In the Council Chambers of the Showers City Hall on Wednesday, January 22, 2014 at 7:30 pm with Council President Darryl Neher presiding over a Special Session of the Common Council.

COMMON COUNCIL
SPECIAL SESSION
January 22, 2014

Roll Call: Ruff, Sturbaum, Sandberg, Neher, Mayer, Rollo, Volan, Spechler
Absent: Granger

ROLL CALL

Council President Neher gave the Agenda Summation

AGENDA SUMMATION

It was moved and seconded that Resolution 14-01 be introduced and read by title and synopsis. Clerk Moore read the legislation and synopsis, noting there was no committee recommendation for this item. It was moved and seconded that Resolution 14-01 be adopted.

LEGISLATION FOR SECOND READING AND RESOLUTIONS

Resolution 14-01 SUPPORTING THE FULL EXPANSION OF MEDICAID IN INDIANA THROUGH THE AFFORDDABLE CARE ACT

Susan Sandberg noted that this resolution came out of a listening session held by the council on the topic of health insurance through the Affordable Care Act, Medicaid and health care issues.

Chris Sturbaum read the Resolution 14-01 in its entirety.

Karen Green Stone said she had worked on health care issues for a long time, and added that the US had the most expensive health care system in the world. She said that Medicaid expansion was to help people who worked minimum wage jobs. She noted that she knew people, who, if they had this coverage, would not have died for lack of medical care. They couldn't afford tests and did not want to bankrupt their families. She said not expanding Medicaid in Indiana was shocking and inhumane.

Dr. Judith Klein urged the council to vote for the resolution. She said that she was working at Volunteers in Medicine in the past month where she treated a woman with many serious health problems who ironically had a part time job signing people up for ACA coverage, but she herself was not eligible for it because she fell into the demographic of people who should have been covered by the expansion, but because our state didn't opt for it, was not eligible. She didn't make enough to be able to get insurance through the ACA marketplace. She said this story made her angry at the decision that Indiana had made in this regard.

Tom Gruenenfelder said he worked with the ACA volunteers in Monroe County and said that it was hard to rationalize telling people that he was trying to help get insurance that they were not eligible for Medicaid because our state was not doing the expansion, and that they were too poor to qualify for premium health or cost sharing heath insurance that were provisions of the ACA. He applauded the council's action on this resolution.

John Tilford, who had worked for years with local veterans, said this measure would help vets who were not able to take vans to Indianapolis for health care through the Veterans' Administration. He said the number of these people who were suffering from ills related to their service was increasing as veterans come home from Iraq and Afghanistan. He said they sometimes did not have the patience to stand in lines, fill out forms and that Medicaid expansion helped to make care accessible to them where the VA may not be able to.

Glenn Carter supported expansion of Medicaid to 400,000 Hoosiers who made too much to qualify for traditional Medicaid but made too little to qualify for a subsidy under the ACA. He said that his volunteering at the Interfaith Winter Shelter allowed him to have a unique perspective,

and he said it would literally make the difference between life and death for some people, especially those who suffered from alcoholism and addictions.

Rob Deppert, an insurance agent and Chairman of Democracy for Monroe County, said he had advocated for a single payer health care system for the whole country. He added that his experience was with people who were previously uninsurable or just couldn't afford health insurance. He talked of helping people find insurance when they had gotten the message that since our state had not expanded Medicaid, they should look elsewhere for coverage. He noted that people thought that had all changed with the ACA, but that Hoosiers were in the same place they had been prior to that measure.

Deppert talked about a friend who lost his job due to illness, and the fact that this person couldn't get health care because of unpaid medical bills. His friend died. Deppert said the reason we form government was to help people like that, those who have the least.

David Meyer said he was president of the Affordable Care Act Volunteers of Monroe County Incorporated, a chartered corporation dedicated to education on the ACA which serves to get as many eligible people as possible enrolled. He said the group had held health care plan comparison forums, several informational tables and were reaching out to faith communities with information and offers of help. He related several stories of clients who were part of the 22% of people who approached the group for help but were not qualified for insurance subsidies because of the lack of Medicaid expansion in Indiana. He said it was difficult to tell people that they were too poor to get a government subsidy but would qualify if only they made a little more money. He asked the council to support this resolution, hoping that it would make a difference for those people.

Nancy Woolery, Health Projects Manager with the City of Bloomington's Community and Family Resources Department, said one of her major responsibilities was to help people get health care in the community. She reiterated what Mr. Meyer said regarding citizens who were searching for health care, telling of a mother who was elated because her child had asthma, a pre-existing condition and could now get health care. She also told of an out-of-work woman who had emergency surgery and was now faced with a $75,000 hospital bill. She did not qualify for Medicaid or subsidies in the health insurance market place. Woolery said Medicaid expansion is really needed in Indiana.

David Wierhake said he was an advocate for a single payer health care system. He said that as he was substituting in an elementary school, the children learned a simple poem about a young boy who was ill and went to the doctor to get a pill. He said it would be wonderful if that was the simplicity of our national health care system. He also said that, *"A single voice that speaks out makes more noise than a hundred voices that remain silent,"* and urged the council to be that one single voice in the state of Indiana.

Milton Fisk talked about the HIP plan for Indiana, and that it was a competitive profit making plan for institutions and that made it the attraction for former Governor Mitch Daniels. He said the same thing was true for Governor Pence, and said that profit was the defining feature of his motivations. He said that successful health care systems were developed by a discussion with all parties, and had set limits on what everyone in the system could make. He said governors who oppose the expansion of Medicaid were also those who would be advocates of some form of corporate ownership of the medical system.

Rob Stone noted that he was the primary author of the text of the resolution that had been so greatly enhanced by community input. He noted that Bloomington was not the first community to pass a resolution of this type.

Stone told of his care of Medicare and Medicaid patients in his current and former practice of emergency medicine at the Bloomington hospital, and said that Medicaid had been described as a broken program, but it actually was more of a problematic program. He stated, *"I never in my life have seen any evidence by any wild stretch of the imagination that having Medicaid is worse than having no insurance at all."* He said that sequestering the poor in a single program would create political difficulties in getting adequate funding, as the poor don't vote in high percentages.

He responded to Spechler's question regarding arguments against Medicaid expansion in Indiana. He noted that the governor said that Medicaid promoted dependency, that it was too expensive, that we would be spending our children's inheritance. Stone said that in actual fact, taxes paid to the federal government could come back to Indiana to pay for this expansion, but instead was going to be sent to surrounding states that adopted the expansion model.

He gave the example of Ohio's Governor Kasich, a Tea Party Republican, who expanded Medicaid and announced, "when it comes down to it, when I'm facing St. Peter, they're not going to ask me what I did to shrink government. They're going to ask me what I did to help the poor."

Stone said that Pence was a visionary, but his vision for Indiana sounded a lot like Mississippi: a state with weak labor unions, poor public education, fairly good highways with terrible health and health care. He urged the council to stand up against that with this resolution.

Adrian Ziebolt, speaking in favor of the resolution, said that all the world's great religions taught compassion for the less fortunate and especially for the sick. He also noted that the ACA was, in fact, the law of the land. He urged the governor to use compassion to expand Medicaid because it was the right thing to do.

Natasha Jacobs, professor of philosophy at Ivy Tech talked about the effects of the health care issue for higher education. She said that 78% of college professors were adjunct and were experiencing cuts in their teaching hours so that the employers would not be required to offer health insurance coverage. She noted that this would result in the loss of good people, the diminishment of the quality of our education, and that we would experience a brain drain as people left Indiana to go to states where they could get health care coverage. She ended by stating, "An ounce of prevention is worth a pound of cure."

Final comments by council members:

Spechler commented that as an economist he appreciated the comments of and perspective of a philosopher, Milton Fisk and also those of Dr. Rob Stone. He said he would vote for the resolution but said it was just one small thing that needed to be reformed regarding health care in the United States. He noted there were problems with doctors accepting Medicare and Medicaid patients. He added that expansion of primary care providers was desperately needed in the US.

He said one explanation of the position against expansion of Medicaid was wide spread political opposition to the ACA and should be understood as such.

He said he spoke to former Governor Daniels about the Healthy Indiana Plan who said that the HIP plan was better than Medicaid, and that it also could be expanded by the state legislature.

Spechler said the bottom line was that there were many people

who could not afford to be covered by insurance and that we needed to do something, and while Medicaid was not perfect, more issues needed to be pursued. He added that this was just the beginning of a major political confrontation and that much more needed to be done, even if Medicaid was expanded in Indiana.

Ruff said several doctors were at the listening session that began the process, and asked that Dr. Stone to address Spechler's statement that Medicaid did not compensate doctors well and the problem of finding providers.

Dr. Stone said representatives of Internal Medicine Associates, Southern Indiana Physicians and Premier Health Care were at the listening session. He said they spoke of how their large practices had always had a consistent policy of accepting Medicaid patients. He said there was a problem statewide but less so in Bloomington where 75% of Bloomington physicians accept Medicaid. He added that almost all of those who accept Medicaid patients had to limit the number they see to have balance. He said Medicaid reimbursed 60% of what Medicare reimburses, and Medicare reimbursed 80-90% what Anthem reimburses.

He said that the better problem to have was how to get 400,000 patients seen rather than how to deal with people in the Emergency Room with 'too little, too late' care with a huge bill that they couldn't afford which might lead to financial ruin.

Rollo talked about the motivation for not expanding Medicaid and said he agreed that this issue was part of a larger political game that was being borne by the most vulnerable and poorest in society. He added that the media was so broken that they hadn't given this subject its due and had produced few reports that were full of distortions. He said that if the information in the resolution was available to them it would have an impact. Lack of federal funding and the fact that Indiana's tax dollars would be donated to other states expanding Medicaid would have an impact on Indiana's health. He said not expanding Medicaid was also a function of corporate interests, and a function of part of the Republican Party reacting to the Tea Party base and a cynical means to gain short term support. He said the bumpy rollout of the ACA was similar to the rollout of Medicaid in the 1960s, and has played into the hand of the critics. He wondered if this issue would force the working poor to leave Indiana for surrounding states and wondered if that could be the governor's motivation. He said that people should not be disheartened and that the expansion measure would eventually prevail.

Ruff said he hated to be cynical, and then referred to paying a 10% cost in future years of this program. He said that the state paid 20% of federal transportation costs immediately, not phased in as it would be with the ACA. He likened the two programs in job creation and economic activity, and said it was disingenuous to say that cost was an issue. He said that those opposed to this, because of their basic philosophy, were also wary of social security, afraid of a successful public program, and wanted a private sector, competitive, market driven, profit motivated system according to their basic philosophy. He said that a deeper look at those opposing this expansion would reveal differences in basic ideology and electoral politics as they believe government should be shrunken. He believed that the connection between a program that would improve health care and their government would create a link to political platform, and office holders, and thus was a motivator for detractors to continue to oppose this measure. He noted that other governors had taken the step to expand Medicaid. He said this resolution was an opportunity to open a discussion, expand information dissemination and possibly make a difference.
Sturbaum said that a majority of people did not like "Obamacare" but

supported the Affordable Care Act. He said this explained the confusion that people had regarding health care. He said the governor had a tremendous responsibility to the people of Indiana, and that the medical coverage of citizens was on his head. Sturbaum said that millions of tax dollars sent by Hoosiers to the federal government were not returning to Indiana because the governor would not accept the program to expand Medicaid. He said that Mr. Pence would be responsible for the closing of hospitals, the loss of good paying jobs, and that this issue was his responsibility. He asked Pence to look out for Hoosiers and added that the marketplace had a mind, but had no heart. He said it was time to hold Pence accountable for this misguided reading of this moment in time by turning down dollars for health care.

Volan said the question about the arguments against expansion of Medicare was worthwhile and appreciated the discussion on such. He said the arguments against expansion started with absolutism and zero tolerance policies that government is inherently bad and more government is evil. He added that personal morality also entered into these stances regarding worthiness, freeloading, and laziness with a zero tolerance for mistakes and frailty. He noted his longing for 'compassionate conservatism' for elderly people, children or the disabled who could not work and added that today's conservatives had a pre-emptive grudge against anyone without money. He said the governor's stance against expanding Medicaid was not compassionate. Volan said that he could not understand how someone who called themselves Christian could hold this view that was contradictory to their faith.

He said this resolution was a plea to dispose of that absolutism. He said that zero tolerance policies were a meat cleaver while the problems of a complex and interdependent modern society called for scalpels and laser beams. He hoped the resolution would send the message of understanding the war on sin, but bring back compassion in ending the war on sinners; start by expanding Medicaid.

Mayer re-read the resolution's first WHEREAS clause:

> *WHEREAS, Indiana ranks poorly in measures of health. We are 41st out of all 50 States in overall health, with our position falling four spots since 2011. We are a disgraceful 47th in infant mortality.*

He said we couldn't get much lower than that, and we were literally 9th from the bottom in overall health care, and 3rd from the bottom in infant mortality. He asked how we could leave 350,000 Hoosiers on the sidelines when it came to health care. He asked how 4300 Monroe County residents could be told that they couldn't have health care. He asked how veterans who carried the country's flag could be left out in the cold regarding health care. He said to him it was unconscionable.

He said the financial benefits from accepting the expansion of Medicaid in the state was great and that the state should expand the program.

Neher said if one would measure the success of the expansion of Medicaid by outcomes, our state would fail miserably. He asked if it made sense to reinforce a model that had been failing, noting that no business model that failed to that extent would be rewarded. He noted that a recent article reported that Jackson Hewitt tax preparers had released a report which found that states that did not expand Medicaid would leave employers exposed to higher federal tax penalties under the ACA. He said up to $1.5 Billion per year after 2015 could be allotted in penalties for these states. He said this did not protect the citizens of Indiana, or the businesses that were successful.

He said that states that did expand Medicaid got a return on their tax dollar at a ratio of $5.11 returned to the state for every dollar spent in the expansion. He said for each dollar spent on the program, states not participating left $8.03 on the table. He said that cynicism was not an

unnecessary feeling given the antics of the state legislature in moving a bill from one committee to another to ensure its passage.

Resolution 14-01 *(cont'd)*

Sandberg said the resolution supported full expansion of Medicaid in Indiana through the Affordable Care Act. She said that this was an incredible document that came from the citizens of Bloomington, not solely the work of the council. She noted the beginnings of the resolution with the work of Dr. Rob Stone and Karen Green Stone had been enhanced by the rich public comments from a listening session held with professionals, people who had stories to tell, and people who were trying to educate community members about the Affordable Care Act. She said this represented the values and political will of the community. She said it was now time that we all stood up and be activists.

Sandberg said that cynicism was unacceptable to her; the arc of justice would come around. She commended the Hoosiers for a Commonsense Health Plan and Stacy Jane Rhoads for their incredible help on the resolution. She thanked Dan Sherman, Council Attorney/Administrator for his help as well. She urged citizens to take the message of this resolution forward, and then concluded her remarks by saying that we needed a new governor.

Resolution 14-01 received a roll call vote of Ayes: 8, Nays: 0

COUNCIL SCHEDULE

Dan Sherman, Council Attorney/Administrator, noted that there was an Internal Work Session scheduled for Friday, January 24, 2014 to discuss the Matlock Heights historic designation and the CDBG funding for 2014. Neher polled the individual council members and there were enough to keep the work session on the agenda.
Sherman also said that there was no meeting scheduled for the following Wednesday.

ADJOURNMENT

The meeting was adjourned at 9:20 pm.

APPROVE:

Darryl Neher, PRESIDENT
Bloomington Common Council

ATTEST:

Regina Moore, CLERK
City of Bloomington