

File No. 11099

SOTF Item No. 8  
CAC Item No. \_\_\_\_\_

**SUNSHINE ORDINANCE TASK FORCE**  
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: May 2, 2012

Compliance and Amendments Committee

Date: \_\_\_\_\_

**CAC/SOTF**

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Completed by: Andrea Ausberry Date April 25, 2012

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

\*An asterisked item represents the cover sheet to a document that exceeds 25 pages.  
The complete document is in the file.

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA  
City Attorney

OFFICE OF THE CITY ATTORNEY

MICHAEL R. KARNS  
Deputy City Attorney

Direct Dial: (415) 554-3970  
Email: michael.karns@sfgov.org

**MEMORANDUM**

TO: Sunshine Ordinance Task Force  
FROM: Michael Karns  
Deputy City Attorney  
DATE: March 29, 2012  
RE: Complaint No. 11099 – Garza v. Department of Public Health

**BACKGROUND**

Jason Garza ("Complainant") alleges that the Department of Public Health ("DPH") violated public records laws by failing to adequately respond to his requests for public documents.

**COMPLAINT**

On December 21, 2011, Complainant filed this complaint against DPH, without specifying which specific provision(s) of the public meetings and public records laws were violated.

**JURISDICTION**

DPH is a department under the Ordinance. The Task Force therefore generally has jurisdiction to hear a complaint of a violation of the Ordinance against the DPH.

**APPLICABLE STATUTORY SECTION(S):**

**Section 67 of the San Francisco Administrative Code:**

- Section 67.20 governs the definition of a public record.
- Section 67.21 governs the process for gaining access to public records.
- Section 67.22 governs the release of oral public information.
- Section 67.25 governs the immediacy of response.
- Section 67.26 governs the withholding of records.
- Section 67.27 governs written justifications for withholding of records

**California Public Records Act (Gov't Code § 6250 et seq.)**

- Section 6252 governs the definition of a public record.

**BACKGROUND**

Complainant sent an email to DPH on December 9, 2011, with subject line "Immediate Disclosure Request," which relevant requests are quoted here:

*I would like to request a copy of the following:*

*All documents, emails, correspondence, logs, notes of conversation, notes of phone calls regarding:*

*(1) Please send me the CORRECT information as previously requested through Faye DeGuzman (Barbara's Garcia – Director of Public Health's Secretary) who sent me the wrong information (and subsequently not followed up on repeated requests for CORRECT INFORMATION) concerning who the CORRECT AGENCY who regulates/certifies/accredits the*

## MEMORANDUM

TO: Sunshine Ordinance Task Force  
 DATE: March 29, 2012  
 PAGE: 2  
 RE: Complaint No. 11099 – Garza v. Department of Public Health

*San Francisco Department of Public Health in regard to providing Medical Services to patients in order to file a complaint and have DPH unaccredited and de-certified. In the last INCORRECT information received by Ms. De Guzman the specific agency that she sent me to (Public Health Accreditation Board) who wrote back and told me that she (Ms. De Guzman) was INCORRECT as to what I was seeking specifically stating in an email from Kay Bender, PhD, RN, FAAN, President and CEO Public Health Accreditation Board 1600 Duke Street, Suite 440 Alexandria, VA 22314 phone 703-778-4544 fax 703-778-4556; President and CEO of Public Health Accreditation Board: "Thank you for contacting the Public Health Accreditation Board regarding your complaint of the City and County of San Francisco Department of Public Health. Public health department accreditation under the Public Health Accreditation Board does not include health services since accreditation of health services is handled by other entities. Therefore, your concerns are outside the scope of authority of the Public Health Accreditation Board."*

*(2) Please send me the CORRECT information as to the CORRECT state and federal agencies to file and ADA PROGRAMMATIC ACCESS complaints with. Please realize that as the requester I am notifying you that if you DO NOT understand what I am requesting to contact me IMMEDIATELY for written/documented clarification. Please realize that you MUST work with the requester to get him what is clearly required and if you DO NOT understand what is clearly required... do NOT hesitate to contact the requester.*

*(3) Please also send me ALL enforcement agencies (city, state, and federal) where the PROGRAMMATIC ACCESS complaint can be filed and investigated. In other words WHERE do I CORRECTLY go to... the San Francisco Police Department and file and ADA complaint with them for denial of access and accommodation and have the perps arrested?*

*This request includes all paperwork sent, received, emailed or any other form of transmittal to all involved. This request includes all paperwork sent, received, emailed or any other form of transmittal from all involved. This request also includes all internal documentation generated by this sunshine request matter also. (From inception to present date) ... for example any documentation, notes, logs, tapes, emails, etc from any individual to any other individual regarding any matter concerning this matter, its handling, deposition, etc.*

On December 12, 2011, DPH responded to Complainant's IDR by email. DPH understood and summarized Complainant's request #1 to be for "the names of the agencies that regulate and accredit the health care that DPH delivers at our hospitals and clinics." In response, DPH provided the names and contact information for the federal-level Centers for Medicare and Medicaid Services, Division of Survey and Certifications, as well as for the state-level California Department of Public Health Licensing and Certification Program.

DPH understood and summarized Complainant's request #2 to be for "what state and federal agencies can you complain to regarding ADA compliance." In response, DPH directed Complainant to the Mayor's Office on Disability, as well as to the federal ADA website.

DPH understood and summarized Complainant's request #3 to be "you are asking for the same information as item 2 but also are including City and County of San Francisco and any other agencies in addition to the state and federal agencies." In response, DPH directed Complainant to the City Department's ADA coordinator website.

**MEMORANDUM**

TO: Sunshine Ordinance Task Force  
DATE: March 29, 2012  
PAGE: 3  
RE: *Complaint No. 11099 – Garza v. Department of Public Health*

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On December 12, 2011, Complainant responded to DPH by email. In this December 12, 2011 email, Complainant informed DPH that the state agency (California Department of Public Health Licensing and Certification Program) instructed Complainant that they do not take complaints against "Departments of public health only clinics." Complainant further claimed that DPH's response to request #2 was inadequate, and requests specific contact names, telephone numbers, and email addresses. Complainant further claimed that DPH's response to request #3 was similarly inadequate, and requests DPH to provide the name of the specific "enforcement agencies" who could "have the perps arrested."

DPH made no additional response, and on December 21, 2011, Complainant brought his complaint to the Task Force.

**QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS:**

- Is Complainant's requests for the names, telephone numbers, or contact persons at various local, state, and federal agencies a public records request?
- Has Complainant made any request for public information that is held or controlled by DPH in documentary form? If so, what documents have been requested?
- Does DPH have any documents (that is, documentary records) responsive to Complainant's public records/information requests? If so, have those documents been provided to Complainant?

**LEGAL ISSUES/LEGAL DETERMINATIONS:**

- Are the names of various local, state, or federal agencies a "public record" within the meaning of the Brown Act or the Ordinance?
- Does the Ordinance require an agency (i.e. DPH) to provide answers to general questions, even if there is no actual documentary record being requested?
- Did DPH's responses to Complainant's email inquiries comply with the requirements of Ordinance with regard to providing public records?
- Did DPH's responses to Complainant's email inquiries comply with legal requirements regarding providing public information in a non-documentary form?
- Has DPH complied with the requirements of the Ordinance, the PRA and the Brown Act?

**CONCLUSION**

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THE ALLEGED VIOLATIONS TO BE TRUE OR NOT TRUE.



Fw: 12/12/2011 - Response - Still not what was REQUESTED. - Fw: 12/9/2011 - IMMEDIATE DISCLOSURE REQUEST

Jason Grant Garza

to:

sotf@sfgov.org, sotf@brucewolfe.net, hopeannette@earthlink.net, Eileen.Shields@sfdph.org, Barbara.Gracia@sfdph.gov, Joseph.Pace@sfdph.gov, Publicrecords.dph@sfgov.org, jasongrantgarza@yahoo.com

12/21/2011 10:09 PM

Cc:

"Donald.White@oig.hhs.gov", "kathleen.Sebelius@hhs.gov", "Kathleen.Billingsley@cdph.ca.gov", "DDooley@chhs.ca.gov", "opi.net.post@ssa.gov"

Hide Details

From: Jason Grant Garza <jasongrantgarza@yahoo.com> Sort List...

To: "sotf@sfgov.org" <sotf@sfgov.org>, "sotf@brucewolfe.net" <sotf@brucewolfe.net>, "hopeannette@earthlink.net" <hopeannette@earthlink.net>, "Eileen.Shields@sfdph.org" <Eileen.Shields@sfdph.org>, "Barbara.Gracia@sfdph.gov" <Barbara.Gracia@sfdph.gov>, "Joseph.Pace@sfdph.gov" <Joseph.Pace@sfdph.gov>, "Publicrecords.dph@sfgov.org" <Publicrecords.dph@sfgov.org>, "jasongrantgarza@yahoo.com" <jasongrantgarza@yahoo.com>

Cc: "Donald.White@oig.hhs.gov" <Donald.White@oig.hhs.gov>, "kathleen.Sebelius@hhs.gov" <kathleen.Sebelius@hhs.gov>, "Kathleen.Billingsley@cdph.ca.gov" <Kathleen.Billingsley@cdph.ca.gov>, "DDooley@chhs.ca.gov" <DDooley@chhs.ca.gov>, "opi.net.post@ssa.gov" <opi.net.post@ssa.gov>

Please respond to Jason Grant Garza <jasongrantgarza@yahoo.com>

1 Attachment



pic16700.jpg

12/21/2011 10 pm PST Wednesday

To the Sunshine Task Force and Whom It May Concern:

Please process my this as a sunshine complaint for NOT complying with my IMMEDIATE DISCLOSURE REQUEST. Send me IMMEDIATELY the date of the hearing (SUNSHINE TASK FORCE) that this will be scheduled for. Also IMMEDIATELY let me know if there are any more "HOOPS" that I must jump through in order to have this process move forward ASAP.

Please know that this documentation serves as notice for the requested hearing having meet the requirements of notification as denoted in the ordinance. Therefore there should NOT be any delay in scheduling and if there is please notify me ASAP.

Thou I walk thru the VALLEY of SHADOWS,

Jason Grant Garza  
jasongrantgarza@yahoo.com

P.S. In addition to below which DENOTES the WRONG/INCORRECT (UN-FORFILLED IDR) information requested on a state level there is NOW a letter from CMS (federal level) regarding investigation/certification and ADA issues, etc stating:

*"It has come to the attention of the Western Division of Survey and Certification that, in response to your letter to the U.S. Department of Health and Human Services communicating your concerns about being denied medical care at the San Francisco Department of Public Health's Tom Waddell Clinic, CMS sent a response letter to you dated September 27, 2011. You then sent an email message on September 29, 2011 requesting further follow-up on this matter. Please be advised that there is nothing further that CMS can do to address your situation. Therefore, CMS considers this inquiry closed."*

Signed Steven Chickering.

So apparently the I received INCORRECT INFORMATION from SOMEONE !!! Or maybe LIKE Alice in Wonderland fell down the wrong hole ... YOU KNOW "THE DEAD END LEAD" hole. (I say this for if you look at my file an MOD's failure and the lack of ADA (Madeline) help ... you will begin to see a pattern ... PLEASE NOTE I AM INSERTING THIS FOR "REASONABLE" MEN )

Please note THAT AS OF TODAY ... I STILL HAVE NOT BEEN SENT # 3 ...the ENFORCEMENT AGENCIES TO ARREST THE PERPS.

P.P.S Please respond ASAP and HAVE a NICE DAY and GOD BLESS.

— Forwarded Message —

From: Jason Grant Garza <jasongrantgarza@yahoo.com>

To: "Barbara.Garcia@sfdph.org" <Barbara.Garcia@sfdph.org>; "Eillen.Shields@sfdph.org"

<Eileen.Shields@sfdph.org>; "jasongrantgarza@yahoo.com" <jasongrantgarza@yahoo.com>  
Sent: Monday, December 12, 2011 4:27 PM  
Subject: Fw: 12/12/2011 - Response - Still not what was REQUESTED. - Fw: 12/9/2011 - IMMEDIATE DISCLOSURE REQUEST

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

From: Jason Grant Garza <jasongrantgarza@yahoo.com>  
To: "publicrecords.dph@sfgov.org" <publicrecords.dph@sfgov.org>; "Eileen.Shields@sfdph.gov" <Eileen.Shields@sfdph.gov>; "Barabara.Garcia@sfdph.gov" <Barabara.Garcia@sfdph.gov>; "Joseph.Pace@sfdph.org" <Joseph.Pace@sfdph.org>; "jasongrantgarza@yahoo.com" <jasongrantgarza@yahoo.com>; "soff@sfgov.org" <soff@sfgov.org>; "soff@brucewolfe.net" <soff@brucewolfe.net>; "hopeannette@earthlink.net" <hopeannette@earthlink.net>  
Cc: "DoanId.White@oig.hhs.gov" <DoanId.White@oig.hhs.gov>; "Kathleen.Sebelius@hhs.gov" <Kathleen.Sebelius@hhs.gov>; "Kathleen.Billingsley@cdph.ca.gov" <Kathleen.Billingsley@cdph.ca.gov>; "DDooley@chhs.ca.gov" <DDooley@chhs.ca.gov>; "opi.net.post@ssa.gov" <opi.net.post@ssa.gov>  
Sent: Monday, December 12, 2011 4:22 PM  
Subject: 12/12/2011 - Response - Still not what was REQUESTED. - Fw: 12/9/2011 - IMMEDIATE DISCLOSURE REQUEST

12/12/2011

To Whom It may Concern (Since there is no signature as to whom SPECIFICALLY this came from) and ALL Others:

First thank you for your response and the name of Kelly Valente to followup with at the CMS. I will contact and let you know if you "STEERED" me in the right direction.

On the matter of the STATE AGENCY ... you are INCORRECT for when I contacted this agency ... they SPECIFICALLY told me they do NOT take complaint against DEPARTMENTS of PUBLIC HEALTH only clinics. I can provide you with the paperwork. If you are sure ... please provide me with an name and interface at L/C to proceed with the comliants. Would that be DIANA MARANA or maybe Kathleen Billingsley ... remeber I have my files and if you'll notice ... Ms. Billingsley has been cc'd in the emails to date.

On the matter of the number two (2) ... You are not providing WHAT is requested but rather trying to LEAD me DOWN a DEAD PATH (MOD) as the file will demonstate. Please send me the name, interface and phone numbers for the divisions you claim. Please send me the STATE information, Federal and CITY ... name and phone numbers.

On the matter of number three (3) ... you have NOT sent me the NAME of the ENFORCEMENT AGENCIIES as to where and who I go to to have the PERPS arrested? This includes city, state and federal. Number two is who and where to file complaints ... number three deals wth arresting agencies.

Please realize that I do NOT consider this IDR filled since as my email states above ... I have NOT gotten the information requested SPECIFICALLY where to go and HAVE the PERPS arrested.

Please respond ASAP.

Jason Grant Garza  
jasongrantgarza@yahoo.com

P.S. Who sent this ??? Please let me know ASAP as it has no signature.  
P.P.S. Have a NICE DAY and GOD BLESS.

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

From: PublicRecords DPH <PublicRecords.DPH@sfdph.org>  
To: Jason Grant Garza <jasongrantgarza@yahoo.com>  
Cc: SOTF <soft@sfgov.org>  
Sent: Monday, December 12, 2011 1:03 PM  
Subject: Re: 12/9/2011 - IMMEDIATE DISCLOSURE REQUEST

Dear Mr. Garza:

We have received your IDR e-mail of 12/9/11 and for purposes of responding, have re-stated your requests as I understand them.

Regarding item 1. You are asking for the names of the agencies that regulate and accredit the health care that DPH delivers at our hospitals and clinics.

Here are the state and federal agencies that regulate and accredit health centers and hospitals:

Federal resource:

Centers for Medicare and Medicaid Services  
Division of Survey and Certifications  
Kelly Valente (415)744-3709

State Resource:

California Department of Public Health  
Licensing and Certification Program  
(916)440-7360

or email:

[CDPH.internetadmin@CDPH.ca.gov](mailto:CDPH.internetadmin@CDPH.ca.gov)

Regarding item 2. You want to know what state and federal agencies you can complain to regarding ADA compliance.

The Mayor's Office on Disability is the local source of expertise on this topic and you may wish to consult with them on this matter.

The California State agency website access is at

<http://www.disabilityaccessinfo.ca.gov/lawsregs.htm%0A>

The federal ADA website is available at <http://www.ada.gov/>.

Regarding item 3. You are asking for the same information as item 2 but



also are including the City and County of San Francisco and any other agencies in addition to the state and federal agencies.

The link to the City Department's-ADA coordinators is:

<http://www.sfgov2.org/index.aspx?page=429>

Please clarify or re-state your request if I have misinterpreted any portion of it.

(Embedded image moved to file: pic16700.jpg)

Jason Grant Garza  
<jasongrantgarza@  
yahoo.com>

To

12/09/2011 10:45 AM  
"Barbara.Garcia@sfdph.org"  
<Barbara.Garcia@sfdph.org>,  
"Joseph.Pace@sfdph.org"

<Joseph.Pace@sfdph.org>,  
"PublicRecords.dph@sfgov.org"

Please respond to <PublicRecords.dph@sfgov.org>,  
Jason Grant Garza

"Eileen.Shield@sfdph.org"  
<Eileen.Shield@sfdph.org>,  
<jasongrantgarza@  
yahoo.com> "hopeannette@earthlink.net"

<hopeannette@earthlink.net>,  
"sotf@brucewolfe.net"  
<sotf@brucewolfe.net>,  
"sotf@sfgov.org" <sotf@sfgov.org>,  
"jasongrantgarza@yahoo.com"  
<jasongrantgarza@yahoo.com>

cc

"Donald.White@oig.hhs.gov"  
<Donald.White@oig.hhs.gov>,  
"Kathleen.Sebelius@hhs.gov"  
<Kathleen.Sebelius@hhs.gov>,  
"Kathleen.Billingsley@cdph.ca.gov"  
<Kathleen.Billingsley@cdph.ca.gov>,  
"DDooley@chhs.ca.gov"  
<DDooley@chhs.ca.gov>,  
"opi.net.post@ssa.gov"  
<opi.net.post@ssa.gov>

Subject

12/9/2011 - IMMEDIATE DISCLOSURE  
REQUEST

12/9/2011 10:45 am PST Friday

Attn: Barbara Garcia, Joseph Pace, Eileen Shields  
Re: IMMEDIATE DISCLOSURE REQUEST

IMMEDIATE DISCLOSURE REQUEST

To Barbara Garcia, Joseph Pace, Public Records Request Office, and Eileen Shields and Whom It May Concern:

Please be sure to forward this to the Custodian of Records, department head or who ever is in charge for compliance per the regulations for correct process.

As previous written requests indicate, THEREFORE:

Pursuant to all relevant provisions of the California Government Codes (Ralph M. Brown Act et al.) and the San Francisco Sunshine Ordinance, California Records Act, and the Federal FOIA Act - I would like to request a copy of the following:

All documents, emails, correspondence, logs, notes of conversation, notes of phone calls regarding:

(1) Please send me the CORRECT information as previously requested through Faye DeGuzman (Barbara's Garcia - Director of Public Health's Secretary) who sent me the wrong information (and subsequently not followed up on repeated requests for CORRECT INFORMATION) concerning who the CORRECT AGENCY who regulates/certifies/accredits the San Francisco Department of Public Health in regard to providing Medical Services to patients in order to file a complaint and have DPH unaccredited and de-certified. In the last INCORRECT information received by Ms. De Guzman the specific agency that she sent me to ( Public Health Accreditation Board ) who wrote back and told me that she (Ms De Guzman) was INCORRECT as to what I was seeking specifically stating in an email from Kay Bender, PhD, RN, FAAN, President and CEO Public Health Accreditation Board 1600 Duke Street, Suite 440 Alexandria, VA 22314 phone 703-778-4554 fax 703-778-4556 , President and CEO of Public Health Accreditation Board

“ Thank you for contacting the Public Health Accreditation Board regarding

your complaint of the City and County of San Francisco Department of Public Health. Public health department accreditation under the Public Health Accreditation Board does not include health services since accreditation of health services is handled by other entities. Therefore, your concerns are outside the scope of authority of the Public Health Accreditation Board.”

;(2) Please send me a the CORRECT information as to the CORRECT state and federal agencies to file an ADA PROGRAMMATIC ACCESS complaints with. Please realize that as the requester I am notifying you that if you DO NOT understand what I am requesting to contact me IMMEDIATELY for written/documented clarification. Please realize that you MUST work with the requester to get him what is clearly required and if you DO NOT understand what is clearly required ... do NOT hesitate to contact the requester.

; (3) Please also send me ALL enforcement agencies (city, state and federal) where the PROGRAMMATIC ACCESS complaint can be filed and investigated. In other words WHERE do I CORRECTLY go to ... the San Francisco Police Department and file an ADA complaint with them for denial of access and accommodation and have the perps arrested?

This request includes all paperwork sent, received, emailed or any other form of transmittal to all involved. This request includes all paperwork sent, received, emailed or any other form of transmittal from all involved. This request also includes all internal documentation generated by this sunshine request matter also. (From inception to present date) ... for example any documentation, notes, logs, tapes, emails, etc from any individual to any other individual regarding any matter concerning this matter, its handling, deposition, etc.

Please realize that per the sunshine regulations ... you must be helpful in resolving and getting me what I specifically request. You MUST work with the requester to clearly provide what is required.

Sincerely,

Jason Grant Garza  
1369 B. Hayes Street  
San Francisco, CA 94117  
[jasongrantgarza@yahoo.com](mailto:jasongrantgarza@yahoo.com)

email cc:

Kathleen Sebelius - Secretary of Health & Human Services  
Donald White - Office of Inspector General

P.S. Is NOT a similar as the DNA CRIME LAB RE-ACCREDITATION SCANDAL (see current newspaper articles ... faulty processes, missing information, etc?)

P.P.S. Have a NICE DAY and GOD BLESS.

Subject: 3/11 - Still awaiting response from MINISTRY and CHAIR - Fw: 3/5/2012 - Partial Response A ( #2 and incorrect rescheduling of DPH's IDR) - Fw: Hearing Notice re Complaint 11099, Garza v. DPH  
From: Jason Grant Garza  
To: "sotf@sfgov.org", "sotf@brucewolfe.net", "jasongrantgarza@yahoo.com", "hopeannette@earthlink.net", "Adam.Taylor@sfgov.org", "Scott.Wiener@sfgov.org", "ggiubbini@sftc.org", "Donald.White@oig.hhs.gov", "Kathleen.Sebelius@hhs.gov", "Kathleen.Bilingsley@cdph.ca.gov", "DDooley@chhs.ca.gov", "opi.net.post@ssa.gov", "Marilyn.Tavener@cms.hhs.gov"  
Date: 03/11/2012 09:15 AM

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3/11/2012 SUNDAY (Note prior email sent in MONDAY 3/5)

To Whom It May Concern: Administrator, Chair and Vice Chair:

Please note that I STILL AWAIT response. Also please realize that I am currently working on the other items of concern # 1 and # 3 of CHAIR Johnson's email since I have responded to # 2 and await an answer. In order for process to correctly work ... answers MUST be forthcoming and two-way ( this is NOT the case at the MINISTRY of SUNSHINE) as this example will demonstrate. Shall we see how much longer on the MIS-SCHEDULING, how much longer before PROPER and CORRECT RESPONSE, or even the ADMISSION of FAILED POLICY (45 days ) and that the FAILED POLICY had been previously forewarned and NOT acted upon NOR accounted for. ( See documentation sent into the MINISTRY (Knee) DOCUMENTING this.)

Please realize that as I state I am working on items # 1 and # 3 however I am DOCUMENTING (for "REASONABLE men) awaiting ANSWER, RESPONSE or any form of HUMANITY from the MINISTRY. Please note that the DOCUMENTATION continues to exhibit the FARCE and FAILURE of the MINISTRY who SITS in JUDGMENT while NOT CORRECTLY PERFORMING per its OWN POLICY as denoted in this set of IDRS and naturally the 11010-11012 IDRS that I wrote Knee over. Please realize that I will continue to bring up these "TRUTHS" at the MINISTRY of SUNSHINE ( as I did at the Mar 7th hearing ) and will continue to SHOW MY SHAME and HORROR at the MINISTRY by continuing to tell the "TRUTH" and SUNSHINEING not just this FACT but others such as the false claim of ADA help that I and the CHAIR still have to present to the PUBLIC (remember the July 2011 hearing) unless that "TRUTH" is to be buried by the MINISTRY such as the NON-RESPONSE to the 45 day repeated failures.

Please note that I STILL DEMAND CORRECT ORDER on the SCHEDULING of my

IDRS and naturally a response from the chair regarding the Sept 2011 IDR for the Haight Ashbury that I sent to her personal address that she apparently got confused with regarding the scheduling by trying to tie my request to an old IDRS (11010-11012.) Please note that I am constantly put on NOTICE that I must comply with paperwork requests and responses HOWEVER as the record indicates the SAME DIGNITY, HUMANITY and DECENCY is not recipitated. Thank YOU for allowing me the OPPORTUNITY to DOCUMENT for "REASONABLE men."

How much LONGER on RESPONSE or will the tactic be as always NO RESPONSE just BAD INCORRECT PROCEDURE while demanding/requesting that I follow your wishes ... NOT very PROFESSIONAL at all.

Please respond ASAP.

Thou I walk thru the VALLEY of SHADOWS.

Jason Grant Garza  
jasongrantgarza@yahoo.com

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

**From:** Jason Grant Garza <jasongrantgarza@yahoo.com>  
**To:** "soft@sfgov.org" <soft@sfgov.org>; "soft@brucewolfe.net" <soft@brucewolfe.net>; "hopeannette@earthlink.net" <hopeannette@earthlink.net>; "jasongrantgarza@yahoo.com" <jasongrantgarza@yahoo.com>; "Adam.Taylor@sfgov.org" <Adam.Taylor@sfgov.org>; "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>; "ggiubbini@sftc.org" <ggiubbini@sftc.org>  
**Cc:** "Donald.White@oig.hhs.gov" <Donald.White@oig.hhs.gov>; "Kathleen.Sebelius@hhs.gov" <Kathleen.Sebelius@hhs.gov>; "Kathleen.Billingsley@cdph.ca.gov" <Kathleen.Billingsley@cdph.ca.gov>; "DDooley@chhs.ca.gov" <DDooley@chhs.ca.gov>; "opi.net.post@ssa.gov" <opi.net.post@ssa.gov>; "Marilyn.Tavener@cms.hhs.gov" <Marilyn.Tavener@cms.hhs.gov>  
**Sent:** Monday, March 5, 2012 10:13 AM  
**Subject:** 3/5/2012 - Partial Response A ( #2 and incorrect rescheduling of DPH's IDR) - Fw: Hearing Notice re Complaint 11099, Garza v. DPH

3/5/2012 Monday 10:15 am PST

To Whom It May Concern: Administrator, Chair and Vice Chair:

Please note that below is an email that I received from the Chair regarding

case # 11099 and other matters. (see below).

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Thou I walk thru the VALLEY of SHADOWS,

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jasongrantgarza@yahoo.com

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P.P.S. Have a NICE DAY and GOD BLESS.

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

**From:** Hope Johnson <hopeannette@earthlink.net>  
**To:** jasongrantgarza@yahoo.com  
**Cc:** SOTF <sotf@sfgov.org>  
**Sent:** Saturday, March 3, 2012 11:26 AM  
**Subject:** Fw: Hearing Notice re Complaint 11099, Garza v. DPH

Mr. Garza:

Following is the notice I requested be sent to you on Thursday, March 1.

Hope Johnson

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

>From: Hope Johnson <hopeannette@earthlink.net>  
>Sent: Mar 1, 2012 11:58 AM  
>To: SOTF <sotf@sfgov.org>  
>Cc: Jerry Threet <jerry.threet@sfgov.org>  
>Subject: Hearing Notice re Complaint 11099, Garza v. DPH

>Hi Andrea:

>Please send notice to the parties in Complaint No. 11099 that the hearing is being rescheduled for April 4, 2012.

>Please also send the message below to Mr. Garza regarding the allegations in his multiple emails. I am requesting he provide the SOTF with specific information or we will not be further responding to these requests. I am not familiar with practices of the Clerk's office for handling these types of matters so please check with Rick Caldeira on his preferred approach for you to respond to Mr. Garza should Mr. Garza refuse to provide information for us to assess his allegations and requests.

>Going forward, I will only be responding to either specific details of his allegations or newly filed Sunshine complaints starting with Complaint No. 11099.

>Thank you for your assistance.

>  
>Hope Johnson  
>  
>  
>

Dear Mr. Garza:

>In an effort to provide adequate time to address and resolve the allegations you submitted to the Sunshine Ordinance Task Force, the hearing on your Complaint No. 11099 against DPH is being rescheduled for April 4, 2012 at 4:00pm in Room 408 of City Hall.

>  
>Please provide specific details to the SOTF Administrator on your following allegations.

>  
>(1) Errors in the Order of Determination for Complaint No. 11081.

>Please state with specificity the errors in this Order so that we can follow up on your allegations. If you are unable or unwilling to state the errors, we will not be able to address your allegation. Merely stating there is an error does not provide sufficient information for review of the Order. If the error you allege is related to the HIPAA release form, your allegation is unfounded. DPH admitted at the November 29, 2011 hearing that it is in possession of one signed form from 2006 only, and that is reflected in the Order of Determination.

>  
>(2) Details on your IDR complaint against Haight Ashbury Clinic allegedly filed in September 2011.

>Please provide details of this IDR complaint you state was filed with the Sunshine Ordinance Task Force. We are unable to find specific details for this complaint. Please re-submit the details so that the new SOTF Administrator can process your complaint.

>(3) ADA accommodations.

>Please provide with specificity the accommodations you are requesting. Several people have attempted multiple times to discuss your needs with you but you have refused to state the ADA accommodations you require. If you are unwilling or unable to state with specificity the accommodations you are seeking, we cannot assess your request.

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>Thank you for your attention to these matters. Please be advised that this is my final attempt at learning the specifics of your allegations. If you are unable or unwilling to provide details of your allegations, neither I nor the SOTF Administrator will be further responding to you on these specific matters.

>  
>Hope Johnson, SOTF Chair

Subject: 3/5/2012 - Partial Response A (#2 and incorrect rescheduling of DPH's IDR) - Fw: Hearing Notice re Complaint 11099, Garza v. DPH  
From: Jason Grant Garza  
To: "sotf@sfgov.org", "sotf@brucewoffe.net", "hopeannette@earthlink.net", "jasongrantgarza@yahoo.com", "Adam.Taylor@sfgov.org", "Scott.Wiener@sfgov.org", "ggiubbini@sftc.org", "Donald.White@oig.hhs.gov", "Kathleen.Sebelius@hhs.gov", "Kathleen.Billingsley@cdph.ca.gov", "DDooley@chhs.ca.gov", "opi.net.post@ssa.gov", "Marilyn.Tavener@cms.hhs.gov"  
Date: 03/05/2012 10:12 AM

---

3/5/2012 Monday 10:15 am PST

To Whom It May Concern: Administrator, Chair and Vice Chair:

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Hope Johnson, SOTF Chair



**Fw: 11099, Garza v. Department of Public Health**

SOTF to:

04/02/2012 04:24 PM

Sent by: **Andrea Ausberry**

Bcc: dsnyder, rak0408, scau1321, smanneh, amwashburn,  
jay.costa09, sotf, han467, hopeannette, jacksonwest

The following is the Respondents response regarding the above referenced complaint.

Best,

**Andrea S. Ausberry**

**Administrator**

Sunshine Ordinance Task Force

Office 415-554-7724 | Fax 415-554-5163

sotf@sfgov.org | www.sfbos.org

City Hall, 1 Dr. Carlton B. Goodlett Place, Rm. 244

San Francisco, CA 94102

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----- Forwarded by Andrea Ausberry/BOS/SFGOV on 04/02/2012 04:23 PM -----

**Re: Hearing Rescheduled April 4th - 11099, Garza v. Department of Public Health**

Eileen Shields to: SOTF

04/02/2012 02:19 PM

Cc: Alice A Gleghorn, Andrea Ausberry

From: Eileen Shields/DPH/SFGOV

To: SOTF/SOTF/SFGOV@SFGOV

Cc: Alice A Gleghorn/DPH/SFGOV@SFGOV, Andrea Ausberry/BOS/SFGOV@SFGOV

The content of these e-mails have been responded to on numerous occasions by this Department and the matters have since been heard before the SOTF--also on several overlapping hearings. At this time, the Department of Public Health has no further information to provide Mr. Garza, nor do we see any additional specific requests for new information that has not already been provided to him. The nature of his complaint appears to be one of further appeal, rather than seeking new documents.

We do not intend to send a representative or appear at this hearing.

If the SOTF determines that Mr. Garza is asking for any new information that has not already been heard or responded to, we would be happy to provide him with the public documents he is requesting.





