand.

All drawdown request require back up information to support the request for funds.”

Accountability of Donations

Criteria:

Section 46a-54 of the General Statutes authorizes the Commission on Human Rights and Opportunities to receive donations.

Section 46a-89 defines the authority for CHRO to seek civil penalties for discriminatory practices in employment, housing and public accommodations through injunctive relief in Superior Court.

Proper accounting requires the classification of transactions according to the substance of the transaction and not its form.

A donation is defined as “the act by which the owner of a thing voluntarily transfers the title and possession of the same from himself to another person without consideration; a gift.”

Condition:

CHRO appears to have inappropriately designated funds from complaint case settlements as donations.

We tested 4 remittances totaling \$10,090 to complaint case settlement documentation and determined that all 4 payments were part of settlements negotiated with the respondents. The court of jurisdiction directed respondents to make payments to the Human Rights Education and Donation Account or CHRO Education and Outreach Fund.

CHRO directed the Department of Labor Business Management Unit, which administratively supports CHRO, to record the transactions in Core-CT without supporting documentation. DOL did not have the basis to question the accuracy of the accounting designation, nor the standards by which to assess the appropriateness of disbursements from a restricted fund.

Context: CHRO classified \$13,240 of collections as donations for fiscal years 2016-2017 and 2017-2018, of which \$5,091 was expended. These funds are classified as restricted funds.

Effect: The classification of the funds as donations is inappropriate.

CHRO's accounting of these settlements as donations directs them to a restricted fund without established policies for their authorized use. The creation of a restricted fund without collateral policies to define restricted use leaves it susceptible to misuse.

Cause: CHRO's executive management asserts that it consulted with the Office of State Ethics and received a verbal opinion that it is acceptable for the commission to recommend donations to its education fund in case settlements.

CHRO has been granted statutory authority to accept donations. However, it has chosen to misapply that authority to settlements awarded under civil judicial processes. Civil penalties and settlements administered through civil judicial processes have the same level of legal enforcement. Therefore, they are not donations in the generally recognized meaning of that term.

It appears that DOL has not received sufficient documentation to assess the substance of the transactions and determine their proper accounting treatment.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Commission on Human Rights and Opportunities should discontinue its practice of pursuing donations through the settlement process under Section 46a-89 of the General Statutes. In addition, the commission should establish criteria for the use of the restricted Human Rights Education and Donation Account. (See Recommendation 9.)

Agency Response: "The Commission requested that the Department of Administrative Services (DAS) establish and maintain an account for the receipt of donation funds as authorized by statute. Thereafter, the Commission was APOed to the Department of Labor. The Commission has not been

funded to and currently has no independent accounting or business management unit or personnel. Instead, the Commission has an agreement with the Department of Labor to perform these functions on the CHRO's behalf. In that role, it is the Department of Labor, not the CHRO that has established the donations account, monitors account activity, and ensures the account's compliance with any and all relevant rules, regulations, and statutes.

To the extent the Commission is being faulted for including donations to this fund as part of a mutually agreed upon settlement agreement, the criticism is not supported by the law. These donations are explicitly authorized by statute. Conn. Gen. Stat. Section 46a-54(18) authorizes the Commission to enter into contracts for and accept grants of private or federal funds and to accept gifts, donations or bequests, including donations of service by attorneys. A settlement agreement is a form of contract to resolve pending litigation. Since the establishment of the donation fund years ago, the Commission has infrequently included a donation clause in settlement agreements pursuant to this statutory authority. The CHRO has appropriately designated funds to be deposited into its charitable contributions account. Contrary to the language in the draft, the CHRO has not inappropriately designated settlement funds as donations. The four examples of settlements referred to in the draft explicitly make clear that a donation is being made to the agency. A civil penalty can only be awarded by a judge after an adjudication. A settled case, even if settled in court cannot be designated as a civil penalty. The judge as an operation of Court procedure accepts the settlement of the case by the parties and closes the case pursuant to settlement. The Court does not award a civil penalty when a case is closed pursuant to settlement. The statutory provisions are very specific as it relates to a civil penalty.

As an agency we have received advice and guidance from the Ethics Office and the Office of the Attorney General regarding accepting donations. We have followed that guidance. The Agency interprets its own statute to provide for acceptance of donations. The Connecticut courts have ruled that the Agency's interpretation of its own statutes should be given deference and priority.

Further, the Agency is only a party to voluntary settlements. The Agency is not generally a party to binding arbitration when using its three party system. As such, any and all settlements in which the Agency is a party or the settlement is a matter of public record would be a voluntary settlement.

Contrary to the information contained in the draft report, there has been no inappropriate conduct. The settlement agreements that are referred

to clearly state that a donation is being made to the education or charitable donation account of the Agency.

The Commission agrees that it should establish guidelines for the use of the funds and will endeavor to do so.”

*Auditors’ Concluding
Comment:*

The donations cited in this finding were the result of court-approved settlements which terminated civil actions by the parties. As such, the donations were not truly voluntary, but were negotiated under the duress of a possible less favorable outcome in a civil trial.

Investigations Issue

Background:

The Department of Labor (DOL) provides human resource and payroll support services to the Commission on Human Rights and Opportunities in accordance with a memorandum of understanding. DOL’s responsibilities include conducting investigations of employee misconduct on behalf of CHRO management, which retains the responsibility for the disposition of matters brought to its attention.

Criteria:

An investigative process should assure a consistent methodology governed by applicable laws, regulations, and labor contract provisions. It should document the complaint’s process, conclusions and final disposition in order to provide evidence of a fair and consistent investigation.

The Administrative and Residual (P5) Unit Employee Service Rating form provides 5 employee evaluation rating levels: Excellent, Superior, Satisfactory, Fair and Unsatisfactory (Fair and Unsatisfactory are considered to be “less than good” ratings). The 5 factors subject to evaluation include: Quality of Work, Quantity of Work, Dependability, Ability to Deal with People, and Supervisory Ability.

Administrative and Residual (P-5) Bargaining Unit Contract, Article 10 - Service Ratings, Section 1 indicates that ratings of Fair in 2 categories and/or Unsatisfactory in one or more categories shall constitute an overall rating of “less than good”. An employee who has received a “less than good” rating should be counseled.

Condition:

Our review of investigations conducted during the audited period generally found the documentation to be thorough in justifying the DOL conclusions. However, in one instance, the investigation file did not include documentation of the final management action. CHRO prepared a counseling letter and sent it to the employee for signature. However,

the employee did not return it and CHRO did not submit a copy to DOL for the employee's personnel file.

Furthermore, the CHRO management's service ratings of "Excellent, Superior, and Satisfactory" for this employee for the investigation period and the following year, appear to show that CHRO management's action was inconsistent and insufficient with the evidence in the DOL investigation and CHRO counseling letter.

Context: DOL conducted 12 investigations during fiscal years 2016-2017 and 2017-2018. The department combined the investigations into 7 files as some pertained to the same subject employee.

Effect: A failure to document the final disposition of an investigation results in an incomplete record.

Insufficient management response to the complaints that initiated the investigation may negatively impact the performance of other employees.

Cause: There appears to be a lack of communication between CHRO and DOL with regard to the final disposition of investigations. CHRO management exercised poor judgement in conducting the employee's service ratings without adequate consideration of the investigation or counseling letter.

Prior Audit Finding: This finding has not been previously reported.

Recommendation: The Department of Labor should ensure that all investigations are adequately documented with complete records of evidence and final disposition. The Commission on Human Rights and Opportunities should ensure that final dispositions are consistent with investigatory evidence. (See Recommendation 10.)

Agency Response – CHRO:

"The record of the counseling was provided to the employee and signed by the employee. The request for a copy of the signed counseling was made during a period when the vast majority of agency staff was working remotely due to COVID-19 restrictions. As a result, the signed counseling memo was not provided to the Auditors as it is maintained in a supervisory file. The agency maintains that the counseling was adequate, sufficiently addressed the outlined concerns and discussed with Human Resources prior to being given to the employee. The incident in question did not negate the overall performance of that employee throughout the rest of the reporting year."

Agency Response – DOL:

“CT DOL concurs with the CHRO response.”

Auditors’ Concluding

Comment:

Management’s action does not appear to reflect the investigation and counseling matters. The investigation report identifies the employee’s pattern of behavior rather than one particular incident, and was not adequately reflected in the employee’s service rating. In addition, we did not find the resulting counseling letter in the employee’s personnel file.

RECOMMENDATIONS

Status of Prior Audit Recommendations:

Our prior audit report on the Commission on Human Rights and Opportunities contained 6 recommendations. Five have been implemented or otherwise resolved and 1 has been restated with modifications during the current audit.

- The Commission on Human Rights and Opportunities should prepare and submit all reports not previously submitted to the Judiciary Committee and the Governor in accordance with Section 46a-82e (b) of the General Statutes. The commission should also submit all future reports in a timely manner. **This recommendation has been resolved.**
- The Commission on Human Rights and Opportunities should comply with the reporting requirements of Section 46a-56 (a) (6) and Section 46a-68 (f) of the General Statutes, and submit the required Contract Compliance and Affirmative Action reports. **This recommendation has been resolved.**
- The Chairperson of the Commission on Human Rights and Opportunities should request that the Office of the Governor fill the vacant Human Rights Referee position. CHRO should consider whether the Office of Public Hearings needs additional support and review the feasibility of incorporating OPH cases into its case tracking system. **This recommendation is being modified and repeated. (See Recommendation 3.)**
- The Commission on Human Rights and Opportunities should promptly notify Core-CT security when employees separate from the agency so their accounts can be formally locked. **This recommendation has been resolved.**
- The Department of Labor should prepare the annual internal control self-assessment questionnaire required by the Office of the State Comptroller. The Commission on Human Rights and Opportunities should keep its questionnaires on file. **This recommendation has been resolved.**
- The Commission on Human Rights and Opportunities should comply with state personnel regulations and contracts when placing employees on paid administrative leave and should strengthen internal controls over voluntary leave. CHRO should seek guidance and approval from the State Retirement Commission when provisions of a proposed stipulated agreement have the potential to grant retirement benefits, (which are outside CHRO's authority) and should seek guidance and approval from the Office of Labor Relations (OLR) pertaining to stipulated agreements involving collective bargaining agreements, which OLR negotiates and administers. **This recommendation has been resolved.**

Current Audit Recommendations:

- 1. The Commission on Human Rights and Opportunities should comply with Sections 46a-52 and 1-225 of the General Statutes and Section 46a-54-3a (b) of the Regulations of State Agencies regarding commission membership, meeting schedules, and meeting minutes.**

Comment:

The commission had one long-standing vacancy, and did not have up-to-date appointment letters on file for two members. The commission did not submit its annual schedule of commission meetings to the Office of the Secretary of the State. The commission's designated representative did not sign meeting minutes as approved and final.

- 2. The Martin Luther King, Jr. Holiday Commission, with guidance from the Commission on Human Rights and Opportunities, should ensure compliance with Section 10-29b of the General Statutes. The commission should seek clarification from the General Assembly whether it was authorized to change its status to a charitable corporation.**

Comment:

The Martin Luther King, Jr. Holiday Commission did not meet during the audited period. There are 4 vacancies on the commission and appointment letters were only available for 6 members, all of which had terms expiring within the audited period.

The MLK Jr. Holiday Commission did not meet its annual reporting requirement to the Governor.

In December 2016, the MLK Jr. Holiday Commission had legally changed its status to a charitable corporation without legislative authorization.

- 3. The Commission on Human Rights and Opportunities should continue to request the appointment of the vacant human rights referee position. In addition, the commission should consider whether the Office of Public Hearings needs additional support, including the acquisition of a case management system.**

Comment:

The Office of Public Hearings (OPH) operated with only 2 of the 3 statutorily- required human rights referees since December 2015. Furthermore, one full-time employee performs all of the office's administrative duties. As of April 22, 2020, OPH has 269 hearings scheduled through August 2021. The office also lacks an adequate case tracking system.

- 4. The Commission on Human Rights and Opportunities should continue to prioritize the replacement of its Case Tracking System and increase its information technology capabilities to enhance operational effectiveness and efficient use of its resources.**

Comment:

The CHRO case tracking system does not effectively, efficiently, and reliably support CHRO in its mission. This is due to design limitations, inadequate maintenance, and unreliable information.

- 5. The Commission on Human Rights and Opportunities should implement a platform for the electronic preparation and submission of state agency affirmative action plans.**

Comment:

CHRO does not permit electronic filing of affirmative action plans, as allowed by statute.

- 6. The Commission on Human Rights and Opportunities should comply with its statutory reporting requirements.**

Comment:

CHRO did not comply with certain statutory reporting requirements during the audited period.

- 7. The Commission on Human Rights and Opportunities 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.**

Comment:

Our reviews of asset management for the audited period noted that CHRO did not adequately support CO-59 balances and activity by Core-CT records, did not conduct physical inventories, and did not perform reconciliations between the CO-59 and inventory records. Also, CHRO's software inventory did not contain the required fields identified in the State Property Control Manual.

- 8. The Commission on Human Rights and Opportunities and the Department of Labor should jointly devise enhanced controls to improve the accuracy of revenue recognition and effectiveness of reconciliation processes.**

Comment:

We noted deficiencies in the accounting practices for revenue recognition and the effectiveness of revenue reconciliation.

- 9. The Commission on Human Rights and Opportunities should discontinue its practice of pursuing donations through the settlement process under Section 46a-89 of the General Statutes. In addition, the commission should establish criteria for the use of the restricted Human Rights Education and Donation Account.**

Comment:

CHRO inappropriately accounted for certain funds derived from complaint case settlements as donations. There is no established criteria for the use of the restricted Human Rights Education and Donation Account.

- 10. The Department of Labor should ensure that all investigations are adequately documented with complete records of evidence and final disposition. The Commission on Human Rights and Opportunities should ensure that final dispositions are consistent with investigatory evidence.**

Comment:

Documentation showing the final disposition of an investigation was lacking. In addition, the employee's service ratings did not appear to properly reflect the DOL investigation results or the subsequent CHRO counseling letter.

ACKNOWLEDGMENTS

The Auditors of Public Accounts would like to recognize the auditors who contributed to this report:

Dennis Collins
Sidney Gale

CONCLUSION

In conclusion, we wish to express our appreciation for the courtesies and cooperation extended to our representatives by the personnel of the Commission on Human Rights and Opportunities during the course of our examination.

A stylized, handwritten signature in black ink, featuring a large, sweeping 'D' and 'C'.

Dennis Collins Jr.
Principal Auditor

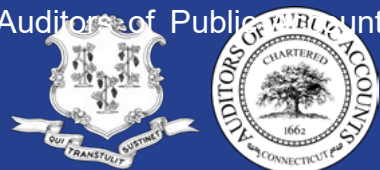
Approved:

A handwritten signature in black ink, consisting of a series of fluid, connected loops and a long horizontal stroke at the end.

John C. Geragosian
State Auditor

A handwritten signature in black ink, featuring a large, stylized 'R' and 'K'.

Robert J. Kane
State Auditor



AUDIT SUMMARY

Commission on Human Rights and Opportunities

www.cga.ct.gov/apa

Fiscal Years Ended June 30, 2019 and 2020

ABOUT THE AGENCY



The Commission on Human Rights and Opportunities (CHRO) operates primarily under the provisions of Chapter 814c, Sections 46a-51 through 46a-104 of the General Statutes.

Its principal duty 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. Under Section 46a-52(e) of the General Statutes, the commission is within the Labor Department for administrative purposes only.

ABOUT THE AUDIT

We have audited certain operations of CHRO 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, 2019 and 2020. 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.

[Link to full report](#)



6

Total Findings

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



5

Repeat Findings

NOTEWORTHY FINDINGS



Findings

1

CHRO did not comply with certain statutory reporting requirements, including quarterly set-aside goal achievement reports; recommendations for the removal of injustices describing investigations, proceedings, and hearings conducted and their outcomes and any decisions rendered; and plans, documents, and other information requested by the Department of Administrative Services for the development of the Information and Telecommunication Systems Strategic Plan. We reviewed all 11 CHRO annual/biennial statutory reporting requirements.

2

CHRO asset management reports were deemed unreliable, due in part, to the lack of conducting a complete physical inventory. CHRO's reported assets totaled \$331,913 as of June 30, 2020.

3

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

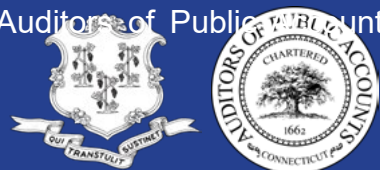


Recommendations

CHRO should comply with its statutory reporting requirements.

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 and training and implement electronic processing of state agency and contractor affirmative action plans.



AUDIT SUMMARY

Commission on Human Rights and Opportunities

www.cga.ct.gov/apa

Fiscal Years Ended June 30, 2019 and 2020

ABOUT THE AGENCY



The Commission on Human Rights and Opportunities (CHRO) operates primarily under the provisions of Chapter 814c, Sections 46a-51 through 46a-104 of the General Statutes.

Its principal duty 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. Under Section 46a-52(e) of the General Statutes, the commission is within the Labor Department for administrative purposes only.

ABOUT THE AUDIT

We have audited certain operations of CHRO 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, 2019 and 2020. 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.

[Link to full report](#)

6

Total Findings

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

5

Repeat Findings

NOTEWORTHY FINDINGS



Findings

1

CHRO did not comply with certain statutory reporting requirements, including quarterly set-aside goal achievement reports; recommendations for the removal of injustices describing investigations, proceedings, and hearings conducted and their outcomes and any decisions rendered; and plans, documents, and other information requested by the Department of Administrative Services for the development of the Information and Telecommunication Systems Strategic Plan. We reviewed all 11 CHRO annual/biennial statutory reporting requirements.

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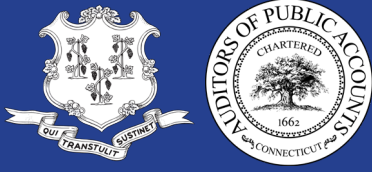


Recommendations

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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.

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AUDIT SUMMARY

Commission on Human Rights and Opportunities

4

www.cga.ct.gov/apa

Fiscal Years Ended June 30, 2021 and 2022

ABOUT THE AGENCY



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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.

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[Link to full report](#)



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.

NOTEWORTHY FINDINGS



1

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

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

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.

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.

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.

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.

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

Gales Ferry CT, 06335

Phone: (860) 942-0365

Fax : (860) 465-9591

<https://www.CTbrainINJURY.com>

Date: 02.04.2024

Commission on Human Rights and Opportunities
Capitol Region Office
450 Columbus Boulevard, Suite 2

Hartford, CT 06103 | AA/EOEDepartment of Social Services - Central Office
55 Farmington Ave,
Hartford, CT 06105

TO: Connecticut Commission on Human Rights and Opportunities (CHRO) and the
Department of Social Services (DSS).

Formal Complaint and Demand for Investigation: Allegations of Discrimination and
Non-Compliance by CHRO and DSS

Formal Complaint of Discrimination and Request for Immediate Action

I hereby demand an immediate cessation of all discriminatory practices and policies
that violate ADA and whistleblower protections as experienced within the dealings
with the Connecticut Commission on Human Rights and Opportunities (CHRO) and
the Department of Social Services (DSS). This demand is made with the expectation
of a prompt, transparent investigation into these allegations and a swift
implementation of corrective measures to ensure full compliance with all applicable
federal and state laws, thereby safeguarding my rights and those of others who may be
similarly affected.

is imperative that this situation be rectified immediately to restore faith in your commitment to justice and legal compliance.

I expect a prompt response to this letter, detailing the steps that will be taken to investigate these claims and ensure that such violations do not recur. Failure to address these concerns adequately may compel me to pursue further legal action to protect my rights and ensure that the principles of fairness, transparency, and accountability are upheld.

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



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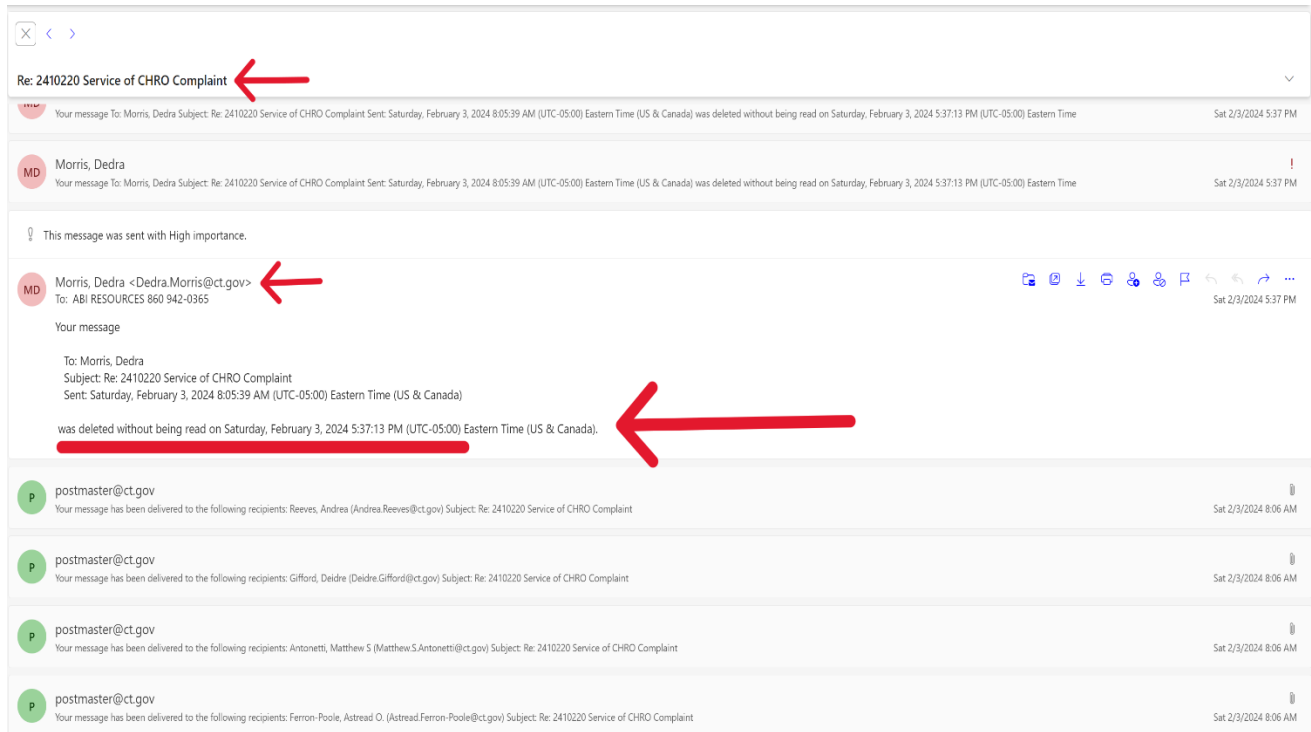
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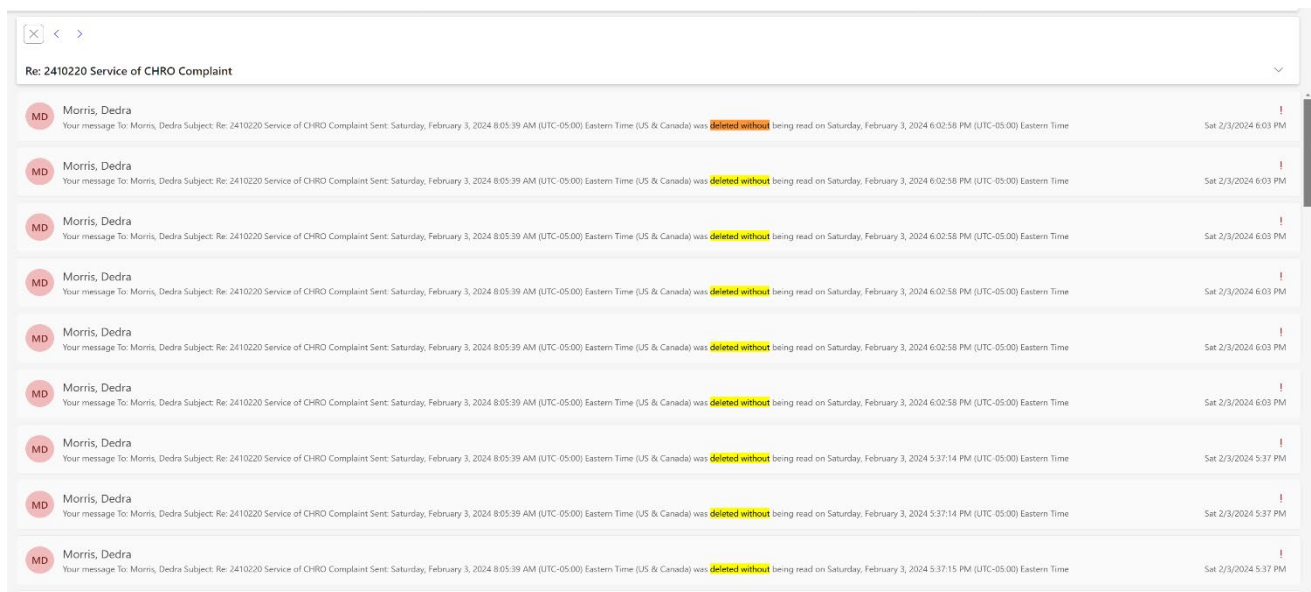
Your message

To: Morris, Dedra

Subject: Re: 2410220 Service of CHRO Complaint

Sent: Saturday, February 3, 2024 8:05:39 AM (UTC-05:00) Eastern Time (US & Canada)

was deleted without being read on Saturday, February 3, 2024 6:02:58 PM (UTC-05:00) Eastern Time (US & Canada).



I am writing to formally allege discrimination by the Connecticut Commission on Human Rights and
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 2 of 73

Opportunities (CHRO) and the Department of Social Services (DSS), in violation of the Americans with Disabilities Act (ADA) and whistleblower protection laws. Despite numerous attempts to seek resolution and compliance with these critical protections, my efforts have been met with systemic barriers and retaliatory actions that not only exacerbate my personal and professional situation but also raise serious concerns about the commitment of CHRO and DSS to uphold the law and protect the rights of individuals they serve.

This letter serves as a formal request for an immediate, transparent, and comprehensive investigation into these allegations. Furthermore, it demands the implementation of corrective actions to address and rectify the violations of ADA compliance and whistleblower protections I have experienced.

The failure to adequately address these issues not only undermines the integrity of CHRO and DSS but also inflicts significant harm on those who rely on your departments for support and protection. It is imperative that this situation be rectified immediately to restore faith in your commitment to justice and legal compliance.

I expect a prompt response to this letter, detailing the steps that will be taken to investigate these claims and ensure that such violations do not recur. Failure to address these concerns adequately may compel me to pursue further legal action to protect my rights and ensure that the principles of fairness, transparency, and accountability are upheld.

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



Re: 2410220 Service of CHRO Complaint

This message was sent with High importance.
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MD

Morris, Dedra <Dedra.Morris@ct.gov>
o:ABI RESOURCES 860 942-0365

Sat 2/3/2024 6:03 PM

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☐ Reply ☐ Forward

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P

□

postmaster@ct.gov

Sat 2/3/2024 8:06 AM

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

P

postmaster@ct.gov

Sat 2/3/2024 8:06 AM

Your message has been delivered to the following recipients: Gifford, Deidre (Deidre.Gifford@ct.gov) Subject: Re: 2410220 Service of CHRO 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 10 of 73

P



postmaster@ct.gov

Sat 2/3/2024 8:06 AM

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

P



postmaster@ct.gov

Sat 2/3/2024 8:06 AM

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 2/3/2024 8:06 AM

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

A



ABI RESOURCES 860 942-0365

Sat 2/3/2024 8:05 AM

02.03.2024 Subject: Urgent Request for Status Update and Immediate Action on ADA Non-Compliance and Whistleblower Protection Violations Dear Commission on Human Rights and Opportunities (CHRO), I write to urgently inquire about the status of my corr

P



postmaster@ct.gov

Fri 1/5/2024 9:12 AM

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

P



postmaster@ct.gov

Fri 1/5/2024 8:55 AM

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

P



postmaster@ct.gov

Fri 1/5/2024 8:54 AM

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postmaster@ct.gov

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postmaster@ct.gov

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A

ABI RESOURCES 860 942-0365

To:Reeves, Andrea;Morris, Dedra;Gifford, Deidre

Cc:Ferron-Poole, Astread O.;Antonetti, Matthew S

Fri 1/5/2024 8:35 AM

Mail 7 - ABI RESOURCES 860 942-0365 - Outlook.pdf

325 KB



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

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

453 KB



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12.19.2023 CT CHRO WBC CHRO Mail - ABI RESOURCES 860 942-0365.pdf

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995 KB



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305 KB



Mail 3 - ABI RESOURCES 860 942-0365 - Outlook.pdf

334 KB



2024.01.02 CHRO DSS Complaint ADA Whistleblower Protections David Medeiros ABI Resources Connecticut (1).pdf

335 KB



Mail 2 - ABI RESOURCES 860 942-0365 - Outlook.pdf
305 KB


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2024.01.02 CHRO DSS Complaint ADA Whistleblower Protections David Medeiros ABI Resources Connecticut.pdf
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01.02.2024 chro morris WBC Mail - ABI RESOURCES 860 942-0365 - Outlook.pdf
987 KB


12.29.2024 CHRO COMPLAINT Mail - ABI RESOURCES 860 942-0365 - Outlook.pdf
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12.23.2023 Ned Lamont Call for Systemic Change CHROs Failure in ADA Accommodation Compliance. Disability Discrimination Whistleblower Retaliation .pdf
877 KB


12.23.23 8 AM THREAD CHRO CT DSS- OutlookMail - ABI RESOURCES 860 942-0365 - Outlook - Copy.pdf
985 KB


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
1 MB


12.14.2023 Dear Matthew S. Antonetti CT DSS .pdf
296 KB


DSS Response to ABI Resources 10.31.23 Correspondence (2).pdf
163 KB


12.15.2023 Complaint Seeking Connecticut Intervention for Whistleblower Rights and Accommodation in SelfAdvocacy Against Misconduct Connecticut Matthew S. Antonetti CT DSS .pdf

282 KB



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

453 KB



Show all 28 attachments (13 MB) Save all to OneDrive Download all

01.05.2024

20 documents attached.

Subject: Complaint / Demand for Immediate Rectification of ADA Non-Compliance and Whistleblower Protection Violations

Dear Commission on Human Rights and Opportunities (CHRO),

I am writing to you with a sense of urgency and determination, to formally raise and seek an immediate resolution to significant administrative discrepancies and communication failures in the handling of my case. These issues not only pose an obstruction but also constitute a clear breach of the Americans with Disabilities Act (ADA) and whistleblower protection statutes.

Despite prior assurances from the CHRO, my experience has been marred by a complex and confusing array of communication channels, rather than the streamlined, accessible process that is both expected and required. This fragmentation, which I perceive as systematic rather than incidental, directly contravenes my rights to reasonable accommodations under the ADA. The resulting situation has not only complicated my access to services but also raised serious concerns about the integrity and effectiveness of the CHRO's processes.

The current state of affairs, characterized by multiple and conflicting communication threads, has led to significant conflicts of interest, compromised the integrity of information, and diluted the effectiveness of my advocacy efforts. This approach, which seems to be a deliberate 'divide and conquer' tactic, is wholly inappropriate and unacceptable, especially within an organization that is entrusted with upholding public trust and rights.

As an advocate for civil rights and equitable treatment of individuals with disabilities, I find it imperative to highlight that the continuation of these practices is intolerable. Such actions undermine not only my individual rights but also the broader trust in institutions that are supposed to protect and uphold these rights.

To address these concerns, I demand the following actions:

Immediate consolidation of all communications related to my case into a single, accessible thread, as previously assured by your office.

A comprehensive and transparent investigation into the administrative errors and conflicts of interest I have outlined.

A detailed explanation of the current failures in compliance, along with a robust action plan for remediation.

Full compliance with all reasonable accommodation requests that have been previously submitted but ignored.

Provision of the names, titles, and contact information of all @CT.gov employees involved in my CHRO case.

Access to all communications from @CT.gov addresses/state employees regarding any aspect of my CHRO complaint.

Identification of all CHRO supervisors and along with a request for Comm. Sujata Gadkar-Wilcox, Comm. Alex Harris, Comm. Tamara Titre, Tanya A. Hughes CHRO Commissioner to provide clarification, explanation, and resolutions to the issues raised and at hand.

I request the Connecticut Department of Social services Commissioner Andrea Barton Reeves to provide clarification, explanation, and resolutions to DSS's actions.

Detailed Record of Case Handling:

Can you provide a detailed timeline and record of how my case has been handled from the initial submission to the present date?

Reason for Communication Fragmentation:

What are the specific reasons for the fragmented and complex communication channels in handling my case?

ADA Compliance Verification:

How does the CHRO ensure compliance with the ADA in terms of accommodating individuals with disabilities in its administrative processes?

Conflict of Interest Clarification:

Can you identify any potential conflicts of interest that may have arisen in the handling of my case?

Assessment of Advocacy Impact:

How have the current communication and administrative processes affected the effectiveness of my advocacy efforts?

Investigation into Administrative Errors:

What procedures will be followed to investigate the administrative errors and conflicts of interest that I have outlined?

Action Plan for Remediation:

What specific steps will the CHRO take to rectify the current failures in compliance with ADA and whistleblower protection statutes?

Status of Accommodation Requests:

What is the status of all reasonable accommodation requests that have been submitted in relation to my case?

Transparency in Employee Involvement:

Who are the specific @CT.gov employees involved in my case, and what roles do they play?

Access to Communications:

Can I be granted access to all communications from @CT.gov addresses/state employees regarding any aspect of my CHRO complaint?

Supervisory Oversight and Response:

What is the extent of oversight by CHRO supervisors on my case, and how will they address the issues I've raised?

Department of Social Services Involvement:

What is the role of the Connecticut Department of Social Services in this matter, and how will the Commissioner respond to the issues at hand?

Measures to Prevent Future Occurrences:

What measures will the CHRO implement to prevent similar issues from occurring in the future with other cases?

Feedback Mechanism for Complainants:

What mechanisms are in place for complainants to provide feedback on the handling of their cases and suggest improvements?

Accountability Measures:

What accountability measures are in place for handling potential violations of the ADA and whistleblower protections?

I trust that the CHRO will treat these grievances with the seriousness they warrant and respond promptly and effectively. It is in the interest of justice and equity that these matters are addressed with the utmost attention and rectitude.

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

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 Silt, 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.

RE: 2410220 Respondent Granted Extension
Slitt, Michael <Michael.Slitt@ct.gov>
Thu 1/4/2024 2:55 PM
To: Morris, Dedra <Dedra.Morris@ct.gov>
Cc: aabiwr@live.com <aabiwr@live.com>; Zakrzewski, Jennifer <Jennifer.Zakrzewski@ct.gov>
Oh, now I get it, thank you!!!! This is very helpful. Sorry for MY confusion!
From: Morris, Dedra <Dedra.Morris@ct.gov>

Sent: Thursday, January 4, 2024 2:54 PM
To: Slitt, Michael <Michael.Slitt@ct.gov>
Cc: aabiwr@live.com; Zakrzewski, Jennifer <Jennifer.Zakrzewski@ct.gov>
Subject: Re: 2410220 Respondent Granted Extension

Hi Atty. Slitt,

I was denying the extension for January 29, 2024, and granting until February 1, 2024. The RP acknowledge receipt of the service on December 18, 2023, which brings it to February 1, 2024, which was granted. Sorry for the confusion but I hope I was helpful this time.

Thanks, Dedra

www.ct.gov/chro

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

From: Slitt, Michael <Michael.Slitt@ct.gov> Sent: Thursday, January 4, 2024 2:30 PM To: Morris, Dedra <Dedra.Morris@ct.gov>
Cc: aabiwr@live.com <aabiwr@live.com>; Zakrzewski, Jennifer <Jennifer.Zakrzewski@ct.gov>
Subject: RE: 2410220 Respondent Granted Extension Hi Ms. Morris:
Can you please confirm that this request for an extension was granted (as stated in your subject line), as opposed to denied (as appears in the body of the email)? You emailed the Complaint to the Respondent on December 15, 2023, which would make the response due on January 14, 2024. Respondent is requesting a one-time 15- day extension to January 29, 2024.

Thanks!

From: Morris, Dedra <Dedra.Morris@ct.gov>
Sent: Thursday, January 4, 2024 1:58 PM
To: Slitt, Michael <Michael.Slitt@ct.gov>
Cc: aabiwr@live.com; Zakrzewski, Jennifer <Jennifer.Zakrzewski@ct.gov>
Subject: 2410220 Respondent Granted Extension

David Medeiros v. State of CT, Department of Social Services
Dear Parties, Happy New Year!
I hope this email finds you well.

Your request for extension until January 29, 2024, is denied because you only have a onetime 15-day extension from date of receipt which is February 1, 2024, to submit your response to the CHRO and the Complainant.

Thank you. Have a wonderful day and be safe!

Blessing 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
Harford, CT 06103 | AA/EOE
P: 860-541-3456 | F: 860-566-1997
dedra.morris@ct.gov

From: Slitt, Michael <Michael.Slitt@ct.gov>
Sent: Tuesday, January 2, 2024 11:22 AM
To: Morris, Dedra <Dedra.Morris@ct.gov>; CHRO.Capitol <CHRO.Capitol@ct.gov>
Cc: aabiwr@live.com <aabiwr@live.com>; Zakrzewski, Jennifer <Jennifer.Zakrzewski@ct.gov>
Subject: David Medeiros v. DSS, CHRO No. 2410220 - Extension to File Answer Dear Ms. Morris:
Pursuant to section 46a-83(b) of the Connecticut General Statutes, please find attached to this email a request for an extension of time for the Respondent, Department of Social Services, to file a response to the above-referenced complaint. The Complainant is copied on this email.

Please contact me with any questions or concerns. Thank you,

Michael Slitt
Staff Attorney
Department of Social Services
Office of Legal Counsel, Regulations and Administrative Hearings 55 Farmington Ave, 11th Floor
Harford, CT 06105
Phone: (860) 424-5068
Fax: (860) 424-5403
Email: Michael.Slitt@ct.gov

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,

Best regards, David Medeiros ABI Resources
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.

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 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

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

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

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

Re: 12.16.2023 Subject Request for Federal Intervention - Disability Discrimination and Whistleblower Retaliation Case Subject: Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations, RE: David Medeiros v. State...
ABI RESOURCES 860 942-0365 <aabiwr@live.com>
Thu 12/21/2023 10:32 AM
To: ocrcomplaint@hhs.gov <ocrcomplaint@hhs.gov>
Bcc: ABI RESOURCES LLC www.CTbrainINJURY.com <aabiwr@live.com>

12.21.2023 New Whistleblower Retaliation Complaint Connecticut CHRO DSS

I am continuing to address the challenges and concerns with the Connecticut Department of Social Services (DSS) and the Connecticut Commission on Human Rights and Opportunities (CHRO). How can any person, especially the disabled population, self-advocate and trust in civil rights systems? I also want you to know that these problems have been like this since 2000. I have always advocated for them since 2000 living in constant fear while being bullied by CT DSS and trapped in a systematic nightmare. The only difference now is I am giving this everything I have within. I'm not afraid anymore, I have more courage, honor, and experience to self-advocate.

DM

12.21.2023

Dear CHRO

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.

12.20.2023

Hello Cherron and Kimberly,

May I kindly ask for your complete name, title, and contact information? Your email was sent from Kimberly Morris kimberly.morris@ct.gov and I am confused as to who will be helping me.

I am writing to formally file a complaint of whistleblower retaliation and disability discrimination against the Connecticut Commission on Human Rights and Opportunities (CHRO) and the Connecticut Department of Social Services (DSS). As a person living with a recognized disability and a professional committed to ethical standards, I have encountered actions that I believe constitute a violation of my rights under relevant state and federal laws, including the Americans with Disabilities Act.

Specifically, this complaint addresses instances where I have been subjected to adverse actions and discriminatory treatment following my disclosure of unethical practices within both entities. These actions have not only impeded my professional duties but also have disregarded my rights and accommodations as an individual with a disability.

This complaint seeks to bring these issues to light, ensuring compliance with legal standards and promoting an environment that respects my rights and the rights and dignity of all individuals, regardless of their abilities. I am prepared to provide detailed information and evidence to support these claims and look forward to a thorough and fair investigation into these matters.

I trust that the CHRO and DSS will handle this complaint with the seriousness it deserves and will take appropriate actions to address the issues raised. Thank you for your attention to this important matter.

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

From: Morris, Kimberly <Kimberly.Morris@ct.gov>
Sent: Wednesday, December 20, 2023 3:10 PM

To: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>
Subject: RE: WBR Complaint

Who is the entity you will be filing the WBR Complaint against?

Thank you.

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Kimberly D. Morris (she/her/hers) Secretary II
Office of Public Hearings
Commission on Human Rights and Opportunities 450 Columbus Blvd., Suite 2
Harford CT 06103 | AA/EOE
P: 860-418-8770 | F: 860-418-8780 | Direct: 860-541-4711 |
Kimberly.morris@ct.gov

Re: WBR Complaint
ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>
Wed 12/20/2023 2:42 PM
To: Morris, Kimberly <Kimberly.Morris@ct.gov>
Cc: ABI RESOURCES LLC www.CTbrainINJURY.com <AABIWR@LIVE.COM>
12.20.2023

Hello Cherron,

May I kindly ask for your complete name, title, and contact information? Your email was sent from Kimberly Morris kimberly.morris@ct.gov and I am confused as to who will be helping me.

I am writing to formally file a complaint of whistleblower retaliation and disability discrimination against the Connecticut Commission on Human Rights and Opportunities (CHRO) and the Connecticut Department of Social Services (DSS). As a person living with a recognized disability and a professional committed to ethical standards, I have encountered actions that I believe constitute a violation of my rights under relevant state and federal laws, including the Americans with Disabilities Act.

Specifically, this complaint addresses instances where I have been subjected to adverse actions and discriminatory treatment following my disclosure of unethical practices within both entities. These actions have not only impeded my professional duties but also have disregarded my rights and accommodations as an individual with a disability.

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I trust that the CHRO and DSS will handle this complaint with the seriousness it deserves and will take appropriate actions to address the issues raised.

Thank you for your attention to this important matter.

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

From: Morris, Kimberly <Kimberly.Morris@ct.gov>
Sent: Wednesday, December 20, 2023 12:00 PM
To: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>
Subject: RE: WBR Complaint

Who is the entity you will be filing the WBR Complaint against? Thanks,
Cherron

From: ABI RESOURCES 860 942-0365 <AABIWR@LIVE.COM>
Sent: Tuesday, December 19, 2023 12:45 PM
To: Morris, Kimberly <Kimberly.Morris@ct.gov>
Cc: ABI RESOURCES 860 942-0365 <AABIWR@live.com>
Subject: Re: WBR Complaint

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.

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

Assist me in completing all these documents and notarizing them.

Best regards, David Medeiros ABI Resources
Medicaid Aquired 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

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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.

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See the source image

See the source image

Kimberly D. Morris (she/her/hers) Secretary II
Office of Public Hearings
Commission on Human Rights and Opportunities 450 Columbus Blvd., Suite 2
Harford CT 06103 | AA/EOE
P: 860-418-8770 | F: 860-418-8780 | Direct: 860-541-4711 |
Kimberly.morris@ct.gov

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Sent: Tuesday, December 19, 2023 12:45 PM

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

Cc: ABI RESOURCES 860 942-0365 <AABIWR@live.com>

Subject: Re: WBR Complaint

You don't often get email from aabiwr@live.com. Learn why this is important

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Medicaid Acquired Brain Injury ABI Waiver Program Provider

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Subject: RE: WBR Complaint

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Sent: Tuesday, December 19, 2023 12:24 PM To: Morris, Kimberly <Kimberly.Morris@ct.gov> Subject: Re: WBR Complaint
Importance: High

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
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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

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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.

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Kimberly D. Morris (she/her/hers) Secretary II
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Kimberly.morris@ct.gov

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

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

From: ABI RESOURCES 860 942-0365 <aabiwr@live.com>
Sent: Wednesday, December 20, 2023 12:03 PM
To: Brown, William (USACT) <william.brown2@usdoj.gov>
Cc: Dearing, Stewart (USACT) <Stewart.Dearing@usdoj.gov>; Dixon, Karen (USACT) [Contractor] <Karen.Dixon@usdoj.gov>; ABI RESOURCES LLC www.CTbrainINJURY.com <AABIWR@live.com>
Subject: Re: David Medeiros / ABI Resources / Follow up

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

From: ABI RESOURCES 860 942-0365 <aabiwr@live.com>
Sent: Saturday, December 16, 2023 10:20 AM
To: ocrcomplaint@hhs.gov <ocrcomplaint@hhs.gov>
Subject: 12.16.2023 Subject Request for Federal Intervention - Disability Discrimination and Whistleblower Retaliation Case Subject: Complaint Against Connecticut CHRO for Disability Discrimination and Whistleblower Retaliations. RE: David Medeiros v. State of CT

12.16.2023

Office for Civil Rights
U.S. Department of Health & Human Services 200 Independence Avenue, S.W.
Room 509F, HHS Building Washington, D.C. 20201

Subject: Complaint Request for Federal Intervention - Disability Discrimination and Whistleblower Retaliation Case Dear Sir/Madam,
I am writing to request federal intervention in a matter of utmost importance involving the Connecticut Commission on Human Rights and Opportunities (CHRO). As a brain injury survivor and a whistleblower, I have filed a formal complaint against the CHRO for disability discrimination and whistleblower retaliation.

The CHRO has consistently failed to provide the necessary accommodations required under the Americans with Disabilities Act and Connecticut state laws. This failure has severely hindered my ability to engage in self-advocacy and has directly impacted my case, exacerbating the challenges posed by my disability.

Furthermore, there are systemic issues within the CHRO, including bias against individuals with disabilities and whistleblowers, as well as procedural inconsistencies. These issues not only affect my case but also raise concerns about the equitable treatment of all individuals interacting with the CHRO.

I respectfully request a thorough investigation into these matters by the Office for Civil Rights. It is imperative that these violations of state and federal disability laws, as well as whistleblower protections, be addressed and rectified immediately.

Your assistance in ensuring fair treatment and necessary accommodations is crucial for my effective communication and participation in these matters. I believe the government's intervention is essential in rectifying the current situation and ensuring transparency and accountability.

Thank you for your attention to this matter. I look forward to your prompt response and assistance.

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

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 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.

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: 12/16/2023

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

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

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State of Connecticut
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES
Capitol Region Office - 450 Columbus Boulevard, Suite 2, Hartford, CT 06103
ad"4tue matt 2"9#4:

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 the 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.

Main (860) 566-7710 ~ Fax (860) 566-1997
www.cl.gov/chro- Toll Free in Connecticut (800) 477-8737 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: 12/14/2023

Dear Matthew S. Antonetti,
Legal Director, Connecticut Department of Social Services,

This letter is written with a heavy sense of duty and urgency, reflecting years of accumulated concerns regarding the Connecticut Department of Social Services' handling of the Acquired Brain Injury (ABI) Waiver Program, and the recent mischaracterization of the whistleblower grievances and requests for clarity and transparency from the department. As the owner of ABI Resources and a person living with a brain injury, I must assert my rights firmly and unequivocally, demanding fair just treatment from your department.

It is crucial to address the recent correspondence from CT DSS, which not only misrepresents my willingness to engage in constructive dialogue but also trivializes the profound and systemic issues we have raised over the years. The portrayal of me as reluctant to communicate is not just inaccurate; it's a disservice to the earnest efforts we have put forth in advocating for the rights of individuals with brain injuries, including myself.

Your Department letter is misleading and is an attack on me personally. I will not participate in manipulative communications. For your reference.

Re: Concerns
Fri 9/29/2023 8:00 AM
To: Dumont, Amy E

Hello Amy,

I've reviewed the content of the recent email and found it to be inaccurate and concerning. Please re-evaluate the information, and let's discuss further.

All the best, David Medeiros ABI Resources

The communication I initiated on September 29, 2023, was a genuine attempt to address and resolve the issues at hand, not to avoid or impede progress.

I am expressing serious concerns regarding the communication strategies employed by the department. It has come to my attention that there may be instances of misleading information dissemination and potential manipulation of language. Such practices are particularly concerning as they appear to be targeted towards exploiting my disabilities. This not only discredits my legitimate concerns but also significantly impedes my capacity for self-advocacy. It is imperative that these issues be addressed promptly to ensure a transparent, fair, and respectful communication environment.

The response from your department needs a thorough re-evaluation. The concerns I have raised are far from being mere referral issues. They are deep-seated problems ingrained within the system, affecting the very core of how the ABI Waiver Program operates and serves its intended beneficiaries. Discriminatory practices, lack of transparency, and unethical behavior are just the tip of the iceberg. For years, these issues have been systematically overlooked or inadequately addressed, resulting in detrimental impacts on the individuals relying on this program, including my own business operations. The attached Comprehensive Grievance Report lays out these issues in detail, underscoring the necessity for immediate and comprehensive action.

Furthermore, I must emphasize my constitutional right as a citizen and as a business owner to submit Freedom of Information Act (FOIA) requests. These requests are not a mere formality; they are essential tools that ensure transparency and

accountability in governmental operations. The portrayal of these requests as problematic, as indicated in your department's response, is not just deeply troubling but also indicative of a larger issue within the department's system – an apparent aversion to transparency, accommodation, and accountability.

This is more than just FOIA requests for records. The lack of responsiveness from CT DSS and the difficulty in obtaining necessary documentation are further exacerbating these issues. This has and continues to hinder my ability to effectively self-advocate and communicate with Connecticut. This also raises serious questions about the department's willingness to address and rectify the concerns raised by people living with disabilities.

In your correspondence, there also appears to be a misleading representation of Ms. Amy Dumont's role as Interim Director of CT Department of Social Services. Such ambiguity is not conducive to effective communication or problem-solving and only adds to the complexity of the issues at hand. A clear and accurate representation of roles and responsibilities within CT DSS is crucial for any meaningful progress.

As a whistleblower and person living with brain injury, my rights should be respected and protected, not undermined or dismissed. The concerns raised are not individual grievances; they are indications of systemic flaws that need urgent attention. These issues are not only critical for upholding the integrity of the ABI Waiver Program but are also vital for the protection and advocacy of disability rights in Connecticut.

In light of these longstanding and unresolved issues, I urge the Department to engage in a sincere and meaningful dialogue within its many government departments. This is not just about rectifying individual grievances; it's about overhauling a system that has consistently failed to meet its obligations to its most vulnerable constituents. Our mutual goal should be to improve and uphold the integrity of the ABI Waiver Program, ensuring it effectively and ethically serves those it is meant to benefit. The time for superficial acknowledgments and ineffective half-measures is long gone. We need concrete actions and a commitment to systemic change.

As a brain-injured business owner advocating for change, I have taken every step within my capacity to bring these concerns to the attention of the appropriate professionals within the department. I firmly believe that this report has been placed in the capable hands of individuals designated to address and rectify these pressing issues. It is my sincere hope that these concerns will be approached with the gravity they deserve and that the designated individuals will work diligently to find meaningful solutions.

I want to emphasize that, as a person with a disability, my ability to verbally articulate the complexities of these challenges is hindered by my condition. I am not a policymaker, an attorney, an investigator, or a judicial

system professional. I am a husband, a father, a friend, and a Connecticut business owner who lives with a brain injury. My commitment to advocating for change is driven by my lived experience and a deep desire to see improvements in the system.

I implore the Department to consider the gravity of the whistleblower grievances and the request for transparency and clarity. Please approach these concerns with kindness, compassion, and understanding. My intent in bringing these issues to light is to promote the greater good and to ensure that individuals with brain injuries and disabilities receive the support and services they need and deserve.

I have done all that I can do from the standpoint of disability self-advocacy, and I have presented these whistleblower concerns to the state Department. Now, I place my trust in the department's capabilities to address these concerns, create solutions, and work in the best interests of the greater good.

Best regards, 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>

Date: 12/15/2023

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

Complaint and Request for Intervention and Support in Addressing Misconduct and Ensuring Accommodations for Self-Advocacy and Protection from Whistleblower Retaliations.

Dear Office for Civil Rights,

I am writing to lodge a formal complaint against Matthew S. Antonetti of the Connecticut Department of Social Services regarding his correspondence dated December 13, 2023. As a brain injury survivor and the founder of A.B.I. Resources LLC, I have faced significant challenges in advocating for myself, my business and the disabled population we serve. Mr. Antonetti's letter contains misleading, inaccurate, non-accommodating and intimidating statements that undermine my efforts and rights as a person living with a brain injury and as a whistleblower.

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
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS 55 FARMINGTON
AVENUE • HARTFORD, CONNECTICUT 06105

December 13, 2023
VIA ELECTRONIC MAIL
David Medeiros, CEO, Director
A.B.I. Resources, LLC
39 Kings Highway, Suite C Gales Ferry, CT 06335

Re: Correspondence dated October 31, 2023 Dear Director Medeiros:
I am Legal Director for the Department of Social Services ("Department") and formally acknowledge your correspondence, dated October 31, 2023, raising several concerns related to referral processes within the ABI Waiver Program.

I understand that you have engaged in ongoing conversations with the Department, most particularly Amy Dumont, Interim Director of the Department's Community Options Unit, regarding these concerns. In addition, to better understand and address your concerns in an orderly fashion, Ms. Dumont previously offered, at the end of September, to schedule a regular monthly meeting cadence with you. To date, you have not responded to Interim Director Dumont regarding this offer. To the contrary, since October 1, 2023, you have submitted over 30 requests under the Freedom of Information Act to the Department related to the ABI Waiver Program, which is simply unsustainable.

Notwithstanding the above, these concerns, raised again in your October 31st letter, have been referred to the Department's Office of Quality Assurance, Special Investigations Division, for further investigation. Please be advised that the Department's Special Investigations Division may be contacting you directly to obtain further information related to your concerns.

Thank you very much and, once again, the Department acknowledges, and shall be further reviewing and investigating, the matters raised in your October 31, 2023, correspondence.

Best regards,
Matthew S. Antonetti
Matthew S. Antonetti Legal Director

55 Farmington Avenue = HARTFORD, CONNECTICUT 06105
An Equal Opportunity / Affirmative Action Employer

Comprehensive Grievance Report and Request for Clarity.

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

Introduction

Title: Comprehensive Grievance Report and Request for Clarity / Whistleblower Report, ABI Resources LLC
Date: November 21, 2023

Prepared by: David Medeiros and ABI Resources LLC

Overview of ABI Resources LLC:

ABI Resources LLC, a dedicated service provider within the Connecticut Medicaid Acquired Brain Injury (ABI) Waiver Program, is committed to delivering exceptional care to individuals with acquired brain injuries. Our mission is to ensure effective rehabilitation and community reintegration for our clients through specialized programs.

Purpose of the Document:

This report is a formal consolidation of grievances faced by ABI Resources LLC within the Connecticut Medicaid ABI Waiver Program. It aims to address these concerns with the relevant authorities, advocating for change and improvement.

Summary of Grievances

1. Discriminatory Business Practices: ABI Resources LLC has faced inequities in Medicaid referrals, experiencing marginalization and an unfair distribution of referrals.
2. Service and Intervention Plans: Concerns about non-receipt of essential service and intervention plans, impacting operational and financial integrity.
3. Concealment of Public Information: The Medicaid ABI Waiver Program Directory of Providers has been concealed, affecting the ability of individuals to make informed decisions and impacting ABI Resources.
4. Unauthorized Care Management Services: Issues regarding unauthorized provision of care management consultation services in ABI Waiver Program 1.
5. Unethical Practices and Possible Kickback Schemes: Concerns about conflicts of interest and unethical practices, including potential kickback arrangements.
6. Rental Agreements in Medicaid ABI Waiver Program: Issues regarding rental agreements that restrict consumer choice and freedom, creating a monopolistic environment.

Detailed Grievances and Concerns

Grievance 1: Discriminatory Unfair Business Practices

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- Overview: ABI Resources LLC has faced significant challenges due to inequitable Medicaid referral processes. Specific instances include a noticeable decrease in referrals compared to other providers, suggesting a biased distribution that disadvantages our clients and organization.
- Proposed Solutions: We advocate for a transparent, equitable referral system, periodic audits of referral practices, and a review of policies to ensure fair treatment of all service providers in the ABI Waiver Program.

Grievance 2: Service and Intervention Plans

- Overview: There have been instances where ABI Resources LLC did not receive essential service and intervention plans on time. This lack of timely information compromises our ability to provide effective care and maintain financial integrity.
- Proposed Solutions: Implementation of a streamlined, reliable process for the timely delivery of service and intervention plans, and clear communication channels between providers and program administrators.

Grievance 3: Concealment of Public Information

- Overview: The Medicaid ABI Waiver Program Directory of Providers has not been made adequately available, limiting the ability of individuals to make informed choices and affecting our visibility in the program.
- Proposed Solutions: Ensure the directory is publicly accessible, regularly updated, and transparent, allowing clients to make informed choices about their care providers.

Grievance 4: Unauthorized Care Management Services

- Overview: Concerns about unauthorized provision of care management consultation services in ABI Waiver Program 1, which may contravene established protocols.
- Proposed Solutions: Investigate and rectify instances of unauthorized services, and reinforce compliance with program guidelines and standards.

Grievance 5: Unethical Practices and Possible Kickback Schemes

- Overview: Alarming indications of conflicts of interest and unethical practices within the program, including potential kickback arrangements, have been observed.
- Proposed Solutions: Conduct a thorough investigation into these practices, establish stricter oversight mechanisms, and enforce ethical standards across the program.

Grievance 6: Rental Agreements in Medicaid ABI Waiver Program

- Overview: The current structure of rental agreements within the program restricts consumer choice and freedom, creating a monopolistic environment detrimental to clients and providers.
- Proposed Solutions: Review and revise rental agreement policies to promote fair competition and consumer choice, ensuring transparency and ethical practice in housing arrangements.

Call to Action and Recommendations

Immediate Actions Required

1. Review of Referral Processes: An immediate audit and review of the referral processes within the Connecticut Medicaid ABI Waiver Program to ensure fairness and transparency.
2. Timely Delivery of Service Plans: Establish protocols to guarantee the timely delivery of service and intervention plans to all providers.
3. Accessibility of Provider Directory: Immediate action to make the ABI Waiver Program's Provider Directory fully accessible and transparent to clients and providers.

Long-term Systemic Recommendations

1. Policy Overhaul: A comprehensive review and overhaul of policies governing referral processes, service plan distributions, and care management services.
2. Enhanced Oversight and Accountability: Implementing stricter oversight mechanisms and accountability measures to prevent unethical practices and potential conflicts of interest.
3. Consumer Choice in Rental Agreements: Reforming rental agreement policies to promote fair competition, consumer choice, and transparency within the program.

These actions and reforms are vital for maintaining the integrity of the Connecticut Medicaid ABI Waiver Program and ensuring equitable treatment and high-quality care for all clients.

Conclusion

This report, prepared by David Medeiros and ABI Resources LLC, comprehensively outlines several critical grievances faced within the Connecticut Medicaid ABI Waiver Program. These issues, ranging from discriminatory business practices to the concealment of public information, unauthorized services, and potential unethical practices, significantly impact the quality of care provided to individuals with acquired brain injuries and the operational integrity of service providers like ABI Resources LLC.

The call for action is clear and urgent. Immediate steps, as outlined in this report, are necessary to address these grievances, followed by a commitment to long-term systemic improvements. Only through transparent, fair, and ethical practices can the program truly fulfill its mission of supporting and rehabilitating individuals with acquired brain injuries.

We urge the responsible authorities to consider these grievances seriously and take prompt, effective action. The wellbeing of many individuals and the effectiveness of the ABI Waiver Program depend on these crucial improvements.

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10/31/2023

Subject: Formal Grievance Concerning Discriminatory Unfair Business Practices within the Connecticut Medicaid ABI Waiver Program

To: All pertinent departments within the state of Connecticut,

I trust this correspondence reaches you in excellent health and high spirits. My name is David Medeiros, and I am addressing you in my capacity as a concerned business owner, resident, and individual with a disability residing in the state of Connecticut. I have the honor of leading ABI Resources, a distinguished service provider within the Connecticut Medicaid Acquired Brain Injury (ABI) Waiver Program.

I find myself compelled to highlight and formally complain about a series of blatant and persistent inequities pertaining to discriminatory business practices occurring under the aegis of the aforementioned program. Despite my multiple, concerted efforts to engage in constructive dialogue with the Connecticut Department of Social Services, addressing these grave concerns has been met with a disconcerting lack of engagement and rectification. This situation has had a deleterious impact not only on the operations of ABI Resources but also on the well-being and quality of service accessible to the disabled individuals we are committed to serving.

Key Concerns and Grievances:

- a) Medicaid Referrals:
- b) Paying Consumers / Financial Incentives Inducements / Medicaid Service Agency

a) Medicaid Referrals:

There is a prevailing lack of transparency and an apparent bias in the Medicaid referral processes within the ABI Waiver Program. ABI Resources, despite an unwavering commitment to excellence in service delivery, has been unfairly marginalized, resulting in an unequal and unjust distribution of referrals.

Addressing issues of transparency, bias, and unfair marginalization in Medicaid referrals, particularly within the Acquired Brain Injury (ABI) Waiver Program, is crucial to ensuring equitable access to quality healthcare services for all eligible individuals. ABI Resources and similar service providers play a vital role in supporting individuals with acquired brain injuries, and it is essential that they are treated fairly in the referral process to continue their commitment to excellence in service delivery.

Potential Steps to Address the Issue:

Increase Transparency:

Implement a transparent referral process where criteria for referrals are clearly defined and made publicly available.

Establish a monitoring system to track and publish referral data, including the number of referrals made to each service provider and the reasons for referral decisions.

Conduct an Independent Audit:

Hire an independent entity to conduct a thorough review of the Medicaid referral processes within the ABI Waiver Program to identify any biases or unfair practices.

The audit should also evaluate the performance and quality of services provided by ABI Resources and other service providers to ensure that referrals are based on merit and the ability to meet the needs of individuals with acquired brain injuries.

Implement a Fair and Equitable Referral System:

Develop a standardized and objective referral system that ensures all service providers are evaluated based on the same criteria.

Consider incorporating a randomized component to the referral process to prevent bias and ensure a fair distribution of referrals.

Engage Stakeholders:

Create a platform for open dialogue between Medicaid officials, service providers, individuals with acquired brain injuries, and their families to discuss concerns related to the referral process.

Use feedback from stakeholders to continuously improve the referral system and address any emerging issues.

Provide Training and Education:

Offer training to Medicaid officials and other stakeholders involved in the referral process to raise awareness about potential biases and the importance of a fair and equitable system.

Educate service providers about the referral process, criteria for referrals, and steps they can take if they believe they have been treated unfairly.

Establish a Complaint and Appeal Process:

Create a clear and accessible complaint and appeal process for service providers who believe they have been unfairly marginalized in the referral process.

Ensure that complaints are thoroughly investigated and that corrective action is taken when warranted.

Promote Accountability:

Hold Medicaid officials and other stakeholders accountable for ensuring a fair and transparent referral process.

Implement consequences for individuals or entities found to be engaging in biased or unfair practices.

Regularly Review and Update Policies:

Conduct regular reviews of referral policies and procedures to ensure they remain up-to-date, fair, and transparent.

Update policies as needed to address any identified issues and to adapt to changing needs and circumstances.

Addressing the issues of transparency, bias, and unfair marginalization in Medicaid referrals within the ABI Waiver Program is essential to ensuring that all eligible individuals have equal access to high-quality services. It is imperative that service providers like ABI Resources are treated fairly and equitably in the referral process to uphold the integrity of the healthcare system and to foster trust among all stakeholders. Implementing the above steps could contribute significantly to creating a more transparent, fair, and equitable referral system,

ultimately benefiting individuals with acquired brain injuries and the service providers dedicated to supporting them.

b) Paying Consumers / Financial Incentives Inducements / Medicaid Service Agency

Provider: A Medicaid service agency provider is offering financial incentives to consumers, leading to an imbalance in the competitive landscape. This kind of practice can indeed raise serious ethical, legal, and fairness concerns.

Ethical Concerns:

Conflicts of Interest: Financial incentives could create a conflict of interest, where the provider's financial gain takes precedence over the best interests of the consumer.

Bias and Unfairness: It could lead to bias in referrals, favoring certain providers over others irrespective of the quality of services they offer.

Erosion of Trust: Such practices can erode trust in the Medicaid system and healthcare providers, as consumers may question the motives behind the services they are being referred to.

Legal Concerns:

Violation of Anti-Kickback Statutes: Providing inducements to influence the referral of services covered by Medicaid can violate anti-kickback statutes, potentially leading to legal actions and penalties.

False Claims Act Violations: If such inducements lead to fraudulent billing or claims, it could result in violations of the False Claims Act.

Non-Compliance with Medicaid Regulations: Medicaid has strict guidelines and regulations to ensure fairness and prevent fraud, and engaging in such practices can result in non-compliance and potential debarment from the program.

Lack of Responsiveness to Complaints and Reports: Our persistent complaints and reports, meticulously documenting these issues, have been met with apathy. There is an alarming deficit in the investigation, redressal, and accountability mechanisms within the system.

Adverse Impacts on ABI Resources:

Financial Duress: The discriminatory practices and referral shortages have placed ABI Resources under significant financial duress, compromising our ability to maintain operational viability and deliver superior services to our clients.

Reputational Harm: The state's nonintervention and perceived partiality have led to an erosion of our reputation. This has resulted in ABI Resources being unjustly perceived as a less favorable service provider, regardless of our commitment to quality and excellence.

Demoralization of Workforce: The protracted nature of these issues has led to a pervasive sense of demoralization among our staff and stakeholders, adversely impacting the morale and efficacy of our organizational operations.

Addressing the Issue:

Regulatory Oversight: There should be strict oversight and monitoring by regulatory bodies to ensure that all Medicaid service agency providers are complying with laws and regulations.

Transparency: Increasing transparency in the referral process can help in ensuring that referrals are made based on the quality of services rather than financial incentives.

Whistleblower Protections: Encouraging whistleblowing and providing protections for whistleblowers can help in uncovering and addressing such unethical practices.

Penalties and Sanctions: Implementing strict penalties and sanctions for those found guilty of engaging in such practices can act as a deterrent.

Public Awareness: Educating consumers about the potential for such conflicts of interest and providing them with information on how to report suspicious activities can empower them to make informed decisions.

Addressing this issue is crucial for maintaining the integrity of the Medicaid program, ensuring that consumers receive the best possible care, and fostering a competitive and fair marketplace for healthcare services.

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.

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

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11/13/2023

Subject: Formal Grievance Complaint Concerning Connecticut Medicaid ABI Waiver Program Service and Intervention Plans.

To: All pertinent departments within the state of Connecticut,

I am writing on behalf of ABI Resources, a dedicated provider of essential services to individuals with acquired brain injuries (ABI). This letter serves to formally raise a grievance and file a complaint concerning the serious

issue of not receiving Medicaid Acquired Brain Injury (ABI) Waiver Program service and intervention plans from consumer-assigned care management consultants. This situation has gravely impacted the operational and financial integrity of ABI Resources.

As per the stipulations of the ABI Waiver Program, a "Service Plan" is an essential document that outlines the necessary medical and community-based services enabling individuals to live outside institutional settings. The provision of individualized service plans include measurable goals, objectives, and documentation of total service costs.

Additionally, "Intervention Plans," developed by cognitive behaviorists, are crucial in identifying and managing treatment goals and interventions for our

clients. However, despite our repeated efforts and adherence to the required protocols, we have not received these vital documents from care management. The lack of these plans has led to significant operational and financial difficulties for ABI Resources.

Sec. 17b-260a-6. Person-centered planning process (a) The service plan shall be developed based on a person-centered planning model, as described in 42 CFR 441.301(c), as amended from time to time. The individual shall lead the planning process where possible, and in accordance with section 17b-260a-11(a) of the Regulations of Connecticut State Agencies.

6) Prohibit providers of waiver services for the individual, or those who have an interest in or are employed by a provider of waiver services for the individual, from providing care management or participating in the development of the person-centered service plan;

Key Concerns and Grievances:

Non-Receipt of Essential Documents: Despite adherence to protocol, ABI Resources has not received the mandated individualized service and intervention plans, which include measurable goals and objectives for the consumers we serve. Furthermore, the necessary intervention plans developed by cognitive behaviorists, which outline treatment goals and interventions, have also not been provided by care management.

Concerns: Impact on Daily Support Staff and Program Consumers

In addition to the aforementioned issues, the absence of these critical Medicaid ABI Waiver Program plans has significantly affected our daily support staff and, consequently, the consumers of the program.

Impact on Daily Support Staff:

Lack of Clear Direction: Without structured plans, staff members struggle to provide focused and effective services, as they lack clear guidelines and objectives.

Increased Workload and Stress: The ambiguity surrounding treatment goals and methods has led to an increased workload and heightened stress levels among staff, impacting their well-being and job satisfaction.

Professional Inefficiency: Staff are unable to utilize their skills and training effectively, leading to professional dissatisfaction.

Difficulty in Tracking Progress: The absence of measurable goals makes it challenging for staff to track and report on client progress accurately.

Risk of Non-Compliance: Without proper guidelines, there is an increased risk of non-compliance with regulatory standards, potentially leading to legal and ethical issues.

Reduced Team Morale: The overall uncertainty and increased challenges have adversely affected team morale and cohesion.

Impact on Consumers of the Program:

Inconsistent Service Quality: Consumers face variability in the quality of care received, as staff members lack consistent plans to guide their services.

Slowed Progress: The absence of structured goals and interventions can slow down or hinder the progress and rehabilitation of consumers.

Reduced Confidence in Services: Consumers and their families may lose confidence in the quality and effectiveness of the services provided.

Increased Vulnerability: Consumers, particularly those with severe conditions, become more vulnerable due to the lack of tailored, goal-oriented care.

Potential for Unmet Needs: Without specific plans, some needs of consumers may remain unidentified and unaddressed, leading to gaps in care.

Emotional and Psychological Impact: The inconsistency and uncertainty in care can have adverse emotional and psychological effects on consumers.

These challenges not only make the daily responsibilities of our care providers more arduous but also critically undermine the quality of care and support we can offer to our consumers. It is imperative that these issues be addressed immediately to ensure the well-being of both our staff and the consumers who rely on our services.

Adverse Impacts on ABI Resources:

The cumulative effect of these issues has placed ABI Resources in a precarious financial and operational position.

Financial Losses: The absence of these critical documents has led to substantial financial losses, severely hampering our ability to function effectively.

Staffing Challenges: The lack of structured plans has created many challenges for our service providers and as a result, we have faced significant staffing issues, including layoffs and the challenges to maintain essential personnel.

Client Impact: Our capacity to offer consistent and high-quality services has been compromised, leading to a loss of clients and a tarnishing of our reputation.

Administrative Burden: The lack of structured plans has resulted in an increased administrative load, as we strive to manage without proper guidance.

Overall Business Impact: These compounded issues threaten the viability of ABI Resources and our mission to serve those in need.

Potential Steps to Address the Issue:

Immediate Investigation: We request a prompt investigation into this matter.

Provision of Required Plans: We urge for the immediate provision of the required service and intervention plans.

Compensation for Losses: Guidance on how to claim losses incurred due to this oversight and a discussion on potential compensatory measures are necessary.

Support and Guidance: Additional support to help navigate and rectify this situation would be invaluable.

Addressing the Issue:

We have initiated complaints and engaged directly with the Connecticut Department of Social Services. All communications have been thoroughly documented.

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:

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