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September 18, 2013

TO: Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board Grievance Committee

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: Grievance Committee Meeting Announcement

The Columbia, Hamilton and Suwannee County Transportation Disadvantaged Coordinating Board Grievance Committee will meet Wednesday, September 25, 2013 at 9:30 a.m. in the **Florida Department of Transportation District 2 Office, Madison Meeting Room located at 1109 South Marion Avenue, Lake City, Florida (location map attached).**

The purpose of this meeting is to hear a grievance concerning transportation services provided by Suwannee Valley Transit Authority. All Committee members are encouraged to attend this meeting.

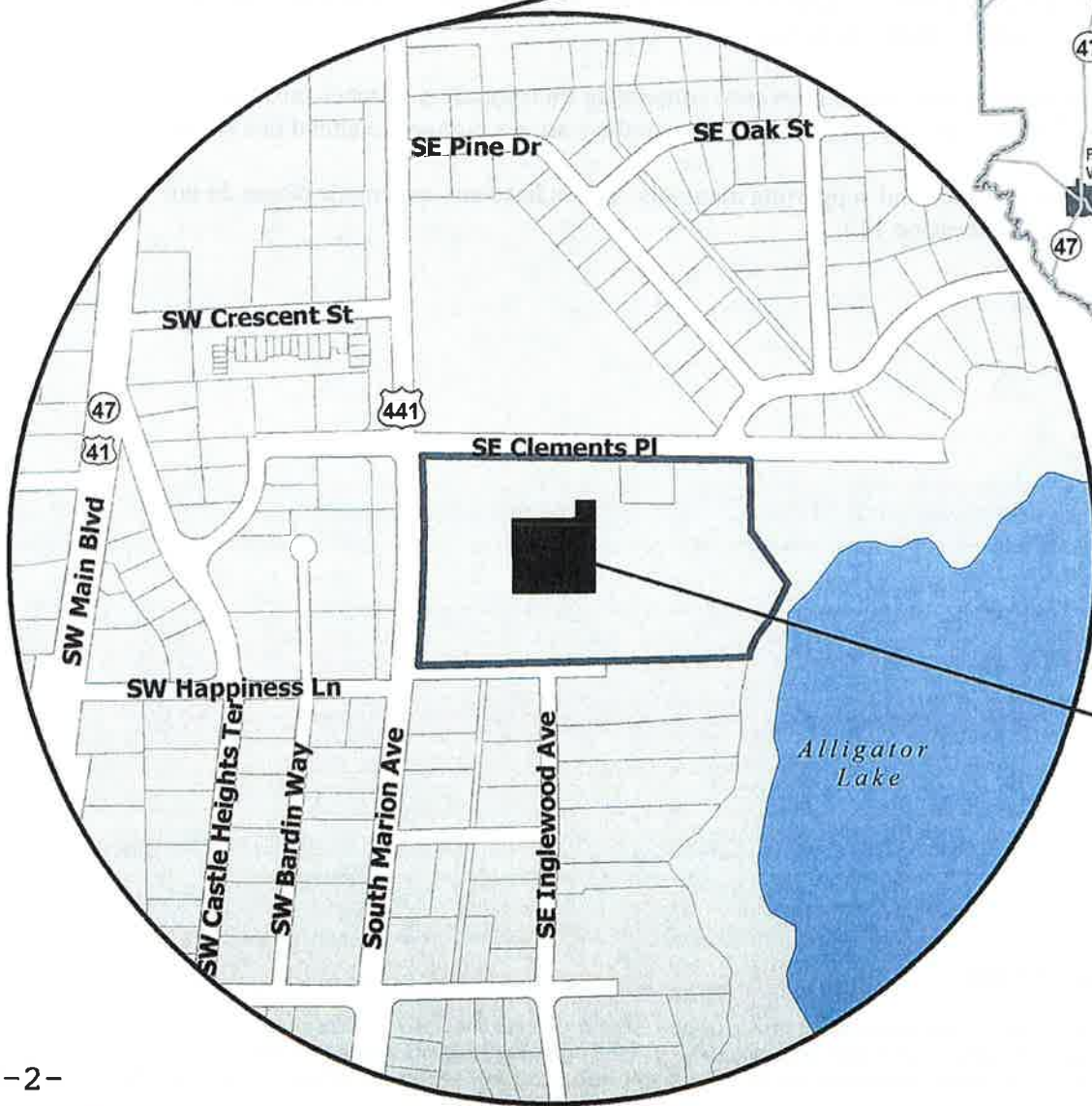
Attached is the meeting agenda and supporting materials. If you have any questions, please do not hesitate to contact me at extension 110.

Attachments

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Florida Department of Transportation District 2 Office 1109 South Marion Ave Lake City, Florida 32025

Directions: From the intersection of Interstate 75 and U.S. Highway 90 (exit 427) turn, East onto U.S. Highway 90, travel approximately 3 miles to U.S. Highway 441 (also known as South Marion Ave), turn right (South) onto U.S. Highway 441 (also known as South Marion Ave), travel approximately 1 mile and the Florida Department of Transportation will be on the left, on the Eastern side of U.S. Highway 441 (also known as South Marion Ave).



1 inch = 500 feet

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District 2
Office**





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**COLUMBIA COUNTY, HAMILTON COUNTY AND SUWANNEE
TRANSPORTATION DISADVANTAGED COORDINATING BOARD
GRIEVANCE COMMITTEE**

MEETING ANNOUNCEMENT AND AGENDA

**Florida Department of Transportation
District 2 Office
Madison Meeting Room
1109 South Marion Avenue
Lake City, Florida**

**Wednesday
September 25, 2013
9:30 a.m.**

- I. CALL TO ORDER**
 - A. Introductions**
 - B. Presentation of Grievance - Mr. LJ Johnson**
 - C. Response to Grievance - Suwannee Valley Transit Authority**
 - D. Committee Discussion/Recommendations**

- II. ADJOURNMENT**

If you have any questions concerning the attached materials, please do not hesitate to contact Lynn Godfrey, Senior Planner, at 1.800.226.0690, extension 110.

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Dedicated to improving the quality of life of the Region's citizens,
by coordinating growth management, protecting regional resources,
promoting economic development and providing technical services to local governments.



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September 18, 2013

TO: Columbia, Hamilton and Suwannee County Transportation Disadvantaged Coordinating Board Grievance Committee

FROM: Lynn Godfrey, AICP, Senior Planner

SUBJECT: Grievance

RECOMMENDATIONS

- 1) **Refer Mr. Johnson's allegation that the Suwannee Valley Transit Authority Director of Operations was verbally abusive to him to the Suwannee Valley Transit Authority Board of Directors.**
- 2) **Recommend that Suwannee Valley Transit Authority provide all passengers with information about the complaint and grievance processes.**
- 3) **Recommend that Suwannee Valley Transit Authority receive the passenger's consent before contacting medical facilities regarding the rescheduling or cancelling of appointment times.**
- 4) **Refer this issue to the Suwannee Valley Transit Authority Board of Directors.**
- 5) **Recommend that Suwannee Valley Transit Authority never include Medicaid numbers in written correspondence. Refer the issue of Suwannee Valley Transit Authority staff taking a photograph of Mr. Johnson's truck while it was parked on his private property to the Suwannee Valley Transit Authority Board of Directors.**
- 6) **Refer the issue of Suwannee Valley Transit Authority staff retaliating against and harassing Mr. Johnson due to the filing of his grievance to the Suwannee Valley Transit Authority Board of Directors.**

BACKGROUND

The North Central Florida Regional Planning Council received the following concerns from Mr. LJ Johnson regarding Suwannee Valley Transit Authority:

1. Mr. Johnson alleges that the Suwannee Valley Transit Authority Director of Operations was verbally abusive to him on September 24, 2012.
2. Mr. Johnson alleges that Suwannee Valley Transit Authority did not provide Mr. Johnson or other passengers with the complaint/grievance processes.

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by coordinating growth management, protecting regional resources,
promoting economic development and providing technical services to local governments.

3. Suwannee Valley Transit Authority staff contacted Mr. Johnson's doctor's office to change a scheduled medical appointment without his permission resulting in his appointment being cancelled. Mr. Johnson alleges that this is a Health Insurance Portability and Accountability Act of 1996 (HIPAA) violation.
4. Mr. Johnson alleges that Suwannee Valley Transit Authority refused to provide him transport on July 1, 2013 for not wearing his seatbelt. Mr. Johnson alleges that he provided Suwannee Valley Transit Authority with certification that, due to a medical condition, his wearing a seatbelt is inappropriate or dangerous.
5. Suwannee Valley Transit Authority staff sent correspondence requesting justification for Mr. Johnson needing Medicaid Program sponsored transportation. The correspondence sent by Suwannee Valley Transit Authority staff included Mr. Johnson's Medicaid number and a photograph of his truck while it was parked on his private property. Mr. Johnson alleges that this is a Health Insurance Portability and Accountability Act of 1996 (HIPAA) violation.
6. Mr. Johnson alleges that, in violation of Chapter I. Section N. of the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board Grievance Procedures, Suwannee Valley Transit Authority staff is retaliating against and harassing him due to the filing of his grievance.

Please find attached Mr. Johnson's signed grievance form, documents related to the six concerns listed above and the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board Grievance Procedures.

If you have any questions concerning this matter, please do not hesitate to contact me.

Attachments

t:\lynn\td13\chs\memos\grievcrec.docx

GREVANCE FORM

1. Name of Complainant: Mr. LJ Johnson
2. Mailing Address 237 NE Campus Place
Lake City, FL 32055-6226
386-438-5278
3. Daytime Telephone Number
4. Describe the basis for the grievance. Provide the date(s) of the occurrence(s) and any supporting documentation.
- 1) The Suwannee Valley Transit Authority Director of Operations was verbally abusive to me on September 24, 2012.
- 2) Suwannee Valley Transit Authority did not provide me or other passengers with the complaint/grievance process.
- 3) Suwannee Valley Transit Authority contacted my doctor's office to change a scheduled medical appointment without my permission resulting in my appointment being cancelled.
- 4) Suwannee Valley Transit Authority refused to provide me transport on July 1, 2013 for not wearing a seatbelt. I provided Suwannee Valley Transit Authority with certification that, due to a medical condition, my wearing a seatbelt is inappropriate or dangerous.
- 5) Suwannee Valley Transit Authority sent correspondence requesting justification for my needing Medicaid Program sponsored transportation. The correspondence sent by Suwannee Valley Transit Authority included my Medicaid number and other personal information. I believe this is a Health Insurance Portability and Accountability Act of 1996 (HIPPA) violation.
- I would like to request documentation that Suwannee Valley Transit Authority has sent correspondence requesting eligibility justification to other passengers.
- 6) I feel that Suwannee Valley Transit Authority is retaliating against and harassing me due to the filing of my grievance. I believe a SVTA employee followed me in SVTA vehicle #4 with County tag #73217 on July 24, 2013 between the hours of 3:00 p.m. and 6:00 p.m. in Lake City, Florida. I requested the vehicle log for that vehicle and was told by the SVTA Director of Operations that SVTA does not keep vehicle logs on the administrative vehicles. I recommend that vehicle logs be maintained on all SVTA vehicles.
- 7) SVTA does not have my consent to take pictures of me or my truck.
(See previous documentation.)
- 8) SVTA only has permission to come on my property to pick me up or drop me off for medical appoint ments ONLY, not when I am not home to take pictures of my truck or otherwise.
5. Signature of Grievant *LJ Johnson*

PLEASE SUBMIT TO:

Transportation Disadvantaged Program
Columbia, Hamilton and Suwannee Transportation
Disadvantaged Coordinating Board Grievance Committee
2009 N.W. 67th Place
Gainesville, Florida 32653-1603

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SEP 03 2013

REGIONAL PLANNING COUNCIL

GRIEVANCE NUMBERS 1-2 DOCUMENTATION

Lynn Godfrey

From: Holmes, Steven [Steven.Holmes@dot.state.fl.us]
Sent: Thursday, May 30, 2013 3:00 PM
To: Lynn Godfrey
Cc: Gwendolyn.Pra@RideSVTA.com; Scott Koons; Somerset, Karen L.; alana.mckay@ahca.myflorida.com
Subject: CTD response to Mr. L.J. Johnson Grievance
Attachments: Letter - Godfrey - LJ Johnson Grievance docx.pdf; Exhibits to CTD response to LJ Johnson Grievance.pdf

Lynn,

Please see attached and forward it to the appropriate parties for action. Executive Summary is provided below.

Mr. L.J. Johnson filed two grievances with Suwannee Valley Transit Authority stemming from an incident that occurred on September 24, 2012. Mr. Johnson filed the first grievance on October 19, 2012. Suwannee Valley Transit Authority classified the grievance as a complaint then closed it due to Mr. Johnson filing it more than fifteen calendar days after the date of occurrence. Mr. Johnson filed a second grievance on November 29, 2012. Suwannee Valley Transit Authority did not acknowledge receiving this grievance.

During the timeframe of the incident through the filing of the grievances, Suwannee Valley Transit Authority did not have a Rider's Guide. The Rider's Guide provides basic information on how to file a complaint, grievance, appeal, or request for a Fair Hearing. A published Rider's Guide would have assisted Mr. Johnson in better understanding whether to file a complaint or grievance, and the proper filing requirements for each.

By classifying Mr. Johnson's first grievance as a complaint and not responding to his second grievance, Suwannee Valley Transit Authority denied Mr. Johnson the opportunity to have his grievance heard through a formal grievance process.

The Medicaid Subcontracted Transportation Provider contract between the Commission for the Transportation Disadvantaged and Suwannee Valley Transit Authority states, "The Medicaid Beneficiary . . . must file a Grievance within one (1) year after the date of occurrence that initiated the Grievance" (Section VIIB.2b(1)). The incident occurred September 24, 2012 and Mr. Johnson filed grievances on October 19 and November 29, 2012. Therefore, he is still entitled to a hearing about his grievance.

To reduce the likelihood of this occurring again, the Commission for the Transportation Disadvantaged will work with all parties to ensure an understanding of the key terms and filing requirements of the Grievance System. The Commission will also have Suwannee Valley Transit Authority promulgate and circulate its policies and procedures detailing the processes of the Grievance System to riders.

Steve Holmes

Executive Director
Florida Commission for the Transportation Disadvantaged
850 688-2953 (c)



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MEMORANDUM

Rick Scott
Governor


David Darm
Chairperson

Mike Willingham
Vice Chairperson

Steve Holmes
Executive Director

DATE: May 30, 2013

TO: Lynn Godfrey, North Central Florida
Regional Planning Council

FROM: 
Steve Holmes, Executive Director

COPIES: Gwen Pra, Suwannee Valley Transit Authority

SUBJECT: Commission Response to Mr. L. J. Johnson Grievance

Mr. L.J. Johnson filed two grievances with Suwannee Valley Transit Authority stemming from an incident that occurred on September 24, 2012. Mr. Johnson filed the first grievance on October 19, 2012. Suwannee Valley Transit Authority classified the grievance as a complaint then closed it due to Mr. Johnson filing it more than fifteen calendar days after the date of occurrence. Mr. Johnson filed a second grievance on November 29, 2012. Suwannee Valley Transit Authority did not acknowledge receiving this grievance.

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MEMORANDUM

Lynn Godfrey

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Definition of Key Terms

Understanding the key terms of the Grievance System ensures the Coordinated Transportation System uses the appropriate processes to resolve issues. Throughout the correspondence related to Mr. Johnson's grievance the parties may have been unclear about the definitions of complaint, grievance and appeal.

The Medicaid Subcontracted Transportation Provider contract between the Commission for the Transportation Disadvantaged and Suwannee Valley Transit Authority describes complaints, grievances, and appeals in Section VIIA.1a, b and c, respectively. The contract also describes a Notice of Action in Section VIIA.2k(1). The paragraphs below describe the terms as well as filing requirements.

- Complaints "are expressions of dissatisfaction about any matter other than an Action that are resolved at the Point of Contact rather through filing a formal grievance" (Section VIIA.1a). "The Medicaid Beneficiary . . . must file a Complaint within fifteen (15) Calendar Days after the date of occurrence that initiated the Complaint" (Section VIIB.2b(1)).
- Grievances "are expressions of dissatisfaction about any matter other than an Action" (Section VIIA.1b). "The Medicaid Beneficiary . . . must file a Grievance within one (1) year after the date of occurrence that initiated the Grievance" (Section VIIC.2c(1)).
- Appeals "are requests for review of an Action" (Section VIIA.1c). "The Medicaid Beneficiary . . . must file an Appeal within thirty (30) Calendar Days of receipt of the notice of the STP's Action" (Section VIID.3a).
- Actions are steps "taken by the STP to deny a Transportation Service Request, or limit Transportation Services in an amount, duration, or scope that is less than requested" (Section VIIA.2k(1)).

Timeline

This timeline describes the major activities that occurred by date followed by an assessment.

MEMORANDUM

Lynn Godfrey

Page 3

September 24, 2012 (Exhibit 1)

- Mr. Johnson was scheduled to receive transportation from Peeler Medical Transport, which is under contract with Suwannee Valley Transit Authority, to Medicaid-compensable services in Gainesville.
- Peeler Medical Transport's vehicle arrived between 6:30-6:45 a.m., but the vehicle did not have appropriate seating that provided the proper support to meet Mr. Johnson's medical needs.
- Suwannee Valley Transit Authority took a number of actions to provide Mr. Johnson with adequate transportation. However, due to various issues Mr. Johnson arrived late for his appointments.
- During the process to resolve Mr. Johnson's transportation issue, Mr. Johnson alleges that Mr. Steele did not show him respect or courtesy by verbally abusing him during three phone calls.

During this timeframe Suwannee Valley Transit Authority had not released its Rider's Guide. They published the Rider's Guide in March 2013. The Rider's Guide provides basic information on how to file a complaint, grievance, appeal, or request a Fair Hearing. The Rider's Guide also mentions that a complaint must be filed within 15 business days. For more information on how to file a complaint, grievance, appeal, or request a Fair Hearing the Rider's Guide refers the rider to a Rider's Handbook (Medicaid Beneficiary Transportation Services Handbook), which, to-date, has not been circulated.

Suwannee Valley Transit Authority is required by the contract to have a "Grievance System in place that includes a Complaint process, a Grievance process, an Appeal process, and access to the Medicaid Fair Hearing system" (Section VIIA.2a). Also, Suwannee Valley Transit Authority must have "written policies and procedures relating to the Grievance System" (Section VIIA.2b). To date, Suwannee Valley Transit Authority does not have either.

October 14, 2012 (Exhibit 2)

- At the request of Mr. Johnson, Ms. Godfrey from the North Central Florida Regional Planning Council sent him a package that contained a Grievance Form from the Columbia County Transportation Disadvantaged Service Plan.

As mentioned above Suwannee Valley Transit Authority had not, at this time, developed nor circulated written policies and procedures describing Grievance System to include complaint or grievance processes.

MEMORANDUM

Lynn Godfrey

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On October 19, 2012 (Exhibit 1)

- Mr. Johnson filed a grievance against Mr. Steele for his alleged actions during the incident on September 24, 2012.
- Mr. Johnson filed the grievance, using the Grievance Form from the Columbia County Transportation Disadvantaged Service Plan, with the Transportation Disadvantaged Program Coordinating Board Grievance Committee in Gainesville.
- In a document from Mr. Johnson to Ms. Godfrey dated October 8, 2012, which was included as an addendum to the grievance, Mr. Johnson states "I am making the formal *complaint* against Mr. William "Bill" Steele, Operations Manager for SVT."

Mr. Johnson filed a grievance using the Grievance Form; however, in the addendum he writes that he's filing a formal complaint against Mr. Steele. This may have caused confusion with the parties as to whether Mr. Johnson was filing a complaint or grievance. But again, Mr. Johnson may not have known the difference between the terms since Suwannee Valley Transit Authority had not developed nor circulated written policies and procedures describing the Grievance System to include defining key terms.

With a clearer understanding of the definitions of a complaint and grievance, and with a closer review of Mr. Johnson's narrative on both the Grievance Form and addendums one could determine that Mr. Johnson may have been filing a grievance and not a complaint.

November 1, 2012 (Exhibit 3)

- North Central Florida Regional Planning Council sent a letter to Ms. McKay at the Agency for Health Care Administration informing her that they were in receipt of a *complaint* from Mr. Johnson concerning transportation services provided by Suwannee Valley Transit Authority.
- North Central Florida Regional Planning Council copied Ms. Pra and Mr. Johnson on the letter.

Suwannee Valley Transit Authority was notified no later than November 1, 2012 that Mr. Johnson was dissatisfied with transportation services and had filed a *complaint*. On or soon after November 1, 2012, Suwannee Valley Transit Authority should have contacted Mr. Johnson and referred him to their "Grievance/Appeal Coordinator for processing and documentation in accordance with this Contract and established policies and procedures" (Section VIIA.2c). Also, Suwannee Valley Transit Authority is tasked by the contract to "provide reasonable assistance to Medicaid Beneficiaries in completing forms and other procedural steps" (Section VIIA.2d). There is no evidence in the correspondence that Suwannee Valley Transit Authority attempted to provide assistance to Mr. Johnson in completing forms and other procedural steps.

MEMORANDUM

Lynn Godfrey

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November 7, 2012 (Exhibit 4)

- Suwannee Valley Transit Authority acknowledged the receipt of Mr. Johnson's *complaint* in a letter to the North Central Florida Regional Planning Council.
- In the letter, Suwannee Valley Transit Authority rejected Mr. Johnson's *complaint* due to it being filed eleven days late.
- Suwannee Valley Transit Authority based its decision on Section VIIB.2b(1) of the contract, which reads "The Medicaid Beneficiary . . . must file a complaint within fifteen (15) Calendar Days after the date of occurrence that initiated the Complaint."
- Suwannee Valley Transit Authority did not copy Mr. Johnson nor Ms. McKay from the Agency for Health Care Administration on the letter.

November 14, 2012 (Exhibit 5)

- North Central Florida Regional Planning Council informed Mr. Johnson to Suwannee Valley Transit Authority's response to his grievance.
- North Central Florida Regional Planning Council copied Ms. Pra and Ms. McKay on the letter.

November 29, 2012 (Exhibit 2)

- Mr. Johnson re-filed his grievance, using the Grievance Form from the Columbia County Transportation Disadvantaged Service Plan, with the Transportation Disadvantaged Program Coordinating Board Grievance Committee in Gainesville.
- Mr. Johnson added an allegation that Mr. Steele "did not provide me with any type of policy or procedure in order to file a grievance / complaint . . ."
- In the grievance, Mr. Johnson stated, "I am filing this as a Grievance and Appeal."

November 30, 2012 (Exhibit 6)

- Ms. Godfrey sent Ms. Pra an email with Mr. Johnson's second grievance.

While there may have been a misunderstanding on whether Mr. Johnson filed a complaint or grievance with this October 19, 2012 submission, there should not have been any doubt as to the intent of his grievance filed on November 29, 2012. Mr. Johnson clearly wrote on the Grievance Form that he was filing a grievance and appeal. On November 30, 2012, Suwannee Valley Transit Authority, at a minimum, should have started implementing the grievance process per the contract with the Commission.

Suwannee Valley Transit Authority should have,

- Acknowledged the receipt of Mr. Johnson's grievance (Section VIIA.2e)
- Referred Mr. Johnson to their "Grievance/Appeal Coordinator (Section VIIA.2c),

MEMORANDUM

Lynn Godfrey

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- Offered Mr. Johnson assistance in completing forms and other procedural steps (Section VIIA.2d),
- Referred the grievance to the Columbia County Local Coordinating Board's Grievance Committee for a hearing, especially since the grievance was filed against a member of Suwannee Valley Transit Authority's Leadership Team,
- Noticed Mr. Johnson of the right to request a Medicaid Fair Hearing, if applicable (Section VIIC.2a(2)(a), and
- Provided Mr. Johnson with the contact information to pursue a Medicaid Fair Hearing (Section VIIC.2a(2)(b).

January 4, 2013 (Exhibit 6)

- Mr. Johnson contacted the North Central Florida Regional Planning Council inquiring about the status of his grievance and appeal.
- Ms. Godfrey sent an email to Suwannee Valley Transit asking Ms. Pra if Suwannee Valley Transit Authority had responded to Mr. Johnson's grievance and appeal.

February 14, 2013 (Exhibit 6)

- Mr. Johnson contacted the North Central Florida Regional Planning Council inquiring about the status of his grievance and appeal.
- Ms. Godfrey sent an email to Suwannee Valley Transit asking Ms. Pra to contact Mr. Johnson concerning the status of his grievance and appeal.

February 27, 2013 (Exhibit 6)

- Mr. Johnson contacted the North Central Florida Regional Planning Council inquiring about the status of his appeal
- Ms. Godfrey sent an email to the Commission requesting someone from the Commission attend the March 6, 2012 Columbia County Local Coordinating Board meeting and call Mr. Johnson.

March 11, 2013 (Exhibit 6)

- Mr. Johnson contacted the North Central Florida Regional Planning Council inquiring about the status of his grievance and appeal.
- Ms. Godfrey sent an email the Commission for the Transportation Disadvantaged asking Ms. Somerset to contact Mr. Johnson concerning the status of his grievance and appeal.
- Ms. Pra responded that she addressed Mr. Johnson's grievance and appeal at the Columbia County Local Coordinating Board meeting on March 6, 2013.

MEMORANDUM

Lynn Godfrey

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Action

By classifying Mr. Johnson's first grievance as a complaint and not responding to his second grievance, Suwannee Valley Transit Authority denied Mr. Johnson the opportunity to have his grievance heard through a formal grievance process.

The Commission requests the Chair of the Columbia County Transportation Disadvantaged Local Coordinating Board schedule Mr. Johnson's grievance to be heard by the Coordinating Board's Grievance Committee. If the Grievance Committee is unable to convene before transitioning to the Columbia, Suwannee, Hamilton Multi-County Coordinating Board structure, then the Commission asks that the new multi-county grievance committee hear the grievance.

To reduce the likelihood of this occurring again, the Commission for the Transportation Disadvantaged will work with all parties to ensure an understanding of the key terms and filing requirements of the Grievance System. The Commission will also have Suwannee Valley Transit Authority promulgate and circulate its policies and procedures detailing the processes of the Grievance System to riders.

SH/vs

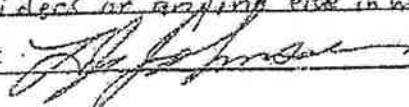
Attachment (Exhibits 1-6)

Exhibit 1

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REGIONAL PLANNING COUNCIL

A99. Lynn • Godfrey 1 of 2

GRIEVANCE FORM

1. Name of Complainant L.J. Johnson
2. Mailing Address 237 NE Campus Place
Lake City, FL 32055-6226
3. Daytime Telephone Number 386.438.5278
4. Grounds for Grievance
Please describe the basis for the grievance. Provide the date(s) of the occurrence(s) and any supporting documentation.
September 24, 2012, Monday. On this date, I had a problem with the Operations Manager of SVT... Mr. William 'Bill' Steele. Please see enclosed statement from my self and from my witness... Mrs. Judy V. Todd. Please rate additional documents about complaints with SVT.
5. Improvements Needed
Please provide an explanation of the improvements needed to address the grievance.
Mr. Steele needs to learn how to show respect and courtesy to the riders of SVT. He should not be allowed to bully or verbally abuse us, the riders or anyone else in his position at SVT.
6. Signature of Complainant 

PLEASE SUBMIT TO:

Transportation Disadvantaged Program
Coordinating Board Grievance Committee
2009 N.W. 67th Place, Suite A
Gainesville, Florida 32653-1603

TO: LYNN FRONSON-GODFREY, AICP SENIOR PLANNER
FROM: LJ JOHNSON
DATE: 10-08-2012
RE: SVT OPERATIONS MANAGER WILLIAM 'BILL' STEELE

On September 10, 2012 I, LJ Johnson, called SVT to schedule an appointment. The appointment was with the Department of Radiology at Shands Teaching Hospital in Gainesville. There were two (2) appointments there...one with x-ray and one with ultrasound. The third (3rd) appointment was with Dr. V. Bird at the Medical Plaza. This three appointments were scheduled for Monday, September 24th starting at 8:30 am. The person I spoke with at SVT was Marsha.

She stated that SVT did not pick up that early and that I should reschedule. I informed her that I did not have that option. My Doctor was responsible for my appointments and I could not change them. Marsha placed me on hold while she checked to see what she could do. When she returned to the phone, I was informed that Peeler Medical Transport would provide my transport to my appointments. I was given a confirmation number of 525224.

On Monday, September 24th Peeler's Van arrived in my driveway at approximately 6:30 to 6:45 am. The only seating left available was sitting sideways. I informed the driver that I could not ride that way and that I have a letter from my doctor stating so. The driver then informed me I could ride sitting sideways on that seat. I would not have any back support for the round trip to Gainesville. I informed her that was not acceptable. She then called her dispatch and explained what was going on. The driver then informed me that dispatch was not going to send another van and if I did not ride with her, I would have to find another way. She left.

During this time my neighbor, Judy Todd, had come outside and was watching and listening to what was going on. I used my cell phone to call SVT and had my phone on speaker phone. The office was not yet open so I called another number provided by the automation on their phone. I got the number for Pat, the Supervisor for the drivers of SVT. She was not in so I left her a message on her voicemail asking her to call me. I then called a third number of SVT and got the Operations Manager, Mr. William "Bill" Steele, online. I informed him what happened. He said he did not have a letter in my file stating how I was to ride. He also informed me that he was not going to send another driver to pick me up, that he was going to write me down as a no show. At this point I informed him I have a witness hearing everything being said. He hung up on me and this was at 7:15 am. At approximately 7:20am (five minutes later), Mr. Steele called back just a hollering and telling me I was cussing him and calling him names. I said Mr. Steele, "I have not cursed or called you names other than Mr. Steele." At this point he shouted at me, and I quote, ' You're full of BULL SHIT!!!!'

Judy Todd then spoke up and told Mr. Steele that I had not cursed him nor had I called him any bad names. Mr. Steele's response to her was 'YEA, Right!!!' This was shouted at my neighbor. He may as well have called her a liar. Once again he hung up on me.

page 1

At this time I received a return call from Pat, the supervisor of the drivers. I explained to her what had happened including what transpired with Mr. Steele. She told me not to worry about it and that she would send me a driver. This driver would take me to the Lake City VA where I would catch another one of their vans to go to Gainesville for my appointments. She was very professional and showed that she cares about the riders.

Once again, Mr. Steele called and told me 'If you want to go to Gainesville, you have to find a way to the VA. Otherwise I would not be going. I did not tell him about Pat calling.

When I arrived at the LCVA, the other van did not arrive on time. The regular driver had not filled up the gas tank prior to that Monday. The icing on the cake, no one had told the sub driver for Ann that she was going to be off for Monday and Tuesday and he was supposed to be driving for her.

I called ahead to my appointments explaining I was going to be late for my appointments due to SVT. At this time, I was surprised to hear Mr. Steele's voice on the radio asking the driver if I was on board. The driver said yes and nothing else was said by Mr. Steele.

By the time I arrived for my appointments, I was late. I was one (1) hour late for the first appointment and three (3) hours late for the third (3rd) appointment.

I am making this a formal complaint against Mr. William 'Bill' Steele, Operations Manager for SVT.

There will be a forthcoming addendum pertaining to another incident. I am just awaiting documentation to confirm my other complaint.

Thanking you in advance, _____

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VA FORM 101

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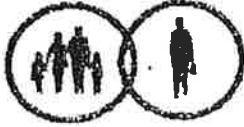
00:00

7107/51/01

REPORT OF EMPLOYEE'S EMERGENCY TREATMENT	
INSTRUCTIONS - To be returned to supervisor by employee immediately following treatment or examination. If circumstances prevent employee returning, report, telephone supervisor and forward report in sealed envelope.	
TO	SUPERVISOR (Name and room number)
EMPLOYEE'S NAME L. J. Johnson	
EMPLOYEE HAS BEEN EXAMINED AND/OR TREATED FOR (Check one)	
<input checked="" type="checkbox"/> ILLNESS <input type="checkbox"/> INJURY	
RECOMMENDATIONS : <i>Please</i> Defer this person from wearing seat belt because of back, neck and shoulders conditions.	
DATE 4/5/00	SIGNATURE AND TITLE <i>[Signature]</i> U.S. Train, M.D.

VA FORM 3831b
OCT 1992(R)

U.S. Government Printing Office: 1995 - 710-281034



David G. Fanney, D.O.

4241 N.W. AMERICAN LANE
LAKE CITY, FLORIDA 32055
(386) 752-2246 • FAX (386) 758-7998

November 1, 2011

RE: U Johnson

To Whom It May Concern:

Mr. U Johnson is a patient of ours who suffers from cervical disc disease. I would like to request when transporting Mr. Johnson, he must face forward at all times and he is seatbelt exempt. If you have any questions regarding Mr. Johnson please contact our office at 386-752-2246.

Sincerely,

David G. Fanney, D.O.

Judy V. Todd
239 NE Campus PL.
Lake City, FL 32055-6226
(386)438-5924

Sept. 24/2012

To Whom It Concerns:

This morning I was outside walking my puppy, I saw Mr. Johnson having problems with the transportation that was sent to carry him to his doctor's appointment. The van did not have the proper seating for Mr. Johnson. He has to be able to sit facing forward and they only had side seats on this van.

He then called SVT to address this problem and get it corrected. At about 7:15 AM he reached Mr. Steel, the operations director of SVT, he explained the problem to Mr. Steel. During this time Mr. Steel hung up on Mr. Johnson. Mr. Steel called him back in about five minutes yelling and accusing Mr. Johnson of cursing at him. At no time did Mr. Johnson curse at Mr. Steel or the driver. Mr. Johnson told Mr. Steel that he had a witness to this conversation. At this time I spoke up and told Mr. Steel that Mr. Johnson did not curse. Mr. Steel answered me saying, yea right, this told me that Mr. Steel thought that I was lying. Mr. Steel told Mr. Johnson 'Bull Shit' you called me a name! He also told Mr. Johnson that he was going to write him down as a no show. He then hung up again on Mr. Johnson.

Mr. Steel called Mr. Johnson back in a few minutes and informed him that he would have to get different transportation to get to his doctor today.

Sincerely;

Judy V. Todd
Judy V. Todd



United States Senate
WASHINGTON, DC 20510-0905

BILL NELSON
FLORIDA

December 15, 2011

Mr. LJ Johnson
237 Northeast Campus Place
Lake City, Florida 32055-6226

Dear Mr. Johnson:

Thank you for contacting my office regarding your Medicaid transportation issues. I appreciate being made aware of your concerns and will be pleased to look into this matter.

Currently, I am in touch with Suwanne Valley Transportation on your behalf. As soon as I have a response, I will share the results with you.

Again, thank you for contacting my office. I want you to know that as your U.S. Senator from Florida, I welcome the opportunity to serve you. If I can assist you with any other matter, please do not hesitate to let me know.

Sincerely,

BN/rv
119282-2JQ

United States Senator Bill Nelson, Landmark Two, 225 East Robinson Street, Suite 410, Orlando, Florida 32801
Telephone: (407) 872-7161 • Toll-Free in Florida Only (888) 671-4091 • Fax: (407) 872-7165
<http://billnelson.senate.gov>

070870/986 90:90 7107/61/01



United States Senate
WASHINGTON, DC 20510-0000

BILL NELSON
FLORIDA

COPY

January 9, 2012

Mr. LJ Johnson
237 Northeast Campus Place
Lake City, Florida 32055-6226

Dear Mr. Johnson:

Please accept my apology for the delay in my response. Thank you for contacting my office in regards to your transportation concerns.

In response to my inquiry on your behalf, I am enclosing a copy of the correspondence I received from Suwannee Valley Transit Authority. I appreciate you giving me the opportunity to look into this issue.

If I can assist you with any other matter, please do not hesitate to let me know.

Sincerely,
Bill Nelson

BN/rv

Enclosure

United States Senator Bill Nelson, Landmark Two, 225 East Robinson Street, Suite 410, Orlando, Florida 32801
Telephone: (407) 872-7161 • Toll-Free In Florida Only (800) 672-4083 • Fax: (407) 872-7165

Venkatesh, Rupa (Bill Nelson)

Subject: FW: LJ Johnson - SVTA Response to Complaint

From: Bunce, Scott (Bill Nelson)
Sent: Thursday, December 15, 2011 4:11 PM
To: Venkatesh, Rupa (Bill Nelson)
Subject: FW: LJ Johnson - SVTA Response to Complaint

From: Gwendolyn.Pra@RideSVTA.com [mailto:Gwendolyn.Pra@RideSVTA.com]
Sent: Thursday, December 15, 2011 10:51 AM
To: Bunce, Scott (Bill Nelson)
Cc: karen.monroe@RideSVTA.com; gloria.sullivan@RideSVTA.com; teresa.former@RideSVTA.com;
shirley.crlbbs@RideSVTA.com
Subject: RE: LJ Johnson - SVTA Response to Complaint

Rupa, Hello. Thank you for your inquiry on our rider, Mr. Johnson. If you think it necessary, I will forward you our response to the state complaint. Mr. Johnson spends a lot of time calling government offices complaining when he is not able to get what he wants. He is articulate and he is creative in his complaints.

Mr. Johnson is a medicaid beneficiary and as such, he is eligible for our Medicaid transportation program. Ours is a public agency from which we serve three extremely rural counties, approximately 550,000 trips per year for elderly, disabled, and indigent individuals as well as the general public. We transport our riders in our own fleet, as well as those of subcontractors, some of whom are DBEs. We make the assignments from our scheduling office so that the subcontractor trips are staged in the appropriate county for the most cost effective use of our Medicaid funds. Mr. Johnson is not going to be happy if we sent a chauffeured taxi for him. He is well known to our staff, by his constant and abusive demands. He speaks to our trip coordinators (who make 300 reservations calls a day) in a very condescending manner. Our ladies are long time employees who make every effort to assist everyone who calls.

We stand ready to assist LJ with his transportation needs, but as a rider, he also has some responsibilities in the Medicaid transportation program. Behaving on the bus and speaking on the phone in a non-threatening manner is something he struggles with. I served several years in Constituent services for State Sen. Steve Wise in Jacksonville, (1992-1997), my husband is a long time Chief Aide in the Florida State House, and I am intimately familiar with how to assist a host of public callers. Quite frankly, I have never dealt with such a discourteous caller. I no longer allow my staff to speak with him unless and until he can speak in a normal tone and without insults. Transportation is what we do all day long, 12 hours a day, 6 days a week. We are glad to help LJ with any of his transportation needs if he will cooperate better with us and refrain from speaking so inconsiderately to our telephone reservations staff.

Please let us know if we can assist you further in this inquiry.

Sincerely,

Gwendolyn Pra, Administrator
Suwannee Valley Transit Authority
1907 Voyles Street, S.W.
Live Oak, Florida 32064
386-688-1514

Venkatesh, Rupa (Bill Nelson)

Subject: RE: LJ Johnson - SVTA Response to Complaint

From: Gwendolyn Pra
Sent: Thursday, December 15, 2011 10:51 AM
To: Venkatesh, Rupa (Bill Nelson)
Subject: RE: LJ Johnson - SVTA Response to Complaint

Rupa, Hello. Thank you for your inquiry on our rider, Mr. Johnson. If you think it necessary, I will forward you our response to the state complaint. Mr. Johnson spends a lot of time calling government offices complaining when he is not able to get what he wants. He is articulate and he is creative in his complaints.

Mr. Johnson is a medicaid beneficiary and as such, he is eligible for our Medicaid transportation program. Ours is a public agency from which we serve three extremely rural counties, approximately 550,000 trips per year for elderly, disabled, and indigent individuals as well as the general public. We transport our riders in our own fleet, as well as those of subcontractors, some of whom are DBEs. We make the assignments from our scheduling office so that the subcontractor trips are staged in the appropriate county for the most cost effective use of our Medicaid funds. Mr. Johnson is not going to be happy if we sent a chauffeured taxi for him. He is well known to our staff, by his constant and abusive demands. He speaks to our trip coordinators (who make 300 reservations calls a day) in a very condescending manner. Our ladies are long time employees who make every effort to assist everyone who calls.

We stand ready to assist LJ with his transportation needs, but as a rider, he also has some responsibilities in the Medicaid transportation program. Behaving on the bus and speaking on the phone in a non-threatening manner is something he struggles with. We are glad to help LJ with any of his transportation needs if he will cooperate better with us and refrain from speaking so inconsiderately to our telephone reservations staff.

Sincerely,

Gwendolyn Pra, Administrator
Suwannee Valley Transit Authority

To Whom It May Concern.

My name is Richard E. Todd and due to my financial situation I received rides from Suwannee Valley Transit. Or should say sometimes receive said rides.

I used to get these rides from Peeler's Transit and had no problems with the company. Since Suwannee Valley has taken over the rides "In House", the quality of service has fallen way off. Some days they arrive as much as two hours early some days ten minutes or more late. Some days when I called in for a ride I wasn't given a confirmation number and when the ride was late or a no show and I called in, I wasn't given help because they had no record of my reservation. Some days I got to the appointment and then had to wait as long as three, timed hours to receive transport home.

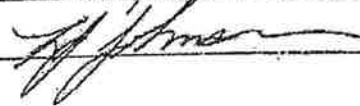
A few times I had to walk a block or more to catch a bus at another location to get home. In My Humble Opinion, this is unacceptable, and "No way to run a railroad!" (bus Company).

I have spoken to others who use this same company and they report much the same as I have experienced with them. Please look into this and correct the situation ASAP!

Signed *Richard E. Todd*

Exhibit 2

GRIEVANCE FORM

1. Name of Complainant L. J. Johnson
2. Mailing Address 237 NE Campus Place
Lake City, FL 32055-6226
3. Daytime Telephone Number 386.438.5278
4. Grounds for Grievance
Please describe the basis for the grievance. Provide the date(s) of the occurrence(s) and any supporting documentation.
On 09-24-12, Monday, on this date I had a problem with the Operations Manager of SVT, Mr. William 'Bill' Steele. Mr. Steele did not provide me with any type of policy or procedure in order to file a grievance/complaint against SVT or any of its employees. I had to find out on my own. I contacted Lynn Godfrey, AICP with North Central Florida Regional Planning Council located in Gainesville Florida at 2009 NW 67th Place, Zip Code 32653-1603.
5. Improvements Needed I am filing this as a Grievance and Appeal.
Please provide an explanation of the improvements needed to address the grievance.
Lynn Godfrey sent me a package with the Grievance Form post marked on OCT 04, 2012. Five days later on 10-19-12 I faxed a copy of my Grievance Complaint to Mr. Godfrey and Fed Exed nine other copies to her.
6. Signature of Complainant 

PLEASE SUBMIT TO:

Transportation Disadvantaged Program
Coordinating Board Grievance Committee
2009 N.W. 67th Place, Suite A
Gainesville, Florida 32653-1603

P.S.: See enclosed copies.
P.P.S.: Many other riders with SVT have not been provided with a Grievance System for Medicaid Fair Hearing systems. This is supposed to be for Medicaid trips that includes a complaint process, grievance process, an appeal process and access to the Medicaid Fair Hearing system that SVT is supposed to provide to its' Medicaid Riders.

Exhibit 3



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2009 NW 67th Place, Gainesville, FL 32653 • 803 • 352.955.2200

November 1, 2012

Ms. Alana McKay, Senior Human Services Program Specialist
Florida Agency for Health Care Administration
14101 NW Highway 441
Alachua, FL 32615

RE: Medicaid Non-Emergency Transportation Program Grievance System

Dear Ms. McKay:

The North Central Florida Regional Planning Council received the enclosed complaint from LJ Johnson concerning transportation services provided by Suwannee Valley Transit Authority. After reviewing Mr. Johnson's complaint, we determined that his transportation was sponsored by the Florida Agency for Health Care Administration Medicaid Non-Emergency Transportation Program.

Suwannee Valley Transit Authority is the Subcontracted Transportation Provider for the Medicaid Non-Emergency Transportation Program in Columbia County. After reviewing the Medicaid Non-Emergency Transportation Subcontracted Transportation Provider Contract, it is our understanding that Suwannee Valley Transit Authority is required to have in place a Grievance System for Medicaid trips that includes a complaint process, grievance process, an appeal process and access to the Medicaid Fair Hearing system. Therefore, we are forwarding the enclosed written complaint to your office for further processing.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact Lynn Godfrey, AICP, Senior Planner at extension 110.

Sincerely,

Scott R. Koons, AICP
Executive Director

Enclosure

xc: Angela Cavanaugh, Florida Commission for the Transportation Disadvantaged
Project Manager Area 2
LJ Johnson
Gwendolyn Pra, Suwannee Valley Transit Authority Administrator
Dan Zeruto, Florida Commission for the Transportation Disadvantaged
Medicaid Customer Service Representative

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Dedicated to improving the quality of life of the Region's citizens,
by coordinating growth management, protecting regional resources,
promoting economic development and providing technical services to local governments.

Exhibit 4



SK

SUWANNEE VALLEY TRANSIT AUTHORITY
1907 VOYLES ST., S.W.
LIVE OAK, FLORIDA 32064

TO: Scott R. Koons, NCFRPC
From: Gwendolyn Pra, Administrator, SVTA
Subject: Complaint Filed by Mr. L.J. Johnson
Date: 6 Nov 2012

NORTH CENTRAL FLORIDA
RECEIVED
NOV 07 2012
REGIONAL PLANNING COUNCIL

The purpose of this memorandum is to acknowledge receipt of the complaint made by one L.J. Johnson. The North Central Florida Regional Planning Council (NCFRPC) forwarded the complaint to AHCA because the complaint is "Medicaid based".

Based on the documents received from the North Central Florida Regional Planning Council, SVTA determines that Mr. L. J. Johnson filed his complaint on 19 Oct 2012. [See the date of the fax from Mr. L. J. Johnson. Fax was sent from Office Max, 2434 W. UD Hwy 90, Lake City, FL (386)-5288528]. A follow up phone call to Lynn Godfrey confirmed that NCFRPC did in fact receive the complaint on that date.

Since the complaint is being made under the provisions the Subcontracted Transportation Provider (STP) contract dated FY 2012-2013, SVTA accepts the complaint as a "Medicaid" complaint and will respond in accordance with the provisions under the contract.

In accordance with (IAW) Section VIIB.2.b(1) of the contract:

"... The Medicaid Beneficiary or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent, must file a complaint within fifteen (15) Calendar Days after the date of occurrence that initiated the complaint." (See pg 55 of the contract)

In his initial letter L. J. Johnson complains that the act that initiated his complaint took place on 24 September. Mr. L. J. Johnson filed his "Medicaid" Complaint with the NCFRPC on Oct 19, 26 days AFTER the day that the initiating action took place. That is 11 days outside the time frame as allowed by the STP contract.

Should NCFRPC wish to file Johnson's complaint on his behalf, the filing is even further outside the filing window. Therefore, since Johnson has failed to file his complaint in a timely manner, SVTA rejects his complaint in accordance with Section VIIB.2.b(1) and reaffirms the statements made by the Administrator in electronic mail response to an earlier complaint filed with Senator Nelson.

In consideration of the LCB, we provide the following information:

When Johnson made his transportation appointment on 10 Sept, he never related to the SVTA Trip Reservationist that he had any special transportation requirements. Pursuant to his request, transportation for Johnson did arrive to his pickup location in time for him to make his scheduled appointment. Johnson declined the trip and per the contract rules, he was marked as a "No Show".

Despite Johnson's extreme abusiveness towards both the contracted trip provider and the Director of Operations, Mr. Steele went out of his way to secure transportation for Johnson. Though SVTA was well within its rights to not transport Johnson that day since he refused the initial transport, he was essentially a No-show. However, SVTA did make another, alternate transportation available – that very morning – and we did get Johnson to Gainesville in time to be seen for his appointment! This resulted in our paying for two trips that should only have been one.

It is my understanding that Johnson is a 20+ year chronic complainer who is does more than place his demands for 'private taxi service' on his schedule. He then complains to any government official or agency when his demands are not met. On far too many occasions when Johnson calls in to make a reservation and is informed of the rules, procedures and policies, he berates and curses loudly at the SVTA employees. Johnson's treatment of our staff is unacceptable and his calls are to be forwarded to management for handling. We have spoken to the Sheriff about his threats with guns, and we are prepared to ask the CTD's support in our wish to seek a Restraining Order from the State Attorney should he continue his threats to the agency's security.

We would prefer to have a good relationship with Mr. Johnson so that his transportation experience could be as pleasant as possible. If he would work with us, and observe the standard procedures that other riders are following. The agency and the trip vendors would like for employees to be treated with simple courtesies and respect. It is against the Florida law for individuals riding public transit buses to verbally or physically assault public transit bus operators. This is a long-standing problem and we simply cannot treat Mr. Johnson with all the special considerations he demands.

GHP/11/7/2012

Exhibit 5



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8008 NW 67th Place, Gainesville, FL 32653 • 1 803 • 352.955.2200

November 14, 2012

Mr. LJ Johnson
237 NE Campus Place
Lake City, FL 32055-6226

RE: Medicaid Non-Emergency Transportation Program Grievance System

Dear Mr. Johnson:

The North Central Florida Regional Planning Council received the enclosed response from Suwannee Valley Transit Authority concerning the written complaint you submitted concerning Medicaid Non-Emergency Transportation services.

If you have any questions concerning this matter, please do not hesitate to contact Lynn Godfrey, AICP, Senior Planner at extension 110.

Sincerely,

Scott R. Koons, AICP
Executive Director

Enclosure

xc: Angela Cavanaugh, Florida Commission for the Transportation Disadvantaged
Project Manager Area 2
Alana McKay, Agency for Health Care Administration Medicaid Area 3
Gwendolyn Pra, Suwannee Valley Transit Authority Administrator
Dan Zeruto, Florida Commission for the Transportation Disadvantaged
Medicaid Customer Service Representative

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promoting economic development and providing technical services to local governments.



gjt

SUWANNEE VALLEY TRANSIT AUTHORITY
1907 VOYLES ST., S.W.
LIVE OAK, FLORIDA 32064

TO: Scott R. Koons, NCFRPC
From: Gwendolyn Pra, Administrator, SVTA
Subject: Complaint Filed by Mr. L.J. Johnson
Date: 6 Nov 2012

NORTH CENTRAL FLORIDA
RECEIVED
NOV 07 2012
REGIONAL PLANNING COUNCIL

The purpose of this memorandum is to acknowledge receipt of the complaint made by one L.J. Johnson. The North Central Florida Regional Planning Council (NCFRPC) forwarded the complaint to AHCA because the complaint is "Medicaid based".

Based on the documents received from the North Central Florida Regional Planning Council, SVTA determines that Mr. L. J. Johnson filed his complaint on 19 Oct 2012. [See the date of the fax from Mr. L. J. Johnson. Fax was sent from Office Max, 2434 W. UD Hwy 90, Lake City, FL (386)-5288528]. A follow up phone call to Lynn Godfrey confirmed that NCFRPC did in fact receive the complaint on that date.

Since the complaint is being made under the provisions the Subcontracted Transportation Provider (STP) contract dated FY 2012-2013, SVTA accepts the complaint as a "Medicaid" complaint and will respond in accordance with the provisions under the contract.

In accordance with (IAW) Section VIIB.2.b(1) of the contract:

... The Medicaid Beneficiary or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent, must file a complaint within fifteen (15) Calendar Days after the date of occurrence that initiated the complaint." (See pg 55 of the contract)

In his initial letter L. J. Johnson complains that the act that initiated his complaint took place on 24 September. Mr. L. J. Johnson filed his "Medicaid" Complaint with the NCFRPC on Oct 19, 26 days AFTER the day that the initiating action took place. That is 11 days outside the time frame as allowed by the STP contract.

Should NCFRPC wish to file Johnson's complaint on his behalf, the filing is even further outside the filing window. Therefore, since Johnson has failed to file his complaint in a timely manner, SVTA rejects his complaint in accordance with Section VIIB.2.b(1) and reaffirms the statements made by the Administrator in electronic mail response to an earlier complaint filed with Senator Nelson.

In consideration of the LCB, we provide the following information:

When Johnson made his transportation appointment on 10 Sept, he never related to the SVTA Trip Reservationist that he had any special transportation requirements. Pursuant to his request, transportation for Johnson did arrive to his pickup location in time for him to make his scheduled appointment. Johnson declined the trip and per the contract rules, he was marked as a "No Show".

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It is my understanding that Johnson is a 20+ year chronic complainer who is does more than place his demands for 'private taxi service' on his schedule. He then complains to any government official or agency when his demands are not met. On far too many occasions when Johnson calls in to make a reservation and is informed of the rules, procedures and policies, he berates and curses loudly at the SVTA employees. Johnson's treatment of our staff is unacceptable and his calls are to be forwarded to management for handling. We have spoken to the Sheriff about his threats with guns, and we are prepared to ask the CTD's support in our wish to seek a Restraining Order from the State Attorney should he continue his threats to the agency's security.

We would prefer to have a good relationship with Mr. Johnson so that his transportation experience could be as pleasant as possible. If he would work with us, and observe the standard procedures that other riders are following. The agency and the trip vendors would like for employees to be treated with simple courtesies and respect. It is against the Florida law for individuals riding public transit buses to verbally or physically assault public transit bus operators. This is a long-standing problem and we simply cannot treat Mr. Johnson with all the special considerations he demands.

GHP/11/7/2012

Exhibit 6

Somerset, Karen L.

From: Lynn Godfrey [godfrey@ncfrpc.org]
Sent: Monday, March 11, 2013 9:45 AM
To: bucky_nash@columbiacountyfla.com
Cc: Marlie Sanderson; Scott Koons; Gwendolyn.Pra@RideSVTA.com; Somerset, Karen L.; ljohnson5714@yahoo.com
Subject: FW: Amended Grievance
Attachments: ljgrievamend.pdf; ljgriev2.pdf

Good Morning Commissioner Nash:

Per Mr. U Johnson's request at the March 6, 2013 Columbia County Transportation Disadvantaged Coordinating Board meeting, the following correspondence was sent regarding the grievance he filed concerning Suwannee Valley Transit Authority. If you have any questions, please do not hesitate to contact me.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1603
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Lynn Godfrey
Sent: Wednesday, February 27, 2013 10:04 AM
To: karen.somerset@dot.state.fl.us
Cc: Marlie Sanderson; Scott Koons; (angela.cavanaugh@dot.state.fl.us); dan.zeruto@dot.state.fl.us; Gwendolyn.Pra@RideSVTA.com; Alana McKay (mckaya@ahca.myflorida.com)
Subject: FW: Amended Grievance

Good Morning Karen:

Mr. U Johnson called our office this morning about his appeal (please see messages below). He requested that a representative from the Florida Commission for the Transportation Disadvantaged attend the March 6, 2013 Columbia County TD Board meeting to address this issue. Would someone from your office please contact Mr. Johnson at 386.438.5728 about the status of his appeal?

Thank you for your assistance.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1603
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Lynn Godfrey
Sent: Thursday, February 14, 2013 3:38 PM
To: karen.somerset@dot.state.fl.us
Cc: Marlie Sanderson; Scott Koons; (angela.cavanaugh@dot.state.fl.us); dan.zeruto@dot.state.fl.us; Alana McKay

(mckaya@ahca.myflorida.com); Gwendolyn.Pra@RideSVTA.com

Subject: FW: Amended Grievance

Good Afternoon Karen:

Mr. LJ Johnson called our office this afternoon regarding the appeal he filed in November 2012 concerning his grievance (see messages below). Would someone from your office please call Mr. Johnson at 386-438-5278 concerning the status of his appeal.

Thank you for your assistance.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1603
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Lynn Godfrey

Sent: Friday, January 04, 2013 11:11 AM

To: Gwendolyn.Pra@RideSVTA.com

Cc: Marlie Sanderson; Scott Koons; bill.steele@RideSVTA.com; LJ Johnson (ljohnson5714@yahoo.com); Alana McKay (mckaya@ahca.myflorida.com); karen.somerset@dot.state.fl.us; Holmes, Steven

Subject: FW: Amended Grievance

Good Morning Gwen:

Mr. LJ Johnson called our office to inquire about the status of his appeal (below). Please let us know if SVTA has responded to Mr. Johnson's appeal.

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1603
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Lynn Godfrey

Sent: Friday, November 30, 2012 9:32 AM

To: Gwendolyn.Pra@RideSVTA.com

Cc: Marlie Sanderson; Scott Koons; (angela.cavanaugh@dot.state.fl.us); Alana McKay (mckaya@ahca.myflorida.com); bill.steele@RideSVTA.com; LJ Johnson (ljohnson5714@yahoo.com); karen.somerset@dot.state.fl.us

Subject: Amended Grievance

Good Morning Gwen:

Attached is an appeal filed by Mr. LJ Johnson concerning Suwannee Valley Transit Authority's response to his grievance. Also, attached is Mr. Johnson's original grievance. Mr. Johnson states that he has never been provided with SVTA's

Medicaid grievance process as required by Section III Medicaid Beneficiary Services A. 1. a. and b. of the Medicaid STP Agreement. We are forwarding Mr. Johnson's appeal to your office for further processing.

Please let me know if you have any questions or need any additional information concerning this matter.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1603
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

GRIEVANCE NUMBER 3 DOCUMENTATION

Zeruto, Dan

From: Lynn Godfrey [godfrey@ncfrpc.org]
Sent: Wednesday, April 10, 2013 11:44 AM
To: Somerset, Karen L.
Cc: Marlie Sanderson; Scott Koons; Cavanaugh, Angela; Gwendolyn.Pra@RideSVTA.com; Zeruto, Dan; mckaya@ahca.myflorida.com; Martin, Christine E [REDACTED]
Subject: FW: Suwanne Valley Transit

Karen:

Per [REDACTED] request, we are forwarding the message below from the Shands [REDACTED] to your office.

If you have any questions concerning this matter, please do not hesitate to contact me.



Lynn Franson-Godfrey, AICP
Senior Planner
North Central Florida Regional Planning Council
2009 NW 67th Place, Gainesville, FL 32653-1803
Voice: 352.955.2200, ext. 110
Fax: 352.955.2209

Me
↓

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

From: Martin, Christine E. [mailto:willice@shands.ufl.edu]
Sent: Wednesday, April 10, 2013 11:11 AM
To: Lynn Godfrey
Subject: FW: Suwanne Valley Transit

From: Martin, Christine E.
Sent: Friday, April 05, 2013 2:16 PM
To: [REDACTED]
Subject: Suwanne Valley Transit

There was a call made to our [REDACTED] department from Suwannee Valley Transit to cancel an appointment for [REDACTED]. [REDACTED] called us and we informed him that his appointment was cancelled. He said that he did not cancel it and wanted us not to speak with them in regards to his appointments in the future. We placed a flag on his account so that we may only speak with him.

Thanks,
Elise Martin

Elise Martin
UFP Access Center Supervisor
352-265-8240

██████████ called today frustrated with SVT. He stated SVT committed fraud by impersonating themselves as ██████████ when they contacted the doctor's office to change his appointment time on February 14, 2013 at 8am to 9am. He is tired of SVT trying to dictate when he can receive medical attention. He is requesting his 8am appointment be reinstated, and transportation service be provided.

From: Zeruto, Dan
Sent: Wednesday, January 30, 2013 3:31 PM
To: 'gwendolyn.pra@ridesvta.com'
Subject: RE: ██████████ Medicaid Complaint, Columbia

I forgot to include he is requesting a riders handbook.

From: Zeruto, Dan
Sent: Wednesday, January 30, 2013 3:20 PM
To: 'gwendolyn.pra@ridesvta.com'
Cc: Somerset, Karen L.; Scheffer, Vicki; Cavanaugh, Angela; Shawn Daniel (Shawn.Daniel@dot.state.fl.us)
Subject: ██████████ Medicaid Complaint, Columbia

Hi Gwen,

I received a call from ██████████

He stated, SVT is trying to change his medical appointment scheduled for Feb. 14, 2013 at 8 am to 9am without his consent. He wants his original time of 8am to be reinstated. SVT has no right to contact his doctors and change his appointment times without his consent. He is tired of SVT dictating when he can receive medical transportation services. In addition, he wants to know the status on an appeal he filed last year.

Please investigate the concern and respond back to us with your findings, as well as the actions taken to resolve the customer's concerns.

Thank you,

Daniel Zeruto

Medicaid Specialist Ombudsman
Florida Commission for Transportation Disadvantaged
605 Suwannee St.,MS 49
Tallahassee, FL 32399-0450
Phone 850-410-5721
Fax 850-410-5752
Email: dan.zeruto@dot.state.fl.us



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DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE FOR CIVIL RIGHTS (OCR)
HEALTH INFORMATION PRIVACY COMPLAINT



YOUR FIRST NAME LJ		YOUR LAST NAME Johnson	
HOME PHONE (Please include area code) 1-386-438-5278		WORK PHONE (Please include area code) N/A	
STREET ADDRESS 237 NE Campus Place		CITY Lake City	
STATE FL	ZIP 32055-6226	E-MAIL ADDRESS (if available) ljjohnson5714@yahoo.com	

Are you filing this complaint for someone else? Yes No
If Yes, whose health information privacy rights do you believe were violated?

FIRST NAME	LAST NAME
------------	-----------

Who (or what agency or organization, e.g., provider, health plan) do you believe violated your (or someone else's) health information privacy rights or committed another violation of the Privacy Rule?
PERSON / AGENCY / ORGANIZATION

STREET ADDRESS Swannee Valley Transport Authority (SVTA)		CITY Live Oak
STATE FL	ZIP	PHONE (Please include area code) 1-800-258-7267

When do you believe that the violation of health information privacy rights occurred?
LIST DATE(S) **On or about 02-04-13**

Describe briefly what happened. How and why do you believe your (or someone else's) health information privacy rights were violated, or the privacy rule otherwise was violated? Please be as specific as possible. (Attach additional pages as needed)
SVTA called my doctors office, Dr. Bird, in ferring they were me or calling on my behalf. SVTA was NOT happy with my 8:00 am appointment and wanted it changed to a later time. I am diabetic and have a kidney stone in my right kidney. I have to go early for test and xrays so by the time I see my doctor, he has the results on the computer. SVTA did not identify themselves as SVTA to confirm appointment time and date. They did not have my consent to call my doctors office. They caused my appointment for 02-14-13 to be cancelled. One of the office managers at the Urology Clinic called me and I was lucky enough to get a new appointment. I am enclosing more documents that I believe will show retaliation from a prior grievance.

Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.

SIGNATURE LJ Johnson	DATE (mm/dd/yyyy) 07-05-13
--------------------------------	--------------------------------------

Filing a complaint with OCR is voluntary. However, without the information requested above, OCR may be unable to proceed with your complaint. We collect this information under authority of the Privacy Rule issued pursuant to the Health Insurance Portability and Accountability Act of 1996. We will use the information you provide to determine if we have jurisdiction and, if so, how we will process your complaint. Information submitted on this form is treated confidentially and is protected under the provisions of the Privacy Act of 1974. Names or other identifying information about individuals are disclosed when it is necessary for investigation of possible health information privacy violations, for internal systems operations, or for routine uses, which include disclosure of information outside the Department for purposes associated with health information privacy compliance and as permitted by law. It is illegal for a covered entity to intimidate, threaten, coerce, discriminate or retaliate against you for filing this complaint or for taking any other action to enforce your rights under the Privacy Rule. You are not required to use this form. You also may write a letter or submit a complaint electronically with the same information. To submit an electronic complaint, go to OCR's Web site at: www.hhs.gov/ocr/privacy/hipaa/complaints/index.html. To mail a complaint see reverse page for OCR Regional addresses.

The remaining information on this form is optional. Failure to answer these voluntary questions will not affect OCR's decision to process your complaint.

Do you need special accommodations for OCR to communicate with you about this complaint? (Check all that apply)

- Braille
 Large Print
 Cassette tape
 Computer diskette
 Electronic mail
 TDD
 Sign language interpreter (specify language): N/A
 Foreign language interpreter (specify language): _____ Other: _____

If we cannot reach you directly, is there someone we can contact to help us reach you? No

FIRST NAME		LAST NAME	
HOME PHONE (Please include area code)		WORK PHONE (Please include area code)	
STREET ADDRESS		CITY	
STATE	ZIP	E-MAIL ADDRESS (if available)	

Have you filed your complaint anywhere else? If so, please provide the following. (Attach additional pages as needed)

PERSON / AGENCY / ORGANIZATION / COURT NAME(S)
Shands Teaching Hospital (STH) in Gainesville filed a complaint with the state FEB 2013

DATE(S) FILED
I don't know the specific date but I think it was around 02-12-13.

CASE NUMBER(S) (if known)

To help us better serve the public, please provide the following information for the person you believe had their health information privacy rights violated (you or the person on whose behalf you are filing).

- ETHNICITY (select one) RACE (select one or more)
- Hispanic or Latino
 American Indian or Alaska Native
 Asian
 Native Hawaiian or Other Pacific Islander
 Not Hispanic or Latino
 Black or African American
 White
 Other (specify): _____

PRIMARY LANGUAGE SPOKEN (if other than English)

How did you learn about the Office for Civil Rights?

- HHS Website/Internet Search
 Family/Friend/Associate
 Religious/Community Org
 Lawyer/Legal Org
 Phone Directory
 Employer
 Fed/State/Local Gov
 Healthcare Provider/Health Plan
 Conference/OCR Brochure
 Other (specify): _____

To mail a complaint, please type or print, and return completed complaint to the OCR Regional Address based on the region where the alleged violation took place. If you need assistance completing this form, contact the appropriate region listed below.

<p>Region I - CT, ME, MA, NH, RI, VT Office for Civil Rights, DHHS JFK Federal Building - Room 1875 Boston, MA 02203 (617) 565-1340; (617) 565-1343 (TDD) (617) 565-3809 FAX</p>	<p>Region V - IL, IN, MI, MN, OH, WI Office for Civil Rights, DHHS 233 N. Michigan Ave. - Suite 240 Chicago, IL 60601 (312) 886-2359; (312) 353-5693 (TDD) (312) 886-1807 FAX</p>	<p>Region IX - AZ, CA, HI, NV, AS, GU, The U.S. Affiliated Pacific Island Jurisdictions Office for Civil Rights, DHHS 90 7th Street, Suite 4100 San Francisco, CA 94103 (415) 437-8310; (415) 437-8311 (TDD) (415) 437-8329 FAX</p>
<p>Region II - NJ, NY, PR, VI Office for Civil Rights, DHHS 26 Federal Plaza - Suite 3312 New York, NY 10278 (212) 264-3313; (212) 264-2366 (TDD) (212) 264-3039 FAX</p>	<p>Region VI - AR, LA, NM, OK, TX Office for Civil Rights, DHHS 1301 Young Street - Suite 1169 Dallas, TX 75202 (214) 767-4056; (214) 767-8940 (TDD) (214) 767-0432 FAX</p>	
<p>Region III - DE, DC, MD, PA, VA, WV Office for Civil Rights, DHHS 150 S. Independence Mall West - Suite 372 Philadelphia, PA 19106-3499 (215) 861-4441; (215) 861-4440 (TDD) (215) 861-4431 FAX</p>	<p>Region VII - IA, KS, MO, NE Office for Civil Rights, DHHS 601 East 12th Street - Room 248 Kansas City, MO 64108 (816) 426-7277; (816) 426-7065 (TDD) (816) 426-3688 FAX</p>	
<p>Region IV - AL, FL, GA, KY, MS, NC, SC, TN Office for Civil Rights, DHHS 61 Forsyth Street, SW - Suite 16T70 Atlanta, GA 30303-8909 (404) 562-7886; (404) 562-7884 (TDD) (404) 562-7881 FAX</p>	<p>Region VIII - CO, MT, ND, SD, UT, WY Office for Civil Rights, DHHS 999 18th Street, Suite 417 Denver, CO 80202 (303) 844-2024; (303) 844-3439 (TDD) (303) 844-2025 FAX</p>	<p>Region X - AK, ID, OR, WA Office for Civil Rights, DHHS 2201 Sixth Avenue - Mail Stop RX-11 Seattle, WA 98121 (206) 615-2290; (206) 615-2288 (TDD) (206) 615-2287 FAX</p>

Burden Statement

Public reporting burden for the collection of information on this complaint form is estimated to average 45 minutes per response, including the time for reviewing instructions, gathering the data needed and entering and reviewing the information on the completed complaint form. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: HHS/OS Reports Clearance Officer, Office of Information Resources Management, 200 Independence Ave. S.W., Room 531H, Washington, D.C. 20201. Please do not mail this complaint form to this address.

HHS-700 (7/09) (BACK)

- (2) All record entries must be dated;
- (3) All records must reflect the primary language spoken by the Medicaid Beneficiary and any translation needs of the Medicaid Beneficiary;
- (4) All records must identify Medicaid Beneficiaries needing communication assistance in the delivery of Transportation Services;
- (5) All records must show whether the Medicaid Beneficiary has any specific needs that require special equipment or services (e.g., dementia, uses a walker, etc.); and,
- (6) All records must show whether the Medicaid Beneficiary requires a medical Attendant/Escort or assistance in accessing medical services (e.g., door-to-door delivery, etc.).

b. Confidentiality of Medicaid Beneficiary Eligibility Records

- (1) The STP shall ensure the confidentiality of Medicaid Beneficiary eligibility records in accordance with 42 CFR, Part 431, Subpart F and the Privacy and Security provisions of the Health Insurance Portability and Accountability Act (HIPAA).

F. Invoice Payment

1. An invoice is considered received when the Commission receives the invoice in its Offices.
2. The Commission has eleven (11) business days to inspect and approve goods and services. If payment is not available within forty (40) calendar days, measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved, a separate interest penalty set by the Comptroller pursuant to Section 55.03, F. S., will be due and payable in addition to the invoice amount. To obtain the applicable interest rate, please contact the Commission's Fiscal Section at (850) 410-5700. Invoices returned to a STP due to preparation errors will result in a payment delay. Invoice payment requirements do not start until a properly completed invoice is provided to the Commission. A Vendor Ombudsman, whose duties include acting as an advocate for Vendors who may be experiencing problems in obtaining timely payment(s) from a State Agency, may be contacted at (850) 410-9724 or by calling the State Comptroller's Hotline, 1-800-848-3792.

G. Encounter Data

1. The STP shall collect and submit Encounter Data to the Commission. The STP shall have a comprehensive automated and integrated Encounter Data system

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42 CFR 431.300 - Basis and purpose.

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§ 431.300

Basis and purpose.

(a) Section 1902(a)(7) of the Act requires that a State plan must provide safeguards that restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan. This subpart specifies State plan requirements, the types of information to be safeguarded, the conditions for release of safeguarded information, and restrictions on the distribution of other information.

(b) Section 1137 of the Act, which requires agencies to exchange information in order to verify the income and eligibility of applicants and recipients (see § [435.940ff](#)), requires State agencies to have adequate safeguards to assure that—

(1) Information exchanged by the State agencies is made available only to the extent necessary to assist in the valid administrative needs of the program receiving the information, and information received under section 6103(l) of the Internal Revenue Code of 1954 is exchanged only with agencies authorized to receive that information under that section of the Code; and

(2) The information is adequately stored and processed so that it is protected against unauthorized disclosure for other purposes.

[51 FR 7210, Feb. 28, 1986]

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42 CFR 431.301 - State plan requirements.

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§ 431.301

State plan requirements.

A State plan must provide, under a State statute that imposes legal sanctions, safeguards meeting the requirements of this subpart that restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan.

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42 CFR 431.302 - Purposes directly related to State plan administration.

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§ 431.302

Purposes directly related to State plan administration.

Purposes directly related to plan administration include—

- (a) Establishing eligibility;
- (b) Determining the amount of medical assistance;
- (c) Providing services for recipients; and
- (d) Conducting or assisting an investigation, prosecution, or civil or criminal proceeding related to the administration of the plan.

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42 CFR 431.303 - State authority for safeguarding information.

CFR Updates Authorities (U.S. Code) Rulemaking

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§ 431.303

State authority for safeguarding information.

The Medicaid agency must have authority to implement and enforce the provisions specified in this subpart for safeguarding information about applicants and recipients.

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42 CFR 431.304 - Publicizing safeguarding requirements.

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§ 431.304

Publicizing safeguarding requirements.

(a) The agency must publicize provisions governing the confidential nature of information about applicants and recipients, including the legal sanctions imposed for improper disclosure and use.

(b) The agency must provide copies of these provisions to applicants and recipients and to other persons and agencies to whom information is disclosed.

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42 CFR 431.305 - Types of information to be safeguarded.

CFR Updates Authorities (U.S. Code) Rulemaking

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§ 431.305

Types of information to be safeguarded.

(a) The agency must have criteria that govern the types of information about applicants and recipients that are safeguarded.

(b) This information must include at least—

- (1) Names and addresses;
- (2) Medical services provided;
- (3) Social and economic conditions or circumstances;
- (4) Agency evaluation of personal information;
- (5) Medical data, including diagnosis and past history of disease or disability; and
- (6) Any information received for verifying income eligibility and amount of medical assistance payments (see § 435.940ff). Income information received from SSA or the Internal Revenue Service must be safeguarded according to the requirements of the agency that furnished the data.
- (7) Any information received in connection with the identification of legally liable third party resources under § 433.138 of this chapter.

[44 FR 17934, Mar. 29, 1979, as amended at 51 FR 7210, Feb. 28, 1986; 52 FR 5975, Feb. 27, 1987]

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42 CFR 431.306 - Release of information.

CFR Updates Authorities (U.S. Code) Rulemaking

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§ 431.306

Release of information.

- (a) The agency must have criteria specifying the conditions for release and use of information about applicants and recipients.
- (b) Access to information concerning applicants or recipients must be restricted to persons or agency representatives who are subject to standards of confidentiality that are comparable to those of the agency.
- (c) The agency must not publish names of applicants or recipients.
- (d) The agency must obtain permission from a family or individual, whenever possible, before responding to a request for information from an outside source, unless the information is to be used to verify income, eligibility and the amount of medical assistance payment under section 1137 of this Act and §§ [435.940](#) through [435.965](#) of this chapter. If, because of an emergency situation, time does not permit obtaining consent before release, the agency must notify the family or individual immediately after supplying the information.
- (e) The agency's policies must apply to all requests for information from outside sources, including governmental bodies, the courts, or law enforcement officials.
- (f) If a court issues a subpoena for a case record or for any agency representative to testify concerning an applicant or recipient, the agency must inform the court of the applicable statutory provisions, policies, and regulations restricting disclosure of information.
- (g) Before requesting information from, or releasing information to, other agencies to verify income, eligibility and the amount of assistance under §§ [435.940](#) through [435.965](#) of this chapter, the agency must execute data exchange agreements with those agencies, as specified in § [435.945\(f\)](#).
- (h) Before requesting information from, or releasing information to, other agencies to identify legally liable third party resources under § [433.138\(d\)](#) of this chapter, the agency must execute data exchanges agreements, as specified in § [433.138\(h\)\(2\)](#) of this chapter.

[44 FR 17934, Mar. 29, 1979, as amended at 51 FR 7210, Feb. 28, 1986; 52 FR 5975, Feb. 27, 1987]

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Subpart F > Section 431.307

42 CFR 431.307 - Distribution of information materials.

CFR Updates Authorities (U.S. Code) Rulemaking

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§ 431.307

Distribution of information materials.

(a) All materials distributed to applicants, recipients, or medical providers must—

- (1) Directly relate to the administration of the Medicaid program;
- (2) Have no political implications except to the extent required to implement the National Voter Registration Act of 1993 (NVRA) Pub. L. 103-931; for States that are exempt from the requirements of NVRA, voter registration may be a voluntary activity so long as the provisions of section 7(a)(5) of NVRA are observed;
- (3) Contain the names only of individuals directly connected with the administration of the plan; and
- (4) Identify those individuals only in their official capacity with the State or local agency.

(b) The agency must not distribute materials such as “holiday” greetings, general public announcements, partisan voting information and alien registration notices.

(c) The agency may distribute materials directly related to the health and welfare of applicants and recipients, such as announcements of free medical examinations, availability of surplus food, and consumer protection information.

(d) Under NVRA, the agency must distribute voter information and registration materials as specified in NVRA.

[44 FR 17934, Mar. 29, 1979, as amended at 61 FR 58143, Nov. 13, 1996]

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Florida Medicaid and MediKids Notice of Privacy Practices

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

[Printable Version in [English](#), [Spanish](#), and [Creole](#)]

A county-by-county directory with contact information for local area
[Consumer Relations Representatives](#)

AHCA's Responsibilities

The Agency for Health Care Administration's Medicaid program is required by law to maintain the privacy of your protected health information. We must provide you with notice of its legal duties and privacy practices with respect to your health information. We must also follow the terms of this notice, which becomes effective on July 1, 2007.

YOU DO NOT NEED TO RESPOND TO THIS NOTICE

How AHCA Uses and Safeguards your Health Information

We use your health information to pay for your health services and to operate the Medicaid program. We may also use your health information to tell you about treatment alternatives or other health related benefits and services.

The following are some examples of how we may use your health information:

- Your doctor may send us a claim to pay. The claim includes information that identifies you and the type of care you received.
- We may share your information with a company that reviews hospital records to check on the quality of care that you received.
- We may send appointment reminders for Child Health Check-Up services.

AHCA may also use and disclose your health information as permitted by law, such as:

- To entities outside the agency only if the information is used to verify income, eligibility and the amount of public assistance payment.
- In responding to public emergencies, access to your health information may be granted to persons or agency representatives who are subject to standards of confidentiality comparable to those of AHCA. Such other agencies may include the Federal Emergency Management Agency (FEMA) or the Centers for Disease Control (CDC).
- To law enforcement, correctional facilities, medical examiners, funeral directors, and organ donor program personnel where disclosure would determine eligibility for benefits, amount of medical assistance payment or otherwise assists the agency in the administration of the Medicaid program.
- To the confidential Florida abuse hotline in order to report abuse, neglect and/or domestic violence as per criteria and conditions imposed on the agency by law.
- For health oversight activities and/or administration of the Medicaid program, such as inspections, investigations and audits.
- To conduct research to benefit the Medicaid program.
- As otherwise required by law.

Other uses or disclosures of your protected health information require your or your personal representative's written authorization. At any time, you may revoke such authorization in writing. If you cannot give your authorization due to an emergency, we may release your health information if it is in your best interest.

[Authorization for Use and Disclosure of Protected Health Information form](#)

Your Health Information Rights

You have the following rights with respect to your protected health information:

- To see or obtain a copy of your health information that is maintained by AHCA. We may not be able to provide health information that includes psychotherapy notes, is part of a legal case, or is otherwise excluded from disclosure by law. We may charge a copying fee.
- To request that we amend health information we maintain that you believe is incorrect or incomplete.
- To request a list of where we have sent your health information since April 14, 2003. The list may not include disclosures authorized by you, disclosures for treatment, payment and health care operations or other disclosures permitted by law.
- To request that we contact you at a different address or phone number, if contacting you about your health information at your present location would endanger you.
- To request that we limit the use and disclosure of your health information. We are not required to agree to your request.

- To request another paper copy of this notice.

Contact Information

If you have any questions, wish to make a request regarding your health information, or would like another paper copy of this notice, please contact the AHCA Medicaid office in your area at the telephone number listed below. We may ask you to make the request in writing.

Area 1 Pensacola: (850) 595-5700	Area 4 Jacksonville: (904) 353-2100	Area 8 Ft. Myers: (239) 338-2620
Area 2A Panama City: (850) 872-7690	Area 5 St. Pete: (727) 552-1191	Area 9 West Palm Beach: (561) 616-5255
Area 2B Tallahassee: (850) 921-8474	Area 6 Tampa: (813) 871-7600	Area 10 Ft. Lauderdale: (954) 202-3200
Area 3A Gainesville: (386) 418-5350	Area 7 Orlando: (407) 317-7851	Area 11 Miami: (305) 499-2000
Area 3B Ocala: (352) 732-1349		

[Consumer Relations Representative](#)

Filing a HIPAA Complaint

If you believe your privacy rights have been violated by AHCA or one of its employees, you may file a complaint with AHCA and/or the Secretary of the Department of Health and Human Services at the addresses below. You will not be retaliated against for filing a complaint.

Privacy Officer
 Agency for Health Care Administration
 2727 Mahan Drive, Mail Stop #5
 Tallahassee, Florida 32308
 850-488-3849

Secretary
 Department of Health and Human Services
 200 Independence Avenue, SW
 Washington D.C. 20201
 800-368-1019

Future Changes to the Notice of Privacy Practices

AHCA reserves the right to change the terms of this notice and to make new notice provisions effective for all protected health information that we maintain. If we make a material revision to this notice, we will send a revised copy of the notice to recipient households within sixty (60) days of the revision.

Who Receives the Notice of Privacy Practices

We send this notice to every recipient household. This notice applies to all Medicaid recipients.

[Top](#)

[HIPAA Privacy And Security Office](#) | [Medicaid and MediKids Notice of Privacy Practices](#) | [State and National Resources](#)

REPORT MEDICAID FRAUD ONLINE or 866-966-7226 REPORTE FRAUDE DE MEDICAID

Florida Agency for Health Care Administration
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GRIEVANCE NUMBER 4 DOCUMENTATION

GENERAL AND SPECIAL
NOTIFICATION

GRIEVANCE FORM

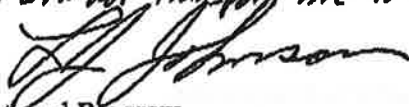
- 1. Name of Complainant LJ Johnson
- 2. Mailing Address 237 NE Campus Place
Lake City, FL 32055-6226
- 3. Daytime Telephone Number 396-438-5278
- 4. Grounds for Grievance

Please describe the basis for the grievance. Provide the date(s) of the occurrence(s) and any supporting documentation.

On Wednesday, June 26, 2013 I called SVTA at 1-800-258-7267 and scheduled appointments for July 2013. I scheduled my appointments with Karen. On July 1, 2013 I was scheduled to go to Dr. David Finney, confirmation number 636422. SVTA Driver Julie, number 139 called dispatch when I would not wear a seatbelt. I was ordered off the van. I have 2 (two) documents by licensed physicians stating I am seat belt exempt.

- 5. Improvements Needed SVTA violated Florida State Statute 316.614 (6)(a) and Federal Statute
Please provide an explanation of the improvements needed to address the grievance. RCW 46.61.658.
In a phone conversation with Operations Manager Bill Steele on Wednesday, July 3rd, Bill Steele informed me it was an Administrative Decision that
ALL RIDERS WILL WEAR SEAT BELTS... NO EXCEPTIONS! I printed out the Florida State Statute and informed him I would look up the Federal Statute.
- 6. Signature of Complainant He told me I still have to wear a seat belt.
I am concerned they will not transport me to any of my appointments.

PLEASE SUBMIT TO:



Transportation Disadvantaged Program
Coordinating Board Grievance Committee
2009 N.W. 67th Place, Suite A
Gainesville, Florida 32653-1603

P.S.: SVTA was provided with the documentation from the doctors back in October 2012 sent by North Central Florida Regional Planning Council, Lynn Godfrey, AICP.

LJ JOHNSON
237 NE CAMPUS PLACE
LAKE CITY, FL 32055-6226
1.386.438.5278
ljjohnson5714@yahoo.com

TO: NCFRPC, Lynn Godfrey, AICP
Date: July 5, 2013
RE: SVTA and their violation of the law.

On WED June 26, 2013 I, LJ Johnson, called SVTA to schedule my July appointments. I spoke with Karen at 10:15 am and made the following appointments and was given confirmation numbers:

JUL 1, 2013 8:30am	[REDACTED]	636422
JUL 8, 2013 8:00am	[REDACTED]	636424
JUL 11, 2013 7:45am	[REDACTED]	636426
JUL 24, 2013 7:45am	[REDACTED]	637067

New Appointments not yet made due to problem with SVTA

JUL 26, 2013 9:30am	[REDACTED]
JUL 29, 2013 9:20am	[REDACTED]
1:00pm	[REDACTED]

On MON JUL 1, 2013 SVTA Driver Julie, number 139, showed up at 7:25 am to pick me up for my appointment with Dr. Fanny. She instructed me to put on my seat belt. I informed her documentation from the Federal Government and my civilian primary care doctor was on file at SVTA office showing that I was exempt. Julie called dispatch on the radio. Suddenly a man came on the radio with a raised voice, it sounded like Bill Steele, telling all the drivers that 'All Rider's will wear a seat belt with NO exception!' The man further instructed all drivers to confirm this message.

At this point the man instructed the driver to turn around and take me home if I didn't put on my seat belt. (We had not even left my home.) Julie had me get off the van and would not transport me to my appointment. I even showed her the Federal Document showing I was seat belt exempt.

I tried to call Bill Steel to no avail.

Then I called NCFRPC to inform you what had happened.

I finally made contact with Bill Steele on WED JUL 3rd and was informed it was an Administrative Directive that ALL RIDERS WILL WEAR SEAT BELTS. I asked, 'Do you mean the Administrator Gwen Pra?' His response was, 'Yes.'

Bill Steele also denied having documentation on file showing doctor statements that exempt me from wearing a seat belt. He also claims he has never had these documents sent to him. They were previously sent to him with a Grievance Form in October 2012.

At this time I instructed him where to find the law in the Florida State Statues pertaining to Seat Belt Exemptions and that I was also going to look up the Federal Statue pertaining to same.

Cont. From page 1


As you can see, I have provided the laws that SVTA has violated:

SVTA has violated **Florida State Statute 316.614 (6)(a) and Federal Statute RCW 46.61.688**

Both State and Federal Law basically states with written documentation from a licensed physician, that person is exempt from having to wear a seat belt due to medical reasons.

I qualify under Medicaid and Transportation for the Disadvantaged to ride with SVTA.

I also have documentation showing I am qualified to receive Food Stamps and SSI which makes me eligible to receive Medicaid.

 05 JUL 13
LJ Johnson

System Safety Program Plan (SSPP)

shall always be kept in good working order so that they may be readily opened in an emergency. All such windows and doors shall not be obstructed either inside or outside so as to hinder escape. Buses equipped with an auxiliary door for emergency exit shall be equipped with an audible alarm and light indicating to the driver when a door is ajar or opened while the engine is running. Supplemental security locks operable by a key are prohibited on emergency exit doors unless these security locks are equipped and connected with an ignition interlock system or an audio visual alarm located in the driver's compartment. Any supplemental security lock system used on emergency exits shall be kept unlocked whenever a bus is in operation.

- o Tires and Wheels. Tires shall be properly inflated in accordance with manufacturer's recommendations.

~~i. No bus shall be operated with a tread groove pattern depth:~~

~~1. Less than 4/32 (1/8) of an inch, measured at any point on a major tread groove for tires on the steering axle of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.~~

~~2. Less than 2/32 (1/16) of an inch, measured at any point on a major tread groove for all other tires of all buses. The measurements shall not be made where tie bars, humps, or fillets are located.~~

ii. No bus shall be operated with recapped, regrooved, or retreaded tires on the steering axle.

iii. Wheels shall be visibly free from cracks and distortions and shall not have missing, cracked, or broken mounting lugs.

- o Suspension. The suspension system of all buses, including springs, air bags, and all other suspension parts, shall be free from cracks, leaks, or any other defect which may cause its impairment or failure to function properly.

- o Steering and Front Axle. The steering system of all buses shall have no indication of leaks which would or may cause its impairment to function properly, and shall be free from cracks and excessive wear of components that may cause excessive free play or loose motion in the steering system or above normal effort in steering control.

- o Seat Belts. Every bus shall be equipped with an adjustable driver's restraining belt in compliance with the requirements of FMVSS 209, "Seat Belt Assemblies" 49 C.F.R. 571.209-October 1, 2008, and FMVSS 210, "Seat Belt Assembly Anchorages" 49 C. F. R. 571.210 October 1,2008, hereby incorporated by reference. *Every passenger shall have his/her seatbelt fastened prior to the driver operating the bus. Driver cannot make exception to this policy.*

- o Safety Equipment. Every bus shall be equipped with one fully charged dry chemical or carbon dioxide fire extinguisher, having at least a 1A:BC rating and bearing the label of Underwriter's Laboratory, Inc. The fire extinguishers shall be maintained as follows:

i. Each fire extinguisher shall be securely mounted on the bus in a conspicuous place or a clearly marked compartment and be readily accessible.

ii. Each fire extinguisher shall be maintained in efficient operating condition and equipped with some means of determining if it is fully charged.

Note

→ Suwannee Valley Transit Authority

16-3

Select Year: 2012 **The 2012 Florida Statutes**Title XXIII
MOTOR VEHICLESChapter 316
STATE UNIFORM TRAFFIC CONTROL[View Entire Chapter](#)→ **316.614 Safety belt usage.—**

(1) This section may be cited as the "Florida Safety Belt Law."

(2) It is the policy of this state that enactment of this section is intended to be compatible with the continued support by the state for federal safety standards requiring automatic crash protection, and the enactment of this section should not be used in any manner to rescind or delay the implementation of the federal automatic crash protection system requirements of Federal Motor Safety Standard 208 as set forth in S4.1.2.1 thereof, as entered on July 17, 1984, for new cars.

(3) As used in this section:

(a) "Motor vehicle" means a motor vehicle as defined in s. [316.003](#) which is operated on the roadways, streets, and highways of this state. The term does not include:

1. A school bus.
2. A bus used for the transportation of persons for compensation.
3. A farm tractor or implement of husbandry.
4. A truck having a gross vehicle weight rating of more than 26,000 pounds.
5. A motorcycle, moped, or bicycle.

(b) "Safety belt" means a seat belt assembly that meets the requirements established under Federal Motor Vehicle Safety Standard No. 208, 49 C.F.R. s. 571.208.

(c) "Restrained by a safety belt" means being restricted by an appropriately adjusted safety belt which is properly fastened at all times when a motor vehicle is in motion.

(4) It is unlawful for any person:

(a) To operate a motor vehicle in this state unless each passenger and the operator of the vehicle under the age of 18 years are restrained by a safety belt or by a child restraint device pursuant to s. [316.613](#), if applicable; or

(b) To operate a motor vehicle in this state unless the person is restrained by a safety belt.

(5) It is unlawful for any person 18 years of age or older to be a passenger in the front seat of a motor vehicle unless such person is restrained by a safety belt when the vehicle is in motion.

→ (6)(a) Neither a person who is certified by a physician as having a medical condition that causes the use of a safety belt to be inappropriate or dangerous nor an employee of a newspaper home delivery service while in the course of his or her employment delivering newspapers on home delivery routes is required to be restrained by a safety belt.

(b) An employee of a solid waste or recyclable collection service is not required to be restrained by a safety belt while in the course of employment collecting solid waste or recyclables on designated routes.

(c) The requirements of this section do not apply to the living quarters of a recreational vehicle or a

space within a truck body primarily intended for merchandise or property.

(d) The requirements of this section do not apply to motor vehicles that are not required to be equipped with safety belts under federal law.

(7) It is the intent of the Legislature that all state, county, and local law enforcement agencies, safety councils, and public school systems, in recognition of the fatalities and injuries attributed to unrestrained occupancy of motor vehicles, shall conduct a continuing safety and public awareness campaign as to the magnitude of the problem and adopt programs designed to encourage compliance with the safety belt usage requirements of this section.

(8) Any person who violates the provisions of this section commits a nonmoving violation, punishable as provided in chapter 318.

(9) By January 1, 2006, each law enforcement agency in this state shall adopt departmental policies to prohibit the practice of racial profiling. When a law enforcement officer issues a citation for a violation of this section, the law enforcement officer must record the race and ethnicity of the violator. All law enforcement agencies must maintain such information and forward the information to the department in a form and manner determined by the department. The department shall collect this information by jurisdiction and annually report the data to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must show separate statewide totals for the state's county sheriffs and municipal law enforcement agencies, state law enforcement agencies, and state university law enforcement agencies.

(10) A violation of the provisions of this section shall not constitute negligence per se, nor shall such violation be used as prima facie evidence of negligence or be considered in mitigation of damages, but such violation may be considered as evidence of comparative negligence, in any civil action.

History.—s. 2, ch. 86-49; s. 24, ch. 90-119; s. 7, ch. 93-260; s. 331, ch. 95-148; s. 36, ch. 96-350; s. 44, ch. 97-300; s. 2, ch. 99-316; s. 2, ch. 2000-239; s. 97, ch. 2005-164; s. 10, ch. 2008-176; s. 2, ch. 2009-32.

DEPARTMENT OF LABOR	
REPORT OF EMPLOYEE'S EMERGENCY TREATMENT	
<p>INSTRUCTIONS - To be returned to supervisor by employee immediately following treatment or examination. If circumstances prevent, employee, parent, guardian, representative, supervisor and physician report in sealed envelope.</p>	
TO	EMPLOYER'S NAME
	I. J. JOHNSON
	EMPLOYEE'S NAME
	EMPLOYEE'S ADDRESS
	EMPLOYEE'S PHONE NUMBER
	RECOMMENDATIONS
	Defer this person from wearing seat belt because of back, neck and shoulders conditions.
DATE	SIGNATURE AND TITLE
4/6/00	W. J. B. M.D. Zurvan K. [Signature]
VA FORM 100-1000	U.S. GOVERNMENT PRINTING OFFICE: 1995 - 318-001

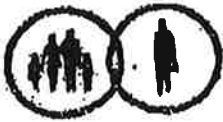
↑ This is a Federal Document

1

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08:08 2.102/RT/01



David G. Fanney, D.O.

4241 N.W. AMERICAN LANE
LAKE CITY, FLORIDA 32055
(386) 752-2246 - FAX (386) 750-7998

November 1, 2011

RE: U Johnson

To Whom It May Concern:

Mr. U Johnson is a patient of ours who suffers from cervical disc disease. I would like to request when transporting Mr. Johnson, he must face forward at all times and he is seatbelt exempt. If you have any questions regarding Mr. Johnson please contact our office at 386-752-2246.

Sincerely,

David G. Fanney, D.O.

07/09/2013

0709701488

00:00 7/01/11

GRIEVANCE NUMBER 5 DOCUMENTATION

Lynn Godfrey

From: L J Johnson [ljohnson5714@yahoo.com]
Sent: Friday, July 12, 2013 10:04 AM
To: Lynn Godfrey
Subject: Fw: Letter of Request from Administrator SVTA
Attachments: Letter to Johnson mailed 11 July 2013.pdf

----- Forwarded Message -----

From: "Bill.Steele@RideSVTA.com" <bill.steele@RideSVTA.com>
To: "ljohnson5714@yahoo.com" <ljohnson5714@yahoo.com>
Sent: Thursday, July 11, 2013 4:34 PM
Subject: Letter of Request from Administrator SVTA

Mr. Johnson.

Today, I placed in the US Postal system a letter addressed to you as directed by the Administrator, SVTA. Since this requests as stated in the letter is time sensitive, I am, out of a courtesy to you, sending to you copy of the letter, via this e-mail message, so you get it as quickly as possible. You may expect the original letter in a few days, depending on the speed of the mail service in your area. The standard delivery receipt that I will automatically receive from this e-mail system, will satisfy the issue of you knowing about the letter, should that issue arise. If you do not get the original letter in a few days, and wish the original, notify me.


Thank you.

VR
W. Bill Steele
Director of Operations
(386) 208-6330



Confidentiality Notice: Information transmitted by the Suwannee Valley Transit Authority is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, dissemination, or other use of, or reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

SUWANNEE VALLEY TRANSIT AUTHORITY
1907 VOYLES ST., S.W.
LIVE OAK, FLORIDA, 32064

FOR: L. J. Johnson. 237 NE Campus PL., Lake City, FL 32055 [Medicaid Number: 

FROM: Director of Operations

Subject: Compliance with Scope of Services: Rule IIB.4.c

Date July 10, 2013

-
1. **PURPOSE.** The purpose of this memorandum is to address the request that you provide justification to SVTA as to the reason(s) you are not able to utilize your own transportation for trips to Medicaid sponsored appointments.
 2. The current contract with the Commission Transportation Disadvantaged (CTD), charges the State Transportation Provider (STP) with conducting 'Gate Keeping' measures to be sure that the Medicaid transportation program is not being abused. In short, the agency must take appropriate steps that prevent Medicaid fraud, waste and abuse.
 3. One of the 'Gate Keeping' Rules in the contract with AHCA agency allows the Administrator to deny a request for a trip if transportation exists in the Beneficiary's household. Specifically, Medicaid rule IIB.4c clearly states:

" . . . (STP) may deny a Trip request if the Medicaid Beneficiary has appropriate transportation resources in his/her Household." (See page 24 of 2008-2009 [which is current] Medicaid Non-emergency Transportation Subcontracted Transportation Provider Contract).
 4. SVTA has verified that you own a white 2011 Chevy Silverado pickup truck with valid Florida tag (Z4BYQ).
 5. SVTA has received numerous registered reports, from reliable sources, that you routinely and regularly drive this motor vehicle about.
 6. The agency has confirmed that you have appropriate transportation within your household as stated in paragraph 4 and 5 above. By Medicaid rule IIB.4.c, the agency may deny a request for Medicaid sponsored transportation from those who do have appropriate transportation within their household. Therefore, because SVTA has the responsibility to *" . . . determine the mode of transportation for the Medicaid Beneficiary. . ."*, (see page 2-2 of Transportation Coverage, Limitation, and Reimbursement Handbook/Florida Medicaid-Provider's General Handbook dated 1997[current]) and she has clear and convincing evidence that you do in fact have appropriate transportation at your immediate disposal, the agency requests that you provide to her justification as to why you should be exempt from Rule IIB.4.c



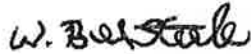
**SUWANNEE VALLEY TRANSIT AUTHORITY
1907 VOYLES ST., S.W.
LIVE OAK, FLORIDA, 32064**

7. We must receive your signed response no later than July 19, 2013. By failing to respond to this request, we will deem that transportation to which you have access – a valid driver license and your own personal white 2011 Chevy Silverado pickup truck, with Florida tag Z4BYQ-is sufficient to transport yourself to your Medicaid sponsored appointments. Based on your response, the agency may alter the mode of transportation, if appropriate in your case.

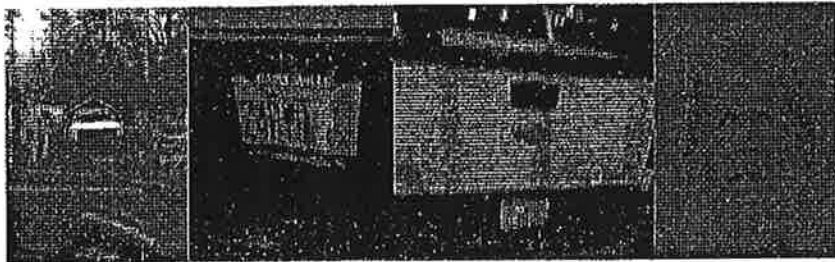
8. You may send your signed letter as an e-mail attachment if you wish. Based on your response, the Administrator may alter the mode of transportation, if appropriate in your case.

9. Your point of contact is the undersigned, W. Bill Steele at (386) 208-6330.

FOR THE ADMINISTRATOR



W. Bill Steele
Director of Operations
SVTA



07/17/2013 05:01 386/528528 OFFICEMAX FAX 02/02

FAX Transmission

Number of pages including cover sheet 2

Attention: Lynn Godfrey

Date: Wednesday, July 17, 2013

Company: North Central Florida Regional Planning Council

From: HJ Johnson

Phone: 1.352.955.2200 ext. 110

Company: _____

Fax: 1.352.955.2209

Phone: 1.386.438.5278

Comments: Please Scan and e-mail to all agencies as well as Gwen Pra with SVTA. Gwen Pra will receive this letter tomorrow afternoon.

Thanks, HJ

2434 West US Hwy 90

Lake City, FL 32055

Phone: 386-752-7830

Fax: 386-752-8528

Email: impress1089@officemax.com



NORTH CENTRAL FLORIDA
RECEIVED
JUL 17 2013
REGIONAL PLANNING COUNCIL

LJ JOHNSON
237 NE CAMPUS PLACE
LAKE CITY, FL 32055-6226
1.386.438.5278
ljjohnson5714@yahoo.com

TO: GWENDOLYN PRA, ADMINISTRATOR SVTA
1907 Voyles Street, SW
Live Oak, FL 32064

FROM: LJ JOHNSON, MEDICAID RIDER

DATE: TUESDAY, JULY 16, 2013 6:27 PM

RE: CORRESPONDENCE FROM YOUR OFFICE

Administrator Gwendolyn Pra, SVTA

I have received correspondence from your office Director of Operations, Bill Steele. The correspondence received was in the form of e-mails dated July 12, 2013. The other was a letter dated July 10, 2013 requesting justification be provided to Suwannee Valley Transit Authority as to why I am unable to use my own transportation for trips to Medicaid appointments.

Several of my health conditions prevent me from being able to drive myself to and from medical procedures that are Medicaid compensable services. I rely on SVTA to assist with transportation so I can have access to my much needed health care.

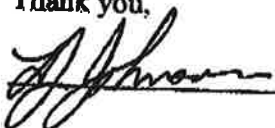
Yes I did buy a truck on November 8, 2012 when I received a settlement from Parrish Medi Van. Regardless what *Ronald Williams* said (or what *SVTA want's to believe*), I did NOT have much money left when I paid off outstanding bills!

1. Some of my appointments are outside of my community recurring on a regular basis.
 2. Some of my appointments require invasive procedures.
 3. Some of my appointments require medications that I am not suppose to drive with.
 4. Sometimes I have to be put under for surgical procedures.
 5. Sometimes I have to fast for certain procedures and I am diabetic. This makes me weak.
- Purchasing fuel causes me a financial hardship because I live on a limited income that is below the federal poverty level.

I hope this letter has provided you with the additional justification needed to determine that I am eligible for Medicaid sponsored transportation. If you have any questions about my Medicaid eligibility, please contact Alana in the Alachua Medicaid office or Karen Somerset in Tallahassee to confirm my financial eligibility.

Should you have any further questions, be sure to copy all the agencies I have been having to deal with when you e-mail me. I seem to have a major problem printing, e-mailing, and forwarding e-mails from SVTA.

Thank you,



LJ Johnson, Medicaid rider

Tuesday, July 16, 2013

Date: Tuesday, July 16, 2013

FAX Transmission

Number of pages including cover sheet 2

Attention: Lynn Godfrey

Date: Wednesday, July 17, 2013

Company: North Central Florida Regional Planning Council

From: LJ Johnson

Phone: 1.352.955.2200 ext. 110

Company: _____

Fax: 1.352.955.2209

Phone: 1.386.438.5278

Comments: Please Scan and e-mail to all agencies as well as Gwen Pra with SVTA. Gwen Pra will receive this letter tomorrow afternoon.

Thanks, LJ
2434 West US Hwy 90
Lake City, FL 32056
Phone: 386-752-7830
Fax: 386-752-8528
Email: impress1089@officemax.com



NORTH CENTRAL FLORIDA
RECEIVED
JUL 17 2013
REGIONAL PLANNING COUNCIL

NORTH CENTRAL FLORIDA
RECEIVED

SEP 16 2013

REGIONAL PLANNING COUNCIL



**State of Florida
Department of Children and Families**

October 6, 2013

Steve Russell
1389 US 90 W
Lake City, Fl. 32055

LJ Johnson
237 NE Campus Pl
Lake City, Fl. 32055

To Whom It May Concern,

Per Mr. Johnson's request, we are verifying that he visited our office on four separate occasions to inquire about Medicaid problems/questions he had and to request a new Medicaid number.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Russell', is written over a printed name.

Steve Russell

Operations Management Consultant I

Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

GRIEVANCE NUMBER 6 DOCUMENTATION

Lynn Godfrey

From: L J Johnson [ljohnson5714@yahoo.com]
Sent: Monday, August 19, 2013 2:24 AM
To: Lynn Godfrey
Subject: Fw: Public Records Request

----- Forwarded Message -----

From: "Bill.Steele@RideSVTA.com" <bill.steele@RideSVTA.com>
To: L J Johnson <ljohnson5714@yahoo.com>
Sent: Tuesday, July 30, 2013 6:24 PM
Subject: RE: Public Records Request

Mr. Johnson.

I just noticed that in your e-mail request, you did state more specifically what vehicles you are asking about. I did not take notice that you "embedded" a statement in your original e-mail. Usually "embedded" statements are identified as such and/or the author advises to look for embedded statements within the original e-mail.

In any case, the answer remains. SVTA does not keep logs on who uses the Crown Vics, which are considered administrative / shooter vehicles. Any member of the SVTA staff that needs to use a company car has access to the vehicles. The vehicles are kept inside the fenced area thus accessible ONLY to authorize SVTA employees, contractors or others needing to use the vehicles for authorized SVTA business. THERE FORE NO LOGS EXIST AND SVTA DOES NOT HAVE A WAY TO DETERMINE WHO DRIVES SAID VEHICLES DURING THE DATE, DAY, TIME AND LOCATION THAT YOU STATE.

And again, ALL vehicles were accounted for and if out, were out on authorized SVTA business.

Once again, SVTA declares that your 'Public Records Request' has been answered and this request is closed as completed.

VR
W. Bill Steele
Director of Operations
(386) 208-6330



Confidentiality Notice: Information transmitted by the Suwannee Valley Transit Authority is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, dissemination, or other use of, or reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

From: Bill.Steele@RideSVTA.com
Sent: Tuesday, July 30, 2013 5:49 PM
To: 'L J Johnson'
Subject: RE: Public Records Request

Mr. Johnson.

SVTA has received your request for information and SVTA considers this a "Public Records" Request.

By this e-mail, SVTA is responding to your "Public Records" Request by stating to you the following:

1) You are asking for: a copy of the log on whom was driving a white company car with a yellowish colored tag in Lake City on Wednesday, July 24th between the hours of 3:00 pm and 6:00 pm.

2)SVTA responds by stating that **NO SUCH DOCUMENT EXISTS** AS SVTA DOES NOT KEEP log on whom was driving a white company car with a yellowish colored tag NO MATTER WHAT THE LOCATON OR THE DAY, DATE AND HOUR OF DAY TO INCLUDE in Lake City on Wednesday, July 24th between the hours of 3:00 pm and 6:00 pm.

3)As previously stated by the Administrator, "All SVTA vehicles were accounted for during the day, date and time that you specify and all SVTA veh that were out were authorized SVTA to be out during the day, date and time that you specify.

By this e-mail, SVTA has responded appropriately to your request for Public Records.

CF:
Administrator, SVTA (1)
SVTA Public Record's Request File (1)

VR
W. Bill Steele
Director of Operations
(386) 208-6330



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From: L J Johnson [mailto:ljjohnson5714@yahoo.com]
Sent: Tuesday, July 30, 2013 5:13 PM
To: Bill.Steele@RideSVTA.com
Subject: Re: Public Records Request

Dear Mr. Steele,

I read with interest your response to my public records request which was dated July 25, 2013.

Please note that I asked for the following: a copy of the log on whom was driving a white company car with a yellowish colored tag in Lake City on Wednesday, July 24th between the hours of 3:00 pm and 6:00 pm.

Your reply is below.

Mr. Steele, it should be evident what I asked for. It was a copy of the log...

IF YOU DO NOT KEEP A LOG AND/OR THERE IS NO WAY FOR THE SVTA TO DETERMINE WHO WAS DRIVING THE TWO FORD CROWN VICS ON THE AFORE MENTIONED DATE AND TIME REQUESTED PLEASE LET ME KNOW.

I am hoping that you act responsibly and in accordance with the law.

Sincerely,
LJ Johnson

From: "Bill.Steele@RideSVTA.com" <bill.steele@RideSVTA.com>
To: L J Johnson <ljohnson5714@yahoo.com>
Sent: Thursday, July 25, 2013 12:35 PM
Subject: RE: Public Records Request

Mr. Johnson.

Per your request, the Administrator advises that all SVTA Vehicles that were out yesterday were authorized to be out and were out on authorized SVTA business.

Since you do not have the tag #, you may wish to check with the other county/city governments and/or other transportation agencies. Each has vehicles that look similar to SVTA vehicles.

I hope this helps.

Thank you.

VR
W. Bill Steele
Director of Operations
(386) 208-6330



Confidentiality Notice: Information transmitted by the Suwannee Valley Transit Authority is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, dissemination, or other use of, or reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

From: L J Johnson [mailto:ljohnson5714@yahoo.com]
Sent: Thursday, July 25, 2013 12:02 PM
To: Bill.Steele@RideSVTA.com
Subject: Public Records Request

Mr. Steele,

I am asking for a copy of the log on whom was driving a white company car with a yellowish colored tag in Lake City on Wednesday, July 24th between the hours of 3:00 PM and 6:00 PM. I am asking that you bring this information with you to the meeting of the new Regional Board being held in Lake City in the Madison Room at the DOT office.

I will be asking for this at the meeting. As you know from our phone conversation on Thursday morning, July 25th around 11:30 to 11:45 AM, I explained to you how I was being tailed (followed) in Lake City by one of SVTAs' white cars yesterday. You said you would check your records to see whom was driving a vehicle of that description in Lake City during that time frame. You also stated you would get back to me and let me know.

I am making this a formal request for that information. I appreciate your cooperation in this matter and will see you at the meeting.

LJ Johnson
237 NE Campus Place
Lake City, FL 32055-6226
1.386.438.5278
ljjohnson5714@yahoo.com

cc: Bucky Nash

HARRASSMENT

TO ALL THAT IT MAY CONCERN:

On Wednesday, July 24, 2013 between the hours of 4:00 pm and 5:45 pm. I was followed by a white car from near my home near the airport, East of Lake City on Highway 90. I was followed all the way to Office Max. This was a deliberate act of harassment and an attempt to have my eligibility as a rider of SVTA terminated.

Since my income is below the *Federal Poverty Level*, I qualify to ride under the Transportation of the Disadvantage,

Since I am 100% permanently and am qualified to receive medicaid, I am eligible to ride as a medicaid rider.

NO RIDER should have to be subject to these **BULLYING TACTICS OR ATTEMPTS TO BE COWED** by **ANY AGENCY OR ADMINISTRATION STAFF** just because a rider has the backbone to stand up to them to file a complaint or a grievance.

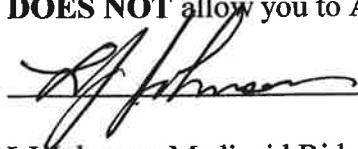
As some of you already know, when I was at an appointment with one of my health care providers, someone from SVTA took pictures of my truck. One was a frontal view from the road in front of my home. The other two (2) pictures were from the rear of my truck. This means who ever took the pictures of the rear of my truck had to come onto my property.

The only time SVTA has permission to come onto my property is when they are picking me up to take me to an appointment and when they bring me home. At this time I am serving notice in front of all those present at this board meeting: Gwendolyn Pra, Administrator, and William 'Bill' Steele, Director of Operations for SVTA...

I am serving you NOTICE OF TRESPASS on my property when I am not at home will result in my taking legal action against SVTA to the fullest extent of the law. I have not given permission for pictures or likeness of my property or of myself to be taken.

I am also aware of SVTA having had or may still have a picture of myself posted in the appointment setting area. This has been seen by a State Employee of Medicaid at one point and time. If you still have my picture, I have every right to demand it be turned over to me.

At no point or time is this type of action permissible or to be tolerated!! The position of power of your office **DOES NOT** allow you to **ABUSE YOUR POSITION**.



LJ Johnson, Medicaid Rider



Wednesday, July 24, 2013 6:35 pm

Financial Report

Report of the Board of Directors for the year ended December 31, 1998

The Board of Directors has the honor to present to you the financial statements of the Corporation for the year ended December 31, 1998. These financial statements were prepared in accordance with the accounting principles generally accepted in the United States of America.

The financial statements consist of the Balance Sheet, the Statement of Operations, the Statement of Retained Earnings, and the Statement of Cash Flows.

The Board of Directors is pleased to report that the Corporation has achieved a record year of performance in 1998.

The Corporation's revenue for 1998 was \$1,234,567, an increase of 15% over the revenue of \$1,070,000 reported for 1997. This increase was primarily due to the successful completion of several major projects and the implementation of new marketing strategies.

The Corporation's operating expenses for 1998 were \$876,543, an increase of 10% over the operating expenses of \$795,000 reported for 1997. This increase was primarily due to the increase in salaries and benefits, and the cost of materials used in the production of goods.

The Corporation's net income for 1998 was \$358,024, an increase of 25% over the net income of \$275,000 reported for 1997. This increase was primarily due to the increase in revenue and the decrease in operating expenses.

The Corporation's cash and cash equivalents at the end of 1998 were \$123,456, an increase of 10% over the cash and cash equivalents of \$112,000 reported at the end of 1997. This increase was primarily due to the increase in cash received from customers and the decrease in cash payments to suppliers.

The Corporation's total assets at the end of 1998 were \$2,345,678, an increase of 12% over the total assets of \$2,100,000 reported at the end of 1997. This increase was primarily due to the increase in cash and cash equivalents and the acquisition of new equipment.

The Corporation's total liabilities at the end of 1998 were \$1,123,456, an increase of 8% over the total liabilities of \$1,040,000 reported at the end of 1997. This increase was primarily due to the increase in accounts payable and the issuance of new debt.

The Corporation's total equity at the end of 1998 was \$1,222,222, an increase of 15% over the total equity of \$1,060,000 reported at the end of 1997. This increase was primarily due to the increase in net income and the issuance of new shares of common stock.

Transportation Disadvantaged Grievance Procedures

July 26, 2013

Columbia, Hamilton and Suwannee
Transportation Disadvantaged Coordinating Board



Transportation Disadvantaged Grievance Procedures

Approved by the

Columbia, Hamilton and Suwannee
Transportation Disadvantaged Coordinating Board

2009 NW 67th Place
Gainesville, FL 32653-1603
www.ncfrpc.org/mtpo
352.955.2000

Bucky Nash, Chair

with Assistance from

North Central Florida Regional Planning Council
2009 NW 67th Place
Gainesville, FL 32653-1603
www.ncfrpc.org
352.955.2200

July 26, 2013

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Appendices

Appendix A: Florida Commission for the Transportation Disadvantaged Medicaid Grievance System A-1

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Chapter I: Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board Grievance Procedures

A. Preamble

The following sets forth the procedures for the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board to address grievances from agencies, users, potential users, sub-contractors, and other interested parties concerning Florida's Coordinated Transportation System.

B. Agency Description

The Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board, herein after referred to as the Board, is a public body appointed by the North Central Florida Regional Planning Council serving as the Designated Official Planning Agency as authorized by Section 427.015, Florida Statutes.

C. Definitions

Transportation disadvantaged means those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in Section 411.202, Florida Statutes.

Agency means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or any other unit or entity of the state or of a city, town, municipality, county, or other local governing body or a private nonprofit transportation service-providing agency.

Community Transportation Coordinator means a transportation entity recommended by a metropolitan planning organization, or by the appropriate designated official planning agency as provided for in Section 427.011, Florida Statutes in an area outside the purview of a metropolitan planning organization, to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area.

Coordinating Board means an advisory entity in each designated service area composed of representatives appointed by the metropolitan planning organization or designated official planning agency, to provide assistance to the community transportation coordinator relative to the coordination of transportation services.

Coordination means the arrangement for the provision of transportation services to the transportation disadvantaged in a manner that is cost-effective, efficient and reduces fragmentation and duplication of services.

Designated Official Planning Agency means the official body or agency designated by the Commission to fulfill the functions of transportation disadvantaged planning in areas not covered by a Metropolitan Planning Organization. The Metropolitan Planning Organization shall serve as the designated official planning agency in areas covered by such organizations.

Designated Service Area means a geographical area recommended by a designated official planning agency, subject to approval by the Florida Commission for the Transportation Disadvantaged, which defines the community where coordinated transportation services will be provided to the transportation disadvantaged.

Florida's Coordinated Transportation System means a transportation system responsible for coordination and service provisions for the transportation disadvantaged as outlined in Chapter 427, Florida Statutes.

Grievance means a written complaint to document any concerns regarding the operation or administration of services provided by Florida's Coordinated Transportation System by the Community Transportation Coordinator, subcontracted transportation operators, the Designated Official Planning Agency, or the Board. A grievance may also be a service complaint that has been left unresolved for more than 45 days.

Memorandum of Agreement is the state contract for transportation disadvantaged services purchased with federal, state or local government transportation disadvantaged funds. This agreement is between the Florida Commission for the Transportation Disadvantaged and the Community Transportation Coordinator and recognizes the Community Transportation Coordinator as being responsible for the arrangement of the provision of transportation disadvantaged services for a designated service area.

Service complaint means routine incidents that occur on a daily basis, are reported to the driver or dispatcher, or to other individuals involved with the daily operations, and are resolved within the course of a reasonable time period suitable to the complainant. All service complaints shall be recorded and a summary of complaints should be provided by the Community Transportation Coordinator on a quarterly basis, to the Board.

Transportation Disadvantaged Service Plan means an annually updated plan jointly developed by the Designated Official Planning Agency and the Community Transportation Coordinator which contains a development plan, service plan and quality assurance components. The plan shall be approved and used by the local Coordinating Board to evaluate the Community Transportation Coordinator.

D. Purpose

- (1) The Board shall appoint a Grievance Committee to serve as a mediator to process, and investigate complaints from agencies, users, potential users of the system and the Community Transportation Coordinator in the designated service area, and make recommendations to the Board for the improvement of service.
- (2) The Board shall establish procedures to provide regular opportunities for issues to be brought before the Grievance Committee and to address them in a timely manner. Members appointed to the Grievance Committee shall be voting members of the Board.

- (3) The Grievance Committee and the Board shall have the authority to hear and advise on grievances. When an entity makes a determination of the rights, duties, privileges, benefits, or legal relationships of a specified person or persons, it is exercising "adjudicative" or "determinative" powers. Deciding a grievance between two independent parties may fall within these parameters, depending on the nature of the grievance. Chapter 427, Florida Statutes grants no adjudicative powers to anyone.

E. Membership

- (1) The Chair, subject to approval by the Board, shall appoint five (5) voting members to a Grievance Committee. The membership of the Grievance Committee shall include broad geographic representation from members of the local Coordinating Board representing the counties in the service area.
- (2) Term limits on the Grievance Committee may coincide with term limits on the Board.

F. Officers

- (1) The Grievance Committee shall elect a Chair and Vice-Chair.

G. Meetings

- (1) The Grievance Committee may meet as often as necessary to fulfill their responsibilities. The Grievance Committee may meet following Board meetings to hear complaints.
- (2) Notice of Meetings. Notices and agendas shall be sent to all Grievance Committee members and other interested parties at least two (2) weeks prior to each Grievance Committee meeting. Such notice shall state the date, time and the place of the meeting.
- (3) Quorum. At all meetings of the Grievance Committee, the presence in person of a majority of the voting members shall be necessary and sufficient to constitute a quorum for the transaction of business. In the absence of a quorum, those present may, without notice other than by announcement at the meeting, recess the meeting from time to time, until a quorum shall be present. At any such recessed meeting, any business may be transacted which might have been transacted at the meeting as originally called.
- (4) Voting. A majority vote is required for actions by the Grievance Committee. As required by Section 286.012, Florida Statutes, all Grievance Committee members, including the Chair, must vote on all official actions taken by the Grievance Committee except when there appears to be a possible conflict of interest with a member or members of the Grievance Committee.

- (5) Conflict of Interest. In accordance with Chapter 112 (Part III), Florida Statutes, "No county, municipal, or other public office shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss, or which the officer know would inure to the special private gain or loss of a principal by whom he or she is retained, of the parent organization or subsidiary of a corporate principal which he or she is retained, of a relative or of a business associate. The officer must publicly announce the nature of his or her interest before the vote and must file a memorandum of voting conflict on Ethics Commission Form 8B with the meeting's recording officer within 15 days after the vote occurs disclosing the nature of his or her interest in the matter."

In cases where a grievance involves the private or personal interests of a member of the Grievance Committee, such member shall be disqualified from hearing such grievance. If a Grievant claims a conflict between the Grievant and a Grievance Committee member, the Grievance Committee member identified as having a conflict shall recues themselves from hearing the grievance. No member of the Grievance Committee shall appear before the Grievance Committee as an agent or attorney for any person.

- (6) Proxy Voting. Proxy voting is not permitted.
- (7) Parliamentary Procedures. The Grievance Committee will conduct business using parliamentary procedures according to Robert's Rules of Order, except when in conflict with these Grievance Procedures.

H. Administration

- (1) Staff Support. The North Central Florida Regional Planning Council shall provide the Grievance Committee with sufficient staff support and resources to enable the Grievance Committee to fulfill their responsibilities.
- (2) Minutes. The North Central Florida Regional Planning Council is responsible for maintaining an official set of minutes for each Grievance Committee meeting.

I. Duties

The Grievance Committee shall make recommendations to the Board, the Community Transportation Coordinator, and/or to the Florida Commission for the Transportation Disadvantaged for improvement of service.

J. Procedures

- (1) The grievance procedures shall be open to addressing concerns by any person or agency including but not limited to: purchasing agencies, users, potential users, private-for-profit operators, private-nonprofit operators, Community Transportation Coordinators, Designated Official Planning Agencies, elected officials, and drivers. The grievant, in their formal complaint, should demonstrate or establish their concerns as clearly as possible.

- (2) The Board must make a written copy of the grievance procedures available to anyone, upon request. All documents pertaining to the grievance process will be made available, upon request, in accessible format. The following procedures are established to provide regular opportunities for grievances to be brought before the Grievance Committee.
- (3) Should an interested party wish to file a grievance with the Board, that grievance must be filed in writing within ninety (90) days after the occurrence of the event giving rise to the grievance. The grievance shall be sent to:

Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board
Grievance Committee
2009 N.W. 67th Place
Gainesville, FL 32653-1603
- (4) If requested, the North Central Florida Regional Planning Council staff will provide assistance to individuals in preparing written grievances.
- (5) The grievance should try to demonstrate or establish a clear violation of a specific law, regulation, or contractual arrangement. Copies of pertinent laws and regulations may be obtained from North Central Florida Regional Planning Council staff.
- (6) The grievance shall include:
 - a. the name, address and telephone number of the Complainant;
 - b. a statement of the grounds for the grievance and be supplemented by supporting documentation, made in a clear and concise manner; and
 - c. an explanation by the Complainant of the improvements needed to address the complaint.
- (7) If the Board receives a grievance pertaining to the operation of services by the Community Transportation Coordinator, that grievance shall be forwarded to the Community Transportation Coordinator for their response to be included in the Board's response.
- (8) If the Complainant does not want to be contacted by the Community Transportation Coordinator concerning the grievance before the grievance is heard, the Community Transportation Coordinator is prohibited from contacting the Complainant.
- (9) Within fifteen (15) working days following the date of receipt of the formal grievance, North Central Florida Regional Planning Council staff shall advise the Grievance Committee of the grievance to schedule a hearing on the grievance and inform the Complainant of the hearing date.
- (10) The Grievance Committee shall meet to hear the grievance within forty-five (45) calendar days from the date of receipt of the grievance.
- (11) North Central Florida Regional Planning Council staff shall send notice of the Grievance Committee's scheduled hearing in writing to the local newspaper of greatest circulation, the Complainant and other interested parties.
- (12) All involved parties have a right to present their views to the Grievance Committee, either orally or in writing. In addition, all parties may present evidence.

- (13) A written report and any recommendations of the Grievance Committee shall be provided to the Board. A copy of this report shall be provided to the concerned parties within ten (10) working days after the hearing on the grievance and no more than sixty (60) calendar days from the date of receipt of the formal grievance. The Grievance Committee's recommendation will stand unless the recommendation is changed by the Board.
- (14) A written report shall also be provided to the Community Transportation Coordinator's Governing Board.

K. Appeals

- (1) Appeals of recommendations by the Grievance Committee to the Board shall be made within twenty (20) working days from the date when the Grievance Committee makes a recommendation regarding a grievance. The appeal shall be mailed to:

Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board
2009 N.W. 67th Place
Gainesville, FL 32653-1603

- (2) The Complainant will be notified in writing of the date, time and place of the Board meeting where the appeal will be heard. This written notice will be mailed at least ten (10) calendar days in advance of the meeting.
- (3) The Board will meet to hear the appeal and render its recommendation within thirty (30) calendar days of the date the appeal was filed. A written copy of the recommendation will be mailed to all parties involved within ten (10) calendar days of the date of the recommendation.
- (4) Should a Complainant remain dissatisfied with the Board's decision, he or she may contact the Florida Commission for the Transportation Disadvantaged at the following address:

Florida Commission for the Transportation Disadvantaged
605 Suwannee Street, MS-49
Tallahassee, FL 32399-0450

- (5) The Florida Commission for the Transportation Disadvantaged also has an Ombudsman Program to assist individuals with complaints. The toll-free Ombudsman Hotline is 1-800-983-2435. Chapter 427, Florida Statutes does not expressly confer the power or authority for the Florida Commission for the Transportation Disadvantaged to "hear and determine" a grievance between two (2) third parties. The Florida Commission for the Transportation Disadvantaged may choose to listen to grievances and it can investigate them from a fact-finding perspective. It cannot be the "judge" or "arbiter" of the grievance in the sense of determining that one party's version of the facts is right and the other is wrong, and order the wrong party to somehow compensate the right party. On the other hand, the grievance may bring to light a problem within "the system."
- (6) If the grievance showed that one (1) of the parties with whom the Florida Commission for the Transportation Disadvantaged contracts was acting so aberrantly as to not be in compliance with its contract, the Florida Commission for the Transportation Disadvantaged could exercise whatever contractual rights it has to correct the problem.

- (7) The Florida Commission for the Transportation Disadvantaged may take part in the grievance process, if it wants to, for purposes of listening to the grieving parties and gathering the facts of the matter. It may not decide the grievance, where doing so would amount to an exercise of adjudicative powers.

L. Medicaid Non-Emergency Transportation Program Grievance System

- (1) The Florida Commission for the Transportation Disadvantaged and Medicaid Subcontracted Transportation Provider shall have a Grievance System in place that includes complaint and grievance processes. The Medicaid Subcontracted Transportation Provider must also have an appeal process and access to the Medicaid Fair Hearing System.
- (2) The Florida Commission for the Transportation Disadvantaged Medicaid Grievance System is attached as Appendix A.

M. Suspension Reconsideration

- (1) If a rider has been issued a notice of suspension by the Community Transportation Coordinator, they have ten (10) calendar days from the date of issuance of suspension notice to request a reconsideration hearing on the suspension. If a reconsideration hearing is requested, the hearing will be held by the Grievance Committee if the suspension involves transportation provided under Florida's Transportation Disadvantaged Program.
- (2) The written request must include the name, address and telephone number of the person who is requesting the hearing and a statement as to why his or her riding privileges should not be suspended. If the request is not received within ten (10) calendar days from the issue date of the suspension, then the suspension becomes effective ten (10) calendar days from the date of issue.
- (3) Upon receipt of letter requesting the reconsideration hearing, a hearing shall be held within ten (10) working days. The North Central Florida Regional Planning Council will advise the person requesting the reconsideration hearing by return correspondence of the date, time and location of the hearing.
- (4) The person will be given the opportunity to present the reasons why they believe the suspension should not take place. The Grievance Committee will make a recommendation whether or not to uphold the suspension. A written statement of the recommendation shall be forwarded to the person requesting the hearing within two (2) working days after the hearing by the Grievance Committee. A written statement of the decision whether or not to uphold the suspension shall be forwarded by certified mail within two (2) working days by the Community Transportation Coordinator to the person requesting the hearing.

N. Prohibition Against Retaliation

The Community Transportation Coordinator shall not take any punitive action against an individual who files a grievance. No individual shall be denied Transportation Disadvantaged Program services because such individual has filed a grievance related to Florida's Transportation Disadvantaged Program or has testified or is about to testify in any such proceeding or investigation related to Florida's Transportation Disadvantaged Program.

O. Alternative Recourse

Apart from these grievance processes, aggrieved parties with proper standing, may also have recourse through Chapter 120, Florida Statutes, administrative hearings process or the judicial court system.

P. Certification

The undersigned hereby certifies that he/she is the Chair of the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board and that the foregoing is a full, true and correct copy of the Grievance Procedures of this Board as adopted by the Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board the 26th day of July 2013.

Bucky Nash, Chair
Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board

t:\ynn\griev\procedures\chs grievance procedures.docx

Appendix A: Florida Commission for the Transportation Disadvantaged Medicaid Grievance System

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Florida Commission for the Transportation Disadvantaged Medicaid Grievance System

A. Overview

1. Description

- a. Complaint process – The Complaint process is the CTD AND STP's procedure for addressing Medicaid Beneficiary Complaints, which are expressions of dissatisfaction about any matter other than an Action that are resolved at the Point of Contact rather than through filing a formal Grievance.
- b. Grievance process – The Grievance process is the CTD AND STP's procedure for addressing Medicaid Beneficiary Grievances, which are expressions of dissatisfaction about any matter other than an Action.
- c. Appeal process – The Appeal process is the STP's procedure for addressing Medicaid Beneficiary Appeals, which are requests for review of an Action.
- d. Medicaid Fair Hearing process – The Medicaid Fair Hearing process is the administrative process which allows a Medicaid Beneficiary to request the State to reconsider an adverse decision made by the CTD AND STP.
- e. Action – (i) The denial or limited authorization of a requested service, including the type or level of service, pursuant to 42 CFR 438.400(b). (ii) The reduction, suspension, or termination of a previously authorized service. (iii) The denial, in whole or in part, of payment for a service. (iv) The failure to provide services in a timely manner, as defined by the State. (v) The failure of the CTD AND STP to resolve a Complaint within fifteen (15) Business Days, a Grievance within ninety (90) Calendar Days, and an Appeal within forty-five (45) Calendar Days from the date the CTD AND STP receives the Complaint, Grievance, or Appeal.

2. General Requirements

- a. The CTD AND STP shall all have a Grievance System in place that includes a Complaint process and a Grievance process. The STP must also have an Appeal process and access to the Medicaid Fair Hearing System. The CTD AND STP Grievance System shall comply with the requirements set forth in Section 641.511, F.S., if applicable and with all applicable federal and State laws and regulations, including 42 CFR 431.200 and 42 CFR 438, Subpart F, "Grievance System."
- b. The CTD AND STP must develop and maintain written policies and procedures relating to the Grievance System. Before implementation, the AHCA must give the CTD AND STP written approval of the CTD AND STP Grievance System policies and procedures.
- c. The CTD AND STP shall refer all Medicaid Beneficiaries who are dissatisfied with the CTD AND STP or its Actions to the CTD AND STP Grievance/Appeal Coordinator for processing and documentation in accordance with this Contract and the CTD AND STP, AHCA approved policies and procedures.
- d. The CTD AND STP must give Medicaid Beneficiaries reasonable assistance in completing forms and other procedural steps, including, but not limited to, providing interpreter services and toll-free numbers with TTY/TDD and interpreter capability.
- e. The CTD AND STP must acknowledge, in writing, the receipt of a Grievance or a request for an Appeal, unless the Medicaid Beneficiary requests an expedited resolution.
- f. The CTD AND STP shall ensure that none of the decision makers on a Grievance or Appeal were involved in any of the previous levels of review or decision-making when deciding any of the following:
 - (1) An Appeal of a denial that is based on lack of Medical Necessity; and
 - (2) A Grievance regarding the denial of an expedited resolution of an Appeal.
 - (3) ***All local Appeals and Grievances shall be heard by the local Transportation Disadvantaged Coordinating Board.***

- g. The CTD AND STP shall allow the Medicaid Beneficiary, and/or the Medicaid Beneficiary's representative, an opportunity to examine the Medicaid Beneficiary's case file before and during the Grievance or Appeal process, including all Medical Records and any other documents and records.
- h. The CTD AND STP shall consider the Medicaid Beneficiary, the Medicaid Beneficiary's representative or the representative of a deceased Medicaid Beneficiary's estate as parties to the Grievance/Appeal.
- i. The CTD AND STP shall maintain, monitor, and review a record/log of all Complaints, Grievances, and Appeals in accordance with the terms of this Contract and to fulfill the reporting requirements as set forth in Section XI, Reporting Requirements.
- j. Notice of Action
 - (1) The STP shall notify the Medicaid Beneficiary, in writing, using language at, or below the fourth (4th) grade reading level, of any Action taken by the STP to deny a Transportation Service request, or limit Transportation Services in an amount, duration, or scope that is less than requested.
 - (2) The STP must provide notice to the Medicaid Beneficiary as set forth below (see 42 CFR 438.404(a) and (c) and 42 CFR 438.210(b) and (c)):
 - (a) The Action the STP has taken or intends to take;
 - (b) The reasons for the Action, customized for the circumstances of the Medicaid Beneficiary;
 - (c) The Medicaid Beneficiary's or the Health Care Professional's (with written permission of the Medicaid Beneficiary) right to file an Appeal;
 - (d) The procedures for filing an Appeal;
 - (e) The circumstances under which expedited resolution is available and how to request it; and
 - (f) The Medicaid Beneficiary's rights to request that Transportation Services continue pending the

resolution of the Appeal, how to request the continuation of Transportation Services, and the circumstances under which the Medicaid Beneficiary may be required to pay the costs of these services.

- (3) The STP must provide the notice of Action within the following time frames:
 - (1) **At least ten (10) Calendar Days before the date of the Action or fifteen (15) Calendar Days if the notice is sent by Surface Mail (five [5] Calendar Days if the Vendor suspects Fraud on the part of the Medicaid Beneficiary).** See 42 CFR 431.211, 42 CFR 431.213 and 42 CFR 431.214.
 - (2) For denial of the Trip request, at the time of any Action affecting the Trip request.
 - (3) For standard Service Authorization decisions that deny or limit Transportation Services, as quickly as the Medicaid Beneficiary's health condition requires, **but no later than fourteen (14) Calendar Days following receipt of the request for service (see 42 CFR 438.201(d)(1)).**
 - (4) If the STP extends the time frame for notification, it must:
 - (a) Give the Medicaid Beneficiary written notice of the reason for the extension and inform the Medicaid Beneficiary of the right to file a Grievance if the Medicaid Beneficiary disagrees with the STP's decision to extend the time frame; and
 - (b) Carry out its determination as quickly as the Medicaid Beneficiary's health condition requires, **but in no case later than the date upon which the fourteen (14) Calendar Day extension period expires (see 42 CFR 438.210(d)(1)).**
 - (5) If the STP fails to reach a decision within the time frames described above, the Medicaid Beneficiary can consider such failure on the part of the STP a

denial and, therefore, an Action adverse to the Medicaid Beneficiary (See 42 CFR 438.210(d)).

- (6) **For expedited Service Authorization decisions, within three (3) Business Days (with the possibility of a fourteen (14) Calendar Day extension). See 42 CFR 438.210(d)(2).**

B. The Complaint Process

1. A Medicaid Beneficiary may file a Complaint, or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent, may file a Complaint. ***All complaints must begin with an STP response, regardless of where the initial complaint is received.***
2. General CTD AND STP Duties
 - a. The CTD AND STP must:
 - (1) **Resolve each Complaint within fifteen (15) Business Days from the day the CTD AND STP received the initial Complaint, be it oral or in writing;**
 - (a) **The CTD AND STP may extend the Complaint resolution time frame by up to ten (10) Business Days if the Medicaid Beneficiary requests an extension, or the CTD AND STP documents that there is a need for additional information and that the delay is in the Medicaid Beneficiary's best interest.**
 - (b) **If the CTD AND STP request the extension, the CTD AND STP must give the Medicaid Beneficiary written notice of the reason for the delay.**
 - (2) **Notify the Medicaid Beneficiary, in writing, within five (5) Business Days of the resolution of the Complaint if the Medicaid Beneficiary is not satisfied with the CTD AND STP resolution.** The notice of disposition shall include the results and date of the resolution of the Complaint, and shall include:
 - (a) **A notice of the right to request a Grievance or Appeal, whichever is the most appropriate to the nature of the objection;**

- (b) Information necessary to allow the Medicaid Beneficiary to request a Medicaid Fair Hearing, if appropriate, including the contact information necessary to pursue a Medicaid Fair Hearing (see Section VIII.E., Medicaid Fair Hearing System, below);
- (3) Provide the AHCA with a report detailing the total number of Complaints received, pursuant to Section XI., Reporting Requirements; and
- (4) Ensure that neither the **CTD AND STP** (if applicable), or any Transportation Provider takes any punitive action against a physician or other Health Care Provider who files a Complaint on behalf of a Medicaid Beneficiary, or supports a Medicaid Beneficiary's Complaint.

b. Filing Requirements

- (1) **The Medicaid Beneficiary or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent must file a Complaint within fifteen (15) Calendar Days after the date of occurrence that initiated the Complaint.**
- (2) The Medicaid Beneficiary or his/her representative may file a Complaint either orally or in writing. The Medicaid Beneficiary or his/her representative may follow up an oral request with a written request, however the timeframe for resolution begins the date the **CTD AND STP** receives the oral request.

C. The Grievance Process

- 1. A Medicaid Beneficiary may file a Grievance, or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent, may file a Grievance.
- 2. General **CTD AND STP** Duties
 - a. The **CTD AND STP** must:
 - (1) **Resolve each Grievance within ninety (90) Calendar Days from the day the CTD AND STP received the initial Grievance request, be it oral or in writing;**

- (2) **Notify the Medicaid Beneficiary, in writing, within thirty (30) Calendar Days of the resolution of the Grievance.** The notice of disposition shall include the results and date of the resolution of the Grievance, and for decisions not wholly in the Medicaid Beneficiary's favor, the notice of disposition shall include:
 - (a) Notice of the right to request a Medicaid Fair Hearing, if applicable;
 - (b) Information necessary to allow the Medicaid Beneficiary to request a Medicaid Fair Hearing, including the contact information necessary to pursue a Medicaid Fair Hearing (see Section VIII.E., Medicaid Fair Hearing System, below);
 - (3) Provide AHCA with a copy of the written notice of disposition upon request;
 - (4) Ensure that neither the CTD AND STP nor any Subcontractors (if applicable), or any Transportation Provider takes any punitive action against a physician or other health care provider who files a Grievance on behalf of a Medicaid Beneficiary, or supports a Medicaid Beneficiary's Grievance; and
 - (5) Provide AHCA with a report detailing the total number of Grievances received, pursuant to Section XI., Reporting Requirements.
- b. **The CTD AND STP may extend the Grievance resolution time frame by up to fourteen (14) Calendar Days** if the Medicaid Beneficiary requests an extension, or the CTD AND STP documents that there is a need for additional information and that the delay is in the Medicaid Beneficiary's best interest.
- (1) If the CTD AND STP requests the extension, the CTD AND STP must give the Medicaid Beneficiary **written notice** of the reason for the delay.
- c. **Filing Requirements**
- (1) The Medicaid Beneficiary or provider must file a Grievance within one (1) year after the date of occurrence that initiated the Grievance.

- (2) The Medicaid Beneficiary or provider may file a Grievance either orally or in writing. The Medicaid Beneficiary may follow up an oral request with a written request, however the timeframe for resolution begins the date the CTD AND STP receives the oral request.

D. The Appeal Process

1. A Medicaid Beneficiary may file an Appeal, or a representative of the Medicaid Beneficiary, acting on behalf of the Medicaid Beneficiary and with the Medicaid Beneficiary's written consent, may file an Appeal.
2. General **STP** Duties
 - a. The **STP** shall:
 - (1) Confirm in writing all oral inquiries seeking an Appeal, unless the Medicaid Beneficiary or provider requests an expedited resolution;
 - (2) If the resolution is in favor of the Medicaid Beneficiary, provide the services as quickly as the Medicaid Beneficiary's health condition requires;
 - (3) Provide the Medicaid Beneficiary or provider with a reasonable opportunity to present evidence and allegations of fact or law, in person and/or in writing;
 - (4) Allow the Medicaid Beneficiary, and/or the Medicaid Beneficiary's representative, an opportunity, before and during the Appeal process, to examine the Medicaid Beneficiary's case file, including all documents and records;
 - (5) Consider the Medicaid Beneficiary, the Medicaid Beneficiary's representative or the representative of a deceased Medicaid Beneficiary's estate as parties to the Appeal;
 - (6) Continue the Medicaid Beneficiary's Transportation Services if:
 - (a) The Medicaid Beneficiary files the Appeal in a timely manner, meaning on or before the later of the following:

- (i) **Within ten (10) Business Days of the date on the notice of Action (add five [5] Business Days if the notice is sent via Surface Mail); or**
 - (ii) The intended effective date of the STP proposed Action.
 - (b) The Appeal involves the termination, suspension, or reduction of a previously authorized Transportation service;
 - (c) The Transportation was for a Medicaid compensable service ordered;
 - (d) The authorization period has not expired; and/or
 - (e) The Medicaid Beneficiary requests extension of Transportation Services.
- (7) **Provide written notice of the resolution of the Appeal, including the results and date of the resolution within two (2) Business Days after the resolution.** For decisions not wholly in the Medicaid Beneficiary's favor, the notice of resolution shall include:
- (a) Notice of the right to request a Medicaid Fair Hearing;
 - (b) Information about how to request a Medicaid Fair Hearing, including the DCF address necessary for pursuing a Medicaid Fair Hearing, as set forth in Section VIII.E., Medicaid Fair Hearing System, below;
 - (c) Notice of the right to continue to receive Transportation Services pending a Medicaid Fair Hearing;
 - (d) Information about how to request the continuation of Transportation Services; and
 - (e) Notice that if the STP Action is upheld in a Medicaid Fair Hearing, the Medicaid Beneficiary may be liable for the cost of any continued Transportation Services.
- (8) Provide AHCA with a copy of the written notice of disposition upon request;

- (9) Ensure that neither the **STP** nor any Subcontractors (if applicable) or Transportation Providers take any punitive action against a physician or other health care provider who files an Appeal on behalf of a Medicaid Beneficiary or supports a Medicaid Beneficiary's Appeal; and
 - (10) Provide the AHCA with a report detailing the total number of Appeals received, pursuant to Section XI., Reporting Requirements.
- b. If the **STP** continues or reinstates the Medicaid Beneficiary's Transportation Services while the Appeal is pending, the **STP** must continue providing the Transportation Services until one (1) of the following occurs:
- (1) The Medicaid Beneficiary withdraws the Appeal;
 - (2) Ten (10) Business Days pass from the date of the **STP**'s notice of resolution of the Appeal if the resolution is adverse to the Medicaid Beneficiary and if the Medicaid Beneficiary has not requested a Medicaid Fair Hearing with continuation of Transportation Services until a Medicaid Fair Hearing decision is reached;
 - (3) The Medicaid Fair Hearing panel's decision is adverse to the Medicaid Beneficiary; or
 - (4) The authorization to provide services expires, or the Medicaid Beneficiary meets the authorized service limits.
- c. If the final resolution of the Appeal is adverse to the Medicaid Beneficiary, the **STP** may recover the costs of the services furnished from the Medicaid Beneficiary while the Appeal was pending, to the extent that the **STP** furnished the services solely because of the requirements of this Section.
- d. If the **STP** did not furnish services while the Appeal was pending and the Appeal panel reverses the **STP** decision to deny, limit or delay services, the **STP** must authorize or provide the disputed services promptly and as quickly as the Medicaid Beneficiary's health condition requires.
- e. If the **STP** furnished services while the Appeal was pending and the Appeal panel reverses the **STP** decision to deny, limit or delay

services, the **STP** must pay for disputed services in accordance with State policy and regulations.

3. Filing Requirements

- a. **The Medicaid Beneficiary or his/her representative must file an Appeal within thirty (30) Calendar Days of receipt of the notice of the Vendor's/Subcontractor's Action.**
- b. **The Medicaid Beneficiary may file an Appeal either orally or in writing. If the filing is oral, the Medicaid Beneficiary must also file a written, signed Appeal within thirty (30) Calendar Days of the oral filing. The STP shall notify the requesting party that it must file the written request within ten (10) Business Days after receipt of the oral request. For oral filings, time frames for resolution of the Appeal begin on the date the STP receives the oral filing.**
- c. **The STP shall resolve each Appeal within State-established time frames not to exceed forty-five (45) Calendar Days from the day the Plan received the initial Appeal request, whether oral or in writing.**
- d. **If the resolution is in favor of the Medicaid Beneficiary, the STP shall provide the services as quickly as the Medicaid Beneficiary's health condition requires.**
- e. **The STP may extend the resolution time frames by up to fourteen (14) Calendar Days if the Medicaid Beneficiary requests an extension, or the STP documents that there is a need for additional information and that the delay is in the Medicaid Beneficiary's best interest.**
 - (1) **If the STP requests the extension, the STP must give the Medicaid Beneficiary written notice of the reason for the delay.**
 - (2) **The STP must provide written notice of the extension to the Medicaid Beneficiary within five (5) Business Days of determining the need for an extension.**

4. Expedited Process

- a. **The STP shall establish and maintain an expedited review process for Appeals when the STP determines, the Medicaid Beneficiary requests or the provider indicates (in making the request on the**

Medicaid Beneficiary's behalf or supporting the Medicaid Beneficiary's request) that taking the time for a standard resolution could seriously jeopardize the Medicaid Beneficiary's life, health or ability to attain, maintain or regain maximum function.

- b. The Medicaid Beneficiary may file an expedited Appeal either orally or in writing. No additional written follow-up on the part of the Medicaid Beneficiary is required for an oral request for an expedited Appeal.
- c. The **STP** must:
 - (1) Inform the Medicaid Beneficiary of the limited time available for the Medicaid Beneficiary to present evidence and allegations of fact or law, in person and in writing;
 - (2) **Resolve each expedited Appeal and provide notice to the Medicaid Beneficiary, as quickly as the Medicaid Beneficiary's health condition requires, within State established time frames not to exceed seventy-two (72) hours after the STP receives the Appeal request, whether the Appeal was made orally or in writing;**
 - (3) **Provide written notice of the resolution in accordance with Section VIII.D., The Appeal Process, of the expedited Appeal to the Medicaid Beneficiary;**
 - (4) Make reasonable efforts to provide oral notice of disposition to the Medicaid Beneficiary immediately after the Appeal panel renders a decision; and
 - (5) Ensure that neither the STP nor any Subcontractors (if applicable) or Transportation Providers take any punitive action against a physician or other health care provider who requests an expedited resolution on the Medicaid Beneficiary's behalf or supports a Medicaid Beneficiary's request for expedited resolution of an Appeal.
- d. If the **STP** denies a request for an expedited resolution of an Appeal, the Vendor/Subcontractor must:
 - (1) Transfer the Appeal to the standard time frame of no longer than **forty-five (45) Calendar Days from the day the STP received the request for Appeal (with a possible fourteen [14] day extension);**

- (2) Make reasonable efforts to provide immediate oral notification of the **STP** denial for expedited resolution of the Appeal;
- (3) **Provide written notice of the denial of the expedited Appeal within two (2) Calendar Days;** and
- (4) Fulfill all requirements set forth in Section VIII.D., The Appeal Process, above.

E. Medicaid Fair Hearing System

1. As set forth in Rule 65-2.042, FAC, the **CTD AND STP** Grievance Procedure and Appeal and Grievance processes shall state that the Medicaid Beneficiary has the right to request a Medicaid Fair Hearing, in addition to, and at the same time as, pursuing resolution through the **CTD AND STP** Grievance and Appeal processes.
 - a. A physician or other health care provider must have a Medicaid Beneficiary's written consent before requesting a Medicaid Fair Hearing on behalf of a Medicaid Beneficiary.
 - b. The parties to a Medicaid Fair Hearing include the **CTD AND STP**, as well as the Medicaid Beneficiary, his/her representative or the representative of a deceased Medicaid Beneficiary's estate.
2. Filing Requirements
 - a. The Medicaid Beneficiary may request a Medicaid Fair Hearing within ninety (90) days of the date of the notice of the **CTD AND STP** resolution of the Medicaid Beneficiary's Grievance/Appeal by contacting DCF at:

The Office of Appeal Hearings
1317 Winewood Boulevard, Building 5, Room 203
Tallahassee, Florida 32399-0700
3. General **CTD AND STP** Duties
 - a. The **CTD AND STP** must:
 - (1) Continue the Medicaid Beneficiary's Transportation Services while the Medicaid Fair Hearing is pending if:

- (a) The Medicaid Beneficiary filed for the Medicaid Fair Hearing in a timely manner, meaning on or before the later of the following:
 - (i) Within ten (10) Business Days of the date on the notice of Action (add five [5] Business Days if the notice is sent via Surface Mail);
 - (ii) The intended effective date of the **STP** proposed Action.
 - (b) The Medicaid Fair Hearing involves the termination, suspension, or reduction of a previously authorized course of treatment;
 - (c) The authorization period has not expired; and/or
 - (d) The Medicaid Beneficiary requests extension of Transportation Services.
- (2) Ensure that neither the **CTD AND STP** (if applicable) or Transportation Providers take any punitive action against a physician, Transportation Provider, or other health care provider who requests a Medicaid Fair Hearing on a Medicaid Beneficiary's behalf or supports a Medicaid Beneficiary's request for a Medicaid Fair Hearing.
- b. If the **STP** continues or reinstates Medicaid Beneficiary Transportation Services while the Medicaid Fair Hearing is pending, the Vendor/Subcontractor must continue said Transportation Services until one (1) of the following occurs:
- (1) The Medicaid Beneficiary withdraws the request for a Medicaid Fair Hearing;
 - (2) Ten (10) Business Days pass from the date of the **STP's** notice of resolution of the Appeal if the resolution is adverse to the Medicaid Beneficiary and the Medicaid Beneficiary has not requested a Medicaid Fair Hearing with continuation of Transportation Services until a Medicaid Fair Hearing decision is reached (add five [5] Business Days if the **STP** sends the notice of Action by Surface Mail);
 - (3) The Medicaid Fair Hearing officer renders a decision that is adverse to the Medicaid Beneficiary; and/or

- (4) The Medicaid Beneficiary's authorization expires or the Medicaid Beneficiary reaches his/her authorized service limits.
4. If the final resolution of the Medicaid Fair Hearing is adverse to the Medicaid Beneficiary, the **STP** may recover the costs of the services furnished while the Medicaid Fair Hearing was pending, to the extent that the **STP** furnished said services solely because of the requirements of this Section.
 5. If services the **STP** did not furnish services while the Medicaid Fair Hearing was pending, and the Medicaid Fair Hearing resolution reverses the **STP** decision to deny, limit or delay services, the **STP** must authorize or provide the disputed services as quickly as the Medicaid Beneficiary's health condition requires.
 6. If the **STP** did furnish services while the Medicaid Fair Hearing was pending, and the Medicaid Fair Hearing resolution reverses the **STP** decision to deny, limit or delay services, the **STP** must pay for the disputed services in accordance with State policy and regulations.

<u>Type</u>	<u>Time Frame to File</u>	<u>Provide Transportation Services During Review</u>	<u>Time Frame to Resolve</u>	<u>Extension Time Frame</u>	<u>Time Frame to Send Notification of Resolution</u>	<u>Next Step (if any)</u>
Com-plaint	Ninety (90) Calendar Days From the Date of the Incident That Precipitated the Complaint	Yes	Fifteen (15) Business Days	Ten (10) Business Days	Five (5) Business Days From the Date of the Complaint	File a Grievance
Grievance	Ninety (90) Calendar Days From the Date of the Action That Precipitated the Grievance	Yes	Ninety (90) Calendar Days	Fourteen (14) Calendar Days	Thirty (30) Calendar Days from the Date of the Resolution of the Grievance	Medicaid Fair Hearing

Appeal	Thirty (30) Calendar Days of Receiving Notice of Denial or Limitation of Services	Yes	Forty-five (45) Calendar Days	Fourteen (14) Calendar Days	Thirty (30) Calendar Days from the Date of the Resolution of the Appeal	Medicaid Fair Hearing
Medicaid Fair Hearing	Upon Filing a Grievance or Appeal	Yes	Resolution by Administrative Hearing	None	Notification Sent by the Administrative Hearing Office	Legal Recourse

Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board

Grievance Procedures Team

Scott R. Koons, AICP, Executive Director

- * Marlie Sanderson, AICP, Director of Transportation Planning
- ** Lynn Franson-Godfrey, AICP, Senior Planner

* Primary Responsibility
** Secondary Responsibility



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Columbia, Hamilton and Suwannee Transportation Disadvantaged Coordinating Board

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