

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by

FINAL DECISION

David Taylor,

Complainant

against

Docket #FIC 2021-0368

Administrator, State of Connecticut,  
University of Connecticut Health Center;  
and State of Connecticut, University of  
Connecticut Health Center,

Respondents

April 27, 2022

The above-captioned matter was heard as a contested case on January 3, 2022, at which time the complainant and the respondents appeared remotely through the use of electronic equipment, pursuant to §149 of Public Act 21-2 (June Special Session). At the time of the request and the hearing, the complainant was incarcerated.

After consideration of the entire record, the following facts are found and conclusions of law are reached:

1. The respondents are public agencies within the meaning of §1-200(1), G.S.
2. It is found that, by letter dated June 28, 2021, the complainant requested from the respondents a copy of:
  - (a) all “procedures, protocols or other methods for scheduling and prioritizing CT DOC inmate medical procedures and diagnostic testing at UCHC”; and
  - (b) “any related quality control procedures.”
3. By letter dated July 5, 2021, and filed July 9, 2021, the complainant appealed to this Commission, alleging the respondents violated the FOI Act by denying his request.
4. Section 1-200(5), G.S., provides:

“[p]ublic records or files” means any recorded data or information relating to the conduct of the public’s business prepared, owned, used, received or retained by a public

agency, or to which a public agency is entitled to receive a copy by law or contract under 1-218, whether such data or information be handwritten, typed, tape-recorded, videotaped, printed, photostated, photographed or recorded by any other method.

5. Section 1-210(a), G.S., provides, in relevant part:

[e]xcept as otherwise provided by any federal law or state statute, all records maintained or kept on file by any public agency, whether or not such records are required by any law or by any rule or regulation, shall be public records and every person shall have the right to . . . (3) receive a copy of such records in accordance with section 1-212....

6. Section 1-212(a), G.S., provides, in relevant part: [a]ny person applying in writing shall receive, promptly upon request, a plain, facsimile, electronic or certified copy of any public record.”

7. It is found that the records, described in paragraph 2, above, are public records within the meaning of §§1-200(5) and 1-210(a), G.S.

8. It is found that, by letter dated July 12, 2021, the respondents provided to the complainant a copy of a document entitled “Administrative Protocol for Outpatient Clinics” (“Administrative Protocol”), and a copy of a second document entitled “Clinical Policy re: Patient Rights and Responsibilities”. It is found that such documents are the only records maintained by the respondents that are responsive to the request at issue herein.

9. At the hearing in this matter, the complainant stated that he was confused by a provision in the Administrative Protocol that stated that Correctional Managed Healthcare (“UMHC”) was responsible for scheduling appointments for inmates. The complainant pointed out that such provision does not make sense because the contract between the Department of Correction and UMHC for the provision of medical services to inmates was terminated as of July 1, 2018.

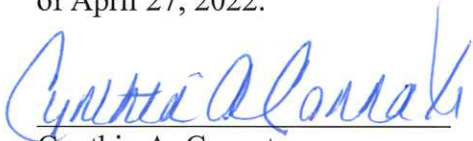
10. The respondents acknowledged that, although the Administrative Protocol indicates that it was updated in 2020, after the termination of the contract, the provision relating to scheduling apparently was not updated to reflect the current protocol relating to scheduling. Nonetheless, as found in paragraph 8, above, the respondents provided to the complainant all records responsive to the request, described in paragraph 2, above.

11. Accordingly, it is concluded that the respondents did not violate §§1-210(a) and 1-212(a), G.S., as alleged in the complaint.

The following order by the Commission is hereby recommended on the basis of the record concerning the above-captioned complaint:

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 27, 2022.



Cynthia A. Cannata  
Cynthia A. Cannata  
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

**DAVID TAYLOR, #272912**, Osborn Correctional Institution, PO Box 100, Somers, CT 06071

**ADMINISTRATOR, STATE OF CONNECTICUT, UNIVERSITY OF CONNECTICUT HEALTH CENTER; AND STATE OF CONNECTICUT, UNIVERSITY OF CONNECTICUT HEALTH CENTER**, c/o Attorney Scott B. Simpson, UCONN Health, 263 Farmington Avenue, Suite AG-093, Farmington, CT 06030-1093



Cynthia A. Cannata  
Acting Clerk of the Commission