

Orange
County Association of
Health
Underwriters

Volume 11, Issue 5
May/June, 2017



NO. 1

COUNTY OF ORANGE INSURANCE NEWS



SPECIAL FIGHT THE FIGHT... "SAY NO TO SB-562" ISSUE!

***SEE INSIDE FOR MORE INFORMATION ON CALIFORNIA'S INSURANCE
INDUSTRY FIGHT OF THE DECADE! AGENTS BEWARE!!!!***

OCAHU CHARITY GOLF TOURNAMENT

Annual Golf Tournament to Raise Funds for Cystic Fibrosis



More Coverage and Photos Inside This issue!

Inside this Edition:

- **Feature Article:** California's Insurance Industry Fight of the Decade... What SB-562 Can Do to our State, Our Industry, & the People of California!
- **Compliance Corner—Legal Briefing:** "ACA Silent Returns, ACA – PCORI Fees, San Francisco FCO, MCO Wage Increases—**Privacy & Security Updates and Enforcement:** Hear the Latest HIPAA Privacy & Security Enforcement News & Settlements
- **President's Message**
- **Legislative Report**
- **PAC Report**
- **Breaking News - SB-562 Passes Senate Health Committee**
- **Membership News**— New Members since February 1st, Members Up for Renewal
- **OCAHU Board of Directors**
- **Social Media Update**
- **Special Events**— WIB June 2nd
- **Schedule of Events**

**DON'T MISS
OCAHU MONTHLY MEETING**

Tuesday, May 16, 2017

Distinguished Service

Membership Meeting, Plus

**State of the State—Get Ready
for the Single Payer Fight of the
Decade!**

**Panelists Include Dorothy Cociu
& Ryan Dorigan**

**Plus Special Federal Update
from Don Goldmann!**

Radisson Hotel Newport Beach

***For More Information, See Inside
this Issue!***

This Issue's Feature Article:

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

**California's Insurance Industry
Fight of the Decade....**

***What SB-562 Can Do to Our
State, Our Industry, and the
People of California!***



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Golf Tournament April 2017



JOIN US FOR A SPECIAL MAY MEETING!

Annual Membership Meeting and Board Elections
Membership Distinguished Service Awards, in-
cluding New Member Recognition and Gifts, 10
and 20+ year member recognition & gifts, and
other Distinguished Service Awards!

Followed by a [Special Panel Presentation...](#)

***The State of The State and State
of the Nation Panel Report with
Panelists Dorothy Cociu, Don
Goldmann and Ryan Dorigan.***

Learn About the Agent Fight of the Decade!

**SB 562—the Single Payer Bill that would
eliminate agent usage and Employer Paid
Health Coverage in California!**

Tuesday, May 16th, 11 am to 1 pm

Radisson Newport Beach

See Ad page 6



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

"It was the best of times, it was the worst of times, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was a season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair --

The opening line from one my favorite novels, Tales of Two Cities by Charles Dickens describes how many of our clients and members feel about the current political situation both here in California and Washington D.C.

WE as members of the National Association of Health Underwriters are working hard to have our voices heard for the protection of our clients and our livelihood! It is important for you to respond to "Shout Out" requests to your legislators, to participate by contributing to our Political Action funds HUPAC and PAC! It is so important for our continued efforts as we address CA Senate Bill 562, Healthy California Act (Universal Health Care).

OCAHU will be sending seven voting delegates to CAHU's 2017 Capital Summit and Expo from May 8th to May 10th. We will be representing you in the election of the CAHU Board and we will be meeting with our local State and Assembly elected representatives. Rob Semrow, our VP of Legislation is busy setting up the meetings! Please let your OCAHU delegates/representatives know of any of your questions and concerns. The OCAHU delegates and attendees are: Juan Lopez, Pat Stiffler, Dorothy Cociu, Nolan Warriner, David Ethington, John Evangelista, Joe Partise, Rob Semrow, Ryan Dorigan, Barbara Salvi and myself. Come join us!

OCAHU has some great events lined up for the coming months! Hopefully you joined us for the Swing Fore the Cure Golf Tournament in April, the 15th. We hope to see you at the Annual Celebration of Women in Business in June, our Angel Game for PAC this summer, and watch for our upcoming Vanguard event! It is chance to connect, raise monies and have some fun!

Please plan to attend our Annual Meeting of Membership on May 16th to elect your new OCAHU Board and to honor our members and their accomplishments!

Also have to note all the hard work that Sarah Knapp and Pat Stiffler have done in submitting for various awards for OCAHU such as Pacesetter and the Flood Award. We will find out in June at the (NAHU) National Convention just how well we have done!

On a final note, it has been my privilege to serve as your president for the past two years! We have accomplished so much but still have so much to do! ##

OCAHU Annual Charity Golf Tournament to Benefit Cystic Fibrosis



*For More
Golf Tournament
Coverage, and
Photos, See
Pages 9 and
15!*

*OCAHU gives
a special
thank you to
the Com-
mittee, Spon-
sors and
Golfers!
Thank you!*



Feature Article:

California's Insurance Industry Fight of the Decade.... What SB 562 Can Do to Our State, Our Industry, and the People of California!

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

So we thought we were on a "Wait and See" train since last issue... The Repeal and Replace the ACA efforts of the

Trump Administration failed (although as of the time of this writing, another try is looming), and most of us thought we could sit back and take a breather from politics and the protection of our clients' best interests for a while... So while we were sighing in relief, the politicians in Sacramento had another idea... *Let's ram something like a Single Payer bill through now, without the voice of the people of California.*

First, I guess I should start with saying that comments made in this article are those of the article's author (yours truly) and not necessarily those of OCAHU or CAHU. Does that protect everyone enough (for those of you that get nervous when I cause a ruckus!)? Second, I will say that although I will express my personal opinions, I am also giving full credence to the CAHU fight, and I'm doing this re-write of my feature article (yes, I scrapped my original feature article planned for this issue at literally the 11th hour and decided, upon receiving the one-page NO on SB-562 document OCAHU sent out on April 25th, to react to my impulses... To help fight this fight, even if it means dumping a nearly finished issue and renaming the issue the "Fight the Fight – Say No to SB-562 Issue" and go on a rampage!), because I was inspired to do more than simply sending out the emails to my legislators with CAHU's operation shout system...

You may have listened to Juli Broyles (CAHU lobbyist) when she spoke at OCAHU in March... And to Rob Semrow and Ryan Dorigan at monthly meetings or read their articles about SB 562, so you may know a little about this bill... My intent is to dig more into it and help you get more passionate, more involved in helping stop this from happening! **I am pleading with you to join us in saying "Not in our state!"**

Senators Ricardo Lara (D), 33rd District (and running for Insurance Commissioner in 2018), and Toni Atkins (D), 39th District (former Assembly Speaker) are jointly authoring what could be the most devastating piece of legislation our state and our industry has seen. I talk about the Fight of the Decade, but in all reality, it could be a much longer time-period... We've had attempts before... But this one has the political clout to perhaps go further... Which is why we should be *very nervous!*

It is important to keep in mind that this bill is anything but bi-partisan. It is, in fact, supported by 100% Democrats, and ZERO Republicans. Insurance Commissioner Dave Jones is a supporter of Single Payer, incidentally, but has not yet officially taken a position on this bill. The goal of SB 562, according to Lara and Atkins, is "SB-562 will establish a state based universal health care system and provide comprehensive health care coverage to every Californian."

According to the authors, SB-562 (The Healthy California Act) states that the problem is that "lack of insurance still plagues immigrant communities, rural California, working families and young people..." They go on to say that "roughly 2.9 million residents (of California) remain uninsured....Many others are undocumented and prohibited from receiving subsidies or even purchasing insurance through the exchange." Their solution, according to SB-562, is "SB-562 will move health care coverage to one publicly-run plan that covers everyone who lives in the State. Every California resident will have one plan and the ability to choose their provider." They say all the right things to try to get Californians to accept this idea without question, but we need to ask questions! We need to understand what CAHU and our partners are warning us about! *Let's get away from the political rhetoric and let's focus on the reality of the situation!*

According to Marilyn Monahan, attorney from Monahan Law Office in Marina Del Rey, CA, "Under SB-562, a health insurer or HMO may not offer benefits or cover services that are offered to individuals under the Healthy California program. **This provision will end group major medical coverage in California.**"

*SB-562 abolishes the private health insurance market in California. It isn't "free" ... there are plenty of costs! **The bill would eliminate employer-paid coverage, which is currently the only really strong, working model we have!*** The employer based system has been successful. As I said in my last issue of the COIN (March/April 2017 feature article), you don't want to eliminate the one thing, the only thing, that is working, and working well! ***SB-562 would shift health costs***

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ANNUAL MEETING OF THE MEMBERSHIP

RECOGNIZING DISTINGUISHED MEMBERS

Tuesday, May 16, 2017 | Radisson Hotel Newport Beach

Registration: 11 AM | 11:30 AM Lunch & Annual Meeting | 12 N Awards | 12:15 PM Program

Business Attire Appreciated

**Join your peers as we
celebrate YOU!**

YEARS OF SERVICE!

PAST PRESIDENTS RECOGNITION!

**COMMUNITY AND INDUSTRY SERVICE,
POLITICAL INVOLVEMENT!**



PLUS...SPECIAL PRESENTATION... AN URGENT STATE OF THE STATE UPDATE...

**GET READY FOR THE LEGISLATIVE FIGHT OF THE DECADE!!! AGENTS'
BIGGEST SINGLE PAYER CRISIS TO DATE!**

**Panelists Include: Dorothy Cociu, Ryan Dorigan, Don Goldmann, for a State of
the State and State and State of the Nation Update!**

OCAHU Presents its Slate of Officers for the 2017-2018 Board of Directors

(voting takes place at the May 16, 2017 annual meeting!)

President: Juan Lopez

President Elect: Ryan Dorigan

Immediate Past-President: Margaret Stedt

VP of Communications: Dorothy Cociu

VP of Finance: Barbara Salvi

VP of Legislation: Robert Semrow

VP of Media Relations | Social Media: Nolan Warriner

VP of Membership: Tracy Hanson

VP of PAC: Joe Partise

VP of Professional Development: MaryAnn Trutanich

General Board Members:

David Ethington, Corporate Sponsorships

Sarah Knapp: Awards | Historian

Patricia Stiffler | Public Service

Lynn Wischmeyer | Member Retention

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COIN COMPLIANCE CORNER

What Agents and Your Clients Need to Know!

May/June, 2017 Legal Briefing

From Marilyn Monahan, Monahan Law Offices

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

ACA - “Silent” Returns: Employees might assume they do not need a 1095-C or a 1095-B from their employer and insurer because of the IRS announcement that it will not reject Form 1040s even if line 61 (indicating whether an individual had health coverage during 2016) is not completed. They may also assume that they will not owe an individual shared responsibility penalty, even if they did not have health coverage in 2016. These assumptions are not correct.

Although returns will not be rejected if line 61 is left blank, the government has not repealed the individual mandate. The IRS explains: “. . . legislative provisions of the ACA law are still in force until changed by the Congress, and taxpayers remain required to follow the law and pay what they may owe.” If individuals do not provide the information now, it does not mean they will not have to provide it later (and pay the penalty), after receiving an inquiry from the IRS: “When the IRS has questions about a tax return, taxpayers may receive follow-up questions and correspondence at a future date, after the filing process is completed.” The 1095 forms are not filed with the 1040, but should be kept in case of an audit.

ACA - PCORI Fees: If you have a self-funded plan, you must file an IRS Form 720 by **July 31, 2017**, and pay the Patient-Centered Outcomes Research Institute (PCORI) fee. The fee applies to plan years ending on or after October 1, 2012, and before October 1, 2019—so, unlike the Transitional Reinsurance Program fee, it will be with us for a while still. The amount of the fee is adjusted each year; it is \$2.26 per covered life for plan years ending on or after October 1, 2016, and before October 1, 2017 (IRS Notice 2016-64). More information is available at this link: <https://www.irs.gov/uac/newsroom/patient-centered-outcomes-research-institute-fee>

California Retirement Savings Plan (SB 1234, Chapter 804):

On September 29, 2016, Governor Brown signed SB 1234, which would create a state-run retirement savings plan for individuals who work for private employers. The plan would require employers with 5 or more employees to make auto-

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

As an update on HHS/OCR enforcement actions, a few important settlements were reported in April.

On April 12, 2017, HHS/OCR announced a HIPAA settlement based on the lack of a security management process to safeguard electronic PHI (ePHI). Metro Community Provider Network (MCPN), a federally-qualified health center, agreed to settle potential non-compliance with the HIPAA Privacy & Security Rules by paying **\$400,000** and implementing a corrective action plan. On January 27, 2012, MCPN filed a breach report with OCR indicating that a hacker accessed employees’ email accounts and obtained 3,200 individuals’ ePHI through phishing incident. OCR’s investigation revealed that MCPN failed to conduct a risk analysis until mid-February, 2012 (after the incident). The investigation also revealed that MCPN had not conducted a risk analysis to assess the risks and vulnerabilities in its ePHI environment, and consequently, had not implemented any corresponding risk management plans to address risks and vulnerabilities identified in a risk analysis. When finally conducted, that analysis, as well as all subsequent risk analyses, were insufficient to meet the requirements of the Security Rule.

On April 20, 2017, HHS/OCR released a settlement action for The Center for Children’s Digestive Health (CCDH), which reported that they had paid a **sum of \$31,000 and agreed to implement a corrective action plan, for failure to have a Business Associates Agreement in place**. CCDH is a small, for-profit health care provider with a pediatric subspecialty practice that operates in seven clinic locations in Illinois.

On April 24, 2017, HHS/OCR announced a **\$2.5 million settlement** which shows that not understanding HIPAA requirements creates a risk. CardioNet agreed to a settlement based on the impermissible disclosure of unsecured ePHI. They must also implement a corrective action plan. CardioNet provides remote mobile monitoring of and rapid response to patients at risk for cardiac arrhythmias.

In January, 2012, CardioNet reported to HHS/OCR that **a member’s laptop was stolen from a parked vehicle outside of**

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OCAHU Golf Tournament:

Take a Swing “Fore” the Cure

By: John Evangelista

Once again, we were honored to host OCAHU's 21st Annual Charity Golf Classic benefiting the Cystic Fibrosis Foundation. Over 100 golfers and even more dinner attendees joined us at taking a swing “fore” the cure at the Alta Vista Country Club in Placentia on Monday, April 17th. The day was filled with golf, networking, and – of course – fun!

Contests and prizes also played a part in the tournament. Golfers participated in the putting contest, closest to the pin contests, and the longest drive for both men and women. There were even opportunities to win \$100,000 and \$10,000 for a hole-in-one!

After golf, attendees grabbed a drink and socialized during the 19th Hole cocktail hour. As everyone was gathered on the patio, they witnessed the helicopter ball drop as it propelled across the course and dispersed 300 golf balls. What a sight!

The night continued with live and silent auc-

tions, ticket raffles, and an awards dinner. There were fantastic items up for bid, including tropical vacations and use of exotic cars, just to name a few. During dinner, all contest winners were announced and awarded; attendees went home with tens of thousands of dollars of prizes!

All in attendance also heard from Stephanie Scott, a mom of a three year old living with Cystic Fibrosis. She shared her struggles from hours of daily treatment to regular hospital visits to medication costing over \$7,000 per month. She also spoke of her hope: hope that her son, Paul, finds regular, sustainable treatment, hope that one day a cure for Cystic Fibrosis will be found, and hope that Paul can live a full, long life. She gave us a great reminder of what this charitable tournament is all about and why OCAHU is such a proud supporter of the Cystic Fibrosis Foundation.

Because of our many volunteers and generous sponsorship by several of the top carriers and general agents, this was our most successful golf tournament yet! 100% of the proceeds went

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Legislation Update

By Rob Semrow, VP of Legislation

Hello Fellow OCAHU members,

I have an important question for all of you...

Do you enjoy your career in the insurance industry? If the answer is yes, then I'll follow up this gem. What are you going to do now that your career is facing one of the greatest challenges that it has ever faced?

Yes, I'm referring to SB-562, *Universal Single Payer for California*; among other bills being proposed this legislative term.

It's a fight some may think they have seen before, but I would argue that this is such a unique time that this will likely be unlike anything we've seen previously.

The legislature is dominated by one party, with a fervent passion stoked by political tensions and deeply ingrained ideology.

Is there hope? Yes, there is always hope. Will it happen without all of us coming together and being communicators and evangelists? *I fear not.* All of us must make an effort to understand the challenges and communicate that the current offered political solutions are not the best course for consumers.

There is a lot to know and understand that will take some time and effort that can't be given in a short article. Never fear, OCAHU, CAHU and NAHU are here to help provide guidance and support. Please read Dorothy Cociu's feature article on this topic and attend the May OCAHU meeting for a lot more information on this bill.

Now on to a short overview of some of the important bills we are facing this legislative session:

SB 562 - This is the Universal Single Payer Health System proposal that seeks to replace California's healthcare marketplace with a universal Single Payer system that would reduce competition, limit options for consumers, raise costs, and threaten access to care. This bill, the Healthy California Act, would create the Healthy California program to provide comprehensive universal single-payer health care coverage and a health care cost control system for the benefit of all residents of the state. The bill, among other things, would provide that the program cover a wide range of medical benefits and other services and would incorporate the health care benefits and standards of other existing federal and state provisions, including, but not limited to, the state's Children's Health Insurance Program (CHIP), Medi-Cal, ancillary health care or social services covered by regional centers for persons with developmental disabilities, Knox-Keene, and the federal Medicare program. The bill would require the board to seek all necessary waivers, approval, and agreements to allow various existing federal health care payments to be paid to the Healthy California program, which would then assume responsibility for all benefits and services previously paid for with those funds. ***And that's just the beginning.... Stay tuned in and engaged as this is going to be the most pressing issue we face this year.***

SB 172 - Fertility Preservation Mandate. This bill increases the cost of health care by mandating all new individual or group health insurance policies issued, amended, or renewed on and after January 1, 2018, provide fertility preservation coverage for any and all situations, direct or indirect, where fertility may be impacted.

SB 640 - New Tax: Services. This bill proposes to establish a first-time sales tax on services, including services provided by independent health insurance agents.

These are just a few of the more than 100 bills and proposals that CAHU and OCAHU are following on your behalf. We are going to updating you all and urging you to get involved more than you ever have.

In fact, I'm putting it in writing...***If you love your job and what it provides for you, your family, your clients and the public, then I'm asking you to please at the very least, make a phone call to your local legislators office and let them know you exist, you help many of their constituents and these proposals are going to hurt everyone in California.*** It's a mistake to think that your legislator knows this or anything else, they are hearing from the other side

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**15TH ANNUAL
CELEBRATION
OF WOMEN
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OCAHU 2016 Annual Report

Income

Dues	\$12,445
Monthly Meeting Registration	\$11,298
PAC Contributions	\$4,640
Charitable Events	\$145,497
Continuing Education Day	\$6,290
Corporate Sponsorships	\$48,625
Business Development Summit	\$45,730
Senior Summit	\$79,512
Interest Income	\$97
<i>Total Income</i>	\$354,134

Cost of Sales

Monthly Meetings	\$17,576
Charitable Contributions	\$143,389
Continuing Education Day	\$6,112
Business Development Summit	\$36,057
Senior Summit	\$63,701
<i>Total Cost of Sales</i>	\$266,835

Expenses

OCAHU Administration / General Chapter Management	\$32,787
Membership & Recruitment	\$1,521
Legislative Activities	\$8,165
Conferences	\$12,717
<i>Total Expenses</i>	\$55,190



Political Action in Orange County
Ryan Dorigan V.P. PAC

There is nothing more important right now than the Single Payer Bill, SB 562, so I think we should all focus our efforts on the defeat of this bill. It's probably the fight of the decade, or longer, and by far the most important issue this year. It's authored by Senator Ricardo Lara (D) and Senator Toni Atkins (D), along with a number of co-authors. It's a 100% Democratic Bill.. No Republican support whatsoever.

The goal of the bill, according to Lara and Atkins, is to "establish a state based universal health care system and provide comprehensive health care coverage to every Californian." *But, it could destroy our market and wipe out much of the agent community!*

We need all of you to work with OCAHU, CAHU and other local chapters, the media, and our allies to combat this bill!

There is no room for agents in this plan!

Since Rob Semrow has covered this topic in his legislative report this issue, I want to just remind you that we will be discussing this, in detail, at the May 16th luncheon meeting. **Our panel will consist of myself, Dorothy Cociu, and Don Goldmann.** We will do our best to keep you all up to date, and give you all of the latest information. We urge all of our members to attend this meeting, and learn the latest news on this fight!

So please, join us at the May 16th meeting at the Radisson Hotel, Newport Beach to learn how you can help us fight the fight!

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matic payroll deposits into a state retirement plan known as the “California Secure Choice Retirement Savings Program”; employees would be able to opt out. Certain employers that already provide a retirement plan for employees would be exempt. A start date has not yet been set; essential details must still be worked out.

Similar bills have passed or are pending in other states and cities. Because of concerns that these arrangements would be preempted by the Employee Retirement Income Security Act of 1974 (ERISA), the Department of Labor (DOL) issued regulations in August and December 2016 that would create a safe harbor for plans established by either states (81 Fed. Reg. 59464) or political subdivisions of states (81 Fed. Reg. 92639) to operate without violating ERISA.

Certain members of Congress, however, are not happy about these state and local initiatives, and are taking action. H.J. Res. 67, which was sent to the President on April 5th, would repeal the DOL regulations applicable to plans established by cities and counties. H.J. Res. 66, which has passed the House and is now before the Senate, would repeal the DOL regulations applicable to state plans, such as the one established in California.

San Francisco: Employees in San Francisco? Even if you have one employee in San Francisco, you may be subject to one or more of several ordinances governing the workplace, and a few of these ordinances have upcoming deadlines.

For example, if you are subject to the Health Care Security Ordinance (HCSO), by **May 1, 2017**, you must submit a 2016 Annual Reporting Form to the Office of Labor Standards Enforcement (OLSE). A new 2016 form has been issued. Some other important points to keep in mind about the HCSO: the health care expenditure rate changes each January 1, and a new poster has been issued by the OLSE. Also as of January 1, 2017, employers may no longer comply with the HCSO by making “revocable” expenditures.

Are you covered by San Francisco’s Fair Chance Ordinance (FCO)? If so, you must file the same 2016 Annual Reporting Form with the OLSE by **May 1, 2017**. Addressing several topics in one form, the 2016 Annual Reporting Form also asks employers how they intend to comply with the Paid Parental Leave Ordinance (PPLO).

For all of these ordinances, as well as the Minimum Compensation Ordinance (MCO), Family Friendly Workplace Ordinance (FFWO), Paid Sick Leave Ordinance (PSLO), and Formula Retail

Employee Rights Ordinances, employers must make certain that they are in compliance with regulations and guidance issued by the City, and that they display up-to-date posters in the workplace. Finally, don’t forget that under the MCO the minimum wage increases to \$14 on **July 1, 2017**.

(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) (310) 301-3309 (fax) or email her at marilyn@monahanlawoffice.com

HIPAA Privacy & Security Updates

Continued from Page 8

the employee’s home. The laptop contained the ePHI of 1,391 individuals. OCR’s investigation into the impermissible disclosure revealed that CardioNet had an insufficient risk analysis and risk management process in place at the time of the theft. Additionally, CardioNet’s policies and procedures implementing the standards of the HIPAA Security Rule were in draft form and had not been implemented. Further, the Pennsylvania-based organization was unable to produce any final policies or procedures regarding the implementation of safeguards for ePHI, including those for mobile devices. ##

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For more information, contact Advanced Benefit Consulting
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Membership News—New!

New Members and Renewals!

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

WELCOME NEW OCAHU MEMBERS!!!!

Don Ariosto
Francine H. Chong
Stephen Whitney Douglass
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Please renew your membership today!!!

**Take A Swing “Fore” The Cure... Golf
Tournament Coverage** (continued
from page 9)

directly to Cystic Fibrosis Foundation, which strives to find a cure for the 30,000 Americans and 70,000 people worldwide living with Cystic Fibrosis. THANK YOU to everyone who participated in this charitable event! See you again next year!
##



We ask that these and all other new members since May, 2016 attend our May Meeting to receive a special new member gift!



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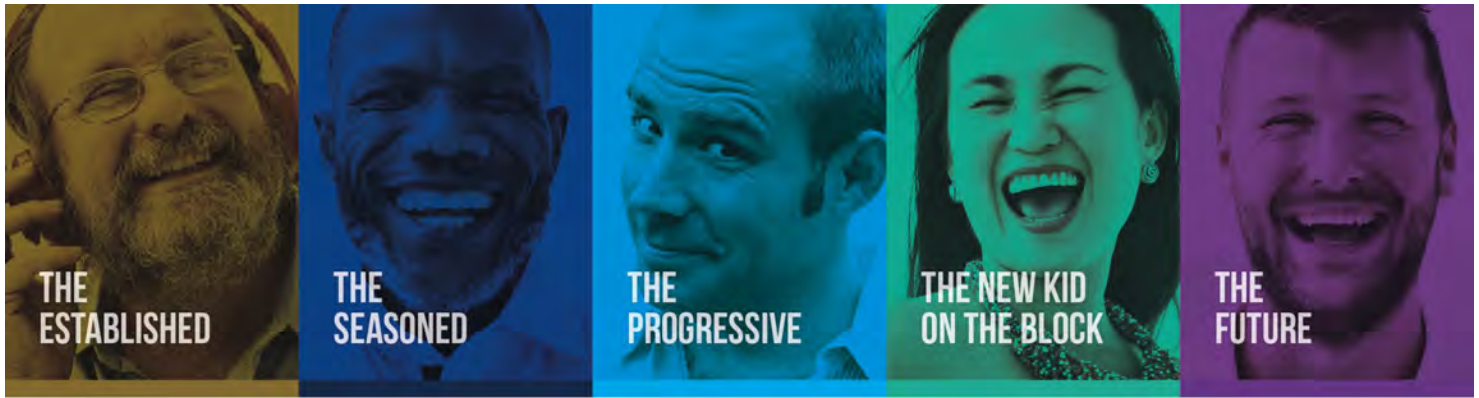
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Continued.... Legislative Update, Rob Semrow—
Continued from page 10.

and just a few votes may swing this entire path. Be a voice that your legislator hears, knows and trusts.

Now on to the Federal....Well, I'm out of time and space and I will say that while there are certainly challenges and changes being proposed on the Federal level, none of that will matter if SB 562 is voted and approved by the legislature. Noticed I said legislature and not the people. Make that call, get involved this year.

I'll close by saying to all of you, thank you for all that you do for our industry and the clients you serve!

If you want more information or want to discuss what you can do, my contact information is: Robert@premierlife.com and my phone number is 949-413-6566.

By:

Robert Semrow, VP of Legislation OCAHU

##

HELP OCAHU FIGHT THE FIGHT!!!

BREAKING NEWS!

On April 26, 2017, SB-562 passed the Senate Health Committee with a 5-2 * vote. Although the major question of how the program would be paid for remains, the government-run health care single payer system passed it's first hurdle.

Supporters of the bill which were present at the State Capitol included the California Nurses Association, California Labor Federation and consumer groups, as well as members of the Our Revolution group inspired by the presidential campaign of US Senator Bernie Sanders (I-Vt), according to the LA Times (April 26, 2017).



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**Editor's Note:*

Other news outlets, including the Mercury News, KCRA Sacramento, reported a vote of 5-1 for the Senate Health Committee passage of SB-562.

Stay tuned for more information, and be sure to view this entire issue, for more important details on SB-562!



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Feature Article (continued from page 4)

to employees and away from employers. Statistics show that \$350 billion is currently being spent by employers, which is \$19,000 per worker, based on dividing the \$350 billion by the 18.2 million workers currently covered under employer-sponsored health care coverage.

I'd like to copy an important quote from the last issue of the COIN. "The employer-based system is the bedrock of our health insurance system," stated Chris Hartmann (NAHU V.P. of Government Affairs in Washington, DC, who I'd interviewed for the last issue). "It's the one thing that has been working, while the individual [market] has been wild. I know things are more stable here in California than the rest of the country. Other parts of the country we see one carrier per county, premiums expanding at exponential rates. ...**The employer-based system is that stability. It needs to be reinforced, not undermined.**" I thought this was worth repeating...

Obviously, a bill such as SB-562 would **not only undermine the employer-based system, but eliminate it.** Employers like to offer coverage to their employees. It is a benefit that helps them recruit and retain a good and stable work force. Shifting the costs of health care to employees is not a favorable idea to most of us. But we need to inform our employer clients, friends, families, and anyone who will listen. We need to look at other groups that are in opposition to this bill, because the agent community alone will appear to only be looking at our own interests. What Sacramento doesn't understand is, the well-being of our employer clients is why we do what we do... We need to really work together to form great alliances on this issue, and time is of the essence. **We need to be reaching out to all groups and join the grassroots campaign to fight this battle!**

As a health agent and consultant who specializes in **self-funded health plans**, my initial thought was, this bill can't possibly eliminate self-funded health plans, as state laws can't pre-empt ERISA, which regulates self-funded and other (such as Union) plans. However, upon further thoughts and research on this issue, I am discovering that although SB-562 could not eliminate the right to self-insure, the way it is written, which puts taxation on employees, SB-562 would basically make the interest in employer self-funding less viable. In other words, whether or not the employees were covered under a group self-funded health plan, they would still have to pay the state tax! I discussed this with Marilyn Monahan, and she commented as follows: "Employers will still be able to offer self-funded health benefit plans to their

employees. However, if California-based employees are already covered by the no-cost Healthy California program, there will be less interest in such plans in the future."

It is likely that this ERISA implication would be challenged in the court system. But let's just hope it never gets there, and that this bill is defeated before it becomes law.

With the tax increases in a Single Payer program such as SB-562, who will have the highest tax percentage increase? I discussed this with Rob Semrow, OCAHU VP of Legislation, and we agreed that the **lowest paid workers would likely see the highest percentage of overall increase in cost.** "This is a great point and there is a lot of discussion about this as the projected numbers are staggering. If each person were to have to pay the projected tax amount, lower income families would be devastated financially. Lower and middle class families are already financially squeezed by a variety of taxes that make it difficult to thrive here in California. Additionally, if the monies are not collected from everyone (lower class included), it means that even more money will need to be taken from the middle and upper class to make up for the short fall. It is another tax that does not improve a current situation for those that will be required to pay for it."

Supporters of SB-562 claim that there will be public oversight on costs and care under SB-562. Single payer turns control over to an unregulated government entity. CAHU believes that this will lead to a rationing of care. Should we have concerns about special interests? Rob Semrow, OCAHU V.P. of Legislation, stated: "Public oversight is a great catch phrase that rarely equates to what the 'public' believes it should be. It is a broad term meant to imply that this group that represents the public can have a real impact, but it is often a small group of appointees that provide a loose oversight and, in many cases, doesn't have the power needed to affect real change and influence on the important matters they are charged with overseeing." Obviously CAHU is concerned about how this bill would turn control over to an unregulated government entity. It would be governed by an appointed board, and advised by various "consumer advocates", who will determine what is "affordable" and what is "essential." That could change year- to-year based on budgets and other issues.

I grew up in Michigan, which is a border state to Canada. I watched many Canadians leave their homes in eastern Canada and cross the border into Michigan and other border states because someone in their family had a health condi-

Continued on page 21



Social Media for Orange County AHU

Nolan Warriner
V.P. Media Relations



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Communication between individuals is part of the core aspects of business, and life in general. This means that the ways we communicate with each other have changed drastically over the years. Some ways fading away with time, and other ways still yet to be invented. What do Smoke Signals, Telegrams, Radio, Telephones, Computers, email, and the Internet all have in common? Communication! Now, thanks to the internet we have Social Media. Social Media gives us different ways to communicate with massive amounts of individuals with very little effort. Why do I make this point, you may ask? Well, communication between OCAHU and its members is one of the top priorities of an excellent association, such as ours. We like to make sure our members are getting the most out of their membership, and that everyone is in "The Know." In the words of Sir Francis Bacon, "Knowledge is Power." That being said, I would like to invite you to "like & follow" our Facebook page and join our LinkedIn Group. Get involved! Give some feedback on an event. Share a photo or a comment. Do you have something that you may want to share with the rest of the OCAHU members? This is a great way to do it! With our Social Media Pages, you can connect with the association and its members like never before. OCAHU posts photos of our members participating at our various events, information about upcoming events and monthly meetings, and we even have various video productions. We post current events, current legislation, and various messages from CAHU and NAHU all in an effort to keep everyone up to date. Join our Pages Today! ##

Feature Article, (Continued from Page 20)

tion, and they couldn't be seen before they would get sicker, or even die. They waited a year or more for an MRI or similar services in many areas. They couldn't receive basic tests that we get in any hospital or diagnostic center at a moment's notice. Ask any Canadian how well single payer systems work! Although they work well for routine situations, they are not effective for more serious medical conditions, due to the lack of providers and medical equipment. Most will have horror stories of a lack of care, or wait times of months, years, and many, many miles driven or flown to receive needed treatment, testing or surgeries. I personally grew up with Canadians who had moved to the US specifically because a family member needed specific health care, and they chose not to wait for it, for fear of the condition worsening.

You may have read that one of the SB-562 authors, Ricardo Lara, who reportedly recently made a trip to Canada to learn about their system, and he stated in an interview that his Canadian representatives acknowledged that their healthcare system isn't perfect, and that often wait times to see specialists were a legitimate concern. (LA Times, 4-26-17) In the United States, like it or not, we tend to be a bit impatient when it comes to what we want and need. Can you see the

likes of celebrities or wealthy individuals being told they cannot receive the care they want for 10 months? I'm not a celebrity and I'm not a wealthy individual, but I know I would not want to wait 10 months (or even two!) if I were told I was sick and needed a certain test or treatment.

Would you?

If California had a single payer system, what would happen to the providers? Proponents of the bill say that all Californians will have their choice of medical providers, but we know that the reality is, many providers will be unwilling to accept the lower payments from a single payer and may likely close down or move to other states with more rewarding compensation! "This is one of the more obvious head scratchers," stated Rob Semrow. "If we just look at the current Medicare and Medi-Cal provider lists you can see that an increase in choice of providers is not likely. The doctors and hospitals would be financially stretched, and not in fact, the likely choices for providers [as they] appear to be. Take the contract offered by this new governmental system, move to a concierge cash-only model or leave the state and practice elsewhere. These are not great choices on an already taxed provider system that can ill afford to lose any

Continued on Page 22

Feature Article—(continued from page 21)

providers in any practice area.”

And for those who need health coverage, will there be an influx of uninsureds? Will they flock to California to get their health care needs paid for by taxpayers? *If you think the ACA has serious adverse selection issues, think about what this type of system would do!*

Keep in mind, SB-562 uproots the entire market, the entire system we use currently. We have a working system in California. It's not perfect, but it's working. We have a very stable employer-sponsored health insurance market. We have self-insurance, which eliminates the profit of insurance companies, and allows employers to pay for the health insurance of their employees, and cut out the fat of the insurance companies. Self-funded employers don't pay for expensive TV or other advertising, which we all know isn't cheap. **How can California pay for such a system? No one has an answer to that, yet this bill is moving forward. On April 26, 2017, it passed the Health Senate Health Committee, which was its first hurdle.**

In our conversation, I asked Rob if there is one single thing he would say to OCAHU agent members about SB-562, what would it be? “I would say that this is not just about an industry, it is about health care. That means that anyone that might need high quality medical care, and that will be most people, will be impacted. This will dramatically change not just the way health care is financed, but how and what it is delivered. This is not something that the legislature should be undertaking on their own. ***They should, at a minimum, be letting the people vote on something that impacts every resident in the state of California.***”

CAHU believes that proponents of SB-562 have good intentions, but seem to forget that health care reform is not, by a long shot, finished in the U.S. Tearing down an entire market is not the answer.

Join us in the Fight of the Decade. Help defeat SB-562! We need you to post on your Facebook, LinkedIn, and other social media outlets. Speak against it at local events, churches, schools, chambers of commerce meetings... to anyone who will listen! But we need a consistent voice and message! Use the “No On SB-562” sheet that CAHU put out on April 25th. Join us at the OCAHU May meeting to help Fight the Fight! We'll give you ideas and tools to use in our campaign to say NO ON SB-562! Please attend the OCAHU meeting on May 16th at the




The advertisement for the Insurance Office of America (IOA) features a blue background with white and red text. At the top, the IOA logo is displayed in large, stylized letters. Below the logo, the text "IOA is recognized as" is followed by several accolades: "13th largest privately held agency in America", "United Healthcare 'Platinum' Agency", "Voted #1 by CNA", "Top 30 'Best Practices Agency'", and "Blue Cross/Blue Shield 'Blue Diamond' Agency". A section titled "JOIN US IN THE COMMUNITY" includes two event logos: "IOA Insurance Services Championship" from March 20-26 and "Run for the City" from June 15. At the bottom, the slogan "Insurance is just the beginning." is followed by the tagline "Revolutionizing the industry by capitalizing on our differences." and a large call to action: "CALL: 888-881-8591" and the website "www.IOAUSA.com".

Radisson Hotel for updates and some ideas on how to fight the fight, together, and with our communities, our clients and our professional contacts. ##

Author's Note: This article was written, and the interviews were conducted with article contributors, based on the current status of the bill. Changes in the bill are likely. CAHU and OCAHU will keep you informed as things change. EDITED FOR SPACE IN THE COIN. For full version, go to OCAHU's website (www.ocahu.org), or the author's website at www.advancedbenefitconsulting.com.

Reference Sources: Senate Bill 562: February 17, 2017, Amended March 29, 2017 and April 17, 2017; Senate Committee on Health, SB-562, Version April 17, 2017; "A Healthy California Act (Senate Bill 562), Another Attempt to Enact a "Single Payer" Health System in the Golden State", webinar and power point created by the California Association of Health Underwriters; "California Single-Payer Healthcare Bill Passes First Committee Test, LA Times, April 26, 2017; "California's healthcare-for-all bill passes first committee," Mercury News, April 26, 2017; "Single-Payer health care bill passes 1st hurdle at California Capitol", KCRA.com Nowcast, April 26, 2017.

A professional headshot of Colleen Anderson, a woman with shoulder-length brown hair, wearing a light pink collared shirt under a grey blazer. She is smiling slightly and looking towards the camera.

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