

MEA-Retired Tribune

July 2015

Verification of Coverage (VOC) forms are were mailed to all BLUE CROSS BLUE SHIELD contract holders in June. The form asks if you have any additional insurance. Blue Cross Blue Shield members must respond to avoid an interruption (cancellation) of coverage. You may respond by phone, return the form by mail, or register on the internet.

DID YOU KNOW:

- At the NEA-Retired Convention in Orlando, Dan Rudd was elected to a second three year term to the NEA Board of Directors representing retirees. Congratulations Dan.
- Congratulations are also in order for Sid Kardon who was elected to the Resolutions Committee.
- NEA-Retired members have donated \$33,588 to the NEA Fund for Children and Public Education. This would include money that MEA-Retired members have contributed.
- Off-label drug use means that a prescription drug is prescribed for a reason other than the use that is approved by the [U.S. Food and Drug Administration \(FDA\)](#). Medicare does not cover drugs that are prescribed for reasons other than the FDA-approved use. You can appeal this decision, but these appeal requests are not always granted

COURT RULES THAT EDUCATORS AREN'T POLICE OFFICERS WHEN REPORTING ABUSE

The U.S. Supreme Court has unanimously ruled that teachers and educators should not be put in law enforcement roles when they carry out their duty of reporting suspected child abuse or neglect. The National Education Association (NEA) filed an amicus brief in the case, Ohio v. Clark, stating that “educators’ valuable role as mandatory reporters and caregivers should not be compromised.

”The case stems from a March 2010 incident in which a Head Start teacher in Cleveland, Ohio noticed that one of her students had what appeared to be a bloodshot and bloodstained left eye. The child identified his abuser and, as mandated by the state, the teacher and another colleague reported the information to law enforcement. The abuser was arrested, charged and eventually convicted on several assault charges. The abuser’s attorneys argued that the teachers were acting as law enforcement agents, not just mandatory reporters, and the child’s statements were “testimony” and subject to cross examination. In 2013, the Ohio Supreme Court agreed and overturned the conviction, sending the case to the U.S. Supreme Court.

NEA President Lily Eskelsen Garcia said, “We are pleased the Court recognized what educators have long understood—namely, that mandatory reporting laws aren’t about prosecuting crimes, but are there to protect abused or neglected children. This case could have had a chilling effect on teacher-student interactions. Teachers aren’t cops. These brave Ohio educators did what was necessary to protect the safety of one of their students, just as educators across the country do in similar circumstances every day.” - See more at: <http://www.mea.org/court-rules-educators-arent-police-officers-when-reporting-abuse#sthash.vCapDkmG.dpuf>

Three reasons to choose a patient-centered medical home

Nearly 10,000 Michigan Public School Employees Retirement System members are working with a Blue Cross Blue Shield of Michigan patient-centered medical home to protect their greatest asset — their health. Here are three reasons to consider choosing a PCMH to protect yours.

1. Your PCMH health care team revolves around you. Do you need support to quit smoking or manage a condition such as diabetes? When you choose a PCMH doctor, your doctor leads a team of health care professionals committed to improving your health. Your team may consist of your regular doctor, specialists or a nutritionist depending on your health needs. Your PCMH doctor will put the right team together for you.
2. Your care team works together to help you manage your health. Your PCMH doctor tracks and coordinates your care with the other health care providers. If you need to see a specialist, your PCMH doctor will help you find the right one and schedule your visit. Any test results and treatments managed by other doctors are sent to your PCMH, so you don't have to re-explain each test or symptom. Your doctor also uses e-prescribing to alert your pharmacist of any possible drug interactions and reduce errors.
3. You'll have more access to your medical team. PCMH practices offer extended office hours, making it easier to get same-day appointments when you have a health issue. Your PCMH also provides 24-hour access to your care team. If you have a medical question in the middle of the night or on a weekend, you can call your PCMH and possibly avoid a trip to the emergency room.

Find a PCMH. To find a patient-centered medical home doctor, use the Find a Doctor tool at bcbsm.com. Check the "Patient-centered Medical Home" box when selecting options to narrow your search.

NEA-Retired Annual Meeting and NEA Representative Assembly

Thirty-four elected MEA-retired delegates just completed attending the NEA-Retired Annual Meeting in Orlando. They are representing our 35,000 members. On July 3, they will join the Michigan delegation of active members to attend the NEA RA.

Michigan delegates to NEA's Representative Assembly will join more than 7,000 educators to help set education policy and talk about what's best for students. The annual meeting starts July 3 and runs through July 6. You can follow RA events at www.Nea.org/RA, at #NEARA15, on Flickr at flickr.com/photos/neapr, and on Facebook at NEA Today. - See more at: <http://www.mea.org/follow-whats-going-nea-ra#sthash.lUycSz7f.dpuf>

UNION UNDER ATTACK AGAIN Randi Weingarten

The anti-worker forces that are trying to break our union just got a big break from the United States Supreme Court.

On June 30, the court agreed to hear the case *Friedrichs v. California Teachers Association* during its next term.

Make no mistake: This case is not about individual liberty or the First Amendment. It is an outright attack against unions to prevent us from representing our members and using our voices to fight for our families, our schools, our colleges, our healthcare facilities and our communities.

We're preparing a national campaign to mobilize our members and communities across the country to fight for an America where everyone's voice matters. Sign up to join when we launch later this summer.

This case would undermine our unions and challenge nearly 40 years of precedent—and the court agreed to hear it barely a year after it dealt a blow to workers with its decision in *Harris v. Quinn*. In fact, the conservative justices on the court used the *Harris v. Quinn* ruling to invite cases like this one, showing just how political they really are. *Friedrichs* is being argued by the same law firm that tried to destroy the Affordable Care Act, and it is fueled by the same ideological forces whose lobbyists talk about driving a “fatal spear through the heart” of our unions.

In the end, this case comes down to a fundamental question: Do unions have a right to collect a fair share from the people we represent, to ensure that we're able to speak for all workers?

The attack on labor by those who don't want working families to have a voice has intensified. It has moved from the statehouse to the courthouse. But our affiliates understand that engaging our communities and our members, and organizing new members, are the key to repelling those attacks and growing a strong middle class.

NEWS ON THE 3% MIKE SHOUDY, MEA GENERAL COUNSEL

Today, the Michigan Supreme Court issued an order in the case challenging the constitutionality of 2010 PA 75 (3% case). The Michigan Supreme Court vacated the prior ruling of the Michigan Court of Appeals and remanded the case to the Michigan Court of Appeals for reconsideration of its prior ruling in light of the Michigan Supreme Court's April 8, 2015 decision in *AFT MI, et al v. State of Michigan*. That case dealt with the constitutionality of 2012 PA 300. On remand, the Court of Appeals is to consider what issues in the PA 75 case have been superseded by the Supreme Court's decision in the PA 300 case. The Court of Appeals is to also address any outstanding issues that the parties may raise regarding PA 75 that were not superseded or rendered moot by the PA 300 ruling.

In summary, no ruling has been issued by the Michigan Supreme Court in the 3% case. The Supreme Court is sending the 3% case back to the Michigan Court of Appeals for reconsideration.

For background on these cases and more information regarding the litigation, you can review the FAQ regarding the retirement litigation in the Members Only section of the MEA website.

We will continue to monitor this important case and keep you informed of any developments.