

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON DIVISION**

**CHRISTOPHER FAIN**, and  
**SHAWN ANDERSON**,  
a/k/a Shauntae Anderson;  
individually and on behalf of all others  
similarly situated,

**Plaintiffs,**

**Civil Action No. 3:20-cv-00740  
Hon. Robert C. Chambers, Judge**

v.

**WILLIAM CROUCH**, in his official capacity as  
Cabinet Secretary of the West Virginia  
Department of Health and Human Resources;  
**CYNTHIA BEANE**, in her official capacity as  
Commissioner for the West Virginia Bureau for  
Medical Services; and **WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN  
RESOURCES, BUREAU FOR MEDICAL  
SERVICES**,

**Defendants.**

**AFFIDAVIT OF JENNIFER MYERS**

STATE OF WEST VIRGINIA,

COUNTY OF Kanawha

I, Jennifer Myers, duly sworn, make oath upon my knowledge as follows:

1. I currently serve as the Director of Professional Services for the West Virginia Bureau for Medical Services (WVBMS).

2. I have reviewed the claim information available to WVBMS as of January 28, 2022, contained in the Medicaid Management Information System ("MMIS") for Plaintiff Christopher Fain which has been produced in discovery in this matter. I have identified several medical claims with the documented primary diagnosis of F64.0, "Transsexualism," F64.8, "Other gender identity



disorders,” Z79.890, “Hormone replacement therapy,” or Z87.890, “Personal history of sex reassignment.”

3. Each of these claims has been paid, as set forth below.





4. I have reviewed the claim information available to WVBMS as of January 27, 2022, contained in the Medicaid Management Information System (“MMIS”) for Plaintiff Shauntae Anderson which has been produced in discovery in this matter. I have identified several medical claims with the documented primary diagnosis of F64.0, “Transsexualism,” F64.1, “Dual role transvestism,” F64.9, “Gender identity disorder, unspecified,” or Z87.890, “Personal history of sex reassignment.”

5. Each of these claims has been paid, as set forth below.





AND FURTHER AFFIANT SAYETH NOT.

  
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Jennifer Myers  
Director of Professional Services  
West Virginia Bureau for Medical Services

Sworn and subscribed to before me this 29<sup>th</sup> day of April, 2022.

My commission expires: April 7, 2024



  
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NOTARY PUBLIC