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**Advocates for Families in Need**

December 2001

To: Friends and partners of the Tennessee Justice Center  
From: TJC's staff  
RE: Year end report – 2001

“It’s like standing on tiptoe in water up to your nose – any ripple is enough to put you under.” That is a vivid description of what life is like for people who are poor. Their situation is particularly precarious if someone in the family is also old, or sick or trying to adjust to a strange culture. During this difficult year, poor people in Tennessee have been beset first by ripples and, since September, by shockwaves that have affected all of us.

With the generous support of friends, the Tennessee Justice Center has managed to win important protections for these vulnerable families:

- TJC negotiated a legal settlement that restored health coverage to tens of thousands of uninsured families, and promises to make coverage available to additional families in the coming months.
- In a yearlong battle with the HMO industry, we managed to hold on to hard won appeal rights for patients whose health plans refuse to provide coverage ordered by their doctors.
- Another court victory will lower bureaucratic hurdles that have prevented people with severe mental illness from qualifying for Medicaid.
- With support from the U. S. Justice Department, TJC successfully overcame the state’s efforts to dismiss a lawsuit on behalf of people with disabilities who are resisting the efforts of TennCare MCOs to steer them into nursing homes.

TJC spearheaded a successful effort to reform several policies affecting food stamps and Families First, as Tennessee’s welfare reform program is known:

- TJC advocacy resulted in the removal of illegal barriers to participation by new immigrants.
- With the fifth year anniversary of welfare reform fast approaching, many of the poorest, most marginalized families in the state are about to exhaust the lifetime limit on receipt of assistance. TJC succeeded in winning new policies that will mitigate the harshness of the five-year limit and permit its extension for many families. And TJC was one of only eight advocacy organizations nationwide that the U.S. Department of Health and Human Services asked to testify regarding federal reauthorization.
- TJC advocacy saved from budget cuts a nationally recognized program, created 4 years ago through our efforts, that takes a second look at Families First cases before they are closed. In this year alone, over 14,000 Tennessee families were allowed to keep their benefits due to this program.
- In a rural state with little public transportation, it is often difficult or impossible to get to a job unless you own a car. TJC persuaded state officials to relax a rule which denied food stamps to the working poor if the family had more than \$1,500 equity in a vehicle.

These gains won’t change the world, but they do change lives. For families who stand on tiptoe just to keep their heads above water, these small victories can keep them from being overwhelmed.

The year ahead will be difficult for needy Tennesseans. For political reasons that have little to do with the realities of TennCare or Families First, there are now efforts to invoke the economic effects of September 11 as a pretext for making Draconian cuts in those vital programs. These cutbacks, which we have temporarily delayed, come just as growing numbers of families are in urgent need of assistance.

In these circumstances, the workaday business of pursuing justice for the poor is more needed than ever. TJC's unglamorous but essential work – methodically compiling the facts, providing a forum for our clients' stories to be heard, and enforcing the law for those who most need its protection -- goes on.

That work is repaid handsomely by the generosity of clients who have little, but share abundantly. For nearly a month this summer, we were involved in a grueling trial in a case that now awaits the court's decision. It attempts to enforce previous orders that required the state to provide necessary medical care for some 650,000 low-income kids across Tennessee. A major focus was on the needs of children in Tennessee's troubled foster care system. During the trial, we were repeatedly inspired by parents and foster moms who faced down their fears and grief to tell their children's wrenching stories.

We knew how selfless these parents were, but it sometimes took the crucible of the courtroom to display the full measure of their extraordinary courage. Scotty's mom, Kathy, was an example. Scotty was a little boy with a congenital respiratory problem that subjected him to recurrent life-threatening pulmonary crises. After one such particularly dangerous episode, his doctors ordered special equipment to facilitate his breathing at night. The TennCare HMO illegally refused to provide the prescribed equipment. Scotty died within hours of being discharged from the hospital.

Kathy was remarkably composed through most of her testimony about Scotty's illness and death. She was almost ready to leave the stand when she broke down, and the court called a recess. It was only then that we learned exactly how Scotty had died. Without the equipment ordered by the doctor, she had tried to stay awake and hold an oxygen tube to his nose. Chronically sleep deprived, she dozed off, her hand slipped away from his face and, when she awoke, Scotty was gone. This was so painful that she had not been able to disclose this to us over many hours of preparation. Yet she made herself relive this horrible experience in court for the sake of other mothers' children.

When justice does prevail, the payoff can be momentous. A few months ago, we received an invitation to Tod's college graduation. Michele and Gordon sat with his family and proudly applauded as he steered his wheelchair to the dais to accept his diploma. When Tod first contacted TJC three years ago, he had just been told by the TennCare HMO that it was terminating the home health services that enabled him to attend college. The HMO tried to send him to a nursing home. That would have saved the HMO \$4,000, but cost tax-payers an additional \$30,000 a year, not to mention the impact on Tod's life and dreams. But TJC's intervention kept those dreams alive. Tod's class action goes to trial next year, where we will try to obtain justice for the many others like him.

Thanks again to the many people who, through their advocacy, their contributions, their prayers and moral support, were a part of TJC's work this year. And thanks to those who helped in past years to establish and nurture TJC. We will do all that we can in the coming year to use effectively the resources you have given us, to better the lives of Tennessee families in need. We are very grateful.

Best wishes for the holidays.