

# Democratic leaders frustrated prison move, not Medicaid expansion on special session agenda

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By Lisa Riley Roche

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SALT LAKE CITY — Democratic leaders expressed frustration that lawmakers are being called into a special session Wednesday to deal with relocating the state prison but not what they called a life-and-death issue: Medicaid expansion.

"It says that economic development is taking priority over the lives of our citizens of Utah. And that shouldn't be the case," Utah Democratic Party Chairman Peter Corroon said.

Gov. Gary Herbert called the special session to ratify the Prison Relocation Commission's choice of a site west of Salt Lake City International Airport for a new 4,000-bed facility with a \$550 million price tag.

At Wednesday's special session, scheduled to start at 3 p.m., lawmakers are set to consider competing resolutions dealing with the effort to move the Utah State Prison from Draper.

Herbert has left the door open for another special session to deal with Medicaid expansion, but first he and the GOP legislative leaders who have been in private discussions for months have to come up with a plan.

Democrats, who are in the minority in the Legislature, held a news conference Tuesday to make the case that Utah shouldn't wait any longer to accept the coverage available to low-income Utahns under President Barack Obama's health care law.

The event included comments from Utahns who fall into the so-called coverage gap because they earn below the federal poverty level and don't qualify for subsidies under the Affordable Care Act unless the state accepts Medicaid expansion.

Brent Frisby, whose wife, Carol, died recently of colon cancer that went undiagnosed because she couldn't afford a colonoscopy that wasn't covered under her limited insurance, said he doesn't want to see anyone else suffer that way.

"Here we carry on her legacy to help people so they don't fall through the system," Frisby said. "And hopefully, make it a better experience for the people ... to get the health care that they need."

Heather Hirsche said the only health care coverage she and her 21-year-old daughter have "is prayer." Hirsche, a stay-at-home mom until her divorce six years ago, said she expects to earn a college degree this spring.

She said neither she nor others in her situation are lazy.

"We're hard-working people honestly trying to rebuild our lives after our dreams have been shattered by death, divorce or other hardships," Hirsche said. "We just need a little help during this process. Please hear our voices."

Another Utahn waiting for Medicaid expansion, Grisel Guadarrama, said even though she and her husband both work, they can't afford health coverage for themselves and their two sons.

A pair of medical students at the University of Utah, Spencer Merrick and John Sanchez, showed a clip from their new documentary on Utahns in the coverage gap, also called the doughnut hole, featuring the Frisbys and others waiting for action.

Merrick said lawmakers will receive an invitation to the documentary's Sept. 1 screening at the U. along with some doughnut holes during Wednesday's special session from medical students wearing lab coats.

The Utah Republican Party issued a statement calling the news conference the latest attempt by Democrats to play politics with Medicaid expansion.

Utah GOP Chairman James Evans said Democrats "are using emotion to manipulate and advance the cause of big government" while GOP leaders "understand the importance of passing a fiscally responsible plan" that "will stand the test of time."

Only the governor can call lawmakers into a special session, and it's the governor who sets the agenda. Herbert has said he expects a special session on Medicaid expansion before the 2015 Legislature begins meeting in January.

His spokesman, Jon Cox, said, "The governor has worked tirelessly on this issue and is optimistic we are close to a resolution. He is committed to finding a solution for the thousands of Utahns in the coverage gap."

Asked if he had any idea about how soon the governor may be ready to call lawmakers into another special session to consider Medicaid expansion, Cox said, "Not at this point in time."

Shortly before a self-imposed July 31 deadline, the governor and the GOP lawmakers working on Medicaid expansion announced they had agreed to a "conceptual framework" of a plan but were still working out details, including how to assess hospitals, doctors and drug companies to pay for the state's share.

Since then, they have met for a second time with U.S. Department of Health and Human Services Secretary Sylvia Burwell, who will have to sign off on any plan, but the state officials have said little publicly about their proposal.

There will likely be little, if any, talk about Medicaid expansion at Wednesday's special session since it's not on the agenda. The focus will be on finalizing the controversial prison move.

[HCR101](#), sponsored by House Majority Assistant Whip Brad Wilson, R-Kaysville, co-chairman of the Prison Relocation Commission, calls for approval of the site located near I-80 and 7200 West and the purchase of the property.

The resolution also states the nearly 700-acre prison site at Point of the Mountain will be developed "in strict compliance with all ethics and conflict of interest provisions of the law applicable to legislators and state employees."

But another resolution, [HCR102](#), from Rep. Fred Cox, R-West Valley City, calls for leaving the prison on about 500 acres in Draper and using the rest of the property for development.

It is not clear whether Cox's resolution will get a floor vote. Also unclear is whether a concurrent resolution can be subject to a citizens referendum to repeal it in a general election.

Opponents of the prison move, including Salt Lake City Mayor Ralph Becker, have suggested a referendum could be launched if the Salt Lake site is approved by lawmakers. Becker has also said the city would consider legal action.

In a letter to the governor and members of the Legislature, the Salt Lake City Council detailed concerns about the site, including unstable soil that could require driving piles or building pillars up to 12 stories deep.

"From the City Council's perspective, every reason remains to find a better location than the relocation commission's recommendation," the 1 ½-page letter states, because an "issue of this magnitude requires a serious, purposeful extra look."

Council members also said they want the state to ensure that the potential for significant costs developing the site "are not inadvertently put onto the taxpayers of Salt Lake City."