



NRLN Review



NRLN Review, Summary for June 2022

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

Formation of Delphi Retirees Chapter – NRLN

On June 21 the Board of the Delphi Salaried Retirees Association (DSRA) announced to its members the formation of the Delphi Retirees Chapter – NRLN and invited them to sign-up as Chapter members. The DSRA continues to exist. The Chapter, independent of DSRA, will support the NRLN's broad range of legislative issues important to retirees.

Mike Husar, Chapter President, and Bill Kadereit, NRLN President, emailed on June 27 a Chapter welcome message to the 770 Delphi retirees who already had active email addresses in the NRLN database plus 170 additions who signed up in the week following the DSRA's announcement. Chapter sign-ups are continuing at: <https://www.nrln.org/email-sign-up>.

The Delphi Retirees Chapter is now one of 14 NRLN Chapters. The Chapter's webpage is at: <https://www.nrln.org/nrln-delphi-retirees-chapter/> Already posted on the webpage, in addition to this welcome message, is the NRLN's Action Alert requesting that members of Congress become cosponsors of H.R.6929/S.3766, the Susan Muffley Act of 2022, which would wholly restore the pensions for Delphi salaried retirees. Also posted is an article on the Delphi Retirees Chapter Members' Corporate Lineage.

Fran Topolski Named NRLN Northeast Region Vice President

Bob Martina, NRLN Vice President – Grassroots announced on June 20 that Fran Topolski, a Lucent/Nokia Retirees Chapter member who has served as the New Jersey State Grassroot Leader since 2016, is the new NRLN Northeast Region (NJ and NY) Vice President.

After earning a Masters Degree in Chemical Engineering at Georgia Tech and serving in the U.S. Navy he had a 41-year career with Lucent Technologies and its predecessor companies. His first position was in Princeton, NJ and was followed by a move to Atlanta where he worked on Fiber Optic development.

Topolski had numerous international positions having spent 15 years working in Denmark, Poland, China, India and United Arab Emirates and Saudi Arabia.

NRLN's Position on RISE & SHINE Act

On June 2 NRLN President Bill Kadereit sent letters to Senate Committee on Health, Education, Labor and Pensions Chairwoman Patty Murray (WA), Ranking Member Richard Burr (NC) and the other 20 committee

members to state the NRLN's position on the Retirement Improvement and Savings Enhancement to Supplement Healthy Investments for the Nest Egg (RISE & SHINE) Act.

The NRLN supports the inclusion of Section 108, Recovery of Retirement Overpayments, Section 304, Defined Benefit Annual Funding Notices and Section 603 of the RISE & SHINE Act, which would extend Section 420 of the Internal Revenue Code of 1986, as amended, and corresponding provisions of the Employee Retirement Income Security Act of 1974 (collectively, "Section 420") through December 31, 2032.

Kadereit noted, U.S. companies are aggressively reducing or eliminating retirees' welfare benefits. The NRLN believes that the RISE & SHINE Act would be more beneficial for pension beneficiaries and pension plan sponsors by modifying Section 420 of the Internal Revenue Code of 1986 and corresponding provisions of the Employee Retirement Income Security Act of 1974 to allow employers with generously overfunded pension plans (110% or above) to use a portion of the plan's surplus assets to fund retiree healthcare and life insurance benefits, which are otherwise not vested and are therefore at risk.

The NRLN's proposal would not jeopardize the security of the underlying pension benefits and gives companies the flexibility to support welfare benefits for their retirees. It is compliant with current plan asset and liability determination provisions and pension transfer rules but also includes an added protection that restricts each plan transfer to a minimum of 1.75% of total plan assets.

Kadereit requested that the proposal, which should be non-partisan, be included in the RISE and SHINE Act. The lowering of the pension funding threshold is also supported by industry (ERIC - ERISA Industry Committee) and labor (CWA – Communications Workers of America).

Annual Report on Social Security and Medicare

In an NRLN President's Forum message on June 4, Bill Kadereit shared with NRLN members key information from the Trustees for Social Security and Medicare annual reports released on June 2.

Social Security: The **Old-Age and Survivors Insurance (OASI) Trust Fund**, which pays retirement and survivors benefits, will be able to pay scheduled benefits on a timely basis until 2034, one year later than reported last year. At that time, the fund's reserves will become depleted and continuing tax income will only be sufficient to pay 77% of scheduled benefits.

The **Disability Insurance (DI) Trust Fund**, which pays disability benefits, is no longer projected to be depleted within the 75-year projection period. By comparison, last year's report projected that it would be able to pay scheduled benefits only until 2057.

Medicare: The **Hospital Insurance (HI) Trust Fund (Medicare Part A)** which helps pay for services such as inpatient hospital care, will be able to pay scheduled benefits until 2028, two years later than reported last year. At that time, the fund's reserves will become depleted and continuing total program income will only be sufficient to pay 90 percent of total scheduled benefits.

The Supplementary Medicare Insurance (SMI) Trust Fund (Medicare Part B physician services) is adequately financed into the indefinite future because current law provides financing from general revenues and beneficiary premiums each year to meet the next year's expected costs.

Medicare Privatization: The NRLN is completing a study based on the growing consensus that Medicare Advantage (MA) plan performance data shows they can't make healthcare less costly or deliver better quality than original Medicare Fee-for-Service. Preliminarily, no data proves that Accountable Care Organizations (ACOs) are much better. Direct Contracting Entities (DCEs) and recently announced 2023 ACO REACH trials are validating our belief that our Centers for Medicare and Medicaid Services (CMS) doesn't have the skill, knowledge, or feet-on-the-street common sense to manage Medicare effectively. Privatization of Medicare has failed so far.

CMS invents new acronyms and programs that dodge criticism and to cover up facts. They forecast paying \$50 billion in subsidies in 2022 and over \$100 billion by 2030 to insurance companies and private investors. ACO REACH will absorb ACO's and DCE's and compete directly with MA - and may eliminate it.

Links to Reports and Fact Sheet: Social Security Trustees Report 6-2-22:

<https://www.ssa.gov/oact/TR/2022/tr2022.pdf>

Medicare Trustees Report 6-2-22: <https://www.cms.gov/files/document/2022-medicare-trustees-report.pdf>

Social Security and Medicare Trustees Reports Fact Sheet 6-2-22

<https://home.treasury.gov/system/files/136/TR-2022-Fact-Sheet.pdf>

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 June 6 conference call. The LAPC includes Bill Kadereit, Chairman, Judy Stenberg, Alyson Parker, Bob Martina and Ed Beltram. The LAPC's actions included:

H.R.6833/S.3700, Affordable Insulin Now Act, would require Medicare Part D plans, both stand-alone drug plans and Medicare Advantage drug plans, to charge no more than \$35 for whichever insulin products they cover in 2023 and 2024, and for all insulin products beginning in 2025. Private group or individual insurance plans would be required to cover one of each insulin dosage form (vial, pen) and insulin type (rapid-acting, short-acting, intermediate-acting, and long-acting) for no more than \$35 per month.

-- **H.R.6833** was passed by the House on March 31, 2022. An NRLN Action Alert was issued on June 7, 2022, on **S.3700** asking NRLN members to email the NRLN's letter, with their comments added, to their Senators requesting they urge their Senate colleagues on the Committee on Finance to approve **S.3700** and press Majority Leader Schumer to call the bill to the floor for a recorded vote so constituents can see how their Senators voted.

H.R.1330/S.4130, Patient Access to Higher Quality Health Care Act of 2021, would remove the Affordable Care Act's (ACA) ban on the creation and expansion of physician-owned hospitals (POHs). It allows POHs to participate in Medicare and Medicaid as well as increase competition among hospitals with lower costs and expanded access to quality care for more Americans.

-- Letters were emailed on June 6, 2022, to House Subcommittee on Health Chairwoman Anna Eshoo (CA-18) and Ranking Member Brett Guthrie requesting a Subcommittee vote on **H.R.1330**. Letters were emailed on June 6, 2022, to Senate Committee on Finance Ron Wyden (OR) and Michael Crapo (ID) requesting a Committee vote on **S.4130**.

H.R.1611/S.2612, Prevent Interruptions in Physical Therapy Act of 2021, builds upon a provision which was signed into law as part of the 21st Century Cures Act to give physical therapists in rural, medically underserved, and health professional shortage areas to the ability to use locum tenens arrangements to ensure their patients continue to receive quality care during a temporary provider absence (e.g. illness, family leave, or continued professional education). The bill extends this same arrangement to all physical therapists in the outpatient setting participating in the Medicare program.

-- Letters were emailed on June 6, 2022, to House Subcommittee on Health Chairwoman Anna Eshoo (CA-18) and Ranking Member Brett Guthrie requesting a Subcommittee vote on **H.R.1611**. Letters were emailed on June 6, 2022, to Senate Committee on Finance Ron Wyden (OR) and Michael Crapo (ID) requesting a Committee vote on **S.2612**.

H.R.4479/S.2609, Facilitating Innovative Nuclear Diagnostics (FIND) Act of 2021, would ensure adequate Medicare reimbursement to hospitals for procedures that use radiopharmaceuticals to diagnose, evaluate, and treat faster specific conditions such as Alzheimer's and Parkinson's, as well as certain cancers.

Radiopharmaceuticals are small amounts of radioactive material used to capture molecular-level images of what is happening in a patient's body.

-- Letters were emailed on June 6, 2022, to House Subcommittee on Health Chairwoman Anna Eshoo (CA-18) and Ranking Member Brett Guthrie requesting a Subcommittee vote on **H.R.4479**. Letters were emailed on June 6, 2022, to Senate Committee on Finance Ron Wyden (OR) and Michael Crapo (ID) requesting a Committee vote on **S.2609**.

H.R.7400/S.3991, American Made Pharmaceuticals Act of 2022, would reduce dependence on foreign pharmaceutical manufacturing and boost production in the U.S. The COVID pandemic exposed the United States' dependence on other countries for essential prescription drugs. Seventy-two percent of key pharmaceutical ingredients come from overseas, threatening the security of the supply chain and leading to shortages of essential prescription drugs.

-- Letters were emailed on June 6, 2022, to Committee on Energy and Commerce Chairman Frank Pallone (NJ-06) and Ranking Member Cathy McMorris Rodgers (WA-05) plus Ways and Means Chairman Richard Neal (MA-01) and Ranking Member Kevin Brady (TX-08) requesting a committee vote on **H.R.7400**. Letters were emailed on June 7, 2022, to Senate Committee on Finance Ron Wyden (OR) and Michael Crapo (ID) requesting a Committee vote on **S3991**.

Table and Monitor:

- **H.R.4417/S.4011** -- Capping Drug Costs for Seniors Act of 2021/2022
- **H.R.2166/S.150** -- Ensuring Parity in MA and PACE for Audio-Only Telehealth Act of 2021
- **H.R.6228/S.3339** -- **Capping Prescription Costs Act of 2021**
- **H.R.7146/S.1870** -- Enhancing Emergency and Retirement Savings Act of 2022/2021
- **H.R.7310** -- Protecting America's Retirement Security Act
- **S.4204** -- Medicare for All Act of 2022

Updates provided by Al Duscher:

- **H.R.3387/S.1762** -- Financial Factors in Selecting Retirement Plan Investments Act (previously tabled by the LAC on 2/22/2022)
- **Senator Patty Murray** (WA) Introduced Lump-Sum Transparency Bill to Address Trump Administration Roll Back of Retiree Protection

All of the bills listed above have been posted on the NRLN website Bills webpage at: <https://www.nrln.org/legislative-action-network/#/bills> The Bills webpage feed the NRLN Reports Cards.

Key News Articles Posted in June

During June 54 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.

[**Perspectives: High Drug Prices Harm Those Who Need Prescriptions To Survive**](#) ~ June 1

[*Social Security won't be able to pay full benefits by 2035 if Congress doesn't act*](#) ~ June 02

[**Column: How our retirement system shortchanges the middle class**](#) ~ June 03

[*Medicare Trust Fund Gains A Little Breathing Room*](#) ~ June 03

[**Possible Resurrection Of Build Back Better From The Dead: Drug Price Measures Could Be Key Component**](#) ~ June 03

[*There's a push in Congress for a new national retirement plan to fill big savings gap*](#) ~ June 04

[**Social Security Won't Go Totally Broke**](#) ~ June 06

[*Groundbreaking Cancer Treatment Produces Remission In Every Patient In Trial*](#) ~ June 06

[**Study: 87% of Medicare Advantage plans could lose one or more stars in 2023 ratings**](#) ~ June 06

[*Social Security Needs Saving Again*](#) ~ June 7

[**Column: Social Security trustees say the U.S. is rich enough to expand, not shrink, benefits**](#) ~ June 7

[Opinion: America's seniors are paying for Medicare mismanagement](#) – June 7

['Our Seniors Deserve Better': Jayapal Demands End of All Medicare Privatization Schemes](#) – June 7

[Moderna says updated Covid-19 vaccine booster shows stronger antibody response against Omicron](#) – June 8

[Save Social Security by Taxing the Rich? Democrats Have a Plan](#) – June 9

[How New Medicare Rule Could Lower Prescription Drug Costs](#) – June 10

[Opinion: Preserving Medicare and Social Security will require bipartisan effort](#) – June 10

[2 things to do if you test positive for COVID-19 at home](#) – June 12

[When Social Security Runs Out: What the Program Will Look Like in 2035](#) – June 12

[New Survey Shows What Sacrificing Americans Would Accept To Keep Social Security's From Running Out](#) – June 12

[Despite rosier trust fund outlook, time running out to stabilize Medicare funding, researchers warn](#) ~ June 13

[Retirees Turning 72 This Year Will Need to Take RMDs, Even if Secure Act 2.0 Passes](#) ~ June 12

[Social Security bill would give seniors an extra \\$2,400 a year. Here's how it would work.](#) – June 14

[Medicare Advantage Plans Have Great Promise But They Are Not Delivering](#) ~ Jun 15

[Trial of New Alzheimer's Drug Reports Disappointing Results](#) ~ June 16

[Drug Pricing Debate in Washington Is a Headache for Pharma](#) ~ June 18

[Buying From Mark Cuban's Pharmacy Could Save Medicare Billions, Study Says](#) ~ June 20

[Supreme Court declines to hear UnitedHealth's lawsuit on Medicare Advantage overpayments rule](#) ~ June 22

[PBM reform bill that boosts FTC powers inches closer to passage in Senate](#) ~ June 22

[Social Security isn't bankrupt: What we know about future benefits based on the latest trustees report](#) ~ June 25

[Why Won't Congress Do What Mark Cuban Is Doing For Affordable Drug Prices?](#) ~ June 27

[Pfizer Says Omicron Shot Better Against Variant Than First Jabs](#) ~ June 27

[FDA Debates Whether To Update Covid Vaccines Ahead Of Fall](#) ~ June 28

[Government Watchdogs Attack Medicare Advantage for Denying Care and Overcharging](#) ~ June 29, 2022

[Staffing Shortages Have U.S. Nursing Homes in Crisis](#) ~ June 29