

Orange  
County Association of  
Health  
Underwriters

Volume 13, Issue 1  
July/August 2018



**W.O.U.**

COUNTY OF ORANGE INSURANCE NEWS



## **Women In Business and CAHU Capitol Summit 2018**

**Full Photo Coverage Inside**



*Maggie Stedt, Dan Abrams and Juan Lopez with CA Senator Pat Bates, left; Juan Lopez at the Capitol, right, WIB group photo above*



### **Inside this Edition:**

- Feature Article: *What We Can Look Forward To In the November Elections*
- CAHU Capitol Summit Photo Coverage
- Compliance Corner—*Legal Briefing; "Privacy & Security Updates and Enforcement"*
- Women In Business Event Coverage & Photos
- *New Regular Column!* Single Payer Update— The Governor's Race and the Calm Before the Storm?
- CAHU and NAHU Dues Increase Announcement
- New OCAHU 2018-2019 Board of Directors
- NAHU 2018 National Convention Awards & Photo Coverage
- Legislative Update
- Membership News; New Members and Renewals
- Schedule of Events

### **Feature Article:**

**California's Primary Elections Are Over...  
What Can We Look Forward to in November?**

*How Orange County Plays an Important Role...*

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**NAHU Annual Convention  
Coverage 2018**

**BY POPULAR DEMAND OF  
OUR READERS!**

**Single Payer Update:**  
*The Governor's Race and  
The Calm Before the  
Storm?*

Update Provided by OCAHU President Ryan Dorigan

*See page 14!*



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Thank you for being a part of OCAHU!

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**Mark Your Calendars for CE Day**

**Tuesday, Sept. 11, 2018 7:30-am to 3 pm**

## The Commission Continuation Plan (CCP)

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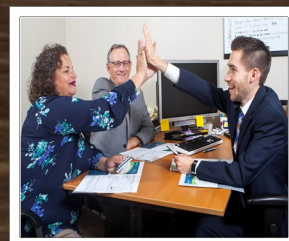
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**Making a Difference in People's Lives.**

**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, Ryan Dorigan

Greetings to the Orange County Association of Health Underwriters' Members:

This is my first opportunity to provide a message to our membership as the newly elected President of our Association. I would like to welcome all of our new members and offer a heartfelt appreciation to all of our existing members as we continue the fight.

We have a fantastic team of leaders on our board this year, including many folks who have served this association on the board positions at both the State and National level. We also have some folks who are joining the board for the first time and they are going to need all of our help and support.

For those that may be members of this chapter who have never had the time to serve the organization, this is a critical time in our industry and now may be that time that you have been waiting for. During my time as President, I want to assure every member of our association that anyone who is interested in volunteering will be given that opportunity. We need help with our Golf Tournament and our Women in Business event. We need folks to join us in Sacramento and Washington D.C. as we travel to provide our message to the legislators. We also have sponsorship opportunities and networking opportunities available. Don't let another day pass you by. Get involved right away.

I have already had the chance to meet many of you over the past few years, but I want to get a chance to talk to every member of our chapter during my time as President. If you see me at an event please come up and introduce yourself.

Share your concerns and ask me any questions. This board is your voice and we want to make sure that everyone's voice is heard.

I want to thank Juan Lopez, Maggie Stedt, John Evangelista and Rhett Bray as well as each of the other past presidents for providing such a clear path to follow. Your guidance and leadership has been invaluable to me and to this organization.

We certainly have our challenges in front of us. We are still working closely with our team in Sacramento to provide as much education as we can on the upcoming SB562 (Single Payer) fight. OCAHU just sent 7 delegates to Kansas City who represented you in the election of a new NAHU Board as well as other key policy votes.

We have some really fun events coming up this summer. We are finalizing the dates for another Angels tailgate party/game and fundraiser sometime in late July or August, so plan to be on the lookout for that. Our 5<sup>th</sup> Annual Senior Products and Marketing Summit will be coming up on August 22<sup>nd</sup> and 23<sup>rd</sup> at the new venue Pechanga Casino and Resort. We will also be planning on-going education meetings on the SB562 fight. If there is any movement on this bill, OCAHU will schedule a town hall so you have the most updated information for your clients. If you are looking for more information on this bill, please visit the CAHU website and check out the toolbox they created. The link is [www.cahu.org/senate-bill-562](http://www.cahu.org/senate-bill-562). It is going to be a very exciting year. We certainly have our challenges, but with each challenge comes opportunity. We find ourselves in such a unique time, and our organization is one of the very few with an understanding of the complexity of healthcare reform. Don't miss this chance to shape the future of this industry. ##

### A SPECIAL NOTE AND APOLOGY TO OUR COIN READERS:

The Board of the Orange County Association of Health Underwriters would like to apologize to our readers who receive the hard copy each issue. The May-June 2018 issue, although sent properly electronically on April 30, 2018, was delayed in the print and mailed version. Once finished, the Editor, Dorothy Cociu, places it in a shared dropbox folder with our Executive Director, and the ED then forwards it electronically to our printer. Our executive director mistakenly attached the May-June 2017 COIN issue to the email that was sent to the printer, and of course the printer printed that issue and mailed it. Dorothy received several calls, emails and texts from members saying that they received the 2017 issue again a year later, and she immediately notified the executive director and executive board members to verify that the mistake had happened. The hard copy of the May-June 2018 issue was printed and mailed, but it was not received by members until mid-June. For this we sincerely apologize. We have since divided the shared folder by year, so that this sort of mistake will never happen again. Dorothy would like to thank the members that contacted her to notify her of this situation. All of us on the Board would like to thank you for your understanding.





## Feature Article: California's Primary Elections Are Over... What Can We Look Forward to in November?

### *How Orange County Plays an Important Role Statewide...*

By Dorothy Cociu, RHU, REBC, GBA, RPA, OCAHU VP Communications & Public Affairs

Well, we made it through the negative TV ad campaigns and first round of elections in 2018... The Primaries are over, and we are now anticipating the

mid-term elections in November. So how did our primaries turn out and what do we have to look forward to (or cringe about) in November? Some questions are now answered... And many more remain.

#### **The Governor's Race**

Obviously the biggest race was the Governor's race, and the primaries resulted in the final candidates of Gavin Newsome (D), Lt Governor, and republican business man John Cox, who was supported by President Trump. Many had thought Antonio Villaraigosa (D—Los Angeles former mayor) could advance for an all democratic race, but it looks like republican conservatives went out to vote in the primaries and it made a difference. Gavin Newsome is expected to win the governor's race, which is not good for the health insurance industry, as he has been historically a single payer supporter (see Ryan Dorigan's comments in the Single Payer Update on page 14).

I asked newly elected CAHU President, Dave Fear Jr. what his thoughts were on the Governor's race. "I read an interesting article the other day that made some valid points of why we should not assume Newsome will run away with it. The point was that if you don't think California is headed in the right direction, you can't blame Republicans, since everything is controlled by Democrats. If people want a change, voting for someone other than a Democrat would make sense. However, I recently heard John Cox interviewed on the radio and I would say, 'nope, he doesn't have a chance'. I was not impressed. Perhaps a more dynamic, articulate, inspiring candidate from the Republican Party could pull off the upset but none of those characteristics describe John Cox.

"With that, I do think the Governor Newsome will have to take a step back on his far left pandering. If you go back and read what Gavin said about supporting single payer, he chose his words very carefully. I think he did so because he will have to back away from his announced support of the Single Payer dream being put forth by the CNA. That doesn't mean he won't try for a version of the San Francisco model or some other progressive model to provide universal coverage for health care."

#### **Key Race for our Industry—The Insurance Commissioner Race**

CAHU believes that the most important race this November is the election of Insurance Commissioner. According to Dave Fear, Jr, our largest concern should be "Independent Steve Poizner vs Author of SB562 Ricardo Lara. With Newsome as Governor, Toni Atkins as Senate President pro-Tem and the possibility that Lara would be the insurance commissioner, that is the trifecta of single payer advocates." That, of course, is very dangerous for our members, and our industry overall. *Although CAHU does not support individual candidates, this is one election that as members, you may want to think about, and you may want to pass on to your friends and clients the need to support Steve Poizner.*

#### **The Repeal of California Senator Josh Newman—Why Orange County Plays Such an Important Role Statewide—Ending the Super-majority in the Senate**

Although recalls are rare in California (only 5 since 1913 according to the LA Times June 5, 2018), this one was successful. Democratic Senator Josh Newman, a resident of Fullerton, who narrowly defeated Republican Ling Ling Chang in 2016 for the seat, was recalled in the California Primary Elections on June 5, and was replaced by Chang.

This race was a targeted race by the Republican Party in 2017, shortly after a vote that helped pass a 12 cent per gallon increase to the gas tax. The republican party felt Newman was the most vulnerable democrat, who was elected in an historically conservative republican area of Orange County and surrounding counties (serving Anaheim, Brea, Buena Park, Chino Hills, Cypress, Diamond Bar, Fullerton, Industry, La Habra, La Palma, Placentia, Stanton, Walnut, West Coving and Yorba Linda). Newman not only voted for and supported the gas tax, but he was also a single payer supporter. As a resident of Yorba Linda, this was important to me.

*This election was a key election in California, and perhaps one of the most important, because this recall ultimately ends the Democratic Super-majority in the State Senate.*

***A super-majority means that the party with a super-majority controls 2/3 of the 40 seats in the state Senate, which allows that party to approve tax increases, suspend legislative rules, pass emergency legislation or overturn governor's vetoes without ANY support from the other party.*** California's Democrats have held a super-majority in the Senate, allowing them to pass the gas tax and other taxes without a single republican vote.

*Continued on Page 7*



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## Feature Article, Continued from page 5

The recall of Newman ends this, unless the Democratic party can win back seats in November.

*This recall could be a strong warning to Democrats. They cannot be as liberal as they may want to be... they can't be far left, progressive... if so, they could also be targeted in similar republican efforts and a larger voter turnout by republicans and independents with more conservative views.*

The best thing that could happen for our industry is if the democrats are held off from regaining super-majorities.

### **Area Congressional Resignations—Ed Royce and Darrell Issa—And How the Races Look in November**

Orange County's District 39 had a blow recently when Ed Royce announced he would be retiring his long-held conservative seat in the House of Representatives. Early on, the Democratic Party recruited and endorsed Gil Cisneros for the seat. The primary election rules say that the top two candidates of the primaries advance to the November election, regardless of party. In this seat, Republican candidate Young Kim and Democratic candidate Gil Cisneros advanced. This district includes Anaheim, Brea, Buena Park, Chino, Chino Hills, Diamond Bar, Fullerton, Industry, La Habra, La Habra Heights, Placentia, Walnut, Yorba Linda. This is also my district....

In a similar race, District 49's Darrell Issa (South Orange County and North San Diego County) is retiring, and Republican Diane Harkey and Democrat Mike Levin will advance. This district includes Carlsbad, Dana Point, Del Mar, Encinitas, Mission Viejo, Oceanside, Rancho Santa Margarita, San Clemente, San Diego, San Juan Capistrano, Solana Beach, Vista.

I asked NAHU's Vice President of Congressional Affairs John Green if he had any insight on these elections. As it turns out, he recently met with some of the candidates.

John met with Young Kim for a full hour over lunch and called her "outstanding" and said that he "loved her" as a candidate. According to John, she has strong knit Korean and family values which help her, and she has deep ties to the community. "Her values resonate with the people in the district." He says "she has a strong story to tell." She has a strong banking background, so Financial Services would interest her, as well as Foreign Affairs, as she really likes what Ed Royce was doing, and would like to carry on that legacy. John best described her as an "excellent candidate."

John Green felt that Young Kim would be very supportive of our association's message and would be willing to speak at our events. She expressed an interest in being invited, both before and hopefully after the November elections.

According to John Green, *it was Mimi Walters that called her and urged her to run.*

Regarding the Issa seat, John felt that Diane Harkey (R) was "the right fit for the seat." He felt she had a lot of confidence in her ability to win the seat. Due to her prior work, he felt that

there is enough overlap with the district to win, as they already know her in that area.

I asked John if he felt that the recall of Josh Newman and removal of the super-majority in California's Senate could have an impact on all elections in California. According to John, "Everyone in Washington believes that all politics are local." Far left candidates are, in the eyes of republicans, doing harm to people, which the republicans are using to their advantage.

"Because there are so many new faces in Congress, there are many new opportunities" for NAHU members to educate them in their districts about what agents do for their clients. "Members need to tell their story and show the newcomers how they can be helpful. Let them know what it's like back home... What employers care about, what they are saying about Obamacare, group coverage, reporting requirements, etc."

*"Because there are so many new faces in Congress, there are many new opportunities" for NAHU members to educate them in their districts about what agents do for their clients. "Members need to tell their story and show the newcomers how they can be helpful. Let them know what it's like back home..."*

Many employers are receiving 226 J letters from the IRS from 2015 audits. Employers are panicking. They are scared that these huge penalties will hurt their businesses. The legislators need to know these things.

John encourages NAHU members involved in local business associations like NFIB, Chamber of Commerce, Rotary Clubs, etc. to invite the candidates and in-force legislators to your events. If they agree with their platforms, some may write checks to support their campaigns.

So, the bottom line is, you need to get out and vote this November, and encourage your employer clients and even employees in open enrollment meetings to get out and vote. If they don't like the gas tax and other taxes, make sure they understand that a super-majority of one party allows the party to pass tax increases and overturn governor vetoes. Maybe if they understand that, they will be more inclined to go out and vote.

If you don't like the idea of single payer, November is the time to get out and tell Sacramento that with your votes.

And another incentive... The Secretary of State recently declared that *the gas tax repeal initiative has qualified for the November ballot.* So more incentive to get out and vote in November!

##

*Author's Note: I'd like to thank David Fear Jr, Ryan Dorigan, Faith Borges (CAHU Legislative Advocate), and NAHU's John Green for their assistance with this article.*

## Capitol Summit Photos, Sacramento 2018



Dan Abrams, Maggie Stedt and Juan Lopez with Senator Pat Bates (left)



Dorothy Cociu, Dan Abrams and Maryanna Trutanich with Assemblyman Bill Brough (left and right)



Nolan Warriner, Rob Semrow and Maryanna Trutanich with Senator John Moorlach (above)



Rob Semrow, Nolan Warriner, Pat Stiffler, Ryan Dorigan and David Ethington (above)



CAHU's VP of Legislation Jim Morrison presents the Legislator of the Year Award to Senator Janet Nguyen (34th District); Chief of Staff Mark Reeder is accepting on her behalf (above)



Unwinding a little bit at the CAHU PAC Reception at The Punch Bowl (left); Food always tastes better when traveling (right)



## CAHU and NAHU Announce Dues Increases in 2019

At the May CAHU Board and House of Delegates Meeting in Sacramento, CAHU had a dues increase of \$5 per month, \$60 per year, on the agenda for a vote, to pay for additional staff in the area of Public Affairs. The board wanted a full-time staff person to deal with media and public relations overall, particularly due to the Single Payer initiatives. Although OCAHU's delegates voted against this increase (primarily due to the pending NAHU dues increase), the dues increase did pass.

On June 25, 2018, NAHU proposed to the House of Delegates a national dues increase of \$5 per month, \$60 per year, to build additional reserves to help states fight tough battles, including California's Single Payer fight, as well as to pay for technology

tools and systems upgrades that were needed, and to maintain their staff normal pay raises. Staff had not received pay raises in the past year. There was a Town Hall Meeting to discuss the dues increase and allow all of the states and local chapters to ask questions and state their views. The dues increase initiative passed with a very large majority. Therefore, members in California will see the total dues increase of \$10 per month, \$120 per year beginning in 2019. There is also an \$8 increase annually starting in 2020, to be reviewed after 3 years. ##



## OCAHU MEMBERS ATTEND NAHU ANNUAL CONVENTION IN KANSAS CITY

### OCAHU SHINES AT NATIONAL AWARD CEREMONY!

Several members of the OCAHU Board of Directors, as well as members at large, attended the NAHU Convention in Kansas City June 23-26. We are happy to announce that OCAHU, CAHU and Region 8 won several key awards, including the following:

**Most New Members – Large State – California with 348**

**Highest Growth Rate – Large Local Chapter – OCAHU with 23.73%**

**Most New Members – Region – Region 8 with 500 new members**

**Professional Development – Robert W Osler Award – Local Chapter – OCAHU**

**Public Service – William F Flood Award – Local Chapter – OCAHU**

**Presidential Citation – Local Chapter President -Juan Lopez – OCAHU**

**Presidential Citation – State – Stephanie Berger – California**

**Pacesetter Award – Large Local Chapter – OCAHU**

**Landmark Award – State Large Chapter - California**

Nearby chapters like IEAHU, San Diego and LAAHU also won several awards. Congratulations to all! ##



Top left: OCAHU Members at the Gordon Memorial Dinner; (Back Row- Jose Galindo, Juan Lopez, Dan Abrams, Ryan Dorigan, Barbara Salvi- Front row Shauna Haltom, Maryanna Trutanich, Dorothy Cociu, Pat Stiffer, Maggie Stedt; Top Center: Juan Lopez with NAHU President Mike Embry; Top Right: OCAHU incoming President Ryan Dorigan at the Town Hall Meeting expressing views on a possible California name change; Bottom left: Region 8 VP Linda Rose Koehler and Maggie Stedt with Mike Embry.



Above: OCAHU Members enjoy dinner out!; Bottom right: Dorothy Cociu speaks her views on the dues increase at the Town Hall meeting.





## OCAHU Distinguished Service Awards 2017-2018

By: Sarah Knapp, OCAHU Awards Chair, Historian

Our May Meeting celebrated our OCAHU Members. We welcomed our 49 new members for the year and 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.

OCAHU held our annual Distinguished Service Awards to recognize those members that have gone above and beyond:

**Cathy Daugherty** – CAHU PAC Committee

**Don Goldmann** – CAHU Past President, NAHU Past President, OCAHU Past President

**Dorothy Cociu** – OCAHU Past President, CAHU Past President, NAHU Past Regional Vice President, Region 8

**Michael Kelly** – NAHU Past President

**Juan Lopez** - CAHU VP of Finance, CAHU VP of Professional Development, IEAHU and DCAHU Past President

**Maggie Stedt** – CAHU VP of Membership, NAHU Region Membership Chair, NAHU Medicare Advisory Committee, NAHU National Speakers Bureau, OCAHU Past President

**Pat Stiffler** – CAHU Awards Chair, OCAHU Past President

**John Word** – CAHU Past President

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### Soaring Eagle

Daniel Abrams  
Dorothy Cociu  
Ryan Dorigan  
Anna Grubbs  
Meg McComb

### Golden Eagle

Patricia Stiffler  
Maggie Stedt

### Eagle

Grace Hong  
Barbara Salvi

### President's Council

Terry Allard

### Leading Producer

John Evangelista

### Lifetime

Suzanne Purnell  
John Word

## OCAHU Board of Directors Call for Committee Members!

*Are you Interested in Contributing to OCAHU by Helping With a Committee? If so, 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 usually in print by the 30<sup>th</sup> of the month prior to the issue month.

**Business Development Summit** is seeking several committee members and chairs for the 2019 BDS. Positions include 1) programs committee members; 2) exhibitor committee to solicit exhibitors; 3) sponsor committee members, to help with gaining

*Continued on page 14*





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## COIN COMPLIANCE CORNER

What Agents and Your Clients Need to Know!



### July/August, 2018 Legal Briefing

From Marilyn Monahan, Monahan Law Offices

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

#### ACA/Federal: Highlights

**2019 Plan Limits:** In Revenue Procedure 2018-30, the IRS announced inflation adjusted amounts for 2019 for health savings accounts (HSAs) and high deductible health plans (HDHPs). The new amounts are:

Type of Plan/Limit	Who	2019	2018	2017
HSA Contribution Limits	Self-Only	\$3,500	\$3,450	\$3,400
	Family	\$7,000	\$6,900	\$6,750
HSA Catch-up Contribution	Age 55 or Older	\$1,000	\$1,000	\$1,000
HDHP Minimum Deductibles	Self-Only	\$1,350	\$1,350	\$1,300
	Family	\$2,700	\$2,700	\$2,600
HDHP Maximum Out-of-Pocket Expense Limits	Self-Only	\$6,750	\$6,650	\$6,550
	Family	\$13,500	\$13,300	\$13,100

**Affordable Care Act (ACA) Affordability Percentage:** For 2018, the affordability percentage was reduced (from 9.69% for 2017 to 9.56% for 2018). For 2019, it is increasing (IRS Revenue Procedure 2018-34). As open enrollment season approaches for the 2019 plan year and you start running the numbers to ensure that your MEC, MV coverage is affordable, you will need to use the new **9.86** affordability percentage.

If you are relying on the federal poverty level (FPL) affordability safe harbor, you may use the FPL in effect within 6 months

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



On June 18, 2018, a U.S. Department of Health & Human Services Administrative Law Judge (ALJ) ruled that the **University of Texas MD Anderson Cancer Center (MD Anderson) violated the HIPAA Privacy & Security Rules and granted summary judgment to the Office of Civil Rights (OCR) on issue, requiring MD Anderson to pay \$4,348,000 in civil monetary penalties to OCR.** This is the second summary judgment victory in OCR's history of HIPAA enforcement and the \$4.3 Million is the fourth largest amount ever awarded to OCR by an ALJ or secured in a settlement for HIPAA violations.

According to the HHS/OCR report, MD Anderson is both a degree-granting academic institution and a comprehensive cancer treatment and research center located at the Texas Medical Center in Houston. It is important to note that OCR investigated MD Anderson following three separate data breach reports in 2012 and 2013 involving the theft of an unencrypted laptop from the residence of an MD Anderson employee and the loss of two unencrypted universal serial bus (USB) thumb drives containing the unencrypted electronic protected health information (ePHI) of over 33,500 individuals. OCR's investigation found that MD Anderson had written encryption policies going as far back as 2006 and that MD Anderson's own risk analyses had found that the lack of device-level encryption posed a high risk to the security of ePHI.

Despite the encryption policies and high risk findings, HHS/OCR reports that MD Anderson did not begin to adopt an enterprise-wide solution to implement encryption of ePHI until 2011, and even then it failed to encrypt its inventory of electronic devices containing ePHI between March 24, 2011 and January 25, 2013. The ALJ agreed with OCR's arguments and findings and upheld OCR's penalties for each day of MD Anderson's non-compliance with HIPAA and for each record of individuals breached.

"OCR is serious about protecting health information privacy and will pursue litigation, if necessary, to hold entities responsible for HIPAA violations," said OCR Director Roger Severino. "We are pleased that the judge upheld our imposition of penalties because it underscores the risks entities take if they fail to implement effective safeguards, such as data encryption,

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## WOMEN IN BUSINESS 2018 EVENT COVERAGE







## Single Payer Update: The Governor's Race and the Calm Before the Storm?

By Ryan Dorigan, OCAHU President

We have now advanced through our complicated California primary process and we now know who will be running for Governor of the state in California. While it doesn't come as much of a sur-

prise, it is still disappointing for the folks in this industry who are opposed to single payer to see that Gavin Newsom, who has voiced strong support for the single payer bill SB562, has a strong lead in the initial polling. Former LA mayor Antonio Villaraigosa, who has expressed concern about the cost for single payer, finished a distant third and will not be on the ballot in November. He was beaten by Republican businessman John Cox. In the initial polling, 45 percent of expected voters are likely to vote for Newsome while only 28% of those currently polled favor Cox.

The former mayor of San Francisco, Newsome has been such a big supporter of single payer healthcare that the California Nurses Association put his picture on their traveling SB562 campaign bus that says "Nurses Trust Newsome."

However, during an interview back in June, Newsome estimated that it would take years to transition. "Years", Newsome said. "First of all you will deal with litigation. You'll deal with setbacks. You'll have constitutional questions that have to be addressed by the voters. You'll have propositions on the ballot-maybe multiple. Its not an act that would occur by the signature of the next Governor. There is a lot of mythology about that"

Newsome also expressed concerns about obtaining federal approval to repurpose Medicare and Medicaid dollars for a state-run system.

While the nurses association continues to push for approval on SB562, Theresa Ullrich the president of the California Association of Nurse Practitioners recently wrote a letter to the editor of the San Francisco chronicle expressing sincere con-

cerns that a SB562-type bill would undermine all of the work that has been done to provide care to uninsured Californians under the affordable care act. She explained that we could do more to shore up our current market than scrapping that model and starting all over again without a clear understanding as to what this new program would look like.

So for the time being, it seems to be the calm before the possible storm.

We will continue to monitor the status of this bill and should anything change, we will be updating you all on a continual basis. If you have any questions or concerns about that you could be doing to fight this threat to our industry you can visit the CAHU website at [www.CAHU.org](http://www.CAHU.org), or you can reach out to me or any of the other board members. This fight isn't going away and we need our membership to be educated and engaged.

##

### Compliance Corner: HIPAA Privacy & Security Updates, Continued from page 12

when required to protect sensitive patient information."

MD Anderson claimed that it was not obligated to encrypt its devices, and asserted that the ePHI at issue was for "research," and thus was not subject to HIPAA's nondisclosure requirements. MD Anderson further argued that HIPAA's penalties were unreasonable. The ALJ rejected each of these arguments and stated that MD Anderson's "dilatatory conduct is shocking given the high risk to its patients resulting from the unauthorized disclosure of ePHI," a risk that MD Anderson "not only recognized, but that it restated many times."

The Notice of Proposed Determination and the ALJ's opinion may be found on the OCR website at <https://www.hhs.gov/hipaa/for-professionals/compliance-enforcement/agreements/mdanderson/index.html>.

Stay tuned for more HIPAA Privacy & Security Updates in the next issue! ##

### Committees - Volunteers Needed! (continued from page 10)

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 OCAHU 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.

*Continued on page 19*



# MEET SARAH

**Likes:** Puppies, volunteering,  
Mediterranean food.

**Favorite Quote:** "Dreams  
don't work unless you do"

- John C. Maxwell

**Passion:** Teaching brokers  
how to use PRO Apply

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## Legislative Update

### Rob Semrow, OCAHU V.P. Legislation

Hello OCAHU members and friends:

We recently attended the 2018 Cali-

fornia Association of Health Underwriters Capitol Summit in Sacramento. As always, it was packed with great information, great speakers and plenty of opportunities to meet with our state and local leaders.

This year, the Orange County Health Underwriters had 12 meetings that they were responsible for. We were fortunate to be able to get appointments with all of the offices and many of the legislators themselves. They and their staffs were open to our thoughts, our insights, and engaged us with a number of questions on the pieces of legislation we were there to discuss, and even some we weren't.

One of the most important things we do each time we meet with legislators is remind them that we represent the consumer and are the consumer's advocate throughout the coverage from sale to utilization.

The 2018 legislative session is in full-swing and there have been many bills that the Health Underwriters have been involved with both for and against.

As of the time of the writing of this article, two critical issues – SB 562 and the "HealthCare for All – California" Initiative's momentum and push have slowed. *This doesn't mean they are dead or going away anytime soon, it just means that we are unlikely to have those issues at the forefront for this session.*

If you are not familiar with the largest and most important legislation being proposed, I would urge you and all of your colleagues to find out as much as possible about SB562 as well as the "California Health Care for All" Movement.

Additionally, there are a number of other priority bills that CAHU and OCAHU are involved with and making a concerted effort to impact this legislative session. From MLR Increases to expansion of MLR and the single payer initiatives, there are a variety of areas that would impact the consumers we serve and our industry as a whole.

Here are a few quick updates and overviews on pieces of legislation we have been active with and that you should know

about:

One bill that has passed the Senate that all should be aware of is SB910. **SB 910 - Short-term limited duration health insurance.** - The California Association of Health Underwriters (CAHU) was **OPPOSED UNLESS AMENDED to SB 910**. This bill would prohibit the sale of short-term limited duration health insurance in California even in circumstances that would leave a consumer without any other coverage options. At this point, CAHU and the local chapters are working to see if language can be amended to provide some safe haven for those who may otherwise be "frozen" out due to this legislation.

One bill that has passed the Assembly is AB2499. **AB 2499 - Health care coverage: medical loss ratios.** - CAHU is working with NAIFA California and IIABCal to OPPOSE AB 2499, which increases the minimum individual and large group medical loss ratio (MLR) percentages applicable to health care service plans and health insurers by as much as 5%. This bill has been discussed and there is some hope that a palatable pathway exists to make changes and have this be a workable bill.

There are just some of the many pieces of legislation that we are currently working on this year and you will need to stay up to date on. There are more that will potentially be held over or reworked for next year as the make up of the California legislature changes. We will be sharing those as they come to the forefront.

In the meantime, if you are wondering what you can do to help save your industry and your healthcare, we need you to get involved. This year, you need to make a phone call, make a visit and send an email to your legislators.

Stay tuned and get involved. Remind your clients that as a member of OCAHU, you are a part of a group of dedicated industry professionals who are working with legislators and other advocates to create responsible and responsive change that have positive impacts and as important, positive outcomes.

Best of luck in these challenging times my friends!

Robert Semrow

Cell Phone – 949-413-6566

##

before the first day of the plan year. The 2018 FPL for a one-person household in the 48 contiguous states and D.C. is **\$12,140** (it was \$12,060 in 2017). (83 Federal Register 2642 (1/18/18).)

**Patient-Centered Outcomes Research Institute Fee (PCORI):**

For employers with self-funded plans, PCORI fees must be paid --and the IRS Form 720 must be filed--by **July 31, 2017**.

**Association Plans: Final Rule:** On June 19<sup>th</sup>, the DOL issued a final rule that provides a framework for the sale of association health plans (AHPs). The final rule accomplishes this by creating a new regulation that defines “employer,” for purposes of ERISA, to include a group or association of employers. The goal of the new rule is to expand “access to affordable health coverage, especially for employees of small employers and certain self-employed individuals.”

The rule has staggered implementation dates (between September 1, 2018, and April 1, 2019). Those interested in AHPs should also consider the impact state laws may have on the creation and sale of such plans.

**Electronic Filing with the IRS: Proposed Rule:** The IRS recently issued a proposed rule that will, if adopted, require more employers to file certain forms electronically with the IRS—such as W-2s, 1099s, 1095-Bs, and 1095-Cs. Under existing rules, if an employer files 250 or more of these forms, the forms must be filed electronically—but the 250 threshold is determined for each type of form separately. The new rule would retain the 250 threshold, but would require the employer to take all the forms it files into account to determine whether it meets the 250 threshold. In addition, if the initial forms have to be filed electronically, corrected forms have to be filed in that manner as well. Failure to file forms electronically, when required, could result in penalties.

Public comments on the proposed rule are due by July 30<sup>th</sup>. If adopted, the new rule would apply to forms filed after December 31, 2018.

**California: Highlights**

**Common Law Employees vs. Independent Contractors:** On April 30<sup>th</sup>, the Supreme Court of California issued a significant opinion: *Dynamex Operations West, Inc. v. Superior Court*. *Dynamex* changes the standard that employers must

use to distinguish between common law employees and independent contractors for wage order purposes. The new standard—referred to as the ABC test—places the burden on the employer to establish that an individual is an independent contractor by establishing each of three factors:

that the worker is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact; that the worker performs work that is outside the usual course of the hiring entity’s business; and that the worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed.

If, as anticipated, more individuals qualify as common law employees under the ABC test, that could impact their eligibility for the employer’s benefit plans. Employers should consult their employment counsel for guidance on the application of *Dynamex* to their workforce, and should review the eligibility language in their benefit plans to determine what impact *Dynamex* might have on plan terms and eligibility.

*Editor’s Note:* Marilyn Monahan can be contacted at Marilyn A. Monahan Law Office, 4712 Admiralty Way, #349, Marina del Rey, California 90292; (310) 301-3300 (office) or email her at [marlyn@monahanlawoffice.com](mailto:marlyn@monahanlawoffice.com). ##

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# Membership News

## New Members and Renewals! - Bill Brinegar, V.P. Membership

### Upcoming Renewals - Please renew your membership soon!

*OCAHU is proud to announce the list of new mem-*

Yvonne Aceves

Mariela Caceres

Justin Davis

Kyal Moody

**WELCOME NEW MEMBERS!**

James Bennett

Chris Borgen

Peter Cabot

Tom Christian

Dawn Cunko

Scott Diehl

Rebecca Dolan

Parshottam Donga

Helene Dooling

James Douglas

David Drzymkowski

David Duker

Amit Gandhi

Michelle Hadley

Barbara Hogan

Gloria Janco

Timothy Johnson

Mirna Koch

Debra Lambert

Marc McGinnis

David Miller

Dan Minahan

Nancy Mundell

Allen Patrick

Carmen Ponce-Robiatti

Dawn Quinn

Allan Rahn

Susan Reeves

Lydia Robledo

Patrick Rodriguez

Stephen Scheneman

Kimmarie Simonsen

David Slaton

Joseph Stefano

Jeff Strong

Paul Tran

Antonette Vanasek

Jason Watanabe

Jamie Wiltfang

*OCAHU would like to feature one or more new members in each issue of the COIN in our new column, "New Member Focus". If you're a new member and would like to be featured, contact Dorothy Cociu or the OCAHU Membership team! Submit a photo and tell us a little about yourself! Contact us for a Q&A form!*

### Committees—Volunteers Needed -Continued from page 14

**Membership Retention** seeking 2 committee members to assist with the following: Assist in sending retention emails to upcoming renewing members, ongoing review of NAHU web-site 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!*

##

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Email: rdorigan@appliedga.com

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MaryAnn Trutanich  
Kaiser Permanente  
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Email: maryann.m.trutanich@kp.ort

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Email: sarah.knapp@coloniallife.com

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Email: nsalas@appliedga.com

***Public Service Chair | Women in Business***

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Email: keystonepatty@aol.com

**MEDIA RELATIONS | Social Media**

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Advanced Benefit Consulting  
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Email: nwarriner@advancedbenefitconsulting.com





## Political Action Committee Report

By: Dan Abrams, OCAHU VP PAC

As the new PAC chairman of OCAHU, I am reaching out now to start campaigning for our new term starting on July 1<sup>st</sup>, 2018. Let's get ready to make this a successful year and raise over \$20,000 in PAC funding.

As you all well know, these funds are vital in keeping insurance agents in business. They also assist in fighting unfair legislation, which could possibly cause insurers to leave the State of California. As a collective whole, we can work together and continue the fight for fairness in health care. Every dollar makes a difference so contribute to PAC today!

Thank you for your continued support!

Thanks! Dan

## Want to Help Fight Single Payer?

***Then Give to CAHU PAC!***

You can give monthly or make one-time donations.

Go to the OCAHU website or CAHU Website for a contribution form, or see any OCAHU Board Member!

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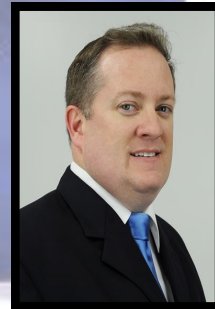
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Rob Semrow, CBC, CSA  
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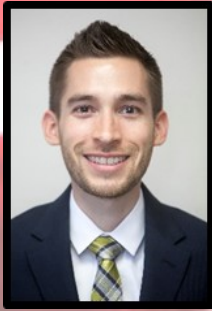
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# 2018-2019 OCAHU Board of Directors Continued



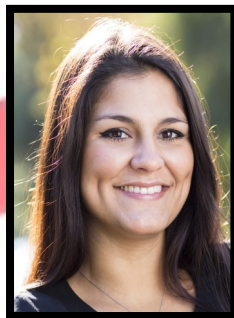
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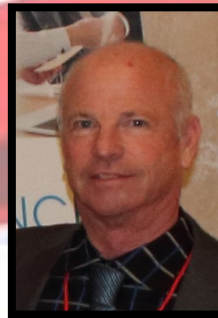
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### Women in Business 2018– A Huge Success!

**By Pat Stiffer, Women In Business Chairwoman**

Thank you for a great Celebration of Women in Business event! On June 1, we had another wonderful Celebration of Women in Business luncheon and fashion show. There are so many people to thank!

First of all, I would like to thank Scott Kraznel, Senior Vice President of Health Net, for being such a gracious Master of Ceremony. We are so grateful for your continued support. Thank you Scott, and Health Net for being our Pink Diamond Grand Event sponsor!

I would also like to thank Word and Brown for being our White Diamond sponsor, and specifically, Lydia Robeldo 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, St. Joseph/Hoag Health Systems and Blue Shield Trio who provided our beautiful centerpieces, and Kaiser Permanente our parking sponsors.

Our Ruby sponsors, Warner Pacific and Blue Shield, were

responsible for the table wine we enjoyed. LISI sponsored the Pop the Cork.

Our fabulous Grand Prize friends and family trip to Napa was sponsored by our Sapphire Sponsors, Benefit Mall and Colonial Life. Eye Med, our Amethyst sponsor, provided the Grand Prize excursion.

Congratulations to Selene Caswell, from Millennium Risk Management and Insurance Services, our lucky Grand Prize winner. She and her guests will enjoy a fabulous trip to Napa in a beautiful luxury home.

The great cork cocktail knife favors were sponsored by the Schulten Group.

I would also like to personally thank our DJ, Frank Roberson, for taking the initiative and starting the \$1 contribution with our guests. Just from that simple request we were able to raise over \$2000!

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.

*Continued on Page 26*



## Fifth Annual Senior Products and Marketing Summit

### "Breaking Through the Medicare Maze!"

August 22<sup>nd</sup> and 23<sup>rd</sup>

By: Maggie Stedt

The Orange County Health Underwriters is proud to hold the Fifth Annual Senior Products and Marketing Summit at our new venue, Pechanga Resort and Casino in Temecula, CA. Working jointly with the Inland Empire and San Diego Association of Health Underwriters Chapters, this premier event promises to be even bigger and better with more speakers, certifications and vendors!

All those selling in the senior market, interested in getting in the market, or want to learn about Medicare to assist their Individual and Group clients, should plan to join us at both days of meetings. The first day, Wednesday, August 22, includes certifications and educational credit sessions. The next day offers a full day of speakers and breakout sessions (many of them CE) on Thursday August 23<sup>rd</sup>. (Note: the meetings will be held in a completely non-smoking area of the hotel!)

We are offering even more breakout sessions. You may select to attend those designed for the experienced Medicare sales agent and representatives (Medicare Masters), or the ones for agents and representatives new to the market (Medicare 101). We have an outstanding line-up of speakers. You will not want to miss speakers from CMS, Social Security, Better than Medicare, and our CA lobbyists, as well as John Greene, Vice President of Congressional Affairs NAHU (our representative to CMS) and others! Rusty Rice, our new NAHU president, is also looking forward to seeing you all.

It is your opportunity to meet the General Agents (GA), Field Marketing Organizations (FMO), physician groups and the companies offering products and services in the senior market. Harry Thal said it best, "Everyone wants to talk to you about your business and opportunities!" Come to share ideas with other agents and company representatives in this expanding market.

And, Pechanga is offering rooms at a reduced rate for our attendees, making it your getaway before Open Enrollment begins! We are also working on Spa and golfing opportunities! Reserve early to enjoy the new nonsmoking tower!

To learn more about the Summit and to join us for this great event, simply register on line at our OCAHU website [www.ocahu.org](http://www.ocahu.org)! Our G.A.'s, FMO's, physician groups and carriers can learn about our sponsorship opportunities there as well.

Last year over 600 attendees enjoyed this senior sales and services focused event. Come join us! ##

**SEE SENIOR SUMMIT AD PAGE 24!**

### *Women In Business 2018, Continued from page 25*

I would also like to thank Dawn Carroll (IEAHU Executive Director) and Yolanda Webb (IEAHU President) who helped with registration that day. It shows that CAHU is one big family!

A 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!

There aren't enough words to thank your Executive Director, Gail James Clarke for all she does to make this so successful. She is the best!

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 7, 2019.*

##

*Editor's Note: From all of us at OCAHU, thank you Pat Stiffer and your amazing WIB team for putting on another great event!*

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**For Additional OCAHU Sponsors, See Page 25!**

**- THE C.O.I.N. -**

**Please join us at our events!**

### **SCHEDULE OF EVENTS:**

**August 22 & 23, 2018, Senior Products & Marketing Summit**, Pechanga Casino & Resort, 45000 Pechanga Way, Temecula, CA.

**September 11, 2018, OCAHU CE Day, 7:30 am to 3 pm**, Hyatt Regency, Orange County Airport (formerly the Carlton Hotel and the Raddison Hotel), Newport Beach, Topics, Speaker and CE Information To Be Announced.