

# Selendy Gay Achieves Victory for Medicaid Enrollees in Tennessee

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Selendy Gay, along with the Tennessee Justice Center, National Health Law Program, and National Center for Law and Economic Justice, secured a sweeping ruling that TennCare, Tennessee’s Medicaid program, violates the Constitution and federal law. The case was brought on behalf of a class of over 100,000 TennCare enrollees who were improperly disenrolled from coverage without the constitutionally required due process of adequate notices and appeals.

After years of litigation culminating in a bench trial in Nashville, the District Court for the Middle District of Tennessee issued a 116-page decision, ruling that TennCare violated the class’s rights under the Fourteenth Amendment, the Medicaid Act, and the Americans with Disabilities Act. The court found that TennCare’s system was “rife with flaws” that ultimately created a barrier to coverage through erroneous eligibility determinations, incorrect notices, hidden reconsideration policies for enrollees, and unwritten appeals policies that directly contradict written rules. The court ordered the parties to mediation to determine the appropriate scope of injunctive relief.

In the opinion, Judge Waverly Crenshaw wrote: “[W]hen an enrollee is entitled to state-administered Medicaid, it should not require luck, perseverance, and zealous lawyering for him or her to receive that healthcare coverage. Luckily for the Plaintiffs, they had all three.”

The team at Selendy Gay was led by partners Andrew Dunlap and David Coon, and associates Babak Ghafarzade, Laura King, and Alvaro Mon Cureño.

Read the decision [here](#).

For individuals seeking assistance with issues related to TennCare, please contact the [Tennessee Justice Center](#).

## Attorneys

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**Practice**

- Public Interest and Pro Bono