

Date: April 21, 2011

Item No. 2 & 3
File No. 11010

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Jason Grant Garza Haight-Ashbury Free Clinic**
-
-
-
-
-
-
-
-
-
-

Completed by: Chris Rustom

Date: April 18, 2011

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



DENNIS J. HERRERA
City Attorney

JERRY THREEET
Deputy City Attorney

Direct Dial: (415) 554-3914
Email: jerry.threet@sfgov.org

MEMORANDUM

April 15, 2011:

JASON GRANT GARZA VS. HAIGHT-ASHBURY FREE CLINIC (11010-11012)

COMPLAINT

THE COMPLAINANT ALLEGES THE FOLLOWING:

Complainant Jason Grant Garza ("Complainant") alleges that the Haight-Ashbury Free Clinic ("HAFC") has failed to adequately respond to his Immediate Disclosure Requests ("IDRs") made on December 22, 2010, January 12, 2011, and January 21, 2011.

COMPLAINANT FILES COMPLAINT:

It is unclear when the complaints against HAFC were officially filed. Mr. Garza forwarded by email to the Task Force administrator each of his emails containing the 3 IDRs on the following dates: December 24, 2010, January 14, 2011, and January 31, 2011. It appears Mr. Rustom responded by informing Mr. Garza that he would need to complete a Sunshine complaint form, or at least provide the information requested on the complaint form. After first insisting to Mr. Rustom and Chair Knee that he had followed Task Force procedures and had already filed complaints for these IDRs by providing his earlier emails, Mr. Garza appears to have completed complaint forms for each complaint on March 2, 2011.

JURISDICTION:

HAFC is a non-profit receiving over \$3 Million in funds from the City and County of San Francisco. Section 12L of the Administrative Code provides that a non-profit that receives \$250,000.00 or more in grants from the City, is governed by that section. It would therefore appear that the Task Force has jurisdiction to hear a complaint against HAFC.

APPLICABLE STATUTORY SECTION(S):

Section 12L of the San Francisco Administrative Code:

- Section 12L.1 addresses intent of this section.
- Section 12L.3(e) deals with definitions.
- Section 12L .5(a) deals with public access to records.

APPLICABLE CASE LAW:

None.

MEMORANDUM

TO: Sunshine Task Force
 DATE: April 15, 2011
 PAGE: 2
 RE: Complaint 11010-11012: Garza vs. HAFC

ISSUES TO BE DETERMINED:**FACTUAL ISSUES:**

Uncontested/Contested Facts: Complainant alleges that HAFC failed to adequately respond to his three IDRS, made on December 22, 2010, January 12, 2011, and January 21, 2011. Those IDRs sought the following documents from HAFC:

- December 22, 2010: "Pursuant to prior unfilled requests (see case file for documentation) for contact information regarding HAFC Board members such as corporate mailing addresses, corporate email addresses and corporate phone numbers for easy contact ... this IDR again requests this contact information. In addition this IDR also requests all contact information (name, phone number, title, etc) of your ADA compliance officer in order to proceed with an ADA complaint and receive the requested help. If you have NO such officer then this must be noted and documented through acknowledgment of this particular fact when responding to this IDR. Please provide information as to when your ADA officer came on board (HAFCI), list of qualifications and resume to ensure that 'no stone be left unturned' in case there is a question of competency based on his handling of my matters (ADA.)"
- January 12, 2011: "All documents, emails, correspondence, logs, notes of conversation, notes of phone calls regarding: (1) HAFCI and city funding (how many years, how much money HAFCI has received); (2) paperwork surrounding compliance with Sunshine during this period (such as paperwork signed off by HAFCI stating complying with SUNSHINE regulations in order to receive funding ... such as training and compliance); (3) A list of all other prior denials to comply with SUNSHINE; (4) A list of HAFCI 's sunshine officer//custodian of records during the requested period; and (5) names and official email addresses and phone numbers for the city departments and personnel involved in administrating the city funding and compliance with regulations that HAFCI specifically dealt with and interfaced with in order to give the illusion of compliance with required regulation to receive city funding per law. 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."
- January 21, 2011: "All documents, emails, correspondence, logs, notes of conversation, notes of phone calls regarding: (1) name and list of city, state, and federal agencies that regulate medical care and basic medical standards of treatment provided by HAFCI (basically who does HAFCI report to and what regulations and who their regulators are for insuring medical compliance and basic standard of care) ; (2) schedule and list of doctors that HAFCI has employed in the last five years (since per the attached paperwork ... "Mr. Sears is the ONLY physician HAFCI currently has" - see pdf attachment labeled "10071-response"); (3) the number of patients receiving treatment vs number of doctors .. i.e, patient/doctor ration for each and every doctor of HAFCI for the last five years; (4) a

MEMORANDUM

TO: Sunshine Task Force
DATE: April 15, 2011
PAGE: 3
RE: Complaint 11010-11012: Garza vs. HAFC

copy of my SIGNED release/authorization for HAFCI to receive my medical record from DPH as was submitted as part of HAFCI's pdf response to Sunshine case # 10071 (since HAFCI is denying me medical records without signing a release ... how could they get medical information without me signing a release?); (5) An explanation as to who 134171 is on the attached paperwork (medical record from DPH to Mark Sears dated 10/28/2011 – see attachment labeled “softresponse0001.jpeg”.); (6) a list of ALL revenue streams ... be it CCSF (City), HH&S (Medicare- Federal) and CDHS (State level.); (7) “MOU” Memo of Understanding or whatever document allows access and information (medical) retrieval by HAFCI on the city's computer and database as exhibited by “softresponse0001.jpeg” (DPH medical records) to be released and under what conditions, rules and laws apply in order to protect records and privacy of patient. 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.”

As of the date of this memo, I have not been provided any official response to the Sunshine complaints from HAFC.

LEGAL ISSUES/LEGAL DETERMINATIONS:

- Is HAFC subject to the requirements of the Sunshine Ordinance or the Public Records Act (PRA)?
- Are the documents sought by complainant "public records" subject to disclosure under those statutes?
- If HAFC is not subject to the Ordinance or the PRA, is it subject to Admin. Code 12L?
- If so, are the documents sought by complainant required to be disclosed under 12L?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

MEMORANDUM

TO: Sunshine Task Force
DATE: April 15, 2011
PAGE: 4
RE: Complaint 11010-11012: Garza vs. HAFC

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

Section 12L.1 of the Administrative Code (The San Francisco Non-Profit Public Access Ordinance) provides:

INTENT

a.) The intent of this Chapter is to establish a policy wherein the City ensures that non-profit organizations with which the City chooses to do business operate with the greatest possible openness and maintain the closest possible ties to communities they intend to serve. Section 12L.3(e) of the Administrative Code provides:

DEFINITIONS

e.) "Non-profit Organization" shall mean any corporation formed pursuant to California Corporations Code sections 500 et seq. for any public or charitable purpose, and/or any organization described with 26 USC section 501(c), which receives a cumulative total per year of at least \$250,000 in City-provided or City-administered funds.

Section 12L.5(a) of the Administrative Code (The San Francisco Non-Profit Public Access Ordinance) provides:

PUBLIC ACCESS TO RECORDS

a) **Disclosure of Financial Information.** Subject to Section 12L.5(c) each nonprofit organization shall maintain and make available for public inspection and copying a packet of financial information concerning the nonprofit organization. The packet shall include, at a minimum, (1) the nonprofit organization's most recent budget as already provided to the City in connection with the nonprofit organization's application for , in or in connection with the review and/or renewal of, the nonprofit organization's contract, 2.) its most recently filed state and federal tax returns except to the extent those returns are privileged and 3.) any financial audits of such organization performed by or for the City and any performance evaluations of such organization by or for the City pursuant to a contract between the City and the nonprofit organization to the extent that such financial audits and performance evaluation i.) are in the nonprofit organization's possession, ii.) may be publicly disclosed under the terms of the contract between the City and the nonprofit organization, and iii.) relate the nonprofit corporation's performance under its contract with the City within the last two years.

MEMORANDUM

TO: Sunshine Task Force
 DATE: April 15, 2011
 PAGE: 5
 RE: Complaint 11010-11012: Garza vs. HAFC

CHAPTER 67 OF THE SAN FRANCISCO ADMINISTRATIVE CODE

SEC. 67.20. DEFINITIONS.

Whenever in this article the following words or phrases are used, they shall mean:

- (a) "Department" shall mean a department of the City and County of San Francisco.
 (b) "**Public Information**" shall mean the content of "**public records**" as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication. "Public Information" shall not include "computer software" developed by the City and County of San Francisco as defined in the California Public Records Act (Government Code Section 6254.9).

SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS;
ADMINISTRATIVE APPEALS.

- (a) Every person having **custody of any public record** or public information, as defined herein, (hereinafter referred to as a custodian of a public record) shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, **permit the public record**, or any segregable portion of a record, **to be inspected and examined by any person** and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.
 (b) A custodian of a public record shall, as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.

CAL GOV CODE § 6252. DEFINITIONS

As used in this chapter:

- (a) "Local agency" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or **any board, commission or agency thereof**; other local public agency; or **entities that are legislative bodies of a local agency** pursuant to subdivisions (c) and (d) of Section 54952.
 (b) "Member of the public" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.
 (c) "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.
 (d) "Public agency" means any state or local agency.
 (e) "**Public records**" includes **any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics**. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.



SUNSHINE ORDINANCE TASK FORCE
 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
 Tel. (415) 554-7724; Fax (415) 554-7854
<http://www.sfgov.org/sunshine>

SUNSHINE ORDINANCE COMPLAINT

Complaint against which Department or Commission Haight Ashbury Free Clinic

Name of individual contacted at Department or Commission _____

- Alleged violation public records access
 Alleged violation of public meeting. Date of meeting _____

Sunshine Ordinance Section _____
(If known, please cite specific provision(s) being violated)

Please describe alleged violation. Use additional paper if needed. Please attach any relevant documentation supporting your complaint.

See attached

Do you want a public hearing before the Sunshine Ordinance Task Force? yes no
 Do you also want a pre-hearing conference before the Complaint Committee? yes no

(Optional)¹

Name Jason Grant Garza Address _____

Telephone No. _____ E-Mail Address _____

Date _____

I request confidentiality of my personal information. yes no Signature _____

¹ NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE MAY BE SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. YOU MAY LIST YOUR BUSINESS/OFFICE ADDRESS, TELEPHONE NUMBER AND E-MAIL ADDRESS IN LIEU OF YOUR HOME ADDRESS OR OTHER PERSONAL CONTACT INFORMATION. Complainants can be anonymous as long as the complainant provides a reliable means of contact with the SOTF (Phone number, fax number, or e-mail address).



Jason Grant Garza
<jasongrantgarza@yahoo.com>
m>

03/02/2011 11:13 AM

To sotf@sfgov.org, rak0408@earthlink.net,
jasongrantgarza@yahoo.com

cc

bcc

Subject 3/2/2011 IMMEDIATE DISCLOSURE REQUEST
(12/22/2010) HAFCI IDR # 2

3/2/2011

Mr. Rustom per your request.

--- On Sun, 2/13/11, Jason Grant Garza <jasongrantgarza@yahoo.com> wrote:

From: Jason Grant Garza <jasongrantgarza@yahoo.com>
Subject: Fw: Re: Fw: IMMEDIATE DISCLOSURE REQUEST (12/22/2010) HAFCI IDR # 2
(My response to Mr. Knee)
To: sotf@sfgov.org, rak0408@earthlink.net, jaygarza@pacbell.net
Date: Sunday, February 13, 2011, 1:27 AM

2/12/2011 5:30pm PST

Dear Mr. Knee:

Ok let's try this again here's a quote from the website under documents--> policies and procedures ---> Complaint Procedure which states " B. Filing a Complaint with the SOTF

1. A letter or complaint form may be submitted to the SOTF via mail, fax or electronic mail (email), or in person. If a complaint letter is received, the Administrator shall complete a complaint form and send a copy to the complainant for their review."

So please in explain again why when my email letter below was received, the Administrator didn't complete a complaint form and send a copy to the complainant.

Now you claim to be sending this in order to expedite ... was not the letter (email) notification sent in 12/24 and why was is not expedited then? So what you have done has cleverly tried to evade the question by trying to assure me of expedited help now. You have not answered my question questioning your procedure since it is STILL CLEAR AS MUD. Please explain this. Remember the email is dated 12/24 ... that was six (6) weeks ago ... please expedite your answer to me regarding this failure in stated procedure as quote above.

In fact what this has done is HARM, delay and continue the inhumane treatment.

I await your answer and will work on responding to your emails regarding IDR # 3 and # 4.

Sincerely,

Jason Grant Garza
jasongrantgarza@yahoo.com
415-922-7781

P.S. Maybe we should ask the city attorney what his interpretation is ... ha, ha, ha. Or maybe you can expedite me an ANSWER to when the next FULL TASK FORCE BOARD MEETING will occur with all eleven (11) members present ... ha, ha, ha ... another convenient illusion in a rigged process.

--- On Sat, 2/12/11, Richard Knee <rak0408@earthlink.net> wrote:

From: Richard Knee <rak0408@earthlink.net>
Subject: Re: Fw: IMMEDIATE DISCLOSURE REQUEST (12/22/2010) HAFCI IDR # 2
To: "Jason Grant Garza" <jasongrantgarza@yahoo.com>
Cc: sotf@sfgov.org, jaygarza@pacbell.net, "SFCityAtty_Threet Jerry" <Jerry.Threet@sfgov.org>
Date: Saturday, February 12, 2011, 11:49 PM

Dear Mr. Garza,

Pursuant to your query, perhaps we can expedite this matter if you will respond by e-mailing the following information:

1. Respondent(s)

A. Agency named in your complaint.

B. Individual(s) you believe violated your rights under the Sunshine Ordinance, the state Public Records Act or the Brown (state open meetings) act.

2. Violation(s)

A. Please describe the specific violation(s).

B. Please list the date(s), time(s) and location(s) of these violations.

C. If possible, please identify the specific provision(s) of local or state sunshine law that you believe were violated.

3. Hearings

A. Do you wish a pre-hearing on this matter?

B. Do you wish a full hearing on this matter?

4. Please provide whatever contact information that you are willing to have be a matter of public

record.

5. Please indicate if you request anonymity.

Once you have provided the information requested above, the Task Force Administrator will be able to schedule hearings before the Complaint Committee, before the Task Force (if jurisdiction is found), and before the Compliance and Amendments Committee or the Education, Outreach and Training Committee (if a violation is found). Thank you for your kind attention.

Sincerely,
Richard Knee
Task Force Chair

C: Chris Rustom, Task Force Administrator
Jerry Threet, Deputy City Attorney

2/12/2011 11:50 am PST

Dear Mr. Rustom:
Re: HAFCI IDR #2 Complaint Scheduling

As per your previous email which I received today:

“Mr. Jason Grant Garza,

A complaint has to be filed before I can schedule a hearing. As in #10038 and #10071, the form is available at <http://www.sfbos.org/index.aspx?page=5559> or let me know if you need assistance. “ ...

informing me that I would need to fill out a complaint form ... please explain this from your website:

“Summary of the Complaint Procedures

1.

You may fill out a complaint form online or access a form at sfgov.org/site/sunshine, or you may send your own letter filing a formal complaint. File the complaint with the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Pl., Room 244, San Francisco, CA

94102-4689; or you may send it by fax to (415) 554-7854 or email to soft@sfgov.org.”

Did not this prior email (letter) serve as such this email was dated 12/24 for my IDR #2 against HAFCI addressed to you. Please explain before I spend more time in a false rigged process if what is stated on the website is NOT TRUE.

Still clear as mud if you won't follow your own procedure.

Sincerely,

Jason Grant Garza
jaygarza@pacbell.net
415-922-7781

--- On Fri, 12/24/10, jaygarza@pacbell.net <jaygarza@pacbell.net> wrote:

From: jaygarza@pacbell.net <jaygarza@pacbell.net>
Subject: Fw: IMMEDIATE DISCLOSURE REQUEST (12/22/2010)
To: jasongrantgarza@yahoo.com
Date: Friday, December 24, 2010, 2:32 PM

Original Message:

From: Jason Grant Garza jasongrantgarza@yahoo.com
Date: Fri, 24 Dec 2010 06:30:50 -0800 (PST)
To: soft@sfgov.org, JGlassford@hafci.org, NAbdullah@hafci.org,
JEckstrom@hafci.org, jaygarza@pacbell.net, Donald.White@oig.hhs.gov,
Kathleen.Sebelius@hhs.gov
Subject: Fw: IMMEDIATE DISCLOSURE REQUEST (12/22/2010)

12/24/2010

Dear Mr.Rustom:

Â Â Â Please process this IMMEDIATELY as ANOTHER IDR violation by HAFCI.
Please contact me ASAP regarding this and its processing. I do NOT want it
to be delayed and NOT heard in front of ALL MEMBERS.

Sincerely,

Jason Grant Garza
415-922-7781
jaygarza@pacbell.net

P.S. Have a nice holiday as I CAN NOT based on the INHUMANITY and lack of HELP. This is NOTED for the file and leaving no room for plausible denial by the other side. I am SURE that the file will illuminate the REASONS and PARTIES responsible.

Â
--- On Wed, 12/22/10, Jason Grant Garza <jasongrantgarza@yahoo.com> wrote:

From: Jason Grant Garza <jasongrantgarza@yahoo.com>
Subject: IMMEDIATE DISCLOSURE REQUEST (12/22/2010)
To: NAbdullah@hafci.org, JEckstrom@hafci.org, JGlassford@hafci.org,
jaygarza@pacbell.net
Cc: Donald.White@oig.hhs.gov, Kathleen.Sebelius@hhs.gov
Date: Wednesday, December 22, 2010, 6:00 PM

12/22/2010

NAbdullah@hafci.orgÂ (Director of Health Center Operations)
Haight Ashbury Free Clinic
415-746-1931

JEckstrom@hafci.orgÂ Â (CEO)Â Â Â Â Â Â Â Â
Haight Ashbury Free Clinic
415-746-1967 ext5ext4

JGlassford@hafci.orgÂ Â Â Â Â Â
Haight Ashbury Free Clinic
415-746-1950

â€œIMMEDIATE DISCLOSURE REQUESTâ€

To 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.

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:

Pursuant to prior unfilled requests (see case file for documentation) for contact information regarding HAFCI Board members such as corporate mailing addresses, corporate email addresses and corporate phone numbers for easy contact ... this IDR again requests this contact information.

In addition this IDR also requests all contact information (name, phone number, title, etc) of your ADA compliance officer in order to proceed with an ADA complaint and receive the requested help. If you have NO such officer then this must be noted and documented through acknowledgment of this particular fact when responding to this IDR. Please provide information as to when your ADA officer came on board (HAFCI), list of qualifications and resume to ensure that "no stone be left unturned" in case there is a question of competency based on his handling of my matters (ADA.)

Sincerely,

Jason Grant Garza
1369 B. Hayes
Street
San Francisco, CA 94117

email cc:

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

Get your own web address.
Have a HUGE year through [Yahoo! Small Business.](#)



Jason Grant Garza
<jasongrantgarza@yahoo.com>

03/31/2011 09:30 AM

To sotf@sfgov.org, rak0408@earthlink.net,
jasongrantgarza@yahoo.com
cc
bcc
Subject CFR 164.524 - Fw: RE: RE: Continuing to seek HELP. (My
response to Nazneen's 11/19 email)

3/31/2011

Dear Mr. Rustom and Mr. Knee:

Please include this to be presented to the board for the IDR hearings (sotf # 10071, 11010,11011,11012) IN ALL FOUR CASES (4) against HAFCI. Please acknowledge receipt and that the request has been fulfilled so that when these matters arrive before the board they will have MORE INFORMATION in which to judge not only the law but also the character of HAFCI.

Sincerely,

Jason Grant Garza
jasongrantgarza@yahoo.com

--- On **Mon, 12/13/10**, Nazneen Abdullah <NAbdullah@hafci.org> wrote:

From: Nazneen Abdullah <NAbdullah@hafci.org>
Subject: RE: RE: Continuing to seek HELP. (My response to Nazneen's 11/19 email)
To: "Jason Grant Garza" <jasongrantgarza@yahoo.com>
Date: Monday, December 13, 2010, 9:28 PM

Hi Mr. Garza,

I have forwarded your request to release medical records to Jason Glassford. You may follow up with him at 415-746-1950 ext 3208 or via email jglassford@HAFCI.org. Again, please let me know if you would like me to schedule you an appointment with a alternative community clinic for health care. I would need to know what your availability and site preference is.

Thank You,
Nazneen Abdullah

From: Jason Grant Garza [mailto:jasongrantgarza@yahoo.com]
Sent: Monday, December 13, 2010 11:21 AM
To: Nazneen Abdullah; John Eckstrom; jaygarza@pacbell.net
Cc: Donald.White@oig.hhs.gov; Kathleen.Sebelius@hhs.gov
Subject: FW: RE: Continuing to seek HELP. (My response to Nazneen's 11/19 email)

12/13/2010

Dear Nazneen:
415-746-1931

I have attached the copy of the HAFCI release form that you sent me in the mail. Please note Hamedrec0002.jpeg under section II My Rights (per your form) 2nd paragraph " I understand that authorizing the disclosure of this health information is voluntary. I can refuse to sign this authorization. I need not sign this form in order to receive treatment. I understand that I may inspect or copy the information to be used or disclosed, as provided in CFR 164.524 with the guidance of a provider If I have questions about disclosure of my health information, I can contact the HAFCI clinic manager."

Doesn't the below email indicate that I had questions about the disclosure and receiving it? Why didn't your HAFCI clinic manager followup?

I believe that NOW you can see my need for an INTERPRETER given the deception being played with definitional meaning and legal duty. Your below email states that you need this form back (well, it is attached and unsigned) as I am allowed by your own paperwork. Where are my requested (IDR) items? Please realize that I NOW also need a letter of admission, apology, explanation and damages for the HARM by this very deception ... unless making things right is again NOT a CONSIDERATION of HAFCI.

More sinister yet, why was I not offered the copies? Why was I not told and only MISLEAD into believing per your misrepresentation that signing the form was required before release? As you can see this poses many many many many questions as to purpose, motto, false system of delivery (medical care and response) and lastly the INHUMANITY dispensed by your organization, these deception methods and lastly the oath to GOD to "DO NO HARM!"

Once again, contact me ASAP since I still await CORRECT PROCESS, your ADA coordinator's call, the requested material, etc.

I am however sure that the SUNSHINE TASK FORCE, ETHICS COMMISSION, ADA, etc will be interested and as such I will continue to point out all the HARM, DECEPTION and INHUMANITY.

Sincerely,

Jason Grant Garza
1369 B. Hayes Street
San Francisco, CA 94117

jaygarza@pacbell.net
415-922-7781

P.S. Thank you for making it obvious "WHOSE BEST INTERESTS YOU ARE LOOKING OUT FOR."

P.P.S. Have a nice day and GOD bless !!!

--- On Mon, 11/22/10, Jason Grant Garza <jasongrantgarza@yahoo.com> wrote:

From: Jason Grant Garza <jasongrantgarza@yahoo.com>
Subject: FW: RE: Continuing to seek HELP. (My response to Nazneen's 11/19 email)
To: NAbdullah@hafci.org, JEckstrom@hafci.org, jaygarza@pacbell.net
Cc: Donald.White@oig.hhs.gov
Date: Monday, November 22, 2010, 4:42 PM

11/22/2010

Dear Nazneen:
415-746-1931

Thank you for your note and I believe that I have announced my preferences and requests seeking medical care, the ADA officer, the CEO and BOARD member information, etc ... quite clear. Unfortunately, I still await correct process from your end.

For legal clarification ... you have requested in this email that I fill out an "official medical release form" and this brings up once again the need for an official response. As you can clearly see by my attachments ... I have already received a partial copy of my medical records without signing ANYTHING. Is this form (official medical release form) a policy requirement (of HAFCI) or a legal requirement under federal law which was BROKEN by HAFCI by giving me my medical records without signing. Please let me know as you know my Adjustment Disorder requires clarification and this request is being made under ADA. Maybe your ADA officer can explain.

As before please forward this email to the CEO and BOARD,.

List of attachments: Prior medical records from Haight Ashbury Free Clinic ... Medrec0001.jpeg
- Medrec0005.jpeg.

Clear as MUD,

Jason Grant Garza
415-922-7781
jaygarza@pacbell.net

P.S. Have a NICE DAY and God Bless !

--- On Mon, 11/22/10, jaygarza@pacbell.net <jaygarza@pacbell.net> wrote:

From: jaygarza@pacbell.net <jaygarza@pacbell.net>
Subject: FW: RE: Continuing to seek HELP.
To: jasongrantgarza@yahoo.com
Date: Monday, November 22, 2010, 4:05 PM

Original Message:

From: Nazneen Abdullah NAbdullah@hafci.org
Date: Fri, 19 Nov 2010 11:44:47 -0800
To: jaygarza@pacbell.net
Subject: RE: Continuing to seek HELP.

Hi Mr. Garza,

I sent you the official forms to file a grievance with both HAFCI and ADA. I also sent you an official medical record request form, which I need before releasing your records to you. Please return the official grievance form for HAFCI and the medical records release form to me as soon as possible. Also, let me know if you would like me to set up an appointment for you at an alternative clinic. I previously provided you with a list of clinics that you may choose from. Please let me know if you have a preference.

Thank You,
Nazneen

-----Original Message-----

From: jaygarza@pacbell.net [mailto:jaygarza@pacbell.net]
Sent: Thursday, November 18, 2010 10:32 AM
To: Nazneen Abdullah; John Eckstrom; jaygarza@pacbell.net
Subject: Continuing to seek HELP.

11/18/2010

Dear Nazneen Abdullah
415-746-1931

Thank you for your response; however, I am still not sure of the representation being made offering help. As my previous email stated (below) ... I still await services from your clinic after being wrongfully denied, the circumstances and reason of the denial NOT accurately accounted for, the false illusion of help NOT addressed, and non-responsive answers to questions still left.

Where are the email addresses that I asked for instead of the excuse that the CEO is out? This is needed to bring the BOARD, CEO and others to the problem, representation and lastly failure of services and the SPIN being put on the DENIAL. I want the BOARD and all to see NOT only the file, I want them to hear the GAME I was subjected to, the lack of options and the unprofessional mistreatment.

Thank you for the phone number to ADA but I am confused ... are you ADMITTING no ADA coordinator or services offered by HAFCI and how is that in keeping with the ADA requirements. Please answer this ... as I still await the answer to the PS section of my email dated 11/17 as I would NOT like there to be a pattern of asking appropriate questions and yet receiving NO ANSWERS. Please let me know about the coordinator (ADA), the first available appointment time for your alternative physician and as far as linking with another (other than HAFCI)... I am still awaiting PROPER and CORRECT performance on your end from your clinic. Since my adjustment disorder is holding you accountable and I have NOT received proper care ... your offer to link does NOT assure me of performance since I am still awaiting your correct performance.

Also please send me a complete copy of my file, the email addresses priorly requested (see below email), name and number of your ADA coordinator and please do NOT forget that this request is being made under ADA for

ACCOMMODATION and ACCESS taking into account my disability. For all of this

I have my file to PROVE, DOCUMENT and VERIFY the truth of which I have been

speaking and pointing out all the FALSEHOODS in this rigged and corrupt illusion of HEALTH CARE , COMPASSION and HUMANITY.

Sincerely,

Jason Grant Garza
415-922-7781
jaygarza@pacbell.net

P.S. God Bless and HAVE A NICE DAY

Original Message:

From: Nazneen Abdullah NAbdullah@hafci.org
Date: Wed, 17 Nov 2010 13:15:37 -0800
To: jaygarza@pacbell.net
Subject: RE: Follow-Up (My response)

Hi Mr. Garza, I was unable to secure an "interpreter" for you through ADA. When I called on your behalf, I was asked to have you call directly to explain what your specific needs are so that ADA can assist you accordingly. Appointment schedules for our alternative physician have not yet been set. Again, I would like to reiterate that the CEO is out on extended sick leave and will not respond to your calls or emails during this time period. I can work with you to help link you to an alternative provider in the community. Please let me know if you would like me to do so.

Thanks,
Nazneen Abdullah

-----Original Message-----

From: jaygarza@pacbell.net [mailto:jaygarza@pacbell.net]
Sent: Wednesday, November 17, 2010 11:08 AM
To: Nazneen Abdullah; jaygarza@pacbell.net
Subject: FW: Follow-Up (My response)

11/17/2010

Dear Nazreen Abdullah:
415-746-1940

Thank you for your email noting how difficult it is to contact me.
This
was the reason for my email address as was discussed in our previous
conversation. Your email I believe is in response to my voice message
left
11/16 and as such I am wondering about all the topics that I left on
your
message machine.

First, I asked about the status of my case and when the other doctors
would be returning for a new appointment with another doctor at the
Haight
Ashbury Free Medical Clinic. I also left word that I would be responding
to
the inaccurate letter received by myself from you regarding the
circumstances and reason for the denial of medical care that I received
from Dr. Sears. As you know per our conversation the "whole truth" is
NOT
expressed and as such I will make the record clear. Since I did NOT
receive
care ... NO MATTER HOW YOU TRY TO SPIN IT ... I never stopped asking for
care. It is your Clinic's inability to provide the care and NOT my lack
of
seeking treatment that is the issue here. While the wording is clever
...
the gist and intent specific (to get me to leave) ... is NOT TRUE ,
not
accurate and as such will continue to file the complaint and continue to
REPEATEDLY ask for ADA accommodation, access and an interpreter as
discussed in our phone conversation which I took notes to.

Also as you are aware this has been over 15 days that I have sought
and
continued to follow up on my medical care. Please be aware that I still
intend to speak to the BOARD regarding my lack of care, the
representation,
the false motto of compassion, the "Health Care is a Right, Not a
Privilege" (as on your paperwork, and lastly the lie that NO ONE WILL
BE

TURNED AWAY FOR INABILITY TO PAY.

Please send me the email addresses for ALL the BOARD members and your CEO (John Eckstrom) as I wish to keep them fully informed and in the "loop" of these matters.

I will try to call to speak to you later on and will work on the above mentioned response to your letter ... please be sure to forward this to your CEO and BOARD members.

Sincerely,

Jason Grant Garza
415-922-7781
jaygarza@pacbell.net

P.S. I believe that our conversation, my file inclusive of the CONFESSION show what I received from the city and MEDICARE. I am stating this for the record as I have always; however, it is NEVER mentioned in the responses I receive from the your clinic ... could it be to "muddle" the TRUTH or maybe give a FALSE APPEARANCE of doing things right? Please explain this apparent lack detail.

Original Message:

From: Nazneen Abdullah NAbdullah@hafci.org
Date: Tue, 16 Nov 2010 15:21:27 -0800
To: JayGarza@pacbell.net
Subject: Follow-Up

Hi Mr. Garza,

I have attempted to return your call several times, but have had no success in reaching you. Please let me know if I can help link you to an alternative provider in the community. Per your request, the number

for ADA is 1-800-514-0301.

Sincerely,

Nazneen Abdullah

Nazneen Abdullah, MPH

Director of Health Center Operations

Haight Ashbury Free Clinics, Inc.

415-746-1931 office

415-672-9760 cell

1735 Mission Street

San Francisco, CA 94103

"Health Care is a Right, Not a Privilege."(r)

CONFIDENTIALITY NOTICE

This e-mail and any files transmitted with it are the property of Haight Ashbury Free Clinics, Inc., are confidential, and intended only for the named recipient(s) above. If it has been sent to you in error, please notify the sender by reply e-mail and call 415-746-1967 or e-mail HIPAA@hafci.org <<mailto:HIPAA@hafci.org>> and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly forbidden by the Federal HIPAA Laws.

Thank you for your consideration.

mail2web LIVE - Free email based on Microsoft(r) Exchange technology -
<http://link.mail2web.com/LIVE>

mail2web LIVE - Free email based on Microsoft(r) Exchange technology -
<http://link.mail2web.com/LIVE>

myhosting.com - Premium Microsoft® Windows® and Linux web and application
hosting - <http://link.myhosting.com/myhosting>



H\Amedrel0001.JPG H\Amedrel0002.JPG