

Alabama v. John W. Gardner, Secy of DHEW --

Questions in preparation of oral argument/reply brief
4/14/67

1. Is the term "vendor facilities" defined in the state plans? Are the doctors that are used in the welfare program technically considered part of the vendor program?

2. Under the state plans, who chooses or designates the third party or vendor facility? Is it the state welfare agency, the county welfare office or the welfare recipient? Even if the state agencies do not choose the vendor facility, do they make recommendations to the welfare recipient as to which facility he should use?

3. Do the state plans anywhere establish minimum criteria relating to the adequacy of the vendor facilities? For example, are there criteria regarding size and services available?

4. Do all vendor facilities receive payments for their services? Is this also true of all third party facilities used in connection with the state welfare program? Does the record contain any indication of the amount of money that would go to these third parties or vendor facilities during one year?

5. Are there any civil rights requirements in the state welfare plans relating either to the direct services of the state agency^{or} for those of third party facility?