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PRESCRIPTION DRUG COVERAGE TIMELINE OF EVENTS

Summary: In 2011, the General Assembly eliminated the State subsidy that provided prescription drug coverage for Medicare eligible State Retirees who had at least five years of service prior to July 1, 2011. So at a time in their retirement when access to this benefit is crucial, the General Assembly decided that these lives were expendable.

I and United We Matter members have tried to reinstate this benefit and for the sixth year, I have received commitments from a Delegate and a Senator that there will be a bill presented to lawmakers to reinstate this benefit. So many people have asked me - How did we get here? So I compiled the list of facts below.

2011

Fact One. In 2011, the **Democrat** controlled **Maryland General Assembly** eliminated Prescription Drug Coverage for Disabled and Elderly (65 or older) State Retirees through passage of the 2011 Budget & Reconciliation Act. The law would not take effect until fiscal year 2020 (July 2019). The Democrats wanted to hide what they did to State Retirees.

Fact Two. Thirty-Seven (**37**) **Democrats** in the **Maryland State Senate** voted to **eliminate** prescription drug coverage for disabled and elderly State Retirees in the 2011 Act. Ten (10) **Republicans** voted **against** its elimination. See 2011 Maryland Senate Record.

Fact Three. Ninety-seven (97) **Democrats** in the **Maryland House of Delegates** voted to **eliminate** prescription drug coverage for disabled and elderly State Retirees in the 2011 Act. Forty-one **Republicans** voted **against** its elimination. See 2011 Maryland House of Delegates Record.

Fact Four. **Democrat** Governor Martin O'Malley proposed to eliminate prescription drug coverage for disabled and elderly retirees in January of 2011. See O'Malley's Proposed Budget Cuts. **Democrat** Governor O'Malley signed the elimination into law in April 2011. That same year Governor O'Malley signed an executive order allowing the AFSCME union to collect dues from all state employees regardless of whether they wished to join the union or not.

2018

Fact Five. In 2018 the **Democrat** controlled Maryland General Assembly voted to pass SB 187 changing the July 2019 enactment of the Legislation to eliminate the prescription drug coverage to January 2019 so they could eliminate your benefit sooner.

Fact Six. One Hundred (100) **Democrats** in the Maryland House of Delegates voted to speed up the elimination so that disabled and elderly retirees would be removed from the State prescription drug program by January 2019. Thirty-eight **Republicans** voted No. See Maryland House Record.

Fact Seven. Every Senator (47), **Democrat** & **Republican** voted to speed up the elimination of prescription drug coverage for disabled and elderly State Retirees. See Maryland Senate Record.

Fact Eight. In May of 2018, Department of Budget and Management ("DBM") run by **Democrat** Secretary David Brinkley (who in 2011 voted to eliminate prescription drug coverage) sent a letter to all disabled and elderly State retirees telling them that their prescription drug coverage was eliminated and that these specific State Retirees would have to choose a Medicare Part D program to take care of their prescription coverage. Disabled and elderly retirees were required to choose a Part D program between October 15 and December 31st.

Fact Nine. In June of 2018, I received the DBM letter. My prescription costs would increase an additional \$12,000 a year.

Fact Ten. In July of 2018, **Republican** Delegate Neil Parrott, galvanized State retirees in his area to rally on behalf of the disabled and elderly state retirees in Maryland.

Fact Eleven. In July of 2018 I sent four letters to every lawmaker including the Governor asking for a special session. I attended lawmakers' meetings around the state asking for a special session. I was told that we needed to wait for the January 2019 session. No one running for office would call a special session.

Fact Twelve. In August of 2018, I met with **Democrat** Senator Kathy Klausmeier, **Democrat** Delegate Eric Bromwell. Both indicated they would sponsor a bill to reinstate the State Retiree benefit in the 2019 Session. They both indicated that they did not know that this bill was put into the Budget Reconciliation Act of 2011.

Fact Thirteen. In August of 2018, I had a teleconference with **Republican** Governor Larry Hogan's Chief of Staff, Matthew Clark and Amelia Chasse, Director of Communications. They stated that the Governor did not support reinstatement or a special session. The Governor supported a one-time payment of \$1500.00 for that year and then all State Retirees would be moved to Medicare Part D. I asked Deb Hill to begin legal action. (She did so without any expectation of compensation.)

Fact Fourteen. In September of 2018 **Fitch v. Maryland** was filed. The Complaint asks for a Declaratory Judgment and an injunction to stop enforcement of the 2011 law.

Fact Fifteen. On October 10, 2018, the Court entered an injunction staying all action of the State to remove State Retirees from the prescription drug coverage while the case was pending. The injunction remained in place for five years.

2019

Fact Sixteen. In January 2019 **Democrat** Delegate Melody Griffith submitted SB 946, a bill that required disabled and elderly State retirees to pay out of pocket **ALL** costs for their prescription drug coverage.

Fact Seventeen. In 2019 **Republican** Delegate Cox sponsored HB 1033 to reinstate prescription drug benefits and it was allowed to die in House Appropriations Committee chaired by **Democrat** Delegate Maggie McIntosh. **Republican** Delegate Cox voted against SB 946.

Fact Eighteen. In 2019 **Democrat** Delegate Eric Bromwell's HB 98 to reinstate RX Drug Coverage went to the House Appropriations committee. **Democrat** Delegate Eric Bromwell pulled HB 98 the morning of the hearing (I was sitting in the House hearing room waiting to testify when his office called me.) **Democrat** Eric Bromwell turned his back on State retirees. By the way, **Democrat** Delegate Bromwell voted FOR SB946. This would not be the first **Democrat** to turn against State workers.

Fact Nineteen. In 2019, at my urging, **Democrat** Senator Kathy Klausmeier submitted a SB 193 to reinstate our RX Drug Coverage. The bill had a hearing in the Senate Budget & Taxations Committee where former **Republican** Senator Nancy Jacobs testified on behalf of State Retirees. Then **Democrat** Senator Klausmeier did the same thing as **Democrat** Delegate Eric Bromwell. She pulled her bill and voted for SB 946.

Fact Twenty. In 2019, **Republican** Delegate Neil Parrot submitted a bill to reinstate our RX Drug Coverage. The bill had a hearing in the House Appropriations Committee, but never went any further because **Democrat Delegate Maggie McIntosh**, Chairman of the House Appropriations Committee never brought the bill to a vote. **Republican** Delegate Neil Parrot voted for SB 946.

Fact Twenty-One. Out of the 188 Delegates and Senators in the Maryland General Assembly only four Delegates voted against SB 946. All were **Republicans**. They are: **Republican** Delegate Dan Cox, (Frederick County) **Republican** Lauren Delegate Arian (Baltimore & Harford County), **Republican** Delegate (now Senator) Paul Corderman (Washington County), and **Republican** Delegate Johnny Mautz (Caroline, Dorchester & Wicomico County). They stood up in solidarity with State Retirees us and said this is not what disabled and elderly State Retirees worked for – this was not the program that was promised. They wanted prescription drug coverage restored. Only Four lawmakers voted in your favor – and not one was a **Democrat**.

2020

Fact Twenty-Two. In 2019, **Republican** Delegate Joe Boteler voted for SB 946. I invited him to the October 2019 United We Matter Annual Meeting. At the meeting he heard from State Retirees how his vote would affect State Retirees.

In January of 2020 **Republican** Delegate Joe Boteler submitted **HB 1230** in the 2020 Legislative Session to reinstate our prescription drug coverage. Due to Covid-19, it was never heard in the House Appropriations Committee in 2020 and the Chair of the Committee, **Democrat** Delegate Maggie McIntosh would not call it for vote to get the bill out of committee.

2021

Fact Twenty-Three in 2021, at my urging, **Democrat** Delegate Carl Jackson submitted a bill to reinstate our RX Drug Coverage (because it was late it went to the House Rules Committee). Well guess what? He pulled his bill with no notice.

Fact Twenty-Four. In 2021, on the last day of session, **Republican** Kathy Szeliga submitted an amendment to an HB bill asking that reinstatement of prescription drug coverage be passed. This effort was blocked by the Chairman of the House Appropriations Committee, **Democrat** Delegate Maggie McIntosh.

Fact Twenty-Five. In 2021 **Democrat** Delegate Adrienne Jones and **Democrat** Senator Bill Ferguson will not meet to discuss reinstatement. **Democrat** Delegate Brooke Lierman told us in 2019 that establishing Kirwan was more important than keeping a promise to elderly and disabled State Retirees.

2022

Fact Twenty-Six. In 2022, Delegate Joe Boteler (**Republican**) submitted HB 897 in the House. In 2022 Senator Kathy Klausmeier (**Democrat**) submitted SB 598 to the Senate. The bills were stalled and never came out of Senate Budget & Taxation Committee and the House Appropriations Committee.

Fact Twenty-Seven. **Republican** Delegate Johnny Mautz presented the Bill as an amendment to another bill in the 2022 House Session.

Fact Twenty-Eight. We are currently in the midst of a Petition drive to seek legislative help in reinstating the benefit that State retirees earned with their years of service. No government has the right to determine the longevity of a person's life if that person has not committed a crime against God, society or the people. Yet Maryland has done just that. And the Democrat General Assembly led the way.

If you have questions do not hesitate to contact me at (443) 608-0866 or email me at KenFitch@unitedwematter.com .

Thank you

Ken Fitch

President
United We Matter

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