

Hot Topics Newsletter

GENERAL NOTICES

- All overnight lodging requests should be arranged through the AOC Travel Coordinator, Allison Leebrick, at allison.leebrick@mdcourts.gov, unless otherwise approved by the Chief Justice of the Supreme Court of Maryland, the State Court Administrator (SCA), or their designee. Please allow as much time as possible to make these arrangements. Once completed, your room reservation will be emailed to you.
- For State Retirement updates, visit: <https://sra.maryland.gov/members> and for the newsletter: https://sra.maryland.gov/sites/main/files/file-attachments/retireenewsfeb2023_-_final_for_web.pdf?1677782761.
- For the latest news, updates, payroll info, Hot Topics and more, check out the Senior Judge webpage, <https://mdcourts.gov/hr/seniorjudges>. Don't forget to save the link so you can refer to it at any time.

'LAST CHANCE' BILL TO HALT SHIFT IN MD. RETIREES' RX COVERAGE UNLIKELY TO PROGRESS

BY: JACK HOGAN

AS APPEARING ON THE DAILY RECORD'S WEBSITE ON FEBRUARY 6, 2024

ANNAPOLIS — A proposal to keep Maryland from shifting prescription drug coverage for some Medicare-eligible retirees at the end of the year is unlikely to progress in the legislature, a top lawmaker says, potentially burying what one retiree has called “our last chance” in a years-long effort to avert the switch.

While state officials have said that retirees should expect their out-of-pocket costs to remain about the same, retirees have said the state has been misleading in its attempts to equate the coverage level from the outgoing program with Medicare Part D, which helps cover prescription drug costs.

There are roughly 53,000 Medicare beneficiaries enrolled in the state's benefits program, according to the Department of Budget and Management.

State Sen. Michael McKay, a Western Maryland Republican, has proposed maintaining state-funded coverage for those who began working for the state before July 1, 2011, but the presiding officer of his chamber said Tuesday that “I don't see us moving forward on that front.”

“This is a tough issue, and change is very difficult,” Senate President Bill Ferguson said to reporters. “We've put in a lot of protections, and the federal government has added protections to Medicare Part D about out-of-pocket costs.”

Shifting to Medicare is expected to have a “huge impact” on the state's financial stability, said Ferguson, a Baltimore city Democrat.

Ending state coverage for Medicare-eligible retirees would save the state roughly \$180 million in cash annually and represents a reduction of \$8 billion in liability for other post-employment benefits, according to the Department of

IN THIS ISSUE:

- THE HON. JAMES PATRICK SALMON
Page 3
- JIS CORNER
Page 4

- PERSONAL SAFETY TIPS
Page 4
- IN MEMORIAM
- UPCOMING ADVANCED PAYROLLS
Page 5

- SENIOR JUDGES COMMITTEE
- RETIREMENT SERVICES CONTACT LIST
Page 5

Budget and Management. But Peta Richkus, who was Maryland's secretary of general services for four years under Democratic Gov. Parris Glendening, has said the state has exaggerated the cost of the program and stated that net spending for the benefit in fiscal year 2022 was \$119.4 million, or 0.2% of the general fund operating budget.

Another retiree, James Roberts, a professor emeritus in the political science department at Towson University, said that he would have to pay several thousand dollars more for his prescriptions under the Medicare coverage plans available this year, considering that fewer of his prescriptions would be covered.

Under Medicare Part D, retirees will select a coverage plan based on the prescriptions they take. The state is expected to contribute, tax-free, to a health reimbursement plan to help certain retirees pay their out-of-pocket costs under Medicare — including to help cover the difference between the state's \$1,500 individual out-of-pocket limit and Medicare's \$2,000 cap that will take effect in 2025.

“In the case that something does happen, and there is an out-of-pocket expense that is significant, the state will bear that cost once retirees hit a certain threshold,” Ferguson said. “It is slightly higher than where it is today, but the vast, vast, vast majority of retirees will pay nothing more in their prescription benefits.”

Richkus and Roberts, though, said the outgoing state-funded coverage is more extensive than the plans offered through Medicare Part D and that the largest expenses retirees may face will be for drugs not covered under their new plan.

Richkus noted that, for instance, the state's plan covers 15 different proton pump inhibitors, used to treat peptic ulcers, gastroesophageal reflux disease and other conditions, while Medicare Part D plans are required to offer just two.

A retiree would be responsible for the full cost of a drug not covered under their plan, and the uncovered drug wouldn't count toward the \$2,000 Medicare cap, they said.

In the coming months, the state is expected to select a Medicare drug coverage administrator for the new program. After selecting an administrator, the state plans to contact retirees about their coverage options, how to use their reimbursement plan money beginning next year, information about assistance in choosing coverage, and how and when to enroll.

Before open enrollment, which will be from Oct. 15 to Dec. 7, the state is expected to offer online education sessions and in-person sessions across the state, providing retirees an opportunity to speak with a licensed benefits advisor for information about plan options, the letter states.

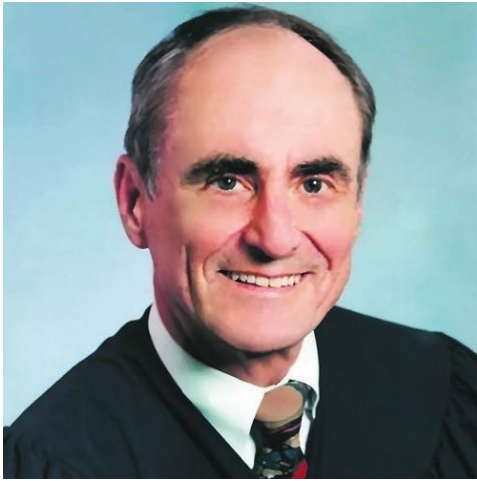
Ferguson said lawmakers have encouraged the state Department of Budget and Management to “overstaff” to help retirees navigate the change to Medicare.

“The Department of Budget and Management needs to do whatever possible to have the resources to give the right guidance to retirees,” he said.

The shift to Medicare was originally set to take effect in 2019, but state retirees filed a lawsuit claiming that the change was an unconstitutional breach of contract.

The U.S. Court of Appeals for the 4th Circuit last year ruled in the state's favor and an injunction forcing the state to continue its coverage ended in July.

“Assuming that there’s not a further appeal or some sort of injunction,” Ferguson said, “I suspect that we will see that this Department of (Budget and) Management will move forward with the changeover at the end of this year.”



THE HON. JAMES PATRICK SALMON

BY: HON. GLENN T. HARRELL, JR.

Judge James Patrick Salmon, Senior Judge of the Appellate Court of Maryland, passed away on January 17, 2024, at the age of 83. Judge Salmon was born on February 9, 1940 in Easton, Maryland. A first-generation Irishman, he was the son of the late John Salmon, who was born in County Mayo, Ireland, and the late Mary Fitzpatrick Salmon, who was born in County Longford, Ireland.

Jim was a long-time resident of University Park, Maryland. He and his wife of 38 years, Sharon, enjoyed also their winter residence in Bonita Springs, Florida. Jim grew up in the town of Trappe, on Maryland’s Eastern Shore. He graduated from Easton High School in 1958, then attended St. Vincent College in Latrobe, Pennsylvania, graduating with a Bachelor of Arts degree in Economics in 1962. He then entered the University of Maryland School of Law and graduated with a J.D., magna cum laude, in 1965.

Judge Salmon began his legal career as a law clerk to Court of Appeals Judge Charles C. Marbury. He went on to become a partner with the Upper Marlboro law firm Sasscer, Clagett, Channing and Bucher where, as a trial attorney, he was inducted into the prestigious American College of Trial Lawyers. In 1988, he was appointed as a Judge on the Circuit Court of Prince George’s County, Maryland. In 1994, he was appointed to the Maryland Court of Special Appeals. Even after the mandatory retirement age of 70, Judge Salmon continued to serve on that Court as a Senior Judge until his death. He was recognized recently for having served the courts of Maryland as a Judge for 35 years.

Some of the condolences expressed by members of the Bench, lawyers who practiced before Judge Salmon, and his friends gave a further measure of the man:

On and off the bench Judge Salmon was wise, kind and bestowed a gloss on our profession with his even handed manner and exemplary professionalism.

He was a courteous, thoughtful, and pragmatic jurist. It was an honor and a privilege to argue in front of him. May his memory be a blessing.

His keen eidetic memory, dry wit, and self-deprecating humor are legendary.

He was a highly intelligent scholar of the law with a dry wit who was always pleasant to everyone. Jim will be missed.

Many great memories of a kind brilliant man. A legal scholar and a delight to be with in any situation. He will be greatly missed.

Jim was a kind, warm and genuine man. He had a great sense of humor and a contagious laugh. He was brilliant in the practice of law as many have noted but he was best at being a friend.

JIS CORNER: STAY IN THE KNOW



Senior Judge Information Security Training and Awareness

Information Security cannot do it alone. We need your help. Please help protect the Judiciary Network by completing your security awareness training.

The Judiciary Information Systems Department provides Information Security Training on a quarterly basis. The trainings are mandatory for everyone. The training is critical to help employees understand the importance of cybersecurity. It provides us with important information on how to identify potential threats, report them, and prevent security incidents from happening.

Security incidents can damage the Judiciary's reputation, resulting in a loss of public trust.

Here is an important fact: The number one attack vector used by cyber criminals today is phishing email. Phishing emails are designed to lure a person into clicking on a link which could install malicious content onto a computer which then propagates across the network very quickly. It can be expensive to recover from this type of security incident. Business could be shut down for days, weeks or even months during the recovery period.

What are the top 5 things you can do to help protect the Judiciary's network assets?

1. Do not delay, complete security awareness training right away.
2. Be vigilant and aware of potential threats.
3. Report suspicious emails using the Report Suspicious Email button in your Outlook email.
4. Follow policy to avoid potential risks and data breaches.

5. Create strong passwords and safeguard them by not writing them down or sharing them with others.

Senior Judge Information Security Training in 2024:

- March
- May
- July
- October

If you have questions or need assistance with training, contact JIS Customer Services at 410-260-1114.

PERSONAL SAFETY TIPS FOR JUDGE AND COURT STAFF



In case you missed it, Chief Justice Fader recently emailed instructions on changing your home address with the MVA to that of a courthouse and to keep your voter registration information confidential.

To notify the MVA of your alternate address, send a letter of request with your alternate address to the MVA. This letter must be on your court's letterhead. Include your contact information in case the MVA's Internal Affairs Division needs to contact you. On Section B of form VR-154, be sure to indicate that you are keeping your voting district the same. Email the Letter of Request and a scanned copy of form VR-154 to Kelly Shubenok: kshubenok@mdot.maryland.gov. Kelly may be reached by phone at 410-768-7654.

To update your address with your local Board of Elections, complete the form at <https://elections.maryland.gov/forms/documents/Confidentiality%20Request%20Form.pdf> and send it to your local Board of Elections. Local Board of Elections contact information can be found at https://www.elections.maryland.gov/about/county_boards.html.

For additional information and to access referenced forms, please see Chief Justice Fader's

email dated February 5, 2024. Personal safety tips for judges and court staff, home security audit information, and other mental health support services are available on the CourtNet Safety and Security Resources page, <https://courtnet.courts.state.md.us/employees/securityandsafetyresources.html>.

Please review and feel free to take advantage of these resources.

IN MEMORIAM

- ❖ Hon. Edward J. Angeletti
Circuit Court for Baltimore City
- ❖ Hon. Arrie W. Davis
Appellate Court of Maryland
- ❖ Hon. James P. Salmon
Appellate Court of Maryland

UPCOMING ADVANCED PAYROLLS FOR SENIOR JUDGES

05/08/24 – 05/21/24 Timesheets will be due for approval by noon on Monday, May 20th.

THE JUDICIAL COUNCIL'S SENIOR JUDGES COMMITTEE

- Hon. James A. Kenney III, Chair, Senior Judge
- Hon. Deborah Sweet Eyler, Vice Chair, Senior Judge
- Hon. Jean Baron, Senior Judge
- Hon. Lynne A. Battaglia, Senior Judge
- Hon. Lawrence R. Daniels, Senior Judge
- Hon. Glenn T. Harrell, Senior Judge
- Hon. Steven I. Platt, Senior Judge
- Amanda Purnell, Court Administrator, Circuit Court for Talbot County
- Hon. Irma S. Raker, Senior Judge
- Sharon Reed, District Court Headquarters
- Hon. Marcus Z. Shar, Senior Judge
- Hon. Nancy B. Shuger, Senior Judge
- Hon. Norman R. Stone III, Senior Judge
- Hon. Dennis M. Sweeney, Senior Judge
- Eliana Pangelinan, Staff

RETIREMENT SERVICES CONTACT LIST

Maryland State Retirement and Pension System – 1-800-492-5909

Shane Brown
sbrown@sra.state.md.us
410-625-5664

Social Security Administration (SSA)
www.socialsecurity.gov
1-800-772-1213

Centers for Medicare and Medicaid
www.medicare.gov
1-800-633-4227

Maryland Supplement Retirement Plan (MSRP) – 1-800-545-4730

Angela Anderson
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**Department of Budget & Management,
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410-767-4775

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