



## TENNESSEE VOTER

### The League of Women Voters of Tennessee

PO Box 158369, Nashville TN 37215-8369 | 615-297-7134 | [www.LWVTN.org](http://www.LWVTN.org) | [LWVTenn@gmail.com](mailto:LWVTenn@gmail.com)

Spring 2014

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#### Presidents' Message

We are proud of all the work our local Leagues are doing in Tennessee!

Murfreesboro has already completed the LWVUS agricultural study. We're sure they would be willing to share their results for those interested. The deadline for this consensus report from local Leagues is April 4. The LWVUS web site has all the information at <http://lww.org/content/leaders-guide-agriculture-update-consensus>.

The Nashville League has just completed a study and consensus on Charter schools (see [http://lwwnashville.org/files/2014\\_LWVN\\_Position\\_on\\_Charters.pdf](http://lwwnashville.org/files/2014_LWVN_Position_on_Charters.pdf)). This is not a new interest, but one that has become quite an issue in Nashville and Tennessee. When charter schools first began to be discussed in Tennessee, LWVTN started a study but it was dropped due to lack of state-wide interest.

In addition, read the next three parts of the LWV Nashville *Voter* ongoing article about the Affordable Care Act: "Are We There Yet? The Rocky Road to Implementation of the ACA (Parts VI-VIII)" by LWVN Health Care Director **Rashonda Lewis**, and a superb article about the environment from the Hendersonville League.

The LWVTN Action Committee has been hard at work. The Legislature is moving fast, with many crucial issues at stake. Please join the bi-weekly Action Committee meetings to become more informed and involved. And check your inbox frequently for Action Alerts. For more details, contact **Barbara Gay** ([barbara.b.gay@gmail.com](mailto:barbara.b.gay@gmail.com)).

Local Leagues have been choosing to use VOTE411 for their electronic Voter Guides. LWVTN again will pay the local fees this year; the local League just needs to let LWVTN know they plan to participate.

We have information about fair and impartial election of judges (see article). Last election, the Knoxville League put together a very nice brochure to guide voters on choosing judges. To learn more, contact Knoxville League President **Kim Lauth**.

This issue of the LWVTN *Voter* is your official call to Council! We hope you are making plans to attend. The Oak Ridge League has been busy preparing a stellar program on advocacy, and will be ready to show off their beautiful home town. Plan now to attend. You can check out the article for more details and review the enclosed proposed 2014-2015 budget.

In League, **Margie Parsley** and **Jo Singer**, Co-presidents

## LWVTN Spring Council May 3, 2014

by Director of Special Events Michele Brandenburg

Council has a new one-day format this spring on Saturday, May 3 from 10 am to 5 pm EDT. Registration, available online soon, will be \$40 for members and \$50 for non-members. This fee includes a continental breakfast from 9 am to 10 am, lunch buffet at noon, and an afternoon snack. The meeting, hosted by LWV Oak Ridge, will take place in the newly renovated meeting space at the Hilton DoubleTree Hotel located at 215 South Illinois Avenue in Oak Ridge, Tennessee.

The LWVTN Board will meet at the same hotel on the afternoon of Friday, May 2, 2014. We hope those in town will join us for dinner that evening. Dinner location details are still being planned. The evening activities provide League members from across the state an opportunity to network with peers from other local Leagues and share ideas based on each other's experiences.

Look for more details about Spring Council in your inbox by early April. Meanwhile plan your visit to the area at [www.oakridgevisitor.com](http://www.oakridgevisitor.com).

Stay over Saturday night to enjoy East Tennessee. Start with the delicious Sunday Brunch (\$15.95) at Burchfield's, the restaurant in your hotel. Then walk over to the American Museum of Science and Energy ([www.amse.org](http://www.amse.org)) to learn about the history of Oak Ridge, AKA the Secret City. Nature lovers can enjoy the nearby UT Arboretum or venture less than an hour to the Great Smoky Mountains National Park. Shopaholics can head to the outlet stores in Pigeon Forge.

Make room reservation for Friday or Saturday nights please contact the hotel directly at 865-481-2468 or [www.doubletreeoakridge.com](http://www.doubletreeoakridge.com) by Friday, April 11, 2014. Ask for the LWVTN block reservations to receive the rate of \$89 plus tax.

Council Agenda Highlights:

- Building Stronger Community and Knowing Your Community
- Effective Policy Advocacy—summary of Wellstone training
- TN Constitutional Amendments on November ballot
- Action Committee report, lobbyist report

Business to be conducted at Council includes presentation of the budget in the morning with a vote to be taken in the afternoon.

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### Eye On LWVTN Action Committee Chair Barbara Gay



**Barbara Gay** is a retired school social worker who likes to read, paint, draw, swim and horseback ride. She also has always been interested in public policy. Gay saw through her clinical work how policy actually works for people and communities or often doesn't work. She realizes how difficult it is to write good policy while anticipating all the unexpected consequences.

Gay joined the League of Woman Voters in Nashville in 1981 and served as Juvenile Justice Director. In addition, she was on the Education Committee while working for the public school system. Gay currently is Second Vice President of the Nashville League, coordinating the Observer Corps. After being a LWVTN Action Committee member for a number of years, she became chair of the committee and a LWVTN Board member in June, 2013. Her experiences with policy add a huge benefit to the committee. Gay hopes to hear from you, League members, concerning the action you are taking on League positions.

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### THANKS TO OUR CONTRIBUTORS!

by Treasurer Marian Ott

We are pleased to recognize our stellar LWVTN contributors from July 1, 2013 through February 14, 2014.

#### Contributions to LWVTN Lobbyist Fund

Martha Adler-Jasny \* Anita Blatnik \* Sue Bredensteiner \* Elaine Breslaw \* Janice Brown \* Jan Bushing  
Barbara Devaney \* Jacqueline Dixon \* Linda Dyer Doran \* Mary Drew \* Virginia Dunlap \* Karen Edwards

Ann Duff Fain \* Sally Faulkner \* Ann Foltz \* Barbara Gay \* Kaylene Gebert \* Lorelei Gould  
Craig Anne Heflinger \* Roenella Hornsby \* Teresa Lawson \* Nancy Lofaro \* Mary McCall and Brian Paddock  
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Margie Parsley \* Sara Phillips \* Elizabeth Pierce \* Judith Poulson \* Judy Powell \* Anne and Charles Roos  
Liane Russell \* Gene and Marsha Sanslow \* Jo Singer \* Jan Sobotka \* Karen Stevenson \* Carol Straughn  
Mayo Taylor \* Robin and Ken Toth \* Robert Tuke \* Barbara Walker \* Karen Weeks \* Jane Wheatcraft  
Lynn Williams

*In addition, various other Nashville members contributed with their dues renewal.*

### **Contributions to the LWVTN Operating Fund**

Annette Anderson and Robert Wilson \* Anonymous \* Martha Butterfield \* Stewart and Louise Clifton  
Diane DiIanni \* Penelope and John Frere \* Jo Ann Garrett \* Robert Klenz \* Sarah Kolb \* Teresa Lawson  
Joseph Lenhard \* Joyce and Robert Manyik \* Mary Mastin \* Donald Miller \* Barbara Moon \* Manette Page  
Margie Parsley \* Lester Petrie \* Judith Poulson \* Liane Russell \* Martha Salk \* Jo Singer \* Doris Sklad  
William (Bear) Stephenson \* Carolyn Strang \* Eugene Teselle \* Carter Todd \* Roberta Toth \* Karen Weeks  
Colleen Welch

### **Contributions to the LWVTN Education Fund**

Virginia Coleman \* Andrea Conte \* Elaine and William Culbert \* Mary Frances Drake \* Leslie El-Sayad  
Margaret Emmett \* Annette and Irwin Eskind Family Foundation \* Mary Headrick and Detlef Matt  
Seiko Igarashi \* Carol Johnson \* Sally Kanaday \* James Martin \* Theresa Mauer \* Barbara Schneider  
Margaret Shinn

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## **Notes from the LWVTN Action Committee**

by LWVTN Action Director Barbara Gay

The State Action Committee is meeting every two weeks now that the Legislature is in session. A big thank you goes to all LWVTN State Action Committee members and Issue Chairs. All nine of our priority issues have pending legislation this year. **Stewart Clifton** and **Sarah Cooper**, the LWVTN Lobbyist Team, are working hard to keep us informed without overwhelming us. Issue Chairs are sending out action alerts so that League members can make our voice heard on the hill. **Sarah Cooper**, **Joan Hamner**, **Hazel Thornton**, **Diana Page**, **Sue Bredensteiner**, and **Barbara Gay** delivered copies of the LWVTN 2014 Priorities Issues to every legislator in January. Oak Ridge League members have launched an extensive conversation with Senator **Randy McNally** to support expansion of TennCare, noting that he had sponsored legislation similar to the ACA in the 1990s. Co-presidents **Jo Singer** and **Margie Parsley** continue to send official LWV letters to legislators and the administration arguing for LWVTN positions.

Know that we need every member's help! Many bills have been introduced that will have very negative consequences for Tennesseans if they pass and are signed into law. Your voice does make a difference. The State Action Committee meets every other Monday. The last meeting was March 3rd at 11:30 am CST. All members are welcome to attend in person or via phone conference. Contact **Barbara Gay** ([barbara.b.gay@gmail.com](mailto:barbara.b.gay@gmail.com)) to be added to the Action Committee email list. We will continue to meet every two weeks until the end of the legislative session.

Our Action Committee Issue Chairs continue their service:

- Education: **Debby Gould** and **Karen Weeks**
- Elections: **Amy Greene**
- Environment: **Barbara Devaney**
- Health Care Reform: **Pat Post** and **Sue Bredensteiner**
- Immigration: **Jo Singer**
- Judicial Selection: **Diane DiIanni**
- Open Government: **Hazel Thornton**
- Revenue: **Karen Weeks**
- Responsible Budget (Appropriations): Open

### **Civic Education and Voter Information About Our Court System**

The LWVTN is participating in the Informed Voters—Fair Judges project, a nonpartisan voter education project developed by the National Association of Women Judges (NAWJ) to increase public awareness about the judicial system, inform

voters that politics and special interest attacks have no place in the courts, and give voters the tools that they need to exercise an informed vote in favor of fair and impartial courts. The project's goal is to address what organizers see as a growing gap in civic literacy in our nation. Tennessee is one of eight states nationwide being targeted for the voter education campaign in 2014; the others are Alaska, California, Florida, Iowa, Kansas, Missouri, and Washington.

In the coming months, judicial candidates will be running for judicial office in both contested elections (trial judges in state, county, and specialty courts) and retention elections (appellate judges) throughout the State of Tennessee. County primaries will be held on Tuesday, May 6; state primaries and county general elections on Thursday, August 7, and state and federal general elections on Tuesday, November 2, 2014.

As the election dates approach, there are many ways in which interested members of our state and local Leagues may participate in the NAWJ Informed Voter Project. The IVP website, [www.ivp.nawj.org](http://www.ivp.nawj.org), contains information, fact sheets, a short video, and several other tools and suggestions of ways to get involved with the project in your local community. Some of the materials are available in both English and Spanish, as well. Take a moment to visit the website, and the webpage devoted to Tennessee, and learn more about this exciting project and the importance of fair and impartial judges to our democracy.

## Health Care Reform

LWVTN continues to **advocate for full implementation of the ACA**. As part of that effort the League is working with a coalition of citizens, advocates, healthcare providers, ministers and nonprofit social service workers who understand that Governor **Bill Haslam** needs to make the **Tennessee Plan** happen **now** and provide health and stability to Tennessee's low-income residents, its hospitals, health care providers, and businesses (see <http://www.tennesseeplan.org/>). **Help keep up the pressure! Take fellow constituents and visit with your legislators. Ask legislators to talk to the Governor for you. Tell legislators you are counting on them to protect you, your family, and your community.**

Here is new information to help when you write: an excellent new fact sheet and map showing how Medicaid expansion could cover at least half of the uninsured adults in many Tennessee counties, available at [http://lwvtn.org/files/TN\\_Uninsured\\_by\\_County\\_Fact\\_Sheet\\_FINAL.pdf](http://lwvtn.org/files/TN_Uninsured_by_County_Fact_Sheet_FINAL.pdf), and a video that shows what's at stake for many hardworking Tennesseans: <http://youtu.be/HSeTJ7ZcIag>.

Unfortunately a number of bills working through the Legislature are designed to make it harder for all Tennesseans to gain coverage. Last week HB 0937 passed in the House and its companion SB 0804 will most likely come to a vote in the Senate this week. HB 0937 by **Jeremy Durham** and SB 0804 by **Brian Kelsey** were introduced to prohibit Tennessee from participating in any Medicaid expansion authorized under the federal Patient Protection and Affordable Care Act (PPACA). Both have been amended to prohibit the governor from making any decision or obligating the state in any way with regard to the expansion of optional enrollment in the medical assistance program pursuant to the PPACA, unless authorized by joint resolution of the general assembly. The Action Committee finds this legislation problematic on two levels: first, it overreaches by insisting the House and Senate must oversee the governor's authority, and second, it blocks implementation of the Medicaid expansion component of the ACA, continuing to harm hardworking citizens that are locked out from health care insurance access because their incomes fall below the poverty level, hospitals across the state that are dependent on Medicaid dollars to overcome the costs of uncompensated care, and the economies of all Tennessee communities. Let your legislators know what you think.

## Revenue: Hard Facts About Our Fiscal Future—What You Can Do

**Amendment 3 Limits Tennessee's Fiscal Options:** A new coalition, Citizens for Fiscal Sanity, is beginning a campaign to educate voters about Amendment 3 on the upcoming November ballot. This amendment would permanently ban consideration of a state personal income or payroll tax for revenue purposes. The League has long supported provision for adequate revenues for essential services and a fair and equitable system of taxation. But the current tax structure is neither fair nor equitable.

CFS and the League believe that the state constitution is not an appropriate place for specific tax policy. Tennessee's current tax system is regressive, taking a disproportionate amount of income from lower- and middle-income people. A permanent ban on considering a state income tax would tie the hands of future citizens and legislators to deal with growing revenue shortfalls and would eliminate the possibility of constructing a more equitable state revenue system. League members are working in coalition with Citizens for Fiscal Sanity to inform the public what Amendment 3 would mean for our state—further reduction of vital services and increases in sales taxes and taxes on businesses.

If you would like more information or would like to schedule a presentation for a church or community group to learn more about Amendment 3 contact League member **Diana Page** at [diana.page@comcast.net](mailto:diana.page@comcast.net) or **Naomi Goodin** at

## ENERGY—WHERE ARE WE GOING?

by Joe W. McCaleb<sup>1</sup> and Jeffrey Barrie<sup>2</sup> (reprinted from the LWV Hendersonville Voter)

There is one constant in our modern society: nearly all of us are voracious users of energy to heat and cool our homes, power our automobiles, light our neon signs, power our electronics and run just about everything else we use or think we will use in daily life. And where does our energy come from? Do we really know? Do we really care?

Those of us who live in Tennessee and 6 other states rely on TVA to generate our electric energy. TVA does that by several engines but mostly coal-fired power plants like the one in Gallatin. TVA also pulls power from aging nuclear power plants, many of which have experienced more down time than up; from hydroelectric dams on the Tennessee River and its tributaries; and comparatively a small quantity of power from renewal energy generated by wind turbines, solar and geothermal. For many of us in the Valley and many more in other parts of America, the future will demand more energy from renewables and less fossil fuel extraction and less nuclear. As for hydroelectric, there are just so many dams that can be placed on a river and in the Tennessee Valley, there hasn't been a new dam built in more than 30 years.

On June 20, 2004, at the historic Belcourt Theater in Nashville, Jeff Barrie introduced the original edition of "Kilowatt Ours: A Plan to Re-Energize America," his documentary about electricity in America. Jeff made "Kilowatt Ours," to portray a hopeful vision of a more sustainable world, putting visuals in the film that embody our world moving in a positive direction—less coal usage, a decline of mountain top removal, more renewables, more energy efficiency, and a call to action for everyone to participate in leading this transition.

In October 2008, I invited Jeff to bring his documentary film, "Kilowatt Ours," to the LWV Hendersonville as our environmental program that year. He did and we showed it in Gallatin at the old, refurbished cinema. I thought the program was well attended and I think opened many eyes to the immensely destructive process of mining coal that is then shipped to power plants like the 50 year old Gallatin plant and burned so that your lights come on when you flip the switch. In Jeff's movie, when the familiar wall switch is flipped, a mountain in West Virginia explodes because that is what the coal mining industry does to extract what it callously sells to the public as "clean coal." We all have seen in the last couple of weeks the continuing ill effects chemicals used to "clean" coal has on drinking water sources and on the public health of human beings. The tragedy is that it is not an isolated event.

So after the debut of "Kilowatt Ours: A Plan to Re-Energize America," what has happened? Jeff has answered that question and he is kind enough to allow me to use his answer within this article. Jeff says:

"Over the last 10 years, it has been a thrill to see my work become such a popular film. Even more exciting is to witness the positive changes in our world that have taken place in this time. Here is my official top-ten list of good indicators that the world is getting better all the time:"

- 1) LEDs: more efficient than the compact fluorescents featured in "Kilowatt Ours" are becoming commonplace. Once you put them in, they last for decades. Companies like CandleRay in Nashville are helping lead the charge locally.
- 2) In 2008 TVA launched its In-Home Evaluation program, offering an affordable way for homes to be inspected for energy-saving opportunities, and connecting homeowners with companies to make the improvements with significant financial rebates for participants. By 2011, 25,000 households had participated in the program across the Tennessee Valley, and 1,600 gigawatt hours had been saved, the equivalent to a 900 megawatt efficiency power plant running 24/7.
- 3) In 2012 Nashville Electric Service (NES) launched "Neighborhood Energy Savers," a workshop series helping low-income households conserve energy with simple, do-it-yourself steps. This program was first piloted by "Kilowatt Ours," and now offers year-round opportunities for people to learn how to save.
- 4) New companies like E3 Innovate and Nashville Home Energy Solutions have sprouted up to help homes improve their efficiency, comfort and indoor air quality through a variety of products and services. Since its founding in 2008, E3 has retrofitted 2,000 homes in Middle Tennessee, and many of its satisfied customers have achieved improvements of 25% to 30% in overall energy savings.
- 5) Hands On Nashville launched its Home Energy Savings program in 2010, providing \$1,000 of material improvements

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<sup>1</sup> Joe McCaleb is a retired environmental attorney and the Environmental Comte. Chair for the Hendersonville League. Joe has been a member of the League since 2007.

<sup>2</sup> Jeff Barrie lives in Nashville with his wife, Heather, and continues to work tirelessly on energy issues. He regularly speaks to interested audiences all over America and has hinted at a *Kilowatt Ours* sequel?!

like caulking, insulation, lighting and more to qualifying low-income homes in Nashville. And it utilizes volunteers to do the work.

6) Nationwide, 181 proposed coal plants have been cancelled, and 155 coal plants have been shut down, including 8 units within TVA's coal fleet that are scheduled for retirement. Coal-generated electricity has declined from 52% to 39% of America's total electricity generation in the last four years nationally.

7) Solar power installations are rapidly increasing. Installations more than doubled in the US in 2012 to 7,000 megawatts, and grew to 11,000 megawatts in 2013 (enough to power 1.7 million America homes). The cost of panels has declined by 60% since 2011.

8) Unsubsidized wind power is cost-competitive with subsidized coal, and 13,000 megawatts of wind generation were added in the U.S. in 2012 alone (a new record).

9) U.S. greenhouse gas emissions are 12% below 2005 levels, and have declined every year since 2008.

10) America's energy intensity (energy consumption per unit of Gross Domestic Product) continues to decline significantly, which means our economy requires less energy to thrive year after year.

"These trends are powerful indicators that the vision of a more energy-sustainable nation is a reality, and is accelerating. It's a great time to become part of the solutions!"

For more info about the documentary or ways to be involved in the solutions, please contact [info@KilowattOurs.org](mailto:info@KilowattOurs.org).



Reprinted from **THE NASHVILLE VOTER**

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## Are We There Yet? The Rocky Road to Implementation of the ACA—Part VI

by Health Care Directors Rashonda Lewis & Jessica Mathewson

### Update on the Health Insurance Marketplace—Yes, It's Better!

The Health Insurance Marketplace, also called the Health Insurance Exchange, opened October 1—two and a half months ago. During the first month, enrollment efforts were hampered by IT problems that plagued [www.HealthCare.gov](http://www.HealthCare.gov), the federal enrollment website. According to the first official release of numbers, only 100,000 people selected plans through the state and federal exchanges during its first 30 days of operation. Secretary of Department of Health and Human Services **Kathleen Sebelius** pledged that by the end of November, the website would be fully functional for the vast majority of consumers.

Although the website and enrollment processes are not yet perfect, enrollment is definitely getting better. On December 12, the HHS released an updated report, which covered enrollment activity from October 1 through November 30, available at: [http://aspe.hhs.gov/health/reports/2013/MarketPlaceEnrollment/Dec2013/ib\\_2013dec\\_enrollment.pdf](http://aspe.hhs.gov/health/reports/2013/MarketPlaceEnrollment/Dec2013/ib_2013dec_enrollment.pdf). Here are some highlights:

- **39.1** million people have visited state-based and federal marketplace websites
- **1.9** million people have been determined eligible, but have not yet selected a plan through the state-based and federal exchanges
- **364,682** people have selected a plan through the state-based (227,478) and federal-operated (137,204) marketplace exchanges
- Nationally, **803,077** people have been determined eligible for Medicaid or CHIP programs
- Close to **40,000** applications have been completed in Tennessee: **4,500** individuals selected a plan, **5,700** people were assessed eligible for Medicaid or CHIP

This two-month trend suggests that technical improvements to the website have in fact boosted enrollment. As more people are able to access the website, shop plans, and attempt to enroll, other problems—technical issues, policy questions, and on-the-ground practical problems—will emerge and need to be addressed. Around water coolers, business people who have been involved in multiple website rollouts take these glitches in stride as part of a new website's territory.

With enrollment surging and the deadline of December 23 looming, the most salient concern at this point is making sure people get enrolled. League members can jump in at this point and help enrollment efforts in two important ways:

- **Volunteer!** Get Covered Tennessee at <http://www.getcoveredtenn.org/> is looking for volunteers to host or organize enrollment events; recruit and help with data entry.
- **Spread the word!** Tell friends, family, neighbors, and colleagues where to get enrollment help by directing them to the Get Covered Tennessee website above; website visitors can enroll online or find a list of local events and locations where volunteers and staff offer in person help with enrollment.

### Update on Medicaid Expansion

Tennessee continues in a Medicaid expansion limbo. According to a Kaiser Family Foundation Report, “Status of State Action on the Medicaid Expansion Decision,” as of December 11, 2013, twenty-six states including DC are implementing Medicaid expansion in 2014, two states are seeking to move forward with Medicaid expansion after 2014, and twenty-three states, Tennessee among them, will not move forward with expansion at this time (<http://kff.org/health-reform/state-indicator/state-activity-around-expanding-medicaid-under-the-affordable-care-act/>). Governor **Bill Haslam** initially opted out of Medicaid expansion, but has proposed a “Tennessee Plan,” which would leverage federal dollars to lower the cost of private health insurance for the about 180,000 working people in Tennessee.

Implementation of the Tennessee Plan would require the state to submit a section 1115 Medicaid waiver application and its subsequent approval by the federal Department of Health and Human Services (HHS). Similar waivers have been granted to Arkansas and Iowa (though with limitations that Iowa may not accept). Indiana, Michigan, and Pennsylvania have requested but not yet been granted waivers. The good news is that Arkansas and Iowa have been able to integrate specific state-level policy priorities into their Medicaid expansions, so there is hope that Tennessee can do the same.

Although very few details about the Tennessee Plan have been released, the Governor, in a recent letter to Secretary **Kathleen Sebelius**, did outline the policy themes that he would like to guide future discussions and any negotiations with the federal government about a Medicaid expansion (see 12/9/13 letter to Secretary Sebelius at <http://www.tennessean.com/article/20131210/NEWS0201/312100042/Gov-Haslam-pushes-feds-discuss-TennCare-expansion-plan>). These themes include cost controls via consumer cost sharing (higher copayments than allowed in traditional Medicaid), consumer personal responsibility provisions, and provider payment reforms. The HHS response was that Tennessee needed to submit a formal section 1115 Medicaid waiver application.

In addition, there are two ways League members can continue to support increased health coverage for more Tennesseans:

- **Talk to your legislators!** Contact your legislators and let them know that you support a plan to use federal dollars to buy private health insurance for Tennesseans who have no other way to get coverage. Take fellow constituents with you. Let your legislator know that you need him or her to speak to the Governor, Lt. Governor, and House Speaker on your behalf; that you know these leaders will listen to your legislator. Take photos of your visit and publish them in your local, association, or church newsletter and send a copy to your legislator. Let your legislator know that you will be following up; send a thank you and later call for a progress update.
- **Show your support!** Visit the Tennessee Plan Coalition’s website at [www.tennesseeplan.org](http://www.tennesseeplan.org) and sign the consensus statement to pledge your support. The League of Women Voters of Tennessee is one of over twenty groups that have pledged organizational support for the consensus. If you decide to add your name to the consensus, check the individual box rather than the group box. If you are a business owner, sign up in the group box. Encourage family members, neighbors, friends, and colleagues to sign up as well.

The Governor and our legislators need to understand how important Medicaid expansion is to Tennesseans. They need to understand that Tennesseans who vote (some 63% of registered voters according to a recent Vanderbilt Poll: <http://www.tennessean.com/article/20131215/OPINION03/312150054>) want Medicaid to be expanded in our state. Tennesseans know that Medicaid expansion is important for all of us, for our economy, and for everyone’s health. Our major newspapers are reflecting Tennesseans’ mood in their increasingly targeted editorials (see 12/2/13 *Jackson Sun* article at <http://www.jacksonsun.com/apps/pbcs.dll/article?AID=2013312030001>; 12/11/13 *Chattanooga Times Free Press* article at <http://www.timesfreepress.com/news/2013/dec/11/haslam-wasting-our-time-money/?print>; 12/15/13 *Tennessean* article at <http://www.tennessean.com/article/20131215/OPINION01/312150053>; and the West Nashville Clergy Group 12/16/13 article in the *Tennessean*: “Let’s heed Golden Rule and expand Medicaid” at <http://www.tennessean.com/article/20131216/OPINION03/312160002>).



## Are We There Yet? The Rocky Road to Implementation of the ACA—Part VII

by Health Care Directors Rashonda Lewis & Jessica Mathewson

According to the latest Department of Health and Human Services enrollment report released January 13, 2014 ([http://aspe.hhs.gov/health/reports/2014/MarketPlaceEnrollment/Jan2014/ib\\_2014jan\\_enrollment.pdf](http://aspe.hhs.gov/health/reports/2014/MarketPlaceEnrollment/Jan2014/ib_2014jan_enrollment.pdf)), over 2.1 million Americans have signed up for insurance via the federal Health Insurance Marketplace (HIM). This number represents a 5-fold enrollment increase from the initial two-month enrollment count of 364,000 enrollees. After an incredibly rocky launch on October 1 of last year, the Health Insurance Marketplace appears to be operating smoothly for the vast majority of consumers. Here is a summary of Tennessee enrollment activity for the period of October 1, 2013 through December 28, 2013.

- 87,890 applications were completed
- 109,971 people were deemed eligible for a Marketplace plan
- 36,250 people selected a plan and 23% of those were between the ages of 18 and 34
- 17,066 were determined or assessed eligible for Medicaid or CHIP

The initial panic about website technical issues has given way to worry about who is enrolling and how many people will enroll before the deadline bell tolls on March 31. According to media reports, the most pressing concern at this point is the number of young people enrolling—or not enrolling—in the HIM. President Obama’s administration is aiming for an enrollee young adult population of 38% to 40%. According to the Monday’s DHS report, only 24% of enrollees are between the ages of 18 and 34. The concern is that young, healthy enrollees are needed to balance the risk of covering older, less healthy individuals. If too few healthy, young adults enroll in Marketplace plans, insurers will need to adjust rates upward—making Affordable Care Act coverage less affordable for many Americans.

### Update on Medicaid Expansion

Some 180,000 to 330,000 of the most vulnerable Tennesseans continue without access to health care because Medicaid has not been expanded by state government. Governor **Bill Haslam** proposed “Tennessee Plan” has not developed and is leaving lots of federal money—approximately \$2.5 million each day (\*average daily amount derived from SB 804/HB 937 fiscal note compiled by the Fiscal Review Committee staff based on information provided by the TennCare Bureau) on the table. And according to a just published report by Jackson Hewitt, Tennessee’s failure to expand Medicaid could cost employers in the state between \$48 million and \$72 million in 2015 because, “Any projections of the ‘net’ costs of Medicaid expansions should also reflect the very real costs of the shared responsibility tax penalties to employers in states that do not expand Medicaid” (<http://www.tennessean.com/apps/pbcs.dll/article?AID=2014301220165>).

As reported last month, implementation of the Tennessee Plan would require the state to submit a section 1115 Medicaid waiver application and its subsequent approval by the federal Department of Health and Human Services (HHS). Similar waivers have been granted to Arkansas and Iowa (though with limitations that Iowa may not accept). Indiana, Michigan, and Pennsylvania have requested but not yet been granted waivers. The good news is that Arkansas and Iowa have been able to integrate specific state-level policy priorities into their Medicaid expansions, so there is hope that Tennessee can do the same.

League members can continue to support increased health coverage for more Tennesseans:

- **Talk to your legislators!** Contact your legislators and let them know that you support a plan to use federal dollars to buy private health insurance for Tennesseans who have no other way to get coverage. Take fellow constituents with you. Let your legislator know that you need him or her to speak to the Governor, Lt. Governor, and House Speaker on your behalf; that you know these leaders will listen to your legislator. Take photos of your visit and publish them in your local, association, or church newsletter and send a copy to your legislator. Let your legislator know that you will be following up; send a thank you and later call for a progress update.
- **Show your support!** Visit the Tennessee Plan Coalition’s website at [www.tennesseeplan.org](http://www.tennesseeplan.org) and sign the consensus statement to pledge your support. The League of Women Voters of Tennessee is one of over twenty groups that have pledged organizational support for the consensus. If you decide to add your name to the consensus, check the individual box rather than the group box. If you are a business owner, sign up in the group box. Encourage family members, neighbors, friends, and colleagues to sign up as well.

The Governor and our legislators need to understand how important Medicaid expansion is to Tennesseans. They need to understand that Tennesseans who vote (some 63% of registered voters according to a recent Vanderbilt Poll) want Medicaid to be expanded in our state. Tennesseans know that Medicaid expansion is important for all of us, for our economy, and for everyone’s health.



## Are We There Yet? The Rocky Road to Implementation of the ACA—Part VIII

by Health Care Directors Rashonda Lewis & Jessica Mathewson

### Health Care Marketplace Enrollment

Health Care Marketplace enrollment numbers are climbing steadily in states around the nation and in Tennessee. The marketplace opened October 1 and will close on March 31, leaving consumers with just 45 more days to select health plans. To date, nearly 60,000 Tennesseans have selected health plans via the exchange and over 40,000 people have been deemed eligible for Medicaid or CHIP. As predicted by many health policy experts, market place enrollment was extremely slow during the first month but quickly picked up pace during subsequent months. **Jonathan Gruber**, MIT health economist and ACA architect, predicts that the heaviest enrollment will take place during the final few weeks of open enrollment, so expect a big outreach push during upcoming weeks.

The table below shows Tennessee application and enrollment trends for four market place indicators: for (1) individuals who have selected a plan, (2) number of applications completed, (3) individuals deemed eligible for a plan, including those eligible for financial assistance, and (4) number of individuals deemed or assessed eligible for Medicaid or CHIP.

	Oct 1, 2013 – Nov 2, 2013	Oct 1, 2013 – Nov 30, 2013	Oct 1, 2013 – Dec 28, 2013	Oct 1, 2013 – Feb 1, 2013
Total number of individuals who have selected a marketplace plan	992	4,507	36,250	59,705
Total number of applications completed	17,598	39,231	87,890	N/A
Total individuals determined eligible to enroll in a plan (individuals eligible with financial assistance)	24,334 (8,573)	52,987 (19,552)	109,971 (52,480)	163,734 (82,649)
Deemed eligible for Medicaid or CHIP	4,089	5,768	17,066	41,743

Cumulative monthly totals. Sources: US DHHS ASPE Issue Brief, Health Insurance Marketplace: November Enrollment Report, November 13, 2013; US DHHS ASPE Issue Brief, Health Insurance Marketplace: December Enrollment Report, For the period: October 1 – November 30, December 11, 2013; US DHHS ASPE Issue Brief, Health Insurance Marketplace: January Enrollment Report, For the period: October 1 – December 28, January 13, 2014; US DHHS ASPE Issue Brief, Health Insurance Marketplace: February Enrollment Report, For the period: October 1 – February 1, February 12, 2014 at [http://aspe.hhs.gov/health/reports/2014/MarketPlaceEnrollment/Feb2014/ib\\_2014feb\\_enrollment.pdf](http://aspe.hhs.gov/health/reports/2014/MarketPlaceEnrollment/Feb2014/ib_2014feb_enrollment.pdf)

These numbers reflect the true need for access to affordable health plans and a process that, while still imperfect, has improved significantly over a short period of time.

With the open enrollment deadline on the horizon, many folks are asking: “What happens if I miss the deadline?” If you miss the March 31 deadline and you do not have insurance from another source, you could face a penalty. The penalty is \$95 or 1% of your income, whichever is higher. You will have the opportunity to select a plan during the next open enrollment period, which will likely begin November 15, 2014 and run until January 15, 2015. There are certain qualifying events that enable consumers to apply for a health exchange health plan outside of the current open enrollment period. You can find out more about these qualifying events at [www.HealthCare.gov](http://www.HealthCare.gov).

To support existing enrollment efforts and the surge of applications expected in coming weeks, Get Covered America is hosting an Outreach Summit on Saturday, February 22 from 10:00 am until 3:00 pm at Casa Azafrán (2195 Nolensville Pike) here in Nashville. Summit attendees will learn the basics of enrollment and how to connect friends, family, coworkers, and neighbors to enrollment resources and assistance. To register, visit [www.getcoveredamerica.org/events/rsvp/4jty4/](http://www.getcoveredamerica.org/events/rsvp/4jty4/). For more information or to volunteer, contact **Malcom Kipscomb** at [mlipscomb@enrollment.org](mailto:mlipscomb@enrollment.org) or 615-878-9739.

### Medicaid Expansion

On June 28, 2012, the Supreme Court ruled on several court challenges to the Affordable Care Act (ACA). The Court upheld the key provision of ACA: it’s individual mandate, but ruled that a mandatory Medicaid expansion would be

unduly coercive of states and states must be free to decide whether or not to accept federal funding to expand Medicaid. The Medicaid expansion would have made health care available to people (mostly working adults without dependent children) with incomes up to 138% of the federal poverty level, which for individuals in 2013 is \$15,856. The federal government is funding 100% of the expansion for three years, and will provide 90% funding thereafter.

According to a Kaiser Family Foundation Report, “Status of State Action on the Medicaid Expansion Decision as of December 11, 2013,” twenty-five states and the District of Columbia will be implementing a Medicaid expansion in 2014, two states will be seeking to move forward with Medicaid expansion after 2014, and 23 states, including Tennessee, will not be moving forward with an expansion at this time. Governor **Bill Haslam** initially opted out of a Medicaid expansion, but has proposed a Tennessee Plan, which he describes as a way to leverage federal dollars and lower the cost of private health insurance for the about 180,000 working people in Tennessee. Although the Haslam administration has provided very few details about the Tennessee Plan, the Governor is reported to have been in talks with the federal government. In a letter dated December 9, 2013 from Governor Haslam to Secretary **Kathleen Sebelius** (<http://nashvillepublicradio.org/wp-content/uploads/2013/12/image2013-12-09-145748.pdf>), the Governor outlined policy themes that will guide his future discussions with the federal government about a Medicaid expansion. These themes include cost controls and better outcomes via consumer cost sharing, consumer personal responsibility, and provider payment reforms. Earlier this month, presumably to get some clarity on how the Tennessee Plan would work, Tennessee House Minority Leader **Craig Fitzhugh** filed a freedom of information request for communications between the State of Tennessee and DHHS regarding a proposed Medicaid expansion.

The 2014 legislature is engaged in a tug-of-war of sorts over both ACA and Medicaid expansion. Some legislators have filed bills that support expansion (SB1975/HB1723), while others have filed bills that would block expansion (SB804/HB937, SB2019/HB1837). Senator **Ophelia Ford** and Representative **Gary Odom** have attempted to kill two birds with one stone (preventive care and funding Medicaid expansion) with a bill (SB2447/HB2096) that proposes a .02% tax on cigarettes to generate a funding stream for Medicaid expansion.

So we appear to be at a legislative impasse, despite of the predicted economic impact of an expansion and the outstanding amount of community support for an expansion. Tennessee stands to gain \$6.5 billion in federal funding for Medicaid expansion for \$200 million in Tennessee state funds. Study results released last month by Jackson Hewitt Tax Service show that failure to expand Medicaid could cost Tennessee employers between \$48 million and \$72 million in 2015. The Tennessee Hospital Association has estimated that failure to expand Medicaid could result in the loss of 7,000 to 11,000 hospital-based jobs throughout the state. In a recent Vanderbilt poll of registered voters, 63% of those surveyed supported the expansion of Medicaid through the ACA.

The Tennessee Justice Center has created a fantastic tool that clearly communicates what we stand to gain from a Medicaid expansion. Please watch this YouTube message at <http://youtu.be/HSeTJ7ZcIag> and share it widely. Also feel free to use the LWVTN talking points that make the case for Medicaid expansion at <http://www.lwvtn.org/Health.html>.

