



FREEDOM OF INFORMATION ACT OFFICE
UNIVERSITY OF MICHIGAN

September 3, 2019

Re: HOW 0695-19

Dear

I am writing in response to your Freedom of Information Act request dated August 9, 2019, which was received on August 12, 2019.

You requested information from Michigan Medicine, specifically, "all the dates of transfers from Planned Parenthood to the University of MI for the years 2010 to 2016. Please separate your response by years."

Enclosed find data regarding the number of transfers from Planned Parenthood to the University of MI for calendar years 2013 to 2016. The University does not have data in a retrievable format for calendar years prior to 2013. Your request for dates of transfers is denied pursuant to Section 13 (1) (d) of the Act, which protects from disclosure "records or information specifically described and exempted from disclosure by statute," namely the Health Insurance Portability and Accountability Act of 1996 and implementing privacy regulations (collectively "HIPAA") and Section 13 (1) (a) of the Act, which allows the University to refrain from disclosing information that would constitute an unwarranted invasion of an individual's privacy. Therefore, your request is granted in part.

Please note that within 180 days from the date of this letter, you have the right to appeal the denial of information to the President of the University or seek judicial review in the Michigan court of claims to try to compel disclosure. If you elect to appeal and the President upholds the denial, you may still seek judicial review within the 180-day period.


An appeal to the President must be submitted in writing to: President's Office, c/o Liz Barry, The University of Michigan, 2080 Fleming Administration Building, 503 Thompson Street, Ann Arbor, MI 48109-1340 (or by email to: presoff@umich.edu). The statement must (1) identify the request and the final determination by the FOIA officer that is being appealed, (2) specifically state the word "appeal," and (3) identify the reason or reasons why the final determination should be reversed.

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If you seek judicial review in the Michigan court of claims and prevail, you will be awarded reasonable attorney's fees, costs and disbursements incurred in maintaining the action. If you prevail in part, you may still be awarded complete or partial reimbursement for those expenses. In addition to actual and compensatory damages, you will be awarded punitive damages in the amount of \$1,000.00 if the court finds that the University was arbitrary and capricious in its denial.

A copy of Section 10 of the Michigan FOIA is available for your reference and review online at <http://foia.vpcomm.umich.edu/foia-right-to-appeal/>.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia J. Sellinger". The signature is fluid and cursive, with the first name "Patricia" being the most prominent part.

Patricia J. Sellinger
Chief Freedom of Information Officer

Enclosure