



October 15, 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 was working to comply 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 has filed a *Motion to Enforce Court Order and for Related Relief*.

This, as well as *Defendant's Opposition to RPEA's Motion to Enforce Court Order for Related Relief*, and *RPEA's Reply in Support of RPEA's Motion to Enforce Court Order for Related Relief* are posted on the RPEA website:

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

It's important to take a few moments to review these documents as they contain important information concerning the DVA Lawsuit.

Please let me know if anyone has questions--

Sharon

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President

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