

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

RONNIE MAURICE STEWART, et al.,

Plaintiffs,

v.

ALEX M. AZAR II, et al.,

Defendants.

Civil Action No. 1:18-cv-152 (JEB)

NOTICE OF SUPPLEMENTAL FILING

In accordance with this Court's request at the motion hearing on Thursday, March 14, 2019, the federal defendants Alex M. Azar II, *et al.*, hereby submit this notice regarding the substantive changes to the special terms and conditions ("STCs") of the KY HEALTH Medicaid demonstration project that the Secretary of Health and Human Services approved on November 20, 2018.

In its approval letter, the Secretary noted various substantive changes to the project's approved special terms and conditions ("STCs"), which were made after an additional thirty-day comment period following this Court's remand in *Stewart v. Azar*, 313 F. Supp. 3d 237, 243 (D.D.C. 2018). AR 6723. In addition to the four changes listed in the approval letter, the STCs also added certain exemptions for survivors of domestic violence. Beneficiaries in that category are exempt from community-engagement requirements, premiums, non-eligibility periods for failure to provide the documentation necessary for the state to complete the beneficiary's annual redetermination, non-eligibility periods for failure to report a change in circumstances affecting eligibility, and the waiver of the requirement to provide non-emergency medical transportation to beneficiaries in the new adult group. *See* AR 6747–48. Survivors of domestic violence also receive full state plan vision and dental

services (as opposed to needing to earn those through KY HEALTH's *MyRewards* Account). AR 6747.

While the Secretary made other technical changes by updating standard language in the STCs, he made no other substantive changes to the project.

Dated: March 15, 2019

Respectfully submitted,

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/s/ Vinita B. Andrapalliyal

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