OFFICE OF CIVIL RIGHTS AND ADJUDICATION
WASHINGTON, D.C. 20460

October 27, 2026

Tony Reed, Hospital Administrator
c/o Kathi Kilpatrick, Attorney Supervisor
c/o Kibbe Myers, Quality Improvement Director
Florida State Hospital 100 N Main Street
Chattahoochee, FL 32324
via email: Tony.Reed@myflfamilies.com
Kathi.Kilpatrick@myflfamiles.com
Kibbe.Myers@myflfamilies.com

RE: Rejection and Referral of EPA Complaint No. 42-26-R4

Dear Hospital Administrator Reed:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint against Florida State Hospital (FSH). Complainant alleges FSH failed to provide adequate medical care following an incident on Jully 7, 2026. Additionally, Complainant describes a series of systemic patient rights violations and medical misconduct by FSH staff, including but not limited to unsanitary and unhealthy living conditions. Complainant cites Section 504 of the Rehabilitation Act of 1973.

This letter serves to notify you that ECRD is rejecting the complaint for investigation and referring it to the U.S. Department of Health and Human Services (HHS).

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary jurisdictional review of administrative complaints to determine whether to accept, reject, or refer it to an appropriate federal agency. *See* 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulation.

First, the complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. §§ 7.120(b)(1) and 7.100. Examples include acts based on a protected class (race, color, national origin, sex, age, or disability); retaliation against or intimidation of

an individual with the purpose of interfering with any right or privilege guaranteed by Federal civil rights laws; or failure to comply with agency compliance procedures within 40 C.F.R. Parts 5 and 7.

Fourth, a complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2).

After careful consideration, ECRD is rejecting this complaint because FSH is not a recipient of EPA financial assistance.

However, pursuant to EPA's nondiscrimination regulation at 40 C.F.R. § 7.120(d), and due to the subject matter of the allegations, ECRD is referring the complaint to HHS. ECRD is closing the complaint as of the date of this letter.

Below is HHS' contact information should you wish to follow up with HHS on this referral:

Centralized Case Management Operations
U.S. Department of Health and Human Services
200 Independence Avenue, S.W., Room 509F, HHH Building
Washington, D.C. 20201
OCRComplaint@hhs.gov

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that believes a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions about this decision, please contact Case Manager Rebecca Gillman by email at Gillman.Rebecca@epa.gov or by phone at (202) 564-7969.

Sincerely,

JuanCarlos Hunt

JuanCarlos M. Hunt, Director
U.S. EPA, Office of Civil Rights and Adjudication

cc: Jeaneanne Gettle, Deputy Regional Administrator/Deputy Civil Rights Official
Suzanne Rubini, Regional Counsel
U.S. EPA, Region 4