



## Retired Public Employees of Alaska

Protecting the rights and benefits of Alaska's retired state and municipal PERS, TRS and JRS employees, and to support a fiscally sound retirement system.

### President's Message

#### RPEA Wins Dental Plan Diminishment Lawsuit

*On April 16, 2019, the Court ruled entirely in RPEA's favor that the 2014 changes did diminish the retiree dental plan and were unconstitutional.*

In January 2016, RPEA filed a lawsuit against the Commissioner of the Department of Administration for improperly imposing a new retiree dental plan in 2014 in place of the existing retiree Dental plan. This lawsuit claimed that the new Moda dental plan diminished the benefits under the existing dental plan thereby violating the DVA plan's constitutional protection (Dental/Vision/Audio). The State's position was that the plan is not constitutionally protected, and they could make changes to the plan at will, which they did on January 1, 2014.

**In December 2018, the Court granted a partial summary judgment ruling that the DVA plan was constitutionally protected just like the retiree medical plan.**

The trial to determine if the State's actions in 2014 resulted in diminishment was completed in October 2018. The Court had 6 months from the completion of the trial to issue a decision.

The full decision is posted on the RPEA website:

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

RPEA will meet with the Department of Administration soon to discuss the remedies offered by the Court. This decision will affect any retiree who purchased the retiree DVA plan, **even if it was purchased after the lawsuit was filed.**

If you know of any retiree who is not an RPEA member, please share this with them so they are aware of this court decision and their rights.

You can read the Court's decision—that the 2014 change in retiree dental benefits was an illegal diminishment—on the RPEA website:

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

## RPEA Elections

### 2019 RPEA Statewide Officer Election Results

The 2019 nomination period for the four officer positions whose terms expire on June 30, 2019 is now complete. Each of the four incumbent officers agreed to be nominated to continue in their current role. No other RPEA member was nominated by the 45-day nomination deadline of April 26.

Article VIII, Section 2(d) of the RPEA Executive Bylaws state: "A ballot shall be prepared by the Nominations Committee and mailed to each member in good standing, except a mail ballot will not be required if a candidate is unopposed at the close of nominations. If there is only one qualified candidate for an officer position, the Executive Board shall appoint that individual." Therefore, at the April 30, 2019 Executive Board Meeting the following Executive Board Officers were re-appointed effective July 1, 2019 through June 30, 2021:

- Brad Owens, Executive Vice-President
- Kris Warren, Treasurer
- Cindy Spanyers, Director of Legislative Information
- Margaret King, Director of Communications

Congratulations and thank you for your continued volunteer service to RPEA!

## Member Comments

RPEA received about 150 email thank you and congratulation messages after emailing members to let them know the Court's decision favoring RPEA and Retirees' legal challenge that dental benefits had been diminished. Here's a sampling of some of those 150 email messages.

Great news. Thank you RPEA. I am a member and will always be a member.

*Read the Court's Decision!*

Thank You All for the collective and lengthy work by RPEA staff.

It is SO very satisfying to now see The Court's favorable decision!

*Congratulations! Thank you so much for the awesome work you all do. Don't know what we retirees would do without RPEA!*

Thank you and RPEA! Proud to be a member.

Congratulations! Thanks for fighting for us!

*You all are amazing. Thanks for all you do.*

Thank you Sharon and RPEA for looking out for our retirement coverage, we appreciate it. So sad we need a watchdog group for things that are supposed to be guaranteed by the State constitution for retirees. I am happy I am a paid member of this organization.

*Great job! I'm so glad I'm a member of this organization!*

*Congratulations to you and your entire team for your dedication and hard work to achieve this win for all retired Alaska public employees! Yay!*

Kudo's to all who worked on this and stood up for the state workers who have done so much for the state.

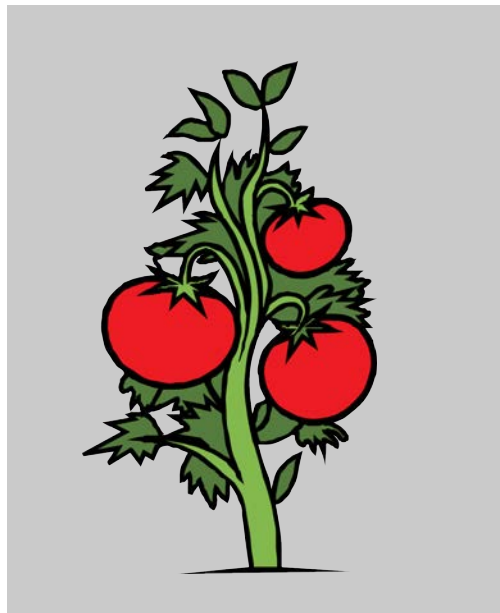
*Thanks so much for all the demanding hard work that RPEA does on behalf of the many!*

BRAVO!! Well Done!! Brilliant. You folks did a wonderful job here exposing a diminishment of benefits. Shame on the State for trying to pull this over our eyes!! Bless all of you, the whole team, for doing an excellent job here!!

*Thank you Sharon and all those who so diligently persevere our rights. You are doing a great job.*

All I can say is "Wow!" and "Thank you!" As a long time retiree I really appreciate all the work, money and time RPEA put into this lawsuit on our behalf.

*Congratulations! Thank you for caring for and protecting our benefits!*



### RPEA Executive Board

President: Sharon Hoffbeck  
 Executive Vice-President: Brad Owens  
 Secretary: Kris Warren  
 Treasurer: Gene Furman  
 Communications Director: Margaret King  
 Membership Director: Jeff Goldsmith  
 Medical Information Committee Director: Margaret Duggan  
 Legislative Director: Cindy Spanyers  
 Northern Region Vice-President: Clark Milne  
 Southeast Vice-President: John George  
 Southcentral Vice-President: Wendy Woolf

## Phone and Meeting Information

### Chapter Meeting Schedule

Northern Region  
 Monthly on Third Thursday  
 11:30 pm at Raven Landing

Southcentral Region  
 Second Tuesday of March, June, Sept, Dec  
 11:30 am Anchorage  
 Senior Activity Center

Southeast Region  
 Second Thursday  
 September – May  
 11:30 am St. Paul's Church

More Information  
<https://rpea-ak.org>

### Important Phone Numbers

Aetna's Health Concierge: (855) 784-8646  
 Moda Health/Delta Dental: (855) 784-8646  
 CHCS (LTC): (888) 287-7116  
 Optum Pharmaceuticals: (855) 409-6999  
 Retirement & Benefits, Juneau:  
 (907) 465-4460 or (800) 821-2251



### CONTACT INFORMATION

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On January 1, 2014, the State of Alaska began implementing a long-range plan with the specific purpose to reduce retiree health benefits. It did so despite knowing these health benefits are protected from diminishment by the Alaska Constitution. The Alaska Supreme Court also reaffirmed retirees' health benefits are constitutionally protected, and on April 17, 2019 the Superior Court again reaffirmed this for dental benefits.

Fighting the changes the State began making on 1/1/2014 has been—and is—RPEA's top priority — And we need your help.

You can help RPEA by:

- ✓ Becoming or sustaining your RPEA membership. 2019 fees are \$35
- ✓ Telling your retired or soon-to-be retired friends about RPEA and encouraging them to become members.
- ✓ Donate to RPEA's legal fund.
- ✓ Attend and participate in your local RPEA Chapter.
- ✓ Provide RPEA details if you have a claim denied and believe it should've been paid. Please contact RPEA's President, Sharon Hoffbeck at [sharonhoffbeck@gmail.com](mailto:sharonhoffbeck@gmail.com)

RPEA continues its work to address and reinstate retirees' health care benefits that have been diminished. If you'd like to help RPEA even more, please contribute to RPEA's Legal Fund at:

<https://rpea-ak.org/legal-fund-donation.html>