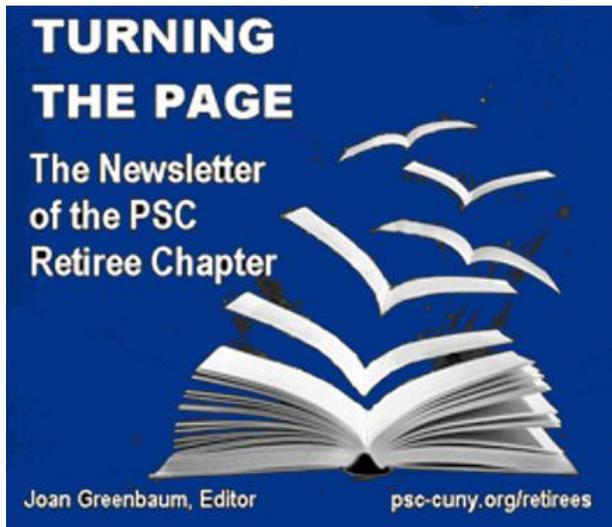


MARCH 2022



Academic Year 2021-22 No. 5

psc-cuny.org/retirees.org

**VIRTUAL CHAPTER MEETING
MONDAY, MARCH. 7. 1 PM**

The meeting will be in two parts:

PART 1: A NY STATE CLIMATE AGENDA. There is a bold package of twelve urgently needed climate bills currently before the NY State Legislature.



Peter Iwanowicz, the Executive Director of Environmental Advocates NY, will guide us through the legislation. Iwanowicz is a former Commissioner of the New York State Department of Environmental Conservation (DEC) and was the very first director of the New

York State Office of Climate Change. Discussion will follow.

PART 2: HEALTHCARE UPDATES on the current status of retiree healthcare changes. As we move toward the tentative April 1 deadline for implementation of the retiree healthcare changes and as a lawsuit trying to halt those changes proceeds through the courts, members have lots of questions. We'll provide updates.

Register for this Zoom event [HERE](#).

UPCOMING:

MARCH 6th – FUND HIGHER ED! As retirees, we have strong ties to a university whose curriculum, governance structures and outreach to a diverse student body we helped to build. We have a stake in the future funding of CUNY, a university to which we dedicated so much of our professional and work lives.

The PSC is teaming up with United University Professions (SUNY) and a growing student-community-labor coalition for a massive march from Brooklyn Borough Hall (209 Joralemon St) across the Brooklyn Bridge to Foley Square. The State Senate and Assembly will vote on their “one-house budgets,” their responses to the governor’s budget proposal, just days after our show of strength. So, we need you—and your family—there Sunday, March 6 at 12 noon to show massive public support for #NewDeal4CUNY at the most critical moment of the state budget campaign. This is the year Albany must go #Allin4SUNYCUNY.

Where Do Things Stand With the New Deal for CUNY? Click [HERE](#) to read a letter from PSC President James Davis on the status of the ND4C legislation and how we can push it forward with the march and rally on March 6.

Find out more about March 6 and sign up to participate at:

<https://www.psc-cuny.org/calendar/brooklyn-bridge-budget-march>



RETIREE HEALTHCARE UPDATES

LETTER FROM PSC PRESIDENT JAMES DAVIS with important updated information on the transition to MA+. Dated February 18, the letter was sent by both U.S. Mail and email to PSC members. You can read it at: <https://www.psc-cuny.org/ma-transition-update>

45,646 OPT OUT. In an article posted online on 2/14/22, [the NY Daily News reports:](#)

“Despite the financial penalty [of \$191.57 a month], 45,646 retirees have declined the Advantage plan in order to

maintain their current benefits, according to data provided to the Daily News by City Hall.”

ANTHEM BEING SUED BY THE U.S. DEPARTMENT OF JUSTICE. The suit, brought by the U.S. Attorney for the Southern District of New York in March 2020, alleges that the company submitted inaccurate diagnostic data to get a higher Medicare reimbursement. A press release about the lawsuit from the U.S. Attorney’s office stated:

By ignoring its duty to delete thousands of inaccurate diagnoses, Anthem unlawfully obtained and retained from CMS [Center for Medicare and Medicaid Services] millions of dollars in payments under the risk adjustment payment system for Medicare Part C.

Anthem Blue Cross Blue Shield partnered with Emblem Health to create the Alliance Medicare Advantage Plus plan for NYC municipal retirees.

LAWSUIT: As reported at our February 7 chapter meeting and subsequent email blasts, the lawsuit continues in the court of Judge Lyle E. Frank. In a status conference on Monday, February 7 on the suit brought by the [NYC Organization of Public Service Retirees](#), Judge Frank continued his preliminary injunction and agreed to hear arguments (in late February as we go to press) pro and con on the City’s right to make changes in retiree healthcare and to impose premiums for coverage that is presently premium-free. The judge implied that he would rule on this before the end of March. Click [here](#) to read a

brief questioning the legality of the plan. For a full listing of all the motions, affidavits, letters, and exhibits by all the parties before the court, click [here](#). (We suggest that you scroll down to the bottom of the page and click “Last” where you see “Page: 1 2 3 >> Last.” That will take you to the most recent activity before the court.

FOR UPDATES IN REALTIME GO TO OUR RETIREES HEALTHCARE PAGE. Last July, we set up a web page with comprehensive information constantly updated about the proposed changes to NYC retiree healthcare. There you can find out how to navigate the changes and read information on latest developments. Since its inception, there have been more than 78,000 unique visits to the page. You can access the web page at: <https://www.psc-cuny.org/whats-happening-retiree-healthcare>

OVER 450 ATTEND MEETING AS HEALTH CARE DEADLINES NEAR
-- Dave Kotelchuck, Hunter

As the deadline approaches for being placed in Medicare Advantage Plus (MA+) or choosing to enroll in traditional Medicare, over 450 PSC retirees attended the February 7 PSC Retirees Chapter meeting anxious to learn more about both plans, as well as their PSC-CUNY Welfare Fund benefits and how these “choices” came to be negotiated. The packed agenda gave rise to a marathon chapter meeting lasting three and a half hours. The agenda came in three parts:

Part 1. The Welfare Fund

First on the agenda was Donna Costa, Executive Director of the PSC-CUNY Welfare Fund (WF), who assured us that **our Welfare Fund benefits will not change** whichever Medicare plan we will be enrolled in. Furthermore, WF Communications Director Patrick Smith assured newly retired and active CUNY PSC members that **their Welfare Fund benefits do not change upon retirement** – the PSC is the only municipal union so far which has won full maintenance of WF benefits for its retirees. And despite the pandemic and disruptions of the past two years, the WF added two new benefits in 2021: Copays for generic drugs have been eliminated, and the twelve-month delay following use of some vision benefits has been eliminated – all annual vision benefits started on January 1.



Part 2. How did all these changes in our health insurance benefits come about?

Two speakers traced the process for us: Josh Freeman, Distinguished Professor of History at CUNY (now retired and a Chapter member), and Barbara Caress, who teaches at Baruch and Sarah Lawrence and is a PSC health-policy consultant.

First, Josh talked to us about labor’s relationship to health care. As he noted, in the 19th and early 20th Centuries it was not medical costs that most affected working families but loss of

income due to death, illness and injuries. Only during WWII did workers and their unions begin bargaining for health care benefits. In 1944 Mayor Fiorello LaGuardia agreed to pay half the costs for NYC employees to visit doctors' offices under the HIP health-insurance plan. Later NYC covered 50 percent of costs for both doctor visits and hospital costs (Blue Cross) for NYC employees. But the remaining 50 percent of costs still has to be raised through labor negotiations – cutting into the funds available for city-employees' wage increases. The City's municipal unions have tried to mitigate these pressures by joining together in the 1970s into the Municipal Labor Committee (MLC) to bargain on behalf of all City municipal unions.

Nevertheless, costs continue to rise. In concluding, Josh said that health care for the City's municipal employees has been a "success story" since WWII, with greater worker access to quality medical care. But this remains a "creaky" jury-rigged system. We still need to take health care out of labor-management negotiations, he said, and personally he supports Medicare for All.



Then Barbara Caress talked about the eight options for health-care cost savings in the 2018 agreement between the City and the MLC, representing over 100 NYC municipal unions including the

PSC. She briefly presented evidence that the City pays too much for its health-care services and gets too little and explained why the City plan is so expensive. But the focus of her talk was on the seven options for savings, "the roads not taken." Chief among these, the first listed option: **self-insurance by the City for its health-care costs**. She noted that 48 out of 50 U.S. states self-insure – only sparsely-populated Idaho and North Dakota do not. Why? Because it saves them money! It lowers operating costs. There are no marketing costs. There is no company overhead to meet. There are no risk premiums that private companies charge to protect themselves against rare, but catastrophic losses (self-insurers, like NYC would in this case, assume this risk). Also, the City would save itself from the 1.75% state and federal tax on insurance premiums it now pays, an estimated savings for NYC of about \$125 million annually. And finally, the City would no longer have to pay for the profits which private insurance companies make through their charges to clients. Barbara estimates that the City's savings from self-insuring would more than cover the \$600 million goal in savings annually under the 2018 City-MLC pact.

The other cost-saving action the City could undertake to cut health care costs would be to engage in a major fight with the City's voluntary hospitals against charging rates for their services far beyond those they accept from Medicare. The Medicaid rates are closer to the actual hospital costs for these services, she said, and this will take muscle and political will by the City.

Part 3. Member Q&A

Dean Hubbard, PSC Executive Director, led off this part of the meeting with a report on the union's active lobbying with City officials to halt or slow down implementation of the MA+ plan, as well as the lawsuit status and, regrettably, the Mayor's recent statement that he supported the MA+ plan. Then for the next hour and a half, dozens of retiree members had an opportunity to ask questions of the Chapter officers, PSC and WF staff, and speakers. All of the presenters had spoken virtually and virtually all remained online to field questions, which varied from ones of broad general interest (such as, What are the prospects of success in the retirees' current lawsuit?) to vital personal questions (such as, I live in Florida. How do I find out if my current health care providers are in network?). At 4:30 p.m. this marathon meeting ended. Much praise went out by retirees for the leadership and information provided by all. Our efforts continue.

See the video of the 12/7 meeting at: https://www.youtube.com/watch?v=VOvQAW_EkqE

ORGANIZING THE BLACK MEDICAL COMMUNITY: A BLACK HISTORY MONTH EVENT

-- Marcia Newfield BMCC & former PSC VP for Part-time Personnel

"What happened during COVID was an example of government administration of health care—vaccinations, masks, tests— a Medicare-for-all model." This was one of the insights brought to light by Dr. Donald Moore, moderator of the panel "Organizing The Black Medical

Community: Past, Present and Future," which took place February 16. The event was initiated by the NY Labor History Association and co-sponsored by the PSC Retiree Chapter, LaborArts, and the NYU Tamiment-Wagner Collection. Dr. Moore is a member of the Executive Committee of Physicians for a National Health Plan (PNHP) and a practicing physician in Brooklyn. He was frank about the gaps and needs of the U.S. health system: "Whereas in earlier days the issue was inclusion in medical care, now the great inequalities are affected by insurance availability and quality."



The panel was a follow-up to the Feb 7 showing of "The Power to Heal: Medicare and the Civil Rights Revolution." Produced in 2018 by Dr. Barbara Berney, a CUNY faculty retiree, about events in 1964, the documentary depicted the nightmare that was health care for Blacks and the forceful (and partially volunteer) turnaround that Medicare and the Civil Rights Act precipitated. Although decades have passed since then, inequalities still abound. Dr. Doris Browne, the 118th President of the National Medical Association (NMA), which now represents over 50,000 Black physicians, spoke about the origins of this organization in 1895. It took the AMA ninety years to apologize for not recognizing the NMA. The NMA's goals are diversity, education, and inclusion. At present, Blacks represent only five

percent of the U.S. medical force, and the profession is experiencing a decrease in male medical students. NMA is offering scholarships and hosts a yearly Black Maternal Health Conference.

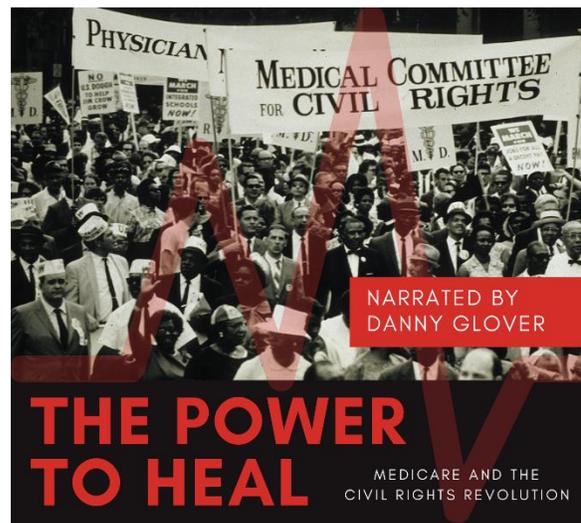
Doctor of Nursing Practice Julius Johnson, founder and President of the Greater NY Black Nurses Association, the second largest national chapter, reported that his organization took action during the pandemic to ameliorate the inequalities in available care. When third-party providers were sent to neighborhoods where they could not connect, the nurses group intervened and added on-site care. Dr. Johnson stressed the need for collaboration between all medical professional groups.

Lystra Sawney is Vice-President of a new organizing department of SEIU 1199 devoted to home health care workers. She reported on similar inadequate services during the pandemic to health-care workers and the people they serve. They rented RVs to provide testing and personal protective equipment (PPEs) and made vaccinations available at numerous sites. SEIU 1199 represents 450,000 health-care workers and 70,000 home health-care workers. They are working to advance the Fair Wage Act to increase the minimum wage of the workers they represent from fifteen to twenty-two dollars an hour.

The panel was recorded on video and is available [HERE](#). Passcode is j&TZAa02

THE POWER TO HEAL

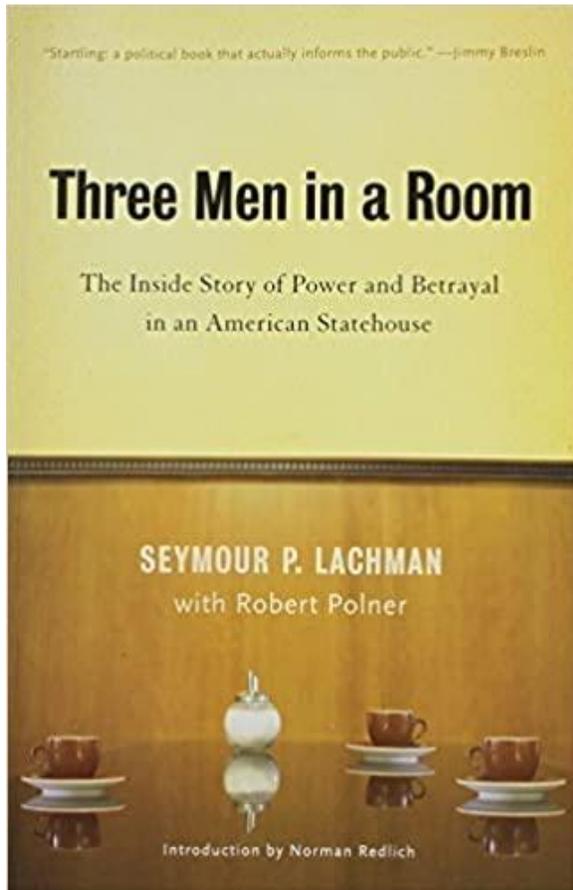
On February 7, the Retirees Chapter, led by its Anti-Racism Committee, presented *The Power to Heal*. This film documents with first-hand stories the history of racial discrimination in health care for Black Americans and the suffering it caused. The film follows the rise of the fight-back by the medical community, particularly by Black physicians, nurses and dentists against this discrimination, and the founding of the National Medical Association. This fight culminated in an historic struggle to secure equal and adequate access to hospital care for all Americans waged by a dedicated staff of federal employees of the Department of Health, Education and Welfare (DHEW, now called DHHS), backed up by the new Medicare law and the power of the LBJ Presidency. The result: A momentous, coordinated effort that desegregated thousands of hospitals across the country within weeks. The originator of the film, Barbara Berney, a member of our chapter and Associate Professor Emerita at the CUNY School of Public Health, was present to answer questions and participate in the lively discussion which followed.



PERSPECTIVE:

GOV. HOCHUL, BILLIONAIRE DONORS & A NEW DEAL FOR CUNY

-- Glenn Kissack, Hunter Campus Schools



Seymour Lachman, former NY State Senator, wrote an inside account of how the NYS legislature functions, entitled “Three Men in a Room: The Inside Story of Power and Betrayal in an American Statehouse.” Although it’s no longer three men making the ultimate decisions on state budgets, NY State law gives the Governor the biggest say in budget decisions, followed by the Assembly Speaker and the Senate Majority Leader, who negotiate the final details with the Governor.

Today, as the PSC lobbies for the New Deal for CUNY, legislation which would greatly increase funding for CUNY, allow for free tuition and the hiring of more mental health specialists for students, money to hire more tenure-track professors and equity in pay for contingent faculty, it has to be of concern that the Governor’s campaign for re-election is being financed by some of the richest residents in New York, whose priorities don’t appear to include more money for CUNY.

Since July, Governor Kathy Hochul has collected almost \$22 million in campaign contributions, more than 95% from donors who gave \$1000 or more. At least ten donors gave her \$69,700, the maximum allowable amount. (*NYTimes*, 1/20/22)

On February 10, Hochul hosted a private fundraiser at Hudson Yards for twenty guests, who paid up to \$42,500 a head. Hudson Yards — the country’s largest private real estate project — was built by Related Companies, reportedly interested in having a casino at the site (which must be approved by Hochul’s Administration). So it’s not surprising that Related’s chairman, Stephen Ross, gave the Governor nearly \$70,000.

Other billionaire real estate developers who gave hundreds of thousands of dollars were Douglas Durst, Larry Silverstein, Steven Roth and members of the Rudin, Speyer and Tishman families. The Haugland family, owners of a Long Island construction company with state contracts at the Port Authority and the MTA, gave Hochul more than \$200,000. Hedge fund billionaires also gave generously: John Paulson and Dan Loeb, two Wall Street supporters of

Success Academy, the charter school conglomerate, donated \$50,000 and \$30,000, respectively. (*NYTimes*, 1/20/22)

These millions in donations are intended to advance corporate interests worth billions of dollars. As the *NY Times* observed: “Few industries gave more — and frequently in large amounts — than real estate, where large developers are keenly watching how Ms. Hochul will not only approach large, state-funded capital projects but State’s affordable housing law.” Political commentator Ross Barkan concluded that real estate interests will “demand a return on their investment,” including legislation making it easier to evict tenants and the continuation of tax breaks for developers of luxury housing who include a modest number of affordable apartments. And the billionaires appreciate Hochul’s refusal to raise taxes, their taxes.

If “money talks,” the interests of the Real Estate Board of New York (REBNY) and Wall Street will be prioritized and not those of the students, faculty and staff of CUNY. When the Governor announced her \$216 billion budget a few weeks ago, the increase in CUNY’s allocation for both the senior and community colleges was \$178 million — considerably less than the \$249.9 million requested by CUNY and far less than the amounts necessary to pay for the goals of a New Deal for CUNY. There are indications that the “three people in the room” — Hochul, Heastie and Stewart-Cousins — will let the ND4C legislation languish in committees this year. With federal relief money drying up, CUNY may be cash-strapped by the time PSC contract negotiations

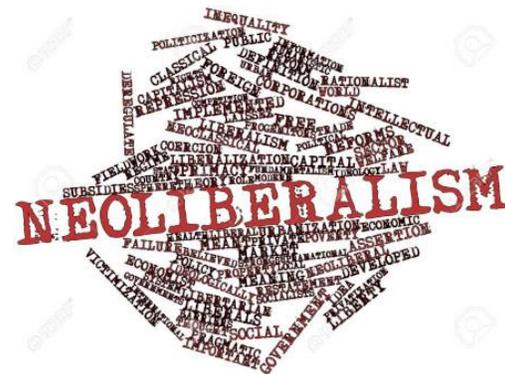
begin in the fall of this year. The challenge for the PSC will be to mobilize students, faculty, staff and alumni to overcome the financial power of elite interests.

A PERSPECTIVE:

NEOLIBERALISM: WHAT IT IS AND HOW IT AFFECTS US

-- Michael Frank, *La Guardia*

(Editor’s note: This is Part 1 of a two-part series on public funds used for privatization, which we see in the case of Medicare Advantage.)



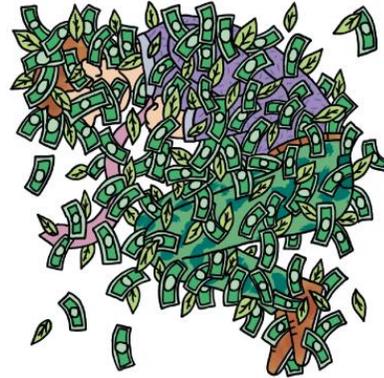
There are two main reasons that account for the neoliberal turn which began in the 1970s: the first is the end of the postwar economic boom and the second is a shift in the attitude of the business class toward labor. The post-World War II period is often referred to as “the golden age of capitalism.” The healthy profits that followed the Great Depression and World War II combined with a labor movement strengthened by the big strikes of the 1930s and 1940s made an unwritten social contract between labor and management possible. Wages increased in tandem with increases in productivity. Living standards thereby rose for broad swaths (but not all) of the working class as each

new generation did better than its predecessor. But what was a means of buying social peace and relatively uninterrupted production during boom times became an obstacle when the rate of profit fell and the boom ended. Business leaders came to the conclusion that the class compromise and regulated capitalism of the post-war period had to be dismantled. Once this was done, they reasoned, the high levels of profit, investment and growth that characterized the previous period would be restored.

Restoring profitability meant changing what economists call the wage share, the amount of new value produced by labor that is returned to it in the form of wages. The remainder of the new value produced accrues to the owners in the form of profit. But reducing the wage share and increasing the profit share requires changing the balance of power between labor and capital. That is the basic goal of the neoliberal agenda.

Neoliberalism was spawned in the Business Roundtable, the main corporate lobbying organization in the United States. Membership in this organization is restricted to CEOs from the largest corporations. In the 1970s companies represented at the Roundtable included AT&T, Bank of America, Chase Manhattan Bank, Chrysler, Dow Chemical, Exxon, Ford Motor Company and General Electric.

The term "neoliberal" can be confusing since in this context "liberal" does not mean progressive, but is used in the classical historical European sense of a



market economy unencumbered by restrictions. For those who espouse neoliberalism, capitalism is not understood as an inherently contradictory and crisis-prone system. Rather, crises are viewed as the result of bad policies and legislation which constrain the natural dynamism of the market. Falling within this category are environmental protection measures, health and safety regulations in the workplace, and product standards for consumer protection. Within this framework labor unions are seen as a particularly nefarious form of interference with market functioning, and the weakening if not elimination of unions is a central objective. In this regard, neoliberalism went further in the U.S. and Britain because of the defeats inflicted on labor under Reagan and Thatcher.

It is crucial that neoliberalism and austerity be grasped as part of a *class* offensive, not exclusively as a right-wing offensive. Changes in the attitudes and policies of the business class have an enormous influence in shaping the overall political climate. Think of Marx's dictum: "The ruling ideas are the ideas of the ruling class."

During the 1970s corporate financial support was channeled to conservative think tanks such as the American Enterprise Institute, the Heritage Foundation and the Hoover Institution. The more liberal or centrist Brookings Institution was pulled in a neoliberal direction by the tide of business opinion and money. The field of economics underwent a sea change as Milton Friedman's star rose while Keynes's star fell. Both political parties, themselves dependent on corporate financing, embraced neoliberal measures thereby creating a bipartisan consensus. There remained differences between the two parties, of course, but these differences along with the entire political spectrum shifted to the right.

Since the policy deliberations of the ruling circles are shielded from public view and only their effects on organizations, political parties and the media are visible, the common mistake of seeing neoliberalism as a right-wing and not a class program is understandable. This leads many to the conclusion that neoliberalism can be stopped or at least slowed down, for example, by voting for Democratic Party candidates.

In the 1990s business grabbed pieces of government-funded programs such as education and health insurance, and converted them into sources of profit. It is not difficult to understand why the corporate elite has embraced neoliberalism. It is more difficult to comprehend why labor leaders such as Randi Weingarten and heads of the Municipal Labor Committee have become advocates of the privatization of Medicare, an important aspect of the neoliberal program. This will be discussed in Part 2 of this article ("How It Affects Us") in the next issue.

TURNING THE PAGE is a publication of the Retirees chapter of PSC-CUNY, Local 2334 of NYSUT and the AFT. We welcome contributions from our several thousand members: articles of special interest to retirees, short essays on your activities during this period of politics and plague, and your comments on recent publications of interest. Our newsletter collective is made up of Michael Frank, Joan Greenbaum and Dave Kotelchuck. Bill Friedheim does layout. Please write to us at retirees@pscmail.org, with 'Newsletter' in the subject line.