



June 12, 2020

SENT VIA EMAIL: arielle.zionts@rapidcityjournal.com

Arielle Zionts
Rapid City Journal
507 Main Street
Rapid City, SD 57701

Re: Final Determination Letter FOIA Case 20-065

Dear Arielle Zionts:

I am responding to your request dated February 25, 2020, received in the Division of Regulatory and Policy Coordination (DRPC) of the Indian Health Service (IHS). You requested: all reports/documents (records) produced by Integritas Creative Solutions (Integritas) for the Indian Health Service (IHS) as part of procurement number 75H70419P00042.

IHS' subject matter expert has informed DRPC that this is a privileged and confidential medical quality assurance record under 25 U.S.C. § 1675. Medical quality assurance records include reports, such as the subject of your request, which are produced or compiled by or for IHS as part of a medical quality assurance program. Such records are exempt from the FOIA and may not be made available to any person under 5 U.S.C. § 552. See 25 U.S.C. § 1675(g).

In accordance with the agency's determination, the entire report(s) is privileged and confidential under 25 U.S.C. § 1675, and is also being withheld in full pursuant to Exemption 3 of the FOIA, 5 U.S.C. § 552(b), which pertains to information exempted from release by statute. Based on the foregoing, your FOIA request is being denied.

As this request constitutes a denial of your request for agency records. I am providing you your appeal rights. By filing an appeal, you preserve your rights under the FOIA and give the agency a chance to review and reconsider your request and the agency's decision.

Your appeal must be mailed within 90 days from the date of receipt of this letter, to:

Ms. Catherine Teti
Deputy Agency Chief FOIA Officer
U.S. Department of Health and Human Services
Office of the Assistant Secretary for Public Affairs
Room 729H
200 Independence Avenue, S.W.
Washington, DC 20201

Please clearly mark both the envelope and your letter "Freedom of Information Act Appeal."

If you dispute this response you may contact the HHS FOIA Public Liaison to discuss your request at:

HHS FOIA Public Liaison
U.S. Department of Health and Human Services
Office of the Assistant Secretary for Public Affairs
Room 729H
200 Independence Avenue, S.W.
Washington, DC 20201
Telephone: (202) 260-0793
E-mail: HHS_FOIA_Public_Liaison@hhs.gov

You may also wish to contact the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, which offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
Telephone: 202-741-5770
Toll-Free: 1-877-684-6448
E-mail: ogis@nara.gov
Fax: 202-741-5769

If you have any questions or need further assistance, please contact Ruthanne Murray at (301) 443-4028.

Sincerely,

Evonne Bennett
Acting FOIA Officer, Acting Director of Regulatory and Policy Coordination

CC: 20-065 File