

Meetings to resolve Medicaid expansion will be closed, governor's office says

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SALT LAKE CITY — Gov. Gary Herbert is expected to start meeting in early April with legislative leaders to hammer out an agreement on his Healthy Utah alternative to Medicaid expansion, but their discussions will stay behind closed doors.

"We kind of tried this the old-fashioned way and it didn't quite work," the governor's spokesman, Marty Carpenter, said of the decision to conduct their work through private negotiations rather than in public meetings.

The 2015 Legislature failed to pass Herbert's Healthy Utah plan to use nearly \$1 billion available under the Affordable Care Act to provide health care to low-income Utahns over the next two years, including those in the so-called coverage gap.

His plan, which would have cost taxpayers \$25 million, was stalled by House Republicans who preferred their own more expensive and less expansive plan known as Utah Cares.

Herbert announced the final day of the session that he, the lieutenant governor, Senate president, House speaker and the sponsors of both Healthy Utah and Utah Cares are committed to coming up with a compromise by July 31.

Lawmakers passed a resolution, [HCR12](#), pledging "the parties will continue to collaborate with each other." The governor has said he will call lawmakers into a special session this summer to approve an agreement.

Any agreement would also need the approval of the Obama administration. Herbert has spent much of the past year negotiating waivers needed from the federal government to use Medicaid expansion funds for an alternative plan.

Carpenter said the six-member group isn't considered an official commission or task force. He said their meetings are "nothing we're trying to keep secret" and promised regular reports on their progress.

Salt Lake media attorney Jeff Hunt said while it's "kind of a gray area," the group likely would not be subject to the state's open meeting laws.

"A group like this, they probably need some ability to have candid discussions and horse trading," Hunt said. "It would be extremely difficult to have negotiations of this sort that were fully open to the public. They need a little breathing room."

But while Hunt said he could see the need for "some confidentiality and some closed-door discussion to see if the major players can reach a political solution," the debate over whatever deal they reach should be conducted in public.

That would likely come in a special session of the Legislature, although both House and Senate Republicans closed caucus meetings to talk about Healthy Utah last session. The GOP holds supermajorities in both the House and Senate.

Carpenter said the public should weigh in by contacting their elected officials. Polls have shown the governor's plan has strong support, even though House Republicans questioned whether the federal government would keep up its end of the deal.

RyLee Curtis, Medicaid policy analyst for the Utah Health Policy Project, said Utahns need "to keep their feet to the fire" by letting their elected officials know how they feel about Healthy Utah.

Curtis said the advocacy group expected the group's meetings to be closed.

"It is more of a negotiation. These last two years have really been more of an open process. Now we're in the home stretch," she said. "I think it really is a matter of getting into these meetings and hashing out the details."