

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Alexander E. J. Lathrop,

FINAL DECISION

Complainant

against

Docket #FIC 85-258

Golden Hill Treatment Center,

Respondent

August 27, 1986

The above captioned matter was heard as a contested case on May 6, 1986, at which time the complainant and the respondent appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. The hearing was reopened on July 11, 1986, at which time the complainant and respondent appeared and presented testimony and argument on the complaint.

After consideration of the entire record the following facts are found:

1. By letter dated October 15, 1985 the complainant made a request of the director for the respondent for a copy of all the information contained in his personal and medical files.

2. By letter dated November 5, 1985 the director for the respondent replied that he was seeking legal advice and would notify the complainant once a decision had been reached concerning his request.

3. By letter of complaint filed with the Commission on or about November 16, 1985 the complainant appealed the denial of his request.

4. The respondent claimed that it is not a public agency within the meaning of §1-18a(a), G.S., and that its records are therefore exempt from the requirements of the Act.

5. It is found that the respondent is one of several departments within the Regional Network of Programs, Inc. (hereinafter "RNP, Inc."), a private, non-profit corporation set-up to provide various services, one being methadone maintenance and detoxification treatment.

6. It is found that the respondent is governed by the by-laws of the RNP, Inc., and a series of procedural manuals which have been developed internally and approved by its board of directors and stockholders.

7. It is also found that RNP, Inc., has a total operating budget of \$6,000,000.

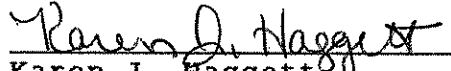
8. It is found that the respondent has a total operating budget of approximately \$400,000, \$100,000 of which comes from the State of Connecticut.

9. It is therefore concluded that the respondent is not a public agency within the meaning of §1-18a(a), G.S., and that the Commission lacks jurisdiction to determine 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 hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of August 27, 1986.


Karen J. Haggett
Clerk of the Commission