

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

AUGUST DEKKER, et al.,

Plaintiffs,

v.

Case No. 4:22-cv-00325-RH-MAF

JASON WEIDA, et al.,

Defendants.

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DECLARATION OF SECRETARY WEIDA

I, Jason Weida, hereby declare as follows:

1. I am over the age of eighteen and am otherwise competent to make the statements in this declaration.

2. I have personal knowledge of the matters contained herein.

3. I am the Secretary for the Florida Agency of Health Care Administration (the “Agency”). I assumed that position on January 1, 2023, on an interim basis, and then on February 1, 2023, on a permanent basis. Under Florida law, I “head” the Agency and “serve at the pleasure of and report to the Governor.” Fla. Stat. § 20.42(2).

4. As Secretary, I am responsible for running the Agency, leading its personnel, securing its budget, and overseeing over 1,500 full-time equivalent positions. The Agency currently has the largest budget of any state agency in Florida.

5. I am aware that this lawsuit challenges an Agency rule, Rule 59G-1.050(7), regarding the Medicaid reimbursement of several treatments for gender dysphoria.

6. When the rulemaking process began, I was an Assistant Deputy Secretary—another senior-level position in the Agency. I assumed that position on December 13, 2021. In that role, I oversaw over 100 full-time equivalent positions in the Bureaus of Medicaid Policy and Medicaid Quality. The Bureau of Medicaid Policy is responsible for the development, coordination, and implementation of Florida Medicaid program policies. The Bureau of Medicaid Quality provides data-driven, focused, and systematic feedback on the quality of Florida’s Medicaid program to federal and state agencies, Medicaid recipients, Medicaid managed care plans, and providers.

7. I then became Chief of Staff. I assumed that position on September 12, 2022. Again, that is a senior-level position in the Agency. My duties as Chief of Staff were wide-ranging and included assisting then-Secretary Marstiller in managing, coordinating, and evaluating the administrative, programmatic, and operational activities of the Agency’s over 1,500 full-time equivalent positions.

8. I became Interim Secretary on January 1, 2023. In that role, I performed the same role as I do now as Secretary. That is, I am responsible for running the Agency, leading its personnel, securing its budget (again, the largest of any state agency in Florida), and overseeing over 1,500 full-time equivalent positions.

9. I, along with many other Agency employees, assisted in the rulemaking process for Rule 59G-1.050(7). I was even a panelist during the July 8, 2022 hearing on the rule.

10. Matt Brackett, the author of the GAPMS Report, was also a panelist during the hearing. I am aware that he was deposed twice as the Rule 30(b)(6) witness for the Agency.

11. As such, any actions touching the at-issue rule are not uniquely known to me.

12. Indeed, multiple current and former employees of the Agency had the requisite personal knowledge of those actions. If Plaintiffs had taken additional fact depositions during the discovery period (which they declined to do or otherwise failed to pursue) those current or former employees could have testified about those actions.

13. As Secretary, my schedule is demanding. Moreover, because the Florida Legislature is currently in session, I have additional duties to ensure that the Legislature provides appropriate resources to the Agency, that the Legislature passes bills that the Agency has proposed, and that I consult with, and even testify in front of, many legislators (among other things, as part of securing a budget).

14. Thus, any deposition of me would be unduly burdensome and would unreasonably interfere with my responsibilities as Secretary.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 15, 2023.

/s/ Jason Weida

Jason Weida
Secretary, Florida Agency for Health Care
Administration