



301 Charlotte Avenue • Nashville, TN 37201 • www.tnjustice.org

For Immediate Release:
January 30, 2007

Contact: Michele Johnson 615.255.0331
Email: mjohnson@tnjustice.org
Managing Attorney, Tennessee Justice Center

State Is Still Not Meeting Health Needs of Tennessee's Children: Conclusion of Report Issued at Request of Federal Court

Nashville, TN –The State of Tennessee is not meeting the minimum federal standards for providing health care to more than 600,000 children in the TennCare program according to a report issued on January 26, 2007, by five independent monitors appointed by Federal District Judge William Joseph Haynes. In addition, the Court's monitors concluded that the state still does not have a plan to establish a system to meet the often urgent health care needs of Tennessee children, although the state has promised to establish such a plan since 1998.

In their report, the monitors stated that they were "...struck by the State's complete inability and unwillingness to demonstrate the existence of a comprehensive, ongoing plan of action complete with goals and objectives designed to assure compliance with the Consent Decree."

In addition, the Court monitors concluded that they saw no evidence of the state fulfilling its role to protect TennCare children who are to be served by HMO contractors. Because the state has inserted its HMO contractors between children and their doctors, the state must be a watchdog for these children. The Court monitors found no evidence of the state meeting this duty.

History of State's Failure to Provide Service and Protection

Since 1998, every independent party that has looked at the state system and its treatment of Tennessee's children has found that the state has failed to meet their needs. Foster care experts made this finding in 1999. After a three-week trial in 2001, Judge John Nixon reached the same conclusion. In 2004, the court appointed special master and his team of nationally recognized child health experts again concluded the state had failed TennCare children. In December 2005, Judge John T. Nixon directed the state to immediately produce and submit to the federal district court its plan for providing healthcare services to Tennessee's children. During long period from 1998 until January 2007, the State has not complied with any of the Court orders or agreements.

- more -

“We look forward to a hearing before the Court on the monitors’ report,” said Michele Johnson, managing attorney for the Tennessee Justice Center, a non-profit public interest law and advocacy firm serving the poor which represented the Plaintiffs in the *John B.* case.

The Tennessee Justice Center (TJC) is a non-profit public interest law and advocacy firm serving the poor. It gives priority to policy issues and civil cases in which the most basic necessities of life are at stake and where advocacy can benefit needy families statewide. TJC works to empower its clients by holding government accountable to all citizens. TJC was established in 1996 and is located at 301 Charlotte Avenue, Nashville, TN. For more information visit their web site: www.tjjustice.org.

#

For additional information: Deborah Varallo 615.244.6444; email: varallo@varallopr.com