

## MEMO

To: Friends and partners of the Tennessee Justice Center  
From: Gordon Bonnyman  
Date: December 23, 1996  
RE: Year end report

The purpose of this report is to inform you how your generous investment in the Tennessee Justice Center - in money or other important forms of support - has been used during the first year of the Center's existence.

In January, TJC began operating in Nashville with two lawyers and two laptop computers. By December, we had been joined by a secretary and three part-time contract attorneys in Oak Ridge, Jackson and Memphis. The enclosed brochure tells you a little bit about who they are, and hopefully conveys a sense of why I feel so privileged to work with them.

Much of our work has focused on TennCare, the Medicaid managed care program which serves 1.1 million people. Our advocacy has matched the broad scope of TennCare, as we have advocated for:

- improvements in maternity care for poor women
- restoration of coverage to thousands of uninsured families wrongfully cut from TennCare
- reform of nursing home payment methods to encourage better care and the development of home and community based alternatives to institutionalization
- alleviation of problems with TennCare's new program for managing the care of the severely mentally ill.

Of the wide range of TennCare issues on which TJC has been active, we have paid particular attention to two:

- Beneficiary appeals - TJC participated in a class action which affords patients a better opportunity to challenge managed care companies' denial of needed medical treatments. Noted in the *New York Times* for its national significance, the case required the reform of grievance and appeal procedures similar to those used by most Medicaid and Medicare managed care plans across the country. With America's poor and elderly increasingly consigned to such plans, creation of fair and timely appeals procedures has become an urgent necessity.

Following up on the ruling, we have worked with advocacy groups and spoken to national audiences of state legislators and Medicaid administrators, about how to improve legal safeguards for managed care beneficiaries.

Children's services - TennCare is beset with problems which undermine treatment of children with severe medical and emotional problems, particularly those who are in state custody as a result of abuse or neglect. Through legislative testimony, litigation, training seminars for private attorneys and negotiation with state officials, TJC has pushed for reforms in this area. Although there has been some progress, the problems are so serious and complex that these issues are likely to remain a priority for several years to come.

Besides TennCare, we worked actively over the past year to influence the design and implementation of Families First, the state welfare reform program. TJC was a major player in the legislative process. Working with other advocates and policy makers, we helped fashion more than a score of amendments which increased protections for families and children affected by the new law.

Since the law was enacted, we have worked on the details of its implementation. For example, the state was going to rely on computer generated notices to warn parents that their children's subsistence payments were about to be cut off, and what they were supposed to do to protect them. But this critical information was hidden in a gibberish of computerspeak and bureaucratic abbreviation which was unintelligible to even the most sophisticated reader. At TJC's insistence, those notices have been replaced. Under another policy, state officials were about to reduce aid to children whose parents failed to have them immunized, without affording the parents a chance to show that the failure was for reasons beyond their control. They will now have that chance. Amid the overheated political rhetoric surrounding welfare reform, it is nitty gritty details such as these which often determine whether a family becomes homeless, or is helped towards self-sufficiency. TJC will continue to try to make the new program more fair, more effective and more humane.

Over the past year, TJC has evolved *ad hoc* in response to the crisis in Legal Services, and to the grave challenges facing the poor. It is now evident that restrictions on federally funded Legal Services programs will remain in place, and that TJC will be needed for the foreseeable future. A major challenge for the next year will be to consolidate the Center's growth and establish it on a sound organizational and financial footing. Particular attention will be given to developing our presence in Memphis, which has the largest concentration of poverty in the state.

TJC's first year has been difficult but rewarding. Stressful though it has been, I have been mindful every day of what a blessing it is to have such meaningful work, with gifted and dedicated colleagues, and visionary Board leadership. I hope this brief summary gives you some sense of the difference TJC has been able to make in many people's lives, and conveys my profound personal gratitude for your help in making that possible.

Best wishes for the holidays, and for a happy and fulfilling 1997.

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