

Matt Ehling  
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RE: Request for data under the Minnesota Government Data Practices Act

Legal Department  
HMO Minnesota dba Blue Plus  
P.O. Box 64560  
Saint Paul, MN 55164-0560

Dear members of the Blue Plus Legal Department,

I am seeking access to data maintained by your organization as a part of the contractual services it provided to the Minnesota Department of Human Services (DHS) during the calendar year 2008. The DHS contract governing the provision of these services was numbered B06778. This contract was executed pursuant to authorities found in the Minnesota Statutes, including Minn. Stat. 256B.69 and Chapter 62C.

**Data are subject to Minnesota Statutes Chapter 13**

The information that I am seeking is available to me pursuant to Chapter 13 of the Minnesota Statutes.

Minn. Stat. 13.46 subd. 1(c) states that organizations that are under contract with DHS are part of the "welfare system" as defined by that statute, and are thus subject to Chapter 13, to the extent specified by the contract.

In addition, Minn. Stat. 13.05 subd. 11(a) states that "If a government entity contacts with a private person to perform any of its functions, the government entity shall include in the contract terms that make it clear that all of the data created, collected, received, stored, used, maintained, or disseminated by the private person in performing those functions is subject to the requirements (of Chapter 13) and that the private person must comply with those requirements as if it were a government entity."

**Data sought**

I am seeking access to the following public data maintained by Blue Plus:

1. All managed care financial reporting data as defined by Minn. Stat. 256B.69 subd. 9c(a) that includes data regarding "financials, provider payments" and "provider rate methodologies" relating to public health care programs administered by Blue Plus for the calendar year 2008.

2. All manner of financial data required to be disclosed to the Commissioner of DHS pursuant to Minn. Stat. 256B.69 subd. 9c(b) related to public health care programs administered by Blue Plus for the calendar year 2008.
3. Any correspondence between Blue Plus and DHS that relates to audits (or requests for audits) regarding alleged overpayments or underpayments by the State that may have occurred during the calendar year 2008. Such audit requests are allowed pursuant to section 4.6.1 of DHS contract B06778.
4. All documents related to the mandatory compliance plan for the Integrity Program required by section 9.15.1 of DHS contract B06778.
5. All documents related to internal auditing under the Integrity Program required by section 9.15.1 of DHS contract B06778.
6. Any documentation of corrective actions undertaken by the MCO as part of the Integrity Program required by section 9.15.1 of DHS contract B06778.
7. The annual report on the Integrity Program required by section 9.15.1 of DHS contract B06778, for the calendar year 2008.
8. The financial filing provided to the Minnesota Department of Health for the calendar year 2008 as required by section 9.16.2 of DHS contract B06778.
9. The certification letter related to the 2008 Blue Plus financial filing (and all other correspondence related to this certification), as required by section 9.16.2 of DHS contract B06778.

I am seeking to inspect all data responsive to Items 1 and 2 of this request. Please contact me to arrange a time for a member of my staff to conduct an inspection of any responsive data.

In addition, I would like to obtain copies of all data responsive to Items 3-9 of this request. If responsive data are identified, I would like to obtain copies of the data in paper format, if the original format is paper. If the data are stored in an electronic format, I would like to receive my copies in the same electronic format in which the data were originally stored, provided that your organization can reasonably make a copy of the responsive data in that format. Please contact me for any further clarification of the copying modality for this request.

Please consider this letter a formal request for the indefinite retention of the requested data, pending resolution or reclassification of its status.

As required by section 13.03, subd. 3(f) of the Minnesota Statutes, I am requesting that in the event that any portion of this request is not granted, that your organization certify in

writing that the request has been denied, and cite the specific statutory section, temporary classification, or other provision of law upon which the denial is based.

Thank you for your attention to this matter. I can be contacted by phone at 651-335-2037, or via e-mail at [info@publicrecordmedia.com](mailto:info@publicrecordmedia.com) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'ME', with a large, sweeping flourish extending to the right.

Matt Ehling  
President, Public Record Media, LLC