STATE OF CONNECTICUT
OFFICE OF STATE ETHICS

January 21, 2025

David Medeiros
ABI Resources
Via Email: AabiWR@live.com
and 174578-08289660@requests.muckrock.com

Re: Your Freedom of Information-Related Request dated January 17, 2025

Dear Mr. Medeiros:

This letter acknowledges your communication dated January 17, 2025, in which you make various allegations about previous Freedom of Information Act requests you made in October, November, and December of 2024, to the Office of State Ethics (OSE), all of which were acknowledged and completed.

In relevant part, you stated:

> This is a follow up to a previous request:
>
> To Whom It May Concern:
>
> I wanted to follow up on the following Connecticut Freedom of Information Act request, copied below, *and originally submitted on Oct. 18, 2024*. Please let me know when I can expect to receive a response.

(Emphasis added.)

You further provided, in relevant part:

> 1. Constitutional Violations
> OSE's failure to fully comply with FOIA and ADA accommodations infringes on my constitutional rights:
> . . .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.

Response: OSE does not use portals or password-protected links when providing records to members of the public. However, in your October 21, 2024 request, you asked:

> Electronic Format: Please provide all requested records in electronic format (PDF) and send them to my email at AabiWR@live.com.
> Email Attachments Only: Please do not send links to portals or any other forms of communication requiring external access. The records should be provided as direct email attachments in PDF format.
> Plain Language Communication: I request that all communications and instructions be provided in plain language to accommodate cognitive difficulties resulting from my condition.

Response: You sent your first Freedom of Information (FOI) request to OSE on October 18, 2024, using a Muckrock email address. Paralegal Specialist Melissa Hamilton responded to that request, at the email address you provided, on October 23, 2024. There were no responsive records for that request. At no time have you received items from OSE without a responsible employee's signature and information on reaching him or her. We then provided requested documents to the *different* email address you specified (please see the text of your October 21, 2024 email below) and *in the format you requested* on October 29, 2024, after acknowledging this to you on October 22, 2024. Another FOI request received on October 23, 2024, was completed in multiple steps, via email, in accordance with your specific instructions, and was completed on November 15, 2024. Finally, this same response holds true for the "Appeal" you sent on November 8, 2024, and which was acknowledged and then completed and closed on November 15, 2024.

2. Whistleblower Protections Violations

> OSE's refusal to confirm or clarify whether it holds interagency ethics advisories or related oversight communications hinders lawful whistleblower efforts. Ethics-related records may involve systemic failures impacting Medicaid ABI Waiver Program administration.

Response: Please see my response to you of November 15, 2024, where it is clearly noted that we do not have such documents:

> Please be advised that the Office of State Ethics (OSE) has jurisdiction over state of Connecticut public officials, state employees, and registered lobbyists with respect to the state Code of Ethics only. We do not issue "ethics-related advisories" with respect to "Program Operations" and therefore the agency has no general oversight to opine on any aspect of the ABI Waiver Program.

3. Taxpayer Accountability Violations

OSE is obligated to support transparency in public program administration and ethical standards. Refusing to confirm the scope of its search prevents taxpayers from holding agencies accountable for ethical Medicaid oversight.

Response: Please see the response to item 2 above. Because we do not create "ethics-related advisories" we cannot confirm a search, because there are no such records at OSE.

4. ADA and Section 504 Non-Compliance
OSE's response failed to fulfill non-negotiable ADA accommodations that I explicitly requested:
Accommodations Reaffirmed:
Exclusive Muckrock Platform Communications: No portals, password-protected links, or external systems are acceptable.
Screen-Reader Compatible PDFs: All documents must comply with accessibility standards, including proper labeling and indexing.
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.

Response: The documents you received are summaries. State agencies provide true copies of documents; no complex or technical records were provided to you. This response was ADA compliant.

5. 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.

Response: Every staff member at OSE, including me, uses a formal signature block that provides our full name, job title, and contact information, including email address and telephone number during business hours. No unsigned responses were provided to you.

This response is dispositive to your allegations and requests of January 17, 2025, and further explains all prior responses provided to you from OSE.

Sincerely,

Diane P. Buxo

Diane P. Buxo
Assistant General Counsel