

EXHIBIT 4

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

v.

Case No. 1:14-cv-00254

UNITED STATES OF AMERICA, et al.

Defendants.

DECLARATAION OF KEVIN D. BAILEY

I, Kevin D. Bailey, have personal knowledge of the following facts and declare:

1. I am an Attorney employed by the State of Wisconsin Department of Health Services. As part of my duties, I routinely work with the Wisconsin Medical Assistance (Medicaid) program and am familiar with the expenditure of funds by that program.
2. The Wisconsin Medicaid program provides financial assistance and benefits to individuals with limited financial resources. Wisconsin Medicaid has two primary components. "EBD" Medicaid provides elderly, blind, and disabled individuals traditional MA services like hospital services, physician services, and nursing home services.

BadgerCare Plus provides health care coverage to low-income children, their parents, and pregnant women. Certain other individuals receive Medicaid through one of the state's Medicaid waiver programs. In addition to the traditional services identified above, Medicaid pays for a broad range of medically necessary health care services for recipients, such as dental, vision care, laboratory services, and mental health and substance abuse services. In general, to be eligible BadgerCare Plus an individual's income must not exceed certain limits and the individual must meet other non-financial criteria, including the following: be a Wisconsin resident; cooperate in establishing medical support and third-party liability for medical expenses; provide or apply for a social security number, and cooperate with requests to verify information relevant to their participation in the BadgerCare Plus program.

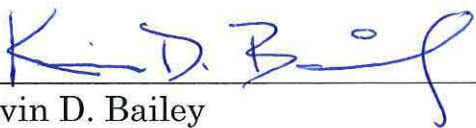
3. The State of Wisconsin administers medical assistance payments to providers. A portion of each payment is funded with state tax dollars from the Wisconsin treasury.
4. Only an individual who is a U.S. citizen, who is an alien lawfully admitted for permanent residence, or who is otherwise permanently residing in the United States under color of law may directly enroll to receive medical assistance benefits in Wisconsin. Wisconsin Medicaid

does provide financial medical assistance to aliens not lawfully admitted for permanent residence, but who are otherwise eligible for medical assistance benefits, for treatment of emergency medical conditions pursuant to federal law, 42 U.S.C. § 1396b(v), and Wisconsin Statute, Wis. Stat. § 49.45(27).

5. If aliens, not lawfully admitted for permanent residence, are allowed to remain in Wisconsin in a deferred action status, it is anticipated that expenditure of additional sums from the Wisconsin treasury will be required to provide medical assistance to those individuals for treatment of emergency medical conditions. Because it is not clear how many aliens would remain in deferred action status, it is uncertain how large that additional expenditure would be. Based upon experience in Wisconsin, such emergency treatment may be ongoing and is not limited in duration or amount.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 23, 2014.



Kevin D. Bailey
Attorney, Office of Legal Counsel
Wisconsin Department of Health Services