



Defund politics: Internal GOP debate

Sen. Coats describes Indiana delegation debate on Obamacare, shutdown & default

By **BRIAN A. HOWEY**

INDIANAPOLIS – When Dan Coats became Indiana’s senior U.S. Senator this year, he began gathering the state’s Republican delegation to discuss and coordinate on national and state affairs. This past summer, as Heritage Action fomented the defund Obamacare effort that included Hoosier disciples such as U.S. Reps. Marlin Stutzman and Todd Rokita, the meetings took on greater meaning.

What emerged is not only a generationally defining vote, such as the Oct. 16 question on whether to reopen the government and pull away from the first federal default in history, but a notion of whether the nation can survive what has



Sen. Dan Coats (above) and U.S. Rep. Marlin Stutzman viewed the defund Obamacare math differently.

become a deeply polarized Congress and White House. Party discipline is breaking down, social media is redefining news cycles and fueling the emerging radical right, and

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Lemmings and Republicans

By **CRAIG DUNN**

KOKOMO – I remember back in grade school watching a science class video about migrating lemmings insanely driving themselves to jump off cliffs. I know that lemmings do not intentionally commit suicide, but the end result is the same. It is all about the herd blindly rushing ahead toward some unknown and unseen destination. A plunging death is merely the nasty, unfortunate by-product of irrational behavior.

And so it seems that the final destination of the Republican



“If Evan Bayh moves here and Evan Bayh starts campaigning like he used to, then maybe I’ll reevaluate, but right now I refuse to drink the Kool-Aid that Evan will come back and save the day.”

- Mayor Thomas McDermott



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Party may rest at the bottom of a cliff as the Indiana Legislature prepares to do the incredibly unnecessary and politically ill-advised task of ramming HJR6 through the Indiana General Assembly.

Graduates of the "I Can't Stand Electoral Success So I Must Self Destruct" school of thought, the leadership of the Indiana General Assembly has gone to the whip and bullied representatives and senators in an effort to achieve lockstep compliance on the issue of constitutionally defining marriage in Indiana. It makes little difference to the ringleaders of this flawed legislative initiative that Indiana already has a law that defines marriage. They believe, and more importantly, their benefactors believe, that the figurative marriage football must be spiked in the face of anyone who doesn't look, act or function like they do.

We will hear the Gregorian chant of the Capitol Street Boys Choir singing "Let My People Vote" as they try to sell the constitutional referendum to the public. They will avoid discussing why no other current laws need to be incorporated into the Indiana Constitution. We have a law that allows right turns on red lights. Why not a constitutional protection for that law? We have a law proclaiming cream pie as our state pie. I am shocked, I tell you, shocked that we haven't afforded our favorite pie with the crusty, wholesome protection of our constitution.

The very same leadership who denied the citizens of Indiana the ability to vote on the critical issue of Right to Work now believes that it is every citizen's right to have a chance to decide on a critical issue. This is political perfidy at its best and unhealthy hypocrisy at its worst.

I have tried my best to find any political wisdom in spending vast amounts of political capital on such an unrewarding and worthless venture. It appears to me that the entire prem-

ise behind HJR6 is that someday Republicans won't control the governor's office, Indiana Senate or the Indiana House and some evil person will try and pass legislation redefining marriage or establishing domestic partnerships. With such flawed thinking and misplaced political special interest pressure at work on unnecessary issues such as HJR6, it might actually become a self-fulfilling prophecy.

Republican leadership should carefully weigh the implications of why business stalwarts such as Lilly, Cummins and the Indianapolis Chamber of Commerce have come down firmly against HJR6. It is a signal that passage of HJR6 has significant economic impact on the State of Indiana. I firmly believe that the economic health and expansion of economic opportunity is the primary duty of our legislature, not the indulgence of petty personal whims.

Politics is all about addition and multiplication. Anything that Republicans do that further carves away support from a dwindling population of believers is political insanity. In my opinion, HJR6 is nothing short of political suicide and the definition of insanity. The Republican platform is silent on the issue of definition of marriage and its legislators should be the same. The combination of gratuitous federal largesse and a complicit mainstream media message has grievously distorted the Republican brand among blacks, Hispanics and other ethnic groups. Frankly, if we lose any more demographic groups, Republicans risk being relegated to the dustbin of history.

In 2014 we will have critical elections in Indiana. A ballot item regarding a constitutional amendment defining marriage will bring out countless voters who are rarely motivated to vote in a non-presidential election year. They will come out of the woodwork to vote on this issue alone. They will be younger, more liberal and they will hang around the voting booth long



enough to vote Democratic. Democrats who have painted a big target on the backs of lower name ID statewide candidates are salivating at the prospect of energizing their base using this one ballot issue. We simply must not allow HJR6 to see the light of day nor a place on a ballot.

The potential damage from a constitutional marriage amendment does not stop with the 2014 election. With Evan Bayh lurking around the edge of Indiana politics and Democrats knowing that they came within a hair's width of winning the Indiana governorship, this battle could well spill over into 2016 and seriously harm Mike Pence's opportunity for reelection. We all know the fiscal mess we were in before Mitch Daniels was elected governor. I, for one, do not want to sink back into the swamp of Democratic mismanagement. We have come too far to lose it all over a senseless political issue.

I have heard the message loud and clear from many members of the Republican Party who feel the same as to the reckless, ill-advised nature of HJR6. These are the worker bees who work tirelessly at getting Republicans elected. We simply cannot lose voters and our party workers over the marriage amendment. I have no desire to

have chiseled on my tombstone that I was once chairman of the Howard County Whig Party.

Our Indiana Legislature works best when it acts in the best interest of all of its citizens. Economic growth, jobs, education reform, healthcare and government efficiency are the topics that Hoosiers want to see addressed. A family struggling with basic economic survival or a young person who cannot find a job wants critical issues addressed by their senators and representatives and they will have zero tolerance with time wasted pursuing the agenda of Indiana's ayatollahs while there is so much important work yet to do. HJR6 fails my Joe Sixpack test completely.

So I think about those cute little furry critters, the lemmings, who wonder why they are running so fast toward the cliff. There must be one who pauses, looks up and asks plaintively, "Why are we doing this insane suicidal act?" only to be told, "Shut up and follow the ass in front of you!" Let's hope for Indiana's sake that our legislators will not follow the same command. ❖

Dunn is chairman of the Howard County Republican Party.

Defund, from page 1

Americans are losing confidence in an array of institutions that form the bedrock of society.

Coats is now in his second stint in Congress after leaving the Senate for 12 years in 1999. And he is alarmed at the distinct erosions of trust in today's Congress. "I've been talking about a trust deficit for a long time," Coats said in an interview last week at Harry & Izzy's in downtown Indianapolis. "There is a trust deficit in institutions, starting with the federal government, starting with those who represent the people. They are very frustrated. They're as frustrated as I was after coming off 12 years being in the private sector."

The senator was asked whether he was aware of the derision and ridicule aimed at Congress. The prior weekend, at numerous social events this writer witnessed, even those generally apolitical were snide and emotional when the topic of Congress came up. It dovetailed with an array of polling data emerging since the federal shutdown began on Oct. 1, with Congress sinking to a record low 5% approval in an Associated

Press/Gfk Poll.

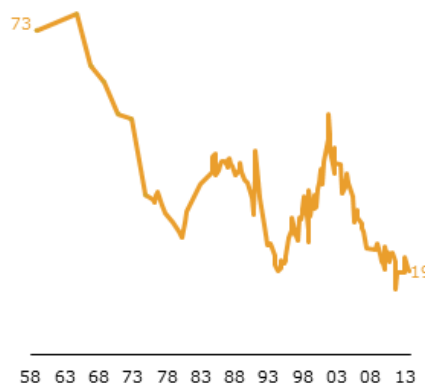
In an NBC/Wall Street Journal Poll released Wednesday, 63% of voters want to replace their own member of Congress, which is the highest percentage ever recorded on this question that dates back to 1992; 74% believe Congress is contributing to problems in Washington rather than solving them; only 22% percent think the nation is headed in the right direction; and 50% think it's likely that there will be another government shutdown. President Obama's disapproval is at a record high 51%. "It feels like we're in a Howard Beale moment," said Democratic pollster Peter Hart, referring to an often-quoted line from the 1976 movie "Network." "We're mad as hell and we're not going to take it anymore."

Last Sunday at Michigan City's Sinai Forum, Senate Historian Peter Baker called the relations between senators "awful," and that was punctuated a few days later when U.S. Sen. Tom Coburn called Senate Majority Leader Harry Reid "an absolute asshole."

"I understand the public frustration with the dysfunction in Washington," Coats responded. "We're running a sharp line between the Democrats and the Republicans. The place just isn't

Trust in Government Again Near All-Time Low

% saying they trust federal gov't to do what is right just about always/most of the time



PEW RESEARCH CENTER Oct 9-13, 2013. Line represents a three-poll average. Data from Pew, Gallup, CNN, ABC/Washington Post, CBS/New York Times, and National Election Survey.



working. That's a dangerous thing for democracy when you lose the opinion of people and institutions who were sent in your interest and the interest of the country. That is a very dangerous thing, as history has shown. I think that needs to be restored."

Within the Indiana Republican delegation, there were fissures emerging with the issues, even as the new sophomore and freshman members generally are in sync. House Republican sources tell HPI that Coats has emphasized pulling the delegation together frequently to talk through issues and members understand where each stand on an issue. "They do a good job of supporting each other," one House staffer told HPI. "If one member speaks on the floor, generally there are multiple members from Indiana on the floor."

As the vote on HR 2775 revealed, the delegation was divided on the heaviest issue of the day, whether to reopen the government and avoid default. When the vote came down, Coats and Democratic Sen. Joe Donnelly, along with Republican Reps. Todd Young and Susan Brooks and Democrats Andre Carson and Pete Visclosky voted yea. The five other House Republicans voted no, with some afforded the luxury of making a statement vote to ward off potential primary challenges since Boehner had enough votes to avoid the default. U.S. Rep. Jackie Walorski, for instance, voted no, and in doing so, probably avoided a primary challenge from Curt Nisly, the husband of Elkhart County Republican Chairwoman Mary Nisly (See Jack Colwell's column on page 7).

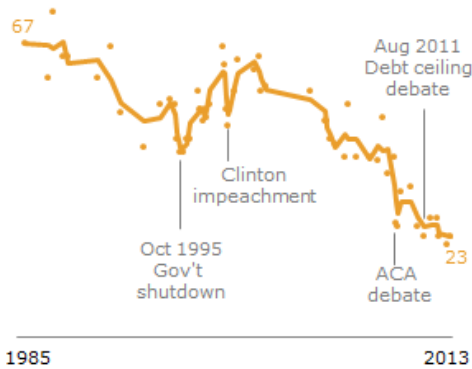
But what clearly emerged within the delegation was a divide between those recognizing the political realities of the day, and those like Stutzman and Rokita who picked up the Heritage Action line and were willing to go where no Congress had gone before.

It was fueled for Jim DeMint, former South Carolina senator and now Heritage Foundation CEO, who, Coats said, formulated the strategy to use a government shutdown and default as leverage to defund Obamacare. As the vote drew closer, Chris Chocola, former Indiana congressman and current Club For Growth president, goaded the radical right into not capitulating.

"The goal was to try and convince Democrats of the inadequacy of this legislation," Coats said of the defund Obamacare effort. He was a cautionary voice in the ramp-up to shutdown, trying to convince fellow members that the health law couldn't be defunded. "The whole effort was

Views of Congress Remain Overwhelmingly Negative

% saying they have a favorable view of Congress



PEW RESEARCH CENTER Oct. 9-13, 2013. Line represents a three-poll average, while dots show individual polls.

directed at Republicans who didn't think the strategy would work, instead of the Democrats," Coats said. "The idea was to put pressure on Democrats who would feel it from back home. They thought there would be a mass uprising by the American people. Well, they were able to implement the strategy; it didn't work."

A House Republican source observed that 95% of Obamacare funding is mandatory, and only a mere 5% was covered in the Continuing Resolution.

Instead of Democratic senators and representatives being bombarded with calls, it was House Republicans outside of the radical right that were in the Heritage and Club For Growth bullseye.

Good communication within delegation

Asked to describe the Indiana delegation meetings as the defund effort gathered steam, Coats explained, "There was good communication. Obviously we didn't come out as one vote in the end. We have an agreement and we have to respect people who come down on different sides of it. But there was a very good communication and discussion back and forth in terms of this particular issue. And I don't want to take a position where I say this is the absolutely right thing to do. I respect people's difference of opinion because it was a complicated issue."

Coats described delegation members who viewed the scenario through different lenses. "Some were looking at it from the default standpoint, raising the debt limit, and some were looking at it from a shutdown standpoint," Coats said. "I respected the choice for the ones who didn't vote the way I did."

Stutzman, a close ally of Heritage's Jim DeMint, was an early advocate of the defund effort in mid-summer and congressional staff sources tell HPI he addressed the delegation on his stance.

"But here's why I did what I did," Coats continued. "This is the conclusion I came to. We talked about this in July. The question was whether this strategy would work. We're all on the same page in terms of Obamacare, and the repeal and replace. But there were questions about strategy and accomplishing that. I didn't think the shutdown would work. I didn't see the President bending, or Democrats in the Senate coming our way. The bottom line was those who thought the shutdown was the best strat-



egy were able to test it. And it didn't produce the results. If it had produced the results, it might have been a worthwhile thing to do. But my opinion was the Democrats would not come across the aisle to support this. The President would never sign that bill. So, I think what was unfortunate about the whole thing, the Cruz strategy – which was really developed by Jim DeMint – has become the face of that. But it is the lobby group that has designed the strategy and enforces it through various means."

Previous HPI analysis has focused on the 1988-89 sequence when Doc Bowen's catastrophic health care law was signed by President Reagan, and then repealed a year later as public opinion shifted dramatically against it. Coats said of President George H.W. Bush, "He had no stake" in the Bowen law. "There wasn't a president who said, 'This is my signature item. This is why I'm here.'"

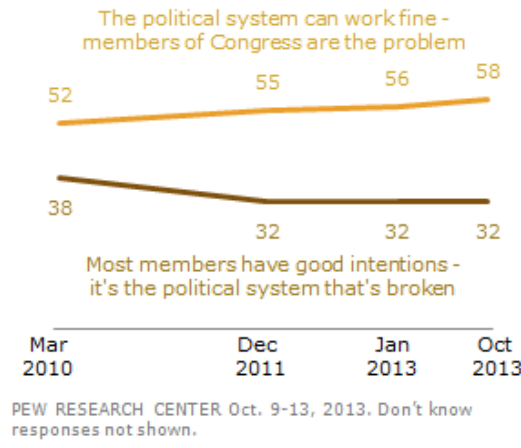
That was the case with President Obama, who for the next three years will defend Obamacare. "That's the huge difference between Obama and Bush," Coats said. "That's what is so different with this situation. No one gave any kind of realistic assessment where the president would say, 'Oh yeah, that was a terrible mistake. Give me my pen so I can sign this.' That's why the math just doesn't add up because it would take 21 Democrats to override a presidential veto. That just simply isn't going to happen."

Now what?

"The question now is, how do we continue this effort?" Coats said. "We all share the same goal. Hopefully we can unite and put forward a very credible replacement with our broken health care system. We can't just criticize what isn't working. I personally think we're in a much better position to do that now having resolved the shutdown/default, at least for three months because now the public is shifting its focus back to Obamacare, which is unraveling before our eyes. Now we learn the government has spent over \$400 million in just developing the website and they've had four years to do it."

"If we can come forward with a better vision on how we can address some of the issues, we are much more credible and hopefully we can unify behind that," Coats said. "But if we insist the only way to so this is to shut down the government again, I think we're right back

More Blame Members of Congress than the Political System



where we started, with an intransigent president and support from every one of his Democrats, and we're fighting each other. I wish all the emails that flooded into my office had flooded into a Democrat's office."

This might be wishful thinking.

Rep. Stutzman told Fort Wayne Business Weekly this past week that another shutdown could be warranted, saying, "It's up to the president."

"My hope is that the president, come January, will have realized that Obamacare needs to be reformed and will come and talk," Stutzman said. "We went above and beyond, and they didn't even negotiate and come to the table and say, 'Let's do tax reform, or let's do the farm bill,' or any of our proposals."

As for the collateral damage to the GOP brand, Stutzman said told Fort Wayne Business Weekly, "No disrespect to you, but you can't get your facts from the media. You can't get it from The New York Times or The Washington Post," he said. Stutzman sources told HPI the congressman's comments were off the record and taken out of context.

Coats walked through a conversation he had with a constituent who advocated shutdown. "I asked a number of people who were not happy with my decision, it hasn't worked. How long do you think we'll have to shut down?"

"They said, 'Well, it didn't have enough time.'"

"I said, you didn't get one Democrat. It's hardened them and Republicans are taking the brunt of all this in shutting down the government all over this dysfunction of Obamacare. I asked the question, 'How long do you think? If you think this is a viable strategy but it didn't have enough time, how much time should we give it with the government totally not functioning and defaulting on our debt?'"

This is the response Coats heard: "As long as it takes." What if it takes a year? Again, the response was, "As long as it takes."

Coats responded, "I don't think the President would change his mind, and 21 Democrats aren't going to override a presidential veto; that means we could wait three years."

Coats heard this response: "If that's what it takes, that's what we should do."

"And that is something I just couldn't accept," Coats said. "This society cannot function with the government closed for three years. Going back to that same strategy doesn't seem to me to make sense. I don't know



what it accomplished. We didn't do anything to slow down the Affordable Care Act or to defund it."

The incongruous reality settled in after the shutdown, when Coats heard the CEO of Heritage Action Michael Needham say on the morning of Oct. 16, "Well everybody understands that we'll not be able to repeal this law until 2017. We have to win the Senate and win the White House. Right now it is clear that this bill is not ready for prime time. It is clear the bill is unfair."

Coats heard that and thought, 'We went through all of this for him to say that?'"

Despite Needham's comments, Heritage Action announced later that day that it would score the vote on its report card. Others associated with Heritage indicated that a yea vote would mean that "they own Obamacare." Within the Indiana delegation, sources tell HPI, members advocating the defund effort "never sent that message to the rest of the delegation."

Breakdown of discipline

Coats said the surprising element to this chapter is that the Senate majority held. "Usually it's the minority caucuses that stay united," Coats said. "The only way you could have any leverage as a minority was to be united. But today the Democrats have maintained unity as a majority. In a way, they thwarted everything the Republicans have sent from the House to the United States Senate. They do have a 55-45 margin. They've got diversity from Bernie Sanders who defines himself as a Socialist to some of the newest members who were elected because they were much more moderate or even conservative. Harry Reid doesn't give the appearance of somebody who cracks the whip internally, but the results speak for themselves."

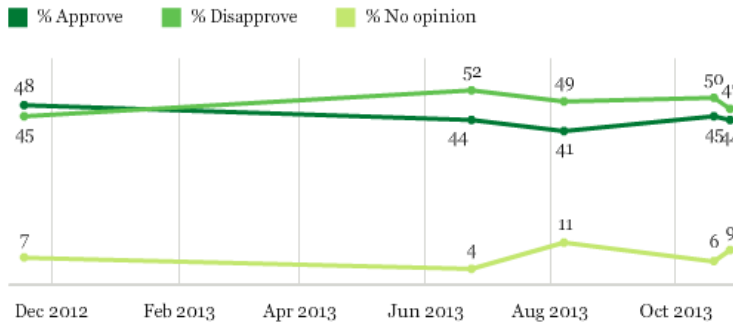
There are other factors.

One is the 133 Congressional districts drawn in 2011 across 30 states that give Indiana Reps. Stutzman, Brooks, Walorski, Rokita and Luke Messer pretty much a free pass in general elections. Instead, they worry about primary challenges.

"I think it's a combination of the safe districts and 'My only worry is the primary coming from the right,' and the social media which allows members to send things not beholden to the party line," Coats observed. "It creates

Americans' Views of the Affordable Care Act

Do you generally approve or disapprove of the 2010 Affordable Care Act, signed into law by President Obama that restructured the U.S. healthcare system?



GALLUP

their own funding base, their own identity."

Sen. Donnelly, the Democrat who benefitted from Heritage and Club For Growth's advocacy against Sen. Dick Lugar in 2012, agreed that allowed him to win the Senate seat, said, "You look at what we just went through. They don't like the health care act, so the way they respond to it is shutting down the government. We just didn't see things like that before. There's an extreme type of politics that's being pursued here that is not reflective of our state or country."

Concerning GOP fears of a primary challenge, Donnelly said, "It seems clear to me that the he fear of a primary has caused some poor decisions to be made. Look at what they did to Sen. Lugar."

Sens. Ted Cruz and Rand Paul are using the Obamacare defunding and, in Cruz's case the shutdown, to stake a different course on their way to a potential 2016 presidential ticket. Some fear that the tactics of Cruz are not only tarring the GOP brand, but are dividing the party.

"I think our opportunities for taking the Senate in 2014 and winning the presidency in 2016 will require unity within the party," Coats said. "Potentially the largest downside of this is it splits the party." ❖

GALLUP DAILY

Oct 27-29, 2013 – Updates daily at 1 p.m. ET; reflects one-day change

Obama Approval	42%	-2
Obama Disapproval	50%	+1
Payroll to Population	43.7%	-0.1
Underemployed	16.6%	-
Unemployed	7.3%	-
Job Creation Index	20	+1
Economic Confidence	-31	+2
Consumer Spending	\$86	+2
Thriving	52%	+2
Struggling	44%	-1
Suffering	4%	-1
Happiness	45%	-8
Stress	10%	-1



Berry, Zody have varied views on Walorski chances

BY JACK COLWELL

SOUTH BEND – Looking north from their political party offices here, the state Democratic and Republican chairmen see a 2nd Congressional District race that could become a battleground of national importance. A few weeks ago, it didn't look like any real battle.



Not surprisingly, in interviews here the chairmen saw far different outcomes as Rep. Jackie Walorski, the Republican incumbent, seeks a second term.

State Democratic Chairman John Zody said he sees Walorski as "vulnerable, more so now" after her early demand for defunding of the Affordable Care Act in any government funding resolution and her vote

against the bipartisan compromise to reopen government and stave off U.S. financial default.

State Republican Chairman Tim Berry said he sees that one vote as unlikely to hurt Walorski's reelection chances in 2014 because of the way "she is doing a very effective job, tirelessly going all around the district."

Berry said her effectiveness in listening to constituents is one reason Democrats have had difficulty finding a candidate and now consider a possible challenger with almost no name recognition in the district. He was referring to Joseph G. Bock, a University of Notre Dame Institute of Global Health administrator, who is seriously considering announcement of candidacy for the Democratic nomination.

Zody said he has met in South Bend with Bock and considers him "a good candidate." He added, "I like Joe." But the state Democratic chairman said he is making no endorsement at a time when it's uncertain if other candidates could enter the race.

Meanwhile, it appears that Walorski's "no" vote on the government reopening compromise has prevented a Republican primary challenge from Curt Nisly, a Tea Party member whose wife, Mary, is the Elkhart County Republican chairman.

Nisly said he was set to announce as a candidate

on the morning after the vote on the reopening if Walorski had voted "yes."

"At this time we are not moving forward," Nisly said of a GOP primary challenge. "I am leaving the door open a little bit," he added. Nisly saw the bipartisan compromise as surrender to President Obama and congressional Democrats.

Zody said, however, that all polls show that the government shutdown was unpopular and that congressional Republicans are getting most of the blame, giving Democrats a chance to win seats, such as the 2nd District seat, that had been counted on by the GOP as secure.

Zody contended that Walorski threw away any claim to bipartisanship when she supported seeking Obamacare defunding in the shutdown and debt ceiling showdown and voted "no" on the last-minute compromise.

"Nothing was more partisan," said Zody.

"I can't imagine anyone winning an election on a single (congressional) vote" coming more than a year before the election, said Berry. He said Walorski and other Republican members of the Hoosier delegation will be judged on their work throughout the session.

Of Republicans, Sen. Dan Coats and two House members voted "yes." Walorski, 3rd District Rep. Marlin Stutzman and three other House members voted "no." Of Democrats, Sen. Joe Donnelly and the two Democratic House members voted "yes."

Most of the incumbent House members from Indiana appear to be safe, no matter how they voted, in part because redistricting left the two Democratic representatives in overwhelmingly Democratic districts and left most of the seven Republicans also in very safe districts.

Of the seven Republicans, Walorski had the closest race in winning in 2012. She won a first term in defeating Democrat Brendan Mullen by just 1.4 percent of the vote.

Democrats nationally had been expected because of that to target the 2nd District as a key battleground in 2014. But when Mullen decided not to run again, it slowed down any targeting decision.

Berry said the decision by Mullen and lack of another challenger getting an early start showed that Walorski this time is in a stronger position. She is on track to reach a million dollars in fundraising by the end of the year.

❖ **Colwell has covered politics over five decades for the South Bend Tribune.**





A to F is a radioactive line in the education sand

By **BRIAN A. HOWEY**

INDIANAPOLIS – From a purely political viewpoint, Indiana’s A to F school grading system is radioactive. It not only was partially responsible for getting Republican Supt. Tony Bennett booted out of office by Hoosier voters in 2012, but the fallout from inter-staff communications prompted him to resign from a similar appointed position in Florida less than a year later.

Now we see Democratic Supt. Glenda Ritz embroiled in an imbroglio with the appointed State Board of Education over what appears to be an inherently flawed and even punitive system. Supporters of A to F view it as an accountability mechanism to prod poorly performing schools.

It’s an interesting dynamic that the State Board of Education, dominated by appointees of Govs. Mitch Daniels and Mike Pence, would choose A to F as a line in the sand as it grapples for power with Ritz, when just about everyone and everything touched by this law has ended up with burns and bruises.

First, let’s examine the initial political impact of the A to F law. The 2012 grades were released just days before the November election, as Bennett was to face voters in his reelection. In his recapping of the Ritz campaign’s social media strategy for *Howey Politics Indiana* in its Nov. 11, 2012, edition, David Galvin, who directed that campaign and is now the superintendent’s communications director, saw A to F as “Dr. Bennett’s biggest problem.”

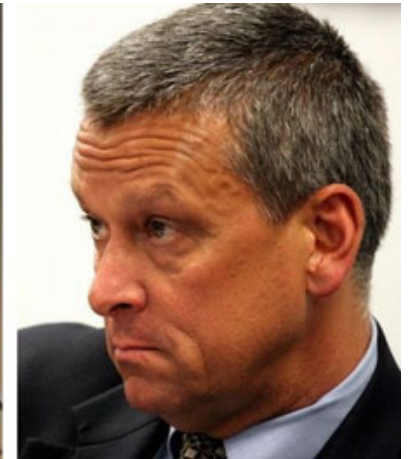
The Ritz campaign had anticipated the release of the A to F, but it was delayed until less than a week before the campaign. And now we know why: The Bennett administration was recalculating grades of not only prominent charter schools such as Christel DeHaan’s Christel Academy, but, as we know from the publicly released Bennett emails, 165 schools in total. Like the Obamacare website, we’ve learned that the Bennett A to F calculations were not properly tested.

Dropped on the eve of the election, the low grades of schools scattered across the state brought a firestorm of reaction from Democratic Hammond, to Republican Goshen, where schools received Ds and Fs. It angered a network of school administrators and teachers, extended families and school constituents, fueling a late surge

against Bennett that resulted in his upset and propelled Ritz not only to victory, but with a plurality bigger than Gov. Pence.

But SBOE members ranging from Marian University President Daniel Elsener to newly appointed Democrat Gordon Hendry view A to F as a viable way to bring accountability to the education system. Bennett ushered in the nomenclature of using familiar report card letter grades during his four years in office, replacing a system where schools grading below the top two or three categories were in an obfuscated zone. Now, if your school gets a “D” or “F” it is easily digested by the public. It can also induce outrage and shame in a community.

In the view of the SBOE members, that brings



competition to the system. The Indiana State Teachers Association, where Ritz was a trustee prior to her election, has resisted such accountability. Little wonder, then, that both sides are digging in.

The other element to this story is that in the sprawling reforms passed by the Indiana General Assembly in April, 2011, and heralded the next month as nothing short of revolutionary, A to F was little more than an obscure footnote.

The thrust of the Daniels/Bennett reforms centered on “teacher quality,” “family options” that included full choice; and collective bargaining reforms. The reforms ended what was described as “discrimination against charters,” an expanded flexibility in hiring non-traditional educators, and an array of teacher accountability that required “significant” evaluation based on student learning.

There was political pushback as teachers rallied around the Ritz candidacy in the fall of 2012, but it was the belated A to F grades that became the poster for the anti-reform forces.

The Bennett era emails – left on state government



servers after Bennett and his team exited the Statehouse, then unearthed by Ritz operatives and fed to reporters – continue to undermine the reform movement by showing what appeared to be a malleable Bennett-era DOE team willing to change scores of prominent charter educators such as DeHaan. The greater breach, it appears, wasn't the intent of Bennett and his team to assuage key reformers in the private sector, but the complicated formulas that are the underpinnings of A to F.

We witnessed this past week what an inexact science this is.

The advisory panel appointed by legislative leaders to review A to F fashioned its own proposal on Monday. This was the panel appointed by Senate President David Long and House Speaker Brian Bosma in the wake of the Bennett-era controversies. Over the past two legislative sessions, both Long and Bosma have found an array of A to F detractors, from local educators to Chambers of Commerce and municipal leaders unnerved by the letter grade that essentially helps define their communities. It's tough to attract that Japanese company to your town when the high school rates an F.

Members of the advisory board noted the dilemma after Monday's exhaustive hearing. "We can't even get a model that meets our first and simplest goal, which was to make this transparent and easy to understand," said Brownsburg Community Schools Superintendent Dan Snapp. Other panel members questioned whether some school officials might "game the system" if the new model allowed some students to escape the mandatory standardized tests that are a critical component of the current A to F accountability model.

"I think there are some out there (already) gaming the system and shame on them," said Bluffton High School Principal Steve Baker.

"The things we're looking at, the various ways to measure growth, are still in their infancy," said panel member Derek Redelman, an education policy analyst with the Indiana Chamber of Commerce. "There is no commonly accepted way of doing it."

As Ritz and the SBOE sparred over the release of scores and re-scores, thanks to the McGraw-Hill testing meltdown earlier this year, SBOE took on a cloaked stature about what appeared to be coordination beyond official meetings. Ritz filed an Open Door Law lawsuit, Attorney General Greg Zoeller sought its dismissal, while the chasm grew. Gov. Mike Pence expressed confidence in the board, his willingness to work with Ritz, and remained a good mood conservative. He seemed to be suspended over what has become a bitter mess.

An education mess, and a political one as well. ❖

Origins of Indiana's Open Door Law

By **JACK HOWEY**

INDIANAPOLIS - It's almost like old times. After all these years, the Open Door Law is back in the news. And I have to thank Glenda Ritz for making that happen. Her legal challenge that says the state board of education has broken the law prompted the headlines. Good for you, Glenda!

I became closely associated with the law in the 1970s. As managing editor of the Peru Daily Tribune, I attended a convention of the Associated Press Managing Editors Association and one of the sessions was devoted to Florida's Sunshine Law, which gave journalists easier access to the state's legislative activities.

The Hoosier State Press Association was led then by Dick Cardwell, an attorney with an IU journalism degree. Those of us who had attended the APME convention became part of an HSPA Freedom of Information Committee. As executive director of HSPA, Cardwell lobbied for Indiana's newspapers and the committee met regularly with him.

During one of those sessions, the committee's members pushed for the introduction to the state legislature of an Open Door Law to shine a light on proposed legislation before it became law. "We will never get that kind of law passed," Cardwell said, and I remember saying, "We won't know if we don't try, will we?"

So Cardwell started work on the content of an Open Door Law, and with the staunch help of several legislators it became law in 1977. Doc Bowen was the governor then and my good friend Kermit Burrous was Speaker of the House.

The members of the Freedom of Information Committee were thrilled with these words in the law's opening paragraph: "In enacting this chapter, the general assembly finds and declares that the state and its political subdivisions exist only to aid in the conduct of the business of the people of this state. It is the intent of this chapter that the official action of public agencies be taken and conducted openly ... in order that the people may be fully informed."

The law lays out in great detail how the public should be advised in advance of meeting times and places, how voting should be conducted and records kept.

We didn't have the internet, texting and tweaking back then (what do you suppose we did with all our free time?) and Glenda's suit maintains that the board members violated the law by voting on a measure by clicking on a computer rather than voting in person during a meeting.



Supt. Ritz might drop her suit, as the other board members have asked. I don't know how strong her legal point is, but I hope she lets it stand. The politicians need to be reminded occasionally that they are supposed to be doing the public's business, not theirs or a lobbyist's. ❖

Jack Howey is the former editorial director for Nixon Newspapers and an editor for Howey Politics Indiana. He is a member of the Indiana Journalism Hall of Fame.

The potential 2016 Dem gubernatorial field

By **DAVE KITCHELL**

LOGANSPORT – Now that former Indiana House Speaker John Gregg is out of the 2016 race for Indiana governor, the speculation begins. Who will the party's nominee for governor be in 2016?

There are several possibilities – some intriguing. Others are a bit less inspiring to the point that the Democratic Party's worst critics might refer to them the way Brooklyn fans viewed the Dodgers before they won a championship at Ebbetts Field: "Dem bums."



First, the \$1 million question on anyone's mind in this discussion is, "Will Evan Bayh come back to run?" I don't know that Bayh knows the answer to that right now. If he does, Indiana will be a battleground state in 2016, but this again assumes that Bayh isn't the No. 2 person on his party's presidential ballot. If he is,

the governor's race is out of the question. If he runs, Mike Pence will be an underdog no matter what he does in his four years in downtown Indianapolis.

Until the presidential primary and convention scenarios unfold, Indiana Democrats have to proceed with the notion that Bayh will not be a candidate. Sure, he created momentum when he ran for governor in 1988 and 1992, and sure, Frank O'Bannon continued that legacy in 1996 and 2000. But Democrats have to find a new way to gather steam and produce momentum that matters in 2016. Coming up with a ticket that maintains a north/south chemistry in the state would help. But just who is on that ticket anyway?

It's too early to even handicap the candidates, so let's take a look at what the party needs: Someone with a plan, a passion for Indiana and no fear of running in a state where most consider Democrats starting out behind even before they start. Here are some possibilities:

1. Kathy Davis: Let's not forget Indiana's first female lieutenant governor. She has extensive background in state government and was closely associated with the recently completed Hoosier Heartland Corridor project. Perhaps one of the best minds involved in state government in the past 20 years.

2. Dr. Woody Myers: Stanford-educated, Oprah-approved and experienced in state government. He lost a crowded primary field for Congress, but that's no disgrace in the Indianapolis market. Andrew Luck's Stanford resume hasn't hurt the Colts, and Myers would add credibility to the ticket if one of the central issues is offering the Affordable Care Act in Indiana. Having a physician on the ticket could be an incredible advantage for Democrats this time.

3. David Johnson: The head of the Biocrossroads Initiative has a Phi Beta Kappa resume with only a run against former Sen. Richard Lugar on his political resume. He may be too far removed from politics at this point to want to run, but if he does, it would put the need for high-wage jobs in this state at the forefront of the campaign. Johnson has been good to Indiana in this regard.

4. Jonathan Weinzapfel: An Evansville mayor doesn't usually grab headlines in Indianapolis, but he's had a good record and legislative experience. He might be the southern Indiana part of the ticket, but fund-raising would be the greatest challenge.

5. Lafayette Mayor Tony Roswarski: He's a household name in Lafayette, and Tippecanoe County is a key county for Democrats if they want to win back the Statehouse. Lafayette has been on the uptick under his leadership, which can't hurt his chances. He's young enough to serve 16 years in Indianapolis if the party needs him to do it.

6. Kokomo Mayor Greg Goodnight: The Kokomo mayor has multiple terms of experience and a good comeback story to show for his efforts. He represents the best chance a Kokomo mayor has had to move to Indianapolis since Steve Daily, and maybe a better chance than Daily. After all, he had to run against Bayh.

7. U.S. Rep. Pete Visclosky: He has more seniority in the Indiana congressional delegation than anyone in either party since Richard Lugar left. He's probably nearing retirement from Congress and could command a solid hold on Northwest Indiana counties that don't necessarily vote Democratic. With more experience in Washington than Mike Pence, he's worth considering.



8. Vi Simpson: She's run for governor, she's run for lieutenant governor and she's been one of the state's best state senators for many years. She was part of the Gregg momentum that nearly pulled off the 2012 campaign and there's strong name recognition with her. Can she pull it off by herself? That's the question. If she has a plan, she just might.

9. District Attorney Joe Hogsett: He's a former secretary of state who's best remembered for beating Bill Hudnut in a marquis race. His resume has added value because of his stint as a U.S. attorney. In Indianapolis, he's well-known and he knows what it's like to be in state government in a huge fish bowl. He's been the No. 3 of-

ficeholder and he would have Bayh's backing.

10. House Minority Leader Scott Pelath: If anything, Democrats are going to need a moderate who can carry urban areas and play well in rural Indiana. Pelath, of any legislator, fits the bill.

Pick just about any two of these people, and you have a ticket that could compete in 2016. But elections are hardly ever won on name alone anymore. It will take more than a resume to win. It will take a true party effort that will be as much as a 92-county campaign as Barack Obama's campaigns involved all 50 states.

Stay tuned. It should be interesting. ❖

Similarities in the two McDermotts

By **RICH JAMES**

MERRILLVILLE – That old "like father, like son" saying could hold true for the Thomas McDermott family of Hammond.



Thomas M. McDermott Sr. ended a Democratic stronghold of the mayor's office in 1983 when he was elected to the city's top job as a Republican. He was re-elected in 1987 and 1991. Shortly after starting his third term, the elder McDermott resigned to become president of the Northwest Indiana Forum Inc., the region's leading economic development agency.

During the 1988 gubernatorial campaign, McDermott Sr. looked toward statewide office.

While he considered running for governor, what he really sought was to be the Republican Party's lieutenant governor candidate. The thinking at the time was that McDermott could diffuse the heavy Democratic vote in Lake County and help Republican John Mutz win the governor's office.

But McDermott didn't get the lieutenant governor's nomination and that pretty much ended his push for political office greater than mayor.

About a decade after McDermott Sr. left the mayor's office, his son, Thomas M. McDermott Jr., was elected Hammond mayor in 2003. The mayor's office was the first political bid for each McDermott. But McDermott Jr. broke from his father politically and was elected as a Democrat.



Like his father, McDermott Jr. has been elected Hammond mayor three times. And for the last several years, he has served as chairman of the Lake County Democratic precinct organization. During the 2008 Democratic primary for president, McDermott Jr. was a strong supporter of Hillary Clinton and welcomed her to a stage in Hammond. McDermott Sr. was a big supporter of former Vice President Dan Quayle.

McDermott Jr., an innovative mayor known for his cost-cutting initiatives, is best known for his College Bound program which provides four years of free tuition to the children of Hammond property owners. Some 1,226 students have benefitted from the program over the first eight years. It is funded with casino tax revenue.

Like his father, McDermott Jr. has the itch to seek higher political office. He would love to go to Congress but knows he can't beat incumbent Rep. Peter Visclosky, and Visclosky doesn't look as if he will be retiring any time soon.

Also like his father, McDermott Jr. is giving thought to running for governor. That feeling was renewed last week when John Gregg said he would not make another run for governor in 2016.

Indiana never has had a governor from Lake County, the second most populous in the state. There are local Democrats who envision McDermott Jr. seeking the nomination for lieutenant governor, the office his father once aspired to. But, as McDermott Jr. said last week, a good deal can happen in politics between now and 2016. ❖

Rich James has been writing about state and local government and politics for more than 30 years. He is a columnist for The Times of Northwest Indiana.



Wanted: A stand up Democrat for Indiana

By **SHAW FRIEDMAN**

LaPORTE, Ind. - If we are to become a governing party again statewide, it will take Democrats finding not only our voice, but the guts again to challenge and confront the bullying tactics of the Indiana GOP that have been a trademark since they took back state government in 2004.

Face it my fellow Democrats – these guys on the other side are tough, skilled, seasoned fighters who will push as long and hard as they can. Bullies only understand strength and the timidity and passiveness that too many of our folks have shown in the face of one outrage after another doesn't bode well for us.



A couple examples are in order. Our newly elected Schools Superintendent Glenda Ritz has been bullied and stomped on by one statehouse Republican after another. The Terre Haute Tribune-Star put it well in an editorial on Oct. 13 when the paper wrote that "since taking office in January, Ritz has

seen her office's powers usurped and circumvented by an ideological circle ruling Indiana government still stung by the surprising electoral defeat of Republican Tony Bennett... Though outspent by a 10 to 1 margin, Ritz received more than 1.3 million votes, more than Mike Pence received in his race for governor."

Despite evidence unearthed by the Associated Press of potential criminal behavior by Bennett and some of his underlings in the Department of Education such as keeping a treasure trove of political data on taxpayer funded state computer servers, we haven't seen the first call by any Democrat for a grand jury investigation. The most assertive Democrat has been House Minority Leader Scott Pelath who has rightfully pressed for details of the Inspector General's footdragging investigation of the former school superintendent. Similarly, credit goes to Fort Wayne School Board President Mark GiaQuinta who got a resolution passed where Fort Wayne schools (and a couple other school districts) no longer recognize the validity of Bennett's flawed A-F grading system.

But where in the world is Marion County Prosecutor Terry Curry and why hasn't he convened a criminal

investigation? How about U.S. Attorney Joe Hogsett? These individual school rankings generated by Bennett's A-F grading system affect both federal and state funds. Does anyone for a moment believe that if a Democratic state school superintendent had been accused of "manipulating" school rankings to favor a high powered political donor or had used state employees and equipment to gather political donor data that calls wouldn't be immediate for a grand jury?

Hammond Mayor Tom McDermott, one of the few state level Democrats with some nerve and some guts has marveled at the regular calls for criminal investigations of Democrats in Northwest Indiana that come from the other side while the silence has been deafening when it came to a criminal probe of Tony Bennett. Mayor – it's simple. Hoosier Republicans have got more nerve, more moxy and more brass cahones that we do.

Take another example of pure Republican bullying tactics that have gone unchallenged – the regular efforts by Republicans like Secretary of State Connie Lawson to undertake voter suppression efforts that are masked as necessary to challenge supposed voter fraud.

Just this past week we witnessed an astonishing admission by Judge Richard Posner of the 7th Circuit Court of Appeals who said he made a mistake several years ago in voting to uphold Indiana's new voter I.D. law. Remember in 2005 the General Assembly passed a law requiring voters to show photo I.D.'s at the polls? Our state party at that time under Dan Parker at least challenged the new measure in court saying that the new law would prevent those most likely not to have photo I.D.'s – poor, elderly and minority voters – from voting. Posner, a Reagan-era appointee to the 7th Circuit rejected the challenge because he saw no evidence that any voters would be disenfranchised and he saw reducing vote fraud as a legitimate state goal.

Now we have the extraordinary admission by Posner in his new book that he was "guilty" of upholding Indiana's law "now widely regarded as a means of voter suppression rather than of fraud prevention." In an interview with HuffPost Live a week ago, Judge Posner acknowledged that he failed to appreciate how voter I.D. laws would be abused when he wrote the decision upholding the Indiana statute, a decision later cited by the U.S. Supreme Court in upholding other state voter I.D. laws.

Move the clock forward several years and we witness the latest efforts at voter suppression coming from Republican Secretary of State Lawson pushing through the legislature unnecessary changes to voter registration forms that further make it difficult to mass register voters. Despite no one in Indiana having ever been prosecuted for vote fraud – i.e. submitting a false registration form - there was our highly partisan secretary of state proudly touting



new registration forms that now require certification under penalties of perjury not just by the voter but by the person accepting the registration form – thereby putting volunteers out doing field registration at risk of criminal sanctions for an improperly filled out form. Worse yet, she claimed the ballot petition scandal in St. Joseph County that led to former party chair Butch Morgan’s imprisonment was the justification for changing the voter registration forms. Huh? Those were ballot petitions that were forged, not voter registration forms. Big difference, Ms. Lawson, but who cares when you’re demagoging an issue like this?

Give Hoosier Republicans like Connie Lawson and Tony Bennett credit for pure unmitigated gall and nerve. We cannot as a party stand by passively and allow some of the outrageous conduct that goes on without screaming foul from the rooftops.

If we as Democrats keep hoping Hoosier Republicans will trip themselves up with more comments like Richard Mourdock’s “God intended a child be born of a rape,” then we’re going to be waiting a long time for our wins. Those kinds of political mis-steps that change elections come along very rarely. We’ve got to make our opportunities rather than wait for Republican mis-steps.

Had there been a grand jury convened shortly after the Bennett “manipulation” disclosures came to light, any of the actions taken by Republicans in the months following to strip Glenda Ritz’s office of any power or authority would have been seen as purely retaliatory and subject to investigation themselves. I frankly think Republicans like Dan Elsener (who has the nerve to call himself an “independent” on the State Board of Education despite voting 9 out of 10 times as a Republican and having his son work for the state Republican chairman) might have thought twice about setting up his own strategy team for the department or shifting authority from the superintendent if there was a tough minded prosecutor probing into Bennett’s discredited A-F grade system. Give the Republicans credit for pushing the Sheldrake-Grew review knowing a “whitewash” that didn’t explore motive would help take the stench off the Bennett outrage. I say again, when does the grand jury get impeached, Prosecutor Curry? Nothing like subpoenas and the threat of perjury to get folks to come clean.

In the meantime, the all-call goes out for some Hoosier Democrats with some nerve and guts. If we’re not willing to challenge the outrageous bullying that goes on by Hoosier Republicans, the voters are certainly not going to turn to us to run the state again. We’ve got to set out clear, definable alternatives for voters and stand up again for what we believe in and if that means being willing to confront the bullies, then so be it. ❖

Shaw R. Friedman is a LaPorte lawyer who is a former legal counsel for the Indiana Democratic Party.

Political obstacles for unhealthy Indiana

By BRIAN A. HOWEY

BLOOMINGTON - As the focus turns from the manufactured shutdown/default crisis in Congress to the disastrous rollout of Obamacare, there is one thing Hoosiers should focus on. Indiana is not a healthy state.

Indiana ranked 41st in total health, according to American’s Health Rankings. It was ranked 37th in 2011.

In 2000, Indiana’s obesity rate was 19.9 percent ranking 42nd in the U.S. In 2012 it was 30.1 percent. Our smoking rate has gone down from 27 percent in 2000, to 21.2 percent last year or 1.5 million smokers, but that is still high enough to rank us 44th. In 2001, our diabetes rate was 6 percent. Now it 9.8 percent ranking Indiana 33rd. We rank 38th in cardiac heart disease. Indiana is 49th in air pollution at 13.1 micrograms of fine particles per cubic meter.



In the past decade, the percentage of children in poverty more than doubled from 10.8 percent to 23.6 percent of persons under age 18. Some 13.5 percent of our households are “food insecure” according to the U.S. Department of Agriculture. In the past year, the number of infectious disease cases rose from 7.8 to 11.7 cases per 100,000 population.

I’ve reported this before, but once again, 2.7 million Hoosiers (out of a 6.5 million population) walked into a hospital emergency room last year and consumers ultimately picked up those costs.

Thirty Indiana counties have no obstetrics services. Because of this lack of pre- and post-natal care, Indiana’s infant mortality rate is a stunning 7.7 per 1,000 babies, a full percentage above the national average. From 2006 to 2010 according to the Indiana Department of Health, 4,115 Hoosiers died by suicide.

Indiana State Police busted a record 1,726 meth labs in 2012, up from 1,437 in 2011. And we have a prescription drug overdose “epidemic” according to Attorney General Greg Zoeller.

So this resistance to “Obamacare” is baffling in a public health sense. Politically, it has drawn the most vociferous opposition since the Vietnam War. But from a policy standpoint, at least it is trying to address an overall situation that should induce a “crisis” atmosphere from our public servants.



Unfortunately, many of our "public servants" from Gov. Mike Pence, to the Congressional delegation, to the Indiana General Assembly are more concerned about low taxes and the business climate.

State Rep. Ed Clere, the New Albany Republican who heads the House Public Health Committee, was quoted in the Anderson Herald-Bulletin during a health town hall meeting this past week as saying, "It's my party that needs to be convinced, to put it bluntly," on extending Medicaid coverage to an estimated 300,000 to 400,000 Hoosiers who will lack coverage.

The political obstacle is a hatred and loathing for President Obama.

But it is coming at the expense of making wise policy decisions that can impact this crisis.

I'll give you a prime example, and that is Gov. Pence's decision to have Indiana opt into the federal health exchange, as opposed to creating one of our own. It was an interesting choice, given Pence (and many other Republicans) who view the federal government as inefficient at just about everything it touches.

Kentucky opted for its own state-run exchange, one of 17 states to do so. The Lexington Herald-Leader reported this week that Kentucky's state-run implementation of health care reform - Kynect - has enrolled 15,000, while 272,339 people had visited the site. Kentucky had an uninsured population of 640,000.

Like Indiana, Kentucky is a so-called "red state" with a voracious opposition to Obamacare. Gov. Steve Beshear - a Democrat - has taken a lot of arrows over the exchange. "It's amazing to me that the folks who are challenging that are folks that usually think we don't want the federal government in here," he told WHAS-TV. "We would rather handle our own affairs."

Sen. Donnelly, who has won a Congressional district and U.S. Senate race since he voted for the Affordable Care Act in 2010, told me, "We have over 900,000 uninsured Hoosiers. We have between 300,000 and some say closer to 400,000 who are in that gap that Indiana has no plan for at all right now. This is not meant disrespectfully, but government officials here have said, 'Well, they can go to the emergency room.' Well, that's not much of a health program."

Donnelly also believes that Hoosiers are not being well-served when Indiana opted not to run it's own health exchange. Pew Research reported that in the 27 states with federally-run programs - including Indiana - 59 percent are aware of the exchange, compared to 72 percent in states with their own exchanges.

"We always talk about Hoosier common sense and Hoosier hard work, and Hoosier exceptionalism," Donnelly said. "If Indiana folks had designed their own exchange I

personally think the Indiana exchange would have been the best in the country. I wish we had had that chance."

At a time when our governor should be having an established dialogue with Hoosiers over the health crisis he rules over, there is silence, and an emphasis on business. "For Indiana, our fiscal integrity is the foundation of our prosperity," Gov. Pence told me last summer when I brought up the health challenges we face.

Really, governor? Really? ❖

Infant mortality summit Friday

INDIANAPOLIS - The first ever Indiana Infant Mortality Summit takes place at 9 a.m. Friday at the JW Marriot in Indianapolis.

Gov. Mike Pence will address the summit, sponsored by the Indiana State Department of Health, as well as keynote speaker David Lakey, M.D., Commissioner of the Texas Department of State Health Services. Dr. Lakey, who is originally from Anderson, Ind., will discuss lessons learned from Texas, which has seen a significant decline in infant mortality.

Other topics include:

- Background of Infant Mortality in Indiana
- Impact of tobacco use
- Health disparities
- Levels of Care
- 39-week Quality Improvement Campaign

The State Health Department will also be hosting a technical assistance session in the afternoon, to provide guidance on \$1 million in competitive grants available during the next grant cycle.

Infant mortality is the death of a baby before his or her first birthday. In 2011, the Indiana infant mortality rate was 7.7 deaths per 1,000 live births, making the Hoosier state 6th highest in the nation for infant mortality.

The Summit aims to shed light to this issue and bring together healthcare professionals, faith and community-based leaders, public health professionals, policy makers and others to identify and address the role each individual and group has in reducing infant mortality in Indiana.

If interested in attending or learning more, please contact Amy Reel at (317) 431-3792. Visit the Indiana State Department of Health website at www.StateHealth.in.gov <<http://www.StateHealth.in.gov>> or the event registration site at www.InfantMortalitySummit-Indiana.org <[http://www. InfantMortalitySummit-In](http://www.InfantMortalitySummit-In)> ❖



Health trumps ideology for Sen. Grooms

By MAUREEN HAYDEN

INDIANAPOLIS – In January, on his first day in office, Indiana Gov. Mike Pence declared a moratorium on state regulations, saying less government rules would help spur job creation across the Hoosier state.

State Sen. Ron Grooms, a conservative Republican from Jeffersonville, applauded the general notion of “less government intrusion” but decided that the health of Hoosiers trumped ideology. During the 2013 session, he authored legislation to impose sweeping new regulations on the providers of prescription painkillers. His intent: To turn back the wave of misuse, abuse, and addiction associated with the most frequently prescribed drugs in the U.S.



How did Grooms come to that decision? Through his personal experience as a pharmacist in Floyd County, where he’d witnessed the rise of suspicious pain management clinics, better known as “pill mills.”

In a recent interview, Grooms recalled how he could track the rise in prescriptions for drugs containing hydrocodone – the chemical derivative of opium – just by tracking his orders.

In the early 1990s, as those drugs were hitting the market, Grooms needed only one bottle of 100 pills each week to fill the hydrocodone prescriptions that came into his pharmacy. By the mid-1990s, he needed to buy one bottle of 500 pills a week to keep up with the demand. By 2006, when he retired, he was ordering 20 bottles of 500 pills each week.

What he saw in his drug store was happening across the nation. The number of prescriptions for hydrocodone-containing medications like Lortab, Vicodin and their generic equivalents – all marketed as safe, cheap, and effective – was skyrocketing. In 2011, according to federal government estimates, about 131 million prescriptions for hydrocodone-containing medications were written for about 47 million patients. That comes out to about five billion pills. “We’d become a society where everything is supposed to be easy and uncomplicated,” Grooms said. And pain treatment was no different: “Treating pain is uncomplicated. You just write a prescription.”

But here’s what was also happening: An alarming number of patients were becoming addicted to their narcotic painkillers and developing what’s called a “narcotic

tolerance” – meaning they had to increase their dosage to get the same pain relief.

The consequences are deadly: Prescription drugs now account for about three-quarters of all drug overdose deaths in the United States, with the number of deaths from narcotic painkillers quadrupling since 1999. More people are now dying from overdosing on their prescription painkillers than overdosing on heroin or cocaine. In October, a study released by Trust for America’s Health found Indiana had the country’s 17th highest rate of drug overdose deaths, with most of those deaths from painkillers and other prescription drugs.

Grooms came into the 2013 session believing the best way to put a big dent in those numbers was to impose more regulations on the people writing the prescriptions. The legislation he introduced was much tougher than what was passed, having met significant opposition from the medical community. He understood their argument: “Doctors didn’t want legislators telling them how to practice medicine,” Grooms said.

Still, with help from others, including a fellow pharmacist, Republican Rep. Steve Davison of Salem, he got a bill passed that gave the state Medical Licensing Board what Grooms called “tremendous power and authority” to impose new regulations on painkiller-prescribing doctors. Last week, the board passed emergency rules -- clearing the way for permanent rules to come – that do indeed establish a new prescribing protocol for physicians.

Among the new rules: Drug testing of pain-medication patients, more screening and monitoring of patients by doctors to detect drug addiction and abuse, and a mandatory “treatment agreement” between doctors and patients that’s focused on improving overall health and not just alleviating pain. The new rules also give the state Attorney General more access to a physician’s painkiller-prescribing records that are in a statewide database that tracks the dispensing of scheduled drugs.

“This is a start,” Grooms noted, with the emphasis on “start.” He plans to re-introduce parts of his original bill that would up the requirements even more. “We have a long way to go.”

Grooms is a classic small-government, free-market kind of Republican that characterizes the regulation-wary Indiana General Assembly. As a pharmacist, he had the right to refuse to fill a painkiller prescription of someone he thought was abusing the drug. But more intervention is needed, he said, when there are critical public health issues at stake. “The rest of the story is: What we do with these people who are addicted? How do we treat them? What are we going to do in 10 years and they’re still addicted?” Grooms said. “Look at the cost to society and the loss of productivity ... We’ve got a huge problem we need to address.”

Hayden is Statehouse Bureau chief for CNHI.



Aaron Carroll, CNN: Last spring, the Senate Finance Committee held a hearing on implementation of the Affordable Care Act, otherwise known as Obamacare. Sen. Max Baucus, a Montana Democrat and the chairman of the committee, was not pleased with how things were going. The Obama administration originally had asked for more than half a billion dollars to spend on public relations and outreach for the law. House Republicans had returned with an offer of nothing. That's right: zero dollars. Without necessary funds, the Department of Health and Human Services worried it would not have the necessary money to pay for navigators to help people enroll in health care, for the technology needed to implement the exchanges and for the public relations campaign that was required to inform citizens about what the law actually did. HHS Secretary Kathleen Sebelius made the controversial move of asking insurance companies and nonprofit organizations to donate money and help. Republicans were outraged. She asked for more money. She was refused.

Then, when she tried to move some money from the PR budget to replace cuts to other areas, Baucus became quite upset. He was concerned that if the administration did not do more to inform people about the law and get implementation going, there would be problems: "A lot of people have no idea about all of this," he said. "People just don't know a lot about it, and the Kaiser poll pointed that out. I understand you've hired a contractor. I'm just worried that that's gonna be money down the drain because contractors like to make money. ... I just tell ya, I just see a huge train wreck coming down." As I've said before, it's important to note that the "train wreck" Baucus was describing was a botched implementation because not enough was being done to make things go smoothly. It wasn't a description of the law itself but of what might occur if the government did not devote enough resources to making it work. Sebelius' response was not surprising to those who were paying attention. She said that she was "incredibly disappointed" that all her requests for resources were being denied by Republicans. That was then.

Today, implementation has arrived, and if it's not a train wreck, then it's certainly close. The administration is still under fire because people cannot get the insurance they want through the exchanges. But while I will continue to point out the problems with implementation and fault the administration for mistakes they've made, how does one ignore the apparent hypocrisy from many politicians who are now "outraged" about the very problems they've helped to create. **(Note: Carroll directs Indiana University's Center for Health Policy and Professionalism Research)** ❖



David Hoppe, nuvo Newsweekly: "I'll fight for the right of every Hoosier to run our schools, buy our healthcare, and build our roads the Hoosier way. ... To make Indiana the state that works, we must have a governor who's willing to say yes to Indiana and no to Washington, DC." That was Mike Pence a year ago, when he was running for governor. As a state's rights Republican, he made a big deal out of how what he called "Hoosier common sense" trumped whatever ideas the federal government might have in mind. So it's more than a little odd that when it came to making health insurance available to Hoosiers, Pence refused to set up an insurance exchange in Indiana, opting instead to send everyone who lives here to the federal government's website. We know how that's turning out. Obamacare's website has been an unmitigated disaster, while insurance exchanges created by those states that chose to do the job themselves — Kentucky, for example — have reportedly been working pretty well. But wait. There's more. It turns out there was madness to Pence's method. Pence, you will recall, is the man who stormed into a Republican meeting after the Supreme Court upheld Obamacare, declaring this was the worst day for America since 9/11. He's been trying to torpedo the Affordable Care Act ever since. In fact, he's more interested in doing that than in making sure the Hoosiers he supposedly cares so much about get the healthcare they need. ❖

Dave Bangert, Lafayette Journal & Courier: A state vs. state lawsuit pit Democrat Glenda Ritz, a first-year superintendent of public instruction, essentially against a Statehouse filled with Republicans unhappy she's there. The pretexts were the state's A-F grades for Indiana's schools and open meeting laws. But what they are really fighting over, as they try to plant their flags on Indiana's education turf, are damaged goods. Hoosier parents, Hoosier teachers, Hoosier superintendents and just about everyone else already know that. How long it will take those directly involved to figure it out — well, we're probably outside that window, too. ❖

Larry Sabato, University of Virginia: The shutdown kerfuffle has led to a significant improvement in the national political climate for Democrats. The House generic ballot, a national poll that measures whether those surveyed prefer a Democratic or Republican candidate in their local U.S. House race, was generally close over the summer, which was great news for Republicans: According to the Crystal Ball's Alan Abramowitz, these generic ballot surveys will have to show a double-digit lead for the Democrats around Labor Day next year for them to get within striking distance of picking up the House. ❖



925,000 Hoosiers face foodstamp cut

FORT WAYNE – Millions of Americans, along with at least 925,000 Hoosiers, are about to see cuts to welfare benefits that help them buy food (Fort Wayne Journal Gazette).

On Friday, the amount of assistance people receive monthly through the

Supplemental Nutrition Assistance Program, formerly called food stamps, will decrease. The expiration of the federal stimulus bill has caused the cuts after pumping about \$45.2 billion into the program since 2009. For the past few years, a family of four in the program could have qualified for \$668 a month to use toward food. That will drop to \$632 a month, a decrease of nearly 5 percent. Officials with the state's Family and Social Services Administration have notified recipients of SNAP about the changes. "We're moving as much food as we can all the time," said Emily Weikert Bryant, executive director of Feeding Indiana's Hungry. "Being able to bump up what we can provide for a cut like this is difficult to do."



Stutzman urges farm bill separation

WASHINGTON - As the Farm Bill Conference Committee meets for the first time today, U.S. Rep. Marlin Stutzman led a group of 27 members of the House in urging the committee to keep farm policy and food stamp policy separate. Stutzman and his colleagues in the House asked the committee to maintain the separate reauthorization dates for food stamp and farm policy programs to ensure that each program receives separate

consideration on its own merits in the future. "Washington is \$17 trillion in debt and taxpayers deserve an honest conversation about how Congress spends their money," said Stutzman. "Instead of passing trillion dollar spending packages that are Farm Bills in name only, we should consider food stamps and farm policy separately. That's exactly what the House did earlier this year and the Conference Committee shouldn't reverse this historic victory for transparency."

Zoeller asks judge to uphold law

INDIANAPOLIS - Indiana Attorney General Greg Zoeller asked a federal judge on Wednesday to uphold a new law that would shut down Lafayette's only abortion clinic (Associated Press). Zoeller made the state's case before U.S. District Judge Jane Magnus-Stinson, who is considering a request from the American Civil Liberties Union of Indiana to block the law before it takes effect on Jan. 1. Zoeller said the law reflects the will of Indiana citizens and that the ACLU and others trying to stop it haven't proven their case. "We respectfully contend the plaintiffs have not met their burden and this newly passed public-health statute should remain intact and no injunction should be granted," Zoeller said.

Daniels has 'no view' on HJR6

WASHINGTON — Purdue University President Mitch Daniels declined to say Wednesday whether he continues to support — as he did as governor — amending the state's constitution to ban gay marriage and domestic partnerships. "I don't have a view that I'm planning to talk about," Daniels said during a breakfast meet-

ing with reporters in Washington. Daniels left open the possibility that Purdue could join Indiana University in taking a position on the resolution that the General Assembly will take up early next year. "I'm not saying that we wouldn't (take a position), but it won't be because I enunciate one personally. I wouldn't presume to do that," he said.

Obama defends ACA promises

BOSTON - President Obama on Wednesday downgraded his longstanding promise that people can keep their healthcare policies if they like them and said instead that "the vast majority" could. While insisting in a speech at Boston's Faneuil Hall that relatively few would be forced off their plans, he accused his opponents of "grossly misleading" the public. "For the vast majority of people who have health insurance that works, you can keep it," Obama said. "For the fewer than 5 percent of Americans who buy insurance on your own, you will be getting a better deal." Hundreds of thousands of people have received letters notifying them that their plans will be canceled by the end of the year. Insurance companies say they are changing the terms of some health insurance plans because ObamaCare's rules.

Syria said to destroy chem WMD

LONDON — The international chemical weapons watchdog said on Thursday that Syria had met a key deadline for "the functional destruction" of all the chemical weapons production and mixing facilities declared to inspectors, "rendering them inoperable" under a deal brokered by Russia and the United States.