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

11 **THE STATE OF CALIFORNIA; THE**
12 **STATE OF CONNECTICUT; THE STATE**
13 **OF DELAWARE; THE DISTRICT OF**
14 **COLUMBIA; THE STATE OF ILLINOIS;**
15 **THE STATE OF IOWA; THE**
16 **COMMONWEALTH OF KENTUCKY;**
17 **THE STATE OF MARYLAND; THE**
18 **COMMONWEALTH OF**
19 **MASSACHUSETTS; THE STATE OF**
20 **MINNESOTA; THE STATE OF NEW**
MEXICO; THE STATE OF NEW YORK;
THE STATE OF NORTH CAROLINA; THE
STATE OF OREGON; THE
COMMONWEALTH OF PENNSYLVANIA;
THE STATE OF RHODE ISLAND; THE
STATE OF VERMONT; THE
COMMONWEALTH OF VIRGINIA; and
THE STATE OF WASHINGTON,

21 Plaintiffs,

22 v.

23 **DONALD J. TRUMP, President of the United**
24 **States; ERIC D. HARGAN, Acting Secretary**
25 **of the United States Department of Health**
26 **and Human Services; UNITED STATES**
27 **DEPARTMENT OF HEALTH AND**
HUMAN SERVICES; STEVEN T.
MNUCHIN, Secretary of the United States
Department of the Treasury; UNITED
STATES DEPARTMENT OF THE
TREASURY; and DOES 1-20,

28 Defendants.

Case No. 4:17-cv-05895-KAW

DECLARATION OF JANET BILLUPS
ISO PLAINTIFFS' APPLICATION FOR
A TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE WHY A PRELIMINARY
INJUNCTION SHOULD NOT ISSUE

1 I, Janet Billups hereby declare and affirm as follows:

- 2 1. I have personal knowledge of the facts set forth in this declaration and I am competent
3 to testify about them.
- 4 2. I am Of Counsel and Policy Advisor to the President of the Oregon Health and
5 Sciences University ("OHSU"), in Portland, Oregon.
- 6 3. OHSU is Oregon's public academic medical center. It is comprised of the degree-
7 granting schools of dentistry, medicine, nursing, public health and pharmacy; multiple
8 scientific research institutes; the OHSU Hospital and Doernbecher Children's
9 Hospital; and several pediatric and adult ambulatory care clinics in the Portland area.
10 As part of its statutory state-wide mission, as set by the legislature and governed by a
11 board appointed by the Governor of the State of Oregon, OHSU also provides patient
12 care services throughout Oregon, and is charged with a commitment to provide care to
13 the underserved patient population. As Oregon's premier teaching and research
14 hospital, OHSU often treats patients with complex pre-existing conditions who rely on
15 the Patient Protection and Affordable Care Act ("ACA") to obtain health insurance.
- 16 4. Indeed, a considerable number of OHSU's patients obtain their health insurance
17 through the ACA. Since its enactment, the ACA has reduced the percentage of our
18 patients with no insurance from approximately 5 percent to approximately one
19 percent. If, as appears likely to OHSU, the President's executive order ending ACA
20 cost sharing subsidies destabilizes the market, causes insurers to leave the market, or
21 makes obtaining health insurance unaffordable for our patients -- particularly for
22 patients with preexisting conditions -- we would expect our percentage of uninsured
23 patients to again rise. To put a dollar figure to it, an increase of 4 percent of uninsured
24 patients (back to the pre-ACA uninsured level of 5 percent) would constitute an \$80
25 million yearly loss to the OHSU health system.


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EXECUTED on October 16 2017.


Janet Billups