

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
February 27, 2017**

DATE ISSUED
February 1, 2017

**CASE TITLE – Anonymous v. Dr. Lydia Leung, Department of Public Health
(File No. 16092)**

FACTS OF THE CASE

On October 7, 2016, the following petition/complaint was filed with the Sunshine Ordinance Task Force (SOTF):

File No. 16092: Complaint filed by Anonymous against Dr. Lydia Leung, Department of Public Health, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

HEARING ON THE COMPLAINT

On December 20, 2016, the Complaint Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the Task Force for hearing.

On February 1, 2017, the SOTF reviewed the recommendation from Committee and held a hearing to review the merits of the petition/complaint.

Anonymous (Petitioner/Complainant) provided an overview of the petition/complaint and requested that the Task Force find violations. Anonymous provided a summary of his previous experience as a member of the Family Health Center and stated that he did not receive the requested documents. There were no speakers in support of the Petitioner/Complainant. **Lucia Angel, Department of Public Health** (Respondent), provided a summary of the department's position and the documents provided to the Petitioner/Complainant. Ms. Angel stated that the Family Health Center only reports to the clinic staff and described the function/nature of the Family Health Center. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Petitioner/Complainant were provided the opportunity for rebuttal.

FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF found that a violation of Administrative Code (Sunshine Ordinance), Section 67.25(a) occurred.

ORDER OF DETERMINATION

Member Tesfai, seconded by Member Hinze moved to find that Dr. Lydia Leung, Department of Public Health, did not violate Sunshine Ordinance, Section 67.21 and 67.25(a).

Chair B. Wolfe, seconded by Member Hinze, moved to amend the motion to find that Dr. Lydia Leung, Department of Public Health, violated Administrative Code (Sunshine Ordinance), Section 67.25(a) by failing to respond to an immediate disclosure request in a timely manner.

The motion PASSED by the following vote:

Ayes: 7 - Baranetsky, Tesfai, Cannata, Fischer, Hinze, Hyland, B. Wolfe

Noes: 0 - None

Absent: 1 - Chopra

Excused: 3 - Eldon, J. Wolf, Maass

The Task Force referred the matter to the Compliance and Amendments Committee and requested that Dr. Lydia Leung provide all communications and documents related to the Family Health Center Patient Advisory Committee for the period of January 1, 2014, to September 18, 2016, as requested by the Petitioner. If required, provide justifications for any redactions or withholdings. In addition, it is requested that the Respondent perform a search for agendas, minutes and any other information related to meetings of the body and provide a summary of the search (i.e. state if no such records are found).



Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Anonymous (Petitioner/Complainant)
Lucia Angel, Department of Public Health (Respondent)
Dr. Lydia Leung, Department of Public Health (Respondent)