

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

OSCAR SALAZAR, JR. et al., on :
behalf of themselves and all :
others similarly situated, :

Plaintiffs, :

v. :

DISTRICT OF COLUMBIA et al., :

Defendants. :

Civil Action No.
93-452 (GK)

FILED

JUL 21 2000

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

ORDER

Upon consideration of Plaintiffs' Motion for an Order Adjudging Defendants to Be in Contempt of Court and Imposing a Coercive Remedy for the Contempt, the opposition thereto, and the oral arguments of counsel, it is this 20th day of July 2000 hereby

ORDERED, that Defendants shall, by **August 8, 2000**, modify the bridge contracts between the District of Columbia and the Managed Care Organizations ("MCOs") providing EPSDT services for the children of the District of Columbia in order to comport with the requirements of the Court's January 22, 1999 Order Modifying the Amended Remedial Order of May 6, 1997 and Vacating the Order of March 27, 1997 ("Settlement Order") in the following respects:

- (1) the bridge contracts shall contain the performance standards for the provision of EPSDT services for fiscal years 2000 and 2001 as required by paragraph 45(b) of the Settlement Order;
- (2) the bridge contracts shall contain the required "hammer"

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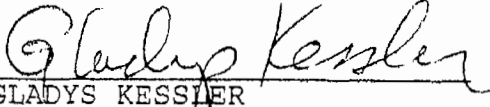
provisions concerning the preparation of corrective action plans and payment of penalties if an MCO fails to meet the performance standards for the provision of EPSDT services for fiscal years 2000 and 2001 required by paragraphs 45(c) and (d) of the Settlement Order;

(3) the bridge contracts shall require the MCOs to comply with the Health Care Finance Administration ("HCFA") State Medicaid Manual requirements for reporting information on the HCFA FORM 416 as set forth in paragraph 46 of the Settlement Order;

(4) the bridge contracts shall require the MCOs to provide EPSDT services within the specified time periods after their due date under the periodicity schedule as required by paragraph 45(a) of the Settlement Order; and

(5) the bridge contracts shall require the MCOs to maintain an EPSDT tracking system which defines EPSDT screening and age-appropriate immunizations as set forth in paragraphs 37(a) and (b) of the Settlement Order and which requires the MCOs to track whether each child has received EPSDT screens, laboratory tests and immunizations on time as set forth in paragraphs 37(a) and (b) of the Settlement Order.

The Court will defer entering a final ruling on Plaintiffs' Motion until it receives a Praecipe from Defendants, to be submitted no later than **August 10, 2000**, informing the Court about compliance with this Order.


GLADYS KESSLER
United States District Judge

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United States District Court

For the District of Columbia

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