

TENNESSEE GOVERNMENT

Update

NEWS FOR THE CLIENTS AND FRIENDS OF BASS, BERRY & SIMS PLC

As the Tennessee General Assembly prepared itself for the rush of committee work in the next two months, Governor Bredesen continued to discuss possible new health insurance initiatives in a series of meetings with affected constituencies.

On Wednesday, the governor gave children's healthcare advocates a preview of the elements of his forthcoming proposal. In a "round table" format, Governor Bredesen said that his new health initiatives would include four main points:

- Public health proposals, such as disease management for traditional problems like diabetes.
- State Children's Health Insurance Program (SCHIP), health insurance for kids underwritten with federal Title 21 dollars.
- Tennessee Comprehensive Health Insurance Program (TCHIP) proposal, a similar program for higher-income but uninsurable Tennesseans, for which the patients would pay premiums.
- And what Bredesen called "the centerpiece," his "Cover Tennessee" program, which he still has not outlined in public.

The Department of Commerce & Insurance's "Cover Tennessee" study of 2005 showed that most uninsured Tennesseans are employed but low-paid. The governor's matching program is expected to address that population. The 119-page report can be found at: <http://www.tennessee.gov/commerce/pdf/FinalHRSARReport2005.pdf>

The governor made medical insurance for currently uninsured Tennessee children a main point of his State of the State address. The federal SCHIP programs match \$3 in federal funds for each \$1 from the state, he said. Bredesen has steered clear of any hint that he would push for "pay or play" legislation, which would give employers new responsibility for extending health insurance to employees.

Bredesen indicated to the children's health advocates that he thought an income-level under 250% of poverty should be used to determine eligibility for the new SCHIP program in Tennessee. That would cover thousands of children in low-income, working

families not eligible for TennCare and would go around the consent decrees that the governor says limits the TennCare program. The SCHIP plan could include co-pays for participating families. The Safety Net Study Committee, another public forum sometimes used to telegraph the governor's plans, is scheduled to meet at noon Wednesday, March 2, in Legislative Plaza Room 30.

Medical Liability Reform

The ongoing drive by Tennessee healthcare providers, led by the Tennessee Medical Association, to pass medical liability reform continued this week with a meeting that included the Tennessee Trial Lawyers. The group gathered for two hours Wednesday to try to "reach a compromise," said Senator Curtis Person (R-Memphis), chair of the Senate Judiciary Committee. Person said he asked the groups to negotiate before bringing the several bills already introduced to standing committees of the legislature.

Bills

Senate Commerce, Labor and Agriculture Committee this week recommended SB 2575 Burchett/HB 3105 Maddox, the "anti-phishing act of 2006," to penalize persons accessing and distributing "identity theft" information through the Internet or wireless communication. The committee also created a subcommittee, Sens. Jim Bryson (R-Franklin), Tim Burchett (R-Knoxville) and Steve Southerland (R-Morristown), to study almost two dozen bills covering freezing of debit cards, credit reports, and similar matters regarding personal information restriction.

MADD Agenda

MADD Tennessee said the organization will announce its 2006 legislative agenda Thursday (March 2). The agenda will reportedly include:

- Administrative License Revocation
- Open Container
- Social Host Liability

Other Notes

Former state representative Chris Newton last week was sentenced in federal court in Memphis to a year and a day in prison after pleading guilty to accepting a bribe in the Federal Bureau of Investigation's sting operation, "Tennessee Waltz."

The Senate ad hoc committee on the special election in Senate District 29 Wednesday hired (on a 4-0 voice vote, two Republicans and two Democrats) retired Appeals Court Judge Ben Cantrell as special counsel. Cantrell is widely respected for his intelligence, integrity, and demeanor. The hiring of Cantrell is seen as a step to help the committee "cross t's and dot i's" in investigating the irregularities of the special election September 15 and in making a recommendation to the Senate. Committee Chair Mike Williams (R-

Maynardville) said he hoped to complete the committee's business in "two or three weeks."

The House deadline for introducing new bills passed on Thursday, with House bills numbering 4,049, which means 1,624 new bills have been filed since May 2005. Senate bills totaled 3,931, or 1,521 new Senate bills this year. The deadline for submitting Senate bills was postponed to March 1.

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