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8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11

12 **THE STATE OF CALIFORNIA; THE**
13 **STATE OF DELAWARE; THE STATE OF**
14 **MARYLAND; THE STATE OF NEW**
15 **YORK; THE COMMONWEALTH OF**
16 **VIRGINIA,**

17 Plaintiffs,

18 v.

19 **ALEX M. AZAR, II, IN HIS OFFICIAL**
20 **CAPACITY AS SECRETARY OF THE U.S.**
21 **DEPARTMENT OF HEALTH & HUMAN**
22 **SERVICES; U.S. DEPARTMENT OF**
23 **HEALTH AND HUMAN SERVICES; R.**
24 **ALEXANDER ACOSTA, IN HIS OFFICIAL**
25 **CAPACITY AS SECRETARY OF THE U.S.**
26 **DEPARTMENT OF LABOR; U.S.**
27 **DEPARTMENT OF LABOR; STEVEN**
28 **MNUCHIN, IN HIS OFFICIAL CAPACITY AS**
SECRETARY OF THE U.S. DEPARTMENT OF
THE TREASURY; U.S. DEPARTMENT OF
THE TREASURY; DOES 1-100,

Defendants,

and,

THE LITTLE SISTERS OF THE POOR,
JEANNE JUGAN RESIDENCE; MARCH
FOR LIFE EDUCATION AND DEFENSE
FUND,

Defendant-Intervenors.

4:17-cv-05783-HSG

DECLARATION OF WALKER A. WILSON

1 I, WALKER A. WILSON, declare:

2 1. I am the Assistant Secretary of Policy at the North Carolina Department of Health and
3 Human Services. I was previous the Director of the Health Policy Office at Blue Cross Blue
4 Shield North Carolina, where I led the team analyzing federal regulations under the Affordable
5 Care Act.

6 2. The State of North Carolina provides contraceptive coverage through a statewide
7 Family Planning program funded by multiple sources (Title X, Title V, State money, and TANF).
8 The goal of the program is to decrease the incidence of unintended pregnancies, reduce cases of
9 STD/HIV, improve birth outcomes, and improve the overall reproductive health among North
10 Carolinians. Every effort is made to ensure that families with incomes at or below 100% of the
11 federal poverty level are given priority in receiving family planning services, including
12 adolescents.

13 3. North Carolina has a minor consent law allowing for a minor to consent to see a
14 medical professional for the diagnosis, treatment, and prevention of: pregnancies, STDs, mental
15 health, or substance use.

16 4. North Carolina Medicaid provides family planning coverage to men and women who
17 have incomes at or below 195% of the federal poverty level through a program called "Be
18 Smart." Both public and private medical providers accept "Be Smart" family planning patients.

19 5. All women in North Carolina are at risk of losing Affordable Care Act required
20 contraceptive coverage under the final regulations issued by the federal government. North
21 Carolina's 2017 population is 10,052,564; women make up 5,157,196 of the total population
22 (according to the American Community Survey 5-year estimate). The percentage of unintended
23 pregnancies in North Carolina in 2017 was 50.5% (according to the NC State Center for Health
24 Statistics). As a result of these rules, women will either (a) utilize and seek coverage through
25 State program, (North Carolina Statewide Family Planning Program), (b) they will forgo
26 coverage and experience an unintended pregnancy. In both scenarios, the State will suffer
27 increased costs and its residents harmed.

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Executed on December 18, 2018, in Raleigh, North Carolina.

Walker A. Wilson

WALKER A. WILSON
Assistant Secretary for Policy
North Carolina Department of Health and
Human Services