

RPEA REPORTER

December 2020



***MESSAGE FROM THE
PRESIDENT
Sharon Hoffbeck***



Dear RPEA Members,

On behalf the RPEA Executive Board, I would like to wish you all a peaceful holiday season.

Merry Christmas and Happy Holidays!

***Sharon Hoffbeck, President
Brad Owens, Executive Vice President
Kris Warren, Treasurer
Stephanie Rhoades, Secretary***

Margaret Duggan, Medical Information Director
Bob Grove, Membership Director
Cindy Spanyers, Legislative Information Director
Duncan Shackelford, Communications Director
Brenda Knapp, SE Vice President
Charlie Gallagher, Northern Region Vice President
Wendy Woolf, SC Vice President

Please check the RPEA website often for updates. Be sure to click the refresh button so the newest information will be downloaded.

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

As always, I am available for questions!
sharonhoffbeck@gmail.com

Sharon

RPEA E-BOARD MEETINGS

RPEA is now using Zoom for our monthly Regular E-Board meetings. Members in good standing are welcome to listen in, and there is a period for member comments.

RPEA is a 100% volunteer organization. Those on the Executive Board donate countless hours working from home on behalf of all retirees. RPEA's only paid employee is the office manager.

Please use the link below to go to the RPEA website for more details:

<https://rpea-ak.org/eboard.html>

RPEA Litigation
Funding Update
By Kris Warren, Treasurer



Thank you so much to the 95+ of you who donated \$9400.00 to our legal fund as a result of the request we made in our last newsletter. Those contributions are greatly appreciated and will help our ongoing litigation with the State over diminishment of our constitutionally protected medical and dental benefits. The state administration is doing all they can to prolong the judicial process on both the Dental, Vision, Audio (DVA) and Medical Benefits

Diminishment lawsuits. The DVA lawsuit is expected be decided by the State Supreme Court sometime next year. The Medical Benefits litigation is scheduled to go to court in July 2021. Although we expect to win in that case as we have in the DVA lawsuit, at least at the superior court level, the state will no doubt appeal that decision to the Supreme Court as well. So we have at least a couple of years before both of these cases are ultimately decided.

If you missed the chance to donate last month you certainly may still donate now or at any time in the future. All of the proceedings related to these lawsuits is available on the RPEA website at this link:

[RPEA | Lawsuits \(rpea-ak.org\)](https://rpea-ak.org).

You may easily donate by credit card at this link, also found on the RPEA website:

[RPEA | Legal Fund Donation \(rpea-ak.org\)](https://rpea-ak.org).

Checks may be sent to the RPEA office at PO Box 110650, Anchorage, AK 99511-0650

About 7,000 PERS/TRS retirees are members of RPEA. However, there are approximately 60,000 retirees and dependents relying on these retirement benefits. If more of these retirees were to become members of this organization that would help our cause a great deal. The more members we have the more likely we will be able to keep our membership dues low. If you have friends or relatives who are retirees but not members, please encourage them to join RPEA, the only retiree organization that is working to protect our retirement benefits for which we have paid and are guaranteed under the State of Alaska Constitution.

Merry Christmas, Happy Hanukah and a Happy New Year to All!

Kris Warren
RPEA Treasurer



Howdy!!

*Merry Christmas
and Happy Holidays!!*

Please continue to help our organization. If you change your email address or mailing address, please be sure to let me know so you won't miss newsletters and updates that we send to our members.

For those receiving this newsletter via US Mail--please send us your email address if you have one so you will receive all email updates.

There is a lot going on, such as--

- The DRB continues to discuss with the Retiree Health Plan Advisory Board changes they'd like to make to the retiree Medical and DVA health plans,
- The ongoing DVA and Medical Diminishment lawsuits.

If we can't reach you,
we can't keep you informed

Please send your 'here's-where-I-am'
change of mailing address or email address to:

manager@rpea-ak.org

Thanks!
Shack

Duncan Shackelford
Communications Director

LAWSUIT UPDATE

Brad Owens, Executive Vice President

The dental lawsuit is currently on appeal to the Supreme Court. The DRB (Division of Retirement & Benefits) filed its opening brief in July, after several extensions granted by the Court (these extensions are

routinely granted in 'normal' times but even more so during the pandemic). RPEA filed its response in September. The DRB then had the opportunity to file an Appellant Reply Brief, which they did in December. The Court now has 6-12 months to issue a decision.

Although there are never guarantees when dealing with the Court, our attorney, Susan Orlansky, is considered by many as one of the very best appellate lawyers in the state and we have great confidence we will win this appeal.

All of the pleadings in the DVA case are posted on the RPEA website:

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

The medical diminishment lawsuit is now scheduled for trial, if necessary, in July 2021. The former Judge, Eric Aarseth, was reassigned to a criminal calendar in May and a new Judge, Adolph Zeman, was appointed in August as the trial Judge in this case.

We have previously submitted several motions to the court that had been decided in our favor. We now have one motion that is pending and another we plan to file in the next 60 days; if we win these motions, it will significantly narrow the issues and thereby determine whether a trial will be necessary. We feel confident that our chances are very good in both motions.

Update: At the end of November, the court denied our motion concerning the 2015 Amendment. That Amendment added language to the 2003 Retiree Health Care Plan requiring Medicare-eligible retirees to pay an annual deductible under the Plan even though the coverage under the Plan is secondary to Medicare. While we are disappointed in this decision, we do not believe it will affect our primary claim that the 2014 Amendment of the Plan was a diminishment

of our vested health care benefits; we remain confident that we will prevail in the end.

You can go to the RPEA website for an update on both lawsuits:

<https://rpea-ak.org/lawsuits/lawsuits.html>

FLU SEASON IS HERE!!

**by Margaret Duggan, MS, RD
Medical Information Director**

The flu vaccine is now available, and the CDC encourages everyone to get vaccinated sooner rather than later this year.

Per the CDC, the best time to get your flu vaccination is between the end of September to the first part of October in order to get the best coverage for the flu season.

The CDC estimates that during the 2018-2019 season, influenza was associated with more than:

- 35.5 million illnesses,***
- 16.5 million medical visits,***
- 490,600 hospitalizations, and***
- 34,200 deaths***

For those 65++, Medicare Part B covers the flu vaccination 100% if you get it at your local pharmacy. If you get the vaccination from your doctor, there may be an administrative fee to pay.

Per the Division of Retirement & Benefits, the AlaskaCare retiree plan will be expanded to cover the flu vaccination 100% for those under 65 if you get it at your local pharmacy. If you get it from our doctor, there may be an administrative fee to pay.

The flu vaccination coverage under the AlaskaCare retiree plan is interim coverage during the COVID19 public health crisis, and is not a permanent addition to the retiree Medical Plan.

Please feel free to contact me if you have questions:

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