

**New Mexico Retiree Health Care Authority**  
**NMAC 2.81.11 Rule Change Proposal Written Comments**

I would urge you **not** to change the maximum subsidy from 20 to 25 years on this health insurance. I will be 66 and reach the age of requirement for Federal Social Security benefits in January 2019. With present retirement planned dates, that will give me only 24 yrs. and 3 mos. of service with my municipal retirement provider. I did not hear of this at all in 2014. It distresses me greatly that a lot of baby-boomers will be retiring in 2019 by reaching this age of 66 and this type of up-ing the service years at the last minute in 2018 will exclude people who cannot work any longer to meet your new requirement thrown on us at the end of our years, after working toward this goal diligently for most of our lives. Please **do not** make this service year change at this time, but give people more time to plan, and a further away change date of 7 years, so that they can plan for it in the future if they want to reach that goal. Not only the federal government keeps setting us back on retirement ages, but now this is another link in our retirement chain of considerations. I, for one, am overwhelmed with what is required of us now to simply retire with any benefits and dignity intact.

Thank you for any considerations,

Kerry J. Wafful  
Alamogordo, NM  
9/11/18

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Good afternoon – as someone who was planning to retire in 2022, with just short of 20 years’ service; this change (from 20 to 25 years), if adopted, means I will have to pay significantly more each month until I am able to sign up for Medicare at age 65.

Two things I would like to see to limit the financial penalty to employees:

1. The increase (per monthly payment) for someone retiring after twenty years is no more than 25% of what it is now.

2. The cost of Medicare coverage at age 65 is not affected by this rule change, and the Medicare-at-65 rule is also not adjusted to be Medicare only after 25 years of service.

I don’t like to see the goal-posts being moved for active employees nearing retirement, who will now have to pay more for health coverage as a result of this proposed rule change. This change will not affect when I retire, even if I do have to pay more each month for health coverage, but I was annoyed to read about yet another way state employees’ benefits are being whittled away every year, one way or another.

Phillip Adams  
Albuquerque, NM  
9/11/18

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I am in opposition to the proposed rule changes due to take effect on Jan 1, 2020 because I am within 5 years of retirement eligibility. When the rule of 25 changed to the rule of 30, this was decades off for the people affected. However, people who are eligible to retire soon, this forces us to work for several years more in order to avoid a large financial penalty, and it is too soon of a notice.

Thank you so very much for your kind consideration of this matter.

Sincerely,  
Lauren Sabato  
Pojoaque, NM  
9/12/18

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I am writing today in opposition of the proposed rule change for the establishment of a minimum age requirement of 55 years to receive a subsidy for health insurance through NMRHCA.

This age limit being set by NMRHCA is contradictory to the PERA retirement rules of 25 (Tier I) and 30 (Tier II) years of service. This rule change may force employees to retire early as to avoid being affected. This could severely impact state government, where there are already steep vacancy rates across many departments. This rule will also some employees who retire after 25 years of service to forego health insurance because it is not available to them through NMRHCA as was expected and agreed upon when we entered employment with state government. It is unconscionable that NMRHCA is proposing to renegotiate an employment benefit that was agreed to when we entered employment many years ago.

I have almost 19 years of civil service to state government. I expect to retire at the age of 47 with 25 years of service. I entered civil service with the assumption that I could retire with 75% of my salary after 25 years of service and that I would have health insurance through NMRHCA until I became eligible for Medicare. It is abhorrent that a renegotiation of expectations is being made after the expectations have already been codified.

When PERA changed the tiers for retirement, they set the new tier to be in effect after a certain date, so that existing employees would continue with the existing expectation of the number of years of service required before retirement and pension (retirement at any age with 25 years of service). I ask that NMRHCA give us, the current state government employees, the same consideration.

Thank you for your attention to this comment.  
Kate Daniel  
9/12/18

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I have been employed with the Department of Health since 2002, I was 22 years old. I started with the state at that age for the benefit of retiring in 25 years and also having health care benefits. If this new proposal passes in 2020 that would leave me with out health insurance until the age of 55 that is discouraging and brings moral down. I am totally against this proposal and I hope it is reconsidered. It contradicts the PERA retirement rules of 25 (Tier I) years of service.

Thank you,  
Olivia Lucero  
9/12/18

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Good afternoon-

As someone who is currently working on their three highest years and plans to retire in 2021, the rule change would require me to pay significantly higher premiums for EIGHT years as I will only be 47 years of age in 2021. I will have 29 years of service in 2021 but I will not be 55 years of age, per the new rule. I am a single mother, so I do not have a spouse's insurance to move onto when I retire making NMRHCA or independently purchased insurance my only options. NMRHCA subsidized at 100% for 29 years of service is obviously the more affordable option for someone in my position. I do not want to be forced into making the decision to retire before my anticipated date (losing out on my three high years) so that I can afford medical insurance for me and my children. Working 29 years towards retirement will not feel like the accomplishment it is if workers are left unable to afford medical insurance. I did not hear much about this change in the past leaving little time to prepare. Please do not make this change so that employees have more time to plan their future and reach their retirement goal.

Stephanie Saavedra  
Socorro, NM  
9/12/2018

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I am opposed to the new proposed benefit changes. This will directly affect me because I will be at retirement age before 25 years of service and will not receive the maximum subsidy if the 25 year rule takes effect. As you know this will be a burden to those on a fixed or limited income because of rising health care costs and more of a need for affordable coverage at retirement age.

Sincerely,  
Jared Ray  
Albuquerque, NM  
9/13/18

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I oppose the change to Rule 2.8.11.

Raising the age for full subsidy is manifestly unfair since some employees of the state may be eligible for retirement before age 55 and should not be penalized for having started a career with the State at a young age and having served twenty or even twenty five years, be ineligible for full benefits. This stands to penalize the most focused and dedicated employees eligible for retirement. Second, this change places the burden of balancing the budget on employees over the age of 40, raising legal concerns of age discrimination and equal treatment for state employees who in all other ways have met criteria for retirement but only because of their age, must bear an increased burden of delay of benefits because of their age status only. Foreseeably exposing the state to lawsuit on these bases is irresponsible.

Furthermore, state employees have been asked to do more with less for decades, but particularly since the financial crisis beginning in 2008. Reducing benefit eligibility is equivalent to a pay cut, adding insult to injury. Reducing benefits by allowing increases in Medical coverage and state contributions to retirement has been a consistent practice by the state to reduce budget problems that has stagnated wages, eroded the value of state service and unfairly placed the burden of balancing the budget on state employees. In the rare instances of state employee raises, those have been happily passed along to medical insurance companies as increases in the cost of medical coverage.

Blas Villanueva  
Albuquerque, NM  
9/13/18

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I am one of the state employees in which this purposed amendment rule will affect. I respectfully express my personal opinion & feelings that the proposed rule is a disgrace of the board's decisions and a waste of time on behalf of the taxpayers' dime. The board's time could have been spent with taxpayer money to express other brighter ideas, which will affect our State employees & State of New Mexico in a positive way, not a NEGATIVE way. The State of New Mexico has a lot of hard working employees who are in a way underpaid in some instances. Taking state employees' retirement for those who are eligible with their time of service served for the state and grandfathered in should not have to suffer the consequences of waiting for retirement until the age of 55, when the working party is clearly eligible for their retirement. This rule will affect the lower pay bands the hardest, meaning employees will have to work longer for less retirement. Makes no sense at all! This proposed rule amendment should be stamped out and voided by the board, the legislature and the governing body at the time. I hope that there are other state employees who express the same opinions as well.

Thanks,  
Miguel Sandoval  
9/13/18

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I believe that the suggested amendments and new section would be extremely unfair to us employees who have already attained 20 years of credited service and “relied” on the current rules. To be fair, such amendments and new section if passed should be applied “prospectively” and not applied “retroactively,” which would be consistent with substantial fairness and justice to all parties.

Richard Crollett  
9/13/18

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I would like to express my concern about the proposed rule changes to Retiree Health Care.

I retired from Farmington Police Department in 2000 after 20+ years. At the time the City of Farmington did not participate in NMRHCA and the cost of retiree health insurance was astronomical. I then went back to college, got a degree in education, earned my teaching license and began a second career in public education with the Farmington Municipal School District. One of the main reasons I chose to go into education was to be eligible for retirement health care, and I have been paying into the system since first hired in 2004. My plan has always been to complete 20 years and retire at age 67 under the rule of age plus years of service and be eligible for NMRHCA.

The proposed change to require those retiring with age plus years of service to pay higher premiums is unfair in that it is changing the rules in the middle of the game. It is penalizing those of us who entered the career field as a second career or otherwise late in life. The changes would force me personally to work another 5 years to the age of 72 or be forced to pay higher premiums. Some second-career or late-in-life retirees may not have that option and would be forced to pay the higher premiums. This also does not seem like a wise move in light of the fact that the teacher shortage in New Mexico is at a crisis level, and would make a late-in-life career in education less desirable for many. I would strongly urge the board to reject this change.

Thank you for your consideration of this matter.  
Dave Gardner  
9/13/18

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The change concerns me. I will be eligible to retire at age 62 which will be 2022. At that point, I will be eligible for medical care through PERA. I believe this change may affect my retirement.

Catherine Earl  
9/13/18

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Please accept this letter as my response to your "Notice of Public Hearing- Rule change"

I feel that you need to hear the voices of so many that will be affected in a negative manner. I am coming up on my 25 years of dedicated service as a New Mexico State Employee.

I have been an honest hard working employee that was promoted throughout my career with the plan to retire at 25 years.

Due to the cost of health care benefits currently I am struggling between continuing to work just to keep my benefits and afford medical care.

In the event this rule is approved I will have to work longer to be able to utilize the subsidies I have been paying for 25 years, I would like to know "how is this acceptable"?

I understand you are trying to secure the future retirees but what about the current employees able to retire but not able to afford the benefits. I cannot grasp the concept that this is in the best benefit of the citizens.

As a New Mexico State Employee of 25 years I feel more should be done to secure the cost to be more affordable so those of us can afford to retire and not struggle to survive.

The increasing cost of health care and changes to our benefits is a disservice to so many.

I ask that you reevaluate your plan and take into consideration the "lives" your changes affect not only the plan on paper matters, it's the families that should be most important.

Denise Herrera  
9/13/18

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My intentions are to retire from DOH on December 16, 2020 at the age of 47. This new proposal rule change would affect me as I would not have health insurance for another 8 years. If I tried to purchase air time I'm allowed up to 1 year and I would be shy 16 days as my original hire date is 1/16/96 to be eligible for health insurance. This change will affect many in different ways and shows no consideration for hard working people who have earned their retirement. Please reconsider to keep the original health care as is. It should be to where it wouldn't affect those who are nearing retirement of 25 years. Thank you.

Sincerely,  
Andy Valdez  
Las Vegas, N.M.  
9/13/18

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Comment pertaining to 2.81.11.10 AGE REQUIREMENT FOR SUBSIDIES

I cannot believe that there would be much cost savings by imposing a minimum retiree age requirement to be eligible for subsidies, because people under 55 are generally more healthy

(and therefore use insurance less) and are likely to take other jobs (that provide health insurance). I would like to know the percentage of retirees under 55 versus retirees as a whole in New Mexico, and the percentage of retirees both over and under ages 65 and 55 that actually use retiree health care to get a better understanding of the actual cost savings under the proposed rule change.

I cannot agree with the age requirement for eligibility to use retiree health care, especially because it only applies to those who are not under an enhanced retirement plan (ie, not police or fire fighters.) There are numerous people who chose to become civil servants at a relatively young age and put in 25 years of their time serving the public, that are not police or fire fighters. We should be helping and encouraging these people, not making their lives worse. I find it morally reprehensible to punish them by removing the option of using retiree health care simply because of an arbitrary number they cannot control (age), when it was part of the deal when they chose state employment.

Please do not make the age requirement for subsidies a reality. Thank you.

Naomi Davidson

Rio Rancho

9/13/18

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Please accept this email as my opposition to the proposed Retiree Health Care age requirement. I started teaching at age 23, making me legally eligible to retire in 2021. While I plan on continuing my teaching career past 25 years of service, I strongly oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be considered a crime. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Sincerely,  
Monica Leaming

Farmington

9/14/18

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I am in opposition to the proposed rule changes due to take effect on Jan 1, 2020. When we entered employment with the state government NMRHCA was agreed upon and it's unconscionable that NMRHCA is proposing to renegotiate on employment benefit that was agreed to when we entered employment years ago. If this proposal goes through. I would hope that the same consideration goes through, as to when PERRA changed tiers for retirement, they set the new tier to be in effect after a certain date, so that existing employees would continue with the existing expectation of the number of years of service required before retirement and

pension (retirement at any age with 25 years of service). I ask that NMRHCA give current state government employees, the same consideration.

Sincerely,  
Nadine Vigil  
Las Vegas, NM  
9/14/18

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This email serves as my strong opposition to the proposed Retiree Health Care age requirement. I started teaching at age 25, making me legally eligible to retire in 2028. I currently plan on continuing my teaching career past 25 years of service, but I oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be considered a crime. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Thank you for your time,  
Erin Gockel  
Farmington  
9/14/18

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**Mr. Chairman and Board Members,**

I have been employed with the State of NM for 24 years. I began my public service career at age 19, and like most working adults, have looked forward to enjoying the benefits after completing the required years of service under PERA rules.

I would like to express my opposition to the proposed retiree health care rule changes (specifically the minimum age requirement) for the following reasons:

- I will no longer have the option to maximize my retirement benefits to 90% because I would be under the age of 55 and could not benefit from subsidies that I am entitled to.
- The proposed rule changes penalize those public school and government employees who chose to start a career at a young age under assuming the benefits would be available at the time of retirement.

**Concerns with the Rational**

The rationale for the age requirement, presented by the NMRHCA to the Board in July are misleading. It stated that the changes fall in line with current pension requirements. However, the pension requirements were made effective for employees who were not yet vested. The proposed changes affect thousands of employees who have been vested under the current eligibility requirements for years.

Cost savings-Did the NMRHCA consider the increased cost to the retiree health care fund that will result as those who are eligible and will essentially be forced to retire?

I am certain that the implications of the changes have not been fully analyzed and/or presented to the Board.

### **Statutory Concerns**

While I understand that under Section 10-7C-6 allows the Board to “...take all actions reasonably necessary to implement the Act to include promulgating and adopting necessary rules, regulations, and procedures..”, I’d also like to emphasize Section 14-4-5.7 “no rule is valid or enforceable if it conflicts with Statute”.

The Retiree Health Care Act (RHCA) was amended the during the 2000 legislative session authorizing the Board to establish a subsidy scale commensurate with the retiree’s years of credited service

I believe that adding the proposed minimum age requirement conflicts with Section D of 10-7C-13.

“10-7C-2 . Purpose of act. (1990)

The purpose of the Retiree Health Care Act is to provide comprehensive core group health insurance for persons who have retired from certain public service in New Mexico. The purpose is to provide eligible retirees, their spouses, dependents and surviving spouses and dependents with health insurance consisting of a plan or optional plans of benefits that can be purchased by funds flowing into the retiree health care fund and by co-payments or out-of-pocket payments of insureds.”

“10-7C-12. Automatic coverage

A. An eligible retiree who applies for coverage during the initial and subsequent open enrollment periods as established by the board may not be denied any of the group insurance basic coverages provided under the Retiree Health Care Act except as provided in Section 10 [10-7C-10 NMSA 1978] of that act.

“10-7C-13 . Payment of premiums on health care plans. (2005)

“A. .... The additional monthly participation fee paid by the current retirees and nonsalaried eligible participating entity governing authority members who become eligible retirees shall be a consideration and a condition for being permitted to participate in the Retiree Health Care Act.....

B. Eligible retirees and eligible dependents shall pay monthly premiums to cover the cost of the optional plans that they elect to receive, and the board shall adopt rules for the collection of additional premiums from eligible retirees and eligible dependents participating in the optional plans. An eligible retiree or eligible dependent may authorize the authority in writing to deduct the amount of these premiums from the monthly annuity payments, if applicable.

C. The participating employers, active employees and retirees are responsible for the financial viability of the program. The overall financial viability is not an additional financial obligation of the state.

D. For eligible retirees who become eligible for participation on or after July 1, 2001, the board may determine monthly premiums based on the retirees' years of credited service with participating employers.”

Note: The Legislature gave authority to determine premiums based on years of service credit, NOT AGE!!!!

“10-7C-3 . Legislative findings and declaration of policy. (1990)

A. The legislature finds and declares that public employees face a severe problem in securing continuing medical insurance when they retire.....

B. The legislature further finds and declares that the public employees covered by the Retiree Health Care Act have entered into public employment in circumstances where they have received in exchange for their services a present salary and an expectation of receiving a future stream of benefits, including payment of certain retirement benefits. The legislature declares that the expectation of receiving future benefits may be modified from year to year in order to respond to changing financial exigencies, but that such modification must be reasonably calculated to result in the least possible detriment to the expectation and to be consistent with any employer-employee relationship established to meet that expectation. The legislature does not intend for the Retiree Health Care Act to create trust relationships among the participating employees, retirees, employers and the authority administering the Retiree Health Care Act nor does the legislature intend to create contract rights which may not be modified or extinguished in the future; rather the legislature intends to create, through the Retiree Health Care Act, a means for maximizing health care services returned to the participants for their participation under the Retiree Health Care Act. “

### **Previous rule change attempt**

1.24.25.6 NMAC Objective of Rule is “to facilitate public engagement with the administrative rulemaking process in a transparent, organized, and fair manner.”

It is obvious that the reason there were no comments received during the June-July open comment period is because it was handled in a very non-transparent manner and unfair. I was told that the information was distributed to participating entities to pass on; however, no one received the information and the NMRHCA could not provide proof.

While I understand that the NMRHCA is trying address solvency issues, the amended rule would leave thousands of public employees, including myself, who are eligible to retire well before age 55, without the option to enroll in health insurance and benefit from subsidy funds they have paid into for year. I believe that there are other changes that could help address the solvency issue NMRHCA is facing including the 2019 proposed legislation to increase employee and employer contributions. While increased contributions to the fund will impact employees and the cost to employers, the impact will not cripple the large group of employees who chose to start their career, serving the public and teaching children, at an early age, many who don't make a lot of money, expecting to receive the benefits from PERA and Retiree Health Care after becoming eligible.

### **NMRHCA Mission Statement**

The New Mexico Retiree Health Care Authority fosters quality of life and peace of mind by responsibly administering affordable, secure health care benefits for public retirees and their families.

Excluding public retirees under 55 does not align with the NMRHCS's mission statement!

After researching the laws and statutes surrounding retirement benefits, which include retiree health care, I am confident that public retirees have a vested right to full benefits, regardless of age.

I am hopeful that you will carefully consider all statutes, laws and implications before voting in favor of the proposed changes.

Stephanie Herrera  
9/14/18

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We the undersigned are writing this letter because we do not agree and do not support the proposed amendment regarding subsidies to take place January 1, 2020.

Respectfully,  
Lillian Alirez  
Betty Valerio  
Pamela Grijalva  
Monica Legarda  
Nassrin Bates  
Patricia Rhodes  
Jenifer E Tafoya  
Erlinda Sierra  
Stella Holguin  
Jesse Arellano  
Traci Jackson  
Tiffany Martinez  
Chris Molina  
Gilbert Soto  
Anabel Duarte  
Maria Abeyta  
Barbara Yescas  
Ana Sepulveda  
Diane M. Perez  
Saundra Arellano  
Leilani Silvas  
Lupita Quesada  
Gina Rapp  
Melissa Forgas  
Amanda Draper  
Justin Gojkovich  
Devorie Acosta  
Crystal Norero-Arellano  
Vanessa Griffin  
Helen Apodaca  
9/14/18

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So sorry to see that again teachers and public employees are being robbed!! Shame on you people!! Hope you are enjoying the raises you get on the backs of teachers as teachers haven't seen much in 10 years now.

Wendy Carpenter

9/14/18

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In your effort to cut costs at our expense, please don't forget that teachers are human! Despite our commitment to serving kids for the long haul, there are circumstances that require us to retire and pass the torch. How sad to think that the proposed change to when we can apply for Retiree Health Care does not take this into consideration - It may look good on paper, but it is a slap in the face to those of us who have committed ourselves to our youth. Is there really any question as to why we now struggle to attract more new talent to the profession?

Please consider me as an adamant NO to the proposed change.

Sincerely,  
Beth McDaniel Hill  
9/15/18

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I am a current state employee and have been for over 21 years. I will be retiring in less than 4 years at age 52. This proposed rule change will affect me personally and all other state employees who plan on retiring after 2020 and will be younger than 55 years of age.

I am completely and totally against this rule change as this is grossly unfair. I have been paying into retiree health care for over 21 years and to now decide that I will not have retiree health insurance when I retire is unethical. When I retire I will have to purchase my own health insurance at an astronomical price. I will have my spouse and child to insure and the premiums will be outrageous

Benefits are at risk for me and all other state employees who have been working toward retirement and paying into retiree healthcare and will retire before the age of 55. We are being punished for starting our career with the state at a young age.

Please let this go on record that I am totally opposed to this rule change and I am hoping that this proposed rule does not pass.

Respectfully,  
Arleen Martinez  
9/16/18

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This (comment) serves as my strong opposition to the proposed Retiree Health Care age requirement. I started teaching at age 25, making me legally eligible to retire in 2028. I currently plan on continuing my teaching career past 25 years of service, but I oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be

considered a crime. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Thank you for your time,  
Nicole Lambson  
9/16/18

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Please accept this email as my opposition to the proposed Retiree Health Care age requirement. I started teaching at age 23, making me legally eligible to retire at the age of 48. While I plan on continuing my teaching career past 25 years of service, I strongly oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be considered a crime. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Brenna Sherwood  
Farmington  
9/17/18

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I am assuming that the changes are to battle the increasing health care costs to the plan.

While I am not against the age rule of 55, I am totally against the change if you retire with age + years and you will have to pay higher premiums. I don't think that is proper way to address the fiscal imbalance that the fund must have. It might be more plausible to have a minimum years of service to qualify. I would suggest 15 years of service with age 55 to be fully qualified for retiree health care. Some formula would be more fair to older individuals who have re-tooled for employment. I don't think a person should have to pay a higher premium if they qualify with 20 years of service and age of 60.

The problem with the costs associated with health care is not the people who have the insurance, it's the insurance companies and the drug companies. I am not saying that retiree health care insurance is the problem, I am saying the bigger insurance companies are.

Example one:

Person has to have lab work done and the doctor refers patient to lab for blood draw. Lab charges \$30 copay to do the work, while said patient can go to lab without referral and self-pay for blood draw and total cost for lab work is \$15, which patient pays.

Example two:

Another problem we have in this country is the prescription drug cartel. I don't understand how a person with type 1 diabetes can be charged outrageous prices for a drug that has been around for a very long time. That person's life is dependent on that drug (insulin). In places like Canada, a person can buy it off the shelf for \$20/half year supply.

A good, low cost healthcare system is attainable if we remove the people who make gross amounts of money from the people with an illness. If you think about it, insurance companies are a middle man that takes the participants money, pull a share, then pass what is remaining to those who actually give the medical care. Insurance companies should not dictate what medical procedures are needed to be healthy, that is responsibility of the Doctors and health providers.

Now back on the changes to the health care system for retirees. I think the 55 year is probably a good thing, that way if a person gets in the system at age 55, then it will be drawing only 10 years before Medicare kicks in (another antiquated system), which would lower that rate for the retiree at that point. I am totally for keeping a system sustainable for future generations, but the problem here is not the insurance, but what the insurance pays for and how the charges are calculated for maximum dividends for shareholders.

Regards,  
James Carpenter  
9/17/18

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Members of the NMRHCA,

My name is Jennifer Valencia and I am due to retire on March 1, 2020 from the State of NM. I am writing you this letter because I am very concerned about an email I received regarding the Retiree Health Care Insurance and the proposal to amend the age to 55 before entitlement to the subsidy for coverage.

I will be 46 years old when I retire and I will not be able to afford the cost of living between my mortgage, bills, etc. if this proposal is approved. I would have to wait 10 years until I would turn 55 to get the subsidy. This would cause a major hardship for me financially. I feel this is unfair being that I will have worked my full 25 years of service for the State of NM and would not benefit from it entirely due to not getting my medical coverage at a reasonable rate as I had anticipated all these years while working.

I started working for the State of NM at the age of 17 thinking that I would be able to retire early enough to enjoy life as I have many plans for my retirement. I am also the sole caregiver for my sickly father and I would like to enjoy the time I have left with him and not have to pick up an extra job just to cover this extra medical expense. This is so unfair. This is not only going to affect me but my family and my wellbeing. I've looked into buying at least 3 months of service prior to the proposed date and the price is very expensive. I would have no choice but to take out a loan to cover the airtime I need to retire before this takes effect, all because of this proposal. I am asking the NMRHCA to please reconsider this proposal and think of all the dedicated State Employees this will be affecting. Thank you for your consideration in advance.

Sincerely,  
Jennifer Valencia

9/17/18

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Comments pertaining to 2.81.11.9 and 10 Retirement subsidies

The proposed changes to the retirement health care plan are effectively removing the percentages of subsidy which have already been earned by employees. For instance, an employee with 16 years of service who would have earned 75% of their subsidy under the previous plan would have their subsidy reduced to 57.14% under the current proposal, for a total loss of 17.86%. This change in earned subsidy percentage is detrimental to any employees with less than 25 years of service regardless of age. While I understand the need to modify the existing plan, I would urge the you consider adding language which locks in subsidy percentages already earned by employees as of the date of this rule being adopted, but modifies the overall percent rate accrument proposed moving forward.

The minimum retirement age of 55, may discourage younger employees from considering service with the state. In scientific fields the state already pays reduced wages compared to those in the private sector, in some cases as much as 50%, but this reduced salary is supplemented by the state having a good retirement package. Having a diverse demographic of employees ensures that a diverse set of perspectives is available to look at and solve issues in new ways, while embracing new technologies. Having a diverse range of ages is also may also be beneficial from a healthcare cost perspective because younger employees are generally healthier than older employees and may reduce the overall health care costs to the state while employed and during their retirement. Since other state investments plans already have a minimum retirement age of 50, I encourage you to consider modifying the minimum age from 55 to 50 to ensure consistency between plans and to continue to encourage younger employees to consider service with the state.

Thank you,  
Siona Briley  
9/17/18

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Please accept this email as my opposition to the proposed Retiree Health Care age requirement. I started teaching at age 25, making me legally eligible to retire in 2025. I strongly oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be considered a crime. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. Or worse, keep teachers who should retire because they don't have any options for health care coverage. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Buffy Tolsted  
9/17/18

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I am writing in opposition to the proposed rule change to 2.81.11 NMAC as this will only diminish the size of the pool and increased costs for current and future public employees.

As someone who is two years away from retirement, I wonder why I paid into the NMRHC after twenty-three years, so to be excluding from the benefits of this program upon separation of service.

Thank you for your attention to this matter,  
Chris Liebson  
Santa Fe  
9/18/18

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I oppose this rule change having to do with 2.81.11 NMAC Establishing Subsidy Levels on the Basis of years of Creditable Service Sections 6,7,8 and 9.

Member of the PERA,  
Melissa Y. Mascarenas  
Santa Fe  
9/18/18

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You are making it even less attractive to stay working for SLED environments if you proceed with changes proposed.

Sincerely,  
Shawn Shay  
9/18/18

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I am writing you concerning the recent information regarding the Retiree Health Benefits. I am in my 21st year of teaching and am planning on leaving the profession after year 25 to care for aging parents. I also want to leave the profession while I still consider myself an energetic and effective teacher, not old and "worn thin" by too many years in the classroom. I will only be 48 years old. This insurance decision will affect me, however, it is not only for myself, but for my profession that I am sending you this letter.

If this proposal is accepted I fear that many of our teachers that currently have 25 years of service, and are less than 55, will go ahead and retire this year, instead of continuing to teach as they had planned. We are experiencing a major teacher shortage now, this will only exasperate the issue. Many of our students are experiencing classrooms in which substitute teachers are rotating in and out. They are not getting the education they deserve, and now this decision could make it even worse for them.

I am cognizant of the realities of our economic situation, but I also see many of our education dollars miss used. Might we look in to cleaning up some of these areas and saving money there, instead of cutting teacher's retirement benefits?

Thank you for your consideration of these arguments,  
Gail Silva  
9/18/18

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I disagree with these changes. What else is there to say.

Jeannie Maurice  
9/18/18

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I am opposed to the new proposed benefit changes to take effect on January 2020 because I am within 5 years of retirement. I believe that the suggested changes are unfair to us employees that relied on the current rule. The changes contradict the PERA retirement rules of 25 (TIER I) years of service. I am totally against the new proposed benefit changes and hope it is reconsidered.

Sincerely,  
Ana Maria MacDonald  
Santa Fe, NM  
9/18/18

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I was just reading the proposed changes. I am 60 years old with 21 years of service. I am thinking about retiring at 62 with 23 years of service. If this passes, I would have to work an additional 2 years to get the lowest subsidy. This is moving the yardstick at this late in the game for me! This is totally unfair and uncalled for right now. Please reconsider this amendment or at least "grandfather" people that are within at least 5 years of retirement.

Thank you for your consideration!  
Dorothy Bulls  
Portales  
9/19/18

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I am Against this rule change. This will be a Disadvantage for me (and probably others in the state) as an employee who started working for the Schools at a young age of 22 and have 18 years of service which I was required to contribute to RHCA over this time period I will able to retire at the age of 47, but can NOT have my health care for 8 years after retiring? I have been

committed to the job because of the benefits with 1 of the incentives being retiree health care. I do STRONGLY believe the State will lose more loyal and committed workers with this change.

Thanks,  
Anna Stotts  
Aztec  
9/19/18

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This email is in regards to 2.81.11 NMAC - ESTABLISHING SUBSIDY LEVELS ON THE BASIS OF YEARS OF CREDITABLE SERVICE sent out to State Employee's. I would like protest this rule change due to the fact that as a State Employee we started under the existing rules and expected to be able to retire with affordable health benefits from the State of New Mexico. As a rule State Employee's get passed over on increases by the political leadership regularly and now Retiree Health care wishes to provide another disservice to hardworking State Employee's who expect and deserve this benefit, only to be passed over once again. This is just to save money at the State level, New Mexico has made fortunes in Oil and Gas revenues as well as other area's and can make funds available to other pet projects but not stand up and defend the hardworking State Employee's who deserve to be able to have affordable healthcare when they retire from the State and not have to wait until they hit a certain age. This is a shameful disservice to us as current and former State Employees who wish to retire with our expected benefits. The state should feel ashamed for even proposing this rule change for future retiree's who have committed themselves to public service and this is the reward they get for that service if they are under 55 years of age.

Sincerely,  
Ralph Casados  
9/19/18

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I'm a planner. My wife is a planner. We have always been planners. We both have made great decisions when we were much younger regarding our life-long careers. Because of our planning and foresight, we currently are fortunate to be able to retire before we both reach the age of 55. I feel that with increases in healthcare costs and the new proposed changes, my wife and I are being "penalized" for being informed and having a good plan in life. We now may not be able to retire when we have planned. Therefore, I am adamantly against the proposed rule of increasing the age limit to 55 in order to get the subsidy we both have earned with our combined 50 years of service.

Jorge Alarcon  
9/19/18

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I am responding to the NOTICE OF PROPOSED RULEMAKING AND PUBLIC RULE HEARING regarding ESTABLISHING SUBSIDY LEVELS ON THE BASIS OF YEARS OF CREDITABLE SERVICE,

amending sections 6, 7, 8 and 9 and adopting a proposed new section 10 to be included in 2.81.11 NMAC.

I am not in favor of raising the years of credited service from 20 to 25 in order to receive 100% subsidy of monthly premiums to eligible retirees effective January 1, 2020. I believe it should be left at 20 years of credited service.

Thank you for the opportunity to comment.

Respectfully,  
Theresa Belanger  
9/19/18

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Please let the voting bodies know that as an ENMU employee I am absolutely AGAINST the proposed changes.

We should be able to retire with the policies under which we were hired. Period.

If the NMRHCA would like to change/amend a policy, it should be for new hires only, not current employees.

Thank you for your time and effort.

Sincerely,  
Rich Schwartz  
9/19/18

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To whom it may concern,

I'm writing to strongly oppose the proposed rule change for establishing a minimum age of 55 years to receive a subsidy for health insurance coverage through NMRHCA.

I, like many other state employees, have made significant life decisions based on the benefits package offered upon our employment. In addition to our PERA retirement benefits, having retiree health care coverage has been a hugely important factor for me to stay in state government and in New Mexico. The future of health insurance and health care is one of my biggest concerns. Being able to count on retiree health care during the gap years before I qualify for Medicare provides crucial access to ongoing, quality health care at a more reasonable price.

After I complete 25 years of service at age 49 in a few years, I feel that I have earned the right to flexibility in how I choose to spend my 'retirement' years without having to worry about starting another career in order to access health insurance or continue having to work full-time to be able to afford exorbitant health insurance premiums outside of the NMRCHA.

When you think about it those of us retiring prior to age 55 are significantly healthier and probably lighter users of the health care system, and we still pay our fair share for our portions

of our retiree health care insurance premiums. I do not believe that any savings realized by eliminating subsidies for sub-55 year old retirees is worth the significant impact and costs to these individuals who have worked hard for the state of New Mexico for 25+ years. In addition, reforms that have been made and others being considered for PERA means that retirees' income will stagnate or even decrease, making health care premiums even less affordable.

I appreciate your consideration of my comments and hope that you reach the fairest conclusion to not pursue these changes to our retiree health care system.

Sincerely,  
James Padilla  
9/19/18

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After giving appropriate consideration to the proposed changes, I am NOT in favor of making changes to the existing structure, process or statutory provisions.

Regards,  
Randy Erwin  
9/19/18

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I wish there were more to ongoing communication between the state and employees---- especially those who are nearing retirement---either via e-mail or paper or regional phone contact----I wish there was a person on this side of the state to talk too- and I know other people would appreciate it also in the Northern regions and southern regions- I realize New Mexico is a rural state- so alternative forms of communication ( 800 number ) are really important.

Michael F. Shaughnessy  
9/19/18

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Changing the age and/or the number of years for people to get their retirement benefits is a TERRIBLE IDEA!!!! Teachers don't get the pay or respect they deserve while they are working and now the system is going to be changed so that it takes even longer to meet the requirements. NO NO NO NO NO NO NO

I COMPLETELY DISAGREE WITH THIS PROPOSAL!!!!!!

Shari Buckley,  
9/19/18

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I am opposed to the proposed rule changes due to take effect on Jan. 1, 2020. I have been looking forward to retirement and will be eligible to retire in 2020 after 25 years of service. This will affect me as I will only be 52 when I retire. I am a cancer survivor and my spouse has a preexisting condition with Type II diabetes. The cost to us for health care coverage would be astronomical and cause such a hardship for my family. Working another 3 years is not an option. The notice on these changes is too short. Please do not pass these proposed changes and reconsider the affect it will have on many employees.

Thank you,  
Kathleen Neidigh  
9/19/18

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I am currently in my 19th year of service, and plan to retire when fully vested in social security, which would put me at 23 years. My understanding and assumption up to this point was that I would get the maximum subsidy for health insurance when I retire if I work at least 20 years. It is upsetting to hear about this proposed change, which would change the rules when I'm already 19 years into my service. It seems to me that this change should be phased in for people earlier in their years of service, not those of us who have been paying in for many years with the expectation that we would get full subsidies when we retired. I hope that this perspective will be represented at the hearing.

Thank you,  
Debra Sugar  
9/19/18

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The state should uphold its promises to teachers who have devoted time and energy to educating the children of the state. The change would save money - is that all that matters? I would (say) no! People who have earned this benefit deserve to have access to it, regardless of cost.

Nicelle Spears  
Rio Rancho  
9/20/18

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I am writing in response to the pending vote on Oct. 19th. I am in my 25th year of teaching and feel I have a few more good years to give to the children in my community. With the proposed change, I would have to go seven more years to reach the age of 55. When I chose this profession 25 years ago, this was not the expected results...lose my health coverage until I am 55 years of age. I want to choose to retire on my terms along with my husband who is also an educator. This vote would have both of us make the same decision. This anticipated vote that could go in place on Jan. 1, 2020 would force my hand to retire in December 2019. A vote of no would allow me to choose when I retire and still maintain my health coverage. This issue really

comes down to this...do we want to maintain and keep in place seasoned teachers or continue our path in NM of hiring ALP personnel to fill valuable teaching positions that are hard enough to fill. The better solution is to pay teachers and other public servants more to keep them in their positions so they are able to pay into the system longer.

Kari Foster  
9/20/18

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I am writing to urge you not to proceed with considering the proposed changes to the retiree health care plan. I have been a long time employee of Rio Rancho Public schools (this is my 23rd year). Each year I have contributed more and more into paying insurance premiums. Any increase in wages I have earned have not covered the increase in healthcare premiums.

I am an exemplary teacher, as defined by the PED evaluation system, and plan on retiring at 25 years of service. I will fall under the rule of 75, but will not be 55 at that time. I have dedicated myself to improving the lives of children and have been loyal to the system. I truly believe that receiving my full subsidies should be a retirement benefit I deserve and have earned. I urge you not to make changes to the system already in place.

What has prompted these proposed changes? Do we not deserve an explanation? Do we not have a say in our future? Please consider the serious impact this would have upon dedicated professionals as myself.

Thank you for your consideration,  
Sinta O'Connor  
Rio Rancho  
9/20/18

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I believe changes should apply to new-hires only. Current employees should be grandfathered in. Particularly the jump from 20 to 25 years for maximum health care. Perhaps I've misunderstood, but this seems like an abrupt change for those of us nearing the end of our careers.

Donna Barnitz  
Rio Rancho  
9/20/18

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I am writing to you to express my concern with the proposed changes to the Retiree Health Care.

The proposed changes will negatively affect my family and myself.

I DO NOT support the proposed changes listed below:

- Public School, State, City and County employees who will be eligible for retirement after January 1, 2020, cannot enroll in Retiree Health Care until age 55.
- Public School, State, City, and County employees who are considering working beyond 25 yrs. to increase PERA benefits (e.g. 80% or 90%) and will be under age 55 when they retire, will not be able to enroll in Retiree Health Care until age 55.
- Public School, State, City and County employees planning to retire with age plus years of service after January 1, 2020 will have to pay higher premiums.

I request you do everything within your authority to please stop these proposed changes.

Thank you.  
Theresa Griffin-Golden  
9/20/18

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This will affect me since I had planned on retiring in June of 2020. Already taking a pay cut since I am not 60, now I will take an insurance cut. I recommend that this does not change. We have so many expenses as it is that come out of our checks, and insurance is constantly going up. Just my input.

Kathy Finch  
Aztec  
9/20/18

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I am not in favor of the changes, and my co-workers at Roosevelt Middle School are not in favor of the proposed change to require 25 years of service, as it seems to be arbitrary and only affecting new employees most.

Thank you,  
Chuck Petersen  
Tijeras  
9/20/18

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I plan on retiring May 2021 at the age of 70 with 22 years of teaching service. I oppose the new language and resulting changes to the Employee Retirement Plan(s) the Board is proposing. Please take my opposition to the Board's meeting.

Thank you  
Burton Melancon

Rio Rancho  
9/20/18

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I surely hope that this proposal to change the number of years of credible service from 20 to 25 to receive 100% subsidy from NMHCA at the time of retirement is NOT accepted. This is NOT FAIR to change this rule for those that have many years of service in and approaching retirement.

We have paid into this system for many, many years and upon retirement will even have to pay an extremely high premium just to have medical insurance. I hope and pray that those in power will consider the lives of educators and the service we have contributed to our schools in NM. Rates go up every year making it harder and harder on these educators to afford health care.

Please DON'T punish those that are near retirement with 20 years of service.

Sincerely,  
Morene Wagner  
9/20/18

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My name is Linda Duran-Gibson and I have been working with the New Mexico Public Schools off and on since 1985. I currently have been working with the Pojoaque Valley School District for 18.5 years. I plan on retiring September 8, 2020. By my retirement I will have worked 20.5 years for PVSD and I will meet retirement eligibility under the age + years of service.

I am extremely disappointed that there is a proposal to change our Retiree Health Care Plan.

This change will have a direct impact on me, as it would be effective January 1, 2020.

According to your proposed rule changes, I will be paying higher premiums for my health care when I retire 9 months later. This is unfair and cruel to change the goal when an employee is that close to retirement.

Your Proposed Rule contradicts The Retiree Health Care Authority MISSION STATEMENT:

Mission Statement

The New Mexico Retiree Health Care Authority fosters quality of life and peace of mind by responsibly administering affordable, secure health care benefits for public retirees and their families.

Changing the Rules so close to the goal does not promote "peace of mind and security", it promotes, "instability and insecurity" By changing the Rule to have retirees, who are so close to the goal (age + years of service) pay HIGHER PREMIUMS, this contradicts the Mission Statements "Affordable and Secure Benefits" statement. By changing this Rule, you make our health care "insecure, unstable and more expensive" to employees (professionals) who have worked and provided many years of OUR LIVES in service to public education. If you vote for this change our Retiree Health Care Authority will be BREAKING A PROMISE to all that have paid into this Retiree Health Care Plan for a lifetime of work and service. This is wrong.

I respectfully urge that all Board Members of the Retiree Health Care Authority VOTE AGAINST THESE PROPOSAL CHANGES TO OUR Retiree Health Care. I plead that you have compassion and

consider what you are doing to human beings. Please, Please, Do Not BREAK YOUR PROMISES!  
STOP this proposal to change rules regarding our Retiree Health Care Benefits!!!

Any type of significant alteration to benefits needs to include steps to protect individuals that are close to retirement. It seems that a FIVE (5) year cushion should be given since that is what the increase in time is suggesting in the Proposed Changes. This type of "grandfathering" approach would protect future retirees such as myself from being caught in the damaging consequences of such Proposed Changes. Remember that we too have lived through the financial hardships of a poor economy and we have not been bailed out by anyone. There must be other options other than taking more and more away from hardworking educators.

You have the power to make this RIGHT for your Retirees, and to consider the "Human Element" when you vote on this very important matter. OPPOSE these changes on October 19th, and make the RIGHT CHOICE for your Retirees. Stick to the Mission Statement:

Mission Statement

The New Mexico Retiree Health Care Authority fosters quality of life and peace of mind by responsibly administering affordable, secure health care benefits for public retirees and their families.

Respectfully,  
Linda Duran-Gibson  
9/20/18

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I just received notice of a proposed rule change to my Retiree Health. Under the proposed rule I would not be eligible till I am 55 and I will be eligible for retirement prior to. I find this to be unacceptable and request to be grandfathered in as I have paid all my dues every paycheck to pay for this benefit and should not be penalized. I have dedicated my career to the Government sector for the benefits since most government employees are underpaid and receive far less than the private sector. I could have easily gotten a job with double the pay in the private sector but I have chosen to receive far less pay in the hopes of retiring on time with my full benefits in tact as promised when I started working for the State of NM.

I am rightfully and respectfully requesting to be grandfathered under the old rule. By continuing to change rules to retirements and benefits it becomes very clear that working for the State of NM is no longer a benefit to younger employees, new employees, or any employee that may retire prior to the proposed age. We continue to wonder why we can't recruit talented employees and why employees leave the state, this is the perfect example. If this rule passes I will seek legal action as this is not what was promised to me.

Please forward this to all board members.  
Dean Woulard  
Albuquerque  
9/20/18

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I would like to inform the state that I am against the proposed rule change, that the NMRHCA is proposing.

Possibly, could the wording be included in the proposal to include “to possibly exempt current non-retirees with more than 15 years of service to keep the existing rule as is”, in place for their retirement.

As some employees who are getting close to the 20 years of service, would have to work more years, to get the maximum subsidy.

Lee Allensworth  
Silver City  
9/20/18

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I would like to inform the state that I am against the proposed rule change, that the NMRHCA is proposing.

Possibly, could the wording be included in the proposal to include “to possibly exempt current non-retirees with more than 15 years of service to keep the existing rule as is”, in place for their retirement.

As some employees who are getting close to the 20 years of service, would have to work more years, to get the maximum subsidy.

Karla Allensworth  
Silver City  
9/20/18

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This email is to voice my opposition to the proposed changes in the age requirements on receiving health benefits after retirement. I do not think it is fair to change the required years of service in order to get the full benefits. Also, it is not fair that someone who retires with time served plus age would have to pay higher premiums. They are retiring within the rules, so it makes no sense.

Liz Olive  
Rio Rancho  
9/20/18

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Hello, I have been an educator in New Mexico for 15 years, and as I understand the proposed changes they will increase my requirement for eligibility for full subsidy by five years. I am opposed to this, as I am planning to retire in four to seven more years. If the changes are not effective to those of us on the current plan, but only those who join the system later, I am ok with the changes.

Thank you,  
Wes Koerner  
Rio Rancho  
9/20/18

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After reading the proposed rule change to the Retiree Health Benefits I was disheartened to read that the NMRHCA Board is even considering enforcing this new rule change to state employee who DID NOT sign up for this over 24 years ago. I have worked in State Government for over 24 years and when I made the decision to work for State Government this is not what was promised to me. I find this to be unacceptable as I have paid all my dues every paycheck for the past 24 year to pay for the current benefits and should not be forced or penalized after 24 years of service in State Government. I have dedicated my career in the State Government sector for the benefits that were promised to me.

State Government employees are underpaid but made the decision to work for State Government rather than the private sector because of the benefits and once again they want to change our benefits.

All current employees should be grandfathered under the old rule. The continuing changes to rules to retirements and benefits it is becoming very clear that working for the State of New Mexico is no longer a benefit to current and younger employees or any employee that may retire prior to the proposed age. We continue to wonder why we can't recruit talented employees and why employees leave the state, this is the perfect example. If this rule passes I will seek legal action/advice to what my rights are as a long time employee of State Government.

Please forward this to all board members.

Sincerely  
Carla M. Smith  
9/21/18

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After reviewing the Notice of Proposed Rulemaking and Public Rule Hearing, I have many concerns. I have nearly twelve (12) years of service with the State of New Mexico. When I am eligible to retire, I will be forty-eight (48) years old. With this new rule, I may NOT be able to retire given this change. I have worked hard and paid into our pension program that was promised to me. I will have the same amount of years vested as any other retirees who just happen to be older than me. If this rule is passed, the Board will create an environment that is not beneficial to the younger working class. This is the exact reason why younger employees of my age go to the private sector. The State of New Mexico pension program WILL NO LONGER be a competitive incentive for it's workforce. The rule also tells me that I will no longer be eligible to retire because the fee for healthcare WILL NO LONGER be an affordable option. If

this rule is passed, I will be forced to seek legal action, given that I was NOT promised this outcome when I started in State Government.

I would like this email to be provided to all Board Members to reconsider this new option.  
Thanks,

Valerie Martinez  
Albuquerque  
9/21/18

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To the leadership of the NM Retiree Health Care:

A great number of public education employees choose to retire as they become eligible under the Educational Retirement Act. That is, they retire once they have achieved 25 years of service credit.

Now, given that many of these public servants enter the workforce immediately after graduating from college between the ages of 22-25, these employees become eligible to draw an ERB pension between the ages of 47-50.

The proposed changes to eligibility for retiree health care subsidies would delay these full retirees from accessing NMRHC benefits until age 55, essentially denying them access to benefits they have paid into for the entirety of their career.

Moreover, Article XX, Section 22 of the New Mexico Constitution prohibits changes to the state's retirement systems that adversely affects the state's retirees. While these protections were originally intended to protect PERA and ERB funds, the changes NMRHC is proposing to retiree health care systems may lead to legal claims concerning the possible unconstitutional nature of these proposed restrictions.

On behalf of all New Mexico educators, I urge you to abandon these proposed changes and continue to honor your commitment to covering the retiree health care needs which have long been promised to (and paid for by paycheck deductions from) New Mexico's educational employees.

Dennis J. Roch  
Logan  
9/21/18

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I am writing to let you know that I oppose the proposed rule change to the current NMRHCA policy.

Bryan Smith  
9/21/18

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I wanted to write to tell you that for those of us who have been paying into the New Mexico Retiree Health Care Authority for many years, it seems that you are moving the goal posts just as we are about to retire.

Changes to maintain viability should be made for those new employees coming into the system or who are not eligible in the next 5 years, not to employees who are about to retire.

Please find another way.

Chris Campbell  
Albuquerque  
9/21/18

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I spent 14 years in another state and have already worked 21 here. I will retire in October 2020 with 23 years of service using the rule of 75. I would be adversely affected by this new rule which will keep other educators from coming to NM at a time when we need them badly. Also, the cost to buy years here is prohibitive so why would anyone come here to teach? This plan makes it very hard to choose NM.

Susan Passell  
Rio Rancho  
9/21/18

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I am a New Mexico transplant (having moved from another state in 1997). I became eligible to retire under the rule of 75 in May 2018; however, my plan was to continue to work for another few years. If the premium rate increases on January 1, 2020 for those of us under the rule of 75, I will be forced to retire by December 31, 2019 as to avoid the penalty. I know there are many others in the same situation. Considering the significant shortage of quality educators in New Mexico already, this change would continue to increase the shortage by losing even more valuable employees.

Please do not pass these proposed changes.

Christa Kulidge  
Farmington  
9/22/18

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I recently read a bit of information in the New Mexico Counties News Brief (September 13, 2019 issue) that was very concerning to me. When I learned what the proposed change would mean to Retiree Health Care enrollment... was surprised, to put it mildly!

Today, I have 26-years of dedicated public service with our State and Union County. When my term expires at the end of 2020, I'll need to enroll in the Retiree Health Care Plan. I will be 50 years of age with 29 years of service. I'm certainly looking forward to retirement. I have worked hard to get to where I am today with my continued years of public service.

The proposed rule change states that "State, City, County, and Public School Employees who will be eligible for retirement after January 1, 2020, cannot enroll in Retiree Health Care until the age of 55."

I respectfully ask that you note my opposition to this proposed rule change. I'll anxiously await your response.

Best Regards,  
Mary Lou Harkins  
Grenville, NM  
9/22/18

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Hello. I am a retired state employee and have comments regarding the proposed amendment to 2.81.11 NMAC by the NM Retiree Health Care Authority (NMHRCA). I object to the proposed change that would require that public school, state, city or county employees who will be eligible for retirement after January 1, 2020, would not be eligible for retiree health care until age 55.

As a retiree, I am concerned about the solvency of the program and I feel that methods for ensuring this solvency are critical. However, I do not feel that these proposed changes are in alignment with prior changes made in PERA (i.e. eligibility for COLAs and service credits). For example, this proposal would potentially make it so that a 22 year old who came to work for the state, who then worked for 30 years, and wanted to retire at age 52 through PERA, would not be eligible to receive retiree health insurance. This does not make sense.

We need more young people attracted to work for state government, to further the work of the state, and also to support the solvency of both PERA and NMHRCA. This change will not help in recruitment and retention.

In addition, it will negatively impact many existing employees who have put many years into the state system and will be penalized by this action.

Thank you,  
Steve Tafoya  
9/23/18

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Good day New Mexico Retiree Health Care Authority (NMRHCA),

Your email dated September 18, 2018 proposed rule changes. Section 9 of existing rule 2.8.11 NMAC currently allows employees to retire with 100% of health plan benefits at 20 years of credited service. The proposed new changes will only allow 100% health plan benefits at 25 years of credited service, to begin when retirees become eligible on or after January 1, 2020, if over age 55.

I am currently over the minimum age, I meet the rule of age plus years of service equals 75, but I will have 20 years of credited service as of March, 2020, missing 100% of Retiree Health Care by three months. I have been basing my retirement on the current rule and do not believe changes at this late date are fair, equitable, and are possibly ageist and or illegal, given the information I was employed under. Changing the rules at this late date is definitely problematic for me personally and I would imagine there are others in my similar situation. Under the rule change, I would be forced to retire in December 2019, just to be sure I would get a higher percentage of my Retiree Health Plan but not 100%.

I do not believe that I should be forced into retirement earlier than I anticipated because the NMRHCA has arbitrarily decided on changes to the minimum age and increased years of credited service so that NMRHCA can "be consistent with" other state plans and to "promote and strengthen the solvency of the program". I have given my time consistently, responsibly, and effectively in good faith that my years of service would be respected and that my earned service would be credited as promised. The proposed plan sounds to me like my trust in the reputable and ethical practices of the state, as an employer, and the NMRHCA, as the trustees of retiree health care, may have been misplaced. It appears that the NMRHCA is acting in bad faith, for employees close to retirement. I sincerely hope not.

I urge you to consider grandfathering into the changes proposed those employees who, like myself, are planning retirement based on the current rules and are within 10 years of retiring on or after January 1, 2020. Perhaps the most equitable way forward would be to implement the change for new employees and not those of us who have been planning on the current rule to be in place at our chosen time of retirement.

Thank you,  
Merion Haworth  
9/23/18

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I am writing to express my strong opposition to these retiree health care rule changes. Recently, I have made career decisions based on my expected retirement after 25 years of service, which will be in about 9 years. I have always worked on the assumption that the rules in effect were still going to be in effect at that time. Making this change will negatively affect my ability to retire after twenty-five years, and will effectively raise my retirement age to 55 even though I will have completed 25 years of service prior to that age. Please note my opposition to this change.

Sincerely,  
Dr. Aaron Taylor  
Rio Rancho

9/24/18

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I am writing this in opposition to the proposed rule changes regarding the age limit being set by NMRHCA. I will be one of those employees retiring at the age of 50 and this proposal is of great concern to me. I have been working for Department of Health since 2003. Besides serving the citizens of this State, a major incentive to work in the public sector includes the insurance benefits covered under the State of New Mexico, retirement benefits and retiree healthcare. Often times professional staff such as myself opt to work for state government because of these incentives versus working in the private sector where the earning potential is greater, but without comparable benefits which are currently offered by the State. If this ruling is passed it could potentially motivate professional staff to depart employment from state government which would be unfortunate due the State's current issues with recruitment and retention, especially in the healthcare setting. I urge those tasked with making this decision to reconsider as it would greatly affect all employees who are eligible to retire before age 55. It can be demoralizing to work hard for 25 to 30 years and be rewarded with the prospect of not being able to afford or qualify for adequate healthcare coverage for themselves and their families. I'm sure it will force many with limited options to work longer than expected. Thank you for your consideration.

Danelle C. Baca

9/24/18

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On behalf on myself, several V. Sue Cleveland Staff members, and the New Mexico Association of Secondary School Principals I am writing you to say we "strongly OPPOSE" this change.

We support comprehensive efforts to bring the ERB fund to solvency. However, unless this proposed rule change grandfathers in a certain group of state educators, many of us who are eligible to retire prior to age 55 will be forced to work past the 25 year promise made to us when we started teaching / leading in New Mexico.

We respectfully ask that alternatives be explored and we look forward to voicing our concerns at the public hearing.

V. Scott Affentranger

Rio Rancho

9/24/18

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I am a level 3 Nationally Board certified teacher and I teach for Albuquerque Public Schools. I am 51 years old and began my teaching career right out of college. This is my 28th year of teaching and my plan was to teach for 30 years. With the age limit change proposed for insurance benefits, I will have to pay my entire insurance premium for 2 full years after I planned to retire. After serving this community for 28 years, this is a very disappointing proposal. It penalizes

those of us who chose teaching as a career out of college and will encourage teaching as a second profession only. If this proposal goes through with the age limit, I will be forced to retire sooner than I planned and APS will lose a highly effective teacher for the next 2 years.

I hope you will reconsider the age limit part of this proposal,  
Brenda Lyons  
9/25/18

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Please accept this email as formal public comment on the above-subject rule change being proposed by the NMRHCA.

In reviewing the proposed rule change, Section 6 and Section 10 are of greatest concern to me as they would have a negative effect on the current workforce. Providing a minimum age requirement for subsidies, in theory, provides a solution to the solvency of the fund, however in reality what it will do is cause a mass exodus of seasoned and dedicated state employees who are eligible to retire under the current rule. This would cause a large void in the workforce which then impacts our ability to provide the required services to the public statutorily called out for by each agency.

I understand there is a need to ensure the solvency of the fund however there should be a cut-off point for grandfathering in employees who started working for the state right out of high school and college and have dedicated their careers to public service. When PERA eligibility was changed from 25 years of service to 30 years of service there was a cut-off point for those employees who were vested. The same type of cut off for vested employees should be considered in this proposed rule change as well.

Thank you for the opportunity to provide comments on this extremely important issue.

Regards,

Gerald M. Hoehne  
Santa Fe  
9/25/18

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I'm writing this email to state that I am opposed to the rule changes. When school employees have worked long enough to retire, they should be able to enroll in retiree health care immediately. After years of service to the school and state they deserve health care immediately no matter what. Schools are already in jeopardy of having fewer people becoming teachers and this wouldn't help that they have to wait until age 55 to get retiree health care.

Thank you,  
Karen Stevenson  
9/25/18

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I am writing in response to the proposed rules changes regarding the implementation of a minimum age requirement and an increase in creditable years of service to receive the maximum subsidy. The age limit being set by NMRHCA is contradictory to the PERA retirement rules of 25 (Tier I) and/or 30 (Tier II) years of service. This change could potentially force many hard working/dedicated employees to retire early. These employees are critical to providing very important public service to the communities due to their experience and knowledge. Also it could force other employees who had planned to retire younger than age 50 to stay working longer in order to retain insurance coverage. This is extremely unfair to penalize someone who has dedicated their life to working for the public only to be put in a position of either losing their healthcare, a critical necessity, or being forced to work additional years that they had not planned for. I appreciate you taking these issues into consideration when making the decision.

Sincerely,  
Erica Flores  
9/25/18

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In regards to the proposed changes in retiree health care.

I have been a State of New Mexico employee for over 10 years. I was grateful to start my career at the age of 21 making me eligible to retire at age 46 with 25 years credited service or age 51 with 30 years. With the proposed changes I would have to work an additional 4-9 years to receive the benefits I was promised when I started my career. One of the reasons I chose to work for the State was for the benefits, including retiree health care.

I believe that tenured employees should be grandfathered in so to speak. I have been contributing into this program and should not be denied my earned benefits. Please consider changing the proposal to employees who begin their career on or after January 1, 2020 rather than employees being eligible to retire on or after January 1, 2020.

I am appreciative for my job as a public servant. State employees are some of the many hardworking unsung heroes of our community. I would like to retire in dignity when I choose and receive the benefits I so rightfully deserve. Thank you for your consideration.

Krystle Roybal  
9/26/18

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I am employed by the City of Deming and have been planning my retirement for several years. My retirement date is December 31, 2020. I will have 20 years of service and will be 60 years old.

I am writing this letter in hopes that you will consider a grandfather period to allow for those of us who are within 3 years of retirement before making the proposed changes. If the proposed

changes are put in place, it will be a significant increase to the cost of health insurance that may adversely affect the quality of my life after retirement.

Sincerely,  
Patricia Ciccotelli  
9/26/18

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I do not agree with all of the proposed changes. Being a Public school employee, and having the ability to have RHC now under the age of 55, works within my budget. As humans, we get older our health depreciates therefore we may have to pay more out pocket expenses which indicates our finances will go there unless we are healthy individuals; then this may not be true.

Kimberly Zah  
Aztec  
9/26/18

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I am a teacher with APS Fine Arts and am looking at an early retirement. I am counting on having access to affordable health care in between my retirement and eligibility for medical-care. I need you support this very important benefit.

Thanks for your concern:  
Candace N. O'Hearn  
Albuquerque  
9/26/18

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I am opposed to these rule amendments as written as they adversely impact and discriminate against state employees who are nearing retirement age in the next 5-10 years, and they would have to work an additional 5 years to enjoy the same benefit as others that currently have that benefit.

I would suggest for consideration that the wording and faithful intent of the language would start the new scale from with present day of implementation with new hired employees and perhaps those career employees under the age of 55.

Thank you for considering my suggestions and comments.  
Danny Maxwell  
Albuquerque  
9/26/18

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I work for the City of Albuquerque and received the NMRHCA announcement about the new rule affecting the percentage of premium paid for retirement after January 2020. I understand trying to keep up with rising costs, but I would like to say that a 23.81% decrease is a huge amount all at once for the 20-year mark. It doesn't give those of us planning to retire at 20 years in 2020 enough time for planning.

I would like to ask if NMRHCA would be opening to decreasing percentages on a schedule of 5 years. So that over the 5 years time, the subsidy would decrease yearly so that it hits the 100% mark at 25-year retirement.

Thank you for your consideration.

Respectfully yours,

Patricia Gonzales

9/26/18

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I am writing to respectfully provide feedback on the new proposed section 10 for Rule 2.81.11 NMAC: establishing subsidy levels on the basis of years of credible service. I am not in favor of the proposed change. The age limit being set by NMRHCA is contradictory to the PERA retirement rules of 25 (Tier I) and/or 30 (Tier II) years of service. This rule change could have unintended consequences. It could potentially force employees to retire early and/or it could force current employees to work longer in order to retain insurance coverage. If this rule passes, those employees 54 years of age or younger who wish to retire will have no insurance coverage through retire health care until age 55. The rule change would take effect in the year 2020 which could also force some of our hard working/dedicated employees to retire by the end of 2019 as to avoid being affected.

Aiko Allen

Santa Fe

9/27/18

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I am very troubled by the proposed decision for Retiree Healthcare to be denied until retirees are 55 years of age. My husband is scheduled to retire in January of 2019 with 25 years of service but will only be 50 years old. I am scheduled to retire in September of 2021 with 25 years of service and will also be 50 years old at that time. We have both paid into the Retiree Healthcare Plan during our respective tenures with New Mexico State Government. If you remove the benefit we are forced to work longer as we will not be able to afford the healthcare we were promised during our many dedicated years to the state. I am hoping you will grandfather in cases that are so close to retirement if you must move the age back to secure the continual funding. Please take our cases into consideration as you make this drastic change which will seriously affect our immediate future.

Sincerely,

Amber Espinosa-Trujillo

Santa Fe

9/27/18

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Please inform the voting bodies that ENMU employees are absolutely AGAINST the proposed changes. We should be able to retire with the policies under which we were hired. Period. This type of "bait and switch" is the reason increasingly more people are opting for private plans, as opposed to the state sponsored retirement plan. This will further damage your reputation.

If the NMRHCA would like to change/amend a policy, it should be for new hires only, not current employees.

Thank you for your time and effort.

Sincerely,  
Dr. Jason Paulk  
Portales  
9/27/18

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I am completely against the rule change for several reasons. First, I'm unsure why a certain age group is being targeted. It is discriminative and unfair to penalize one age group. Have you thought about raising the contribution rate for ALL members/contributors? The fact that you only take 2% from State Employee's checks for health care in the future is preposterous. We all contribute, so we should all be treated equitably. I shouldn't be penalized because I decided to work early in life and complete 25 years of service to the State of New Mexico and retire before I'm age 55. Technically, since I will be a younger retiree, based on health care statistics, my health care should cost less since I will be younger retiree with less health issues.

Have you thought about grandfathering in current members?

Thank you,  
Deanna C Lopez  
9/27/18

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After reviewing the proposed rule change, My top concerns are Section 6 and Section 10. I believe this rule change would have a large impact on the workforce by forcing retirement throughout the state. I believe by forcing the retirement of the eligible employees it would create a large issue by reducing the amount of experience within the workforce that would impact on the daily operations of the State of NM.

By having a minimum age requirement for subsidies, it will also impact the young retirees on being able to afford a full price premium instead of the reduced rate.

I understand there is a need to prepare for the future and make sure the retirement plan is available for future employees for years and years to come. I believe the date of the grandfathered in should be extended to better prepare to hopefully afford to retire.

Thank you for the opportunity to provide comments on this extremely important issue.  
Marc Pacheco  
Las Vegas  
9/28/18

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I should say that I oppose the change. Maybe we should wait to look at it after our financial situation stabilizes.

William Parnall  
10/1/18

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I have read many comments against this proposal change and I agree with all of them. However, I would like to propose a different solution if not said already. I would recommend the board look at various hybrid approaches that are not so drastic. I realize the importance of keeping all institutional programs like Retiree Health Care, PERA, and ERB solvent for all generations, but I still think this could be done in a more hybrid approach; for instance, provide healthcare for those under 55 with 25 years of service but on a slightly reduced benefit package, And/or an option for the period in question to purchase more by the individual if they wanted to. I believe this board needs to take a more of an out-of-the box approach than to be so drastic.

Currently the federal government is looking at relaxing the rules that are challenging all our institutions as mentioned above, so I really believe the NM retiree health care board needs to scrap this idea, look at what currently may change in the regulations, and at the minimum, provide several options where ALL are still covered and to some extent —at least. ALL PARTIES can do their part to pay more to make it solvent with different ideas and still maintain NM health care insurance coverage for all.

Sincerely,  
Diego Sisneros  
10/1/18

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I would like to comment on the rule change being proposed. We currently have a group of employees still covered under the 25 years of service that could retire at age 43 to 55. These employees would face a hardship for insurance coverage for them and their families. We need to find a way to close the gap for these employees. We understand the new tier employees will be staying longer and will be closer to the age 55. But we have employees paying into this plan that are being penalized based on their age and when they are eligible to retire. Employees should at least have an opportunity to bridge the gap of retirement under 55 to age 55 with some kind of plan that would stretch during this time frame.

Kenneth Lucero

10/2/18

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I am in opposition to the proposed rule changes. As someone who is eligible for retirement in September of 2021 at the age of 48, I am directly and negatively impacted by this proposed rule change.

I have 22 years of service with state government. I will retire at the age of 48 with 25 years of service. I entered public service knowing that I could retire with 75% of my salary after 25 years of service and that I would have health insurance through NMRHCA until I became eligible for Medicare. It is abhorrent that a renegotiation of expectations is being made after the expectations have already been codified. It is unconscionable that NMRHCA is proposing to renegotiate an employment benefit that was agreed to when we entered employment many years ago.

When PERA changed the tiers for retirement, they set the new tier to be in effect after a certain date, so that existing employees would continue with the existing expectation of the number of years of service required before retirement and pension (retirement at any age with 25 years of service). I ask that NMRHCA give us, the current state government employees, the same consideration.

VOTE NO on this proposed change.

Concerned State Employee,  
Rosemarie Casados  
10/2/18

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Please accept this email as my opposition to the proposed Retiree Health Care age requirement.

This won't affect me because I am eligible to retire December 1, 2018 but I wasn't planning on retiring then and now I feel that I am being forced to retire before the 2020 proposed start date.

Have you all considered the people that you are forcing into retirement?

What you are dictating to us is that we have paid into the New Mexico Retirement Health Care for years, just to be excluded from the benefit of the program until the age of 55. We should be able to retire with the policies under which we were hired. No if's or but's.....

I oppose this rule change having to do with 2.81.11 NMAC Establishing Subsidy Levels on the Basis of years of Creditable Service Sections 6,7,8 and 9. The changes contradict the PERA retirement rules of 25 (TIER I) years of service.

Mandating more years of service from people who have already given THEIR required years, should be a crime. What a shame that the proposal is even being considered. We've already paid for all these years into the NMRHC and should automatically be vested.

I appreciate your consideration of my comments and hope that you reach the fairest conclusion to not pursue these changes to our retiree health care system.

Sincerely,  
Kathy Trujillo  
10/2/18

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These comments relate to the proposal to remove health insurance from retired New Mexico employees that are under the age of 55.

Twenty-one years ago, I was promised by the State of New Mexico that if I work for them, instead of another place that paid higher wages, that I would be able to retire after 25 years. This regulation modification attempts to make New Mexico into a liar by stealing the retirement program that I have been paying into for decades. It attempts to take away health insurance from people that have paid the State their share for health insurance for 25 years.

Insurance companies have recognized that early detection saves money. That is why they frequently waive deductibles for checkups. Early detection and early treatment save lives and money. Many types of cancer, for example, are much easier to treat and to survive if they are detected quickly. Other diseases can also be managed much more easily if treatment is not delayed by years. This plan discourages early detection by removing the entire portion of the insurance premium that the State promised for a few individuals. Few people will meet the requirements to have worked for New Mexico for 25 years and be below the age of 55 when that has been completed. This change places a large burden on those few people instead of distributing the health care cost problems amongst the masses of participants. This change is but a tiny fraction of the program cost, but it impacts a few loyal people greatly.

The proposed plan may have different effects on different people. Some healthy individuals will purchase health care plans with high deductibles that cost them less than the State pre-Medicare plans. These people are harmed by stealing the benefits they have been paying for and by wasting their time in making them search for new plans. Some seriously ill individuals will pay for the State plan (both their share and the part the State promised them). They may be so ill that the premium they pay is a tiny fraction of their cost of care. Some seriously ill individuals will not be able to afford any health care plan, and they will be fined by the Federal Government for not having health care, in addition to possibly dying prematurely. Some people will avoid health care for a few years until they qualify for the arbitrary age requirement, only to find that they have an expensive illness that would have been easily treatable or controllable. Now that these people are back in the State pre-Medicare plan, the State will need to pay big health care bills that could have been avoided.

The only money that the State saves by setting arbitrary age limits on the pre-Medicare plan is money that New Mexico already promised people because of their loyalty. The supposed savings come from insurance premiums, not from medical bills. The medical bills still need to be paid by the State, unless the patient dies before treatment.

Please don't steal money that was promised to loyal State employees. Please don't pretend to save the State money by discouraging early detection of diseases. Please don't kill people that may not be ready to die. Please remove the arbitrary age requirement from the pre-Medicare plan, and please continue to search for methods that would actually help keep the plan solvent instead of increasing the problems.

Eric Peters  
10/2/18

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I have almost 22 years of service at this time, and my comment is to ask that the board consider grandfathering in participants that already have 20 years of service. I also have medical conditions that could be detrimental in obtaining health coverage with another provider due to pre-existing conditions; therefore, the change in policy would almost force participants in my situation into an early retirement, which could jeopardize our ability to fully benefit from our retirement.

Please consider grandfathering in participants with at least 20 years of service who are still working. I began participation in NMERB prior to 2010, and am grandfathered in for full eligibility; however, this change would force me to either retire or work 3-4 more years.

Thank you for your consideration, and for the ability to comment.  
Dr. Linda Neel  
10/3/18

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Ladies and Gentlemen of the Board of Directors of the new Mexico Retiree Healthcare Authority,

Please find my comments regarding the proposed changes to the age requirements for New Mexico's Retiree Healthcare (2.81.11 NMAC) below. Specifically, I have concern and oppose the implementation of the minimum age requirement to workers who retire after January 1, 2020. Traditionally, changes such as this are implemented with a 3-5 year grace period to avoid disruption to employees who are nearing their retirement eligibility. At the time the proposed change was first contemplated, the 1/1/2020 effective date was still over 5 years away, however, the effective date was not adjusted despite the actual rule change not being proposed until four years later.

1. I have great concern that these changes are planned with only slightly over a year lead time prior to implementation, and oppose the proposed timeline. This leaves nearly no time for employees nearing retirement to adjust, and has the effect of "yanking the rug out from under the feet" of employees who have been carefully planning for their retirement. A minimum 3 year, and optimal 5 year implementation time would be much more manageable for long-term state workers nearing their retirement eligibility.
2. I oppose this measure because it attempts to balance the solvency of the Retiree Healthcare program on the backs of a relatively small portion of state employees, those

workers who began working for the state when they were young (ages 20-28, for the most part, when state tenure began), and devoted their careers to serving the citizens of New Mexico without a break in service. In essence, this measure punishes workers who agreed early on in their careers to the bargain of state service, that is, looking past the low wages paid by the state in exchange for the benefits and stability offered in exchange.

3. The proposed rule change is contradictory to recent changes enacted by PERA, whereby the adjustment to a 30 year eligibility period was made effective to employees HIRED after a certain date, keeping its promises to workers that were hired earlier on the Tier 1(25+ year plan). This was done rather than changing the rules for workers nearing their retirement eligibility. Changing the Retiree Healthcare subsidy eligibility age requirement means that employees under Tier 1 of PERA may have to juggle conflicting eligibility dates for retirement. This complicates retirement planning exponentially. While PERA clearly did not intend to force a 30 year retirement on the employees falling under Tier 1 PERA plans, the proposed change to 2.81.11 NMAC does just that in many cases.
4. I feel that the changes to 2.81.11 NMAC have been discussed and planned with little communication to active workers who will be affected, and who have a role in funding this program. I don't recall being made aware of the proposed change in the past 4 years (since this measure was first addressed) through any communications from NMRHCA. Should the Board wish for support from the employees they intend to serve, a more concerted effort to keep us apprised would be highly beneficial, and would also allow active workers and recent retirees to more effectively plan their retirement.
5. Finally, the New Mexico Legislature significantly reduced revenue to the retiree healthcare program during the October 2016 special session (\$50 million dollars over the first 5 years, \$350 million over the life of the trust fund, according to the NMRHCA Winter 2017 Newsletter). However, recent reports find that the state's financial position has improved considerably, with a proposed new state revenues of up to \$1.17 billion, by some projections. Given that state employees have received only one pay increase over the past several years, but benefits continue to erode, perhaps it's time to make a concerted effort to regain some or all of that lost funding.

I respectfully ask the Board to consider applying the changes to workers who retire after January 1, 2022 (or more optimally, January 1, 2024), to allow a three (or five) year grace period for those employees nearing retirement eligibility, and allow workers more time to plan for the effects of the changes.

Best Regards,  
Leigh Martinez  
10/4/18

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This retirement insurance was expected as agreed upon when I applied to the City over 21 years ago. I feel that it is highly unethical for (NMRHCA) to propose and renegotiate an employment benefit that was promised when starting employment. If anything this is something you could start with new incoming employees who know what their getting themselves into beforehand, instead of penalizing and blindsiding the current employee's this new rule would affect.

I highly oppose this new proposed rule and I respectfully ask for State Government to reconsider. Please realize that this new rule will affect so many hard working men and woman that have done their due diligence and expect the Government to keep their word as promised. Also I would like to add some of these members that this will affect could be dealing with illnesses and it will hinder their quality of life, obviously none of us can go without insurance and so forcing us to work longer than 25 years, and or to get another job with benefits. This rule is highly unreasonable, please do the right thing and DO NOT pass this new rule.

Thank you for your time and consideration in this extremely important matter.

Connie Sedillo

10/4/18

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I wish you would consider grandfathering current employees into this and have this proposed change affect new employees. This was the approach taken by PERA a few years back. It seems fraudulent to have the proposed change, as is, go into effect. A great number of people will be forced into retiring due to this when in fact, they had intentions of working longer.

An additional option to go hand in hand with grandfathering current employees in would be to increase the rates. I think current employees would be more open to these changes than the ones currently proposed.

Please reconsider.

Dimple Tafoya

Albuquerque

10/4/18

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What the rule change means to me is that our City Manager, who is currently 44 years old and has been with the City for 26 years, will have to retire from PERA by January 1, 2020 to be able to get the benefit of the subsidy that is currently in place. The employees of the City who have been here a long time have been paying into retiree health care since inception. That means that I personally have been paying into it for about 28 years. It won't affect me, because I am over 55 years of age, but the new talent in the positions we have (like City Manager) will have to leave.

That really is not a good plan. I feel that there should be another way to bolster NMRHCA. Insurance premiums will continue to increase, because that is how it is going to be as long as the markets are what they are and people in charge are blind to those who have nothing. Those who cannot afford health insurance will just not have it at all.

Put me down in protest of this proposed rule. I urge you to look at another way to help the Authority instead of pushing good quality employees out.

Joan Martinez-Terry

Portales  
10/4/18

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I currently work at New Mexico Behavioral Health Institute in Las Vegas. I am a nurse and have been working at this facility for 23 ½ years and I am eligible for retirement in 1 ½ years and I will be 45- 46 when I can retire. The proposed rule regarding the implementation of a minimum age requirement and an increase in creditable years of service to receive the maximum subsidy would affect me. This rule change would force me to retire early and/or it could force me to stay an additional 10 years to retain insurance coverage. I was hoping to stay employed with the State of NM an additional 3-5 years but not 10 years. With this rule in effect I would be retiring at 30 years and this is not what I signed up for 23 ½ years ago. The cost of living raise already affects me in which I must wait 7 years and that as well might be taken away and that would be another down fall for me.

I am hoping that this is not proposed because this is unfair and would cause me and other state employees to retire early or stay additional years. I did start working for the State of New Mexico at a young age and will be young when I do retire. I feel that I should not be punished due to my age. If this rule is proposed, then please consider those that are near retirement to be allowed to continue with the current rule and propose a different date other than 2020.

I greatly appreciate you taking the time to read this and if there is anything further I can help with let me know.

Respectfully yours,  
Dana Montoya  
Las Vegas  
10/5/18

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Please accept the written comment on the rule proposal listed below:

**2.81.11.10 AGE REQUIREMENT FOR SUBSIDIES:** Except as otherwise provided herein, for eligible retirees who are not members of an enhanced retirement plan and become eligible for participation on or after January 1, 2020, the minimum retiree age requirement to be eligible for subsidie.

I would like express a strong opposition in the proposal of the new language adding an age requirement for retirees. I completely understand the need for solvency of the program but at the same time I have been paying into Retiree Health Care (RHC) for 22 years which is unfair to add an age requirement to receive subsidies. I am eligible for retirement in August of 2021 but have been debating if I should work the 26 years eight months to help with the cost of insurance since I carry the insurance for my family. I contacted PERA to verify what my option would be to retire by January 1, 2020 and unfortunately there is not an option to make that happen to meet the requirement proposed in 2.81.11.10. I would have to work an additional eight years to accommodate my insurance needs if this proposed rule is adopted. I reached out to the staff at

RHC and was informed if the rule was to pass, that I would be eligible to enroll in health care insurance with Retiree Health Care, but I would not receive any of the benefit of the money that I have been paying into the plan until I reach the age of 55 which means I would have to pay full price for the insurance until 55. My concern is the issue of affordable health care for my family and I can project that if this rule is to pass this would adversely affect individuals who do not meet the Age requirement and retire by January 2020. Please consider a grandfather clause for those of us who were fortunate to begin the workforce in State Government at an early age who will not meet the age requirement of 55 at the time of eligibility to retire. I am a mother of twin boys who are 3 yrs old and was looking forward to retiring in the near future to become as involved with their education and volunteer as much as possible. I honestly will have to reevaluate my plan since the cost of Insurance privately or with RHC with no subsidie may be unobtainable! On a positive note, I do appreciate the work involved and the research to ensure the RHC fund is solvent but I also think we need to plan to make healthcare affordable at the time of retirement. Another suggestion is make changes to the rules that do not affect those that are vested State Employees and only affect employees who are not vested?

Respectfully,  
Annette Thompson-Martinez  
10/5/18

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Dear NMRHCA:

I am writing to respectfully oppose the proposed rule change to add the minimum 25 years of service and 55 years of age to qualify for the full health care subsidy. Unfortunately, health care costs and retiree insurance is already a major cost during retirement and will become much higher for those who don't meet these new standards.

Like most of the comments I have read, I have would be personally affected by this change. I had planned to retire in late 2020 with 22 years of service and 62 years of age. The rule change will probably make that impossible and I will need to retire earlier than planned before the change takes place, or work the full 25 years of service. Either way is not ideal for me - either too early or too late.

From a policy standpoint, it seems this rule will help stabilize the fund (which I assume needs to be done) on the backs of a small percentage of state workers. Couldn't we find a way to balance the budget that is spread across all retirees? Additionally, adding another barrier to people leaving when they are either burned out or just not wanting to be there lowers the quality of state work and delays advancement for workers who are excited about their jobs and deserve to move up.

I appreciate the opportunity to comment and hope that the Authority can come up with a more fair method of protecting our retiree healthcare fund.

Respectfully,  
Daniel Burke  
10/5/18

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Please do not change or amend this rule, as these rules would negatively affect many teachers that are on alternative licensure (like me) and this rule would probably lead to teachers like me not choosing education as an option. I VOTE NO!!! Leave it at 20 years of service not 25!

Brandi Jaure  
10/6/18

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Please accept this email as my opposition to the proposed Retiree Health Care age requirement. I started teaching at age 22, and after 25 years of service I will be legally eligible to retire in 2024 and be the age of 47. While I may continue my teaching career past 25 years of service, I strongly oppose this change to when I can apply for Retiree Health Care. I have been looking forward to the time when signing a new contract is a choice rather than a necessity. Mandating more years from people who have already given their required years of service for their retirement health care should be considered a crime. Why shouldn't this be started for people entering the profession now. Similar to changing the number of years of service so that retiring teachers will already be 55 years of age. Changing the rules when many teachers are approaching the end of their required years is going to force the most highly experienced teachers out of the work force. What a shame for students and the profession in general. Please consider me as a strong NO to the proposed change.

Sincerely,  
Teresa Nienhueser  
10/7/18

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Dear Retiree Health Care Authority Board,

I write to you today to implore you to not implement the proposed rule change to 2.81.11 Subsidy Level on Basis of Years of Service. This rule change would impact all teachers in the system who are under the age of 55. I entered teaching in New Mexico as a fresh-faced 23 year old returning home from college in California, and since then I have paid into the system for each of my 26 years of teaching, and I still love the profession. However, now I am faced with the question of should I retire this summer and have my healthcare partially paid for or wait a few more years and have to pay the full premiums until I am 55. I have been rated Exemplary by the PED, and I am still making an impact on my students' lives daily, but the thought of having to pay \$500 a month for healthcare until I reach 55, seven years away, is daunting.

I knew when I entered education that I would not make a lot of money, and I realized that I would make even less returning to New Mexico, but I believed that I would be rewarded for these choices through a strong pension and stable healthcare. Now, I feel like the victim of a bait and switch affecting those of us who entered the profession at a young age. In the midst of a teacher shortage, this rule change will encourage us who are mentors to retire early and will discourage students from entering the field of education. A person entering teaching at age 22

will have to work for 30 years for retirement, and then work another 3 years for healthcare is neither feasible nor sustainable. Sadly, with this rule change, teaching will be seen as a second career instead of a first.

Please vote NO on this rule change. New Mexico is in a state of crisis in education, and this unreasonable and unfair rule change will not help our state.

Thank you,  
Kimberly K. Chase  
Albuquerque  
10/8/18

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I have been a public servant since the age of 18, and started my career in 1995 with the City of Albuquerque. When I started my career as a public servant I was guaranteed certain benefits upon the completion of 25 years of service regardless of age at retirement. I am deeply concerned regarding the proposed change to the age requirement of 55 for 100% subsidy of health care coverage offered through NMRHCA with an effective date of January 1, 2020. I am eligible to retire February 2020, I will be 43 years old. With the proposed change I will not receive what I was guaranteed and offered as part of my retirement package plan when I was hired. If the proposal is approved, the age requirement would be discriminatory against younger Tier 1 PERA retirement eligible public servants throughout the State of New Mexico who are under the age of 55. This proposal will have a tremendous impact on my future and many others who fall within the same age category and retirement eligibility tier. My retirement goal was to retire with 30 years of service. Any additional years of service above 25 would make me eligible to earn up to 90% of my pay upon retirement. If the proposal is approved and I choose to work an additional 5 years for a total of 30 years of service I still would not meet the age requirement of 55. Any additional earnings made would go towards paying the unfunded subsidy or I would have to work an additional 7 years for a total of 37 years of service to be eligible for 100% subsidy of health care coverage offered through NMRHCA. In order to receive the benefits I was guaranteed and offered upon my acceptance of employment I will either have to work an additional 12 years of service or be forced into buying " Air Time" to retire before January 1, 2020. If I am forced into retirement my capability to earn above 75% of my pay would be taken away from me. I would like to strongly recommend that the NMRHCA Board reconsiders the proposed age requirement as it is discriminatory and penalizes Tier 1 PERA retirement eligible public servants under the age of 55. I would also like to proposed that the NMRHCA Board utilizes the PERA Tier 1 and 2 retirement eligibility requirements as a guideline on how to amend eligibility requirements for subsidy of health care coverage. I look forward to attending the hearing on October 19, 2018 to voice my concerns.

Best Regards,  
Janel Shisler  
10/9/18

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On behalf of all public servants of the beautiful state of New Mexico, I vehemently oppose the proposed rule changes to increase the years for maximum subsidy and for the establishment of a minimum age requirement of 55 to receive subsidy for coverage. These proposed changes would negatively affect the hard-working state, city, county, town, village, and educational employees under the umbrella of PERA and ERB.

We should all want the best for the New Mexicans who spend their lives dedicated to public service. This is most onerous on the employees who started their public service career early and \*gasp\* may have to wait another 10 years to retire to afford health insurance for themselves and their families. This is simply not fair. #WeHaveServedOurTime

Sincerely,  
Monica F. Maestas  
10/9/18

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I recently read about the changes that are being proposed to have employees under age 55 pay the extra 300 a month to cover medical insurance. This is an unacceptable burden that will cause me to not retire on time. I am a few years away, but like most, I have made plans with the understanding of exactly what my finances will be. Paying 300 dollars more a month will be a life changer and all plans will have to be reevaluated. It's simply not the way employees should be treated.

Please reconsider the impact this will have on many families.

Sincerely,  
Steve Castille  
10/9/18

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I wanted to go on record to say that I totally oppose the retiree health care rule changes. As a 23 year employee with NM State government this is a bad idea. The changes in NM state government are hurting our recruitment of quality individuals. These changes are also punishing individuals like myself that has dedicated a career to the state.

Please vote to not change our retiree health care  
Donald Griego  
10/10/18

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A notice from the New Mexico Retiree Health Care Authority was sent to employees around the state stating changes to 2.81.11 NMAC are being considered. The main concern in the notice is the consideration of the age of eligibility for retiree health insurance to the age of 55 effective

January 1, 2020. This is a concern for many employees with the state, including myself, due to the fact they are eligibility to retire prior to the age of 55. With the age being increased above the age of eligibility to retire leaves those in my position with the following options.

1. Continue working longer than their expected date of retirement they were told when accepting a position with the State of New Mexico
2. Retire on their expected date when accepting their position with the State of New Mexico and find another job just for the fact of having health coverage
3. Go without health coverage and hope there is no need for health coverage.
4. Quit their current position now and pursue another career other than the state or teaching careers and begin receiving their retirement when their age and years of employment coincide with their eligibility
5. Possible legal actions

Many informed employees understand the fact this is being considered to compensate for the change in PERA retirement eligibility enacted in FY11 for any state employee who is not a law enforcement officer to be changed to a Tier2 retirement plan requiring age and years of employment to equal 85 rather than the previous Tier1 employee who is eligible for retirement at 25 years of employment. Even though the proposed change is for the age of retirement to be 55 this would force many employees to retire well after 30 years working for the state.

For instance, someone working for the state shortly after graduating college with a four year Bachelor's Degree and start working for the state at age 22, the typical age of a recent graduate with a Bachelor's Degree. If an employee started working at age 22 and fell into a Tier1 retirement worked their 25 years resulting in them being 47 years in age. Even if an employee elected to work three years past their retirement eligibility to maximize their retirement fund percentage they would only be 50 years old. This would still cause a gap in insurance coverage between the age of retirement and eligibility of coverage as it is being proposed. If a person started at an age under 22, say 18 years old, would have a larger gap in service. If the proposal were to pass a choice would have to be made by employees listed at Tier1 retirement scale as listed in choices #1 through #4 as listed above. There are more employees than you may think who fall into this category.

Now if they were to fall into the Tier2 category and began working at the age of 18 right out of high school their eligibility would still not apply. It would take a person starting at that age 33 ½ years to become eligible for retiree health benefits and the rule of 85 would not apply. That number would be 88.5 instead of 85. This would however give more incentive for someone to maximize their retirement and retire at the age of 55 at the same time.

In order to have this proposal to work an employee would have to fall into the ages listed in the ages listed on the next page to follow the proposed age and the rule of 85 as in Tier2 in PERA. This rule states the age when a (age of person at retirement) + (Number of years worked) = 85

Age when beginning employment with State of New Mexico	Age at retirement + Years Worked= 85	Additional years to work until 55
18	51.5+33.5=85	3.5
19	52+33=85	3
20	52.5+32.5=85	2.5
21	53+32=85	2
22	53.5+31.5=85	1.5
23	54+31=85	1.0
24	54.5+30.5	0.5

The data mentioned above explains the concern regarding options #1, #2, and #3 above, but now I will explain a huge concern with #4.

One of the biggest concerns for the state now is retention of state employees. Causing employees to quit a job solely due to changing their eligibility for retiree benefits would not be a wise decision on retaining employees with experience in their fields of expertise. Due to falling into the Tier1 category, I know I would consider choice #4, to quit now find another career outside of PERA and start receiving my state pension at age 65. I still have time in my life to start another career using my experience from the state for the private sector and have two pensions instead of one pension. In addition to doing this I would still be eligible to obtain my retirement benefits as stated in the proposal. Some would say at 65 a person would be able to receive Medicare. However, due to the way healthcare is going now there may not be a viable option to use Medicare in the future, thus remaining on retiree healthcare even though this may not have been considered in the initial proposal for changing the eligibility for retirement services at age 55.

Now regarding option #5 is simple. This can be seen as discrimination towards someone due to their age (not being old enough to work) which could be seen as violating federal law. Granted the law was passed in order to avoid discrimination against hiring those who are 40 year old or over, but there could be a stand showing the discrimination can go the other direction as well. Everyone who is a state employee is required to read the policy about discrimination against age, sexual orientation, gender, religion, ethnicity, and disability. If a person is qualified for a job and is the best candidate for a position, but their eligibility for retirement is under the age of 55, couldn't that be seen as discrimination as stated in policy and procedure? Forcing someone to work longer than others because they are "too young to retire", isn't that discrimination?

In order to avoid this whole ordeal it would be a great idea to rethink this before actions are made. Losing employees because they are upset about having their retirement dates changed after they accepted a date of starting a position (and retiring from said position) with the State of New Mexico is not a wise way to retain good employees. There is one option that can happen, but this would have to be approved through PERA, is to increase the percentage of

retirement maximization. This is a large task to overcome and would take years to propose, process, and implement if PERA were to agree to such a proposal.

I thank you for your time and I hope what I have stated in this letter is considered in the discussion of the proposal.

Respectfully,  
Stephen Quickel  
10/10/18

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This letter is in regards to the proposed change to existing rule 2.81.11NMAC-Establishing subsidy levels on the basis of years of creditable service.

I have worked for the State of NM Public Health Division since 5/12/1993. I am currently 48 years old and this would affect me because I am a tier 1 employee for retirement with the State.

When I hired on with the State, I did so partly due to the fact that I could retire in 25 years and have retiree healthcare. I am eligible for retirement May 1, 2019.

However, I am a dedicated employee and want to work longer, perhaps 2 more years, which would make my retirement May, 2021. I am the only nurse practitioner in the Southeast Region for Public Health and have a great relationship with my patients and co-workers. I feel the Southwest Region and patients would suffer if I retire in 2019 just so I can have health insurance.

I am divorced and have an 18 year old daughter who is in college and enrolled on my health insurance. This would be catastrophic for us to have to pay for insurance through the marketplace due to my level of income if I stay until May, 2021 and then am forced to purchase health insurance because I won't be 55 years old.

I am strongly opposed to the amendment rule of 2.81.11 NMAC Establishing subsidy levels on the basis of years of creditable service.

Sincerely,  
Ronda Anaya  
10/11/18

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My name is Paul Montano, I live here in Las Vegas New Mexico for most of my life and love the area and the people. I attended school here and raised my family here in the beauty of Northern New Mexico. I started working in the 70's for my grandparent who ran a local grocery store whom worked hard for his money and provided for many families around the surrounding areas. I lived through and experienced what it was to spend many hours and expend much energy towards what we knew was important while helping the community and family grow. I surely

have and continue to learn to appreciate the understanding of hard work and the rewards at the end of a good day of work.

I am grateful for my job and I continue working since that young age and have experienced the rewards of helping others in this community where I grew up and presently reside. Through my employment, the State of New Mexico has offered and provided me much in what I consider a family of love and understanding with offering my expertise in developing and providing the best service I can in order for many individuals throughout my 23 years of service here at New Mexico Behavioral Health/CBS/PSR.

I am very concerned over the proposed rule of the minimum age limit being set by NMRHCA which is contradictory to the PERA retirement rules of 25 (Tier I) and/or 30 (Tier II) years of service. It seems all of the hard work over the years will be put on hold especially the provision of health insurance I honestly earned and have personally invested in over the years. I do understand some issues of this situation but I believe this proposal will cause more problems for myself and my family since my wife no longer works and I cover the insurance for the family. I will soon be eligible for retirement in a few years but the reward will not be there when I do reach the 25 years. This proposal would be depressing and very disheartening if it would pass and I will have to work for a longer period of time suspending my precious family time and not having the comfort and assurance of providing the proper health care for them.

Please reconsider this action and not pass this proposed rule since it will have a lasting impact on me and my family now and in the future.

Thank you.  
Respectfully,  
Paul Montano  
10/11/18

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