

# RISE Delaware Update for May 5, 2023

## RISE Delaware Action Needed! Time to write to your legislators!

Everyone,

Now is a really good time to reach out to your State Representative and State Senator to protect your retiree Medicfill healthcare benefit. The current legislative session ends June 30, and it is critical to make sure our legislators are paying full attention and supporting us in this session. We don't want to give them a pass. They can and should act now.

**First**, there is sneaky epilogue language in the Governor's proposed budget bill that is designed to allow the Administration to later argue that the legislature blessed Administration attempts to go forward with Medicare Advantage.

Here is what it says: "**Section 101. Notwithstanding any provisions of the law to the contrary, the Department of Human Resources will continue its efforts towards implementing 29 Del.C. Sec.5202(d)(4) and (d)(5) and will work within the terms of the 2021 Medical Third-Party Administrator RFP and executed contracts.**" The State claims this language could authorize them to proceed with the executed contract with Highmark for Medicare Advantage.

While we hear that this offensive epilogue language will be cut during budget mark-up this month, we do not want to take any chances that it remains or that our Governor, hell bent on Medicare Advantage, sticks it back in. *There is absolutely no reason for this epilogue language other than to try to pull one over on us - and legislators.* The Administration no doubt thought we wouldn't notice. But we did. Now is the time to let them know that this language must go.

**So please ask your legislators to remove the epilogue language the Administration buried in the budget bill in Section 101 to try to slip in Medicare Advantage.**

**Second**, as you will be able to see from a report being prepared by retirees, the funding of future retiree healthcare has been erratic and woefully inadequate for years. This creates an "unfunded liability" (you will hear it called unfunded OPEB liability) that is a potential problem for bond rating agencies. It is important that the State step up and properly fund into the future our promised benefit. There is no excuse for their continuing the inadequate funding and then whining that retirees should be the ones to fix the problem by going to a deleterious, privatized Medicare (Dis)Advantage plan. The State fixed the retiree pension fund years ago. They can and need to do that for the retiree healthcare fund.

So how can the legislature work to address the funding problem? It is actually straightforward. They need to codify "enhanced funding" so as to be able to deliver on the promised Medicfill benefit in the future. This means to put it into a statute, not merely in the epilogue to the budget bill. While in the last two years the Governor has put funding into his budget bill of 1% of the (prior year's) budget for the future Medicfill benefit, this has only been by way of epilogue language. This means the State doesn't get the full credit it deserves from the actuaries when they project the liability for Medicare retiree healthcare that the bond rating agencies care about.

**So here is the simplified version: ask your legislators to properly fund the Medicfill benefit into the future, and codify enhanced funding at a sufficient level.** Just the way they did for the pension fund. Whether that's at 1% of the budget or something higher, such as 1.5 or 2%. And if you hear that this puts a burden on taxpayers, well so does the entire State budget, including all the legislators' salaries. State retirees worked for less to get the real-deal Medicare supplement in retirement (Medicfill) - and they should get it.

**Finally, it is always good to remind legislators that Medicare Advantage has been thoroughly shown to be a disaster. We want our promised benefit of Medicfill with no changes to the State share. Pure and simple.** No one has shown any possibly justifiable financial or other reason for forcing us on to Medicare Advantage.

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So, feel free to say in your own words how you feel about these points, although please be careful not to conjecture about legal consequences such as of the epilogue language. It works best to send an individual email to each of your legislators or individual letters. And put your home address so they know you are in their district. You can find who your legislators are and how to contact them from a link at this nice website that Steve LePage put together. <https://retirees.inthefirststate.com/>

PLEASE TAKE A MINUTE TO REACH OUT TO YOUR LEGISLATORS IN YOUR OWN WORDS, EVEN IF SHORT, AND ENCOURAGE YOUR FRIENDS TO DO SO! Wouldn't it be great if they got a tsunami of individual emails or letters? Many thanks to all those who volunteered for upcoming events and the outreach research project. We filled the volunteer positions very quickly and appreciate your interest and support!

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**RISE Delaware: Retirees Investing in Social Equity Delaware**

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<https://www.facebook.com/RiseDelaware>

<https://www.gofundme.com/f/rise-delaware-round-2-legal-and-other-costs>

**Our Web site:** [www.risede.com](http://www.risede.com)

**Checks may be made payable to:** RISE Delaware

**Address:** RISE Delaware, P.O. Box 7262, Newark, DE 19714

Public Meeting Calendar: State of Delaware

<https://publicmeetings.delaware.gov/#/>

