

ABI Resources, LLC Follow public	21	1	0.00
F-2025-03523 public	21	0	0.00
2025-00574-FOIA-PHS public	21	15	0.00
ABI Resources, LLC Follow public	21	1	0.00
ABI Resources, LLC Follow public	21	0	0.00
33252-GXCTo:U.S. Depart public	13	13	0.00
33252-GXCTo:U.S. Depart public	13	0	0.00
and Related Corresponder public	12	0	0.00
and Related Corresponder public	12	12	0.00
and Related Corresponder public	12	12	0.00
FOIA-2025-01054 public	12	0	0.00
FOIA-2025-01052 public	12	0	0.00
and Related Corresponder public	12	12	0.00
and Related Corresponder public	12	12	0.00
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FOIA-2025-01059 public	10	0	0.00

Date Submitted	Date Due	Date Done
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2024-11-13 12:15:40.923572+00:00	2024-11-20

[illegible]

From: Noreply
Sent: Mon, 9 Dec 2024 19:06:52 +0000
To: aabiwr@live.com
Bcc: (b)(6); (b)(7)(C)
Subject: Office of Special Counsel File No. DI-25-000379 Final Determination Letter
Attachments: DI-25-000379 FDL 12.9.2024.pdf

Dear David Madeiros,

Attached please find the Office of Special Counsel's (OSC) final determination letter in response to the complaint you recently filed with OSC. The attached letter describes our analysis and confirms the closure of your complaint. You will not receive this letter by regular mail.

Thank you for allowing OSC to consider your complaint.

Sincerely,

U.S. Office of Special Counsel

NOTICE: This message and any attachments may contain information that is sensitive, confidential, or legally privileged. If you are not the intended recipient, please immediately notify the sender and delete this email from your system; you should not copy, use, or disclose its contents. Thank you for your cooperation.



U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505

December 9, 2024

David Madeiros
215 Mountain St
Willimantic, CT 06226

SENT VIA EMAIL TO: aabiwr@live.com

OSC File No. DI-25-000379

Dear David Madeiros,

The Office of Special Counsel (OSC) has completed its review of the information you referred to the Disclosure Unit. The Special Counsel is authorized to receive disclosures from an employee, former employee, or applicant for employment of the federal government concerning a federal agency. 5 U.S.C. § 1213(a)(1). Because you are not an employee of the federal government as defined by 5 U.S.C. § 2105, OSC does not have jurisdiction in this matter. Regrettably, OSC may only accept such allegations from civilian employees, former employees, and applicants for employment. Therefore, we cannot take any further action concerning your disclosure.

Accordingly, we have closed our file. Should you wish to discuss this matter please contact OSC at info@osc.gov.

Sincerely,

Case Review Division
U.S. Office of Special Counsel



HHS Case No. 2025-00481-FOIA-PHS

November 15, 2024

Sent via email:

David Medeiros

175675-14751484@requests.muckrock.com

Dear Mr. Medeiros:

This is in response to your Freedom of Information Act (FOIA) request, dated: November 5, 2024, concerning "Records Pertaining to Medicaid Services for NPI 1962278119 and NPI 1023012345". We received your request on November 6, 2024.

The organizational components serviced by the Office of the Secretary FOIA Requester Service Center do not routinely collect or retain the type of records in which you express interest. Therefore, we are closing our file on this request.

Your request has been referred to the Centers for Medicare and Medicaid (CMS) for direct response to you. Upon receipt, CMS will log your request, and issue you a new tracking number for your reference. You may contact their FOIA office at: foia_request@cms.hhs.gov

If you are not satisfied with any aspect of the processing and handling of this request, you have the right to seek dispute resolution services from:

HHS FOIA/PA Public Liaison
FOI/Privacy Acts Division
Assistant Secretary for Public Affairs (ASPA)
Office of the Secretary (OS)
U.S. Department of Health and Human Services (HHS)
200 Independence Avenue, SW, Suite 729H
Washington, DC 20201

Telephone: (202) 690-7453
Fax: (202) 690-8320
E-mail: HHS_FOIA_Public_Liaison@hhs.gov

and/or:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001

Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

There are no charges in this instance because the billable costs are less than our threshold of \$25.

Sincerely yours,

Natasha Taylor for

Arianne Perkins
Director, Initial FOIA Requests
FOI/Privacy Acts Division



HHS Case No. 2025-00481-FOIA-PHS

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College Park, MD 20740-6001

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Natasha Taylor for

Arianne Perkins
Director, Initial FOIA Requests
FOI/Privacy Acts Division



HHS Case No. 2025-00481-FOIA-PHS

November 15, 2024

Sent via email:

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Telephone: (202) 690-7453
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and/or:

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8601 Adelphi Road – OGIS
College Park, MD 20740-6001

Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

There are no charges in this instance because the billable costs are less than our threshold of \$25.

Sincerely yours,

Natasha Taylor for

Arianne Perkins
Director, Initial FOIA Requests
FOI/Privacy Acts Division



U.S. Department of Justice
Office of Information Policy
Sixth Floor
441 G Street, NW
Washington, DC 20530-0001

Telephone: (202) 514-3642

December 03, 2024

David Medeiros
MuckRock News
DEPT MR 175671
263 Huntington Avenue
Boston, MA 02115
175671-59537232@requests.muckrock.com

Dear David Medeiros:

This is to advise you that the Office of Information Policy of the U.S. Department of Justice received your administrative appeal from the action of the Criminal Division regarding Request No. CRM-302199806 on 11/26/2024.

In an attempt to afford each appellant equal and impartial treatment, OIP has adopted a general practice of assigning appeals in the approximate order of receipt. Your appeal has been assigned number A-2025-00467. Please refer to this number in any future communication with OIP regarding this matter. Please note that if you provided an email address or another electronic means of communication with your request or appeal, this Office may respond to your appeal electronically even if you submitted your appeal to this Office via regular U.S. Mail.

We will notify you of the decision on your appeal as soon as we can. If you have any questions about the status of your appeal, you may contact me at 202-514-3642. If you have submitted your appeal through Freedom of Information Act STAR, you may also check the status of your appeal by logging into your account.

Sincerely,

Priscilla Jones

Priscilla Jones
Supervisory Administrative Specialist



U.S. Department of Justice

Criminal Division

Office of Enforcement Operations

Washington, D.C. 20530

VIA Electronic Mail

November 7, 2024

Mr. David Medeiros
263 Huntington Avenue
Boston, MA 02115
175671-59537232@requests.muckrock.com

Request No. CRM-302199806
Subject: Connecticut's Medicaid ABI Waiver
Program

Dear Mr. Medeiros:

The Criminal Division acknowledges receipt of your Freedom of Information Act request dated November 6, 2024. Your request was received in this Office on November 6, 2024. In that request, you asked for access to records concerning the above-mentioned subject. Your request has been assigned file number CRM-302199806. You should refer to this number in any future correspondence with this Office.

After carefully considering your request, this Office determined that your request is one for records maintained by another component of the U.S. Department of Justice. Hence, your misdirected request has been routed to the Civil Division for processing and a direct response to you. If you have any questions about the status of your routed request, you may contact the Civil Division at the following address:

Brian Flannigan
Chief, FOIA and Privacy Office
Civil Division
Department of Justice
Room 8314
1100 L Street, NW
Washington, DC 20530-0001

Further, please be advised that this Office only processes records maintained by the Criminal Division. After carefully reviewing your request, I have determined that you are also seeking records maintained by the U.S. Department of Labor and Center for Medicare and Medicaid Services at the U.S. Department of Health and Human Services. If you have not done so already, you may wish to submit a request to those agencies at the following addresses:

Joseph Tripline, FOIA Officer
Freedom of Information Act Office
Mail Stop C5-11-06
7500 Security Boulevard
Baltimore, Maryland 21244

Seema Nanda
U.S. Department of Labor
Office of the Solicitor of Labor
200 Constitution Ave NW
Washington, DC 20210

Finally, for your information, the Federal Freedom of Information Act applies only to records maintained by federal agencies that are subject to the FOIA. Records that are maintained by state or local authorities are subject only to any records access laws that might be applicable to those states and localities. Accordingly, if you have not already done so, I suggest that you make a request for such records to the proper state or local authorities in accordance with the appropriate state or local records access law.

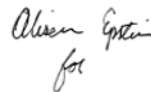
As there is no further action for this Office to take on your request, your request file is being administratively closed in this Office.

As to your request for expedited processing, your request is moot as this response has been issued within ten days of receipt of the request.

You may contact our FOIA Public Liaison at the (202) 616-0307 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the Criminal Division's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account on the following website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in cursive script, appearing to read "Christina Butler", with a small "for" written below it.

Christina Butler
Chief
FOIA/PA Unit

12.04.2024 Subject: Appeal Immediate Compliance Required with ADA Accommodations and FOIA Obligations

Dear FOIA Officer

I am writing to formally reiterate my request for specific ADA accommodations and compliance with FOIA obligations, which are essential for my full participation in this process. These accommodations were explicitly requested to address accessibility needs stemming from my traumatic brain injury and to ensure compliance with federal law. To date, your office has failed to meet these requirements, resulting in undue barriers and systemic non-compliance.

Accommodations Previously Requested

The following accommodations, explicitly outlined in prior communications, remain unfulfilled:

Exclusive Use of MuckRock Platform

Requested: All communications must be routed exclusively through the MuckRock platform. No external portals, password-protected links, or alternate communication methods are acceptable.

Non-Compliance: Communications have directed me to use external portals and password-protected links, violating ADA guidelines and my explicit requests.

Accessible Document Formatting

Requested: All documents must be provided as screen-reader compatible PDFs, properly labeled and indexed for ease of navigation and accessibility.

Non-Compliance: Provided documents have not adhered to accessibility standards, preventing effective access to critical information.

Simplified Summaries for Complex Records

Requested: Simplified summaries must accompany all complex or technical records to enhance comprehension and ensure equitable participation.

Non-Compliance: No summaries have been provided, creating unnecessary barriers to understanding the records.

Identification of Responsible Personnel

Requested: Each communication must include the name, title, and role of the individual responsible for processing or responding to my requests.

Non-Compliance: Correspondence has consistently lacked this information, hindering accountability and effective follow-up.

Immediate Action Required

To rectify these ongoing failures and ensure compliance with federal laws, I demand the following actions be taken without delay:

Transition All Communications to MuckRock

Immediately cease the use of external portals or non-compliant communication methods and ensure all responses are routed exclusively through the MuckRock platform.

Provide Accessible Documents

Reformat and resend all previously provided documents as screen-reader compatible PDFs, properly labeled and indexed to ensure accessibility.
Include Simplified Summaries

Provide simplified summaries for all complex or technical records, both previously shared and in future communications, to ensure accessibility and equitable participation.

Identify Responsible Personnel

Include the name, title, and role of the individual responsible for every communication moving forward to ensure transparency and accountability.

Legal Basis for Compliance

Your office is legally obligated to comply with these accommodations under the following statutes and principles:

Americans with Disabilities Act (ADA): Title II, 42 U.S.C. Â§ 12132, and Section 504 of the Rehabilitation Act mandate reasonable accommodations and accessibility in communications for individuals with disabilities.

Freedom of Information Act (FOIA): 5 U.S.C. Â§ 552 requires transparency, accessibility, and adherence to procedural fairness.

Constitutional Protections: The First, Fifth, and Fourteenth Amendments to the U.S. Constitution safeguard my rights to petition the government, due process, and equal protection under the law.

Executive Order 13392: Mandates improved agency disclosure of information to enhance transparency and accountability.

Deadline for Compliance

Your office must confirm compliance with these accommodations and provide the requested corrective actions within five (5) business days of this notice. Continued non-compliance will be documented as a violation of the ADA and FOIA and may result in escalation, including:

Formal Complaints: Filing with the U.S. Department of Justice and the Office for Civil Rights.

Judicial Remedies: Seeking injunctive relief and damages for ADA and FOIA violations.

Public Advocacy: Reporting systemic failures to oversight agencies, media, and advocacy organizations.

Conclusion

This communication serves as a final request for compliance. It is imperative that your office address these deficiencies promptly to restore transparency, accessibility, and adherence to federal law.

Thank you for your immediate attention to this matter. I look forward to your response and resolution by the stated deadline.

Sincerely,

David Medeiros

Founder, ABI Resources

DB.42.131.Inf.

CC

Federal Officials

Merrick B. Garland

Title: U.S. Attorney General
Contact: Department of Justice Contact Page
Kristen Clarke

Title: Assistant Attorney General, Civil Rights Division
Contact: Civil Rights Division Contact Page
Xavier Becerra

Title: Secretary, U.S. Department of Health and Human Services (HHS)
Contact: HHS Contact Page
Chiquita Brooks-LaSure

Title: Administrator, Centers for Medicare & Medicaid Services (CMS)
Contact: CMS Contact Page
Lisa M. Gomez

Title: Assistant Secretary, Employee Benefits Security Administration
Contact: EBSA Contact Page
Michael E. Horowitz

Title: Inspector General, U.S. Department of Justice
Contact: DOJ OIG Contact Page
Christi Grimm

Title: Inspector General, U.S. Department of Health and Human Services
Contact: HHS OIG Contact Page
Gene L. Dodaro

Title: Comptroller General, U.S. Government Accountability Office (GAO)
Contact: GAO Contact Page
Connecticut State Officials
Ned Lamont

Title: Governor, State of Connecticut
Contact: Governor's Contact Page
William Tong

Title: Attorney General, State of Connecticut
Contact: Attorney General's Contact Page
Andrea Barton Reeves

Title: Commissioner, Connecticut Department of Social Services (DSS)
Contact: DSS Contact Page
Manisha Juthani, MD

Title: Commissioner, Connecticut Department of Public Health
Contact: DPH Contact Page
Jeffrey R. Beckham

Title: Secretary, Connecticut Office of Policy and Management
Contact: OPM Contact Page
Congressional Oversight Committees

House Committee on Oversight and Accountability

Chair: James Comer (R-KY)

Contact: [Committee Contact Page](#)

Senate Committee on Homeland Security and Governmental Affairs

Chair: Gary Peters (D-MI)

Contact: [Committee Contact Page](#)

House Subcommittee on Civil Rights and Civil Liberties

Chair: Jamie Raskin (D-MD)

Contact: [Subcommittee Contact Page](#)

Senate Judiciary Committee

Chair: Dick Durbin (D-IL)

Contact: [Committee Contact Page](#)

To Whom It May Concern:

Pursuant to the Freedom of Information Act, I hereby request the following records:

Subject: FOIA Request for Records Pertaining to Medicaid Services for NPI 1962278119 and NPI 1023012345

To Whom It May Concern,

Pursuant to the Freedom of Information Act (5 U.S.C. § 552) and the Connecticut Freedom of Information Act (Conn. Gen. Stat. § 1-200 et seq.), I am requesting access to records related to Medicaid services, contracts, financial transactions, referral practices, and regulatory compliance associated with the following National Provider Identifiers (NPIs):

NPI 1962278119

NPI 1023012345

This FOIA request is designed to support transparency, accountability, and public interest within Connecticut's Medicaid ABI Waiver Program. Below are the specific records requested from each department, including their individual responsibilities and contact information to facilitate processing.

Requested Records by Agency
Federal Agencies

U.S. Department of Health and Human Services (HHS)

Sub-agency: Centers for Medicare & Medicaid Services (CMS)

Responsibilities: Oversees Medicaid program compliance, funding allocation, and adherence to federal standards.

Records to Request:

1. Funding Allocation and Compliance Reports: All records showing Medicaid funding allocations, reimbursements, and compliance reviews or audits for services under NPI 1962278119 and NPI 1023012345, from January 1, 2013, to present.
2. CMS-DSS Correspondence: Communications between CMS and the Connecticut Department of Social Services (DSS) regarding services associated with the specified NPIs, including any directives or advisories on provider selection, compliance, and transparency.

Contact Information:

FOIA Officer, Centers for Medicare & Medicaid Services

Address: 7500 Security Boulevard, Mail Stop C2-21-15, Baltimore, MD 21244

Email: FOIA_Request@cms.hhs.gov

Phone: (410) 786-5353

U.S. Department of Justice (DOJ)

Sub-agency: Civil Division, Fraud Section

Responsibilities: Investigates healthcare fraud, Medicaid fraud, and enforces anti-kickback statutes.

Records to Request:

1. Investigations and Case Files: Records of any DOJ investigations or case files concerning Medicaid fraud or potential kickbacks involving NPI 1962278119 and NPI 1023012345.

2. Legal Proceedings or Settlements: Documentation of any legal actions, settlements, or penalties issued in cases related to these NPIs.

Contact Information:

FOIA/PA Mail Referral Unit

Address: Department of Justice, Room 115, LOC Building, Washington, DC 20530-0001

Email: MRUFOIA.Requests@usdoj.gov

Phone: (202) 616-0307

U.S. Department of Labor (DOL)

Sub-agency: Wage and Hour Division

Responsibilities: Enforces labor laws, including wage standards, particularly for disabled individuals working under Medicaid.

Records to Request:

1. Wage and Hour Investigations: Documentation of wage and hour compliance audits, investigations, or complaints involving NPI 1962278119, focusing on any employment of Medicaid consumers at sub-minimum wages.
2. 14(c) Certification Records: Records of any 14(c) certificates issued to entities associated with NPI 1962278119, authorizing sub-minimum wage payments to disabled workers.

Contact Information:

FOIA Coordinator, Wage and Hour Division

Address: 200 Constitution Ave NW, Washington, DC 20210

Email: foiarequests@dol.gov

Phone: (202) 693-0052

Connecticut State Agencies

Connecticut Department of Social Services (DSS)

Responsibilities: Administers Connecticut's Medicaid program, including provider enrollment, consumer rights, and compliance with state and federal standards.

Records to Request:

1. Contracts and Agreements: All contracts, MOUs, and agreements involving Medicaid funds directed to services under NPI 1962278119 and NPI 1023012345. Include documents that outline any exclusivity arrangements, referral restrictions, or financial incentives.
2. Provider Selection and Referral Policies: Internal guidelines, rules, and criteria for provider referrals associated with these NPIs, including distribution data and referral logs showing consumer choice limitations.
3. FOIA Compliance and Transparency Logs: Copies of FOIA requests related to these NPIs, including responses, reasons for any denials, and policies on FOIA compliance.

Contact Information:

FOIA Officer, Department of Social Services

Address: 55 Farmington Avenue, Hartford, CT 06105

Email: DSS.FOIA@ct.gov

Phone: (860) 424-4967

Connecticut Department of Public Health (DPH)

Responsibilities: Regulates and licenses healthcare providers, enforcing standards for Medicaid providers and addressing consumer complaints.

Records to Request:

1. Licensing and Inspection Reports: Records of licensing applications, inspection reports, and compliance reviews for entities associated with NPI 1962278119 and NPI 1023012345.
2. Complaint and Investigation Records: Documentation of any consumer complaints, investigations, or violations recorded against these NPIs, especially regarding quality of care, housing conditions, or employment practices.

Contact Information:

FOIA Coordinator, Department of Public Health
Address: 410 Capitol Avenue, Hartford, CT 06134
Email: DPH.FOIA@ct.gov
Phone: (860) 509-8000

Connecticut Office of the Attorney General

Responsibilities: Investigates healthcare fraud, consumer protection issues, and enforces state laws against anti-competitive practices.

Records to Request:

1. Investigative Records and Legal Actions: Records of any investigations, inquiries, or legal actions related to Medicaid fraud, consumer rights violations, or monopolistic practices associated with NPI 1962278119 and NPI 1023012345.
2. Correspondence with DSS: Communications between the Attorney General's office and DSS concerning referrals, provider restrictions, or consumer complaints associated with these NPIs.

Contact Information:

Public Records Administrator, Office of the Attorney General
Address: 165 Capitol Avenue, Hartford, CT 06106
Email: attorney.general@ct.gov
Phone: (860) 808-5318

Accommodation Requests

To ensure this FOIA request is processed accurately and meets my accessibility requirements, please adhere to the following accommodations. These accommodations are essential for my full participation in every aspect of this request:

Contact Requirement

1. All responses, updates, and communications must be sent exclusively via email to AabiWR@live.com. Do not use physical mail, phone calls, portal-based communications, external links, or any platform outside of direct email.
2. Format Requirement: Include the full text of each response within the body of the email, along with any attached documents. This ensures that all information is immediately accessible without requiring downloads or access to external sites, allowing me to fully participate and understand the content.

3. Complete and Transparent Documentation

Provide all requested documents in full, without redactions unless legally required. For any necessary redactions, please cite the specific legal exemption or statute applied, and include a summary to facilitate

understanding. This ensures that I have clear and complete access to all information.

4. Detailed Explanations for Any Denials

If any portion of this request is denied, include a clear, detailed explanation for each denied item, citing relevant legal statutes or exemptions. This clarity is essential to ensure I understand any limitations.

5. Guidance for Complex Records

For records containing complex financial, legal, or medical language, please include summaries or simplified explanations. This accommodation ensures that I can accurately interpret and fully understand the information provided.

6. Identification of FOIA Officer Handling This Request

Provide the full name, title, and direct contact information of the FOIA officer assigned to my request. While communication must remain email-only, I request this information for records and transparency.

7. Confirmation of Accommodations

Confirm receipt of this request, and explicitly acknowledge that each accommodation listed will be fully applied in all responses and communications.

Request for Expedited Processing of FOIA Request for Records Pertaining to Medicaid Services for NPI 1962278119 and NPI 1023012345

Pursuant to Federal Law and Connecticut FOIA Statutes, I am requesting expedited processing of this FOIA request due to the pressing public interest involved and the immediate impact on vulnerable Medicaid beneficiaries, as authorized under applicable legal provisions.

Request for Expedited Processing

Legal Basis: Under 5 U.S.C. § 552(a)(6)(E), expedited processing is required when there is an "urgency to inform the public concerning actual or alleged Federal Government activity." Additionally, Conn. Gen. Stat. § 1-210(a) mandates prompt availability of public agency records, especially where issues directly impact public welfare and accountability.

Justification for Expedited Processing

Public Interest and Transparency: These records are crucial for public scrutiny of Medicaid spending, potential monopolistic practices, consumer choice limitations, and wage compliance within Connecticut's Medicaid ABI Waiver Program.

Immediate Impact on Vulnerable Populations: This request addresses policies that may limit autonomy, financial independence, and housing security for Medicaid beneficiaries, especially those with disabilities. Delays could harm these populations by preventing timely corrective action.

Compliance with FOIA Promptness Standards: Federal and Connecticut FOIA statutes require agencies to make records available "promptly." Any

refusal to expedite processing would contravene both the letter and intent of FOIA law.

Potential Financial and Legal Violations: Requested records may reveal misuse of Medicaid funds or improper labor practices. Immediate access is necessary for regulatory assessment.

Request for Immediate Acknowledgment: Please provide immediate, written acknowledgment of this expedited processing request. If expedited processing is denied, provide a written statement detailing the specific legal grounds for denial, in compliance with FOIA statutes.

Thank you for your prompt attention to this matter.

Sincerely,
David Medeiros
ABI Resources
215 Mountain Street
Willimantic, CT 06226
Email: AabiWR@live.com

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

DAVID MEDEIROS

Dear David Medeiros,

Your profile has been created in the HHS FOIA Submission Site and an email has been sent to the email address provided with a link to create your password to access your profile. Go to <https://requests.publiclink.hhs.gov> once you have created your password.

User Name: 175675-14751484@requests.muckrock.com

If you have any previously submitted requests to U.S. Department of Health & Human Services you will be able to view them when you login.

Regards,

U.S. Department of Health & Human Services

Dear David Medeiros,

To create a password to access your HHS FOIA Submission Site profile.
Follow the link below.

<https://requests.publiclink.hhs.gov/App/SetPassword.aspx?aun=UINfYtMYstIyvTbBdB0MCKXIKGr6EiLtnWic3MXne+g=>

Once your password is created you will be directed back to the Sign In page, or you can click this link to return to the HHS FOIA Submission Site <https://requests.publiclink.hhs.gov>.

Regards,

U.S. Department of Health & Human Services

Dear David Medeiros,

Request #2025-00481-FOIA-PHS has been assigned to the request you submitted. In all future correspondence regarding this request please reference request #2025-00481-FOIA-PHS.

Regards,

U.S. Department of Health & Human Services

Dear David Medeiros,

The status of your FOIA request #2025-00481-FOIA-PHS has been updated to the following status 'Received'. To log into the HHS FOIA Submission Site click on the Application URL below.

<https://requests.publiclink.hhs.gov>

Sincerely,

U.S. Department of Health & Human Services

To: FOIA Officer, U.S. Department of Health & Human Services
Subject: Accommodation Request for FOIA Processing - Request #2025-00481-FOIA-PHS

Dear FOIA Officer,

Thank you for acknowledging my FOIA request and assigning it request number #2025-00481-FOIA-PHS. I am writing to confirm my specific accommodation needs to ensure this request is processed with full accessibility, as outlined in my original submission.

Accommodation Requests:

Direct Email-Only Communication:

All responses, updates, and records must be sent exclusively via email to AabiWR@live.com. To accommodate my accessibility needs, please refrain from using physical mail, phone calls, portal-based communications, external links, or any platform outside of direct email.

Format and Accessibility Requirement:

Please include the full text of each response within the body of the email and provide all attached documents in accessible electronic formats (e.g., PDFs compatible with screen readers). This format ensures that all information is immediately accessible and easily reviewed.

Complete and Transparent Documentation:

Provide all requested records in full, without redactions unless legally required. If redactions are necessary, please cite the specific legal exemption applied and include a brief summary.

Detailed Explanation for Any Denials:

If any part of this request is denied, please include a clear and detailed explanation for each denied item, referencing applicable statutes or exemptions.

Guidance for Complex Records:

For records containing complex financial, legal, or procedural language, please provide summaries or simplified explanations to ensure comprehension.

Identification of FOIA Officer Handling This Request:

** Please provide the full name, title, and direct contact information of the FOIA officer assigned to this request. Transparency in communication is essential for tracking and understanding the processing status.

Confirmation of Accommodations:

Kindly confirm that each of these accommodations will be applied consistently in all future responses and communications related to this FOIA request.

Request for Expedited Processing Confirmation

I would appreciate an update on the status of my expedited processing request, as outlined in my initial submission. The prompt handling of this

request is critical due to the urgent public interest in ensuring transparency within the Medicaid ABI Waiver Program.

Thank you for your attention to my accommodation needs, which comply with accessibility requirements under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. I look forward to receiving your confirmation and continued assistance.

Sincerely,
David Medeiros
ABI Resources
Email: AabiWR@live.com
FOIA Request Number: #2025-00481-FOIA-PHS

Dear Mr. Medeiros: This is in response to your Freedom of Information Act (FOIA) request, dated: November 5, 2024 , concerning "Records Pertaining to Medicaid Services for NPI 1962278119 and NPI 1023012345". We received your request on November 6, 2024, and are referring it to the Centers for Medicare and Medicaid Services (CMS) for direct response to you. Because HHS FOIA administration is decentralized, your request will be closed in this office. Upon receipt, CMS will log your request and provide you with a new tracking number for your reference. You may check the status of your request with CMS at 410-786-5353 or foiarequest@cms.hhs.gov. Sincerely,

Karine Lafontant
OS FOIA Division Intake

David Medeiros
ABI Resources, LLC
39 Kings Highway, Suite C
Gales Ferry, CT 06335
Date: November 15, 2024

Subject: Formal Appeal for FOIA Non-Compliance, ADA Violations, and
Constitutional Rights Infringement - Request No. 2025-00481-FOIA-PHS

To:

Natasha Taylor for Arianne Perkins
Director, Initial FOIA Requests
Office of the Secretary (OS)
U.S. Department of Health and Human Services (HHS)
200 Independence Avenue, SW, Suite 729H
Washington, DC 20201
Email: HHS_FOIA_Public_Liaison@hhs.gov

CC:

Office of Government Information Services (OGIS)
National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001
Email: ogis@nara.gov

Introduction

This appeal concerns the improper handling, dismissal, and referral of my FOIA request (Request No. 2025-00481-FOIA-PHS) by the U.S. Department of Health and Human Services (HHS). This request sought critical records related to Medicaid services, contracts, and compliance for NPIs 1962278119 and 1023012345. HHS's response, dated November 15, 2024, failed to meet legal, constitutional, and procedural obligations under the Freedom of Information Act (5 U.S.C. 552), the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and my constitutional rights as a taxpayer and citizen.

The decision to close the request and refer it to the Centers for Medicare & Medicaid Services (CMS) demonstrates a failure to ensure transparency, respect accessibility accommodations, and address the significant public interest and urgency of the matter. This appeal seeks full compliance with all applicable laws and rights.

Constitutional and Legal Basis

1. First Amendment

The First Amendment guarantees the right of the public to access government records to ensure transparency and accountability. Denial of my FOIA request obstructs my ability to exercise this right by hindering oversight of taxpayer-funded Medicaid programs and potential misuse of public funds.

2. Fifth and Fourteenth Amendments

HHS's mishandling of this request denies me due process under the Fifth Amendment by improperly closing the matter without ensuring that my constitutional right to information is fulfilled. The Equal Protection

Clause of the Fourteenth Amendment mandates equitable treatment of disabled individuals; HHS's failure to adhere to my ADA accommodation requests constitutes discrimination.

3. Federal FOIA Statute (5 U.S.C. 552)
HHS violated FOIA's statutory requirements by:

Failing to Conduct a Thorough Search: HHS prematurely referred the request to CMS without conducting a full and reasonable search of its own records. Improper Closure: Closing my request without providing substantive records, explanations for redactions, or even confirming CMS's receipt contravenes FOIA mandates.

Failure to Justify Referral: HHS did not provide sufficient reasoning or assurances that CMS will fulfill its obligations promptly.

4. Americans with Disabilities Act (42 U.S.C. 12101 et seq.; 28 C.F.R. 35.160-35.164)

HHS failed to respect my ADA accommodation requests by:

Referring me to a portal-based system (HHS FOIA Submission Site) despite clear instructions to communicate exclusively via email.

Ignoring my request for accessible formats and summaries of complex records, which are essential due to my cognitive disability.

5. Mismanagement of Taxpayer Funds and Public Interest

As a taxpayer, I have a constitutional right to scrutinize the use of public funds. My request pertains to Medicaid contracts and compliance issues involving significant federal and state expenditures. HHS's failure to process this request obstructs the public's ability to monitor potential fraud, waste, and abuse.

Specific Failures

Unjustified Referral to CMS

The decision to refer my request to CMS without substantive effort or assurances violates FOIA's requirement for thorough, good-faith searches. HHS oversees Medicaid programs and maintains records pertinent to the requested NPIs. Delegating responsibility without clear confirmation from CMS undermines the statutory obligation of HHS to provide requested information.

Violation of ADA Accessibility Requirements

HHS disregarded my explicit request for email-only communication and accessible formats, forcing me to navigate an inaccessible portal system. This failure violates Title II of the ADA and Section 504 of the Rehabilitation Act.

Failure to Address Urgent Public Interest

The requested records relate to Medicaid fraud investigations, contract compliance, and systemic abuses affecting vulnerable populations. HHS's failure to process this request delays potential corrective actions and harms public interest.

Demands for Corrective Action

To rectify these violations, I demand the following:

1. FOIA Compliance

Immediate Disclosure: Conduct a thorough search for all requested records and provide them directly via email in accessible, screen-reader-compatible PDFs.

Transparent Referral Process: If records are genuinely held by CMS, provide documentation of CMS's receipt and acknowledgment of the request, including a CMS tracking number and timeline.

Detailed Explanations: Justify any redactions or withholdings under 5 U.S.C. 552(b) and provide clear explanations for each.

2. ADA and Section 504 Compliance

Respect Accessibility Accommodations: Ensure all future communications, including records, are sent directly via email with clear summaries of complex materials.

Assign a Dedicated FOIA Officer: Provide the name, title, and contact information of a single FOIA officer responsible for ensuring compliance with ADA requirements and processing this request.

3. Accountability and Transparency

Confirm Oversight: Notify the Office of Government Information Services (OGIS) and CMS FOIA office of this appeal and ensure timely resolution.

Audit Internal Processes: Conduct an internal review of the handling of my request to ensure compliance with FOIA and ADA statutes.

Request for Expedited Processing

Under 5 U.S.C. 552(a)(6)(E), expedited processing is warranted due to:

Public Interest: The requested records concern Medicaid expenditures and potential misuse of taxpayer funds, which directly impact vulnerable populations.

Urgency: Delays obstruct accountability for potential fraud and abuse.

Consequences of Non-Compliance

Failure to meet these demands by December 5, 2024, will result in the following actions:

Formal Complaints: Filing grievances with OGIS, the DOJ Civil Rights Division, and the Office for Civil Rights (OCR) regarding FOIA and ADA violations.

Judicial Review: Pursuing legal action under 5 U.S.C. 552(a)(4)(B) and ADA Title II to compel compliance and seek damages.

Public Escalation: Reporting HHS's non-compliance to media outlets and public advocacy groups to ensure accountability.

Conclusion

This appeal asserts my constitutional and statutory rights to access government records, ensure ADA compliance, and monitor taxpayer funds. I urge HHS to fulfill its legal and ethical obligations by providing a substantive, ADA-compliant response.

Thank you for your immediate attention to this matter.

Sincerely,
David Medeiros
ABI Resources

CC:

Office of Government Information Services (OGIS)
U.S. Department of Justice Civil Rights Division

Freedom of Information Act (FOIA) Appeal - Violation of Constitutional Rights, FOIA Requirements, and ADA Compliance
Date: November 19, 2024

To:

FOIA Officer, U.S. Department of Health and Human Services (HHS)
FOIA Officer, Centers for Medicare & Medicaid Services (CMS)
FOIA Officer, U.S. Department of Justice (DOJ)
FOIA Officer, Connecticut Department of Social Services (DSS)
FOIA Officer, Connecticut Department of Public Health (DPH)
FOIA Officer, Connecticut Office of the Attorney General

U.S. Department of Health and Human Services (HHS):

Head: Xavier Becerra, Secretary
Centers for Medicare & Medicaid Services (CMS):

Head: Chiquita Brooks-LaSure, Administrator
U.S. Department of Justice (DOJ):

Head: Merrick B. Garland, Attorney General
Connecticut Department of Social Services (DSS):

Head: Dr. Deidre S. Gifford, Commissioner
Connecticut Department of Public Health (DPH):

Head: Dr. Manisha Juthani, Commissioner
Connecticut Office of the Attorney General:

Head: William Tong, Attorney General

Subject: Freedom of Information Act (FOIA) Appeal for Records Pertaining to Medicaid Services for NPI 1962278119 and NPI 1023012345
FOIA Request Number(s): 2025-00446-FOIA-PHS, 25-00044-F, and other relevant records

Introduction:

This letter serves as an appeal regarding my previously submitted FOIA request for records pertaining to Medicaid services for the National Provider Identifiers (NPIs) 1962278119 and 1023012345, and the related Medicaid services, contracts, financial transactions, referral practices, regulatory compliance, and provider records. I am appealing the failure to respond within the statutory timeframe, the lack of proper accommodations under the Americans with Disabilities Act (ADA), and the violations of my constitutional rights under the First, Fifth, and Fourteenth Amendments and FOIA statutory requirements, both at the federal and state levels.

1. Violation of Constitutional Rights:

First Amendment - Right to Information:

As a public citizen and a whistleblower, my request is made in the public interest to ensure that taxpayer dollars are not misused and that public transparency is maintained. The First Amendment guarantees my right to access information held by the government, as it is essential to protect

the public interest and to inform the public about the activities of government agencies, particularly in relation to programs funded by taxpayer money. The failure to respond to my request within the statutory period and to provide adequate records violates the First Amendment right to access critical information, which is a cornerstone of democratic participation.

Fifth and Fourteenth Amendments - Due Process and Equal Protection:
The Fifth Amendment provides a due process right to access information relevant to one's defense or legitimate concerns with government actions. Similarly, the Fourteenth Amendment ensures equal protection under the law and the fair administration of programs. By delaying and failing to provide the requested records or justifications for non-disclosure, the agencies have denied me due process and failed to provide information that is vital for ensuring fairness in the administration of Medicaid services and ensuring that vulnerable populations are not exploited. This failure undermines my due process rights to ensure that Medicaid services are provided in compliance with constitutional guarantees of equal treatment under the law.

2. Violation of FOIA (Freedom of Information Act) Requirements:

Failure to Comply with FOIA Deadlines:

Under 5 U.S.C. § 552(a)(6)(A), federal agencies are required to respond to FOIA requests within 20 business days. Additionally, 5 U.S.C. § 552(a)(6)(B) requires that an agency provide a date of completion for the requested records. As of November 19, 2024, no response has been received from the Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS), or other state and federal agencies in accordance with the statutory deadlines.

The failure to respond within the statutory deadline and provide the requested records in a timely manner violates my rights under FOIA and also represents a systemic failure to comply with the public's right to information. I am entitled to a complete response, including all records requested, under 5 U.S.C. § 552(b) unless a specific exemption is validly cited.

Failure to Provide Adequate Responses and Information:

As of now, several of the requested documents have not been provided, and redactions have not been justified in accordance with 5 U.S.C. § 552(b). Specifically, there have been no explanations or detailed justifications for denials or redactions made in any communications received. The statutory exemptions for withholding information are clear and must be cited and justified under FOIA. The failure to provide these justifications is a failure to comply with FOIA statutory requirements.

Furthermore, 5 U.S.C. § 552(a)(6)(E) mandates expedited processing for requests related to urgent public interest, and I have specifically requested expedited processing based on the public interest in Medicaid services and potential fraud or abuse. The failure to expedite processing and provide a timely response undermines FOIA's intent to ensure swift and transparent access to government records.

3. Violation of ADA (Americans with Disabilities Act) and Failure to Provide Reasonable Accommodations:

Failure to Adhere to ADA Accommodations:

As a person with a traumatic brain injury (TBI) and a stroke survivor, I am entitled to reasonable accommodations to ensure full and equal access to government services under the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.). My request specifically requires that the agencies involved:

Provide responses exclusively via email in accessible formats (no third-party portals or physical mail).

Include the text of responses within the email body so that the information is directly accessible without needing to download attachments.

Provide documents in accessible, screen-reader compatible PDF format, if necessary, and ensure that all responses are clear and concise to facilitate my understanding.

Provide simplified summaries for complex records that may contain medical, legal, or technical information.

The failure to implement these accommodations severely impacts my ability to engage in the FOIA process, undermines my legal rights under the ADA, and violates the spirit and intent of providing accessible government services. The refusal to comply with these basic ADA accommodations is a direct violation of my constitutional rights to access public records on an equal basis with other citizens.

4. Request for Action and Relief:

Given the constitutional violations, FOIA non-compliance, and ADA non-compliance outlined above, I respectfully request the following actions:

Immediate and complete compliance with the original FOIA request, including the production of all responsive records without unnecessary redactions, and detailed justifications for any redactions.

A response to this appeal within 10 business days to ensure that the agencies are taking the necessary steps to comply with the FOIA, ADA, and constitutional law.

Expedited processing of the request as outlined in 5 U.S.C. § 552(a)(6)(E) due to the public interest and urgency surrounding these matters.

Full adherence to ADA accommodations, ensuring all responses are in accessible formats and fully comply with my disability access needs as a person with a documented TBI and stroke survivor.

A written explanation of why my request was delayed and why the accommodations were not provided earlier, including the names and contact information of the personnel involved in handling this request.

Consequences of Non-Compliance:

If the agencies involved in this process continue to fail in complying with FOIA, ADA, and constitutional law, I will be forced to take further action, including:

Mediation through the Office of Government Information Services (OGIS) to resolve disputes under FOIA.

Litigation under the FOIA statutes and ADA to seek judicial remedies for violations of my rights to public records and accessibility.

Public Advocacy through media channels and public organizations to raise awareness of the lack of transparency and government accountability in the management of Medicaid services for vulnerable populations.

Conclusion:

It is imperative that the agencies involved address these serious legal and procedural violations without further delay. I trust that this matter will be handled in compliance with FOIA, ADA, and the U.S. Constitution, ensuring that my rights and the rights of the public are upheld in the administration of Medicaid services.

I look forward to your prompt response to this appeal and a swift resolution of these issues.

Sincerely,
David Medeiros
Founder & Owner, ABI Resources
215 Mountain Street
Willimantic, CT 06226

Thank you for your registration. Here is your temporary password:
1%Ke"X8V.q
You will be required to change it upon initial login.