

RICK SCOTT
GOVERNOR


ELIZABETH DUDEK
SECRETARY



VIA CERTIFIED MAIL (RETURN RECEIPT REQUESTED)

Re: ADA Complaint No. 15-008

Dear :

This letter is in response to your Americans with Disabilities Act ("ADA") Discrimination Complaint, as submitted by  Esq., on your behalf on February 17, 2015 (the "Complaint"). A copy of the Complaint is attached as **Exhibit A**.

Pursuant to state and federal law and the Agency's Americans with Disabilities Act Grievance Policy (the "ADA Grievance Policy"),¹ a disabled person (or his/her authorized representative) who believes that he/she was subjected to discrimination by the Agency or a Medicaid managed care plan on the basis of his/her disability may file a complaint with the Agency.²

I have been appointed by the Agency's Secretary as the ADA Compliance Officer. In that capacity, I reviewed the facts and circumstances of your Complaint and determined that I lack authority to conduct an ADA investigation of Humana Medical Plan, Inc. because you are not enrolled in a Statewide Medicaid Managed Care plan. You are an enrollee with the Qualified Medicare Beneficiary Program administered by the federal agency, Centers for Medicaid and Medicare Services ("CMS"). As such, it is beyond the scope of the Florida Agency for Health Care Administration's authority to investigate.³

For more information about how to file a complaint with CMS, you can visit their website at: www.medicare.gov. Based on the foregoing, the ADA Compliance Office will be taking no further action and will close the Complaint as of the date of this Letter.

Sincerely,

¹ The Agency's ADA Grievance Policy is posted on the Agency's website at: <http://ahca.myflorida.com/docs/ADAGrievancePolicy.pdf>

² The Agency's optional ADA Complaint Form is posted on the Agency's website at: <http://ahca.myflorida.com/docs/ADAComplaintForm.pdf>

³ 28 C.F.R. § 35.170; 28 C.F.R. § 35.171.



Rachel Goldstein
ADA Compliance Officer