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August 28, 2008

Mila Kofman, Superintendent
Maine Bureau of Insurance
34 State House Station
Augusta, Maine 04333-0034

Re: Review of Aggregate Measurable Cost Savings Determined by Dirigo Health for the Fourth Assessment Year, Docket No. INS-08-900

Dear Superintendent Kofman:

I am forwarding to you for filing an amended page 4 of the Decision of the Board of Directors of the Dirigo Health Agency on its determination of aggregate measurable cost savings for the fourth assessment year. The amendment clarifies that it was MSEA, not Consumers, that made a contribution to the People's Veto Petition

Yours very truly

A handwritten signature in cursive script, appearing to read 'William H. Laubenstein, III'.

William H. Laubenstein, III
Assistant Attorney General
Hearing Officer for Dirigo Board of Directors

cc: Michael J. Colleran, AAG
Bruce C. Gerrity
William H. Stiles
Christopher T. Roach
D. Michael Frink
Joseph P. Ditre

Turowski sometimes attended Coalition Meetings. The Trust filed a letter with the Hearing Officer on July 21, 2008, requesting that this matter be addressed at the hearing.

III. ADJUDICATORY HEARING

The evidentiary portion of the adjudicatory hearing on aggregate measurable cost savings (“AMCS”) for the fourth assessment year was held by the Board on July 22, 2008 and July 23, 2008. On July 24, 2008, the Board deliberated and rendered its decision. The voting members of the Board participating in the hearing were Robert McAfee, M. D., Chair, Jonathan Beal, Esq., Mary Anne Turowski, Mary E. McAleney and Edward David, M. D. Anne Head, Acting Commissioner of the Department of Professional and Financial Regulation, and David Lemoine, State Treasurer, non-voting members of the Board, participated in the hearing and deliberations.

At the commencement of the hearing, the Board members disclosed their affiliations to the extent any of such affiliations presented a conflict of interest. Ms. Turowski disclosed her employment by the MSEA. The parties were then given the opportunity to address the issue. Counsel for the Trust requested that Ms. Turowski recuse herself because of MSEA’s membership in the Consumers for Affordable Health Coalition and noting that MSEA had made a substantial financial contribution to the work of persons opposed to the People’s Veto petition drive relating to the funding of the Dirigo Health Program. Ms. Turowski responded that she believed she would be able to participate in the proceedings and make an impartial decision based on the evidence presented. The Hearing Officer stated that the hearing would proceed with Ms. Turowski participating. With regard to the presentation of witnesses by panel, the Hearing Officer stated that it was the desire of the Board that the parties would be able to present witnesses by panel, including experts.