



September 18, 2019

Dear RPEA Members,

On April 17, 2019, Superior Court Judge Aarseth ruled that the retiree dental plan in effect in 2013 was a vested and protected benefit under the Alaska Constitution. He also ruled that the Moda Dental Plan implemented by the Division of Retirement & Benefits (DRB) in 2014 was unconstitutional because it diminished the benefits under the 2013 retiree dental plan, and he ordered the DRB to re-establish the 2013 dental plan or another constitutional dental plan.

During a recent status hearing, the DRB notified the Court and RPEA that it decided to offer two dental plans as of January 1, 2020--the 2013 dental plan and the 2014 Moda dental plan. The DRB advised the Court that it was working on complying with the Court's order, but it would not be fully implemented before January 2020.

In the meantime, the DRB has refused to modify the Moda plan during the period between May 1 and January 2020. As a result, retirees continue to be subject to the diminished coverage and benefits under the 2014 Moda plan--the unconstitutional plan.

RPEA does not feel this is fair or acceptable and, on September 17th, filed a "Motion to Enforce Court Order and for Related Relief" requesting the Court to require the DRB to make immediate modifications and provide critical information to RPEA to allow RPEA to protect retiree dental benefits.

Please go to the RPEA website to read the above referenced Motion at:

<https://rpea-ak.org/lawsuits/DVA-Declaratory-Relief/2016-DVA-declaratory-lawsuit.html>

Please let me know if anyone has questions.

Sharon

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