

## **CMS Communication with SEIU**

Paul Kumar [paulrkumar@gmail.com]

**Sent:** Tuesday, May 12, 2009 9:59 AM

**To:** Jamie Horwitz [jhdcp@starpower.net]

**Attachments:** Memo\_CA FMAP.doc (31 KB)

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Jamie,

Long time since we've spoken. Hope you're well.

See below the Obama administration e-mail communicating the CMS opinion on California homecare cuts to leading SEIU staff, along with the internal California SEIU staff e-mail passing along this information above it. We wanted discuss with you the potential for and the wisdom of using this material to generate another LA Times story on SEIU's "inappropriate" involvement in this matter.

The hook, at least in part, would the Times' report today that "An Obama administration official said Monday the letter was sent out 'inadvertently,'" and the same official's claim regarding the innocence of the administration's involvement of SEIU in an earlier intergovernmental phone call about the matter, per the below:

"No one from the Obama administration would speak for the record about SEIU's participation in the conference call. But one Obama official, speaking on condition of anonymity, said SEIU was allowed on the call in hopes of creating a dialogue 'and in the interest of time and efficiency.'

"'It was thought that it would be smart to put the parties together so they can discuss these issues and hear responses,' the Obama official said. 'None of the parties objected to the arrangement when the call took place.'"

The fact that the CMS opinion was e-mailed to top SEIU staffers and then treated by the SEIU California staff as a confidential matters flies in the face of the official's claims. It is not a smoking gun, because once this memo was in the Governor's hands, it was part of the public record and subject to disclosure, but it is every bit as unusual as the other actions the Times found worth reporting for SEIU to be looped in so closely on the transmission of the actual document.

Given the disposition of the Times' reporters and its editorial staff to SEIU's actions in this matter, and given the fact the Governor's efforts to push this story are really aimed at the Obama administration and making this potato too hot for them to handle, it may be worth pointing out the contradiction between the administration official's attempts to downplay the level of SEIU's involvement and the reality of their ongoing close coordination with CMS on this matter.

Let's discuss when you have a chance.

Best,

Paul