

## Tennessee officials halt funding talks with The Med after commissioner's complaint

By Toby Sells

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State officials have shut down funding negotiations with the Regional Medical Center at Memphis after a Shelby County commissioner filed a federal civil rights complaint against the state.

Commissioner Mike Ritz filed the complaint last Friday with the Department of Health and Human Services against the department and the state.

Dave Goetz, Tennessee's commissioner of Finance and Administration, shuttered future talks in a pointed e-mail to Med chairman Gene Holcomb Wednesday night.

"(The complaint) has changed our ability to negotiate any further agreement for the benefit of The Med," Holcomb said, quoting from Goetz's e-mail. "I sincerely hope some other sources become available to assist you. Thanks."

Interim Shelby County Mayor Joe Ford said, "It's those kinds of remarks that, for the lack of a better word, piss me off. Coming from Nashville telling us to find funding somewhere else."

He said he didn't agree that Ritz should have filed the complaint, but said a state official should "not retaliate by sending you a note."

Ritz said he filed the federal complaint "as a commissioner, citizen, voter and a taxpayer in Shelby County" over what he called "disgusting" government funding mechanisms the state uses to pay The Med.

Ritz's complaint was filed with the DHHS Office of Civil Rights in Atlanta and was submitted on his county commission stationery.

His letter said he was told by TennCare's chief financial officer that the state recently received \$200 million from DHHS and that \$81 million of it was based on uncompensated-care billings from The Med.

From that, the state has given the hospital just \$29 million to \$39 million each year, his letter said.

He filed the letter on behalf of The Med's patients and employees "who are predominately black, African-American, Hispanic and/or Latino" who would suffer from a lack of medical care or could lose their jobs if the hospital does not get "adequate" funding from the state.

"I'm not going to apologize for it," Ritz told Med task force members Thursday, noting that he wrote the letter weeks ago. "It only took one person to file a complaint and I decided I'd just do it."

Ritz said state officials have already asked him to withdraw the complaint. The request shows "how big of a bully they are" and that if no one in Shelby County speaks up that "they can keep treating us the way they do," he said.

Such a complaint could take up to six years to resolve, Shelby County Atty. Brian L. Kuhn said. He reported his findings to The Med task force nearly two months ago after the group directed him to study the issue. He also said an outcome of such a action could be that DHHS shuts off all The Med's funding to Tennessee.

State Sen. Jim Kyle, D-Memphis, said he wished Ritz would not have filed the complaint but that it won't hinder his efforts in Nashville to find solutions for The Med.

"I have never known (Gov. Phil Bredesen) to be personal in his decision-making and, generally speaking, most legislators are not," Kyle said. "We're businesspeople up here and whether someone does something you like or don't like, it's not going to change your judgment."

### **Regional Medical Center at Memphis**

**Needs:** \$32 million in new, annual funds

**Facing:** \$52 million in possible cuts from TennCare

**Consequences:** Could close if no new money and TennCare cuts realized

**More information:** [the-med.org](http://the-med.org)

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