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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

JEFF D., et al.,)	
)	Case No. 4:80-CV-04091-BLW
Plaintiffs,)	
)	JOINT MOTION AND STIPULATION
vs.)	FOR APPROVAL OF IMPLEMENTATION
)	ASSURANCE PLAN & PROGRESS
BRAD LITTLE, et al.,)	REPORT
)	
Defendants.)	

COME NOW the Parties¹, through their respective counsel, and respectfully submit this stipulation and attached exhibits. The parties request that the Court enter an Order approving

¹ Brad Little became the Governor of Idaho on January 7, 2019, replacing Butch Otter as the previously named Defendant in this matter.

and adopting the stipulated Implementation Assurance Plan (IAP), attached as Exhibit A, as follows:

WHEREAS, the parties agree the IAP is necessary because 1) some elements of the Implementation Plan (Dkt. 754-01) have been completed even as key deadlines have been missed; 2) the State has initiated the process of seeking bids for the statewide Idaho Behavioral Health Plan (IBHP) contract to maximize the Medicaid program and other funding sources to implement mental health services for the *Jeff D* class members; 3) the ongoing COVID crisis has impeded collaboration, diverted resources, impacted service delivery, and delayed compliance with the Settlement Agreement and Implementation Plan; 4) the IAP will better align focus and action with current challenges and opportunities; and 5) increased oversight or accountability will be needed to achieve full implementation of the Settlement Agreement agreed to by the parties and approved by the Court; and

WHEREAS, the Settlement Agreement provides for amending the Implementation Plan in accord with the modification procedures outlined in the Agreement; and

WHEREAS, modifications are allowed by mutual agreement of the Parties and approval of the District Court; and

WHEREAS, the IAP is a consensus approach that the Parties have submitted to the Court for approval and adoption; and

WHEREAS, the Parties have agreed that the IAP is a reasonable and workable plan to achieve compliance with the Settlement Agreement and ensures the children and youth with serious emotional disturbances in Idaho will have access to a full array of community based medically necessary services promised in the Consent Decrees; and

WHEREAS, the Parties expect that the IAP will guide Defendants to the successful and complete implementation of the needed mental health services for all of Idaho's children and youth with serious emotional disturbances which Defendants committed to provide in the Settlement Agreement;

THEREFORE, the parties hereby move the Court to enter an Order approving and adopting the attached stipulated Implementation Assurance Plan.


ADDITIONALLY, the Parties submit the Implementation Progress Report attached as Exhibit B, which contains the most recent Quarterly Quality Management Improvement and Accountability Report as an appendix, for the Court's review, pursuant to paragraphs 67 and 68 of the Settlement Agreement. The parties have reached consensus on the contents of the Progress Report.

IT IS SO STIPULATED.

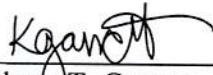
Dated 1-11-2022.


Howard Belodoff, Next Friend
Counsel for Plaintiff Class

Dated 1/10/2022.


Patrick Gardner
Counsel for Plaintiff Class

Dated January 10, 2022.


Kathryn T. Garrett
Deputy Attorney General, State of Idaho

Dated January 11, 2022.

Handwritten signature of Kimberli Stretch in black ink, consisting of stylized initials 'KS' followed by a long horizontal stroke.

Kimberli Stretch
Deputy Attorney General, State of Idaho

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 11, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent a Notice of Electronic Filing to the following persons:

Howard Belodoff
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Patrick Gardner
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/s/ Kathryn T. Garrett
Kathryn T. Garrett
Deputy Attorney General, State of Idaho