



NRLN Review



NRLN Review, Summary for March 2022

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

U.S. House Passes Bill to Limit Retirees' Exposure to Pension Recoupment

On March 29, the U.S. House of Representatives passed and sent to the U.S. Senate **H.R. 2954, Securing a Strong Retirement Act of 2021**, also called SECURE Act 2.0. The bill includes the NRLN's proposal to limit retirees' exposure to Pension Recoupment.

The NRLN's proposal clarifies that a pension plan fiduciary does not have to recoup overpayments, but if it does, it must be done within three years of the initial overpayment. (Now there is no limit to back years.) The company may not recoup more than 10% of the amount of the overpayment per year, and it may not recoup against a beneficiary of a participant.

The NRLN's lobbying and NRLN members responding to an Action Alert supporting **H.R.2954** helped the bill get passed by a unanimous vote. That rare in today's divided House.

The Senate has **S.1770, Retirement Security and Saving Act**, its version of SECURE Act 2.0. The Senate bill includes the NRLN's proposal on recoupment plus our proposal that would promote funding of healthcare and life insurance benefits by amending the Employee Retirement Income Security Act (ERISA) and Internal Revenue Code (IRC) Section 420 to set the surplus transfer limit at 110%.

Action Alert to NC and SC Constituents

On March 2 the NRLN issued an Action Alert to constituents of Senator Richard Burr (NC) and Senator Tim Scott (SC) requesting they urge the Senators' support for strengthening pension plan Annual Funding Notices (AFNs). Currently, AFNs do not provide a straightforward and up-to-date disclosure of a pension plan's actual funding status in a manner that is both understandable and relevant.

Senator Patty Murray (WA), Chair of the Committee on Health, Education, Labor and Pension (HELP) has proposed legislative language to strengthen and make AFN information more understandable and relevant for pension plan participants. It includes NRLN proposals.

North Carolina Senator Richard Burr and South Carolina Senator Tim Scott are influential members on the HELP committee. For this reason, NC and SC constituents were asked to send the NRLN's Action Alert letter to their Senator.

NRLN President's Forum - ACO REACH Is Lipstick on a Pig

In a President's Forum message on March 15, Bill Kadereit wrote: under pressure from the NRLN, other Medicare advocacy groups and a few members of Congress, the Center for Medicare and Medicaid Innovation

(CMMI) has announced that on January 1, 2023, Direct Contracting Entities (DCEs) will be changed to the Accountable Care Organization Realizing Equity, Access and Community Health (ACO REACH) Model.

Kadereit called ACO REACH putting lipstick on the DCE pig.

CMMI is now accepting applications for ACO REACH from the 51 DCEs and 453 ACOs. This will speed up the effort to privatize original Medicare.

The ACO model is not a model in practice, it is simply an unproven shelter for heterogenous healthcare entities that is supposed to serve original Medicare enrollees. Instead, they are formed by individuals who want to use federal tax dollars to consolidate, capitalize and operate on the shoulders of taxpayers.

Read the entire Forum message at: <https://www.nrln.org/presidents-forum-134-aoc-reach-is-lipstick-on-a-pig/>

Read Spring 2022 NRLN FOCUS Newsletter

Access the spring 2022 NRLN FOCUS Newsletter by going to www.nrln.org and click on the NRLN FOCUS graphic in the right column.

NRLN President Bill Kadereit's Clarion Call column is on ***ACO REACH Another form of Direct Contracting.***

There are profiles on four NRLN Board of Directors members.

NRLN Executive Director Alyson Parker's A View from Washington column is on ***A Renewed Effort to Address the Insolvency of Social Security.***

NRLN Action Alert – Rectify Injustice to Delphi Salaried Retirees

In 2009 a federal government task force intervened in the bankruptcies of General Motors and Delphi, a GM spin-off and its largest supplier. GM's and the Delphi unions' pensions were fully protected, but the pension plan for Delphi salaried retirees was terminated, taken over by PBGC and 22,000 retirees suffered payment reductions of up to 70%.

To assist your fellow Delphi salaried retirees, the NRLN issued an Action Alert on March 22 asking members to go to <https://www.nrln.org/action-alert/#/home/> and email their letter to your members of Congress to urge them to become a cosponsor of H.R.6929/S.3766, the Susan Muffley Act of 2022, which would wholly restore the pensions for Delphi salaried retirees. This bill would make up the difference between the pension benefits earned by Delphi salaried retirees and what they received following the bankruptcy.

NRLN Legislative Committees' Work

The NRLN's Legislative Advisory Committee (LAC) composed of Judy Stenberg, Chairwoman, Deb Morrissett, Joe Mazzei, Al Duscher and Bob Martina submitted the following bills for the Legislative Action Planning Committee (LAPC) to consider for action during its March 7 conference call. The LAPC includes Bill Kadereit, Chairman, Judy Stenberg, Alyson Parker, Bob Martina and Ed Beltram. The LAPC's actions included:

H.R.2898/S.1399, Homecare for Seniors Act would make it easier for older Americans to age in place. It changes the law to allow older adults to use funds from their health savings accounts (HSAs) for homecare. Under this legislation, older adults would be able to use these accounts, which they've put their own money into, to pay for qualified homecare services.

-- Letters were emailed on March 7, 2022, to House Committee on Ways and Means Chairman Richard Neal (MA-01) and Ranking Member Kevin Brady (TX-08) requesting a Committee vote on **H.R.2989**. Letters were emailed on March 7, 2022, to Senate Committee on Finance Chairman Ron Wyden (OR) and Ranking Member Michael Crapo (ID) requesting a vote on **S.1399**.

H.R.2903/S.1512, Creating Opportunities Now for Necessary and Effective Care Technologies (CONNECT) for Health Act of 2021, would expand coverage of telehealth services under Medicare.

Provisions in the bill include:

- allows the Centers for Medicare & Medicaid Services (CMS) to waive certain restrictions, such as restrictions on the types of technology that may be used;
- permanently removes geographic restrictions on originating sites (i.e., the location of the beneficiary) and allows the home of the beneficiary to serve as the originating site for all services
- permanently allows federally qualified health centers and rural health clinics to serve as the distant site (i.e., the location of the health care practitioner); and
- allows the CMS to generally waive coverage restrictions during any public health emergency.

Additionally, CMS must report on the effects of expanded telehealth services during the COVID-19 public health emergency, including with respect to the utilization, quality, and outcomes of services. The Center for Medicare and Medicaid Innovation may also test alternative payment models relating to expanded telehealth.

-- Letters were email on March 7, 2022, to House Subcommittee on Health Chairwoman Anna Eshoo (CA-18) and Ranking Member Brett Guthrie (KY-02) requesting a Subcommittee vote on **H.R.2903**. Letters were emailed on March 7, 2022, to Senate Committee on Finance Chairman Ron Wyden (OR) and Ranking Member Michael Crapo (ID) requesting a vote on **S.1512**.

The above bills have been posted at <https://www.nrln.org/legislative-action-network/#/bills> . This webpage feeds the NRLN Congress Report Card.

The above letters have been posted in Letters to Washington at: <https://www.nrln.org/letters-to-washington-2/>

H.R.3387/S.1762, Financial Factors in Selecting Retirement Plans Investments Act would:

(1) Provide legal protection for ESG investments both as a factor in analyzing investments and as a selected investment. (2) Allow the establishment of ESG investments as a qualified default investment alternative. (3) Establish ESG factors as a tiebreaker when investment alternatives being evaluated by traditional risk and reward are equally prudent fiduciary selections. ESG stands for **Environmental, Social, and Governance**. Investors are increasingly applying these non-financial factors as part of their analysis process to identify material risks and growth opportunities.

-- The LAPC accepted the LAC's recommendation to table and monitor **H.R.3387/S.1762**

Carry Over from February 7, 2022, LAPC call: **H.R.6352/S.3399, Domain Reform for Unlawful Drug Sellers (DRUGS) Act** would provide the U.S. Food and Drug Administration (FDA) the authority to suspend websites peddling illicit opioids and other counterfeit, falsified, substandard, or unapproved prescription drugs.

On February 7, the LAPC supported the LAC's recommendation that Alyson Parker, NRLN Executive Director, contact the office of Senator Amy Klobuchar, a cosponsor of **S.3399**, to gain clarification whether this bill would prohibit importation of legal prescription drugs from Canada. Parker reported that Senator Klobuchar's staff member said it is not our intent of **S.3399** to prohibit the importation legitimate prescription drugs from Canada for personal use. Senator Klobuchar's staff is currently working with Senator Rubio's office and advocates to make sure **S.3399** targets those illicit drugs and does not impair the ability for Americans to get safe, legal prescription drugs from Canada for personal use.

-- The LAPC decided on March 7 to table and monitor **H.R.6352/S.3399**.

Key News Articles Posted in March

During March 58 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 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.

[**Biden's Blanket Statement — 'No More Surprise Billing' — Doesn't Quite Cover It**](#) ~ Mar 01

[**Biden's Promise of Better Nursing Home Care Will Require Many More Workers**](#) ~ Mar 02

Why Social Security Expansion Makes Sense In 2022 ~ Mar 03

Consumer Agency Weighs Ban on Medical Debts in Credit Reports Mar 04

Patients Divided Over Alzheimer's Drug: Is It a 'Risk I'm Willing to Take' or Just a 'Magic Pill'? ~ Mar 08

Light starts to shine on opaque drug pricing tactics ~ Mar 08

IRS plans to hire 10,000 workers to relieve massive backlog ~ Mar 10

Commentary: Too Many Americans Still Can't Retire Well. Congress Can Help. Mar 11

CMS Expects To Set New Nursing Home Staffing Standards Within A Year Mar 11

EBSA, IRS Get Funding Boosts, But What About SECURE 2.0? ~ Mar 11

Democrats' Vision To Boost Services For Child And Elder Care Fades ~ Mar 14

Retirement healthcare costs going up: 5 things to know ~ Mar 16

Why You May Pay More in Social Security Taxes—and How to Lower That Bill ~ Mar 16

How higher interest rates will affect Americans' finances ~ Mar 16

House progressives push for CMS to end newly rebranded ACO REACH model ~ Mar 17

Credit Companies Will Remove Stains From Repaid Medical Debts ~ Mar 18

Pfizer CEO Pushes Yearly Shots for Covid. Not So Fast, Experts Say. ~ Mar 21

Schumer says he supports bipartisan talks on bill to lower insulin costs ~ Mar 22

How Healthcare Has Been Forever Changed by the Pandemic ~ Mar 24

A financial shock could wreck retirees' or pre-retirees' finances: Here's how to be ready ~ Mar 25

Do You Come Out Ahead On Social Security, Medicare? ~ Mar 25

How The IRS's New RMD Tables For 2022 Affect Your Retirement ~ Mar 28

Who really needs a second COVID booster? Here's what to know ~ Mar 30

People 50 And Older Can Get Second Covid Booster ~ Mar 30

House Advances SECURE 2.0 in Nearly Unanimous Vote ~ Mar 30

CDC Launches COVID.gov To Help Americans Access Antivirals, Tests, Shots ~ Mar 31

Biden's looming prescription drug pricing dilemma ~ Mar 31

House passes bill to cap the cost of insulin ~ Mar 31