



# NRLN Review



## NRLN Review, Summary for November 2021

The NRLN Review provides a monthly report on National Retiree Legislative Network actions, events in Congress and important retirement news.

### Updated NRLN White Paper on Subsidies to Insurance Industry for Medicare Advantage

NRLN President Bill Kadereit sent an email to NRLN members on November 10 to announce he had updated the NRLN's White Paper for 2021. The title is: ***It Is Time to End Taxpayer Subsidies to the Private Healthcare Insurance Industry*** for Medicare Advantage (MA) plans. Click here to read the White Paper. <https://nrln.org/wp-content/uploads/2021/11/WP-Time-to-End-Taxpayer-Rebates-to-Private-Healthcare-Insurance-Industry-110121.pdf> Click here to read the Talking Points. <https://nrln.org/wp-content/uploads/2021/11/TP-Time-to-End-Taxpayer-Rebates-to-Private-Healthcare-Insurance-Industry-110121.pdf> Or go to [www.nrln.org](http://www.nrln.org), click on the Legislative Agenda tab and select White Papers or Talking Points.

The NRLN supports competition from private healthcare plans and understands the financial challenges ahead for Medicare and the federal budget. However, we do not support bonus and rebate subsidies, or anti-competitive restrictions placed on the original Medicare Fee-for-Service (FFS) just to preserve the notion that private insurance plans may be more cost effective or provide better care than FFS, when the record shows they are not.

Congress gave \$41.8 billion in illegitimate taxpayer rebates to private insurance companies in 2021 (\$450 billion in 24 years) to provide special benefits such as dental, vision and hearing, over the counter drugs and carpet cleaning to 24.9 million MA enrollees that 40 million original Medicare participants are not eligible to receive.

### NRLN Action Alert - Senators Were Wrong to Sign Lobbying Group's Letter

The NRLN learned that 13 U.S. Senators had recently signed the Better Medicare Alliance letter to the administrator for the Centers for Medicare and Medicaid Services (CMS) expressing strong support for private insurers Medicare Advantage plans. The Alliance is a lobbying organization primarily funded by three of the largest providers of Medicare Advantage plans -- UnitedHealthcare, Aetna and Humana.

The Senators who signed the letter are Kyrsten Sinema (AZ); Mark Kelly (AZ); Marco Rubio (FL); Todd Young (IN); Angus King (ME); Gary Peters (MI); Jon Tester (MT); Deb Fischer (NE); Jeanne Shaheen (NH); Jacky Rosen (NV); Tim Scott (SC); Joe Manchin (WV); Shelley Moore Capito (WV)

During November NRLN members who are constituents of these Senators used NRLN Action Alerts to tell their identified Senator it was wrong to sign the letter supporting private healthcare insurers who are not competitive

with original Medicare. They also told their identified Senator it is time to stop squandering taxpayers' money on private insurance companies and level the playing field between Medicare Advantage and original Medicare.

Congress gave \$41.8 billion in taxpayer rebates the private insurer companies in 2021 (\$450 billion in 24 years) to provide special benefits such as dental, vision and hearing to 24.9 million Medicare Advantage enrollees that 40 million original Medicare participants are not eligible to receive.

### **NRLN Action Alert – Congress Made Wrong Decision on Medicare Advantage**

NRLN issued an Action Alert to on November 30 requesting that NRLN members email the NRLN's letter to tell their Representative and Senators it is time to stop squandering taxpayers' money on private insurance companies and level the playing field between Medicare Advantage and original Medicare. Stop subsidizing a decision by Congress that has proven to be wrong.

Medicare Advantage (with various names) was created by members of Congress to privatize Medicare based on private insurers saying they could be competitive with original Medicare. In 2021, Medicare Advantage payments were 104% of the cost for original Medicare Fee-for-Service per enrollee. Medicare Advantage plans NEVER HAVE been below 100%! Subsidizing a losing private insurance industry is unfair to America's taxpayers.

### **AmazonSmile Program Will Benefit AREF**

The American Retirees Education Foundation (AREF) is a research and education affiliate of the NRLN that creates whitepaper proposals and retiree education materials.

An email sent to NRLN members of November 9 explained that the AREF, as a 501(c)(3) charitable education foundation, qualifies for AmazonSmile to donate 0.5% of a purchase price to the AREF. While some NRLN members currently use AmazonSmile and that 0.5% creates some revenue for AREF. If several thousand more NRLN members, their families and friends signed up for AmazonSmile purchases we could create even more support.

If you are among the millions of Americans who does Christmas gift shopping on Amazon, you can benefit the AREF, at no additional Amazon price or expense to you by simply buying through AmazonSmile. Sign-up for AmazonSmile at: <https://smile.amazon.com/>

AREF creates value NRLN uses daily and it educates other national lobby organizations on the same proposals NRLN supports. You may wonder, why not just donate to NRLN?. That would be ideal but NRLN is a 501 (c)(4) lobby organization, not a charity, it cannot receive charitable donations.

Read details on [www.nrln.org](http://www.nrln.org) website home page how you can support the AREF with AmazonSmile.

### **NRLN's Supreme Court Amicus Brief Supports Delphi Salaried Retirees**

Although the Delphi Salaried Retirees Association (DSRA) is not an NRLN affiliated association, the NRLN stepped up to fund and submit an Amicus brief, also known as "a friend of the court brief," on behalf of DSRA members. It was submitted to the U.S. Supreme Court on November 3rd. Attorney Michael Calabrese, the NRLN's legislative strangest, wrote the brief stating the termination of the Delphi Salaried pension plan at the direction of U.S. Treasury during its management of the bankruptcy followed an illegal process.

Following the Amicus briefs being submitted by the NRLN and others supporting DSRA, the Supreme Court requested a brief from the Pension Benefit Guaranty Corporation to explain its role followin the termination of the Delph pension plan after Delphi filed for Chapter 11 bankruptcy on October 8, 2005.

### **NRLN Is Lobbying for HCTC Extension**

The NRLN began its lobbying effort with members of Congress in November to make permanent the Health Coverage Tax Credit (HCTC) or at least through 2022 as it has been extended a year at a time.

HCTC is a refundable tax credit for individuals, between the ages of 55 - 64, receiving certain Trade Adjustment Assistance benefits or individuals receiving pension plan benefits that have been taken over by the Pension Benefit Guaranty Corporation (for example, NRLN Avaya Retiree Chapter members). The tax credit is for 72.5 percent of the premium amount paid by an eligible individual for health insurance coverage.

### **NRLN Continues Efforts to Gain SEP for TVA Retirees**

On November 19, NRLN President Bill Kadereit received an email from the Centers for Medicare and Medicaid Services advising him that CMS was not responsible providing a Special Enrollment Period (SEP) for Tennessee Valley Authority (TVA) retirees who were given misleading and insufficient information by a Private Medicare Exchange (PME) firm on the availability and cost of Medicare plans. He was told it was a state of Tennessee issue.

Kadereit is going to call the state of Tennessee official provided by CMS and press the state or CMS or HHS or Congress until someone admits to being responsible and decides to grant the SEP for TVA retirees. If the state of Tennessee does not take action to correct the injustice, the NRLN will continue to work on persuading CMS to take action and lobby members of Congress to persuade CMS and if needed change the law to correct the problem of PMEs pushing higher premium healthcare plans for retirees.

### **Ask Family and Friends to Sign Up for NRLN Emails**

NRLN President Bill Kadereit email a message to NRLN members on November 18 asking them to invite their family members and friends to sign up to receive NRLN messages. Ask them to sign up at: <https://nrln.org/email-sign-up>. The more individuals who receive the NRLN's emails and Action Alerts the better they will be informed on retirement issues and the greater likelihood they will communicate with their members of Congress.

The reason the sign-up form has places to type in home street address, city, state and zip code is so the NRLN database can identify each person's Congressional district to be used for the limited times when a specific Representative or Senator should hear from constituents.

The following information about the Social Security COLA and Medicare Part B Premium for 2022 was an attachment to the email.

### **Social Security COLA and Medicare Part B Premium for 2022**

The Social Security Administration will provide a Cost-of-Living Adjustment (COLA) increase of 5.9% in 2022. The standard premium for Medicare Part B, which covers outpatient care and durable equipment, will increase 14.5% next year.

Although TV commercials tout "no premium" for Medicare Advantage plans, both original Medicare and Medicare Advantage enrollees will pay the \$170.10 Medicare Part B premium in 2022 which was \$148.50 this year.

In 2021, the average monthly Social Security benefit was \$1,565. After the 5.9% COLA the average benefit will rise to about \$1,657, an increase of \$92 per month. The Part B premium increase is \$21.60 per month.

This means that among the 64 million receiving Social Security payments the average participant will have an extra \$70.40 monthly to deal with the increased U.S. inflation. While individuals with a higher Social Security monthly payment will fare better, any gains may be offset if the Income Related Monthly Adjustment amount (IRMA) increases Medicare Part B and Part D monthly premium payments.

The Social Security COLA is measured by the Department of Labor's Consumer Price Index (CPI-W), pegged to urban wage earners' living expenses. What is not included in the calculations is what seniors pay for healthcare that Medicare, Medicare Advantage and Medicaid do not cover.

A November 11 Barron's article noted a study by MedicareGuide.com that recently estimated prescription drugs alone gobble up more than \$7,500 a year and "are rising 'substantially faster than general inflation in every year.'"

This is why the NRLN continues to lobby Congress to pass legislation to:

1. Remove the prohibition on Medicare negotiating prescription drug prices. It should replace it with a competitive bidding mandate to be applied wherever two or more FDA approved generic drugs, or two or more brand drugs, or a generic and brand drugs (upon patent expiration) treat the same medical condition.
2. End pay-for-delay and other brand-name drugmakers' tactics that keep generic drugs off the market.
3. Allow individuals to import prescription drugs manufactured at FDA-inspected facilities from licensed Canadian sellers and import drugs from other countries that meet FDA safety standards.

### **NRLN Legislative Committees' Work**

The NRLN's Legislative Advisory Committee (LAC) composed of Judy Stenberg, Chairwoman, Deb Morrisett, Joe Mazzei, Al Duscher and Bob Martina submitted the following bills for the Legislative Action Planning Committee (LAPC) to consider for action during its November 1 conference call. The LAPC includes Bill Kadereit, Chairman, Judy Stenberg, Alyson Parker, Bob Martina and Ed Beltram. The LAPC's actions included:

**H.R.1655/S.2149, Donald Payne Sr. Colorectal Cancer Detection Act of 2021**, would increase access to blood-based screening tests to allow people to understand if they are at risk of colon cancer before they schedule a more invasive colonoscopy. Specifically, the bill would place all Food and Drug Administration (FDA)-approved blood-based screening tests on equal footing with other screening methods and authorize reimbursement from the Centers for Medicare & Medicaid Services (CMS). The lack of authorization for reimbursement from Medicare is preventing seniors from accessing all screening options for colorectal cancer.

-- Letters were emailed on November 1, 2021, to Representative Donald M. Payne (NJ-10) and Senator Martin Heinrich (NM) to thank them for introducing **H.R.1655 and S.2149**.

**H.R.4311, Medicare Dental, Vision, and Hearing Benefit Act of 2021**, would treat dental, vision, and hearing care the same as existing health care under Medicare, with no cost-sharing for preventative care and no more than the standard 20% copay.

-- A letter was emailed on Nov. 1, 2021, to Representative Lloyd Doggett (TX-35) to thank him for introducing **H.R.4311**. (If dental, hearing and vision continues to be blocked from the social infrastructure bill, the NRLN will strongly support passage of **H.R.4311**.)

**H.R.1956/S.1986, Increasing Access to Quality Cardiac Rehabilitation Care Act of 2021**, would expand and expedite access to cardiac and pulmonary rehabilitation services by authorizing physician assistants, nurse practitioners, and clinical nurse specialists to order cardiac rehabilitation and pulmonary rehabilitation under Medicare and begin supervising this care in 2022.

-- Letters were email on November 1, 2021, to Subcommittee on Health Chairwoman Anna Eshoo (CA-18) and Ranking Member Brett Guthrie (KY-01) support a vote in the Subcommittee on **H.R.1956**. Letters were emailed on November 1, 2021, to Committee on Finance Chairman Ron Wyden (OR) and Ranking Member Michael Crapo (ID) requesting a Committee vote on **S.1986**.

**H.R.5514/S.2562, Choose Home Care Act of 2021**, would allow nursing home care-eligible patients the option of home care after leaving the hospital. Under the bill, beneficiaries would be able to receive nursing care, physical or occupational therapy, and speech language pathology services at home, including through telehealth, get meals and nutritional support; remote patient monitoring; medical social services; home health aides and personal care services. Medicare's current home health benefit offers part-time nursing services, in-home therapies, social services and medical supplies for 60 days. Beneficiaries aren't eligible for home care if they need more than intermittent skilled nursing services. Passage of the bill could save the Medicare program \$144 million to \$247 million per year from avoiding nursing home stays, according to an independent analysis commissioned by the Partnership for Quality Home Healthcare.

-- Letters were emailed on November 1, 2021, to Committee on Ways and Means Chairman Richard Neal (MA-01) and Ranking Member Kevin Brady (TX-08) requesting a Committee vote on **H.R.5514**. Letters were emailed on November 1, 2021, to Committee on Energy and Commerce Chairman Frank Pallone (NJ-06) and Ranking Member Cathy McMorris Rodgers (WA-05) requesting a Committee vote on **H.R.5514**. Letters were emailed on November 1, 2021, to Committee on Finance Chairman Ron Wyden (OR) and Ranking Member Michael Crapo (ID) requesting a Committee vote on **S.2562**.

**H.R.5420, All Seniors Always Paid (ASAP) Too Act**, would provide for the continued payment of social security benefits during lapses in appropriations.

-- Tabled - Conceptually, it addresses a potential issue, but it is too general to be supportable.

The above bills have been added to the NRLN Bills webpage at <https://nrln.org/legislative-action-network/#/bills> Bills posted on this webpage feeds the NRLN Report Cards <https://nrln.org/nrln-provides-new-report-card-feature-on-members-of-congress/> .

The Letters noted above have been sent to the NRLN webmaster to be posted in Letters to Washington at <https://nrln.org/letters-to-washington-2/>

## Key News Articles Posted in November

During November, 55 links to news articles related to retirement issues were researched and posted daily IN THE NEWS on the NRLN website home page. The headlines below are links to the articles. Or, read the articles at [www.nrln.org](http://www.nrln.org) under IN THE NEWS in the right column. Scroll down the right column and click on the headline to access the article you want to read. Below are some of the headlines.

**[Democrats announce deal for lower drug prices in Biden bill](#)** - Nov 2

*[Democrats' Compromise Would Allow Medicare Drug Price Negotiations For First Time](#)* - Nov 3

**[Democrats Plan to Expand Medicare Hearing Benefits. What Can Consumers Expect?](#)** - Nov 5

*[Price transparency can put an end to \\$700 bills for emergency room waits](#)* - Nov 6

**[Opinion: The Prescription Drug Price Negotiation Plan In The Biden BBB Bill Is Not What It's Claimed To Be](#)** - Nov 6

*[Medicare beneficiaries must have the option to recover safely at home](#)* - Nov 8

**[Democrats Choosing Less Risky Path on Drug Prices](#)** - Nov 8

*[Fed: Public Health Failures Will Threaten The U.S. Economy](#)* - Nov 9

**[Lobbyists Spend Big To Push Changes In Drug Pricing Legislation](#)** - Nov 10

*[Real Medicare drug savings in Dems' bill — but not overnight](#)* - Nov 10

**[Blood test accurately identifies people at risk for Alzheimer's, study finds](#)** - Nov 11

*[Medicare Advantage Plans Cost Taxpayers More](#)* - Nov 11

**[Seniors Get the Biggest Social Security Raise in Years—and It's Already Been Eaten up by Inflation](#)** - Nov 11

*[Majority of surgeons in new survey warn of longer wait times, care delays if Medicare cuts go through](#)* - Nov 11

**[Researcher: Medicare Advantage Plans Costing Billions More Than They Should](#)** - Nov 11

*[Dems' plan to limit drug price inflation faces test in Senate](#)* - Nov 13

**[Opinion: It's time for Congress to get Medicare drug pricing reform right](#)** - Nov 15

[\*Inflation Is Back. Here's What It Could Mean For Retirees\*](#) - Nov 15

[\*\*Health Measures In Spending Bill Wouldn't Kick In Until After Midterms\*\*](#) - Nov 15

[\*Congress could face mid-December debt disaster, Yellen warns\*](#) – **Nov 16**

[\*\*Analysis: Prices On 7 Common Drugs Raised With No Proof Of New Benefits\*\*](#) - Nov 17

[\*Opinion: Two cheers for Democrats' proposed drug payment reforms\*](#) - Nov 18

[\*\*CBO: Funding for Biden's social welfare bill comes up more than \\$367 billion short\*\*](#) - Nov 18

[\*House Passes \\$2 Trillion Spending Bill With Big Health Measures\*](#) - Nov 19

[\*\*Editorial: Build Back Better's tax hikes will squeeze Americans long into the future - yet still won't cover its spending\*\*](#) - Nov 21

[\*Cap on drug price hikes for privately insured sparks battle\*](#) - Nov 21

[\*\*Becerra Says Surprise Billing Rules Force Doctors Who Overcharge to Accept Fair Prices\*\*](#) - Nov 22

[\*How To Afford The Costly Care Of Your Aging Parents\*](#) - Nov 23

[\*\*Where the Money to Pay for Biden's Budget Bill Will Come From\*\*](#) - Nov 28

[\*Opinion: Democrats want to rescue union pensions from the party's failed bailout plan\*](#) - Nov 28

[\*\*Don't Let Your Heir's Creditors End Up With Your Retirement Funds\*\*](#) - Nov 29