

Legislative Update for Chatham County CBA – Nov 2009

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State Issues:

- **The 2009 Session of the General Assembly adjourned on August 12th.** The NC General Assembly will reconvene on Wednesday, May 12, 2010 at 12:00 noon.
- **The State CBA annual Lobby Day will be on Wednesday, May 19, 2010.** Please plan to attend if you can.
- **Senate Majority Leader Tony Rand, one of the most powerful political figures in the state, is leaving the Senate for a full-time position as the Chairman of the State Parole Board. He is 70 years old and has been in the Senate for 22 years.** Possible replacements are: Sen. David Hoyle (D-Gaston), Sen. Dan Clodfelter (D-Mecklenburg), and Sen. Martin Nesbitt (D-Buncombe).

Federal Issues (Reported by the MRF www.MRF.org)

- **US House Bill 1253 – HIPAA loophole fix.** – Forces insurance companies to tell you if they will not cover your medical expenses for injuries received in what they consider “dangerous” activities. (motorcycling is one of them) Passed the full House vote on April 2nd. In the Senate Health committee. Title: To require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable. Sponsor: Rep Burgess, Michael C. [TX-26] (introduced 3/3/2009) Cosponsors (1) Latest Major Action: 4/1/2009 Referred to Senate committee. Status: House voted: 422-3 in favor. Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **RIGHT TO REPAIR BILL HR 2057** - a bipartisan bill called the Right to Repair Act of 2009 has just been introduced in the House of Representatives that would, in fact, make it cheaper and easier for millions of consumers to have their cars and motorcycles repaired. Although similar legislation has been introduced in previous Congresses but not voted on, it takes on additional urgency in these tough economic times, especially with the closing of many auto dealerships. Currently some manufactures only make diagnostic tools and software available to their dealerships, severely limiting repair opportunities for consumers. Enter HR 2057, introduced by Edolphus Towns (D-NY), which would require car manufacturers make the tools and diagnostic information needed to repair their vehicles available to independent repair shops on the same basis that they make them available to their dealer-operated shops. Basic consumer choice in vehicle repairs means more fair market competition, which helps keep repairs affordable. Enactment of the Right to Repair Act of 2009 would be a win both for small businesses and consumers at a time when both need a boost. Although HR 2057 does have a greater likelihood of passage this Congress than similar bills have in the past, it still has a long way to go before being signed into law. Latest Major Action: 4/22/2009 Referred to House committee. Status: Referred to the House Committee on Energy and Commerce. **Rep. David Price (Western Wake), Rep. Bob Etheridge (Chatham), and Rep. Brad Miller are already co-sponsors. We are good on this one.**
- **Noise Issues – NYC has a new ordinance.** If a cop walks by your parked motorcycle and bends down and can see that your pipes don't have the stock EPA sticker on them, he can give you a \$1,000 fine and impound your bike on the first offense. On the second offense, he can confiscate your bike for good and hit you with a \$2,500 fine. This folk's, is NOT AMERICA. This is why the CBA exists. We fight unfair legislation. Don't think that sitting around and doing nothing is the best way to go. There are also issues with motorcycle noise in Asheville, NC and that City is also cracking down. (A little closer to home eh?) We will be following this issue very closely and will be asking for you to write legislators and city councilpersons in the future. As I said at the last meeting, government takes away our freedoms in small doses. We need to be vigilant on all the issues effecting motorcycling so we don't get robbed of our freedoms.

Awareness is our best defense. Please stay involved legislatively

United States Senate
WASHINGTON, DC 20510

October 28, 2009

Dear Friend,

Thank you for contacting me regarding your concerns about health care reform. I greatly appreciate hearing your thoughts on these important issues.

Each year, costs associated with our current system increase. North Carolinians are struggling to afford insurance coverage, and the unprecedented economic crisis facing our nation has made it still more difficult for working families to manage medical costs while making ends meet. In North Carolina alone, the number of uninsured has risen to approximately 1.8 million, which represents 22 percent of the state's population.

The United States spends more per capita on health care than any other developed nation, over \$2 trillion per year, yet this fact is not reflected in our health outcomes. A Commonwealth Fund report compared the American health care payment and service delivery system with that of six other developed nations. The report found the United States to have poorer health indicators and outcomes, as well as a more fragmented and unstable system with substantial delays, waste, and paperwork.

As you know, there are various opposing views within the health care reform debate, and I would like to address a few here. When crafting the Affordable Health Choices Act, the Senate Health, Education, Labor, and Pensions (HELP) Committee bill, we went to great lengths to ensure that if you have a health insurance plan that you like, you can keep it. Moreover, no one will be required to participate in the Community Health Insurance Option, including individuals, employers, and health care providers.

I recognize that medical liability reform has the potential to reduce medical malpractice insurance premiums for health care providers and decrease defensive medicine practices. Accordingly, I am in favor of President Obama's plan to implement demonstration projects to evaluate medical liability models being used and implemented around the United States.

In addition, concern has been raised about illegal aliens being able to receive medical services under health care reform. The Affordable Health Choices Act defines an eligible individual as a citizen or lawfully admitted permanent resident of the United States. Illegal immigrants would be explicitly barred from receiving services under the legislation.

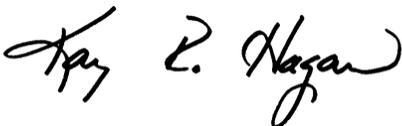
Also, some believe abortion services could be covered under health care reform. This is inaccurate, due to a long-standing federal law that includes a broad prohibition against using federal funds for abortion services. Health care reform would not change that prohibition, which is known as the Hyde Amendment.

Furthermore, it has come to my attention that some believe there would be rationing of health care services under health care reform. The Affordable Health Choices Act would not do anything to limit the ability of your doctor to pursue the course of care he or she believes is most appropriate for you. While the bill would fund research into the comparative effectiveness of various treatments, that information will simply serve as a tool for practitioners to use as they see fit. The Affordable Health Choices Act specifically states that any recommendations made under health care reform shall not be construed as mandates for payment, coverage, or treatment of health services.

I will continue to work with my Senate colleagues and stakeholders throughout North Carolina to help pass pragmatic, comprehensive health care reform. For the most up-to-date information on health care reform, I encourage you to follow the Senate HELP and Finance Committee websites, found at www.help.senate.gov and www.finance.senate.gov. There you can find the draft legislation and proposals, bill summaries, press releases, amendments, and a variety of publications.

Again, thank you for contacting my office. It is truly an honor to represent North Carolina in the United States Senate, and I hope you will not hesitate to contact me in the future should you have any further questions or concerns.

Sincerely,



Kay R. Hagan