DEPARTMENT OF HEALTH & HUMAN SERVICES Office of the Secretary

Assistant Secretary for Public Affairs
Washington, D.C. 20201

Case No. 2025-00032-A-PHS (Original Appeal No. 2025-00032-A-OS)

January 7, 2025

David Medeiros
MuckRock News, DEPT MR 174592
263 Huntington Avenue
Boston, MA 02115
174592-18623438@requests.muckrock.com

Dear Mr. Medeiros:

On October 30, 2024, you submitted a Freedom of Information Act (FOIA) request to the Department of Health and Human Services, Office of the Secretary (OS). Your request sought "access to all records from January 1, 2012, to the present related to communications, funding, agreements, policy analysis, and compliance oversight involving Connecticut's Medicaid programs, particularly focusing on the Acquired Brain Injury (ABI) Waiver Program." The OS FOIA Office assigned your request tracking number 2025-00455-FOIA-PHS.

On October 31, 2024, the OS FOIA Office issued a final response to your initial request. This response informed you that your request had been re-routed to the Centers for Medicare and Medicaid Services (CMS) for review and a direct response to you. This response further informed you that CMS would log-in your request and issue you a new tracking number for your reference.

In a letter dated November 1, 2024, you appealed the OS FOIA Office's response to your October 30, 2024, FOIA request. Your appeal stated that "th[e] transfer to CMS for a separate logging and tracking process should include assurance of continuity, protection from delays, and accessibility in response." You further asked that "the full language of future responses be included within the body of emails rather than solely as attachments" and that the OS FOIA Office "confirm the transfer details of [your] request to CMS, including contact points and the assigned tracking number."

OS FOIA Office re-routed your original October 30, 2024, request in accordance with 45 C.F.R. § 5.25(a) of the HHS FOIA Regulations. This provision requires FOIA Requester Service Centers to route requests to the proper Operating Division or Staff Division within HHS. Based on the subject matter of your request, the OS FOIA Office determined that CMS was the proper Operating Division within HHS to process your request.

Following the submission of your November 1, 2024, appeal, the OS FOIA Office reached out to the CMS FOIA Office to obtain an update on the status of your re-routed request. The CMS FOIA Office informed the OS FOIA Office that it had received the same request directly from you, had logged-in your request under control number 110620247022, and had acknowledged your request on November 7, 2024. In addition, the CMS FOIA Office stated that it had issued a

final response to your request on November 12, 2024. This final response indicated that CMS was unable to locate any records responsive to your request and included appeal rights.

Because CMS has issued a final response to your request, the OS FOIA Office considers this matter to be closed and is administratively closing your appeal.

If you need further assistance with the processing of your original request, you may contact CMS's FOIA Public Liaison. This individual can assist you in reducing delays in the processing of your request, increasing transparency and understanding of the status of your request, and assisting to resolve any FOIA disputes. CMS's FOIA Public Liaison can be reached using the following contact information:

Desiree Gaynor
CMS FOIA Public Liaison
E-mail: desiree.gaynor@cms.hhs.gov

You may also seek assistance from the HHS FOIA Public Liaison. This individual can be reached using the following contact information:

Paula Formoso
HHS FOIA Public Liaison
U.S. Department of Health and Human Services
Office of the Assistant Secretary for Public Affairs
E-mail: HHS_FOIA_Public_Liaison@hhs.gov

Finally, you may seek assistance with the processing of your requests from the Office of Government Information Services (OGIS). OGIS serves as the Federal FOIA ombudsman and assists requesters and agencies to prevent and resolve FOIA disputes through mediation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS via email at ogis@nara.gov.

CONCLUSION:

Your administrative appeal, 2025-00032-A-PHS, is hereby administratively closed.

Sincerely,

Alesia Y. Williams -S

Digitally signed by Alesia Y. Williams -S
Date: 2025.01.07 16:16:59 -05'00'

Alesia Y. Williams
Director, FOIA Appeals and Litigation
FOI/Privacy Acts Division