



# Jayhawk Chapter MOAA Newsletter



This newsletter is published bimonthly by the Jayhawk Chapter of Kansas, Military Officers Association of America, as a service to all members. The Jayhawk emblem is used with the permission of the registered trademark owner, the University of Kansas.

## July Program:

Our guest speaker will be President Pat Long of Baker University.

★★★★★ CHAPTER  
awarded for  
2002 / 2003 / 2005 /  
2008 / 2009 / 2010

★★★ CHAPTER  
awarded for  
2004 / 2006 / 2007

## President's Message . . .

### GREETINGS,

Welcome to our new members: John Arnold, Graham Kreicker, Duke and Carol Hester, and Bill and Peggy Roth.

Our May speaker, Tom Keegan, presented a colorful insight into his career as a baseball journalist and Lawrence Journal World sports writer during our dinner meeting. His background in baseball writing covered the Baltimore Orioles and the New York Yankees. His knowledge of players, coaches and owners produced personal insights into some of baseball's greatest personalities such as Reggie Jackson, Yogi Berra and George Steinbrenner. Tom relayed numerous antidotes about KU football coaches Mangino, Gill and Weis. Hopefully, KU football will be better under Weis's leadership. Tom's assessment of Bill Self was very laudatory; he stated our basketball team is a classic example of Self's leadership skills. Tom also recounted personal stories about KU football and basketball players. Chapter members had an enjoyable time.



John Halladay continues to provide us with MOAA's appraisals of current legislative matters. The 2012 election is starting to get underway and it is important that we all make our voices heard. Your vote is essential to continue our freedom and choice of elected Officials.

Through the local newspaper and social gatherings, we have learned that Dean Bevan and John Mossier have been seen in local theater productions. Congratulations on your fine performances. Summertime gives us many chances for vacations, hobbies and enjoyable times. Please continue to let Shirley Halladay know about your good times so that she can report them in the newsletter.

Our July speaker will be Pat Long the President of Baker University. President Long will provide us with some insights into the workings of her fine University just to our south. As we all know, Baker has an outstanding reputation in academic circles and an excellent sports program.

*Bob*

## Volume XVII, Issue 4

1 July 2012

### Staff:

- President:  
Maj Robert Johnson, USAF (Ret)
- 1<sup>st</sup> Vice-President:  
COL Dean Bevan, AUS (Ret)
- 2<sup>nd</sup> Vice-President:  
RADM H. Edward Phillips, USN (Ret)
- Secretary:  
COL John Halladay, AUS (Ret)
- Treasurer:  
CAPT James Cooper, USN (Ret)
- Past-President:  
CAPT Thomas Arnold, USN (Ret)
- Directors:  
COL John Connolly, USA (Ret)  
COL Charles Heller, USA (Ret)  
LTC Gerald Rutledge, USA (Ret)  
LTC Storm Reynolds, ROTC
- Newsletter Editors:  
COL John & Shirley Halladay
- Web Master:  
Lt Col Stanley Sneegas, USAF (Ret)

### Inside this issue:

July Program	1
President's Message	1
Jayhawk Chapter News	2
Army News	2
Navy News	-
Air Force News	3
Council of Chapters	4
MOAA Legislative Updates	5
Dinner Reservation Form	11
MOAA calendar & websites	12

**\* Reservations should be sent  
to Jim Cooper by  
12 July**



## ***JAYHAWK CHAPTER NEWS***

### **From Dave Darwin:**

The past few months have been very good.

In March, I was inducted as a member of the inaugural class of Fellows of the Structural Engineering Institute (SEI) of the American Society of Civil Engineers (ASCE). This was a special honor because none of the 64 members of the inaugural class (1/3 of 1% of SEI) had to apply. In the future, individuals will have to submit an application to be elevated to the grade.

Also in March, I was informed (personal call from the Executive Director) that I had been selected as a Distinguished Member of ASCE, the highest grade of membership in the Society. I will be inducted in October at the ASCE Annual Conference, held this year in Montreal, Canada. A few facts: In the 160 years since the founding of ASCE, there had only been 615 Distinguished Members prior to the election of this year's class. ASCE has a total membership of about 120,000, and the maximum number elected in any one year may not exceed one for every 7500 members in the Society. This year's class has 11 inductees. The best I can tell, I'm the third Distinguished Member from Kansas (at least back to 1950).

Finally, in April, I received one of the very first Leading Light Awards from KU (thus, another inaugural class), which recognizes recent recipients of externally funded awards of \$1 million or more. The award consists of a bronze sunflower - very nice. You are eligible to win the award more than once, but you can receive only one sunflower!

Well, that's enough bragging.

### **From Justin Sadowski:**

I have just returned from Alaska where I was visiting my girlfriend who lives in Fairbanks. We drove there from Omaha, NE, stopping a few times to see her family in South Dakota and then heading north through Canada. The drive was, as you can imagine, long but we saw lots of wildlife and enjoyed the time spent together. This is the cabin her parents are putting up in the backwoods.



### **2012 Chapter Directory:**

The Chapter Directory was distributed at the May meeting and e-mailed/snail-mailed to those who were not present. If for some reason you did not receive your copy, please let us know.



## ***Army News*** ***LTC Storm Reynolds, USA***

### **Greetings Jayhawk Chapter!**

We won't have an article in this edition's newsletter. All my cadre are at summer camp and I have experienced several weeks in Cambodia.

***JAYHAWKS LEAD THE WAY!***

***LTC Storm Reynolds***



## Navy News CDR John E. Clark, USN

### Greetings from the Jayhawk Navy!

It was a great day in Kansas as the KU NROTC finished the spring semester in high spirits and eagerly welcomed the newest Navy and Marine Corps officers.

MIDN of the Jayhawk Battalion were busy as they pursued excellence both in the classroom and throughout the community.



The entire Jayhawk Battalion gathered to celebrate the commissioning of nine Ensigns and four 2<sup>nd</sup> Lieutenants at the University of Kansas Joint Commissioning Ceremony held May 14<sup>th</sup>. Family and friends shared in the excitement of the new officers as they took the stage to pin on their new rank insignia. Commenting on the occasion, navy pilot trainee Ensign Brenner Schap said, “Today is the culmination of my efforts for the past eight years. It is a day I will remember forever and I am proud to share the moment with my family.” Nurse Option Ensign Tammy Spears added, “I am so glad to finally get to work helping sailors and Marines.”

In other news, the Jayhawk Battalion participated in the annual Combat Fitness Test (CFT). The test, which consists of a series of obstacles including crawling, ammo can shuttles, buddy carries and dummy grenade throws tested the endurance and strength of our future officers.



To the left MIDN Ivan Babkov completes the course under the direction of newly commissioned 2<sup>nd</sup> LT Brian Griffin. “The course is a true test of physical strength and endurance, and also tests mental toughness,” Babkov commented. The Jayhawk Battalion routinely engages in physical activities such as the CFT to build camaraderie and develop the physical fitness of these future officers.

As a new semester and the arrival of new shipmates approaches, you can be sure that the support that MOAA offers to our young men and women is integral to their success. With that the KU NROTC would like to thank you for your continued support.

CDR John Clark



## *Air Force News*

### *LtCol Montague D. Samuel, USAF*

#### **Greeting from Det 280, the Flying Jayhawk Wing,**

It's summertime but the cadre and cadets have been busy...no rest for the weary.... Commissionings, Field Training, TDYs, a PCS, and a couple of possible deployments are all in our grab bag.

On Monday, 14 May, we commissioned eight new 2Lts in the Air Force:

Cadet Greg Germann

(Combat System Officer (CSO/Navigator)

Cadet Victoria Hagan (Force Support)

Cadet Rhianna Patrinely (Intel)

Cadet Renee Ruppel (Logistics Readiness)

Cadet Justin Sadowski

(Project Developmental Engineer)

Cadet John Sebes

(Aeronautical Developmental Engineer)

Cadet Stephan Thrun (Intel)

On Monday, 11 June, we commissioned Cadet Cara DiMarco (Intel). Cadet Matt Mecadon (Pilot) will commission later this summer. We are extremely proud of these young men and women.

We have 13 other cadets that are currently attending Field Training or will attend later this summer. Field Training consists of two parts: In-garrison training in Alabama and Air Expeditionary Force (AEF) (i.e., deployment) training in Mississippi. Completion of Field Training is a requirement for entry into our Professional Officer Course (i.e., advance/commissioning program). As our second year cadets work to clear this major hurdle ...we expect all to succeed..., the cadre has been dealing with transitions.

Maj Brian Schroeder and Capt Ben Smith were originally selected as alternates for Field Training AEF staff but were quickly moved to primary positions on the staff. Maj Schroeder departed following our May commissioning and has been enjoying the nice warm weather in Mississippi. He returns in July. Capt Smith departs for Mississippi in July prior to Maj Schroeder's return. Capt Smith returns in August, after classes start.

As mentioned in a previous newsletter, TSgt Kip Gomez returned from deployment but he will be departing us soon. He has been selected to fill a position at our Northwest Region headquarters in Colorado Springs, Colorado. He departs in August. His leadership, dedication and expertise will be sorely missed. However, we wish him "Best of Luck" at his new assignment.

As TSgt Gomez transitions to his new assignment, we wait on word regarding possible deployments for SSgt George White and Capt Smith. Both are in their deployment window. As you can see from the discussion above, deployments are a normal way of life for Air Force personnel. Because of this, training for our cadets now includes what the Air Force terms "cross-cultural competence" training. The Air Force formal definition of "cross-cultural competence" is *"the ability to quickly and accurately comprehend, then appropriately and effectively act in a culturally complex environment to achieve the desired effect — without necessarily having had prior exposure to a particular group, region, or language"*. Part of this means being culturally diverse. Below is an article by Capt Smith about diversity in a combat zone that he shared with our cadets.

#### ***"Diversity is helping the United States Air Force win the war on terror in expeditionary environments"***

"Diversity and multiculturalism are more prevalent today, in contingency theatres of operations, than most Americans know. Today's deployments are a fact of life for the Air Force and we are an expeditionary force in every sense of the term. I was reminded of this last year as I traveled all over Afghanistan providing oversight for services during the summer surge for over 10,000 US and Coalition troops. I was tasked with overseeing



contractor performance for Forward Operating Base security, water production, food safety and security, camp construction, power generation, hospital construction, road maintenance, helicopter refueling, Afghan Army mechanic training, weapons maintenance, and yes even latrine cleaning inspections.

From that experience, I would say that day one in the warzone was the most shocking. Besides the incredible heat and overpowering smell, is the fact that you are part of a melting pot. You have to learn how to work with your fellow services, as well as other countries, to get the mission accomplished. It is not just other military members that add to the dynamic, but civilians as well. It is truly shocking to see not just American contractors but contractors from India, Serbia, Pakistan, England, South Africa, and dozens more working together. In fact, on some bases, it can be as high as 80 to 90 percent non-American contractors that provide support for US and Coalition troops. Many of them have been 'over there' helping with the war effort since the beginning.

I truly find it amazing how a civilian contractor can move into that environment and not just create continuity and support, but also create a completely unique culture that exists nowhere else in the world.

This diverse team has brought an entirely new energy to contingency environments, and without them, the current landscape and effort would be almost unrecognizable. I have traveled all over the world, and in my short career I continue to be fascinated by how much diversity truly plays a role in winning the war on terror." *Capt Smith*

As you can see, lots of activity at Det 280. As for upcoming events, we are in the planning stage of our Det 280 Alumni Weekend. We've tentatively scheduled Alumni Weekend to coincide with the Homecoming football game...more info to follow as we work out the details. Also, be on the lookout for more information regarding the KU Hero's Day football game, scheduled for 15 September, KU vs. TCU.

MOAA Jayhawk Chapter, thank you again for your support.

Very Respectfully,

**AIM HIGH – FLY, FIGHT, WIN!**

*Lt Col Montague D. Samuel*

## KANSAS COUNCIL OF CHAPTERS

With proposals for drastic fee increases to health care, I urge all to respond to MOAA's Alerts.

Next Council meeting is Aug. 4th at the Lawrence Country Club hosted by the Jayhawk Chapter beginning at 10:30.

Very best,

*Tony Pimentel, Council President*

## MOAA LEGISLATIVE UPDATES

This is a summary of the many items MOAA produces each week on legislative activities.

Those who have e-mail receive the full Legislative Updates each week.

### MOAA's LEGISLATIVE UPDATE for April 27, 2012:

#### White House Announces GI Bill Watchdog Measure

Today President Barack Obama will sign an Executive Order at Fort Stewart adopting several MOAA recommendations on an oversight plan for the new GI Bill.

MOAA along with other Veterans Service Organizations (VSOs) and Military Service Organizations

(MOSs) created a list of potential initiatives for the White House to consider in building an interagency plan to protect active duty servicemembers, reservists and members of the National Guard, veterans and family members who seek to use their GI Bill and Tuition Assistance benefits to pursue higher education from unethical and predatory institutions of higher learning.

"Hundreds of thousands of returning veterans are taking advantage of the Post-9/11 GI Bill, which pays the full cost of education at any public college or university, a housing allowance and book stipend. However, some schools see only dollar signs on the backs of our veterans," Vice Adm. Norb Ryan, Jr., President of MOAA said. Any college - public, private or For Profit that unfairly preys on student veterans through false or misleading promises and poor quality programs should no longer get GI Bill or military tuition assistance funding.

"MOAA worked closely with education experts, service groups and members of Congress to craft a set of recommendations to strengthen oversight of the new GI Bill. We applaud the administration's announcement today of an Executive Order that incorporates several MOAA recommendations that will enable veterans to make wise choices, improve government oversight of the program and help stop predatory practices" Ryan concluded.

### **MOAA's LEGISLATIVE UPDATE for May 11, 2012:**

#### House Committee Acts on Health Care, Pay

Secretary of Defense Leon Panetta was quick to attack the Armed Services Committee's refusal to adopt the Pentagon-proposed broad array of TRICARE fee hikes for all retired beneficiaries. "If we're limited in our ability to put military health care costs on a sustainable track," said Panetta, "then [failure to approve the large fee hikes] would be making all of this more difficult to invest in new technologies that we believe are critical to the force we need for the future."

There you go again, Mr. Secretary -- blaming military retirees for the Pentagon's financial problems. If DoD leaders had spent as much effort correcting their own organizational and financial inefficiencies and mismanagement as they've spent in trying to shift the cost of their failures onto beneficiaries, the Defense Department and the country would be much better off.

There's still a long way to go in the defense bill process. The Senate Armed Services Committee is expected to begin drafting its version of the bill later this month.

#### MOAA President Defends Military Benefits

On Monday, MOAA President VADM Norb Ryan defended military people at a three-person debate on military pay and benefits at the Center for American Progress (CAP) in Washington, DC.

He sparred with Maj. Gen. Arnold L. Punaro (USMCR-Ret.), a member of the Defense Business Board, and Michael J. Bayer, former Chairman of the Defense Business Board, whose 2011 report recommended major cutbacks in military retirement. The panel was moderated by Lawrence Korb, Senior Fellow for CAP and former Assistant Secretary of Defense for Manpower, Reserve Affairs, Installations and Logistics.

The debate was over a new CAP study (of which Korb was one of the authors) that recommends cutting back on military pay raises, converting military retirement to a

contributory 401(k)-style system, and dramatically increasing TRICARE fees for military retirees.

Bayer said, "Until personnel costs are wrestled down to manageable levels, there won't be enough to fund other defense needs." He advocated a radical overhaul of what he asserted is "an archaic system of [military] pay and benefits", noting that 83% of military people leave service without any benefit.

Punaro said he agrees with MOAA that we don't want to return to the "erosion of benefits" era of the late 1970s, but still argued for significant benefit cuts for future entrants. He noted that military retirees' life expectancy likely will continue to rise another 6 to 8 years, "creating another huge financial burden for the country."

VADM Ryan countered that Defense leaders are "missing the forest for the trees" on these issues, and that the real focus should be on sustaining needed incentives for the 17% to stay rather than whacking their benefits to help the 83% who choose to leave.

"There's a reason only 17% stay for a career," Ryan said, citing the huge sacrifices inherent in a military career. "The 83% don't leave with nothing. Congress approved a GI Bill worth upwards of \$80,000 per person to help them with that transition."

He noted a 20-year NCO earns retired pay of only \$23,000, and that proposing big pay, retirement, and healthcare cutbacks "dishonors their service."

Watch MOAA's 3-minute video offering highlights of the lively panel discussion

#### Military Family Concerns Detailed

On May 10, Representatives Sanford Bishop (D-GA) and Cathy McMorris Rogers (R-WA) and Senators Richard Burr (R-NC) and Barbara Boxer (D-CA), co-chairs of the House and Senate and Congressional Military Caucuses, respectively, offered opening remarks at a meeting highlighting the release of new survey results on the views of military family members.

Over four thousand people took part in the on-line survey, sponsored by Blue Star Families, a national non-profit organization supporting military families. 68% of respondents were spouses, and 75% were affiliated with active-duty military personnel.

The single greatest concern (listed by 31% of participants) was changes to retirement benefits.

Asked about the effect of deployment on children, only 50% of spouses felt they had the resources to deal with deployments.

26% of spouses reported their service member displayed symptoms of post-traumatic stress, but 62% of those said the member did not seek help or treatment. 86% cited lack of confidentiality as reason for not seeking treatment.

Among families with special-needs children, respondents indicated DoD support is not adequate in helping such children deal with the operational tempo and military lifestyle.

Less than 50% of spouses are familiar with available resources to assist with spouse employment.

These issues should be prime topics for consideration by the DoD Family Readiness Council. Unfortunately, the Council (which is required by law to meet twice a year) has only had one perfunctory meeting since its authorizing statute was enacted.

### **MOAA's LEGISLATIVE UPDATE for May 25, 2012:**

#### Panel Rejects Most TRICARE Fee Hikes

On May 24, the Senate Armed Services Committee unanimously approved its version of the FY2013 Defense Authorization Bill. For the most part, it contains good news for the military community, but does leave some troubling issues.

Among other provisions, the Committee bill would:

- \* Bar the Pentagon from implementing proposed dramatic increases in retiree fees for TRICARE Standard, TRICARE Prime, and TRICARE For Life
- \* By remaining silent on the issue, it would allow the Pentagon to implement significant increases in pharmacy copays (e.g., raising the copay for retail, brand-name medications from the current \$12 to \$26 as of Oct 1, 2012, and eventually to \$34 by Oct 1, 2017).
- \* Approve force levels proposed by the Pentagon, except for a modest increase for the Air Force.
- \* Authorize a 1.7% military pay raise on January 1, 2013.
- \* Require appointment of a Military Compensation and Retirement Modernization Commission to make recommended changes in the military pay and benefits package, primarily for future service entrants, with special rules to expedite congressional consideration that limit debate time and bar any amendments. (MOAA strongly objects to limiting essential congressional oversight in this way on an issue so essential to long-term retention and readiness.)
- \* Cut \$660 million from the budget request for military construction and family housing.
- \* Require appointment of a commission to study the appropriate mix of active duty, Reserve and Guard components for the Air Force.
- \* Require a Pentagon report on the impacts of the sequester that will cut another \$500 billion from the 10-year defense budget, starting January 2013.
- \* Require civilian workforce cuts to generate savings equal to that of a 5% cut in military force levels.
- \* Require annual reports from each service on dwell time between deployments.
- \* Allow a PCS move for Selected Reserve members who are separated due to force reductions, but who fill critical vacancies in another Selected Reserve unit more than 150 miles from their home.
- \* Allow SBP-participating military retirees who waive their retired pay in favor of a survivor annuity under the Federal Employees Retirement System to stop paying SBP premiums.

- \* Codify space-available travel eligibility for active and reserve component members and their dependents, effective January 1, 2014. The provision includes "grey area" Guard/Reserve retirees but does not explicitly include survivors, as MOAA had supported. The Secretary of Defense would retain authority to designate additional eligibles and designate relative travel priority for the various groups.
- \* Authorize 180 days of TRICARE Standard coverage for members of the Selected Reserve who are involuntarily separated without cause.
- \* Authorize the Defense Department to put selected over-the-counter medications on the TRICARE pharmacy formulary and establish a copay for them.
- \* Require an annual report on access, cost and quality of health care for military dependents with disabilities and special needs.

#### Administration Opposes TRICARE Relief

Last week, the administration released a statement opposing many of the provisions included in the House-passed defense authorization bill (H.R. 4310).

Among several issues raised, the administration objected to provisions in the House bill that would:

- \* Prevent the administration from imposing the full range of its planned TRICARE fee increases
- \* Limit force reductions for the Army and Marine Corps to 15,000 and 5,000 per year respectively
- \* Prohibit additional rounds of Base Realignment and Closure (BRAC)
- \* Create a Unified Medical Command

The Administration letter said it considers the TRICARE fee increases to be important because "DoD needs these savings to balance and maintain investments for key defense priorities."

Multiple studies have shown a Unified Medical Command would generate significant savings.

As MOAA has said many times before, Defense leaders need to look at their own responsibilities for efficient management rather than simply shifting the cost to military beneficiaries because it's easiest to do that.

#### More House Defense Bill Details

We reported last week that the House finished up work on its version of the defense authorization bill, and included a list of a number of important amendments.

Several additional amendments were approved after our legislative update went out, including provisions that would:

- \* Extend foreclosure protections to servicemembers serving in contingency operations, surviving spouses of servicemembers who die from service-connected causes, and veterans with a 100% disability rating
- \* Provide behavioral health coverage to dependent children with autism through TRICARE

- \* Establish an online system for reservists to track their active-duty service and calculate the amount of early reserve retirement credit awarded for each tour of duty
- \* Expand a pilot program to help servicemembers transition by providing civilian credentialing, licensing, and certification for their military skills
- \* Establish a working group to improve pediatric care through TRICARE

#### VA/Health Care Funding Bill Moves Forward

On Tuesday, the Senate Appropriations Committee approved funding for VA and DoD health care programs for FY2013, including an integrated electronic health record system linking VA and DoD health records.

The legislation would provide \$104 million for the project. The Committee language directs the VA to submit a plan with deadlines and encourages the departments to use open-source architecture for developing the system.

The bill provides \$71.9 billion in discretionary funding for fiscal 2013 -- \$227 million more than fiscal 2012, but \$465.9 million less than the president's request. The bill also provides \$54.5 billion in advanced fiscal 2014 appropriations for veterans' medical care.

An integrated health record system between DoD and the VA would be a major step toward providing seamless transition for servicemembers and veterans, but previous attempts have failed to live up to expectations.

#### **MOAA's LEGISLATIVE UPDATE for June 1, 2012:**

##### Key Provisions in FY13 Defense Bill

The House passed its version of the Defense Authorization Act (H.R. 4310) on May 18th and the Senate Armed Services Committee approved its version on May 24th.

MOAA "Stormed the Hill" on three major issues this spring: reject disproportional TRICARE fee hikes; resist premature force reductions; and resist "fast tracking" military retirement changes.

Some of our storming efforts have proven successful...however; there is still a lot of ground to plow. The defense bill still needs to clear the full Senate; House and Senate conferees will need to reconcile the differences during conference, and then the bill must make it back through both chambers - all during an election year and a contentious fiscal climate.

MOAA will be reaching out to you over the next several months to help influence the process.

##### Disability System Still Not Seamless

On Wednesday, May 23, the Senate Committee on Veterans' Affairs held a hearing to review progress made in addressing shortfalls in the DoD and VA Integrated Disability Evaluation System (IDES).

Chairwoman Patty Murray (D-WA) held a similar hearing last year on VA's and DoD's efforts to improve wounded warrior transition. This week's hearing focused specifically on issues addressed by in a recent

Government Accountability Office (GAO) report and findings from an interim investigation conducted by the Committee staff, highlighting significant problems in areas of servicemember satisfaction and operational problems that prevent streamlining the IDDES process and achieving system goals.

"Now that the joint disability evaluation system has been implemented nationwide, I have to say that I am far from convinced the departments have implemented a disability evaluation process that is truly transparent, consistent, or expeditious," said Murray.

Murray told Defense and VA officials that the departments are "failing these servicemembers" and, officials agreed, a great deal more needs to be done.

More than 27,000 troops are in the IDDES and that number is expected to grow in the next few years as the war winds down in Afghanistan and the military downsizes.

Though officials stated that servicemembers are receiving VA benefits 79% faster under IDDES, GAO reports that cases continue to climb each year and take as long as 400 days to make a final disability rating decision. They also note that satisfaction rates among wounded warriors and their families are much lower than DoD reports.

MOAA, like the Committee, is frustrated to hear the departments are still wrestling with the same issues, and providing the same responses and fixes to improve the system. Directing more money, people and resources at the problem doesn't seem to be working. VA and DoD need to develop a consistent and accurate disability evaluation system that is not only seamless, but can be sustained during times of system surge and for the long haul as well.

##### Servicemember Protection Bills Move Forward

Two bills moved from the House to the Senate this week that would provide additional protections to servicemembers faced with deployments.

H.R. 3670, a bill sponsored by Rep. Tim Walz (D-MN), would impact the hiring of military personnel within the Transportation Security Administration (TSA) forcing TSA to comply with the Uniformed Services Employment and Reemployment Rights Act that requires employers to hold jobs for National Guard and reserve employees, called to active duty.

H.R. 4201, the Servicemember Family Protection Act, is sponsored by Rep. Michael Turner (R-OH) and would prohibit family courts from using deployment as a factor in determining child custody rights.

The TSA bill moves to the Senate, where companion legislation, S. 1990, is sponsored by Sen. Joseph Lieberman (I-CT) and has 27 co-sponsors.

The child custody bill also proceeds to the Senate but potentially faces an uphill battle as similar language has advanced seven times before only to fail to pass in the Senate each time.

## MOAA's LEGISLATIVE UPDATE for June 8, 2012:

### Changes Coming in TRICARE Rx Copays

Last week's legislative update summarized key differences between the versions of the FY2013 Defense Authorization Bills approved by the House (HR.4310) and the Senate Armed Services Committee (S.3254).

Both bills would effectively kill most of the Pentagon-proposed TRICARE fee hikes.

Beneficiaries age 65 and older won't see any enrollment fee for TRICARE for Life (TFL).

Beneficiaries under age 65 won't see any TRICARE Standard enrollment fee and won't see any increase in the Standard deductible.

Beneficiaries under age 65 will see only a 3.6% increase in their TRICARE Prime enrollment fee as of October 1 - the same percentage increase as the 2012 COLA, thanks to the COLA cap we won in last year's defense authorization act.

No beneficiaries will have their TRICARE fees means-tested. But there will be some increases in TRICARE pharmacy copays, and the only issue is how big the hikes will be. That's where the House and Senate bills take significantly different approaches.

The Senate bill is silent on the pharmacy copay issue. Since current law gives the Secretary of Defense authority to set pharmacy copays, the Senate bill silently endorses the Pentagon-proposed plan to more than double the copays this year, and triple them over the next five years.

The problem the Senate Armed Services Committee faced in stopping the proposed Rx copay hikes lies in Senate budget rules that require the Committee to find other offsetting cuts in either military retirement, survivor benefits, or other TFL benefits.

Why? Because the offset law applies to so-called "mandatory spending" programs, and that includes any benefit funded through a trust fund - which TFL is.

When the Pentagon proposed higher Rx copays for TFL beneficiaries, it reduced the budget for TFL spending by the government - with the difference made up by the assumed revenues from higher copays.

To reduce or bar the copay hikes, the Committee would have to replace the lost revenue by increasing government spending on TFL, and requires an offsetting spending cut.

The Senate didn't want to identify an offset - which meant letting Pentagon leaders double and triple Rx copays.

The House thought those copay increases were so bad that they reached an alternative offset that did three things:

It substantially reduced the Pentagon-proposed copay increases for FY2013

It put a statutory cap on any increases after FY2013, so that the percentage increase in Rx copays in any year couldn't exceed the retired pay COLA percentage

To pay for these, it established a five-year pilot program that would require TFL beneficiaries to use the mail-order system for at least one year to refill any

maintenance medications (waivers would be allowed under certain hardship or other conditions); after one year, beneficiaries could opt out of mail-order participation

Here's the bottom line -- compared to the DoD/Senate plan, the House-passed plan would:

- \* Cut retail copays by about 40% below the DoD plan
- \* Keep access to non-formulary meds in retail stores
- \* Cut mail-order copays by more than 50% for brand-name meds
- \* Cut mail-order copays by 25% for non-formulary meds
- \* Keep mail-order copays at zero for generic meds

While MOAA is no fan of mandatory mail-order use, we also acknowledge that more than 90% of those who use the mail-order system are very happy with it.

Without the House-proposed statutory cap on future increases, we'd be held hostage to bigger copay increase proposals every year. But if the COLA-based cap is put in law as the House proposes, Congress will be able to ignore any future proposed hikes above that rate - and won't have to come up with any offset.

At this point, the only options on the table are: (1) letting the Pentagon impose whatever copays it wants or (2) accepting the House alternative plan.

All things considered, MOAA believes the significantly lower copays and future protections of the House plan would be worth requiring a one-year mail-order trial for maintenance med refills.

After a one-year trial, everyone would recover full choice. Once they try it, we believe the vast majority of new enrollees will be pleased with the convenience and significant cost savings of the mail-order system.

### MOAA Answers Your Questions

Q: What's the next step in the defense bill process?

A: *The House of Representatives passed its version of the defense authorization bill on May 18th. The Senate Armed Services Committee approved its version on May 25. The next step is for the full Senate to consider, amend, and pass the Committee-approved defense bill. Senate leaders hope to bring it to the floor this month, but similar expressions of hope have gone unfulfilled in past years. So it could be this month...or it could be September, October, or even later before the Senate gets to it. Once that happens, House and Senate leaders will need to work out the differences in the two bills, and each chamber will have to pass the compromise version.*

Q: Why is MOAA supporting the House-passed defense bill provision that would require TRICARE For Life (TFL) beneficiaries to use the mail-order pharmacy for all prescription refills?

A: *The proposal wouldn't make it a permanent requirement and it wouldn't be for all prescription refills. It would require TFL beneficiaries to try the mail-order system for maintenance medication refills for one year. After a year, those that preferred not to use mail-order*

could opt out of the program. MOAA isn't thrilled with the requirement, but we think it's the "lesser evil" of the only two choices on the table - the other choice being to let DoD leaders charge beneficiaries far higher pharmacy copays. We think a one-year trial of the mail-order system is worth it to get significantly lower copays across the board and important protections in law against even larger hikes in the future. See the article above for more details.

Q: How long does it take to set up an account with the mail-order system?

A: *You should allow 2-3 weeks between registering for mail-order and the first delivery of medication.*

Q: How can I use the mail-order pharmacy if I need medication right away?

A: *The initial prescription fill can be made through a military or retail pharmacy. The mail-order system is only for refills. Emergency or temporary medications such as pain relievers, antibiotics, etc. would still be filled in retail or military pharmacies.*

Q: How would I start using the mail-order system?

A: *You start by registering with the system. That can be done on-line, but many prefer to talk to a real person by phone at 1-877-363-1303. You'll need a 90-day prescription from your doctor, vs. the 30-day prescription normally provided through retail stores. If you already have a 30-day supply of medication, you can mail or fax the 90-day prescription to Express Scripts, or the Express Scripts agent can help you have an existing 90-day prescription transferred to the mail-order system. If it's a new prescription you've never used before, take the 90-day prescription to the retail or military pharmacy and ask for a 30-day supply, then call the mail-order agent to have the prescription transferred to the mail-order system so you'll receive your first delivery in a couple of weeks. If your doctor electronically prescribes, as many do, the mail order pharmacy can accept these prescriptions also.*

Q: What happens when I use up the refills?

A: *The mail-order system provides you a reminder when it's time to order a refill (by email if you signed up on line) or when a prescription will expire. At your request, the mail-order agent will contact your doctor to get the prescription renewed.*

Q: What happens if my medication gets lost in the mail or otherwise doesn't arrive before my existing supply is about to run out?

A: *If you are low or out of your medication and need immediate assistance, contact Express Scripts Customer Service at (877) 363-1303. Express Scripts can issue an override that will allow you to pick up your prescription at the retail pharmacy or send you a replacement order.*

Q: I live in a very hot location. Won't medications be spoiled if they're left in a hot mailbox for hours?

A: *The mail order pharmacy takes special precautions with medications that can be effected by extreme temperatures. Coolers are used to protect certain medications against temperature extremes. Beneficiaries can request specialty processing and scheduled delivery if there continues to be concern about a cooler being left on the front porch.*

## **MOAA's LEGISLATIVE UPDATE for June 15, 2012:**

### MOAA Pushes Vet Legislation

The Senate Veterans Affairs Committee heard testimony Wednesday from government officials and service groups on 18 bills under the Committee's purview. Committee Chair Patty Murray (D-WA) emphasized the importance of the legislation for "ensuring veterans have every opportunity to jumpstart their careers when they separate from service" and to reinforce legal safeguards put in place to assist servicemembers and veterans.

Colonel Bob Norton (USA-Ret), MOAA Deputy Director of Government Relations, expressed MOAA's strong support for GI Bill 'watchdog' legislation, including S. 2241 (Sen. Murray), S. 2179 (Sen. Webb, D-VA) and S. 2206 (Sen. Lautenberg, D-NJ). The bills would improve reporting standards, consumer education, outcome measures and compliance with Department of Education standards for all schools that receive GI Bill and military tuition assistance funding.

Norton cited the Administration's recent Executive Order intended to improve government oversight of military and GI Bill programs and better differentiate schools that are providing quality credentials and service to vets vs. those focused mainly on reaping federal funds. He said these three bills would "go the next important step" by putting those requirements in law. Norton suggested that colleges themselves should focus on academic counseling, while the VA should focus primarily on benefits eligibility, health care access and non-academic counseling.

MOAA also endorsed several additional bills that would upgrade the Uniformed Services Employment and Reemployment Rights Act (USERRA), and Servicemembers Civil Relief Act (SCRA).

S. 2299 (Sen. Murray), S. 3233 (Sen. Casey, D-PA) and S. 3236 (Sen. Pryor, D-AR) would strengthen the enforcement of employment and reemployment protections for members of the National Guard and Reserve. S. 3179 (Sen. Jack Reed, D-RI) would extend mortgage foreclosure protections to surviving spouses after the death of a military member and for other purposes.

Norton said the nation's unprecedented reliance on the National Guard and Reserve is the primary reason why the USERRA and SCRA need to continually be reviewed and updated. Since Sept. 11, 2001, almost 850,000 reservists have been called to up on federal orders, and 264,000 Guard and Reserve members have served two or more tours of active duty.

MOAA also strongly supports S. 1852 (Sen. Merkley, D-OR), the Spouses of Heroes Education Act, which would allow Post-9/11 GI Bill benefits for the surviving spouses of those who died in service since 9/11. Norton noted that surviving children of such servicemembers are entitled to the new GI bill, but "unfortunately, we have left behind about 7,000 surviving spouses with an inferior educational benefit." He said the spouse often has the most urgent education needs to help provide for the family in the wake of a servicemember's death. MOAA feels strongly that the nation can better honor the ultimate sacrifice of its fallen warriors by helping surviving spouses deal with the daunting challenges brought on by their catastrophic loss.

Other bills of interest endorsed by MOAA at the hearing include:

- \* S. 2246 (Sen. Boozman, R-AR). The TAP Modernization Act would authorize transition assistance program (TAP) pilot projects to test providing services at locations away from active duty bases.
- \* S. 1798 (Sen. Udall, D-NM). The Open Burn Pit Registry Act of 2011 would establish a registry to protect Armed Forces members' health by documenting and tracking their exposure to toxic substances in combat theatre burn pits over time.

## MOAA's LEGISLATIVE UPDATE for June 22, 2012:

### New Pay and Benefits Report

Every four years, the DoD is required to study whether compensation levels are sufficient to "sustain recruitment and retention of the high-caliber men and women in uniform who serve our nation."

The 11th edition of the Quadrennial Review of Military Compensation (QRMC) issued its massive 900+ page report this week on military pay, benefits and retirement.

The QRMC asserted its preference for "Regular Military Compensation" (RMC) as the standard to construct a civilian-equivalent "salary" for the military. It includes basic pay, the national average housing and subsistence allowances for the applicable grade, and also includes the "tax advantage" realized because housing and subsistence allowances aren't subject to federal income taxes.

The Report notes that other compensation models have been adopted by earlier QRMC panels making consistent comparisons to civilian pay difficult. The QRMC recommends future reports to adopt the RMC standard for ease of comparison.

The 11th QRMC concluded that in 2009, RMC for the enlisted force corresponded to the 90th percentile of wages for civilians in comparable pay cohorts and for officers, RMC exceeded wages for civilians with a bachelor's or graduate-level degree.

The QRMC report offers some serious food for thought on these topics. MOAA agrees with some of the findings and recommendations but disagrees with others; we'll take a closer look at the Report in the coming weeks.

### Senate Hearing on Special Needs

On Thursday, The Senate Armed Services Personnel Subcommittee heard testimony on DoD programs and policies that support military families with special needs. The hearing was part of a review of the FY2013 defense bill, but committee members focused primarily on the issue of Applied Behavior Analysis (ABA) therapy for military children with autism.

DoD classifies ABA therapy as an "educational intervention" rather than medical therapy, thereby excluding it from coverage under the basic TRICARE Program.

Military special needs families with Autism Spectrum Disorder (ASD) may be eligible to receive ABA services under TRICARE Extend Health Care Option (ECHO). The ECHO Program provides additional benefits not otherwise available under TRICARE to eligible active duty families (including activated National Guard and Reserve) with special needs to covers costs of supplies and services necessary for qualifying medical and physical conditions.

Recently the Office of Personnel Management (OPM) determined that ABA for Autism Spectrum Disorders (ASD) is considered "medical therapy for the purposes of offering it to beneficiaries in the Federal Employees Health Benefits (FEHB) Program." This decision allows, but does not require, companies that provide health care coverage to civilian federal workers to offer ABA treatment.

Jeremy Hilton, a 2011-2012 MOAA Spouse council member, veteran and father of a special needs daughter, was among the six expert witnesses at the hearing. Hilton strongly believes if OPM now allows coverage of ABA therapy for children of federal employees, military children with autism deserve no less.

He testified on behalf of all military families with special needs and entered into the record more than 75 personal statements from military families with a special needs family member.

These statements highlighted issues such as:

- \* Lengthy state Medicaid waiver lists
- \* Losing ECHO coverage upon retirement (including servicemembers that are medically retired)
- \* TRICARE's classification of Applied Behavior Analysis (ABA) as an educational intervention rather than medical therapy.

DoD has requested the OPM study that resulted in the decision to classify ABA as a medical therapy. Dr. Karen Guice, Principal Deputy Assistant Secretary of Defense for Health Affairs, acknowledged, however, that it could take a "long time, up to six months" to review it.

Subcommittee Chairman, Senator Jim Webb (D-VA) concluded the hearing saying, "Our question, our burden is evaluating the methodology in order to determine whether this therapy is medically effective and, if it is, in these cases where it should be applied, there shouldn't be any question about what we do."



# JAYHAWK CHAPTER MOAA



A membership meeting will be held **Tuesday, 17 July 2012**, at the Lawrence Country Club.  
Dinner cost is \$22.00/meal.

**The Program:** Our guest speaker will be President Pat Long of Baker University

**Social Hour:** 1800 hours      **Dinner:** 1845 hours

**The Menu:** *KC Strip steak, mashed potatoes, vegetable, rolls, salad, tea or coffee and dessert*

Send your reservation and check payable to Jayhawk Chapter MOAA  
to arrive no later than **Thursday, 12 July 2012**, to:  
CAPT (Ret) Jim Cooper - 1115 Stone Meadows Drive, Lawrence, KS 66049-3961

**Dinner reservations are confirmed on Monday before the dinner.  
Cancellations, if necessary, should be made prior to Monday noon;  
otherwise, the Lawrence Country Club will charge us for those meals.**

If you have any questions, you may contact Jim Cooper at 842-7037 or John Halladay at 843-6184.

*cut here*

Yes, please make \_\_\_\_\_ reservations for me and my guests. (Spouse and other guests are welcome.)

The cost is \$22.00 per meal. I am enclosing a check for \$\_\_\_\_\_ for meal(s).

Clayton L. Comfort Award program contribution \$\_\_\_\_\_  
(**Separate check made out to "KU Endowment"**)

TOTAL: \$\_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Telephone

**IF YOU NEED A RIDE TO MEETINGS, PLEASE LET US KNOW HERE \_\_\_\_\_  
AND GIVE US YOUR TELEPHONE NUMBER \_\_\_\_\_**

**TEAR OFF AND RETURN THIS FORM WITH A CHECK PAYABLE TO:  
JAYHAWK CHAPTER MOAA  
CAPT (Ret) Jim Cooper, 1115 Stone Meadows Drive, Lawrence, KS 66049-3961**

MOAA WEBSITE: [www.moaa.org](http://www.moaa.org)

KANSAS COUNCIL WEBSITE: [www.kansasmooa.org](http://www.kansasmooa.org)

JAYHAWK CHAPTER WEBSITE: [www.jayhawkmoaa.org](http://www.jayhawkmoaa.org)

**Thank you for receiving  
the newsletter via e-mail !!  
It saves the Chapter for both  
printing and postage.**

**2012 Jayhawk MOAA Calendar:**

Tuesday 17 July MOAA meeting

Tuesday 18 September MOAA meeting

Tuesday 13 November MOAA meeting

Tuesday 22 January 2013 MOAA meeting



*One Association, One Voice. Yours.*

*Newsletter Editor*

*Jayhawk Chapter, MOAA*

*2403 Manchester Road*

*Lawrence, KS 66049-1646*

**IN GOD WE TRUST**