



STATE OF MICHIGAN  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

RICK SNYDER  
GOVERNOR

NICK LYON  
DIRECTOR

November 12, 2015

Richard J. Manasseri  
150 Foxboro Dr.  
Rochester Hills, MI 48309

RE: Freedom of Information Act Request

Dear Richard Manasseri:

On November 1, 2015, the Michigan Department of Health and Human Services (DHHS) received your October 31, 2015, Freedom of Information Act (FOIA) request via electronic mail. According to 5(1) of the FOIA, “[a] written request made by facsimile transmission, electronic mail, or other electronic transmission is not received by a public body’s FOIA Coordinator until 1 business day after the electronic transmission is made.” Section 5(2) of the Act provides that the public body shall respond to a request “within 5 business days after the public body receives the request.” Your request is as follows:

“I am requesting to obtain a copy of the annual plans or abstracts pertaining to refugee resettlement/refugee assistance in Michigan submitted to the Michigan Department of Health and Human Services by community agencies for the FY 2016. The records being sought indicate the number of refugees Michigan will take during the FY 2016 through the Refugee Resettlement program, the origin of the refugees, and the destination city (city or town in Michigan) where the refugees are being place.”

The DHHS notified you in its November 2, 2015, letter that the DHHS was extending its five-business day response deadline by an additional ten-business days. This extension for the DHHS’ response was necessary because the DHHS needed additional time to locate and retrieve the records that may be responsive to your FOIA request.

Your request for public records has been granted in part and denied in part and is subject to the conditions and procedures of the Michigan FOIA. This Act permits that a fee may be charged for the cost of locating, reviewing, and duplicating the public records you have requested. However, the DHHS will not charge a fee for this request. This fee waiver is limited to this request only.

### **Records We Are Releasing**

- Battle Creek – LIRS Affiliate Abstract.
- Clinton Township – USCCB Affiliate Abstract.
- Dearborn – USCRI Affiliate Abstract.
- FY15 Arrival Composite.
- Grand Rapids – CWS Affiliate Abstract.
- Grand Rapids – EMM Affiliate Abstract.
- HIAS Affiliate – Jewish Family Services Abstract.
- Lansing – USCCB Affiliate Abstract.
- MI – Grand Rapids – LIRA Affiliate Abstract.
- Refugee Monthly Arrivals.
- Troy – EMM Affiliate Abstract.
- Troy – I LIRS Affiliate Abstract.

### **Records We Are Not Releasing**

- Under MCL 15.243, section 13(1)(d) of the FOIA, a public body may exempt from disclosure as a public record under this act records that are specifically described and exempted from disclosure by statute.

The Michigan Social Welfare Act, 1939 PA 280, as amended, MCL 400.64(1), specifies which individuals and organizations may receive copies of DHHS client records. The DHHS cannot release DHHS client records to you without one of the following:

- Documentation that you represent the DHHS client in this matter and are authorized to request a copy of his/her records; or
  - The written permission of the DHHS client which authorizes the DHHS to release a copy of his/her records to you; or
  - A subpoena/court order signed by a Michigan judge ordering the DHHS to release a copy of the DHHS client's records to you.
- Personal information pertaining to refugees has been redacted from the documents provided. Under MCL 15.243, Section 13(1)(a) of the FOIA, a public body may exempt from disclosure as a public record under this act:

Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.

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### Appeal Rights

Section 10 of the FOIA provides that if the DHHS makes a final determination to deny a request, or a portion thereof, the requesting person may do one of the following at his or her option:

- a) Submit to DHHS Legal at the Capitol View Building, 7<sup>th</sup> Floor, 201 Townsend Street, Lansing, MI 48913 with a written appeal that specifically states the word "appeal" and identifies the reason or reasons to support a reversal of the denial. The DHHS Director, or designee, must respond to your appeal within 10 days of its receipt. Under unusual circumstances, the time for response to your appeal may be extended by 10 business days.
- b) File an action in the appropriate court within 180 days after the date of the final determination to deny or partially deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, disbursements and possible damages.

Please note, the Department's FOIA policy and procedure and the Department's FOIA Summary can be reviewed at <http://www.michigan.gov/mdhhs/0,5885,7-339-72666-357860--,00.html>.

Sincerely,



Denise Clemens, Assistant FOIA Coordinator  
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Michigan Department of Health and Human Services  
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Lansing, MI 48909  
517-287-9704