



THE COMMONWEALTH OF MASSACHUSETTS
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April 22, 2005

John Rhee
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60 State Street
Boston, Massachusetts 02109

BY HAND

**Re: Rosie D., et al. v. Mitt Romney, et al.,
United States District Court No. 01-30199-MAP**

Dear John:

Enclosed is an updated version of my exhibit list, with new exhibit nos. 112-118 added, and copies of the new exhibits.

Very truly yours,

A handwritten signature in cursive script that reads "Deirdre Roney".

Deirdre Roney
Assistant Attorney General
Government Bureau
(617)-727-2200 ext. 2093

Enclosure



3/11/05 Defendants' List of Trial Exhibits Produced for Plaintiffs

(Updated 3/18 w/ more Bates nos.)

(Updated 3/21 w/ more Bates nos.)

(Updated 4/6/05 w/ more Bates nos., exhibits after no. 90 added)

(Updated 4/8/05 with change to no. 12, Bates no. for no. 39)

(Updated 4/22/05 with exhibits after no. 111 added)

1. Massachusetts Medicaid State Plan DMA 28675-29475
2. 1115 Demonstration Waiver Standard Operational Protocol Document (DMA 80086-80260, also Ex. 4 to Waldman Aff. In Support of SJM)
3. Letter from Thomas A. Scully to Wendy E. Warring dated December 21, 2001 (DMA 80609-80614, also Ex. 5 to Waldman Aff. In Support of SJM)
4. 1115 Demonstration Waiver Special Terms and Conditions (DMA 80686-80714)
5. EOHHS 2005-2006 Strategic Plan dated October 4, 2004
6. 2005 EOHHS Office and Agency Priority List
7. EOHHS Executive Committee Strategic Initiatives Status Report
8. Chart -- EOHHS Children's Mental Health Initiatives
9. Memorandum from Abigail Josephs to Ronald Preston dated March 2005, "Update on 'Stuck Kids' Initiatives"
10. Josephs Dep. Ex. 6, "Building and Financing Sustainable Systems of Care: A Feasibility Study and Development Grant for Community Based Alternatives for Children with SED in Massachusetts," submitted to CMS by EOHHS, dated July 29, 2003 (HHS 12200-12287)
11. MassHealth medical necessity regulation, 130 CMR 450.204
12. MassHealth EPSDT regulations, 130 CMR 450.140 through 450.150, with Appendix W)
13. MassHealth Enrollment Guide (DMA 71162-71196)
14. Maximus new enrollment checklist
15. Sample MassHealth member card
16. omitted (identical to no. 18 on this list)

17. Second Amended and Restated Primary Care Clinician (PCC) Plan Provider Contract (Ex. 5 to Norton Aff. In Support of SJM)
18. PCC Plan Member Handbook (DMA 71213-71240)
19. EPSDT Notice 3010 (Initial Eligibility) (DMA 15976-15977)
20. EPSDT Notice 3012 (Reopened Eligibility) (DMA 15974-15975)
21. EPSDT Notice 3022 (Initial Dental Eligibility) (DMA 15973)
22. EPSDT Notice 3024 (Annual MCO Enrollee's Notice) (DMA 15971-15972)
23. EPSDT Notice 3026 (Reminder Notice) (DMA 15969-15970)
24. Well-child-care visit schedule
25. Postcards: "No big deal," "I look good. I feel better," "No es gran cosa."
26. September 27, 2004 letter from Ron Steingard to "Dear Medical Provider"
27. EPSDT Billing Guidelines for MassHealth Physicians and Mid-level Providers (HHS 12877-12894)
28. The FACTS: Well-Child-Care Screening and Diagnosis Services
29. Massachusetts Health Quality Partners 2003 Pediatric Guidelines
30. Massachusetts Health Quality Partners Pediatric Preventive Care Recommendations 2003
31. MassHealth Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Provider Contract
32. Sample "Dear Provider" letter for prior authorization for EPSDT services
33. Sample "Dear Provider" letter concerning prior authorization for EPSDT services with checklist
34. MassHealth Primary Care Clinician Plan Health Education Materials Catalog, April 2004
35. The PCC Plan's Behavioral Health Program Contract between the Division of Medical Assistance and the Massachusetts Behavioral Health Partnership,

executed August 31, 2001, and effective October 1, 2001, including all subsequent amendments (Ex. 6 and 7 to Norton Aff. In Support of SJM) (Amendment No. 5: DMA 067208-274; Appendix A-1 List of Covered Services: DMA 028350-028363).

36. Contract Between the Division of Medical Assistance and Neighborhood Health Plan (DMA 8794-8999, also Ex. 3 to Norton Aff. In Support of SJM)

37. Massachusetts Medical Assistance Program Municipally Based Health Care Services Provider Agreement (DMA 64969-64974)

38. Commonwealth of Massachusetts Executive Office of Health and Human Services Division of Medical Assistance Municipally Based Health Care Services Provider Agreement, Attachment B, Administrative School-Based Activities (DMA 64973-64974)

39. November 1, 2004 letter from Greenstein to Waldman (Valentine Dep. Ex. 9) (HHS 13972-13975)

40. In the Matter of: The Disapproval of the Maryland State Plan Amendment No. 02-05 (CMS Docket No. 2003-02) (Exhibit to Defs. 5th Motion in Limine)

41. Chart: DMH Services Provided to Children and Adolescents

42. Time Chart: Changes Over Time in How DMH Provides Services

43. DMH Performance Metric: Mass. Child Psychiatric Access Project (MCPAP)

44. Planning and Review Teams Preliminary Design Recommendations 11/18/04

45. High Level Process Workflow, Planning and Review Teams

46. Planning and Review Teams Referral Form

47. Power point re child psychiatry access project

48. MBHP Provider Policies and Procedures Manual 7/02 (MBHP 36813-37222, also MBHP 0372223-037500, also produced by MBHP 6/25/04)

49. MBHP Network Alerts 7/02 through 5/04 (MBHP 4533-4872, 37696-37773, 38006-38044, also produced by MBHP 6/25/04 and 12/9/04, also w/ Defs. Response to Interrogatories 8/6/04)

50. MBHP Clinical Alerts 7/02 through 3/04 (MBHP 037774-037826, produced by MBHP 6/25/04, also w/ Defs. Response to Interrogatories 8/6/04)

51. MBHP Quality Alerts 7/02 through 5/04 (MBHP 037620-037695, produced by MBHP 6/25/04, also w/ Defs. Response to Interrogatories 8/6/04)
52. MBHP Family Stabilization Team Fact Sheet for Providers
53. MBHP PCC Plan Quarterly for 2003 and 2004 (produced by MBHP 12/9/04, MBHP 020540-43)
54. MBHP Recovery, Health and Wellness Bulletin summer 2002, fall 2003, summer 2004 (produced by MBHP 12/9/04)
55. MBHP Health Highlights January 2004 (produced by MBHP 12/9/04)
56. omitted
57. MBHP Guide to Crisis Prevention and Planning for Foster and Adoptive Families, produced 8/6/04 (MBHP 020477-512)
58. MBHP Family Stabilization FAQ
59. MBHP information sheet, "How to File a Complaint About Your Healthcare," produced 8/6/04
60. MBHP appeals fact sheet, produced 8/6/04
61. MBHP Crisis Planning Guide for Parents, produced 8/6/04
62. MBHP pamphlet, "Does Your Child Need Mental Health or Substance Abuse Services," produced 8/6/04
63. "How Can MBHP Help Me," a guide for PCC plan members, produced 8/6/04
64. MBHP Consumer information guide, produced 8/6/04
65. Chart: MBHP Appeal dispositions
66. CD of eligibility, paid claims, service authorization, and care management data for named plaintiffs and clinical review subjects
67. MBHP CFFC Program Description and Operations Manual 10/03 (MBHP 037511-037619, produced by MBHP 6/25/04)
68. MBHP Operations Manual Update, CFFC, December 2004, Coordination with System Providers and Supports

69. MBHP Operations Manual Update, CFFC, December 2004, Flexible Funds
70. MBHP Operations Manual Update, CFFC, December 2004, Length of Enrollment in CFFC
71. MBHP Operations Manual Update, CFFC, December 2004, Reviews: Enrollment, Quarterly, and Discharge
72. Clinical summaries for Devin Estes, Sheena Marley, Joshua Dionne.
73. Clinical summaries for named plaintiff Shaun Egan, and for clinical review subjects who are MBHP clients (Raymond Booth, Laura Detillio, Trudy Goetchius, Matthew Hanscom, John Mousseau, Dillon Oja, Giovanni Stevens) (3/29/05: as produced on 3/11/05, this exhibit also included clinical summaries for the following clinical review subjects: Ralph Beck, Janice Berry, Sarah Blinn, Jennifer Clancy, Mark Cram, Kemelly Diaz, Tashira Feliciano-Rodriguez, Thomas Galvin IV, Shentelle Geary, Richard Gray, Danielle Hansford, Lisa Kelley, Emile Monge, Terrance Moore, Jose Morales, Luis Nieves, Kristen Putignano, Tabitha Russo, Kristin Perry, Christine Quiles-Rivera, Marc St. Louis, Gregory Strauss, Dawn Theriault, Robert Thibodeau, Christopher Thomas, Chelsea Tuttle, Vanessa Edwards Wallace, Forrest Ward)
74. DSS November 3, 2004 Design Document for Public Comment, Integrated Services Procurement Request for Information
75. Mass. DSS Family Networks RFR Summary
76. Family Networks Overview
77. Chart listing articles cited by Burns and Friedman
78. Exhibits 4-6 from Foster deposition
79. 3 WCC Charts attached to Metz 11/24/04 rebuttal report
80. Alintuck, Dadak, Dionne, Donati, Earp, Estes, Hamilton, Pelechowicz all deposition exhibits
81. Plaintiffs' responses to interrogatories and requests for admission
82. Beyer 11/29/04 deposition exhibits 2-4, 11/30/04 deposition exhibits 2-4
83. Burns deposition exhibits 2-6
84. Conroy deposition exhibits 1, 2

85. Greer deposition exhibits 1-4
86. Kamradt deposition exhibits 1-6
87. Nace deposition exhibit 1
88. Rosenbaum deposition exhibits 2-5
89. Valentine deposition exhibits 2-10
90. White deposition exhibits 2-5

Exhibits added to list 3/29/05

91. Leonard Bickman CV
92. Michael Foster CV
93. Peter Metz CV
94. Richard Goldstein CV
95. Steve Magnus CV
96. EOHHS Kids Policy, Program & Project (PPP) Coordinating Team list of projects dated 5/12/04 (Josephs Dep. Ex. 3, HHS 12524-12547) (This exhibit will be offered in place of nos. 5, 6 and 7 on this list in the event that those exhibits are not admitted)
97. EOHHS Kids Policy, Program & Project & Purchasing (PPPP) Coordinating Team list of projects dated 5/12/04 (Josephs Dep. Ex. 4, HHS 12509-12523) (This exhibit will be offered in place of nos. 5, 6 and 7 on this list in the event that those exhibits are not admitted)
98. EOHHS Deliverables Template dated 4/23/04 (Josephs Dep. Ex. 5, DMA 061630-061647) (This exhibit will be offered in place of nos. 6 and 7 on this list in the event that those exhibits are not admitted)
99. Memo to Secretary Preston from Elizabeth Childs dated 4/27/04 (Josephs Dep. Ex. 12, HHS 12392-12397) (This exhibit will be offered in place of no. 9 on this list in the event that that exhibit is not admitted)
100. Evaluation of a Congressionally Mandated Wraparound Demonstration, Bickman et al., J. of Child and Family Studies, Vol. 12, No. 2, June 2003 (produced 10/28/04).

101. Evaluation of the Ft. Bragg and Stark County Systems of Care for Children and Adolescents, Bickman, Amer. J. of Evaluation, vol. 23, No. 1, 2002, p. 67 (produced 10/28/04).
102. The Fort Bragg Continuum of Care for Children and Adolescents” Mental Health Outcomes over 5 Years, Bickman et al., J. of Consulting and Clinical Psychology, 2000, Vol. 68, No. 4, 710-716 (produced 10/28/04).
103. Long-Term Effects of a System of Care on Children and Adolescents, Bickman et al., J. of Behavioral Health Services & Research, 26:2 May 1999, p. 185 (produced 10/28/04).
104. Refining the Costs Analysis of the Fort Bragg Evaluation: The Impact of Cost Offset and Cost Shifting, Foster and Bickman, Mental Health Services Research, Vol. 2, No. 1, 2000, p. 13 (produced 10/28/04).
105. Rejoinder to Mordock’s Critique of the Fort Bragg Evaluation Project: the Sample is Generalizable and the Outcomes are Clear, Bickman et al., Child Psychiatry and Human Development, vol. 29(1), Fall 1998, p. 77 (produced 10/28/04).
106. Resolving Issues Raised by the Fort Bragg Evaluation, Bickman, American Psychologist, May 1997, p. 562 (produced 10/28/04).
107. MBHP FY2005 Performance Incentive Projects, Norton 8/24/04 Dep. Ex. 7, DMA 064838.
108. MBHP FY05 Trend of FST Referrals
109. Partnership Child/Adolescent Performance Projects, FY97-04
110. MBHP Clinical Alert dated September 1, 2004
111. MBHP Claims Alert dated March 11, 2005
112. DMA-DMH Behavioral Health Program Interdepartmental Services Agreement, DMA 041737-761
113. Primary Care Clinician Program Group Practice contract for Walter L. Harrison, M.D., Inc., executed January 8, 1992
114. Amendment One to the Primary Care Clinician Program Provider Agreement and Dr. Harrison, stamped “Received” 1/13/93

115. Letter dated 10/9/03 to Dr. Harrison from MassHealth Provider Enrollment and Credentialing
116. Commonwealth of Massachusetts Executive Office of Health and Human Services Division of Medical Assistance Second Amended and Restated Primary Care Clinician Plan Provider Contract
117. Second Amended and Restated Primary Care Clinician (PCC) Plan Provider Contract Signature Page executed 9/30/03 by Dr. Harrison
118. U.S. Department of Health and Human Services. Mental Health: A Report of the Surgeon General. Rockville, MD: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services, National Institutes of Health, National Institute of Mental Health, 1999. Chapter 3, Children and Mental Health. (Defendants will offer the entire report if there is an objection on the ground of completeness.)