



**TENNESSEE  
JUSTICE  
CENTER**



## **A.M.C. v. Smith, Middle District of Tennessee**

### **UPDATES ON A.M.C. V. SMITH**

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#### **SYNOPSIS**

**Case No. 3:20-cv-240 (M.D. Tenn.)**

The Tennessee Justice Center, along with co-counsel from Selendy, Gay, and Elsberg PLLC, the National Health Law Program, and the National Center for Law and Economic Justice, served as trial counsel for a class of TennCare members who have been or will be terminated from TennCare since March 19, 2019.

The trial, which lasted for five days in November 2023, centered on claims under the Due Process Clause, the Medicaid Act, and the Americans with Disabilities Act. Plaintiffs allege multiple systemic issues with TennCare, Tennessee's Medicaid program which serves as a lifeline for indigent families and individuals with disabilities, among others.

At trial, Plaintiffs presented evidence showing deficiencies in the State's eligibility notice and appeal policies and processes, which do not allow individuals to correct errors before losing coverage. Plaintiffs also argued and elicited proof that the State discriminates against individuals with disabilities and lacks a valid and reliable system to grant reasonable accommodations to those same individuals.

The trial featured testimony from TennCare members who experienced gaps in coverage through no fault of their own. Witnesses testified that they were terminated from TennCare without receiving a fair hearing despite being eligible for the program and filing an appeal on time. Still other witnesses testified that TennCare failed to screen them or family members for all categories of TennCare eligibility.

#### **TESTIMONY**

The *A.M.C. v. Smith* trial unfolded with compelling testimony presented by witnesses. The witnesses shared personal accounts highlighting the challenges they faced within what they described as a complex TennCare process, emphasizing the life-altering consequences of errors made by TennCare.

Our first witness became emotional while recounting the complications her family faced in dealing with conflicting notices from TennCare. The family's heartbreaking experience resulted in the loss of valuable time with their son during his final days. When asked what she would like to tell the judge, the witness expressed that she wanted to share her son's story to show what families go through fighting the complicated system.

Further testimony, supported by audio evidence, exposed the maze of a journey TennCare clients undergo when looking to rectify errors. One witness was heard on audio expressing helplessness and frustration as she sought answers regarding her termination from TennCare.

**Other witnesses echoed sentiment that they reached out to TJC for help after not knowing where else to turn.**

The emotional depth of the trial reached its peak with a witness testimony detailing the impact of being wrongfully removed from TennCare due to her renewal packet being sent to an unknown address. She had never lived at the address where the packet was sent and had never even heard of the address. Because of TennCare's error, she wasn't able to have a very critical surgery since she no longer had health insurance. This resulted in a challenging and long term illness. Her testimony served as a stark illustration of the repercussions of TennCare's mistakes.

As co-counsel highlighted in opening statements, "For each plaintiff who testifies here, there are a lot more like them."

Aside from TennCare members, Plaintiffs called a number of TennCare employees who were questioned at trial about their notice, appeal, and accommodation processes and policies and their application.



*From left to right: Witness, Carlissa Caudill with Vanessa Zapata - TJC's Advocacy Director; Witness Samantha L.*

**Read on to learn more about this case and stay tuned as we bring you updates from the trial!**

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### ABOUT THE CASE

In our ongoing efforts to champion healthcare justice, TJC has collaborated with the National Health Law Program (through a health law partnership), National Center for Law & Economic Justice, and pro bono counsel Selendy Gay Elsberg PLLC. to bring the *A.M.C. v. Smith* lawsuit into fruition. This groundbreaking case addresses the critical issues faced by all individuals who have been disenrolled from TennCare since March 2019. These issues include navigating through incomplete, confusing, or misleading notices, facing refusals to conduct fair hearings, and a failure to accommodate those with disabilities.

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*For questions about the case or for more details please contact Michele Johnson at [mjohnson@tnjustice.org](mailto:mjohnson@tnjustice.org) or 615-417-1492.*

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