



RICK SCOTT
GOVERNOR

ELIZABETH DUDEK
SECRETARY

1/29/2016

[REDACTED]
[REDACTED]
[REDACTED]

VIA CERTIFIED MAIL (RETURN RECEIPT REQUESTED)

Re: ADA Complaint No. 16-001

Dear [REDACTED]:

This Letter is in response to your Americans with Disabilities Act ("ADA") Discrimination Complaint, as submitted by your wife, [REDACTED] on your behalf on [REDACTED] (the "Complaint"). A copy of the Complaint is attached as **Exhibit A**.

Pursuant to state and federal law and the Agency's Americans with Disabilities Act Grievance Policy (the "ADA Grievance Policy"),¹ a disabled person (or his/her authorized representative) who believes that he/she was subjected to discrimination by the Agency or a Medicaid managed care plan on the basis of his/her disability may file a complaint with the Agency.²

I have been appointed by the Agency's Secretary as the ADA Compliance Officer. In that capacity, I reviewed the facts and circumstances of your Complaint and determined I am unable to conduct an investigation because the Complaint did not allege discrimination on the basis of a disability by either the Agency or by a Statewide Medicaid Managed Care plan.³ Furthermore, I am unable to conduct an ADA investigation of [REDACTED] because it is beyond the scope of the Agency's authority.⁴

However, I referred the matter to the Agency's Division of Health Quality Assurance ("HQA") to investigate whether the facts alleged in your Complaint constitute a violation of current facility regulations. For further questions regarding the status of this investigation, you may contact Kim Smoak in the Bureau of Field Operations at (850) 412-4516.

Based on the foregoing, the ADA Compliance Office will be taking no further action and will close the Complaint as of the date of this Letter.

¹ The Agency's ADA Grievance Policy is posted on the Agency's website at:
<http://ahca.myflorida.com/docs/ADAGrievancePolicy.pdf>.

² The Agency's optional ADA Complaint Form is posted on the Agency's website at:
<http://ahca.myflorida.com/docs/ADAComplaintForm.pdf>.

³ 28 C.F.R. § 35.170; 28 C.F.R. § 35.171.

⁴ 28 C.F.R. § 35.172.



Sincerely,

Rachel Goldstein
ADA Compliance Officer