

Date: Nov. 29, 2011

Item No. 11 & 12

File No. 11081

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Jason Grant Garza against the Department of Public Health
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Completed by: Chris Rustom

Date: Nov. 22, 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.



10/6/2011 - NEW IDR HEARING REQUEST re: DPH, TW, and PACE

Jason Grant Garza

to:

sotf@sfgov.org, hopeannette@earthlink.net, Joseph.PAce@sfdph.org,
Barbara.Garcia@sfdph.org, jasongrantgarza@yahoo.com

10/06/2011 07:54 AM

Cc:

"Donald.White@oig.hhs.gov", Kathleen.Sebelius,
"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>, "hopeannette@earthlink.net"
<hopeannette@earthlink.net>, "Joseph.PAce@sfdph.org"
<Joseph.PAce@sfdph.org>, "Barbara.Garcia@sfdph.org"
<Barbara.Garcia@sfdph.org>, "jasongrantgarza@yahoo.com"
<jasongrantgarza@yahoo.com>

Cc: "Donald.White@oig.hhs.gov" <Donald.White@oig.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>

10/6/2011 8 am PST Thursday

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. I still HAVE NOT got CONFIRMATION of scheduling of the IDR by MINISTRY of SUNSHINE that was sent in regarding the Haight Ashbury ... nor have I gotten any resolution of any of the matters or issues that I wrote to SOTF's chair such as ADA representation, delivery of emails, etc. Nor has my request for ADA Coordinator or HELP been filled. Thank you for allowing me the opportunity to document this should the need arise for "REASONABLE" men to evaluate.

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

Here is the attached email requesting the IDR sent 10/04/2011 ..

=====

10/04/2011 8 am PST Tuesday

My Dear Doctor Joseph Pace and ALL CONCERNED:

Nice try again ... HOW MANY TIMES WILL YOU CONTINUE TO INJURE ME ??? I believe that the record is reflective of NOT only this fact but the fact that I still have not gotten what I am legally entitled to and requested.

Therefore, I am submitting this:

IMMEDIATE DISCLOSURE REQUEST

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.

On August 31, 2011 I went to Tom Waddell seeking medical care (urgent and primary care) and did NOT receive it. Please note for the record that I also went to Tom Waddell in June 2010 and did NOT receive service either as the record indicates.

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) a copy of my medical records for both August 2011 and June 2010 from Tom Waddell regarding these incidents;(2) A copy of my signed HIPPA release for my Tom Waddell healthcare information to have been released thru SF General (under DPH) to HAFCI for which SF General (DPH) was found in violation by California Department of Public Health - Licensing and Certification Complaint # CA00265297 or an ADMISSION of the lawbreaking activity; (3) Per the MOU between the DPH and Health Clinics (Patient Information and Privacy Agreement) and HIPPA requirements ... please send me the documentation provided to the regulatory agencies on the state and federal level over NOTIFICATION of the HIPPA VIOLATION as required by the HIPPA law and all internal machinations (processes) required under the MOU such as notification to the Dph Data Governance Committee, etc as outlined in the MOU; (4) Information on Complaint Process for Security (Williams) as priorly requested; and (5) ALL the notes/reports etc by TOM WADDELL regarding the two denials that was supplied to Chona Peralta to create a false misleading representation in which I was sent a "RISK MANAGEMENT" response.

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

email cc:

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

Moving on:

Thank you for sending me a COPY of your department's (DPH) Authorization to Disclose Health Information Form # 5779301 (Rec 09/07) which specifically state under:

"MY DPH RIGHTS : I understand that authorizing the disclose of this health information is voluntary. I may refuse to sign this authorization. I may revoke this authorization at any time."

I goes on to give even an expiration date

THANK YOU ... THANK YOU ... THANK YOU ...

From the bottom of my heart

Please now send me the signed HIPPA RELEASE that is sought in the IDR, or my signed "Authorization to Disclose Health Information," or as the IDR states (see below) an ADMISSION.

Please be sure that if you can NOT fill this sunshine request you forward to the correct person for IMMEDIATE action.

I wonder what OIG, HHS, CMS, and Social Security would think of all the GAMES especially with my NOTIFICATION over my disability, ADA issues, diagnosis and your CONSTANT "RISK MANAGEMENT" as opposed to MEDICALLY REQUIRED HELP.

Thou I walk thru the VALLEY of SHADOWS,

Jason Grant Garza
jasongrantgarza@yahoo.com

P.S. I am still REQUESTING ALL OTHER ITEMS AS PRIOR PAPERWORK INDICATES ... when will I receive the PROGRAMMATIC ACCESS per ADA, when will I get the ADA help requested, when will I get the ADVOCACY ... just thought I'd ask the question should the time come when "REASONABLE" men will evaluate this.

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

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

From: Joseph Pace <Joseph.Pace@sfdph.org>

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

Cc: Eileen Shields <Eileen.Shields@sfdph.org>; Barbara Garcia <Barbara.Garcia@sfdph.org>

Sent: Monday, October 3, 2011 8:10 PM

Subject: Re: 10/3/2011 - Response to Shields Authorization to Disclose - Fw: 10/2 - Ms. Shields ... EXPLANATION, ADA HELP, INTERPRETER and HOW MUCH LONGER FOR REQUESTED ITEMS ?

Mr. Garza,

The form to request release of your medical records is included in the attachments which you have received and included below.

You may complete the form entitled "Authorization to Disclose Health Information" and bring it with you to our meeting.


Please do let me know which of the times work for you to meet with us.

Joseph L. Pace, MD
Director of Primary Care Homeless Services
Community Oriented Primary Care
San Francisco Department of Public Health

This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, any disclosure, copying, use or distribution of the information included in this message and any attachments is prohibited. If you have received this communication in error, please notify me by reply e-mail immediately and permanently delete this message and any attachments. Thank you.

(See attached file: HIPAAPrivacy-AuthorizationPol04200B3.pdf)(See attached file: Authorization to Disclose Health Information.pdf)(See attached file: cfr164.524.jpg)



Sunshine Complaints: #11081 and #11070 and accommodations 

Eileen Shields to: SOTF

11/16/2011 02:54 PM

Cc: Barbara.Garcia, Chona Peralta, Joseph.Pace

History: This message has been replied to and forwarded.

Dear Sunshine Task Force:

I note with interest Mr. Jason Grant Garza's most recent complaint against the Department of Public Health. I refer you to complaints 11081 and 11070.

If you read through Mr. Garza's complaints, you will note that they are identical, except for the dates of his submitting the complaints. The only difference I can surmise is his inclusion of Dr. Joseph Pace in the complaint.

Complaint 11070 has already been scheduled and staff already attended a hearing on October 25th. The item was continued and has yet to be heard.

Since October 25th, Mr. Garza's activity and behavior towards individuals in this department has escalated from telephone harassment to personal visitations and demands (e.g., he called 911 on 11/14 asking that the Police arrest DPH staff), we are asking for the following accommodations:

1. That the SOTF combine complaints 11081 and 11070 into a single agenda item
2. That the SOTF provide security to any DPH staff that must attend these meetings that are scheduled until 11 p.m. Please contact me for details.
3. That the SOTF provide DPH staff with remote audio capability to monitor the hearings so that we can remain in our offices until the item is ready for hearing

Finally, it is the position of this Department, that we have provided Mr. Garza with all of the documents he has requested, including his medical records that are not subject to Sunshine but have made available to him and are ready for pick up. The records still await his attention.