

19TH JUDICIAL DISTRICT COURT FOR THE PARISH OF EAST BATON ROUGE

STATE OF LOUISIANA

NUMBER: 641 928

SECTION: 26

JAMES J. DONELON
COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA

VERSUS

LOUISIANA HEALTH COOPERATIVE, INC.

DEPUTY CLERK

**NOTICE OF INTENT TO PARTICIPATE IN CLASS ACTION LAWSUIT
FOR RECOVERY OF RISK CORRIDOR PAYMENTS OWED TO LAHC**

FILED
2017 APR -3 PM 4:10
DEPUTY CLERK OF COURT

NOW INTO COURT, through undersigned counsel, comes James Donelon, Commissioner of Insurance for the State of Louisiana, in his capacity as Rehabilitator, (hereinafter referred to as "the Commissioner"), and Billy Bostick, Court appointed Receiver, of Louisiana Health Cooperative, Inc. in Rehabilitation ("LAHC"), who hereby gives notice of LAHC's intent to participate in pending class action litigation for recovery of Risk Corridor payments¹ due to LAHC from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services ("CMS") in the matter entitled "*Health Republic Insurance Company v. United States of America*", case number 1:16-cv-00259-MMS, on the docket of the United States Court of Federal Claims filed on February 24, 2016 (the "Health Republic Class Action Suit"), and certified as a class action opt-in suit by order of the Court on January 3, 2017, without opposition from CMS. See attached order of January 3, 2017, **Exhibit A**, which provided for notice to each Qualified Health Plan ("QHP") operating under the ACA of the right to opt into the class action suit to seek recovery of Risk Corridor payments due under the ACA. See attached Notice and Class Action Opt-In Notice Form, attached as **Exhibit B**, which was received by LAHC on or about March 14, 2017.

NOTICE IS HEREBY GIVEN of the intent of LAHC to participate in the Health Republic Class Action suit for recovery of Risk Corridor payments LAHC claims are owed to LAHC by CMS for LAHC's operations as a QHP for plan years 2014 and 2015.

¹ The Patient Protection and Affordable Care Act, Public Law 111-148) (the "ACA"), provided for certain payments to Qualified Health Plans ("QHP") for losses sustained during the first three years of the ACA implementation, 2014 to 2017, ACA section 1343 and implementing federal regulation, 45 CFR 153.510.

Respectfully Submitted,

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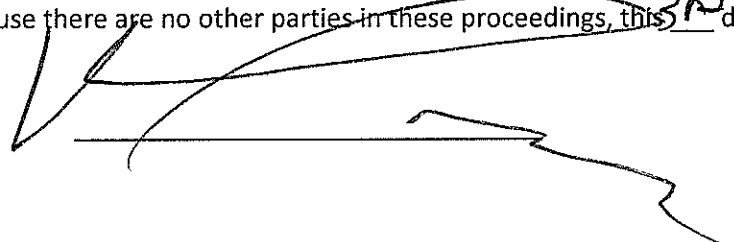
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as Rehabilitator of Louisiana Health Cooperative, Inc. in Rehabilitation**

CERTIFICATE OF SERVICE

I hereby certify that I have not served a copy of the foregoing pleading on any counsel in these proceedings because there are no other parties in these proceedings, this 30th day of April, 2017.

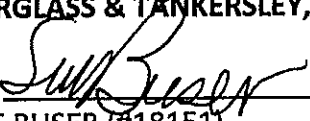


Respectfully Submitted,

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