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The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

C.P., by and through his parents, Patricia  
Pritchard and Nolle Pritchard; and  
PATRICIA PRITCHARD,

Plaintiffs,

v.

BLUE CROSS BLUE SHIELD OF ILLINOIS,

Defendant.

NO. 3:20-cv-06145-RJB

DECLARATION OF EMMETT JONES

I, Emmett Jones, declare under penalty of perjury and in accordance with the laws of the State of Washington and the United States that:

1. I am over the age of 18 and competent to testify to all matters stated herein.

All statements are made upon my personal knowledge.

2. I remain enrolled in health coverage through my wife’s employer, Catholic Health Initiatives (CHI), also known as CommonSpirit Health. The CHI Plan is still administered by Blue Cross Blue Shield of Illinois (BCBSIL).

1           3.       I reviewed a copy of the declaration of Telisa Drake dated November 6,  
2 2023 in which Ms. Drake declares that CommonSpirit Health had removed the coverage  
3 exclusion related to gender affirming care in the CHI Plan as of July 1, 2023.

4           4.       This was the first I learned of any such change in the CHI Plan. I received  
5 no notice – written or otherwise – that the gender affirming care exclusion was removed.  
6 If the CHI Plan truly removed this exclusion, I think it should notify its enrollees about  
7 the change.

8           5.       On November 15, 2023, I called BCBSIL and spoke with a customer service  
9 representative. I asked if the gender affirming care exclusion had been removed from  
10 my plan. The customer service representative stated that there “was no verbiage on that”  
11 and they sent my inquiry to their supervisor for review. The customer service  
12 representative would not give me any written confirmation about the conversation. The  
13 representative said that they would get back to me.

14           6.       As of November 19, 2023, I have not received any further response from  
15 BCBSIL regarding my inquiry about whether and/or in what way CommonSpirit Health  
16 removed or otherwise changed the gender affirming care exclusion in the CHI Plan.

17           7.       If the CHI Plan has changed, it should issue immediate notice to its  
18 enrollees about this significant change.

19           8.       This kind of notice makes a big difference for enrollees. When BCBSIL  
20 excluded coverage, I shopped around for the best surgeon that I could afford without  
21 regard for whether the surgeon was in BCBSIL’s network. Ultimately, I went with an  
22 out-of-network surgeon. A major factor in that decision was the fact that I had been told  
23 by BCBSIL that the surgery was excluded, and so I believed that it would not matter  
24 whether I chose a surgeon who was in or out of the plan’s network, as the procedure  
25 would apparently not be covered either way. If there is now coverage for previously  
26

1 excluded gender-affirming care, enrollees need to understand that they may need to go  
2 to an in-network provider to get the most coverage for those health care services.

3 DATED this <sup>19th</sup> \_\_\_\_ day of November, 2023, at Tacoma, Washington.

4 DocuSigned by:  
*Emmett Jones*  
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6 Emmett Jones

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