

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: How do I request a fair hearing for the IVIG that was denied recently? And how can I get legal representation?
Date: Tuesday, January 30, 2024 3:43:41 PM

Please let me know asap.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: CHFS.Listens@ky.gov
Subject: I am not being treated fairly by Humana Medicaid - and I need someone with authoritative power to step in and assist me on my behalf
Date: Friday, March 10, 2023 2:46:26 PM
Attachments: [2023-Humana-Letter-Case-45491.pdf](#)

Dear Ombudsman's Office:

Please read the email below with regard to a letter I received from Humana.

I need help from your office.

John R. Fouts

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>
Date: Wed, Mar 8, 2023 at 1:59 PM
Subject: Case Number 45491 -- I got a letter from Humana about Adderall - PLEASE RESPOND TODAY - follow-up 2023-03-08
To: <CPORM@humana.com>

To Whom It May Concern:

Hello. Today is 2023-03-08. I had tried to contact my case manager at Humana multiple times via phone and via email about this, but I have yet to hear back from him (Paul Van Gilder is my case manager at Humana) on the matter.

So I am forwarding the message to you - with the hope - that you respond as Humana's letter mis-frames the situation - and I want ACCURACY in my records.

Please see below...

I take Adderall because of fatigue, dysautonomia, brain fog, and narcolepsy issues...., and have taken it for many years....

My primary care provider (PCP - Dr. Erin Murphy) used to provide the prescription for it, but about a year ago (give or take), she told me I had to start going to see Dr. Shaikun (who was my old sleep doctor - and is my current sleep doctor) to start prescribing it....so I did....she told me I needed to start seeing my neurologist again as well instead of her prescribing nerve anticonvulsant medication...and that I needed to see an Endocrinologist to manage my thyroid hormone medication instead of her prescribing it etc...

So, regarding Adderall, I have seen my PCP (Dr. Erin Murphy), and I have seen my sleep doctor (Dr. Shaikun) in the last couple of years. 2 to 3 years ago....my PCP (Dr. Erin Murphy) had a baby, and when she was on maternity leave, a different doctor (Dr. Hittepole) had to prescribe the medication (in the same office as Dr. Murphy (my PCP).

Unfortunately, due to the **NATION-WIDE ADDERALL SHORTAGE**,

I have had to do what everyone else has had to do....if a pharmacy does not have enough medication to fill your prescription, we (patients across the nation) have been directed to call different pharmacies (by our doctors) until we (patients across the nation) find a pharmacy that DOES have the medicine in stock (enough to fill a full prescription), and to have THAT pharmacy fill it by having your doctor call in a new prescription.

It HAS TO BE a NEW prescription because that is the way the controlled substance laws are written.

The old prescription at the pharmacy where it cannot be filled is THEN VOIDED ... BEFORE ... the new prescription is called in to the pharmacy.

I just got the most **RIDICULOUS** letter from Humana. The above is the situation.

My doctors can verify this if it is required. I have provided their information below:

Dr. Erin Murphy
University of Louisville Physicians
401 E. Chestnut St.
Louisville, KY 40201
P. (502) 588-4500
F. (502) 588-4501

Dr. Hittepole
University of Louisville Physicians
401 E. Chestnut St.
Louisville, KY 40201
P. (502) 588-4500
F. (502) 588-4501

Dr. Shaikun
University of Louisville Sleep Medicine
3920 Dutchman's Lane, 1st Floor
Louisville, KY 40207

=====

I REFUSE TO SIGN A DOCUMENT THAT STATES THAT I MUST USE ONLY ONE PHARMACY AS THE PHARMACIES OFTEN DO NOT HAVE ENOUGH MEDICATION TO FILL A PRESCRIPTION. THIS MEDICATION IS SOMETHING THAT IMPROVES MY ALREADY LOW QUALITY OF LIFE DUE TO COMPLEX AND ON-GOING CHRONIC HEALTH PROBLEMS THAT I HAVE HAD SINCE 2009 WHEN I WAS INJURED DURING A SPINE SURGERY IN WHICH THERE WAS MEDICAL MALPRACTICE.

=====

UNFORTUNATELY, BECAUSE THIS MEDICINE IS MEDICALLY NECESSARY FOR ME TO FUNCTION (NOT BE BEDBOUND). IT IS NOT ACCEPTABLE FOR HUMANA TO CHOOSE TO DENY ME MEDICATION THAT IS MEDICALLY NECESSARY, AND THAT IS WHAT WILL HAPPEN IF HUMANA TRIES TO FORCE ME TO USE ONLY ONE PHARMACY -- BECAUSE THERE IS A NATION-WIDE SHORTAGE OF THE MEDICATION - AND PHARMACIES OFTEN DON'T HAVE IT IN STOCK... (TO BE OUT OF MEDICATION FOR INDEFINITE PERIODS OF TIME BECAUSE HUMANA FORCES USE OF ONE PHARMACY ONLY IS UNETHICAL AND INHUMANE).

I HAVE DONE NOTHING WRONG!

BELOW I HAVE ALSO PROVIDED MANY ARTICLES ABOUT THE NATION-WIDE ADDERALL SHORTAGE AS HUMANA SEEMS TO BE UNAWARE OF ITS EXISTENCE...OR AWARE OF THE PROBLEMS THE SHORTAGE CAUSES PATIENTS WHO ARE UNABLE TO GET THEIR PRESCRIPTIONS FILLED. IT CAUSES UNDUE BURDEN ON PATIENTS, DOCTORS, AND PHARMACIES ALL!! I WOULD THINK HUMANA WOULD NOT BE CLUELESS ABOUT THE SITUATION...

=====

HERE ARE SOME ARTICLES SO HUMANA CAN BECOME EDUCATED ON THE NATION-WIDE SHORTAGE AND THE MANUFACTURING ISSUES MANUFACTURERS ARE FACING WITH REGARD TO THE TOPIC:

<https://www.fda.gov/drugs/drug-safety-and-availability/fda-announces-shortage-adderall>

<https://www.nbcnews.com/health/health-news/adderall-shortage-adhd-drugs-affected-will-end-rcna66766>

<https://www.npr.org/sections/health-shots/2023/02/18/1157832613/adderall-shortage-forces-some-patients-to-scramble-ration-or-go-without>

<https://www.theguardian.com/society/2023/jan/29/adderall-shortage-us-adhd-ritalin-drugs>

<https://healthnews.com/news/nationwide-adderall-shortage-still-impacting-people-with-adhd/>

<https://www.fox21news.com/news/pharmacies-see-shortage-due-to-high-demand-for-adderall/>

<https://carolinanewsandreporter.cic.sc.edu/as-adderall-shortage-continues-pharmacists-hope-for-an-end/>

<https://abc7ny.com/adhd-prescription-drug-adderall-shortage/12861598/>

THERE ARE LITERALLY THOUSANDS OF ONLINE ARTICLES ABOUT THIS - THE FDA AND DEA ARE BOTH AWARE THERE IS A MAJOR SHORTAGE -----

WHY DOES HUMANA PRETEND TO NOT KNOW AN ADDERALL SHORTAGE EXISTS?

SEE THE ATTACHED LETTER I RECEIVED FROM HUMANA. FRANKLY, I DO NOT HAVE ENERGY FOR THE RIDICULOUSNESS OF THIS.....

AGAIN, I HAVE DONE NOTHING WRONG.....I HAVE NOT VIOLATED ANYTHING - I HAVE NOT TRIED TO GET MORE THAN ONE PRESCRIPTION FOR THE SAME TIME PERIOD.....

I HAVE NOT HAD MORE THAN ONE DOCTOR PRESCRIBE FOR THE SAME TIME PERIOD.

I HAVE ONLY DONE WHAT DOCTORS HAVE TOLD ME TO DO.....

AND NOW I AM BEING PUNISHED BY HUMANA....

FOR FOLLOWING THE RULES....

=====

IF NECESSARY, I AM SURE I CAN FIND LEGAL REPRESENTATION, WHO CAN EXPLAIN THE ADDERALL SHORTAGE TO HUMANA...AND WHY DOCTORS DIRECT PATIENTS TO CALL PHARMACIES UNTIL THEY FIND ONE WHERE THEIR PRESCRIPTION CAN BE FILLED. AND WHY PATIENTS HAVE TO USE DIFFERENT PHARMACIES WHILE A NATIONWIDE SHORTAGE EXISTS!!!!

I DO NOT NEED THE UNDUE DURESS THAT THIS IS CAUSING WHICH IN TURN IS LEADING TO EXTREMELY HIGH LEVELS OF ANXIETY FOR ME.....

FIRST IVIG IS BEING TAKEN AWAY DUE TO HUMANA AND MEDICAID....

NOW HUMANA IS TRYING TO TAKE AWAY SOMETHING ELSE THAT ALLOWS ME TO BE THE MOST FUNCTIONAL VERSION OF MYSELF I AM ABLE TO BE.

I FEEL INCREDIBLY STRONGLY I HAVE A LEGAL CASE HERE....

see attached document regarding the letter -- Case Number: 45491

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Also, the pharmacies I have used (that I have had to have prescriptions called into due to the shortage, to REITERATE, that is nation-wide and ongoing)...are...

CVS at 2222 Bardstown Rd. in Louisville, KY
(502) 459-6563
Pharmacist (Shruti) -- CAN VERIFY SHORTAGE INFORMATION
[I am 100% certain ANY pharmacist can verify]

CVS at 157 S. Buckman St. in Shepherdsville, KY
Phone: (502) 921-0094
Pharmacist (Amanda) -- CAN VERIFY SHORTAGE INFORMATION
[I am 100% certain ANY pharmacist can verify]

Kroger in the Highlands in Louisville, KY

I do not know the current pharmacist name as there has been significant turnover, and Kroger is not the pharmacy I use for most medications. There have been times, however, when I have gotten Adderall at Kroger RATHER THAN at CVS -- AGAIN -- DUE TO THE NATIONWIDE SHORTAGE!!!!

All pharmacies can verify that they have experienced shortages of the medication, etc.... and not only of this medication....

I can PROVE everything stated above, but SHOULD NOT HAVE TO DO SO.....I HAVE PROVIDED CONTACT INFORMATION FOR HUMANA TO VERIFY INFORMATION IF NECESSARY.

I 100% DO NOT APPRECIATE THE ludicrous nature of this request and letter, etc...

The pharmacy noted in the Humana letter, CVS on Buckman St. was UNABLE to fill my prescription last time.....they were able to give me a partial fill....and then I had to have Dr. Shaikun (my sleep doctor - and ONLY prescriber) -- write a rx for when that partial fill was out....again....the pharmacist can verify this.....the pharmacist's name at CVS in Shepherdsville is Amanda.

She can also verify that she has had a tremendous amount of difficulty in getting in the medication for people.....I CANNOT and WILL NOT agree to only use one pharmacy while there is a nation-wide shortage that causes some pharmacies to not be able to get enough stock to fill a prescription sometimes for weeks or months.

If you need more information about the Adderall shortage, I can provide that as well - again - as there are thousands of articles on this available.

I expect a prompt response on this matter.

If Humana does not withdraw the inaccurate letter I was sent, and the requirement to use only one pharmacy during a nation-wide shortage of the medication involved, I will be pursuing legal action.

<<<< See attachment for letter I was sent >>>>

Disappointed Greatly by Humana,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

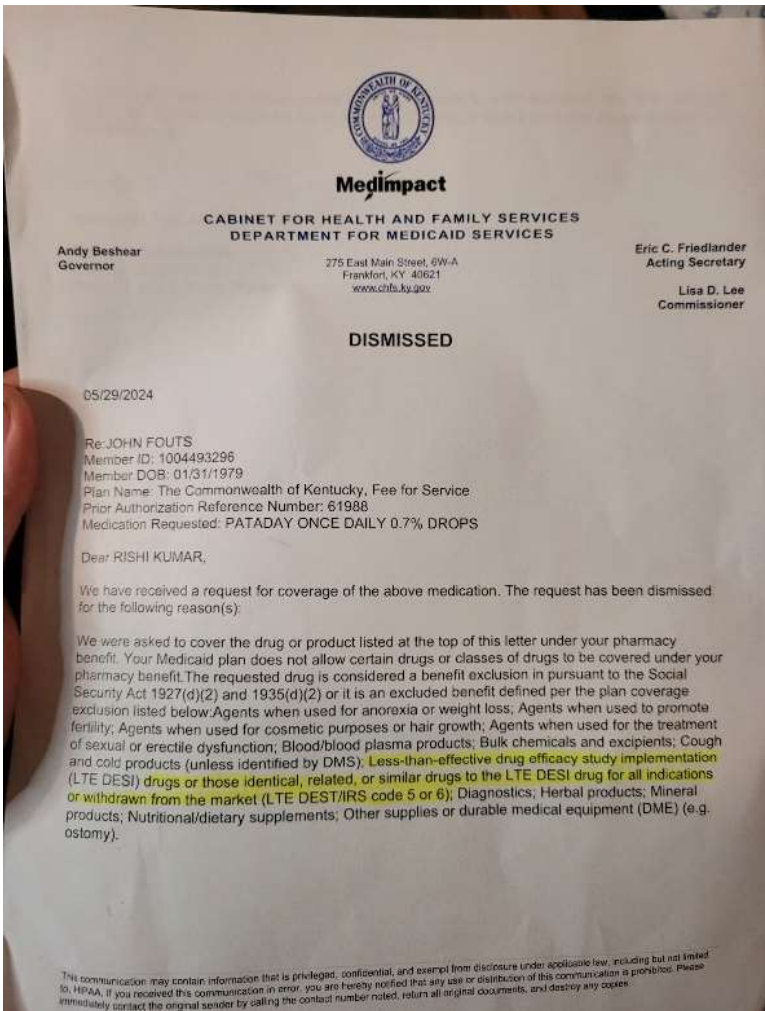
Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: I am using an allergy mast stabilizer eye drop called Pataday 0.7% - It was immediately dismissed -- how can I appeal the denial?
Date: Thursday, June 27, 2024 3:10:46 PM
Attachments: [image.png](#)

The Medicaid formulary has Pataday 0.1% and Pataday 0.2% on it.

The 0.7%, the stronger strength, is what eye doctors have recommended.

When my doctor tried to get an approval it was just instantly dismissed...see below....



--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc...
Date: Friday, January 26, 2024 6:54:21 PM
Attachments: [2024-01-26-Current-Listing-of-MedImpact.pdf](#)
[MedImpact1-Page-9.pdf](#)
[MedImpact1-Page-5.pdf](#)
[MedImpact1-Page-8.pdf](#)
[MedImpact1-Page-6.pdf](#)
[MedImpact1-Page-7.pdf](#)
[MedImpact1-Page-3.pdf](#)
[MedImpact1-Page-2.pdf](#)
[MedImpact1-Page-1.pdf](#)
[MedImpact1-Page-4.pdf](#)

First -- I need a drug formulary showing what items are covered on my plan. MedImpact refuses to give me that information even though I am a member. They say I can only speak to Medicaid Member services about it.

They transfer me to Medicaid Member Services and Medicaid Member Services tells me only MedImpact can give me information about the plan.

I have called 7 times now this week and had the same experience each time even with supervisors handling the calls on each side.

DCBS states I need to contact Medicaid Member Services.

So I need this to be cleared up IMMEDIATELY as I need to know what drugs are covered by the insurance plan I am on. It is not okay to be secretive about coverage.....

Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for me....Rheumatology and Immunology also say that IVIG is medically necessary....so the neurologist is at Norton.....the Gastroenterologist is at U of L....the Rheumatologist is at U of L....and the Immunologist is at UK. Again...withholding treatment that is absolutely critical to my health is not okay....neither is not honoring approved prior authorizations....

I have attached a receipt for Adderall which my father had to pay for since the PA was not being honored. There is an approved PA through MedImpact and also through Magellan for it. I've attached both. I've attached all PAs through MedImpact....

I need to be able to access a member portal for MedImpact also which I am also being denied access to by MedImpact....

Please note: I have included the approved PAs for IVIG and for Adderall and many other

medications through MedImpact that should still be valid....

I have included a PA approved for adderall through Magellan also....

There is an injunction in place to prevent patients on IVIG from being discontinued immediately because of the dangers that has.....Medicaid tried to do this last year in 2023 when the injunction was issued by a judge....you all / MedImpact -- suddenly stopped / discontinued the medication for me immediately after being on it for 2.5 years and my body has been crashing.....

Can the Attorney General look into this??

Is that who I need to contact? For violation of injunction by judge?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: CHFS.Listens@ky.gov
Subject: I finally got SNAP after it was mishandled by DCBS - in place - after review - in February - 2023 - now I am being reviewed again - in March 2023??
Date: Saturday, March 18, 2023 4:18:15 PM
Attachments: [2023-03-18-SNAP-REVIEW-NOTICE-AGAIN-THIS-DOES-NOT-MAKE-SENSE-LAST-REVIEWED-IN-FEBRUARY-2023.pdf](#)

I need help from your office again...unfortunately...I actually have questions on multiple topics, but will send the other topic in a different email.

For this one... I finally got DCBS to get all of my paperwork in place correctly – they had claimed things like they had not received it previously – despite documentary evidence of successful facsimile transmission etc... so in February, I got SNAP FINALLY to be upped from \$23 / month. It has been hard to survive without income...and the inability to work... due to severe and ongoing chronic health problems....

So SNAP was finally approved after review, in February 2023....yesterday, Friday 3/19/2023, I got notice that I was due for a SNAP review??!! Are you kidding me?? This could not possibly be correct. I submitted all of the documentation multiple times in January....and finally got everything set up in February....and now it is March (approximately 1.5 months later), and I am being told I am due for mid-year SNAP review????

Please assist.

John R. Fouts

(502) 956-0052

p.s. Letter is attached from kynect.gov.

Sent from [Mail](#) for Windows

From: [John Fouts](mailto:John.Fouts@ky.gov)
To: CHFS.Listens@ky.gov
Subject: I finally got SNAP after it was mishandled by DCBS - in place - after review - in February - 2023 - now I am being reviewed again - in March 2023??
Date: Saturday, March 18, 2023 4:18:11 PM
Attachments: [2023-03-18-SNAP-REVIEW-NOTICE-AGAIN-THIS-DOES-NOT-MAKE-SENSE-LAST-REVIEWED-IN-FEBRUARY-2023.pdf](#)

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Please assist.

John R. Fouts
(502) 956-0052

p.s. Letter is attached from kynec.t.gov.

Sent from Mail for Windows

From: [John R. Fouts](#)
To: CHFS.Listens@ky.gov
Subject: I finally got SNAP after it was mishandled by DCBS - in place - after review - in February - 2023 - now I am being reviewed again - in March 2023??
Date: Saturday, March 18, 2023 4:18:53 PM
Attachments: [2023-03-18-SNAP-REVIEW-NOTICE-AGAIN-THIS-DOES-NOT-MAKE-SENSE-LAST-REVIEWED-IN-FEBRUARY-2023.pdf](#)

I need help from your office again....unfortunately....I actually have questions on multiple topics, but will send the other topic in a different email.

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So SNAP was finally approved after review, in February 2023....yesterday, Friday 3/19/2023, I got notice that I was due for a SNAP review??!! Are you kidding me?? This could not possibly be correct. I submitted all of the documentation multiple times in January....and finally got everything set up in February....and now it is March (approximately 1.5 months later), and I am being told I am due for mid-year SNAP review????

Please assist.

John R. Fouts
(502) 956-0052

p.s. Letter is attached from kynect.gov.

Sent from [Mail](#) for Windows

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: I had sent in ALL REQUESTED DOCUMENTS FOR KTAP ON TIME - yet I was denied anyway
Date: Wednesday, May 3, 2023 11:16:30 PM

I need you to look into this please. I am tired of having to write about so many errors that have been made with regard to my case.

Please review the KTAP denial that was made in error.

John R. Fouts
Social 402179858

John

Phone number is: 502.956.0052. I submitted all documents in time to be processed by the deadline, and can confirm this with fax records that show documents were successfully received at DCBS by the deadline....yet....I was denied anyway....

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: I need proof that I am covered - I am not able to access that information in the system - BlinkRX Pharmacy says that they have called Medicaid several times and keep getting told my account is not active
Date: Wednesday, December 27, 2023 4:26:23 PM

They are telling BlinkRX that I am not covered by Medicaid...but I am....I verified they had the horse card on file...and they do...can you help?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: I need proof that I am receiving the Medicaid HCBS Waiver (that I am approved for it) -- but I am not able to view any of my information on KYNECT - can you please send me something? It is urgent -- 2023-12-21
Date: Thursday, December 21, 2023 3:04:28 PM

This is for my disability case with SSA, and the judge needs the information ASAP. I have to get it to my rep as quickly as possible so he can get it to the judge for my disability trial.

I am not able to get any of my information from the KYNECT portal unfortunately.

What is the way to expedite the issue of fixing that? Should I contact the Governor's office? Because having no time frame for resolution, and me not getting any kind of notifications, and not being able to access any information for several weeks is not okay...

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: I still cannot see my child's information -- when is the eta for the resolution of that?
Date: Tuesday, January 30, 2024 2:40:42 PM

Please let me know. Since it has been months, I am pretty frustrated that it has not been resolved.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: I think I am eligible for the ESAP program - but DCBS doesn't know how to set me up for it -- can you help?
Date: Monday, November 27, 2023 3:04:27 PM

I am under 65...I am disabled by MRT standards at DCBS. One of the last few workers I spoke to at DCBS told me I was eligible but she didn't know how to sign me up for it.

Can you help me with this please?

John

--

"Shining" in Service,

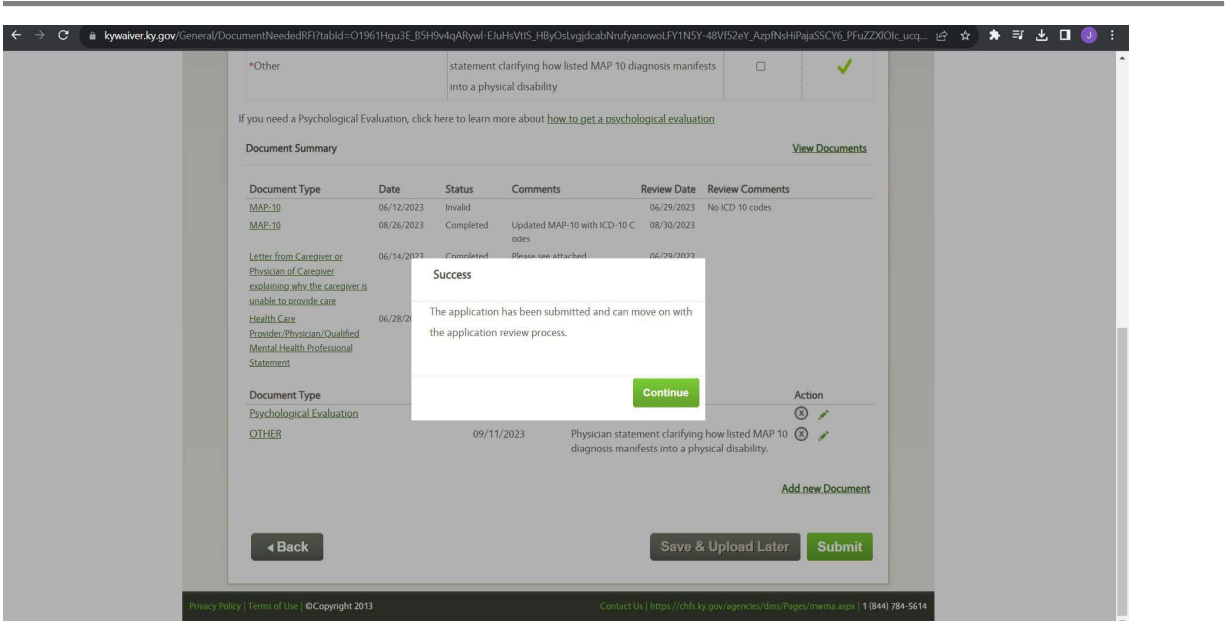
John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: I usually get snap on the 17th if the month...and me and my child NEED food. Why is it delayed until May 23rd?
And why were we not notified?
Date: Friday, June 16, 2023 6:38:25 PM

How do I file an official complaint?

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: I was able to click submit -- again -- today -- 2023-09-20 -- 10:09 a.m. EST -- See screenshot -- Can you verify it actually submitted? It said the same thing last time...
Date: Wednesday, September 20, 2023 10:10:03 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image.png](#)
[image005.png](#)
[image003.png](#)
[image004.png](#)
[image002.png](#)



John

On Wed, Sep 20, 2023 at 8:56 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

My co-worker and our tech team have looked at the application. You will need to try to click submit again.

If that does not work, please call tech support at 844-784-5614 option 1.

Maddison Cline
Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services



275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091



From: John Fouts <fouts.john@gmail.com>
Sent: Monday, September 18, 2023 9:28 AM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Re: More problems with the waiver application system - I submitted what was needed for my waiver application - but it still says action required - please help

I already submitted - it is still in that state...I cannot submit again because it has already been submitted - it is the same issue as before....

On Mon, Sep 18, 2023 at 9:22 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Please try to click the submit button. If that does not work please let me know.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

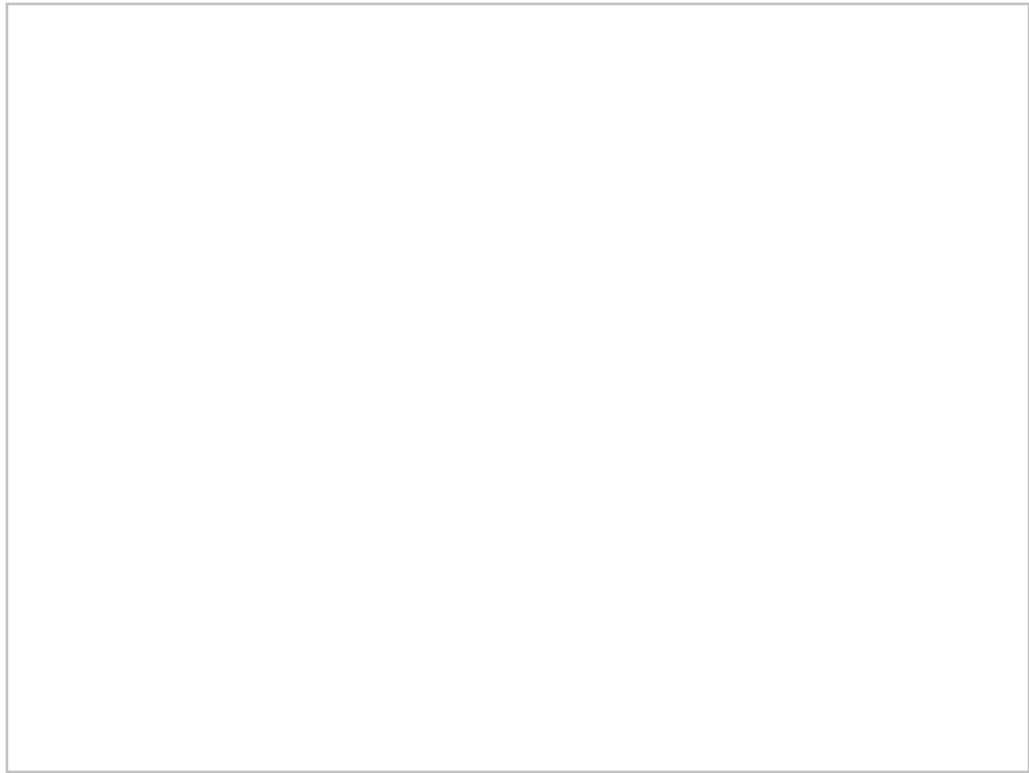


From: John Fouts <fouts.john@gmail.com>
Sent: Saturday, September 16, 2023 3:39 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: More problems with the waiver application system - I submitted what was needed for my waiver application - but it still says action required - please help

Maddison,

It appears the system is stuck again....

I got a message that said this...



I submitted the information last week....it still says action required, however....can you please help?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

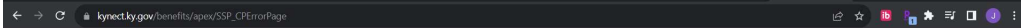
John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Is the system down? Is the notice received regarding Medicaid waiver for me or my child?
Date: Monday, August 7, 2023 6:12:00 PM
Attachments: [image.png](#)

Hi Maddison.

A while back, I completed the medicaid waiver application for both me and my child. I got a notice from kynect that I had a notice, but I have not been able to log in for many days at this point in time...all I get is an error page...



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Can you let me know if the notice is regarding the medicaid waiver program? Other??

I would greatly appreciate it.

Also I wondered how long of a time I can expect the medicaid waiver process to take, please.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
To: [CHFS Health Svcs. Administrative Hearings](#)
Cc: [John Fouts](#); [Hurst, Paula \(CHFS OLS DLLF\)](#)
Subject: J. Fouts Motion to Dismiss
Date: Tuesday, June 25, 2024 9:26:16 AM
Attachments: [2024-06-25 MTD.pdf](#)

Please file the attached motion to dismiss in the John Fouts *Denial of NEMT services* case. Thank you.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD
Assistant Counsel
Cabinet for Health and Family Services
Office of Legal Services
275 E Main ST 5W-B
Frankfort, KY 40621
patricia.abell@ky.gov
(502) 564-7623

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From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: John Fouts Medicaid Waiver Application
Date: Tuesday, August 29, 2023 10:57:32 PM
Attachments: [image.png](#)
[image.png](#)

Maddison,

Thanks for the call today. I was able to get the Submit button to reappear....and it says it was submitted...but it still says action required....can you help?

The screenshot shows a web application interface for reviewing Medicaid applications. A modal window displays a success message: "Success. The application has been submitted and can move on with the application review process." with a "Continue" button. Below the modal is a "Document Summary" table with columns: Document Type, Date, Status, Comments, Review Date, and Review Comments. The table lists three documents: MAP-10 (06/12/2023, Status: Success, Comments: No ICD 10 codes), Letter from Caregiver or Physician of Caregiver explaining why the caregiver is unable to provide care (06/14/2023, Status: Success), and Health Care Provider/Physician/Qualified Mental Health Professional Statement (06/28/2023, Status: Success). At the bottom, there is another table with columns: Document Type, Date, Comments, and Action. It shows a document of type MAP-10 dated 08/26/2023 with the comment "Updated MAP-10 with ICD-10 Codes" and an action icon. Navigation buttons include "Back", "Save & Upload Later", and "Submit".

The screenshot shows a dashboard with two main sections: "Medicaid/KCHIP" and "Medicaid Waiver".

Medicaid/KCHIP Section:

- JOHN R FOUTS** (Approved):
 - Type: Medicaid
 - Benefit Period: 07/01/2022 - 10/31/2023
 - Renewal due date: 10/31/2023
 - Links: [Request Medicaid Card](#), [View/Download Medicaid Card](#)
- JACK A FOUTS** (Approved):
 - Type: Medicaid
 - Benefit Period: 07/01/2022 - 10/31/2023
 - Renewal due date: 10/31/2023
 - Links: [Request Medicaid Card](#), [View/Download Medicaid Card](#)

Medicaid Waiver Section:

- JOHN FOUTS** (Action Required):
 - Application #: 218524831
 - Link: [Visit Waiver Dashboard](#)
- JACK FOUTS** (Action Required):
 - Application #: 218439411
 - Waiver Case#: 113190205
 - Link: [Visit Waiver Dashboard](#)

???

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Just making it abundantly clear that I request the fair hearing for IVIG MedImpact Denial
Date: Friday, February 16, 2024 3:45:01 PM

...regarding IVIG denial by MedImpact...

John R. Fouts

P. 502.956.0052

F. 502.996.8246

E. Fouts.John@gmail.com

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: KTAP has been approved but says it will start in August - can it please be started retro as of July 1? I have no income...
Date: Wednesday, July 12, 2023 4:03:46 PM
Attachments: [image.png](#)

I have been trying to get KTAP for a number of months (since February)...finally, it got approved...

It says it will start in August. I have no income.... I need to be able to access KTAP now rather than later. Is it possible, please, and respectfully, to request that it start July 1 instead of in August?

I have no way to take my child to doctor appointments (no gas), no way to buy things like toilet paper or toothpaste, etc...many unmet needs...

KTAP

JOHN R FOUTS, JACK FOUTS
● Approved

Benefit Period	Allotment	
06/28/2023 - 05/31/2024	August \$450	September \$450

It also says benefit period June 28 through May 31st....shouldn't I get KTAP for July??

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [Thecla Helmbrecht Howard](#)
To: [Andy H. Howard](#); [Tania Tomani](#); [Stith-Webster, Carrie \(CHFS DAIL Franklin\)](#); [Leann Sutter](#); [Sherree Ivers, BOD](#); [christine Moritz](#); [Tony Kent](#); [Ann Ellerkamp](#); [helmbrecht-howard, Dr. Thecla](#); [jennifer.rose3@icloud.com](#); [Monica Krummen](#); [Beth Helmbrecht](#); [Barbara Swain](#); [Kaitlyn Bellydance](#); [Heather Palmer](#); [Jessie Starks](#); [Shana Schack](#); [Paige M](#); [Trisha Perzichilli](#); [Tarra Tomani](#); [Betty Jo Jackson](#); [Deborah Knittel](#); [Deb Howard](#); [Nick Kaseno](#); [Christina Keifer](#); [Hannah Trost](#); [Rene Guagliardo](#); [Dean Moffett](#); [Margaret Williams](#); [Jana Buxton](#); [Catherine Tave Slattery](#); [Diana Bratcher](#); [Jeremie](#); [Richard Edelen](#); [Elizabeth Hodges](#); [Kristen Hughes](#); [Kyla Davis](#); [Cedaliah Melton](#); [Nancy Robey \(DOR\)](#); [Nancy Ison](#); [Marybeth Orton](#); [Melissa Raifsnider](#); [Samina Raza](#); [Melody Von Vreckin](#); [MARILYN YOUNG](#); [Kimberly A Zeigler](#); [Islandmoritz@yahoo.com](#); [Melissa Goldstein](#); [galehaverly@twc.com](#); [Shannon Gale](#); [printg96@twc.com](#); [Morgan Davis](#); [Sarah Steele](#); [Chris1975@twc.com](#); [elizabethsangston@yahoo.com](#); [Deborah Dietzler](#); [John Fouts](#); [Alton Strupp](#); [daniel brown](#); [Emily Lenard](#)
Subject: Kamp KESSA updated summer schedule thus far, camps ready to post!
Date: Saturday, March 19, 2016 4:49:54 PM
Attachments: [Sheltered Risks Inc kamp schedule 2016.docx](#)
[SRI brochure 2016.doc](#)

Hello folks, here's the updated camp schedule, ready to post to your respective groups. I have also attached the SRI brochure for additional information of where we are and what we're about.

Rides are scheduled throughout the summer and 1_1 session still available.

We have a Level 1 Intuitive horse class for adults scheduled for 7 weeks on Wednesday evenings beginning March 30, that still has a little room. See facebook Cedar Fire events or cedarfire.net. If you need anything else let us know. Thanks

Dr. Thecla Helmbrecht Howard

Mr. Anthony Helmbrecht Howard

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29
Date: Friday, March 29, 2024 11:48:04 AM

I was approved for the waiver on 10.27.23. Today is 2024.03.29 (Good Friday).

I have tried and tried and tried and tried to access funds for things I need through The Ole Home Place in Columbia, KY.

I have not been able to get anything with the funds that are supposedly allocated to me.

I would like to request a formal investigation at this point.

It has been more than a full quarter since I have asked repeatedly.

It is almost as if funds are being withheld intentionally...which would obviously not be ok.

John R. Fouts

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Medicaid Waiver Question Follow - Up - 2023-08-08 - So you cannot see these applications?
Date: Tuesday, August 8, 2023 3:58:20 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image.png](#)

Medicaid Waiver

<p>JOHN FOUTS</p> <p>● Action Required</p> <p>Application # 216524831</p> <p>Visit Waiver Dashboard</p>	<p>JACK FOUTS</p> <p>● Action Required</p> <p>Application # 216439411</p> <p>Waiver Case# 113196205</p> <p>Visit Waiver Dashboard</p>
--	--

Both are listed as action required now - but I was not ever notified of any action being required after I submitted them...

Mine is stating that it needs to have an updated map-10 form with ICD-10 code listed. I wrote to my doctor again just now.

I see Jackie's doctor didn't write icd-10 apparently either, so I wrote to Dr. Mahajan about that as well...

If you can, however, please confirm you can see the applications since you stated you did not see anything in the system for us???

Also - please confirm how long the current wait time/list is for the Michelle P. Waiver as Jackie was already added to the waitlist but there is no information about timeframe etc...

John

On Tue, Aug 8, 2023 at 8:18 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

I do not see a Waiver application for you. I only see the Medicaid application.

We have agencies throughout the state that can assist with submitting the Waiver

application. If you provide the county you live in, I can give you the appropriate contact information.

**TEAM
KENTUCKY**

CABINET FOR HEALTH
AND FAMILY SERVICES



Maddison Cline

Medicare/Medicaid Specialist II

Department for Medicaid Services

Kentucky Cabinet for Health and Family Services

275 E. Main Street 6W-B

Frankfort, Kentucky 40621

(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>

Sent: Monday, August 7, 2023 6:12 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>

Subject: Is the system down? Is the notice received regarding Medicaid waiver for me or my child?

Hi Maddison.

A while back, I completed the medicaid waiver application for both me and my child. I got a notice from kynect that I had a notice, but I have not been able to log in for many days at this point in time...all I get is an error page...

Can you let me know if the notice is regarding the medicaid waiver program? Other??

I would greatly appreciate it.

Also I wondered how long of a time I can expect the medicaid waiver process to take, please.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

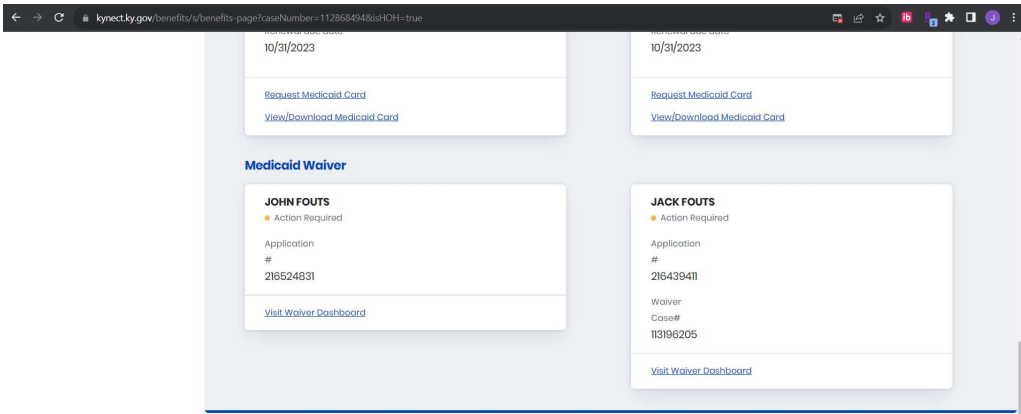
Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: More Waiver Questions?? -- 2023-08-26
Date: Saturday, August 26, 2023 11:28:42 AM
Attachments: [image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[2023-08-26-KTAP-Notice-KyNect.pdf](#)

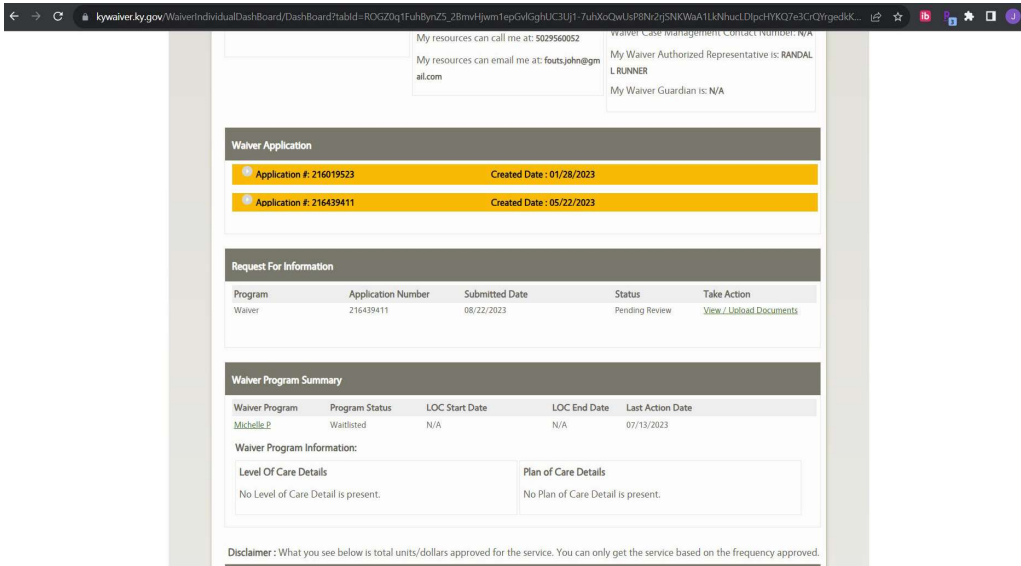
Hi again Maddison.

I still have some questions on the waivers for Jackie (aka Jack in the system) and me. Jack(ie) is my child.

The waiver applications for both of us say action required, but when I get into the actual system, it doesn't say 'what' action is required??? Can you help?



Jackie's says pending review:



Mine for some reason did not have the MAP-10 that was updated that I had uploaded previously, so I uploaded it ... again ... today ... but again, it did not say what action was required???

Additional documentation is required to determine your Medicaid benefits. We cannot continue with the processing of your application until all required documentation has been submitted.

Please note that the Application Reviewer does not receive a task to review the application until required documents are uploaded and the final 'Submit' button is clicked.
Please upload all documents that support/describe the individual's needs.

What is Needed	Types of Document Accepted	Updated on Screen?	Upload Status
*Age and/or Physical Disability Verification	MAP-10		✓
*Behavioral Challenge	Discharge Summary, Individual Education Program Documentation From an Institution (Elementary/Middle/High School etc.), Law Enforcement/Court Personnel/Prison Documentation, Psychological Evaluation, Health Care Provider/Physician/Qualified Mental Health Professional Statement, OTHER		✓
Care Provider Verification	Letter from Caregiver or Physician of Caregiver explaining why the caregiver is unable to provide care		✓
*Other	MAP 10 within 90 days and ICD 10 codes		✓

Document Summary View Documents

Document Type	Date	Status	Comments	Review Date	Review Comments
MAP-10	06/12/2023	Invalid		06/29/2023	No ICD 10 codes
Letter from Caregiver or Physician of Caregiver explaining why the caregiver is unable to provide care	06/14/2023	Completed	Please see attached.	06/29/2023	
Health Care Provider/Physician/Qualified	06/28/2023	Completed		06/29/2023	

So - for both of us - what action is required?

Also have a KTAP question - I have been approved through May 2024 for KTAP....but the approval for September suddenly disappeared off the screen on the main home page of KyNect and nothing past October is listed....

JOHN R FOUTS, JACK A FOUTS
● Approved

Benefit Period: 05/01/2023 - 03/31/2024 EBT Card funds loaded on: 06/17/2023 Allotment: **August** \$395 **September** \$395

❗ You owe \$1024 for SNAP benefits. [Pay Balance](#)
❗ If you are unable to pay your claim in full, you may set up a repayment agreement by calling (602)564-3440

[View Eligibility Notice](#)

Child Care Assistance

JACK A FOUTS
● Denied
 Application Submitted: 02/27/2023
 Effective Date: 02/27/2023
 Reason- Eligibility is denied. The Household does not meet work requirements.

[View Denial/Discontinuance Notice](#)

KTAP

JOHN R FOUTS, JACK A FOUTS
● Approved

Benefit Period: 06/28/2023 - 05/31/2024 EBT Card funds loaded on: 06/01/2023 Allotment: **October** \$450

[View Eligibility Notice](#)

I attached the eligibility notice to this email as well...I received KTAP in June, July, and August (previously September was also already approved)....now for some reason...September is not listed...and it says that benefits will start in October.....KTAP is the only income I have and I 'need' to have it for things like buying gas to get my child to school, and to get to doctor appointments, and to supplement food because SNAP is not enough and it keeps getting reduced...

Another issue I have is that SNAP says it overpaid last year, but it did not consider ANY medical expenses so I do not believe that is correct. At this point I feel that I am being

discriminated against by KyNect because I am disabled and under age 65.

In addition to the waiver problems, how can I get the KTAP amount corrected, and how can I have the previous SNAP overpayment notice that I believe was incorrect to be re-analyzed? I cannot go sit in an office for hours due to my health conditions, nor can I be on hold for hours.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: More problems with the waiver application system - I submitted what was needed for my waiver application - but it still says action required - please help
Date: Saturday, September 16, 2023 3:38:33 PM
Attachments: [image.png](#)

Maddison,

It appears the system is stuck again....

I got a message that said this...

Dear JOHN R FOUTS

Application Number: 216524831

We cannot continue with your application until you give the information listed below.

Documentation required:

Verification Needed	Document Types Accepted	Comments
<ul style="list-style-type: none">Other		Please provide a Physician/Advanced Practitioner's statement clarifying how listed MAP 10 diagnosis manifests into a physical disability
<ul style="list-style-type: none">Doctor's Evaluation or Psychological Evaluation Verification	Psychological Evaluation, Adaptive Behavior Assessment	Please provide a Physician/Advanced Practitioner's statement clarifying how listed MAP 10 diagnosis manifests into a physical disability

You or the person who helped you with the application can put the documents in kynect benefits. You may also mail them directly to the Division of Community Alternatives at:

I submitted the information last week....it still says action required, however....can you please help?

John

--

"Shining" in Service,

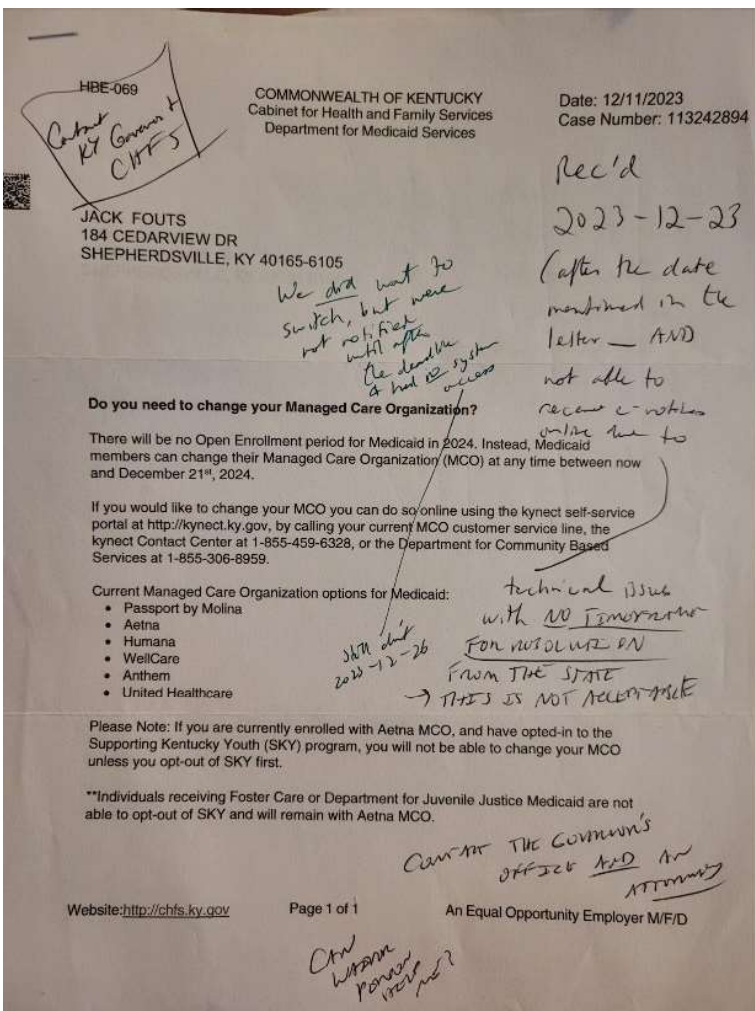
John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Need diff MCO for child - did not get notice about deadline until after deadline had passed....don't have access to self service portal info - the state of KY can't figure out how to fix their own technical glitches
Date: Friday, December 29, 2023 12:11:47 PM
Attachments: [image.png](#)

Due to technical glitches, the state of KY has been unable to fix the problem that is not allowing me to see information for me or my child online, and so, I am forced to rely on snail mail that seems to only unreliably come from the state of KY - other places seem to send mail that gets delivered fine - but for some reason - mail from the state often doesn't make it here....

I received a notice on Dec. 23rd that if we want to change MCO, that the deadline is Dec. 21. That IS NOT OKAY. What is the process to make the change of MCO for my child in this situation?



--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

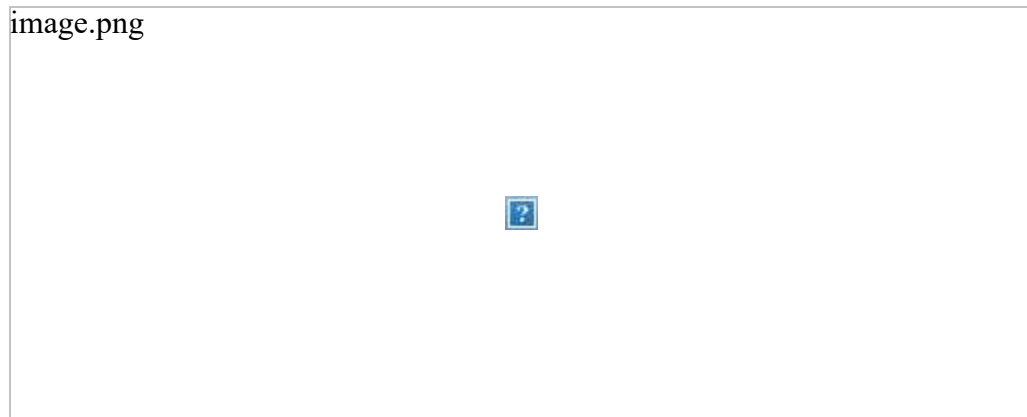
From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Need help -- KTAP was approved for September, but upon recertification suddenly September disappeared -- also medicaid waiver application issues -- also SNAP issues...
Date: Saturday, August 26, 2023 11:39:00 AM
Attachments: [2023-08-26-KTAP-Notice-KyNect.pdf](#)

There are problems for my case for KTAP, Medicaid Waiver applications for me and my child, for SNAP, and for CCARE....

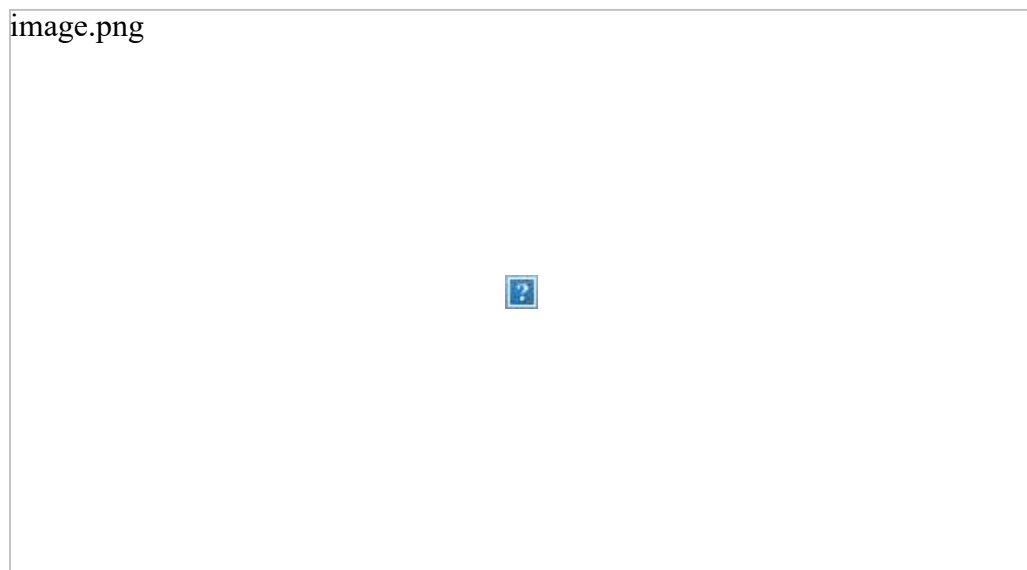
=====
Medicaid Waiver
=====

I have some questions on the waivers for Jackie (aka Jack in the system) and me. Jack(ie) is my child.

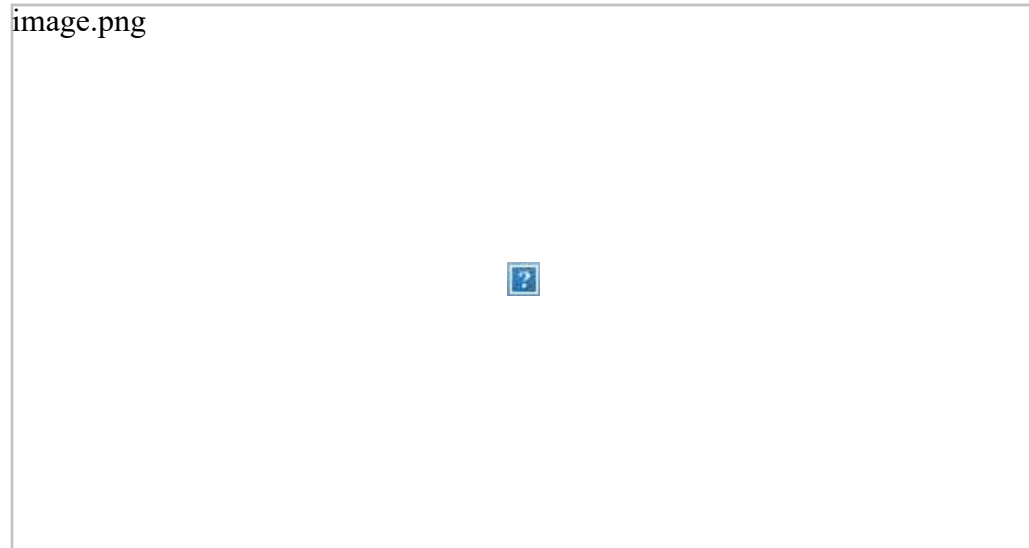
The waiver applications for both of us say action required, but when I get into the actual system, it doesn't say 'what' action is required??? Can you help?



Jackie's says pending review:



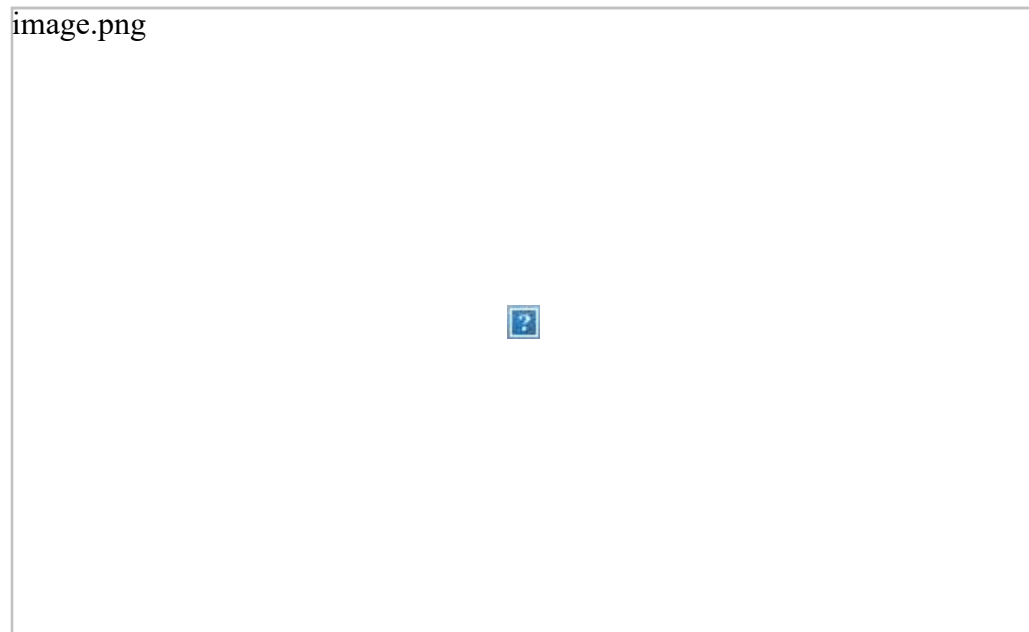
Mine for some reason did not have the MAP-10 that was updated that I had uploaded previously, so I uploaded it ... again ... today ... but again, it did not say what action was required???



So - for both of us - what action is required?

=====
KTAP Problem
=====

Also have a KTAP question - I have been approved through May 2024 for KTAP....but the approval for September suddenly disappeared off the screen on the main home page of KyNect and nothing past October is listed....



I attached the eligibility notice to this email as well...I received KTAP in June, July, and

August (previously September was also already approved)....now for some reason...September is not listed...and it says that benefits will start in October.....**KTAP is the only income I have and I 'need' to have it for things like buying gas to get my child to school, and to get to doctor appointments, and to supplement food because SNAP is not enough and it keeps getting reduced...**

=====
SNAP Problem
=====

Another issue I have is that SNAP says it overpaid last year, but it did not consider ANY medical expenses so I do not believe that is correct. The Code of Federal Regulations says I may not be discriminated against based on age or disability when benefits are being calculated - meaning medical expenses must be considered even though I am under 65....

At this point I feel that I am being discriminated against by KyNect because I am disabled and under age 65.

=====

In addition to the waiver problems, **how can I get the KTAP amount corrected so I receive it in September as I SHOULD**, and how can I have the previous SNAP overpayment notice that I believe was incorrect to be re-analyzed? I cannot go sit in an office for hours due to my health conditions, nor can I be on hold for hours.

=====

Also, it says CCARE was denied for my child due to work requirement - but I am not able to work....as an example...one situation in which I need child care for my child is on Mondays when I have IVIG infusions. The infusions take 6 to 7 hours....so I take my child to school...then get home about 30 minutes later....then start the infusion, but the infusions is not over by the time I would need to go pick up my child from school.....I am SICK and DISABLED...so I am not able to work unfortunately.

=====

Finally, in addition to resolving the issues above ASAP....I want to know how I can file **discrimination** complaints please.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

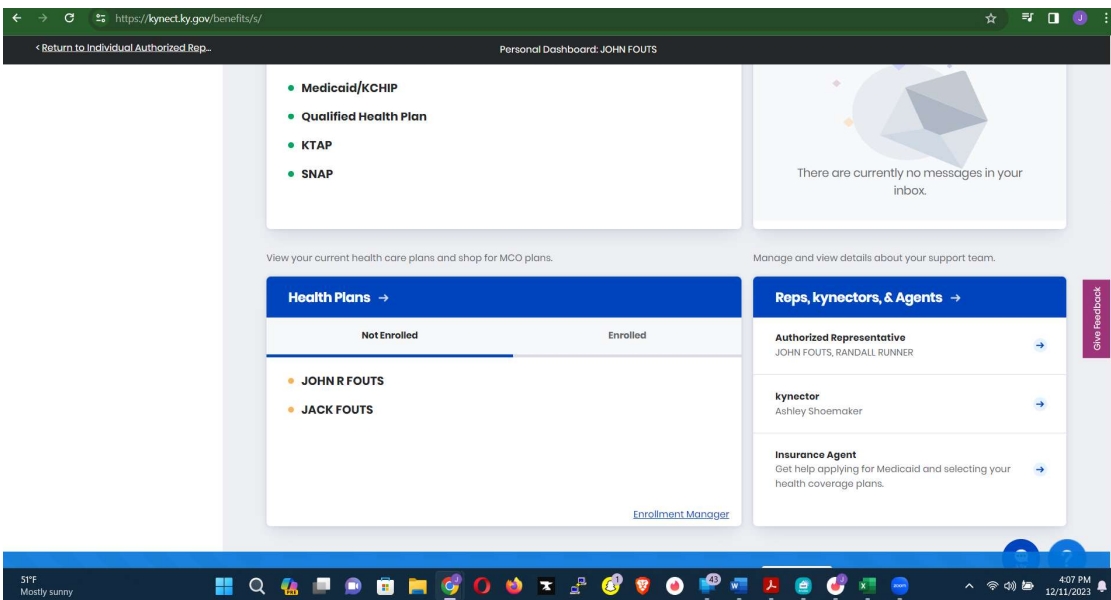
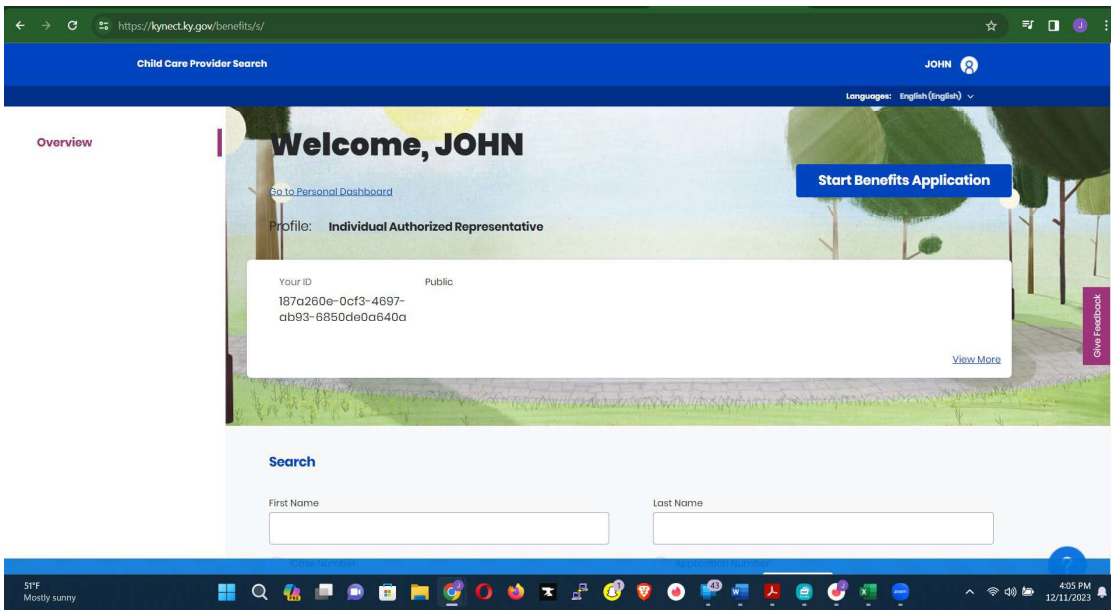
Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Need help -- waiver dashboards still missing -- still not able to access my child's information.... see screenshots -
- 2023-12-11
Date: Monday, December 11, 2023 4:08:39 PM
Attachments: [image.png](#)
[image.png](#)

Maddison,

I don't know why, but I still cannot see my child's information OR the medicaid waiver dashboards....

I see this when I log in:



I NEED to be able to see the information for my child, and also the medicaid waiver and self

service portal for the medicaid waiver dashboards for me and my child and other benefits.....do I need to contact the Governor's Office for help? I need this to get resolved. You have been truly helpful in the past. Can you help with this please?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: One more thing for now Maddison - if you can help - I need documentation showing that the MRT team deemed me disabled - I have a document somewhere here
Date: Tuesday, January 30, 2024 5:10:03 PM

I am having trouble locating it though. I know it was verbally confirmed via phone call and in written statement on a document...

Can you help me get something that shows this?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John R. Fouts](mailto:John.R.Fouts@CHFS.ky.gov)
To: CHFS.Listens@ky.gov
Subject: Pharmacy Lock In Program Question
Date: Saturday, March 18, 2023 4:49:27 PM

I have already sent an appeal to the Grievance and Complaints Department about this issue, but want to see if anything can be done from your level as well.

I am a chronically ill patient who is on several medications. I also have a child with chronic illness issues who is also on several medications.

I take 3 controlled substances (one of which is Adderall). My child also takes a different form of Adderall and at a much lower dose than me... I also take Gabapentin and Alprazolam.

It is my understanding, although no one that I have spoken with seems to know the guidelines nor can guide me to anything in writing anywhere... that the lock-in program has to do with controlled substances, multiple pharmacies, and multiple doctors.

THERE IS AN ADDERALL SHORTAGE AND THERE HAS BEEN FOR MONTHS. I HAVE DONE WHAT I WAS ADVISED TO DO BY DOCTORS – AND WHEN A PHARMACY COULD NOT FILL MY PRESCRIPTION – I WAS ADVISED TO CALL PHARMACIES UNTIL I FOUND ONE THAT COULD – AND THEN TO USE THAT PHARMACY – HAVE MY DOCTOR CALL IN A NEW PRESCRIPTION ETC...

It is also my understanding that the policy, although again – no one can provide me with any copy of it, is that there must be 3 doctors involved, 3 pharmacies, and a patient takes 3 controlled substances.

Well – I started taking Gabapentin in 2010 after a botched spine surgery in which there was medical malpractice, and have been on it for years. I have also taken Alprazolam on and off for years...and I have also taken Adderall since 2015 which is 8 years now...

So when I lived in Jefferson County, Kentucky at 2321 Glenmary Ave. Apt. 2, I would normally go to CVS Pharmacy at 2222 Bardstown Rd., but during the shortage, I had to sometimes go to the Kroger on Bardstown Rd. (about a mile away from the CVS there).

In January, I moved to Shepherdsville, KY....so have tried to move all of my child's rx and my rx to the CVS in Shepherdsville. Unfortunately, due to the continued Adderall shortage, I am still having trouble getting my rx filled. I was able to get a 10 day fill of my rx on 3/14. I take the medication for narcolepsy, and cannot function without it, so it is really important that I am able to get not only it, but ALL of the medications I have to take. I have concerns that any one pharmacy will have all of the medications that I take and my child takes without any shortage ever....ideally....I would prefer to use one pharmacy but that has not been feasible due to the Adderall shortage that has been ongoing since October of 2022.

Also, I am on IVIG which is an infusion medication that CANNOT be filled by a local pharmacy.... I also receive Copper Infusions which must be mixed together in a hospital setting which is an additional pharmacy (in the hospital)... And I also use a compounded pharmacy for topical foot cream... Since the paperwork that I have states that only one pharmacy may be used – you can see how this alone is problematic in addition to the above....

Regarding 3 doctors portion of the unseen and unobtainable policy....yes....I used to have it prescribed by my primary care physician (Dr. Murphy)....when she was out on maternity leave (because she had her child)....a different doctor in her office, Dr. Hittepole, prescribed the medication....when Dr. Murphy came back from leave, she suggested I needed to see the sleep doctor I had seen in the past to manage the Adderall because it was more in his 'wheelhouse'. So I did....I had seen Dr. Shaikun years ago...and I started seeing him again.....when Dr. Murphy told me that would be best.....I also started seeing other specialties for the other complexities of the illness and the conditions that I have (e.g. Chronic Venous Insufficiency called for me to see a Vascular Surgeon etc...).... Dr. Shaikun was out of the office when I needed the rx filled the last time – I had no idea he was out – that office had his partner, Dr. Karman, write the last rx for me...the one for which I was only able to get 10 days of due to the pharmacy not having enough inventory to fill my rx....so yes – there have been multiple doctors – but NOT AT THE SAME TIME.....I did not ask Dr. Karman to fill the rx in Dr. Shaikun's absence – I believe that is probably standard practice – for offices to do that when doctors are out on vacation or leave or whatever....

I've been told that this situation of me being placed in a lock-down was likely occurring because KY Medicaid made no exception for multiple pharmacies after the Adderall shortage continued into 2023.... I have no idea if that is accurate or not – just what I was told...

Can you help me understand why I am being placed on lock-down specifically? Is it best to wait until I have the answer back from the Grievance I filed? This whole situation is causing me undue harm and creating extreme anxiety.... I am concerned about the controlled substances that both me and my child take....about continuing to receive IVIG (which is an infusion specialty medication)....about receiving the copper infusions that I receive that are administered in the hospital after the hospital pharmacy prepares the infusion...and about topical medications I take from the other pharmacy... which is called Rx Alternatives Pharmacy. CVS isn't able to mix up compounded medications (it is my understanding). The RX Alternatives topical medication contains Amantadine, Gabapentin, Priilocaine, Piroxicaine, Ketamine, and Priilocaine.

I am being unjustly placed under a lock-down and worse yet I'm told I am considered 'guilty' until proven 'innocent' (although guilty of what I don't know because I have not done anything wrong!)

What do you suggest that I do in this case?

Sent from [Mail](#) for Windows

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Please Help
Date: Friday, August 30, 2024 12:44:08 PM

Patricia,

Lucinda, from dcbs, called a few minutes ago. She said several of my hearing requests were withdrawn because there was some overlap of issues...she said because I have a hearing apparently at 1...

The only thing is...I have not received any information about any hearing...no mail...I'm not able to see messages or to-dos on kynect...nor my child's information which are still problems...I don't know what content this hearing is about that I was never told about...until today...Lucinda also said it is too late for me to submit evidence for the hearing "for me" that I requested but was not communicated to about...that seems strongly in line with further discrimination against me...she said evidence has to be submitted 5 days in advance....

She said she'd sent out some things from dcbs about snap...I got those...but unsurprisingly....not the important notice about the hearing...suspiciously...

Can you send me a copy of any hearing information you have on this?

What do I need to do to be able to submit evidence?

As I was not ever told anything about a hearing scheduling...I need a chance to prepare the enormous amount of evidence I have collected over the past 2 years+

Please provide information.

John

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Question on Documentation Needed - 2023-09-06 -- Medicaid Waiver
Date: Wednesday, September 6, 2023 4:52:35 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image004.png](#)
[image002.png](#)
[image005.png](#)
[image007.png](#)
[image003.png](#)
[image006.png](#)

Maddison,

I don't understand what is needed by this statement:

"Please provide a Physician/Advanced Practitioner's statement clarifying how listed MAP 10 diagnosis manifests into a physical disability"

Can you provide some kind of example?? Or what form this is normally placed on??

John

On Fri, Sep 1, 2023 at 9:38 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Tech Support was able to fix the issue.

Your application is in the queue to be reviewed.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

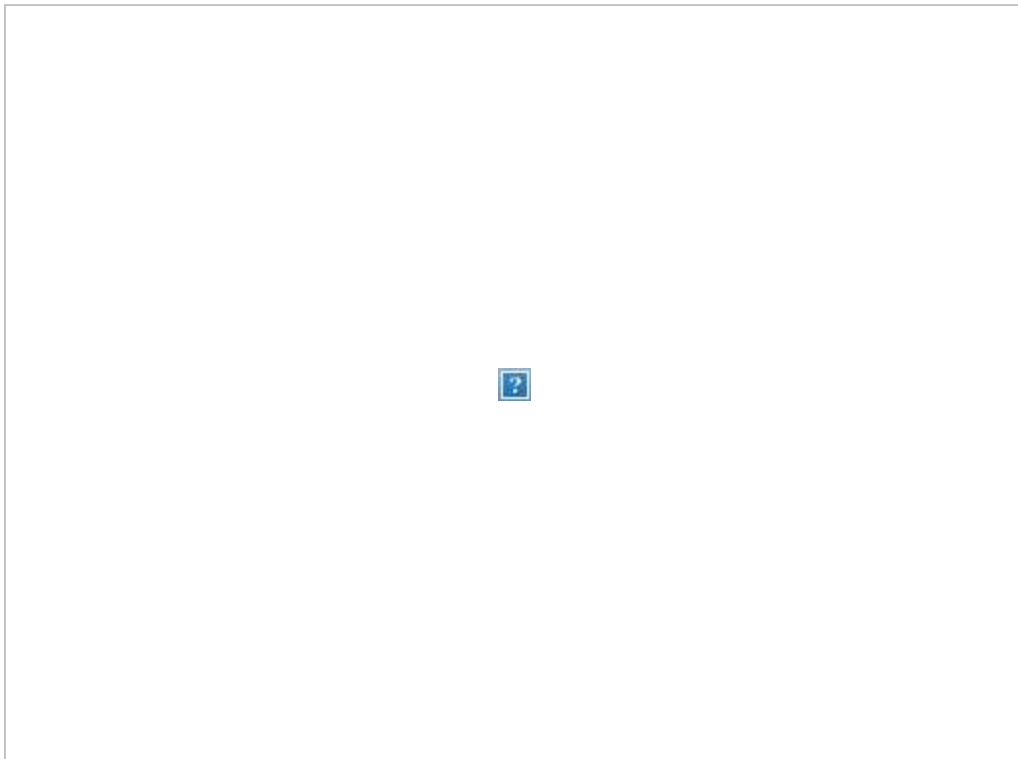
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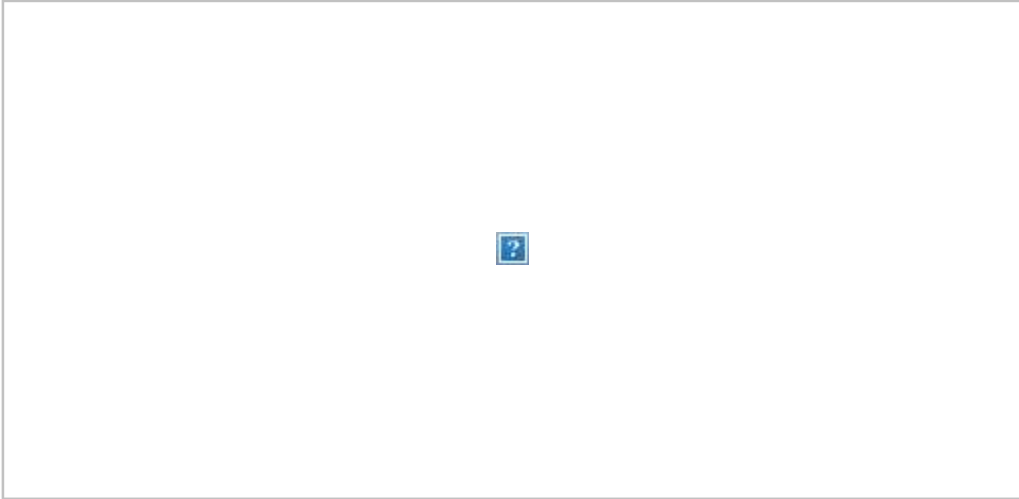


From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, August 29, 2023 10:58 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: John Fouts Medicaid Waiver Application

Maddison,

Thanks for the call today. I was able to get the Submit button to reappear....and it says it was submitted...but it still says action required....can you help?





????

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Cc: [CHFS Listens](#)
Subject: Re: 1625121sc
Date: Monday, April 10, 2023 3:27:39 PM

PLEASE SEE BELOW IN RED AND LET ME KNOW WHO I CAN CONTACT TO GET THIS STRAIGHTENED OUT: OR IF I SHOULD FIND AN ATTORNEY TO PROCEED WITH LITIGATION AGAINST CHFS.

On Mon, Apr 10, 2023 at 3:04 PM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good afternoon Mr. Fouts:

I have reviewed your SNAP case. Your SNAP case was reinstated on 04/04/2023. Your SNAP benefit will be on your card on your normal date of 04/17/2023. Your allotted amount is \$516.00. Your issued amount is \$465.00 with a recoupment amount of \$51.00. You are due a SNAP renewal 09/2023.

I APPEALED THE RECOUPMENT AMOUNT, AND HAVE HEARD NOTHING BACK FROM THE USDA YET - THE APPEAL WAS FILED MANY WEEKS AGO. I DID NOT AGREE TO ANY AMOUNT BEING RECOUPED - AS I BELIEVE I AM ACTUALLY OWED BY SNAP RETROACTIVELY - NOT THAT SNAP PROVIDED TOO MUCH AT ANY POINT - MY MEDICAL EXPENSES WERE NOT CONSIDERED - AND SNAP IS NOT ALLOWED, AS A USDA PROGRAM, TO DISCRIMINATE AGAINST DISABLED PEOPLE BASED ON AGE.

The PA Able account has been sent up to FSSB for review. Please be advised that if it declared as a countable resource the resource limit is up to \$9500 so it appears you would be within the resource limit for KTAP. You are due a mid-year review 09/2023.

IT IS NOT ALLOWED, BY FEDERAL LAW, TO BE COUNTED AS AN ASSET - IF KENTUCKY COUNTS IT, I WILL DEFINITELY BE FILING A LAWSUIT.

Your Ktap case denied 04/03/2023 for failure to provide mandatory verifications. The verification for joint custody and the bank accounts for yourself and your son were not received for the case.

I PROVIDED ALL OF THIS INFORMATION PREVIOUSLY - I DO NOT UNDERSTAND WHAT THE ISSUE IS - PLEASE REVIEW THE RECORDS ON HAND. THE LAST TIME I SPOKE WITH DCBS WAS MID - LAST WEEK, AND THEY SAID THEY HAD THE CUSTODY AGREEMENT ALREADY, THEY SAID THEY NEEDED A STATEMENT FROM THE ABLE ACCOUNT WITH MY NAME ON IT SHOWING ME AS THE CUSTODIAN OF THE ACCOUNT FOR JACK - AND I SENT THAT IN AS WELL - AND VERIFIED THEY WERE RECEIVED - I ALSO SENT AN ENTIRE COPY OF MY BANKRUPTCY FILING AND

SCHEDULES AND DISCHARGE FROM DECEMBER 2022 SHOWING THE AMEX CREDIT CARD ACCOUNT THAT WAS MISLABELED AS A TRAVEL/EXPENSE ACCOUNT BY DCBS WAS PART OF THE BANKRUPTCY PROCEEDING, AND THAT THE DEBT WAS DISCHARGED BY THE US BANKRUPTCY COURT - IT IS AGAINST THE LAW FOR YOU TO CONSIDER A DEBT AS AN ASSET AND ONE THAT WAS PART OF A BANKRUPTCY AT THAT - SHALL I HAVE MY BANKRUPTCY ATTORNEY CONTACT YOU?

You will need to reapply for KTAP. You can contact DCBS at 1-855-306-8959 to complete KTAP application. Call services is open Monday – Friday 8:00 am – 4:30 pm, Eastern Time, and Saturdays from 9:00 am – 2:00 pm.

NO - IF YOU ARE STATING I NEED TO REAPPLY - WHEN I COMPLETED ALL STEPS AS REQUESTED - AND VERIFIED ALL THINGS WERE RECEIVED - AND THE CALLS WERE RECORDED - I DO NOT HAVE THE ABILITY TO DO SO - I AM DISABLED - YOU ARE DISCRIMINATING AGAINST A DISABLED PERSON AND THAT TOO IS AGAINST THE LAW.

Additional verification will be needed by DCBS on joint custody of your son. Due to the court documents stating you and Lindsey share custody DCBS must have something from child's mother to verify child is primarily with you. I would suggest a written statement from the child's mother along with her telephone number in case they have any questions.

JACK'S MOTHER WAS JUST RELEASED FROM THE MENTAL HEALTH HOSPITAL AGAIN AND IS NOW PARTICIPATING IN AN INPATIENT PROGRAM THROUGH THE BROOK AT DUPONT. I CAN GET HER TO SIGN A DOCUMENT STATING THAT JACK IS WITH ME FROM 7:30 AM TO 5:30 PM ON HER WEEKS MONDAY THROUGH FRIDAY AND THAT JACK IS WITH ME 100% OF THE TIME ON MY WEEKS. THAT IS NOT AN ISSUE. I DID NOT KNOW THAT AN ADDITIONAL DOCUMENT WAS NEEDED. LINDSAY IS ALSO WORKING, WHEREAS, I AM UNABLE TO WORK DUE TO DISABILITY - BUT I AM NOT RECEIVING ANY DISABILITY BENEFITS BECAUSE SSDI IS A VERY MESSED UP AND BROKEN SYSTEM.

Please let me know if we can be of any further assistance.

WHO IS THE APPROPRIATE LEGAL CONTACT WITHIN YOUR ORGANIZATION?

Thank you and have a good day,

I CANNOT HAVE A GOOD DAY WHEN I AM BEING VERY CLEARLY DISCRIMINATED AGAINST DUE TO HAVING DISABILITIES AND DUE TO CHRONIC ILLNESSES WHICH ARE BEYOND MY CONTROL.

I PREVIOUSLY ASKED FOR HELP FILLING THINGS OUT AND GETTING EVERYTHING NEEDED, AND YOU ARE REQUIRED, AS AN OFFICE, BY LAW TO PROVIDE ME WITH ASSISTANCE, AS PART OF THE AMERICANS WITH DISABILITIES ACT, BUT I HAVE NOT RECEIVED ANY ASSISTANCE, OR EVEN A PHONE CALL WITH REGARD TO MY REQUEST.

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.LISTENS@KY.GOV

From: John Fouts <fouts.john@gmail.com>

Sent: Friday, April 7, 2023 12:42 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Re: Case: 1622619 -- Fwd: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account -- Following up 4/7/2023 (originally wrote 3/23/2023)....need assistance URGENTLY....

I believe I was speaking with a woman named Stephanie about this issue previously.

I reached out to DCBS to touch base and they said they were sending it up the ladder (just as you had noted last week)... I need benefits ASAP....I have NOTHING....I have no way to have gas money to go to critical doctors appointments or have labs drawn.....my child needs clothing....etc....I need clothing....I've not been able to find any resources in the community that can assist us even with the list provided previously....so I am now reliant upon KTAP/TANF.....also have an issue with SNAP apparently....

Even though I recertified SNAP in February and I received a letter stating that the benefits would be valid from April through October, I was told that I had to recertify...AGAIN...in March....so I did....now today....I am getting notices that I need to recertify AGAIN in April! I feel strongly that I am being discriminated against as a disabled person! Who can I talk to, to file a complaint officially about that?

Also -- Back to KTAP and TANF.....when I spoke to DCBS....the woman I spoke with told me that they had the ABLE account being classified as an asset. **THIS IS NOT LEGAL - FEDERALLY - IT IS NOT OKAY FOR KENTUCKY TO VIOLATE FEDERAL LAW.** At this point, I am looking for a pro-bono attorney who may be able to handle this matter legally - but I have not found one yet. Kentucky must abide by federal law! There is not even that much in that account - there is \$500 roughly in that account...but it is legally not allowed to be classified as an asset -- see information sent below previously!

I was also told that they had me and Jack as both having a 5/3 account, but that is totally inaccurate. They told me they needed something showing that I was the custodian for Jack's account at 5/3 to clear that up - so I sent that a couple of days ago.....I was also told that they had some weird kind of travel expense account for me - I have no idea why they had it classified as that - what it was - was my old American Express credit card account that was closed as part of my bankruptcy in December 2022. I sent them the entire bankruptcy schedule a couple of days ago as well to verify this....

I was told that by the 18th I may have an answer. I need answers NOW - not in weeks from now... I need assistance NOW....not in weeks....how can you help? Is there a way to contact the Governor directly about matters such as this? Or do I need to go to the federal level that handles oversight and ask them for assistance in dealing with the matter?

Finally - for now - I wanted to check with the MRT team (Medical Review Team) - to see if they need my medical records - or to see how I can send them my medical records.....I have over 5,000 pages of medical records, but will filter it down to the most critical results to show them - need to know how to get them information -- and how to reach someone without waiting on hold for an hour or longer....I have many health problems and things like that are incredibly challenging for me....my child also has special needs.....so what can you do to assist in the above matters?

John

=====

On Thu, Mar 23, 2023 at 4:30 PM John Fouts <fouts.john@gmail.com> wrote:

Please see the information below per my call with Stephanie today (2023-03-23):

You can see below from all of this information, that ABLE accounts are not allowed to be used in determining benefits.

I have also attached a snapshot from the 5/3 ABLE Checking account for my child - Jack Fouts.

Here is the part of the Code of Federal Regulations (so FEDERAL LAW) that states that ABLE accounts are not allowed to be counted as assets when determining public program benefits.

7 CFR § 273.8 - Resource eligibility standards

This is the link from Cornell Law

<https://www.law.cornell.edu/cfr/text/7/273.8>

This is the wording:

1. [LII](#)
2. [Electronic Code of Federal Regulations \(e-CFR\)](#)
3. [Title 7 - Agriculture](#)
4. [Subtitle B - Regulations of the Department of Agriculture](#)
5. [CHAPTER II - FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE](#)
6. [SUBCHAPTER C - SUPPLEMENTAL NUTRITION ASSISTANCE AND FOOD DISTRIBUTION PROGRAM](#)
7. [PART 273 - CERTIFICATION OF ELIGIBLE HOUSEHOLDS](#)
8. [Subpart D - Eligibility and Benefit Levels](#)
9. **§ 273.8 Resource eligibility standards.**

7 CFR § 273.8 - Resource eligibility standards.

- [CFR](#)

-
- [Table of Popular Names](#)
 - [State Regulations](#)
-

prev | [next](#)

§ 273.8 Resource eligibility standards.

(a) **Uniform standards.** The [State agency](#) shall apply the uniform national resource standards of eligibility to all [applicant](#) households, including those households in which members are recipients of federally aided public assistance, general assistance, or supplemental security income. Households which are categorically eligible as defined in [§ 273.2\(j\)\(2\)](#) or [273.2\(j\)\(4\)](#) do not have to meet the resource limits or definitions in this section.

(b) **Maximum allowable financial resources.** The maximum allowable liquid and non-liquid financial resources of all members of a household without members who are elderly or have a disability shall not exceed \$2,000, as adjusted for inflation in accordance with paragraph (b)(1) and (b)(2) of this section. For households including one or more member who is elderly or has a disability, such financial resources shall not exceed \$3,000, as adjusted for inflation in accordance with paragraph (b)(1) and (b)(2) of this section.

(1) Beginning October 1, 2008, and each October 1 thereafter, the maximum allowable financial resources shall be adjusted and rounded down to the nearest \$250 to reflect changes in the Consumer Price Index for the All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor (for the 12-month period ending the preceding June).

(2) Each [adjustment](#) shall be based on the unrounded amount for the prior 12-month period.

(c) **Definition of resources.** In determining the resources of a household, the following shall be included and documented by the [State agency](#) in sufficient detail to [permit](#) verification:

(1) Liquid resources, such as cash on hand, money in checking and savings accounts, saving certificates, stocks or bonds, and lump sum payments as specified in [§ 273.9\(c\)\(8\)](#); and

(2) Nonliquid resources, personal property, licensed and unlicensed vehicles, buildings, land, recreational properties, and any other property, provided that these resources are not specifically excluded under [paragraph \(e\)](#) of this section. The value of nonexempt resources, except for licensed vehicles as specified in [paragraph \(f\)](#) of this section, shall be its equity value. The equity value is the fair market value less encumbrances.

(3) For a household containing a sponsored alien, the [State agency](#) must deem the resources of the sponsor and the sponsor's spouse in accordance with [§ 273.4\(c\)\(2\)](#).

(d) **Jointly owned resources.** Resources owned jointly by separate households shall be considered available in their entirety to each household, unless it can be demonstrated by the [applicant](#) household that such resources are inaccessible to that household. If the household can demonstrate that it has access to only a portion of the resource, the value of that portion of the resource shall be counted toward the household's resource level. The resource shall be

considered totally inaccessible to the household if the resource cannot practically be subdivided and the household's access to the value of the resource is dependent on the agreement of a joint [owner](#) who refuses to comply. For the purpose of this provision, ineligible aliens or disqualified individuals residing with the household shall be considered household members. Resources shall be considered inaccessible to [persons](#) residing in shelters for battered women and children, as defined in [§ 271.2](#), if

(1) The resources are jointly owned by such [persons](#) and by members of their former household; and

(2) The shelter resident's access to the value of the resources is dependent on the agreement of a joint [owner](#) who still resides in the former household.

(e) **Exclusions from resources.** In determining the resources of a household, only the following shall be excluded:

(1) The home and surrounding property which is not separated from the home by intervening property owned by others. Public rights of way, such as roads which run through the surrounding property and separate it from the home, will not affect the exemption of the property. The home and surrounding property shall remain exempt when temporarily unoccupied for reasons of employment, training for future employment, illness, or uninhabitability caused by casualty or natural disaster, if the household intends to return. Households that currently do not own a home, but own or are purchasing a [lot](#) on which they intend to build or are building a permanent home, shall receive an exclusion for the value of the [lot](#) and, if it is partially completed, for the home.

(2) Household goods, personal effects, the cash value of life insurance policies, one burial plot per household member, and the value of one funeral agreement per household member. The cash value of pension plans or funds shall be excluded. The following retirement accounts shall be excluded:

(i) Funds in a plan, [contract](#), or account that meets the requirements that is described in one of the following sections of the [Internal Revenue Code of 1986](#):

(A) Section 401(a), which includes funds commonly known as “tax qualified retirement plans,” including “401(k) plans”;

(B) Section 403(a), which includes funds that are similar to 401(a) plans but are funded through annuity contracts;

(C) Section 403(b), which includes tax-sheltered annuities, custodial accounts, and retirement income accounts retirement plans for some employees of public schools and tax exempt organizations;

(D) Section 408, which includes traditional Individual Retirement Accounts and traditional Individual Retirement Annuities (IRAs);

(E) Section 408A, which includes plans commonly known as “Roth IRAs” (including the “myRA”);

(F) Section 457(b), which includes plans commonly known as “eligible deferred compensation plans” for employees of [state](#) or local government or tax-exempt entities; or

- (G) Section 501(c)(18), which includes plans funded by employee contributions.
 - (ii) Funds in a Section 529A, which includes funds in a qualified ABLE [program](#).
 - (iii) Funds in the Federal Thrift Savings Fund within the meaning of that term as used in section 7701(j) of the [Internal Revenue Code of 1986](#). as defined by [5 U.S.C. 8439](#).
 - (iv) Any other retirement plan or arrangement that is designated as tax-exempt under a [successor](#) or similar provision of the [Internal Revenue Code of 1986](#).
 - (iv) Any other retirement account determined by FNS to be appropriate for exclusion.
- (3)
- (i) Licensed vehicles that meet the following conditions:
 - (A) Used for income-producing purposes such as, but not limited to, a taxi, truck, or fishing boat, or a vehicle used for deliveries, to call on clients or customers, or required by the terms of employment. Licensed vehicles that have previously been used by a self-employed household member engaged in farming but are no longer used in farming because the household member has terminated his/her self-employment from farming must continue to be excluded as a resource for one year from the date the household member terminated his/her self-employment farming;
 - (B) Annually producing income consistent with its fair market value, even if used only on a seasonal basis;
 - (C) Necessary for long-distance travel, other than daily commuting, that is essential to the employment of a household member (or ineligible alien or disqualified [person](#) whose resources are being considered available to the household) - for example, the vehicle of a traveling sales [person](#) or a migrant farm worker following the work stream;
 - (D) Used as the household's home and, therefore, excluded under [paragraph \(e\)\(1\)](#) of this section;
 - (E) Necessary to transport a physically disabled household member (or physically disabled ineligible alien or physically disabled disqualified [person](#) whose resources are being considered available to the household) regardless of the purpose of such transportation (limited to one vehicle per physically disabled household member). The vehicle need not have special equipment or be used primarily by or for the transportation of the physically disabled household member; or
 - (F) Necessary to carry fuel for heating or water for home use when the transported fuel or water is anticipated to be the primary source of fuel or water for the household during the certification period. Households must receive this resource exclusion without having to meet any additional tests concerning the nature, capabilities, or other uses of the vehicle. Households must not be required to furnish documentation, as mandated by [§ 273.2\(f\)\(4\)](#), unless the exclusion of the vehicle is questionable. If the basis for exclusion of the vehicle is questionable, the [State agency](#) may require documentation from the household, in accordance with [§ 273.2\(f\)\(4\)](#).
 - (G) The value of the vehicle is inaccessible, in accordance with [paragraph \(e\)\(18\)](#) of this section, because its sale would produce an estimated return of not more than

\$1,500.

(ii) On those Indian reservations that do not require vehicles driven by tribal members to be licensed, such vehicles must be treated as licensed vehicles for the purpose of this exclusion.

(iii) The exclusions in paragraphs (e)(3)(i)(A) through (e)(3)(i)(C) of this section will apply when the vehicle is not in use because of temporary unemployment, such as when a taxi driver is ill and cannot work, or when a fishing boat is frozen in and cannot be used.

(4) Property which annually produces income consistent with its fair market value, even if only used on a seasonal basis. Such property shall include rental homes and vacation homes.

(5) Property, such as farm land or work related equipment, such as the tools of a tradesman or the machinery of a farmer, which is essential to the employment or self-employment of a household member. Property essential to the self-employment of a household member engaged in farming shall continue to be excluded for one year from the date the household member terminates his/her self-employment from farming.

(6) Installment [contracts](#) for the sale of land or buildings if the [contract](#) or agreement is producing income consistent with its fair market value. The exclusion shall also apply to the value of the property sold under the installment [contract](#), or held as security in exchange for a purchase price consistent with the fair market value of that property.

(7) Any governmental payments which are designated for the restoration of a home damaged in a disaster, if the household is subject to a legal sanction if the funds are not used as intended; for example, payments made by the Department of Housing and Urban Development through the individual and family grant [program](#) or disaster loans or grants made by the Small Business Administration.

(8) Resources having a cash value which is not accessible to the household, such as but not limited to, irrevocable trust funds, security deposits on rental property or utilities, property in probate, and real property which the household is making a good faith effort to sell at a reasonable price and which has not been sold. The [State agency](#) may verify that the property is for sale and that the household has not declined a reasonable offer. Verification may be obtained through a collateral contact or documentation, such as an advertisement for public sale in a newspaper of general circulation or a listing with a real estate broker. Any funds in a trust or transferred to a trust, and the income produced by that trust to the extent it is not available to the household, shall be considered inaccessible to the household if:

(i) The trust arrangement is not likely to cease during the certification period and no household member has the power to revoke the trust arrangement or change the name of the beneficiary during the certification period;

(ii) The trustee administering the funds is either:

(A) A court, or an institution, corporation, or organization which is not under the direction or ownership of any household member, or **(B)** an individual appointed by the court who has court imposed limitations placed on his/her use of the funds which meet the requirements of this paragraph;

(iii) Trust investments made on behalf of the trust do not directly involve or assist any business or corporation under the control, direction, or influence of a household member; and

(iv) The funds held in irrevocable trust are either:

(A) Established from the household's own funds, if the trustee uses the funds solely to make investments on behalf of the trust or to pay the educational or medical expenses of any person named by the household creating the trust, or (B) established from non-household funds by a nonhousehold member.

(9) Resources, such as those of students or self-employed persons, which have been prorated as income. The treatment of student income is explained in § 273.10(c) and the treatment of self-employment income is explained in § 273.11(a).

(10) Indian lands held jointly with the Tribe, or land that can be sold only with the approval of the Department of the Interior's Bureau of Indian Affairs; and

(11) Resources which are excluded for SNAP purposes by express provision of Federal statute.

(12) Earned income tax credits shall be excluded as follows:

(i) A Federal earned income tax credit received either as a lump sum or as payments under section 3507 of the Internal Revenue Code for the month of receipt and the following month for the individual and that individual's spouse.

(ii) Any Federal, State or local earned income tax credit received by any household member shall be excluded for 12 months, provided the household was participating in SNAP at the time of receipt of the earned income tax credit and provided the household participates continuously during that 12-month period. Breaks in participation of one month or less due to administrative reasons, such as delayed recertification or missing or late monthly reports, shall not be considered as nonparticipation in determining the 12-month exclusion.

(13) Where an exclusion applies because of use of a resource by or for a household member, the exclusion shall also apply when the resource is being used by or for an ineligible alien or disqualified person whose resources are being counted as part of the household's resources. For example, work related equipment essential to the employment of an ineligible alien or disqualified person shall be excluded (in accordance with paragraph (e)(5) of this section), as shall one burial plot per ineligible alien or disqualified household member (in accordance with paragraph (e)(2) of this section).

(14) Energy assistance payments or allowances excluded as income under § 273.9(c)(11).

(15) Non-liquid asset(s) against which a lien has been placed as a result of taking out a business loan and the household is prohibited by the security or lien agreement with the lien holder (creditor) from selling the asset(s).

(16) Property, real or personal, to the extent that it is directly related to the maintenance or use of a vehicle excluded under paragraphs (e)(3)(i)(A), (e)(3)(i)(B) or (e)(3)(i)(C) of this section. Only that portion of real property determined necessary for maintenance or use is excludable under this provision. For example, a household which owns a produce truck to earn its livelihood may be prohibited from parking the truck in a residential area. The household may own a 100-acre field and use a quarter-acre of the field to park and/or service the truck. Only the value of the quarter-acre would be excludable under this provision, not the entire 100-acre field.

(17) The resources of a household member who receives SSI or PA benefits. A household member is considered a recipient of these benefits if the benefits have been authorized but not received, if the benefits are suspended or recouped, or if the benefits are not paid because they are less than a minimum amount. For purposes of this paragraph (e)(17), if an individual receives non-cash or in-kind [services](#) from a [program](#) specified in [§§ 273.2\(j\)\(2\)\(i\)\(B\)](#), [273.2\(j\)\(2\)\(i\)\(C\)](#), [273.2\(j\)\(2\)\(ii\)\(A\)](#), or [273.2\(j\)\(2\)\(ii\)\(B\)](#), the [State agency](#) must determine whether the individual or the household benefits from the assistance provided, in accordance with [§ 273.2\(j\)\(2\)\(iii\)](#). Individuals entitled to Medicaid benefits only are not considered recipients of SSI or PA.

(18) The [State agency](#) must develop clear and uniform standards for identifying kinds of resources that, as a practical matter, the household is unable to sell for any significant return because the household's interest is relatively slight or the costs of selling the household's interest would be relatively great. The [State agency](#) must so identify a resource if its sale or other disposition is unlikely to produce any significant amount of funds for the support of the household or the cost of selling the resource would be relatively great. This provision does not apply to financial instruments such as stocks, bonds, and negotiable financial instruments. The determination of whether any part of the value of a vehicle is included as a resource must be made in accordance with the provisions of paragraphs (e)(3) and (f) of this section. The [State agency](#) may require verification of the value of a resource to be excluded if the information provided by the household is questionable. The [State agencies](#) must use the following definitions in developing these standards:

- (i) "Significant return" means any return, after estimating costs of sale or disposition, and taking into account the [ownership interest](#) of the household, that the [State agency](#) determines are more than \$1,500; and
- (ii) "Any significant amount of funds" means funds amounting to more than \$1,500.

(19) At [State agency](#) option, any resources that the [State agency](#) excludes when determining eligibility or benefits for TANF cash assistance, as defined by [45 CFR 260.31](#) (a)(1) and (a)(2), or medical assistance under Section 1931 of the SSA. Resource exclusions under TANF and Section 1931 [programs](#) that do not evaluate the financial circumstances of adults in the household and [programs](#) grandfathered under Section 404(a)(2) of the SSA shall not be excluded under this paragraph (e)(19). Additionally, licensed vehicles not excluded under Section 5(g)(2)(C) or (D) of the [Food and Nutrition Act of 2008](#), as amended ([7 U.S.C. 2014\(g\)\(2\)\(C\)](#) or (D)), cash on hand, amounts in any account in a financial institution that are readily available to the household including money in checking or savings accounts, savings certificates, stocks, or bonds shall also not be excluded. The term "readily available" applies to resources that the [owner](#) can simply withdraw from a financial institution. [State agencies](#) may exclude deposits in individual development accounts (IDAs).

A

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[Message clipped] [View entire message](#)

----- Forwarded message -----
From: <pa.clientservice@savewithable.com>

Date: Thu, Mar 23, 2023 at 8:09 AM
Subject: RE: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account
To: <fouts.john@gmail.com>

Please see the resource links below:

<https://www.fns.usda.gov/snap/treatment-able-accounts-determining-snap-eligibility>

<https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>

Please see the Pennsylvania ABLE Program Disclosure Statement for the official rules of Pennsylvania ABLE.

For more information about Pennsylvania ABLE, please visit our website at pa.savewithable.com. You can also contact us at (855)-529-2253 any business day from 8:00 AM to 5:00 PM EST. A Pennsylvania ABLE representative will be pleased to assist you.

Sincerely,

Pennsylvania ABLE

Client Services

From: fouts.john@gmail.com
Sent: Wed Mar 22 2023 22:37:29 GMT-0400 (Eastern Daylight Time)
To: info@paable.gov
Subject: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account

My child, Jack Fouts, has a PA Able account. I am my child's father (John Fouts). Kentucky has required information on the balance of the PA Able Account to Make Determination about TANF which is called KTAP here, on SNAP, and on Medicaid. I know it is against the law for them to consider the Able Account in terms of that, but I need to refer them to any/all legal federal and state documents that point to this.

Can you help please?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

Disclaimer

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This email has been scanned for viruses and malware

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

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Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: Approval of NEMT request for 6 months - SSA Letter Confirming I Am Disabled - For Your Records
Date: Friday, June 28, 2024 5:50:27 PM

Just wanted to provide you with a copy of the SSA letter....

I only included the first page here.

Obviously, SSA can confirm. It concerns me that the state does not seem to know or understand that I am disabled.

Please see the attached.

John R. Fouts

On Tue, Jun 25, 2024 at 2:21 PM John Fouts <fouts.john@gmail.com> wrote:

I already 'am' permanently disabled.....I am on SSDI.....my conditions are not expected to improve. I don't know what else to say to that.... I wish that they would....but I am permanently disabled....

On Tue, Jun 25, 2024 at 8:07 AM Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov> wrote:

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Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD

Assistant Counsel

Cabinet for Health and Family Services

Office of Legal Services

275 E Main ST 5W-B

Frankfort, KY 40621

patricia.abell@ky.gov

(502) 564-7623

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From: John Fouts <fouts.john@gmail.com>
Sent: Monday, June 24, 2024 3:52 PM
To: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>
Subject: Re: Approval of NEMT request for 6 months

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Regarding the NEMT...is that six months from the date of the hearing request? Or 6 months from today's date? And my conditions are not expected to improve - I've been sick for going on 15 years now - and each passing year is harder and harder - will the six months thing be an ongoing thing every six months?

John

On Mon, Jun 24, 2024 at 2:48 PM Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov> wrote:

Dear Mr. Fouts,

Please acknowledge receipt of this email.

I have received an email from Mr. Thompson at the Kentucky Transportation Cabinet that based upon the information you recently provided, you have now been *approved* for six months for NEMT. **After six months, updated statements from your Doctors will be needed.** The updated statements are needed to confirm your condition still requires intermittent non-emergency medical transportation.

I was advised to have you call your Regional Transportation Brokerage 72 hrs. in advance to schedule. Your Regional Transportation Brokerage is FTSB and the call center number is 888-848-0989. They are open for scheduling M-F 8 a.m. - 4:30 p.m. and Saturday 8 a.m. - 1 p. m. Transportation services are available M-F 6 a.m. – 8:00 p.m., on Saturday 8 a.m. - 1 p. m.

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/s/ Patricia A. Abell

Patricia A. Abell, JD

Assistant Counsel

Cabinet for Health and Family Services

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: Approval of NEMT request for 6 months - SSA Letter Confirming I Am Disabled - For Your Records
Date: Monday, July 1, 2024 12:12:17 PM

I understand what you are saying -- and it is also not okay for the state to deny most services to people with disabilities where the services they continuously deny, are, needed by the disabled person. It is as if that is done because the state knows disabled people such as myself do not have the energy or ability to fight back.

Thank you for passing along the information - the state should already have it as SSA provides it to them directly - but since it seemed like they 'didn't know'....then I felt it better to ensure you had a copy too. Thanks for ensuring they have it.

John

On Mon, Jul 1, 2024 at 7:28 AM Abell, Patricia A (CHFS OLS DLLF)
<Patricia.Abell@ky.gov> wrote:

Mr. Fouts. I will forward your letter to my client.

Please note: The issue for NEMT is not just whether you are disabled. The issue is whether you are both disabled AND meet the requirements for NEMT services. As you know there are different types of disabilities and each person with a disability has different needs. Not every disabled person needs every service available, and not everyone qualifies for each and every service. Needs also change depending upon the circumstances.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD
Assistant Counsel
Cabinet for Health and Family Services
Office of Legal Services
275 E Main ST 5W-B

Frankfort, KY 40621

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Sent: Friday, June 28, 2024 5:50 PM

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To: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>
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Patricia A. Abell, JD

Assistant Counsel

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: Approval of NEMT request for 6 months
Date: Monday, June 24, 2024 3:51:30 PM

Thank you for the information. I am confirming I received your email. Thank you also for forwarding the IVIG information to Tara Cecil.

Regarding the NEMT...is that six months from the date of the hearing request? Or 6 months from today's date? And my conditions are not expected to improve - I've been sick for going on 15 years now - and each passing year is harder and harder - will the six months thing be an ongoing thing every six months?

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: Approval of NEMT request for 6 months
Date: Tuesday, June 25, 2024 2:21:32 PM

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Sent: Monday, June 24, 2024 3:52 PM
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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [AskIDF](#)
Subject: Re: Ask IDF; Legal Help (Secure) --- See Responses Below --- John R. Fouts (2024-09-05)
Date: Thursday, September 5, 2024 5:28:46 PM

Yes - they claim - each time that I speak with them - and I have multiple times - that all they do is initial snap and medicaid applications. They were just interviewed on TV about all of the services they offer.....which is far more than what they tell me....but they told me not to call them again as they can't help me.

I was at the office of Social Security Administration for several hours earlier today....my child is still owed backpay (big check) for several months that was supposed to be paid out in May...in fact I have been receiving overpayment notifications stating that because Jackie got the backpay in May (which we still have not received), that every check will be deducted from....we also did not get Jackie's June or July checks. Once those are paid (either June or July) - then - we will have been overpaid....but as it stands right now, SSA owes us over \$10,000.00.

In addition, I received Jackie's SSDI (child of a disabled worker) check on 9/1/2024 for the month of August....I tried to mobile deposit it but was told by my bank that they could not verify that the US Treasury Department was a valid entity or source of funds....I thought it was a major problem with my bank...they refused to honor the check....and it was after I had had to write "For Mobile Deposit To Chime Account Only" on the check....they told me to cash it somewhere else...I was like ... I can't - because of your policy. They told me to not try to resubmit it....and then they told me to contact the check issuer and have them reissue a valid check. I was pissed off. I barely have any energy at all - let alone for all of this stuff!

Anyway - apparently - many people had the same issue. The officer in charge at SSA told me that they would take the check that couldn't be cashed and issue a new one. Of course who knows if I actually will get it as many never make it here....

=====

Regarding Department of Insurance -- they have nothing to do with overseeing of Medicaid in Kentucky nor the Waiver program.....I have made several complaints to CHFS, DMS, Medicaid, etc.... then for SNAP (DCBS at CHFS) I have filed a federal complaint at USDA-FNS - they took over 365 days to respond (they have 180 days to respond)....then I appealed and it was denied immediately....I asked about next steps and was told that a hearing in US Federal District Court would be the next step.....I still have not found an attorney to represent me/my child....

There is no relevance for the Ky DOI.....see below....

"No, Kentucky's Department of Insurance (DOI) doesn't oversee the Department for Medicaid Services (DMS). The DMS, which is part of the Cabinet for Health and Family Services (CHFS), manages the state's Medicaid program. The DOI regulates the insurance market and licenses insurance professionals. [REDACTED]

Here's a breakdown of their responsibilities:

Department for Medicaid Services (DMS)

Manages the state's Medicaid and CHIP programs, including contracting with managed care organizations (MCOs) that deliver benefits. The DMS also oversees the \$11.5 billion annual budget for Medicaid.

Department of Insurance (DOI)

Regulates the insurance market, licenses insurance professionals, and monitors the financial condition of insurance companies. The DOI also operates the state's external review system for adverse benefit determinations.

Individuals can apply for Medicaid in Kentucky by calling (855) 459-6328 or contacting an application assister through kynect.ky.gov.

=====
American Bar Association says to contact the relevant State Bar Association. I already have done that. I have spoken to several attorneys that either have nothing to do with cases like mine, say they are too busy to possibly even think about taking a case like mine with an upcoming hearing date only a week and a half away.....and that is fair.....I immediately started trying to reach out as soon as they had set that date....

Some attorneys have said they only represent social security disability types of things but this is against state programs (medicaid - the state of kentucky) and federal and state (USDA-FNS SNAP)/(DCBS-CHFS)....

=====
I did speak to Accessia Health today....they referred me to their legal people at Access (for Accessia). I spoke to Terry there. He said they are only licensed in Florida, and that they only handle SSA Disability Cases not anything related to state level programs. I asked him if I could file the paperwork on my own in a federal US District Court, and he said he wasn't sure because he doesn't know specifically KY Law, but he believes so....Angie - I don't have the

energy to be able to do these things.....he did suggest for me to upload or take in (and get a receipt) or send certified mail and get receipts....everything that I submit that I can as soon as possible...I told him I am reluctant because CHFS will just delete it and state I never uploaded it....they have done that to at least a handful of hearing requests - so I have gotten wise and take pictures of each request now....they are not legally allowed to do that fyi....oh about Accessia - they also said that they only represent SSA Disability cases and only for the funds on their website....the only open fund I qualify for is Circadian Rhythm Disorder (narcolepsy is one of my dx), but I am already receiving SSDI (SSA Disability) so there is nothing they could help with.

=====

On Thu, Sep 5, 2024 at 11:58 AM AskIDF <askidf@primaryimmune.org> wrote:

John,

I believe you already tried this but wanted to double check? <https://yourlegalaidthat.com/>

----- Original Message -----

From: AskIDF [askidf@primaryimmune.org]

Sent: 9/4/2024, 9:29 AM

To: fouts.john@gmail.com

Cc: akotarski@primaryimmune.org

Subject: Ask IDF; Legal Help (Secure)

John,

It was great speaking with you yesterday. I did speak with my colleagues here and they suggested going this route so that the complaint is in writing. Have you done this already?

<https://insurance.ky.gov/ppc/Documents/ConsComplaintWithInstr052019.pdf>

Please let me know if this helps.

Thank you,

Angie

----- Original Message -----

From: AskIDF [askidf@primaryimmune.org]

Sent: 9/3/2024, 9:24 AM

To: fouts.john@gmail.com

Cc: akotarski@primaryimmune.org

Subject: Ask IDF; Legal Help (Secure)

Hi John,

I received your voicemail last week. I called you back and left a voicemail for you on 8/29. Please give me a call at the number below if you still are looking for assistance.

Meanwhile, here is some information that might be helpful. I suggest calling the [Patient Advocate Foundation](#). PAF Case Management is free for patients living with a chronic health condition. They can help with the following:

- Helping you use your employee benefits, like health insurance and sick leave.
- Understanding laws like the Americans with Disabilities Act (ADA) and the Family and Medical Leave Act (FMLA).
- Applying for disability insurance to help with income if you can't work; and helping you challenge disability denials, if needed.

PAF phone number: 800-532-5274

Accessia also as legal assistance.

[Accessia Health: Legal Assistance](#)

Phone #: 888-700-7010

There are many law firms that specialize in assisting individuals receive disability benefits. Information about finding an attorney is available at the following link provided by the American Bar Association. There will be a fee for their service.

[How Do I Find a Lawyer? \(americanbar.org\)](#)

I hope this helps.

Thank you,

Angie Kotarski
Community Resource Navigator
akotarski@primaryimmune.org
Main: 443.846.0936

Immune Deficiency Foundation
7550 Teague Road, Suite 220
Hanover, MD 21076 USA

Click to read IDF's email transmission disclaimer.

<https://primaryimmune.org/email-disclaimer> 

Angie Kotarski
Community Resource Navigator
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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cecil, Tara D \(CHFS\)](#)
Subject: Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...
Date: Tuesday, April 30, 2024 2:11:17 PM
Attachments: [image.png](#)
[image001.png](#)

It is a good thing that certified mail can PROVE it was received.

It was the address on the letter that said....to request a hearing mail a letter to this address....

Here is a copy of the letter sent in February...

February 22, 2024

Department for Medicaid Services
Division of Program Quality and Outcomes
275 E. Main St.
6C-C
Frankfort, KY 40621

Medicaid ID: 1004493296

RE: Written Request For Hearing Regarding Medicaid Transportation Denial Letter

This letter is to notify you of request for a hearing regarding the denial notice received regarding medical non-emergency Medicaid transportation.

Sincerely,

John R. Fouts
Medicaid Member
Medicaid ID: 1004493296

I'd also like an update on the hearing request for IVIG please. That was a separate request.

On Tue, Apr 30, 2024, 9:42 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

Mr. Fouts,

It does not appear that this office received an appeal related to medical transportation from you. Can you provide the mailing address you sent the appeal to and the tracking number so that I can check into this further for you?

Thank you!

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

#rmsencrpyt



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From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 11:47 AM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It was sent via certified mail -- so I can prove it was received...there is no information about it anywhere that I am able to find....

--

"Shining" in Service,

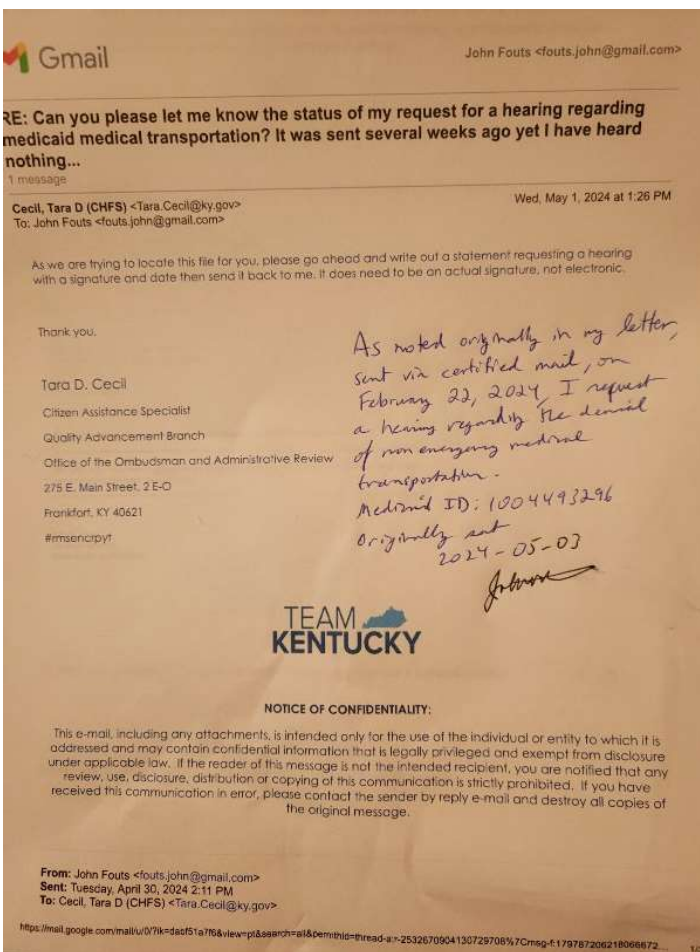
John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cecil, Tara D \(CHFS\)](#)
Subject: Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...
Date: Friday, May 3, 2024 12:24:38 PM
Attachments: [image.png](#)
[image001.png](#)
[image002.png](#)

Thank you for your response. I included the additional signature request you requested here...

Regarding IVIG...it was not denied fully until January 2024....so whatever you are referencing in May 2023 is not what I am referring to....please double check your records...again...I need accurate information please...and my life and my health (and my child's life and health) are not games to be toyed with by CHFS and DCBS...



On Wed, May 1, 2024, 11:27 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

I understand the frustration you are experiencing.

This office, Office of the Ombudsman, Quality Advancement Branch's address is 275 E. Main **2 E-0**. It appears that you mailed your hearing request to the Department for Medicaid Services at 275 E. Main **6 C-C**, so it would

have been received by a different department. Our office did not receive it. We are going to try to locate this appeal request for you but will be accepting this email as a hearing request in the meantime while we do so.

As far as the hearing request for the IVIG, it appears that was sent to the hearings branch on 5/25/23. You would need to contact them for a status update on that request. Their phone number is 502- 564-6621.

Thank you,

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

#rmsencrpyt



NOTICE OF CONFIDENTIALITY:

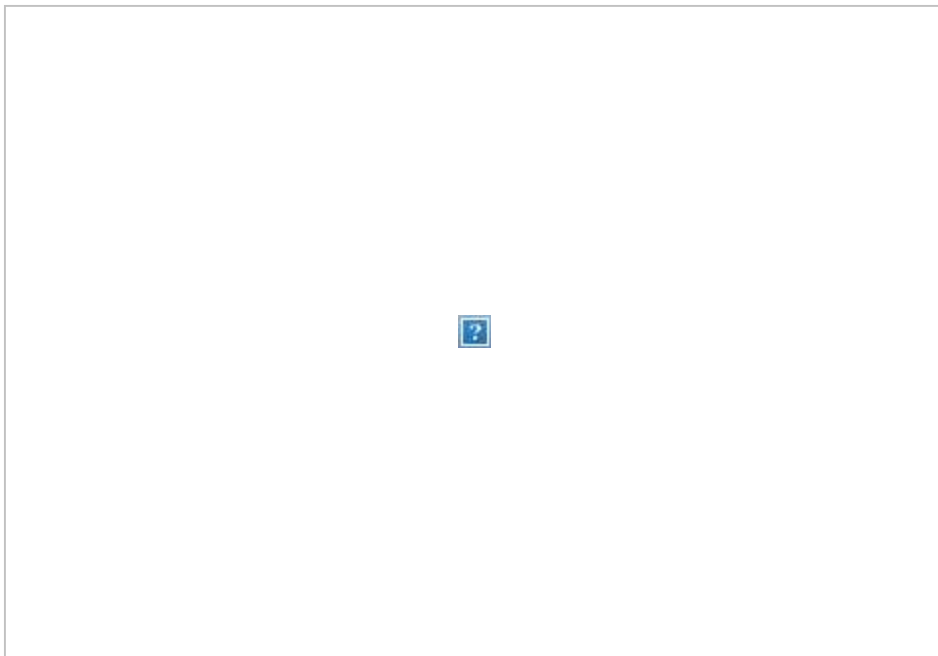
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From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, April 30, 2024 2:11 PM
To: Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov>
Subject: Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It is a good thing that certified mail can PROVE it was received.

It was the address on the letter that said....to request a hearing mail a letter to this address....

Here is a copy of the letter sent in February...



I'd also like an update on the hearing request for IVIG please. That was a separate request.

On Tue, Apr 30, 2024, 9:42 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

Mr. Fouts,

It does not appear that this office received an appeal related to medical transportation from you. Can you provide the mailing address you sent the appeal to and the tracking number so that I can check into this further for you?

Thank you!

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

#rmsencrpyt

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From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 11:47 AM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It was sent via certified mail -- so I can prove it was received...there is no information about it anywhere that I am able to find....

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: John Fouts
To: CHFS.Listens@ky.gov
Subject: Re: Case: 1622619 -- Fwd: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account -- Following up 4/7/2023 (originally wrote 3/23/2023)....need assistance URGENTLY....
Date: Friday, April 7, 2023 12:41:30 PM

I believe I was speaking with a woman named Stephanie about this issue previously.

I reached out to DCBS to touch base and they said they were sending it up the ladder (just as you had noted last week)... I need benefits ASAP....I have NOTHING....I have no way to have gas money to go to critical doctors appointments or have labs drawn.....my child needs clothing.....etc....I need clothing....I've not been able to find any resources in the community that can assist us even with the list provided previously....so I am now reliant upon KTAP/TANF.....also have an issue with SNAP apparently....

Even though I recertified SNAP in February and I received a letter stating that the benefits would be valid from April through October, I was told that I had to recertify...AGAIN...in March....so I did....now today....I am getting notices that I need to recertify AGAIN in April! I feel strongly that I am being discriminated against as a disabled person! Who can I talk to, to file a complaint officially about that?

Also -- Back to KTAP and TANF....when I spoke to DCBS....the woman I spoke with told me that they had the ABLE account being classified as an asset. THIS IS NOT LEGAL - FEDERALLY - IT IS NOT OKAY FOR KENTUCKY TO VIOLATE FEDERAL LAW. At this point, I am looking for a pro-bono attorney who may be able to handle this matter legally - but I have not found one yet. Kentucky must abide by federal law! There is not even that much in that account - there is \$500 roughly in that account...but it is legally not allowed to be classified as an asset -- see information sent below previously!

I was also told that they had me and Jack as both having a 5/3 account, but that is totally inaccurate. They told me they needed something showing that I was the custodian for Jack's account at 5/3 to clear that up - so I sent that a couple of days ago....I was also told that they had some weird kind of travel expense account for me - I have no idea why they had it classified as that - what it was - was my old American Express credit card account that was closed as part of my bankruptcy in December 2022. I sent them the entire bankruptcy schedule a couple of days ago as well to verify this....

I was told that by the 18th I may have an answer. I need answers NOW - not in weeks from now... I need assistance NOW....not in weeks....how can you help? Is there a way to contact the Governor directly about matters such as this? Or do I need to go to the federal level that handles oversight and ask them for assistance in dealing with the matter?

Finally - for now - I wanted to check with the MRT team (Medical Review Team) - to see if they need my medical records - or to see how I can send them my medical records....I have over 5,000 pages of medical records, but will filter it down to the most critical results to show them - need to know how to get them information -- and how to reach someone without waiting on hold for an hour or longer....I have many health problems and things like that are incredibly challenging for me....my child also has special needs....so what can you do to assist in the above matters?

John

On Thu, Mar 23, 2023 at 4:30 PM John Fouts <fouts.john@gmail.com> wrote:

Please see the information below per my call with Stephanie today (2023-03-23):

You can see below from all of this information, that ABLE accounts are not allowed to be used in determining benefits.

I have also attached a snapshot from the 5/3 ABLE Checking account for my child - Jack Fouts.

Here is the part of the Code of Federal Regulations (so FEDERAL LAW) that states that ABLE accounts are not allowed to be counted as assets when determining public program benefits.

7 CFR § 273.8 - Resource eligibility standards

This is the link from Cornell Law
<https://www.law.cornell.edu/cfr/text/7/273.8>

This is the wording:

[LII](#) [Electronic Code of Federal Regulations \(e-CFR\)](#) [Title 7 - Agriculture](#)
[Subtitle B - Regulations of the Department of Agriculture](#)
[CHAPTER II - FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE](#)
[SUBCHAPTER C - SUPPLEMENTAL NUTRITION ASSISTANCE AND FOOD DISTRIBUTION PROGRAM](#)
[PART 273 - CERTIFICATION OF ELIGIBLE HOUSEHOLDS](#)
[Subpart D - Eligibility and Benefit Levels](#) **§ 273.8 Resource eligibility standards.**

7 CFR § 273.8 - Resource eligibility standards.

[CFR](#)

[Table of Popular Names](#)

[State Regulations](#)

prev | [next](#)

§ 273.8 Resource eligibility standards.

(a) **Uniform standards.** The [State agency](#) shall apply the uniform national resource standards of eligibility to all [applicant](#) households, including those households in which members are recipients of federally aided public assistance, general assistance, or supplemental security income. Households which are categorically eligible as defined in [§ 273.2\(j\)\(2\)](#) or 273.2(j)(4) do not have to meet the resource limits or definitions in this section.

(b) **Maximum allowable financial resources.** The maximum allowable liquid and non-liquid financial resources of all members of a household without members who are elderly or have a disability shall not exceed \$2,000, as adjusted for inflation in accordance with paragraph (b)(1) and (b)(2) of this section. For households including one or more member who is elderly or has a disability, such financial resources shall not exceed \$3,000, as adjusted for inflation in accordance with paragraph (b)(1) and (b)(2) of this section.

(1) Beginning October 1, 2008, and each October 1 thereafter, the maximum allowable financial resources shall be adjusted and rounded down to the nearest \$250 to reflect changes in the Consumer Price Index for the All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor (for the 12-month period ending the preceding June).

(2) Each [adjustment](#) shall be based on the unrounded amount for the prior 12-month period.

(c) **Definition of resources.** In determining the resources of a household, the following shall be included and documented by the [State agency](#) in sufficient detail to [permit](#) verification:

(1) Liquid resources, such as cash on hand, money in checking and savings accounts, saving certificates, stocks or bonds, and lump sum payments as specified in [§ 273.9\(c\)\(8\)](#); and

(2) Nonliquid resources, personal property, licensed and unlicensed vehicles, buildings, land, recreational properties, and any other property, provided that these resources are not specifically excluded under [paragraph \(e\)](#) of this section. The value of nonexempt resources, except for licensed vehicles as specified in [paragraph \(f\)](#) of this section, shall be its equity value. The equity value is the fair market value less encumbrances.

(3) For a household containing a sponsored alien, the [State agency](#) must deem the resources of the sponsor and the sponsor's spouse in accordance with [§ 273.4\(c\)\(2\)](#).

(d) **Jointly owned resources.** Resources owned jointly by separate households shall be considered available in their entirety to each household, unless it can be demonstrated by the [applicant](#) household that such resources are inaccessible to that household. If the household can demonstrate that it has access to only a portion of the resource, the value of that portion of the resource shall be counted toward the household's resource level. The resource shall be considered totally inaccessible to the household if the resource cannot practically be subdivided and the household's access to the value of the resource is dependent on the agreement of a joint [owner](#) who refuses to comply. For the purpose of this provision, ineligible aliens or disqualified individuals residing with the household shall be considered household members. Resources shall be considered inaccessible to [persons](#) residing in shelters for battered women and children, as defined in [§ 271.2](#), if

(1) The resources are jointly owned by such [persons](#) and by members of their former household; and

(2) The shelter resident's access to the value of the resources is dependent on the agreement of a joint [owner](#) who still resides in the former household.

(e) **Exclusions from resources.** In determining the resources of a household, only the following shall be excluded:

(1) The home and surrounding property which is not separated from the home by intervening property owned by others. Public rights of way, such as roads which run through the surrounding property and separate it from the home, will not affect the exemption of the property. The home and surrounding property shall remain exempt when temporarily unoccupied for reasons of employment, training for future employment, illness, or uninhabitability caused by casualty or natural disaster, if the household intends to return. Households that

currently do not own a home, but own or are purchasing a lot on which they intend to build or are building a permanent home, shall receive an exclusion for the value of the lot and, if it is partially completed, for the home.

(2) Household goods, personal effects, the cash value of life insurance policies, one burial plot per household member, and the value of one funeral agreement per household member. The cash value of pension plans or funds shall be excluded. The following retirement accounts shall be excluded:

(i) Funds in a plan, contract, or account that meets the requirements that is described in one of the following sections of the Internal Revenue Code of 1986:

(A) Section 401(a), which includes funds commonly known as “tax qualified retirement plans,” including “401(k) plans”;

(B) Section 403(a), which includes funds that are similar to 401(a) plans but are funded through annuity contracts;

(C) Section 403(b), which includes tax-sheltered annuities, custodial accounts, and retirement income accounts retirement plans for some employees of public schools and tax exempt organizations;

(D) Section 408, which includes traditional Individual Retirement Accounts and traditional Individual Retirement Annuities (IRAs);

(E) Section 408A, which includes plans commonly known as “Roth IRAs” (including the “myRA”);

(F) Section 457(b), which includes plans commonly known as “eligible deferred compensation plans” for employees of state or local government or tax-exempt entities; or

(G) Section 501(c)(18), which includes plans funded by employee contributions.

(ii) Funds in a Section 529A, which includes funds in a qualified ABLE program.

(iii) Funds in the Federal Thrift Savings Fund within the meaning of that term as used in section 7701(j) of the Internal Revenue Code of 1986, as defined by 5 U.S.C. 8439.

(iv) Any other retirement plan or arrangement that is designated as tax-exempt under a successor or similar provision of the Internal Revenue Code of 1986.

(iv) Any other retirement account determined by FNS to be appropriate for exclusion.

(3)

(i) Licensed vehicles that meet the following conditions:

(A) Used for income-producing purposes such as, but not limited to, a taxi, truck, or fishing boat, or a vehicle used for deliveries, to call on clients or customers, or required by the terms of employment. Licensed vehicles that have previously been used by a self-employed household member engaged in farming but are no longer used in farming because the household member has terminated his/her self-employment from farming must continue to be excluded as a resource for one year from the date the household member terminated his/her self-employment farming;

(B) Annually producing income consistent with its fair market value, even if used only on a seasonal basis;

(C) Necessary for long-distance travel, other than daily commuting, that is essential to the employment of a household member (or ineligible alien or disqualified person whose resources are being considered available to the household) - for example, the vehicle of a traveling sales person or a migrant farm worker following the work stream;

(D) Used as the household's home and, therefore, excluded under paragraph (e)(1) of this section;

(E) Necessary to transport a physically disabled household member (or physically disabled ineligible alien or physically disabled disqualified person whose resources are being considered available to the household) regardless of the purpose of such transportation (limited to one vehicle per physically disabled household member). The vehicle need not have special equipment or be used primarily by or for the transportation of the physically disabled household member; or

(F) Necessary to carry fuel for heating or water for home use when the transported fuel or water is anticipated to be the primary source of fuel or water for the household during the certification period. Households must receive this resource exclusion without having to meet any additional tests concerning the nature, capabilities, or other uses of the vehicle. Households must not be required to furnish documentation, as mandated by § 273.2(f)(4), unless the exclusion of the vehicle is questionable. If the basis for exclusion of the vehicle is questionable, the State agency may require documentation from the household, in accordance with § 273.2(f)(4).

(G) The value of the vehicle is inaccessible, in accordance with paragraph (e)(18) of this section, because its sale would produce an estimated return of not more than \$1,500.

(ii) On those Indian reservations that do not require vehicles driven by tribal members to be licensed, such vehicles must be treated as licensed vehicles for the purpose of this exclusion.

(iii) The exclusions in paragraphs (e)(3)(i)(A) through (e)(3)(i)(C) of this section will apply when the vehicle is not in use because of temporary unemployment, such as when a taxi driver is ill and cannot work, or when a fishing boat is frozen in and cannot be used.

- (4) Property which annually produces income consistent with its fair market value, even if only used on a seasonal basis. Such property shall include rental homes and vacation homes.
- (5) Property, such as farm land or work related equipment, such as the tools of a tradesman or the machinery of a farmer, which is essential to the employment or self-employment of a household member. Property essential to the self-employment of a household member engaged in farming shall continue to be excluded for one year from the date the household member terminates his/her self-employment from farming.
- (6) Installment [contracts](#) for the sale of land or buildings if the [contract](#) or agreement is producing income consistent with its fair market value. The exclusion shall also apply to the value of the property sold under the installment [contract](#), or held as security in exchange for a purchase price consistent with the fair market value of that property.
- (7) Any governmental payments which are designated for the restoration of a home damaged in a disaster, if the household is subject to a legal sanction if the funds are not used as intended; for example, payments made by the Department of Housing and Urban Development through the individual and family grant [program](#) or disaster loans or grants made by the Small Business Administration.
- (8) Resources having a cash value which is not accessible to the household, such as but not limited to, irrevocable trust funds, security deposits on rental property or utilities, property in probate, and real property which the household is making a good faith effort to sell at a reasonable price and which has not been sold. The [State agency](#) may verify that the property is for sale and that the household has not declined a reasonable offer. Verification may be obtained through a collateral contact or documentation, such as an advertisement for public sale in a newspaper of general circulation or a listing with a real estate broker. Any funds in a trust or transferred to a trust, and the income produced by that trust to the extent it is not available to the household, shall be considered inaccessible to the household if:
- (i) The trust arrangement is not likely to cease during the certification period and no household member has the power to revoke the trust arrangement or change the name of the beneficiary during the certification period;
 - (ii) The trustee administering the funds is either:
 - (A) A court, or an institution, corporation, or organization which is not under the direction or ownership of any household member, or (B) an individual appointed by the court who has court imposed limitations placed on his/her use of the funds which meet the requirements of this paragraph;
 - (iii) Trust investments made on behalf of the trust do not directly involve or assist any business or corporation under the control, direction, or influence of a household member; and
 - (iv) The funds held in irrevocable trust are either:
 - (A) [Established](#) from the household's own funds, if the trustee uses the funds solely to make investments on behalf of the trust or to pay the educational or medical expenses of any [person](#) named by the household creating the trust, or (B) [established](#) from non-household funds by a nonhousehold member.
- (9) Resources, such as those of students or self-employed persons, which have been prorated as income. The [treatment](#) of student income is explained in [§ 273.10\(c\)](#) and the [treatment](#) of self-employment income is explained in [§ 273.11\(a\)](#).
- (10) Indian lands held jointly with the Tribe, or land that can be sold only with the approval of the Department of the Interior's Bureau of Indian Affairs; and
- (11) Resources which are excluded for SNAP purposes by express provision of Federal statute.
- (12) Earned income tax credits shall be excluded as follows:
- (i) A Federal earned income tax credit received either as a lump sum or as payments under section 3507 of the [Internal Revenue Code](#) for the month of receipt and the following month for the individual and that individual's spouse.
 - (ii) Any Federal, [State](#) or local earned income tax credit received by any household member shall be excluded for 12 months, provided the household was participating in SNAP at the time of receipt of the earned income tax credit and provided the household participates continuously during that 12-month period. Breaks in participation of one month or less due to administrative reasons, such as delayed recertification or missing or late monthly reports, shall not be considered as nonparticipation in determining the 12-month exclusion.
- (13) Where an exclusion applies because of use of a resource by or for a household member, the exclusion shall also apply when the resource is being used by or for an ineligible alien or disqualified [person](#) whose resources are being counted as part of the household's resources. For example, work related equipment essential to the employment of an ineligible alien or disqualified [person](#) shall be excluded (in accordance with [paragraph \(e\) \(5\)](#) of this section), as shall one burial plot per ineligible alien or disqualified household member (in accordance with [paragraph \(e\)\(2\)](#) of this section).
- (14) [Energy assistance payments](#) or allowances excluded as income under [§ 273.9\(c\)\(11\)](#).
- (15) Non-liquid asset(s) against which a lien has been placed as a result of taking out a business loan and the household is prohibited by the security or lien agreement with the lien holder (creditor) from selling the asset(s).
- (16) Property, real or personal, to the extent that it is directly related to the maintenance or use of a vehicle excluded under paragraphs (e)(3)(i)(A), (e)(3)(i)(B) or (e)(3)(i)(C) of this section. Only that portion of real

property determined necessary for maintenance or use is excludable under this provision. For example, a household which owns a produce truck to earn its livelihood may be prohibited from parking the truck in a residential area. The household may own a 100-acre field and use a quarter-acre of the field to park and/or service the truck. Only the value of the quarter-acre would be excludable under this provision, not the entire 100-acre field.

(17) The resources of a household member who receives SSI or PA benefits. A household member is considered a recipient of these benefits if the benefits have been authorized but not received, if the benefits are suspended or recouped, or if the benefits are not paid because they are less than a minimum amount. For purposes of this paragraph (e)(17), if an individual receives non-cash or in-kind services from a program specified in §§ 273.2(i)(2)(i)(B), 273.2(j)(2)(i)(C), 273.2(j)(2)(ii)(A), or 273.2(j)(2)(ii)(B), the State agency must determine whether the individual or the household benefits from the assistance provided, in accordance with § 273.2(i)(2)(iii). Individuals entitled to Medicaid benefits only are not considered recipients of SSI or PA.

(18) The State agency must develop clear and uniform standards for identifying kinds of resources that, as a practical matter, the household is unable to sell for any significant return because the household's interest is relatively slight or the costs of selling the household's interest would be relatively great. The State agency must so identify a resource if its sale or other disposition is unlikely to produce any significant amount of funds for the support of the household or the cost of selling the resource would be relatively great. This provision does not apply to financial instruments such as stocks, bonds, and negotiable financial instruments. The determination of whether any part of the value of a vehicle is included as a resource must be made in accordance with the provisions of paragraphs (e)(3) and (f) of this section. The State agency may require verification of the value of a resource to be excluded if the information provided by the household is questionable. The State agencies must use the following definitions in developing these standards:

- (i) "Significant return" means any return, after estimating costs of sale or disposition, and taking into account the ownership interest of the household, that the State agency determines are more than \$1,500; and
- (ii) "Any significant amount of funds" means funds amounting to more than \$1,500.

(19) At State agency option, any resources that the State agency excludes when determining eligibility or benefits for TANF cash assistance, as defined by 45 CFR 260.31 (a)(1) and (a)(2), or medical assistance under Section 1931 of the SSA. Resource exclusions under TANF and Section 1931 programs that do not evaluate the financial circumstances of adults in the household and programs grandfathered under Section 404(a)(2) of the SSA shall not be excluded under this paragraph (e)(19). Additionally, licensed vehicles not excluded under Section 5(g)(2) (C) or (D) of the Food and Nutrition Act of 2008, as amended (7 U.S.C. 2014(g)(2)(C) or (D)), cash on hand, amounts in any account in a financial institution that are readily available to the household including money in checking or savings accounts, savings certificates, stocks, or bonds shall also not be excluded. The term "readily available" applies to resources that the owner can simply withdraw from a financial institution. State agencies may exclude deposits in individual development accounts (IDAs). A

[Message clipped] [View entire message](#)

----- Forwarded message -----

From: <pa.clientservice@savewithable.com>
Date: Thu, Mar 23, 2023 at 8:09 AM
Subject: RE: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account
To: <fouts.john@gmail.com>

Please see the resource links below:

<https://www.fns.usda.gov/snap/treatment-able-accounts-determining-snap-eligibility>
<https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>

Please see the Pennsylvania ABLE Program Disclosure Statement for the official rules of Pennsylvania ABLE.

For more information about Pennsylvania ABLE, please visit our website at pa.savewithable.com. You can also contact us at (855)-529-2253 any business day from 8:00 AM to 5:00 PM EST. A Pennsylvania ABLE representative will be pleased to assist you.

Sincerely,
Pennsylvania ABLE
Client Services

From: fouts.john@gmail.com
Sent: Wed Mar 22 2023 22:37:29 GMT-0400 (Eastern Daylight Time)

To: info@paable.gov

Subject: TANF (KTAP) / SNAP / Medicaid - Kentucky Resident with PA Able Account

My child, Jack Fouts, has a PA Able account. I am my child's father (John Fouts). Kentucky has required information on the balance of the PA Able Account to Make Determination about TANF which is called KTAP here, on SNAP, and on Medicaid. I know it is against the law for them to consider the Able Account in terms of that, but I need to refer them to any/all legal federal and state documents that point to this.

Can you help please?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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This email has been scanned for viruses and malware

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS DCBS CMS Claims Phone Relay](#); [Vascassenno, Teresa \(LRC\)](#); [Higdon, Jimmy \(State Sen.\) \(LRC\)](#)
Subject: Re: Claim appeal never even responded to by CHFS
Date: Tuesday, September 5, 2023 9:31:45 AM

Yes, please have the claim reviewed.

What you stated below, is exactly my point....

Overpayments of SNAP benefits are established based on Federal and State regulations. The agency cannot pick and choose if they are/are not going to request a repayment of benefits. If an individual has received too many benefits based on regulations and policy, the state must establish a claim to recoup those overpaid benefits.

Federal law says you MUST NOT DISCRIMINATE against me (i.e. not consider medical expenses) because I am under an elderly age, but you are doing so.... So when you state overpayment is based on federal and state regulations....you are right...but you are violating federal regulations....and discriminating against a disabled person (you are discriminating based on age and on disability) by not considering ANY medical expenses.

Please confirm with a confirmation number, or in writing, that the claim will be reviewed ... this time ... without the discrimination against me based on age and disability...so without violating federal law...

John

On Tue, Sep 5, 2023 at 9:26 AM CHFS DCBS CMS Claims Phone Relay
<CHFSCMS@ky.gov> wrote:

We have reviewed all of the information that you have submitted and it appears that you have filed a disability discrimination complaint to the USDA. There is nothing that was ever received by our agency regarding a request for a fair hearing in the establishment of this overpayment. I will be happy to have the established claim reviewed but we have nothing to do with the complaint you filed with the USDA and cannot provide you any status updates on that request.

Overpayments of SNAP benefits are established based on Federal and State regulations. The agency cannot pick and choose if they are/are not going to request a repayment of

benefits. If an individual has received too many benefits based on regulations and policy, the state must establish a claim to recoup those overpaid benefits.

Claims Management Section

Program Integrity Branch, DFS

chfscms@ky.gov

502-564-3440

*

How to make payments:

For online payments: <https://kynect.ky.gov>

If you are unable to make online payments, please make check/money order out to Kentucky State Treasurer and write your **CLAIM NUMBER(S) on any payments and send to the following address:**

**Claims Management Section
275 E Main St, 3E-I
Frankfort, KY 40621**

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From: John Fouts <fouts.john@gmail.com>
Sent: Saturday, September 2, 2023 11:29 PM
To: CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov>
Subject: Re: Claim appeal never even responded to by CHFS

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

This is what was sent to you, and to the USDA on March 1st, 2023.... regarding this issue...it

may take me some time to dig out the files I have placed in a storage unit that has the official certified mail number on it...or maybe the post office can look up that number for me...I attached the document I sent back in March on the 1st.

I will re-iterate again here, that it is against federal law for you to discriminate against me due to age or disability -- just because I am under 62 does not mean that my medical expenses are allowed to not be considered -- I still have disabilities -- so ignoring my medical expenses because I am non-elderly is age AND disability discrimination and against federal law. In the letter I sent back in March, I cited the part of the Code of Federal Regulations that states this EXPLICITLY. It is not okay to violate federal law.

John

On Fri, Sep 1, 2023 at 2:49 PM CHFS DCBS CMS Claims Phone Relay
<CHFSCMS@ky.gov> wrote:

The claims records do not show the agency as receiving a request for a fair hearing regarding the establishment of your claim. I have reviewed the hearings module and completed a name search and do not show any hearings in their system either. if you will provide the documentation that you have regarding your request for a fair hearing, we will be happy to review that information.

Claims Management Section

Program Integrity Branch, DFS

chfscms@ky.gov

502-564-3440

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From: John Fouts <fouts.john@gmail.com>
Sent: Friday, September 1, 2023 2:11 PM
To: CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov>; Vascassenno, Teresa (LRC) <Teresa.Vascassenno@LRC.KY.GOV>; Higdon, Jimmy (State Sen.) (LRC) <jimmy.higdon@lrc.ky.gov>
Subject: Re: Claim appeal never even responded to by CHFS

I DID - I even sent it by certified mail! I can prove it was delivered etc... so what is the process I need to follow?

On Fri, Sep 1, 2023 at 10:13 AM CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov> wrote:

John,

We have not received any appeal statement from you since your claim was established. As the demand letter states you have 90 days to request a fair hearing regarding your claim. Claim was established 2.13.23, so at this time it is out of the time frame to do so. When claims are established and client has an active SNAP case, benefit reduction takes places automatically and will continue as long as your SNAP case stays approved.

Thanks

Claims Management Section

Program Integrity Branch, DFS

chfscms@ky.gov

502-564-3440

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**Claims Management Section
275 E Main St, 3E-1
Frankfort, KY 40621**

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From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, August 31, 2023 12:47 PM
To: CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov>
Subject: Claim appeal never even responded to by CHFS

I appealed the claim that I was overpaid SNAP benefits last year for three months, but my appeal was not even ever responded to...it was ignored...and you all started deducting money from monthly SNAP benefits anyway.

I want yo know why my appeal was ignored, why it obviously was not considered, and what can be done about it at this point in time.

I do not have the claim number, as I am at the doctor...where I unfortunately often find myself...

My name is John Fouts. Last 4 of social 9858. Dob is 1.31.1979.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS DCBS CMS Claims Phone Relay](#); [Vascassenno, Teresa \(LRC\)](#); [Higdon, Jimmy \(State Sen.\) \(LRC\)](#)
Subject: Re: Claim appeal never even responded to by CHFS
Date: Friday, September 1, 2023 2:11:03 PM

I DID - I even sent it by certified mail! I can prove it was delivered etc... so what is the process I need to follow?

On Fri, Sep 1, 2023 at 10:13 AM CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov> wrote:

John,

We have not received any appeal statement from you since your claim was established. As the demand letter states you have 90 days to request a fair hearing regarding your claim. Claim was established 2.13.23, so at this time it is out of the time frame to do so. When claims are established and client has an active SNAP case, benefit reduction takes places automatically and will continue as long as your SNAP case stays approved.

Thanks

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John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS DCBS CMS Claims Phone Relay](#)
Subject: Re: Claim appeal never even responded to by CHFS
Date: Saturday, September 2, 2023 11:29:25 PM
Attachments: [2023-03-01-SNAP-Dispute-Of-Overpayment-Fouts.pdf](#)

This is what was sent to you, and to the USDA on March 1st, 2023.... regarding this issue...it may take me some time to dig out the files I have placed in a storage unit that has the official certified mail number on it...or maybe the post office can look up that number for me...I attached the document I sent back in March on the 1st.

I will re-iterate again here, that it is against federal law for you to discriminate against me due to age or disability -- just because I am under 62 does not mean that my medical expenses are allowed to not be considered -- I still have disabilities -- so ignoring my medical expenses because I am non-elderly is age AND disability discrimination and against federal law. In the letter I sent back in March, I cited the part of the Code of Federal Regulations that states this EXPLICITLY. It is not okay to violate federal law.

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Sent: Friday, September 1, 2023 2:11 PM
To: CHFS DCBS CMS Claims Phone Relay <CHFSCMS@ky.gov>; Vascassenno, Teresa (LRC) <Teresa.Vascassenno@LRC.KY.GOV>; Higdon, Jimmy (State Sen.) (LRC) <jimmy.higdon@lrc.ky.gov>
Subject: Re: Claim appeal never even responded to by CHFS

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Thanks

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chfscms@ky.gov

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John

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Bickers, Erin L \(CHFS DMS DFM\)](#)
Subject: Re: Division of Program Integrity (DMS) DMS -- How can I request a DMS Level Hearing (Above the CHFS Level Hearing??)
Date: Friday, September 6, 2024 11:19:24 AM

I don't even know where to start with that....

I have a medicaid waiver (hcbs)....I am not able to get goods and services. Many things I have had to buy...because medicaid nor medicaid waiver will cover....such as an oxygen concentrator for supplemental oxygen at night....BECAUSE I HAVE TO BE ABLE TO BREATHE AND GET OXYGEN TO BE ALIVE!!!

I also am not able to get several medications paid for (including eliquis, pentoxifylline, prasugrel, cromolyn sodium) etc.... these are on the medicaid formulary.....but the treating physician is not in Kentucky.....BECAUSE THERE ARE NO DOCTORS IN KENTUCKY THAT TREAT MICROCLOTS IN LONG COVID!!!! I have had to buy these out of pocket out of the little money that I have due to the state's complete failure to value my LIFE.

I had to fight for half of a year to get 2 pair of compression stockings. That is all I have been able to get....

I am not able to get attendant care services which is one of the main reasons that I applied for the waiver to begin with....instead of providing help.....I have lost the mco part of coverage because that is how waivers work...and the waiver does nothing.....it is causing me to suffer from basically abuse and neglect.....

The state gets money from the federal government that is supposed to be allocated to funds for medicaid as an example for medicaid and medicaid waiver participants.....the state is committing medicaid fraud by not using the funds for medicaid at least in my case (and I am 100% sure I am not the only one).....

I am disabled....medical expenses are not being considered by SNAP and haven't been for more than 2 years....and it is wrong....it is violation of federal law and state statute.....

These are big violations.....CHFS is violating federal law and state law....they are discriminating against me.....they withdraw hearings requests that I submit and then claim they were never made.....they lose certified mail that I send.....

They withdraw hearings and don't tell me why they were withdrawn and do not communicate with me.....

They withdraw hearing requests and state them as being duplicate requests when they have nothing to do with each other.....

As an example....I have not been able to see my child's information in the kynect system since last year....I submitted a hearing request....they removed it stating it was a duplicate of me stating that medical expenses were not being deducted from snap....they have nothing to do with each other.....

I need to know who to report hearing requests being withdrawn without me requesting them to

be withdrawn as this is repeat offending behavior and extreme discriminatory practice toward those who are disabled such as myself.....

I got an email yesterday from my case manager where he heard from the medicaid waiver program that NO EXPENSES I HAVE INCURRED WILL BE REIMBURSED..... We are talking about nearly \$8,000 this year at this point....that I have had to spend because the medicaid waiver literally covers nothing and adds literally no value.....

I am trying to file a dms level hearing (ABOVE CHFS) as CHFS is part of the problem.....I am concurrently trying to find legal counsel to help me address this at the federal level.

CHFS / the Ombudsman's Office / DCBS / SNAP / USDA-FNS / Medicaid Member Services / MedImpact / Medicaid - state / Medicaid Waiver program / State of Kentucky are all implicated in the above.....Despite hundreds of emails, many dozens of hours on the phone, speaking to scores of people / absolutely nothing has gotten resolved.....I AM DISABLED...I CANNOT HANDLE ALL OF THESE THINGS -- I NEED HELP -- THAT IS WHY I SIGNED UP FOR THE WAIVER PROGRAM TO BEGIN WITH.....

STATE ENTITIES THAT LIE AND/OR ARE FRAUDULENT AND/OR COMMIT FRAUDULENT ACTS THAT LEAD TO ABUSE AND NEGLECT / AND FAIL TO PROVIDE GOODS AND SERVICES OR DEDUCT EXPENSES OR FOLLOW FEDERAL AND STATE LAW IN TERMS OF CALCULATING FEDERAL AND STATE BENEFITS IS NOT OKAY!!!! IT IS ILLEGAL / UNETHICAL / INHUMANE.....

I have contacted Legal Aid - they say they only help with initial snap and medicaid applications so they say they can't and won't help me. I contacted the KY Bar Association who sent me to their lawyer referral service....I contacted a number of attorneys on their website filtered on government law....they either are hired by individual companies, however, or are too booked to take my case with the time that I have....that was 8/30/2024. Her name was Lucinda she was with DCBS. I was thankful to learn about a hearing...that I was not notified of....unfortunately though....she told me that it was too late to submit any evidence because it had to be submitted within 5 days of the hearing....I find that to be ridiculous! I did get the hearing requests in the mail from CHFS on 8/31/2024.....they were postmarked as 8/30/2024.....the administrative hearing overseer said they were mailed on the 20th....I was like then why were they postmarked on 8/30/2024....not okay.....

All my hearing requests were withdrawn and at the hearing on 9/3/2024 at 1pm.....they said this hearing was for everything.....BUT IT ISN'T -- THEY CLEARLY DID NOT READ THE HEARING REQUESTS!!!

I am not able to see To Dos or Msgs in KyNect...I have not been able to for many months....no one can help fix that problem either - I have talked to COGS / KyNect / the IT Help Desk / DCBS / CHFS / Ombudsman a great many times....no one has any accountability nor can do anything.... I have also contacted the Governor's Office 3 times at this point...same thing....no accountability...for anything.....

At the hearing on 9/3/2024 at 1pm....Ms. Barber was the admin person overseeing it.....I explained to her that I wanted legal counsel to represent me....and she said she would grant a hearing extension to 9/19/2024 at 1pm.....well I was able to get in touch with 1 attorney that said he would take my case if there were more time...but he said with the hundreds of pages of

evidence to look through etc....that he would need a lot more time than that....

At that hearing (9/3/2024 at 1pm)....they also said that it was for all snap and all medicaid related things...but on 8/30/2024...I also got to speak to Vanessa from Medicaid who said all that she can do is verify eligibility....well a big part of the hearing has to do with medicines not being covered and goods and services not being provided despite them being part of the waiver program such as attendant care services.....I tried to explain that to Ms. Barber but she was not hearing nor understanding me.....it is pretty ridiculous...but as evidence....as part of it...I am going to be uploading the Code of Federal Regulations and the SNAP rules from USDA-FNS and the medical expense deduction Guidebook from USDA-FNS.....and KY State Law.....things that I should not have to do....this puts an extraordinary amount of strain, stress, anxiety, and undue mental and physical burden on me especially as a disabled person.....

That is not even all....but does this give you a good idea?

I became eligible for the waiver on 10/27/2023....I am not sure if I said the date above....

On Fri, Sep 6, 2024 at 7:56 AM Bickers, Erin L (CHFS DMS DFM) <erin.bickers@ky.gov> wrote:

Good morning,


Can you please provide your date of birth so that I can identify you in the system.


Can you also provide a little more detail of your complaint to ensure it is sent to the correct area. Thank you.


Erin Bickers

Erin Bickers | Federal Program Specialist

Commonwealth of Kentucky
Cabinet for Health and Family Services
Department for Medicaid Services

 Cell (502)-892-8366

 Office (502) 564-8888

 (502) 564-6917

 erin.bickers@ky.gov

 275 East Main St 6 W-C, Frankfort, KY 40621

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From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, September 5, 2024 11:00 PM
To: CHFS DMS Webmaster <CHFSDMSWebmaster@ky.gov>
Subject: Division of Program Integrity (DMS) DMS -- How can I request a DMS Level Hearing (Above the CHFS Level Hearing??)

I have many issues that even after 2+ years are not resolved....

On your website it says you are responsible for these things:

Division of Program Integrity

The Program Integrity Division is responsible for:

-

Guarding against fraud, abuse and deliberate misuse of Medicaid program benefits by individual providers and recipients;

- Ensuring that Medicaid recipients receive necessary medical care at a level of quality consistent with that available to the general population;
- Assuring provider and recipient compliance with federal and state Medicaid rules and regulations;

I am a Medicaid and Medicaid Waiver recipient THAT IS DEFINITELY NOT RECEIVING NECESSARY MEDICAL CARE AND NOT AT ANYWHERE EVEN REMOTELY CLOSE TO a level of quality consistent with that available to the general public.

I recently became aware that DMS Level Hearings are a thing -- I need to request one of those....

I'm also trying to find a legal representative....legal aid doesn't help they

say...ky protection and advocacy says they are too busy and can only refer me to legal aid, but legal aid says they don't help with anything except initial snap and medicaid applications.....

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: Attn: Chris -- See Attached Letter -- 2024-02-22 -- and other -- hearing request for denied medicaid non-emergency transportation
Date: Thursday, February 22, 2024 3:28:09 PM
Attachments: [image001.png](#)

Thanks for letting me know. And yes the response is the information that you have been given, but it just sends me in a circle to someone I have already spoken to that could not help....so that doesn't help...you know?

On Thu, Feb 22, 2024 at 3:24 PM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Afternoon Mr. Fouts,

I am sorry if you feel our responses are inadequate. Concerning your attached letter requesting a hearing for the denial of NEMT. This letter **must** be **mailed** to the Department for Medicaid Services at the following address.

Department for Medicaid Services

Division of Program Quality and Outcomes

275 E. Main St.

6C-C

Frankfort, KY 40621

You also need to sign the letter as your typed name would not constitute a signature.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, February 22, 2024 12:51 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Attn: Chris -- See Attached Letter -- 2024-02-22 -- and other -- hearing request for denied medicaid non-emergency transportation

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Chris,

I got your message - I talked to the technical support desk at 844-407-8398 back in November and they told me it wasn't their responsibility to fix the problems with me not being able to see my child's information....and it wasn't their responsibility to ensure my child's case appeared in my self service portal. So I don't know what I am supposed to do to get it resolved.....CHFS cannot help -- correct? That means I need to contact the Governor's Office again if that is the case....I am done being spun around in circles - and the government's tactics to get people to give up on their rights isn't going to work with me....

Also -- I am attaching my hearing request for medicaid non-emergency transportation.

John

P. 502.956.0052

F. 502.996.8246

E. Fouts.John@gmail.com

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Cc: [CHFS Listens](#)
Subject: Re: FW: FW: FW: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW .. part 2 response...2024.02.09.
Date: Thursday, February 15, 2024 8:26:53 AM
Attachments: [image001.png](#)

Just FYI -- I am contacting the Office of the Governor to go over your non-responsiveness, complete ignoring of, and inability to provide relevant responses to questions....

Re-read the email I sent you -- I will be taking your response to the Governor....to show him the inadequacy level of CHFS to comprehend and answer questions....

The answers you provided are not acceptable....and/or do not make sense....and you continue to ignore major questions....

On Mon, Feb 12, 2024 at 10:54 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

We have received a response from the Department for Medicaid Services. They have advised our office to get a copy of the Prior-Authorization you would need to request that through the prescribing provider. For changing your disability determination date, your current determination is for incapacity only related to your KTAP case. If Disability Determination Services verifies you as disabled they will update the dates appropriately.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, February 9, 2024 2:01 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Re: FW: FW: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW .. part 2 response...2024.02.09.

Also, in addition to the earlier additional questions from today, I want to know if the mrt team can retrodate the start of the MRT as I have been disabled for years...ssa has not issued formal statement yet after alj trial, but it will be issued at some point very soon hopefully showing ssi determination start of disability to be June 30, 2022. No one at dcbs told me about the mrt thing despite me asking about if there are any special circumstances for disabled people, and I had to learn from a social worker in bardstown eventually....

On Fri, Feb 9, 2024, 10:29 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Below are the answers to your inquiries.

1. I have sent a request to the Department for Medicaid Services regarding getting a copy of the IVIG approval I will have to follow-up when they provide me

additional information

2. The formulary list is available at the following website:
<https://kyportal.medimpact.com/medicaid-member-portal/formulary-search>
3. The Medicaid provider list is available at the following link:
<https://medicaidsystems.ky.gov/ProviderDirectory/PDSearch.aspx>
4. I have reviewed your case for a disability determination. Currently there is a incapacity determination in your case with the current one starting 03/01/23 with a redetermination date of 03/31/2024. DCBS would not have a document to verify this as they receive this information from MRT electronically.

Please note we will follow-up once we receive a response from DMS concerning a copy of the IVIG approval. Also please note that provided links are searchable database that serve as the provider and formulary list. There is no static document because these databases are constantly updated.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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original message.

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, February 8, 2024 1:40 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Re: FW: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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Please Help.

Issue 2)

Also -- I still need a copy of the drug formulary - so I can see what medications are covered -- again -- MedImpact says only Medicaid Member Services can provide this, and Medicaid Member Services says only MedImpact can...

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On Wed, Feb 7, 2024 at 9:01 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

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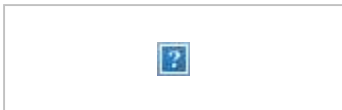
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Sent: Monday, February 5, 2024 5:37 PM

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Subject: Re: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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**GETTING SENT BACK AND FORTH
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YOU ALSO DID NOT EVEN ADDRESS THE FACT THAT I AM NOT ABLE TO GET A PROVIDER DIRECTORY NOR A DRUG FORMULARY SHOWING WHAT PROVIDERS ARE IN NETWORK AND WHICH DRUGS ARE COVERED....SAME SITUATION BETWEEN MEDIMPACT AND

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**I CONTACTED GOVERNOR
BESEHEAR'S OFFICE TODAY TO
ASK FOR HELP SINCE YOUR
AGENCY, MEDICAID MEMBER
SERVICES, DCBS, AND MEDIMPACT
ALL GIVE PEOPLE THE RUN
AROUND WITHOUT ANSWERING
ANY QUESTIONS WITH ANY
RELEVANT ANSWERS.**

**I MAY BE CONTACTING THE NEWS
STATIONS TOMORROW OR
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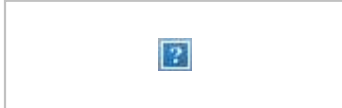
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From: CHFS Listens <CHFS.Listens@ky.gov>

Sent: Wednesday, January 31, 2024 6:59 AM

To: Wisecup, Christopher G (CHFS) <ChristopherG.Wisecup@ky.gov>

Subject: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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Response:

From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, January 30, 2024 4:04 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Re: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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Also, here is yet another PA that they refuse to honor....again....I want to take legal action at this point....who can I contact to establish counsel that deals with these types of legal claims in the state?

On Mon, Jan 29, 2024 at 10:25 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

Our office has sent a request to the Department for Medicaid Services for assistance. We will follow-up with you once we receive a response.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, January 26, 2024 6:54 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc...

First -- I need a drug formulary showing what items are covered on my plan. MedImpact refuses to give me that information even though I am a member. They say I can only speak to Medicaid Member services about it.

They transfer me to Medicaid Member Services and Medicaid Member Services tells me only MedImpact can give me information about the plan.

I have called 7 times now this week and had the same experience each time even with supervisors handling the calls on each side.

DCBS states I need to contact Medicaid Member Services.

So I need this to be cleared up IMMEDIATELY as I need to know what drugs are covered by the insurance plan I am on. It is not okay to be secretive about coverage.....

Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for me.....Rheumatology and Immunology also say that IVIG is medically necessary.....so the neurologist is at Norton.....the Gastroenterologist is at U of L....the Rheumatologist is at U of L....and the Immunologist is at UK. Again...withholding treatment that is absolutely critical to my health is not okay.....neither is not honoring approved prior authorizations....

I have attached a receipt for Adderall which my father had to pay for since the PA was not being honored. There is an approved PA through MedImpact and also through Magellan for it. I've attached both. I've attached all PAs through MedImpact....

I need to be able to access a member portal for MedImpact also which I am also being denied access to by MedImpact....

Please note: I have included the approved PAs for IVIG and for Adderall and many other medications through MedImpact that should still be valid....

I have included a PA approved for adderall through Magellan also....

There is an injunction in place to prevent patients on IVIG from being discontinued immediately because of the dangers that has.....Medicaid tried to do this last year in 2023 when the injunction was issued by a judge....you all / MedImpact -- suddenly stopped / discontinued the medication for me immediately after being on it for 2.5 years and my body has been crashing.....

Can the Attorney General look into this??

Is that who I need to contact? For violation of injunction by judge?

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To: [CHFS Listens](#)
Subject: Re: FW: FW: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW
Date: Friday, February 9, 2024 10:51:39 AM
Attachments: [image001.png](#)
[image001.png](#)
[image001.png](#)
[image001.png](#)

On Fri, Feb 9, 2024, 10:29 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Below are the answers to your inquiries.

1. I have sent a request to the Department for Medicaid Services regarding getting a copy of the IVIG approval I will have to follow-up when they provide me additional information

Thank you...they are going to tell you that you have to contact mefimpact.

1. The formulary list is available at the following website:
<https://kyportal.medimpact.com/medicaid-member-portal/formulary-search>

This is not accurate as many of the drugs listed are not covered....

1. The Medicaid provider list is available at the following link:
<https://medicaidsystems.ky.gov/ProviderDirectory/PDSearch.aspx>

You provided a link to an online search form...not a provider directory...that search form has zero accuracy...I recently needed dental care. I called every single dentist that came up....not a single one accepted medicaid... I need an at least close to accurate provider directory.

1. I have reviewed your case for a disability determination. Currently there is a incapacity determination in your case with the current one starting 03/01/23 with a redetermination date of 03/31/2024. DCBS would not have a document to verify this as they receive this information from MRT electronically.

I will use this email to suffice as that documentary evidence for the usda-fns case.

Please note we will follow-up once we receive a response from DMS concerning a copy of

the IVIG approval. Also please note that provided links are searchable database that serve as the provider and formulary list. There is no static document because these databases are constantly updated.

The formulary stated drug coverage is not honored and the provider directory, from my experience provides results for providers that don't take medicaid 99% of the time...

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Thank you again for contacting our office and please stay safe.

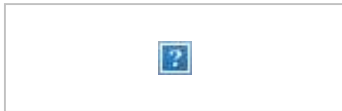
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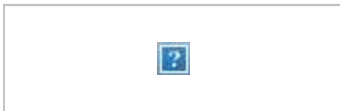
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Date: Friday, February 9, 2024 2:00:49 PM
Attachments: [image001.png](#)
[image001.png](#)
[image001.png](#)
[image001.png](#)
[image001.png](#)

Also, in addition to the earlier additional questions from today, I want to know if the mrt team can retrodate the start of the MRT as I have been disabled for years...ssa has not issued formal statement yet after alj trial, but it will be issued at some point very soon hopefully showing ssi determination start of disability to be June 30, 2022. No one at dcbs told me about the mrt thing despite me asking about if there are any special circumstances for disabled people, and I had to learn from a social worker in bardstown eventually....

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1. I have sent a request to the Department for Medicaid Services regarding getting a copy of the IVIG approval I will have to follow-up when they provide me additional information
2. The formulary list is available at the following website:
<https://kyportal.medimpact.com/medicaid-member-portal/formulary-search>
3. The Medicaid provider list is available at the following link:
<https://medicaidsystems.ky.gov/ProviderDirectory/PDSearch.aspx>
4. I have reviewed your case for a disability determination. Currently there is a incapacity determination in your case with the current one starting 03/01/23 with a redetermination date of 03/31/2024. DCBS would not have a document to verify this as they receive this information from MRT electronically.

Please note we will follow-up once we receive a response from DMS concerning a copy of the IVIG approval. Also please note that provided links are searchable database that serve as the provider and formulary list. There is no static document because these databases are constantly updated.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

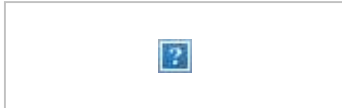
Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, February 8, 2024 1:40 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Re: FW: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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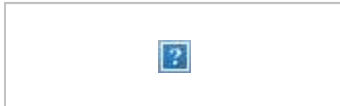
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I MAY BE CONTACTING THE NEWS

**STATIONS TOMORROW OR
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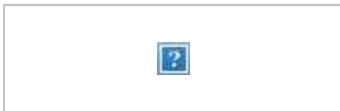
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From: CHFS Listens <CHFS.Listens@ky.gov>
Sent: Wednesday, January 31, 2024 6:59 AM
To: Wisecup, Christopher G (CHFS) <ChristopherG.Wisecup@ky.gov>
Subject: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Response:

From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 4:04 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Re: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

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| Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

Our office has sent a request to the Department for Medicaid Services for assistance. We will follow-up with you once we receive a response.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

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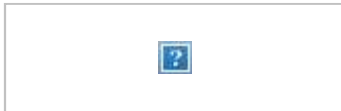
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I have called 7 times now this week and had the same experience each time even with supervisors handling the calls on each side.

DCBS states I need to contact Medicaid Member Services.

So I need this to be cleared up IMMEDIATELY as I need to know what drugs are covered by the insurance plan I am on. It is not okay to be secretive about coverage.....

Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for

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Date: Thursday, February 8, 2024 1:40:17 PM
Attachments: [image001.png](#)

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From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: FW: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04 -- follow up 2024.02.16 -- attn Chris at CHFS 1662598CW
Date: Wednesday, February 21, 2024 1:14:18 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

Would you like to call hundreds of providers on my behalf? This is a LEGAL issue....I don't think CHFS understands that...you may not discriminate against an individual (make them call every provider on a list to see if they take an insurance plan) regardless of status of disability but I don't have energy, nor eyesight, nor ability to call every provider on a provider directory...I did that for dental providers, and not one single one on the provider directory accepts traditional medicaid....

I am still waiting on the CMS contacts that you said you would get to me also - as a reminder.

On Mon, Feb 19, 2024 at 1:27 PM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Afternoon Mr. Fouts,

This is Chris following up. I apologize if you feel these links do not meet your needs. However, as I explained in our phone conversation these are the only lists available for the provider list and formulary list. The only ways to truly see if a provider still accepts Medicaid is to call them and confirm it with them if they appear in the directory. I am also following up with the information you requested on how to file complaints with HHS and CMS. Below are the links:

File a complaint with CMS: <https://www.cms.gov/medical-bill-rights/help/submit-a-complaint#submit-a-complaint>

File a complaint with HHS: <https://www.hhs.gov/regulations/complaints-and-appeals/index.html>

I will follow up via phone when I have responses on the other issues we discussed.

Thanks,

CHFS Listens Team

800-372-2973

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Subject: Re: FW: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04 -- follow up 2024.02.16 -- attn Chris at CHFS 1662598CW

These are unacceptable.....as noted.....the links provide information that isn't accurate whatsoever....and as an example....my doctor told me to tell them which eye drops are on the formulary that are non-steroidal that are preservative free.....can you tell me please by visiting the link you provided?

And the provider link returns all providers that are not accepting medicaid....an example would be dentists...I called every single one listed...not one takes medicaid....I am not able to find a way to answer the question....and I need the eye drops.....so please provide responses that are helpful -- MedImpact refuses to give me information when I call stating I need to

call Medicaid Member Services, and Medicaid Member services claims I must talk to MedImpact for the information.....

I need time to be able to complete it.....the MRT review....it takes time to get medical records in the event that additional records are needed, but you would think many thousands of pages of medical records would be sufficient....

Regarding the IVIG authorization and status -- how long before someone contacts me or you contact me back? I need to know....

Since we talked...I got a notice that medical transportation is now being denied....because I have a vehicle registered in my name. I am able to drive sometimes, and sometimes I am not....I need to be able to have medical transportation when I need it -- and I am not going to give up my ability to take care of myself or my child when I can.....there must be some kind of exception to this that is available...

Also -- I have been trying to get the case information for my child fixed since early November. Can this be expedited?

On Mon, Feb 19, 2024 at 9:34 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

This is Chris. Per our conversation last week below is the links for the Formulary list and provider List.

- Formulary List - <https://kyportal.medimpact.com/medicaid-member-portal/formulary-search>
- Provider List - <https://medicaidsystems.ky.gov/ProviderDirectory/PDSearch.aspx>

I am still working on the Authorized representative issue with Jackie's case and adding the Kynector to yours. Once I receive responses I will follow-up up. We have also received the email concerning you IVIG appeal/hearing. This information has been

forwarded to our Quality Advancement Branch and another specialist may be following up regarding this. For your MRT re-evaluation they will ask questions regarding your current medical status and they may also request additional current Medical records. However, if we receive notice from the Social Security administration that you have been determined disabled you will not have to complete it. Once I receive answers from our other issues I will follow-up by phone and email if I am not able to reach you.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, February 16, 2024 4:10 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Fwd: I called and emailed multiple times previously - still trying - I need help

with things via a kynector - can you help? -- 2024-02-04 -- follow up 2024.02.16 -- attn
Chris at CHFS

Chris, see screenshots below...

Have other questions as well like...what is required for mrt review?? I have no information about what is needed...I don't have the ability to stay on the phone anymore for very long periods...I was lucky to stay awake for the call with you today, and fell asleep afterward from exhaustion...profound fatigue is part of 15 years of chronic multiple illnesses...

For the mrt review, I can't provide what is needed if I don't know what it is!

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Wed, Feb 14, 2024, 4:44 PM

Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

To: Mia Anderson <Mia.Anderson@kipda.org>

Yes - they say it is not their responsibility....thanks for asking though....

I hope to get those forms filled out for you by tomorrow. My life has been kind of hellish lately....

On Wed, Feb 14, 2024 at 11:18 AM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Have you contacted MWMA Technical Contact Center at 844-784-5614?

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: Mia Anderson

Sent: Tuesday, February 13, 2024 10:57 AM

To: John Fouts <fouts.john@gmail.com>

Subject: RE: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Per our conversation see attached.

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

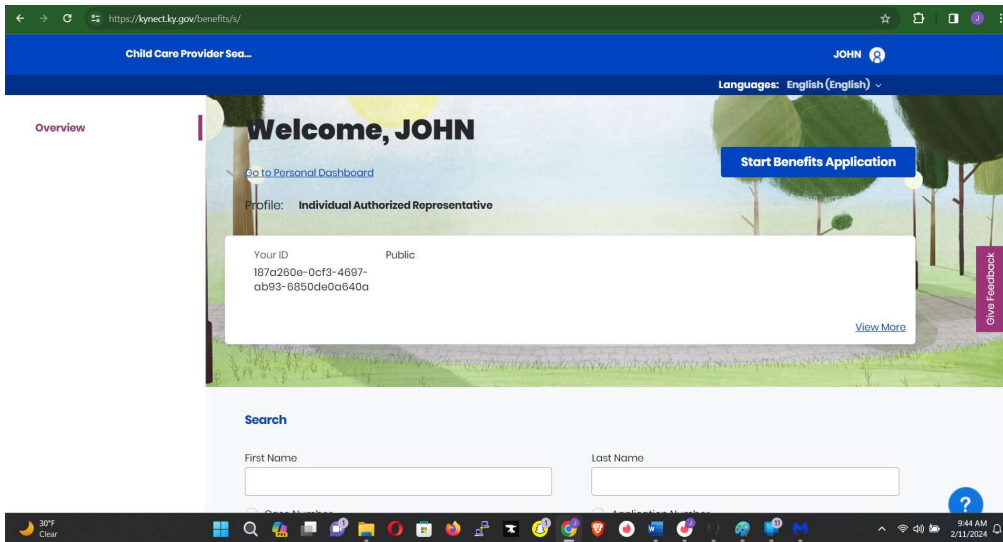
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From: John Fouts <fouts.john@gmail.com>
Sent: Sunday, February 11, 2024 11:04 AM
To: Mia Anderson <Mia.Anderson@kipda.org>
Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

They won't accept responsibility for anything -- I've been on the phone for hours at times with higher level supervisors and they stayed on the phone with me and got the run around just like I did....but yes -- I will add you and see if you can help.

Please see screenshots below:

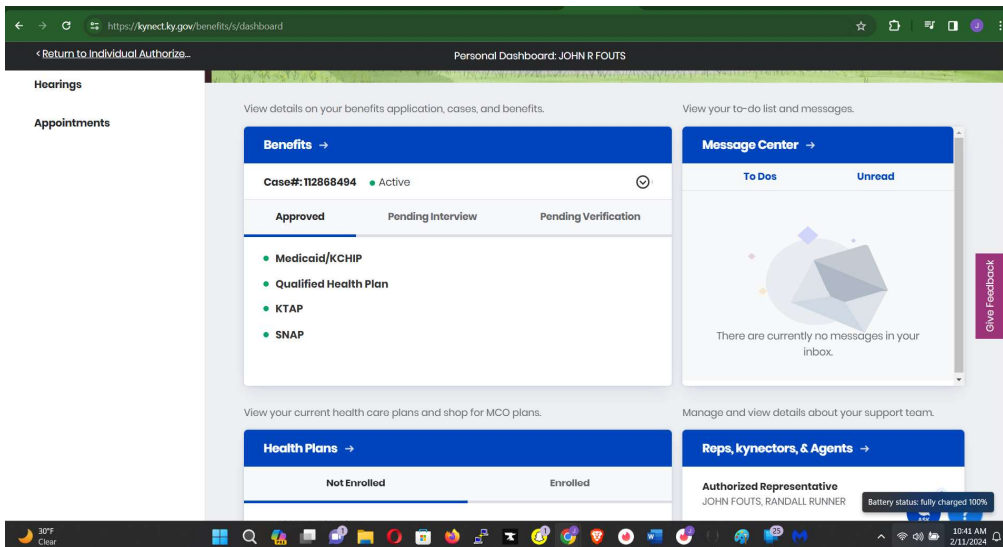
When I first log in I see this screen. I am told it has to be that way because I am the authorized representative for my child (although it was not ever like that before....)....



As you can see -- I can see no information on this screen. If I go to View More - there is no more information. If I use the search form - it cannot find me or my child...

So I click on Go to Personal Dashboard....

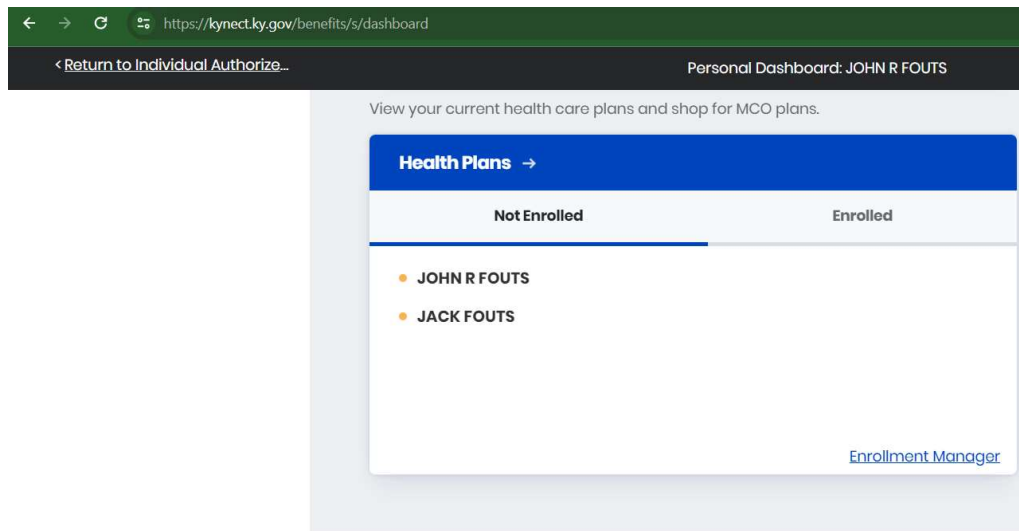
And within it I see what is familiar but different....I see this:



This is a problem because I got a notice yesterday that an MRT review is needed ... but you can see in the system it says there are no to dos and no messages - and mail often

doesn't get here....it gets here from everywhere else but often critical mail from DCBS or CHFS or SSA for some reason cannot make it here - which is extremely odd to me that only very critical mail from governmental agencies ends up not making it...seems like a way for the government to get out of trying to pay benefits.....

So it says medicaid is our benefit for insurance (you can see my case number there)



I went into the system and tried to update it to reflect you as my kynector. The system sees you when I do a search.... when I press Select.....it acts like it changes it but when I look it is still the old kynector....so yet another issue with the system....

Can you please confirm if you can see my information now?

I also need help with something else.... I am moving to an apartment (for the first time with a voucher). I used the voucher....then LG&E says I owe them \$224.91 from Dec. 7, 2022 through Jan 3 2023. I had to file bankruptcy due to medical bills and being unable to work -- I am disabled -- I have been unable to collect SSDI so far....I first applied 10+ years ago.....anyway....I reapplied again in 2022....appealed....denied.....ALJ....judge verbally stated he'd favorably approve, but I don't have that in writing yet. So the only thing I have is \$372 per month in KTAP and \$242 in food stamps to feed me and my child. My child got approved for SSI after I fought for 2 years for it....so my child is getting \$713 per month which is good because we've been suffering.

I need a way to pay the old LG&E balance of \$224.91. They said the bankruptcy filing only listed the bill going through Dec. 6th 2022....they said there might be some Louisville agencies that could 'make a pledge?' for the remaining balance....

I had requested LG&E switch my electricity into my name at new apt as of 02/08/2024 for new apartment.....and the apartment has electricity but this is a potential major immediate issue. Can you help?

I am totally and utterly mentally and physically and emotionally and spiritually exhausted after being sick for 15 years now....

John

P. 502.956.0052

On Fri, Feb 9, 2024, 11:00 AM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Hello,

If you would like to send copies of notices or give me access to your case, I can review your case specifically and not generally. You can also contact customer service at 855-459-6328 for them to create an incident ticket for specific issues.

If you have followed escalation path and the have made a final determination, I would not be able to change that decision.

Please understand that some of the issues that you have indicated are beyond the

scope of a kynector. I have indicated to you the next tier of escalation for your issues. DCBS and CHFS both have more administrative privileges than kynectors. Unfortunately, I do not have access to troubleshoot most of your issues and without viewing your case and/or notices I can only give you a general answer. We do not determine eligibility and we do not administer benefits. For questions about eligibility, you will need to contact DCBS, DFS or CHFS. For questions regarding administration of benefits you will need to contact administrator.

Thank you,

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, February 8, 2024 11:18 PM

To: Mia Anderson <Mia.Anderson@kipda.org>

Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Mia please see below in red....thank you for responding.

On Mon, Feb 5, 2024 at 2:27 PM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Hello,

If you have questions related to Kentucky Online Gateway (KOG) account creation or technical issues you can contact KOG Help Desk at 502-564-0104 Option 2. Unfortunately, kynectors do not have the access to change technical issues.

I have done this ... even with an upper level supervisor -- they say they do not have the access to change the technical information. The last time I was on a call with the higher level supervisor -- she stayed on the phone with me for around 2 hours while we got transferred 7 times and the answer was always that it was someone else's responsibility so what can I do?

If you have a case number and I am the kynector assigned to your case, I can look at your dashboard to review what you are seeing. The Department of Community Based Services makes determinations for eligibility, you can reach out to them at 855-306-8959.

You can reach out to the Ombudsman's office, and they should be able to assist you. [Cabinet for Health and Family Services Ombudsman](#) - (877) 807-4027

The Ombudsman's office claims there is nothing they can do to help me....I have talked to them several times....they cannot help -- so the Governor's Office oversees the CHFS.... I have written to the Governor's Office but have received absolutely no response whatsoever....it is very disappointing, frustrating, and causing much mental anguish.....these are very important and even critical issues.

If you did not receive a Medicaid service you think you were eligible for, call the Member Services team at 800-635-2570.

I don't think you really understand the issue - it would be better to talk on the phone to discuss it -- as always -- tomorrow I have yet another doctor's appointment....and then I am trying to get moved into my new apartment, I am not even able to get a provider directory to see what providers are in network, or a drug formulary to see what drugs are covered...MedImpact says only Medicaid can give that to me....Medicaid says only MedImpact can give that to me -- it is really ridiculous and I am now considering filing a lawsuit about the issue.

They will look at your record and help you understand why you did not get the service.

They must provide written notice to you whenever Medicaid stops, reduces, or suspends Medicaid eligibility or covered services. If you still think that you should get a service after you talk to them, you can ask for a hearing.

They did not do this.....they just abruptly stopped coverage of IVIG which is dangerous and can even be life threatening if the right situation occurs / wrong situation / whatever...

To ask for a hearing, you need to write a letter to the Kentucky Department for Medicaid Services.

I did that - they said they could not help me - that I would have to talk to MedImpact. I called MedImpact and they said I'd have to talk to the Department for Medicaid Services....

You or your provider can appeal this decision. Call Member Services at (800) 635-257

My provider did appeal the decision twice....and was denied twice...I wrote to the governor's office and suddenly the next day, IVIG coverage was a covered medical expense again, yet the provider, the pharmacy company, and myself (3 different entities are not able to get anything in writing from MedImpact...)....we are not talking about a cheap medication....It is \$20,000ish per dose (between \$15k and \$20k per dose....and I get it weekly)....I cannot afford any unexpected \$20,000.00 bills.....I need something in writing but MedImpact and Medicaid Member Services refuse to provide anything.

Kynetcors can help you apply for SNAP but we do not determine the eligibility, you would need to contact DCBS for mor information at 855-306-8959.

Did you even read my email? It does not seem like it....

You can submit a copy of the award letter from SSA to the Department of Community based service by uploading it to your account of faxing it to 502-573-2005.

[Social Security Administration](#) - (800) 772-1213

Please re-read the email I sent so you can try to understand the situation....it seems like you paid very little attention to detail....as most comments you have made are completely irrelevant.

I would really appreciate it, please, if you can read it again, in detail. I know there is a lot of information to unpack.

If you have any other questions feel free to contact me.

Thank you,

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: John Fouts <fouts.john@gmail.com>

Sent: Saturday, February 3, 2024 1:49 PM

To: Mia Anderson <Mia.Anderson@kipda.org>

Subject: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Please text me or email me.

P. 502.956.0052

Fouts.John@gmail.com

Things I need help with:

1.) I cannot see my child's information in the kynect portal -- I am an authorized representative (parent) - I have spent over 60 hours trying to get this corrected since last year in November....no one can/will help....not even CHFS.....

2.) My own case says I am inactive but I am enrolled in Medicaid and my child is too. I have a medicaid waiver (HCBS)....my child is on SSA...I need to be able to see information that SHOWS/PROVES that I am insured.

3.) I am not able to get a list of drugs that are included in the drug formulary NOR am I able to get a list of participating providers in a provider directory regarding traditional medicaid through the HCBS waiver program....I've been trying for months....MedImpact transfers me to Medicaid....Medicaid says I have to talk to MedImpact...I've asked CHFS too, to which they ignore all communication.....is there a legal representative you know that I could call? It is ILLEGAL to not provide this information.

4.) I need help getting a treatment I have been on for 2.5 years reauthorized....apparently I have to request a state fair hearing now...I don't know how....

5.) There is a snap overpayment issue which is invalid.....I have filed a complaint with USDA-FNS -- and that is being reviewed right now....I need information that DCBS will not provide....I am deemed as disabled via MRT review....I need PROOF of that IN WRITING for the USDA-FNS case....I need to know the date it started, how long it lasted, and why presently instead of approved as disabled I am deemed as PENDING regarding MRT review. No one will give me this information. I have a right to know this legally. Can the state attorney general's office help me? Or should I contact the federal attorney general?

6.) I was finally found disabled by social security administration after first applying over 10 years ago....I don't have the decision in writing yet....what are the steps I need to take regarding notifications of this for DCBS?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW
Date: Monday, February 5, 2024 5:36:41 PM
Attachments: [image001.png](#)

On Mon, Feb 5, 2024 at 2:09 PM CHFS Listens <CHFS.Listens@ky.gov> wrote:
| Good Afternoon,

| We have received a response from the Department for Medicaid Services. Based on there response all medications had been filled except Albuterol , which requires a pre-authorization to be completed by the prescribing provider. Because you have the Home and Community Based Waiver and not assigned to a Managed Care Organization to appeal a denial you can contact the Department for Medicaid Services member service line at 1-800-635-2570.

NO - MEDICAID MEMBER SERVICES DOES NOT HANDLE APPEALS - I HAVE SPOKEN WITH THEM MANY TIMES INCLUDING SUPERVISORS.....MEDIMPACT ALSO DOES NOT HANDLE APPEALS.....AS I HAVE SPOKEN TO THEM ALSO MANY TIMES.....I KEEP GETTING SENT BACK AND FORTH WHICH IS WHY I HAD TO INVOLVE YOUR ORGANIZATION. ALBUTEROL IS REQUIRED BECAUSE I HAVE ASTHMA. IF I HAVE A SEVERE ASTHMA ATTACK AND AN ANAPHYLACTIC REACTION I DON'T

**THINK YOU WANT MY DEATH ON
YOUR HANDS....**

**ALSO REGARDING THE PRIOR
AUTHORIZATION.....YES THEY
APPROVED IT BUT IT WAS NOT
HONORED AT THE PHARMACY AS
THEY HAD NOT MADE IT AVAILABLE
TO THE PHARMACY SO I HAD TO PAY
OUT OF POCKET FOR
ADDERALL.....AND THAT IS NOT OKAY
-- THAT WAS THE POINT OF THAT --
IT SEEMS YOUR ORGANIZATION IS
NOT CAPABLE OF COMPREHENDING
THE SITUATIONS AT HAND....**

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

**I AM NOT ABLE TO REQUEST A STATE
FAIR HEARING FOR IVIG DENIAL AS
MEDICAID MEMBER SERVICES SAYS
IT IS MEDIMPACT AND MEDIMPACT
SAYS IT IS MEDICAID MEMBER**

**SERVICES I NEED TO SPEAK TO --
YOU DID NOT EVEN ADDRESS THIS
CONCERN....**

**YOU ALSO DID NOT EVEN ADDRESS
THE FACT THAT I AM NOT ABLE TO
GET A PROVIDER DIRECTORY NOR A
DRUG FORMULARY SHOWING WHAT
PROVIDERS ARE IN NETWORK AND
WHICH DRUGS ARE COVERED....SAME
SITUATION BETWEEN MEDIMPACT
AND MEDICAID.....**

**I CONTACTED GOVERNOR
BESEHEAR'S OFFICE TODAY TO ASK
FOR HELP SINCE YOUR AGENCY,
MEDICAID MEMBER SERVICES, DCBS,
AND MEDIMPACT ALL GIVE PEOPLE
THE RUN AROUND WITHOUT
ANSWERING ANY QUESTIONS WITH
ANY RELEVANT ANSWERS.**

**I MAY BE CONTACTING THE NEWS
STATIONS TOMORROW OR THROUGH**

THE WEEK AS ENERGY LEVEL ALLOWS -- I HAVE EXTREMELY LOW ENERGY DUE TO SEVERE ONGOING 15 YEAR LONG CHRONIC ILLNESS ISSUES....

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: CHFS Listens <CHFS.Listens@ky.gov>

Sent: Wednesday, January 31, 2024 6:59 AM
To: Wisecup, Christopher G (CHFS) <ChristopherG.Wisecup@ky.gov>
Subject: FW: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Response:

From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 4:04 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Re: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Also, here is yet another PA that they refuse to honor....again....I want to take legal action at this point....who can I contact to establish counsel that deals with these types of legal claims in the state?

On Mon, Jan 29, 2024 at 10:25 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and

Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

Our office has sent a request to the Department for Medicaid Services for assistance. We will follow-up with you once we receive a response.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, January 26, 2024 6:54 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc...

First -- I need a drug formulary showing what items are covered on my plan. MedImpact refuses to give me that information even though I am a member. They say I can only speak to Medicaid Member services about it.

They transfer me to Medicaid Member Services and Medicaid Member Services tells me only MedImpact can give me information about the plan.

I have called 7 times now this week and had the same experience each time even with supervisors handling the calls on each side.

DCBS states I need to contact Medicaid Member Services.

So I need this to be cleared up IMMEDIATELY as I need to know what drugs are covered by the insurance plan I am on. It is not okay to be secretive about coverage.....

Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for me....Rheumatology and Immunology also say that IVIG is medically necessary....so the neurologist is at Norton.....the Gastroenterologist is at U of L....the Rheumatologist is at U of L....and the Immunologist is at UK. Again...withholding treatment that is absolutely critical to my health is not okay....neither is not honoring approved prior authorizations....

I have attached a receipt for Adderall which my father had to pay for since the PA was not being honored. There is an approved PA through MedImpact and also through Magellan for it. I've attached both. I've attached all PAs through MedImpact....

I need to be able to access a member portal for MedImpact also which I am also being denied access to by MedImpact....

Please note: I have included the approved PAs for IVIG and for Adderall and many other medications through MedImpact that should still be valid....

I have included a PA approved for adderall through Magellan also....

There is an injunction in place to prevent patients on IVIG from being discontinued immediately because of the dangers that has.....Medicaid tried to do this last year in 2023 when the injunction was issued by a judge....you all / MedImpact -- suddenly stopped / discontinued the medication for me immediately after being on it for 2.5 years and my body has been crashing.....

Can the Attorney General look into this??

Is that who I need to contact? For violation of injunction by judge?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW
Date: Monday, April 1, 2024 4:17:11 PM
Attachments: [image001.png](#)

I need help with all of the things listed in the PDFs I just sent. Thank you for clarifying with regard to the email files and google drive links. That is the only way that I have to be able to send you large files.

On Mon, Apr 1, 2024 at 10:46 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

Our systems blocks links to untrusted sources. Because it is a link to a personal google drive and not a file that can be scanned prior to opening it I am unable to access it due to our security protocols in place. I can escalate the issues you mentioned concerning eye drops and compression stockings to DMS for further assistance

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

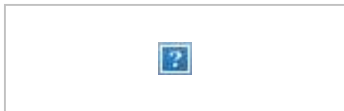
Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Monday, April 1, 2024 10:26 AM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Re: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW

As an example....I need compression stockings...otc eye drops not covered by insurance etc....waiver funds are supposedly able to be used to help w things like that. I made the links available for anyone to view so u should be able to open them fine.

On Mon, Apr 1, 2024, 9:44 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

Our Office sent you an email earlier this morning, but we did not realize you had sent a second email. I was able to review the files you attached but I am not able to review the embedded links as they go to a personal google drive. I am still not clear as to what services you are being denied. Can you provide a concise summary of what services you feel are being denied.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Sunday, March 31, 2024 11:10 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>; CHFS Listens <CHFS.Listens@ky.gov>

Subject: Fwd: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31

[And so I am clear - you are saying you think that I will be able to be dual eligible between Medi...](#)

[Can I be reimubrsed for these expensses_ 2023-12-19 -- See image.eml](#)

[Can you follow up with The Marion House for me please_ Talked to LeAnn \(sp_\) there like 2.5 weeks...](#)

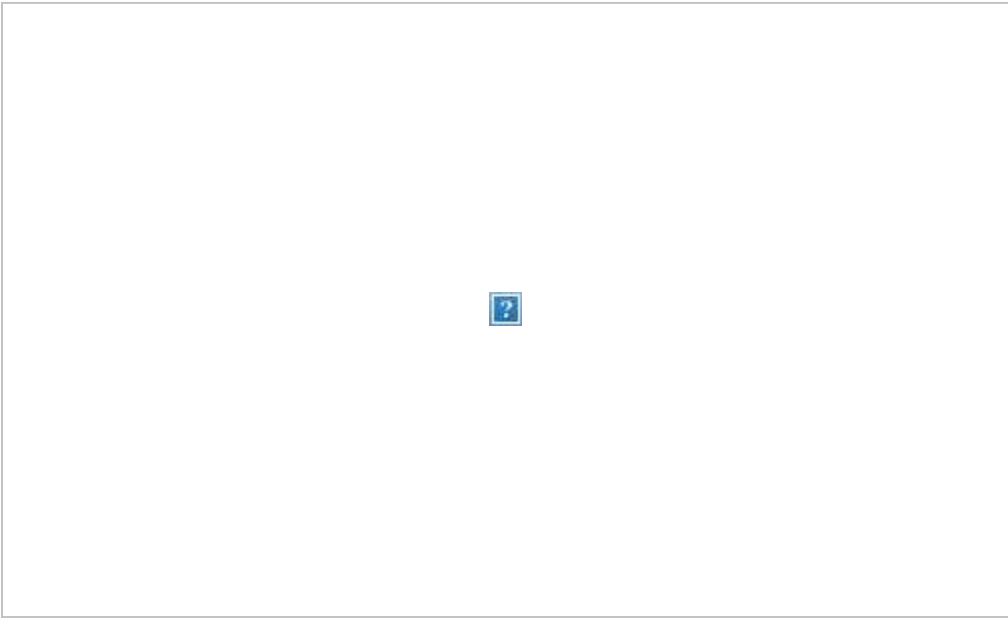
[Following Up -- 2024-03-12 -- Following Up Again -- 2024-03-13.eml](#)

[Following Up -- 2024-03-12.eml](#)

[Have not heard a peep from The Marion House and I need an outline of the services I will be recei...](#)

- [Hope you are okay!.eml](#)
- [Needs for John R. Fouts -- 2023-12-13 -- Case Worker -- Jessica Jones -- Please Confirm Receipt -...](#)
- [Other letter I got today from CHFS re Medicaid Waiver -- 2024-01-09 --.eml](#)

You can see how many times I've tried and tried to be able to use any of the funds.....and how far back in time it goes...mid December of last year.....and still....I have nothing....



Zach Grider 'has' been attempting to help me...but also unable so far to produce anything I am in need of.....it has been well over a quarter of a year.....are all waiver participants treated this way???

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Fri, Mar 29, 2024 at 11:48 AM

Subject: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29

To: CHFS Listens <CHFS.Listens@ky.gov>

I was approved for the waiver on 10.27.23. Today is 2024.03.29 (Good Friday).

I have tried and tried and tried and tried to access funds for things I need through The Ole Home Place in Columbia, KY.

I have not been able to get anything with the funds that are supposedly allocated to me.

I would like to request a formal investigation at this point.

It has been more than a full quarter since I have asked repeatedly.

It is almost as if funds are being withheld intentionally...which would obviously not be ok.

I also have included an email I had previously written to Makayla McCloud -- who is Jessica Jones' supervisor....but received no response at all from her.....

Additionally -- I wrote to Governor Beshear's Office again...for the third time....and asked for him to personally look into the matter. I do not know if he will but I am hopeful.

If not - then the media is the last thing I can think of to try to help -- if I can get news channels to do a story on this situation...

John R. Fouts

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:56:51 +0000

Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Wed, Feb 14, 2024 at 1:53 PM

Subject: Re: Visit to Bullitt Co

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I'm so sorry I missed you! I'll send you that list and talk to you about tomorrow possible schedule in email. Thank you.

J

On Wed, Feb 14, 2024, 12:11 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Hey John, I'm at your home right now. Do I need to just come in and come down to see you?

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Feb 13, 2024 at 8:35 PM John Fouts <fouts.john@gmail.com> wrote:

I'm sorry. I know what both feel like...the stones...and the knocked out feeling.

Hope you are doing better.

On Tue, Feb 13, 2024, 8:22 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Sounds good to me! Sorry for the late reply, I was actually in the hospital today with kidney stones and my meds knocked me out LOL I'll see you tomorrow!!!!

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

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14th at high noon?

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Awesome!!! I'm thrilled to hear you are getting moved into your own space. I hope the excitement pushes you through some of the exhaustion. It genuinely will be a "sign this" and I'll be leaving shortly after. I've absorbed two other CM's caseloads that quit and have had to pile my days full. Whichever day you think is better, I am open both days from 8-6, excluding 4pm both days. Just let me know what works for you!

On Mon, Feb 12, 2024 at 3:40 PM John Fouts <fouts.john@gmail.com>

wrote:

Jessica,

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Also in process of move to [2904 Sitka Dr. #29](#) (in building L) at Station Jtown apartments in Jeffersontown, KY. 40299. Still in Shep rn though.

John

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Good afternoon everyone. I will be in Bullitt Co on the 14th and 15th (this Wednesday and Thursday). If you can, please let me know if you have any available time that I can stop in for a very short visit (15 mins max, I will be heavily scheduled with the hopes of seeing everyone before nasty weather hits). Just let me know! Thanks!

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Jessica Jones CM

The Ole Homeplace

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

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----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>
To: Zachary Grider <zgrider@theolehomeplaceadhc.com>
Cc:
Bcc:
Date: Sat, 30 Mar 2024 00:56:07 +0000
Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>
Date: Mon, Feb 12, 2024 at 4:39 PM
Subject: Re: Visit to Bullitt Co
To: Jessica Jones <jjones@theolehomeplaceadhc.com>

Jessica,

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Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005
Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Tracy Holmes-Bell <hbelle@lmha1.org>

Cc:

Bcc:

Date: Tue, 26 Mar 2024 20:26:45 +0000

Subject: Fwd: Who do I contact since the Ombudsman's Office will not communicate? --
2024-03-26 -- Follow-Up

Hi Tracy.

I hope you are having a good day. My child and I are still situating into our new apartment at Station Jtown, but we have had some problems getting the staff here to respond to literally anything.

I talked to Irina Bassett about it....she forwarded my concerns to the Ombudsman's Office to Mark Roseberry. Mark will not communicate with me, so the concerns are being ignored, and that is not appropriate for the situation as there are serious things we need help with.

I will forward you the emails that were sent to him. Can you please help?

I wanted to message you first to give you some context about the situation.

John

----- Forwarded message -----

From: **Irina Bassett** <bassett@lmha1.org>

Date: Tue, Mar 26, 2024 at 3:48 PM

Subject: RE: Who do I contact since the Ombudsman's Office will not communicate? -- 2024-03-26 -- Follow-Up

To: John Fouts <fouts.john@gmail.com>

Good afternoon.

That would be the supervisor, Tracy Holmes-Bell at 502-569-4901 or hbelle@LMHA1.org

Thank you.

Irina Bassett

Compliance Coordinator

Louisville Metro Housing Authority

600 South 7th Street

Louisville, KY 40203

Phone: 502-569-6660

Email: bassett@lmha1.org

This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender immediately by reply email and destroy all copies of the original materials.

From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, March 26, 2024 3:45 PM

To: Irina Bassett <bassett@LMHA1.org>

Subject: Who do I contact since the Ombudsman's Office will not communicate? -- 2024-03-26 -- Follow-Up

Irina,

Who would be the next in the chain of command, that I can contact?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:56:34 +0000

Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

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Date: Tue, Feb 13, 2024 at 8:35 PM

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The Ole Homeplace

Division of Case Management

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John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:55:50 +0000

Subject: Fwd: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Jan 23, 2024 at 9:56 PM

Subject: Re: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

Okay - thank you Jessica. I appreciate you leading me around the unknown forest of the Medicaid Waiver program (unknown to me). Is there anything else that I should also be working toward getting? If so, just give me a holler and let me know. Is that how you spell holler? I really don't know!

John

On Tue, Jan 23, 2024 at 8:39 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

They can once they get started!!! Just in the meantime or if you have appointments after hours or anything of the sorts. I would absolutely recommend getting that letter, the more documentation we have the better!

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Jan 23, 2024 at 5:13 PM John Fouts <fouts.john@gmail.com> wrote:

I was under the impression that the attendant once on board could help in getting me to and from appointments. Did I misunderstand? Very possible - it seems to happen quite often these days. And yes, I probably have 10 doctors who would write that letter. Should I go ahead and ask for it?

John

On Tue, Jan 23, 2024 at 4:47 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Our next meeting will be in February! I'm not sure on a date yet, but I should know in the next week or so!

Medicare to my knowledge, has no weight on your waiver.

Talking to Federated might be a good idea, only because they are the only ones that would know the loopholes to you being able to ride with them while owning a vehicle. Would any of your doctors be willing to write a letter stating that it is a hazard for you to drive?

Outside of Medicaid transport, there are no other covered options as far as the HCB waiver goes.

On Sat, Jan 20, 2024 at 2:07 PM John Fouts <fouts.john@gmail.com> wrote:

Jessica,

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Next -- I will be eligible for Medicare in November 2024 based on onset date of disability in June 2022. What does this mean for the Medicaid Waiver? I know some people are dual eligible, but no one seems to be able to answer my question - and I need to know.

Also -- Toni Condra-Gilley at Gould's in St. Matthew's knows me and somewhat of my situation and is the right contact for things like compression and other DME - just an fyi.

I talked to Leanna at The Marion House last week. She said they are waiting to hire someone to help me still. I asked her about transportation. I have 2 doctor appointments in Lexington on Jan. 31 (my 45th bday), and was hoping to have help with transportation there. She said all she knew to do was to give me Federated Transportation's number and have me talk to them. I hope to do that this week sometime, but I have very little energy (even more than what is normally my baseline very little) -- probably the weather - but who knows -- you know how inflammation goes because you deal with it too.

For non-medical transportation needs in the meantime, while the Marion House is waiting to hire someone (or waiting to hire and train someone or whatever), do you know of any options I would have? My problem is I am dizzy and have balance and vertigo issues too randomly now on top of the intermittent vision problems that make it so hard to see that I can't even read etc.... along with the severe pain....makes driving a real challenge a lot of the time.

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:55:11 +0000

Subject: Fwd: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Jan 23, 2024 at 5:12 PM

Subject: Re: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

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John R. Fouts, MBA

Fax. 502.996.8246

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From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:53:16 +0000

Subject: Fwd: Thank you - this is all helpful information - how can I also get help for ensuring that the pharmacy has all the meds I take? 2023-12-19

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Dec 19, 2023 at 3:47 PM

Subject: Thank you - this is all helpful information - how can I also get help for ensuring that the pharmacy has all the meds I take? 2023-12-19

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I have many prescriptions and they are hard to deal with. I totally understand you have a million clients, and I am definitely not trying to be a thorn in your side. I have just had to wait for SOOOO LOOOONG for help.....that there are a large number of issues. I'm so sorry - I am not trying to overwhelm you whatsoever. Thanks for touching base and reminding me of how all this works. I tried to be very thorough when I made the long list. I appreciate literally 'anything' you can do to help me. I never thought I would need so much help at age 44.

Are you okay after your accident? I don't think you answered that yet but maybe you did and I missed it.

I will await further direction from you and/or the Marion House. Thank you Jessica. I hope you start to feel better soon. =)

J

m

On Tue, Dec 19, 2023 at 2:23 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

John, after speaking with my administrator, we do believe all pharmacy issues will have to be dealt with directly through Medicaid Pharmacy. There unfortunately are not any

avenues I can take to assist in anything prescription related, as that will all have to be dealt with through the pharmacy and medicaid themselves. All the new "PA"s that they are referring to are issued by the pharmacy and cannot come from me unfortunately. I am going through item by item with the help desk on any extra coverage we might be able to get for you in regard to more goods and services related items. We are typically tied to items on the DME fee schedule. You can reach the Medicaid Pharmacy branch at Phone:(502) 564-6890 or at the email dmsweb@ky.gov for all prescription concerns. I am going to attach different fee schedules for you to review and get a better gist of what

It will take me several days to sort through everything you sent, I have to give my time to another 80 clients as well so I will nibble at it bits at a time. I have sent out signature orders for wipes, gloves, and compression stockings.

Goods and services budget is for your level of care year, which for you is 04/21/2023-04/19/2024. Things that are currently for sure covered and on the fee schedule are wipes, gloves, grab bars (suction cup), compression stockings, elevated toilet seats, shower chairs, lift recliners, hospital beds, walkers, rollators, and wheelchairs, pullups, chux pads, male guards, and diapers. Anything else will have to be submitted to the help desk first to see if there is a fee schedule made for it, or if one can be created. All fee schedules are available on chfs.ky.gov but you have to make sure you aren't looking at an MCO plan chart as that no longer applies. I'll keep digging for more things to help us out.

You should receive a call from The Marion House soon in regard to getting some help at home, so that's really our first big step. Everything else will start to trickle bit by bit as we go.

On Tue, Dec 19, 2023 at 1:07 PM John Fouts <fouts.john@gmail.com> wrote:

Hi Jessica.

Can you remind me what next steps are?

Also - can I get reimbursed for these expenses?



Please confirm receipt of my email.

Also - is there a way we can prioritize the compression stockings?

Mine are a bit more religious (holy) than I would like for them to be....



They are just worn out...

And finally for now -- how do the expenses work -- are they on a calendar year basis (regarding goods and services)? If so, would i have a full calendar year available prior to 12/31? How does it work? I don't want to miss out on any potential benefit - I need all the help I can get unfortunately....

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:51:14 +0000

Subject: Fwd: See attached in regards to your inquiry with Senator Rand Paul --
Discrimination Case -- SNAP -- Age and Disability Discrimination -- 2023-12-14

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Thu, Dec 14, 2023 at 2:31 PM

Subject: Fwd: See attached in regards to your inquiry with Senator Rand Paul --
Discrimination Case -- SNAP -- Age and Disability Discrimination -- 2023-12-14

To: jjones@theolehomeplaceadhc.com <jjones@theolehomeplaceadhc.com>

Jessica,

Can you please also confirm receipt of this one? I sent you another email earlier too. You may be out of the office, but I want to make sure you got them. Please confirm receipt of both. I had not initially intended to send this one to you separately from the 2nd one I still plan to send (now the 3rd), but felt this one needed to be on its own.

John

----- Forwarded message -----

From: **FNS.CivilRightsComplaints** <FNSCivilRightsComplaints@usda.gov>

Date: Tue, Dec 12, 2023 at 3:58 PM

Subject: See attached in regards to your inquiry with Senator Rand Paul

To: fouts.john@gmail.com <fouts.john@gmail.com>

Good afternoon,

Please see attached in regards to your inquiry with
Senator Rand Paul.

Sign/date and return the consent form within 20 days.

FNS Civil Rights Division

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: "mmccloud@theolehomeplaceadh.com" <mmccloud@theolehomeplaceadh.com>

Cc:

Bcc:

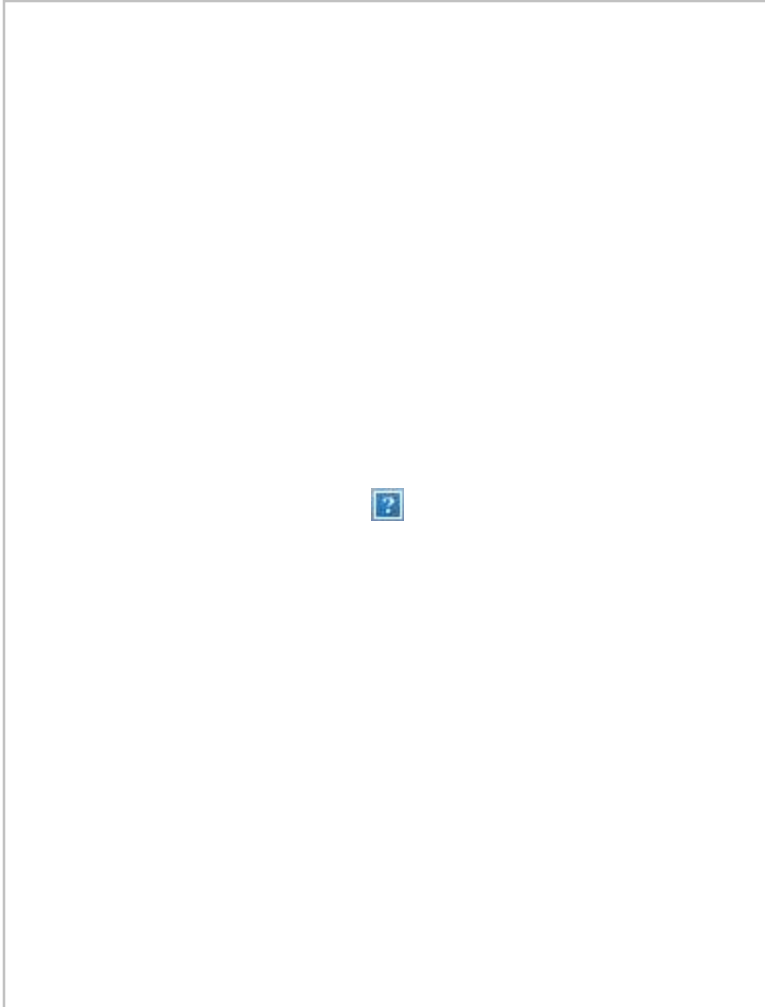
Date: Mon, 11 Mar 2024 15:17:43 +0000

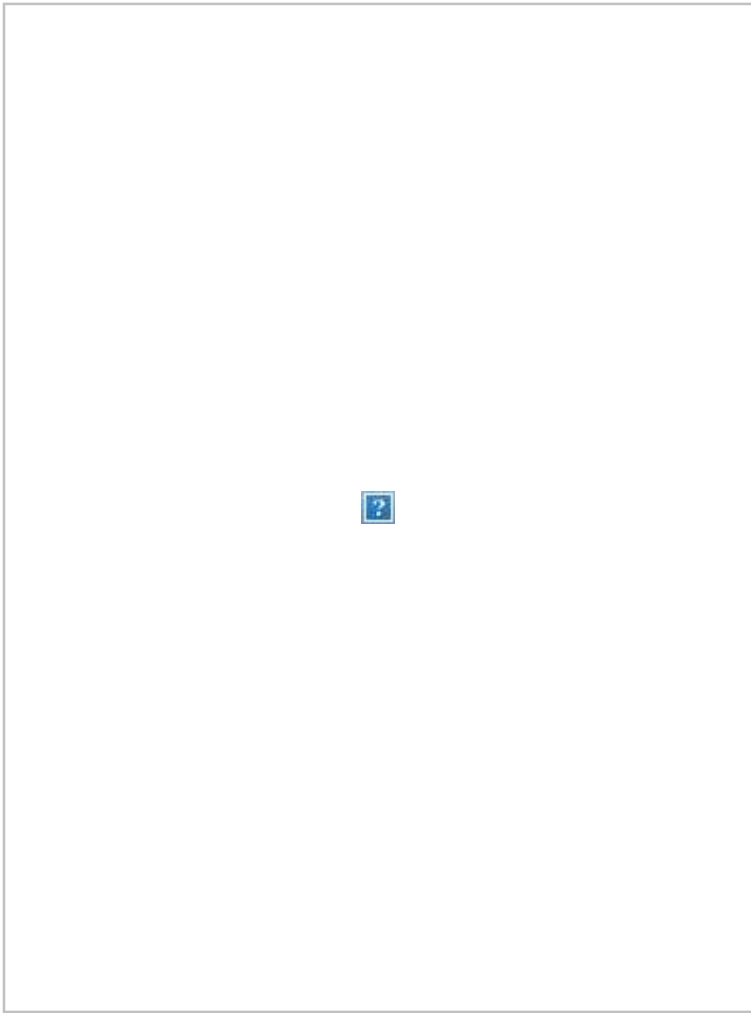
Subject: Are you the supervisor of Jessica Jones? -- Need help with some things -- John R. Fouts -- 2024-03-11

Hi Makayla.

I asked Heather at The Marion House who Jessica's supervisor is....I know Jessica has had a lot going on health-wise, and I totally am understanding of that kind of thing as my own health has been destroyed by years of chronic illness....however.....there are things that I need, that the waiver is supposed to provide, that she has not been able to help me with like....

Compression Stockings (I know the manager at Gould's....I have known her since we were kids)....my doctor has had the prescription over there for several weeks...Jessica keeps saying she is working on it...but Toni at Gould's said there hasn't been any communication from Jessica....so that is a problem....I mean look at my current compression stockings....





Also, medical transportation has been denied for me....I have appealed it....I'm told my case manager should be able to help me with things like that (by CHFS) -- I am new to all of this, so do not know what you all can, and cannot help me with....the main takeaway I have learned so far is that the state organizations have no idea who does what...and that makes it very hard for people like me....

I recently got a letter from my doctor -- when I requested a hearing about the medical transportation being denied.....

Here is the letter....



I also have a letter of medical necessity for autologous tear serum eye drops - but of course - even though medically necessary - they are being denied...who can help me with that? If I have to buy them w/o insurance they are like \$300 or \$400 every 2 or 3 months....I am told I should be able to use the waiver funds allocated for me for that also....but I haven't been able to use any of the waiver funds allocated to me as of yet....how can I gain access to the funds allocated to me for my health needs?

I grabbed your info from an online listing for the HCB Waiver Program:

19. THE OLE HOMEPLACE ADULT DAY HEALTH CARE 270-384-0061 Makayla McCloud -Case Management Supervisor mmccloud@theolehomeplaceadhc.com
HCBW@theolehomeplaceadhc.com Danielle Florence -Director of Home Care Services
Services offered: Adult Day Health with transportation, Case Management, Goods &

Services, Home delivered meals, Environmental & Minor Home Adaptions and Attendant Care with transportation. Pediatrics Welcome.

There are other needs I have also but the ones above are a few for right now... Can you help??

John

P. 502.956.0052

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW
Date: Thursday, April 4, 2024 6:17:49 PM
Attachments: [image.png](#)
[image.png](#)
[image001.png](#)

Thank you for your response. Is it typical to not be able to use any of the waiver benefits in terms of for goods for 1/3 of a year? 4 months+?

On Tue, Apr 2, 2024 at 8:30 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

I received the PDF files you sent. I received a response from the Department for Medicaid Services Waiver Helpdesk. They have confirmed that your Case manager contacted them on 03/28/2024 for assistance on how to request and get approval for the items you have requested. DMS has sent them information on what to provide so they can review for approval. The email related to filing a complaint with FNS. You will need to follow-up with FNS if you wish to peruse it. However, based on the response I received DMS is working directly with your case manager to get your requests approved, its just in the process. They have also confirmed that DMS has reached out to you to advise you and provided me copies of the emails they have sent you.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov

TEAM

KENTUCKY

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From: John Fouts <fouts.john@gmail.com>
Sent: Monday, April 1, 2024 4:16 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Re: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

[See attached in regards to your inquiry with Senator Rand Paul -- Discrimination Case -- SNAP -- ...](#)

Attached are the needs I mentioned to Jessica Jones at The Ole Home Place. The only thing I have ever been able to get is the Mom's Meals weekly deliveries - and yes they are helpful - but the waiver is supposed to entail for more than that.

Since you are not able to get email attachments as email messages.... I am sending these as PDFs...

Please confirm receipt.

You can see I have been asking for literally 'any' of the items noted since December of last year...not able to get any help with anything except for mom's meals...

John

On Mon, Apr 1, 2024 at 9:44 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

Our Office sent you an email earlier this morning, but we did not realize you had sent a second email. I was able to review the files you attached but I am not able to review the embedded links as they go to a personal google drive. I am still not clear as to what services you are being denied. Can you provide a concise summary of what services you feel are being denied.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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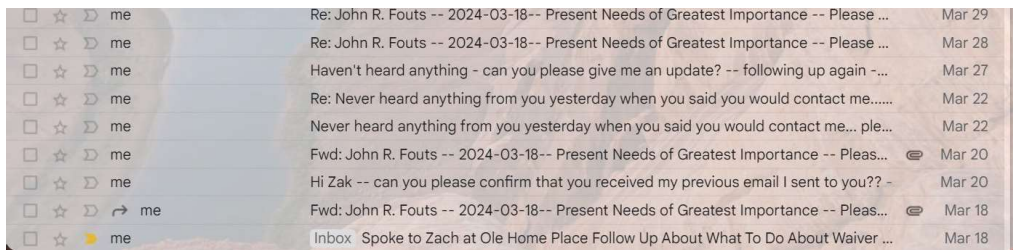
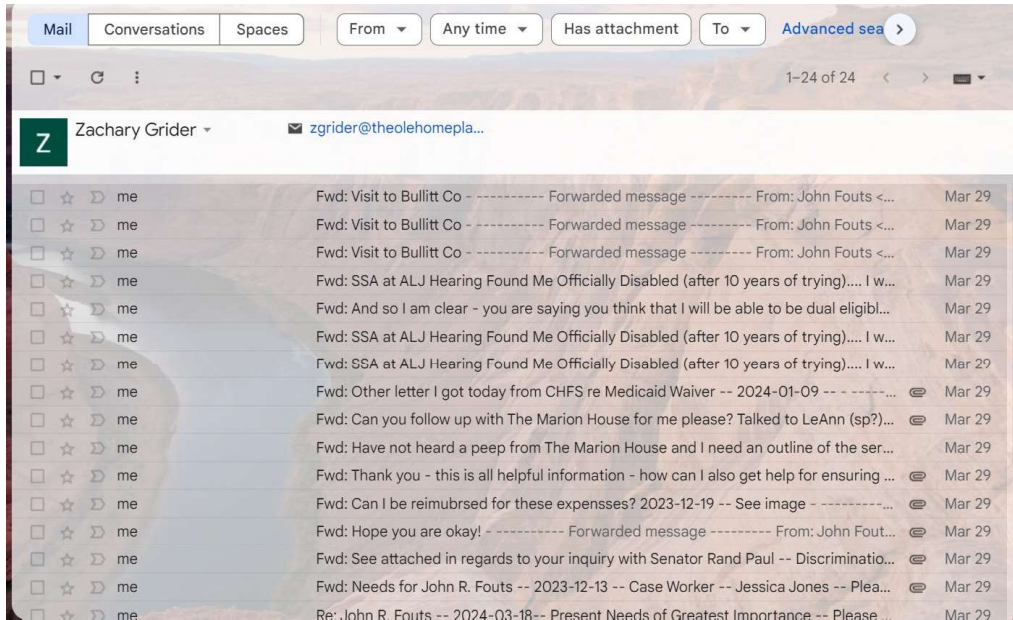
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From: John Fouts <fouts.john@gmail.com>
Sent: Sunday, March 31, 2024 11:10 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>; CHFS Listens <CHFS.Listens@ky.gov>
Subject: Fwd: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31

- [And so I am clear - you are saying you think that I will be able to be dual eligible between Medi...](#)
- [Can I be reimubrsed for these expensses_ 2023-12-19 -- See image.eml](#)
- [Can you follow up with The Marion House for me please_ Talked to LeAnn \(sp_\) there like 2.5 weeks...](#)
- [Following Up -- 2024-03-12 -- Following Up Again -- 2024-03-13.eml](#)
- [Following Up -- 2024-03-12.eml](#)
- [Have not heard a peep from The Marion House and I need an outline of the services I will be recei...](#)
- [Hope you are okay!.eml](#)
- [Needs for John R. Fouts -- 2023-12-13 -- Case Worker -- Jessica Jones -- Please Confirm Receipt -...](#)

[Other letter I got today from CHFS re Medicaid Waiver -- 2024-01-09 --.eml](#)

You can see how many times I've tried and tried to be able to use any of the funds.....and how far back in time it goes...mid December of last year.....and still....I have nothing....



Zach Grider 'has' been attempting to help me...but also unable so far to produce anything I am in need of.....it has been well over a quarter of a year.....are all waiver participants treated this way???

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Fri, Mar 29, 2024 at 11:48 AM

Subject: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29

To: CHFS Listens <CHFS.Listens@ky.gov>

I was approved for the waiver on 10.27.23. Today is 2024.03.29 (Good Friday).

I have tried and tried and tried and tried to access funds for things I need through The Ole Home Place in Columbia, KY.

I have not been able to get anything with the funds that are supposedly allocated to me.

I would like to request a formal investigation at this point.

It has been more than a full quarter since I have asked repeatedly.

It is almost as if funds are being withheld intentionally...which would obviously not be ok.

I also have included an email I had previously written to Makayla McCloud -- who is Jessica Jones' supervisor....but received no response at all from her.....

Additionally -- I wrote to Governor Beshear's Office again...for the third time....and asked for him to personally look into the matter. I do not know if he will but I am hopeful.

If not - then the media is the last thing I can think of to try to help -- if I can get news channels to do a story on this situation...

John R. Fouts

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04 -- follow up 2024.02.16 -- attn Chris at CHFS 1662598CW
Date: Monday, February 19, 2024 10:47:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

These are unacceptable.....as noted.....the links provide information that isn't accurate whatsoever....and as an example....my doctor told me to tell them which eye drops are on the formulary that are non-steroidal that are preservative free.....can you tell me please by visiting the link you provided?

And the provider link returns all providers that are not accepting medicaid....an example would be dentists...I called every single one listed...not one takes medicaid....I am not able to find a way to answer the question....and I need the eye drops.....so please provide responses that are helpful -- MedImpact refuses to give me information when I call stating I need to call Medicaid Member Services, and Medicaid Member services claims I must talk to MedImpact for the information.....

I need time to be able to complete it.....the MRT review....it takes time to get medical records in the event that additional records are needed, but you would think many thousands of pages of medical records would be sufficient....

Regarding the IVIG authorization and status -- how long before someone contacts me or you contact me back? I need to know....

Since we talked...I got a notice that medical transportation is now being denied....because I have a vehicle registered in my name. I am able to drive sometimes, and sometimes I am not....I need to be able to have medical transportation when I need it -- and I am not going to give up my ability to take care of myself or my child when I can.....there must be some kind of exception to this that is available...

Also -- I have been trying to get the case information for my child fixed since early November. Can this be expedited?

On Mon, Feb 19, 2024 at 9:34 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

This is Chris. Per our conversation last week below is the links for the Formulary list and provider List.

- Formulary List - <https://kyportal.medimpact.com/medicaid-member-portal/formulary-search>
- Provider List - <https://medicaidsystems.ky.gov/ProviderDirectory/PDSearch.aspx>

I am still working on the Authorized representative issue with Jackie's case and adding the Kynector to yours. Once I receive responses I will follow-up up. We have also received the email concerning you IVIG appeal/hearing. This information has been forwarded to our Quality Advancement Branch and another specialist may be following up regarding this. For your MRT re-evaluation they will ask questions regarding your current medical status and they may also request additional current Medical records. However, if we receive notice from the Social Security administration that you have been determined disabled you will not have to complete it. Once I receive answers from our other issues I will follow-up by phone and email if I am not able to reach you.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Friday, February 16, 2024 4:10 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Fwd: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04 -- follow up 2024.02.16 -- attn Chris at CHFS

Chris, see screenshots below...

Have other questions as well like...what is required for mrt review?? I have no information about what is needed...I don't have the ability to stay on the phone anymore for very long periods...I was lucky to stay awake for the call with you today, and fell asleep afterward from exhaustion...profound fatigue is part of 15 years of chronic multiple illnesses...

For the mrt review, I can't provide what is needed if I don't know what it is!

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>
Date: Wed, Feb 14, 2024, 4:44 PM
Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04
To: Mia Anderson <Mia.Anderson@kipda.org>

Yes - they say it is not their responsibility....thanks for asking though....

I hope to get those forms filled out for you by tomorrow. My life has been kind of hellish lately....

On Wed, Feb 14, 2024 at 11:18 AM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Have you contacted MWMA Technical Contact Center at 844-784-5614?

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: Mia Anderson

Sent: Tuesday, February 13, 2024 10:57 AM

To: John Fouts <fouts.john@gmail.com>

Subject: RE: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Per our conversation see attached.

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

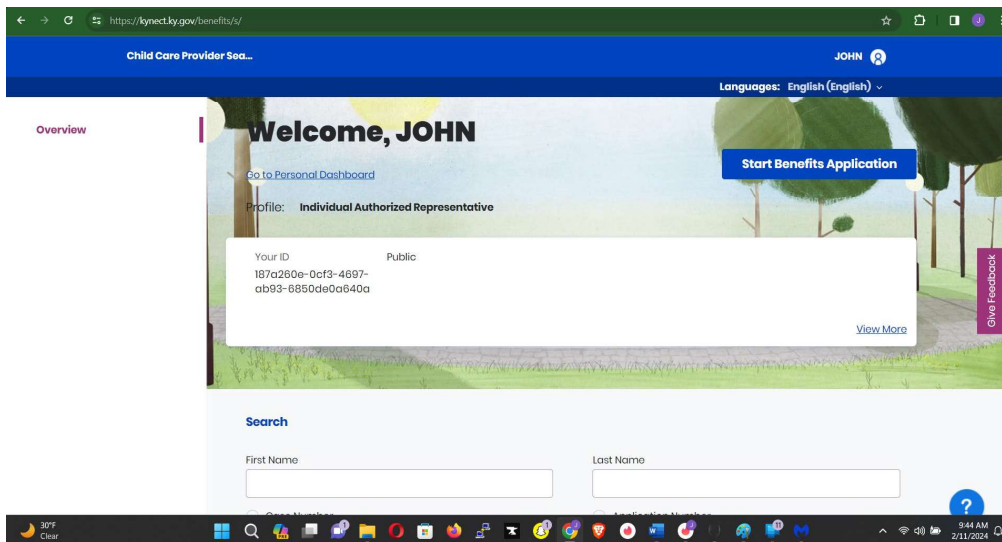
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From: John Fouts <fouts.john@gmail.com>
Sent: Sunday, February 11, 2024 11:04 AM
To: Mia Anderson <Mia.Anderson@kipda.org>
Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

They won't accept responsibility for anything -- I've been on the phone for hours at times with higher level supervisors and they stayed on the phone with me and got the run around just like I did....but yes -- I will add you and see if you can help.

Please see screenshots below:

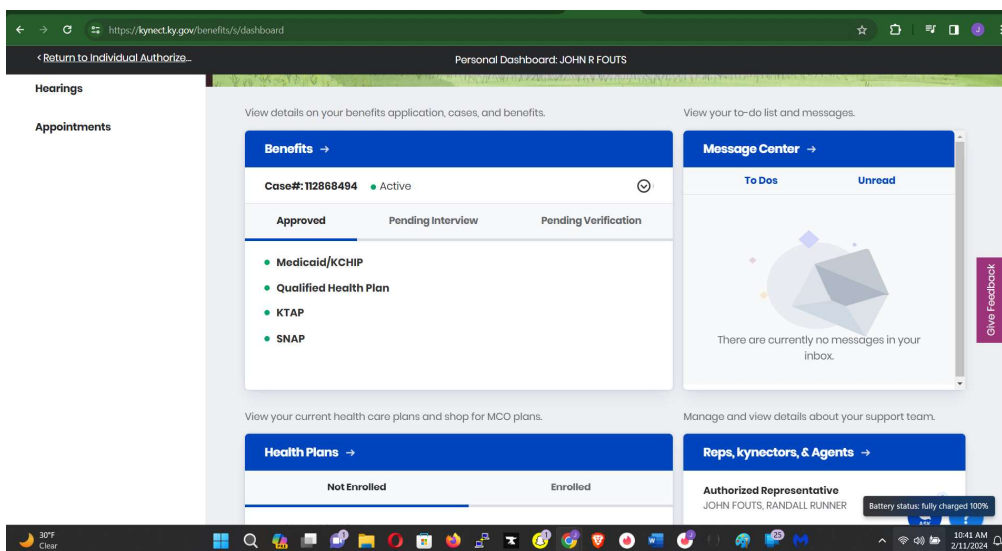
When I first log in I see this screen. I am told it has to be that way because I am the authorized representative for my child (although it was not ever like that before.....)....



As you can see -- I can see no information on this screen. If I go to View More - there is no more information. If I use the search form - it cannot find me or my child....

So I click on Go to Personal Dashboard....

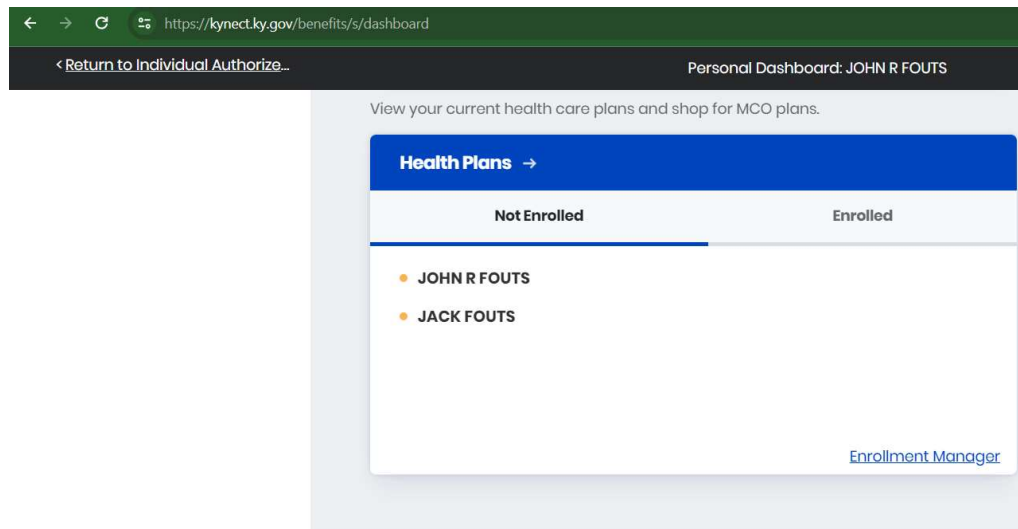
And within it I see what is familiar but different....I see this:



This is a problem because I got a notice yesterday that an MRT review is needed ... but you can see in the system it says there are no to dos and no messages - and mail often

doesn't get here....it gets here from everywhere else but often critical mail from DCBS or CHFS or SSA for some reason cannot make it here - which is extremely odd to me that only very critical mail from governmental agencies ends up not making it...seems like a way for the government to get out of trying to pay benefits.....

So it says medicaid is our benefit for insurance (you can see my case number there)



I went into the system and tried to update it to reflect you as my kynector. The system sees you when I do a search.... when I press Select.....it acts like it changes it but when I look it is still the old kynector....so yet another issue with the system....

Can you please confirm if you can see my information now?

I also need help with something else.... I am moving to an apartment (for the first time with a voucher). I used the voucher....then LG&E says I owe them \$224.91 from Dec. 7, 2022 through Jan 3 2023. I had to file bankruptcy due to medical bills and being unable to work -- I am disabled -- I have been unable to collect SSDI so far....I first applied 10+ years ago.....anyway....I reapplied again in 2022....appealed....denied.....ALJ....judge verbally stated he'd favorably approve, but I don't have that in writing yet. So the only thing I have is \$372 per month in KTAP and \$242 in food stamps to feed me and my child. My child got approved for SSI after I fought for 2 years for it....so my child is getting \$713 per month which is good because we've been suffering.

I need a way to pay the old LG&E balance of \$224.91. They said the bankruptcy filing only listed the bill going through Dec. 6th 2022....they said there might be some Louisville agencies that could 'make a pledge?' for the remaining balance....

I had requested LG&E switch my electricity into my name at new apt as of 02/08/2024 for new apartment.....and the apartment has electricity but this is a potential major immediate issue. Can you help?

I am totally and utterly mentally and physically and emotionally and spiritually exhausted after being sick for 15 years now....

John

P. 502.956.0052

On Fri, Feb 9, 2024, 11:00 AM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Hello,

If you would like to send copies of notices or give me access to your case, I can review your case specifically and not generally. You can also contact customer service at 855-459-6328 for them to create an incident ticket for specific issues.

If you have followed escalation path and they have made a final determination, I would not be able to change that decision.

Please understand that some of the issues that you have indicated are beyond the scope of a kynector. I have indicated to you the next tier of escalation for your issues. DCBS

and CHFS both have more administrative privileges than kynectors. Unfortunately, I do not have access to troubleshoot most of your issues and without viewing your case and/or notices I can only give you a general answer. We do not determine eligibility and we do not administer benefits. For questions about eligibility, you will need to contact DCBS, DFS or CHFS. For questions regarding administration of benefits you will need to contact administrator.

Thank you,

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, February 8, 2024 11:18 PM

To: Mia Anderson <Mia.Anderson@kipda.org>

Subject: Re: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Mia please see below in red....thank you for responding.

On Mon, Feb 5, 2024 at 2:27 PM Mia Anderson <Mia.Anderson@kipda.org> wrote:

Hello,

If you have questions related to Kentucky Online Gateway (KOG) account creation or technical issues you can contact KOG Help Desk at 502-564-0104 Option 2. Unfortunately, kynectors do not have the access to change technical issues.

I have done this ... even with an upper level supervisor -- they say they do not have the access to change the technical information. The last time I was on a call with the higher level supervisor -- she stayed on the phone with me for around 2 hours while we got transferred 7 times and the answer was always that it was someone else's responsibility so what can I do?

If you have a case number and I am the kynector assigned to your case, I can look at your dashboard to review what you are seeing. The Department of Community Based Services makes determinations for eligibility, you can reach out to them at 855-306-8959.

You can reach out to the Ombudsman's office, and they should be able to assist you. [Cabinet for Health and Family Services Ombudsman](#) - (877) 807-4027

The Ombudsman's office claims there is nothing they can do to help me....I have talked to them several times....they cannot help -- so the Governor's Office oversees the CHFS.... I have written to the Governor's Office but have received absolutely no response whatsoever....it is very disappointing, frustrating, and causing much mental anguish.....these are very important and even critical issues.

If you did not receive a Medicaid service you think you were eligible for, call the Member Services team at 800-635-2570.

I don't think you really understand the issue - it would be better to talk on the

phone to discuss it -- as always -- tomorrow I have yet another doctor's appointment....and then I am trying to get moved into my new apartment, I am not even able to get a provider directory to see what providers are in network, or a drug formulary to see what drugs are covered...MedImpact says only Medicaid can give that to me....Medicaid says only MedImpact can give that to me -- it is really ridiculous and I am now considering filing a lawsuit about the issue.

They will look at your record and help you understand why you did not get the service.

They must provide written notice to you whenever Medicaid stops, reduces, or suspends Medicaid eligibility or covered services. If you still think that you should get a service after you talk to them, you can ask for a hearing.

They did not do this.....they just abruptly stopped coverage of IVIG which is dangerous and can even be life threatening if the right situation occurs / wrong situation / whatever...

To ask for a hearing, you need to write a letter to the Kentucky Department for Medicaid Services.

I did that - they said they could not help me - that I would have to talk to MedImpact. I called MedImpact and they said I'd have to talk to the Department for Medicaid Services....

You or your provider can appeal this decision. Call Member Services at (800) 635-257

My provider did appeal the decision twice....and was denied twice...I wrote to the governor's office and suddenly the next day, IVIG coverage was a covered medical expense again, yet the provider, the pharmacy company, and myself (3 different entities are not able to get anything in writing from MedImpact...)....we are not talking about a cheap medication....It is \$20,000ish per dose (between \$15k and

\$20k per dose....and I get it weekly)....I cannot afford any unexpected \$20,000.00 bills.....I need something in writing but MedImpact and Medicaid Member Services refuse to provide anything.

Kynetcors can help you apply for SNAP but we do not determine the eligibility, you would need to contact DCBS for mor information at 855-306-8959.

Did you even read my email? It does not seem like it....

You can submit a copy of the award letter from SSA to the Department of Community based service by uploading it to your account of faxing it to 502-573-2005.

[Social Security Administration](#) - (800) 772-1213

Please re-read the email I sent so you can try to understand the situation....it seems like you paid very little attention to detail....as most comments you have made are completely irrelevant.

I would really appreciate it, please, if you can read it again, in detail. I know there is a lot of information to unpack.

If you have any other questions feel free to contact me.

Thank you,

Mia Anderson

kynect Program Manager

Kentuckiana Regional Planning and Development Agency (KIPDA)

Area Agency on Aging and Independent Living

Cell: 502.536.0197

kipda.org

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From: John Fouts <fouts.john@gmail.com>

Sent: Saturday, February 3, 2024 1:49 PM

To: Mia Anderson <Mia.Anderson@kipda.org>

Subject: I called and emailed multiple times previously - still trying - I need help with things via a kynector - can you help? -- 2024-02-04

Please text me or email me.

P. 502.956.0052

Fouts.John@gmail.com

Things I need help with:

1.) I cannot see my child's information in the kynect portal -- I am an authorized representative (parent) - I have spent over 60 hours trying to get this corrected since last year in November.....no one can/will help....not even CHFS.....

2.) My own case says I am inactive but I am enrolled in Medicaid and my child is too. I have a medicaid waiver (HCBS)...my child is on SSA...I need to be able to see information that SHOWS/PROVES that I am insured.

3.) I am not able to get a list of drugs that are included in the drug formulary NOR am I able to get a list of participating providers in a provider directory regarding traditional medicaid through the HCBS waiver program....I've been trying for months....MedImpact transfers me to Medicaid....Medicaid says I have to talk to MedImpact...I've asked CHFS too, to which they ignore all communication.....is there a legal representative you know that I could call? It is ILLEGAL to not provide this information.

4.) I need help getting a treatment I have been on for 2.5 years reauthorized....apparently I have to request a state fair hearing now...I don't know how....

5.) There is a snap overpayment issue which is invalid.....I have filed a complaint with USDA-FNS -- and that is being reviewed right now....I need information that DCBS will not provide....I am deemed as disabled via MRT review....I need PROOF of that IN WRITING for the USDA-FNS case....I need to know the date it started, how long it lasted, and why presently instead of approved as disabled I am deemed as PENDING regarding MRT review. No one will give me this information. I have a right to know this legally. Can the state attorney general's office help me? Or should I contact the federal attorney general?

6.) I was finally found disabled by social security administration after first applying over 10 years ago....I don't have the decision in writing yet....what are the steps I need to take regarding notifications of this for DCBS?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

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Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW
Date: Tuesday, January 30, 2024 2:30:38 PM
Attachments: [image001.png](#)

Has there been any response yet on any of the matters?

Provider Directory to see who is in network?

Drug Formulary?

Prior Authorizations not being honored?

Medications being discontinued that are still approved via prior authorization? IVIG....

John

On Mon, Jan 29, 2024 at 10:25 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

Our office has sent a request to the Department for Medicaid Services for assistance. We will follow-up with you once we receive a response.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, January 26, 2024 6:54 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc...

First -- I need a drug formulary showing what items are covered on my plan. MedImpact refuses to give me that information even though I am a member. They say I can only speak to Medicaid Member services about it.

They transfer me to Medicaid Member Services and Medicaid Member Services tells me only MedImpact can give me information about the plan.

I have called 7 times now this week and had the same experience each time even with supervisors handling the calls on each side.

DCBS states I need to contact Medicaid Member Services.

So I need this to be cleared up IMMEDIATELY as I need to know what drugs are covered by the insurance plan I am on. It is not okay to be secretive about coverage.....

Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for me.....Rheumatology and Immunology also say that IVIG is medically necessary....so the neurologist is at Norton.....the Gastroenterologist is at U of L....the Rheumatologist is at U of L....and the Immunologist is at UK. Again...withholding treatment that is absolutely critical to my health is not okay....neither is not honoring approved prior authorizations....

I have attached a receipt for Adderall which my father had to pay for since the PA was not being honored. There is an approved PA through MedImpact and also through Magellan for it. I've attached both. I've attached all PAs through MedImpact....

I need to be able to access a member portal for MedImpact also which I am also being denied access to by MedImpact....

Please note: I have included the approved PAs for IVIG and for Adderall and many other medications through MedImpact that should still be valid....

I have included a PA approved for adderall through Magellan also....

There is an injunction in place to prevent patients on IVIG from being discontinued immediately because of the dangers that has.....Medicaid tried to do this last year in 2023 when the injunction was issued by a judge....you all / MedImpact -- suddenly stopped / discontinued the medication for me immediately after being on it for 2.5 years and my body has been crashing.....

Can the Attorney General look into this??

Is that who I need to contact? For violation of injunction by judge?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc... 1662598CW
Date: Tuesday, January 30, 2024 4:03:57 PM
Attachments: [image001.png](#)
[2024-01-25-Adderall-PA-Through-MedImpact.pdf](#)

Also, here is yet another PA that they refuse to honor....again....I want to take legal action at this point....who can I contact to establish counsel that deals with these types of legal claims in the state?

On Mon, Jan 29, 2024 at 10:25 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

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If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, January 26, 2024 6:54 PM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: I cannot get answers from MedImpact nor from Medicaid Member Services nor from DCBS about anything related to pharmacy benefits -- PAs are not being honored that are approved etc...

First -- I need a drug formulary showing what items are covered on my plan. MedImpact refuses to give me that information even though I am a member. They say I can only speak to Medicaid Member services about it.

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Also prior authorizations that have been approved, are being denied and not honored.....and I have had to pay out of pocket for some...and need to get reimbursed.....or forego medications that are medically necessary that several different types of physicians at

different institutions say I need to be on like IVIG....that also has a PA that is still valid but not being covered or honored by MedImpact....it is not okay to detrimentally and adversely impact my health by withholding medically necessary medications that have valid PAs on file that are approved!

I am ready to hire an attorney at this point....so if you are unable to help me...I need to know legal steps I can take to resolve the issues. IVIG is prescribed to me presently by Gastroenterology. Neurology has also prescribed it in the past for me.....Rheumatology and Immunology also say that IVIG is medically necessary....so the neurologist is at Norton.....the Gastroenterologist is at U of L....the Rheumatologist is at U of L....and the Immunologist is at UK. Again...withholding treatment that is absolutely critical to my health is not okay....neither is not honoring approved prior authorizations....

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: I think I am eligible for the ESAP program - but DCBS doesn't know how to set me up for it -- can you help? 1655294CW
Date: Wednesday, November 29, 2023 10:39:12 AM
Attachments: [image001.png](#)

I'm confused because DCBS said the MRT level at DCBS being disabled is the only requirement...that SSA disability determination is not required...Frankly, I find it ridiculous that my doctors, for years, have deemed me as disabled....living in this body...I KNOW I am disabled....I paid into the system for years...and have not been able to collect a penny despite DESPERATE NEED....from SSA....it is completely and utterly ridiculous.....anyway....so DCBS is wrong about the ESAP requirements is what you are saying?

On Wed, Nov 29, 2023 at 10:06 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:
Good Morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and enters them into the Complaint Tracking System and we review Public Assistance Cases for accuracy. This office does not have access to take applications, make case changes, or process cases.

The ESAP program requires all members in the home to either be age 60 or older/ or disabled, with no earned income. Jack has been determined disabled by SSA. However, you have been determined incapacitated for the purposes of the KTAP program, this is not the same criteria used to determine disability for the Social Security Administration or Medicaid. You would need to meet that criteria of disability before you would meet the ESAP criteria.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Monday, November 27, 2023 3:04 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: I think I am eligible for the ESAP program - but DCBS doesn't know how to set me up for it -- can you help?

I am under 65....I am disabled by MRT standards at DCBS. One of the last few workers I spoke to at DCBS told me I was eligible but she didn't know how to sign me up for it.

Can you help me with this please?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW
Date: Monday, April 1, 2024 10:25:31 AM
Attachments: [image.png](#)
[image.png](#)
[image001.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image001.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)
[image.png](#)

As an example....I need compression stockings...otc eye drops not covered by insurance etc....waiver funds are supposedly able to be used to help w things like that. I made the links available for anyone to view so u should be able to open them fine.

On Mon, Apr 1, 2024, 9:44 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

Our Office sent you an email earlier this morning, but we did not realize you had sent a second email. I was able to review the files you attached but I am not able to review the embedded links as they go to a personal google drive. I am still not clear as to what services you are being denied. Can you provide a concise summary of what services you feel are being denied.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

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CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Sunday, March 31, 2024 11:10 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>; CHFS Listens <CHFS.Listens@ky.gov>
Subject: Fwd: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31

[And so I am clear - you are saying you think that I will be able to be dual eligible between Medi...](#)

[Can I be reimubrsed for these expensses_2023-12-19 -- See image.eml](#)

[Can you follow up with The Marion House for me please_ Talked to LeAnn \(sp_\) there like 2.5 weeks...](#)

[Following Up -- 2024-03-12 -- Following Up Again -- 2024-03-13.eml](#)

[Following Up -- 2024-03-12.eml](#)

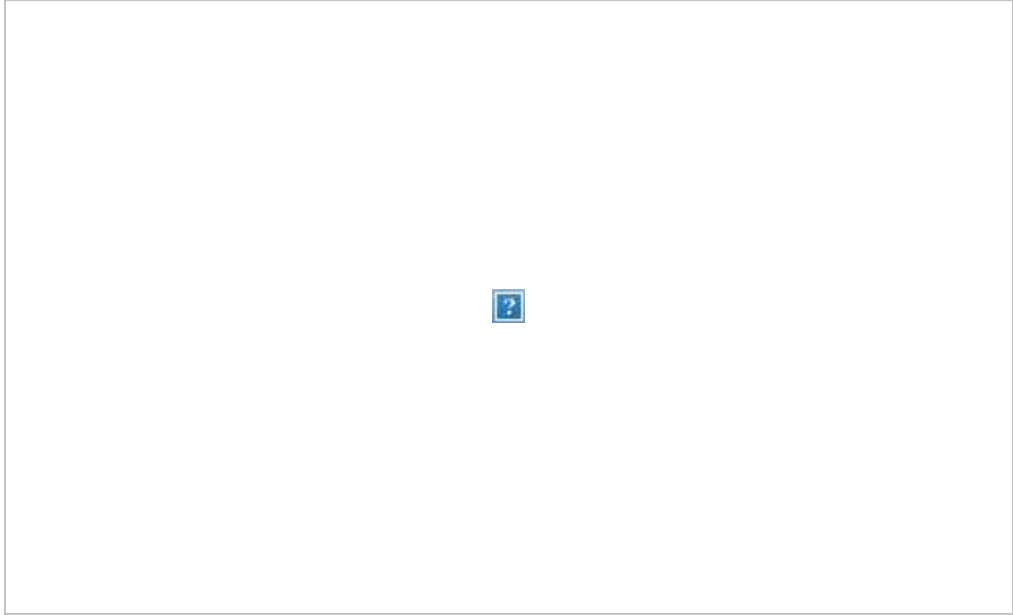
[Have not heard a peep from The Marion House and I need an outline of the services I will be recei...](#)

[Hope you are okay!.eml](#)

[Needs for John R. Fouts -- 2023-12-13 -- Case Worker -- Jessica Jones -- Please Confirm Receipt -...](#)

[Other letter I got today from CHFS re Medicaid Waiver -- 2024-01-09 ---.eml](#)

You can see how many times I've tried and tried to be able to use any of the funds.....and how far back in time it goes...mid December of last year.....and still....I have nothing....



Zach Grider 'has' been attempting to help me...but also unable so far to produce anything I am in need of.....it has been well over a quarter of a year.....are all waiver participants treated this way???

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Fri, Mar 29, 2024 at 11:48 AM

Subject: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29

To: CHFS Listens <CHFS.Listens@ky.gov>

I was approved for the waiver on 10.27.23. Today is 2024.03.29 (Good Friday).

I have tried and tried and tried and tried to access funds for things I need through The Ole Home Place in Columbia, KY.

I have not been able to get anything with the funds that are supposedly allocated to me.

I would like to request a formal investigation at this point.

It has been more than a full quarter since I have asked repeatedly.

It is almost as if funds are being withheld intentionally...which would obviously not be ok.

I also have included an email I had previously written to Makayla McCloud -- who is Jessica Jones' supervisor....but received no response at all from her.....

Additionally -- I wrote to Governor Beshear's Office again...for the third time....and asked for him to personally look into the matter. I do not know if he will but I am hopeful.

If not - then the media is the last thing I can think of to try to help -- if I can get news channels to do a story on this situation...

John R. Fouts

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:56:51 +0000

Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Wed, Feb 14, 2024 at 1:53 PM

Subject: Re: Visit to Bullitt Co

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I'm so sorry I missed you! I'll send you that list and talk to you about tomorrow possible schedule in email. Thank you.

J

On Wed, Feb 14, 2024, 12:11 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Hey John, I'm at your home right now. Do I need to just come in and come down to see you?

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Feb 13, 2024 at 8:35 PM John Fouts <fouts.john@gmail.com> wrote:
I'm sorry. I know what both feel like...the stones...and the knocked out feeling.

Hope you are doing better.

On Tue, Feb 13, 2024, 8:22 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Sounds good to me! Sorry for the late reply, I was actually in the hospital today with kidney stones and my meds knocked me out LOL I'll see you tomorrow!!!!

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Feb 13, 2024 at 5:55 PM John Fouts <fouts.john@gmail.com> wrote:
14th at high noon?

On Mon, Feb 12, 2024 at 4:52 PM Jessica Jones
<jjones@theolehomeplaceadhc.com> wrote:

Awesome!!! I'm thrilled to hear you are getting moved into your own space. I hope the excitement pushes you through some of the exhaustion. It genuinely will be a "sign this" and I'll be leaving shortly after. I've absorbed two other CM's caseloads that quit and have had to pile my days full. Whichever day you think is better, I am open both days from 8-6, excluding 4pm both days. Just let me know what works for you!

On Mon, Feb 12, 2024 at 3:40 PM John Fouts <fouts.john@gmail.com> wrote:
Jessica,

The attendant will hopefully be starting on Thursday from 9 to 1. That will probably exhaust me. Then on the 14th I'll be in a meeting with Liheap. I have 9 to 12 blocked off on my calendar. Outside of that, mtg on the 14th and mtg on the 15th, if the attendant shows up...I would be free after either mtg. If you have any openings let me know.

Also in process of move to [2904 Sitka Dr. #29](#) (in building L) at Station Jtown apartments in Jeffersontown, KY. 40299. Still in Shep rn though.

John

On Mon, Feb 12, 2024, 4:13 PM Jessica Jones

<jjones@theolehomeplaceadhc.com> wrote:

Good afternoon everyone. I will be in Bullitt Co on the 14th and 15th (this Wednesday and Thursday). If you can, please let me know if you have any available time that I can stop in for a very short visit (15 mins max, I will be heavily scheduled with the hopes of seeing everyone before nasty weather hits). Just let me know! Thanks!

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>
To: Zachary Grider <zgrider@theolehomeplaceadhc.com>
Cc:
Bcc:
Date: Sat, 30 Mar 2024 00:56:07 +0000
Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>
Date: Mon, Feb 12, 2024 at 4:39 PM
Subject: Re: Visit to Bullitt Co
To: Jessica Jones <jjones@theolehomeplaceadhc.com>

Jessica,

The attendant will hopefully be starting on Thursday from 9 to 1. That will probably exhaust me. Then on the 14th I'll be in a meeting with Liheap. I have 9 to 12 blocked off on my calendar. Outside of that, mtg on the 14th and mtg on the 15th, if the attendant shows up...I would be free after either mtg. If you have any openings let me know.

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--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Tracy Holmes-Bell <hbell@lmha1.org>

Cc:

Bcc:

Date: Tue, 26 Mar 2024 20:26:45 +0000

Subject: Fwd: Who do I contact since the Ombudsman's Office will not communicate? --
2024-03-26 -- Follow-Up

Hi Tracy.

I hope you are having a good day. My child and I are still situating into our new apartment at Station Jtown, but we have had some problems getting the staff here to respond to literally anything.

I talked to Irina Bassett about it....she forwarded my concerns to the Ombudsman's Office to Mark Roseberry. Mark will not communicate with me, so the concerns are being ignored, and that is not appropriate for the situation as there are serious things we need help with.

I will forward you the emails that were sent to him. Can you please help?

I wanted to message you first to give you some context about the situation.

John

----- Forwarded message -----

From: **Irina Bassett** <bassett@lmha1.org>

Date: Tue, Mar 26, 2024 at 3:48 PM

Subject: RE: Who do I contact since the Ombudsman's Office will not communicate? --
2024-03-26 -- Follow-Up

To: John Fouts <fouts.john@gmail.com>

Good afternoon.

That would be the supervisor, Tracy Holmes-Bell at 502-569-4901 or hbell@LMHA1.org

Thank you.

Irina Bassett

Compliance Coordinator

Louisville Metro Housing Authority

600 South 7th Street

Louisville, KY 40203

Phone: 502-569-6660

Email: bassett@lmha1.org

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From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, March 26, 2024 3:45 PM

To: Irina Bassett <bassett@LMHA1.org>

Subject: Who do I contact since the Ombudsman's Office will not communicate? -- 2024-03-26 --
Follow-Up

Irina,

Who would be the next in the chain of command, that I can contact?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:56:34 +0000

Subject: Fwd: Visit to Bullitt Co

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Feb 13, 2024 at 8:35 PM

Subject: Re: Visit to Bullitt Co

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I'm sorry. I know what both feel like...the stones...and the knocked out feeling.

Hope you are doing better.

On Tue, Feb 13, 2024, 8:22 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Sounds good to me! Sorry for the late reply, I was actually in the hospital today with kidney stones and my meds knocked me out LOL I'll see you tomorrow!!!!

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Feb 13, 2024 at 5:55 PM John Fouts <fouts.john@gmail.com> wrote:

14th at high noon?

On Mon, Feb 12, 2024 at 4:52 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Awesome!!! I'm thrilled to hear you are getting moved into your own space. I hope the excitement pushes you through some of the exhaustion. It genuinely will be a "sign this" and I'll be leaving shortly after. I've absorbed two other CM's caseloads that quit and have had to pile my days full. Whichever day you think is better, I am open both days from 8-6, excluding 4pm both days. Just let me know what works for you!

On Mon, Feb 12, 2024 at 3:40 PM John Fouts <fouts.john@gmail.com> wrote:

Jessica,

The attendant will hopefully be starting on Thursday from 9 to 1. That will probably exhaust me. Then on the 14th I'll be in a meeting with Liheap. I have 9 to 12 blocked off on my calendar. Outside of that, mtg on the 14th and mtg on the 15th, if the attendant shows up...I would be free after either mtg. If you have any openings let me know.

Also in process of move to [2904 Sitka Dr. #29](#) (in building L) at Station Jtown apartments in Jeffersontown, KY. 40299. Still in Shep rn though.

John

On Mon, Feb 12, 2024, 4:13 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Good afternoon everyone. I will be in Bullitt Co on the 14th and 15th (this Wednesday and Thursday). If you can, please let me know if you have any available time that I can stop in for a very short visit (15 mins max, I will be heavily scheduled with the hopes of seeing everyone before nasty weather hits). Just let me know! Thanks!

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:55:50 +0000

Subject: Fwd: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Jan 23, 2024 at 9:56 PM

Subject: Re: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

Okay - thank you Jessica. I appreciate you leading me around the unknown forest of the Medicaid Waiver program (unknown to me). Is there anything else that I should also be working toward getting? If so, just give me a holler and let me know. Is that how you spell holler? I really don't know!

John

On Tue, Jan 23, 2024 at 8:39 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

They can once they get started!!! Just in the meantime or if you have appointments after hours or anything of the sorts. I would absolutely recommend getting that letter, the more documentation we have the better!

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

On Tue, Jan 23, 2024 at 5:13 PM John Fouts <fouts.john@gmail.com> wrote:

I was under the impression that the attendant once on board could help in getting me to and from appointments. Did I misunderstand? Very possible - it seems to happen quite often these days. And yes, I probably have 10 doctors who would write that letter. Should I go ahead and ask for it?

John

On Tue, Jan 23, 2024 at 4:47 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Our next meeting will be in February! I'm not sure on a date yet, but I should know in the next week or so!

Medicare to my knowledge, has no weight on your waiver.

Talking to Federated might be a good idea, only because they are the only ones that would know the loopholes to you being able to ride with them while owning a vehicle. Would any of your doctors be willing to write a letter stating that it is a hazard for you to drive?

Outside of Medicaid transport, there are no other covered options as far as the HCB waiver goes.

On Sat, Jan 20, 2024 at 2:07 PM John Fouts <fouts.john@gmail.com> wrote:

Jessica,

When is our next meeting? I honestly have no clue.... I know you told me when you were here, but I lost the paper or meeting on my calendar, so please let me know.

Next -- I will be eligible for Medicare in November 2024 based on onset date of disability in June 2022. What does this mean for the Medicaid Waiver? I know some people are dual eligible, but no one seems to be able to answer my question - and I need to know.

Also -- Toni Condra-Gilley at Gould's in St. Matthew's knows me and somewhat of my situation and is the right contact for things like compression and other DME - just an fyi.

I talked to Leanna at The Marion House last week. She said they are waiting to hire someone to help me still. I asked her about transportation. I have 2 doctor appointments in Lexington on Jan. 31 (my 45th bday), and was hoping to have help

with transportation there. She said all she knew to do was to give me Federated Transportation's number and have me talk to them. I hope to do that this week sometime, but I have very little energy (even more than what is normally my baseline very little) -- probably the weather - but who knows -- you know how inflammation goes because you deal with it too.

For non-medical transportation needs in the meantime, while the Marion House is waiting to hire someone (or waiting to hire and train someone or whatever), do you know of any options I would have? My problem is I am dizzy and have balance and vertigo issues too randomly now on top of the intermittent vision problems that make it so hard to see that I can't even read etc.... along with the severe pain....makes driving a real challenge a lot of the time.

I'm sure I have more questions but this is a bare bones of what I need to know right now.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:55:11 +0000

Subject: Fwd: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying)... I will get 1 year of back pay -- I need to ask some things -- see body of email please

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Jan 23, 2024 at 5:12 PM

Subject: Re: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying)....

I will get 1 year of back pay -- I need to ask some things -- see body of email please

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I was under the impression that the attendant once on board could help in getting me to and from appointments. Did I misunderstand? Very possible - it seems to happen quite often these days. And yes, I probably have 10 doctors who would write that letter. Should I go ahead and ask for it?

John

On Tue, Jan 23, 2024 at 4:47 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

Our next meeting will be in February! I'm not sure on a date yet, but I should know in the next week or so!

Medicare to my knowledge, has no weight on your waiver.

Talking to Federated might be a good idea, only because they are the only ones that would know the loopholes to you being able to ride with them while owning a vehicle. Would any of your doctors be willing to write a letter stating that it is a hazard for you to drive?

Outside of Medicaid transport, there are no other covered options as far as the HCB waiver goes.

On Sat, Jan 20, 2024 at 2:07 PM John Fouts <fouts.john@gmail.com> wrote:

Jessica,

When is our next meeting? I honestly have no clue.... I know you told me when you were here, but I lost the paper or meeting on my calendar, so please let me know.

Next -- I will be eligible for Medicare in November 2024 based on onset date of disability in June 2022. What does this mean for the Medicaid Waiver? I know some people are dual eligible, but no one seems to be able to answer my question - and I need to know.

Also -- Toni Condra-Gilley at Gould's in St. Matthew's knows me and somewhat of my situation and is the right contact for things like compression and other DME - just an fyi.

I talked to Leanna at The Marion House last week. She said they are waiting to hire someone to help me still. I asked her about transportation. I have 2 doctor appointments in Lexington on Jan. 31 (my 45th bday), and was hoping to have help with transportation there. She said all she knew to do was to give me Federated Transportation's number and have me talk to them. I hope to do that this week sometime, but I have very little energy (even more than what is normally my baseline very little) -- probably the weather - but who knows -- you know how inflammation goes because you deal with it too.

For non-medical transportation needs in the meantime, while the Marion House is waiting to hire someone (or waiting to hire and train someone or whatever), do you know of any options I would have? My problem is I am dizzy and have balance and vertigo issues too randomly now on top of the intermittent vision problems that make it so hard to see that I can't even read etc.... along with the severe pain....makes driving a real challenge a lot of the time.

I'm sure I have more questions but this is a bare bones of what I need to know right now.

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:54:45 +0000

Subject: Fwd: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Sat, Jan 20, 2024 at 2:07 PM

Subject: SSA at ALJ Hearing Found Me Officially Disabled (after 10 years of trying).... I will get 1 year of back pay -- I need to ask some things -- see body of email please

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

Jessica,

When is our next meeting? I honestly have no clue.... I know you told me when you were here, but I lost the paper or meeting on my calendar, so please let me know.

Next -- I will be eligible for Medicare in November 2024 based on onset date of disability in June 2022. What does this mean for the Medicaid Waiver? I know some people are dual eligible, but no one seems to be able to answer my question - and I need to know.

Also -- Toni Condra-Gilley at Gould's in St. Matthew's knows me and somewhat of my situation and is the right contact for things like compression and other DME - just an fyi.

I talked to Leanna at The Marion House last week. She said they are waiting to hire someone to help me still. I asked her about transportation. I have 2 doctor appointments in Lexington on Jan. 31 (my 45th bday), and was hoping to have help with transportation there. She said all she knew to do was to give me Federated Transportation's number and have me talk to them. I hope to do that this week sometime, but I have very little energy (even more than what is normally my baseline very little) -- probably the weather - but who knows -- you know how inflammation goes because you deal with it too.

For non-medical transportation needs in the meantime, while the Marion House is waiting to hire someone (or waiting to hire and train someone or whatever), do you know of any options I would have? My problem is I am dizzy and have balance and vertigo issues too randomly now on top of the intermittent vision problems that make it so hard to see that I can't even read etc.... along with the severe pain....makes driving a real challenge a lot of the time.

I'm sure I have more questions but this is a bare bones of what I need to know right now.

John

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:53:16 +0000

Subject: Fwd: Thank you - this is all helpful information - how can I also get help for ensuring that the pharmacy has all the meds I take? 2023-12-19

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Tue, Dec 19, 2023 at 3:47 PM

Subject: Thank you - this is all helpful information - how can I also get help for ensuring that the pharmacy has all the meds I take? 2023-12-19

To: Jessica Jones <jjones@theolehomeplaceadhc.com>

I have many prescriptions and they are hard to deal with. I totally understand you have a million clients, and I am definitely not trying to be a thorn in your side. I have just had to wait for SOOOO LOOOONG for help.....that there are a large number of issues. I'm so sorry - I am not trying to overwhelm you whatsoever. Thanks for touching base and reminding me of how all this works. I tried to be very thorough when I made the long list. I appreciate literally 'anything' you can do to help me. I never thought I would need so much help at age 44.

Are you okay after your accident? I don't think you answered that yet but maybe you did and I missed it.

I will await further direction from you and/or the Marion House. Thank you Jessica. I hope you start to feel better soon. =)

J

m

On Tue, Dec 19, 2023 at 2:23 PM Jessica Jones <jjones@theolehomeplaceadhc.com> wrote:

John, after speaking with my administrator, we do believe all pharmacy issues will have to be dealt with directly through Medicaid Pharmacy. There unfortunately are not any avenues I can take to assist in anything prescription related, as that will all have to be dealt with through the pharmacy and medicaid themselves. All the new "PA"s that they are referring to are issued by the pharmacy and cannot come from me unfortunately. I am going through item by item with the help desk on any extra coverage we might be able to get for you in regard to more goods and services related items. We are typically tied to items on the DME fee schedule. You can reach the Medicaid Pharmacy branch at Phone: (502) 564-6890 or at the email dmsweb@ky.gov for all prescription concerns. I am going to attach different fee schedules for you to review and get a better gist of what

It will take me several days to sort through everything you sent, I have to give my time to

another 80 clients as well so I will nibble at it bits at a time. I have sent out signature orders for wipes, gloves, and compression stockings.

Goods and services budget is for your level of care year, which for you is 04/21/2023-04/19/2024. Things that are currently for sure covered and on the fee schedule are wipes, gloves, grab bars (suction cup), compression stockings, elevated toilet seats, shower chairs, lift recliners, hospital beds, walkers, rollators, and wheelchairs, pullups, chux pads, male guards, and diapers. Anything else will have to be submitted to the help desk first to see if there is a fee schedule made for it, or if one can be created. All fee schedules are available on chfs.ky.gov but you have to make sure you aren't looking at an MCO plan chart as that no longer applies. I'll keep digging for more things to help us out.

You should receive a call from The Marion House soon in regard to getting some help at home, so that's really our first big step. Everything else will start to trickle bit by bit as we go.

On Tue, Dec 19, 2023 at 1:07 PM John Fouts <fouts.john@gmail.com> wrote:

Hi Jessica.

Can you remind me what next steps are?

Also - can I get reimbursed for these expenses?

image.png



Please confirm receipt of my email.

Also - is there a way we can prioritize the compression stockings?

Mine are a bit more religious (holy) than I would like for them to be....

image.png



They are just worn out...

And finally for now -- how do the expenses work -- are they on a calendar year basis (regarding goods and services)? If so, would i have a full calendar year available prior to 12/31? How does it work? I don't want to miss out on any potential benefit - I need all the help I can get unfortunately....

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

Jessica Jones CM

The Ole Homeplace

Division of Case Management

Phone: 270-384-0012 Ext: 5005

Fax: 270-384-0045

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: Zachary Grider <zgrider@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Sat, 30 Mar 2024 00:51:14 +0000

Subject: Fwd: See attached in regards to your inquiry with Senator Rand Paul --
Discrimination Case -- SNAP -- Age and Disability Discrimination -- 2023-12-14

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Thu, Dec 14, 2023 at 2:31 PM

Subject: Fwd: See attached in regards to your inquiry with Senator Rand Paul --
Discrimination Case -- SNAP -- Age and Disability Discrimination -- 2023-12-14

To: jjones@theolehomeplaceadhc.com <jjones@theolehomeplaceadhc.com>

Jessica,

Can you please also confirm receipt of this one? I sent you another email earlier too. You may be out of the office, but I want to make sure you got them. Please confirm receipt of both. I had not initially intended to send this one to you separately from the 2nd one I still plan to send (now the 3rd), but felt this one needed to be on its own.

John

----- Forwarded message -----

From: **FNS.CivilRightsComplaints** <FNSCivilRightsComplaints@usda.gov>

Date: Tue, Dec 12, 2023 at 3:58 PM

Subject: See attached in regards to your inquiry with Senator Rand Paul

To: fouts.john@gmail.com <fouts.john@gmail.com>

Good afternoon,

Please see attached in regards to your inquiry with Senator Rand Paul.

Sign/date and return the consent form within 20 days.

FNS Civil Rights Division

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

----- Forwarded message -----

From: John Fouts <fouts.john@gmail.com>

To: "mmccloud@theolehomeplaceadhc.com" <mmccloud@theolehomeplaceadhc.com>

Cc:

Bcc:

Date: Mon, 11 Mar 2024 15:17:43 +0000

Subject: Are you the supervisor of Jessica Jones? -- Need help with some things -- John R. Fouts -- 2024-03-11

Hi Makayla.

I asked Heather at The Marion House who Jessica's supervisor is....I know Jessica has had a lot going on health-wise, and I totally am understanding of that kind of thing as my own health has been destroyed by years of chronic illness....however.....there are things that I need, that the waiver is supposed to provide, that she has not been able to help me with like....

Compression Stockings (I know the manager at Gould's....I have known her since we were kids)....my doctor has had the prescription over there for several weeks...Jessica keeps saying she is working on it...but Toni at Gould's said there hasn't been any communication from Jessica....so that is a problem....I mean look at my current compression stockings....

image.png

image.png

Also, medical transportation has been denied for me....I have appealed it....I'm told my case manager should be able to help me with things like that (by CHFS) -- I am new to all of this, so do not know what you all can, and cannot help me with....the main takeaway I have learned so far is that the state organizations have no idea who does what...and that makes it very hard for people like me....

I recently got a letter from my doctor -- when I requested a hearing about the medical transportation being denied.....

Here is the letter....

image.png



I also have a letter of medical necessity for autologous tear serum eye drops - but of course - even though medically necessary - they are being denied...who can help me with that? If I have to buy them w/o insurance they are like \$300 or \$400 every 2 or 3 months....I am told I should be able to use the waiver funds allocated for me for that also....but I haven't been able to use any of the waiver funds allocated to me as of yet....how can I gain access to the funds allocated to me for my health needs?

I grabbed your info from an online listing for the HCB Waiver Program:

19. THE OLE HOMEPLACE ADULT DAY HEALTH CARE 270-384-0061 Makayla McCloud -Case Management Supervisor mmccloud@theolehomeplaceadhc.com
HCBW@theolehomeplaceadhc.com Danielle Florence -Director of Home Care Services
Services offered: Adult Day Health with transportation, Case Management, Goods & Services, Home delivered meals, Environmental & Minor Home Adaptions and Attendant Care with transportation. Pediatrics Welcome.

There are other needs I have also but the ones above are a few for right now... Can you help??

John

P. 502.956.0052

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: FW: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31 1670146CW
Date: Monday, April 1, 2024 4:16:11 PM
Attachments: [image.png](#)
[image.png](#)
[image001.png](#)
[Gmail - Fwd See attached in regards to your inquiry with Senator Rand Paul -- Discrimination Case -- SNAP -- Age and Disability Discrimination -- 2023-12-14.pdf](#)
[Gmail - Okay last email for now -- I told you there was a lot -- not trying to overload you informationally - but this is stuff I am no longer able to track and do because there is so much and I don't ever feel well -- 2023-12-14 -- Email 3 -- Please .pdf](#)
[Gmail - Needs for John R. Fouts -- 2023-12-13 -- Case Worker -- Jessica Jones -- Please Confirm Receipt -- Email 1 of 2.pdf](#)



See attached in regards to your inquiry with Senator R...

Attached are the needs I mentioned to Jessica Jones at The Ole Home Place. The only thing I have ever been able to get is the Mom's Meals weekly deliveries - and yes they are helpful - but the waiver is supposed to entail for more than that.

Since you are not able to get email attachments as email messages.... I am sending these as PDFs...

Please confirm receipt.

You can see I have been asking for literally 'any' of the items noted since December of last year...not able to get any help with anything except for mom's meals...

John

On Mon, Apr 1, 2024 at 9:44 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good Morning Mr. Fouts,

Our Office sent you an email earlier this morning, but we did not realize you had sent a second email. I was able to review the files you attached but I am not able to review the embedded links as they go to a personal google drive. I am still not clear as to what services you are being denied. Can you provide a concise summary of what services you feel are being denied.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you again for contacting our office and please stay safe.

Have a wonderful day,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



CONFIDENTIALITY NOTICE:

This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender immediately by reply e-mail and destroy all copies of the original message.

From: John Fouts <fouts.john@gmail.com>

Sent: Sunday, March 31, 2024 11:10 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>; CHFS Listens <CHFS.Listens@ky.gov>

Subject: Fwd: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29 -- Following Up again -- 2024-03-31

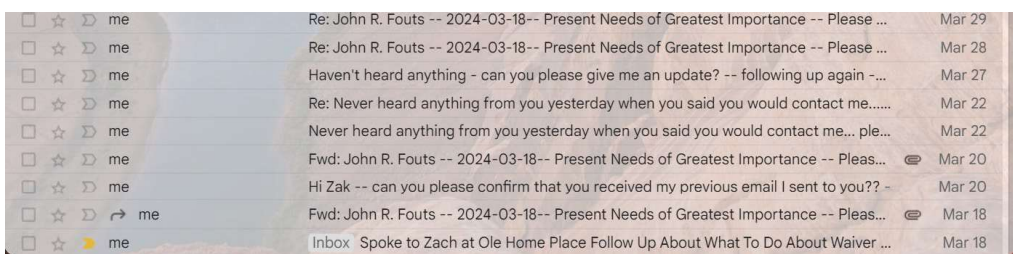
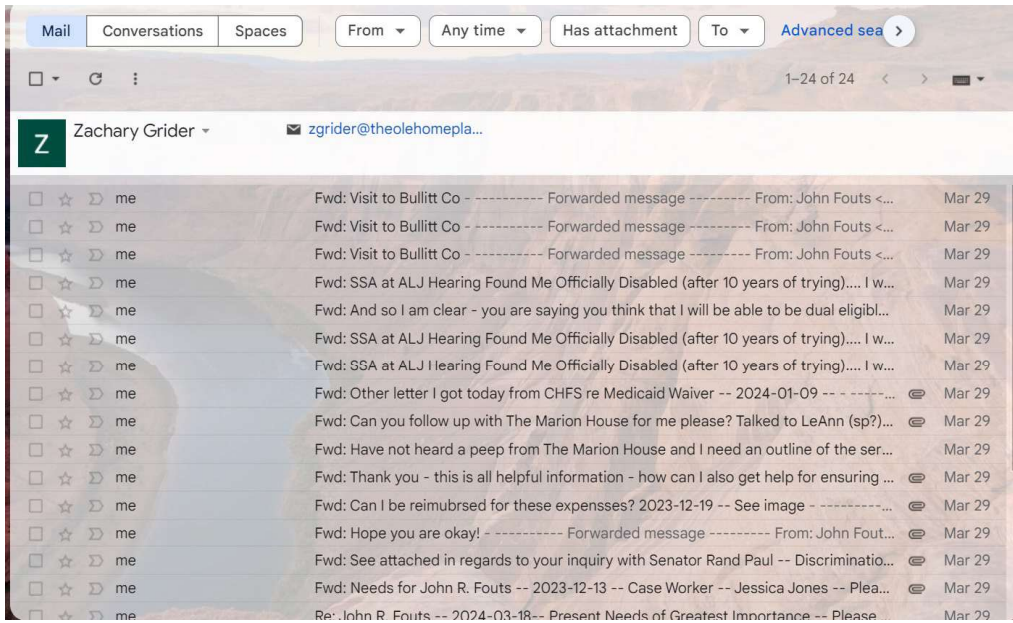
And so I am clear - you are saying you think that I will be able to be dual eligible between

Medi...

[Can I be reimubrsed for these expenses_ 2023-12-19 -- See image.eml](#)

- [Can you follow up with The Marion House for me please_ Talked to LeAnn \(sp_\) there like 2.5 weeks...](#)
- [Following Up -- 2024-03-12 -- Following Up Again -- 2024-03-13.eml](#)
- [Following Up -- 2024-03-12.eml](#)
- [Have not heard a peep from The Marion House and I need an outline of the services I will be recei...](#)
- [Hope you are okay!.eml](#)
- [Needs for John R. Fouts -- 2023-12-13 -- Case Worker -- Jessica Jones -- Please Confirm Receipt -...](#)
- [Other letter I got today from CHFS re Medicaid Waiver -- 2024-01-09 --.eml](#)

You can see how many times I've tried and tried to be able to use any of the funds.....and how far back in time it goes...mid December of last year.....and still....I have nothing....



Zach Grider 'has' been attempting to help me...but also unable so far to produce anything I am in need of.....it has been well over a quarter of a year.....are all waiver participants treated this way???

----- Forwarded message -----

From: **John Fouts** <fouts.john@gmail.com>

Date: Fri, Mar 29, 2024 at 11:48 AM

Subject: Medicaid Waiver -- Major Issues Not Being Able to Access Funds For Things I Need -- 2024-03-29

To: CHFS Listens <CHFS.Listens@ky.gov>

I was approved for the waiver on 10.27.23. Today is 2024.03.29 (Good Friday).

I have tried and tried and tried and tried to access funds for things I need through The Ole Home Place in Columbia, KY.

I have not been able to get anything with the funds that are supposedly allocated to me.

I would like to request a formal investigation at this point.

It has been more than a full quarter since I have asked repeatedly.

It is almost as if funds are being withheld intentionally...which would obviously not be ok.

I also have included an email I had previously written to Makayla McCloud -- who is Jessica Jones' supervisor....but received no response at all from her.....

Additionally -- I wrote to Governor Beshear's Office again...for the third time....and asked for him to personally look into the matter. I do not know if he will but I am hopeful.

If not - then the media is the last thing I can think of to try to help -- if I can get news channels to do a story on this situation...

John R. Fouts

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cecil, Tara D \(CHFS\)](#)
Subject: Re: Follow-Up -- 2024-05-17 -- Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...
Date: Sunday, May 26, 2024 2:40:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

You did not even answer my questions. Please answer the questions I keep asking you.

On Fri, May 24, 2024 at 1:51 PM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

Mr. Fouts,

I am have received the documentation necessary to process your appeal and am currently reviewing those documents. Once a determination has been made regarding your recent hearing request, you will be notified by mail.

Thank you,

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

#rmsencrpyt



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From: John Fouts <fouts.john@gmail.com>

Sent: Friday, May 17, 2024 3:45 PM

To: Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov>

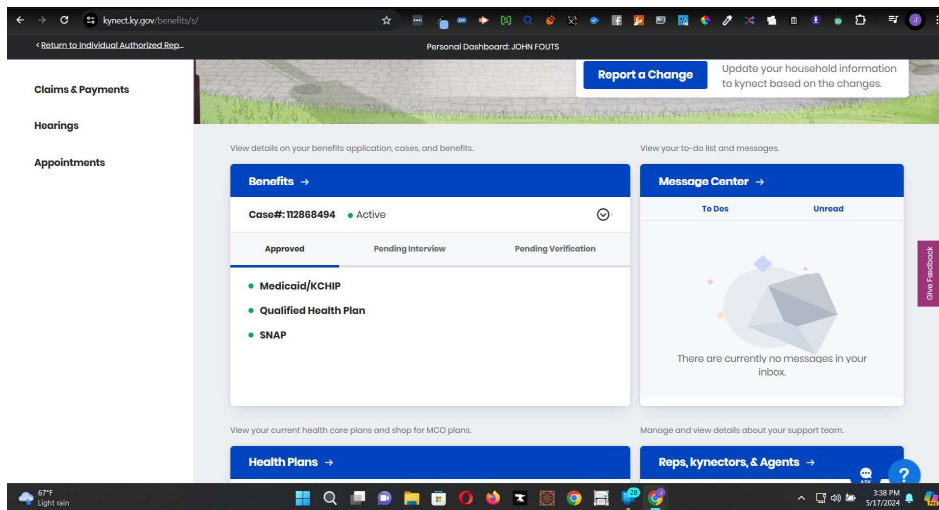
Subject: Follow-Up -- 2024-05-17 -- Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

Tara,,

I am following up on this again... I had also previously provided 2 doctor statements about my need for medical transportation. I have not heard anything about either hearing (for the IVIG that was started in 2024....the hearing that was started in 2024...nor the hearing for medicaid non-emergency transportation)...I would like to confirm that medical transportation should remain a benefit for me until the hearing date at which time a final decision will be made.....please confirm this.....

Also...please update me on the status of the two hearings...

Also -- I am still not able to see any information in KyNect.....I got 2 messages that there were important messages for me...yet when I log in to KyNect I see this....



It still says there are no messages....so I have no idea what they are....

Also... I still cannot see my child's information....

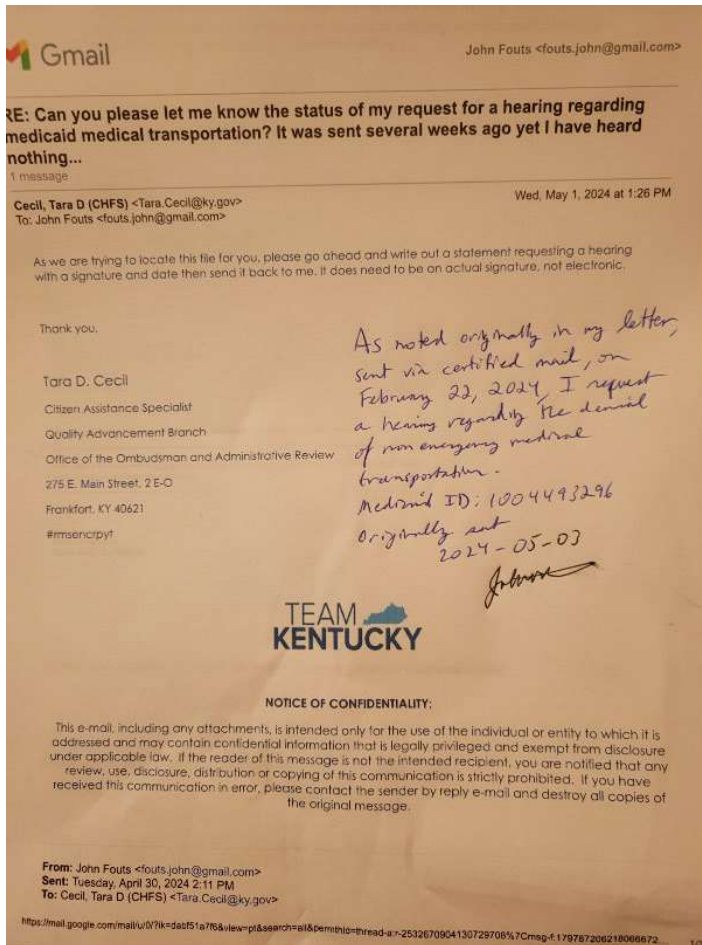
It has been over 6 months that I have been trying to get these things resolved (the last 2 things)... please assist further.

John

On Fri, May 3, 2024 at 12:24 PM John Fouts <fouts.john@gmail.com> wrote:

Thank you for your response. I included the additional signature request you requested here...

Regarding IVIG...it was not denied fully until January 2024....so whatever you are referencing in May 2023 is not what I am referring to.....please double check your records...again...I need accurate information please...and my life and my health (and my child's life and health) are not games to be toyed with by CHFS and DCBS...



On Wed, May 1, 2024, 11:27 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

I understand the frustration you are experiencing.

This office, Office of the Ombudsman, Quality Advancement Branch's address is 275 E. Main **2 E-0**. It appears that you mailed your hearing request to the Department for Medicaid Services at 275 E. Main **6 C-C**, so it would have been received by a different department. Our office did not receive it. We are going to try to locate this appeal request for you but will be accepting this email as a hearing request in the meantime while we do so.

As far as the hearing request for the IVIG, it appears that was sent to the hearings branch on 5/25/23. You would need to contact them for a status update on that request. Their phone number is 502- 564-6621.

Thank you,

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

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From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, April 30, 2024 2:11 PM

To: Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov>

Subject: Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It is a good thing that certified mail can PROVE it was received.

It was the address on the letter that said....to request a hearing mail a letter to this address....

Here is a copy of the letter sent in February...

I'd also like an update on the hearing request for IVIG please. That was a separate request.

On Tue, Apr 30, 2024, 9:42 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

Mr. Fouts,

It does not appear that this office received an appeal related to medical transportation from you. Can you provide the mailing address you sent the appeal to and the tracking number so that I can check into this further for you?

Thank you!

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

275 E. Main Street, 2 E-O

Frankfort, KY 40621

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From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 11:47 AM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It was sent via certified mail -- so I can prove it was received...there is no information about it anywhere that I am able to find....

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cecil, Tara D \(CHFS\)](#)
Subject: Re: Follow-Up -- 2024-05-17 -- Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...
Date: Tuesday, May 28, 2024 5:27:28 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

No, the appeal request for IVIG (for this year) was not filed until after 2024 began.....

I am not referring to last year's....

I also asked you if Medical Transportation would be available while awaiting a decision, but you continue to ignore the questions I asked...

Please let me know who your supervisor is, so I can contact them directly.

On Tue, May 28, 2024 at 9:09 AM Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov> wrote:

Mr. Fouts,

I am assigned to process the recent hearing request regarding the non-emergency medical transportation. I have received those documents and am working to complete this request. Once completed and approved by my supervisor, you will be notified by email regarding the determination that is made.

The appeal request related to the IVIG was processed in May 2023. As previously stated, it was determined hearable and forwarded to the Division of Administrative Hearings, you can reach out to them regarding the status of that appeal request at 502-564- 6621.

Regarding your questions about Kynect, I am unable to assist you. You may contact 1-844-407-8338 for technical assistance with those concerns or contact your local DCBS office to see if they are able to assist.

Thank you,

Tara D. Cecil

Citizen Assistance Specialist
Quality Advancement Branch
Office of the Ombudsman and Administrative Review
275 E. Main Street, 2 E-O
Frankfort, KY 40621
#rmsencrpyt



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From: John Fouts <fouts.john@gmail.com>
Sent: Sunday, May 26, 2024 2:40 PM
To: Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov>
Subject: Re: Follow-Up -- 2024-05-17 -- Re: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

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Thank you,

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Citizen Assistance Specialist

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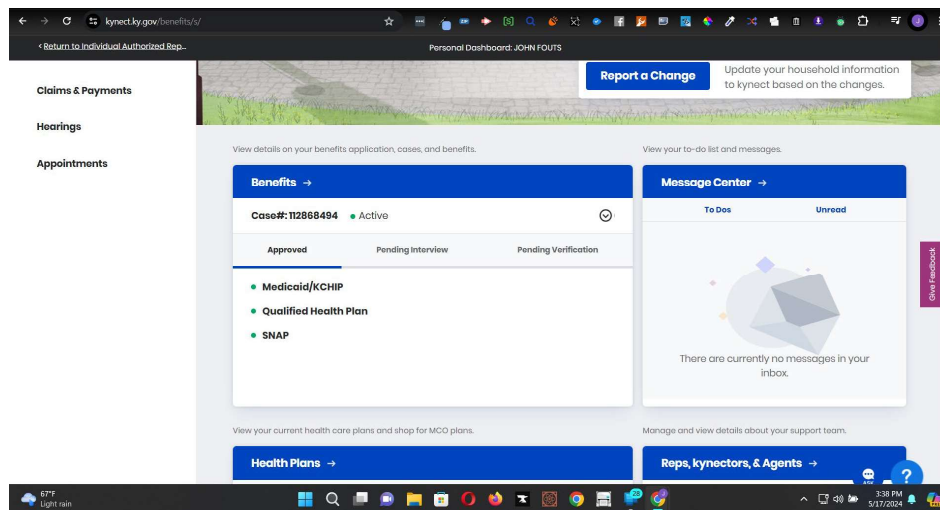
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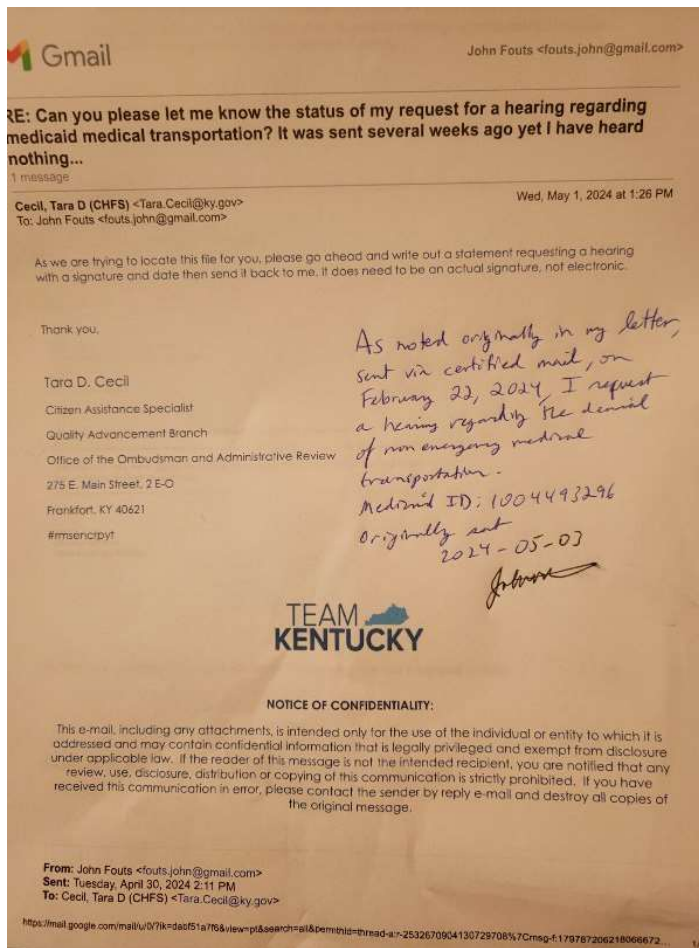
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Thank you,

Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

Office of the Ombudsman and Administrative Review

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Frankfort, KY 40621

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To: Cecil, Tara D (CHFS) <Tara.Cecil@ky.gov>

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Tara D. Cecil

Citizen Assistance Specialist

Quality Advancement Branch

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From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 11:47 AM

To: CHFS Listens <CHFS.Listens@ky.gov>

Subject: Can you please let me know the status of my request for a hearing regarding medicaid medical transportation? It was sent several weeks ago yet I have heard nothing...

It was sent via certified mail -- so I can prove it was received...there is no information about it anywhere that I am able to find...

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Cc: [Fosdick, Linda M \(KYOAG\)](#)
Subject: Re: Fouts, John #DMS 24-0200 - Order for PHCC
Date: Tuesday, July 30, 2024 11:59:35 AM
Attachments: [image001.png](#)
[image001.png](#)

I also need to know please.

On Tue, Jul 30, 2024, 11:50 AM Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov> wrote:

Linda, on the pre-hearing conference order it says the conference is at 10:00 a.m. on August 19, instead of 2 p.m. which was the time on your earlier email. I want to make sure we are all on the same page about the time.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD
Assistant Counsel
Cabinet for Health and Family Services
Office of Legal Services
[275 E Main ST](#) 5W-B
Frankfort, KY 40621
patricia.abell@ky.gov
(502) 564-7623

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sender and delete the communication and destroy all copies.

From: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Sent: Monday, July 29, 2024 4:17 PM
To: John Fouts <fouts.john@gmail.com>; Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: Fouts, John #DMS 24-0200 - Order for PHCC

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Please see attached mailing. If you have difficulty opening the attachment, please let me know.

Ms. Abell - This is the only copy you will receive. Hard copy will NOT follow in the mail.

Mr. Fouts - A hard copy has been mailed via U.S. mail.

Thank you!

Linda M. Fosdick
Administrative Specialist Senior



Health Services Division

Office of Administrative Hearings

Department of Law

[105 Sea Hero Road, Suite 2
Frankfort, KY 40601](#)

Phone: 502-564-2130

Fax: 502-573-1014

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Linda M. Fosdick

Administrative Specialist Senior

Health Services Division

Office of Administrative Hearings

Department of Law

[105 Sea Hero Road, Suite 2](#)

[Frankfort, KY 40601](#)

Phone: 502-564-2130

Fax: 502-573-1014

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From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Help with technical issues?
Date: Wednesday, November 29, 2023 10:34:42 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)

I have talked to 8 different areas and no one will help - they all say it is someone else's responsibility - so I don't know what to do...I have spent about 12 hours on the phone...I can't keep trying and getting nowhere....thanks for getting back to me....

On Wed, Nov 29, 2023 at 9:50 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

I apologize for the delayed response. I have been working to catch up on my emails from the holiday.

I am not able to assist with any of the technical issues on KYNECT. I do not work with their system at all. I do have their contact information- 855-459-6328. This may be the number you have already called.

The system I use is specifically for the waiver side of things.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, November 27, 2023 11:29 AM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Help with technical issues?

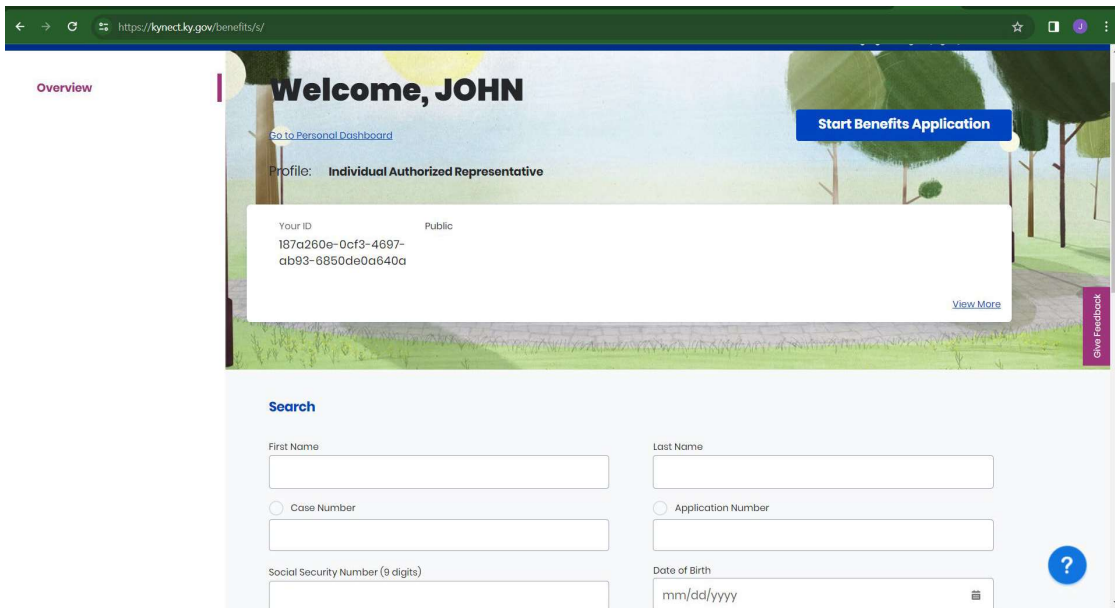
Hi Maddison.

I hope you had a great Thanksgiving weekend and meal, and that you got to have some 'me' time for yourself.

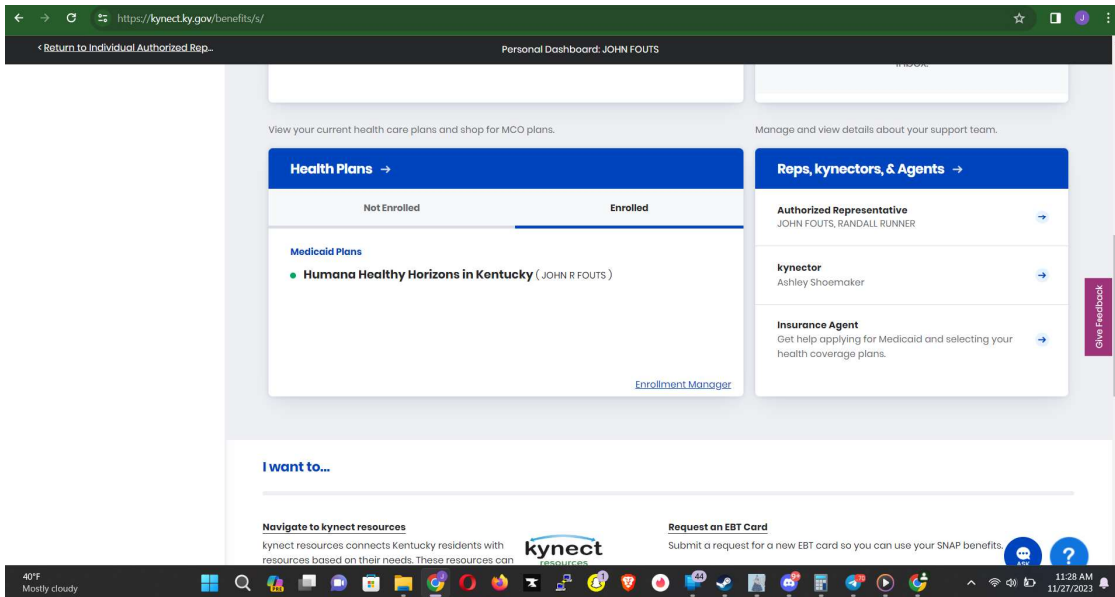
I need some help...I have spent MANY HOURS on the phone trying to get this resolved and now it is more messed up than ever...

Jackie/Jacquelyn (aka Jack as legal name) Fouts is my child. After Jackie transitioned from DCBS to SSI/SSA...and got a new case number...I have been unable to see Jackie's information. A rep had me go through several steps (with the help desk)...and that resulted in this....now when I log into kynect....I see the message below.... I contacted DCBS and they had me contact Benefind (they would not give me a direct phone number to reach Benefind...I also asked the Benefind people but they told me they do not give out their phone number)....they told me I needed to call DCBS and speak to a supervisor...they said the issue is that in the system is that self service authorization (or something like that) was no longer checked in the online system. They said I am listed as an authorized representative, but that the box just needs to be checked [that is what benefind said]....when I talked to the DCBS rep.....she said she can see where the box is not checked....but DCBS does not have access to change the selection....I waited patiently while she checked with her supervisor....the supervisor told her the same thing....that the box could not be checked by DCBS.....they then told me I needed to contact KOG....but I have no idea how, or who to contact, or what I need to ask them at this point.....in my own portal....the Medicaid Waiver Dashboard for both me....and for Jackie....has disappeared...I need to have that restored.... See screenshots below....

When logged in as authorized rep for my child:



Under my own profile.....it looks like below...you can see that there is no waiver information.....and lots of other information is also missing.....



Please, can you help with this?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS DAIL Commonwealth Community Living](#)
Subject: Re: I am interested in applying for the PCAP program
Date: Friday, September 2, 2022 1:03:12 AM
Attachments: [2020-04-17-Foot-Pics-For-Vascular-U-Of-L.pdf](#)

Natalie,

Thank you for this information. I am very much struggling simply to survive. I have a long list of diagnoses, and disabilities, and my child does as well. I read through the KCAL PCAP program.

I do not know how functional loss of 2 limbs is defined. I have extreme neuropathic pain issues. I have Complex Regional Pain Syndrome, Small Fiber Polyneuropathy with Autonomic Dysfunction, Chronic Venous Insufficiency, Erythromelalgia, Fibromyalgia, Cramp Fasciculation Syndrome, Post Lyme Disease Syndrome, Venous Stasis, Hypersomnolence, Chronic Fatigue Syndrome, Grave's Disease, Meibomian Gland Dysfunction, Ocular Rosacea, Exotropia, Amblyopia, Sicca Syndrome, etc... A nurse comes to my home 1 day per week to give me Intravenous IV injections of Immunoglobulin. I get Copper Infusions about every 60 days. I get Iron infusions PRN. I take tons of meds and supplements. I cannot be on my feet for long periods of time because it feels like I am burning alive. I cannot lay down for long periods of time due to the venous issues. I cannot sit up for long periods of time because of both and others from above. I cannot look at screens for long periods of time because of my eyes. I have extreme fatigue issues. I have swelling that occurs at times with my feet (see picture). Does this count as functional loss of limbs? They do not function as they are supposed to at all....

Also, my child in addition to having many of the same symptoms as me, additionally has Autism Spectrum Disorder Level 2, ADHD, and other related items.

I have called about Medicaid waivers in the past, but have not reached anyone that knows about them at DCBS. I do need someone to help me with cleaning, preparing meals, running errands at times, recreational outings (like the PCAP program), etc...

Do you know if anyone has free access to the 'Foundation Directory'? It may also have private charitable organizations that could potentially help people like me and my child.

Do you know how loss of function of 2 limbs is defined for the KCAL PCAP program?

Do you know 'which' Medicaid Waivers I may be eligible for, and which my son may be eligible for?

Thank you for information about the Hart Grant. I would be interested in both the one time and ongoing support. My son and I both have so much foot pain that it is very hard for us to stand up in the shower for the amount of time it takes to wash (which isn't very long). Is it possible to apply for both the one time and ongoing support?

Do you know of an 'Elder Law' attorney that might be able to help?

Do you know of any way to get hot meals that are gluten free (medically necessary) delivered to my home? I am under 65... I often do not eat because I am too tired to cook anything and

cannot even get out of my bed. When my child is here, I do everything that I possibly can to help, but he knows that I cannot always do the things I want to do. It breaks my heart too, because I always want to do so much more than I am able to do for him.

Anyway - please let me know regarding these questions when you can, and I understand if you are too busy to respond again. Thank you for your great information you have already provided. I am grateful.

John

On Thu, Sep 1, 2022 at 1:36 PM CHFS DAIL Commonwealth Community Living <PCAP.HSL@ky.gov> wrote:

Hi John,

I wanted to include a few resources for assistance that was requested.

For PCAP (Personal Care Attendant Program) to qualify, you have to have 2 or more limbs that have significant functional loss. To get an application and assistance for the PCAP program, I will need to know which county you reside in.

Another resource that you may apply for is the Hart Supported Living Grant. This is the program that I directly assist with. This grant is a yearly grant for individuals with disabilities to apply for assistance to remain in their home of choice. There are two types of supports you can request through the Hart-Supported Living Grant.

One support is what we refer to as a “one time” support. Those are requests for something that will be funded once and that is all. Examples would be a wheelchair ramp for the home, an accessible walk in bathtub remodel. Other examples are any medical equipment that insurance will not pay for, such as wheelchairs, shower chairs, car wheelchair mounts, and vehicle modifications. It is funding the grant pays for one time then it is done.

Another support you can request is what we refer to as “ongoing” supports. These types of supports are supports that an individual needs to help them remain in their home. Examples would be attendant care, personal care, housekeeping, or even lawn care. A support requires ongoing consistent funding from month to month.

I have attached the Hart-Supported Living application for you to review.

Funding for the Hart grant is not guaranteed and is based off the score your application receives as well as the amount of funds that are available at that time. This is to be used as a funding of last resort if you do not qualify for any other assistance. All applications are due, completed, with all attachments, to the regional coordinator by April 1 of each year, and scored in May of each year. Any application with a score of 100 to a 55 qualify for funding. Funding is allotted by score 100 to 99 to 98 and so on.

Another thing you may want to call and check on is the Medicaid waiver programs. It is important to do this, as Hart Grant is the funding of last resort. If you are eligible and can get services through these other programs, you will need to go that route first. These

programs are run through your local area development district office. To verify qualification for waiver programs, you can call DCBS at 855-306-8959. When prompted, you will hit:

Option 1 for English

Option 2 for Assistance with Health Care

Option 2 for Long Term Care

Enter the zip code of your grandmother so that you can be placed with the appropriate regional office.

You will tell them that you are needing to apply for Medicaid WAIVER.

Please let me know if I can be of further assistance to you!

Thank you,



Natalie Rawlings

Health Program Administrator

Department for Aging and Independent Living

Kentucky Cabinet for Health and Family Services

P.O. Box 206037

Louisville, Kentucky 40220

(502) 229-6500 CELL

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From: John Fouts <fouts.john@gmail.com>

Sent: Wednesday, August 31, 2022 11:55 PM

To: CHFS DAIL Commonwealth Community Living <PCAP.HSL@ky.gov>

Subject: I am interested in applying for the PCAP program

I need help with many things listed (laundry, cooking, picking up medicines, etc..., many

other). How can I apply for this program. I have a long list of diagnoses and they impact me causing issues and many disabilities.

Please let me know what I need to do to apply.

John

Sent from [Mail](#) for Windows

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: I had sent in ALL REQUESTED DOCUMENTS FOR KTAP ON TIME - yet I was denied anyway 1628191
Date: Friday, May 19, 2023 4:34:16 PM
Attachments: [image001.png](#)

The mother, Lindsay, is unwilling to do many things. (e.g. I had to ask over 45 times over a 5 month period, to get a notarized form from her to get Jack's passport renewed).....it is pretty ridiculous... She also is working, but I am not able to work....I have Jackie from 7:30am to 5:30 pm Monday through Friday on her weeks, and I have Jackie from Friday evening on her weeks through Friday afternoon on my weeks. So if I look at total number of hours that is 10 hours per day * 5 days per week on her weeks (50 hours), and 24 hours per day * 7 days per week on my weeks = 168 hours on my weeks. So in total (for a 2 week period....)...I have Jack for 218 out of 336 hours = 65% of the time...sometimes it is more frequent than that.

What can I do since it is unlikely she will sign anything....I have no money to afford an attorney to force a judge to update the custody agreement....

John

On Mon, May 15, 2023 at 8:14 AM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good morning,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and reviews public assistance cases for accuracy. All complaints/reviews are logged into our system for tracking purposes. This office does not have access to take applications, make case changes, or process cases.

I reviewed the case. The Department for Community Based Services (DCBS) needs additional information regarding the 50/50 joint custody agreement. Please have the mother write a statement (date, sign, put her phone number on it) to verify the 50/50 agreement isn't being followed and you have the child and how often you have the child (is it the majority of the time? 60/40, 70/30 etc). Neither parent is eligible for KTAP is there is a true 50/50 joint custody agreement that is being followed. Please discuss with DCBS if you are unable to get a written statement from the mother to check if there are other ways to verify.

Please reach out to DCBS to reapply for KTAP. DCBS can be reached one of the following ways:

- By phone at 1-855-306-8959. The DCBS call service center is open Monday through Friday 8:00 am – 4:30 pm EST, and Saturdays from 9:00 am – 2:00 pm EST, with the exception of state observed holidays.
- In-person at your local office. You can locate the office address at [Local Office Search \(ky.gov\)](#) Local office hours are Monday through Friday, 8:00 am – 4:30 pm local time, with the exception of state observed holidays.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 am - 4:30 pm EST, with the exception of state observed holidays.

Thanks,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts fouts.john@gmail.com

Sent: Wednesday, May 3, 2023 11:17 PM

To: CHFS Listens CHFS.Listens@ky.gov

Subject: I had sent in ALL REQUESTED DOCUMENTS FOR KTAP ON TIME - yet I was denied anyway

I need you to look into this please. I am tired of having to write about so many errors that have been made with regard to my case.

Please review the KTAP denial that was made in error.

John R. Fouts

Social XXX-XX-9858

John

Phone number is: 502.956.0052. I submitted all documents in time to be processed by the deadline, and can confirm this with fax records that show documents were successfully received at DCBS by the deadline....yet....I was denied anyway....

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: I need proof that I am receiving the Medicaid HCBS Waiver (that I am approved for it) -- but I am not able to view any of my information on KYNECT - can you please send me something? It is urgent -- 2023-12-21
Date: Friday, December 22, 2023 2:23:38 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

The thing is - I first notified KOG and several other help desks of the issue in late November, and have not heard anything....

I don't know if it will work (the screenshot), but it is better than nothing. Please send.

Have a Merry Christmas Maddison. Will you please let me know once the issue is resolved?

John

On Fri, Dec 22, 2023 at 1:31 PM Cline, Maddison (CHFS DMS DCA)
<Maddison.Cline@ky.gov> wrote:

Good afternoon,

Our Tech Support team are still working on a resolution. I apologize for the delay with this issue. Unfortunately with the holidays some things are slightly delayed.

I can provide a screenshot of our waiver system showing that you are enrolled in HCB, if that will work for you?



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, December 21, 2023 3:04 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>

Subject: I need proof that I am receiving the Medicaid HCBS Waiver (that I am approved for it) -- but I am not able to view any of my information on KYNECT - can you please send me something? It is urgent -- 2023-12-21

This is for my disability case with SSA, and the judge needs the information ASAP. I have to get it to my rep as quickly as possible so he can get it to the judge for my disability trial.

I am not able to get any of my information from the KYNECT portal unfortunately.

What is the way to expedite the issue of fixing that? Should I contact the Governor's office? Because having no time frame for resolution, and me not getting any kind of notifications, and not being able to access any information for several weeks is not okay...

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: I still cannot see my child's information -- when is the eta for the resolution of that?
Date: Tuesday, January 30, 2024 2:49:35 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

They say they don't handle that.

On Tue, Jan 30, 2024 at 2:44 PM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Mr. Fouts,

As I stated in my previous email, you will need to contact 800-635-2570 and select the option for Self Service Portal for further assistance.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 2:41 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: I still cannot see my child's information -- when is the eta for the resolution of that?

Please let me know. Since it has been months, I am pretty frustrated that it has not been resolved.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: I still cannot see my child's information -- when is the eta for the resolution of that?
Date: Thursday, February 1, 2024 9:57:47 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

I appreciate all you do. I have called that number in the past too, so I just don't know where else to turn now. Thanks for helping all that you could though - I really appreciate it.

John

On Wed, Jan 31, 2024 at 8:58 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

The only other number I have is for KYNECT- 855-459-6328

Our tech team has done everything they can on our side. They do not have full access to the KYNECT system since we only work in the waiver system.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 2:50 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Re: I still cannot see my child's information -- when is the eta for the resolution of that?

They say they don't handle that.

On Tue, Jan 30, 2024 at 2:44 PM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Mr. Fouts,

As I stated in my previous email, you will need to contact 800-635-2570 and select the option for Self Service Portal for further assistance.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, January 30, 2024 2:41 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>

Subject: I still cannot see my child's information -- when is the eta for the resolution of that?

Please let me know. Since it has been months, I am pretty frustrated that it has not been resolved.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Bickers, Erin L \(CHFS DMS\)](#)
Subject: Re: I'm approved for the HCBS Medicaid Waiver -- But I cannot find any information that I need to know.....
Date: Thursday, November 30, 2023 10:48:43 AM

1/31/1979

On Thu, Nov 30, 2023, 8:08 AM Bickers, Erin L (CHFS DMS) <erin.bickers@ky.gov> wrote:

Good morning Mr. Fouts,

Can you please provide your date of birth?


Erin Bickers


Erin Bickers | Federal Program Specialist


Commonwealth of Kentucky

Cabinet for Health and Family Services


Department for Medicaid Services

 Cell (502)-892-8366

 Office (502) 564-8888

 (502) 564-6917

 erin.bickers@ky.gov

 275 East Main St 6 W-A, Frankfort, KY 40621

[Member renewals are coming back! Learn more here.](#)

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From: John Fouts <fouts.john@gmail.com>
Sent: Wednesday, November 29, 2023 5:20 PM
To: CHFS DMS Webmaster <CHFS_DMS_Webmaster@ky.gov>
Subject: I'm approved for the HCBS Medicaid Waiver -- But I cannot find any information that I need to know.....

Will my current medications still be covered?

I have a weekly infusion that involves home health that I need medically....will that still be covered? The only change is that Humana Healthy Horizons will no longer be my MCO....will a new authorization be necessary even though it is still through Medicaid?

I've contacted DCBS....they don't know anything about benefits for traditional Medicaid....

I've contacted CHFS Ombudsman....they don't know anything about benefits for traditional Medicaid....

I've contacted the Medicaid Waiver Help Desk...and have not heard back....

I NEED TO KNOW this information. Who has it?

I've tried to call the Pharmacy number on the back of the traditional Medicaid card....the number is literally ALWAYS busy...I cannot get through to anyone....

Can you please help me get to the right place????

John

P. 502.956.0052.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: John Fouts Medicaid Waiver Application
Date: Friday, September 1, 2023 2:12:48 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image003.png](#)
[image002.png](#)
[image007.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Thank you Maddison. I greatly appreciate your assistance.

On Fri, Sep 1, 2023 at 9:38 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Tech Support was able to fix the issue.

Your application is in the queue to be reviewed.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, August 29, 2023 10:58 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: John Fouts Medicaid Waiver Application

Maddison,

Thanks for the call today. I was able to get the Submit button to reappear....and it says it was submitted...but it still says action required....can you help?



???

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: John R. Fouts -- Denial of NEMT Services -- Follow-Up -- 2024-06-22 - See text in red -- 2024-06-25
Date: Monday, June 24, 2024 10:19:04 AM
Attachments: [image001.png](#)
[Kentucky Medicaid Denial of Medical Non-Emergency Transportation -eml \(9.55 KB\).msg](#)
[Attn Chris -- See Attached Letter -- 2024-02-22 -- and other -- hear....eml \(419 KB\).msg](#)
[Kentucky Medicaid Denial of Medical Non-Emergency Transportation -eml \(421 KB\).msg](#)
[Are you the supervisor of Jessica Jones -- Need help with some thin....eml \(2.29 MB\).msg](#)
[2024-03-01-Dr-Allen-Letter-Medical-Transportation.png](#)
[2024-03-22-Bennett-and-Bloom-Letter-Eyes-John-Fouts.pdf](#)
[2024-01-23-ivig-level-1-appeal-denial 23-Jan-2024 19-59-08.pdf](#)

On Mon, Jun 24, 2024 at 7:54 AM Abell, Patricia A (CHFS OLS DLLF)
<Patricia.Abell@ky.gov> wrote:

Mr. Fouts, I am NOT representing you, I am actually representing the Cabinet. I apologize for the confusion. We lawyers tend to forget that terms like appellant and appellee are foreign to most people not in the legal profession. You are the Appellant, and the Cabinet, which I represent, is the Appellee.

Thank you for clearing that up. So who is representing me?? It doesn't seem right, fair, or ethical, for the state to have legal representation, but not the person filing the appeal...

Typically a prehearing conference is scheduled in these matters and most hearing officers ask if the matter can be resolved. With this in mind, I wanted to reach out to you for some additional information.

First, in review of our file, it would appear you sent a letter appealing the decision to the Cabinet on February 22, 2024.

Yes this is correct.

The Cabinet did not receive your initial appeal letter which you advised was sent certified mail.

This seems preposterous to me. Please see the attached letters in *.eml format (full email format) addressed to Amanda Elliott CHFS DMS DPO and also the email to Chris at the CHFS Listens email. I included the files in the email message format so the attachments would be preserved along with the date and time stamps on the emails.

While you provided a copy of the letter, it looks like Ms. Cecil requested a copy of the certified mail tracking information but that has not been received. Please

forward to me a copy of the proof of delivery of the certified mail letter. You may email it to me or send it to the address below. As by now, you know, if you can send a PDF via email that can be more reliable than the mail system. Unfortunately, the cabinet is so large that misdirected mail often has difficulty finding its way to the proper person.

When did Tara Cecil request a copy of the tracking information? I will attempt to locate the information but as I am dealing with many things including the state not wanting to fulfill its legal obligations to me as a medicaid waiver recipient and DCBS not wanting to count medical expenses although I am disabled -- even though that is Kentucky State law...I have had a lot that I am trying to deal with. And I'm sorry, but any other organization that lost so many important material things would not be in operation, and would be held accountable for its lack of concern especially if it were a health-related organization or transportation organization - so I do not view the size of the cabinet as an excuse for important documentation being lost.

Second, in addition, your correspondence indicates you sent two documents from medical providers supporting your need for transportation. I do not have those documents. Please forward copies of those to me as well.

Please see the attached letter from Bennett and Bloom (eye doctors) and also from my primary care physician, Dr. Josh Allen. I can have several other doctors write letters if necessary as well.

Finally, the denial letter indicated you were being denied the nonemergency transportation benefit because:

You have access to free transportation suitable for your medical needs. An operable vehicle is registered to you or an individual in your household. (907 KAR 3:066 Section 3 (2)(c) and 603 KAR 7:080 Section 4).

In this instance, our records indicate that at the time of the application, you were the owner of a 2006 Honda CRV. This operable vehicle is listed as being owned by John Fouts:

Vehicle Information	
VIN: JHLRD7866C034212	Color: SIL - Silver
Vehicle Type: Truck	2nd Color: GRN - Green
Style: Sport Utility Vehicle	Motor Type:
Year: 2006	Cylinders: 04
Make: HOND	Odometer: 169902
Model: CRV	

Yes this is correct.... I 'do' have a vehicle registered in my name. And I find it ridiculous that the state says I must give up ALL freedom in order to be able to receive non emergency medical transportation.

The issues I have do not ALWAYS cause me to not be able to drive. I have a long list of medical problems some of which include myalgic encephalomyelitis (chronic fatigue syndrome), Sjogren's Disease, autonomic dysfunction issues, narcolepsy, dizziness, vertigo, and balance issues (the dizziness, vertigo, and balance issues come and go and are not always present) -- I have small fiber neuropathy and a number of other conditions as well, that 'can' make it challenging to drive...or impossible at times... So the vehicle is operable....but I am not always able to operate it....

I also have a 13 year old child, who is autistic, with ADHD, that has a number of medical problems going on also. I need to have my vehicle to be able to get to my own appointments when I can and to get my child to her appointments when I can etc.

The records also indicate the vehicle had 168,902 miles on the odometer. Can you shed some light on the status of this, and any other vehicle, in your household, and why you say it is not available for your use?

I have not ever stated it is not available for my use. It seems that much of what you list is not accurate, so I am glad to be able to communicate.

There was a time period, for about 3 weeks or so, that it was in the shop having work done... the issue is as I have stated above, and repeatedly in the past...that I am not able to drive at several times. There are no known triggers or causes for what exacerbates the symptoms further...and sometimes...I have to be able to pull over to the side of the road and wait them out if I am already driving when they occur. That is the nature of many of the conditions I have. I need help in many areas in life due to health problems...in the past...I had always viewed programs as being helpful, until I became a part of them out of necessity, and now I do not view them as such. Everything seems like it has been a fight to get -- and truly -- I don't understand it...

Where did the 168,902 number come from? The car has more miles on it than that. There are no other vehicles in my household. The 2006 Honda CR-V is the only vehicle I have. In 2021 there were over 180,000 miles on it... The car has 220, 716 miles on it.

I noticed you did not respond to the portion of my message regarding IVIG and the 2024 hearing request. So what is the issue with that one too? Tara Cecil keeps responding about a 2023 hearing...I am referring to the 2024 hearing request....what is its status?

You can see the initial adverse benefit determination fro 2024...and the appeal level 1 expedited review and denial.....a hearing was requested long ago in 2024...so what is its status pertaining to the IVIG?

Please confirm receipt of this email.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD

Assistant Counsel

Cabinet for Health and Family Services

Office of Legal Services

275 E Main ST 5W-B

Frankfort, KY 40621

patricia.abell@ky.gov

(502) 564-7623

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From: John Fouts <fouts.john@gmail.com>

Sent: Saturday, June 22, 2024 1:25 PM

To: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>

Subject: John R. Fouts -- Denial of NEMT Services -- Follow-Up -- 2024-06-22

Hi Ms. Abell.

I'm writing to you because I received a letter stating that you are representing me in the hearing for non-emergency medical transportation...

As CHFS seems to lose the things that are sent to them -- I want to make sure that you have received the doctors' letters regarding the matter...in my case with relation to this topic.

Please confirm. You should have a letter from my primary care provider along with a letter from one of my eye care providers.

I can also request letters from other physicians if you think this would be necessary.

On a separate note...I am also trying to figure out the status of the hearing request for IVIG that was initiated in 2024....NOT the one from 2023....

CHFS claims to only have one from 2023...but I have the documentation showing the hearing request was made and that CHFS was aware.

And lastly - all I have been able to get since the Medicaid waiver took effect is mom's meals ... and 2 pairs of compression stockings....nothing else....what legal representation options are available to me?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Medicaid Waiver Application Questions
Date: Wednesday, July 12, 2023 10:09:29 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

I selected legal guardian because, I, as a parent, am a legal guardian...on my child's application...should I not do that? Thank you for the clarification on the map-10 that was marked invalid for me....I wish this whole process were easier...

On Wed, Jul 12, 2023 at 9:59 AM Cline, Maddison (CHFS DMS DCA)
<Maddison.Cline@ky.gov> wrote:

Good morning,

I apologize for the delayed response, I was out of office yesterday.

For your son's application:

Do you have legal guardianship paperwork? Or are you selecting yes because you are the guardian since you are the parent?

For your application:

The MAP-10 was marked as invalid since it does not have ICD-10 codes listed. The doctor will need to add those to the MAP-10, initial and date the changes, and then it will need to be resubmitted.

You will need to contact DCBS to make sure they have everything needed for the KTAP application. 855-306-8959.

Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B



CABINET FOR HEALTH
AND FAMILY SERVICES



Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, July 10, 2023 10:24 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Medicaid Waiver Application Questions

Hi there. I have you in my contacts as a person who may be able to help me with these things.

I don't know what is needed for my application (John Fouts). It says Map-10 form - but I submitted the Map-10 form so I don't understand what is needed....

Regarding my child's application - I cannot get past the point of where it says Do you have a legal guardian - and I answer yes....and then the application throws an error that says my child does not have a legal guardian on the medicaid application - but my child does - both me and my ex-wife are legal guardians (my child's parents)....

So I need help with that one too....

Medicaid Waiver

JOHN FOUTS

● Action Required

Application

#

218524831

[Visit Waiver Dashboard](#)

JACK FOUTS

● Not Submitted

Application #

216439411

! Submit your application through Waiver Dashboard

[Continue Application](#)

Finally - I need to make sure that DCBS has everything needed for the KTAP application.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: More Waiver Questions?? -- 2023-08-26
Date: Monday, August 28, 2023 2:16:09 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Thank you - I sent that over to Jackie's PCP.

On Mon, Aug 28, 2023 at 1:15 PM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

For your application, you need to click the submit button.

For Jack's application, he needs to following information "Please provide a Physician/Advanced Practitioner's statement clarifying how listed MAP 10 diagnosis manifests into a physical disability"

I cannot answer any questions about KTAP. You will need to call the DCBS office 855-306-5959. The waiver department does not do anything with KTAP.



Maddison Cline
Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>

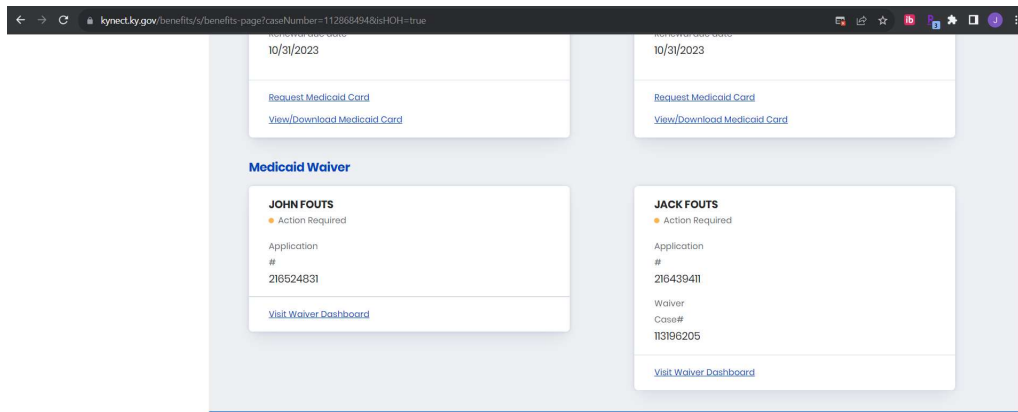
Sent: Saturday, August 26, 2023 11:29 AM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: More Waiver Questions?? -- 2023-08-26

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi again Maddison.

I still have some questions on the waivers for Jackie (aka Jack in the system) and me. Jack(ie) is my child.

The waiver applications for both of us say action required, but when I get into the actual system, it doesn't say 'what' action is required??? Can you help?



Jackie's says pending review:

kywaiver.ky.gov/WaiverIndividualDashboard/Dashboard?tabId=ROGZQq1FuhBynZ5_2BmVHjpmTopGvGghUC3U1_7uhXgOwlJSP8N2y5NKOwa114HhucLDPchHYKQ7a3CCYngedk...

My resources can call me at: 5029560052
My resources can email me at: fouts.john@gmail.com

Waiver Case Management Contact: HANSEN, N/A
My Waiver Authorized Representative is: RANDAL L. RUNNER
My Waiver Guardian is: N/A

Waiver Application

- Application #: 216019523 Created Date: 01/28/2023
- Application #: 216439411 Created Date: 05/22/2023

Request For Information

Program	Application Number	Submitted Date	Status	Take Action
Waiver	216439411	08/22/2023	Pending Review	View / Upload Documents

Waiver Program Summary

Waiver Program	Program Status	LOC Start Date	LOC End Date	Last Action Date
Michelle P	Waitlisted	N/A	N/A	07/13/2023

Waiver Program Information:

Level Of Care Details No Level of Care Detail is present.	Plan of Care Details No Plan of Care Detail is present.
--	--

Disclaimer: What you see below is total units/dollars approved for the service. You can only get the service based on the frequency approved.

Mine for some reason did not have the MAP-10 that was updated that I had uploaded previously, so I uploaded it ... again ... today ... but again, it did not say what action was required???

kywaiver.ky.gov/general/DocumentNeedsBRI?tabId=RpocCoXnAFYehqf01cp3uYOC0x0F_0em/Nd_4hdRW7721sWqC4Lx0mdr2wJp1D0a5p0x0ek2WUz3p3C0k2lBtu2-Pl0r3Lg...

Additional documentation is required to determine your Medicaid benefits. We cannot continue with the processing of your application until all required documentation has been submitted.

Please note that the Application Reviewer does not receive a task to review the application until required documents are uploaded and the final "Submit" button is clicked.
Please upload all documents that support/describe the individual's needs.

What is Needed	Types of Document Accepted	Updated on Screen?	Upload Status
*Age and/or Physical Disability Verification	MAP-10		✓
	Discharge Summary, Individual Education Program Documentation from an Institution (Elementary/Middle/High School etc.), Law Enforcement/Court Personnel/Prison Documentation, Psychological Evaluation, Health Care Provider/Physician/Qualified Mental Health Professional Statement, OTHER		✓
Care Provider Verification	Letter from Caregiver or Physician of Caregiver explaining why the caregiver is unable to provide care		✓
*Other	MAP 10 within 90 days and ICD 10 codes		✓

Document Summary [View Documents](#)



Document Type	Date	Status	Comments	Review Date	Review Comments
MAP-10	06/12/2023	Invalid		06/29/2023	No ICD 10 codes
Letter from Caregiver or Physician of Caregiver explaining why the caregiver is unable to provide care	06/14/2023	Completed	Please see attached.	06/29/2023	
Health Care Provider/Physician/Qualified	06/28/2023	Completed		06/29/2023	

So - for both of us - what action is required?

Also have a KTAP question - I have been approved through May 2024 for KTAP....but the approval for September suddenly disappeared off the screen on the main home page of KyNect and nothing past October is listed....

JOHN R FOUTS, JACK A FOUTS
 ● Approved

Benefit Period 05/01/2023 - 03/31/2024	EBT Card funds loaded on 06/17/2023	Allotment August \$395	September \$395
---	--	-------------------------------------	---------------------------

 You owe \$1024 for SNAP benefits. [Pay Balance](#)
 If you are unable to pay your claim in full, you may set up a repayment agreement by calling [\(502\)684-3440](tel:502684-3440)

[View Eligibility Notice](#)

Child Care Assistance

JACK A FOUTS
 ● Denied

Application Submitted: 02/27/2023.
 Effective Date: 02/27/2023.
 Reason: Eligibility is denied. The Household does not meet work requirements.

[View Denial/Discontinuance Notice](#)

KTAP

JOHN R FOUTS, JACK A FOUTS
 ● Approved

Benefit Period 06/28/2023 - 05/31/2024	EBT Card funds loaded on 08/01/2023	Allotment October \$450
---	--	--------------------------------------

[View Eligibility Notice](#)

I attached the eligibility notice to this email as well...I received KTAP in June, July, and August (previously September was also already approved)....now for some reason...September is not listed...and it says that benefits will start in October.....KTAP is the only income I have and I 'need' to have it for things like buying gas to get my child to school, and to get to doctor appointments, and to supplement food because SNAP is not enough and it keeps getting reduced...

Another issue I have is that SNAP says it overpaid last year, but it did not consider ANY medical expenses so I do not believe that is correct. At this point I feel that I am being discriminated against by KyNect because I am disabled and under age 65.

In addition to the waiver problems, how can I get the KTAP amount corrected, and how can I have the previous SNAP overpayment notice that I believe was incorrect to be re-analyzed? I cannot go sit in an office for hours due to my health conditions, nor can I be on hold for hours.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: More problems with the waiver application system - I submitted what was needed for my waiver application - but it still says action required - please help
Date: Monday, September 18, 2023 9:28:21 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image006.png](#)
[image003.png](#)
[image002.png](#)
[image005.png](#)
[image004.png](#)

I already submitted - it is still in that state...I cannot submit again because it has already been submitted - it is the same issue as before....

On Mon, Sep 18, 2023 at 9:22 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Please try to click the submit button. If that does not work please let me know.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

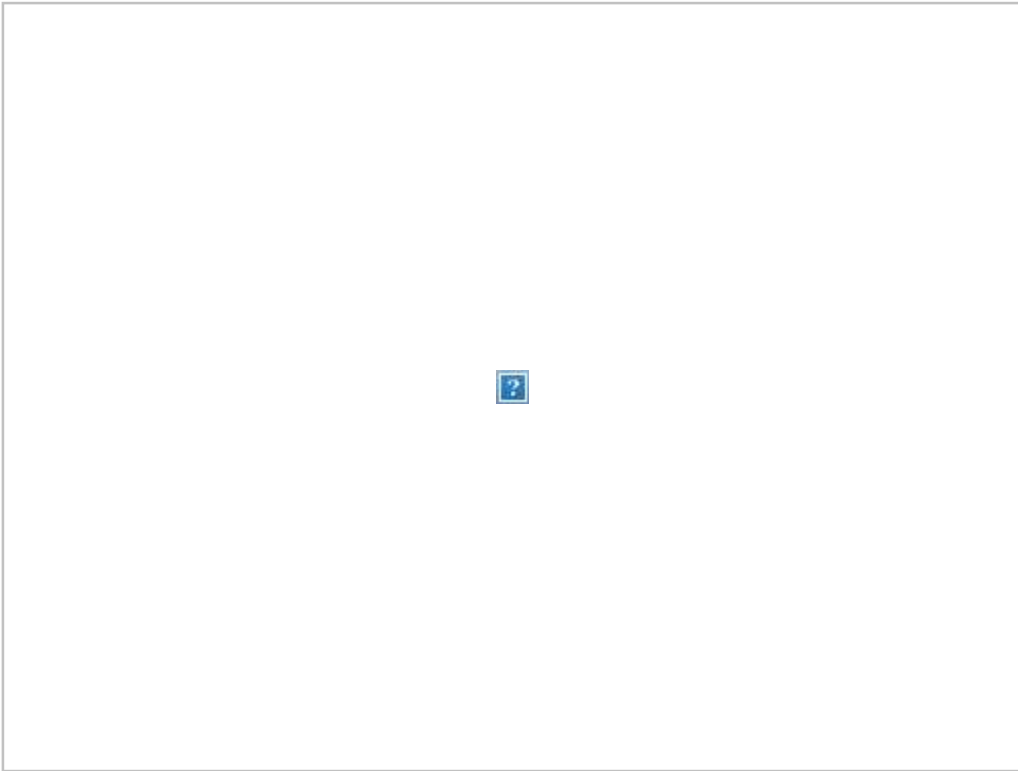
Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Saturday, September 16, 2023 3:39 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: More problems with the waiver application system - I submitted what was needed for my waiver application - but it still says action required - please help

Maddison,

It appears the system is stuck again....

I got a message that said this...



I submitted the information last week....it still says action required, however....can you please help?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Need help -- waiver dashboards still missing -- still not able to access my child's information.... see screenshots -- 2023-12-11
Date: Wednesday, December 13, 2023 12:47:22 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image004.png](#)
[image007.png](#)
[image005.png](#)
[image002.png](#)
[image006.png](#)
[image003.png](#)

I have been trying to get it resolved for over 2 weeks, so hopefully they'll be able to help. Thank you for sending it to them.

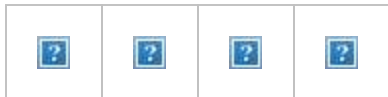
John

On Wed, Dec 13, 2023, 12:37 PM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Good afternoon,

I have sent this to our tech support team. As soon as I get a response I will follow up.

They usually ask for at least 3 days for review and response. That time may be slightly longer with the holiday season.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

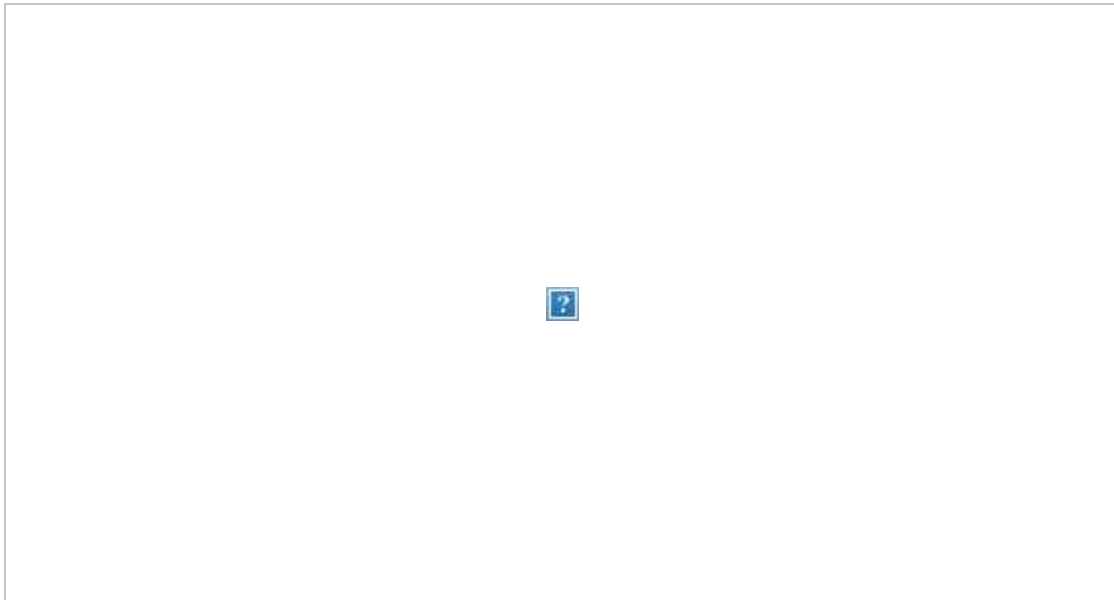
Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, December 11, 2023 4:09 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Need help -- waiver dashboards still missing -- still not able to access my child's information.... see screenshots -- 2023-12-11

Maddison,

I don't know why, but I still cannot see my child's information OR the medicaid waiver dashboards....

I see this when I log in:





I NEED to be able to see the information for my child, and also the medicaid waiver and self service portal for the medicaid waiver dashboards for me and my child and other benefits.....do I need to contact the Governor's Office for help? I need this to get resolved. You have been truly helpful in the past. Can you help with this please?

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: brittany@farnsworthortho.com
Subject: Re: Retainer inquiry -- Please See Response -- Need To Know Name of Manufacturer of Invisible Aligners
Date: Thursday, July 20, 2023 12:34:33 PM

I am not on vacation.... my mother invited me to go to a conference that she has a speaking engagement with... I didn't have any money to come here....I have had no money to go on vacation for a very very very long time...

I wish it were my vacation...I am in the room eating cheerios and almond milk that I brought from home that I bought with food stamps -- so I don't really appreciate the tone that you had there or the assumptions that were made...

I would have absolutely no way to be here....

Since the chronic health problems I have are going to lead to a much shorter life, likely, due to the many complications surrounding them, my mom and dad brought me out here so I could have an experience.

They are both living on retired income though and have little money also...

All I have is money for food stamps....I am going to see if someone else can make the retainer for me after that comment made by you and the invalid assumption that was made...

I have no idea where to turn though for that - so I need to know the name of the company that made the aligners to begin with please....so I can contact them to find a different vendor who will not be so insulting or rude.

I don't know how to explain to you in any other words that I have no income.... there are many months I cannot even come up with 5 extra dollars - so let alone 25.....

My mom is the president of Delta Kappa Gamma - and her expenses are paid for that are related - for a further explanation although that should also not be necessary....

Just because my parents are not disabled does not mean that I am not disabled....

just because my parents are able to collect retirement payments does not mean that I am able to have money.... They do not share resources with me.... I am my own separate household that is living in their residential structure at home because otherwise I would be on the street with my child....homeless....and they have made it clear that we are not welcome to be there.....

As you likely know - to get snap benefits or medicaid at all - you must verify that you have no income from a party not related to you and outside of your household and I have had to do this several times....so there have been several verifications of \$0 income on file through DCBS and CHFS....

Frankly, I would like a sincere apology from your office for that statement you made in this email...

John

On Thu, Jul 20, 2023 at 8:18 AM brittany@farnsworthortho.com

<brittany@farnsworthortho.com> wrote:

Hi john,

I am sorry that you are going through this tough time. I did see that you are on vacation, is there a way you can save the spending money for vacation to help with your eating needs?

I can talk with the doctor about the payments you would like to make. She is out of the office today but I will get back to you on Monday.

Also, I know on note you would like 4 payments but thought it would be easier for the \$25 payments for easy math.

Thank You!

Brittany Numbers
Treatment Coordinator

Amy B Farnsworth, DMD
2700 Bardstown Road
Louisville, KY 40205
502.452.2116 Fax 502.452.1688

From: "John Fouts" <fouts.john@gmail.com>

Sent: Wednesday, July 19, 2023 8:19 PM

To: brittany@farnsworthortho.com

Subject: Re: Retainer inquiry

Because the only income I have is from extreme couponing (out of necessity) and using the Ibotta app to get cash rebates from buying food that matches with the food stamp allowance that I get (which isn't enough), and because an extra \$5 could mean the difference between me and my child possibly eating or not...or getting to a doctor appointment, I'd like to respectfully request that it be stretched out to 4 payments - please. \$20 / \$20 / \$20 / \$15. Will this be possible? This is what I asked about on the phone.

John

On Mon, Jul 17, 2023 at 9:37?AM brittany@farnsworthortho.com <brittany@farnsworthortho.com> wrote:

Hi John,

I got a note that you would like to make payments for the new retainer. The cost is \$75 for the replacement of the new retainer and we can take 3 payments of \$25.

If you have any questions or concerns please reach out.

Thank you!

Brittany Numbers
Treatment Coordinator

Amy B Farnsworth, DMD
2700 Bardstown Road
Louisville, KY 40205
502.452.2116 Fax 502.452.1688

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Cc: [Fosdick, Linda M \(KYOAG\)](#); [CHFS OGC Secretary](#)
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200
Date: Friday, July 26, 2024 4:02:42 PM
Attachments: [image001.png](#)

August 8th, is not a good day for me, as it is my child's first day of school.....

August 13th I am available from 10am to 1pm.

August 19th I am available from 9am to 4pm.

I do not understand why an additional meeting about non emergency medical transportation services is necessary as Patricia Abell already sent me a letter stating the case was closed....

So...???

On Fri, Jul 26, 2024 at 10:23 AM Abell, Patricia A (CHFS OLS DLLF)
<Patricia.Abell@ky.gov> wrote:

Linda, I am not available on August 8, or 13. On August 19 I am available after 1:30 in the afternoon. I can make my schedule work on any of the other days you named.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD
Assistant Counsel
Cabinet for Health and Family Services
Office of Legal Services
275 E Main ST 5W-B
Frankfort, KY 40621
patricia.abell@ky.gov
(502) 564-7623

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From: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Sent: Friday, July 26, 2024 9:09 AM
To: John Fouts <fouts.john@gmail.com>
Cc: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: RE: Scheduling – TPHC - Fouts, John #DMS 24-0200

There was no agreement in availability so I will offer dates in August. Mr. Baugh is available Aug 1-13 and 15-21. Please provide all availability.

This telephone conference is for the non-emergency medical transportation appeal only.

Thank you.

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, July 8, 2024 8:19 PM
To: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Cc: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200

Since I have multiple hearing requests....can you please clarify which one this one is for?? I may be missing something....I am very tired today....I was at Norton Cancer Center for an infusion for several hours...but I am not able to identify the subject of the hearing from the

subject line of " Scheduling – TPHC - Fouts, John #DMS 24-0200"

Is it for IVIG? Is it continuation of that being covered by medicaid? Is it with regard to how I have continuously asked for help due to being disabled but not been able to find any help? Is it with regard to non emergency medical transportation? Is it in regards to formulary items of medicaid no the discrimination claim I have with the USDA regarding DCBS discriminating against me because I am disabled with regard to SNAP? Is it with regard to me still being unable to see my child's information in the KyNECT system since last November? Is it with regard to me not being able to see the information regarding to dos and messages in the KyNect system for myself for many months? Please clarify which subject please.

Also - regarding dates, it depends on the time on those dates. I have doctor appointments, unfortunately, on many days, and I get worn out very easily.

My child has an appt on the 15th... I have an appt on the 16th....the 17th as of now looks to be clear but I am trying to get my child enrolled in an outpatient therapy of some kind -- presently looking at UK -- not sure of what scheduling may look like yet. As of right now, 17th would be a good day. I prefer 10am or after as it is very hard for me to get moving in

the morning due to many autoimmune illness issues, chronic fatigue syndrome, long covid, small fiber neuropathy, etc...
18th I have an appt in the morning. 19th would be a good day 10 am or after. 20th and 21st is a weekend. 22nd I have a vision appt. 23rd I have an appt.

25th my child has an appt. 26 would be a good day. 27 and 28 are weekend days. 29 is open. 30 I have a 4 hour appt (including travel time). 31 I have an appt.

Okay -- looks like best days are 17th, 19th, 26th, or 29th -- 10 am would be the ideal time on my end. That gives me time to get up. Take thyroid medicine, wait an hour, get compression stockings on, get dressed, eat breakfast, take other medications, put in eye drops, give my eyes time to adjust, etc...

I am glad to answer any pre-hearing questions over email that can be answered as well to help expedite the approval process or the smoothing of whatever process this is about -- again - it is not clear which this is for from your email unless I am just missing it somewhere - which is very possible.

On Mon, Jul 8, 2024 at 1:57 PM Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov> wrote:

Good Afternoon -

The Division of Administrative Hearings is in receipt of the above request for a hearing. Please be advised that this case has been assigned to Hearing Officer Brian Baugh. Mr. Baugh would like to schedule a telephonic prehearing conference to discuss this matter.

Mr. Baugh has the following dates available. Please notify us as soon as possible with **ALL** that are convenient for you. When replying to this email, I would appreciate it if you would please use "**REPLY ALL**".

July 15-23, 25-31

Thank you.



Linda M. Fosdick
Administrative Specialist Senior
Health Services Division
Office of Administrative Hearings
Department of Law
105 Sea Hero Road, Suite 2
Frankfort, KY 40601
Phone: 502-564-2130
Fax: 502-573-1014

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Abell, Patricia A \(CHFS OLS DLLF\)](#)
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200
Date: Monday, July 29, 2024 3:44:55 PM
Attachments: [image001.png](#)

Okay - thank you for answering my question.

On Mon, Jul 29, 2024 at 3:40 PM Abell, Patricia A (CHFS OLS DLLF)
<Patricia.Abell@ky.gov> wrote:

I do not dismiss cases. I make a motion to dismiss. The hearing officer reviews my motion and any response you make to the motion and then makes a decision as to whether to issue an order to recommend dismissal. The hearing officer, may have additional questions or concerns or may simply want your input. Unless or until the case is dismissed your appeal is ongoing. There may be some more information in the Order we just received or we will discuss at the hearing.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD

Assistant Counsel

Cabinet for Health and Family Services

Office of Legal Services

275 E Main ST 5W-B

Frankfort, KY 40621

patricia.abell@ky.gov

(502) 564-7623

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From: John Fouts <fouts.john@gmail.com>
Sent: Monday, July 29, 2024 3:21 PM
To: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Cc: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200

I see Patricia was copied on this email.....I've marked my calendar for that date and time.

Patricia - can you please answer my question about why this is necessary since you already closed the case?

On Mon, Jul 29, 2024 at 11:46 AM Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov> wrote:

The telephone conference will be held Aug 19th at 2 pm. Notice will follow via email.

From: John Fouts <fouts.john@gmail.com>
Sent: Friday, July 26, 2024 4:03 PM
To: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>
Cc: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200

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So...???

On Fri, Jul 26, 2024 at 10:23 AM Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov> wrote:

Linda, I am not available on August 8, or 13. On August 19 I am available after 1:30 in the afternoon. I can make my schedule work on any of the other days you named.

Sincerely,

/s/ Patricia A. Abell

Patricia A. Abell, JD

Assistant Counsel

Cabinet for Health and Family Services

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275 E Main ST 5W-B

Frankfort, KY 40621

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From: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Sent: Friday, July 26, 2024 9:09 AM
To: John Fouts <fouts.john@gmail.com>
Cc: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: RE: Scheduling – TPHC - Fouts, John #DMS 24-0200

There was no agreement in availability so I will offer dates in August. Mr. Baugh is available Aug 1-13 and 15-21. Please provide all availability.

This telephone conference is for the non-emergency medical transportation appeal only.

Thank you.

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, July 8, 2024 8:19 PM
To: Fosdick, Linda M (KYOAG) <Linda.Fosdick@ky.gov>
Cc: Abell, Patricia A (CHFS OLS DLLF) <Patricia.Abell@ky.gov>; CHFS OGC Secretary <CHFSOGCSecretary@ky.gov>
Subject: Re: Scheduling – TPHC - Fouts, John #DMS 24-0200

Since I have multiple hearing requests....can you please clarify which one this one is for?? I may be missing something....I am very tired today....I was at Norton Cancer Center for an infusion for several hours...but I am not able to identify the subject of the hearing from the subject line of " Scheduling – TPHC - Fouts, John #DMS 24-0200"

Is it for IVIG? Is it continuation of that being covered by medicaid? Is it with regard to how I have continuously asked for help due to being disabled but not been able to find any help? Is it with regard to non emergency medical transportation? Is it in regards to formulary items of medicaid no the discrimination claim I have with the USDA regarding DCBS discriminating against me because I am disabled with regard to SNAP? Is it with regard to me still being unable to see my child's information in the KyNECT system since last November? Is it with regard to me not being able to see the information regarding to dos and messages in the KyNect system for myself for many months? Please clarify which subject please.

Also - regarding dates, it depends on the time on those dates. I have doctor appointments, unfortunately, on many days, and I get worn out very easily.

My child has an appt on the 15th... I have an appt on the 16th....the 17th as of now looks to be clear but I am trying to get my child enrolled in an outpatient therapy of some kind -- presently looking at UK -- not sure of what scheduling may look like yet. As of right now, 17th would be a good day. I prefer 10am or after as it is very hard for me to get moving in the morning due to many

autoimmune illness issues, chronic fatigue syndrome, long covid, small fiber neuropathy, etc... 18th I have an appt in the morning. 19th would be a good day 10 am or after. 20th and 21st is a weekend. 22nd I have a vision appt. 23rd I have an appt.

25th my child has an appt. 26 would be a good day. 27 and 28 are weekend days. 29 is open. 30 I have a 4 hour appt (including travel time). 31 I have an appt.

Okay -- looks like best days are 17th, 19th, 26th, or 29th -- 10 am would be the ideal time on my end. That gives me time to get up. Take thyroid medicine, wait an hour, get compression stockings on, get dressed, eat breakfast, take other medications, put in eye drops, give my eyes time to adjust, etc...

I am glad to answer any pre-hearing questions over email that can be answered as well to help expedite the approval process or the smoothing of whatever process this is about -- again - it is not clear which this is for from your email unless I am just missing it somewhere - which is very possible.

On Mon, Jul 8, 2024 at 1:57 PM Fosdick, Linda M (KYOAG)

<Linda.Fosdick@ky.gov> wrote:

Good Afternoon -

The Division of Administrative Hearings is in receipt of the above request for a hearing. Please be advised that this case has been assigned to Hearing Officer Brian Baugh. Mr. Baugh would like to schedule a telephonic prehearing conference to discuss this matter.

Mr. Baugh has the following dates available. Please notify us as soon as possible with **ALL** that are convenient for you. When replying to this email, I would appreciate it if you would please use "**REPLY ALL**".

July 15-23, 25-31

Thank you.



Linda M. Fosdick

Administrative Specialist Senior

Health Services Division

Office of Administrative Hearings

Department of Law

105 Sea Hero Road, Suite 2

Frankfort, KY 40601

Phone: 502-564-2130

Fax: 502-573-1014

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Something changed in the last hour b/c I can now see the waiver dashboard section....BUT.....I still cannot see Jackie's information on the first page where I am an authorized rep....
Date: Tuesday, January 16, 2024 2:14:04 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

I have done that and it got me nowhere. I spent 6 or 7 hours on the phone doing that...

On Tue, Jan 16, 2024 at 8:54 AM Cline, Maddison (CHFS DMS DCA)
<Maddison.Cline@ky.gov> wrote:

I have been advised that you will need to contact 800-635-2570 and select the option for Self Service Portal for further assistance.



Maddison Cline

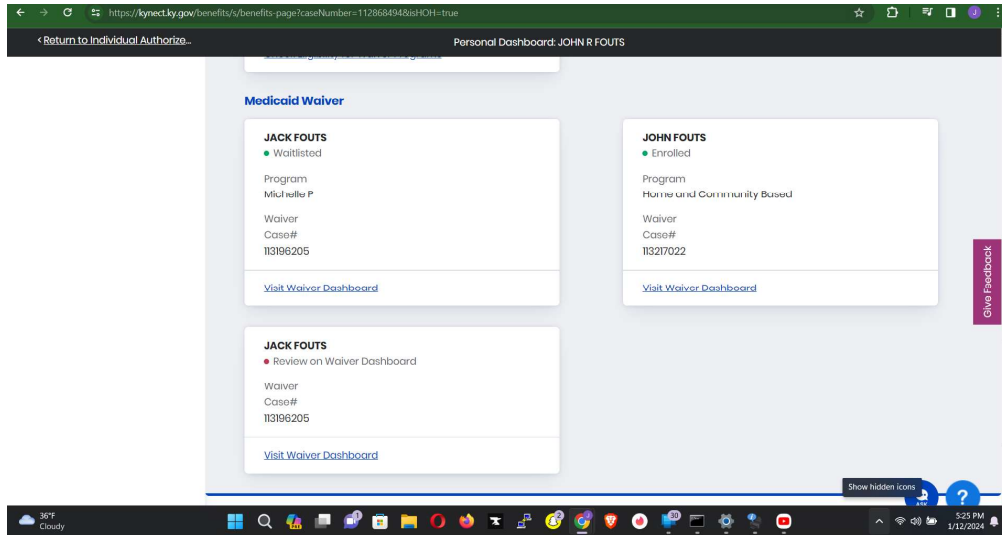
Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Friday, January 12, 2024 5:28 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Something changed in the last hour b/c I can now see the waiver dashboard section....BUT.....I still cannot see Jackie's information on the first page where I am an authorized rep....

That was the whole reason I called in to begin with in early November.....how can we get it fixed????



Jackie has a different case number because of SSI being received. I need to be able to see the information for Jackie's other case number.....argh.....

I appreciate your help, but I am truly at the end of my nerves here.....literally.....I have a nerve problem so that really isn't that funny actually.....

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: The issue is still not fixed -- please help..... 2024-01-11 -- do I need to contact the Governor since it has been since early November that this has been an issue?
Date: Friday, January 12, 2024 4:02:59 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image008.png](#)
[image001.png](#)
[image003.png](#)
[image006.png](#)
[image005.png](#)
[image004.png](#)
[image007.png](#)

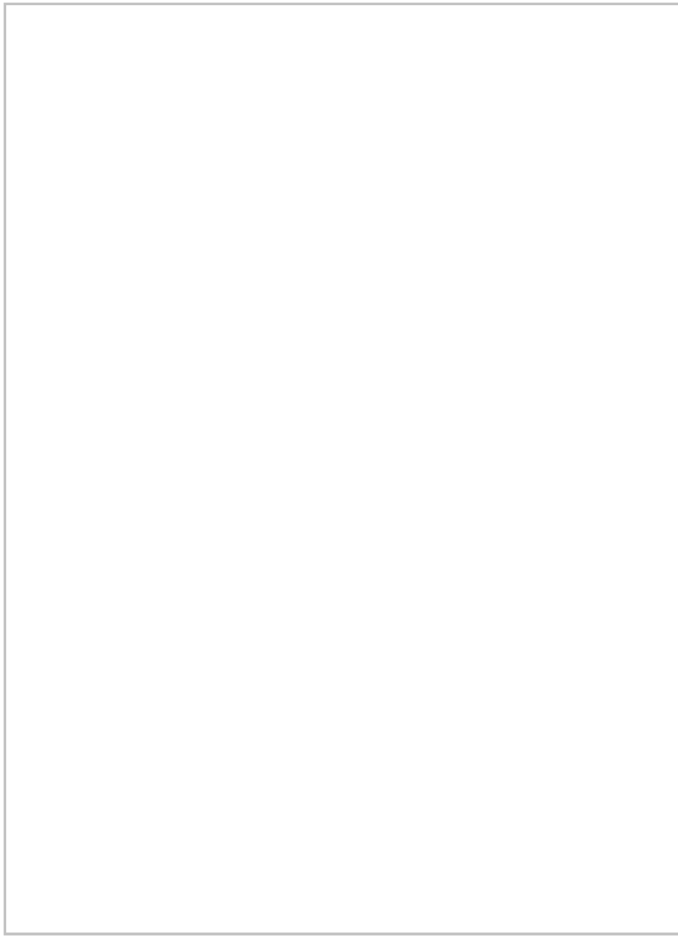
I am not able to...that does not show me the waiver dashboards or other self ability to change items.

On Fri, Jan 12, 2024, 4:01 PM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Good afternoon,

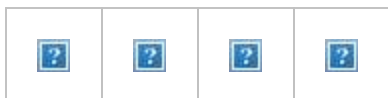
Our Tech Support team have reviewed this again. They are reporting that all issues should be resolved.

On the left side of your screen, you should have a Benefit tab. You should be able to view more information under this.



<https://www.chfs.ky.gov/agencies/dms/Pages/kynectben.aspx> this link has guides to navigating KYNECT.

If you continue to have issues please contact 800-635-2570 and use option 6.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

|

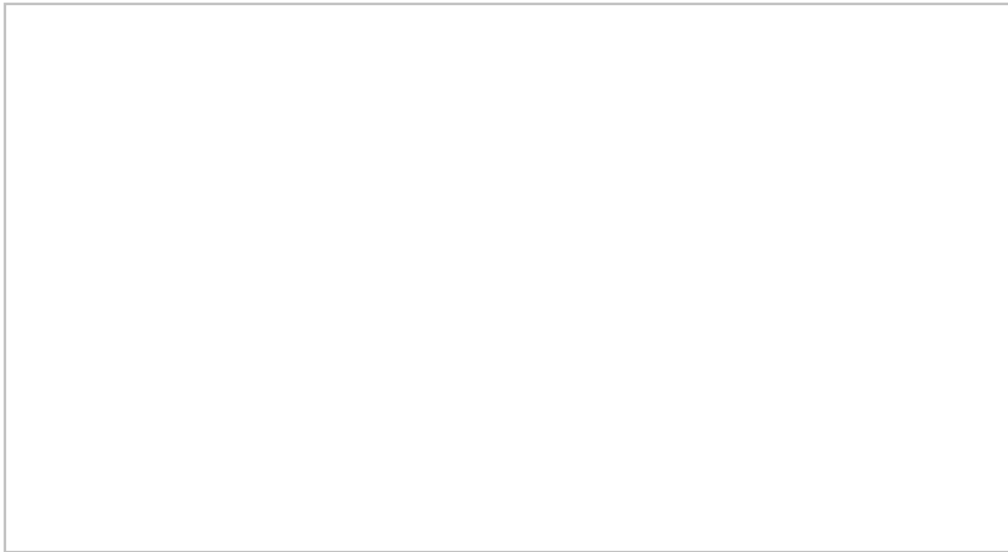
From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, January 11, 2024 4:06 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>

Subject: The issue is still not fixed -- please help..... 2024-01-11 -- do I need to contact the Governor since it has been since early November that this has been an issue?





--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: USDA FNS-Civil Rights Division Program Discrimination Complaint - Fouts -- John R. Fouts -- 2023-12-19
Date: Tuesday, December 19, 2023 1:07:49 PM
Attachments: [image001.png](#)
[image.png](#)
[2023-12-14-FNS-USDA-Mediation-DCBS-JRF-SNAP-CHFS-Case-Rand-Paul-Discrimination-Age-Disability.pdf](#)
[USDA-May-2022-Food-Cost-Chart.pdf](#)
[2023-09-05-Gmail - RE Claim appeal never even responded to by CHFS-Sent-To-Regional.pdf](#)
[2023-08-29-SNAP-September-Approval-Letter-Lee-Ann-Ombudsman.pdf](#)
[2023-08-29-Letter-Lee-Ann-Ombudsman-Sent-Says-Starting-In-OCT-Snap-She-said-it-said-sep-should-be-loaded-09-17.pdf](#)
[2023-07-13-Snap-Amount-Reduced-Because-Receiving-KTAP.pdf](#)
[2023-07-03-SNAP-Recertification-Approval.pdf](#)
[2023-04-04-Civil-Rights-Complaint-Form-EEOC-Frankfort-KY.pdf](#)
[2023-03-31-Proof-From-PA-Able-That-Resources-Not-Countable-As-Assets-In-ABLE-Account.pdf](#)
[2023-03-31-Proof-From-Code-Of-Federal-Regulations-That-ABLE-Accounts-Are-Not-Countable-Assets-For-Public-Benefits-Letter-To-Ombudsman.pdf](#)
[Gmail - Case 1622619 -- Fwd TANF \(KTAP\) SNAP Medicaid - Kentucky Resident with PA Able Account - Please see information below regarding the PA Able Account \(5 3 ABLE Checking Account\) that my child Jack has.pdf](#)
[Treatment of ABLE Accounts in Determining SNAP Eligibility Food and Nutrition Service.pdf](#)
[2023-03-22-SNAP-516-April-Through-October-2023-Letter-From-KYNECT.pdf](#)
[2023-03-01-USDA-Complaint-Filing-SNAP-Overpayment-Dispute.docx](#)
[Snap-516-Thru-Oct-2023.pdf](#)
[SNAP benefits are available to all eligible households regardless of race.docx](#)
[2023-02-11-SNAP-Benefits-516-Per-Mont-Starting-Mid-March.pdf](#)
[2022-11-12-Medical-Expenses-For-SNAP-Review.xlsx](#)
[2023-01-31-SNAP-Medicaid-Child-Dependent-Care-Costs.pdf](#)
[2022-12-7-Budget-JFCS-Jalen.xlsx](#)
[2022-10-20-USDA-Food-Cost-Chart.pdf](#)
[2023-03-01-SNAP-Dispute-Fouts.pdf](#)
[2023-03-01-SNAP-Dispute-Of-Overpayment-Fouts.pdf](#)
[2022-09-26-GlutenSensitivityLetter-Dr-Stocker.pdf](#)
[2023-03-03-Disability-Consultant-Psychiatrist-Fischkoff-Letter-Stating-I-Am-Disabled-Summary-Page-9.pdf](#)
[2020-07-10-Dr-Murphy-ServiceAnimal-Letter.pdf](#)
[2023-10-27-Doctor-Visits-For-Year-2023-Through-October-27-2023.pdf](#)
[2023-09-11-GI-Motility-Clinic-Medicaid-Waiver -09 20 2023 17 25 04.pdf](#)
[Claim appeal never even responded to by CHFS.eml \(1.41 KB\).msg](#)
[I am writing to follow up on a complaint of discrimination that I se....eml \(3.55 KB\).msg](#)
[Following Up on Complaint of Discrimination Sent 2023-03-02 via Cert....eml \(3.13 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(8\).eml \(40.1 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(9\).eml \(29.6 KB\).msg](#)
[Is there any update on the self service portal thing not working for....eml \(1.29 MB\).msg](#)
[Claim appeal never even responded to by CHFS \(10\).eml \(56.0 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(7\).eml \(46.7 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(6\).eml \(23.3 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(3\).eml \(21.4 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(2\).eml \(7.41 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(4\).eml \(225 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(1\).eml \(14.1 KB\).msg](#)
[Claim appeal never even responded to by CHFS \(5\).eml \(268 KB\).msg](#)
[benefit-verification-letter \(3\).pdf](#)
[2023-12-07-UofL-MyHealthNow-Health-Summary-John-R-Fouts-For-Dr-Katyal.pdf](#)
[2023-12-19-Norton-MyChart-Current-Symptoms-Listing.pdf](#)
[2023-12-19-U-Of-L-MyChart-Current-Symptoms-Listing.pdf](#)

Hi Krystal.

I have attached many documents that were part of this -- please take what you need, and feel free to leave the rest - or whatever works to help you process this on your end.

My eyes are very much killing me right now, so I am going to try to close them for an hour or so and see if that helps - sometimes it does - sometimes it doesn't....

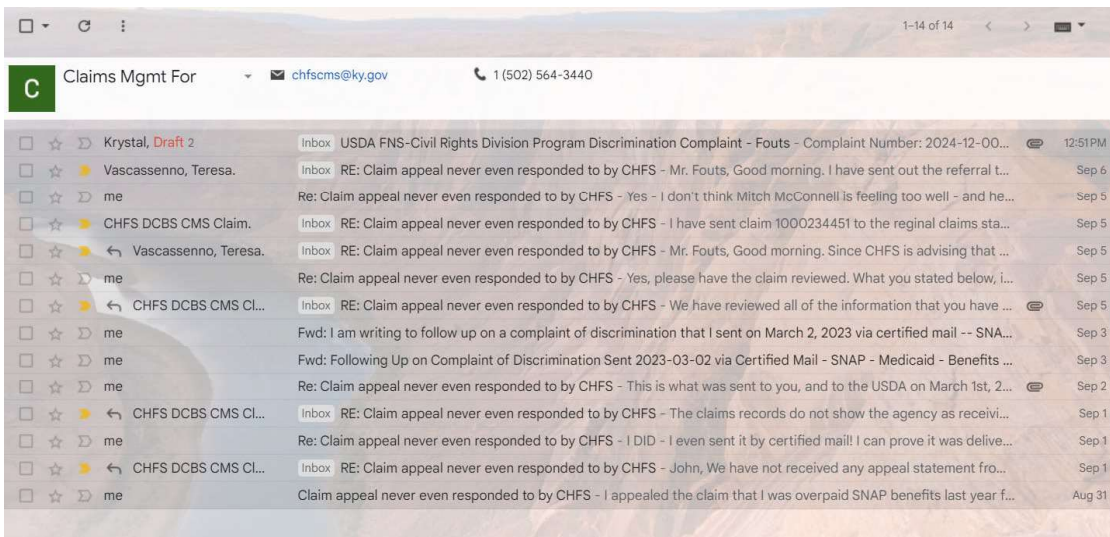
I included the digital correspondence I could find. I do have print correspondence somewhere, but could not find it right now.

I'm 44. I have several disabilities. I have attached my current listing of diagnoses so you can see why I have the disabilities that I have...I also recently became eligible and accepted into the Home and Community Based Services Medicaid Waiver program here in Kentucky.

The medical expenses did not even encompass ALL medical expenses -- but see below as to what was provided previously.

Please confirm receipt, and please have a happy holiday.

John



On Tue, Dec 19, 2023 at 12:25 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Complaint Number: 2024-12-00015258

Complainant: John Fouts

Dear John Fouts:

My name is Krystal Clark, and I am an Equal Opportunity Investigator with USDA, FNS, Civil Rights Division. Our agency processes complaints of discrimination concerning FNS Nutrition Assistance Programs.

I am contacting you regarding the complaint of discrimination you filed with our office

against Kentucky Cabinet for Health and Family Services (CHFS). To continue processing your complaint, I must conduct an interview with you to obtain clarification regarding your allegations, as well as discuss the next steps in the investigation process including the possibility of resolution. Please reply to this email with your availability and the best contact number where I can reach you. I am available on Wednesday, December 20, 2023, at 11:00 AM (EST) to discuss this matter if it works with your schedule. If you have any questions do not hesitate to contact me by email at krystal.clark@usda.gov. I look forward to speaking with you soon.

Respectfully,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: USDA FNS-Civil Rights Division Program Discrimination Complaint - Fouts
Date: Saturday, December 23, 2023 12:00:06 AM
Attachments: [image001.png](#)

I just re-sent it Krystal....it has something like 45 attachments - that could be why...

On Fri, Dec 22, 2023 at 11:05 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

From: Clark, Krystal - FNS
Sent: Tuesday, December 19, 2023 9:25 AM
To: Fouts.john@gmail.com
Subject: USDA FNS-Civil Rights Division Program Discrimination Complaint - Fouts

Complaint Number: 2024-12-00015258

Complainant: John Fouts

Dear John Fouts:

My name is Krystal Clark, and I am an Equal Opportunity Investigator with USDA, FNS, Civil Rights Division. Our agency processes complaints of discrimination concerning FNS Nutrition Assistance Programs.

I am contacting you regarding the complaint of discrimination you filed with our office against Kentucky Cabinet for Health and Family Services (CHFS). To continue processing your complaint, I must conduct an interview with you to obtain clarification regarding your allegations, as well as discuss the next steps in the investigation process including the possibility of resolution. Please reply to this email with your availability and the best contact number where I can reach you. I am available on Wednesday, December 20, 2023, at 11:00 AM (EST) to discuss this matter if it works with your schedule. If you have any questions do not hesitate to contact me by email at krystal.clark@usda.gov. I look forward to speaking with you soon.

Respectfully,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

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--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [CHFS Listens](#)
Subject: Re: Where can I see the specific legal statues for ESAP in Kentucky?/1656877SW
Date: Monday, December 11, 2023 2:58:08 PM
Attachments: [image001.png](#)

I've read through the regulations, and I do not understand why I am not being offered ESAP as a benefit....

What can I do?

On Fri, Dec 8, 2023 at 1:03 PM CHFS Listens <CHFS.Listens@ky.gov> wrote:

Good afternoon John,

Thank you for contacting the Cabinet for Health and Family Services' Office of the Ombudsman. My name is Sara and I have been asked to respond on behalf of the cabinet. The Office of the Ombudsman is an impartial liaison between the public and the Cabinet for Health and Family Services. The Office of the Ombudsman takes complaints and reviews public assistance cases for accuracy. All complaints/reviews are logged into our system for tracking purposes. This office does not have access to take applications, make case changes, or process cases.

The new regulations for the ESAP program can be found in Title 921 | Chapter 003 | Regulation 095REG. You can visit: [KY General Assembly- ESAP](#), for the document pertaining to ESAP. You can also visit <https://www.chfs.ky.gov/agencies/dcbs/dfs/nab/Pages/esap.aspx>.

If you feel we can be of any further assistance, please reply to this e-mail, or call 1-800-372-2973, Monday through Friday, 8:00 a.m. to 4:30 p.m. Eastern Time, with the exception of state observed holidays.

Thank you,

CHFS Listens Team

800-372-2973

502-564-5497

CHFS.Listens@ky.gov



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From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, December 7, 2023 4:11 PM
To: CHFS Listens <CHFS.Listens@ky.gov>
Subject: Where can I see the specific legal statues for ESAP in Kentucky?

Please let me know ASAP.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Why is the waiver ending on 2024.10.25?
Date: Wednesday, April 17, 2024 9:29:22 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Can you answer my question about the waiver though? And about why I still cannot see my child's information? Or are you saying I have to ask DCBS those things?

On Wed, Apr 17, 2024 at 8:07 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Good morning,

Anything to do with financial or insurance, you would need to contact DCBS. I am not able to answer those questions.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, April 15, 2024 10:56 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Re: Why is the waiver ending on 2024.10.25?

Maddison, thank you for clearing that up. So how will I know if I am dual eligible? Where can I find the criteria to know? Apparently, it is looking like SSDI is going to be \$2014 per month for me. That will likely start May 3rd according to SSA but they often have had dates wrong and amounts wrong, so I don't know what will happen in the real world.

Thanks for all the help you have given me over the last year or so....maybe more...

Will I be able to still be on the Medicaid Waiver when I begin to receive SSDI? I previously reported a one time payment of SSI that SSA recently gave me (on April 1st).

Also -- I still need help because I am not able to see my child's information (at all)....and that is not okay...I have been trying since NOVEMBER 2023....that is half of a year!!!! Can you please help???

I am also not able to see any To Dos or Messages in the KyNect system....it is very frustrating -- people just don't respond....and that isn't okay...

On Mon, Apr 15, 2024, 8:15 AM Cline, Maddison (CHFS DMS DCA)
<Maddison.Cline@ky.gov> wrote:

Waiver is approved for 1 year at a time. Closer to October a will complete another assessment, and if criteria is met you will be approved for another year.

Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Friday, April 12, 2024 7:46 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Why is the waiver ending on 2024.10.25?

Maddison,

Can u help me understand why waiver services are being discontinued on 10.25.2024 according to this letter?

I can't have a big gap in health insurance...no gap is acceptable...

Medicare will start for me on 12.01.2024 and I think I may be dual eligible...so what's the deal with this?

Can u help?

John R Fouts

P. 502.956.0052

F. 502.996.8246

E. Fouts.John@gmail.com

||

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Why is the waiver ending on 2024.10.25?
Date: Monday, April 15, 2024 10:56:04 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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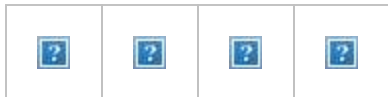
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Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Friday, April 12, 2024 7:46 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Why is the waiver ending on 2024.10.25?

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Can u help me understand why waiver services are being discontinued on 10.25.2024 according to this letter?

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Can u help?

John R Fouts

P. 502.956.0052

F. 502.996.8246

E. Fouts.John@gmail.com

From: [John Fouts](#)
To: [Cline, Maddison \(CHFS DMS DCA\)](#)
Subject: Re: Why is the waiver ending on 2024.10.25?
Date: Wednesday, April 17, 2024 10:01:26 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Yes Kynect is unable to help me be able to see my child's information (since last November (2023))...I have spoken to the IT help desk, the COGs ppl, DCBS a myriad of times, SSA, CHFS, and the Governor's Office twice and still am unable to access my child's information.

Thank you Maddison.

On Wed, Apr 17, 2024 at 9:42 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

The waiver depends on if you still meet the financial qualifications for Medicaid.

Your child's information, is through the KYNECT system 855-459-6328.



Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Wednesday, April 17, 2024 9:29 AM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Re: Why is the waiver ending on 2024.10.25?

Can you answer my question about the waiver though? And about why I still cannot see my child's information? Or are you saying I have to ask DCBS those things?

On Wed, Apr 17, 2024 at 8:07 AM Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov> wrote:

Good morning,

Anything to do with financial or insurance, you would need to contact DCBS. I am not able to answer those questions.



Maddison Cline
Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>
Sent: Monday, April 15, 2024 10:56 PM
To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>
Subject: Re: Why is the waiver ending on 2024.10.25?

Maddison, thank you for clearing that up. So how will I know if I am dual eligible? Where can I find the criteria to know? Apparently, it is looking like SSDI is going to be \$2014 per month for me. That will likely start May 3rd according to SSA but they often have had dates wrong and amounts wrong, so I don't know what will happen in the real world.

Thanks for all the help you have given me over the last year or so....maybe more...

Will I be able to still be on the Medicaid Waiver when I begin to receive SSDI? I previously reported a one time payment of SSI that SSA recently gave me (on April 1st).

Also -- I still need help because I am not able to see my child's information (at all)....and that is not okay...I have been trying since NOVEMBER 2023....that is half of a year!!!!
Can you please help???

I am also not able to see any To Dos or Messages in the KyNect system....it is very frustrating -- people just don't respond....and that isn't okay...

On Mon, Apr 15, 2024, 8:15 AM Cline, Maddison (CHFS DMS DCA)
<Maddison.Cline@ky.gov> wrote:

Waiver is approved for 1 year at a time. Closer to October a will complete another assessment, and if criteria is met you will be approved for another year.

Maddison Cline

Medicare/Medicaid Specialist II
Department for Medicaid Services

Kentucky Cabinet for Health and Family Services
275 E. Main Street 6W-B

Frankfort, Kentucky 40621
(502) 564-7540 x 2091

From: John Fouts <fouts.john@gmail.com>

Sent: Friday, April 12, 2024 7:46 PM

To: Cline, Maddison (CHFS DMS DCA) <Maddison.Cline@ky.gov>

Subject: Why is the waiver ending on 2024.10.25?

Maddison,

Can u help me understand why waiver services are being discontinued on 10.25.2024 according to this letter?

I can't have a big gap in health insurance...no gap is acceptable...

Medicare will start for me on 12.01.2024 and I think I may be dual eligible...so what's the deal with this?

Can u help?

John R Fouts

P. 502.956.0052

F. 502.996.8246

E. Fouts.John@gmail.com

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...
Date: Thursday, April 4, 2024 2:04:45 PM
Attachments: [image001.png](#)
[Gmail - I am so frustrated with this situation - now I got this notice... - notified february 13 - 2023 - of incorrect overpayment claim re snap.pdf](#)
[Gmail - I don't understand why my SNAP benefit was reduced to \\$23.....this is ridiculous...you know - november 2022.pdf](#)
[Gmail - It says snap is approved!!! Now how do I access that benefit - August 4 2022.pdf](#)
[feb 2023 snap overpayment letter - inaccurate-incorrect-wrong.pdf](#)
[August-4-2022-snap-approval.pdf](#)
[Gmail - Need help - sep 22 - I don't know why they reduced snap --.pdf](#)
[Gmail - SNAP Recertification FS-2 - I faxed a few minutes ago - November 2023 - Recertification - again.pdf](#)
[November 10 - 2022 - I don't understand why snap reduced to \\$23.pdf](#)
[Randy-Runner-Agent-Email-I-Dont-Understand-Why-Snap-Reduced-To-23.pdf](#)
[Gmail - Speed Test Now after Restart - Jackie PC.pdf](#)
[october 27 2023 snap reduction.pdf](#)
[rand paul confirmation.pdf](#)
[snap recertification july 2023.pdf](#)
[chfs-snap-discrimination-against-john-r-fouts-february-2-2024-follow-up.pdf](#)
[July 2023 Snap Approval.pdf](#)
[2023-02-11-snap-benefit-approval-states-amount-until-march-stating-mid-year-review-may-be-required-afterward-but-had-reviews-also-in-july-and-also-in-august-and-also-in-march.pdf](#)
[March 1st dispute of overpayment 2023.pdf](#)
[snap reduced again october 2023.pdf](#)
[snap-recertification-approval-July-2023.pdf](#)
[snap-reduced-again-10-2023.pdf](#)
[March 2023 Review.pdf](#)
[Gmail - Re They are discontinuing SNAP for me stating I did not submit the renewal - November 2022 - Notice of discontinuation of snap_email.pdf](#)
[Gmail - Need help - sep 22 - I don't know why they reduced snap --.pdf](#)

On Thu, Apr 4, 2024 at 11:47 AM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

The agency asserts you were not deemed disabled by the MRT.

I was not aware of any differentiation or distinction or even that there are 2 different types until recently -- last couple of months - when CHFS told me about there being two different levels for MRT...

The MRT team or DCBS people just told me I was found disabled by their team, and the woman that took my information could not believe how I had not already been found disabled by SSA etc...

Subpoena the phone call with Heather as noted in the last emails -- you will hear it from them themselves....and yes no last name was given because they do not give out last names nor reference numbers for calls as DCBS policy - which adds additional burden to people receiving benefits.

The agency asserts you were deemed incapacitated by the MRT, which they contend is not considered disabled for the purposes of SNAP medical deductions, nor were you 65 years old or older to qualify for medical deductions under SNAP based on age.

I have been disabled for many years (over 10) - it is only now that the federal SSA recognizes that as of June 30, 2022 (yes almost 2 years ago). Again, I was not even aware of differing levels of MRT findings until CHFS told me 1 to 2 months ago, and no one can provide any written documentation that shows me I am in one of those buckets or the other. The only thing I have to go by is what I was told by DCBS.

I understand you dispute this information. As such, I wanted to provide you with an opportunity to rebut and provide evidence to substantiate your position (If Available).

I believe I have gone far above and beyond what anyone else would need to do (further discrimination against me by USDA) in terms of making a rock solid case that I am being discriminated against.

What is USDA going to say? maybe something like... 'well we know you are disabled by SSA standards, all of your doctors, the MRT team at DCBS, and by every other definition but we consider you not for purposes of SNAP...?'

Do you hear how ridiculous this sounds even reading/writing it?

I would like to know, please, who the actual decision maker is, or who the committee members are, that are arriving at these conclusions.

I would also like for my other question to be answered about how it is fine for non US Citizens to be paid out all kinds of benefits, but people like me that paid into the system for years, and are United States citizens are not hardly able to get benefits, and when we do, often do not get the level of benefits we are supposed to be able to receive.

I am still investigating your case and have not issued a determination in the matter.

As noted before, I appreciate you investigating it - and in my heart, I believe that you can see that the USDA has caused both me and my child damages by not providing benefits we should have had, by reducing snap dollars when they should not have been reduced, and by not considering medical expenses because I am under the age of 65 and disabled, and continues to cause additional damages by refusing to follow or obey the federal code of regulations. That is by definition discrimination on age and disability which violates the US Code of Regulations...sections and subsections provided previously.

I am waiting to determine if the agency is interested in resolution since you recently were approved for SSA disability.

The way you word that....they (the USDA) is violating the federal code of regulations by discriminating against me. You say you are seeing if they are interested in resolution. Just because they are a federal agency does not mean they can violate the law and harm me and my family by doing so.

I would like to know when you initially requested SNAP medical deductions (Date/Point of Contact)? Based on the information I have the timeline of relevant events is as follows:

Well I would like to be able to easily provide that information...however...guess what...I am not able to see documents or to docs or messages in the KyNect system and have not been able to since November for some things to earlier this year for others, so I don't really have an ability to show you that, but the IT people at COGS or KyNect, or DCBS or CHFS or that work with KYMMS or the WorkForce Desk in KY may help you whereas they will not help me. So now I don't even have a way to know when things are due or needed -- I am not able to see it in the system, and mail (only from DCBS and SSA) often does not make it to my mailbox seemingly. It is pretty suspicious.

* June 16, 2022, applied for SNAP Benefits

I don't have this date but it sounds about right - I did not think I had applied until July but June is close enough.

August 16, 2022, approved for SNAP Benefits

Yes - I came across an email that showed that on August 4, 2022 I was asking my agent about how to use the SNAP benefit as I hadn't used it....

Sorry I had the date wrong for Jackie's SSI...Jackie was approved in November of 2023 retroactively for SSI back to May 1, of 2023 NOT 2022....

You have left out a lot of important steps here. Why are they being ignored?

* September 2022 -- snap reduced and I did not know why...see attached...

* October 2022 -- snap reduced to \$23 but I did not know why....see attached email.

* November 2022 -- snap reduced to \$23 and then discontinued...see email attached...

* November 2022 -- Got a notice that SNAP was being discontinued because of a claim that I did not submit renewal - when I did - proved it via fax status success evidence -- it looks like from the email documentation.

So November 2022 had to recertify.....I started SNAP in August of 2022....

February 13, 2023, Claim Adjustment Overpayment letter sent to complainant (Over issued \$1,314 from July 2022- October 2022)

* February 2023 -- had to recertify for SNAP...also got letter about incorrect calculation of overpayment in February 2023....

* On March 1st, 2023, I wrote the letter about the complaint to USDA. And via certified mail, I mailed it on March 2nd, 2023....

* Had to recertify again in March 2023 for SNAP...

* April 2023 -- began receiving KTAP...I had been determined to be DISABLED by the MRT team as of April 2024. I was not even aware of the MRT until sometime near that time period.....

* July 2023 -- had to recertify for SNAP again...see attachments for everything...

***** Look at all the times above I had to recertify...that in and of itself shows further discrimination.....Approved Aug 2022, had to recertify in November 2022, in Feb 2023, in March 2023, in July 2023, etc...

September 20, 2023, Claim Adjustment Overpayment letter sent to complainant (Over issued \$439 from July 2022- August 2022)

* October 2023 amounts of SNAP say they are reduced due to that letter...but this has been an ongoing thing now for a very long time...what 'is' the amount of time that USDA has to resolve claims? I am seeing double and triple right now due to health issues...so it is taking me a long time to type this stuff out....not to mention my joint pain and nerve pain and severe fatigue issues...

* **December 2023 -- I involved Senator Rand Paul's office hoping that he could help me with this ridiculous way I am being discriminated against and my child.**

February 2, 2024, Complainant call with DCBS regarding MRT disability determination (Spoke with Heather, Last Name Unknown)

I had ALREADY BEEN DEEMED AS DISABLED BY THE MRT TEAM LONG BEFORE THIS....THIS CALL WAS TO TRY TO GET A WRITTEN DOCUMENT

FOR YOU -- WHICH DOES NOT EXIST -- THAT IS WHY I CONTINUE TO SUGGEST YOU SUBPOENA THE PHONE CALL. YES HER LAST NAME IS NOT KNOWN - THEY DO NOT GIVE OUT LAST NAMES. THEY ALSO DO NOT GIVE OUT REFERENCE NUMBERS FOR CALLS. THAT IS THEIR POLICY. HEATHER VERBALLY VERIFIED I WAS FOUND DISABLED BY THE MRT TEAM.

March 2024, Complainant approved for SSA disability (Retroactive to June 2022)

We are now in early April 2024.....



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, April 4, 2024 6:58 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...

Krystal,

Please read the things that I send to you.....NO....my child was not found disabled....retroactively....until November or December of 2022 as previously stated....it was at that time that SSA retroactively approved my child for becoming disabled in April or May of 2022. Please read the information I send to you -- I feel that a lot of the information I am sending is completely being ignored....I also previously provided you with the time frame of when I spoke to DCBS and they told me I was considered disabled by the MRT.

John

On Wed, Apr 3, 2024 at 6:48 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good afternoon Mr. Fouts:

When you submitted your June 2022, application for benefits on behalf of you and your child did you report any medical expenses?

Sincerely,



From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, April 2, 2024 6:16 PM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...

You don't often get email from fouts.john@gmail.com. [Learn why this is important](#)

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

I forgot to notate that in the other email.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...
Date: Thursday, April 4, 2024 5:41:05 PM
Attachments: [image001.png](#)

Thanks Krystal.

On Thu, Apr 4, 2024 at 5:24 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good afternoon Mr. Fouts:

Thank you for your response. For your awareness I am an Equal Opportunity Investigator with USDA, FNS, Civil Rights Division. My agency processes complaints of discrimination concerning FNS Nutrition Assistance Programs. On October 25, 2023, your complaint of discrimination was received by our office for investigation. In the complaint you allege you were discriminated against by Kentucky Cabinet for Health and Family Services (CHFS) in the operation of the Supplemental Nutrition Assistance Program (SNAP) based on disability and age. Specifically, we determined the issue of your complaint to be whether Kentucky Cabinet for Health and Family Services (KY CHFS) discriminated against you based on age and disability when they allegedly in September 2023:

- Sent you a claim adjustment letter stating that you were overpaid \$585.00 in SNAP benefits due to a calculation error.
- Did not allow certain medical deductions.

I only have authority to investigate the issued outlined above. As such, I am requesting information from you and CHFS to determine if your claims of discrimination are substantiated. My response to your most recent message is below:

I was not aware of any differentiation or distinction or even that there are 2 different types until recently -- last couple of months - when CHFS told me about there being two different levels for MRT...The MRT team or DCBS people just told me I was found disabled by their team, and the woman that took my information could not believe how I had not already been found disabled by SSA etc...Subpoena the phone call with Heather as noted in the last emails -- you will hear it from them themselves....and yes no last name was given because they do not give out last names nor reference numbers for calls as DCBS policy - which adds additional burden to people receiving benefits. **I will request a copy of case notes/call logs/phone recordings from the CHFS (If Available).**

I have been disabled for many years (over 10) - it is only now that the federal SSA

recognizes that as of June 30, 2022 (yes almost 2 years ago). Again, I was not even aware of differing levels of MRT findings until CHFS told me 1 to 2 months ago, and no one can provide any written documentation that shows me I am in one of those buckets or the other. The only thing I have to go by is what I was told by DCBS. **Thank you for providing this information.**

I believe I have gone far above and beyond what anyone else would need to do (further discrimination against me by USDA) in terms of making a rock-solid case that I am being discriminated against. What is USDA going to say? maybe something like... 'well we know you are disabled by SSA standards, all of your doctors, the MRT team at DCBS, and by every other definition but we consider you not for purposes of SNAP...'? Do you hear how ridiculous this sounds even reading/writing it? I would like to know, please, who the actual decision maker is, or who the committee members are, that are arriving at these conclusions. I would also like for my other question to be answered about how it is fine for non US Citizens to be paid out all kinds of benefits, but people like me that paid into the system for years, and are United States citizens are not hardly able to get benefits, and when we do, often do not get the level of benefits we are supposed to be able to receive. **Your case is still under investigation with USDA FNS Civil Rights Division and no determination has been issued in the matter. I do not have enough information to recommend a decision at this time. As previously mentioned I only have authority to investigate the issued outlined in your complaint of discrimination.**

As noted before, I appreciate you investigating it - and in my heart, I believe that you can see that the USDA has caused both me and my child damages by not providing benefits we should have had, by reducing snap dollars when they should not have been reduced, and by not considering medical expenses because I am under the age of 65 and disabled, and continues to cause additional damages by refusing to follow or obey the federal code of regulations. That is by definition discrimination on age and disability which violates the US Code of Regulations...sections and subsections provided previously. **Your case is still under investigation with USDA FNS Civil Rights Division and no determination has been issued in the matter. I do not have enough information to recommend a decision at this time. You filed a discrimination complaint against CHFS which is being investigated by USDA FNS Civil Rights Division.**

The way you word that....they (the USDA) is violating the federal code of regulations by discriminating against me. You say you are seeing if they are interested in resolution. Just because they are a federal agency does not mean they can violate the law and harm me and my family by doing so. **CHFS is not a federal agency. They are a state agency being investigated by USDA FNS Civil Rights Division (Federal Agency) based on the complaint of discrimination you filed against them. I am waiting for a response from the CHFS to determine if they are interested in resolution. Resolution is optional.**

Well I would like to be able to easily provide that information...however...guess what...I am not able to see documents or to dos or messages in the KyNect system and have not been able to since November for some things to earlier this year for others, so I don't really have an ability to show you that, but the IT people at COGS or KyNect, or DCBS or CHFS or that work with KYMMS or the WorkForce Desk in KY may help you whereas they will not

help me. So now I don't even have a way to know when things are due or needed -- I am not able to see it in the system, and mail (only from DCBS and SSA) often does not make it to my mailbox seemingly. It is pretty suspicious. **Thank you for your response. I will request this information from the agency.**

June 16, 2022, applied for SNAP Benefits - I don't have this date but it sounds about right - I did not think I had applied until July, but June is close enough. **Thank you for providing clarification.**

August 16, 2022, approved for SNAP Benefits - Yes - I came across an email that showed that on August 4, 2022, I was asking my agent about how to use the SNAP benefit as I hadn't used it. **Thank you for providing clarification.**

November 2022/December 2022 child approved for SSA disability (Retroactive to April 2022/May 2022) -**Sorry I had the date wrong for Jackie's SSI...Jackie was approved in November of 2023 retroactively for SSI back to May 1, of 2023 NOT 2022.... Thank you for providing clarification.**

You have left out a lot of important steps here. Why are they being ignored? *
September 2022 -- snap reduced, and I did not know why...see attached...* October 2022 -- snap reduced to \$23 but I did not know why....see attached email. * November 2022 -- snap reduced to \$23 and then discontinued...see email attached...* November 2022 -- Got a notice that SNAP was being discontinued because of a claim that I did not submit renewal - when I did - proved it via fax status success evidence -- it looks like from the email documentation. So, November 2022 had to recertify.....I started SNAP in August of 2022.... **Thank you for providing this information.**

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February 2, 2024, Complainant call with DCBS regarding MRT disability determination (Spoke with Heather, Last Name Unknown) - **I had ALREADY BEEN DEEMED AS DISABLED BY THE MRT TEAM LONG BEFORE THIS....THIS CALL WAS TO TRY TO GET A WRITTEN DOCUMENT FOR YOU -- WHICH DOES NOT EXIST -- THAT IS WHY I CONTINUE TO SUGGEST YOU SUBPOENA THE PHONE CALL. YES HER LAST NAME IS NOT KNOWN - THEY DO NOT GIVE OUT LAST NAMES. THEY ALSO DO NOT GIVE OUT REFERENCE NUMBERS FOR CALLS. THAT IS THEIR POLICY. HEATHER VERBALLY VERIFIED I WAS FOUND DISABLED BY THE MRT TEAM. Thank you for providing this information. I will request a copy of case notes/call logs/phone recordings from the CHFS if they are available.**

From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, April 4, 2024 11:05 AM
To: Clark, Krystal - FNS <krystal.clark@usda.gov>
Subject: Re: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...

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| I am still investigating your case and have not issued a determination in the matter.

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| I am waiting to determine if the agency is interested in resolution since you recently were approved for SSA disability.

The way you word that....they (the USDA) is violating the federal code of regulations by discriminating against me. You say you are seeing if they are interested in resolution. Just because they are a federal agency does not mean they can violate the law and harm me and my family by doing so.

| I would like to know when you initially requested SNAP medical deductions (Date/Point of Contact)? Based on the information I have the timeline of relevant events is as follows:

Well I would like to be able to easily provide that information...however...guess what...I am not able to see documents or to dos or messages in the KyNect system and have not been able to since November for some things to earlier this year for others, so I don't really have an ability to show you that, but the IT people at COGS or KyNect, or DCBS or CHFS or that work with KYMMS or the WorkForce Desk in KY may help you whereas they will not help me. So now I don't even have a way to know when things are due or needed -- I am not able to see it in the system, and mail (only from DCBS and SSA) often does not make it to my mailbox seemingly. It is pretty suspicious.

|

| * June 16, 2022, applied for SNAP Benefits

I don't have this date but it sounds about right - I did not think I had applied until July but June is close enough.

| August 16, 2022, approved for SNAP Benefits

Yes - I came across an email that showed that on August 4, 2022 I was asking my agent about how to use the SNAP benefit as I hadn't used it...

Sorry I had the date wrong for Jackie's SSI...Jackie was approved in November of 2023 retroactively for SSI back to May 1, of 2023 NOT 2022....

You have left out a lot of important steps here. Why are they being ignored?

* September 2022 -- snap reduced and I did not know why...see attached...

* October 2022 -- snap reduced to \$23 but I did not know why....see attached email.

* November 2022 -- snap reduced to \$23 and then discontinued...see email attached...

* November 2022 -- Got a notice that SNAP was being discontinued because of a claim that I did not submit renewal - when I did - proved it via fax status success evidence -- it looks like from the email documentation.

So November 2022 had to recertify.....I started SNAP in August of 2022....

February 13, 2023, Claim Adjustment Overpayment letter sent to complainant (Over issued \$1,314 from July 2022- October 2022)

* February 2023 -- had to recertify for SNAP...also got letter about incorrect calculation of overpayment in February 2023....

* On March 1st, 2023, I wrote the letter about the complaint to USDA. And via certified mail, I mailed it on March 2nd, 2023....

* Had to recertify again in March 2023 for SNAP...

* April 2023 -- began receiving KTAP...I had been determined to be DISABLED by the MRT team as of April 2024. I was not even aware of the MRT until sometime near that time period.....

* July 2023 -- had to recertify for SNAP again...see attachments for everything...

***** Look at all the times above I had to recertify...that in and of itself shows further discrimination.....Approved Aug 2022, had to recertify in November 2022, in Feb 2023, in March 2023, in July 2023, etc...

September 20, 2023, Claim Adjustment Overpayment letter sent to complainant (Over issued \$439 from July 2022- August 2022)

* October 2023 amounts of SNAP say they are reduced due to that letter...but this has been an ongoing thing now for a very long time...what 'is' the amount of time that USDA has to resolve claims? I am seeing double and triple right now due to health issues...so it is taking me a long time to type this stuff out....not to mention my joint pain and nerve pain and severe fatigue issues...

*** December 2023 -- I involved Senator Rand Paul's office hoping that he could help me with this ridiculous way I am being discriminated against and my child.**

February 2, 2024, Complainant call with DCBS regarding MRT disability determination (Spoke with Heather, Last Name Unknown)

I had ALREADY BEEN DEEMED AS DISABLED BY THE MRT TEAM LONG BEFORE THIS....THIS CALL WAS TO TRY TO GET A WRITTEN DOCUMENT FOR YOU -- WHICH DOES NOT EXIST -- THAT IS WHY I CONTINUE TO SUGGEST YOU SUBPOENA THE PHONE CALL. YES HER LAST NAME IS NOT KNOWN - THEY DO NOT GIVE OUT LAST NAMES. THEY ALSO DO NOT GIVE OUT REFERENCE NUMBERS FOR CALLS. THAT IS THEIR POLICY. HEATHER VERBALLY VERIFIED I WAS FOUND DISABLED BY THE MRT TEAM.

March 2024, Complainant approved for SSA disability (Retroactive to June 2022)

We are now in early April 2024.....



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, April 4, 2024 6:58 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...

Krystal,

Please read the things that I send to you.....NO....my child was not found disabled....retroactively....until November or December of 2022 as previously stated....it was at that time that SSA retroactively approved my child for becoming disabled in April or May of 2022. Please read the information I send to you -- I feel that a lot of the information I am sending is completely being ignored....I also previously provided you with the time frame of when I spoke to DCBS and they told me I was considered disabled by the MRT.

John

On Wed, Apr 3, 2024 at 6:48 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good afternoon Mr. Fouts:

When you submitted your June 2022, application for benefits on behalf of you and your child did you report any medical expenses?

Sincerely,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Tuesday, April 2, 2024 6:16 PM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Another point -- my child was found disabled via SSI as of early 2022 also...for different reasons -- and therefore many medical expenses should have been counted related to my child as well...

You don't often get email from fouts.john@gmail.com. [Learn why this is important](#)

[External Email]

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I forgot to notate that in the other email.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024
Date: Thursday, May 23, 2024 5:27:10 PM
Attachments: [image001.png](#)
[image002.png](#)

How do I appeal this ridiculous decision?

On Wed, May 22, 2024 at 10:54 AM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Complainant: John Fouts

Complaint Number: 2024-12-00015258

Good morning Mr. Fouts:

Attached is the Final Agency Decision in reference to this matter. If you have any questions please contact me by email at krystal.clark@usda.gov.

Sincerely,



From: Clark, Krystal - FNS
Sent: Monday, April 29, 2024 10:50 AM
To: John Fouts <fouts.john@gmail.com>
Subject: RE: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

Good morning Mr. Fouts:

Based on the information of record, a claim in the amount of \$439 was established due to an Administrative Error (AE) for income that was not counted/reported correctly (1000243978 AE) on September 20, 2023. This income was received by you from July 1, 2022, through August 31, 2022. Subsequently, on February 13, 2023, another claim in the amount of \$875 was established due to an Inadvertent Household Error (IHE) for income that was not counted/reported correctly (1000234451 IHE). This income was received by you from September

1, 2022, through October 31, 2022, increasing the total you were over issued to \$1,314. As such, 10% of your benefit amount is deducted monthly to recoup over issued payments you received in the past. The amount you owe will fluctuate downward until the balance is paid.

I am currently reviewing all information received from you and CHFS in reference to this complaint so my agency can issue its decision in the matter.

Sincerely,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 8:45 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

Thank you for your response. Just an FYI...KYNECT (DCBS) is showing an amount owed as shown below as of today -- 2024-04-29: You can see it says \$789 below....that does not match the numbers you mention...just want to make sure you have accurate information...

kynect.ky.gov/benefits/s/benefits-page?caseNumber=112868494&isH...
 Personal Dashboard: JOHN FOUTS

Interested in other state programs and resources?

Active & Pending Cases Inactive Cases

Case #112868494 Report a Change

SNAP

JOHN FOUTS, JACK A FOUTS
 Approved

Benefit Period	EBT Card funds loaded on	Allotment	
05/01/2023 - 03/31/2027	04/17/2024	April	May
		\$274	\$13

You owe \$789 for SNAP benefits. [Pay Balance](#)
 If you are unable to pay your claim in full, you may set up a repayment agreement by calling (602)564-3440

[View Eligibility Notice](#)

Child Care Assistance

76°F Windy 11:43 AM 4/29/2024

On Thu, Apr 25, 2024 at 1:30 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

My agency processes complaints of discrimination concerning FNS Nutrition Assistance Programs. On October 25, 2023, your complaint of discrimination was received by our office for investigation. In the complaint you allege you were discriminated against by Kentucky Cabinet for Health and Family Services (CHFS) in the operation of the Supplemental Nutrition Assistance Program (SNAP) based on disability and age. Specifically, we determined the issue of your complaint to be whether CHFS discriminated against you based on age and disability when they: 1) Sent you a claim adjustment letter stating that you were overpaid \$585.00 in SNAP benefits due to a calculation error and 2) Did not allow certain medical deductions.

I am currently reviewing all information received from you and CHFS in reference to this matter. Once the review process is complete a final agency decision will be issued to you and CHFS via email. If you disagree with the decision, you can appeal by following the instructions outlined in the decision letter.

Sincerely,

	Krystal Clark
	Equal Opportunity Specialist/Investigator
	Civil Rights Division
	Food and Nutrition Service
	Phone: (703) 605-0261
	Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, April 25, 2024 9:46 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

How can I contest this? Who oversees this decision? The federal Attorney General?

On Wed, Apr 24, 2024 at 12:19 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

The agency denies discrimination based on age and disability and maintains its position you were over issued benefits due to an Administrative Error (AE) and Inadvertent Household Error (IHE). As such, the agency contends they took appropriate, neutral action to correct the overpayment in benefits issue by recouping the amounts overpaid per federal regulations.

The agency asserts section MS 5410 Members Eligible for Medical Deduction of the SNAP Operations Manual states the agency must, “*Allow for a deduction for medical expenses for any household member who is elderly or disabled as defined in MS 2000.*” However, the agency contends you were not qualified for medical deductions based on age because you were under the age of 60 years old. Nor did not qualify for medical deduction based on disability because you did not meet the definition of disabled at the time of filing. MS 2000, defines “elderly” as, “*An individual age 60 or older*” and “disabled” as *an individual determined eligible for or receives the following benefits: Supplemental Security Income, State Supplementation, Disability Retirement Benefits from a Federal, State, or local governmental agency, Annuity Payments under the Railroad Retirement Act, Veteran Service Based Status, and/or Disability related medical assistance under Title XIX of the Social Security Act including a determination by the Medical Review Team (MRT) that the person is disabled*”. According to the agency you did not meet either of these definitions at the time of filing and did not qualify as a member eligible for medical deductions.

The agency will not grant retroactive medical deductions, cancel collections for overpayments or refund deducted SNAP benefits amounts. However, in light of the recent change you reported in your SSA status the agency will grant deductions for medical expenses assuming you meet the qualification standards and provide the required documentation. As such, please contact Kentucky Cabinet for Health and Family Services (CHFS) Department of Community Based Services (DCBS) office directly at 1-855-306-8959 to report income changes and request deductions for medical expenses.

Sincerely,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Wednesday, April 24, 2024 7:39 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

[External Email]

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I would appreciate it.

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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John R. Fouts, MBA

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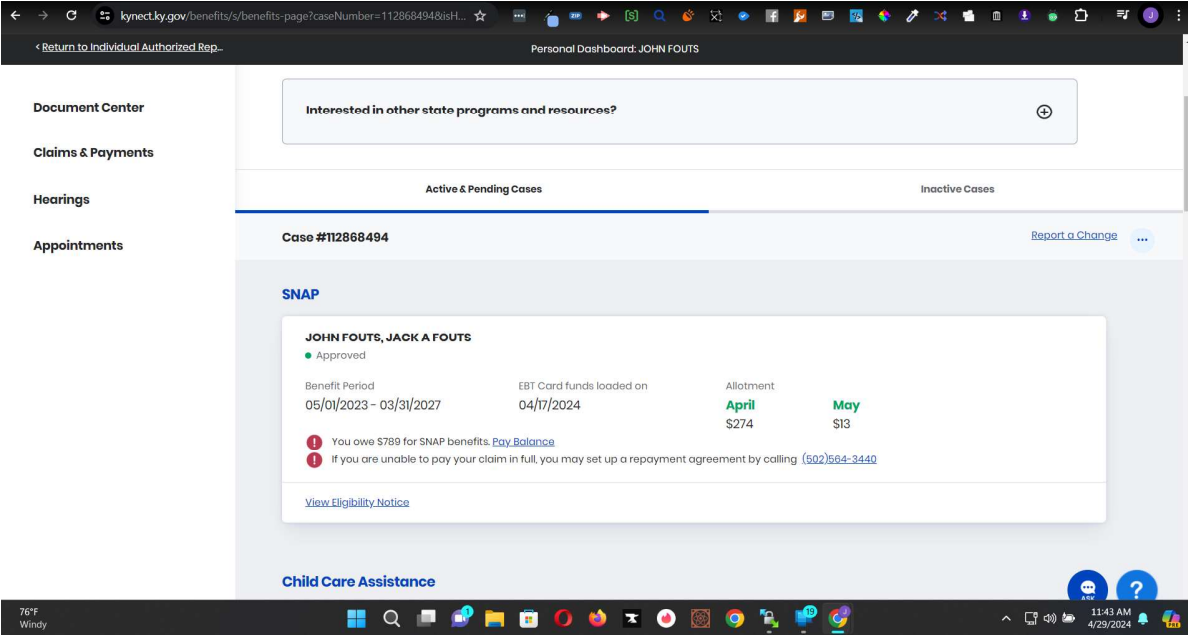
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John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email] Can you please give me a status update on my case? Today is April 24, 2024
Date: Monday, April 29, 2024 11:45:29 AM
Attachments: [image001.png](#)
[image.png](#)

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Sincerely,



Krystal Clark
Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, April 25, 2024 9:46 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

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Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

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To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

[External Email]

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I would appreciate it.

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"Shining" in Service,

John R. Fouts, MBA

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024
Date: Thursday, April 25, 2024 12:47:02 PM
Attachments: [image001.png](#)

I'm not okay with federal agencies violating federal law in the Code of Federal Regulations. The discrimination is clear and evident.

On Wed, Apr 24, 2024 at 12:19 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

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Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Wednesday, April 24, 2024 7:39 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

[External Email]

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"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024
Date: Thursday, April 25, 2024 12:46:12 PM
Attachments: [image001.png](#)

How can I contest this? Who oversees this decision? The federal Attorney General?

On Wed, Apr 24, 2024 at 12:19 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

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Equal Opportunity Specialist/Investigator

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Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024
Date: Thursday, May 23, 2024 5:27:46 PM
Attachments: [image001.png](#)
[image002.png](#)

And how can I contact Secretary Vilsack directly?

On Wed, May 22, 2024 at 10:54 AM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Complainant: John Fouts

Complaint Number: 2024-12-00015258

Good morning Mr. Fouts:

Attached is the Final Agency Decision in reference to this matter. If you have any questions please contact me by email at krystal.clark@usda.gov.

Sincerely,



From: Clark, Krystal - FNS
Sent: Monday, April 29, 2024 10:50 AM
To: John Fouts <fouts.john@gmail.com>
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Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Monday, April 29, 2024 8:45 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

Thank you for your response. Just an FYI...KYNECT (DCBS) is showing an amount owed as shown below as of today -- 2024-04-29: You can see it says \$789 below....that does not match the numbers you mention...just want to make sure you have accurate information...

kynect.ky.gov/benefits/s/benefits-page?caseNumber=112868494&isH...
 Personal Dashboard: JOHN FOUTS

Interested in other state programs and resources?

Active & Pending Cases Inactive Cases

Case #112868494 Report a Change

SNAP

JOHN FOUTS, JACK A FOUTS
 Approved

Benefit Period	EBT Card funds loaded on	Allotment	
05/01/2023 - 03/31/2027	04/17/2024	April	May
		\$274	\$13

! You owe \$789 for SNAP benefits. [Pay Balance](#)

! If you are unable to pay your claim in full, you may set up a repayment agreement by calling (602)694-3440

[View Eligibility Notice](#)

Child Care Assistance

76°F Windy 11:43 AM 4/29/2024

On Thu, Apr 25, 2024 at 1:30 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

My agency processes complaints of discrimination concerning FNS Nutrition Assistance Programs. On October 25, 2023, your complaint of discrimination was received by our office for investigation. In the complaint you allege you were discriminated against by Kentucky Cabinet for Health and Family Services (CHFS) in the operation of the Supplemental Nutrition Assistance Program (SNAP) based on disability and age. Specifically, we determined the issue of your complaint to be whether CHFS discriminated against you based on age and disability when they: 1) Sent you a claim adjustment letter stating that you were overpaid \$585.00 in SNAP benefits due to a calculation error and 2) Did not allow certain medical deductions.

I am currently reviewing all information received from you and CHFS in reference to this matter. Once the review process is complete a final agency decision will be issued to you and CHFS via email. If you disagree with the decision, you can appeal by following the instructions outlined in the decision letter.

Sincerely,

	Krystal Clark
	Equal Opportunity Specialist/Investigator
	Civil Rights Division
	Food and Nutrition Service
	Phone: (703) 605-0261
	Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Thursday, April 25, 2024 9:46 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: Re: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

How can I contest this? Who oversees this decision? The federal Attorney General?

On Wed, Apr 24, 2024 at 12:19 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

The agency denies discrimination based on age and disability and maintains its position you were over issued benefits due to an Administrative Error (AE) and Inadvertent Household Error (IHE). As such, the agency contends they took appropriate, neutral action to correct the overpayment in benefits issue by recouping the amounts overpaid per federal regulations.

The agency asserts section MS 5410 Members Eligible for Medical Deduction of the SNAP Operations Manual states the agency must, “*Allow for a deduction for medical expenses for any household member who is elderly or disabled as defined in MS 2000.*” However, the agency contends you were not qualified for medical deductions based on age because you were under the age of 60 years old. Nor did not qualify for medical deduction based on disability because you did not meet the definition of disabled at the time of filing. MS 2000, defines “elderly” as, “*An individual age 60 or older*” and “disabled” as *an individual determined eligible for or receives the following benefits: Supplemental Security Income, State Supplementation, Disability Retirement Benefits from a Federal, State, or local governmental agency, Annuity Payments under the Railroad Retirement Act, Veteran Service Based Status, and/or Disability related medical assistance under Title XIX of the Social Security Act including a determination by the Medical Review Team (MRT) that the person is disabled*”. According to the agency you did not meet either of these definitions at the time of filing and did not qualify as a member eligible for medical deductions.

The agency will not grant retroactive medical deductions, cancel collections for overpayments or refund deducted SNAP benefits amounts. However, in light of the recent change you reported in your SSA status the agency will grant deductions for medical expenses assuming you meet the qualification standards and provide the required documentation. As such, please contact Kentucky Cabinet for Health and Family Services (CHFS) Department of Community Based Services (DCBS) office directly at 1-855-306-8959 to report income changes and request deductions for medical expenses.

Sincerely,



Krystal Clark

Equal Opportunity Specialist/Investigator

Civil Rights Division

Food and Nutrition Service

Phone: (703) 605-0261

Email: krystal.clark@usda.gov

From: John Fouts <fouts.john@gmail.com>

Sent: Wednesday, April 24, 2024 7:39 AM

To: Clark, Krystal - FNS <krystal.clark@usda.gov>

Subject: [External Email]Can you please give me a status update on my case? Today is April 24, 2024

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

I would appreciate it.

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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John R. Fouts, MBA

Fax. 502.996.8246

From: [John Fouts](#)
To: [Clark, Krystal - FNS](#)
Subject: Re: [External Email]Check on status of case....it has been longer than 30 days....I believe....who is above this level that I can talk to about this issue? The Office of the President?
Date: Tuesday, January 30, 2024 8:34:55 PM
Attachments: [image001.png](#)
[image002.png](#)

Krystal,

I have two doctor appointments in Lexington tomorrow. One is in the morning, one in the afternoon. I will be en route from around 9 am until 11 am - then at the first appointment from around 11:15 to 12:30 - maybe slightly longer. Then lunch. Then next appointment at 1:30 or 2:00 and that one should be about an hour too....then will be en route back....it takes about 2 hours to get to Lexington one way....You can try to reach me 9:30 to 10:30 ish or maybe 3:30 to 4:00 ish? I will answer if I can. See....the mileage to get to and from Lexington should be another considered medical expense.....but CHFS is violating the law by not considering it....and instead...choosing to discriminate against me because I am under 65 and disabled. I have no doubt that in a court of law, I would win 100%. I want the money that I paid back that I did not owe, and did not agree to being collected, to be returned to me. I want a letter of apology, and I want all medical expenses to be considered for each month retroactively and going forward. That is what the law says to do. That is the law that CHFS is in direct violation of.

On Tue, Jan 30, 2024 at 5:31 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good afternoon Mr. Fouts:

Thank you for your response. Are you able to speak with me today? If not, I can give you a call tomorrow afternoon. Let me know if you are available.

Respectfully,



From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 1:42 PM
To: Clark, Krystal - FNS <krystal.clark@usda.gov>
Subject: Re: [External Email]Check on status of case....it has been longer than 30 days....I believe....who is above this level that I can talk to about this issue? The Office of the President?

You don't often get email from fouts.john@gmail.com. [Learn why this is important](#)

Krystal,

Yes the medical review team determined I was disabled.....the MRT team....at DCBS.....they made the decision based on me sending them dozens if not hundreds of pages of medical records that they needed in order to make the review/determination.

If I am able to find counsel, to represent me, I will absolutely have them inform you.

The agency is tied to SSA directly. I have not received the favorable decision letter yet - it takes 30 to 120 days to get that from a judge once a decision is made right now. My trial was on January 9th of 2024. I was told, as when my child was deemed disabled and began receiving SSI, that there is no need to report that change to DCBS as the are automatically made aware via their connection with SSA. I was told that by DCBS. My date of disability onset is June 30, 2022.

I'm sorry I could not take your call when you rang, but I am dealing with a situation where a gas gift card that we were given by my child's school had a large amount of money stolen from it so I had to find the process to get a specialist involved, make a police report - or if I should wait until more info from Speedway can be garnered, etc....

John

On Tue, Jan 30, 2024 at 4:14 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good afternoon Mr. Fouts:

Thank you for your response. You have the option to retain a legal representative at any point of this process. If you do so, please provide me with a letter of representation from your designated representative and I will work with you both moving forward.

It appears you were issued two SNAP benefit adjustment letters based on overpayments issued to you by the agency. Based on the information I received the first letter was sent to you on September 20, 2023, for overpayment in the amount of \$ 585 for the period of 7/1/2022 to 8/31/2022. The second letter was sent to you on February 13, 2023, for overpayment totaling \$ 1314 for the period of 7/1/2022 to 10/31/2022. I am assuming you now owe \$ 855 due to deductions from your benefits by the agency to recover overpayments. The Agency asserts it established the claims, issued notices, and recouped an apportioned amount of the overpayments, as allowable and appropriate under state and federal law in reference to your case. Please provide any additional information you may have to support your position regarding this issue at your earliest convenience.

The agency asserts the SNAP Operations Manual defines Members Eligible for Medical Deduction in MS 5410. MS 5410, in relevant part, states, "Allow for a deduction for medical expenses for any household member who

is elderly or disabled as defined in MS 2000.” MS 000, defines “disabled” as an individual determined eligible for or receives the following benefits, Supplemental Security Income, State Supplementation, Disability Retirement Benefits from a Federal, State, or local governmental agency, Annuity Payments under the Railroad Retirement Act, Veteran Service Based Status, and/or Disability related medical assistance under Title XIX of the Social Security Act including a determination by the Medical Review Team (MRT) that the person is disabled. The agency contends a KTAP incapacity determination is not evidence of a disability. Are you claiming you received a MRT Disability determination? Please clarify how the agency was made aware of your disability. Is the agency aware you were recently approved for SSA? What date were you approved?

Thank You,



From: John Fouts <fouts.john@gmail.com>
Sent: Tuesday, January 30, 2024 11:49 AM
To: Clark, Krystal - FNS <krystal.clark@usda.gov>
Subject: Re: [External Email]Check on status of case....it has been longer than 30 days....I believe....who is above this level that I can talk to about this issue? The Office of the President?

You don't often get email from fouts.john@gmail.com. [Learn why this is important](#)

Krystal,

I tried to call you but the phone number asks for an extension for which you do not list one.

Yes - I wish to make a rebuttal. Clearly.....the people at CHFS cannot even read or interpret the rules that they themselves cite.....

I have highlighted below the applicable....for the rebuttal.... I also wish to ask you how I can retain legal counsel to continue to pursue the matter.

See below....

On Fri, Jan

26, 2024 at 12:47 PM Clark, Krystal - FNS <krystal.clark@usda.gov> wrote:

Good morning Mr. Fouts:

I received the agency's response to your complaint on January 18, 2024. I had an opportunity to review the response and summarized it below for your convenience.

In your complaint you claim Kentucky Cabinet for Health and Family Services (KY CHFS), discriminated against you based on age and disability when they in September 2023: 1. sent you a claim adjustment letter stating that you were overpaid \$585.00 in SNAP benefits due to a calculation error and 2. did not allow certain medical deductions. KY CHFS denies any discriminatory action based on age and disability and provided the following response to your claims:

With regard to point 1 above....if they are saying I was overpaid by \$585....why does the system say I owe \$855???? That is hundreds of dollars more. I do not agree that I owe ANYTHING. In fact, THEY OWE ME - and I CAN PROVE IT LEGALLY.

The screenshot shows a web browser window displaying the 'Personal Dashboard: JOHN R FOUTS'. The page is titled 'Active & Pending Cases' and shows a case for 'SNAP' for 'JOHN R FOUTS, JACK FOUTS'. The status is 'Approved'. The benefit period is '05/01/2023 - 03/31/2024'. The EBT Card funds loaded on is '01/17/2024'. The allotment for January is \$242 and for February is \$242. A red warning icon indicates 'You owe \$855 for SNAP benefits. Pay Balance'. Below this, another red warning icon states 'If you are unable to pay your claim in full, you may set up a repayment agreement by calling (502)564-3440'. There is a link to 'View Eligibility Notice'. The dashboard also shows sections for 'Child Care Assistance' and 'Give Feedback'.

With regard to point 2...yes - they continue to discriminate against me based on age and disability.

(1) The Agency applied a claim adjustment in the amount of \$585.00 to your case due to SNAP benefits overpayments issued to you for income that was not counted or was reported incorrectly for the months of July 2022 to August 2022. The Agency complied with its statutes and regulations regarding claim identification, claim adjustments, and claim processing in reducing your benefits due to overpayment, as defined in 921 KAR Chapter 3. 921 KAR 3:050. The Agency contends they did not discriminate against you based on age or disability in the administration of SNAP.

The above highlighted in red is exactly what proves that THEY DID DISCRIMINATE AGAINST ME, AND THEY continue to do so each and every month.

Most recently, my SNAP benefits were reduced to \$242 per month with no explanation -- I still have not received any letter about why.....

(2) To qualify for a monthly standard medical deduction or verified actual medical expenses the household member must meet the definition of being elderly or **having a disability, as defined in 9210 KAR 3:010, Section 1(9) or (11)**. The Agency, through its action, followed the SNAP Operations Manual that complies with the terms of the governing regulations and statutes. The SNAP operations Manuel defines “disabled” as an individual determined eligible for or receives the following benefits: Supplemental Security Income, State Supplementation, Disability Retirement Benefits from a Federal, State, or local governmental agency, Annuity Payments under the Railroad Retirement Act, Veteran Service Based Status, and/or Disability related medical assistance under Title XIX of the Social Security Act **including a determination by the Medical Review Team (MRT) that the person is disabled**. The SNAP operations Manuel defines elderly as, “An individual age 60 or older.” The Agency contends you did not meet either of these definitions and as such, did not qualify as a member eligible for medical deductions.

If you wish to submit a rebuttal to support your claims please forward it to me by February 8, 2024. Any additional information submitted will be taken into consideration before issuing a decision in this matter. If you have any questions or concerns do not hesitate to contact me by email at krystal.clark@usda.gov.

I meet the definition of having a disability as defined in 9210 KAR 3:010 Section 1(9) or (11). The agency apparently does not understand the language in the law because it very clearly states that "including a determination by the Medical Review Team that the person is disabled..."

The MRT at DCBS / branch of CHFS -- determined me to be disabled.....so I meet the definition of the statute.....which means they continue to discriminate against me. I have not submitted monthly expenses for medical because they refuse to consider them even though they are legally required to do so or they are discriminating based on age and disability.....

Also, I recently had my administrative trial by judge for federal SSA, and was granted a favorable decision with back pay dating to June 30, 2022....meaning I was also federally qualified as disabled thus furthering and reinforcing other parts of the statute when I had already met qualifying criteria for the medical expenses to be considered based on the MRT decision alone!

I have responded in red. What are my legal options? How do I find counsel to pursue litigation at this time?

Respectfully,



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Civil Rights Division
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Phone: (703) 605-0261
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From: John Fouts <fouts.john@gmail.com>
Sent: Thursday, January 25, 2024 5:36 PM
To: Clark, Krystal - FNS <krystal.clark@usda.gov>
Subject: [External Email]Check on status of case....it has been longer than 30 days....I believe....who is above this level that I can talk to about this issue? The Office of the President?

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[External Email]

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Krystal,

I know you are just a messenger in between me and the powers that be... Please provide me with a status update. It is not fair for an agency to set rules that they must respond within a certain time frame and then just bend the rules if they don't want to get back in that amount of time....you know what I mean?

Also - I have had medical expenses for each and every month that are not considered by SNAP/Medicaid/USDA/FNS etc.... we are talking about a lot of money over a year's period of time....a simple solid example of one is the mileage reimbursement that is supposedly covered as a reimbursable medical expense....I am waiting to get a response from this office before I submit the other expenses for the rest of the year....and if I continue to be unable to gain a response -- I will be contacting the next highest level -- what 'is' the next highest level that I can communicate with?

John

--

"Shining" in Service,

John R. Fouts, MBA

Fax. 502.996.8246

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Fax. 502.996.8246

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Subject: Re: [External Email]Check on status of case....it has been longer than 30 days....I believe....who is above this level that I can talk to about this issue? The Office of the President?
Date: Tuesday, January 30, 2024 4:42:26 PM
Attachments: [image001.png](#)
[image002.png](#)

Krystal,

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	Krystal Clark Equal Opportunity Specialist/Investigator Civil Rights Division Food and Nutrition Service Phone: (703) 605-0261 Email: krystal.clark@usda.gov
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Personal Dashboard: JOHN R FOUTS

Interested in other state programs and resources:

Active & Pending Cases

Inactive Cases

Case #112868494 [Report a Change](#) ...

SNAP

JOHN R FOUTS, JACK FOUTS

Approved

Benefit Period: 05/01/2023 - 03/31/2024

EBT Card funds loaded on: 01/17/2024

Allotment: January \$242, February \$242

! You owe \$855 for SNAP benefits. [Pay Balance](#)

! If you are unable to pay your claim in full, you may set up a repayment agreement by calling (502)564-3440

[View Eligibility Notice](#)

Child Care Assistance

44°F Light rain 2:41 PM 1/20/2024

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John

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"Shining" in Service,

John R. Fouts, MBA

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