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

13 **THE STATE OF CALIFORNIA; THE**
14 **STATE OF CONNECTICUT; THE STATE**
15 **OF DELAWARE; THE STATE OF**
16 **HAWAII; THE STATE OF ILLINOIS;**
17 **THE STATE OF MARYLAND; THE**
18 **STATE OF MINNESOTA, BY AND**
19 **THROUGH ITS DEPARTMENT OF**
HUMAN SERVICES; THE STATE OF
NEW YORK; THE STATE OF NORTH
CAROLINA; THE STATE OF VERMONT;
THE COMMONWEALTH OF VIRGINIA;
THE STATE OF WASHINGTON; THE
DISTRICT OF COLUMBIA,

Plaintiffs,

v.

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

4:17-cv-05783-HSG

DECLARATION OF HEATHER P.
MAISEN, MSW, MPH, FAMILY
PLANNING PROGRAM MANAGER
FOR PUBLIC HEALTH - SEATTLE &
KING COUNTY, IN SUPPORT OF
PLAINTIFF STATES' MOTION FOR
PRELIMINARY INJUNCTION

1 and,

2 **THE LITTLE SISTERS OF THE POOR,**
3 **JEANNE JUGAN RESIDENCE; MARCH**
4 **FOR LIFE EDUCATION AND DEFENSE**
5 **FUND,**

6 Defendant-Intervenors.

7 I, Heather Maisen, MSW, MPH, declare:

8 1. I am currently the Family Planning Program Manager for Public Health – Seattle &
9 King County (PHSKC). I have been employed by PHSKC in the Family Planning Program for
thirteen (13) years.

10 2. I earned a Master of Social Work and a Master of Public Health from the University
11 of Washington, and I have spent my career working in the field of family planning across various
12 agencies, including non-profit, university and local government.

13 3. King County is the most populous county in Washington State, and the 13th-most
14 populous county in the United States. Of the two million plus residents in King County, WA,
15 almost a quarter are women of reproductive age (13-44 years old). King County has one of the
16 lowest teen birth rates (9.7 per 1,000) compared to peer counties across the country.

17 4. Washington State's Medicaid program, Apple Health, has expanded Medicaid and a
18 state-sponsored Medicaid program for women who are pregnant and low-income. The Apple
19 Health for Pregnant Women program covers all pregnancy-related costs, including termination
20 and birth related costs.

21 5. PHSKC is one of the largest metropolitan health departments in the United States.
22 The health department provides critical health care to some of the most vulnerable populations in
23 the county.

24 6. Clinics operated by PHSKC serve more than 10,000 women of reproductive age, and
25 provide contraceptive services across various programs in 20 different clinical locations
26 throughout King County. PHSKC's primary contraception provision is through the Family
27 Planning Program.

1 7. The Family Planning Program at PHSKC works specifically to decrease teen
2 pregnancy, unintended pregnancy, and sexually transmitted infections (STIs) in King County.
3 Family planning services provided by PHSKC prevented an estimated 1,350 unintended
4 pregnancies and 460 abortions, and saved over \$9.1 million in health care costs in 2016 alone.

5 8. The Family Planning Program offers comprehensive family planning services at no
6 or low cost to low-income people. These services include all FDA-approved forms of
7 contraception, emergency contraception, pregnancy testing and counseling, preconception
8 counseling, sterilization, certain infertility services, STD testing and treatment, cancer screening,
9 HIV screening, and individualized reproductive health education and counseling. The Family
10 Planning Program is funded, in part, from insurance reimbursement and federal Title X and state
11 family planning grants provided by Washington State's Department of Health. However, these
12 revenue sources do not cover the full cost of services.

13 9. The final rules issued by the federal government would harm King County because
14 women would be at risk of losing Affordable Care Act required contraceptive coverage. There are
15 over 400,000 women of reproductive age in King County, 100,000 of whom are in need of
16 publicly funded contraception.

17 10. Currently, 10% of King County's population is enrolled in Medicaid, whereas 65%
18 have employer-based health insurance. Under the final rule, if women lose their contraceptive
19 coverage benefits, they are uninsured for these services.

20 11. As a result of these rules, women will either (a) utilize and seek coverage through
21 our Public Health family planning clinics at a cost to our program without additional revenue to
22 offset these costs, or (b) they will forgo coverage and experience an unintended pregnancy. In
23 both scenarios, the County will bear the burden of increased costs and its residents will be
24 harmed.

25
26 I declare under penalty of perjury that the foregoing is true and correct and of my own
27 personal knowledge.

1 Executed on December 18, 2018, in Seattle, Washington.

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4 Heather Maisen, MSW, MPH
5 Family Planning Program Manager for
6 Public Health – Seattle & King County

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