



Eric Holcomb, Governor  
State of Indiana

*Indiana Family and Social Services Administration*  
402 W. WASHINGTON STREET, P.O. BOX 7083  
INDIANAPOLIS, IN 46207-7083

**FILED**

**JAN 11 2024**

INDIANA STATE  
ETHICS COMMISSION

### IC 4-2-6-11 - Post-employment waiver

As the Appointing Authority of the Indiana Family and Social Services Administration, I am filing this waiver of the application of the Code of Ethics' post-employment restriction as it applies to Allison Taylor in her post-employment with Ascension St. Vincent.

I understand that I must file and present this waiver to the State Ethics Commission at their next available meeting. I further understand that this waiver is not final until approved by the State Ethics Commission.

A. This waiver is provided pursuant to IC 4-2-6-11(g) and specifically waives the application of

*(Please indicate the specific restriction in 42 IAC 1-5-14 (IC 4-2-6-11) you are waiving):*

- IC 4-2-6-11(b)(1): 365 day required "cooling off" period before serving as a lobbyist.
  
- IC 4-2-6-11(b)(2): 365 day required "cooling off" period before receiving compensation from an employer for whom the state employee or special state appointee was engaged in the negotiation or administration of a contract and was in a position to make a discretionary decision affecting the outcome of such negotiation or administration.
  
- IC 4-2-6-11(b)(3): 365 day required "cooling off" period before receiving compensation from an employer for which the former state employee or special state appointee made a directly applicable regulatory or licensing decision.
  
- IC 4-2-6-11(c): Particular matter restriction prohibiting the former state employee or special state appointee from representing or assisting a person in a particular matter involving the state if the former state officer, employee, or special state appointee personally and substantially participated in the matter as a state worker. *(Please provide a brief description of the specific particular matter(s) to which this waiver applies below):*

FSSA does not believe that Allison Taylor's duties as Medicaid Director involved any "particular matter" with Ascension St. Vincent, as her high-level leadership of the Office of Medicaid Policy and Planning (OMPP) did not involve directly regulating Ascension St. Vincent specifically. Rather, her leadership of OMPP regulated the Medicaid program generally, with oversight and regulation of the program as a whole. However, to the extent



that her general oversight of the Medicaid regulatory program could be considered by the Commission to be a “particular matter”, we submit this waiver.

Allison Taylor was Medicaid Director from 2017 through September 2023. In that role, she had extensive decision-making authority over policies, rules and contracts for the Office of Medicaid Policy and Planning. Her duties included signing over 700 contracts with various Medicaid vendors, including managed care plans, and health law firms.

Further, the duties of OMPP (which she supervised) included registering more than 80,000 Medicaid Providers. To become Medicaid Providers, an entity must register with Indiana Medicaid by completing a standard enrollment packet including a signed agreement attesting that they will follow all state and federal requirements to operate as a Medicaid Provider. Notably, however, the Medicaid Director herself does not negotiate or sign these agreements, nor does she have any discretion in the terms of the agreements or who is permitted to become a Medicaid Provider. These agreements are accept or reject only and are non-negotiable on a case-by-case basis.

Ms. Taylor signed no contracts with Ascension St. Vincent, and any substantive contact she would have had with Ascension St. Vincent would have been indirectly through the Indiana Hospital Association to all members of that association, so we believe no waiver is required on this front.

However, because Ascension St. Vincent is among the 80,000 Medicaid Providers registered with OMPP, if the Commission were to consider these agreements “contracts”, and if the Commission believes Ms. Taylor's oversight of the regulatory program including these agreements constitutes a “particular matter,” we seek to waive any such particular matter restriction that would otherwise apply with Ascension St. Vincent.

- B. IC 4-2-6-11(g)(2) requires that an agency’s appointing authority, when authorizing a waiver of the application of the post-employment restrictions in IC 4-2-6-11(b)-(c), also include specific information supporting such authorization. Please provide the requested information in the following five (5) sections to fulfill this requirement.
1. Please explain whether the employee’s prior job duties involved substantial decision-making authority over policies, rules, or contracts:

As Medicaid Director, Allison Taylor had extensive decision-making authority over policies, rules and contracts for the Office of Medicaid Policy and Planning. The Office of Medicaid Policy and Planning (OMPP) is a large division and much decision making involved or was in partnership with FSSA leadership, including the FSSA Secretary, Deputy Secretary and Chief Financial Officer. Much of that decision making followed processes and policies prescribed by federal law and other requirements.

Ms. Taylor signed over 700 contracts with various Medicaid vendors, including managed care plans, and health law firms. And she oversaw the Medicaid Program generally, including the aforementioned registration of 80,000 Medicaid Providers.

However, as previously stated, none of the contracts she signed were with Ascension St. Vincent, and any substantive contact she would have had with Ascension St. Vincent would have been indirectly through the Indiana Hospital Association to all members of that association. And though Ascension St. Vincent is among the 80,000 Medicaid Providers, she would not have negotiated or signed an agreement with Ascension St. Vincent directly.

2. Please describe the nature of the duties to be performed by the employee for the prospective employer:

Allison Taylor's role with Ascension St. Vincent would be an advocacy and policy role that would encompass the entire health care continuum from Medicare, private sector, employer-based, community-based, partnership with peer organizations and national policy engagement. The role would track and monitor relevant local, state and national health policy and regulatory issues and develop partnerships with national organizations to enhance and highlight the mission of Ascension St. Vincent. It would also create effective partnerships with advocacy organizations as well as peer organizations that have common policy interests and serve as an ambassador for Ascension St. Vincent in the public policy arena by participating in relevant advisory committees, working groups, speaking engagements, and public advocacy forums contributing to leadership in health policy.

3. Please explain whether the prospective employment is likely to involve substantial contact with the employee's former agency and the extent to which any such contact is likely to involve matters where the agency has the discretion to make decisions based on the work product of the employee:

Allison Taylor will not engage in executive branch lobbying for 365 days after leaving her position as Medicaid Director. After 365 days, her contact with OMPP and FSSA would be reasonable and necessary as would any contact between a Medicaid Provider and OMPP.

In addition, while we checked the box involving regulatory and licensing decisions at the top of this form out of an abundance of caution, we note that Allison Taylor did not make any regulatory or licensing decisions directly regarding Ascension St. Vincent or its parent or subsidiary in her previous position with FSSA. Licensing for Ascension St. Vincent is regulated by the Indiana Department of Health. Indiana Medicaid is a Division of FSSA regulated by Indiana Code and the Indiana Administrative Code which apply all Medicaid Providers uniformly through policy, procedure and bulletin. To the extent that these could be considered regulatory decisions under the Ethics Code, they are so disclosed.

4. Please explain whether the prospective employment may be beneficial to the state or the public, specifically stating how the intended employment is consistent with the public interest:

Ascension St. Vincent is a mission-driven health care provider whose goal is to deliver holistic care to improve the health of individuals and communities. Ascension St. Vincent has provided services to Indiana communities for 140 years, including over \$300 million dollars in charitable care to Hoosiers while serving over one million Hoosiers annually across 21 hospital systems.

Allison Taylor is a mission-focused health policy leader and would bring her 20 years of legal expertise in health law and Medicaid policy and planning to Ascension St. Vincent to advise and assist them in continuing to provide and improve their invaluable services to Hoosiers. In that role, it's our understanding that Ms. Taylor would continue efforts to transform the health policy landscape in Indiana in a positive way, focusing on person-centered care and continuous improvement in all aspects of health care delivery; and so her proposed employment would be consistent with the public interest.

5. Please explain the extent of economic hardship to the employee if the request for a waiver is denied:

If this waiver is denied, Allison Taylor will indeed suffer economic hardship as she has remained unemployed since leaving FSSA. Her salary is the sole source of income for her family, as her Husband cares for their two young children at home. Out of an abundance of caution, Ms. Taylor intentionally abstained from exploring post-employment opportunities while employed by the State and chose to wait until complete separation from the State before engaging in post-employment discussions. This delay added considerable time to her post-employment waiting period. Further, she is actively turning away out-of-state consulting work as she awaits this waiver.

Because Medicaid intersects with nearly every health care provider or organization in Indiana, she would be required to wait 365 days from her last day of employment with the State of Indiana and forego a salary and position with employers that would allow her to use her background to continue to serve Hoosiers. To provide for her family, Ms. Taylor may have little choice but to take a position in a different area of law in which she has no experience or leave the State of Indiana to continue her work in Health Law and seek admission to another state or jurisdiction's bar to practice law there.

After 20 years in practice, Allison Taylor is an expert in Health Law. She began her career with Hall Render Killian, Heath & Lynn where she practiced in Medicaid and Government Affairs. She was appointed to OMPP to represent the Indiana Hospital Association on the State's Medicaid Advisory Committee. She also served as counsel to health care providers and focused her practice on Medicaid Law.

As Medicaid Director, she was nationally recognized for her expertise and served on the Board of Directors of the National Association of Medicaid Directors, and as President of the National Association of Medicaid Directors Association.

C. Signatures

1. Appointing authority/state officer of agency

By signing below I authorize the waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(A). In addition, I acknowledge that this waiver is limited to an employee or special state appointee who obtains the waiver before engaging in the conduct that would give rise to a violation.




December 29<sup>th</sup>, 2023

\_\_\_\_\_  
Dr. Daniel E. Rusyniak, MD  
Secretary FSSA

\_\_\_\_\_  
DATE

2. Ethics Officer of Agency

By signing below I attest to the form of this waiver of the above-specified post-employment restrictions pursuant to IC 4-2-6-11(g)(1)(B).



December 29, 2023

\_\_\_\_\_  
Matthew A. Gerber  
Ethics Officer FSSA

\_\_\_\_\_  
DATE

D. Approval by State Ethics Commission

**FOR OFFICE USE ONLY**  
Approved by State Ethics Commission



\_\_\_\_\_  
Katherine Noel, Chair, State Ethics Commission

1-11-2024  
\_\_\_\_\_  
Date

Mail to:

Office of Inspector General  
315 West Ohio Street, Room 104  
Indianapolis, IN 46202

OR

Email scanned copy to:  
[info@ig.in.gov](mailto:info@ig.in.gov)

*Upon receipt you will be contacted  
with details regarding the*