REPORT GOVERNMENT WRONGDOING (DISCLOSURE)
Do not use this form to submit classified information.
For instructions or questions, call the Case Review Division at (202) 804-7000.
*Denotes required fields.

IMPORTANT INFORMATION ABOUT FILING A DISCLOSURE

OSC WHISTLEBLOWER DISCLOSURE CHANNEL

Under 5 U.S.C. § 1213 and related provisions, the Office of Special Counsel (OSC) serves as a secure channel for federal employees, former federal employees, and applicants for federal employment with reliable knowledge of the wrongdoing to disclose:

- a violation of law, rule or regulation;
- gross mismanagement;
- gross waste of funds;
- an abuse of authority;
- a substantial and specific danger to public health or safety; and/or
- censorship related to scientific research.

OSC JURISDICTION

OSC has no jurisdiction over disclosures filed by:

- employees of the U.S. Postal Service and the Postal Regulatory Commission;
- members of the armed forces of the United States (*i.e.*, non-civilian military employees);
- state employees operating under federal grants;
- employees of federal contractors;
- other employees or federal agencies that are exempt under federal law; and
- Congressional or judicial branch employees.

ANONYMOUS SOURCES

While OSC will protect the identity of persons who make disclosures, it will not consider anonymous disclosures. If a disclosure is filed by an anonymous source, the disclosure will be referred to the Office of Inspector General in the appropriate agency. OSC will take no further action.

RETALIATION

Do you believe you suffered retaliation by your agency for disclosing wrongdoing? If yes, you may file a complaint of retaliation by navigating back to "My Cases" and selecting "New Complaint." Select Option 1 to complete and submit a Complaint of Prohibited Personnel Practice or other Prohibited Activity (PPPs). *If you have already completed the Complaint of Prohibited Personnel Practice or other Prohibited Activity above, please continue with this Disclosure*. PPPs are employment-related activities that are banned in the federal workforce.

PPPs generally involve some type of personnel decision or action and may result in personal relief for people who have been subject to a PPP. For example, if we find that you were removed from federal service in retaliation for whistleblowing, OSC may act to get your job back. PPPs can also include allegations of harassment, failure to issue appraisals, and improper hiring. Do not file a disclosure to report retaliation or other PPPs.

CONTACT INFORMATION

Title:
First Name:* David
Middle Initial:
Last Name:* Medeiros

International Address?: No
Address:*
215 Mountain St
Willimantic, CT 06226

Cell Phone Number:
Home Phone Number:
Office Phone Number:
Ext.
Email Address:* aabiwr@live.com

Preferred means of contact:
Email: Yes
Cell phone: No
Home phone: No
Office phone: No

REPRESENTATIVE INFORMATION

Do you have representation? No

Information about representative, if applicable.
First Name:*
Middle Initial:
Last Name:*

International Address?:
Address: *

Office Phone Number: **Ext.**
Cell Phone Number: **Home Phone Number:**
Email Address:

EMPLOYMENT INFORMATION

Name of Department/Agency about which you are making a disclosure.
Department:* Health and Human Services
Agency:* Centers For Medicare & Medicaid Services
Agency subcomponent: Medicaid Oversight for the Connecticut Acquired Brain Injury (ABI) Waiver
Street Address: 7500 Security Blvd. Baltimore, MD 21244
City: Baltimore **State:** MD
Zip Code: 21244

Employment Status:* Non-Federal Employee (please specify)

Title	Series	Grade

Please provide your dates of employment in this position.

Employment Service Type	Employment Service Subtype	If Other (specify)
Excepted Service	Other	Private Citizen, Advocate, and Whistleblower
Other	Other	Private Citizen, Advocate, and Whistleblower

Are you covered by a collective bargaining agreement?

DETAILS OF YOUR DISCLOSURES

Please identify the type of wrongdoing that you are alleging. You can make multiple disclosures, but you MUST choose one option. If you check "violation of law, rule, or regulation," specify, if you can, the particular law, rule or regulation violated (by name, subject, and/or legal citation). For each allegation, please answer the following questions (be as specific as possible). Please keep in mind that you will have an opportunity to provide more information and someone from OSC will contact you.

If OSC determines there is a substantial likelihood of wrongdoing, OSC will refer your disclosures to the involved agency for an investigation and report. To meet the substantial likelihood standard, there must be a significant probability that the information reveals wrongdoing that falls within one or more of the categories above. In its evaluation, OSC considers the strength, reliability, and credibility of the disclosures. If the substantial likelihood determination cannot be made, OSC will determine whether there is sufficient information to exercise its discretion to refer the allegations.

DISCLOSURES

Allegation	Gross Waste of Funds
What action did they take?	Failed to Conduct a Reasonable FOIA Search: CMS improperly claimed no responsive federal records existed for my FOIA request (No. 110620247022), despite its statutory oversight of Medicaid programs. Improperly Deferred Responsibility to State Agencies: CMS instructed me to contact Connecticut state agencies for Medicaid-related records, even though my request pertains to federal oversight, communications, and compliance activities. Violated ADA Accommodations: CMS ignored explicit accommodations for my traumatic brain injury (TBI), including exclusive MuckRock communication, accessible formats, and simplified summaries. Obstructed Transparency and Accountability: CMS's inadequate response delayed access to records critical for Medicaid program oversight, whistleblower protections, and public accountability.

When did this occur?	When Did This Occur? Initial FOIA Request Submission: October 29, 2024 Acknowledgment of Request: November 7, 2024 CMS's Adverse Response: November 12, 2024 Continued Non-Compliance: CMS has not addressed follow-up requests for ADA accommodations, clarification of search methodology, or its oversight role.
How did you discover this action?	I discovered CMS's failures and misconduct through its official response to my FOIA request. The response: Claimed no responsive records existed. Directed me to state agencies despite the federal nature of the request. Did not acknowledge or implement required ADA accommodations. These actions revealed systemic issues in CMS's FOIA processing, accessibility practices, and oversight responsibilities.
What additional facts support your allegation?	FOIA Obligations Ignored: CMS failed to fulfill its responsibilities under 5 U.S.C. § 552, which requires agencies to search for and provide records in their possession or control. CMS's oversight role for Medicaid programs, including the ABI Waiver, inherently involves federal communications, audits, and compliance documentation. ADA Accommodations Violated: CMS ignored explicit accommodations outlined in my FOIA request, violating Title II of the ADA (42 U.S.C. § 12132) and Section 504 of the Rehabilitation Act (29 U.S.C. § 794). My accommodations included exclusive communication via the MuckRock platform, accessible document formats, and simplified summaries. Potential Mismanagement and Abuse of Authority: CMS's refusal to disclose records involving contractors (Accenture and Manatt) raises concerns about the misuse of federal funds and inadequate oversight. The requested records are critical for assessing Medicaid program integrity, particularly the ABI Waiver, which serves vulnerable populations. Constitutional Rights Violations: CMS's inadequate response infringes upon my First Amendment right to petition the government and my Fourteenth Amendment right to equal protection and due process. Delayed Transparency Impacts Public Accountability: CMS's actions obstruct efforts to identify potential waste,

	fraud, or abuse, undermining whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302). What Action Would You Like OSC to Take? Investigate CMS for Mismanagement and Violations: Evaluate CMS's handling of FOIA requests for systemic issues, including its failure to conduct reasonable searches and comply with ADA accommodations. Investigate CMS's oversight of contractors (Accenture and Manatt) to ensure no misuse of federal Medicaid funds. Compel CMS to Comply with FOIA and ADA: Require CMS to conduct a new, comprehensive search for responsive records. Enforce ADA accommodations for all communications and document delivery. Address Systemic Failures: Recommend reforms to CMS's FOIA and ADA compliance practices to prevent future violations. Evaluate CMS's records management practices under the Federal Records Act (44 U.S.C. § 3101). Protect Whistleblower Transparency: Ensure CMS's actions do not obstruct access to critical records needed for public accountability or whistleblower disclosures.

DISCLOSURE SUBJECTS

Name of individual you believe is responsible for the wrongdoing disclosed.

First Name	Last Name	Title	Chain of Command
Chiquita	Brooks-LaSure	Administrator, CMS, responsible for agency-wide oversight and compliance.	Administrator, CMS, responsible for agency-wide oversight and compliance.
Emmett	Nicholson	Director, Division of FOIA Analysis – C	Oversees FOIA processing and compliance within the Centers for Medicare & Medicaid Services (CMS), r

Desiree	Gaynor	FOIA Public Liaison, CMS,	responsible for ensuring FOIA requesters receive transparent and accessible service.

REQUESTED OSC ACTION

What action would you like OSC to take?

1. Investigate CMS for Mismanagement and Violations
Evaluate CMS's Handling of FOIA Requests:
Conduct a comprehensive investigation into CMS's systemic failures in processing FOIA requests, including:

Inadequate searches that fail to meet the "reasonably calculated" standard required under 5 U.S.C. § 552.
Repeated violations of ADA accommodations as mandated by 42 U.S.C. § 12132 and 29 U.S.C. § 794.
Examine CMS's Oversight of Contractors (Accenture and Manatt):
Investigate potential misuse of taxpayer funds related to Medicaid program contracts with Accenture and Manatt, including:

Lack of transparency in contractor oversight.
Whether CMS's failures have allowed waste, fraud, or abuse in federal Medicaid funding programs such as the Acquired Brain Injury (ABI) Waiver.
2. Compel CMS to Comply with FOIA and ADA
Require a New, Comprehensive Search for Responsive Records:
Direct CMS to conduct a proper search for records responsive to FOIA Request No. 110620247022. This search must include:

Oversight records, federal communications, compliance audits, and policy guidance related to Connecticut Medicaid programs.
Communications involving contractors like Accenture and Manatt.
Transparent documentation of CMS's search methodology, including divisions, databases, and personnel involved.
Enforce Full ADA Compliance:
Mandate that CMS comply with legally required ADA accommodations, ensuring:

Exclusive use of the MuckRock platform for communication and document delivery.
Accessible formats for records, including screen-reader-compatible PDFs and simplified summaries for complex documents.
Identification of responsible personnel in all communications for accountability.
3. Address Systemic Failures
Recommend Reforms to FOIA and ADA Compliance Practices:
Propose corrective actions for CMS to ensure future compliance with FOIA, ADA, and whistleblower protection laws, such as:

Improved training for personnel handling FOIA requests.
Clear accountability mechanisms for ADA accommodations during FOIA processing.
Evaluate CMS's Records Management Practices:
Investigate whether CMS's records management complies with the Federal Records Act (44 U.S.C. § 3101), particularly regarding Medicaid oversight records. Recommend improvements to ensure CMS properly retains and retrieves federally mandated documents.

4. Protect Whistleblower Transparency
Ensure CMS Does Not Obstruct Whistleblower Protections:
Evaluate CMS's practices to prevent any obstruction of access to records critical for public accountability, whistleblower disclosures, and potential investigations into waste, fraud, or abuse.

Safeguard Transparency for Public Interest:
Ensure CMS's actions uphold whistleblower protections under the Whistleblower Protection Act (5 U.S.C. § 2302), particularly regarding Medicaid oversight and contractor accountability.

WHERE ELSE DID YOU REPORT THIS MATTER?

I have also disclosed this information to:

Other Action Type	Action Taken Date

Additional information about reports to Inspectors General, if applicable.

First Name: **Last Name:**
Title:
Address:
Email Address:
Telephone Number:
Case ID #:

a. **What is the status of the matter?**

NOTE: MATTERS INVESTIGATED BY AN OFFICE OF INSPECTOR GENERAL
It is the general policy of OSC not to transmit allegations of wrongdoing to the head of the agency involved if the agency's Office of Inspector General has fully investigated, or is currently investigating, the same allegations.

ATTACHMENTS

Please note that the space available for attachments is limited. Therefore, DO NOT attach every document and email that may be relevant to your claim. You will have an opportunity to make additional submissions at a later date. We recommend limiting attachments to official forms and correspondence that document the action(s) at issue in your disclosure if these documents are relevant to your allegations.

I have attached the following documents to my filing:

File Name
Records Regarding Connecticut Medicaid Programs, ABI Waiver, Amendments, and Federal Agency Oversight and Communications with Accenture and Manatt (2012–Present) (Centers for Medicare and Medicaid Services).zip
Directory of all FOIA Contacts and Administrative Guidelines for all Connecticut Government Agencies (Office Of Policy And Management) (1).zip
110620247022 Mail - ABI RESOURCES 860 942-0365 - Outlook.pdf

090620247088 cms No Records Response Letter (1).pdf
requests (6).csv
requests (5).csv
requests (4).csv

CONSENT

Do you consent to the disclosure of your identify to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity.
Yes

I do not consent to disclosure of my identity. (Even if you do not consent, OSC may disclose your identity if necessary due to an imminent danger to public health or safety or imminent violation of any criminal law. See 5 U.S.C. § 1213(h).)
No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*
Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S.

Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218, Washington, DC 20036-4505.

This Disclosure of Information was Received by OSC on: 11/26/2024

PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS THAT YOU SEND TO OSC NOW OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING.
REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT YOU PROVIDED TO OSC.