

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

EXECUTIVE ORDER 2006-02

**Supplementing Medicare Drug Coverage For Dual Eligible Persons
During The Medicare Part D Transition
(Amending Executive Order 2006-01)**

[M06-58]

WHEREAS, the federal government mandated that as of January 1, 2006, approximately 97,000 Arizona citizens who are dually eligible for Medicare and Medicaid services switch prescription drug coverage from the Arizona Health Care Cost Containment System (AHCCCS) to Medicare; and

WHEREAS, dual eligible persons are among Arizona's most frail and vulnerable citizens; and

WHEREAS, despite extraordinary efforts by the State to prepare for this massive change, there remain instances of members being unable to receive the medication coverage that they require; and

WHEREAS, without the ability to obtain prescriptions, dual eligible persons who have life threatening conditions face immediate and future health care crises; and

WHEREAS, this situation puts the personal health of our citizens in jeopardy; and

WHEREAS, on January 13, 2006, I issued Executive Order 2006-01, authorizing expenditures from the Health Crisis Fund to allow AHCCCS to help pay certain expenses incurred between January 1, 2006 and February 1, 2006 by dual eligible person seeking needed medications; and

WHEREAS, the Department of Health and Human Services has since announced that it will coordinate reimbursement from Medicare Part D plans to the state for prescription drug costs that are the responsibility of the federal government during the period January 1, 2006 through February 15, 2006; and

WHEREAS, the federal government has also announced that it will reimburse states for their administrative expenses associated with providing drug coverage to dual eligible persons during the period January 1, 2006 through February 15, 2006; and

WHEREAS, this situation is neither a contingency nor an emergency pursuant to A.R.S. § 35-192 because it requires neither state-municipal resource coordination nor Department of Emergency and Military Affairs assistance;

NOW, THEREFORE, I Janet Napolitano, by virtue of the authority vested in me as Governor by the Arizona Constitution and the laws of the State, declare a significant potential for a health crisis in the State, and hereby order as follows:

1. The period of time set forth in Executive Order 2006-01 during which incurred expenses may be paid pursuant to the terms of that Order is hereby extended to and including February 15, 2006.
2. In addition to the sums set forth in Executive Order 2006-01, an additional one hundred thousand dollars (\$100,000.00) may be transferred if necessary in increments of twenty-five thousand dollars (\$25,000.00) each from the Health Crisis Fund to AHCCCS to pay expenses allowed under Executive Order 2006-01 as amended herein.

Governor's Executive Orders/Proclamations

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this 31st day of January in the Year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirtieth.

ATTEST:

Janice K. Brewer
SECRETARY OF STATE

*** HARRIET TUBMAN DAY ***

[M06-33]

WHEREAS, the Harriet Tubman Historical Society is celebrating the 16th anniversary of Harriet Tubman Day March 10, 2006; and

WHEREAS, the Harriet Tubman Organization, Dorchester County, Maryland is sponsoring the annual Harriet Tubman Day Program, Cambridge, Maryland; and

WHEREAS, Harriet Tubman, having been born into and escaped from a life of slavery, appreciated and treasured the "blessings of liberty, to the extent that she continually risked her own life and liberty to help others escape from bondage on the Delmarva peninsula, often leading them through Wilmington on the Underground Railroad to freedom; and

WHEREAS, when the Civil War began, Mrs. Tubman was attached to the Union Army in South Carolina, serving as a cook, nurse, scout, for raiding parties, and spy behind Confederate lines; and

WHEREAS, after the Civil War, she settled in her home in Auburn, New York and continued to fight for the homeless, the elderly, education, and human rights; and

WHEREAS, on March 10, 1913, Harriet Tubman, an eminent humanitarian, passed away leaving a lasting legacy;

NOW, THEREFORE, I, Janet Napolitano, Governor of the State of Arizona, do hereby recognize March 10, 2006 as

*** HARRIET TUBMAN DAY ***

in the State of Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janet Napolitano
G O V E R N O R

DONE at the Capitol in Phoenix on this twelfth day of January in the year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirty.

ATTEST:

Janice K. Brewer
Secretary of State