

David Schied
P.O. Box 321
Spearfish, SD 57783
605-580-5121 (all calls recorded)

1/9/22 (finished 2/6/22)

“Reasonable Accommodations,” as defined by the Federal ADA are expected as they pertain to the need for “extra time” and administrative assistance in a “totally and permanently disabled quad-amputee” to complete documents mandated by the STATE.

Attn: **Governor Kristi Noem**, c/o **Ryan Brunner** and the “GOVERNOR’S POLICY ADVISING TEAM”
SECRETARIES of the DEPARTMENTS OF:

Kim Malsam-Rysdon – HEALTH (DOH) - Kim.Malsam-Rysdon@state.sd.us

Shawnie Rechtenbaugh – HEALTH & HUMAN SERVICES (DHS) –
shawnie.rechtenbaugh@state.sd.us

Laurie Gill – SOCIAL SERVICES (DSS) – DSSInfo@state.sd.us

Linda Williams – WESTERN RESOURCES FOR INDEPENDENT LIVING (WRIL.org)
linda@wril.org and ALL BOARD Members (c/o Ex. Dir. Codi Erikson)

Codi Erikson – (WRIL Exec. Dir.) – financemanager@wril.org

Angie Reichert – DSS “Functionary”

Mary Rea – mary.rea@state.sd.us

Leslie Lowe – leslie.lowe@state.sd.us

Rogine Page – rogine.page@state.sd.us

Laura (Nord) Charter – laura.charter@state.sd.us ; laura.nord@state.sd.us

Sharon Maher – Sharon.Maher@state.sd.us

Nancy Giovanetti – nancy.giovanetti@state.sd.us

Jennifer Lewis – jennifer.lewis@state.sd.us

Val Clauser – val.clauser@state.sd.us

John Osburn – ADMINISTRATOR, SOUTH DAKOTA DEPT. OF HEALTH, OFFICE
OF HEALTH PROTECTION – john.osburn@state.sd.us

Jenna Howell – STATE attorney & BAR Member – jenna.howell@state.sd.us

Jeremy Lippert – STATE attorney & BAR Member – jeremy.lippert@state.sd.us

This document includes
OPEN RECORDS REQUESTS

for documents under the laws
of government transparency.

RE: **Deceptive Patterns and Practices of Persistent DENIALS** of: 1) STATE MEDICAID (a.k.a. “Medical Assistance”); 2) Untimely, Improper and ILLEGAL ANSWERS to OPEN RECORDS REQUESTS (Demands for Government TRANSPARENCY); 3) Honest Government Services;

RE: **Report of even more CRIMINAL FRAUD by DSS “supervisor” Angie Reichert, DHS agent Kelly Warner, and DSS “Regional Manager” Tom Eads – who are intentionally CONSPIRING to create a fraudulent “official” paper trail for purposes of “DENIAL OF RIGHTS UNDER COLOR OF LAW”**

Re: **Request for “Reasonable Accommodations” under the ADA by way of “Extra Time” and “Interpreter/Administrative” Services in completing ECONOMIC ASSISTANCE APPLICATION RECERTIFICATION** for Elderly, Poor, and “Totally and Permanently” Disabled Quad-Amputee.

To the SOUTH DAKOTA GOVERNOR, DEPARTMENT SECRETARIES, STATE “Functionaries”, and People Who Propagandize “Disability Advocacy” and “Assist[ing] people with disabilities of all ages on their path to lifelong independence” at WESTERN RESOURCES FOR INDEPENDENT LIVING:

The documented acts of GROSS NEGLIGENCE and MALFEASANCE of the EXECUTIVE BRANCH throughout 2021 now justify taking these matters to the COURTS for civil litigation, to the LEGISLATURE for criminal IMPEACHMENT proceedings, and to the PRESS for common law remedies.

I am writing for the twofold reasons referenced above as highlighted on the previous page – FIRST to recap the events having taken place over the course of this past year of YOUR collective deprivation of my rights to STATE “Medical Assistance” (“MEDICAID”), and SECOND to respond to YOUR untimely and deceptive letters of 1/11/22 and 1/18/22 sent to me by Angie Reichert, as well as the “(SNAP) RENEWAL NOTICE” sent to me by Sharon Maher. I will address the matters separately below on the following pages.

First, to be noted: I am a 64 year old Anglo-American male who has been “*totally and permanently disabled*” and rendered “*Medically Fragile*” and at an “*Nursing Home or Institutional ‘Level of Care’*” since I entered the hospital as “*incapacitated*” in March 2018, with my legs and fingers having been amputated in May 2018.



MONUMENT HEALTH FAMILY MEDICINE
1420 N 10TH ST
SPEARFISH SD 57783-1532
605-717-8595
Dept: 605-717-8595

David E Schied
Po Box 321
Spearfish SD 57783

08/30/21

To whom it may concern:

David is a patient of mine. He has had amputations of 7 of his fingers and bilateral below the knee amputations. He is permanently and totally disabled. From his amputations he is essentially a quad amputee. Because of these amputations he has difficulty completing ADLs and is frequently home bound due to complications of his amputations. David is dependent on equipment for his daily life and is essentially considered nursing home or institution level of care.

Sincerely,



Daniel Berens DO

With regard to the “*DECEPTIVE PATTERNS AND PRACTICES of persistent DENIALS*”:

A. STATE MEDICAID – As you are all already well-aware:

I have attempted to resolve the matters of YOU acting on behalf of the Sovereign People of this STATE OF SOUTH DAKOTA refusing to act on my behalf to remedy my declaring myself to being a bona fide “*CRIME VICTIM*” and “*REFUGEE*” from the STATE OF MICHIGAN from where I fled under “*Threat of Life and Death*” when CRIMINALLY EVICTED last winter during a NATIONAL “*COVID*” PANDEMIC and accompanying EVICTION MORATORIUM. As you know, YOUR “*Attorney General*” **Jason Revnsborg** and his so-called “*investigator*” **Richard Bauman** – being preoccupied by Revnsborg pleading “*no contest*” to criminal prosecution for “*involuntary manslaughter*” – were derelict in refusing to properly respond to my reports of needing crime victim and other services upon my arrival to South Dakota in *homelessness* as shown by the RECORD of correspondence in late Winter 2021.

As you also are already well aware, I spend the entirety of last year engaging (minimally) in the following written and oral dialogues with your FUNCTIONARIES to no avail when requesting that your STATE agents and principals provide constitutional “*Full Faith and Credit*” to the FACT that I had arrived here with MEDICAID COVERAGE issued in the STATE OF MICHIGAN from March 2018 when I was rendered incapacitated by SEPSIS DISEASE, which nearly cost me my life, and did cost me my two legs and seven fingers due to surgical amputations on May 5th and May 7th (2018) respectively, rendering me forever after a “*totally and permanently disabled quad-amputee*” and a WELFARE BENEFICIARY for the rest of my natural life.

(Minimal) Dates and Modes of Communication with STATE agents and principals:

032221_ Jennifer Lewis on ADLS Application – written record and RECORDED phone
032321_Sharon interview on SNAP program – RECORDED phone
032521_Nancy Giovanetti on wrong ADLS application sent – RECORDED phone
032521_Sharon Maher DENIAL of MEDICARE SAVINGS PROGRAM + MICH info – written record
032921_Proof sent 2 Gov Kristi Noem – written record
033121_Giovanetti 2 - Pending Notice for ADLS + attachment – written record
033121_NancyGiovanettiresp2 Step 1 & 2 - per letter (3_25_21) from Jennifer Lewis on ADLS program – written record
040121 - Maher-on MEDICARE SAVINGS PROGRAM - Appeal of _DENIAL for SLMB – written record
040121_Jennifer Lewis-denial of ADLS + 040121_My response 2 Jennifer Lewis-denial of ADLS – written record
040621 – Val Clauser Resp 2 Step 1 & 2 - per letter (3_25_21) copied 2 Reichert – written record
040621_KimTerrill – talked on phone – written record
040621_ Kim as Sharon Meher supervisor LTSS on Medicare Savings – RECORDED phone
041321_ Laura Nord HOPE waiver schedule – RECORDED phone
042921- Email 2 Laura Nord on applic 4 food prep chores + bench – written record
043021 – Laura Nord reply on applic 4 food prep chores + bench – written record
050121_Letr 2 Pawich Interim Health care surprise contract – written record

050121_My email on Emergency Alert System - unexpected coerced contract for liability – written record

050321_MEDICAID DENIAL letter – written record

050421_Katy Interim Health – on PU of emergency alert – RECORDED phone

050521_Colleen Noar – my mssg on 1st chore svcs flop – RECORDED phone

050621_My follow up Letr 2 Noem as Crime Victim – written record

050721_Colleen Noar callback – terminate – 2 min – RECORDED phone

051121_Laura Nord on new chore svcs – RECORDED phone

051121_Nancy Giovannetti-MEDICAI app denied WAIVER – RECORDED phone

051721_chore svcs 1st appnt on Friday – 4 hours – RECORDED phone

051821_Email #3 to Gov. Kristi Noem – on Lawrence Piersol – written record

052121_LTSS on Medicaid Req + Bus passes + Sr Companion Prgm – written record

052321_My emergency mssg 2 Laura Nord on Elec Chair batteries – RECORD phone

052421_Laura Nord callback – about chair B4 battery change RECORD phone

052821_Receipts for HOVEROUND batteries & transpo cost – written record

060121_My Email 2 Nord on electric wheelchair resolve – written record

060221- Rea sent W-9 for Electric Wheelchair Resolution – written record

060221_My reply and COMPLAINT #1 with FIRST OPEN RECORDS REQUEST – written record

061821_Medicarenotcoveringsalinefornosecare – RECORD phone

062421-Jacob Carlson on Out of State Teacher Reciprocity Information – RECORD phone

062921_Letr from AG Revnsborg & STATE attny Richard Bauman refusing 2 investigate crime report – written record

072321- CRIMINAL PENALTY OF PERJURY_ FOIA Req1 – AttachW-9

072221_my return call 2 Eye Care – 3min – RECORD phone

080721_Letr 2 STATE principals & agents pp1-116_FINAL – written record

080721-email- PT 1 and 2_ VIOLATION OF “*PUBLIC RECORDS*” LAW_ + MEDICAID _DENIAL_ COMPLAINT + NEW RECORDS REQUEST – written record

082021_First Stall Ltr of Howell & Lippert as FOIA response from STATE – written record

091021_Second Stall Ltr of Howell & Lippert as FOIA response from STATE

091121 - Quad-Amputee “Complaint” against “Senior Companion” Arlette Stelter in SPEARFISH, SD

091321_HowellE mail sending me 2nd Extension Letr – written record

091321_My letr 2 Howell & Lippert – req law on 2 extensions 2 FOIA – written record

091321_NoemattnyJennaHowellonFOIAresp – written record

092421 - DAMAGES as a result of YOUR REFUSAL TO ANSWER LAST TWO COMPLAINTS & NOTICE OF OPEN RECORDS VIOLATION – written record

092421 - DAMAGES as a result of YOUR REFUSAL TO ANSWER LAST TWO COMPLAINTS & NOTICE OF OPEN RECORDS VIOLATION – written record

092421_Emails1&2-to the Governor – written record

092421_Noem etal on refusal to answer 2 complaints & FOIA – Cvr for Debt Collect – written record

092821_Email to Governor Noem with Attachment & proof of receipt– written record

092821_Letr 2 STATE on FRAUD, CLAIMS & FEE SCHEDULE – written record

092921_AG investigate Kristi Noem on daughter Real Estate license – written record

102021_Howell Lippert Open Records Denials from DSS and DHS – written record

102621_My mssg 4 Linda Williams 4 callback – RECORDED phone

102721_Linda Williams – Western Resources callback with undisclosed Super + Other Mem – 30min – RECORDED phone

112221_DSS ass refused to admit or deny my persistent request for info – RECORDED phone
 112221_My call 2 DSS – LTSS Angie – appnt on Tuesday – RECORDED phone
 112321_Angie Reichert on 2nd Applic – in person appnt – written record
 112321_My 1st mssg 4 Angie DSS – LTSS supervisor – RECORDED phone
 112321_My 2nd mssg 4 Angie DSS – LTSS supervisor – RECORDED phone
 112921_HaugenThune-5min-saidGovNoemischeckingMichiganrecords–RECORDED phone
 113021_Meeting with DSS agents on DENIAL MEDICAID – DSS finger-pointing to DHS – RECORDED audio and video
 120121_ My Followup 2 meeting with DSS Regional Manager Tom Eads on meeting about MEDICAID denial – written record
 120122_Fraud Paper by DSS Melynda Wangsness on NEW applic 4 MEDICAID – written record
 121321_DSS Kelly rude hung up – refused to provide info on qualifications of DHS agents wanting to enter my home to “qualify” me – RECORDED phone
 010422 – machine inked postmark from DSS on envelope 4 SNAP renewal contents due 2/1/22 not received by me until 1/22/22
 011122 – DSS Angie Reichert FRAUD letr claiming I had new applic & threatening DENIAL in 3 days (not received until 1/22/22)
 011822 – DSS Angie Reichert FRAUD letr DENIAL of MEDICAID for failure to provide entry to home to unidentified and unqualified DHS agents
 012922 – Livestock show 1 minute meeting with Kristi Noem on refusal of STATE to provide MEDICAID – received Office Staff business card and told by Noem to contact as “*something’s wrong*”

What is starkly obvious from the above RECORDS is the fact that nobody missing two legs and all but one pinky finger should need to go through all of the above in fighting STATE functionaries – to anywhere fractional to this extent – in order to receive MEDICAID “*Medical Assistance*”, especially being that this all began as I was just three (3) years post-amputations and still in many forms of recovery with “*special needs*” ... AND reporting myself to be a bona fide CRIME VICTIM of recent forced homelessness by the agents of another STATE.

Secondly, the details contained in the above-referenced RECORDS reflects that not only has the functionary agents and principals of the STATE committed numerous acts of “*deprivation of rights under color of law*” (civil: 42 U.S.C. § 1983; criminal: 18 U.S.C. § 242) but executed in such fashion with deceptive qualities characteristic of a criminal conspiracy by a RICO organization (18 U.S.C. § 242; 18 U.S.C. § 1961 et seq.) These claims are particularly underscored by the combination of EVIDENCE surrounding the following:

- a) The FRAUDULENT paper trail being generated by Angie Reichert and the DSS pertaining to the existence of a “*second application*” is superseded by both the previous long history of formalized COMPLAINTS about the improper handling of the STATE functionaries of my “*first application*” for MEDICAID (a.k.a. “*Medical Assistance*”) and the EVIDENCE I located in public records that not only are these STATE agents disregarding the letter and the spirit of both STATE and UNITED STATES laws when denying me MEDICAID; but so too, all of these “*discriminating women*” as “*gatekeepers*” employing Critical Race Theory and Gender Bias have documented questionable backgrounds liken to male-bashing, racial discrimination, and Marxist-Socialist programs sponsored by the NIH and their Chinese Communist Party (CCP) finance partners.
- b) That to cover up my LEGAL inquiries and demands under the STATE and UNITED STATES “*Open Records*” laws and FREEDOM OF INFORMATION ACT for

government transparency about the “*qualifications*” of the DSS/DHS “*Team*” of women who are DENYING me MEDICAID based upon their own biased and unwritten criteria for qualifying and disqualifying my eligibility based upon “*level of need*” – **cited only as such in writing but revealing on RECORDED phone conversations that is it “because [I] can ‘shower’” myself (without legs and crawling onto a bench in the shower) and “dress” myself (albeit with only pullover shorts and T-shirts)** – the BAR attorneys of the EXECUTIVE BRANCH, being **Jenna Howell** and **Jeremy Lippert**, are first delaying “*open records*” responses for well over three (3) months beyond what is allowed by law, but also then DENYING every single one of the document inquiries/demands on the qualifications of the functionaries themselves, as well as the written criteria for establishing the “*policies and procedures*” being used by these DSS/DHS agents and principals for disqualifying me from receiving MEDICAID. (See the lame and late “*answers*” below as written out by Howell and Lippert in persistent DELAY and DENIAL responses to my reasonable OPENS RECORDS requests issued both on 6/2/21 and again on 8/7/21, as sent on the following documented dates (as shown in the subsequent pages).

BELOW IS EVIDENCE
OF CRIMINAL INTENT by
GROSS NEGLIGENCE AND
MALFEASANCE BY STATE
“AGENTS” AND/OR
“PRINCIPALS” AS BAR
ATTORNEYS Jenna Howell
AND Jeremy Lippert, WHO
SHOULD KNOW THE LAW.

B. ILLEGAL ANSWERS TO "OPENS RECORDS" REQUESTS (issued under both the "letter" and the "spirit" laws of "government transparency"):

OBJECTION and DENIAL of attempt to COERCE misapplication of OPEN RECORDS LAWS on government transparency

From: David Schied (deschied@yahoo.com)

To: jenna.howell@state.sd.us; jeremy.lippert@state.sd.us; shawnie.rechtenbaugh@state.sd.us; dssinfo@state.sd.us; kim.malsam-rysdon@state.sd.us

Cc: scott.odenbach@sdlegislature.gov; mary.fitzgerald@sdlegislature.gov; katy.murray1@mail.house.gov; james_selchert@rounds.senate.gov; deschied@yahoo.com

Date: Tuesday, September 28, 2021, 10:05 AM MDT

ATTENTION Jenna Howell, Jeremy, Shawnie Rechtenbaugh, Kim Malsam-Rysdon, Laurie Gill, and Kristi Noem:

By this letter, I am hereby OBJECTING to and DENYING your assertion that you need six (6) more weeks -- beyond the previous three (3) weeks you stated you needed, which is beyond the previous six weeks that you forcefully TOOK prior to that (by failure altogether to even acknowledge my SECOND "Open Records" reminder that my FIRST "Open Records Request for Documents" had remained totally ignored by your collective STATE "Departments" of the DOH, the DHS, and the DSS - to "answer" my SECOND "Open Records Request for Documents".

Let's review the past RECORD of dereliction for possible consideration that it may so GROSSLY NEGLIGENT and with demonstrated MALFEASANCE as to warrant CRIMINAL allegations:

1) As a "totally and permanently disabled quad-amputee" and reported "crime victim", on 6/2/21, I "filed" my FIRST COMPLAINT and OPEN RECORDS (a.k.a. "FOIA") "REQUEST FOR DOCUMENTS" with your "wheel" and "chain" collective of "agents and principals" as shown by the relevant graphics below as my UNREBUTTED PROOF.

I say "unrebutted" because - when NONE OF YOU provided any reply or "ANSWER" to either the COMPLAINT or to the OPEN RECORDS REQUEST - I wrote a SECOND COMPLAINT, more detailed than the first and jam packed with furthering EVIDENCE against ALL OF YOU, in addition to the SOUTH DAKOTA ATTORNEY GENERAL, spotlighting your high levels of dereliction, gross negligence, and malfeasance of duties to both ANSWER THE COMPLAINT and ANSWER THE "REQUEST FOR DOCUMENTS". Again, NONE OF YOU have responded - other than through gross LIES of STATE attorneys Jenna Howell and Jeremy Lippert.

Open Records
UNANSWERED
Request #1
UNANSWERED

CRIMINAL "PENALTY OF PERJURY" is the STATE'S RESPONSE to a simple "one-time" request for reimbursement on Electric Wheelchair batteries?!?

● David Schied <deschied@yahoo.com>

Wed, Jun 2 at 6:53 PM



To: Rea, Mary

Cc: Lowe, Leslie (DHS), Page, Rogine, Charter, Laura, Nancy Giovanetti, Jennifer Lewis, Val Clauser, Laura Nord, scott.odenbach@sdlegislature.gov, Mary J. Fitzgerald, Linda Williams, Dave Schied Hide

Dear Mary Rea,

UNANSWERED COMPLAINT #1

The FORM that was attached to your email must have been the wrong form. It was not a "payment reimbursement" form, it was a "taxpayer identification" form. I am not a "taxpayer". I am a "beneficiary" of public welfare.



Please provide the legislative grounds for having me complete a W-9 "Verification of Employment Authorization" or other "tax-identification" document, assuming this document is exactly the one that you appear to be coercing me to "sign under [criminal] penalty of perjury". This request is herein sent to you - as the agent for the principal of "SD DEPARTMENT OF HUMAN SERVICES / LONG TERM SERVICES AND SUPPORTS" - under the STATE Laws of Transparency, being South Dakota's FREEDOM OF INFORMATION ACT. Please also note that this request is being made with the purpose of showing "how government operates", and as such, I am requesting a **WAIVER OF FEES AND COSTS** to fulfill this request. Note that I believe myself also qualified for waiver because I have recently reported myself to be a CRIME VICTIM, a recent REFUGEE, a destitute, and a pauper living entirely on the welfare of others as those "taxpayers" for whom you may wish to have identified.

As long as you are at it, please also provide all documents that justify your reasons for denying my transportation costs in delivering the electric wheelchair to the doorstep of the business so that they could change out the batteries on the electric wheelchair at literally no added cost (beyond MY cost for delivery of the chair to THEIR doorstep).

What I am trying to determine - with the intent of sharing with others exactly how government works - is whether government is actually promoting a more expensive SOCIALIST system in which I - as on of the sovereign People and as a totally and permanently disabled quad-amputee - would have been deemed "better off" for following a complicated (and possibly prohibitive to disabled persons) path to having an entirely new electric chair ordered for thousands of dollars in cost from a "medically approved" DEALER (in what appears to be a growing FASCIST society) or whether my taking a private (and clearly much cheaper) path to a simpler and quicker resolve (in practical, private, and COMMON LAW terms) makes me "better off". As things look so far, my good faith efforts to keep things simple are resulting in CRIMINAL THREATS that I cannot appreciate in the least, particularly as a disabled person.

For this ONE TIME, I will allow the fulfillment of this FOIA request to be sent to me at my post office box. Please send the documents requested in timely fashion, in accordance with time restrictions allocated by the SOUTH DAKOTA legislature, to the following address:

NOTICE OF DEFAULT ON UNANSWERED 1ST COMPLAINT & 1st FOIA

2nd COMPLAINT and

2nd “NEW” Record Request

Re: PT 2 of 2: VIOLATION OF “PUBLIC RECORDS LAW” + MEDICAID “DENIAL” COMPLAINT

+ NEW RECORDS REQUEST

David Schied <deschied@yahoo.com>

Sat, Aug 7 at 11:13 PM

To: Kim.Malsam-Rysdon@state.sd.us, shawnie.rechtenbaugh@state.sd.us,
DSSInfo@state.sd.us, mary.rea@state.sd.us, leslie.lowe@state.sd.us,
rogine.page@state.sd.us, laura.charter@state.sd.us, laura.nord@state.sd.us, Val Clauser,
Jennifer Lewis, Nancy Giovanetti, ProgramIntegrity@state.sd.us, john.osburn@state.sd.us

Hide

Cc: Mary J. Fitzgerald, scott.odenbach@sdlegislature.gov, Linda Williams,
katy.murray1@mail.house.gov, james_selchert@rounds.senate.gov

Bcc: Dave Schied,

To (Gov.) Kristi Noem, and (AG) Jason Revnsborg and Kim Malsam-Rysdon, et al.

I am sending two emails, each as Part 1 and Part 2 of a total 116 pages ATTACHED, consisting of the following as delivered here by me as a “totally and permanently disabled quad-amputee” being DENIED MEDICAID for the last six (6) months since my arrival to this STATE reporting myself also to be a CRIME VICTIM.

By some assurance from Rep. Dusty Johnson’s office, I am hoping with anticipation that Katy Murray and Jim Selchert (of Sen. Mike Rounds’ office) will ensure, through their own close channels, that Governor Kristi Noem and Attorney General Jason Revnsborg will receive forwarded copies of my correspondence (given that Gov. Noem’s “email” only allows attachments up to 4 MB in size and AG Revnsborg provides no email whatsoever that I could find for “reasonable accommodation” to disabled persons to communicate with him in a “preferred FORM” to that limited by his public website).

- 1) “CONSTRUCTIVE DENIAL” OF MEDICAID by the STATE to recent “totally and permanently disabled quad-amputee” based on the single criteria of being able to “bathe myself”;
- 2) “CONSTRUCTIVE DENIAL” OF “FULL FAITH AND CREDIT” by the STATE to previous recipient of MEDICAID upon arrival to S. Dakota as a declared “REFUGEE” and “CRIME VICTIM” from the CORRUPT “STATE OF MICHIGAN”;
- 3) “CONSTRUCTIVE DENIAL” OF MEDICAL REIMBURSEMENT to the same based upon “REFUGEE’s” and “CRIME VICTIM’s” questioning of COERCION by the STATE to sign “UNDER PENALTY OF PERJURY” to identify himself as a “TAXPAYER” rather than a “BENEFICIARY” of the WELFARE SYSTEM;
- 4) “CONSTRUCTIVE DENIAL” OF “CRIME VICTIM RIGHTS” and TO “VICTIM ASSISTANCE / SERVICES”;
- 5) “NOTICE OF STATE VIOLATION” OF “PUBLIC RECORDS LAW” upholding “government transparency”;
- 6) NOTICE OF “NEW” and “ADDITIONAL” demand for “access to public documents” with “reasonable accommodations” required under the AMERICANS WITH DISABILITIES ACT and “fee waiver” guidelines by there being a matter of “public interest”;

The details are all inclusive about my current COMPLAINT; and they include a thorough but relevant list of documents requested under the OPEN RECORDS legislation for this STATE.

Thank you in advance for your time in serious attention to these very pressing matters.

Cordially yours,
David Schied



Letr2STATCpr....pdf
12.3MB

2) While ignoring altogether the associated COMPLAINT(s) going along with the above-referenced TWO (2) SEPARATE and DIFFERENT "OPEN RECORDS REQUEST(S) FOR DOCUMENTS" (inclusive that the STATE was already in VIOLATION of the first OPEN RECORDS REQUEST (dated 6/2/21) by non-answer, it was not until nearly SEVEN (7) WEEKS LATER - and fully TWO (2) WEEKS after my SECOND OPEN RECORDS REQUEST and NOTICE OF VIOLATION that Jenna Howell and Jeremy Lippert, acting on behalf of the STATE DEPARTMENTS, wrote their first "FRAUDULENT LETTER OF COERCION AND CONSTRUCTIVE DENIAL" stating "under color of law (SDCL 1-27-37)" vaguely promising a "response" to my SECOND "request" but ignoring altogether everything referenced in that letter dated 8/7/21 pertaining to the STATE being already in VIOLATION of SOUTH DAKOTA'S "OPEN RECORDS LAWS".



David Schied
PO Box 321
Spearfish, SD 57783

August 20, 2021

Dear Mr. Schied,

On behalf of both the Department of Human Services and the Department of Social Services, this letter is acknowledgement of your records request, received on Sunday, August 8, 2021. This letter is intended to inform you that the Departments will need additional time, pursuant to SDCL 1-27-37, to locate and assemble the information requested and/or to determine whether any of the information requested is not subject to disclosure.

We are continuing to review your request and expect to have a response or responses to you within three weeks of the date of this letter.

Sincerely,

Jenna E Howell

Jenna E. Howell

Counsel, Department of Human Services

Jeremy Lippert

Counsel, Department of Social Services

SDCL 1-27-37 does NOT authorize TWO UNREASONABLE and LAME excuses to stall a “*totally and permanently disabled quad-amputee*” what is otherwise owed to him to assist him in identifying the qualifications of the STATE functionaries who are barring him from fully participating in his own medical treatment decisions and countering with STATE documents that which he, himself has presented months before in both SOUTH DAKOTA and UNITED STATES laws in evidence that the STATE should be supplying the MEDICAID that was taken away once he arrived from the STATE OF MICHIGAN as a reported CRIME VICTIM and homeless REFUGEE,.... and then DENY such documents altogether later.

S.D. Codified Laws § 1-27-37

Current through the 2021 Second Special Legislative Session


Section 1-27-37 - Written request for disclosure of records

If an informal request is denied in whole or in part by the custodian of a document or record, a written request may be made by the requestor pursuant to this section:

(1) A written request may be made to the public record officer of the public entity involved. The public record officer shall promptly respond to the written request but in no event later than ten business days from receipt of the request. The public record officer shall respond to the request by:

(a) Providing the record in whole or in part to the requestor upon payment of any applicable fees pursuant to §§ 1-27-35 and 1-27-36;

(b) Denying the request for the record; or

 (c) Acknowledging that the public record officer has received the request and providing an estimate of the time reasonably required to further respond thereto;

(2) Additional time to respond to the written request under subsection (1)(c) of this section may be based upon the need to clarify the nature and scope of the written request, to locate and assemble the information requested, to notify any third persons or government agencies affected by the written request, or to determine whether any of the information requested is not subject to disclosure and whether a denial should be made as to all or part of the written request;

(3) If a written request is unclear, the public record officer may require the requestor to clarify which records are being sought. If the requestor fails to provide a written response to the public record officer's request for clarification within ten business days, the request shall be deemed withdrawn and no further action by the public records officer is required;

(4) If the public record officer denies a written request in whole or in part, the denial shall be accompanied by a written statement of the reasons for the denial;

(5) If the public record officer fails to respond to a written request within ten business days, or fails to comply with the estimate provided under subsection (1)(3) of this section without provision of a revised estimate, the request shall be deemed denied.

SDCL 1-27-37

SL 2008, ch 14, §5.



DEPARTMENT OF HUMAN SERVICES

OFFICE OF THE SECRETARY

Hillsview Properties Plaza, East Highway 34

c/o 500 East Capitol

Pierre, South Dakota 57501-5070

Phone: (605) 773-5990

FAX: (605) 773-5483 TTY: (605) 773-5990

dhs.sd.gov

David Schied
PO Box 321
Spearfish, SD 57783

October 21, 2021

Dear Mr. Schied,

Below are the Department of Human Service's responses to your records requests of August 8, 2021, as acknowledged in response letters on August 20th and September 9th. Our responses are given to the requests in the order they were submitted.

1. No granting or denial letter was sent to your request for "the legislative grounds for having [you] complete a W-9". Per SDCL 1-27-37 (5), for this reason, the request is deemed denied. In reviewing your new request, this denial stands, because DHS is not relying on a particular statute. A W-9 is required so that all information required for the accounting system is recorded. South Dakota state statutes and administrative rules can be found at <https://sdlegislature.gov/>. For legal advice, please consult with a private attorney.
2. a. Personnel information is not an open record, except for salary and routine directory information. SDCL 1-27-1.5 (7). Salary and routine directory information can be found online at <https://open.sd.gov/employees.aspx> and <https://apps.sd.gov/dp51SWPB/DP51InternetSearch.aspx>. For any request beyond the public information, your request is denied.

b. Your request for specific personnel records for Rogine Page is denied pursuant to SDCL 1-27-1.5 (7).

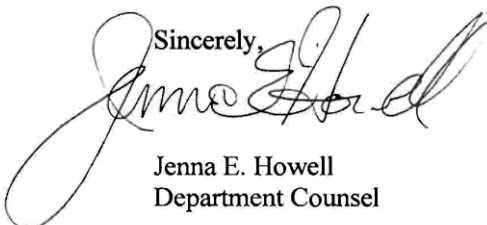
c. Personnel information is not an open record, except for salary and routine directory information. SDCL 1-27-1.5 (7). Salary and routine directory information can be found online at <https://open.sd.gov/employees.aspx> and <https://apps.sd.gov/dp51SWPB/DP51InternetSearch.aspx>. For any request beyond the public information, your request is denied.

FRAUD

As shown above, the original letter for my ORIGINAL "Open Records Requests" was dated on 6/2/21 with my "NOTICE OF DEFAULT" and "NEW Record Request" dated 8/7/21.



- d. Personnel information is not an open record, except for salary and routine directory information. SDCL 1-27-1.5 (7). Salary and routine directory information can be found online at <https://open.sd.gov/employees.aspx> and <https://apps.sd.gov/dp51SWPB/DP51InternetSearch.aspx>. For any request beyond the public information, your request is denied.
- e. Nancy Giovanetti does not work for the Department of Human Services, so no information is being provided in our response.
- f. Kim Malsam-Ryson does not work for the Department of Human Services, so no information is being provided in our response.
- g. Personnel information is not an open record, except for salary and routine directory information. SDCL 1-27-1.5 (7). Salary and routine directory information can be found online at <https://open.sd.gov/employees.aspx> and <https://apps.sd.gov/dp51SWPB/DP51InternetSearch.aspx>. For any request beyond the public information, your request is denied.
- h. Laurie Gill does not work for the Department of Human Services, so no information is being provided in our response.
- i. Jason Ravnsborg does not work for the Department of Human Services, so no information is being provided in our response.
- j. Richard Baumer does not work for the Department of Human Services, so no information is being provided in our response.
3. Requests for internal notes, transcripts or conversations are denied pursuant to SDCL 1-27-1.5 (12). South Dakota's laws and administrative rules can be accessed at <https://sdlegislature.gov/>.
4. The Department of Human Services does not have this information, therefore, the request is denied.
5. The Department of Human Services cannot provide advice as to all laws pertaining to refugees or crime victims. South Dakota's laws and administrative rules can be accessed at <https://sdlegislature.gov/>. For legal advice, please consult with a private attorney.
6. Provisions regarding South Dakota's open records laws are generally found in SDCL 1-27, which can be accessed through <https://sdlegislature.gov/>. The Department of Human Services cannot give advice regarding all possible crimes or penalties. For legal advice, please consult with a private attorney.
7. The Department of Human Services does not have this information, therefore, the request is denied.
8. The Department of Human Services does not have this information, therefore, the request is denied.
9. Job placement is a vocational rehabilitation service. The job placement service is provided when it is agreed upon by the eligible individual and counselor as a service that is needed to obtain the employment goal. No other criteria dictates when that service is provided.

Sincerely,

Jenna E. Howell
Department Counsel



South Dakota
Department of
Social Services

**OFFICE OF THE SECRETARY
DIVISION OF LEGAL SERVICES**
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291
PHONE: 605.773.3305
FAX: 605.773.7223
dss.sd.gov

October 20, 2021

David Schied
PO Box 321
Spearfish, SD 57783

RE: Information Request

Dear Mr. Schied,

The Department of Social Services' (DSS) is in receipt of your public record requests of August 8, 2021, as previously acknowledged in response letters on August 20 and September 9. DSS can provide the following responses to your requests, in order:

1. No granting or denial letter was sent from DSS pursuant to your request for "the legislative grounds for having [you] complete a W-9." DSS did not request the W-9 in the instance you refer to.
2. Laura Nord (or Charter), Rogine Page, Mary Rea, Leslie Lowe, Kim Malsam-Rysdon, Shawnie Rechtenbaugh, Jason Ravensborg, and Richard Baumer do not work for DSS, so DSS has no information to provide for them.

As for Laurie Gill and Nancy Giovanetti, per SDCL 1-27-1.5(7), personnel information, other than salary and directory information, is not a public record open to inspection or copying. Therefore, DSS cannot provide their personnel records. Salary and routine directory information can be found for state employees at <https://open.sd.gov/employees.aspx> and <https://apps.sd.gov/dp51SWPB/DP51InternetSearch.aspx>.

3. Pursuant to SDCL 1-27-1.5(12) correspondence, memoranda, calendars or logs of appointments, working papers, and records of telephone calls of public officials or employees are not records open to inspection or copying. Therefore, DSS cannot produce them. South Dakota's laws and administrative rules can be accessed at https://sdlegislature.gov/Statutes/Codified_Laws and <https://sdlegislature.gov/Rules/Administrative>. SDCL 28-6 contains state statutes with respect to Medicaid, and ARSD 67:16 contains rules regarding covered medical services.
4. DSS has no data or information responsive to your requests (a) or (h) through (o). for the remaining requests (b) through (g), DSS does not have separate categories for tracking "quad-amputees," "quadriplegics," or "permanently and totally disabled." Because this

would require us to create a type of report that does not currently exist, the information you request is not subject to production under the open records laws pursuant to SDCL 1-27-4. In an effort to be of assistance, DSS can provide the following information:

- As of October 11, 2021, there are 9,884 individuals on LTC Medicaid. Of those individuals, 2,759 are in nursing facilities (including hospice and swing beds) and 7,125 are not.
 - Since 2017, DSS has completed 3,695 disability determinations. Of those determinations, 2,134 individuals were found disabled, and 1,535 were found not disabled; also, in 26 instances DSS upheld a Social Security Administration determination of no disability.
 - Non-emergency medical transportation to covered medical appointments is covered with no cost share for full coverage Medicaid recipients.
5. DSS cannot provide legal advice as to all laws pertaining to refugees or crime victims. As noted above, South Dakota's laws and administrative rules can be accessed at <https://sdlegislature.gov/>.
6. DSS cannot give legal advice regarding possible crimes or penalties. Provisions regarding South Dakota's open records laws are generally found in SDCL 1-27, which can be accessed through <https://sdlegislature.gov/>.
7. DSS has no information responsive to this request.
8. DSS has no information responsive to this request.
9. DSS has no information responsive to this request.

To the extent you consider this to be a denial, in whole or in part, please refer to SDCL §§ 1-27-35 through 1-27-44 for any remedies that may be available to you.

Sincerely,



Jeremy Lippert

VICTIM with MEDICAID coverage from the STATE OF MICHIGAN.

David Schied
P.O. Box 321
Spearfish, South Dakota 57783
605-580-5121 (all calls recorded)

9/11/2021

Attn: Kristin Fox, Project Director
SENIOR COMPANIONS OF SOUTH DAKOTA
P.O. Box 5038
Sioux Falls, SD 57117
kfox1@good-sam.com

This letter of COMPLAINT is also being copied to the following STATE government officials:

Gov. Kristi Noem
Senator Mike Rounds
Congressman Dusty Johnson
State Rep. Mary Fitzgerald
State Rep. Scott Odenbach
State Attorneys – Jenna Howell (DHS)
and, Jeremy Lippert (DSS)

Re: Quad-Amputee “Complain” against “Senior Companion” Arlette Stelter in SPEARFISH, SD.

Dear Ms. Fox,

. . .

My initial experiences with Arlette Stelter were first documented in my letter of COMPLAINT to the following STATE agents and their principal, Gov. Kristi Noem, in response to my being deprived of the MEDICAID (state “benefits”) that I otherwise had arrived to South Dakota with from Michigan as provided by need this past three years after my two legs and seven of my fingers were surgically amputated.

6/19/2021 (finished on 8/3/21)

ATTENTION: Kristi Noem, SOUTH DAKOTA GOVERNOR

Kim Malsam-Rysdon, SECRETARY and SENIOR ADMINISTRATOR for DOH –
Kim.Malsam-Rysdon@state.sd.us

Shawnie Rechtenbaugh, SECRETARY and SENIOR ADMINISTRATOR for DHS –
shawnie.rechtenbaugh@state.sd.us

Laurie Gill – SECRETARY and SENIOR ADMINISTRATOR for DSS –
DSSInfo@state.sd.us

Mary Rea – mary.rea@state.sd.us

Leslie Lowe – leslie.lowe@state.sd.us

Rogine Page – rogine.page@state.sd.us

Laura (Nord) Charter – laura.charter@state.sd.us ; laura.nord@state.sd.us

Sharon Maher – Sharon.Maher@state.sd.us

Nancy Giovanetti – nancy.giovanetti@state.sd.us

Jennifer Lewis – jennifer.lewis@state.sd.us

Val Clauser – val.clauser@state.sd.us

SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES – PROGRAM INTEGRITY
ProgramIntegrity@state.sd.us

John Osburn – ADMINISTRATOR, SOUTH DAKOTA DEPT. OF HEALTH, OFFICE OF HEALTH PROTECTION – john.osburn@state.sd.us

slavery on all other medical expenses too, which MEDICARE does not pay or does not cover at the STATE level (which is the remaining 20% MEDICAID also covers besides the costs of public transportation). This includes the illustrious STATE GOVERNOR, all of whom I had written to separately at least twice BEFORE the above letter of 8/3/21 (began on 6/19/21).

• • •

The bottom line for me, on the other hand, is that I will need to continue my "battle" with the *agents* of a noncompliant and nonresponsive STATE whose very existence is predicated (in relevant part) upon "services" to the poor, the elderly, and the disabled such as me.

Sincerely,

/s/ David Schied

Cc.

Gov. Kristi Noem –

https://iqconnect.lmhostediq.com/iqextranet/EForm.aspx?_cid=FSL_SD_GOV&_fid=2100060

Senator Mike Rounds – james_selchert@rounds.senate.gov

Congressman Dusty Johnson – katv.murray1@mail.house.gov

State Rep. Mary Fitzgerald – marv.fitzgerald@sdlegislature.gov

State Rep. Scott Odenbach – scott.odenbach@sdlegislature.gov

Assistant Attorney General Jenna Howell – via DHS SECRETARY Shawnie Rechtenbaugh
shawnie.rechtenbaugh@state.sd.us and Jenna.Howell@state.sd.us

State Attorney Jeremy Lippert – via DSS SECRETARY Laurie Gill
DSSInfo@state.sd.us and Jeremy.Lippert@state.sd.us

4) It was clear by the DATED EVIDENCE that Jenna Howell and Jeremy Lippert - acting as STATE BAR attorneys, and the "representatives" of the Laurie Gill and Shawnie Rectenbaugh, as well as representatives of the STATE DEPARTMENTS and the STATE itself with Kristi Noem at the helm and the "non-contested" alleged CRIMINAL of the STATE ATTORNEY GENERAL Jason Ravensborg as their "chief law enforcement official" and "of counsel" legal advisor -- have no intention of honoring either the spirit or the letter of the AMERICANS WITH DISABILITIES ACT in providing "reasonable accommodations" or the DUTIES OF OFFICE relative to fulfilling my needs as an elderly person, as a disabled person, or as a poor person, being of the three most "vulnerable" class of people existing in our American society. The PROOF is in the "pudding" as in the EVIDENCE both above and below.

Both Howell and Lippert waited until the very last day of their FRAUDULENT "3-Week Notice" - leaving me to write the above letter on 9/11 when I had still not received their innuendo about receiving their "response" within three weeks (to my SECOND OPEN RECORDS REQUEST) - to actually "write" one freakin' paragraph to inform me that they intended to TAKE SIX MORE WEEKS whether I like it or not ... and not even sending that letter out to me until 9/10 knowing full well that I would not be receiving it until AFTER the very EXTREME end of that first FRAUDULENT 3-week period of COERCED wait against me as a disabled person, an elderly person, and a poor person in clear need of "MEDICAL ASSISTANCE" and responsible enforcement of FEDERAL SOCIAL SECURITY LAWS as well as the STATE laws that I had referenced in my multiple UNANSWERED COMPLAINTS. (See below as the letter and date-stamped envelope sent by the STATE agents of Howell and Lippert.)



David Schied
PO Box 321
Spearfish, SD 57783

September 9, 2021

PRESORTED
FIRST CLASS



U.S. POSTAGE PITNEY BOWES



ZIP 57501 \$ 000.42⁶
02 4W
0000350445 SEP 10 2021

Dear Mr. Schied,

On behalf of both the Department of Human Services and the Department of Social Services, this letter a follow up to our initial letter of August 20, 2021. This letter is intended to inform you that the Departments will need further time, pursuant to SDCL 1-27-37, to locate and assemble the information requested and/or to determine whether any of the information requested is not subject to disclosure.

We are continuing to review your request and expect to have a response or responses to you within six weeks of the date of this letter.

Sincerely,

Jenna E. Howell

Counsel, Department of Human Services

Jeremy Lippert

Counsel, Department of Social Services

5) The EVIDENCE of the above shows that the LAWS of the STATE and the UNITED STATES are being blatantly violated by Howell and Lippert, as well as the rest of you who will likely altogether follow your "chief legal counsel" Ravensborg in claiming "NO CONTEST" in the face of my both "civil" and "criminal" allegations of GROSS NEGLIGENCE and MALFEASANCE in the continually DENYING me and the PEOPLE (i.e., "TAXPAYERS") OF SOUTH DAKOTA our respective Right(s) to "Honest Government Services".

The laws MANDATE that I be provided with the appropriate "Medical Assistance" IMMEDIATELY - not merely after numerous indefinite DELAYS as is shown herein above.

The laws MANDATE that the FEDERAL FUNDS provided to the STATE be used to ELIMINATE DEPENDENCY of the disabled, not INCREASE DEPENDENCY upon the indefinite and FRAUDULENT promises of STATE attorneys and "DIRECTORS" and the complete negligence of their boss, the GOVERNOR, to respond to the plethora of correspondence sent to her.

The laws MANDATE people who are "eligible for services" under the SOCIAL SECURITY ACT - who are otherwise "unable to protect their own interests" relative to not be subject to "service fees" or "neglect or abuses" by way of seeking remedies against the same - NOT BE SUBJECT TO THE SAME ABUSE FROM THOSE WITH WHOM THEY ARE SEEKING HELP.

The laws MANDATE that NOBODY FALL THROUGH THE CRACKS in the bureaucracy!

The law also MANDATES that the direct responsibility for all of the enforcement of the above be placed squarely on the shoulders of the "principal" of the ATTORNEY GENERAL and his/her "agents". In this case, that is Jason Ravensborg and his agents of Jenna Howell and Jeremy Lippert, with Kristi Noem as the "Governor" responsible for keeping them all in line with FEDERAL MANDATES tied to the funding of the above to people like me.

6) For any of YOU who are unwilling to admit that Howell and Lippert are the agents of the "the accused manslaughterer" AG Ravensborg, think again:

7) This NOTICE includes not only a reminder of Howell's and Lippert's "secured" PERFORMANCE OBLIGATIONS to me and to the rest of the Sovereign People - as BONDED and/or INSURED under OATH and DUTIES under the STATE and UNITED STATES constitutions; but also now BONDED by this NEW CONTRACT effective immediately. The terms of this new contract are simple. As these STATE "representatives" are COERCING me to do their WORK for them, while expecting also that I do such labors of "INVOLUNTARY SERVITUDE" without "just compensation" - being a persistent violation of the THIRTEENTH AMENDMENT - I am submitting the FEE SCHEDULE below. Each and every instant whereby I am forced by circumstance to do administratively what they are otherwise duty-bound to perform under the law, I will be CLAIMING a new debt of \$2,000,000, first on behalf as myself in DAMAGES, and second on behalf of the other Sovereign People of the STATE and UNITED STATES as "taxpayers" who are pay the undeserved salaries of these "deadbeats". Future CLAIMS will be made against these amounts under both STATUTORY LAW and the COMMON LAW. Again, this contract begins IMMEDIATELY.

Be hereby advised that you are being DENIED the referenced "six (6) weeks" you are attempting to COERCE by abuse against a "totally and permanently disabled quad-amputee", and an elderly and poor white American male.

As such, you have five (5) days to provide your ANSWERS to BOTH the COMPLAINTS and the OPEN RECORDS REQUESTS presented to you (the STATE) on 6/2 and 8/7 as provided by reference (graphically as irrefutable PROOF). Failure to provide such ANSWERS as DEMANDED will indeed result in my taking these matters totally out of the hands of the EXECUTIVE BRANCH and placing them into the JUDICIAL BRANCH with my administrative CLAIMS (as according to the FEE SCHEDULE above) attached by COMMON LAW actions against YOU in your "private" as well as your "public" capacities, given that you are clearly acting OUTSIDE the scope of your dutiful legal performance.

Cordially yours,
David Schied

C. The above 19 pages altogether exemplifies the DENIAL of “Honest Government Services”, considered both an “*unconstitutional*” violation, and a (conspiracy to a) CRIME under both STATE and UNITED STATES laws, as well as the Common Law under the reign of the Sovereign American People.

RE: Report of even more CRIMINAL FRAUD by DSS “supervisor” Angie Reichert, DHS agent Kelly Warner, and DSS “Regional Manager” Tom Eads – who are intentionally CONSPIRING to create a fraudulent “official” paper trail for purposes of “DENIAL OF RIGHTS UNDER COLOR OF LAW”

The above context of the DSS and DHS agents and supervisory principals – including BAR attorneys and “*officers of the court*” Jenna Howell and Jeremy Lippert and their supervisory principals and ATTORNEY GENERAL Jason Revnsborg and his functionary “*minion*” Richard Bauman – is important; as it proves a conspiracy to deceive as an intent. So too does the following add to that proof against the STATE in the event this matter results in litigation before a JURY of the Sovereign People.

- 1) After waiting a month from a RECORDED phone conversation with Linda Williams and other supervisory staff of WESTERN RESOURCES FOR INDEPENDENT LIVING and seeing they were doing nothing to advocate or follow-up, I telephoned agents of the STATE “MEDICAID” office on 11/22/21 in attempt to reason with STATE agents myself on my ongoing DAMAGES resulting from their *civil* and *criminal* acts against me. After wasting over a half hour in RECORDED phone conversations with DSS receptionist “Kathy” and derelict DSS employee “Julie”, I was finally put in touch with DSS fraudster and “supervisor” Angie Reichert who granted my persistent request for an in-person meeting at the DSS office to which I had been referred in RAPID CITY by a private insurance sales agent professing to have once been employed by that office and a more recent former “*federal court witness*”.

On the phone, I had informed fraudster Reichert in no uncertain terms that my intent in setting up this intended face-to-face meeting was to ensure that “*a picture [of me in person] says what 1000 words*” and answers all of their questions about my “*level of need*”. In reply, fraudster Reichert informed me of her intent to DENY me any discussion about persistent denials of my initial application for MEDICAID and instead hand me a “*new application*” to take home and return it back at a later date. In response, I informed fraudster Reichert of my intent that – as she was insisting that I complete something “*new*” in order to discuss the SAME issues dating back to my “*first application*”, that **such a “second” application would reflect a DATE of the original application for which I sought a MEANINGFUL discussion.**

Below and on the next two pages is that so-called “new application” – that I now refer to as an “ADDENDUM to the previous application” which is dated 3/23/21.

Request for Long-Term Care or Home Community Based Services Waiver Assistance

For individuals already Medicaid eligible; if not Medicaid eligible a full application needs to be completed.

Recipient Name: David Schied	Social Security Number: [REDACTED]-7754	Date of Birth: 08/22/1957
Current Address: P.O. Box 321 City: Spearfish State: South Dakota Zip: 57783		Phone Number: 605-580-5121
Spouse: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, please list name:		
What are you requesting? MEDICARE (a.k.a. "MEDICAL ASSISTANCE") <input type="checkbox"/> Nursing Facility Care <input type="checkbox"/> Assisted Living <input type="checkbox"/> Hospitalization <input type="checkbox"/> CHOICES Waiver <input type="checkbox"/> In-Home Waiver <input type="checkbox"/> Family Support Waiver <input checked="" type="checkbox"/> Other/Unknown		
Date services requested to begin: March 2021 (See previously filed "ADSL Waiver" application)		
Name of Hospital or Facility: ALL (too many to list here but bills reflect all contact information)		Phone Number:
Admit Date: N/A		Discharge Date: (if known):
If you are currently in the hospital, what is your discharge plan? <input type="checkbox"/> Unknown at this Time <input type="checkbox"/> Discharge to Nursing Facility <input type="checkbox"/> Discharge to an Assisted Living Facility <input type="checkbox"/> Discharge to Home If discharging to a facility, please complete Facility Name: _____ Phone Number: _____ Admit Date (if known): _____ Discharge Date: (if known): _____		
Physician Name: Dr. Michael Berens		Physician Address: MONUMENT HEALTH - Spearfish, SD
If applying for CHOICES waiver who is your: Case Management Provider: _____ Case Manager: _____		
1) If you are single, will the lowest balances of all your asset(s)/resources such as savings and checking accounts, accounts at the facility, stocks/bonds, certificates of deposits, annuities, retirement accounts, etc., stay below \$2000 this month? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If you are married, a Resource Assessment may be required and we may contact you to gather additional information.		
2) Have you transferred, sold, or given away any assets in the past 60 months such as money, land, vehicles, etc. <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, please list:		
3) Do you or your spouse have funds in an annuity or any similar financial instrument? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If this was purchased after February 7, 2006, the State of South Dakota must be named as a preferred remainder beneficiary.		
Individuals Assisting You:		
Do you have a Power of Attorney, Guardian or Conservator? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, please provide a copy of the documentation and list the contact information below:		
Name:	Address:	
Phone:	City:	State: Zip:
This form submitted by:	Phone #:	

Please have the recipient sign the authorization to furnish and release information on the 2nd page of this form. If the recipient is unable to sign the authorization, please send a copy of the Financial Power of Attorney or guardianship document.

AUTHORIZATION TO FURNISH AND RELEASE INFORMATION

I hereby authorize any person, agency or institution to supply information requested by the Department of Social Services concerning me or my family, and to allow inspection and reproduction of records in his or their possession pertaining to me or my family by any duly authorized representative of the Department. I further authorize the Department to release such information to providers or cooperating State or Federal Agencies.

This authorization is given only in connection with its use by the Department in the administration of its programs and for no other purpose. It shall continue in effect until such time as I state in writing that it is no longer valid.

I herewith release any person, agency or institution from any and all liability to me or my family for supplying such information. All other rights are reserved.

CIVIL RIGHTS GUARANTEE

As a recipient of Federal financial assistance and a State or local governmental agency, the Department of Social Services does not exclude, deny benefits to, or otherwise discriminate against any person on the ground of race, color, or national origin, or on the basis of disability or age in admission or access to, or treatment or employment in, its programs, activities, or services, whether carried out by the Department of Social Services directly or through a contractor or any other entity with which the Department of Social Services arranges to carry out its programs and activities; or on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation or disability in admission or access to, or treatment or employment in, its programs, activities, or services when carried out by the Department of Social Services directly or when carried out by sub-recipients of grants issued by the United States Department of Justice, Office on Violence against Women. You may file a complaint by contacting: Discrimination Coordinator, Director of DSS Division of Legal Services, 700 Governors Drive, Pierre, SD 57501. (605)773-3305. In accordance with state and federal laws, you may also file a complaint with the following agencies: (1) the South Dakota Division of Human Rights (605)773-3681 and the (2) Office of Civil Rights, Jocelyn Samuels, Director, US Department of Health and Human Services, 200 Independence Ave, S.W. Room 509F HHH Bldg, Washington DC 20201.

I may also file in the COURTS of the STATE and the UNITED STATES as ALL RIGHTS ARE RESERVED.

ACKNOWLEDGEMENT

I understand that any false statements which I may make and any failure on my part to report any change in circumstance which would affect my eligibility for payment from programs administered by the South Dakota Department of Social Services constitutes a crime and that I could be prosecuted under South Dakota criminal laws.

I agree to provide information upon request from the Department of Social Services concerning any asset or estate which may be subject to recovery, estate recovery, or medical assistance liens by the State of South Dakota.

I also comprehend that all government "servants to the People are under both Sworn OATHS and DUTIES to their performances, are subject to "Affirmative Defenses" and are subject to criminal prosecutions in their private capacities for willful violations of the laws of the STATE and/or the UNITED STATES.

SIGNATURES

Applicant should sign the application unless incapacitated or represented by a Legal (Court Appointed) Guardian. A representative, who can make health related decisions, may sign the application on behalf of the incapacitated or deceased applicant. The applicant's mark should be witnessed by a person familiar with the applicant.

<u>/s/ David Schied (quad-amputee)</u>			
Signature of Applicant or Recipient	Date	Signature of Spouse	Date
	<u>03/23/2021</u>		
<hr/>		<hr/>	
Witness to Applicant's mark	Date	Signature of Legal Guardian or Power of Attorney	Date

- 2) Subsequently, on 11/30/21 – in the accompaniment of my transportation driver as a WITNESS and while operating a RECORDING DEVICE – I met with Angie Reichert and DSS (Crime Syndicate) “Regional Manager” Tom Eads, who collectively took possession of the above-referenced “ADDENDUM” to the previously-filed “First Application” dated 3/23/21.



- 3) The following day, on 11/30/21, I wrote a follow-up letter to Tom Eads and Angie Reichert to recap what occurred at the RECORDED meeting the previous day. Neither Eads nor Reichert ever responded to this email letter, but instead proceeded to operate in FRAUD, personally (as in the case of Angie Reichert) or through their STATE agents (as in the case of Tom Eads).

Resend to Tom Eads (corrected email address): Follow-up to meeting yesterday about MEDICAID denial

From: David Schied (deschied@yahoo.com)

To: angie.reichert@state.sd.us; tom.eads@state.sd.us

Cc: amber@blackhillsadvocate.com; jenny@blackhillsadvocate.com; byrona@blackhillsadvocate.com; info@blackhillsadvocate.com; mark_haugen@thune.senate.gov

Date: Wednesday, December 1, 2021, 09:17 AM MST

Please note that my email bounced back because I failed to include Mr. Eads first name in the email address. We disabled people surely are not infallible; however we DO seem to have to take full accountability for both our own mistakes and those of the STATE agents who get paid by TAXPAYERS to execute their various levels of dereliction and malfeasance as detailed below.

Now you all have his "corrected" email address. Again, my apologies for this miscommunication.

Dear Angie Reichert (Long Term Care Supervisor) and Tom Eads (Regional Manager),

In follow up to our meeting yesterday afternoon at 3:15, I wish first to apologize to Ms. Reichert for the misinformation I asserted in having sent her information that was sent instead about that same time and day to to another woman by thr name of Amber at the Black Hills Advocate, which is also in Rapid City and who I expect is also, as you say "trying to help" me. To set things straight, I had sent to Amber two "proof of denials" of my Open Records Requests - one from the corrupt BAR attorney working for the DSS and another from the corrupt BAR attorney working for the DHS, each refusing to "show me the law" or to provide me with requested personnel records revealing the qualifications of Laura Charter, Rogine Page and the other of the 14 people of the STATE (under employ of Kristi Noem of the EXECUTIVE BRANCH of SOUTH DAKOTA government) that altogether REFUSE to "show me the law" that authorizes their DENIAL of my CLAIMS for needed help. My letter to Amber and others at Black Hills Advocate also included the email denial last March from Jennifer Lewis, who I had thought was, like Angle, the "Supervisor" of "Long Term Services and Supports" for the DHS or WHATEVER. Again, your DEPARTMENTS, BUREAUS, DIVISIONS, SECTIONS, AGENCIES, UNITS, etc. may be convenient for all of you for "finger-pointing"; but it is not my job to know the differences and keep track of all those differences because you all answer to - and will be awarded court "immunity" by the JUDICIAL BRANCH for being collectively acting as "agents" on behalf of the "principal" of "THE (DEEP) STATE. Thus, from the onset, I will not tolerate Mr. Eads attempts to start the meeting by stating that I am talking to the "wrong" people. I am talking to the STATE as my government servants; and you are talking to me as "One of the Sovereign People:.. I may be otherwise considered as your government "Master". Again, without We, The (Disabled) People, none of you would even have a job.

...

- 4) **After receiving my 9-page DETAILED email letter above (also attached in full), Tom Eads and Annie Reichert proceeded to work with their other STATE “functionary” Melynda Wangsness, to institute the following fraudulent paper trail** – which is expected to be used later by the STATE ATTORNEY GENERAL and his agents in the event of litigation, to defraud STATE and/or UNITED STATES courts, again “under color of law” for the criminal purpose of “depriving of rights” (a pattern and practice uncovered about the government “actors” of the STATE OF MICHIGAN in previous years).



South Dakota
Department of
Social Services

DEPARTMENT OF SOCIAL SERVICES
DIVISION OF ECONOMIC ASSISTANCE
PO Box 2440
Rapid City, SD 57709
PHONE: (605) 295-7708
FAX: (605) 394-2568

December 1, 2021

Case Number: 000522733

David Schied
PO Box 321
Spearfish, SD 57783

Why you are getting this letter

We have received your application for Medical Assistance. Though we may still require additional information to determine your eligibility, no further information is needed from you at this time. You should receive a final determination by 01/14/2022.

Estimated Cost Share

Based on the information received with your application, your estimated monthly cost share to the facility is \$0.00. You should continue to pay this estimated amount to the facility while your application is pending to assure that your total resources do not exceed \$2,000.

month?
year?

Melynda Wangsness
Economic Assistance Benefits Specialist

(605) 295-7708
Telephone Number

09/20

From the moment that this fraudulent paperwork commenced, the STATE functionaries took matters into their own hands to **COERCE me and treat me as if my own involvement in medical decision-making made no difference whatsoever.** This was a major violation of both the letter and the spirit of the STATE and UNITED STATES laws governing the institution of MEDICINE. Thus, on 12/13/21 – after the DSS approved the financial aspects of my qualifying for MEDICAID, the agents acting for Tom Eads, Laurie Gill and Kristi Noem passed off the “new application for MEDICAL ASSISTANCE” to the agents for Shawnie Rechtenbaugh and Kristi Noem for improper “railroading” of this case in the very same fashion and with the very same “team” of people that mishandled the “first application for MEDICAL ASSISTANCE” in March 2021, for which the above-referenced “ADDENDUM to the first application” was added.

The corrupt, tyrannical “team player” who telephoned me in attempt to **COERCE** an “assessment” of my home environment was DSS “Long Term Supports Specialist” **Kelly Warner**, **who lied, refused to cooperate with me in providing me with important related information, who repeatedly displayed contempt through interruptions to my reference to the LAWS, and who ultimately hung up on me.** The **RECORDING** of that conversation is publicly posted for all to hear at:

http://www.ricobusters.com/wp-content/uploads/2022/02/121321_KEY-DHSKellyrudehungup-refusedtoprovideinfo.wav



Apparently, DSS functionary *“lied by omissions”* to her supervisor Angie Reichert – or instead conspired with Reichert – in claim I was refusing to schedule a *“level of care assessment”* about me without revealing the above numerous FACTS revealing that I, as a *“totally and permanently disabled quad-amputee”* struggling to maintain both *“dignity”* and *“independence”* in my community, had long been COERCED to surrendering both dignity and independence to DEPENDENCY totally upon the STATE’s complete refusal to provide me with requested and demanded critical information about the written “qualifications” of the people involved in the ongoing DENIALS OF MEDICAID and the written LAWS and/or written “POLICIES AND PROCEDURES” being used for the previous year to DISQUALIFY me based upon what otherwise appeared to be a completely discretionary and prejudicially biased and unwritten “level of care” criteria.



DEPARTMENT OF HUMAN SERVICES

Division of Long Term Services & Supports
Hillsview Plaza, 3800 East Highway 34
c/o 500 East Capitol Avenue
Pierre, SD 57501

PHONE: 605-773-3656 or
1-866-854-5465

FAX: 605-773-4085

WEB: dhs.sd.gov

January 5, 2022

Mr. David Schied
PO Box 321
Spearfish, SD 57783

Re: Phone call with Department of Human Services, Long Term Services and Supports (DHS/LTSS) staff on December 13, 2021,

Dear Mr. Schied:

Why is this DHS “Team” not disclosing that this “staff” was named as Kelly Warner?

This is a follow up to the conversation when DHS/LTSS staff reached out to you on December 13, 2021 to schedule a time for your assessment for waiver services.

You declined to schedule a time for the assessment until you were provided full identities, credentials, and qualifications of everyone involved in determining your eligibility. Staff will provide identification when coming into your home for the assessment.

Why is this DHS “Team” not disclosing that it was Kelly Warner who refused to “cooperate,” who was rude and interruptive, and who hung up on me?

Cooperation with the assessment process is a requirement of waiver service eligibility. If you wish to proceed with the assessment process, please reach out via Dakota at Home at 1-833-663-9673 to communicate that you are ready to move forward with the next phase in the process. Thank you.

Sincerely,

Division of Long Term Services and Supports

Why am I, as a disabled one of the Sovereign People under God, being DENIED the ability to fully participate in my own medical “assessments” by evaluating the qualifications of these government SERVANTS judging my “level of” medical “needs”?

NOTE: This DOCUMENT **CONTAINS MULTIPLE** ***“OPEN RECORDS REQUESTS”***

Open Records Request #1 – I request all STATE records revealing:

- a) the names and titles of the DSS “Team” Members associated with Angie Reichert;
- b) the names and titles of the DHS or DSS “Team” Members associated with Kelly Warner;
- c) the names and titles of the DHS DIVISION OF LONG TERM SERVICES AND SUPPORTS responsible for the letter displayed above dated 1/5/22;
- d) the personnel records for all of the above to include any written COMPLAINTS from any person whatsoever on any of these agents operating – in whole or in part – as the “STATE OF SOUTH DAKOTA”.
- e) The CORPORATE/GOVERNMENT accountability and supervisory structure CHART of the entire DHS for the years 2020-2021, and for 2021-2022, leading up to the GOVERNOR as the head of the EXECUTIVE BRANCH.
- f) The CORPORATE/GOVERNMENT accountability and supervisory structure CHART of the entire DSS for the years 2020-2021, and for 2021-2022, leading up to the GOVERNOR as the head of the EXECUTIVE BRANCH.

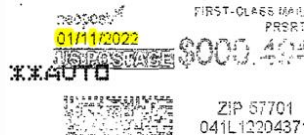
On 1/11/22, DSS Angie Reichert – acting on behalf of the entirety of the SOUTH DAKOTA (Gov. Kristi Noem) and its DEPARTMENT OF SOCIAL SERVICES (Laurie Gill) wrote the following **two** additions to her (and her DSS “Team’s” and the DHS “Team’s”) “**FRAUDULENT PAPER TRAIL**”, both of which were sent by mail to me **with a 3-DAY DEADLINE of 1/14/22** [as a man who does not drive myself, who is being COERCED by the STATE to grovel or pay for my own transportation to pick up my private mail because I have no legs or fingers and choose to maintain a separate mailbox away from my residence for fear of being revictimized as I undergo civil litigation against the people in MICHIGAN who criminally evicted me from my previous home (because only MEDICAID allows me to have “access” to the community transportation without paying or groveling in the face of being repeatedly asked for “donations” by public transit drivers)] – **which did not arrive to me until 1/22/22**. Again, **this is knowingly a FORCED DENIAL OF MY RIGHTS to fair treatment!**



South Dakota
Department of
Social Services

DEPARTMENT OF SOCIAL SERVICES
DIVISION OF ECONOMIC ASSISTANCE
PO BOX 2440, 510 N CAMBELL ST
RAPID CITY, SD 57709
PHONE: 605-394-2525
FAX: 605-394-2568

January 11, 2022



Case Number: 000522733

David Schied
PO Box 321
Spearfish, SD 57783

Why you are getting this letter

An extension of the 45 day time frame for processing your application has been granted. However, we require additional information to determine eligibility for Medical Assistance. Your application for coverage will be denied if the requested verifications are not received by 01/14/2022.

What Information you need to provide:

Please review the checklist below and return documentation or verification of any item which has been marked with an "X."

- ☒ Other: Please contact Dakota at Home (833-663-9673) to schedule your assessment. The assessment is required so that a level of care can be completed.

Angie Reichert
Economic Assistance Benefits Specialist

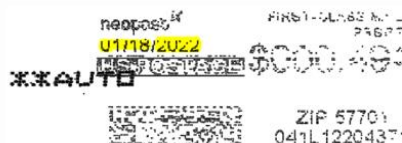
605-394-2525 x 2000
Telephone Number



South Dakota
Department of
Social Services

DEPARTMENT OF SOCIAL SERVICES
DIVISION OF ECONOMIC ASSISTANCE
PO BOX 2440, 510 N CAMBELL ST
RAPID CITY, SD 57709
PHONE: 605-394-2525
FAX: 605-394-2568

January 18, 2022



Case Number: 000522733

David Schied
PO BOX 321
Spearfish, SD 57783

Why you are getting this letter

Your application for Medical Assistance has been denied effective 01/18/2022 because you do not meet a required level of care. Please see page two (2) of this notice if you believe we've made a mistake. You may re-apply at any time.

What if I receive Supplemental Security Income (SSI)

If you receive Supplemental Security Income, your Medicaid coverage will continue in any month you continue to receive a payment.

Angie Reichert
Long Term Care Supervisor

605-394-2525 x 2000106
Telephone Number

The People at WESTERN RESOURCES FOR INDEPENDENT LIVING Who Propagandize “Disability Advocacy” and “Assist[ing] people with disabilities of all ages on their path to lifelong independence” and Who Are Otherwise Faking a “Nonprofit” CORPORATION that acts in GROSS NEGLIGENCE of their Mission Statement at the TAXPAYER’S expense

"We assist people with disabilities of all ages on their path to lifelong independence"



Staff:

Interm Executive Director
Codi Erickson

Independent Living Specialist
Tina Meyer

Independent Living Specialist
Linda Williams

Administrative Assistant
Kelan Timm

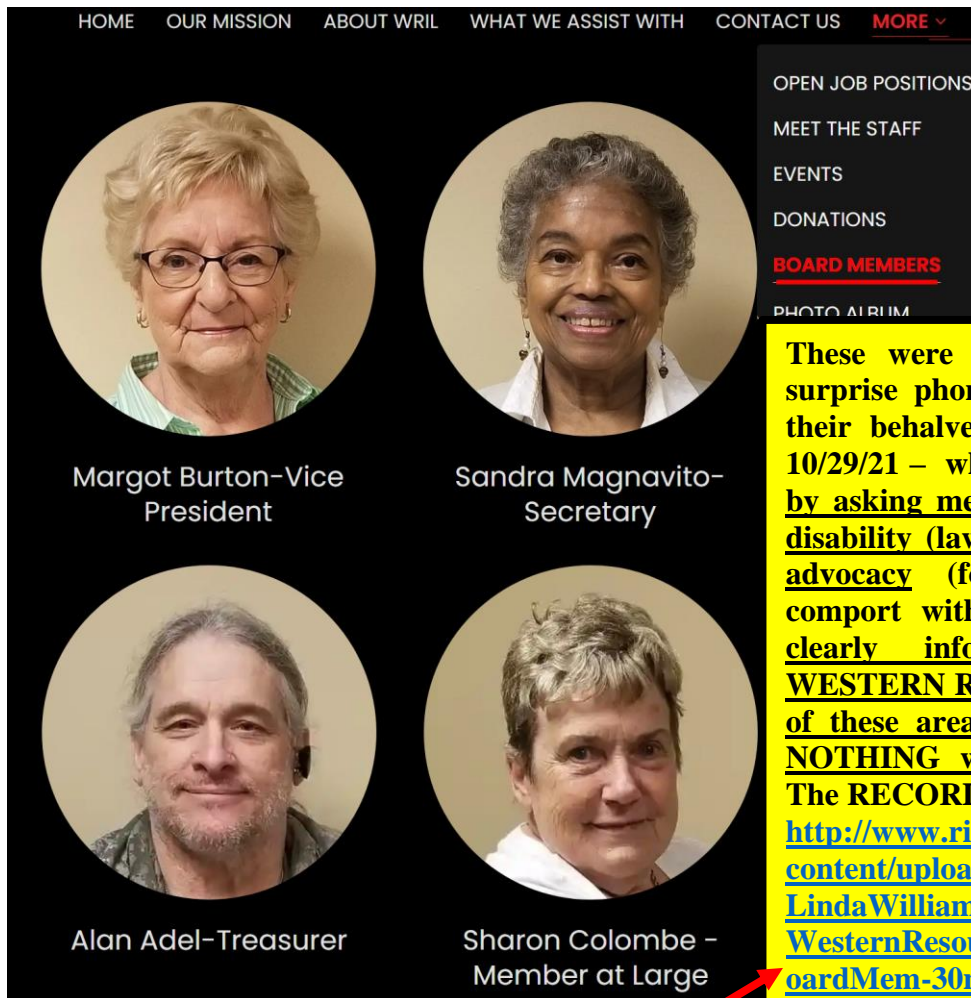


Codi Erickson
Interm Executive Director

Spearfish



Linda Williams



This is a phone call that took place after Linda Williams (admittedly) delayed my TWO previous requests for “help” on 10/22/21 and on 10/26/21 without so much as any form of courtesy call back.

These were the participants in the surprise phone call conducted on all their behalves by Linda William on 10/29/21 – whereby she began the call by asking me to tell her the areas of disability (law) about which I needed advocacy (for STATE actors to comport with the law), and after I clearly informed all of these WESTERN RESOURCES “advocates” of these areas, they nevertheless did NOTHING whatsoever in follow-up. The RECORDED audio link is at: http://www.ricobusters.com/wp-content/uploads/2022/02/102721_KEY_LindaWilliams-WesternResourcescallbackwithSuperBoardMem-30min.wav

In the above-referenced RECORDED conversation on 10/29/21, I clearly conveyed the following FACTS in response to Linda Williams feinting concern for me as a disabled person calling for help by asking “How are you?” and “What is it exactly that you want me [and ‘us’] to advocate for you?”

- 1) **“I NEED MEDICAID”** – Because the STATE agents are continually refusing to provided me with needed STATE MEDICAID insurance coverage, I as a “*totally and permanently disabled quad-amputee*” am left with only two choices regarding the acquisition of needed medical services from the medical community: Either I go into debt slavery and the ruining of my personal and credit reputation by privately contracting with private medical service providers for the 20% costs of prescribed medical treatments, which MEDICARE does not provide for (if provided at all by the national government) WHEN I HAVE NO “INCOME” AND HAVE NO MEANS OF PAYING THESE COSTS prescribed by my doctors, or, settling on the FACT that the doctors and medical service providers offering services to me that I need WILL REFUSE TO PROVIDE THESE NEEDED SERVICES BECAUSE I CANNOT CONTRACT WITH THEM AND THEIR “DEBT COLLECTORS” for debts that I already know that I cannot pay “as a disabled person with no legs and no fingers”;
- 2) **I was** criminally evicted during the middle of the Winter, during national PANDEMIC, and EVICTION MORATORIUM while paying rent and complying in all other aspects with the laws, and the after arriving to the STATE OF SOUTH DAKOTA as a refugee asking for help

on behalf of myself as well as on behalf of the Sovereign People of South Dakota who would now be compelled to be paying for my medical costs for which the Taxpayers of the STATE OF MICHIGAN otherwise shirking responsibility; and that I was denied such help as a reported CRIME VICTIM because the ATTORNEY GENERAL was more preoccupied with his own “*defense*” to being placed on criminal trial himself for manslaughter.

- 3) I needed further assistance in getting back the SOCIAL SECURITY payments that were illegally taken from me by the U.S. TREASURY and SOCIAL SECURITY ADMINISTRATION for many months after MEDICARE kicked in and the STATE OF MICHIGAN and CENTERS FOR MEDICARE AND MEDICAID used the COVID PANDEMIC as the basis for their dereliction and (criminal) GROSS NEGLIGENCE in refusing my calls in requests for assistance in completing proper application documents to keep this “*hardwired*” and streamlined process for “*deducting MEDICARE PREMIUMS*” from depriving me of that money from the time MEDICARE went into effect until Linda Williams could competently assist me in getting “*qualified*” and keeping the same thing from happening after I arrived to South Dakota.
- 4) I am being denied for MEDICAID based upon “level of need” without anyone defining IN WRITING the procedures or the laws defining how “levels of needs” are determined and the qualifications of those making the determination to DENY me (repeatedly) based upon this criteria WHILE ALSO COMPLETELY DISREGARDING MY MULTIPLE WRITTEN COMPLAINTS and DENYING all of my “Open Records” document requests for this information under the laws of “government transparency” ... all in violation of the “Open Records” laws.
- 5) I am being DENIED transportation services (or being compelled to ask for special treatment and forgiveness for “inability to pay”) because I do not have MEDICAID, which otherwise pays the costs for me to get to and from doctors and medical service providers; and I thus need help in getting that rightful access to my community without having to humiliate myself with groveling for rides – as otherwise required by both STATE and UNITED STATES laws governing the treatment of disabled people “*with dignity*”.
- 6) Because Linda William’s phone call was unplanned (without any courtesy whatsoever to me as a supposedly “*fully informed*” disabled man in charge of my own daily scheduling and without Linda Williams having first scheduled such an “*important*” meeting with her “*supervisor*” and “*CORPORATE board*” present on the call with me), I needed this conversation to resume at a later time because Linda William’s “untimely call” was at that very moment interfering with my need to finish getting dressed and catching a scheduled transportation vehicle to take me to doctor-prescribed physical treatment for myself (to which Linda Williams responded by insisting that she take even more of my time anyway on the phone instead of honoring my kindly stated wishes and expressed needs).

As clearly depicted by the RECORDED phone conversation, in response to all of the above, Linda Williams – acting on behalf of all of the rest at WESTERN RESOURCES FOR INDEPENDENT LIVING – whose names she intentionally kept undisclosed over the phone, only had the following to assert, more in “*defense*” of her own past inadequacies after apologizing for her persistent failures to respond prior to this, and informing me of what she and the others were **NOT**, and what they were **NOT** going to do “on my behalf”:

- a) “Our organization... We are not legal people. We are NOT attorneys; we DON’T profess to be attorneys. We just get people ‘hooked up’. ... “
- b) “I do have several resources that YOU can ‘tap into’ ... (but again she and the others NEVER conducted any further follow-up in the three months that followed).

- c) On the call, Williams insisted in only taking more of my own requested time on the clear chance that she would cause me to be late for a transportation pickup by her “*untimely call*”.
- d) NONE OF THE ABOVE ADDRESSED MY DETAILED ANSWER TO HER INITIAL QUESTION OF “*What is it exactly that you want me [and ‘us’] to advocate for you?*” (as depicted above and at the beginning of this RECORDED phone call, now made public at the following website location):

http://www.ricobusters.com/wp-content/uploads/2022/02/102721_KEYLindaWilliams-WesternResourcecallbackwithSuperBoardMem-30min.wav

NOTE: This DOCUMENT CONTAINS MULTIPLE “*OPEN RECORDS REQUESTS*”

Open Records Request #2 – I request all STATE records related to:

- a) The business licensing (regardless of year of filings) and ALL filings with the STATE (whether related to taxation or otherwise) for WESTERN RESOURCES FOR INDEPENDENT LIVING for the past THREE (3) years (being for 2018, 2019, 2020) and any quarterly filings for the tax year of 2021;
- b) All records related to STATE funding to WESTERN RESOURCES FOR INDEPENDENT LIVING for the past three years (being for (being for 2019, 2020, 2021) and any funding provided for this instant year of 2022

Re: Request for "Reasonable Accommodations" under the ADA by way of "Extra Time" and "Interpreter/Administrative" Services in completing ECONOMIC ASSISTANCE APPLICATION RECERTIFICATION and "SNAP BENEFIT RENEWAL" for Elderly, Poor, and "Totally and Permanently" Disabled Clinically Verified "Quad-Amputee".

What appears to be either UNDATED or on or about the dates of 1/1/22 (which is doubtful because STATE employees typically have a holiday on NEW YEARS DAY) and 1/7/22 respectively, DSS DIVISION OF SOCIAL SERVICES "EA BENEFITS SPECIALIST" Sharon Maher or her agents sent me TWO UNSIGNED "NOTICES" pertaining "my" SNAP "BENEFIT" as a WELFARE RECIPIENT (i.e., as I am NOT a "TAXPAYER" and have no "INCOME" as defined by the INTERNAL REVENUE CODE). (See below and on the following page for these two "notices".)

DSS-EA-306 10/12

CASE NAME: SCHIED, DAVID E

10

CASE #: 000522733

SECTION: 1

RENEWAL NOTICE

Your SNAP benefit is due for renewal.

You have two options to complete your renewal. You can either go online to complete the renewal or you may complete the enclosed paper form. You must also complete an interview.

Please submit your renewal form no later than February 1, 2022.
* Your SNAP benefits may be late if the renewal process is not completed by FEB 15, 2022
* Your benefits will end FEB 28, 2022 if you do not complete the renewal process.

YOU ARE SCHEDULED FOR A TELEPHONE INTERVIEW. I WILL CALL YOU AT 605-580-5121.

If your telephone number has changed, the date and time listed for the interview will not work, you would prefer an interview in the office, or you miss your interview, please call me to reschedule.

Your interview is scheduled for February 2 at 11:30.

To complete the renewal online, you can go to: <https://dss.sd.gov/applyonline>

After clicking on "Complete My Yearly Renewal", you will be given additional information regarding the website and allowed to enter a password. You will then be asked to enter the following information:

In Field 1, enter your Pin # Y52S
In Field 2, enter your date of birth (Must use this format with / : mm/dd/yyyy - example: 01/15/1951)
In Field 3, enter the county where you live
In Field 4, enter your case number

If you enter the information shown above into the DSS Online system, current information from your file will be displayed. Review the information, correct any information that has changed, and add any new information. (You can also choose to submit an online renewal without entering the four items listed above. If you choose this option, information from your file will not be displayed, but you can still complete the form online.)

- ✓ You must also provide proof of the following information. Bank Statement
- > Amount and source of all income
 - > Proof of where you live, if it has changed
 - > SNAP only: Rent, home ownership, and/or utility expenses, if you want to claim a deduction for these expenses. (Utility expenses are heat, electricity, phone, water, sewage, garbage.)
 - > SNAP only: Medical expenses for anyone in your household age 60 or older or permanently disabled, if you want to claim a deduction for those expenses.

In addition, complete and return these forms before your scheduled interview.

- () DSS-EA-208, Release Form
- () DSS-EA-314, Medical Expense Sheet
- () DSS-EA-231, DSSEA-232, or SE-459

JAN 1, 2022

PHONE NUMBER: 605-892-2731 EXT: 213
TOLL FREE: 877-390-0093
FAX: 605-892-3616

Sharon Maher, EA Benefits Specialist
Phone: 605-295-7448
605-892-2731 ext. 1500213
sharon.maher@state.sd.us

- > If you are unable to complete the SNAP forms and have appointed an authorized representative, he/she may assist in completing the forms.
- > If all members of your household are now receiving SSI (Supplemental Security Income) or plan to apply for SSI, you may complete the SNAP renewal process at the Social Security Office. If you choose to do this you must contact the Social Security Office.
- > If you disagree with a decision, denial, or delay of your benefits, you may request a fair hearing.
- > For SNAP, you have the right to receive an application upon request and have it accepted with only name, address, and signature.



NOTICE OF ACTION

NOTICE FOR: DAVID E SCHIED (000522733)

DAVID E SCHIED
PO BOX 321
SPEARFISH SD 57783-0321

Received on 1/13/22
via an undated postage
pre paid envelope.

THIS NOTICE IS BASED ON FACTS FOR
FEBRUARY, 2022

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP):

BEGINNING FEB 01, 2022, YOUR SUPPLEMENTAL NUTRITION ASSISTANCE WILL
DECREASE FROM \$ 196.00 TO \$ 166.00 BECAUSE:
UNEARNED INCOME WENT UP FROM \$ 1099.00 TO \$ 1164.00 .
FUTURE SNAP BENEFITS WILL BE DEPOSITED INTO YOUR EBT ACCOUNT ON THE TENTH
OF EACH MONTH IN THE AMOUNT OF \$ 166.00 UNLESS YOUR CIRCUMSTANCES CHANGE.

**** IMPORTANT ****

YOU MUST REPORT WHEN YOUR FAMILY'S GROSS MONTHLY INCOME (BEFORE
DEDUCTIONS) IS MORE THAN \$ 1396.00. GROSS MONTHLY INCOME IS ALL INCOME
RECEIVED BY YOUR FAMILY, BOTH EARNED AND UNEARNED. YOU MUST REPORT THE
INCREASE IN INCOME TO ME NO LATER THAN THE 10TH OF THE NEXT MONTH.
IF THERE ARE NEW INDIVIDUALS IN THE FAMILY, INCLUDE THEIR INCOME.

THE FOLLOWING INFORMATION WAS USED FOR FEBRUARY, 2022

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)	
UNEARNED INCOME	+\$ 1164.00
RENT/HOME EXPENSE	-\$ 420.00
UTILITY ALLOWANCE	-\$ 784.00
BENEFITS FOR 1 PERSON(S) WITH THE ABOVE INCOME AND EXPENSES = \$ 166.00	

SOME NUMBERS MAY BE ROUNDED ACCORDING TO PROGRAM RULES.

JAN 07, 2022

SHARON MAHER
BENEFITS SPECIALIST
DEPT OF SOCIAL SERVICES
609 FIFTH AVE
BELLE FOURCHE SD 57717

TELEPHONE NUMBER
605-892-2731 EXT 213
OR TOLL FREE
877-390-0093

The above "Notices" bring into question two important issues that must be lawfully addressed:

First, the notices continue to make use of a FEDERAL "Income Tax" word applicable to "TAXPAYERS," which I insist does NOT apply to me as a "WELFARE RECIPIENT" receiving "BENEFITS", not "income" (including what Sharon Maher and her fellow "agents" of the DSS "principal" refer to as "unearned income").

Second, forcing me (i.e., by language of "you must") to provide administrative assistance for information that is readily available to the STATE "agents and principals" enabling them to continue servicing a "totally and permanently disabled quad-amputee" and WELFARE RECIPIENT – who is NOT A TAXPAYER, who RECEIVES NO "INCOME" (i.e., "SOCIAL

SECURITY” is defined as a “*BENEFIT*” not as taxable “*income*” because it was already TAXED as “*Gross Income*” in previous decades as I contributed to the SOCIAL SECURITY SYSTEM in my youth at a time that I was then a “*TAXPAYER*”). I cannot, therefore, be taxed TWICE on this “*contribution*” already previously taxed; as again, **I RECEIVE NO “INCOME” but instead only receive WELFARE “BENEFITS” and SOCIAL SECURITY “BENEFITS”**.

This is a misuse of this FEDERAL “*tax*” word by the STATE for unconstitutional purposes of “*involuntary servitude*,” a blatant violation of the THIRTEENTH AMENDMENT since there is no “*consideration*” or compensation for this DEMAND made upon me (as one of the Sovereign People) by the STATE.

NOTE: This DOCUMENT CONTAINS MULTIPLE “OPEN RECORDS REQUESTS”

Open Records Request #3 – I request all STATE records related to:

- a) Any and all STATE legislation providing the exact definitions for the words “INCOME” and “UNEARNED INCOME,” regardless of the purposes or the contexts in which these words are used or administratively applied;
- b) Any and all STATE legislation* that authorizes STATE functionaries to issue unconstitutional “*Master-to-Servant*” commands such as “*You must*” and “*You will*” while addressing the Sovereign American People or the Sovereign People of the State of South Dakota, whether or not they are classified as “WELFARE BENEFICIARIES” owed services from STATE government as their “*servants*.”

United States ex rel.
Accardi v. Shaughnessy
Court case

United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, is a landmark United States Supreme Court case, in administrative law, in which the Court held that administrative agencies in the Federal Government are obliged to follow their own regulations, policies and procedures. Wikipedia

Date decided: 1954

*** Note that administrative “rules” and “policies” do not constitute LAW; and the “ACCARDI DOCTRINE” is the governing law which holds that:**



Accardi Doctrine Law and Legal Definition

Accardi doctrine is an agency which must abide by its own regulations. This doctrine is named after the Supreme Court decision from which the doctrine was developed, US ex rel Accardi. The Accardi doctrine provides that when an agency fails to follow its own procedures or regulations, that agency's actions are generally invalid. Therefore, an agency's failure to afford an individual procedural safeguards required under its own regulations may result in the invalidation of the ultimate administrative determination.

NOTE that the above-referenced “RENEWAL NOTICE” (as shown by graphic reference immediately below) was in an envelope that had been DECEPTIVELY run through a U.S. POSTAL SERVICE “postmarking” meter to reflect a “mailing date” on 1/4/22, BUT was not actually placed into the mail for weeks afterwards – because this envelope was not received until 1/22/21 (despite that I had just checked this mailbox within the previous five days).

DSS-EA-306 10/12

10

SECTION: 1

CASE NAME: SCHIED, DAVID E

CASE #: 000522733

RENEWAL NOTICE

Your SNAP benefit is due for renewal.

You have two options to complete your renewal. You can either go online to complete the renewal or you may complete the enclosed paper form. You must also complete an interview.

Please submit your renewal form no later than February 1, 2022.
* Your SNAP benefits may be late if the renewal process is not completed by FEB 15, 2022
* Your benefits will end FEB 28, 2022 if you do not complete the renewal process.

YOU ARE SCHEDULED FOR A TELEPHONE INTERVIEW. I WILL CALL YOU AT 605-580-5121.

If your telephone number has changed, the date and time listed for the interview will not work, you would prefer an interview in the office, or you miss your interview, please call me to reschedule.

Your interview is scheduled for February 2 at 11:30.

To complete the renewal online, you can go to: <https://dss.sd.gov/applyonline>

DEPARTMENT OF SOCIAL SERVICES
609 5th AVENUE
BELLE FOURCHE SD 57717-1405

ADDRESS SERVICE REQUESTED

NEOPOST FIRST-CLASS MAIL
→ 01/04/2022
US POSTAGE \$001.96⁰
ZIP 57717
041M11281679

Not received until
1/22/22

This envelope included NO COVER LETTER, NO other SIGNED communication, and NO listing of “*enclosures*”; but it did include seventeen (17) bound pages captioned “ECONOMIC ASSISTANCE APPLICATION” stamped with “RECERTIFICATION” at the top (SEE BELOW and on the next page for the “*cover sheet*” to this bound set of pages), along with four (4) unbound documents captioned as follows:

- SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) MAXIMUM GROSS MONTHLY *INCOME* GUIDELINES 10-21-0922
- MEDICAL EXPENSE SHEET
- ENERGY ASSISTANCE ADDENDUM
- ENERGY ASSISTANCE PROGRAM INFORMATION

Please NOTE that I have reviewed this package in light of the FEE SCHEDULE that I provided previously to the agents and principals of the STATE as dated (“*finished*”) on 8/3/21 (shown again below and on the next page by graphic representations). **Please also note that, whereas I had not opened an “*account*” before for the costs of damages against me (inclusive for “*involuntary***

servitude and COERCED “*administrative services*” in addition to my setup costs for further civil litigation and criminal prosecution against STATE “*actors*” acting outside of their Oaths and Duties of office and in criminal PERJURY OF OATH and by criminal GROSS NEGLIGENCE and MALFEASANCE of the same), I have now opened such an account based upon the above multi-tiered sets of circumstances.

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David Schied
P.O. Box 321
Spearfish, South Dakota 57783
605-580-5121 (all calls recorded)

6/19/2021 (finished on 8/3/21)

ATTENTION: Kristi Noem, SOUTH DAKOTA GOVERNOR
Kim Malsam-Rysdon, SECRETARY and SENIOR ADMINISTRATOR for DOH –
Kim.Malsam-Rysdon@state.sd.us
Shawnie Rechtenbaugh, SECRETARY and SENIOR ADMINISTRATOR for DHS –
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SOUTH DAKOTA DEPARTMENT OF SOCIAL SERVICES – PROGRAM INTEGRITY
ProgramIntegrity@state.sd.us
John Osburn – ADMINISTRATOR, SOUTH DAKOTA DEPT. OF HEALTH, OFFICE
OF HEALTH PROTECTION – john.osburn@state.sd.us

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PRIVATE PUBLIC PROXY
P.O. BOX 321
SPEARFISH, SD 57783

FEE SCHEDULE AND INTEREST COMPOUNDED (QUARTERLY)

(updated 11/1/19 to begin in effect immediately and included in
the next billing cycle for 2021) ***

<u>QUASI-GOVERNMENT AGENTS AND/OR CORPORATE LICENSEES OF ANY STATE OR THE “UNITED STATES”</u>	<u>REF. ACCNT Nos. / AGENCY CLAIMS</u>	<u>DAMAGE ASSESSMENTS, PUBLIC PROSECUTIONS COSTS *</u>	<u>PER VIOLATION \$ 2,000,000</u>
AND/OR EMPLOYEES OR OTHER SUBCONTRACTORS OF ANY GOVERNMENT DEPARTMENT, BUREAU, DIVISION, SECTION, UNIT, AGENCY, OR OFFICE	NONE open at this time for the STATE OF SOUTH DAKOTA and its “principals” and “agents”	<u>FAILURE TO RESPOND / CONTINUED DEFAULT REFUSAL TO PAY ON DEBT COLLECTION NOTICES ** ***</u>	<u>\$ 2, 000,000 (each billed agency)</u>
	Any others (known or unknown)		
	<u>Any claim of Debt</u>	<u>COMPOUNDED QUARTERLY INTEREST AT THE LOW RATE OF</u>	<u>5 %</u>

* This cost is evenly distributed amongst the Consortium of All Listed “*Quasi-Government Agents*” and “*Corporate Licensees*.” Participating in the Common Objectives of Damaging the Man of David Schied © in Any Way Whatsoever, Including “*In Commerce*”

** This fee is a punitive amount added for the continued Common Law “*tort*” violations in damaged personal credit and persisting fraud upon the public for which future litigation may be necessary.

*** Additionally, “*Golden Opportunities*” may be magnanimously offered in good faith in effort to “settle” the “accounts” on an individual bases at the discretion of David Schied © as “**CREDITOR**”

As you should already know, upon my arrival as a *bona fide* and previously rendered **CRIME VICTIM** and homeless **"REFUGEE"** from the (CORRUPT) STATE OF MICHIGAN, it was Linda Williams at the WESTERN RESOURCES FOR INDEPENDENT LIVING who had advised me and assisted me in all aspects of the previous "application(s)" for state "Economic Assistance," "Energy Assistance," and/or "SNAP Benefits" ... **because I lack fingers, legs, and a proper understanding of the LAWS OF THE STATE OF SOUTH DAKOTA when signing documents "under penalty of [criminal] perjury". Therefore, I once again this year – when committing to "RECERTIFICATION" procedures and "FORMS" needed by the STATE – request the FIDUCIARY services of these CO-TRUSTEES of the STATE acting in their capacities (individually and collectively) as a TAXPAYER-Supported NON-PROFIT CORPORATION, as licensed by this STATE.**

DSS-EA-301 11 20

Case #: _____ Section: 1

Economic Assistance Application **RECERTIFICATION**

What is Economic Assistance and How Do I Apply for Economic Assistance?

Economic Assistance programs help low income individuals, families, children, pregnant women, people with disabilities, and the elderly by providing medical, nutritional, financial, and case management services.

Step 1- Complete all questions. Sign and date the application. If you need help completing this form or bringing it to the local Social Service office, please call your local Social Services office and ask for help.

Step 2- Mail, fax, or take your application to a local Social Services office. You have the right to file this application right away by completing your name, address, and signature on this page. The date we get this page starts the time we have to decide your eligibility for the Supplemental Nutrition Assistance Program (SNAP), and/or medical programs.

Step 3- Interview. Provide proof of income and expenses. If this is not a new application, we will only need verification of any changes. An interview is required if applying for the Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families.

Do You Need Interpreter Services? (Interpreter services are provided free of charge) ☒ Yes ☐ No

Please check what type of interpreter services are needed ☒ Language (list what language) LEGAL and WRITTEN

☐ Visual or Hearing Impaired ☐ Other (please describe) _____

Tell Us About You - TOTALLY AND PERMANENTLY DISABLED QUAD-AMPUTEE

Answer these questions about yourself. See letter dated 2/6/22

First Name David	Initial	Last Name Schied	Social Security Number
Birth Date	Primary Phone Number		Secondary Phone Number (optional)
Street Address		Apartment Number	County (you live in)
City	State	Zip Code	Email Address (optional)
Mailing Address (if different from street address)			Do you live on an Indian Reservation? <input type="checkbox"/> Yes <input type="checkbox"/> No
Directions to Your Home (if no street address)			What is the best time to contact you between 8am and 5pm?

NO CHANGES

What programs are you applying for? ☒ SNAP ☐ TANF ☒ Medical Assistance

Do You Need a South Dakota EBT Card? ☒ Yes ☐ No

If you choose Yes or leave blank, an EBT card will be mailed to you and your previous card will not work. If you choose No, you will not receive an EBT card.

When Will I Get Assistance?

Supplemental Nutrition Assistance Program (SNAP): You must complete the entire application, have an interview, and provide ID.

SNAP Benefits within 30 days:

You will receive SNAP benefits within 30 days if you are eligible. If you are not eligible you will receive a letter of explanation.

SNAP Benefits within 7 days: If you are eligible, you will receive benefits within 7 days if you meet one of the following:

- Households with gross monthly income less than \$150 and resources of \$100 or less; or
- Households with rent, mortgage, and utilities that are more than the household's gross monthly income and resources; or
- Households with a migrant or seasonal farm worker with resources (including cash, checking and savings accounts) of \$100 or less, whose income is stopping or starting.

Medical Assistance within 45 days:

You will receive notice of your eligibility determination within 45 days after receipt of the application for most medical programs.

Temporary Assistance for Needy Families (TANF) within 30 days:

Benefits will be determined from the date the signed application is received. (An application for TANF requires another form.)

If applying for children's medical, your SNAP information and data will be used to determine the children's Medicaid eligibility unless you request us not to do so.

I certify that I will give the South Dakota Department of Social Services all information needed to review my application for TANF, SNAP, and Medical programs. This information will be true and correct to the best of my knowledge.

Signature:	Today's Date:
(Signing here will start your application. You must also sign page 11 before you can receive any benefits.)	

Expedited: <input type="checkbox"/> Yes <input type="checkbox"/> No	Receipt Date	Case Number
Application: <input type="checkbox"/> New <input type="checkbox"/> Renewal		

I “understand” that in context of the above-referenced THIRTY SIX (36) PREVIOUS PAGES of EVIDENCE of OUTRIGHT LYING, LYING BY OMISSIONS, and CRIMINAL VIOLATIONS OF OATHS AND DUTIES OF “OFFICIAL” OFFICES, the idiots and “functionaries” – acting as both elected and appointed “officials” operating as CO-TRUSTEES of the STATE – are COERCING me to sign the following “under [criminal] penalty of perjury,” with readiness to use the same CRIMINAL tactics seen herein to create further damages against me as a WELFARE RECIPIENT, a “non-TAXPAYER,” and as One of the Sovereign American People “under God”...

... WITH NO ACCOUNTABILITY FOR THEMSELVES!

prison, or both, if convicted	
You can also be fined up to \$250,000 or sentenced to prison up to 20 years, or both, for doing these things. You may also be charged under other Federal or State programs and could be ordered to repay the cost of that assistance. You may also be barred from receiving SNAP for an additional 18 months if court ordered. You can also be charged with perjury.	
I understand that the information on this form is subject to verification by Federal, State, and local officials to determine that such information on this application is correct and complete including citizenship and alien status of the members applying for benefits. If any information is found to be incorrect, benefits may be reduced or terminated, and I will be responsible for paying the benefits back. I declare and affirm under penalties of perjury that this application has been examined by me and to the best of my knowledge and belief is in all things true and correct. I understand I may be subject to criminal prosecution for knowingly providing incorrect information. I have read and understand the legal information and understand my responsibilities and agree to fulfill them. I understand the penalties for giving false information or breaking the rules of the assistance program(s).	
Signature of Applicant:	Date
Signature of Authorized Representative:	Date
Signature of Interviewer:	Date

Consider this document to also comprise my FORMAL COMPLAINT against Jenna Howell and Jeremy Lippert, as well as a COMPLAINT against each of their law licenses under which they operate dually as “officers of the court”.

OPEN RECORDS REQUEST #4 – I request the personnel records and law licenses for STATE attorneys Jenna Howell and Jeremy Lippert.

Respectively,

/s/ David Schied – One of the Sovereign American People;

- Recent (less than 4 years) “Totally and Permanently Disabled Quad-Amputee” reported as CRIME VICTIM and STATE “Refugee”.
- “WELFARE “Beneficiary” in need of MEDICAID and other STATE services and “benefits” as mandated by fiduciary “CO-TRUSTEES” of the STATE and UNITED

STATES laws upon these governments as enforceable by PROSECUTION for RICO Violations, Sedition, Treason, Insurrection, and Domestic Terrorism, as well as “*Perjury of Oath*”.

Attachments:

- Email to DSS Regional Manager Tom Eads (12/1/22) – “*Follow-up to Our Meeting Yesterday*” – **9 pages with graphic evidence that the DHS functionaries making decisions to disqualify me from STATE “MEDICAL ASSISTANCE”** (which was provided six months prior in a previously UNANSWERED COMPLAINT and OPENS RECORDS REQUEST) **have been proven to cost SOUTH DAKOTA “Taxpayers” nearly a half-million dollars in a “discrimination” court case; and who are gender biased “feminists” with long histories of investigating and prosecuting men for “violence against women” and for “sexually transmittable diseases” being nowhere properly qualified to judge my “level of needs” as a “totally and permanently disabled quad-amputee”.**