



# National Association of Retired & Veteran Railway Employees, Inc.

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NARVRE NEWSLETTER

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## FROM THE NATIONAL PRESIDENT —

It is expected that for the third time in the past 40 years there will not be a cost-of-living increase for millions of social security recipients, disabled veterans, federal retirees as well as railroad retirees. Only twice before in 2010 and 2011 have there been no increases. The reason for this according to the Department of Labor, Bureau of Labor Statistics (BLS) are low energy prices. Inflation in general has stayed low and prices actually have dropped according to the BLS. Overall a lack of a COLA affects over 70 million Americans.

This is a small consolation to seniors who have high medical costs and there are some who will even have their Medicare monthly

premium increase. Most are covered by what they call a federal “hold harmless” law that protects the majority of beneficiaries from an increase. About 30 percent of Medicare beneficiaries are on the hook for a premium increase that otherwise would be spread among all. Those who would pay the higher premiums include 2.8 million new beneficiaries, 1.6 million whose premiums are not deducted from their social security payments and 3.1 million people with higher incomes. Their premiums could jump by about \$54.00 a month, or 50 percent. Those with higher incomes would even pay higher amounts.

The COLA is calculated by comparing consumer prices in July, August and September each year with prices in the same three months from the previous year.

If prices go up, benefits go up. If prices drop or stay flat, benefits stay the same.

The numbers for July and August show that, overall consumer prices have fallen since last year. Fuel prices are down by 23 percent from a year ago, according to the August inflation report. But prices for some other goods and services, such as health care and housing are up.

The bottom line is this. The government’s measure of inflation doesn’t accurately reflect price increases in the goods and services that older Americans use. Many seniors do not even drive anymore so why should energy prices penalize them from obtaining a COLA when their costs are higher for housing, food and medical costs. Something has to change in this area.

—Tom Dwyer, National President

## From the National Legislative Director —

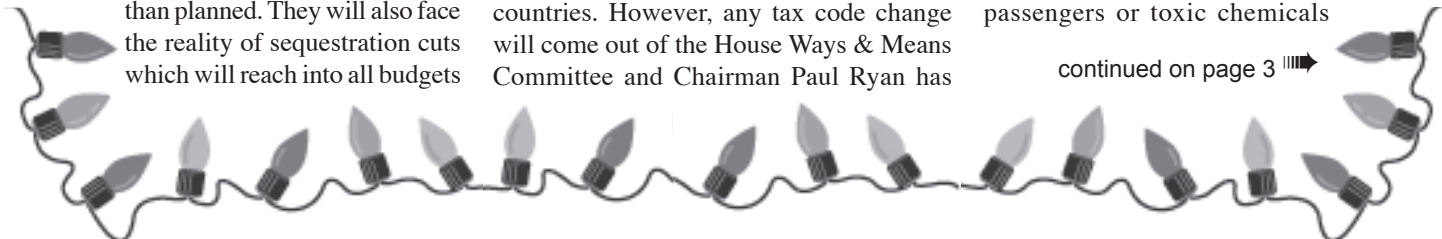
Hours before the fiscal year ended on September 30th, Congress agreed to another short-term extension in order to avoid a government shut-down. This measure continues to fund federal agencies and keep checks flowing into mid-December. These temporary methods to running a government have become routine as the Congress will not negotiate their spending bills due to an absence of any real effort to govern and legislate, which is their primary mandate. Unfortunately, the longer they push these deadlines further down the road, the more problems escalate. Negotiations on the debt ceiling limitations now need to be finalized in the weeks ahead, much sooner than planned. They will also face the reality of sequestration cuts which will reach into all budgets

across all agencies unless they resolve and agree to amend that existing budgetary mandate. And, Congress has yet to agree on the most important concepts of a long-term transportation bill. The House leadership does not like the multi-year bipartisan transportation bill passed months ago in the Senate, yet the House has not passed their own version of a long-term bill to address the overdue problems that continue to erode highway, transit and railroad infrastructure. The current House Majority Leader, Rep. Kevin McCarthy, has publicly declared that a six-year highway and transit bill will be passed in the House during this month of October. He further made claims that the billions needed for funding will come by changing the corporate tax code making corporations pay taxes on profits in foreign countries. However, any tax code change will come out of the House Ways & Means Committee and Chairman Paul Ryan has

now stated that a transportation bill should not anticipate any funding to come from international tax reform. That puts the funding for a multi-year surface transportation bill in jeopardy and suggests that Congress will need to extend their negotiating schedules into 2016. Further, the ongoing problems in replacing John Boehner as the Speaker of the House suggests even more strife within the House Republican Majority.

Another issue and deadline that has our attention deals with the pending threats from the railroad industry to suspend freight and rail passenger service because they are not able to fully implement the positive train control (PTC) technology on rail lines by the end of this year. In 2008, Congress passed legislation that mandated the installation of PTC on lines carrying passengers or toxic chemicals

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## From the National Vice President —

**M**y message to you is about the ongoing fight to preserve our Railroad Retirement Pension annuity and benefits. Seniors receive as our Congressional Representatives continue to try to weaken and dismantle those benefits every FY when they propose the Government's National Budget. But they have done that since the Railroad Retirement Act became Public Law on June 24, 1937. They never stopped. Congress goes after Seniors every congressional Cycle. This year they are attempting to **garner wages from Social Security benefits from Seniors who had student loans for education.** America's student-loan crisis has gotten so bad that the debt that many Americans took on in their youth is now following them to their graves. **And, for over 160,000 seniors with student loans, that also means losing a portion of their Social Security check –potentially Tier I under Railroad Retirement.** Congress is going after Railroad Retirement Disability, unemployment and making it harder for railroaders to apply for disability. **And, For Railroaders under Medicare, the latest notice is that, the Centers for Medicare and Medicaid Service (CMS) once again is persistent in trying to remove from the Railroad Retirement Board the Medicare statutory authority to contract with a Medicare Part B contractor, which currently is represented by Palmetto, GBA.** As we understand, their proposal is in the FY 2017 Budget. If you remember, the same proposal was made in the Budget for the FY 2015 and 2016 last year. Last year I reported on that same issue to you in the November 2014 issue of our NARVRE newsletter. We won that battle in the 2015 and 2016 Budget, but now the issue is back on the Table to change the Act and would have to go through Committees of jurisdiction to change the law. **President Tom Dwyer and I are once again petitioning to CMS and the Budgeteers not to eliminate this statutory authority we have enjoyed for over 50 years.** NARVRE represents about **500,000 retirees** in the rail industry most of which are of **65 years of age** and are covered under the Railroad Retirement Board (RRB) Medicare represented by Palmetto, GBA assuring CMS that **NARVRE has demonstrated we are very satisfied with the representation the contractor provides under the RRB.** In late December of 2014 we were notified and advised by the RRB that the elimination provision was not included in the FY2016 Budget proposal. This was one more NARVRE victory in our efforts to preserve our Railroad Retirement Benefits. I believe it is done because of our members speak up in numbers. **AREA DIRECTORS CONTINUE TO BE THE KEY TO RECRUITING AND ESTABLISHING NEW UNITS:** Assistant Area 1 Director Phil Steward with National President Tom Dwyer and Assistant Area One Director Phil Steward addressed the membership of Unit 18 in Memphis, TN and responded to many questions. The Unit Officers were visibly gratified by the participation of those attending.



**Pic 1 -** Memphis Unit 18 officers with Whitey Westphal and Tom Dwyer: left to right: **Barbara Campbell secretary, Tom Dwyer National President, Philip Steward unit 18 LR & Area 1 Assistant Director, Whitey Westphal National Past President, Mike McDaniel Vice President, Donny Harrison President.** **Pic 2 -** At this meeting

on Sept 10 Mayor Darren Musselwhite was the featured speaker giving the state of the City of Southaven regarding issues which affect seniors. Whitey and Tom updated the members about the latest matters concerning railroad retirement: *Whitey Westphal NARVRE National Past President, Mayor Darren Musselwhite - Southaven Ms - Speaker, Donny Harrison unit 18 President.*

**The next stop was in the Railroad Museum Festival and Luncheon at Cleveland Mississippi Saturday September 12, 2015 with featured speakers from NARVRE National President Tom Dwyer, Past President Whitey Westphal, and Philip Steward Area 1 Assistant Director.** The activities were coordinated by Bobby R. Henson who is the leader of a retiree group of the Illinois Central Railroad. Fifty people were in attendance 16 new members joined NARVRE and several more committed to start a new unit in the Cleveland area before the 2016 convention in St Louis. Following our presentation Assistant Area One Director Phil Steward was busy signing up new members for NARVRE. It is anticipated a new Unit may be initiated in the area. We were also advised of a large group of railroad retirees who meet annually in the Pine Bluff, AR area. We will be following up on this lead to activate many new members for NARVRE.



**“National President Tom Dwyer and this Retiree Representative of the Moody Law Firm, traveled to Reno/Sparks, NV where a meeting was conducted at Denny’s Cafe where a luncheon crowd participated. We were pleased to sign up new members totaling twenty four (24). Several new members indicated they would be available as officers for new Unit. Assistant Area Eight Directors “Bob” Bloomer and Jackie Kuehl were busy making important contacts for a possible new Unit of NARVRE. There is a good possibility we may establish a new Unit in Sparks, NV. The interest is there. Our Area Directors will be closely monitoring the progress. In Winnemucca, NV we met with local retirees and spread the information concerning NARVRE and the importance of belonging.** Following the presentation we were able to sign fourteen (14) New Members and a genuine interest in protecting our annuities was very evident. Additional membership materials were left with the group who sign membership applications. “Bob” Bloomer, Area Director will follow up on the progress at this location. **In Layton, Utah we met with Assistant Area Eight Director Tom Babcock who organized a group of retirees for the Informational Meeting.** Those in attendance signed applications and presented them to “Bob” Bloomer, Assistant Area Director. It is anticipated additional members will be signed among the retirees in the greater Ogden/Layton, UT area by Tom Babcock, Assistant Area Director in Area Eight,” said Whitey Westphal.

**Anthony (Tony) Padilla NARVRE National Vice President**

## (National Legislative Director from page 1)

by 12/31/15. This important and life-saving technology is designed to automatically slow and/or stop a train before accidents occur. PTC must be installed on over 22,000 locomotives, and along more than 60,000 miles of specific rail tracks. Railroads claim to have spent more than \$6 billion on equipment and labor on the installation of 36,000 wayside interfacing units, 20,000 antennas and replacing thousands of signaling and transmitting devices. While Amtrak has stated they will have PTC fully implemented on the northeast corridor and other lines they independently own, the vast majority of railroads claim they will not have PTC fully operational on their systems by December 31st. Therefore, many railroads have warned they will stop operations on lines that are not PTC ready in order to avoid penalties and fines for not complying with federal regulations. Those railroads as well as governing freight agencies, and the independent Government Accountability Office (GAO) all indicated their concerns as far back as 2013, stating that freight and commuter railroads would not be able to meet the PTC deadline due to the challenges of this new technology and also, because of a year long delay ordered by the Federal Communications Commission (FCC). Therefore, many leaders in Congress have acknowledged the need to amend this deadline and PTC extensions have been

included in bipartisan legislation passed in both the House (H.R.3651) and the Senate (H.R. 22). Both bills extend the deadline for three (3) years, and both speak to the need for specific federal funding in order to comply with the mandate of the 2008 legislation ordering the implementation of PTC. NARVRE supports a bipartisan agreement that includes a PTC extension in order to avoid a crisis affecting both the economy of this nation and the workers that depend on rail transportation service.

NARVRE has already asked the membership to contact their Representatives in a joint email back on September 24, 2015. In that communication, we asked our members to contact their Representatives and urge them to support the Drive Act (H.R. 22), to provide funding and extend the current deadline for three years. If you haven't already contacted Congress, please use our toll-free numbers (below) and ask your Representative and your Senators to support legislation that will reach an agreement to extend the deadline for Positive Train Control (PTC). Tell them this will get the life-saving PTC technology implemented in 3 years time without the railroads suspending freight and rail passenger service. Congress needs to act and negotiate a quick and responsible remedy as soon as possible.

\*\*\*Call Congress @ 1-877-668-3864 and 877-668-3866 \*\*\*

**Gary M. Faley,**  
Legislative Director

## From the National Secretary-Treasurer

The October Newsletter had James R. Johnson listed as Area Director for Area 8 and to correct that Jim is Director of Area 1.

Mailings from the National Office went to 1000 plus Members at Large for dues renewal 2016. We are now receiving their returned dues for 2016 we appreciate all those that have sent in a donation above and beyond their regular dues. We also sent out 131 unit packets for all Secretary's and Treasurers to fulfill their year-end reports. Please be sure to send all address changes, phone and email to National we are only as good as our database information .

If your unit did not receive this report information, please call the National Office and we will see that you get the information you need to finalize annual reports.

If you are a delegate to the convention and need a registration form to make Hotel or Convention registration, please call the National Office and we can email or snail mail one. Candy Stewart, is a contact person from Unit 056 St Louis, her phone is 314-651-7097 she will be glad to help you also.

Your National Office will be working toward having everything ready for the convention in May and hope we will have productive Meetings.

January 1, the IRS 990Nepostcard site should be ready to receive the 990N reports from all units.

If you do not have a computer, please call the National Office as we can file this report.

Please be sure to read the October article from Palmetto, GBA on the back of that newsletter it has very important information as to the new codes that are required for provider service dates.

Several people have voiced their interest in running for the office of National Secretary-Treasurer in 2016-2018.

Respectfully submitted:

**Joyce A. Burton,**  
National Sec/Treas

## METLIFE Retired \$2,000 or active employees \$10,000

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Metropolitan Life Insurance Co.  
Life Services /Record Keeping  
P O Box 14401 • Lexington, KY 40512  
**1-800-310-7770**

Life Insurance Claims:  
MetLife — Record Keeping  
P O Box 6100 • Scranton, PA• 18505-6100  
**1-800-310-7770**



Unit 147 First Energy representatives, after their presentation of conserving energy and the role coal plays in the "big picture", at the Sept. 9, 2015 monthly meeting. From left to right: Leo Hahl, Second Vice President and Membership Committee; Eileen Siesel, Unit Coordinator and Membership Committee; Hans D. Rosebrock, First Energy Manager of Economic Development; Gary Mortus, First Energy Area Manager; and M.F. Perry, Membership Chairman

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**News deadline 10th of each month**  
**Mail to National Office**

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**From Palmetto, GBA**

**When A Doctor's Notes Are Not Readable...**

We all know the joke: if you have poor penmanship, you should become a doctor. Unfortunately, poor penmanship on patient notes and records can lead to claim denials, because if Medicare can't read what the doctor wrote, we can't know if the services were reasonable and necessary and meet all guidelines for coverage. Medicare requires that the patient's medical record be complete and legible, and it should include the readable identity of the provider and the date of service. With the inception of electronic records (the likely reason your doctor is now toting around a laptop computer), issues such as this are declining. However, they still present a problem when a claim is subjected to medical review.

What a doctor can do about this issue (if they have illegible handwriting):

1. Have notes transcribed and then electronically signed by the doctor, when necessary
2. Add amendments/corrections and delayed entries (only when needed) into medical documentation in the following way:

a. Clearly and permanently identify the changes or corrections

b. Clearly indicate the date and author of these changes or corrections

c. Do not delete the original content in the record

3. Provide an acceptable handwritten signature that meets Medicare guidelines. These guidelines allow Medicare to look at the records and consider a 'signature log' or 'attestation statement' that identifies the author of the record, and there are specific ways a doctor who signs their name in a 'scribble' can meet the signature requirements. These specific ways are identified on the CMS website, as well as the Palmetto GBA website for providers. If your doctor needs to know more about these methods, we encourage them to call our Provider Contact Center.

What you can do about the issue:

1. If a claim denies due to illegible records, and your Medicare Summary Notice (MSN) indicates that you owe \$0.00, do not pay your doctor for the service. If your doctor insists that you pay for a service in this situation (when the MSN says you don't owe anything), call our Beneficiary Contact Center.

2. If a claim denies and your MSN shows that you owe \$0.00, it is not necessary to file an appeal. You can still file an appeal because it is your right to do so; however, you are not required when you are not liable.

If you have any questions about your Railroad Medicare coverage, please call our Beneficiary Contact Center at 800-833-4455, Monday through Friday, from 8:30 a.m. to 7 p.m. ET. We encourage you to sign up for email updates. To do so, click 'Email Updates' on the top of our beneficiary website at [www.PalmettoGBA.com/tr/me](http://www.PalmettoGBA.com/tr/me) to start the process.

We also encourage you to visit our Facebook page at [www.Facebook.com/MyRRMedicare](http://www.Facebook.com/MyRRMedicare).

— Jennifer Johnson