

| State | Expanding Medicaid? | State Exchange? |
|-----------------------|------------------------|--|
| Alabama | Undecided | Undecided |
| Alaska | Undecided | No (federally funded and implemented by 2014) |
| Arizona | Undecided | Undecided |
| <u>Florida</u> | <u>No</u> | No * Announced he will negotiate w/ Feds |
| <u>Georgia</u> | <u>No</u> | Undecided (leaning no) |
| Idaho | Undecided | Undecided |
| Indiana | Undecided | Undecided (leaning no) |
| <u>Iowa</u> | <u>No</u> | Undecided |
| Kansas | Undecided (leaning no) | No |
| <u>Louisiana</u> | <u>No</u> | No |
| <u>Maine</u> | <u>No</u> | No |
| Michigan | Undecided | Undecided |
| <u>Mississippi</u> | <u>No</u> | Undecided |
| <u>Nebraska</u> | <u>No</u> | Undecided |
| Nevada | Undecided | Yes (Nevada's state based insurance exchange- established in the 2011 Legislative Session) |
| New Jersey | Undecided | Undecided |
| New Mexico | Undecided | Yes (Announced: Early 2012 - Submitting Blueprint Nov. 16th) |
| North Dakota | Undecided | No (The ND legislature defeated efforts for ND to establish a state-based exchange) |
| Ohio | Undecided | Undecided (leaning no) |
| Oklahoma | Undecided | Undecided |
| <u>Pennsylvania</u> | <u>No</u> | Undecided (leaning no - not responding to 11/16 deadline) |
| <u>South Carolina</u> | <u>No</u> | No |
| South Dakota | Undecided | No (SD will not build a state based exchange. The state will apply to do plan management on a federal exchange.) |
| Tennessee | Undecided | Undecided |
| <u>Texas</u> | <u>No</u> | No |
| Utah | Undecided | Undecided (Utah Health Exchange established in 2007) |
| Virginia | Undecided | Undecided |
| Wisconsin | Undecided | Undecided |
| Wyoming | Undecided | Undecided |

state exch

nothing

struggling

working w/ Leavitt Partners, prepared to do state or partner

no state

state maybe, don't want to

probably not

Federal exchange announced

state

state

no

state probably

Fed

Fed ?

yes or maybe

- AL
- AZ
- ID
- MS
- NV
- NM
- TX

◁ Which Democrats are choosing Federal Exchange
DE = Partnership

◁ Check in w/ Meade

From: [Denise Northrup](#)
To: [Alex Weintz](#); [Katie Altshuler](#)
Cc: [Glenn Coffee](#); [Andrew Silvestri](#); "gcoffee [REDACTED]"; [Steve Mullins](#)
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Date: Tuesday, July 03, 2012 5:39:01 PM

That's fine, I just don't know why we'd rush into a decision like that. I hardly think the political pressure of patrick anderson is worth jumping into a decision like that...

From: Alex Weintz
Sent: Tuesday, July 03, 2012 04:43 PM
To: Alex Weintz; Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee [REDACTED]; Steve Mullins
Subject: RE: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

Update – the governor has asked me to put together a statement saying we will not pursue Medicaid expansion. To go out Thursday. will send draft tomorrow.

From: Alex Weintz
Sent: Tuesday, July 03, 2012 4:01 PM
To: Alex Weintz; Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
Subject: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

Also, I continue to think that there is a very small chance we would ever accept the Medicaid expansion or be able to build an exchange in Oklahoma, and I believe we should proactively say No to both as soon as possible (I told the gov this at senior staff).

According to this article that Katie just me (<http://thehill.com/blogs/healthwatch/health-reform-implementation/236033-fifteen-governors-reject-or-leaning-against-expanded-medicaid-program>), 15 Republican governor's have said "maybe" to Medicaid; 14 have said "no" or "probably not." I suspect the rest will rapidly slide in that direction.

On Medicaid in particular, we have been saying ACA is unaffordable because the state will have to pick up the costs of adding 200,000 Oklahomans to the rolls, at a price of a half billion dollars. The decision we are faced now is whether to accept exactly that provision of ACA or to turn it down. We've already said it won't work and is unaffordable ... why not just make it official and say we won't take the money? That also buys us some time to look twice at the exchange with people who want us to make an anti ObamaCare statement.

The longer we wait the more it looks like we are getting bullied by people like Patrick Anderson.

From: Alex Weintz
Sent: Tuesday, July 03, 2012 3:52 PM
To: Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
Subject: statement RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

Here is an updated no-statement statement designed to get us through the next few days if no decision is reached. Look ok to show to the gov?

Governor Fallin was disappointed and frustrated with the Supreme Court's decision to uphold the bulk of the Affordable Care Act (ACA). She believes the law is unaffordable and unworkable, and that many aspects of the bill—including the individual mandate – grant Congress power that was not intended by the authors of the Constitution. She voted against the bill as a Congresswoman and supported the lawsuit filed by Oklahoma's attorney general as governor. She continues her adamant opposition to the law, and will actively campaign for conservative candidates, including the Republican presidential nominee, who pledge to overturn and replace the ACA.

However, in light of the Supreme Court's decision to uphold most of the ACA, Governor Fallin believes it is her responsibility to thoroughly and thoughtfully review the state of Oklahoma's options regarding the future of both Medicaid and the creation of a health insurance exchange. In the coming weeks, the governor will continue to study the issues with the Oklahoma Health Care Authority, which oversees Medicaid in Oklahoma. She and her staff are also continuing to meet with experts in the private and public sector regarding the potential creation of an exchange. Next week, she will visit with dozens of governors at the National Governor's Association meetings, where health care will be discussed at length. Additionally, her administration continues to communicate with doctors, health care providers and Oklahoma families about these issues.

Governor Fallin believes these conversations and meetings are necessary to making an informed decision about health care policies that will affect hundreds of thousands of Oklahomans. Her priority is not to make a decision soon; it is to make the right decision. The governor will continue to review how the state of Oklahoma can best meet the health care needs of its citizens. Our office will proactively relay these decisions to Governor Fallin's constituents and to the media as they are made.

From: Katie Altshuler
Sent: Monday, July 02, 2012 5:05 PM
To: Mary Fallin
Cc: Alex Weintz; Glenn Coffee; Denise Northrup; Andrew Silvestri
Subject: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Importance: High

I have ATTACHED a memo regarding the Supreme Court ruling on PPACA, major decision points and a timeline. I have also ATTACHED a number of materials (including news articles and press statements) in relation to the memo.

For your information we have staff level and agency director meetings scheduled for July 9 and 10 with the Health Dept., OHCA, Insurance Dept. and CIO to walk through options and next steps. We will keep you posted with regard to any new developments.

Thank you, Katie

Katie Altshuler, Policy Director
Office of Governor Mary Fallin

2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: [Denise Northrup](#)
To: [Andrew Silvestri](#); [Katie Altshuler](#)
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association
Date: Monday, October 29, 2012 12:05:20 PM

I think it's a good start, lets put it in front of her and see if she wants to add more.

From: Andrew Silvestri
Sent: Monday, October 29, 2012 11:14 AM
To: Denise Northrup; Katie Altshuler
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

[Possible response \(Data attached from usgovernmentspending.com\):](#)

Dear Lew,

Thanks for your email last week. I appreciate your time and concerns but wanted to follow up with you regarding the claim you made in your email as it simply does not match up with the facts of Oklahoma's current economic posture. According to data aggregated from the Office of Management and Budget, the U.S. Department of Commerce and the U.S. Census Bureau, Oklahoma ranked 42nd in per capital spending during FY 11, 40th in FY 12, and is projected to be ranked 38th in FY 13. While I agree there is room for improvement in these rankings, Oklahoma is far from the number one state in per capita spending in the United States. If you have data to contradict this information I would greatly appreciate seeing it so that I may send to my staff for further analysis and understanding.

I am proud that since taking office I have made government modernization and reduction of wasteful spending a cornerstone of my administration. This is clear by the numerous successful initiatives we have passed and signed into law over the last two years. My IT Modernization and Consolidation efforts have already saved the state over \$_____ million and is expected to save millions more. My energy efficiency initiative, which is in the process of being implemented as we speak, is projected to save the state \$500 million. These are just a couple of examples of what I am doing to reduce spending and waste in state government and my appointment to leadership in the National Governors Association will only help me elevate these issues to the national level so that other states may continue to follow Oklahoma's example.

Thank you again for your email and continued support.

Mary

From: Denise Northrup
Sent: Monday, October 29, 2012 9:07 AM
To: Katie Altshuler; Andrew Silvestri
Subject: FW: Response to OCPA's Comments Regarding the National Governors Association

[I don't know what the hell he's talking about but this says we aren't in the top 5 per capita](#)

spending...

http://govpro.com/resource_center/fiscal_management/state-per-capita-spending-20120705/

From: Mary Fallin
Sent: Friday, October 26, 2012 7:50 PM
To: Katie Altshuler; Denise Northrup
Subject: Fw: Response to OCPA's Comments Regarding the National Governors Association

Let's get him facts...

From: Lew Meibergen [REDACTED]
Sent: Friday, October 26, 2012 10:58 AM
To: Mary Fallin
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

Dear Mary:

I am in receipt of your e-mail of October 23. It was certainly good to hear from you; I didn't know if you knew my address as I hadn't heard from you on any items I had previously sent correspondence.

I really hate to see you serve as an officer of the NGA. I would rather see you stay at home and work with the state to cut this spending as you promised when elected. I must take my hat off to you - Oklahoma is number one in per capita spending in the USA.

I must pass up your request at this time. Perhaps I can help on other issues. We must cut this spending!

I was very proud we had a Republican Governor and Republican House and Senate but greatly disappointed after learning we led the nation in per capita spending.

Sincerely,

Lew Meibergen

From: Mary Fallin [REDACTED]
Sent: Tuesday, October 23, 2012 4:27 PM
To: Lew Meibergen
Subject: Response to OCPA's Comments Regarding the National Governors Association

Hi Lew,

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While I fully support OCPA's notion that jealously safeguarding taxpayer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

For example and most recently, the NGA provided my office, and the offices of other governors, essential support on my 22 multi-state natural gas vehicle development and procurement initiative by facilitating seminars, multi-state coordination, and staff research that was essential in making this unprecedented initiative the success it has been. I am confident when I say that their support was a key element of our success and that this initiative alone will save the state of Oklahoma hundreds of thousands of taxpayer dollars that far exceed Oklahoma's membership dues to the NGA.

In addition, the NGA has been instrumental in Oklahoma's fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to the impacts of the legislation. This is particularly important given the fact that the state agencies with jurisdiction over PPACA related issues operate independently from the governor's office.

NGA has proven to be an extremely valuable resource with regard to education reform policy as well. Just last month a representative from the NGA came to speak to the annual conference of the Oklahoma State School Board Association, her comments focused on encouraging schools to be more efficient with the tax dollars they receive, the importance of choice and she even addressed the positive effects of consolidation. Furthermore, the NGA has also made government modernization and redesign a top priority of their education and advocacy agenda and will be hosting a national summit in December which will allow state teams to learn about best practices and share their efforts to reform and streamline state government – an effort my office fully supports and will be taking advantage of.

The NGA has also provided my staff with extensive training sessions, from policy seminars to appointment and constituent services workshops and networking opportunities that have allowed my staff to learn from our nation's leading experts, which has in turn helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. The NGA employs actual experts in the policy areas they cover and more organizations would benefit from further interaction with them.

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and has consistently advocated on our behalf on a wide variety of issues such as preserving my authority and responsibilities as the Commander-in-Chief of Oklahoma's National Guard, the devastating impact of sequestration, improving quality of education and providing states with the essential flexibility it needs to meet its people's needs and goals.

This is just a brief note on some of the many services the NGA provides to Oklahoma and its 40 plus member states. I would think that OCPA would be proud of and promote Oklahoma's leadership in such an important and influential organization and would expect the OCPA to provide your readers with a more honest and robust perspective and dialog surrounding the NGAs true value.

Sincerely,

Mary

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From: [Craig Perry](#)
To: [Andrew Silvestri](#)
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association
Date: Monday, October 29, 2012 11:38:22 AM

His info is coming from stuart and/or ocpa most likely. Look at this study. It's one the ocpa touted - [I think](#).

<http://www.statebudgetsolutions.org/publications/detail/state-debt-more-than-37000-per-private-worker-13000-per-capita>

but clearly we are not number 1 in spending per capita.

From: Andrew Silvestri
Sent: Monday, October 29, 2012 11:31 AM
To: Craig Perry
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

But its rude and inaccurate.

From: Craig Perry
Sent: Monday, October 29, 2012 11:26 AM
To: Andrew Silvestri
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

Makes sense. He's a big AFP supporter.

From: Andrew Silvestri
Sent: Monday, October 29, 2012 11:20 AM
To: Craig Perry
Subject: FW: Response to OCPA's Comments Regarding the National Governors Association

[Read this email from lew.](#)

From: Andrew Silvestri
Sent: Monday, October 29, 2012 11:14 AM
To: Denise Northrup; Katie Altshuler
Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

[Possible response \(Data attached from usgovernmentspending.com\):](#)

Dear Lew,

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ranked 38 in FY 13. While I agree there is room for improvement in these rankings, Oklahoma is far from the number one state in per capita spending in the United States. If you have data to contradict this information I would greatly appreciate seeing it so that I may send to my staff for further analysis and understanding.

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From: Mary Fallin
Sent: Friday, October 26, 2012 7:50 PM
Subject: Fw: Response to OCPA's Comments Regarding the National Governors Association

[Let's get him facts...](#)

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Sincerely,

Mary

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From: [Denise Northrup](#)
To: [AJ Mallory](#); [Andrew Silvestri](#)
Cc: [Michelle Waddell](#)
Subject: RE: Final Copy - Response Letter to OCPA Blog
Date: Tuesday, October 16, 2012 2:50:33 PM

That John Snodgrass is from Ardmore, and is NOT Deby's husband...

From: AJ Mallory
Sent: Monday, October 15, 2012 4:11 PM
To: Andrew Silvestri
Cc: Denise Northrup; Michelle Waddell
Subject: RE: Final Copy - Response Letter to OCPA Blog

John Snodgrass is Deby's husband; Gary Wilson is the main ophthalmologist doc at Clear Sight Lasik in Brixton Square. LMK if you need help getting those. AJ

From: Andrew Silvestri
Sent: Monday, October 15, 2012 3:21 PM
To: AJ Mallory; Michelle Waddell
Subject: FW: Final Copy - Response Letter to OCPA Blog

AJ/Michelle – please see below from Denise. Can you check the lists she mentions for emails for OCPA boards?

From: Denise Northrup
Sent: Monday, October 15, 2012 2:59 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Andrew – please work with AJ and Michelle and tell them what we're doing. I don't have time to look up email addresses

From: Denise Northrup
Sent: Monday, October 15, 2012 2:55 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok, pull list of board members off and have Michelle and AJ look for their emails in mine, Glenns and Govs contacts...we'll go from there...

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:57 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

OCPA Board

- Blake Arnold [REDACTED]
Robert Avery

-
- Lee J. Baxter [REDACTED]
- Steve Beebe
- G.T. Blankenship
- John A. Brock [REDACTED]
- David R. Brown [REDACTED]
- Aaron Burleson
- Paul A. Cox
- William Flanagan [REDACTED]
- Josephine Freede
- Kent Frizzell
- Ann Felton Gilliland
- John T. Hanes
- Ralph Harvey [REDACTED]
- John A. Henry, III [REDACTED] (not positive this one is correct)
- Henry F. Kane
- Robert Kane
- Gene Love
- Tom H. McCasland, III [REDACTED]
- David McLaughlin
- Lew Meibergen [REDACTED]
- Ronald L. Mercer [REDACTED]
- Lloyd Noble, II
- Bill Price [REDACTED]
- Patrick T. Rooney [REDACTED]
- Melissa Sandefer
- Richard L. Sias [REDACTED]
- John F. Snodgrass
- Charles M. Sublett [REDACTED]
- Robert Sullivan [REDACTED]
- Lew Ward [REDACTED]
- William E. Warnock, Jr. [REDACTED]
- Gary W. Wilson, M.D.
- Daryl Woodard [REDACTED]
- Daniel J. Zaloudek [REDACTED]

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:54 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok – once you send me a list of board members you to send to I’ll talk to Michelle.

From: Denise Northrup
Sent: Monday, October 15, 2012 2:53 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Yeppers!

From: Andrew Silvestri
Sent: Monday, October 15, 2012 1:47 PM
To: Denise Northrup; Katie Altshuler
Subject: Final Copy - Response Letter to OCPA Blog

Do you still want to send this out? She sent me one edit Friday, which I made, but never officially "approved" the letter.

Hi name,

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In addition, the NGA has been instrumental in Oklahoma's fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to healthcare, this is particularly important given the fact that we have a very disjointed government structure with regard to issues surrounding PPACA. Oklahoma is at a disadvantage because the Governor's office has no direct control over our state Medicaid program.

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From: [Katie Altshuler](#)
To: [Andrew Silvestri](#); [Denise Northrup](#); [Aaron Cooper](#)
Subject: RE: DRAFT Note
Date: Thursday, October 11, 2012 1:32:43 PM

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: Andrew Silvestri
Sent: Thursday, October 11, 2012 1:14 PM
To: Denise Northrup; Katie Altshuler; Aaron Cooper
Subject: DRAFT Note

Below is a FIRST DRAFT response to OCPA's most recent blog post. Edits, suggestions obviously welcome.

Hi name,

~~Jonathan Small~~ OCPA is at it again with his latest hit piece on the National Governors Association (NGA) and other state membership organizations. ~~Jonathan~~ OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization without presenting the real facts. While I fully support Mr. Small's notion that jealously safeguarding tax payer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not normally otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

For example and most recently, The NGA provided my office, and other governor offices, essential support on my 22 multi-state natural gas vehicle development and procurement initiative by facilitating seminars, multi-state coordination, and staff research that was essential in making this unprecedented initiative the success it has been. I am confident when I say that their support was a key element of our success and that this initiative alone will save the state of Oklahoma hundreds of thousands of tax payer dollars that far exceed Oklahoma's membership dues to the NGA.

In addition, the NGA has been instrumental in Oklahoma's fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to healthcare, this is particularly important given the fact that we have a very disjointed government structure with regard to issues surrounding PPACA. Oklahoma is at a disadvantage because the Governor's office has no direct control over our state Medicaid program.

NGA has proven to be an extremely valuable resource with regard to education reform policy as well. Just last month a representative from the NGA came to speak to the annual conference of the Oklahoma State School Board Association, her comments focused on encouraging schools how to figure out how to do more with less, the importance of choice and she even addressed the positive effects of consolidation.

The NGA has also provided my staff with extensive training sessions from policy seminars to appointment and constituent services workshops and networking opportunities that have allowed my staff to hone in on the minds of some of our nation's most leading experts, which has in turn helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. **Need to add something here re/ government redesign forums/initiative.**

Finally, the NGA has and continues to provide an effective voice for Oklahoma at the federal level, and has consistently advocated on our behalf on a wide variety of issues such as preserving my authority and responsibilities as the Commander-in-Chief of Oklahoma's National Guard, the devastating impact of sequestration, improving quality of education and providing states with the essential flexibility it needs to meet its people's needs and goals.

This is just a brief note on some of the many services the NGA provides to Oklahoma and its 40 plus member states. I would think that Jonathan and the OCPA would be proud of and promote Oklahoma's leadership in such an important and influential organization and would expect him and the OCPA to provide your readers with a more honest and robust perspective and dialog surrounding its true value.

From: [Andrew Silvestri](#)
To: [Katie Altshuler](#); [Denise Northrup](#); [Aaron Cooper](#)
Subject: RE: DRAFT Note
Date: Thursday, October 11, 2012 2:26:29 PM

Updated draft below with Katie and Denise's edits/suggestions:

Hi name,

As a board member and a long, trusted friend and supporter of mine, I wanted you to be aware of OCPA's latest hit piece on the National Governors Association (NGA) and other state membership organizations. OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization without presenting the real facts. While I fully support OCPA's notion that jealously safeguarding tax payer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

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The NGA has also provided my staff with extensive training sessions, from policy seminars to appointment and constituent services workshops and networking opportunities that have allowed my staff to hone in on the minds of some of our nation's most leading experts, which has in turn

helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. The NGA employs actual experts in the policy areas they cover and more organizations would benefit from further interaction with them.

-

Finally, the NGA has and continues to provide an effective voice for Oklahoma at the federal level, and has consistently advocated on our behalf on a wide variety of issues such as preserving my authority and responsibilities as the Commander-in-Chief of Oklahoma's National Guard, the devastating impact of sequestration, improving quality of education and providing states with the essential flexibility it needs to meet its people's needs and goals.

This is just a brief note on some of the many services the NGA provides to Oklahoma and its 40 plus member states. I would think that OCPA would be proud of and promote Oklahoma's leadership in such an important and influential organization and would expect the OCPA to provide your readers with a more honest and robust perspective and dialog surrounding the NGAs true value.

ts true value.

From: [Denise Northrup](#)
To: [Andrew Silvestri](#)
Subject: RE: Final Copy - Response Letter to OCPA Blog
Date: Monday, October 15, 2012 3:15:27 PM

Lets get emails first and I'll deal with the rest later. I'm going to have to dig in the campaign file for missing emails anyway, might as well do all of that later at once.

If you'd just follow instructions, I have a plan 😊

From: Andrew Silvestri
Sent: Monday, October 15, 2012 3:15 PM
To: Denise Northrup
Cc: Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Sounds good but didn't think you wanted to send to all board members. Are there specific ones on this list you want to send to and then we'll find contact info?

From: Denise Northrup
Sent: Monday, October 15, 2012 2:59 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Andrew – please work with aj and michelle and tell them what we're doing. I don't have time to look up email addresses

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:57 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

OCPA Board

- Blake Arnold
- Robert Avery
- Lee J. Baxter
- Steve Beebe
- G.T. Blankenship
- John A. Brock
- David R. Brown
- Aaron Burleson
- Paul A. Cox
- William Flanagan
- Josephine Freede
- Kent Frizzell
- Ann Felton Gilliland
- John T. Hanes

- Ralph Harvey
- John A. Henry, III
- Henry F. Kane
- Robert Kane
- Gene Love
- Tom H. McCasland, III
- David McLaughlin
- Lew Meibergen
- Ronald L. Mercer
- Lloyd Noble, II
- Bill Price
- Patrick T. Rooney
- Melissa Sandefer
- Richard L. Sias
- John F. Snodgrass
- Charles M. Sublett
- Robert Sullivan
- Lew Ward
- William E. Warnock, Jr.
- Gary W. Wilson, M.D.
- Daryl Woodard
- Daniel J. Zaloudek

From: Denise Northrup
Sent: Monday, October 15, 2012 2:55 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok, pull list of board members off and have michelle and aj look for their emails in mine, glenns and gov contacts...we'll go from there...

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:54 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok – once you send me a list of board members you to send to I'll talk to Michelle.

From: Denise Northrup
Sent: Monday, October 15, 2012 2:53 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Yeppers!

From: Andrew Silvestri

Sent: Monday, October 15, 2012 1:47 PM
To: Denise Northrup; Katie Altshuler
Subject: Final Copy - Response Letter to OCPA Blog

Do you still want to send this out? She sent me one edit Friday, which I made, but never officially “approved” the letter.

Hi name,

As a board member and a long-time, trusted friend and supporter of mine, I wanted you to be aware of OCPA’s latest hit piece on the National Governors Association (NGA) and other state membership organizations. As you may know, I serve as the current vice-chair and chair-elect of the NGA. Unfortunately, OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization as a “big-government lobbying organization” without presenting the real facts that it serves as an effective advocacy group on behalf of our nation’s governors and state primacy. This is the first time in history a governor from Oklahoma has been elected to lead this organization and I am proud to join such an impressive list of leaders such as Mike Huckabee, Tim Pawlenty and John Ashcroft. This is an opportunity to bring national exposure to the best practices Oklahoma has to provide and it is embarrassing when an organization like OCPA continues to denigrate such an opportunity for the state.

While I fully support OCPA’s notion that jealously safeguarding taxpayer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

For example and most recently, the NGA provided my office, and the offices of other governors, essential support on my 22 multi-state natural gas vehicle development and procurement initiative by facilitating seminars, multi-state coordination, and staff research that was essential in making this unprecedented initiative the success it has been. I am confident when I say that their support was a key element of our success and that this initiative alone will save the state of Oklahoma hundreds of thousands of taxpayer dollars that far exceed Oklahoma’s membership dues to the NGA.

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The NGA has also provided my staff with extensive training sessions, from policy seminars to

appointment and constituent services workshops and networking opportunities that have allowed my staff to my staff to learn from our nation's leading experts, which has in turn helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. The NGA employs actual experts in the policy areas they cover and more organizations would benefit from further interaction with them.

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From: [Alex Weintz](#)
To: "gcoffee [REDACTED]"; [Katie Altshuler](#); [Denise Northrup](#)
Cc: [Preston Doerflinger](#)
Subject: Re: Fwd: Exchange approach
Date: Wednesday, November 14, 2012 3:21:27 PM

Some possible problems:

- we have already said we do support the creation of a state exchange of some kind (but not an "obamacare" exchange)
- this basically pushes back the conversation until jan 1 right? Thats not that far away ... Will the legal issue be resolved by then?

I dont really see the benefit in just pushing this decision farther back if nothing is going to change. In my opinion the two choices that make the most sense are:

- state exchanges can be good if done right so we are going to build one OR
- obamacare sucks, we arent going to help implement it and we arent creating an exchange. We are going to try to block the creation of any federal exchange with our lawsuit.

Since there is no way the legislature is going to allow us to do the former, i suggest we do the latter. My two cents

----- Original Message -----

From: Glenn Coffee [[mailto:\[REDACTED\]](mailto:[REDACTED])]
Sent: Wednesday, November 14, 2012 02:28 PM
To: Katie Altshuler; Alex Weintz; Denise Northrup
Cc: Preston Doerflinger
Subject: Fwd: Exchange approach

This is from a discussion I was having with Pat and Sharon. I liked the tone as far as Fridays message just

- >
- > 1) I want to be clear, Oklahoma does not want either a federal or a state exchange.
- >
- > 2) We are standing behind the AGs lawsuit and want that to proceed. As such, we do not intend to implement a state exchange as long as that lawsuit is viable.
- >
- > 3) Should the AGs lawsuit not be successful, however, Oklahoma will do everything it can to prevent a federal exchange from being imposed on Oklahoma's citizens. At that time, we will work to implement a state-based solution. (of course this only works with legislative cooperation)
- >
- > 4) Because of the aggressive regulatory deadlines before the lawsuit is resolved, we are currently at a point where we have to declare our non-binding intent. In order to keep our future options open, consider this our formal non-binding intent to create (consider?) a state-based exchange should the above referenced AG lawsuit not be successful.

From: [Andrew Silvestri](#)
To: [Kaleb Bennett](#)
Subject: Re: Exchange Whip Count
Date: Friday, March 25, 2011 1:46:34 PM

Thanks, this is very helpful

From: Kaleb Bennett
Sent: Friday, March 25, 2011 01:38 PM
To: Denise Northrup; Glenn Coffee; Katie Altshuler; Alex Weintz; Aaron Cooper
Cc: Craig Perry; Andrew Silvestri
Subject: Exchange Whip Count

This is preliminary, I've not heard back from 6 members, but I wanted to get this list out sooner rather than later. I'm waiting on call backs from Stanislawski, Branana, Coates, Nichols, Reynolds and Sykes.

| Ayes | Nays | Undecided |
|--|---|--|
| Aldridge | Anderson , feels like it can't be explained. I also think he's mad over the tort cap bill. He was shut out from offering amendments during committee and he's going to be shut out on the floor as well. Probably a hard no. | Allen , is reading over the material this weekend. Isn't getting too much heat at home about the issue. |
| Barrington | Brecheen , thinks it's political suicide. Definitely a hard no. Wants to help but due to Coburn's opposition to the grant money he's going to be tough to move off this column. | Shortey , also reading over the material this weekend. He appreciates the situation we're in due to Obamacare, possible yes vote. |
| Bingman | Brinkley , feels like he has to throw some kind of bone to his Tea Party crowd but understands the situation. Wants to help but for now a hard no. | Brown , due to the concerns I wrote about yesterday. |
| Crain | David , though she might be persuadable. | |
| Fields (though he's a bit squishy on the issue) | Holt , feels the grant money is irresponsible; meaning, we're only a part of the nation's debt problem. Might be persuaded if we could show him a modest budget that allows us to return a large amount of the grant funds. | |
| Ford | Mazzei , if it comes down to him he's a no. He gets the issue of course but feels it is too hot politically. | |
| Halligan | Newberry , like Mazzei thinks it's too hot politically. Also believes we can afford to wait until after the Supreme Court's ruling. Would prefer we stick this in some | |

| | | |
|---------------------|---|-----------------|
| | other vehicle. | |
| Johnson, Rob | Russell , he's a surprising "soft no." Understands the situation. May be persuadable down the road. | |
| Jolley | Treat , it's his general position to be a no vote until he's comfortable with an issue. Definitely persuadable. Not afraid of the Tea Party. Not worried about the 2013 deadline feels like we can do another "Real ID" move and get enough states to balk to get the Feds to back down. | |
| Justice | | |
| Marlatt | | |
| Myers | | |
| Schulz | | |
| Simpson | | |
| Total=14 | Total=9 | Total= 3 |

From: [Katie Altshuler](#)
To: [Alex Weintz](#); [Glenn Coffee](#); [Denise Northrup](#)
Subject: Fw:
Date: Monday, April 04, 2011 6:55:13 AM

This is in response to OCPA claims about the exchange legislation/grant. This is a first draft and it will be refined and should be available for us to distribute later today if we choose to.

From: Cox-Kain, Julie [mailto:Juliek@health.ok.gov]
Sent: Sunday, April 03, 2011 11:32 AM
To: Katie Altshuler
Subject: RE: Fwd:

Katie,

Derek and Nicole and are going to prepare something a little more organized on Monday in response to this but I want to give you a sense of what we have discussed and begin to address some of these points. You might be surprised at how detailed these conversations become and we had our General Counsel in the room with us for a good part of this conversation. What you get Monday should be much more succinct.

First, you have asked me what happens (technically) if we don't get legislation passed. The only reference we can find in federal law regarding the operation of an Exchange is that it has to be state agency or non-profit established by the state (see below). Which means that there is some level of interpretation that can occur. One interpretation is that if you had an organized entity that has within its scope of authority to provide, operate, make available insurance benefits then you could simply designate that agency and have them operate the Exchange. Our General Counsel made the point that it does not say an entity has to be organized for the purpose of running an exchange. Additional guidance has been provided to us from the federal government that says we should have legislation or an executive order, but the ramifications are that we can't apply for a Phase II establishment grant. We aren't even sure we want an establishment grant at this point so it doesn't seem like that should be a huge consideration. In terms of preventing the federal government from coming in and taking over/building our exchange – we just have to build one that meets the minimum requirements, not all of which have been established through federal regulation so it is premature for us to say that these requirements will not be consistent with Oklahoma values.

- The ACA, Section 1311(d) REQUIREMENTS – (1) IN GENERAL – An Exchange shall be a governmental agency or nonprofit entity that is established by a State.

I know this next segment is really dependent on what happens next week but thought I would go through this anyway. As you know, the thing about HB 2130 was that it modified existing statutory language. We went back to reading just the original statutory language on Friday to really consider what it says. The HUB really was created to operate an exchange of sorts. The state board of health has a role in directing and implementing the HUB. Others advise and aid the HUB and the HUB advises and aids the Insurance Commissioner. The two biggest problems with the existing language is that it doesn't discuss who the people are and how they get appointed to the HUB, it is also somewhat limiting to the types of individuals that can purchase products on the exchange. So, you

already have the same three governmental parties involved (the health department – specifically through the board of health – not the Secretary of HHS, the insurance commissioner, and the health care authority) that are contemplated with the language we were considering with 2130. We just couldn't find who has the authority to appoint to the HUB. The other thing is that because this idea really does pre-date federal health care reform it was specific to certain individuals needing insurance. All that to say, I think we have the basis for governance and operation of an Exchange. It would be nice if any legislative avenue proposed stay within this particular statute and improve/further develop it so that it is more clear. That seemed to be the exact direction HB 2130 was taking.

Now let's talk about some of these other points.

The reference to the federal authority to grant the Innovator Grant is correct, however a little history might help here. There are other grants that are specifically spelled out in the ACA and the Innovator grant is not one of them because it was developed after the fact. Basically, states complained that they didn't have a model to use in developing a benefits exchange so the federal government made money available to states that had some infrastructure and experience in such things. Using our experience with Insure Oklahoma and Online Enrollment, we applied for this federal grant and were awarded so that we could go into this uncharted territory and let other states have the benefit of our experience. We actually may have the opportunity here to shape the way insurance exchanges are developed for the nation. Pretty impressive. The other main point here is that the Innovator Grant is for IT infrastructure development, it isn't actually geared toward a particular policy. All the IT development should do is support the philosophy and desires of the governance structure. Nothing more.

In terms of these grant dollars trying us specifically to the ACA requirements for exchange – We have a requirement to make progress and to tell the federal government what our progress is on regular intervals. Those are typical grant monitoring functions that would be true if we received money from any other source. As with all other states, we have until January 2013 to tell the federal government if we intend to operate an exchange that meets their regulations. Again, we haven't received all the regulations for insurance exchange. I believe the Governor has been clear that if those regulations are not consistent with Oklahoma's desires and needs we will not move forward.

I will point out that the background is referenced in the e-mail from OCPA. Background information in any grant guidance does not carry with it specific requirements. I understand there are concerns about future regulations that might be onerous and inconsistent with our values, but until we know what those regulations entail it is risky not to move forward BECAUSE the one thing we know for sure right now is that if we don't build it ourselves the federal government will come in, build and manage our exchange. I will also mention that for all the references to the ACA in the grant guidance there are many references in the guidance to the fact that states need to build exchanges to meet state needs (Nicole and Derek will be highlighting some of these for us on Monday).

Audit and progress review – Of course the grant calls for the opportunity to audit and monitor progress. Any contract or grant requires such monitoring. However, what they really need to know

it is that these reviews are just us telling the federal government where we are in making progress toward meeting our own workplan. Keep in mind, the federal government hasn't built an exchange like this either. They called for innovation and we proposed to engage in this endeavor. We aren't even to the point of giving them a detailed design yet so we have more opportunity to develop this idea. I believe the comment relating to the State receiving these funds based on acceptable performance at these benchmark sessions is incorrect. Like many other grants received by the state the funds are based on expenditures and not meeting minimal standards and benchmarks.

There is no question that the ACA calls for certification of health plans. While we don't know yet what the Sec. of HHS will put in federal regulations for qualified health plans, our experience with something similar in Oklahoma is Insure Oklahoma. Insure Oklahoma requires certification of health plans and we know this can be handled in such a way that it does not severely limit carriers. Please see below for the current list of Qualified Health Plans available on Insure Oklahoma:

- [Advantage Health Plans Trust - MEWA, Financial Institutions Only](#)
- [Aetna Health, Inc.](#)
- [Allied National Companies \(AAIC\)](#)
- [BlueCross BlueShield](#)
- [Community Care](#)
- [Coventry Health and Life Insurance Company](#)
- [Federated Mutual Insurance Company](#)
- [First Health Life & Health Insurance Plan](#)
- [John Alden Life Insurance Co.](#)
- [Nippon Life Insurance Company of America](#)
- [Oklahoma Lumbermen's Association](#)
- [Oklahoma Municipal Assurance Group](#)
- [Oklahoma Press Association/MEBT](#)
- [Oklahoma State Medical Association](#)
- [PacifiCare Life Assurance Co](#)
- [PacifiCare Life and Health Insurance Co](#)
- [Principal Financial Group](#)
- [Time Insurance](#)
- [Trustmark Life Insurance Company](#)
- [Union Security Insurance](#)
- [United Healthcare](#)

Finally, I also want to address a point that appears in the newspaper. Because we don't have all the federal regulations out yet is it too early to react what might happen. I don't agree with the point that we are running the risk of having the federal grant operate our exchange by taking the innovator grant. We know absolutely and for a fact that they will come in and operate an exchange if we don't start exploring the development of our own. I think there is more risk by doing nothing than there is assessing the regulations that comes forward and responding as we move forward.

From: Katie Altshuler [mailto:Katie.Altshuler@gov.ok.gov]
Sent: Monday, March 28, 2011 6:29 PM

To: Cox-Kain, Julie
Subject: Re: Fwd:

Excellent, maybe I can come over for a few hours on Friday, I will work on a sitter and keep you posted.

From: Cox-Kain, Julie [mailto:Juliek@health.ok.gov]
Sent: Monday, March 28, 2011 06:28 PM
To: Katie Altshuler
Subject: Re: Fwd:

I'm spending 8 hours with them on Friday in an effort to not be so reactive. I'll get them working on it now.

Sent from my BlackBerry Wireless Handheld

From: Katie Altshuler [mailto:Katie.Altshuler@gov.ok.gov]
Sent: Monday, March 28, 2011 06:18 PM
To: Cox-Kain, Julie
Subject: Fw: Fwd:

FYI, will want to work on responses to these as well! Maybe we need to set aside more time, or time with Derek and Nicole...

From: Mary Fallin [REDACTED]
Sent: Monday, March 28, 2011 05:35 PM
To: Katie Altshuler
Subject: Fwd:

Can you review this info and tell me if they have valid issues? Thanks

Mary Fallin

Begin forwarded message:

From: Margaret Ann Morris <margaretann@ocpathink.org>
Date: March 28, 2011 3:17:02 PM CDT
To: "maryfallin@" [REDACTED]

Mary,

I just wanted to make sure that you had this information.

Love you,

MA

From: Michael Carnuccio
Sent: Monday, March 28, 2011 2:03 PM
To: Margaret Ann Morris
Subject: Fwd: Follow-up

Best,
Michael

Sent from my iPhone

Begin forwarded message:

From: Michael Carnuccio <Michael@ocpathink.org>
Date: March 28, 2011 1:37:47 PM CDT
To: "glenn.coffee@sos.ok.gov" <glenn.coffee@sos.ok.gov>
Subject: Follow-up

Glenn,

Thank you for your time this morning. As requested, below are OCPA's concerns with the use of the grant funding to try and accomplish the stated goals of establishing a free-market, consumer-driven exchange. I look forward to your feedback.

Also, should you all want to explore a private funding option, as we discussed, and need some quick leadership from outside government, please let me know.

Best,
Michael

The "Early Innovator" grants were authorized by the Affordable Care Act to provide states funding to begin developing the IT infrastructure necessary to support the exchanges required by the Act.

Section 1311(a) of the Affordable Care Act authorizes the Secretary of the U.S. Department of Health and Human Services (HHS) to make grants available to states for the establishment of "American Health Benefits Exchanges." Section 1311(a)(3) limits the "use of funds" made available to "activities (including planning activities) related to establishing an American

Health Benefits Exchange, as described” in the Affordable Care Act.

In an October 2010 grant announcement,[\[1\]](#) HHS Secretary Kathleen Sebelius did in fact make funds available to the states in the form of “Early Innovator” grants for the purpose of implementing the type of exchanges obligated by the Affordable Care Act.

That grant announcement is specific in its requirement that states that accept the money are to implement exchanges that comply with the Affordable Care Act.

On page four, the document states:

“I. Funding Opportunity Description.
A. Purpose. *This Funding Opportunity Announcement (FOA) will provide competitive incentives for States to design and implement the Information Technology (IT) infrastructure needed to operate Health Insurance Exchanges – new competitive insurance market places that will help Americans and small businesses purchase affordable private health insurance starting in 2014.”*

On page five, the document further states:

“C. Background. *On March 23, 2010, the President signed into law the Patient Protection and Affordable Care Act. On March 20, 2010, the Health Care and Education Reconciliation Act of 2010 was signed into law. The two laws are collectively referred to as the Affordable Care Act...Among its provisions, the law provides for funding to assist States in implementing parts of the Affordable Care Act.”*

“Section 1311 of the Affordable Care Act provides funding assistance to the States for the planning and establishment of Health Insurance Exchanges...The Affordable Care Act provides that each State may elect to establish an Exchange that would: 1) facilitate the purchase of qualified health plans (QHPs); 2) provide for the establishment of Small Business Health Options Program (SHOP

Exchange) designed to assist qualified employers in facilitating the enrollment of their employees in QHPs offered in the SHOP Exchange; and 3) meet other requirements specified in the Act.”

Based on the language included in the grant announcement, there can be no doubt that the purpose of the “Early Innovator” grant is for the state to implement an exchange that complies with the requirements of the Affordable Care Act.

Furthermore, not only does the Affordable Care Act grant HHS broad authority to audit the state’s use of the grant funds at any time, but HHS will also actively monitor Oklahoma’s progress to ensure certain targets are met before the state can draw down the additional funds necessary to continue implementation of the exchange. A state simply cannot take the grant funds, build a “free market” exchange and expect to get away with it.

Page two of the “Notice of Grant Award” – the document announcing Oklahoma’s award of the \$54.6 million Early Innovator grant – specifies that funds will only be released incrementally as certain benchmarks are reviewed and approved.

*“**B.** Grantee must also meet specific Program Requirements, to include undergoing standard industry Systems Development Life Cycle (SDLC) reviews. The Early Innovator Exchange IT SDLC reviews are as follows (with tentative dates to occur):*

*1. Architecture Review
3/16/2011*

*2. Project Baseline Review
4/18/2011*

*3. Detailed Design Review
9/14/2011*

*4. Operational Readiness Review
10/10/2011”*

Particularly important are the “Detailed Design Review” and the “Operational Readiness Review.” As shown above, the “Early Innovator”

grant requires the state to build an exchange that complies with the Affordable Care Act. The Act requires that all plans that are offered within the exchange meet certain minimum standards – that they are “Qualified Health Plans (QHPs)”– and that all insurers who participate in the exchange offer plans that meet QHP standards.

(The Affordable Care Act requires exchanges that are **DECIDEDLY NOT** “free market” exchanges. The Act mandates exchanges that are heavily regulated, restricts competition by limiting which insurers can participate in the exchange, reduces choice by mandating that all plans sold in the exchange meet expensive, minimum levels of coverage and prohibits insurers from freely contracting with medical providers.)

[\[1\]](#) Comparative Agreements to Support Innovative Exchange Information Technology Systems, OHX

From: [Andrew Silvestri](#)
To: [Alex Weintz](#)
Cc: [gcoffee](#); [Katie Altshuler](#); [Glenn Coffee](#); [Denise Northrup](#); [Steve Mullins](#)
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Date: Tuesday, July 03, 2012 9:02:48 PM

Leaning no and no are two different things.

On Jul 3, 2012, at 21:01, "Alex Weintz" <Alex.Weintz@gov.ok.gov> wrote:

McDonnell is listed as "leaning no" in the hill article so he's not doing a great job communicating "wait and see" to the press

From: Andrew Silvestri
Sent: Tuesday, July 03, 2012 07:14 PM
To: Glenn Coffee <>
Cc: Katie Altshuler; Alex Weintz; Glenn Coffee; Denise Northrup; Steve Mullins
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

True, but governor McDonnell made a strong argument not to make any decisions until after the election. I agree that it's a mistake to rush this, especially this week when half of us are gone and she's leaving the country the next day. The fallout from making a rushed decision without all the information will be much worse than waiting a few weeks.

On Jul 3, 2012, at 18:31, "Glenn Coffee" <> wrote:

I think it stems as much of not more from the tone and tenor of the gov. Conference call. There was no one making the argument for opting in. I will post my notes later tonight.

Glenn Coffee
<>

On Jul 3, 2012, at 5:39 PM, Katie Altshuler
<Katie.Altshuler@gov.ok.gov> wrote:

These are very complicated issues that will have a significant impact on the state whichever way we go, I think it is unwise to make any rash decisions and I think we should wait to make an additional statement. We are considering our options and that is the truth. I think the more info you

provide the more confusing it is...

From: Alex Weintz
Sent: Tuesday, July 03, 2012 04:43 PM
To: Alex Weintz; Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee <[REDACTED]>; Steve Mullins
Subject: RE: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

Update – the governor has asked me to put together a statement saying we will not pursue Medicaid expansion. To go out Thursday. will send draft tomorrow.

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Sent: Tuesday, July 03, 2012 4:01 PM
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Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
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The longer we wait the more it looks like we are getting bullied by people like Patrick Anderson.

From: Alex Weintz
Sent: Tuesday, July 03, 2012 3:52 PM
To: Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
Subject: statement RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

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Governor Fallin believes these conversations and meetings are necessary to making an informed decision about health care policies that will affect hundreds of thousands of Oklahomans. Her priority is not to make a decision soon; it is to make the right decision. The governor will continue to review how the state of Oklahoma can best meet the health

care needs of its citizens. Our office will proactively relay these decisions to Governor Fallin's constituents and to the media as they are made.

From: Katie Altshuler
Sent: Monday, July 02, 2012 5:05 PM
To: Mary Fallin
Cc: Alex Weintz; Glenn Coffee; Denise Northrup; Andrew Silvestri
Subject: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Importance: High

I have ATTACHED a memo regarding the Supreme Court ruling on PPACA, major decision points and a timeline. I have also ATTACHED a number of materials (including news articles and press statements) in relation to the memo.

For your information we have staff level and agency director meetings scheduled for July 9 and 10 with the Health Dept., OHCA, Insurance Dept. and CIO to walk through options and next steps. We will keep you posted with regard to any new developments.

Thank you, Katie

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: [Andrew Silvestri](#)
To: [Travis Brauer](#)
Subject: FW: Response Letter to OCPA Blog
Date: Friday, October 12, 2012 1:09:26 PM

Let me know what you think

From: Andrew Silvestri
Sent: Friday, October 12, 2012 1:09 PM
To: 'Mary Fallin'
Cc: Katie Altshuler; Aaron Cooper
Subject: Re: Response Letter to OCPA Blog

Hi governor, below is the updated OCPA letter with the edits you requested in red. There was not a direct quote to include regarding your leadership in the NGA; however, we do quote their reference of the NGA as a “big-government lobbying origination.” With your approval we will send to select board members. Thanks!

Hi name,

As a board member and a long-time, trusted friend and supporter of mine, I wanted you to be aware of OCPA’s latest hit piece on the National Governors Association (NGA) and other state membership organizations. **OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization as a “big-government lobbying organization” without presenting the real facts that it serves as an effective advocacy group on behalf of our nation’s governors and state primacy. This is the first time in history a governor from Oklahoma has been elected to lead this organization and I am proud to join a list of impressive leaders such as Mike Huckabee, Tim Pawlenty, John Ashcroft, and even a former U.S. President. This is an opportunity to bring national exposure to the best practices Oklahoma has to provide and it is embarrassing when an organization like OCPA continues to denigrate such an opportunity for the state.**

While I fully support OCPA’s notion that jealously safeguarding tax payer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

For example and most recently, The NGA provided my office, and other governor offices, essential support on my 22 multi-state natural gas vehicle development and procurement initiative by facilitating seminars, multi-state coordination, and staff research that was essential in making this unprecedented initiative the success it has been. I am confident when I say that their support was a key element of our success and that this initiative alone will save the state of Oklahoma hundreds of thousands of tax payer dollars that far exceed Oklahoma’s membership dues to the NGA.

In addition, the NGA has been instrumental in Oklahoma’s fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to healthcare, this is particularly important given the fact that we have a very disjointed government structure with regard to issues surrounding PPACA. Oklahoma is at a disadvantage because the Governor’s office has no direct control over our state Medicaid program.

NGA has proven to be an extremely valuable resource with regard to education reform policy as well. Just last month a representative from the NGA came to speak to the annual conference of the

Oklahoma State School Board Association, her comments focused on encouraging schools how to figure out how to do more with less, the importance of choice and she even addressed the positive effects of consolidation. Furthermore, the NGA has also made government modernization and redesign a top priority of their education and advocacy agenda and will be hosting a national summit in December which will allow state teams to learn about best practices and share their efforts to reform and streamline state government – an effort my office fully supports and will be taking advantage of.

The NGA has also provided my staff with extensive training sessions, from policy seminars to appointment and constituent services workshops and networking opportunities that have allowed my staff to hone in on the minds of some of our nation's most leading experts, which has in turn helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. The NGA employs actual experts in the policy areas they cover and more organizations would benefit from further interaction with them.

Finally, the NGA has and continues to provide an effective voice for Oklahoma at the federal level, and has consistently advocated on our behalf on a wide variety of issues such as preserving my authority and responsibilities as the Commander-in-Chief of Oklahoma's National Guard, the devastating impact of sequestration, improving quality of education and providing states with the essential flexibility it needs to meet its people's needs and goals.

This is just a brief note on some of the many services the NGA provides to Oklahoma and its 40 plus member states. I would think that OCPA would be proud of and promote Oklahoma's leadership in such an important and influential organization and would expect the OCPA to provide your readers with a more honest and robust perspective and dialog surrounding the NGAs true value.

From: [Denise Northrup](#)
To: "gcoffee"; [Katie Altshuler](#)
Cc: [Alex Weintz](#); [Glenn Coffee](#); [Andrew Silvestri](#); [Steve Mullins](#)
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Date: Tuesday, July 03, 2012 8:21:07 PM

The gov's only call? I would have been on if I knew there was staff allowed

From: Glenn Coffee
Sent: Tuesday, July 03, 2012 06:31 PM
To: Katie Altshuler
Cc: Alex Weintz; Glenn Coffee; Denise Northrup; Andrew Silvestri; Steve Mullins
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

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[REDACTED]

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Sent: Tuesday, July 03, 2012 04:43 PM
To: Alex Weintz; Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
Subject: RE: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED

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Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee; Steve Mullins
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From: [Denise Northrup](#)
To: [Alex Weintz](#); [Katie Altshuler](#)
Cc: [Glenn Coffee](#); [Andrew Silvestri](#); "gcoffee [REDACTED]"; [Steve Mullins](#)
Subject: Re: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Date: Tuesday, July 03, 2012 5:38:59 PM

That's fine, I just don't know why we'd rush into a decision like that. I hardly think the political pressure of patrick anderson is worth jumping into a decision like that...

From: Alex Weintz
Sent: Tuesday, July 03, 2012 04:43 PM
To: Alex Weintz; Katie Altshuler
Cc: Glenn Coffee; Denise Northrup; Andrew Silvestri; Glenn Coffee [REDACTED]; Steve Mullins
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Katie Altshuler, Policy Director
Office of Governor Mary Fallin

2300 North Lincoln Boulevard, Suite 212
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katie.altshuler@gov.ok.gov

From: [Steve Mullins](#)
To: [Rebecca Frazier](#)
Subject: FW: also ... RE: PPACA/Supreme Court Ruling MEMO & Materials ATTACHED
Date: Tuesday, July 03, 2012 4:27:00 PM

Just FYI

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katie.altshuler@gov.ok.gov

From: [Katie Altshuler](#)
To: [Denise Northrup](#)
Subject: FW: Exchange approach
Date: Wednesday, November 14, 2012 2:36:32 PM
Importance: High

Bouncing this off you first...I do not like the direction this is going...we sound like we agree with seceding from the union. It is obstructionist. It is not constructive or productive - it is just sour grapes. It is not leading, it is taking the easy way out. And it does not acknowledge the facts.

We may not have an option to build a state exchange when/if the lawsuit fails.

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

-----Original Message-----

From: Glenn Coffee [REDACTED]
Sent: Wednesday, November 14, 2012 2:29 PM
To: Katie Altshuler; Alex Weintz; Denise Northrup
Cc: Preston Doerflinger
Subject: Fwd: Exchange approach

This is from a discussion I was having with Pat and Sharon. I liked the tone as far as Friday's message just

- >
- > 1) I want to be clear, Oklahoma does not want either a federal or a state exchange.
- >
- > 2) We are standing behind the AG's lawsuit and want that to proceed. As such, we do not intend to implement a state exchange as long as that lawsuit is viable.
- >
- > 3) Should the AG's lawsuit not be successful, however, Oklahoma will do everything it can to prevent a federal exchange from being imposed on Oklahoma's citizens. At that time, we will work to implement a state-based solution. (of course this only works with legislative cooperation)
- >
- > 4) Because of the aggressive regulatory deadlines before the lawsuit is resolved, we are currently at a point where we have to declare our non-binding intent. In order to keep our future options open, consider this our formal non-binding intent to create (consider?) a state-based exchange should the above referenced AG lawsuit not be successful.

From: [Aaron Cooper](#)
To: [Andrew Silvestri](#)
Subject: RE: Response Letter to OCPA Blog
Date: Friday, October 12, 2012 1:23:35 PM

I think your instinct was right. I would say leave out the reference to a president since it's not a president we want to associate with. The former NGA governor names are good.

From: Andrew Silvestri
Sent: Friday, October 12, 2012 1:22 PM
To: Aaron Cooper
Subject: RE: Response Letter to OCPA Blog

It was bill Clinton. Was trying to avoid a democrat name but I think youre right.

From: Aaron Cooper
Sent: Friday, October 12, 2012 1:21 PM
To: Andrew Silvestri
Subject: RE: Response Letter to OCPA Blog

I made some minor edits below.

Who was the president that led NGA? I think we should include the name if we know it.

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my staff to **learn from our nation's leading experts**,

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Hi governor, below is the updated OCPA letter with the edits you requested in red. There was not a direct quote to include regarding your leadership in the NGA; however, we do quote their reference of the NGA as a "big-government lobbying origination." With your approval we will send to select board members. Thanks!

Hi name,

As a board member and a long-time, trusted friend and supporter of mine, I wanted you to be aware of OCPA's latest hit piece on the National Governors Association (NGA) and other state membership organizations. OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization as a "big-government lobbying organization" without presenting the real facts that it serves as an effective advocacy group on behalf of our nation's governors and state primacy. This is the first time in history a governor from Oklahoma has been elected to lead this organization and I am proud to join a list of impressive leaders such as Mike Huckabee, Tim Pawlenty, John Ashcroft, and even a former U.S. President. This is an opportunity to bring national exposure to the best practices Oklahoma has to provide and it is embarrassing when an organization like OCPA continues to denigrate such an opportunity for the state.

While I fully support OCPA's notion that jealously safeguarding tax payer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

For example and most recently, The NGA provided my office, and other governor offices, essential support on my 22 multi-state natural gas vehicle development and procurement initiative by facilitating seminars, multi-state coordination, and staff research that was essential in making this unprecedented initiative the success it has been. I am confident when I say that their support was a key element of our success and that this initiative alone will save the state of Oklahoma hundreds of thousands of tax payer dollars that far exceed Oklahoma's membership dues to the NGA.

In addition, the NGA has been instrumental in Oklahoma's fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to healthcare, this is particularly important given the fact that we have a very disjointed government structure with regard to issues surrounding PPACA. Oklahoma is at a disadvantage because the Governor's office has no direct control over our state Medicaid program.

NGA has proven to be an extremely valuable resource with regard to education reform policy as well. Just last month a representative from the NGA came to speak to the annual conference of the Oklahoma State School Board Association, her comments focused on encouraging schools how to figure out how to do more with less, the importance of choice and she even addressed the positive effects of consolidation. Furthermore, the NGA has also made government modernization and redesign a top priority of their education and advocacy agenda and will be hosting a national summit in December which will allow state teams to learn about best practices and share their efforts to reform and streamline state government – an effort my office fully supports and will be taking advantage of.

The NGA has also provided my staff with extensive training sessions, from policy seminars to appointment and constituent services workshops and networking opportunities that have allowed my staff to hone in on the minds of some of our nation's most leading experts, which has in turn helped me make well and fully informed decisions as they relate to Oklahoma's wellbeing. The NGA employs actual experts in the policy areas they cover and more organizations would benefit from further interaction with them.

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This is just a brief note on some of the many services the NGA provides to Oklahoma and its 40 plus member states. I would think that OCPA would be proud of and promote Oklahoma's leadership in such an important and influential organization and would expect the OCPA to provide your readers with a more honest and robust perspective and dialog surrounding the NGAs true value.

From: [Denise Northrup](#)
To: [Mary Fallin](#)
Cc: [Andrew Silvestri](#); [Katie Altshuler](#)
Subject: Re: Response Letter to OCPA Blog
Date: Friday, October 12, 2012 6:22:34 AM

Super, thx

On Oct 11, 2012, at 7:20 PM, "Mary Fallin" [REDACTED] > wrote:

We need to mention at the first that it is embarrassing for the state with a their own words-- a quote the said cutting down the NGA and that I am the Chair elect , first time in okla history our governor is chair...

Then go on the web site and select some of the big people who have been chair and mention several of them. It's an impressive list.

Mention the great national exposure okla is getting and huge connections to help our state

Mary Fallin

On Oct 11, 2012, at 6:22 PM, Denise Northrup
<Denise.Northrup@gov.ok.gov> wrote:

It's ok if you can't approve now, but I think it more effective if we respond close to when it was posted...

On Oct 11, 2012, at 4:57 PM, "Andrew Silvestri"
<Andrew.Silvestri@gov.ok.gov> wrote:

Hi Governor, Denise asked that I send you the draft letter below that we would like to send to OCPA board members who have been supporters of yours, in response to the OCPA blog post that went out on October 8th. We would like to send this out this week so that it is timely. Michelle would send to select board members on your behalf. Do you approve of the copy below?

Hi name,

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intent on continuing to demagogue the NGA and my leadership within the organization without presenting the real facts. While I fully support OCPA's notion that jealously safeguarding tax payer dollars and ensuring that government spending is done effectively and wisely should be one of our number one priorities, I also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

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From: [Denise Northrup](#)
To: [Andrew Silvestri](#)
Cc: [Mary Fallin](#); [Katie Altshuler](#)
Subject: Re: Response Letter to OCPA Blog
Date: Thursday, October 11, 2012 6:23:03 PM

It's ok if you can't approve now, but I think it more effective if we respond close to when it was posted...

On Oct 11, 2012, at 4:57 PM, "Andrew Silvestri" <Andrew.Silvestri@gov.ok.gov> wrote:

Hi Governor, Denise asked that I send you the draft letter below that we would like to send to OCPA board members who have been supporters of yours, in response to the OCPA blog post that went out on October 8th. We would like to send this out this week so that it is timely. Michelle would send to select board members on your behalf. Do you approve of the copy below?

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From: [Michelle Waddell](#)
To: [Andrew Silvestri](#); [Denise Northrup](#)
Subject: REPLY: Final Copy - Response Letter to OCPA Blog
Date: Friday, October 26, 2012 11:41:05 AM

GMF has not mentioned any responses to me, but I have not specifically asked her... It has been a couple of days, so I assumed she would've received at least ONE response by now, but what do I know....

From: Andrew Silvestri
Sent: Friday, October 26, 2012 11:38 AM
To: Denise Northrup
Cc: Michelle Waddell
Subject: RE: Final Copy - Response Letter to OCPA Blog

They did go out – not sure about responses. We'll have to ask the Gov.

From: Denise Northrup
Sent: Friday, October 26, 2012 11:36 AM
To: Andrew Silvestri
Cc: Michelle Waddell
Subject: RE: Final Copy - Response Letter to OCPA Blog

The ones we had emails for got out, right? did we get any responses that we know of?

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:57 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

OCPA Board

- Blake Arnold
- Robert Avery
- Lee J. Baxter
- Steve Beebe
- G.T. Blankenship
- John A. Brock
- David R. Brown
- Aaron Burleson
- Paul A. Cox
- William Flanagan
- Josephine Freede
- Kent Frizzell
- Ann Felton Gilliland
- John T. Hanes
- Ralph Harvey

- John A. Henry, III
- Henry F. Kane
- Robert Kane
- Gene Love
- Tom H. McCasland, III
- David McLaughlin
- Lew Meibergen
- Ronald L. Mercer
- Lloyd Noble, II
- Bill Price
- Patrick T. Rooney
- Melissa Sandefer
- Richard L. Sias
- John F. Snodgrass
- Charles M. Sublett
- Robert Sullivan
- Lew Ward
- William E. Warnock, Jr.
- Gary W. Wilson, M.D.
- Daryl Woodard
- Daniel J. Zaloudek

From: Denise Northrup
Sent: Monday, October 15, 2012 2:55 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok, pull list of board members off and have michelle and aj look for their emails in mine, glenns and govs contacts...we'll go from there...

From: Andrew Silvestri
Sent: Monday, October 15, 2012 2:54 PM
To: Denise Northrup; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Ok – once you send me a list of board members you to send to I'll talk to Michelle.

From: Denise Northrup
Sent: Monday, October 15, 2012 2:53 PM
To: Andrew Silvestri; Katie Altshuler
Subject: RE: Final Copy - Response Letter to OCPA Blog

Yeppers!

From: Andrew Silvestri
Sent: Monday, October 15, 2012 1:47 PM
To: Denise Northrup; Katie Altshuler

Subject: Final Copy - Response Letter to OCPA Blog

Do you still want to send this out? She sent me one edit Friday, which I made, but never officially “approved” the letter.

Hi name,

As a board member and a long-time, trusted friend and supporter of mine, I wanted you to be aware of OCPA’s latest hit piece on the National Governors Association (NGA) and other state membership organizations. As you may know, I serve as the current vice-chair and chair-elect of the NGA. Unfortunately, OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization as a “big-government lobbying organization” without presenting the real facts that it serves as an effective advocacy group on behalf of our nation’s governors and state primacy. This is the first time in history a governor from Oklahoma has been elected to lead this organization and I am proud to join such an impressive list of leaders such as Mike Huckabee, Tim Pawlenty and John Ashcroft. This is an opportunity to bring national exposure to the best practices Oklahoma has to provide and it is embarrassing when an organization like OCPA continues to denigrate such an opportunity for the state.

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From: [Katie Altshuler](#)
To: [Katie Altshuler](#); [Denise Northrup](#); [Glenn Coffee](#); [Steve Mullins](#)
Subject: Updated Speaker/PPT Meeting Agenda
Date: Tuesday, September 11, 2012 5:03:16 PM
Importance: High

I went ahead and sent to GMF so she can start thinking about it, but please let me know if you would like for me to make any changes or additions.

- 1) Joint Agenda (Possible Items: Tax Reform, Pension, Workers Comp, Government Modernization/Reform)
- 2) NORCE/SORC (Need to determine Speaker and PPT position on status of institutions)
- 3) American Indian Cultural Center & Museum (Need to determine best point of contact for further discussions)
- 4) Administrative Rules (Title 59/AG Opinion) – Steve Mullins can present

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: Katie Altshuler
Sent: Monday, September 10, 2012 2:52 PM
To: Denise Northrup; Katie Altshuler
Subject: Speaker/PPT Meeting Items

The first group are things we have actually talked about raising with them, the second group are other looming issues out there (these are in no particular order)...

- Pardon & Parole Board
- AICCM
- PPACA: Essential Health Benefits & Exchange Blueprint
- Appointment Reform – All appointments shall serve at the pleasure of the current appointing authority
- GRDA (?)
- Pension
- NORCE/SORC
- Capitol Restoration

-
- Pinnacle Plan Update
 - Tax Reform
 - Workers Comp (?)
 - CompSource Mutualization

- Common Education
- Career Tech
- Veterans Centers
- State Employee / Agency Director Salaries
- Federal Balanced Budget Amdt.

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: [Michelle Waddell](#)
To: [Mary Fallin](#)
Subject: FW: Re Response to OCPA's Comments Regarding the National Governors Association
Date: Tuesday, October 30, 2012 11:29:17 AM
Attachments: [Oklahoma_PerCapitalSpending.xlsx](#)

From: Andrew Silvestri
Sent: Tuesday, October 30, 2012 10:06 AM
To: Michelle Waddell
Cc: Andrew Silvestri
Subject: Re Response to OCPA's Comments Regarding the National Governors Association

Michelle, per the Governor's request, can you please reply to the email from Lew [REDACTED] below using the Governor's email address and the text below and the attached document? Please let me know if you have any questions. Thanks!

Dear Lew,

Thanks for your email last week. I appreciate your time and concerns but wanted to follow up with you regarding the claim you made in your email as it simply does not match up with the facts of Oklahoma's current economic posture. According to data aggregated from the Office of Management and Budget, the U.S. Department of Commerce and the U.S. Census Bureau, Oklahoma ranked 42nd in per capital spending during FY 11, 40th in FY 12, and is projected to be ranked 38th in FY 13. While I agree there is room for improvement in these rankings, Oklahoma is far from the number one state in per capita spending in the United States. If you have data to contradict this information I would greatly appreciate seeing it so that I may send to my staff for further analysis and understanding.

I am proud that since taking office I have made government modernization and reduction of wasteful spending a cornerstone of my administration. This is clear by the numerous successful initiatives we have passed and signed into law over the last two years. My IT Modernization and Consolidation efforts have already saved the state approximately \$130 million and is expected to save millions more. My energy efficiency initiative, which is in the process of being implemented as we speak, is projected to save the state \$500 million. These are just a couple of examples of what I am doing to reduce spending and waste in state government and my appointment to leadership in the National Governors Association will only help me elevate these issues to the national level so that other states may continue to follow Oklahoma's example and that I may also learn from other states best practices.

Thank you again for your email and continued support.

Mary

From: Lew Meibergen [REDACTED]
Sent: Friday, October 26, 2012 10:58 AM
To: Mary Fallin

Subject: RE: Response to OCPA's Comments Regarding the National Governors Association

Dear Mary:

I am in receipt of your e-mail of October 23. It was certainly good to hear from you; I didn't know if you knew my address as I hadn't heard from you on any items I had previously sent correspondence.

I really hate to see you serve as an officer of the NGA. I would rather see you stay at home and work with the state to cut this spending as you promised when elected. I must take my hat off to you – Oklahoma is number one in per capita spending in the USA.

I must pass up your request at this time. Perhaps I can help on other issues. We must cut this spending!

I was very proud we had a Republican Governor and Republican House and Senate but greatly disappointed after learning we led the nation in per capita spending.

Sincerely,

Lew Meibergen

From: Mary Fallin [REDACTED]
Sent: Tuesday, October 23, 2012 4:27 PM
To: Lew Meibergen
Subject: Response to OCPA's Comments Regarding the National Governors Association

Hi Lew,

As a board member and a long-time, trusted friend and supporter of mine, I wanted you to be aware of OCPA's latest hit piece (attached) on the National Governors Association (NGA) and other state membership organizations. As you may know, I serve as the current vice-chair and chair-elect of the NGA. Unfortunately, OCPA staff seems intent on continuing to demagogue the NGA and my leadership within the organization as a "big-government lobbying organization" without presenting the real facts that it serves as an effective advocacy group on behalf of our nation's governors and state primacy. This is the first time in history a governor from Oklahoma has been elected to lead this organization and I am proud to join such an impressive list of leaders such as Mike Huckabee, Tim Pawlenty and John Ashcroft. This is an opportunity to bring national exposure to the best practices Oklahoma has to provide and it is embarrassing when an organization like OCPA continues to denigrate such an opportunity for the state.

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also recognize that organizations such as the NGA provide essential resources and services to states and their top leaders that would not otherwise be available to them. In Oklahoma alone, the NGA has provided significant staff and research support and expertise on a number of initiatives important to the state of Oklahoma and my Administration.

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In addition, the NGA has been instrumental in Oklahoma's fight against the Affordable Care Act by providing me with comprehensive and detailed research as it pertains to the impacts of the legislation. This is particularly important given the fact that the state agencies with jurisdiction over PPACA related issues operate independently from the governor's office.

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Sincerely,

Mary

This e-mail and any files transmitted with it may contain confidential information that is legally privileged. This information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any

disclosure, copying, distribution, or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this information in error, please notify the sender immediately and arrange for the return or destruction of these documents.

To: [Katie Altshuler](#); "maryfallin [REDACTED]"
Cc: [Denise Northrup](#); [Alex Weintz](#); [Scott Mason](#); [Glenn Coffee](#)
Subject: RE: Important: NGA/RGA/PPACA
Date: Wednesday, November 14, 2012 9:48:15 AM

Governor,

The RGA still has not sent their proposed letter

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

-----Original Message-----

From: Katie Altshuler
Sent: Monday, November 12, 2012 10:03 AM
To: 'maryfallin [REDACTED]'
Cc: Denise Northrup; Alex Weintz; Scott Mason; Glenn Coffee; Katie Altshuler
Subject: Important: NGA/RGA/PPACA

Governor,

I wanted to provide you with a brief update. The RGA has a draft letter they plan to send out today with the list of unanswered questions and requesting a mtg w/ the President.

As we discussed at the end of last week we have asked to see if we can get NGA engaged on this issue and to request a mtg with the President.

While Democrat staff has not said no and seems to be trying to figure out a way to work with us, it is clear that this will not be resolved at the staff level.

We think it is imperative to get you on the phone with Markell asap. He is traveling today so we are trying to get something scheduled for tomorrow.

The purpose of the call will be for the two of you to discuss whether or not NGA will engage on PPACA. As we also discussed Friday, NGA has taken a hiatus on this issue leading up to the election.

But now that the election is over we must have an open dialogue with each other and the Administration so we can make the best decisions for our states.

The Administration has been working on a state by state basis answering questions primarily with states with Democrat Governors who have volunteered to move forward since passage of PPACA. While some Democrat states are lacking information the majority of them indicate they are getting the answers to their questions. So we need to demand that the Administration put the answers in writing and share them with all states in advance of the Nov. 16 deadline and they need to give us enough time to review them before we have to make critical decisions.

Based on the last call with HHS on Friday they basically said that states must make a determination as to whether or not they will build a state based exchange on Nov. 16. If they do not hear from us they said they will assume that we will opt for either a partnership exchange (which must be designated by Dec. 14) or a Federal exchange.

This deadline is not in statute so it is unclear what the true consequences will be for not responding.

It is likely that RGA will go ahead and send their letter today. We do not really think it will hamper the NGA discussion.

This is just background info. I will send you more detailed information for the call with Markell. I am waiting to hear back from Markell staff re/ scheduling.

This will likely be a top agenda item for you all at the NGA Executive Committee meeting on Friday in San Diego.

I have included the NGA Executive Committee members below just as a reminder:

Mike Beebe (AR)
John Hickenlooper (CO)
Mark Dayton (MN)
Dave Heineman (NE)
Chris Christie (NJ)
Gary Herbert (UT)
Scott Walker (WI)

Please let me know if you have any questions at this time.

Thank you, Katie [REDACTED] cell

From: [Oscar Jackson](#)
To: [Andrew Silvestri](#)
Cc: [Katie Altshuler](#)
Subject: RE: Cabinet Department of Human Resources and Administration Report Regarding Request for Information: Unfunded Federal Mandates
Date: Tuesday, March 01, 2011 12:53:38 PM
Attachments: [Mandates.pdf](#)
Importance: High

The following twenty-six (26) state agencies in the Cabinet Department of Human Resources and Administration indicate there are no burdensome unfunded federal mandates that impact their agencies:

1. Office of Personnel Management
2. Veterinary Board
3. Oklahoma Accountancy Board
4. Oklahoma Board of Chiropractic Examiners
5. Oklahoma State Board of Cosmetology
6. Oklahoma Board of Dentistry
7. Oklahoma State Board of Pharmacy
8. Oklahoma State Board of Licensed Social Workers
9. Construction Industries Board
10. Oklahoma Board of Nursing
11. Oklahoma Merit Protection Commission
12. OK Board of Examiners of Psychologists
13. Board of Architects
14. Oklahoma Motor Vehicle Commission
15. Oklahoma Abstractors Board
16. Oklahoma Horse Racing Commission
17. Used Motor Vehicle and Parts Commission
18. Oklahoma Real Estate Commission
19. Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors
20. Public Employees Relations Board
21. Board of Examiners for Speech-Language Pathology and Audiology
22. Oklahoma State Board of Medical Licensure and Supervision
23. Oklahoma Human Rights Commission
24. Oklahoma Board of Osteopathic Examiners
25. Oklahoma Funeral Board
26. Capitol Improvement Authority

The following three (3) agencies commented on certain federal mandates which may impact their agencies:

1. Oklahoma State and Education Employees Group Insurance Board [See attached letter from Frank Wilson, Administrator, OSEEGIB.]
2. Employees Benefits Council [See notes below from Phil Kraft, Executive Director, EBC.]
Currently, there are no "burdensome" federal mandates impacting this agency. However, we

are closely watching a few new or expected requirements in the Affordable Care Act to determine their potential impact:

For 2011, most group plans, including Oklahoma's, had to increase their dependent age. Eligible dependents can now be covered up to age 26. So far, this has had no noticeable effect on premiums and no significant effect is expected;

In 2014, the maximum annual contribution to a Flexible Spending Account (FSA) will be cut in half, from \$5,000 to \$2,500. This will affect the state's FICA savings because the change will result in more compensation being taxable; and

in 2014, we're watching very closely the impact that, as healthcare.gov puts it, "...workers meeting certain requirements who cannot afford the coverage provided by their employer may take whatever funds their employer might have contributed to their insurance and use these resources to help purchase a more affordable plan in the new health insurance Exchanges." In other words, Oklahoma's state employees could, theoretically, take the benefit allowance dollars the state provides and use the funds to purchase health coverage anywhere they like. This could set up a situation in which healthier employees/families "take the money and run," while less healthy employees who are higher utilizers of health insurance would remain and represent a larger percentage of the state employee health insurance pool. That would undoubtedly drive up premiums. This is commonly referred to as "adverse selection." Phil Kraft, Executive Director, Employees Benefits Council

3. Department of Central Services [Report will be submitted by the end of the day by John Richard, Director, DCS.]

The following agencies has not responded to my inquiry: Oklahoma Board of Examiners in Optometry

Please let me know if you have questions or require additional information.

Oscar B. Jackson, Jr., IPMA-CP
Administrator and Cabinet Secretary
of Human Resources and Administration
State of Oklahoma Office of Personnel Management
2101 North Lincoln Boulevard, G-80
Oklahoma City, OK 73105-4904
Office: (405) 521-6301
E-Mail: Oscar.Jackson@opm.ok.gov
Website: www.opm.ok.gov

Our Mission: "We serve the people of Oklahoma by delivering reliable and innovative human resource services to our partner agencies to achieve their missions."

From: Andrew Silvestri [mailto:Andrew.Silvestri@gov.ok.gov]
Sent: Wednesday, February 16, 2011 1:57 PM
To: Andrew Silvestri

Cc: Denise Northrup; Glenn Coffee; Katie Altshuler
Subject: Request for Information: Unfunded Federal Mandates

Dear Cabinet Secretaries,

Oklahoma's congressional delegation and other federal legislative leaders are working to identify burdensome unfunded mandates on states passed down by the federal government. They have asked for our assistance in this effort and the Governor is requesting that all Cabinet Secretaries compile a list of unfunded federal mandates that impact your agencies and departments. Please send your finding to Katie Altshuler (katie.altshuler@gov.ok.gov) and Andrew Silvestri (andrew.silvestri@gov.ok.gov) no later than March 1, 2011.

Thank you for your assistance in this effort. If you have any questions please do not hesitate to contact us.

Andrew Silvestri
Deputy Policy Director
Office of Governor Mary Fallin
Phone: 405.521.2342
andrew.silvestri@gov.ok.gov

From: [Mary Fallin](#)
To: [Denise Northrup](#)
Cc: [Katie Altshuler](#)
Subject: Re: Update re/ PPACA Essential Health Benefits (EHB) Deadline: Oct. 1
Date: Thursday, September 27, 2012 5:47:18 PM

Good deal

Mary Fallin

On Sep 27, 2012, at 4:33 PM, Denise Northrup <Denise.Northrup@gov.ok.gov> wrote:

Fabulous, thanks

From: Katie Altshuler
Sent: Thursday, September 27, 2012 4:25 PM
To: Katie Altshuler; Mary Fallin [REDACTED]
Cc: Denise Northrup; Glenn Coffee; Andrew Silvestri
Subject: RE: Update re/ PPACA Essential Health Benefits (EHB) Deadline: Oct. 1
Importance: High

Louisiana, Virginia, New Jersey, Pennsylvania, Wisconsin, Pennsylvania, Florida, and Ohio will all send letters saying they do not have enough information to make a designation and that the Feds have not done their job so how can we do ours...

Kansas will not make a designation and will not send any kind of letter

Indiana, Alabama, Iowa, and Mississippi will not make a selection, may or may not send a letter

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: Katie Altshuler
Sent: Wednesday, September 26, 2012 3:33 PM
To: Mary Fallin [REDACTED]
Cc: Denise Northrup; Glenn Coffee; Andrew Silvestri
Subject: Update re/ PPACA Essential Health Benefits (EHB) Deadline: Oct. 1
Importance: High

Governor,

The essential health benefits (EHB) deadline is looming so I wanted to provide you with an update on the situation and make a final recommendation as to your course of action.

We had previously discussed being proactive and making a designation to the Feds re/ the EHB. I have been following this closely and working with the relevant agency staff from the Insurance and Health departments, as well as, the RGA and NGA. We have had calls with the Feds as well (CMS and CCIIO). We actually have more questions now than we had before and do not believe that we have enough information for you to make a determination.

It is my recommendation that you send a letter to the feds saying that we simply do not have enough information to make a determination at this time. I know at least one other state (PA) is going to take the same approach and it sounds like a number of others are considering it.

The Health Department is going to take a first stab at a draft letter for you to review. I plan to find some time tomorrow to discuss this with you directly.

Please let me know if you have any questions in the mean time.

Thank you, Katie

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: [Katie Altshuler](#)
To: [Alex Weintz](#); [Glenn Coffee](#); [Denise Northrup](#)
Subject: Fw:
Date: Monday, April 04, 2011 6:55:13 AM

This is in response to OCPA claims about the exchange legislation/grant. This is a first draft and it will be refined and should be available for us to distribute later today if we choose to.

From: Cox-Kain, Julie [mailto:Juliek@health.ok.gov]
Sent: Sunday, April 03, 2011 11:32 AM
To: Katie Altshuler
Subject: RE: Fwd:

Katie,

Derek and Nicole and are going to prepare something a little more organized on Monday in response to this but I want to give you a sense of what we have discussed and begin to address some of these points. You might be surprised at how detailed these conversations become and we had our General Counsel in the room with us for a good part of this conversation. What you get Monday should be much more succinct.

First, you have asked me what happens (technically) if we don't get legislation passed. The only reference we can find in federal law regarding the operation of an Exchange is that it has to be state agency or non-profit established by the state (see below). Which means that there is some level of interpretation that can occur. One interpretation is that if you had an organized entity that has within its scope of authority to provide, operate, make available insurance benefits then you could simply designate that agency and have them operate the Exchange. Our General Counsel made the point that it does not say an entity has to be organized for the purpose of running an exchange. Additional guidance has been provided to us from the federal government that says we should have legislation or an executive order, but the ramifications are that we can't apply for a Phase II establishment grant. We aren't even sure we want an establishment grant at this point so it doesn't seem like that should be a huge consideration. In terms of preventing the federal government from coming in and taking over/building our exchange – we just have to build one that meets the minimum requirements, not all of which have been established through federal regulation so it is premature for us to say that these requirements will not be consistent with Oklahoma values.

- The ACA, Section 1311(d) REQUIREMENTS – (1) IN GENERAL – An Exchange shall be a governmental agency or nonprofit entity that is established by a State.

I know this next segment is really dependent on what happens next week but thought I would go through this anyway. As you know, the thing about HB 2130 was that it modified existing statutory language. We went back to reading just the original statutory language on Friday to really consider what it says. The HUB really was created to operate an exchange of sorts. The state board of health has a role in directing and implementing the HUB. Others advise and aid the HUB and the HUB advises and aids the Insurance Commissioner. The two biggest problems with the existing language is that it doesn't discuss who the people are and how they get appointed to the HUB, it is also somewhat limiting to the types of individuals that can purchase products on the exchange. So, you

already have the same three governmental parties involved (the health department – specifically through the board of health – not the Secretary of HHS, the insurance commissioner, and the health care authority) that are contemplated with the language we were considering with 2130. We just couldn't find who has the authority to appoint to the HUB. The other thing is that because this idea really does pre-date federal health care reform it was specific to certain individuals needing insurance. All that to say, I think we have the basis for governance and operation of an Exchange. It would be nice if any legislative avenue proposed stay within this particular statute and improve/further develop it so that it is more clear. That seemed to be the exact direction HB 2130 was taking.

Now let's talk about some of these other points.

The reference to the federal authority to grant the Innovator Grant is correct, however a little history might help here. There are other grants that are specifically spelled out in the ACA and the Innovator grant is not one of them because it was developed after the fact. Basically, states complained that they didn't have a model to use in developing a benefits exchange so the federal government made money available to states that had some infrastructure and experience in such things. Using our experience with Insure Oklahoma and Online Enrollment, we applied for this federal grant and were awarded so that we could go into this uncharted territory and let other states have the benefit of our experience. We actually may have the opportunity here to shape the way insurance exchanges are developed for the nation. Pretty impressive. The other main point here is that the Innovator Grant is for IT infrastructure development, it isn't actually geared toward a particular policy. All the IT development should do is support the philosophy and desires of the governance structure. Nothing more.

In terms of these grant dollars trying us specifically to the ACA requirements for exchange – We have a requirement to make progress and to tell the federal government what our progress is on regular intervals. Those are typical grant monitoring functions that would be true if we received money from any other source. As with all other states, we have until January 2013 to tell the federal government if we intend to operate an exchange that meets their regulations. Again, we haven't received all the regulations for insurance exchange. I believe the Governor has been clear that if those regulations are not consistent with Oklahoma's desires and needs we will not move forward.

I will point out that the background is referenced in the e-mail from OCPA. Background information in any grant guidance does not carry with it specific requirements. I understand there are concerns about future regulations that might be onerous and inconsistent with our values, but until we know what those regulations entail it is risky not to move forward BECAUSE the one thing we know for sure right now is that if we don't build it ourselves the federal government will come in, build and manage our exchange. I will also mention that for all the references to the ACA in the grant guidance there are many references in the guidance to the fact that states need to build exchanges to meet state needs (Nicole and Derek will be highlighting some of these for us on Monday).

Audit and progress review – Of course the grant calls for the opportunity to audit and monitor progress. Any contract or grant requires such monitoring. However, what they really need to know

it is that these reviews are just us telling the federal government where we are in making progress toward meeting our own workplan. Keep in mind, the federal government hasn't built an exchange like this either. They called for innovation and we proposed to engage in this endeavor. We aren't even to the point of giving them a detailed design yet so we have more opportunity to develop this idea. I believe the comment relating to the State receiving these funds based on acceptable performance at these benchmark sessions is incorrect. Like many other grants received by the state the funds are based on expenditures and not meeting minimal standards and benchmarks.

There is no question that the ACA calls for certification of health plans. While we don't know yet what the Sec. of HHS will put in federal regulations for qualified health plans, our experience with something similar in Oklahoma is Insure Oklahoma. Insure Oklahoma requires certification of health plans and we know this can be handled in such a way that it does not severely limit carriers. Please see below for the current list of Qualified Health Plans available on Insure Oklahoma:

- [Advantage Health Plans Trust - MEWA, Financial Institutions Only](#)
- [Aetna Health, Inc.](#)
- [Allied National Companies \(AAIC\)](#)
- [BlueCross BlueShield](#)
- [Community Care](#)
- [Coventry Health and Life Insurance Company](#)
- [Federated Mutual Insurance Company](#)
- [First Health Life & Health Insurance Plan](#)
- [John Alden Life Insurance Co.](#)
- [Nippon Life Insurance Company of America](#)
- [Oklahoma Lumbermen's Association](#)
- [Oklahoma Municipal Assurance Group](#)
- [Oklahoma Press Association/MEBT](#)
- [Oklahoma State Medical Association](#)
- [PacifiCare Life Assurance Co](#)
- [PacifiCare Life and Health Insurance Co](#)
- [Principal Financial Group](#)
- [Time Insurance](#)
- [Trustmark Life Insurance Company](#)
- [Union Security Insurance](#)
- [United Healthcare](#)

Finally, I also want to address a point that appears in the newspaper. Because we don't have all the federal regulations out yet is it too early to react what might happen. I don't agree with the point that we are running the risk of having the federal grant operate our exchange by taking the innovator grant. We know absolutely and for a fact that they will come in and operate an exchange if we don't start exploring the development of our own. I think there is more risk by doing nothing than there is assessing the regulations that comes forward and responding as we move forward.

From: Katie Altshuler [mailto:Katie.Altshuler@gov.ok.gov]
Sent: Monday, March 28, 2011 6:29 PM

To: Cox-Kain, Julie
Subject: Re: Fwd:

Excellent, maybe I can come over for a few hours on Friday, I will work on a sitter and keep you posted.

From: Cox-Kain, Julie [mailto:Juliek@health.ok.gov]
Sent: Monday, March 28, 2011 06:28 PM
To: Katie Altshuler
Subject: Re: Fwd:

I'm spending 8 hours with them on Friday in an effort to not be so reactive. I'll get them working on it now.

Sent from my BlackBerry Wireless Handheld

From: Katie Altshuler [mailto:Katie.Altshuler@gov.ok.gov]
Sent: Monday, March 28, 2011 06:18 PM
To: Cox-Kain, Julie
Subject: Fw: Fwd:

FYI, will want to work on responses to these as well! Maybe we need to set aside more time, or time with Derek and Nicole...

From: Mary Fallin [mailto:Maryfallin[REDACTED]]
Sent: Monday, March 28, 2011 05:35 PM
To: Katie Altshuler
Subject: Fwd:

Can you review this info and tell me if they have valid issues? Thanks

Mary Fallin

Begin forwarded message:

From: Margaret Ann Morris <[REDACTED]>
Date: March 28, 2011 3:17:02 PM CDT
To: "[maryfallin\[REDACTED\]](mailto:maryfallin[REDACTED])" <[REDACTED]>

Mary,

I just wanted to make sure that you had this information.

Love you,

MA

From: Michael Carnuccio
Sent: Monday, March 28, 2011 2:03 PM
To: Margaret Ann Morris
Subject: Fwd: Follow-up

Best,
Michael

Sent from my iPhone

Begin forwarded message:

From: Michael Carnuccio <[REDACTED]>
Date: March 28, 2011 1:37:47 PM CDT
To: "glenn.coffee@sos.ok.gov" <glenn.coffee@sos.ok.gov>
Subject: Follow-up

Glenn,

Thank you for your time this morning. As requested, below are OCPA's concerns with the use of the grant funding to try and accomplish the stated goals of establishing a free-market, consumer-driven exchange. I look forward to your feedback.

Also, should you all want to explore a private funding option, as we discussed, and need some quick leadership from outside government, please let me know.

Best,
Michael

The "Early Innovator" grants were authorized by the Affordable Care Act to provide states funding to begin developing the IT infrastructure necessary to support the exchanges required by the Act.

Section 1311(a) of the Affordable Care Act authorizes the Secretary of the U.S. Department of Health and Human Services (HHS) to make grants available to states for the establishment of "American Health Benefits Exchanges." Section 1311(a)(3) limits the "use of funds" made available to "activities (including planning activities) related to establishing an American

Health Benefits Exchange, as described” in the Affordable Care Act.

In an October 2010 grant announcement,[\[1\]](#) HHS Secretary Kathleen Sebelius did in fact make funds available to the states in the form of “Early Innovator” grants for the purpose of implementing the type of exchanges obligated by the Affordable Care Act.

That grant announcement is specific in its requirement that states that accept the money are to implement exchanges that comply with the Affordable Care Act.

On page four, the document states:

“I. Funding Opportunity Description.
A. Purpose. *This Funding Opportunity Announcement (FOA) will provide competitive incentives for States to design and implement the Information Technology (IT) infrastructure needed to operate Health Insurance Exchanges – new competitive insurance market places that will help Americans and small businesses purchase affordable private health insurance starting in 2014.”*

On page five, the document further states:

“C. Background. *On March 23, 2010, the President signed into law the Patient Protection and Affordable Care Act. On March 20, 2010, the Health Care and Education Reconciliation Act of 2010 was signed into law. The two laws are collectively referred to as the Affordable Care Act...Among its provisions, the law provides for funding to assist States in implementing parts of the Affordable Care Act.”*

“Section 1311 of the Affordable Care Act provides funding assistance to the States for the planning and establishment of Health Insurance Exchanges...The Affordable Care Act provides that each State may elect to establish an Exchange that would: 1) facilitate the purchase of qualified health plans (QHPs); 2) provide for the establishment of Small Business Health Options Program (SHOP

Exchange) designed to assist qualified employers in facilitating the enrollment of their employees in QHPs offered in the SHOP Exchange; and 3) meet other requirements specified in the Act.”

Based on the language included in the grant announcement, there can be no doubt that the purpose of the “Early Innovator” grant is for the state to implement an exchange that complies with the requirements of the Affordable Care Act.

Furthermore, not only does the Affordable Care Act grant HHS broad authority to audit the state’s use of the grant funds at any time, but HHS will also actively monitor Oklahoma’s progress to ensure certain targets are met before the state can draw down the additional funds necessary to continue implementation of the exchange. A state simply cannot take the grant funds, build a “free market” exchange and expect to get away with it.

Page two of the “Notice of Grant Award” – the document announcing Oklahoma’s award of the \$54.6 million Early Innovator grant – specifies that funds will only be released incrementally as certain benchmarks are reviewed and approved.

*“**B.** Grantee must also meet specific Program Requirements, to include undergoing standard industry Systems Development Life Cycle (SDLC) reviews. The Early Innovator Exchange IT SDLC reviews are as follows (with tentative dates to occur):*

*1. Architecture Review
3/16/2011*

*2. Project Baseline Review
4/18/2011*

*3. Detailed Design Review
9/14/2011*

*4. Operational Readiness Review
10/10/2011”*

Particularly important are the “Detailed Design Review” and the “Operational Readiness Review.” As shown above, the “Early Innovator”

grant requires the state to build an exchange that complies with the Affordable Care Act. The Act requires that all plans that are offered within the exchange meet certain minimum standards – that they are “Qualified Health Plans (QHPs)”– and that all insurers who participate in the exchange offer plans that meet QHP standards.

(The Affordable Care Act requires exchanges that are **DECIDEDLY NOT** “free market” exchanges. The Act mandates exchanges that are heavily regulated, restricts competition by limiting which insurers can participate in the exchange, reduces choice by mandating that all plans sold in the exchange meet expensive, minimum levels of coverage and prohibits insurers from freely contracting with medical providers.)

[\[1\]](#) Comparative Agreements to Support Innovative Exchange Information Technology Systems, OHX

From: [Scott Mason](#)
To: [Denise Northrup](#)
Subject: Re: Prep for Call w/ Governor Markell
Date: Wednesday, November 14, 2012 12:49:52 PM

Yes
Scott Mason
Office of the Governor
State of Oklahoma

via AT&T BlackBerry

From: Denise Northrup
Sent: Wednesday, November 14, 2012 12:49 PM
To: Scott Mason
Subject: Re: Prep for Call w/ Governor Markell

Thx, I'm going to try to brief her in between these next two sessions. I will be in staff mtg at 115 and will try to step out to be with her on that call...

Would you find an RGA staffer and see if there is a room around here for her to make that call? Preferably close...thx

On Nov 14, 2012, at 10:47 AM, "Scott Mason" <Scott.Mason@gov.ok.gov> wrote:

Will head that way now
Scott Mason
Office of the Governor
State of Oklahoma

via AT&T BlackBerry

From: Denise Northrup
Sent: Wednesday, November 14, 2012 12:47 PM
To: Scott Mason
Subject: Fwd: Prep for Call w/ Governor Markell

Will you see if you can get a copy or two of this printed for her before her phone call at 2?

Begin forwarded message:

From: Katie Altshuler <Katie.Altshuler@gov.ok.gov>
Date: November 14, 2012 9:38:15 AM PST
To: Katie Altshuler <Katie.Altshuler@gov.ok.gov> ,

""maryfallin [REDACTED]"" [REDACTED]
Cc: Denise Northrup <Denise.Northrup@gov.ok.gov>, Alex Weintz <Alex.Weintz@gov.ok.gov>, Scott Mason <Scott.Mason@gov.ok.gov>, Glenn Coffee <Glenn.Coffee@gov.ok.gov>, Andrew Silvestri <Andrew.Silvestri@gov.ok.gov>
Subject: Prep for Call w/ Governor Markell

Governor,

The information I provided you last Friday (included below) is still current except that the RGA has not yet sent their letter because they are waiting on Governor Jindal to approve the final version. I think there are two objectives for your call with Governor Markell later today.

1) Previous NGA leadership leading up to the election made the decision to stay out of the realm of health care reform for the most part. It is time to re-evaluate this decision now that the election has passed and determine if Democrat and Republican Governors can agree to move into a cooperative space on this issue and try to work together first and foremost to make sure that ALL states are properly informed.

Republican Governors would like to have an honest open dialogue with the Administration. There are numerous outstanding questions that have not been answered and regulations that have not been issued. As I mentioned below, HHS has been working with states on case by case basis answering questions. Our position needs to be that the Administration needs to put the answers in writing and share them with ALL of the states so we all have the SAME information in writing that we can rely on.

2) If you can get agreement, then we need to determine what the next step/ask is. At the very least it is appropriate to ask that NGA request a delay of the Nov. 16th deadline and ask for meeting with the President to discuss these issues, or a meeting with Sebelius. From the perspective of Oklahoma I think it is really fair to say we don't know what to do without more information and there are several states in the same position. This is not about politics anymore, it is not simply another delay tactic. The election is over, it is about very real consequences and budget implications for our states.

While this is an issue that the executive committee should consider, we do not have time to wait for the meeting on Friday in San Diego to seek some relief in advance of the Nov. 16th deadline.

REMINDER: Based on the last call with HHS on Friday they basically said that states must make a determination as to whether or not they will build a state based exchange on Nov.

16. If they do not hear from us they said they will assume that we will opt for either a partnership exchange (which must be designated by Dec. 14) or a Federal exchange.

I have been in contact today with the Republican Executive Committee members and they are all very supportive of NGA engaging on this and requesting a delay and for more information from the Administration.

This is the President's number one priority and a majority of Republican states are not prepared to act/implement state based exchanges which the Administration has clearly indicated they would prefer without further information.

Please let me know if you have any questions or need additional information.

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

-----Original Message-----

From: Katie Altshuler
Sent: Monday, November 12, 2012 10:03 AM
To: 'maryfallin [REDACTED]'
Cc: Denise Northrup; Alex Weintz; Scott Mason; Glenn Coffee; Katie Altshuler
Subject: Important: NGA/RGA/PPACA

Governor,

I wanted to provide you with a brief update. The RGA has a draft letter they plan to send out today with the list of unanswered questions and requesting a mtg w/ the President.

As we discussed at the end of last week we have asked to see if we can get NGA engaged on this issue and to request a mtg with the President.

While Democrat staff has not said no and seems to be trying to figure out a way to work with us, it is clear that this will not be resolved at the staff level.

We think it is imperative to get you on the phone with Markell asap. He is traveling today so we are trying to get something scheduled for tomorrow.

The purpose of the call will be for the two of you to discuss whether or not NGA will engage on PPACA. As we also discussed Friday, NGA has taken a hiatus on this issue leading up to the election.

But now that the election is over we must have an open dialogue with each other and the Administration so we can make the best decisions for our states.

The Administration has been working on a state by state basis answering questions primarily with states with Democrat Governors who have volunteered to move forward since passage of PPACA. While some Democrat states are lacking information the majority of them indicate they are getting the answers to their questions. So we need to demand that the Administration put the answers in writing and share them with all states in advance of the Nov. 16 deadline and they need to give us enough time to review them before we have to make critical decisions.

Based on the last call with HHS on Friday they basically said that states must make a determination as to whether or not they will build a state based exchange on Nov. 16. If they do not hear from us they said they will assume that we will opt for either a partnership exchange (which must be designated by Dec. 14) or a Federal exchange. This deadline is not in statute so it is unclear what the true consequences will be for not responding.

It is likely that RGA will go ahead and send their letter today. We do not really think it will hamper the NGA discussion.

This is just background info. I will send you more detailed information for the call with Markell. I am waiting to hear back from Markell staff re/ scheduling.

This will likely be a top agenda item for you all at the NGA Executive Committee meeting on Friday in San Diego.

I have included the NGA Executive Committee members below just as a reminder:

Mike Beebe (AR)
John Hickenlooper (CO)
Mark Dayton (MN)
Dave Heineman (NE)
Chris Christie (NJ)
Gary Herbert (UT)
Scott Walker (WI)

Please let me know if you have any questions at this time.

Thank you, Katie 405-██████████ cell

From: [Alex Weintz](#)
To: [Denise Northrup](#); [Katie Altshuler](#)
Cc: [Glenn Coffee](#); [Andrew Silvestri](#)
Subject: RE: Update re/ PPACA Essential Health Benefits (EHB) Deadline: Oct. 1
Date: Wednesday, September 26, 2012 4:01:00 PM

I think that sounds like a good idea and hopefully we can have a pretty strongly worded letter about the lack of information the feds have given us

From: Denise Northrup
Sent: Wednesday, September 26, 2012 11:59 AM
To: Katie Altshuler
Cc: Glenn Coffee; Alex Weintz; Andrew Silvestri
Subject: Re: Update re/ PPACA Essential Health Benefits (EHB) Deadline: Oct. 1

Works for me, let's just find some time...u might even even send her an email when she's driving home today so she can start thinking about it...

On Sep 26, 2012, at 10:25 AM, "Katie Altshuler" <Katie.Altshuler@gov.ok.gov> wrote:

I wanted to let you know that I am going to change my recommendation to GMF regarding meeting this deadline. We had previously discussed being proactive and having the Governor make a designation to the Feds re/ the EHB. I have been following this closely and working with OID staff confidentially, Julie Cox-Cain w/ Health Dept. and with RGA and NGA. We have had calls with the Feds as well (CMS and CCIIO). We actually have more questions now than we had before and do not believe that we have enough information for the Governor to make a well informed decision.

At this time, it is my recommendation that we send a letter to the feds saying that we simply do not have enough information to make a determination at this time and we could include some specific questions. I know at least one other state (PA) is going to take the same approach and it sounds like a number of others are considering it.

Please let me know if you have any questions or concerns. I will plan to grab a few minutes with the GMF tomorrow. The letter needs to be sent on Monday.

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

From: [denisenorthrup](#) [REDACTED]
To: [Denise Northrup](#)
Subject: Fw: Here you go.
Date: Thursday, December 15, 2011 8:44:52 AM

Sent via BlackBerry by AT&T

-----Original Message-----

From: Clark Jolley <[REDACTED]>
Date: Wed, 14 Dec 2011 23:18:01
To: <denisenorthrup[REDACTED]>
Subject: Here you go.

This may be more than you asked for, but here is my perspective on everything.

For obvious reasons, this is for YOU only. Not even Glenn, please.

SPECIALS:

Dist 20: (Logan, Kingfisher, Pawnee, Noble)
SAFE SEAT, COMPETITIVE PRIMARY
Phil Berkenbile (R) - Career Tech guy that endorsed Jari...ummmm <-- nice guy, but no shot
AJ Griffin (R) - AH Strategies Client, beautiful young 43 year old woman who has done fundraising for a living. <-- should win
Wayne Murphey - Father of Jason Murphey <-- son is popular enough to win races, will Dad be okay outside of Guthrie? <-- don't count him out
Chris Humphreys - Pastor of a new Baptist Church in Warr Acres (Bill Stemmons apparently attends there) <-- no clue
Magnus Scott (D) - Former Mayor of Langston. No shot at all.

Dist 46: (Capitol Hill and Central OKC)
LEANS DEM, BUT POSSIBLE PICKUP...Mary won this district, not Jari!
Jason Reese (R) can win this seat. No question in my mind. It's all voter turnout. The way the lines are drawn, the registration is overwhelming Democrat, but the 2010 race was like 52 or 54% Fallin... Just sayin' we shouldn't chalk this up as a loss whatsoever.

2012 CYCLE

Dist 1 (NE Oklahoma, Miami, Grand Lake North):
Charlie Wyrick (D)
SAFE DEM HOLD

Dist 3: (Adair and Delaware County)
OPEN AND COMPETITIVE PRIMARY; GOP TARGET SEAT
Cyndi McArtor (R) - Tea Party Activist
? - AH Strategies Client

Dist 5: (SE OK)
Jerry Ellis (D)
LIKELY DEM HOLD
No candidates have filed yet....no Dems or GOP

Dist 7: (Stipe Seat)
Richard Lerblance (D)
We've got a great candidate that's running. Can self-fund. Don't know if Lerblance will even run again. Will be interesting.

Dist 9: (Muskogee & Tahlequah)

Earl Garrison (D)
SAFE DEM HOLD

Dist 11: (NE Tulsa)
Judy Eason McIntyre (D) - Termed
Jabar Shumate is running as a D
SAFE DEM HOLD

Dist 13: (Ada)
Susan Paddock (D)
SAFE DEM HOLD
Fred Ray Smith (R) - Ada

Dist 15: (Norman)
Jonathan Nichols (R) - Termed
SAFE GOP HOLD AFTER COMPETITIVE PRIMARY
Jack Beller (R) - Physician - Lance Cargill Client
Harold Haralson (R)
Bob Neidhart - (R)
Rob Standridge (R) - Pharmacist
Claudia Griffith (D)

Dist 17: (Shawnee & Eastern OK County)
Charlie Laster (D) - Retiring
OPEN WINNABLE SEAT
No Candidates yet, Laster hasn't announced to world I don't think.

Dist 19: (Enid and N Central OK)
Patrick Anderson (R)
SAFE GOP SEAT, NO PRIMARIES RUMORED

Dist 21: (Stillwater)
James Halligan (R) - AH Strategies Client
SAFE GOP SEAT, NO PRIMARIES RUMORED

Dist 23: (Chickasha)
Ron Justice (R) - AH Strategies Client
SAFE GOP SEAT BUT Senator Justice has been targeted as one of the "Dirty Dozen" by the trial lawyer backed "Patrick Henry PAC"

Dist 25: (Tulsa)
Mike Mazzei (R) - Has used AH Strategies in the past, suspect his brother Dan will run his campaign this time.
SAFE GOP SEAT BUT Senator Mazzei has been targeted as one of the "Dirty Dozen" as well and in their email, they alleged a Primary would be held in this seat. Because of Sen. Mazzei's health, his voting record is very poor and his ability to establish a ground game with him involved is suspect. However, if there is any district where the constituents would be fine with that, Mazzei's would be. Depending on how nutty his opponent is, this could be a tough primary for Mazzei, just because of the huge amount of time away from the Capitol.

Dist 27: (Panhandle and NW OK)
Bryce Marlatt (R)
SAFE GOP SEAT BUT Sen. Marlatt has an independent running against him.

Dist 29: (Bartlesville)
John Ford (R)
SAFE GOP SEAT, NO PRIMARIES RUMORED

Dist 31: (East Lawton, Jefferson County, Cotton County, Tillman County, West Duncan)
Don Barrington (R) - AH Strategies Client

LIKELY BARRINGTON HOLD, POSSIBLE PRIMARY RUMORED. Sen. Barrington is highly likely to be targeted by the "Dirty Dozen," and some at the Capitol believe that he will have someone from Stephens County run against him because his voting record is more moderate than what they like. If he has a race in Stephens County, he will likely lose that County, but his strength in the rest of the district is remarkable. A harsh primary could result in an opening for a conservative Democrat. The only counties Jari Askins won are in Don Barrington's district. Let me be clear - Don Barrington will not lose a general election. But he could lose a primary.

Dist 33: (NEW, South Tulsa)

Tom Adelson (D)

GOP PICKUP TARGET SEAT

This seat will go Republican, no question. The issue is whether it will be by a mainstream conservative Republican or an extremist.

Don Little (R) - OK Tea Party Activist is only filed candidate with an SO-1 on file.

Dist 35: (Midtown Tulsa)

Gary Stanislawski (R) - AH Strategies Client (I believe)

SAFE GOP SEAT, POSSIBLE PRIMARY

Gary won the race last time because he was the ultra conservative in the race. He was outspent, but outworked his better known, more well funded candidate (Cason Carter, managed by CMA). He has been targeted by the Tulsa 9-12 people as being too liberal because he "supports" Obamacare. Unbelievable. But he would have to work it if he was challenged. Not a great fundraiser, but a great campaign in 2008 won him the seat in a runoff.

Dist 37: (Sand Springs, West Tulsa)

Dan Newberry (R) - AH Strategies Client

SAFE GOP SEAT, POSSIBLE PRIMARY RUMORED

Sen. Newberry will be targeted by Patrick Henry PAC as a "Dirty Dozen," no question. His biggest vulnerabilities will be his failed business venture that resulted in two very public bankruptcies (one for the business, one for personal) and his current ethics commission reports. They reflect that he is basically living out of his campaign account. For example, he raised \$90K last quarter. Spent about \$50K of it. And not on Fount and Karl. My understanding is Bingman is going to talk to Karl about it. Dan also was rumored to be sleeping in his office last year and pocketing his per diem to make ends meet. He would work out and shower at Presbyterian's health facility.

Dist 39: (Midtown Tulsa)

Brian Crain (R) - Neva Hill Client

SAFE GOP SEAT, BUT PRIMARY

Kevin McDougale (R) - Backed by Patrick Henry PAC against a member of the "Dirty Dozen," this former Marine has filed multiple Bankruptcies and has been divorced a few times, I believe. Senator Crain believes this is enough to discredit him as a credible candidate in the district. Sen. Crain has never had a real race, however, with only an Independent challenging him in 2004. No primary. One general against an independent = no experience. Crain will need help.

Dist 41: (Edmond, Arcadia, N OKC)

Clark Jolley (R) - AH Strategies Client

SAFE GOP SEAT, BUT PRIMARY

Paul Blair (R) - Pastor, Organizer of Reclaiming America for Christ and former OSU football star. Spent three years in the NFL after his OSU career. John Birch Society promoter and supported by High Noon Club people like Mike Reynolds, Bob Dani and possibly Sen. Ralph Shortey (who denies actively supporting, but thinks him winning would be "great" but also says Jolley winning would also be "great" because "both are conservatives."

Dist 43: (Stephens, McClain County)

Greg Childers (R) - RUNNING FOR HOUSE AGAINST SCOTT INMAN IN 2012

SAFE GOP SEAT, COMPETITIVE PRIMARY EXPECTED

Possibly Rep. Dennis Johnson (R- Duncan)

Clark Southard (R) - Former Lt. Col., Now works for South COG, attended UT-Austin

Dist 45: (Mustang, SW OKC)

Steve Russell (R) - Retiring
SAFE GOP SEAT, COMPETITIVE PRIMARY EXPECTED
Kyle Loveless (R)

Dist 47: (NW OKC)
Greg Treat (R)
SAFE GOP SEAT, NO PRIMARIES RUMORED

On Dec 14, 2011, at 3:01 PM, denisenorthrup [REDACTED] wrote:

- > Don't forget to get me a list of senate races by my meeting friday.
- >
- > :)
- > Sent via BlackBerry by AT&T

From: [Scott Mason](#)
To: "smason@██████████"
Subject: Fw: Prep for Call w/ Governor Markell
Date: Wednesday, November 14, 2012 12:59:51 PM
Importance: High

Scott Mason
Office of the Governor
State of Oklahoma

via AT&T BlackBerry

----- Original Message -----

From: Katie Altshuler
Sent: Wednesday, November 14, 2012 11:38 AM
To: Katie Altshuler; 'maryfallin@██████████'
Cc: Denise Northrup; Alex Weintz; Scott Mason; Glenn Coffee; Andrew Silvestri
Subject: Prep for Call w/ Governor Markell

Governor,

The information I provided you last Friday (included below) is still current except that the RGA has not yet sent their letter because they are waiting on Governor Jindal to approve the final version. I think there are two objectives for your call with Governor Markell later today.

1) Previous NGA leadership leading up to the election made the decision to stay out of the realm of health care reform for the most part. It is time to re-evaluate this decision now that the election has passed and determine if Democrat and Republican Governors can agree to move into a cooperative space on this issue and try to work together first and foremost to make sure that ALL states are properly informed. Republican Governors would like to have an honest open dialogue with the Administration. There are numerous outstanding questions that have not been answered and regulations that have not been issued. As I mentioned below, HHS has been working with states on case by case basis answering questions. Our position needs to be that the Administration needs to put the answers in writing and share them with ALL of the states so we all have the SAME information in writing that we can rely on.

2) If you can get agreement, then we need to determine what the next step/ask is. At the very least it is appropriate to ask that NGA request a delay of the Nov. 16th deadline and ask for meeting with the President to discuss these issues, or a meeting with Sebelius. From the perspective of Oklahoma I think it is really fair to say we don't know what to do without more information and there are several states in the same position. This is not about politics anymore, it is not simply another delay tactic. The election is over, it is about very real consequences and budget implications for our states.

While this is an issue that the executive committee should consider, we do not have time to wait for the meeting on Friday in San Diego to seek some relief in advance of the Nov. 16th deadline.

REMINDER: Based on the last call with HHS on Friday they basically said that states must make a determination as to whether or not they will build a state based exchange on Nov. 16. If they do not hear from us they said they will assume that we will opt for either a partnership exchange (which must be designated by Dec. 14) or a Federal exchange.

I have been in contact today with the Republican Executive Committee members and they are all very supportive of NGA engaging on this and requesting a delay and for more information from the Administration.

This is the President's number one priority and a majority of Republican states are not prepared to act/implement state based exchanges which the Administration has clearly indicated they would prefer

without further information.

Please let me know if you have any questions or need additional information.

Katie Altshuler, Policy Director
Office of Governor Mary Fallin
2300 North Lincoln Boulevard, Suite 212
Oklahoma City, Oklahoma 73105
405.521.2342
katie.altshuler@gov.ok.gov

-----Original Message-----

From: Katie Altshuler

Sent: Monday, November 12, 2012 10:03 AM

To: 'maryfallin [REDACTED]'

Cc: Denise Northrup; Alex Weintz; Scott Mason; Glenn Coffee; Katie Altshuler

Subject: Important: NGA/RGA/PPACA

Governor,

I wanted to provide you with a brief update. The RGA has a draft letter they plan to send out today with the list of unanswered questions and requesting a mtg w/ the President.

As we discussed at the end of last week we have asked to see if we can get NGA engaged on this issue and to request a mtg with the President.

While Democrat staff has not said no and seems to be trying to figure out a way to work with us, it is clear that this will not be resolved at the staff level.

We think it is imperative to get you on the phone with Markell asap. He is traveling today so we are trying to get something scheduled for tomorrow.

The purpose of the call will be for the two of you to discuss whether or not NGA will engage on PPACA. As we also discussed Friday, NGA has taken a hiatus on this issue leading up to the election.

But now that the election is over we must have an open dialogue with each other and the Administration so we can make the best decisions for our states.

The Administration has been working on a state by state basis answering questions primarily with states with Democrat Governors who have volunteered to move forward since passage of PPACA. While some Democrat states are lacking information the majority of them indicate they are getting the answers to their questions. So we need to demand that the Administration put the answers in writing and share them with all states in advance of the Nov. 16 deadline and they need to give us enough time to review them before we have to make critical decisions.

Based on the last call with HHS on Friday they basically said that states must make a determination as to whether or not they will build a state based exchange on Nov. 16. If they do not hear from us they said they will assume that we will opt for either a partnership exchange (which must be designated by Dec. 14) or a Federal exchange.

This deadline is not in statute so it is unclear what the true consequences will be for not responding.

It is likely that RGA will go ahead and send their letter today. We do not really think it will hamper the NGA discussion.


This is just background info. I will send you more detailed information for the call with Markell. I am waiting to hear back from Markell staff re/ scheduling.

This will likely be a top agenda item for you all at the NGA Executive Committee meeting on Friday in San Diego.

I have included the NGA Executive Committee members below just as a reminder:

Mike Beebe (AR)
John Hickenlooper (CO)
Mark Dayton (MN)
Dave Heineman (NE)
Chris Christie (NJ)
Gary Herbert (UT)
Scott Walker (WI)

Please let me know if you have any questions at this time.

Thank you, Katie 

To: Governor Fallin
CC: Denise Northrup, Secretary Coffee
From: Katie Altshuler
Date: Wednesday, February 16, 2011
Re: Prep for Meeting with Commissioner Doak at 3:00 pm Today

- **I understand that there are various stakeholders that must be involved in this process. You have my commitment that the Insurance Department will serve as an equal partner every step of the way.**
- This process is slightly complicated by Oklahoma's unique governance structure with the Health Care Authority being run by an autonomous board and having an independently elected Insurance Commissioner with agencies that have very different missions, however there is no reason we cannot all work together to serve the best interests of the State.
- My staff has been in regular communication with your office, the Health Care Authority and legislators and will continue to make regular communication a priority.
- I have designated Secretary of Health Terry Kline to serve as the lead on implementation of the Health Insurance Exchange.
- We will be transferring the two planning staffers hired by the initial Federal grant (\$1 million that was given to all states) to the Health Department and Nicole Pietro Johns will continue to serve as a liaison to the Insurance e Department.
- The Feds are scheduled to announce the Early Innovator Grant (OHCA applied for the grant in December under Governor Henry). We are uniquely qualified based on Insure OK and our HUB enabling legislation. Seven (states that made applications have been kept confidential) states applied and apparently five will receive grants in the ballpark of \$50 million each. If we are awarded the grant we will review it with a fine tooth comb to make sure that it is in keeping with our philosophy on reform.
- Before we move forward with the Early Innovator grant that OK was awarded we would like to offer you the opportunity to CONFIDENTIALLY review the grant application and provide me with any feedback you may have. For your information the following states received an award:

Kansas: Kansas Insurance Department, \$31,537,465

Maryland: Maryland Dept of Health and Mental Hygiene, \$6,227,454

Multi-State Consortia: University of Massachusetts Medical School, \$35,591,333

New York: New York Department of Health, \$27,431,432

Oklahoma: Oklahoma Health Care Authority, \$54,582,269

Oregon: Oregon Health Authority, \$48,096,307

Wisconsin: Wisconsin Department of Health Services, \$37,757,266

- My staff has been in touch with Governor Brownback's office and they will be accepting the grant (I will provide you with Governor Brownback's press statement as soon as I have it). We have also reached out to Governor Walker's office in Wisconsin and are waiting to hear back. They are the only other states with Republican Governor's that received the grant.
- The Health Care Authority has assured us that they will include the Insurance Department as a stakeholder with regard to the implementation of the grant even though it is not expressly stated in the press application.
- At some point down the road we will have to determine along with the stakeholders and the legislature the governance and location of the exchange. Due to the various stakeholders involved with unique missions we may want consider an independent entity, however in effort not to expand government or duplicate functions we could establish a governing board made up of existing stakeholders including, but not necessarily limited to the Secretary of Health, the Insurance Department and the Health Care Authority.

Memorandum

To: Governor Fallin

From: Maria Maule

Date: March 1, 2011

Re: OSEEGIB, February 25, 2011 Submission

The proposed new rules and rule amendments: 1) change language relating to dependent health insurance coverage (for example, extending the age limit of dependency up to 26 years), in compliance with the Affordable Care Act (“ACA”); 2) establish independent, external review grievance procedures, in compliance with the ACA; and fix errors.

Talking Points for Call with Secretary Sebelius

Republican Governors would like to have open dialogue with the Administration so we can make the best decisions for our states and so we can all move forward.

This is not about politics, it is not simply another delay tactic. The election is over, it is about very real consequences and budget implications for our states.

We need better information and answers to our questions so that we can determine what the consequences of our decisions will be. The paths we take will have major policy and budgetary implications for our states for years to come.

ASK: We need a delay on the exchange declaration deadline, we need answers and we need flexibility for states to address their unique needs.

The regulations we have seen to date from HHS have several references to “will be issued later/to be determined.”

States need specific answers to our many questions—it is hard to just “trust HHS” and I would feel that way even if it were a Republican Administration.

Governors really do want to work with HHS but wish that now that the election is behind us, we can work together to develop the best possible health outcomes and cost containment.

We understand that HHS has been working with states on case by case basis answering questions. We are concerned that HHS has been giving information to some states but not others. The Administration needs to put answers in writing and share them with ALL of the states so we all have the SAME information in writing that we can rely on in advance of deadlines where we must make critical decisions.

Just simply giving governors more time to consider what HHS has already provided us as it relates to exchanges will not help. We will still be having the same questions and conversations a month from now if we do not get more answers.

Republican Governors would like to have an honest open dialogue with the Administration. There are numerous outstanding questions that have not been answered and regulations that have not been issued.

ASK: We would like to have an opportunity for Republican Governors to meet with you (Secretary Sebelius) or someone that has the authority to make decisions and can answer our questions to help us all move forward.

