



FOR IMMEDIATE RELEASE

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## **Attorney General Fox Launches Montana Healthcare Foundation**

HELENA – At a press conference today, Attorney General Tim Fox announced the formation of the Montana Healthcare Foundation.

Earlier this week, Attorney General Fox approved the merger of Blue Cross Blue Shield and Health Care Service Corporation, and secured an increased purchase price for the people of Montana. Under state law, Attorney General Fox must ensure that the \$40.2 million in proceeds from the transaction are directly distributed to a non-profit foundation whose mission is as close as possible to that of Blue Cross Blue Shield. Blue Cross Blue Shield’s mission was to improve the quality, availability, and awareness of healthcare programs and services for Montanans.

In order to best fulfill that responsibility as required by Montana law, the Attorney General’s Office has created a new non-profit organization. The Montana Healthcare Foundation will be a 501(c)(3) charity with an independent board of directors.

“We are excited to be establishing a non-profit organization that will continue Blue Cross Blue Shield’s vital mission of improving the health and healthcare of Montanans,” Attorney General Fox said. “The work of the Montana Healthcare Foundation will benefit all Montanans for many years to come.”

At today’s press conference, Attorney General Fox introduced the foundation’s interim trustee, former University of Montana School of Law Dean E. Edwin Eck. Dean Eck will accept and deposit the proceeds of the transaction into safe, short-term investments, and convene a search and screening committee to identify qualified candidates who could serve on the foundation’s board of trustees. The search committee consists of Ed Eck of Missoula, Karen Fagg of Billings, and Jim Soft, also of Billings. The Attorney General’s Office will confirm that the nominees meet the requirements set forth in law ([MCA 50-4-720](#)) as well as any other criteria that the search committee independently determines. If the nominees meet the criteria, they will become members of the board.

“I am delighted that Dean Eck is so generously giving of his time and talent to this endeavor,” Attorney General Fox said. “His professional experience and impeccable character make him the ideal man to get this very important foundation started on solid footing.”

When the foundation’s board of trustees forms, Dean Eck’s role and responsibilities will end, as will those of the Attorney General’s Office. The Montana Healthcare Foundation will be an independent non-profit organization whose direction and activities are set by its board of trustees.

By law, the Montana Healthcare Foundation cannot be an agent or instrumentality of government and no government official can direct how the foundation will invest or spend its funds. Similarly, state law prohibits the Blue Cross Blue Shield transaction proceeds from being used to supplant government funds for programs such as Medicaid. State law also prohibits the sale proceeds from being used to refund premiums paid by current or former policy holders of Blue Cross Blue Shield, as some have advocated.

Additional information:

Declaration of Trust for the Montana Healthcare Foundation:

<https://doj.mt.gov/wp-content/uploads/Montana-Healthcare-Foundation-Trust-Instrument.pdf>

Bio of E. Edwin Eck and members of the trustee search committee:

<https://doj.mt.gov/wp-content/uploads/MHF-Search-Cmtee-Bio-Sheet-06-28-13.pdf>

Letter of support from the Montana Nonprofit Association:

<https://doj.mt.gov/wp-content/uploads/MNA-letter.pdf>