

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**CHARLES GRESHAM, et al.**

**PLAINTIFFS**

**v.**

**No. 1:18-cv-01900JEB**

**ALEX M AZAR, et al.**

**DEFENDANTS**

**STATE OF ARKANSAS**

**DEFENDANT-INTERVENOR**

**AMENDED DECLARATION OF MARY FRANKLIN**

The undersigned, Mary Franklin, having been duly sworn, states upon oath and affirmation as follows:

1. I am over 18 years of age, of sound mind and capable of making this affidavit.
2. I am employed with the Arkansas Department of Human Services (“DHS”), where I have been employed for twenty six years, and have been the Director of the Division of County Operations of DHS since 2016. In the course of my employment I have overseen operational implementation of the Arkansas Works Program.

***Telephonic Reporting of Work and Community Engagement Activities***

3. On December 19, 2018, Arkansas DHS launched a new Arkansas Works Helpline. DHS began accepting telephone attestations for work and community engagement exemptions and work activities. This new avenue for reporting is in addition to in person assistance in a county office, reporting online through the portal or reporting by phone through a registered reporter. Arkansas Works recipients can reach the new helpline for work and community engagement reporting by calling our toll-free number 1-855-372-1084.

***Current Case Information on the Plaintiffs***

4. I would like to provide the following current additional information regarding the plaintiffs:

(a) Charles M. Gresham has active coverage in the Arkansas Works program. He has been subject to the work and community engagement requirement since June 2018. He has been compliant with work and community engagement since his requirement began in June 2018. He has an exemption from participation in the SNAP work requirement and that SNAP exemption has been applied to his Arkansas Works case.

(b) Cesar Ardon has active coverage in the Arkansas Works program. He is subject to the work and community engagement requirement. He is currently compliant with work and community engagement requirements due to being employed the equivalent of 80 hours per month at minimum wage. Mr. Ardon was reported as having found new employment by the Department of Workforce Services in December 2018. Mr. Ardon was sent a notice requesting verification of his employment to determine his ongoing eligibility for the program. He has not responded to this notice and his Arkansas Works coverage is scheduled to close January 31, 2019, for failure to provide information.

(c) Marisol Ardon has active coverage in the Arkansas Works program. She is subject to the work and community engagement requirement. She is currently compliant with work and community engagement requirements due to an exemption for temporary incapacitation. Her exemption expires at the end of January 2019. She has been sent notice advising her that her exemption is ending and that she must report her current information no later than January 31, 2019. The notice also informs her that she will need do at least 80 hours of work activities if she no longer meets an exemption.

(d) Adrian McGonigal has active coverage in the Arkansas Works program. He is subject to the work and community engagement requirement. He is currently required to report work activities effective January 1, 2019. Based on a previous good cause request and approval of good cause, Mr. McGonigal had been granted an exemption for disability. Due to his disability, his coverage through a qualified health plan was ended and his medical needs began being met through traditional Medicaid in the Arkansas Works program. On November 29, 2018, Mr. McGonigal called and requested for his disability status to end and to be returned to his qualified health plan. The caseworker he spoke with explained that he would no longer have access to personal care and home health care and that he may be

subject to work requirements. As of January 1, 2019, Mr. McGonigal is required to report work activities monthly. No exemptions have been identified or reported for Mr. McGonigal at this time.

(e) Veronica Watson has active coverage in the Arkansas Works program. She is subject to work and community engagement requirements. She is currently compliant with work and community engagement through an exemption for receiving unemployment benefits.

(f) Treda Robinson has active coverage in the Arkansas Works program. She is subject to the work and community engagement requirement. She is compliant with work and community engagement requirements because she is employed the equivalent of 80 hours per month at minimum wage.

(g) Anna Book has active coverage in the Arkansas Works program. She is subject to the work and community engagement requirement. She is compliant with work and community engagement requirements because she is employed the equivalent of 80 hours per month at minimum wage.

(h) Russell K. Cook has had Arkansas Works coverage since January 2018. He is currently covered and is scheduled to begin the work and community engagement requirement in April 2019.<sup>1</sup>

***Data on DHS Outreach Efforts***

5. Outreach and education efforts for the work and community engagement requirement have been extensive. Between April 2018 and December 2018, Arkansas DHS and its partners have made 230,307 phone calls, mailed 592,102 letters, sent 311,934 emails, sent 38,766 text messages, and made 918 posts to social media.

**FURTHER AFFIANT SAYETH NOT.**

  
\_\_\_\_\_  
Mary Franklin

  
\_\_\_\_\_  
Date

<sup>1</sup> The information on this plaintiff is being corrected. Information provided in the January 14, 2019 affidavit was incorrect and referred to another individual with a similar name.

Subscribed and Sworn before me a Notary Public this 7<sup>th</sup> day February, 2019.

Kitten L. Dixon



My Commission Expires: 9/25/2022