

**SUBPOENA**

**BY AUTHORITY OF  
THE OKLAHOMA HOUSE OF REPRESENTATIVES  
STATE OF OKLAHOMA**

**To: Chris Bengt**

Pursuant to Article V, Section 42 of the Oklahoma Constitution and Section 7.13, paragraph (d) of House Rules, you are hereby Comanded to appear before the duly appointed special Investigative Committee of the Oklahoma House of Representatives at the place, date and time specified below.

to testify touching matters of inquiry committed to said special committee; and you are not to depart without leave of said special committee.

Place of Testimony: Oklahoma Capitol Building Room 206

Date: Dec. 21, 2017

Time: 9:00 a.m.

to produce the things identified on the attached schedule touching matters of inquiry committed to said special committee; and you are not to depart without leave of said special committee.

Place of production: Oklahoma Capitol Building, Chairman Cockroft's Office, Room 408



Questions 1-39 & Documents 1-2      Date: Dec. 15, 2017  
For Documents 3-10 Only              Date: Dec. 22, 2017

Time: 1:30 p.m.  
Time: 1:30 p.m.

To any person authorized by the Speaker to serve and make return.

Witness my hand and the seal of the House of Representatives for the State of Oklahoma, this

30 day of Nov, 2017

  
Chairman  
  
Speaker of the House

Attest

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## EXHIBIT A

**Within fourteen days of receipt of this subpoena, provide written answers to the following questions:**

### *DEPT. OF HEALTH FUNDS*

1. How has the money appropriated to the Department of Health been spent annually since Terry Cline was appointed Commissioner?
2. When were you first told that the Department of Health needed additional funding?
3. When were you first aware there was a problem with the Department of Health?
4. What were you told about problems with the Department of Health?
5. What did you do with the information responsive to Nos. 2 through 4, above?
6. When was the first time anyone in the executive branch raised questions regarding the Department of Health's financial status?
7. Was an audit of the Department of Health conducted since the appointment of Terry Cline?
8. Of the monies moved around from accounts (including the rainy-day fund, and carryover funds) by OMES for operations, how much money was specifically moved for the Department of Health?
9. When was the first time you discussed the financial mismanagement issues with the Governor?
10. What did you tell the Governor regarding the financial mismanagement?

### *EXECUTIVE EFFORTS*

11. Who in the executive branch is responsible for agency oversight of agency Directors and Commissioners, including Terry Cline?
12. Since Commissioner Cline was appointed by the Governor as the Secretary of Health and Human Services, in addition to his role as the Commissioner for the Department of Health, what efforts did the Governor make to have direct authority over him as her cabinet secretary?
13. What changes has the executive branch made in light of what occurred at the Department of Health?
14. What role has the structure of boards and commissions played in the problems with the Department of Health, and any other problems with other agencies?
15. How would things have been different, whether better or worse, if there were no governing board for the Department of Health?
16. How could the problems with the Department of Health be prevented in the future?

17. Did you or anyone affiliated with the executive branch, including, but not limited to, the Governor's office, including the Governor, or anyone on behalf of the Governor's office, have any discussions with any member of any state board in the last six months?
18. If your answer to No. 17 is yes, which state boards, and what was the substance of those discussions?

*OTHER FUNDS AND ACCOUNTS*

19. Have any other financial problems in any other agencies been reported to the executive branch, including you, from 2010 to the present?
20. Has anyone in the executive branch, including you, discovered any additional financial problems in any other agency, from 2010 to the present?
21. Are any agencies using federal funds for purposes other than those for which the federal funds are designated?
22. Are any agencies using state funds for purposes other than those for which the state funds are designated?
23. Provide the current balance of the rainy-day fund.
24. Provide a list of all transfers involving the rainy-day fund from July 2016 to present.
25. Provide a current balance of all carryover cash.
26. Provide a list of all transfers involving carryover cash from July 2016 to present.

*LEGISLATION AND AGENCY LETTERS CONCERNING FUNDS*

27. Did you have any communications with anyone about a need for more revenues, in order to address any missing or misreported funds involving the Department of Health or any other accounts in state government?
28. Have you had communications with any person about the agency letters announcing reduction or cancellation of services being helpful for any legislative agenda, including an agenda to increase revenues?
29. When was the veto of HB 1019x drafted?
30. Who at the Governor's office is charged with the actual drafting of the veto of HB 1019x?

*EXECUTIVE AND AGENCY PAY RAISES*

31. Identify by name, title, and compensation, each employee of the Governor's office, by year, for each year since 2010.
32. Identify by name, title, and compensation, every Commissioner, Cabinet Member, Agency Director, and assistant director, by year, for each year since 2010.
33. Identify by name, title, and compensation, each employee of the OMES by year, for each year since 2010.

34. For each of the individuals identified in response to 30 through 32, above, if their pay was increased, identify, by name and title, the person or persons who authorized the pay increase.
35. For each Commissioner, Cabinet Member, Agency Director, assistant director whose pay was increased, or the pay was increased for the position before the appointment or hire of the same, identify the person or persons responsible for the increased pay.
36. Identify in detail, all discussions, actions, or communications of which you are aware of by any party to cause or encourage pay increases for any Commissioner, Cabinet Member, Agency Director, Assistant or Deputy Director.
37. Identify what role, if any, the Governor's office or anyone on her behalf played to cause or encourage pay increases for any Commissioner, Cabinet Member, Agency Director, Assistant or Deputy Director.

*DISRUPTION OR DISCONTINUANCE OF ESSENTIAL SERVICES*

38. Identify in detail all discussions of which you are aware with any agency in the last twelve months regarding the disruption, termination, or discontinuance of any service by any agency.
39. Identify all efforts of which you are aware by anyone in the executive branch to discourage any agency for stopping, discontinuing, cancelling, or suspending any essential services.

**Produce within fourteen days of receipt the following documents:**

1. The electronic version of the veto for HB 1019X in its native format.
2. Copies of all audits conducted on the Oklahoma Department of Health since 2010.

**Produce within twenty-one days of receipt the following documents:**

3. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any personnel or agent and any person employed by or otherwise associated with the Oklahoma Department of Health regarding funding, budget shortfall, financial mismanagement, or any communications with anyone about a need for more revenues, or to address any missing or misreported funds involving the Department of Health or any other accounts in state government.
4. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any personnel or agent and any person employed by or otherwise associated with any person employed by or otherwise associated with any agency regarding any wrongdoing, budget shortfalls, financial

mismanagement, financial problems, alleged illegal activity, or alleged wrongdoing of any kind in the last five years.

5. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any personnel or agent and any person employed by or otherwise associated with any person employed by or otherwise associated with any agency regarding any cancellation, suspension, or discontinuance, or threat of any of a disruption or discontinuance of services in the last three years.
6. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any personnel or agent and any person employed by or otherwise associated with any person employed by or otherwise associated with any agency regarding any direction, suggestion, or discussion regarding any rally or protest at the Capitol in the last three years.
7. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any other person regarding any direction, suggestion, or discussion regarding any strategy, plan, or effort of any kind to influence or impact the legislature regarding any budget measure, revenue raising measure, or other legislation in the last three years.
8. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any other person regarding any direction, suggestion, or discussion regarding any change or adjustment in salary to any Commissioner, Agency Director, Cabinet member, or Cabinet level position.
9. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between you and any other person regarding any direction, suggestion, or discussion regarding any state board or commission in the last twelve months.
10. All communications, files, documents, and records, including, but not limited to, phone messages, emails, SMS or other electronic messages, call logs, and social media communications, from any and all communications accounts either owned by the state or by yourself or a third party, between the Health Department and TSET.