

# Living **power**

For all who have made a living and now wish to make a life

## Board Takes Conservative Approach to 2009 Recommendations

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The Board of Trustees of the North Carolina State Retirement Systems met on January 15 with the new State Treasurer, Janet Cowell, presiding. The agenda included the discussion of legislative recommendations to the 2009 Session of the General Assembly.

Concerns about the deepening recession, the outlook for the state budget, and current shortfalls in two of the three major retirement systems affected the Board's decisions regarding the Cost-Of-Living Adjustment (COLA) recommendations for 2009. The negative economic news was partially offset by the unofficial estimates of inflation for 2008 falling well below 1.0%. (*Editor's Note: Official figures were released by the Bureau of Labor Statistics on January 16 and set the increase in the Consumer Price Index for 2008 at one-tenth of one percent [0.1%] the lowest increase in the Consumer Price Index since 1954.*) The highlights of the meeting and the recommendations of the Board are presented here.

**COLAs for Retired State Employees, Teachers, and Judicial System Personnel**

The Board again reviewed the results of the actuarial audits of the Teachers' and State Employees' Retirement System (TSERS) and the Consolidated Judicial Retirement System (CJRS) for the year ending December 31, 2007. Both systems had small deficits rather than undistributed gains that might be used to fund a COLA in 2009. These shortfalls were in part the result of adjustments made by the actuary to reflect more accurate data on years of creditable service for current employees. The TSERS had a shortfall of \$29 million and the CJRS registered a deficit of \$9.4 million.

A coalition of groups, including the NCRGEA, that represent active and retired state employees, pointed out that these deficits, especially the shortfall in TSERS, were also the result of inadequate employer contributions to the systems during the past several years. The current state employer contribution rate to TSERS

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## Free Tax Preparation for Qualified Members

Back by popular demand! The State Employees' Credit Union (SECU) has once again partnered with the IRS to offer free tax preparation for qualified members through the Volunteer Income Tax Assistance (VITA) program. VITA is a free IRS sponsored program available to help tax-

payers with a household income of \$42,000 or less complete and electronically file basic tax returns.

All branch locations will have VITA trained SECU employees available to complete tax returns for qualified members January 20<sup>th</sup> – April 15<sup>th</sup> by appointment only. They can file your tax return electronically, which means you can have your refund in as little as 9-15 days. Can't wait that long? SECU offers members who participate with VITA the Tax Refund Express Loan, a low cost alternative to expensive Refund Anticipation Loans. With high fees and exorbitant interest rates, a traditional Refund Anticipation Loan may cost you \$100 or more. SECU's Tax Refund Express Loan will be offered with the low interest rate of 12%\*. A

typical 15-day loan would only cost about \$12 based on a loan amount of \$2,500.

Why is SECU continuing with this free tax preparation program? One of our primary goals is to help improve the financial

lives of our member-owners. Unfortunately a large number of SECU members don't realize they qualify for free tax preparation through VITA and are paying high fees for simple tax preparation in addition to excessive interest for refund anticipation loans. A significant number of members also fail to claim tax credits for which they are eligible, namely the Earned Income Tax Credit (EITC). The EITC is a refundable tax credit for low-to-moderate income taxpayers. The 2008 credit amount ranges from \$438-\$4,824 depending on income and family size. Unfortunately, statistics show that as many as 25% of eligible taxpayers fail to claim the Earned Income Tax Credit. This means SECU members are losing millions of dollars each year in unclaimed tax credits.

If you are eligible for VITA, your Credit Union is ready to help you claim the tax credits you deserve, allowing you to use these funds to help secure your financial future. In fact, SECU was able to do just that for the 2007 tax season, helping over 16,000 North Carolinians claim approximately \$8 million in tax credits and save \$2 million in tax preparation fees! In January, more information will be available in SECU branches and on the SECU website, [www.ncsecu.org](http://www.ncsecu.org). The SECU is looking forward to helping even more members save money with VITA this year.

\* Rate subject to change.

*Information for this article was provided by the State Employees' Credit Union.*

*Living Power* is published to provide current information for NCRGEA's membership. Newsletters are printed bimonthly and mailed to all members of NCRGEA. Your comments are welcome.

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## **Conservative Stance**

*(Continued from page 1)*

stands at 3.36% of payroll, well below the normal rate of 6.2% identified in the actuary's report.

The coalition asked the Board of Trustees to recommend several actions to the 2009 General Assembly that included the following:

- 1.) An immediate appropriation to fund the shortfalls in TSERS and CJRS
- 2.) An increase in the state employer contribution rate to TSERS to 5.0% in 2009 and 6.0% in 2010
- 3.) Provide a COLA that at least covers the cost of living or is equal to the raise granted to state employees, whichever is greater
- 4.) Increase the TSERS retirement accrual factor from the current 1.82% to 1.83% in 2009 and to 1.84% in 2010

The Board of Trustees took a more conservative approach and set a narrower focus for the recommendation to the 2009 General Assembly. Several members of the Board cited concerns about the growing state revenue shortfall projected at \$2 billion, the likelihood of little or no raises for active employees and the major challenge to restore the stability of the State Health Plan as reasons to take a limited approach for 2009. The full impact of the current recession on the retirement systems will not be known until the actuarial report for 2008 is prepared later this year.

After an extended discussion of various

options, the Board adopted two recommendations regarding benefit enhancements for retired teachers, state employees, and members of the judicial system. The Board recommended that the General Assembly appropriate the necessary funds to eliminate the pension system deficits. Regarding COLAs for 2009, the Board recommended a Cost-Of-Living Adjustment for these state retirees equal to the COLA granted to active state employees but not to exceed 1.0%. The additional state funding to cover shortfalls and a 1.0% COLA would amount to \$74.5 million. The Board did not recommend any increase in either the state employer contribution rate or the TSERS retirement accrual factor.

### **COLA For Retired Local Government Employees**

The Board faced a different set of challenges in arriving at a decision concerning a COLA for local government retirees. Unlike the two major state retirement systems, the Local Governmental Retirement System (LGERS) had undistributed gains available to cover benefit enhancements. According to the LGERS actuarial report, as of December 31, 2007, the local system had gains sufficient to fund as much as a 3.4% COLA.

These gains reflect both the positive market conditions of the five-year period 2003 through 2007 and the stable contribution level (4.8%) maintained by local

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## Medicare Part B General Enrollment Period

For retirees who do not currently have Medicare Part B, now is the time to enroll for coverage, to be effective on July 1, 2009. The General Enrollment Period for Medicare Part B is from January 1 to March 31.

It is important to note that the Medicare Part B premium may go up 10% for each 12-month period that a retiree could have enrolled in Medicare Part B, but chose not to do so. When paying claims, the State Health Plan estimates the amount that Medicare Part B would have paid for covered services, and only considers the remaining balance for Plan payment, as if Medicare Part B had paid for covered services. As a result, the member is responsible for the amount that would have been

paid by Medicare Part B if he or she is not enrolled in Medicare Part B. **Therefore, to ensure the best coverage, it is important for State Health Plan members with Medicare to enroll in Medicare Part B.**

To enroll in Part B, retirees should contact the Social Security Administration at **1-800-772-1213**.

## Pension Check Schedule

The chart below indicates the monthly dates of retirement payments that are issued from the North Carolina Retirement System. Remember, if your pension check is direct deposited, the money will be put in your account on the days below. If you have your pension check mailed to you, it will be mailed on the days below. To sign up for direct deposit, call the North Carolina Retirement System at 919-733-4191 (Raleigh area) or 877-733-4191.

### Retirement Benefit for Month of:

January 2009  
February 2009  
March 2009  
April 2009  
May 2009  
June 2009  
July 2009  
August 2009  
September 2009  
October 2009  
November 2009  
December 2009

### Date Retirement Payment Issued

(Date payment is direct deposited or date check is mailed from Retirement office):

January 23, 2009  
February 25, 2009  
March 25, 2009  
April 24, 2009  
May 25, 2009  
June 25, 2009  
July 24, 2009  
August 25, 2009  
September 25, 2009  
October 23, 2009  
November 25, 2009  
December 18, 2009

*[Editor's Note: Effective April 2009, your direct deposit notification statement will only be available through the ORBIT system. Statements, which are created when there is a change in your deductions, will no longer be mailed.]*

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## **SHP Considers Dependent Audit**

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The staff of the State Health Plan (SHP) is preparing to conduct an eligibility audit of dependents who are covered by the Plan. The audit would help to fulfill the state's fiduciary responsibility to insure that all dependents meet the Plan's eligibility requirements and has the potential to produce significant savings.

Dependent audits are common practice in the commercial insurance industry. Public sector health insurance pools like our State Health Plan also have used this procedure in recent years to save money by identifying people who are not eligible for coverage. Ineligible dependents increase the cost of the Plan for everyone else. Recently, the Georgia state health plan conducted an dependent eligibility audit that resulted in an estimated \$30 million in annual savings. The staff of the North Carolina State Health Plan estimates that between 5% and 10% of the dependents currently enrolled in the Plan are not eligible. At present, there are more than 180,000 dependents enrolled in the SHP.

The staff has assembled a partial list of dependents who are not eligible to enroll in the State Health Plan. These include divorced spouses, common law spouses, domestic partners, individuals covered by unofficial custody arrangements, stepchildren, grandchildren, nieces, nephews, and neighbors.

The state staff believes the audit will find that the majority of any ineligible dependents were enrolled because of a lack

of understanding of the law. Ineligible dependents will be removed from the Plan following the audit.

The SHP will employ an outside firm to conduct the audit. A request for proposal will be sent to qualified companies in the near future. All members of the State Health Plan who cover dependents will receive written notification about the audit including a list of documents that will be needed to verify the eligibility of dependents. This notification also will include an explanation of eligibility criteria.

The Association will monitor the progress of the audit process. Future issues of *Living Power* will include details and updates as these become available.

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### **Why do State and Local Government Retirees sometimes get different COLAS?**

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We frequently receive questions from members about differences in the earnings and performance of the state and local retirement systems. Essentially, they ask: "Why do we see differences in the gains available to pay for COLAs in the state and local retirement systems if all the assets of the systems are invested in the same way?"

Actually, there are a number of factors that produce differences between the Teachers' and State Employees' Retirement System (TSERS) and the Local Governmental Employees' Retirement System (LGERS) even though the assets of the systems are invested in the same way. However, one of the most significant factors is the differences in contribution rates between the two systems.

The employee contribution rates are identical (6.0%) but there is a significant difference in the rates paid by employers. Local government employers have a normal contribution rate of 4.8% of payroll. This rate has remained constant for the past 13 years. In contrast, the state's employer contribution rate has fluctuated and now stands at 3.36% which is significantly lower than the 6.26% normal rate identified in the most recent actuarial report.

## The Basics of Grassroots Lobbying

**Grassroots Lobbying (def): Stating a position on a specific legislative proposal to the public, then asking the public to urge their legislator to support that stated position.**

There is no substitute for “grassroots” contact with your state legislators. It is important that the General Assembly give high priority to the needs of our retirees as they weigh the many competing demands on the state budget.

### Grassroots Lobbying

So, what do we mean by “grassroots lobbying”? This simply means the process of taking the time to contact your local legislators and reinforcing the priorities of the Association. There are several ways to do this. Three quick tips of things to remember if you decide to get in touch with your representatives: Be Polite, Know your Topic, and Personalize the Message. Let your legislator know why this issue is important to you and how you are affected. Remind him/her that you are one of his/her constituents and would appreciate support.

**How should you do this?** One of the most effective ways is face-to-face. If you would like to visit your legislator, make an appointment first. Be brief, honest and reasonable. You may also want to call your legislator. We have included preferred phone numbers on pages 7-9 for your use. You may want to jot down the points you wish to convey before you call.

Another effective way to communicate is with writing a letter. Preferably, the letter should be handwritten, but legible. General Assembly members receive so many emails that a hand written note gets more attention. Include your full name, address and phone number. Try to keep your letter under one page. Be concise and direct and describe how the issue personally affects you.

The final way to communicate, and perhaps one of the easiest, is via email. Include specific bill numbers and titles. Be concise and straight forward. And, don't forget to spell check. FYI, the North Carolina General Assembly's main website is [www.ncleg.net](http://www.ncleg.net).

Remember, we lobby on your behalf but nothing can replace a constituent's personal contact. Hopefully these tips will help you feel comfortable and ready to get started.

*[Editor's Note: If you have internet access, you may go to our website at [www.ncrgea.com](http://www.ncrgea.com) to sign up to receive our weekly legislative update. Thousands of our members receive this service. The report is sent to members via email on Friday afternoons while the North Carolina General Assembly is in session, with a summary of events which occurred that week. We do not share our email addresses with anyone.]*

*If you are one of the many members who do not have email, don't worry about being left out. Each week during the legislative session, call our tollfree number, 1-800-356-1190, and ask for our “Legislative Hotline”. If it is after hours or on the weekend, our automated phone service will prompt you with easy directions of how to listen to the summary.]*

Please note: Pages 7 - 9 include the preferred addresses and telephone numbers for our legislators should you wish to contact them. The majority of these are home-town addresses and telephone numbers. However, several have listed their Raleigh office. Those room assignments and telephone numbers may change periodically. We will update this information in future newsletters if changes occur.

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## Is Medicare Advantage for You?

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Now that Medicare Part D's open enrollment is over, the Seniors' Health Insurance Information Program (SHIIP) would like to remind North Carolina's Medicare beneficiaries that the open enrollment period for Medicare Advantage plans is going on now, Jan. 1 through March 31. Medicare Advantage plans offer various types of coverage options for beneficiaries including Medicare HMOs, Medicare PPOs, Medicare Private Fee-for-Service (PFFS) Plans and Special Needs Plans. While all of the options are approved in North Carolina, their availability varies depending on location.

While some beneficiaries choose to stay with Original Medicare, others have found that Medicare Advantage (MA) plans can offer more diverse coverage. MA plans typically require additional copayments and coinsurance, but they also have an out-of-pocket maximum and eliminate the need for a Medicare supplement policy. They may also require beneficiaries to use in-network providers, which is why it is important to determine if a patient's current doctors and hospitals accept MA plans before signing up. No matter what Medicare health insurance option beneficiaries choose, they will continue to pay the Medicare Part B premium.

The four types of MA plans each work differently and are as follows:

**1. Medicare Health Maintenance Organizations** — Medicare HMOs offer services through a network of contracted

hospitals, doctors and other providers. People with Medicare who join an HMO are required to receive all their non-emergency Medicare services from the HMO's network of providers. Typically, HMOs have small copayments for covered medical services and require referrals for specialized medical services.

**2. Preferred Provider Organizations** Medicare PPOs also have a network of medical providers; however, PPOs usually do not require the primary care physician's referral for specialized medical services. PPOs have copayments for medical services received from providers in the network, and higher out-of-pocket expenses for medical services received outside the network.

**3. Private-Fee-for-Service Plans** — Medicare PFFS Plans are offered by private companies to provide health care coverage to people with Medicare on a pay-per-service agreement. The PFFS plan may offer additional health benefits as well including prescription drug benefits, vision, hearing, wellness programs, and other coverages. With a PFFS plan, you can go to any Medicare-approved doctor or hospital in the United States that accepts the terms of PFFS plan. Since there is no network of providers, you should check with your doctor/hospital to be sure they accept the PFFS plan. The insurance company, rather than Medicare, decides how much services cost.

**4. Special Needs Plans** — Medicare

Special Needs Plans typically limit their membership to people in specific institutions, such as a nursing home, people who are eligible for both Medicare and Medicaid, or people with certain chronic or disabling conditions.

Depending on beneficiaries' current coverage, there are limitations about when they may enroll and from which plans they may choose. Generally speaking, you can only switch your coverage during the MA Open Enrollment Period. You cannot decrease or enhance your current coverage if you switch to a Medicare Advantage plan.

For example, if you currently have an Original Medicare plan plus a Part D prescription drug plan or if you have a MA plan that includes prescription drug coverage, you may only switch to a MA plan that offer prescription drug coverage — you must keep the same level of prescription drug coverage. Likewise, if you have a MA plan that does not include prescription drug coverage, you may not switch to a MA plan that includes prescription drug coverage.

For beneficiaries that are enrolled in both Medicare and Medicaid and who receive the Extra Help/LIS, it is possible to switch to any MA regardless of their current prescription drug coverage.

It can be extremely confusing when deciding which Medicare coverage is best for you or your loved one. SHIIP is available to help you understand your options, and it is worth it to contact us before you make any decisions about switching your coverage. To speak with a trained SHIIP specialist, call 1-800-443-9354.

## **Conservative Stance**

*(Continued from page 3)*

government employers. However, the state's actuary recommended a cautious approach to use of the available gains. He reminded the Board that the significant downturn in financial markets during 2008 would be reflected in the next audits of the retirement systems. In all likelihood, local governments would be required to significantly increase the contribution rate even if the current gains were kept in reserve.

Stewart Sykes, Retiree Liaison for the North Carolina chapter of the American Public Works Association, and NCRGEA Executive Director Ed Regan asked the Board to approve a recommendation that all available gains be used to provide a 3.4% COLA to local retirees in 2009. This COLA would partially offset the 5.5% gap between COLAs and the increase in the Consumer Price Index during the past five years. The use of available gains would not have any negative impact on local government budgets for 2009-10.

The Board also heard from representatives of the local government employer groups. Staff members of the League of Municipalities and the Association of County Commissioners opposed the use of all of the available gains. They argued that keeping a portion of the gains in reserve would reduce the likely increase in local government employer contributions next year.

The Board ultimately approved a motion by majority vote recommending a

*(Continued on next page)*



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## Conservative Stance

*(Continued from page 11)*

1.0% COLA for local government retirees in 2009. Several members of the Board pointed out that this conservative COLA still would exceed the 2008 rate of inflation and help to close the gap between recent COLAs and the rise in the cost of living.

The recommended benefit enhancement for state retirees will require approval of additional funding by the General Assembly in a very tight budgetary situation. However, the COLA for local retirees can be funded from monies available in the LGERS and does not require legislative approval.

- Ed Regan

## Important Phone Numbers to Remember

NCRGEA .....	1-800-356-1190
MetLife Dental .....	1-888-466-9073
NC Retirement System .....	1-877-733-4191
CIGNA (Medicare Administrator) .....	1-800-633-4227
Seniors' Health Insurance Information Program .....	1-800-443-9354
Medical Review of North Carolina .....	1-800-722-0468
NC State Health Plan .....	1-919-881-2300
Blue Cross/Blue Shield .....	1-888-234-2416
(State Health Plan Administrator)	
Social Security Administration .....	1-800-772-1213
State Employees' Credit Union .....	1-888-732-8562
Local Government Federal Credit Union .....	1-800-344-4846