

Orange
County Association of
Health
Underwriters

Volume 11, Issue 6
July/August, 2017



**IN
O.C.U.**

COUNTY OF ORANGE INSURANCE NEWS



**OCAHU Hosts an Emergency North Orange County Sold-Out SB-562
Consumer Education and Town Hall Event.. Read All About It! And
Join us for Our South Orange County Event in July!**

OCAHU FIGHTS THE FIGHT ON SB-562!

June Emergency Consumer Education & Town Hall Meeting



More Coverage and Photos Inside This issue!

Inside this Edition:

- Feature Article: The SB-562 Storm Continues To Build... Can We Stop It?
- Compliance Corner—*Legal Briefing; "ACA Market Stabilization; ACA SHOP Plans; ACA Affordability; ACA Out-of-Pocket Limits and More—Privacy & Security Updates and Enforcement:* Hear the Latest HIPAA Privacy & Security Enforcement News & Settlements
- Women in Business Wrap Up & Photos
- SB-562 Emergency Meeting Report and Photos
- PAC Report
- Membership News— New Members since February 1st, Members Up for Renewal
- OCAHU Board of Directors
- Special Events— SoOC Town Hall; Angel Game for PAC
- OCAHU Distinguished Service Awards 2016-2017
- Schedule of Events

DON'T MISS OCAHU SOUTH COUNTY TOWN HALL MEETING

Thursday, July 27, 2017

City Hall, Laguna Niguel

1-3 pm

(registration 12:30)

Confirmed Legislators!

*For More Information,
See Inside this Issue!*

This Issue's Feature Article:

The SB-562 Storm Continues To Build... Can We Stop It?

*A Look into the Politics Discussed at
the North Orange County Emergen-
cy Meeting in June*

**By: Dorothy Cociu, RHU, REBC,
GBA, RPA, LPRT**



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Making a Difference in People's Lives.

One Member at a Time.

Our association is a local chapter of the National Association of Health Underwriters (NAHU). The role of OCAHU is to promote and encourage the association of professionals in the health insurance field for the purpose of educating, promoting effective legislation, sharing information and advocating fair business practices among our members, the industry and the general public.



Letter from OCAHU President, Maggie Stedt, LPRT

OCAHU will be sending seven voting delegates to NAHU's 2017 National Convention at the end of June. We will be representing you

in the election of the NAHU Board and other key issues such as Policies and Procedures, with a proposed new position to the NAHU Board for Professional Development.

OCAHU has some great events lined up for the coming months! Join us for our Angel Game Night for PAC and most importantly, our Town Hall and Consumer Education Meetings June 22nd and July 27th. The 4th Annual Senior Products and Marketing Summit August 28th and 29th is again scheduled to be held at Pala and is selling out fast!

The CA Single Payer Health System bill SB-562 is a primary focus in our legislative issues and concerns for this year and the following. We held our first Consumer Education and Town Hall for North County on June 22nd and are happy to report that the event was sold out in less than 4 days! The second one, with a different set of speakers and a different format, will be held in South County on July 27th.

We are working with our CA State Representatives and local Chambers of Commerce. Watch for meeting notifications and join us at one of these informative meetings. Dorothy Cociu is the Chair for the Northern Consumer Education/Town Hall Meeting and Dan Abrams for the Southern Town Hall Meeting. They and their committees are hard at work!

If you want more information about SB-562, including discussion points and sample letters, please access the California

Health Underwriters Association website at www.cahu.org. Click on **More** in the box on the left of the screen that says Single Payer (SB562) Tool Kit. (at <http://www.cahu.org/senate-bill-562>). There you will find a copy of the bill, an employer letter for you to use to send to clients, the CAHU Statement on the Bill, Survey results, the talking points and additional information. Visit this page regularly as it is being kept up to date! And please **donate to PAC!** This will be essential for us to continue to get the word out about this bill!

It has been my privilege and honor to serve as your president for the past two years! I especially want to thank our hard working Board of Directors and especially our Executive Director, Gail James Clarke! The Board members volunteer many hours of their time, travel away from family and their business and spend their own monies to represent you and to carry on the work of the Orange County Association. Please make sure to thank them for all their hard work and dedication. They are a great team!!! I also want to thank our corporate sponsors and the sponsors of our events. Without your support and dedication our work would not have been possible!

I want to wish Juan Lopez, OCAHU's incoming President and the new board the best and hope you our members will give them your enthusiastic support! The coming two years will be one of challenge and opportunity! Now is the time to get involved!





Feature Article:

The SB-562 Storm Continues to Build... Can We Stop It?

By: Dorothy Cociu, RHU, REBC, GBA, RPA, LPRT, OCAHU V.P. Communications

It's a wild time in the world of health insurance in California. As you've probably heard, unless you've been hiding away in a cave or kept your

head under your pillow or the past few months, the health insurance industry and health benefits agents and brokers (as well as ancillary and PC brokers) have been coming to terms with the reality of the world according to the California Legislature; a world that could forever change our careers, our industries, our income, and our futures. We're faced with the very real, very detrimental, threat of a Single Payer health plan in California; one that doesn't include any of us in the California broker community. And our clients, the Employers who sponsor health plans, the individuals that purchase it, the seniors that rely on Medicare, are seriously affected by it as well, but it just doesn't seem to matter.... SB-562 is all about covering everyone, every resident (defined very loosely), with no co-pays, no deductibles, no coinsurance. So how many people do you think may pack up from neighboring states and move to California for free health care? Can the doctors, particularly the specialists, afford to accept the MediCal-like payments?

There would be virtually no more products to sell; no more medical insurance, dental insurance, vision insurance...not even workers' compensation, as all are part of the bigger than life plan of the Democratic Party in California... A party that is all about the Anti-Trump phenomena, the "Feel the Bern" (Bernie Sanders) movement and the wielding of power in Sacramento.

It's not that the Democrats in our Capitol think SB-562 is a good bill. From everything the California Association of Health Underwriters (CAHU) and others can see, they aren't all that convinced it's a good bill... So much so that they didn't bother to add any financing to the bill in its current form... but that doesn't seem to matter. *They need it, they want it, and they plan to get it...* An all-encompassing single payer bill that rolls all health products and services, as well as work comp, into one big government mess. And they have the majority in the legislature to do it.

It's a world like no other. It's a world of egos, a world of politics, a world where the majority of the legislators are in their first terms and they want to make a statement. And they don't care

who they take down in the process.

No one wants to go against the party. They all have something to prove, and they teamed up with the Nurses Association, whose union has political motivations, it seems, to go out and try to prove it, at literally any cost. And wow, what a cost. Multiple studies now offer a cool \$400 Billion (yes billion with a "B") price tag, which is more than twice that of the entire current California state budget. Oh, and another important fact, it passed the California Senate in May and was sent to committees in the Assembly, where we have had some brief and temporary relief on, with Senate Speaker Anthony Rendon (D-Lakewood) announcing on June 23rd that he would hold it in committee for now, pending Senate work on the bill and a funding mechanism, but he also stated that he is a true supporter of Single Payer and expects this bill to be on the November, 2018 ballot. So this is far from over....

On Thursday, June 22, 2017, the Orange County Association of Health Underwriters hosted a special Consumer Education and Town Hall meeting in Anaheim on Senate Bill 562, the Single Payer bill, which I chaired. The meeting was an astounding success, selling out in less than 3 days, and when we were allowed by our hosting facility, JT Schmid's in Anaheim, to add additional attendance in an overflow adjoining room, those seats were also filled in less than two hours! First, I want to thank my committee members, who helped me literally put this program together in one day. So MaryAnn Trutanich, Rob Semrow and Ryan Dorigan, thank you very much. I certainly couldn't have done it without you. Nor would I have wanted to. It was an action and facts-packed 2-hour program with a whirlwind of information and government insight, like no other that OCAHU has seen. It was intended to be done in July, but on the morning of the Senate floor vote, Rob Semrow and I had a long telephone conversation which resulted in our decision to move this thing forward a month, and offer an "emergency" meeting for our members, the agent community, industry personnel, and our employer clients.

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Single-Payer Health in California

A Special OCAHU Panel Discussion



SAVE THE DATE

THURSDAY, July 27th

Doors Open @ 12:30pm

Panel Discussion @ 1pm-3pm

OCAHU is hosting a Panel Discussion on the pros and cons of Single-Payer health, including a discussion on SB 562, The Healthy California Act.

Speakers Confirmed:

- California Senator Patricia Bates, 36th District
- Monarch Healthcare Representative
- Juan Lopez, President, Orange Co Association of Health Underwriters
- Alan Katz, Past-President, National Association of Health Underwriters



To Be Held At:

City Council Chambers
27841 La Paz Road
Laguna Niguel, CA 92677

Feature Article, Continued from page 5

Individual brief presentations were given by speakers and panelists Faith Lane, Legislative Advocate for the California Association of Health Underwriters, Teresa Stark, Director of State Government Affairs for Kaiser Permanente, both who testified at the Senate hearings in April, and a bill overview by Rob Semrow, including a Pros and Cons segment, to set up for the later panel and audience Q&A. It was my honor and pleasure to act as the event Hostess and Panel Moderator.

So why do I say this is political? Don't we have all the facts on our side? Isn't the cost of this thing unimaginable, so shouldn't we feel good about our ability to defeat it? Hardly... Again, the politics.... And oh, my word, you must pay attention here.... The politics...

"It's a little bit like the twilight zone," said Teresa Stark. "We have excellent arguments against this bill, nobody really thinks this is a good idea, there's no financing mechanism, and yet the bill is in the second house. With the politics that are stake here, the bill has taken on a life of its own."

Comparisons were made to this bill and how it has become symbolic of the resistance, the Anti-Trump movement. It doesn't seem to matter about the \$400 billion price-tag... The democratic party in Sacramento has started to organize around this bill and undoubtedly are using it as ammunition for the 2018 mid-term elections. All of that *matters* in Sacramento. Legislators are running for higher office. There were references to the Tea Party efforts earlier in this decade, where the Tea Party Republicans took over the party and created a lot of division within the party. Today's Sacramento climate reminds us of that.

It is indeed about politics. With a political storm we are striving to battle through.

That power, that political motivation, is indeed driving all of this. Would this all be happening if the democrats didn't hold a 2/3 majority? Of course not. But they do, and it is.

So how do they plan to finance it?

"SB 562 does not currently have a funding source identified within the bill," stated Faith Lane. "Right now it is kind of a political wish-list that broadly specifies benefits that will be provided through a single payer system in California. However, there are a lot of unanswered questions, including critical components such as funding, administration and oversight." It is our job, as insurance professionals, to get the answers to those questions, and to share that knowledge with others.

"One of the proposed funding sources was identified in the analysis done by the Senate Appropriations Committee," continued Faith. "The analysis outlined that the estimated cost of SB 562 would be at least \$400 billion per year. This amount is more than double California's current state budget. This is the amount needed to cover every service the bill promises to provide, including vision, dental, all health care, including MediCal, Medicare, and employer sponsored health plans, and is supposed to go through this one system, run by an unpaid, government-appointed board. This new system is being called the Healthy California System, and it would prohibit any other insurance from existing outside of the single payer system."

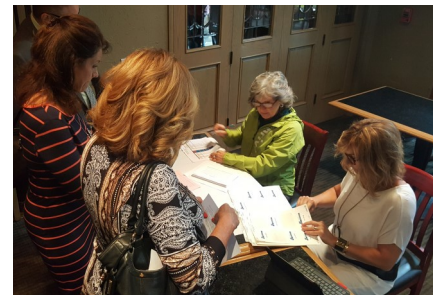
To date there have been a number of fiscal analyses on the bill. "It's been analyzed so far, using a number of significant assumptions which include the prospect of federal funding. Even if we roll every federal, state and local dollar into this program, we are only half-way there. We still have another \$200 billion that is needed. The remaining funding will need to be raised through taxes, because SB 562 promises no premiums, no co-pays, no deductibles, no cost-sharing." Faith added that "in California, we are constitutionally limited. We cannot deficit-spend like the federal government does. The constraints that would be put on our state budget would be astronomical."

The Senate Appropriations Committee also estimated that even if the new system absorbed all the money that California employers currently spend on benefits, estimated \$50 to \$100 billion, and every existing government dollar currently spent on healthcare, California would still be \$50 to \$100 billion short per year. The committee estimated that this shortfall would need to be raised through a 15% payroll tax *with no cap*.

The Chamber has deemed it a 'job killer,' *and rightfully so*. But again, these estimates are not contained within the bill itself. "This is a very difficult position to come from, because you're asking legislators and stakeholders to have kind of theoretical conversation with you, but at the same time, *it's not nothing*. Even with these projections, this bill has moved through one house of the legislature." Faith continued, "this is moving because of the political drivers of the post-Bernie California, and some people think that... this is the only solution." So we have to be sure that this is not the only solution. As an indus-

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**Photos from June 22nd's Emergency SB 562
Consumer Education and Town Hall Meeting in
North Orange County**



Women In Business Photos, June, 2017



It's not just the women who look fabulous!



try, we have to help educate them, as NAHU has been doing all along, and help them with alternate solutions. Like fixing the problems we have, not destroying the entire system.

Another estimate has come from the bill's sponsor, The California Nurses Association, who commissioned their own study, using an economist that has been a former advisor to our current Governor Brown. Faith shared, "They are proposing a 2.3% increase in sales tax and a 2.3% gross receipts tax. An alternative payment model identified within their study is adding a payroll tax of 3.3% on both the employer and employee. However, there are some huge errors in their numbers. First of all, *they have the population wrong by 3 million*—one of many significantly fatal flaws in the study's credibility."

Do we want a government-appointed board, which would NOT include any experts in these matters, making decisions on our health care? We are Americans, and we generally like the fact that we can go anywhere for whatever type of care we want. Our insurance may or may not pay for it, but the reality is, if we want it, we can get it.

There's a lot of talk about the other countries (yes countries, not states) that have single payer systems, but we all know that hasn't always been the best scenario for the users. In Canada, according to the Frasier Institute's 2016 report on wait times in Canada, the average wait time is 11.1 weeks for an MRI, a 4 week wait for an ultrasound, 10.6 weeks to see a specialist, and the wait time to go from *a general practitioner to a neurosurgeon for neurosurgery was 46.9 weeks!* If someone needed brain surgery, a patient could die before the surgery! Is that what we want in California?

The reality is that many of those current single payer systems are now offering or preparing to offer supplemental insurance coverages, so that the users of those systems can come to places like the USA to receive the care they want, when they want it. So why would we want it?

Rob Semrow, VP of Legislation for OCAHU, said "We cannot insure the world. We cannot provide health care for the world. This bill says everyone that lives in the state of California. Words matter in how bills are crafted... Hear what the sponsors say, because they do have a powerful message... In this bill, there is no cost control. The other countries that have single payer have cost controls. This has none." But still, this is what the Senate is proposing, again with a \$400 billion price-tag, and no funding in the bill.

"If you're going to give everything away for free," continued

Rob, "I guess those bronze plans you purchased a couple of years ago don't look so great...[This bill covers] all residents. If I'm sick, why would I go anywhere else than California, who is going to take care of me? *Open up the flood gates...*"

And we need to think about all of the people, all of the Californians, that would be seriously hurt by this bill. What about those currently enrolled in, or soon to enroll in, Medicare? Not to mention their agents who have helped them to prepare and sell them proper coverages in their retirement years.

"[Agents] would be in the same boat as all of your cohorts. Your business as it is today would cease to exist," stated Ryan Dorigan, President-Elect of OCAHU, a sales executive of AGA, and a senior care expert. "The state of California is assuming that half of the money will be federal moneys that will be available to the state... The largest program is the Medicare program. The state assumes we'll get our money back to fund our Medicare programs... *There is nothing that will give Donald Trump more pleasure or create a bigger tweet storm than to tell the state of California 'you want off the Medicare program, you don't get the Medicare dollars'.* That money is not coming back to this state. For us to assume that half the money is coming through those federal moneys, well that is *not* happening," continued Ryan. "As Faith said this morning, there is a huge divide right now between the state of California and the federal government. ... this is my opinion... not that of AGAs. But this is what I think is the truth."

"The other key thing is, we're looking at 13,000 people per day turning 65, and one out of 6 of those lives here in California," said Ryan, "and they've been paying into Medicare through taxes their entire lives, and now that they are finally eligible, you don't get it... Instead you get an additional \$9,200 tax liability to pay for health insurance for everybody in the State of California. We appreciate your paying into Medicare your entire life, but now that you're 65, sorry, you're not going to get that money." That, indeed, is a bitter pill to swallow for the senior market.

"There seems to be an idea that this is 'Medicare for all', and it couldn't be further from the truth," Ryan continued. "It's not a single payer system. There are co-pays, deductibles, and there is skin in the game...those co-pays are part of the funding mechanism for that federal program. That's what keeps our waiting lines down at the urgent cares and hospitals.... When folks have copays, deductibles, out-of-pocket expenses, they have skin in the game, and that's what helps

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Meet the 2017-2018 OCAHU Board of Directors!



Juan Lopez, President



Ryan Dorigan, President-Elect



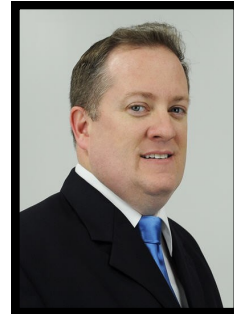
Maggie Stedt, Immediate Past President



Barbara Salvi,
VP Finance



Dorothy Cociu,
VP Communications



Rob Semrow,
VP Legislation



Nolan Warriner,
VP Media Relations



Tracy Hanson,
VP Membership



Joe Partise
VP PAC



Mary Ann Trutanich,
VP Professional Development

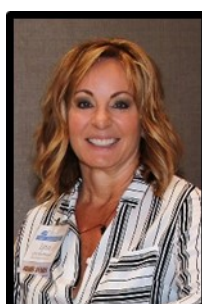
General Board Members



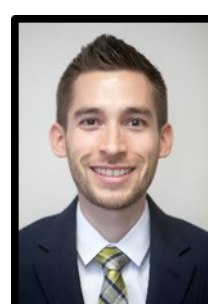
Sarah Knapp,
Awards/Historian



Patricia Stiffer,
Public Service



Lynn Wischmeyer,
Member Retention



David Ethington,
Corporate Sponsorships



Dan Abrams
General Board Member

A BETTER WAY TO TAKE CARE OF BUSINESS

Programs for health could mean profits for your company.

Employees are your most important asset, and investing in their well-being can pay dividends in productivity. At Kaiser Permanente, we have a variety of tools available to help you implement health programs to benefit individual employees and your entire firm. Visit us online to find toolkits and resources for transforming the health of your workforce.



kp.org/workforcehealth



COIN COMPLIANCE CORNER

What Agents and Your Clients Need to Know!

July/August, 2017 Legal Briefing

From Marilyn Monahan, Monahan Law Offices

This is a summary of some recent developments of interest to consultants and employers:

ACA – Market Stabilization: While Congress debates the AHCA, the Executive branch has taken administrative action (or has proposed taking action) to change the way the Affordable Care Act (ACA) is implemented. Some of these changes affect the individual market, and some affect the small group market, but all should be of interest to the benefits industry.

For example, final “market stabilization” regulations have been issued which make changes in the individual and small group Exchange market. The new rules are effective **June 19, 2017**, but apply to the **2018 plan year**.

Among other changes, the annual open enrollment period for individual coverage for the 2018 plan year will be reduced so that it runs from November 1, 2017, through December 15, 2017. In addition, to ensure individuals do not abuse special enrollment rights, new eligibility verification rules will require individuals to submit documentation demonstrating their right to enroll mid-year (this will start in June 2017). To encourage continuous coverage, in certain circumstances insurers will be able to collect unpaid premiums prior to re-enrolling an applicant. Finally, states are being given greater flexibility to assess the network adequacy of plans, and the rules for actuarial value calculations for the metal levels have changed.

ACA – SHOP Plans: CMS announced on May 15th that it intends to issue guidance that, effective on or after **January 1, 2018**, will change the way many small employers sign up for SHOP plans. After that date, small employers (and their employees) will no longer be able to enroll online using www.healthcare.gov. Instead, employers and employees will enroll with the insurer directly, or through an agent. The notice from CMS states in part:

CMS intends to propose rulemaking that would change how small employers and employees in SHOPs using HealthCare.gov enroll in SHOP plans taking effect on or after January 1, 2018. Under the approach CMS intends to propose, instead of enrolling

HIPAA Privacy & Security Updates—From Dorothy Cociu, COIN Editor and HIPAA Privacy & Security Consultant & Trainer

The most important reportable incident was the WannaCry ransomware attack in May, 2017. HHS put out several reports on how to protect yourselves from ransomware attacks. Below summarizes some of their suggestions. In addition, Homeland Security’s National Cyber Awareness System put out a notice on May 12, 2017, stating that US-CERT had received multiple reports of WannaCry ransomware infections in several countries around the world. [Ransomware](#) is a type of malicious software that infects a computer and restricts users’ access to it until a ransom is paid to unlock it. Individuals and organizations are discouraged from paying the ransom, as this does not guarantee access will be restored.

Ransomware spreads easily when it encounters unpatched or outdated software. The WannaCry ransomware may be exploiting a vulnerability in Server Message Block 1.0 (SMBv1). For information on how to mitigate this vulnerability, review the US-CERT article on [Microsoft SMBv1 Vulnerability](#) and the Microsoft Security Bulletin [MS17-010](#). Users and administrators are encouraged to review the US-CERT Alert [TA16-091A](#) to learn how to best protect against ransomware. Please report any ransomware incidents to the [Internet Crime Complaint Center \(IC3\)](#)

If your organization is the victim of a ransomware attack, HHS recommends the following steps:

Please contact your FBI Field Office Cyber Task Force (www.fbi.gov/contact-us/field/field-offices) immediately to report a ransomware event and request assistance. These professionals work with state and local law enforcement and other federal and international partners to pursue cyber criminals globally and to assist victims of cyber-crime. Please report cyber incidents to the US-CERT (www.us-cert.gov/ncas) and FBI’s Internet Crime Complaint Center (www.ic3.gov).

For further analysis and healthcare-specific indicator sharing, please also share these indicators with HHS’ Healthcare Cybersecurity and Communications Integration Center (HCCIC) at HCCIC_RM@hhs.gov

However, there were some enforcement settlements reported since the last issue.

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OCAHU Board of Directors Call for Committee Members!

Are you Interested in Contributing to OCAHU by Helping With a Committee? If so, read on!

We're looking for a few good volunteers!

Awards is seeking 1 committee member who would assist with compiling information needed for Awards applications and assist with proof reading applications prior to submission. Submission for NAHU awards is April 1 and Submission for CAHU Awards is July 1.

Communications seeking 2 committee members... 1) proficient writer wanted for assisting in the writing of COIN newsletter copy for fillers, as well as feature articles from time to time; 2) Assistant Editor of The COIN to assist in editing and proof-reading of all copy. Would start with the September/October issue of the COIN (positions would start by July 10th as COIN is worked on between July 15th and August 20th; usually in print by the 25th of the month prior to the issue month.

Business Development Summit is seeking several committee members and chairs for the 2018 BDS. Positions include 1) programs committee members; 2) exhibitor committee to solicit exhibitors; 3) sponsor committee members, to help with gaining sponsorships and coordinating with them; 4) on-site assistance.

Membership The membership committee is seeking 2 Members who are passionate about membership and regularly attend OCA-

HU functions. Help with OCAHU representation at events when Chairs can't be there. Assistance with reaching out to new members to encourage attendance and make them feel welcome and involved.

In addition, they are seeking a representative from each GA to take the lead at their functions, webinars and seminars to express the importance of Membership when OCAHU isn't attending.

Membership Retention seeking 2 committee members to assist with the following: Assist in sending retention emails to upcoming renewing members, ongoing review of NAHU website for renewed membership, and outreach calls as needed

Media Relations is seeking a photographer at events and possibly a second committee member to assist with social media posts and activities.

If you have a little bit of time, OCAHU could use your assistance! Please contact the proper VP for the committee you're interested in helping with!



Women in Business

By: Pat Stiffer, Public Service

Thank you for a great Celebration of Women in Business event!

On June 2, we had another wonderful Celebration of Women in Business event. There are so many people to thank!

First of all, I would like to commend Joe Navarro from Warner Pacific for being such a gracious Master of Ceremony. He opened the event with a great video and his remarks were perfect for our event and made us all realize why we were there. Thank you Joe, and Warner Pacific for being our Pink Diamond Event sponsor!

I would also like to thank Health Net for being our White Diamond sponsor and specifically Leticia Ruiz for being a fabulous fashion show moderator. I thought the fashions and the models were beautiful!

Thank you also to our Emerald sponsors, Dickerson Employee Benefits, our name badge sponsor, Word & Brown who provided our beautiful centerpieces and Blue Shield, our parking sponsors.

Our Ruby sponsors, Colonial Life and Benefit Mall were responsible for the table wine we enjoyed and LISI sponsored the Pop the Cork. They were all Ruby sponsors.

The great Irish themed wine stopper favors were courtesy of the Schulten Group. Our Topaz sponsor and our Amethysts sponsors, Eye Med and SBS payroll provided the Grand Prize Excursion and Honoree Gift.

Congratulations to Abner Aponte, from Consolidated Benefits & Insurance Services, our lucky Grand Prize winner. He and a guest will enjoy a fabulous trip to Ireland!

A big shout out to the handsome ambassadors who helped things run smoothly. All of us really appreciate all that you do and hope that you will all continue to be a part of our special day.

A huge (huge) thank you to the Women in Business committee for all for your hard work and dedication. This committee starts planning in September for our event the following June. Each one of them puts their heart and soul into making this event what it is and to raise money for New Hope. I am so honored to be surrounded by so many wonderful friends and associates!

Final figures aren't in but with the gracious generosity of our sponsors and guests we expect to help New Hope grow their programs even more and help more people find a new normal.

Mark your calendar for next year, Friday, June 1, 2018. Location TBD.



URGENT: Assembly Speaker Sidelines Single Payer Bill Until 2018...

Says 2018 Ballot Initiative Likely

CAHU Press Release Dated June 23, 2017:

California Association of Health Underwriters President Richard Coburn applauded actions taken today by Speaker Anthony Rendon (D-Lakewood) that recognize the serious deficiencies of SB 562. The Speaker has officially postponed any further legislative action on this bill until January 2018.

SB 562 proposes a \$400 billion government-run single payer system for California. CAHU-opposed SB 562 has many significant and unaddressed flaws, including the lack of a realistic funding mechanism, zero public accountability and no way to control or manage medical care and costs in either the short or long term.

"CAHU remains committed to help repair problems encountered by everyday Californians who are trying to obtain and pay for health care. CAHU stands ready and willing to help advance viable market stabilization strategies that will ensure our state continues to lead the nation in successfully administering an affordable, quality health care system for all Californians."

Worryingly, Speaker Rendon also noted the sponsors plan on placing a government-run single payer ballot initiative on the November 2018 ballot. This means the struggle continues for CAHU and our coalition partners. CAHU will continue to do everything possible to prepare for the upcoming single payer fight on multiple fronts in 2018.

CAHU thanks you all for your efforts to date. The battle to help our clients and consumers maintain an affordable, competitive health insurance marketplace in California will continue until government-run single payer is no longer a threat.

CAHU will send further updates as they become available.

For your reference, Speaker Anthony Rendon's statement regarding SB 562 is below:

"Assembly Speaker Anthony Rendon (D-Lakewood) released the following statement on health care:

"Yesterday, Republicans in the U.S. Senate released a cynical plan to repeal the Affordable Care Act, posing a real and immediate threat to millions of Californians who only have health coverage because of the ACA.

"Preparing California to meet this threat must be the top health care priority for the Legislature, Governor Brown, and organizations that advocate for increasing access to health care.

"As someone who has long been a supporter of single payer, I am encouraged by the conversation begun by Senate Bill 562.

"However, SB 562 was sent to the Assembly woefully incomplete. Even senators who voted for SB 562 noted there are potentially fatal flaws in the bill, including the fact it does not address many serious issues, such as financing, delivery of care, cost controls, or the realities of needed action by the Trump Administration and voters to make SB 562 a genuine piece of legislation.

"In light of this, I have decided SB 562 will remain in the Assembly Rules Committee until further notice.

"Because this is the first year of a two-year session, this action does not mean SB 562 is dead. In fact, it leaves open the exact deep discussion and debate the senators who voted for SB 562 repeatedly said is needed.

"The Senate can use that time to fill the holes in SB 562 and pass and send to the Assembly workable legislation that addresses financing, delivery of care, and cost control.

"The fight for single payer also is moving forward on other fronts. The head of the Campaign for a Healthy California, an organization created to pass SB 562, has acknowledged their ultimate goal is to get a single payer initiative on the ballot, and there remains ample time for them to pursue that before November 2018.

"As those potential options work themselves out, the Assembly will stand with our partners to focus on the real, immediate threat to Californians' health care posed by Republicans in Washington."

###

Questions/comments: comments@cahu.org

OCAHU Urges you to stay tuned. This fight is far from over. As you can see from the Assembly Speaker's words, he is a strong supporter of Single Payer and expects this to be a ballot measure in November, 2018.

OCAHU Fundraiser for CAHU / PAC Angels Baseball Event!

YOU'RE INVITED!

When: July 21 @ 7:05pm

Club All Star level seating!

**Tickets are limited and sold ONLY in advance! Get yours today!*

Please join us at 5:00pm for a pregame tailgate party and RAFFLE! Tailgate will be in the Angels Stadium parking lot underneath the "Big A".

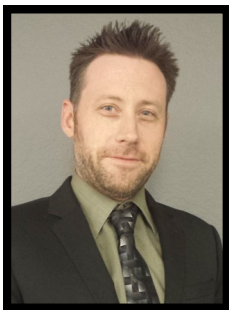


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Ryan Dorigan, President-Elect

(Editor's Note: This is the Final PAC Report from Ryan as outgoing VP of PAC!)

Hello OCAHU Members:

The days are getting longer and the weather is warmer and summer is here. As we move closer to 4th quarter and we think about more carefree summer memories like baseball games, and barbeques, and action movies, we ask that everyone also stay focused on the fact that our industry is under attack. This is the biggest battle that we have ever fought.

SB. 562 was recently passed through the California State Senate and by the time you are reading this, it will already be in front of the California State Assembly. Make no mistake, if this bill passes it will be disastrous for the folks who will lose access to their current healthcare plan. This will be disastrous to the tax payers of California and this will be disastrous to the folks in this industry who work so hard to provide quality solutions for their clients.

SB. 562 seeks to replace all health insurance options in the state of California including: Medicare, Medicaid, and Employer group coverage, with a single payer option. It would make it illegal for any private insurance plan to compete against the State Health Insurance plan. While we continue to feel that meaningful healthcare legislation is critical, this bill will do is to try to solve a problem with an even bigger problem. SB 562 would more than double the current state budget and there is still no logical way to pay for it without an enormous tax increase.

This bill has promised significant cost savings through elimination of the administration of the insurance companies, but it doesn't address the enormous amount of waste and abuse that comes with any large government program, and because all of the private insurance plans have been eliminated, there is no competition to help drive down the cost. This bill does not address the very complex issue that the State of California does not exist in a vacuum. There is nothing to prevent the sickest people from other states to move here and further drive up the cost. At the same time there is nothing to prevent the quality providers from moving out of state if they don't like the contract rates offered through this new California Health Plan.

This bill is a rushed political maneuver by the State of California to apply pressure to the republicans in Washington D.C. This bill hasn't been properly crafted and there is no plan to fund it. It eliminates all freedom of choice and takes the decision making process away from our doctors and gives it to politicians in Sacramento. This is a dangerous bill and it is the most significant threat to our industry that we have ever encountered

Its July and it's the time of year when everyone should looking to go sit in an air conditioned theater and watch a good summer blockbuster. There was a small summer movie a few years ago that some of you may have seen called "Independence Day". This may be a stretch but go with me on this... In this movie, strange beings that we don't understand are coming to threaten our existence. At first the good guys are scared and confused, then they try to reach out and handle things diplomatically. Finally after their other efforts have failed, they know that they need to fight back. Today our existence is threatened. In fact our entire industry is being threatened with this legislation. The time has come for us to fight back.

Orange County Association of Health Underwriters is working with our representatives at the State Level to fight this bill. We are making sure that the true consequences of this bill being passed are understood and that the folks who will be voting on this measure truly understand the impact it will have. We need your help!! It is through your donations to the CAHU PAC that we are able to get access to the people we need to talk to in order to fight this bill. SB562 is our number one legislative priority and we will not rest until we have done everything in our power to protect the members of this organization. Please donate to your PAC today through either the OCAHU website or the CAHU website. Encourage your friends who are in this organization to donate as well. The people that we are fighting on this issue have deep pockets and every single vote and every single contribution could make the difference.

We need you all to reach out to your local assembly members and explain the consequences of what will happen if they vote yes on this bill. The CAHU website has some fantastic talking points. You will not get a chance to vote on this bill, so our access and our outreach to the California Assembly members who will, is critically important. This is your chance to have your voice heard and if we aren't successful it could be your last chance, so make it count.

To support this effort the OCAHU PAC will be hosting a fundraiser at the upcoming Anaheim Angels game on July 21st. The game will start at 7:05 and we will be hosting a barbeque and rally party in the parking lot before the game. The hated Boston Red Sox are in town so it promises to be a very exciting game. You will get a chance to enjoy a fun Friday night with friends and family and all proceeds will go the PAC fight against SB 562. We have tickets available to purchase on the OCAHU website.

In closing, I am going back to the well that is the movie "Independence Day" I think Bill Pullmans iconic speech towards the final battle scene really speaks for itself...

"We can't be consumed by our petty differences anymore. We will be united in our common interests. Perhaps it's fate that today is the Fourth of July, and you will once again be fighting for our freedom We are fighting for our right to exist."

"And should we win the day, the Fourth of July will no longer be known as an American holiday, but as the day the we declared in one voice: 'We will not go quietly into the night! We will not vanish without a fight! We're going to live on! We're going to survive!' ##

online at HealthCare.gov, employers would enroll directly with an insurance company offering SHOP plans, or with the assistance of an agent or broker registered with the Federally-facilitated SHOP. Under the intended approach, employers would still obtain a determination of eligibility by going to HealthCare.gov. Employers that have enrolled in SHOP coverage for plan years that began in 2017 would be able to continue using HealthCare.gov in 2018 for enrollment and premium payment, until their current plan year ends and it's time to renew. . .

ACA – Affordability: The numbers employers use to calculate affordability safe harbors change each year. For 2018, the IRS has announced that the affordability percentage will be **9.56%** (down from 9.69% for 2017). (IRS Rev. Proc. 2017-36.) Also, the federal poverty level (FPL) for 2017 in the 48 contiguous states and D.C. is **\$12,060** for an individual. When determining whether employee contributions are “affordable” under the FPL safe harbor, employers may use the poverty guidelines in effect within 6 months before the start of their plan year. Due to these adjustments, and to ensure that “minimum value” coverage is “affordable” under the 4980H(b) rules, “applicable large employers” (ALEs) should adjust the amount employees must contribute for self-only coverage in 2018 to reflect these revised numbers.

ACA – Out-of-Pocket Limits: The ACA 2018 maximum annual out-of-pocket (cost sharing) limit for non-grandfathered plans has been announced by the IRS:

Maximum Annual Out-of-Pocket Limits for Non-Grandfathered Plans:

	2018	2017
Self-Only	\$7,350	\$7,150
Family	\$14,700	\$14,300

HSA/HDHP Limits: For 2018, the IRS has announced the out-of-pocket expense limits for health savings account (HSA)-qualified high deductible health plans (HDHPs), as well as the minimum deductible for an HDHP, and HSA contribution limits:

Type of Plan/Limit		2018	2017
HSA Contribution Limits	Self	\$3,459	\$3,400
	Family	\$6,900	\$6,750
HSA Catch-Up Contrib.	55+	\$1,000	\$1,000
HDHP Minimum Deductibles	Self	\$1,350	\$1,300
	Family	\$2,700	\$2,600
	2018	2017	

HDHP Max OOP	Self	\$6,650	\$6,550
	Family	\$13,300	\$13,100

FEHC: Consideration of Criminal History in Employment Decisions: New California Fair Employment and Housing Council (FEHC) regulations take effect **July 1, 2017**. Under these regulations, employers are prohibited from using criminal records when making employment decisions such as hiring, promotion, training, discipline, lay-off, and termination, unless an exception applies. If an adverse action is taken based on a criminal background check, notice may have to be provided in advance. (Title 2, § 11017.1 of the Cal. Admin. Code.)

Los Angeles: Paid Sick Leave: Minimum Wage: Effective **July 1, 2017**, small employers (25 or fewer employees) in Los Angeles must provide paid sick leave to their employees. The City's minimum wage also increases on that date, for both small and large employers (\$10.50/\$12.00). More information (including revised FAQs) is available at this link: <http://wagesla.lacity.org/>

Santa Monica: Minimum Wage: Effective **July 1, 2017**, the minimum wage will increase in Santa Monica for small and large employers, as well as hotels. More information is available at this link: <https://beta.smgov.net/strategic-goals/inclusive-diverse-community/minimum-wage-ordinance>

As we mentioned in the last report, cities are jumping on the workplace regulation bandwagon. Employers are advised to keep an eye on minimum wage, sick leave, and other developments affecting the workforce in the cities in which they have employees.

(Editor's Note: Marilyn Monahan can be contacted at Marilyn A. Monahan, 4712 Admiralty Way, #349, Marina del Rey, California 90292; (310) 301-3300 (o) or email her at marlyn@monahanlawoffice.com . ##

HIPAA Privacy & Security Updates,

Continued from Page 8

Memorial Hermann Health System (MHHS) has agreed to pay \$2.4 million to the U.S. Department of Health and Human Services (HHS) and adopt a comprehensive corrective action plan to settle potential violations of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. MHHS is a not-for-profit health system located in Southeast Texas, comprised of 16 hospitals and specialty services in the Greater Houston area.

The HHS Office for Civil Rights (OCR) initiated a compliance review of MHHS based on multiple media reports sug-



Membership News

New Members and Renewals!



Pending Renewals as of 5-1-17

*OCAHU is proud to announce
the list of new members since
May 1st!*

WELCOME NEW MEMBERS!!!!

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HIPAA Privacy & Security Updates, continued from page 8

gesting that MHHS disclosed a patient's protected health information (PHI) without an authorization. In September 2015, a patient at one of MHHS's clinics presented an allegedly fraudulent identification card to office staff. The staff immediately alerted appropriate authorities of the incident, and the patient was arrested. This disclosure of PHI to law enforcement was permitted under the HIPAA Rules. However, MHHS subsequently published a press release concerning the incident in which MHHS senior management approved the impermissible disclosure of the patient's PHI by adding the patient's name in the title of the press release. Also, MHHS failed to timely document the sanctioning of its workforce members for impermissibly disclosing the patient's information.

In addition to a \$2.4 million monetary settlement, a corrective action plan requires MHHS to update its policies and procedures on safeguarding PHI from impermissible uses and disclosures and to train its workforce members. The corrective action plan also requires all MHHS facilities to

attest to their understanding of permissible uses and disclosures of PHI, including disclosures to the media.

A brand new cybersecurity breach occurred, and we were notified by the National Cyber Awareness System. [Multiple Petya Ransomware Infections Reported](#) on June 27, 2017.

US-CERT has received multiple reports of Petya ransomware infections occurring in networks in many countries around the world. [Ransomware](#) is a type of malicious software that infects a computer and restricts users' access to the infected machine until a ransom is paid to unlock it. Individuals and organizations are discouraged from paying the ransom, as this does not guarantee that access will be restored. Using unpatched and unsupported software may increase the risk of proliferation of cybersecurity threats, such as ransomware.

Petya ransomware encrypts the master boot records of infected Windows computers, making affected machines unusable. Open-source reports indicate that the ransomware exploits vulnerabilities in Server Message Block (SMB). US-CERT encourages users and administrators to review the US-CERT article on the [Microsoft SMBv1 Vulnerability](#) and the Microsoft Security Bulletin [MS17-010](#). For general advice on how to best protect against ransomware infections, review US-CERT Alert [TA16-091A](#). ##



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Feature Article (continued from page 9)

manage the overall cost of the program. We need to look at a system that will help manage those costs. You can't give things away for free. They will over-abuse the system."

Over-abuse, lots of people running into our state from neighboring states for free coverage, doctors leaving to practice in other states where they are paid fairly for their professional services...The dismantling of Kaiser Permanente and other prominent organizations... This is more than a whirlwind. This is a tornado; one so large and so powerful that we can't keep our feet on the ground or our assets in check. This is what our democratic legislature in California is proposing.

Yes, we have a reprieve for a short time due to the Assembly Speaker's announcement last week (see the CAHU press release and his full statement in this issue of the COIN), but this is not over. We can't get complacent. We must continue to educate, to fight for our clients and our industry. We have to be prepared for the likelihood of a ballot measure in November, 2018. Oh, and if you want to now go back into that cave or under that pillow, you may want to rethink that and instead, help us do something to prevent the catastrophe... ##

Author's Note: The views expressed in this article are mine; they do not necessarily represent the views of the Orange County Association of Health Underwriters or California Association of Health Underwriters. So if you want to be mad at someone, you can be mad at me! Better yet, be mad at everyone in Sacramento!

Editor's Note: Stay tuned to OCAHU and CAHU for more information as it becomes available. If you want to hear more about this bill and single payer, attend OCAHU's Town Hall Meeting on Thursday, July 27 in Laguna Niguel. It's free of charge. You may pre-register to guarantee your seat. Information can be found in this issue of the COIN, and at www.ocahu.org.

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June 22nd Emergency Meeting Additional Photos



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The Cup (for overall excellence in Membership)

Most New Members

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OCAHU Distinguished Service Awards 2016-2017

By Sarah Knapp, OCAHU Awards/Historian

Our May Meeting celebrated our OCAHU Members. We recognized associates for their many years of membership with OCAHU membership pins. The pins included 20+ years of membership and 10+ years of membership as a thank you for the loyal commitment those members have made to our association. We also welcomed our new members with a OCAHU membership pin. We held our annual Distinguished Service Awards to recognize those that have gone above and beyond in their support of OCAHU.

Outstanding Meeting Attendance, our members that come to every meeting rain or shine: [Janel Reina and Diana Miller](#)

Membership Recruitment, our members that are always encouraging new members to join our association: [Maggie Stedt and John Evangelista](#)

Educational Resource Commitment, those members that are ready and willing to educate our members, keep us compliant as insurance professionals and share the most up to date information: [Dorothy Cociu, Maggie Stedt and Ryan Dorigan](#)

Legislative Activities, the members who report to the association on the progress of legislative and regulatory initiatives and the ongoing activity at the state and national level. These members also work tirelessly with our legislators to keep our issues front and center: [Rob Semrow, Ryan Dorigan and Meg McComb](#)

Communications Excellence, our members that creatively and effectively communicate with the association through print, photography, video and social media: [Dorothy Cociu, Nolan Warriner and Patrick Freeman](#)

Leader of the PAC: [Dan Abrams](#)

Leader of the HUPAC: [Don Goldman](#)

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Terri Green	Grace Hong	Meg McComb
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Maggie Stedt		

***Nahu Triple Crown Qualifiers** must accomplish the following: HUPAC contribution of at least \$10 monthly or \$150 annual donation. Recruit at least two new members to NAHU. Send three unique Operation Shout Out messages to state or federal legislators.*

Congratulations to our NAHU Triple Crown Qualifiers for 2016:

Maggie Stedt and John Evangelista

OCAHU, NAHU and CAHU are dedicated to the members they represent and the communities they serve. We are thankful for your membership and your participation in this association. OCAHU is successful because we have members that support, encourage and contribute to the association. We look forward to working with more of you in the upcoming 2017-2018 year! ##



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- THE C.O.I.N. -

Please join us at our events!

SCHEDULE OF EVENTS:

OCAHU's PAC Fundraiser—Angel Game
South Orange County Town Hall Meeting

On SB-562

NAHU Regional Meeting

Senior Summit

Friday, July 21, 2017, Angel Stadium, Anaheim, CA

Thursday, July 27, 2017, City Hall, Laguna Niguel, CA

August 10 & 11, 2017, Spokane, Washington

August 28 & 29, 2017, Pala Casino, Pala, CA